

4946 A

200' 4 Sec 6-23-82

Checked 6-20-82

Shot 6-29-82

Recorded 7-6-82

Case No. BZA 16-82 - Ridge Plaza Inn  
requests a variance to increase the  
height of one pole sign from 40' to 55'  
on property zoned "LC" Light Commer-  
cial and generally located at the north-  
east corner of Kellogg and Holland

POSTED  
5-6-82

BZA  
16-82

**ACTION**

**BZA**  
COMMITTEE *Approved and* DATE 5-25-82  
*Conditions*

M.A.P.C. \_\_\_\_\_

B.C.C./B. CO. C. \_\_\_\_\_

4946 A

200<sup>1</sup>/<sub>4</sub> Sec 6-23-82  
Checked 6-24-82  
Shot 6-29-82  
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Map No. 4746  
 Sec. \_\_\_\_\_  
 Twp. \_\_\_\_\_  
 Range \_\_\_\_\_

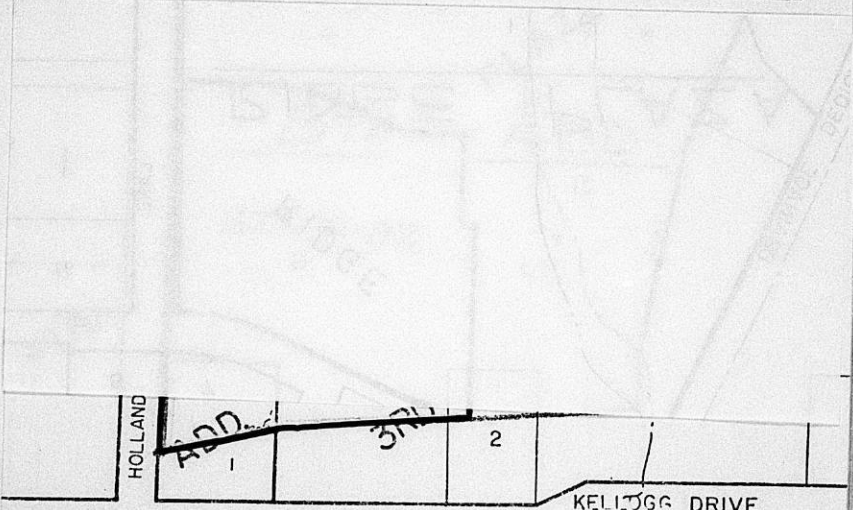
BZA- 16-82  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 Filed \_\_\_\_\_

AREA DATA:

1. Acres: \_\_\_\_\_ ( 530 ) ft. by ( 1222 1/2 ) ft. by ( 659 ) ft.)
2. Adjoining Zoning: E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_ N \_\_\_\_\_
3. Land Use: East \_\_\_\_\_ South \_\_\_\_\_  
 West \_\_\_\_\_ North \_\_\_\_\_
4. Sketch Plan Land Use is for: \_\_\_\_\_
5. Present Land Use if for: \_\_\_\_\_
6. Area (is) (is not) platted. \_\_\_\_\_

PHOTO DATA:

Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_



54 **US-54**

BANKS & FARRROW ADD. 2	PART OF SANDLIAN'S 2 EXCEPTION	BARBER 2 ADD.	EXCEPTION	SANDLIAN'S	FIFTH EXCEPT
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**Standard**  
 No. 2-153C  
 HASTINGS, MN  
 LOS ANGELES, CHICAGO, LOGAN, OH  
 MEMPHIS, TX, OMAHA, GROVE, GA  
 U.S.A.

82

May 28, 1982

Ridge Plaza Inn  
600 South Holland  
Wichita, Kansas

Re: Case No. BZA 16-82  
Request for Variance

Gentlemen:

Enclosed are signed copies of the Resolutions adopted by the Board of Zoning Appeals on May 25, 1982.

These Resolutions reflect the official action of the Board to approve the request and set out the conditions of approval. These are forwarded to you for your information and files.

If you have questions concerning this matter, please call our office.

