



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

July 15, 2019

Kathy Richstatter
Riverside Christian Church
4708 Baja Street
Wichita, KS 67204

Larry Rush
Riverside Christian Church
11332 W. Texas Street
Wichita, KS 67209

Patricia Bunton
Riverside Christian Church
4708 Baja Street
Wichita, KS 67204

Amanda Jolly
Riverside Christian Church
2552 E. Fairchild St.
Park City, KS 67219

RE: BZA2019-00025 – City Variance to increase the size of sign permitted and allow LED sign on property generally located one block south of West River Blvd and approx. 1/4 east of North Amidon Ave. (1001 N. Litchfield)

Dear Applicants,

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on July 11, 2019. This resolution reflects the official action of the Board with the following conditions:

1. Allow the a 34 square feet sign with an LED component as shown on the site drawings submitted by the applicant and shall be developed in accordance with the approved site plan and elevation drawings. Only one sign will be allowed for this zoning lot.
2. The applicant shall obtain all permits necessary to construct the signage and the signage shall be erected within one year.
3. Copy or graphics shall be limited to static images only and shall not change more than once every five seconds. The sign shall not be illuminated between the hours of 9:00 p.m. and 7:00 a.m. The sign shall conform to all other requirements of the City of Wichita Sign Code.

4. The applicant shall obtain all permits necessary from the Metropolitan Area Building and Construction Department.
5. The resolution authorizing this variance may be declared null and void upon findings by the Zoning Board of Appeals that the applicant has failed to comply with any of the foregoing conditions.

If you have any questions concerning this matter, please call our office at 268-4421.

Sincerely,



Kathy L. Morgan, Senior Planner
Current Plans Division

Copies to: MABCD
 Cindy Claycomb, Council Member District VI
 Brandon Findley, CSR District VI
 Kay Johnson, 937 N. Litchfield, Wichita, KS 67203
 David Dinell, 932 N. Porter, Wichita, KS 67203

Attachment – Resolution

ORIGINAL

BZA RESOLUTION NO. BZA2019-25

WHEREAS, Riverside Christian Church, Patricia Bunton, Board Chairperson (owner/president); pursuant to Kansas Statutes Annotated 12-759, requests a Variance to increase the size of sign permitted and allow LED sign on property generally located one block south of West River Blvd and approx. 1/4 east of North Amidon Ave. (1001 N. Litchfield); legally described as follows:

Odd Lots 97 through 117, inclusive, on Litchfield Avenue, Riverside Addition, , Wichita, Sedgwick County, Kansas

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of June 20, 2019, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Kansas Statutes Annotated 12-759 *et. seq.*; and

WHEREAS, there should not be any adverse harm to nearby properties. The construction will not alter the flow of water, and there is still a notable, if reduced, buffer between this structure and the adjacent property; and

WHEREAS, the variance requested will not adversely affect the public health, safety, morals, order, convenience, prosperity, general welfare, or the harmonious development of the community; and

WHEREAS, each of the five conditions required by Kansas Statutes Annotated 12-759, are found to be present for a variance to be granted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals, pursuant to Kansas Statutes Annotated 12-759, a Variance to increase the size of sign permitted and allow LED sign on property generally located one block south of West River Blvd and approx. 1/4 east of North Amidon Ave. (1001 N. Litchfield) and legally described as follows:

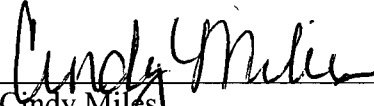
Odd Lots 97 through 117, inclusive, on Litchfield Avenue, Riverside Addition, , Wichita, Sedgwick County, Kansas

The variance is hereby **GRANTED**, subject to the following conditions:

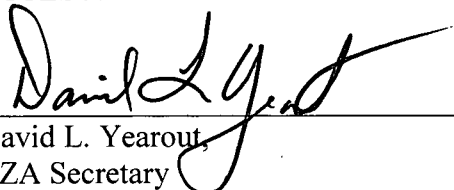
1. Allow the a 34 square feet sign with an LED component as shown on the site drawings submitted by the applicant and shall be developed in accordance with the approved site plan and elevation drawings. Only one sign will be allowed for this zoning lot.
2. The applicant shall obtain all permits necessary to construct the signage and the signage shall be erected within one year.

