

Case No. BZA 53-85 - Oscar Martinez - requests a variance to increase the permitted gross surface area of a ground or pole sign from 50 square feet to 180 square feet on property zoned the "LC" Light Commercial District and generally located on

*POSTED
5-26-85*

ACTION

BZA. 53-85

2-24-85
DATE

**WITHDRAWN
BY APPLICANT**

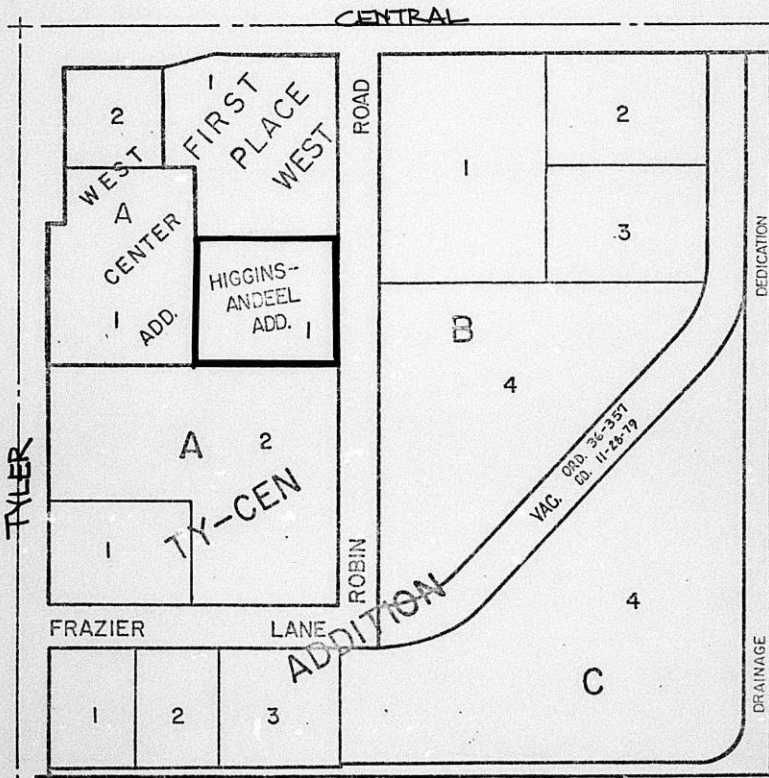
FEE REFUNDED

Map No. 4947D

BZA 53-85
Filed 8-26-85

AREA DATA:

1. Acres: 1.3 (225' ft. by 260 ft.)
2. Adjoining Zoning: E "LC" "BB" S "LC" W "LC" N "LC"
3. Land Use: East APARTMENTS South ?
West COMMERCIAL North BANK
4. Area (is) (~~is not~~) platted.



LOS ANGELES-CHICAGO-LOGAN, OH
MCKENSON, TX-LOCUST GROVE, GA
U.S.A.

Standard
No. 2153C

THE CITY OF WICHITA

OFFICE OF Citizen Participation DATE September 19, 1985

TO Glen Lytle, Special Assistant for Zoning
FROM Barry L. Carroll, Administrative Aide III

SUBJECT BZA 53-85: Generally located on
the West side of Robin Road and
South of Central (8635 W. Central)

On September 18, 1985, CPO Council "A" was to considered the above captioned case, a request for a variance to increase the permitted gross surface area of a ground or pole sign from 50 square feet to 180 square feet on property zoned the "LC" Light Commercial District. Council members were provided the notice to adjoining property owners, a map of the area, and MAPD staff comments. After extensive discussion, the Council voted 6-2 (Bulman and Pickard) to recommend approval of the request for 150 square feet.

The applicant, Oscar Martinez, was present to describe the request and respond to questions from the Council and area residents. According to Martinez, the sign is needed to aide customers in locating the "Robin Center" which is somewhat hard to find due to its location. Additionally, Martinez stated that City Staff would recommend the 150 square feet request.

Council members discussed the issue and generally were in agreement with Mr. Martinez. However, Bulman expressed concern over the size of the proposed sign for that particular area.

Martinez noted that the most common complaint of his clientele was that "they had a hard time finding his shopping center".

Please provide the Council's recommendation to the Board of Zoning Appeals and City Commission when case BZA 53-85 is considered.

