

POSTED
12-14-81

ACTION

BZA
58-81

COMMITTEE APPROVED DATE 12-22-81

M.A.P.C. _____

B.C.C./B. CO. C. _____

Case No. BZA 58-81 - Northeast Medical Building - requests variances of the permitted area of the identification sign from 32 square feet to 72 square feet; and to increase the area of two lighted directional signs from 5 square

5949A

200' 4 Sec 12-3-81
Checked 1-4-82
Shoh 1-4-82
Recorded 1-5-82

Map No. 5949
 Sec. 7
 Twp. 27
 Range 2E

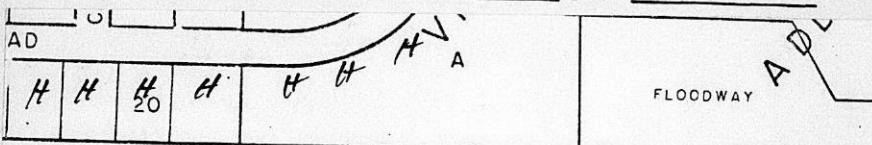
BZA- 58-81
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:

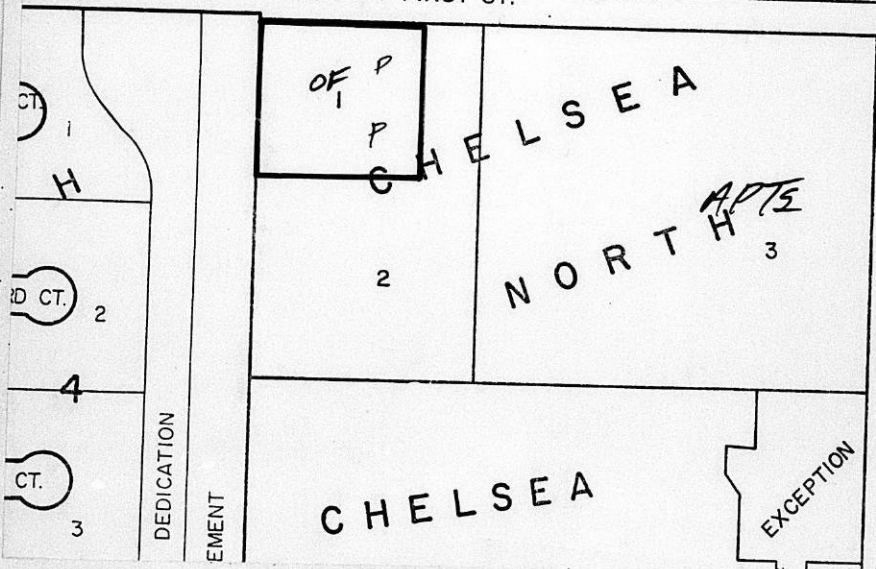
1. Acres: 1.76 (275 ft. by 280 ft.)
2. Adjoining Zoning: E _____ S _____ W _____ N _____
3. Land Use: East APARTMENTS South UNDEVELOPED
 West UNDEVELOPED North SINGLE FARM
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: OFFICE
6. Area (is) (is not) platted.

PHOTO DATA:

Taken by _____ Date _____ Time _____



TWENTY FIRST ST. NO. TWENTY FIRST ST.



STATE OF ILLINOIS
 HASTINGS, MN
 No. 2153C
 AGRICULTURAL DISTRICT GROUP, CA
 USA.

Standard
 No. 2153C

221

December 23, 1981

Northeast Medical Building
7111 East 21st
Wichita, Kansas

Re: Case No. BZA 58-81
Request for Variances

Gentlemen:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on December 22, 1981.

This Resolution reflects the official action of the Board to approve your request, and sets out the conditions of approval. It is forwarded to you for your information and files.

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

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:sad
Enclosure

cc: Graphic Systems of Wichita, Inc., 313 Ida, Wichita, Kansas
Robert Feldner, Superintendent of Central Inspection (2)
Don Gisek, City Clerk

RESOLUTION NO. BZA 58-81

WHEREAS, Northeast Medical Building, 7111 East 21st Street, requests a variance as provided in Section 2:12.590.B, Code of the City of Wichita, to increase the area of a permitted identification sign from 32 to 72 square feet; and to increase the area of two lighted directional signs from 5 square feet to 8.3 square feet on property zoned the "BB" Office District and legally described as follows:

Lot 1, Chelsea North Addition to Wichita, Sedgwick County, Kansas. Generally located on the south side of 21st Street, west of Rock Road (7111 East 21st North).

