

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. The church shall be permitted only one bulletin board type sign, unless additional variances are requested and granted, and the message area of the sign shall be no larger than 48 square feet.
2. The bulletin board sign shall be located along Rock Road atop the berm where the identification signs are now located (approximately 360 feet south of 29th Street North).
3. The bulletin board sign shall be lighted only indirectly and with white light only.
4. The messages on the bulletin board sign shall pertain only to events at this church.

August 23, 1988

SECRETARY'S REPORT

CASE NUMBER:

BZA 37-88

OWNER/APPLICANT/AGENT:

Central Christian Church (owner/applicant)
Ron Grover, Minister of Administration
(agent)

REQUEST:

Variance to increase the permitted size of a
bulletin board sign from 25 sq. ft. to 48 sq.
ft.

CURRENT ZONING:

"AA" One-Family Dwelling District

SITE SIZE:

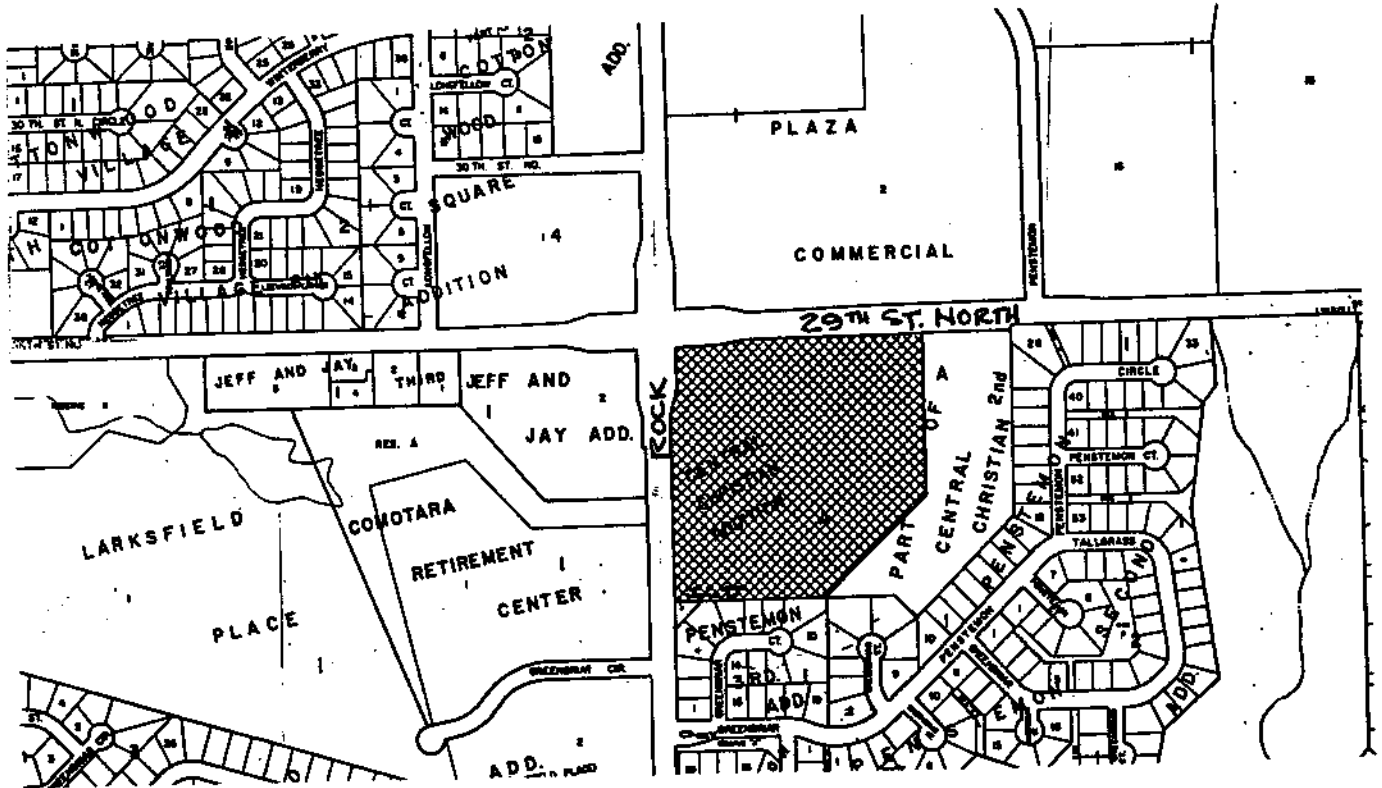
19.6 acres

LOCATION:

Southeast corner of 29th St. North and Rock
Road

PROPOSED USE:

Church bulletin board sign



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. The Board may grant the request when all five conditions, as required by the State Statutes, are found to exist.

BACKGROUND: The applicant is requesting a variance to increase the size of a "bulletin board" sign for Central Christian Church from 25 square feet to 48 square feet. Only the portion of the sign which conveys the message is counted in the square footage calculation. The message portion of the sign will be 12 feet long and 4 feet tall and will be placed on top of the berm along Rock Road where the identification signs are now located. The material for the sign will be black plastic or fiberglass with white letters and will be enclosed in a clear lense cover with indirect white lighting.