Barry L. Carroll
Barry L. Carroll
Administrative Aide III

BLC:dm

Noted:

Annie K. Montgomery
Annie K. Montgomery
CRS Director

RECEIVED

SEP 19 1985

METROPOLITAN PLANNING

ROUTE _____

BZA CASE NO. 53-85

<u>2</u>	NOTICES SENT TO APPLICANT/AGENT
<u>10</u>	LEGAL ADVERTISEMENT SENT TO MAPC
<u>1</u>	NOTICES SENT TO CPO
<u>8</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>11</u>	TOTAL NOTICES SENT <u>9-4-85</u>

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

September 3, 1985

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 53-85

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 Oscar Martinez, 8635 West Central, 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 permitted gross surface area of a ground or pole sign from 50 square feet to 180 square feet on property zoned the "LC" Light Commercial District. A legal description of the applicant's property is as follows:

Lot 1, Higgins - Andeel Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Robin Road and south of Central (8635 West Central).

This application has been assigned Case BZA 53-85. It will be considered by the Board of Zoning Appeals on September 24, 1985 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 CPO 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.

Glen E. Lytle
Assistant Secretary

BOARD OF ZONING APPEALS

CASE NO. 53-85

CITY OF WICHITA, KANSAS

FILED 8-26-85

APPLICATION FOR VARIANCE

I. Name of Applicant OSCAR MARTINEZ
 Mailing Address 8635 W. CENTRAL Phone 722-5582
 Name of Authorized Agent BOGGS SIGN CO.
 Mailing Address 318 S. OSAGE Phone 263-2224
 Relationship of applicant to property is that of SIGN CONTRACTOR
 (Owner, Tenant, Lessee, Other)

II. The variance requested is ADDITIONAL SIGNAGE SQ. FOOTAGE
FOR PYLON SIGN UNDER TABLE OF SQ. FOOTAGES UNDER
"UNDESIGNATED STREET"
 for property located 8635 W. CENTRAL

and legally described as: LOT ONE, HIGGINS ANDEEL
ADDITION TO THE CITY OF WICHITA, KS.

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 _____

Authorized Agent OTM [Signature]
GENERAL MGR. - BOGGS SIGN CO.

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals,
 _____ (a.m.p.m.), August 26, 1985, together with
 appropriate fee of 157.00.

"LC"

Signed T. Smyth [Signature]

BOARD OF ZONING APPEALS

CASE NO. _____

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR VARIANCE

I. Name of Applicant Oscar Martinez
Mailing Address 8635 W. Central Phone 267-0221
Name of Authorized Agent Larry Boggs
Mailing Address 318 S. Osage Phone 263-2224
Relationship of applicant to property is that of Owner/Tenant
(Owner, Tenant, Lessee, Other)

II. The variance requested is Enlargement of Maximum square footage
areas for pylon signage.

for property located 8635 S. Central

and legally described as: Lot 1 Higgins-Andeel Addition

in the City of Wichita; and which is presently zoned Light Commercial.

- 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;
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Applicant Oscar Martinez

Authorized Agent Larry Boggs

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals,
(a.m.p.m.), _____, 19____, together with
appropriate fee of _____.

Signed _____



Littell, Inc. / Robin Plaza Shopping Center

ART AND CRAFT SUPPLIES - CLASSES
WALL COVERINGS - GIFTS
MINIATURES, RIBBON, ETC.

8635 WEST CENTRAL - WICHITA, KANSAS 67212 - PH (316) 722-5582

Estela M. Martinez
President
Oscar Martinez
Treasurer

August 26, 1985

Gene Lytle
Special Assistant For Zoning
City of Wichita
Wichita, Kansas 67202

RE: Robin Plaza

Dear Glen:

My wife and I are the owners and developers of the property starting at 8635 W. Central. We have built out building in 3 different stages, now totalling 9 tenants. Our property is a nice strip center with a brick front/on a lot with frontage measuring 225' on Robin Road, 290' deep (towards Tyler), zoned light commercial. The legal description is Lot One, Higgins Andeel Addition to the City of Wichita, Kansas. ^{260'!}

Our problem is, according to the table of square footages in the ordinance, Robin Road falls under an "Undesignated Street", allowing a maximum of 50 square feet for signage are.

It is our desire to place one sign on the Robin Road frontage as per print #RL815512P, with a total of 180 square feet for the total center. I believe it would be possible, according to the ordinance, to have a total of 3 separate signs, a maximum of 37.5 square feet each per every 3 tenants. We feel that 1 name sign for the entire center makes for a better looking center.