Sincerely,

Jack H. Galbriath  
Secretary

GEL:sad  
Enclosures

cc: Claude Federal Sign Company, 1450 South Mosley, Wichita  
Robert Feldner, Superintendent of Central Inspection (2)  
Don Gisick, City Clerk

RESOLUTION NO. 16-82

WHEREAS, Ridge Plaza Inn, 600 South Holland, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita, to increase the height of a ground or pole sign from 40 feet to 55 feet on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 8, Block B, Ridge Plaza 8th Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Kellogg & Holland (600 Holland Drive).

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 May 25, 1982, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant inasmuch as the new airport entrance has created a situation where both existing signs have lost almost all effectiveness because of the elevation of the roadway; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents inasmuch as the proposed sign will be located near the intersection of Kellogg and Holland and should not interfere with the visibility of adjacent signs; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of Title 28 (Zoning Ordinance) of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application inasmuch as the hardship has been created by the erection of the new airport entrance and interfering with the visibility of the existing signs; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare due to the fact that the location of the sign will not interfere with any public right-of-way or easements; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general spirit and intent of Title 28 (Zoning Ordinance) inasmuch as the provisions of the ordinance do not provide for greater heights due to physical obstructions created by public improvements; and

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request for a variance to increase the height of one ground or pole sign from 40 feet to 55 feet on property zoned the "LC" Light Commercial District and legally described as:

Lot 8, Block B, Ridge Plaza 8th Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Kellogg & Holland (600 Holland Drive).

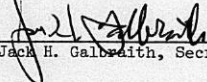
be approved subject to the following conditions:

1. Only one sign shall be erected along the Kellogg frontage and facing the direction of travel along Kellogg.
2. The second sign now existing on the property adjacent to Kellogg shall be removed.

ADOPTED AT WICHITA, KANSAS, this 25th day of May, 1982.

  
\_\_\_\_\_  
William J. Goebel, Chairman

ATTEST:

  
\_\_\_\_\_  
Jack H. Galbreath, Secretary

**THE CITY OF WICHITA**

OFFICE OF CITIZEN PARTICIPATION

DATE May 21, 1982



TO Glen Lytle, Special Assistant for Zoning

FROM Dean Kruithof, Administrative Aide III

SUBJECT BZA 16-82, 600 Holland Drive

At its May 19th meeting, CPO Neighborhood Council Area "A" considered the captioned request for a variance to increase the height of one pole sign from 40 feet to 55 feet on property zoned "LC", Light Commercial. Max Huffman and Jim Phillips were present representing the applicant. No area property owners attended the meeting.

The Council voted unanimously to recommend that the variance be approved subject to BZA staff recommendations.

Please inform the BZA of the Council's recommendation when this case is considered by them on May 25th. Thank you.

Dean Kruithof  
Administrative Aide III

DK:dm

Noted:

Sarah Gilbert  
CP Coordinator

**RECEIVED**

MAY 21 1982

METROPOLITAN PLANNING  
ROUTE  Lytle

SECRETARY'S REPORT  
CASE NO. BZA 16-82

APPLICANT: Ridge Plaza Inn, 600 South Holland, Wichita, Kansas

AGENT: Claude Federal Sign Co., 1450 South Mosley, Wichita, Kansas.

REQUEST: Variance pursuant to Section 2.12.590.B, Code of the City of Wichita, to increase the height of a ground or pole sign from 40 feet to 55 feet.

GENERAL LOCATION: On the north side of Kellogg between Ridge Road and Holland Drive.

ZONING: Subject property is zoned "LC" Light Commercial as are the properties to the east, north and west. To the south across Kellogg the property is zoned the "E" Light Industrial.

LAND USE: Subject property is developed with a motel and restaurant. To the west and south commercial and to the east is vacant.

JURISDICTION:

The Board has jurisdiction to consider the variance request under the provisions outlined in Section 2.12.590.B, Code of the City of Wichita and the Board may grant the request when all five conditions as required by the State Statutes are found to exist.