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 December 22, 1981, 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 general area is being developed to be served by a common access point on 21st Street that makes it difficult to identify under the general provisions of the sign regulations; 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 signs will be a sufficient distance from adjacent property to not interfere with visibility of signs on adjacent property; 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 applicant would be unable to adequately sign the property for the emergency medical care patients; 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 signs will not be located closer than 6 feet to public right-of-way and will not be located in any utility 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 intent of the regulations is to allow all uses to be adequately identified and to direct customers to all emergency entrances; 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 area of the permitted identification sign from 32 square feet to 72 square feet; and to increase the area of two lighted directional signs from 5 square feet to 8.3 square feet on property zoned the "BB" Office District and legally described as:

Lot 1, Chelsea North Addition to Wichita, Sedgwick
County, Kansas. Generally located on the south side
of 21st Street, west of Rock Road (7111 East 21st North).

be approved subject to the following conditions:

1. The zoning lot shall be permitted one identification sign not to exceed 72 square feet in gross surface area and shall be located not closer than 6 feet to public right-of-way.
2. The zoning lot shall be permitted two lighted directional signs not to exceed 8.3 square feet of gross surface area.

ADOPTED AT WICHITA, KANSAS, this 22nd day of December, 1981.


William J. Goebel, Chairman

ATTEST:


Glen E. Lytle, Assistant Secretary

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE **RECEIVED**
December 17, 1981



DEC 18 1981
METROPOLITAN PLANNING
ROUTE

TO Glen Lytle, Special Assistant for Zoning
FROM Dean Kruthof, Administrative Aide III

SUBJECT BZA 58-81, 7111 East 21st
Street North

At its December 15th meeting, CPO Neighborhood Council Area "I" considered the captioned request for variances of the permitted area of the identification sign from 32 square feet to 72 square feet; and to increase the area of two lighted directional signs from 5 square feet to 8 square feet on property zoned "BB", Office District. Bob Page was present representing the applicant. No area residents attended the meeting concerning the case.

The Council voted unanimously, 6-0, to recommend approval of the variance request.

Please inform the Board of Zoning Appeals of the Council's recommendation when the case is considered by them on December 22nd. If you have any questions, please call me at 4516. Thank you.

Dean Kruthof
Dean Kruthof
Administrative Aide III

DK:dm

Noted:

Sarah Gilbert
Sarah Gilbert
CP Coordinator

SECRETARY'S REPORT
CASE NO. BZA 58-81

APPLICANT: Northeast Medical Building, 7111 East 21st, Wichita, Kansas.

AGENT: Graphic Systems of Wichita, Inc., 313 Ida, Wichita, Kansas.

REQUEST: Variances pursuant to Section 2.12.590.B, Code of the City of Wichita, to increase the area of a permitted identification sign from 32 square feet to 72 square feet; and to increase the area of two lighted directional signs from 5 square feet to 8 square feet.

GENERAL LOCATION: On the south side of 21st Street, and west of Rock Road (7111 East 21st Street North).

ZONING: Subject property is zoned the "BB" Office District as is the property to the east and south. To the west is "A" Two-family Dwelling District and to the north is "AA" One-family Dwelling District.

LAND USE: Subject property is occupied by a medical office building. To the east and south is vacant, and to the north across 21st Street is developed as one-family dwellings. To the west are multiple-family dwellings or townhouses.

JURISDICTION:

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

COMMENTS BY THE SECRETARY:

The applicant is requesting two separate variances of the sign regulation portion of the zoning ordinance. One is to increase the size of the one permitted identification sign from 32 square feet to 72 square feet; and the second is to increase the area of two lighted directional signs from 5 square feet to 8 square feet.

The applicant states that this facility operates as a "family practice" office during the week, and as a "minor emergency care center" evenings and weekends. The area is developed in such a manner that a common access easement is provided to 21st Street that serves a large area and that adequate identification and directional signage is essential to the operation of this facility. At the present time the facility is using a portable sign for identification.