I hope through your wisdom you will see that our need is well justified and grant our request. I appreciate your consideration.

Yours truly,

Oscar Martinez
Oscar Martinez

FOR ALL YOUR SIGN NEEDS!



Plastic-Neon
Sign Painting
Truck Lettering
Show Cards-Decals
Posters-Screen Processing

318 S. OSAGE
WICHITA, KS. 67213
(316) 263-2224
LARRY BOGGS



Littell, Inc. / Robin Plaza Shopping Center

ART AND CRAFT SUPPLIES - CLASSES
WALL COVERINGS - GIFTS
MINIATURES, RIBBON, ETC.

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Yours truly,

Oscar Martinez
Oscar Martinez

1. The variance for the proposed property is needed because it is setting approximately one half block off a busy street. Light Commercial abutts the property on 3 sides with Multi-Family to the east. We have 9 tenants with Central addresses, engages in retail business, having street frontage on a undesignated street.
2. With busines property on 3 sides and the back side of multi-family across the street, we fail to see how our request would effect anyone.
3. Until the last changing of the sign ordinance, we would have been able to install at least 1- 150 square foot sign, under the Table of Areas for Maximum Permitted Areas for on-site ground or pole signs. The property owners and tenants find it hard to compete in this area without adequate center name recognition.
4. In our opinion, the proposed variance will not adversely affect the health, safety, morals, order, or general welfare of the public. It can only help the customers find our center, which in turn would benefit the entire area.
5. If w: were setting amid AA Residential Zoning, our request would not be a valid one. We are among retail business, being governed more restrictively than property wtih lesser zoning.

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OWNERSHIP LIST

Lot	Addition	Property Owner
Lot 1	Higgins-Andeel Addition	Littell, Inc. 8635 West Central Wichita, KS 67212
Part of Lot 1, being described as: Beginning 250 feet South of the NW/4 of the NW/4 of Sec. 21, Twp. 27 South, Range 1 West of the 6th P.M.; th. East 305 feet; th. South 350 feet; th. West 305 feet; th. North 350 feet to the p.o.b.	West Center Addition	Richard J. Hatstrup 610 N. Tyler Wichita, KS 67212
Lot 2	"	Mid Kansas Federal Savings & Loan 8725 W. Central Wichita, KS 67212
Lot 1	First Place West Addition	First National Bank in Wichita 8601 W. Central Wichita, KS 67212
The South 175 feet of the most W'ly 250 feet of Lot 2, Block A	Ty-Cen Addition	Church's Fried Chicken, Inc. 355 Spencer Lane San Antonio, TX 78201
Lot 2 except the South 175 feet of the most W'ly 250' of said Lot, in Block A.	"	Security Storage Properties 201 S. Oliver Wichita, KS 67218
Lot 1, Block B	"	Wichita Federal Savings & Loan Association 8525 W. Central Wichita, KS 67212
Lot 4 and vacated Reva Ave. from extended East line of Robin Road to the South line of Central	"	North West Wichita Associates Ltd. 200 W. Douglas Wichita, KS 67202 <i>Returned 9-9-85</i>

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 1, Higgins-Andeel Addition, to Wichita,
Sedgwick County, 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 August, 1985, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By *Mary Kable*
Sr. Vice-President

Order No: 350521
nj

**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 29- PAYMENT NOTICE
City of Wichita

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

Planning

DESCRIPTION	AMOUNT
150 -	
FZA Planning (150)	
444 4 11 11 11	

NAME: *Boyer & Boyer, Inc*
 ADDRESS: *319 S. 1st St*
 FUND: *7-27-11* DUE DATE: *7-27-85*
 COMMENTS:
 DATE: *7-27-85* BY: *SC*

WICHITA - SEDGWICK COUNTY
W S C
 BOARD OF ZONING APPEALS
 CITY HALL - TENTH FLOOR
 455 NORTH MAIN STREET
 WICHITA, KANSAS 67202


53-85
Shirley Galloway
MB

RECEIVED
 SEP 09 1985
 METROPOLITAN PLANNING
 ROUTE _____

Northwest Wichita Associates Ltd.
 200 W. Douglas
 Wichita, ks. 67202

WICHITA, KS 67202
 SEP 10 1985
 PM 5:00

NOT KNOWN
 RETURN TO SENDER



*

This BZA. Case
Has a Large Drawing
On 35mm Microfilm

Roll # 2