3. Copy or graphics shall be limited to static images only and shall not change more than once every five seconds. The sign shall not be illuminated between the hours of 9:00 p.m. and 7:00 a.m. The sign shall conform to all other requirements of the City of Wichita Sign Code.
4. The applicant shall obtain all permits necessary from the Metropolitan Area Building and Construction Department.
5. The resolution authorizing this variance may be declared null and void upon findings by the Zoning Board of Appeals that the applicant has failed to comply with any of the foregoing conditions.

ADOPTED AT WICHITA, KANSAS, 11th Day of July, 2019

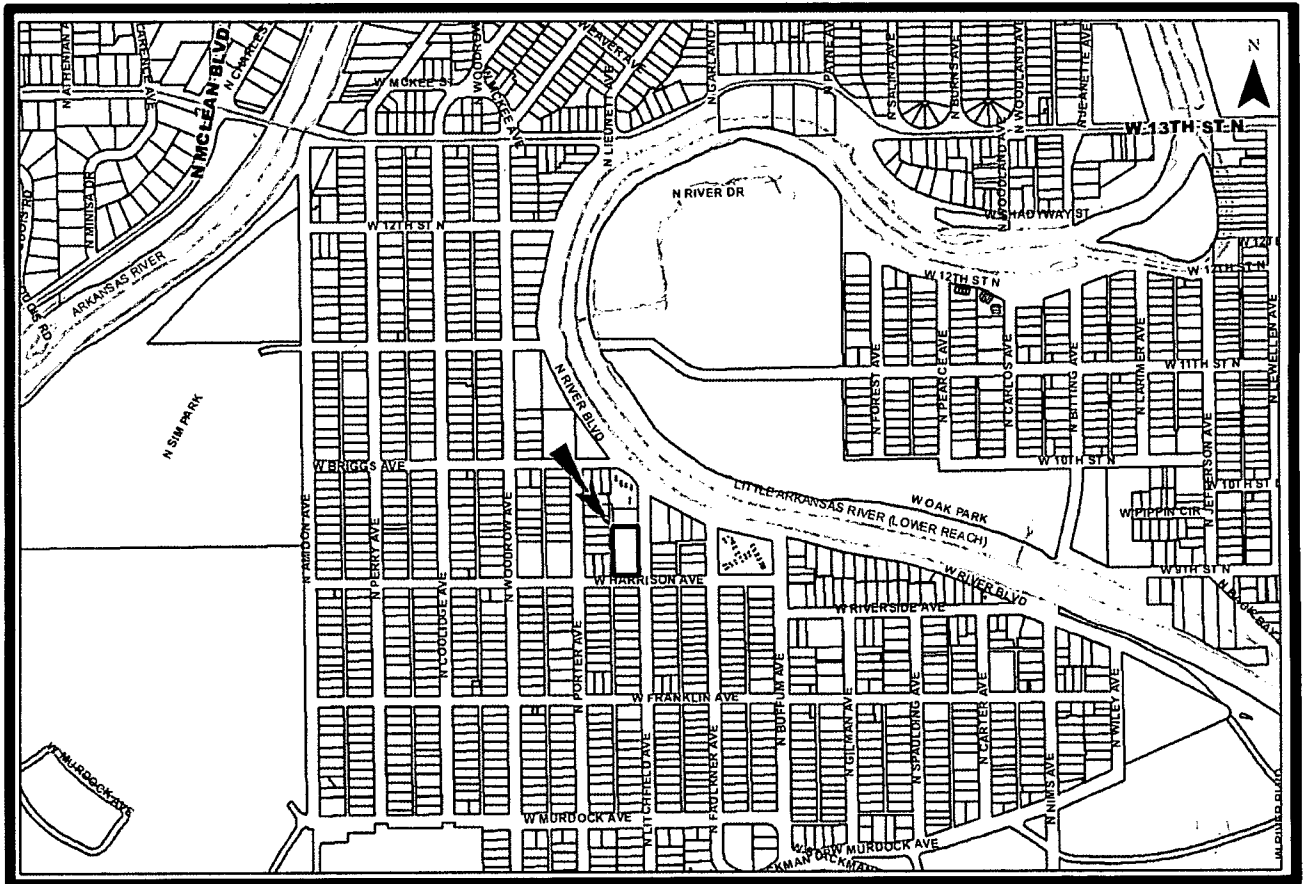

Cindy Miles
BZA Board Chair

ATTEST:


David L. Yearout,
BZA Secretary

ORIGINAL

CASE NUMBER:	BZA2019-00025
APPLICANT:	Riverside Christian Church, Kathy Richstatter
REQUEST:	Variances to allow an increase in the size of a sign and to install an LED component in the sign
CURRENT ZONING:	TF-3 Two-Family Residential
SITE SIZE:	0.88 acre
LOCATION:	Generally located south of the intersection of West 13 th Street and West River Boulevard at the northwest corner of North Litchfield and West Harrison



JURISDICTION: The Board has jurisdiction to consider the variance request under the provisions Section V-G of the Unified Zoning Code for Wichita/Sedgwick County, and as outlined in Kansas Statutes Annotated 12-759 *et. seq.* The Board may grant the request when all five conditions, as required by the statutes, are found to exist.