UNIQUENESS:

It is the opinion of the Secretary that this property is unique inasmuch as the general area is being developed to be served by a common access point on 21st Street that makes it difficult to identify under the general provisions of the sign regulations.

ADJACENT PROPERTY:

It is the opinion of the Secretary that the granting of the variances requested will not adversely affect the rights of adjacent property owners inasmuch as the signs will be a sufficient distance from adjacent property to not interfere with visibility of signs on adjacent property.

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 applicant would be unable to adequately sign the property for the emergency medical care patients.

PUBLIC INTEREST:

It is the opinion of the Secretary that the requested variances would not adversely affect the public interest inasmuch as the signs will not be located closer than 15 feet to public right-of-way and will not be located in any utility 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 intent of the regulations is to allow all uses to be adequately identified and to direct customers to all emergency entrances.

RECOMMENDATION:

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

1. The zoning lot shall be permitted one identification sign not to exceed 72 square feet in gross surface area and shall be located not closer than 6 feet to public right-of-way.
2. The zoning lot shall be permitted two lighted directional signs not to exceed 8.3 square feet of gross surface area.

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

December 2, 1981

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 58-81

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 Northeast Medical Building, 7111 East 21st, Wichita, Kansas, requesting a variance.

Pursuant to Section 2.12.590.B, of the Code of the City of Wichita, the applicant is requesting variances of the permitted area of the identification sign from 32 square feet to 72 square feet; and to increase the area of two lighted directional signs from 5 square feet to 8 square feet on property zoned "BB" Office District. A legal description of the applicant's property is as follows:

Lot 1, Chelsea North Addition to Wichita, Sedgwick County, Kansas. Generally located on the south side of 21st Street, west of Rock Road (7111 East 21st North).

This application has been assigned Case No. BZA 58-81. It will be considered by the Board of Zoning Appeals on December 22, 1981 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 variances 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.

Jack H. Galbraith
Secretary

BZA CASE NO. 58-81

2 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

7 NOTICES SENT TO ADJOINING PROPERTY OWNERS

20 TOTAL NOTICES SENT 12-2-81

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS.

CASE NO. 58-81
FILED 10-28-81

APPLICATION FOR VARIANCE

I. Name of Applicant Northeast Medical Building
Mailing Address 7111 E. 21st, Wichita, KS 67206 Phone 684-2851
Name of Authorized Agent Graphics Systems of Wichita, Inc.
Mailing Address 313 Ida, Wichita, KS 67211 Phone 267-4171
Relationship of applicant to property is that of owner
(Owner, Tenant, Lessee, Other)

II. The variance requested is a deviation from the limitation of
one on site ground sign to allow three ground signs (one site & two
directionals) and allowance of 88 sq. ft. (total) in lieu of 32 sq. ft.
(Ref. Section 28.04.139, subsection (e) (1))
for property located ^{on the south end of 21st Street, west}
of ^{North Road} 7111 E. 21st No.) Wichita, KS, 67226
and legally described as: ^{addition to} Lot 1, Chelsea North, Wichita, Kansas
Sedgwick County, Kansas

*see adv.
for language*

in the City of Wichita; and which is presently zoned BB

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

- That he has received an instruction sheet concerning the filing and hearing of this matter;
- 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;
- 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.
- That all documents are attached hereto as noted in paragraphs 2, 3, 4, and 5 of the instructions.

Attached:

- Addendum I, Justification
- Addendum II, Site plan
- Addendum III, Site sign details
- Addendum IV, Directional sign details
- Addendum V, Certified listing of owners

Applicant Thomas H. Hays
Authorized Agent Robert W. Page
Graphics Systems of Wichita, Inc.

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 11:30 (a.m.-p.m.), 10-28, 1981, together with appropriate fee of \$150

Signed John Blank

Application for Variance
Addendum I, Justification

It is requested that variance be granted from Chapter 24.04 Sign Regulations and Standards, Section 28.04.139, subsection (e) (1), regarding the limitation of one ground identification sign per zoning lot, and 32 sq. ft. of sign area.