COMMENTS BY THE SECRETARY:

The applicant is requesting a variance of one ground or pole sign to be permitted to be increased from 40 feet to 55 feet. At the present time the sign is approximately 36 feet high and it is proposed to add a reader panel and the Best Western identification logo to the top of the existing sign. At the present time, the property has two identification signs facing the direction of travel along Kellogg. It is proposed to eliminate the sign that is located on the eastern portion of the property if the variance is granted.

It should be noted that the property in question has 520 feet of frontage along Kellogg and 800 feet of frontage along Holland Drive. The Kellogg frontage will permit the location of on-site ground or pole signs based on the frontage. At the present time the two signs can both be 35 feet in height or one sign could be 40 feet and the second sign would have to be 30 feet in height.

By the elimination of all but one sign, that one sign could be increased to 45 feet in height under the provisions of the ordinance. This height does not provide for visibility for traffic approaching from the east due to the newly erected airport access road which is approximately 44 feet above Kellogg. It is not anticipated by the applicant to raise the sign to a height for full visibility from the east, but it will be of adequate height that the Best Western logo will be visible from the east. After a person passes under the airport entrance road, the lower portion of the sign would be visible.

Although all properties are of the same general elevation, it is the opinion of the Secretary that the property is one that has had the visibility restricted by the new airport entrance.

UNIQUENESS:

It is the opinion of the Secretary that this property is unique inasmuch as the new airport entrance has created a situation where both signs have lost almost complete effectiveness because of the elevation of the roadway.

ADJACENT PROPERTY:

It is the opinion of the Secretary that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch as the proposed sign will be located near the intersection of Kellogg and Holland and should not interfere with the visibility of adjacent signs.

HARDSHIP:

It is the opinion of the Secretary that the strict application of the provisions of the zoning ordinance may constitute an unnecessary hardship upon the applicant inasmuch as the hardship has been created by the erection of the new airport entrance and interfering with the visibility of the existing signs.

PUBLIC INTEREST:

It is the opinion of the Secretary that the requested variance would not adversely affect the public interest inasmuch as the location of the sign will not interfere with any public right-of-way or easements.

SPIRIT AND INTENT:

It is the opinion of the Secretary that the granting of the variance requested would not be opposed to the general spirit and intent of the zoning ordinance inasmuch as the provisions of the ordinance do not provide for greater heights due to physical obstructions constructed by the public and interfering with visibility.

RECOMMENDATION:

Should the Board determine that all five conditions necessary to the granting of a variance can be found to exist, then it is the recommendation of the Secretary that the variance be granted subject to the following conditions:

1. Only one sign shall be erected along the Kellogg frontage and facing the direction of travel along Kellogg.
2. The second sign now existing on the property adjacent to Kellogg shall be removed.

BOARD OF ZONING APPEALS  
Tenth Floor - City Hall  
455 North Main, Wichita, Kansas 67202

May 5, 1982

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 16-82

As required by law, all property owners of record, within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals, are to be notified of the public hearing. An application has been filed by Ridge Plaza Inn, 600 South Holland, Wichita, Kansas requesting a variance.

Pursuant to Section 2.12.590.B, of the Code of the City of Wichita, the applicant is requesting a variance to increase the height of one pole sign from 40 feet to 55 feet on property zoned "LC" Light Commercial. A legal description of the applicant's property is as follows:

Lot 8, Block B, Ridge Plaza 8th Addition,  
Wichita, Sedgwick County, Kansas. Gen-  
erally located at the northeast corner of  
Kellogg and Holland (600 Holland Drive).