BACKGROUND: The subject property, 1001 N. Litchfield Avenue, is located at the northwest corner of Litchfield Avenue and Harrison Avenue. The applicant has already purchased the sign and is waiting for the approval of the requested variance to schedule the installation.

The Sign Code of the City of allows the size of a sign to be 25 square feet for an institutional use in a residential area. The applicant is requesting an increase of the size to 34 square feet, an increase of approximately 37%. The variance also includes allowing an LED sign to be located in a residential district. The proposed sign will have a six foot clearance from the bottom of the sign cabinet to the ground and will be located three feet from the east property line.

North of the subject property is zoned Limited Commercial and is developed with a condominium. East, south and west of the subject site the properties are zoned TF-3 and are developed with single-family dwelling units. The sign will not be facing residences to the east or west of the subject site. The nearest residence facing the LED sign is 230 feet south of the sign location.

ADJACENT ZONING AND LAND USE:

NORTH:	LC	Condominiums
SOUTH:	TF-3	Single-Family residences
EAST:	TF-3	Single-Family residences
WEST:	TF-3	Single-Family residences

CASE HISTORY: The subject property was platted as the Riverside Addition, which was recorded with the Register of Deeds on May 25, 1886. There have been four cases filed on the property: BZA1-56 to appeal a denial of a building permit; BZA16-64 for a parking variance; BZA8-93 to allow an expansion of an outdoor playground for the on-site day care; and BZA 2001-39 to allow parking in the front setback.

UNIQUENESS: It is staff's opinion that this property is unique. The church is in an established residential neighborhood and needs to provide an effective method of communicating the activities and programs provided by the church.

ADJACENT PROPERTY: It is staff's opinion that granting the pole sign at this location will not adversely affect the rights of adjacent property owners. The LED sign will not be illuminated between the hours of 10:00 p.m. and 7:00 a.m. and copy/graphic changes will be limited to one per every five seconds. There are mature trees that will screen the LED sign face, which is 230 feet from the closest house south of the subject property. There is some tree canopy on the east and west side of Litchfield Avenue that will provide diffusion of the light emitted by the LED sign.

HARDSHIP: It is staff's opinion that the strict application of the provisions of the sign code would constitute an unnecessary hardship upon the applicant. Without the increased size, the visibility of the sign will be difficult and limit the outreach programs of the church activities.

PUBLIC INTEREST: The speed of traffic on local streets is 30 miles per hour. The sign will not present a safety distraction with the recommended conditions. The sign will provide information of programs offered by the church.

SPIRIT AND INTENT: It is staff's opinion that granting the requested variance for increased sign size would not oppose the general spirit and intent of the Sign Code. The Sign Code recognizes the necessity for some latitude for institutional uses in residential neighborhoods.

RECOMMENDATION: Should the Board determine that all five conditions necessary to the granting of the variance can be found to exist, then it is the recommendation of the Secretary that the variance to increase an existing sign to 34 square feet with an LED component as proposed be GRANTED, subject to the following conditions:

1. Allow the a 34 square feet sign with an LED component as shown on the site drawings submitted by the applicant and shall be developed in accordance with the approved site plan and elevation drawings. Only one sign will be allowed for this zoning lot.
2. The applicant shall obtain all permits necessary to construct the signage and the signage shall be erected within one year.
3. Copy or graphics shall be limited to static images only and shall not change more than once every five seconds. The sign shall not be illuminated between the hours of 10 p.m. and 7:00 a.m. The sign shall conform to all other requirements of the City of Wichita Sign Code.
4. The applicant shall obtain all permits necessary from the Metropolitan Area Building and Construction Department.
5. The resolution authorizing this variance may be declared null and void upon findings by the Zoning Board of Appeals that the applicant has failed to comply with any of the foregoing conditions.