The facility in question is operated as a dual use facility. A group of physicians operate a family practice during weekdays, while also administering weekend and evening care through what is a "minor emergency care center" after 5PM and on weekends. The evening and weekend care area is open to the public and requires illuminated identification during evening hours. Additionally, access to the minor emergency area is on the south side of the building (rear) and requires directional signage (also illuminated) to direct the public to that entrance.

Identification of the entire facility has been combined into one partially illuminated site sign (see addendum III), designed and detailed to be compatible with architecture of the building. The site sign comprises 72 sq. ft. of area, of which 9 sq. ft. are illuminated. Additionally, two directional signs of 8.3 sq. ft. each are required to direct evening and weekend traffic to the south entrance for "minor emergency" treatment. (See addendum IV, directional signs)

Every attempt has been made to design and place the signage in a manner which is effective for the facility and compatible with the surrounding area.

The existence of a public "minor emergency" facility is unique to the area, and due to the public service nature of the facility, it is felt the requested variance is reasonable and not opposed to the intent of either Chapter 24.04 Sign Regulations and Standards of section 2.12.590 B, Code of the City of Wichita.

O W N E R S H I P L I S T

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
1	-	Chelsea North	✓ Northeast Medical Building, c/o Dr. Robert Bingaman, 7111 E. 21st St., 67206
2	-	"	✓ Northeast Developers, Address Unknown
3	-	"	✓ Alfred A. Caro, 2400 N. Woodlawn, Suite 120, 67220
20	K	Comotara 1st Addition	✓ Garon J. Jones & Ardith Jones, 7015 Bainbridge, 67226
North 138 ft. of the south 188 ft. of the east 125 ft. of Comotara 1st Add., or also described as that part of the 125 ft. KG&E ease. platted in said addition lying between Bainbridge Rd. & 21st Street	-	"	✓ Wichita Land Co., c/o Landmark Communities, 2471 Hathway Circle, 67226
1 & 2	4	Northborough Addition	✓ Theodore Gore, 125 N. Market, Suite 1750, 67202 AND ✓ Robert M. Beren, 573 N. Armour, 67206 AND ✓ TJ Land and Cattle Co., Denver, Colorado
26	6	"	"
A	-	Sycamore Village	✓ Comotara Swim and Tennis Club Inc., 7201 Bainbridge, 67226

page 2

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

Lot 1, Chelsea North, Wichita, Kansas,
Sedgwick County, Kansas

as shown by the last deed of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 21st day of October, 1981, at 7:00 A.M.

THE SECURITY ABSTRACT & TITLE CO. INC.

By

Mary Seale
Vice-President

Order No. 303947
GE

**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 29-221 PAYMENT NOTICE
City of Wichita

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

DESCRIPTION	AMOUNT
Unimproved	\$150

NAME Northwest Medical Bldg
 ADDRESS 2111 E 21st - City
 FUND 110-40074-003-000 DUE DATE 10-28-81
 COMMENTS #
 DATE 10-28-81 BY J. H. Flack

WICHITA - SEDGWICK COUNTY

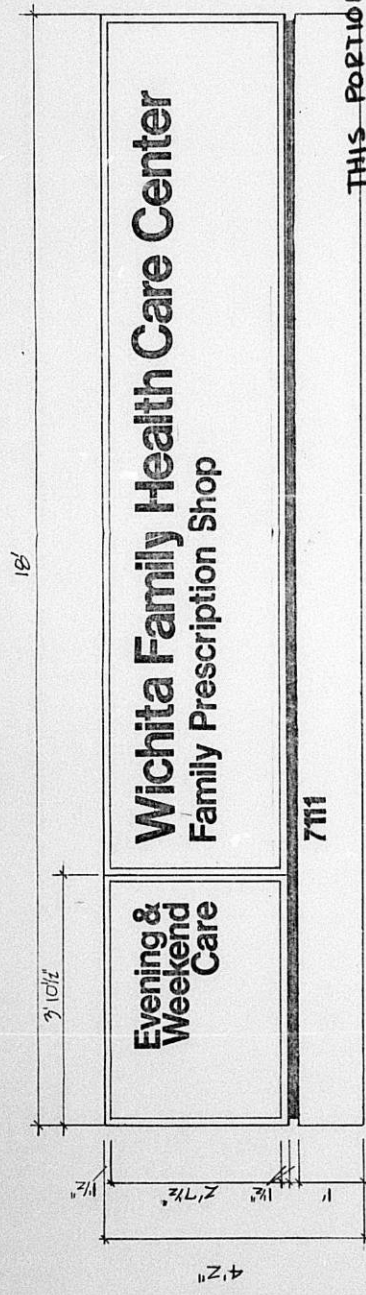
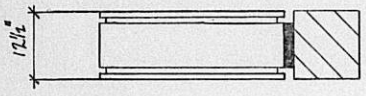