ADJACENT ZONING AND LAND USE:

NORTH	"LC"	Commercial uses
SOUTH	"AA"	Single-family residences
EAST	"AA"	Undeveloped church property and single-family residences
WEST	"LC"	Commercial uses

UNIQUENESS: It is the opinion of staff that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch as the site is 19 acres in size and is located at the intersection of two major arterials with light commercial zoning and/or uses on the other three corners which are permitted signs of much greater size.

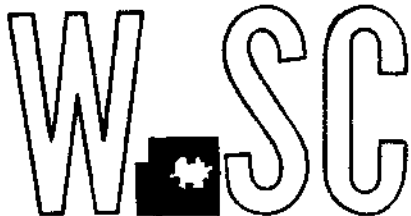
ADJACENT PROPERTY: It is the opinion of staff that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch as the sign will be located at least 450 feet from the nearest multi-family dwelling and 700 feet from the nearest single-family dwelling, and nearby commercial uses have even larger signs than will be permitted for this church.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the zoning ordinance may constitute an unnecessary hardship upon the applicant inasmuch as the only alternative available would be for the applicant to seek a change of zoning to a district comparable to the other corners of this intersection, which would be an additional expense and time to accomplish the same purpose.

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest inasmuch as the location of the sign will be far enough back from the curb on Rock Road and the driveway entrance into the church to not create sight distance problems for motorists and the location does not encroach any utility easements or street right-of-way.

SPIRIT AND INTENT: It is the opinion of staff that the granting of the variance requested would not be opposed to the general spirit and intent of the zoning ordinance inasmuch as the regulations for most uses located on major streets allow for larger signs, based on length of street frontage, whereas the residential districts do not have such a provision for an increase above the basic square footage.

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1668
(318) 268-4661

August 24, 1988

Mr. Ron Grover, Minister of Admin.
Central Christian Church
2900 N. Rock Road
Wichita, KS 67226

Re: BZA 37-88 - Variance to increase size of bulletin board sign
at 2900 N. Rock Road

Dear Mr. Grover:

Enclosed is a signed copy of the above-referenced BZA resolution adopted by the Board of Zoning Appeals on August 23, 1988. This resolution reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files.

This is a reminder that the zoning adjustment signs should now be removed from the property. If you have any questions concerning this matter, please contact our office.

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

Sincerely,

Louise Olivarez
Assistant Secretary
Board of Zoning Appeals

LO/jcm
Enclosure

cc: Monty Robson, Superintendent of Central Inspection
Joe Donnelly, Zoning Administrator, CID
Dale Rea, Deputy City Clerk

FILE COPY

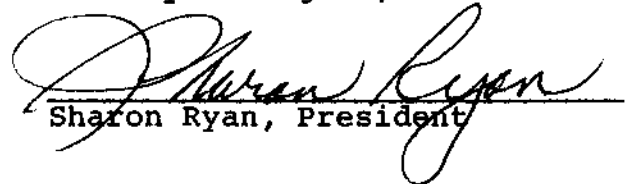
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request be approved for a variance to increase the permitted size of a bulletin board sign from 25 sq. ft. to 48 sq. ft. on property zoned the "AA" One-Family Dwelling District and legally described as follows:

Lot A, Central Christian Addition, an addition to Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of 29th Street North and Rock Road (2900 N. Rock Road).

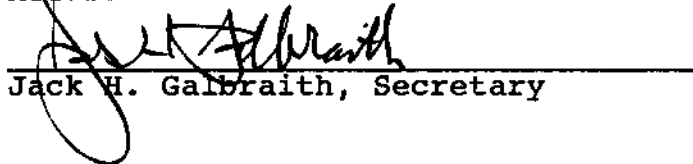
subject to the following conditions:

1. The church shall be permitted only one bulletin board type sign, unless additional variances are requested and granted, and the message area of the sign shall be no larger than 48 square feet.
2. The bulletin board sign shall be located along Rock Road atop the berm where the identification signs are now located (approximately 360 feet south of 29th Street North).
3. The bulletin board sign shall be lighted only indirectly and with white light only.
4. The messages on the bulletin board sign shall pertain only to events at this church.

ADOPTED AT WICHITA, KANSAS, this 23rd day of August, 1988.


Sharon Ryan, President

ATTEST:


Jack H. Galbraith, Secretary

BZA RESOLUTION NO. 37-88

WHEREAS, Central Christian Church, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to increase the permitted size of a bulletin board sign from 25 sq. ft. to 48 sq. ft. on property zoned the "AA" One-Family Dwelling District and legally described as follows:

Lot A, Central Christian Addition, an addition to Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of 29th Street North and Rock Road (2900 N. Rock Road).

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 August 23, 1988, 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 site is 19 acres in size and is located at the intersection of two major arterials with light commercial zoning and/or uses on the other three corners which are permitted signs of much greater size; 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 sign will be located at least 450 feet from the nearest multi-family dwelling and 700 feet from the nearest single-family dwelling, and nearby commercial uses have even larger signs than will be permitted for this church; 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 only alternative available would be for the applicant to seek a change of zoning to a district comparable to the other corners of this intersection, which could be an additional expense and time to accomplish the same purpose; 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 be far enough back from the curb on Rock Road and the driveway entrance into the church to not create sight distance problems for motorists and the location does not encroach any utility easements or street right-of-way; 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 regulations for most uses located on major streets allow for larger signs, based on length of street frontage, whereas the residential districts do not have such a provision for an increase above the basic square footage; 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.