This application has been assigned Case No. BZA 16-82. It will be considered by the Board of Zoning Appeals on May 25, 1982 at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested variance you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, either in person or by agent or attorney.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CFO Office, 268-4516.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

Jack H. Galbraith  
Secretary

BZA CASE NO. 16-82

2 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

10 NOTICES SENT TO ADJOINING PROPERTY OWNERS

23 TOTAL NOTICES SENT 5-5-82

BOARD OF ZONING APPEALS

CASE NO. 16-82

CITY OF WICHITA, KANSAS

FILED 4-26-82

APPLICATION FOR VARIANCE

I. Name of Applicant Ridge Plaza Inn

Mailing Address 600 S. Holland Phone \_\_\_\_\_

Name of Authorized Agent Claude Federal Sign Company

Mailing Address 1450 S. Mosley Phone 264-7318

Relationship of applicant to property is that of \_\_\_\_\_  
(Owner, Tenant, Lessee, Other)

II. The variance requested is to increase the height of one pole  
sign from 40 feet to 55 feet

for property located at the northeast corner of Kellogg

and Holland (600 Holland Drive)

and legally described as: Lot 8

Block B

RIDGE PLAZA 8<sup>th</sup> ADDITION

in the City of Wichita; and which is presently zoned 'LC'.

III. The applicant herein, or his authorized agent, acknowledges:

- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
- b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 36-596); and that the appropriate fee is herewith tendered;
- c. That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.
- d. That all documents are attached hereto as noted in paragraphs 2, 3, 4, and 5 of the instructions.

Applicant Claude Federal Sign Co.

Authorized Agent Jane Rapp

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 4:00 (~~4:00~~ P.M.), APR 26, 1982  
together with appropriate fee of 152.00.

Signed L. Lytle

BOARD OF ZONING APPEALS  
CITY OF WICHITA

We request a Variance increasing the height of the existing Ridge Plaza Inn display from 40' to 55' overall height.

Present allowable height is 40'. We specifically request an additional 15' of height.

We plan to eliminate the existing Best Western Sign and attraction board at the East property line and reinstall the Best Western Sign and a message center above the existing Ridge Plaza Sign.

This will be in keeping with the intent of the ordinance in that it will reduce the number of signs from two to one.

The additional height is a minimum needed, and we feel justified because of the overpass routes on Highway 54, which are 43' above grade.

OWNERSHIP LIST

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 12	1	Ridge Plaza 4th Addition	✓ Daniel M. Carney 6572 E. Central 67212
			✓ J. A. Mull, Jr. 221 N. Main 67202
			✓ Robert V. Kirsch 6572 East Central 67212
Lot 13	1	"	Same as above
Lot 14	1	"	Same as above
Lot 8	B	Ridge Plaza 8th Addition	✓ Cole and Carney Joint Ventures, Inc. Box 18422 67218
Lot 7	B	"	✓ Max L. Cole 520 S. Holland Drive 67209
			D Daniel M. Carney 6872 E. Central Suite 201-203 67206
			E. E. Jabes Clara M. Jabes Route 1 Derby, 67037
			✓ Ridge Plaza Associates 520 S. Holland Drive 67209
Lot 5	A	"	✓ Maxcar, Inc. 520 S. Holland # 107 67209

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 4	A	Ridge Plaza 8th Addition	William P. Higgins Penthouse Suite Sutton Place Building 209 E. William 67202 Colby B. Sandlian 435 N. Broadway 67202
Lot 3	A	"	Same as above

We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots within a 200 foot radius of:

Lot 8, Block B, Ridge Plaza 8th  
Addition, Wichita, Kansas

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas on the 26th day of April, 1982 at 7:00 A.M.

THE SECURITY ABSTRACT & TITLE CO. INC.

*Mary Sable*  
Vice-President

Order No: 308646  
AP

**MICROFILMED**  
**FROM THE BEST**  
**AVAILABLE COPY**

FOR 9-021      PAYMENT NOTICE  
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION	AMOUNT
<i>1528 Jan # 11 2</i>	

NAME *Paul F. Smith*

ADDRESS *1021 S. 17th St*

FUND *4071*      DUE DATE *1/1/54*

COMMENTS

DATE *1/1/54*      BY *[Signature]*

RIDGE PLAZA INN

LOT 2  
BLOCK B  
RIDGE PLAZA 8<sup>TH</sup> ADD.

HOLLAND



KELLOGG