BOARD OF ZONING APPEALS
 CITY HALL - TENTH FLOOR
 455 NORTH MAIN STREET
 WICHITA, KANSAS 67202

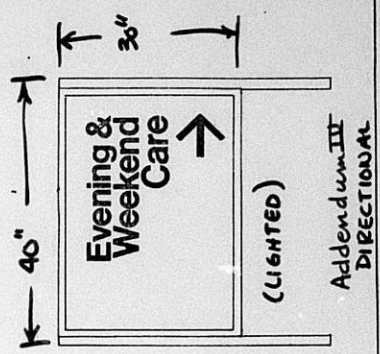
58-81



T J Land and Cattle Company
 Denver
 Colorado

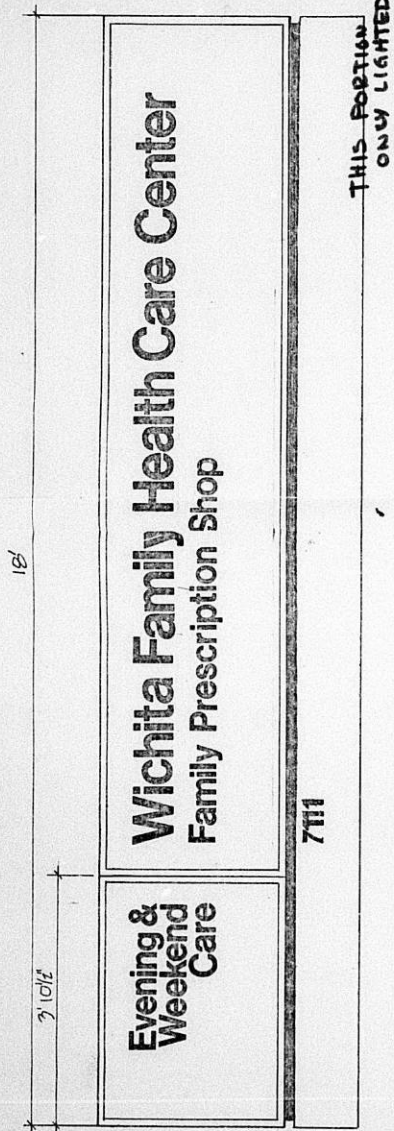
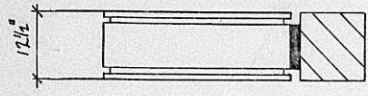


THIS PORTION ONLY LIGHTED



Addendum III
SITE SIGN

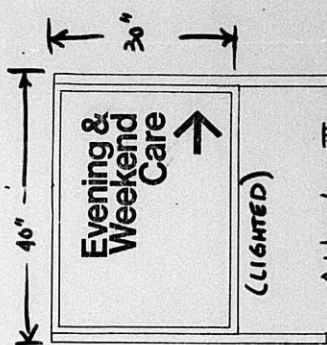
GRAPHICSSYSTEMS 313 1DA WICHITA, KANSAS 67202	JOB TITLE WICHITA FAMILY HEALTH CARE CENTER		SH
	DATE		