Report Attachments:

1. Applicant rationale for variance
2. Site Plan
3. Proposed Sign design

SITE PLAN

APPROVED 7/11/19 BY KL Morgan

STEWART SIGNS SIGN PROPORTIONS

Overall High – 10 feet

Sign Cabinet – 4' x 8'

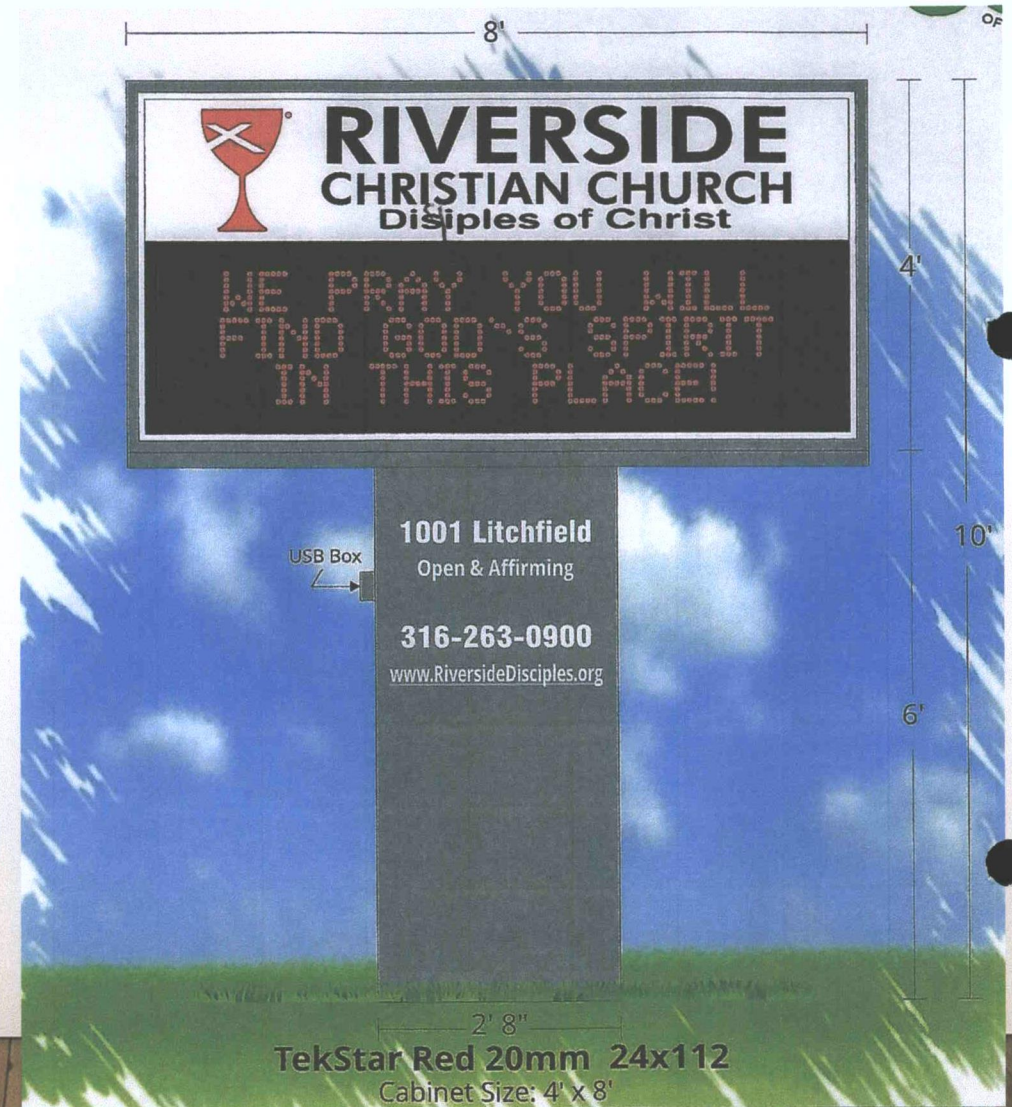
Clearance 6-feet

Base 6'high x 2'wide x 8"thick

LED Lettering

1-3 rows – 5.5" to 18.9" tall

Can display Video, Animations, Static images with access to graphics library.





Parcel ID: 087-124-18-0-14-03-014.00-A

SGCAMAPROD Expanded Appraisal Card

Quick Ref: R78763



Tax Year: 2019 Run Date: 5/1

Plot Plan Sketch

SITE PLAN

APPROVED 7/11/19 BY: *[Signature]*

124-18-0-14-03-014.00A

11/12

#433

