


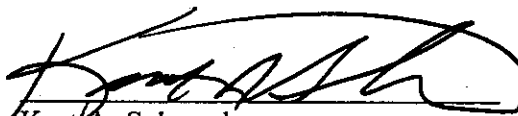
required by Section 24.04.251.6. as previously set forth in the February 25, 2004 Sign Code Administrative Adjustment approval letter.

However, several of the 2/25/04 conditions for approval are now being modified, given the additional request for an on-site sign height increase to thirty-five feet. The modified conditions of approval from the 2/25/04 letter are set forth below. The additions/modification to the 2/25/04 letter are highlighted in **bold italics**. Our signatures below indicate that these modified conditions of approval are granted.

- 1) The sign containing **both on-site and** off-site advertising shall face the direction of travel along K-96 and shall be the only ground-mounted sign **structure** permitted on the subject property that faces the direction of travel along K-96. **The ground-mounted sign structure shall not be located in any easement.**
- 2) **Any off-site** sign shall be a maximum of 25 feet in height. **The on-site sign shall be a maximum of 35 feet in height.**
- 3) The portion of the sign assigned to any single off-site business shall not exceed 100 square feet in area.
- 4) Off-site advertising shall only be permitted on the sign for businesses located on Lots 6 and 7, Block 3, Mediterranean Plaza Addition.
- 5) No off-site advertising shall be permitted on the sign for businesses with a **separate** on-site ground-mounted sign facing the direction of travel along K-96.
- 6) 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 may now be removed from the property.


John L. Schlegel
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

cc: Kim Edgington, AM Consulting, Inc., 142 N. Emporia, Wichita, KS 67202
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection

Attachment: Copy of 2/25/04 Administrative Adjustment Approval Letter



Wichita-Sedgwick County Metropolitan Area Planning Department

March 9, 2004

Tom Duncan
JC of Wichita, LLC
5550 Lewis, Ste. 301
Tulsa, OK 74105

Re: BZA2004-00009: Clarification/Modification to February 25, 2004 Sign Code Adjustment to allow off-site advertising for businesses located on abutting properties on a sign located on the subject property.

Legal Description: Part of Lot 6, Block 3, Mediterranean Plaza, an Addition to Wichita, Sedgwick County, Kansas, described as follows: Beginning at the southerly most corner of said Lot 6; thence N 45°58'58"W for a distance of 308.86 feet; thence N 44°40'05"E for a distance of 66.10 feet to a point of curvature; thence on a curve to the left for a distance of 107.13 feet to a point of reverse curvature, said curve to the left having a radius of 100 feet and a central angle of 61°22'49" and a tangent of 59.35 feet; thence on a curve to the right for a distance of 16.32 feet, said curve to the right having a radius of 301.44 feet with a central angle of 53°49'34" and a tangent of 153.01 feet; thence S 45°58'58"E for a distance of 64.38 feet; thence N 44°40'05"E for a distance of 35.03 feet; thence S 45°58'58"E for a distance of 224.82 feet to the southeasterly line of said Lot 6; thence S 21°06'23"W for a distance of 214.80 feet to the Point of Beginning. Said tract contains 54,482 square feet more or less. Generally located north of K-96 and west of Webb (3213 Toben).

Dear Mr. Duncan:

Outlined below are the modified conditions to the February 25, 2004 Sign Code Adjustment that allowed off-site advertising for businesses located on abutting properties on a sign located on the aforementioned property.

Section 24.04.251.2.j. of the Sign Code authorizes adjustments to allow off-site signs that do not exceed 100 square feet in area or 25 feet in height when the three conditions required by Section 24.04.251.6. of the Sign Code are met. Section 24.04.251.2.b. of the Sign Code also authorizes adjustments to the maximum height allowed for on-site signs (Johnny Carino's restaurant in this instance) by up to twenty percent. The maximum allowed on-site sign height for the proposed Johnny Carino's sign is thirty feet (based on the K-96 lot frontage of only 310'), and a 20% adjustment to allow a height increase to thirty-five feet has now also been requested. We find that the allowance of off-site signage as proposed meets the three conditions