4 1/2" RED TYPE
OFF-WHITE FACE



1" OFF-WHITE TYPE
BRONZE FACE



Addendum IV
DIRECTIONAL

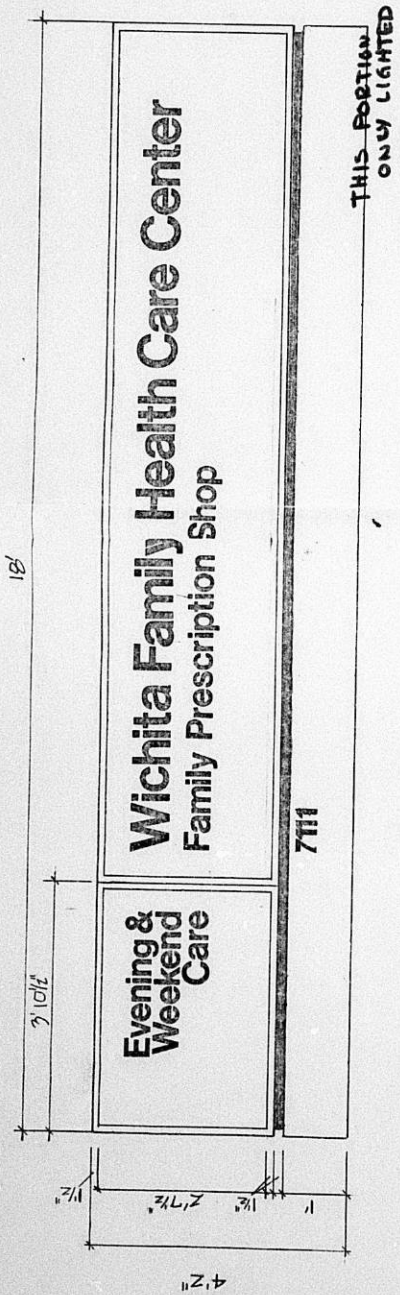
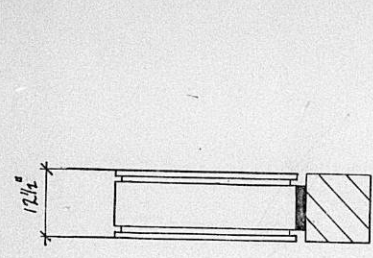
Addendum III
SITE SIGN

GRAPHICSSYSTEMS
313 IDA WICHITA, KANSAS 67202

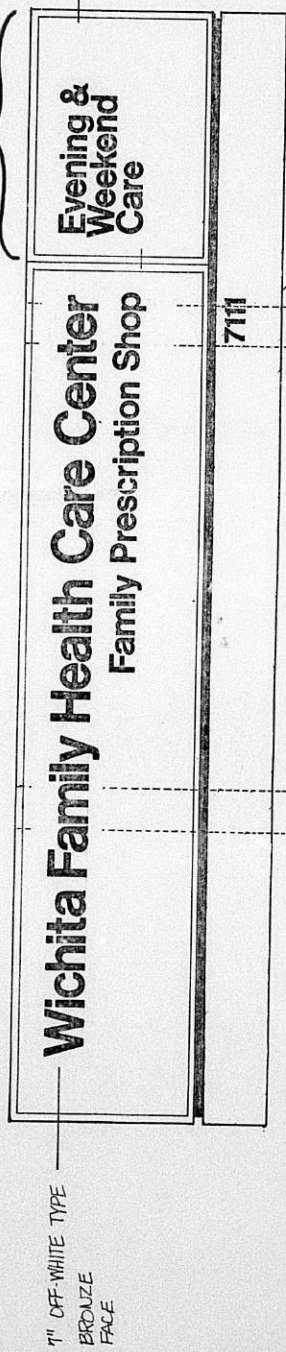
JOB TITLE: WICHITA FAMILY HEALTH CARE CENTER

JOB NO. DATE

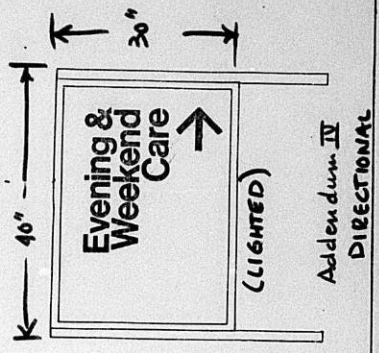
SAT.



1/2" RED TYPE
OFF-WHITE FACE



1" OFF-WHITE TYPE
BRONZE
FACE



Addendum III
SITE SIGN

GRAPHICSSYSTEMS 3131 DA WICHITA, KANSAS 67202	JOB TITLE	WICHITA FAMILY HEALTH CARE CENTER	SR
	DATE		

*

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

Roll # 2