



File
C-74

Wichita-Sedgwick County Metropolitan Area Planning Department

March 12, 2007

Kellogg & Eastern LLC
7701 E Kellogg #630
Wichita, KS 67207

Clear Channel Outdoor Inc.
C/o David Mollhagen
3405 N Hydraulic
Wichita, KS 67219

RE: BZA2006-90: Sign code administrative adjustment to increase the height of a legal non-conforming off-site sign to 20 feet above the height of an elevated highway, generally located south of Kellogg and east of Eastern (8401 E Kellogg)

Legal Description: Lot(s) 1; Circuit City Addition. Generally located south of Kellogg and east of Eastern (8401 E Kellogg)

Dear Applicant:

We have reviewed your request for a Sign Code Adjustment to increase the maximum allowed height of an off-site ground sign on the aforementioned property. From reviewing your application, we understand that you propose to increase the height of an existing sign to 20 feet above the adjacent elevated highway to improve visibility above the highway rail.

Section 24.04.251.2.h. of the Sign Code allows an adjustment to increase the maximum height of an on-site sign up to 20 feet above the railing on an abutting elevated freeway. The requested adjustment is allowable when the three conditions required by Section 24.04.251.6. of the Sign Code are met. We find that increasing the height of the sign as proposed meets the three conditions required by Section 24.04.251.6. of the Sign Code as set out below:

- 1) Impact on existing uses in surrounding areas: The surrounding area is zoned LC and GC, and developed with a mixture of commercial uses along Kellogg. Increasing the permitted height of the sign should not adversely impact the existing uses.

- 2) Compatibility with existing or permitted uses on abutting sites: The increased height of the sign should not make the sign incompatible with existing or future development on adjacent properties, as the sign is within the allowable adjusted height.
- 3) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. There should be no impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

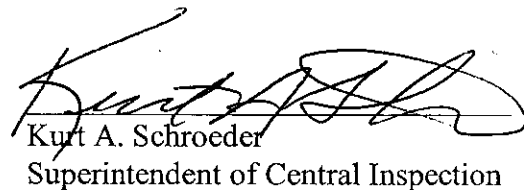
Our signatures below indicate that a Sign Code Adjustment to increase the maximum allowed height of a ground sign to 20 feet above an abutting elevated freeway, to 45.7 feet, is hereby granted, subject to the following conditions:

- 1) Signage on the property shall comply with all Sign Code regulations except that it shall be permitted at a maximum height of 45.7 feet. Said sign shall conform to the location on the approved site plan.
- 2) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

The "Development Application" sign should now be removed from the property.



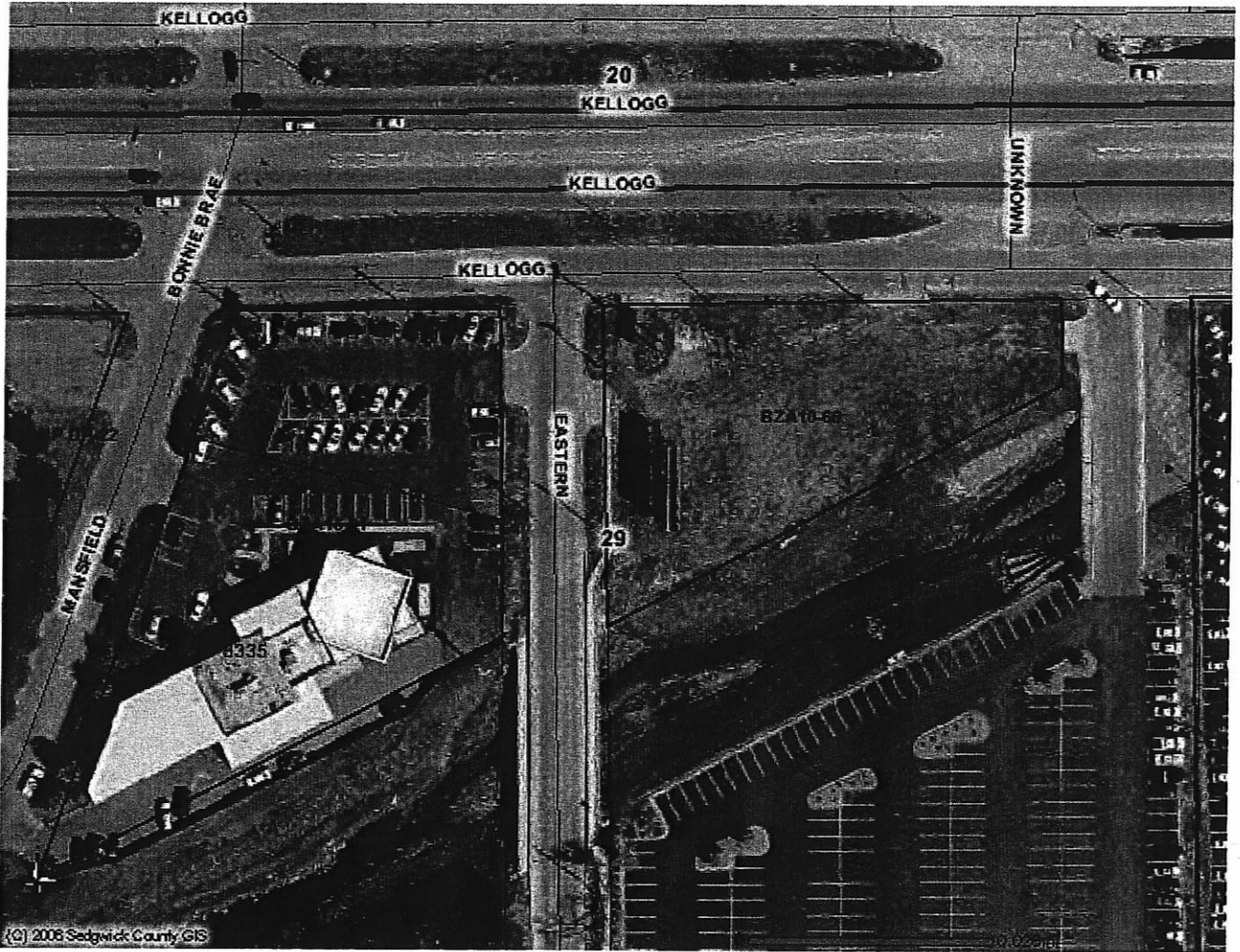
John L. Schlegel
Planning Director



Kurt A. Schroeder
Superintendent of Central Inspection

Enclosures

cc: Kurt A. Schroeder, Superintendent, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
JR Cox, Office of Central Inspection



APPROVED

SITE PLAN BZA 2006-90

Richard L. Linn

Date: 3-12-07