

SITE PLAN
NO SCALE

BZA 8-96



VICINITY MAP
NO SCALE

Comfort Inn
Record Property Owner:
**Heritage Inn
of WICHITA, Inc.**
1020 36th Street S.W.
Fargo, North Dakota 58103

Hampton Inn
Record Property Owner:
**H.I. Heritage Inn
of WICHITA, Inc.**
1020 36th Street S.W.
Fargo, North Dakota 58103

COMFORT INN SHEET INDEX

NO.	DESCRIPTION	DATE
1	PRELIMINARY SHEET INDEX	11/11/95
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HAMPTON INN SHEET INDEX

NO.	DESCRIPTION	DATE
1	PRELIMINARY SHEET INDEX	11/11/95
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SITE PLAN

DATE: JULY 1995
SCALE: 1/8"=1'-0"
DRAWN BY: COREY
PROJECT: COMFORT INN & HAMPTON INN HOTEL & CORPORATE HILLS DRIVE WICHITA, KS
PROJECT NO.: 95-26

DS&A
DAN SMITH - ARCHITECT
1001 N. 13th St. Fargo, ND 58103
701-785-1111

LAND



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

August 28, 1996

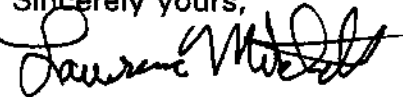
Mr. Gary Wiley
P.E.C., PA
303 S. Topeka
Wichita, KS 67202

RE: BZA 8-96 - A) Variance to increase the height of a building sign from 30' to 41' on the east face of the Comfort Inn at 9525 E. Corporate Hills; and B) Variance to increase the height of a building sign from 30' to 34' on the east face of the Hampton Inn at 9449 E. Corporate Hills.

Dear Mr. Wiley:

Enclosed are signed copies of the above-referenced BZA Resolutions approved by the Board of Zoning Appeals on August 27, 1996. These resolutions reflect the official action of the Board to grant your requests and set out the conditions of approval. They are 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 call our office.

Sincerely yours,

Lawrence Mitchell
Assistant Secretary
Board of Zoning Appeals

Enclosure

LO/sah

cc: Tharaldson Development Company, c/o Corey Leinen, P.O. Box 10519, Fargo, ND 58106
J. R. Cox, OCI
Paul Hays, OCI
Ray Sledge, OCI
Pat Burnett, Deputy City Clerk
Yolanda Anderson, MAPD

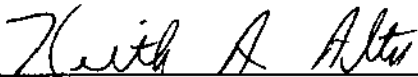
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request be approved for a variance to increase the height of a building sign from 30' to 34' (east face of the Hampton Inn at 9449 E. Corporate Hills) on property zoned the "LC" Limited Commercial w/DP-116 and legally described as follows:

Lot 2, Block 1, Maxwell 4th Addition, Wichita, Sedgwick County, Kansas. Generally located on the south side of Corporate Hills Drive, west of Webb Road.

subject to the following conditions:

1. Prior to installing this building sign, the applicant shall obtain a sign permit and shall comply with all sign code requirements, unless a variance is granted by the Board. Only one building sign shall be permitted on this building at a height greater than 30 feet and it shall be no higher than 34 feet.
2. The building sign approved by this variance shall be limited to a non-flashing, internally-illuminated sign or a non-illuminated sign.
3. The sign shall be installed within one year or this variance shall become null and void.

ADOPTED AT WICHITA, KANSAS, this 27th day of August, 1996.



Keith Alter, President

ATTEST:



Louise Olivarez, Secretary

BZA RESOLUTION NO. 8-96A

WHEREAS, Tharaldson Development Company, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to increase the height of a building sign from 30' to 41' (east face of the Comfort Inn at 9525 E. Corporate Hills) on property zoned "LC" Limited Commercial w/DP-116 and legally described as follows:

Lot 2, Block 1, Maxwell 4th Addition, Wichita, Sedgwick County, Kansas. Generally located on the south side of Corporate Hills Drive, west of Webb 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 27, 1996, 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 owners or the applicant inasmuch as the building on the site is three stories tall and will be visible to motorists on Webb Road for a major distance even though it is located approximately 250 feet from Webb Road. Also, the building design, with its numerous windows, provides uninterrupted space for a sign only at a height above 30 feet.

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 is directed to the rear of another business and should not be detrimental to other uses that exist or may develop in the area.

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of the sign ordinance of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application inasmuch as the identification of a highway oriented use that depends, to great extent, on the traveling public needs sufficient visibility to allow the public to locate the site from adjacent roadways.

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, inasmuch as the requested sign height is in character with the building and the limitations on lighting will keep the sign from being a distraction to motorists in the area.

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 the sign ordinance inasmuch as the intent is to provide adequate but not excessive signage for all properties, but no provisions are made for building signs on mid-rise or high-rise structures.

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 be approved for a variance to increase the height of a building sign from 30' to 41' (east face of the Comfort Inn at 9525 E. Corporate Hills) on property zoned the "LC" Limited Commercial w/DP-116 and legally described as follows:

Lot 2, Block 1, Maxwell 4th Addition, Wichita, Sedgwick County, Kansas. Generally located on the south side of Corporate Hills Drive, west of Webb Road.

subject to the following conditions:

1. The applicant shall obtain a sign permit and shall comply with all sign code requirements, unless a variance is granted by the Board. Only one building sign shall be permitted on this building at a height greater than 30 feet and it shall be no higher than 41 feet.
2. The building sign approved by this variance shall be limited to a non-flashing, internally-illuminated sign or a non-illuminated sign.
3. The sign shall be installed within one year or this variance shall become null and void.

ADOPTED AT WICHITA, KANSAS, this 27th day of August, 1996.



Keith Alter, President

ATTEST:


Louise Olivarez, Secretary

BZA RESOLUTION NO. 8-96B

WHEREAS, Tharaldson Development Company, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to increase the height of a building sign from 30' to 34' (east face of the Hampton Inn at 9449 E. Corporate Hills) on property zoned "LC" Limited Commercial w/DP-116 and legally described as follows:

Lot 2, Block 1, Maxwell 4th Addition, Wichita, Sedgwick County, Kansas. Generally located on the south side of Corporate Hills Drive, west of Webb 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 27, 1996, 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 owners or the applicant inasmuch as the building on the site is three stories tall and will be visible to motorists on Webb Road for a major distance even though it is located approximately 500 feet from Webb Road. Also, the building design, with its numerous window, provides uninterrupted space for a sign only at a height above 30 feet.

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 would face the rear of another motel owned by this applicant and should not be detrimental to that use or to other uses that may develop in the area.

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of the sign ordinance of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application inasmuch as the identification of a highway oriented use that depends, to great extent, on the traveling public needs sufficient visibility to allow the public to locate the site from adjacent roadways.

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, inasmuch as the requested sign height is in character with the building and the limitations on lighting will keep the sign from being a distraction to motorists in the area.

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 the sign ordinance inasmuch as the intent is to provide adequate but not excessive signage for all properties, but no provisions are made for building signs on mid-rise or high-rise structures.

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.

2. The building sign approved by this variance shall be limited to a non-flashing, internally-illuminated sign or a non-illuminated sign.

3. The sign shall be installed within one year or this variance shall become null and void.

file copy

BOARD OF ZONING APPEALS
WICHITA, KANSAS

AGENDA ITEM NO. 3
August 27, 1996

SECRETARY'S REPORT

CASE NUMBER: BZA 8-96

OWNER/APPLICANT: Tharaldson Development, c/o Corey Leinen

AGENT: Gary Wiley, P.E.C.

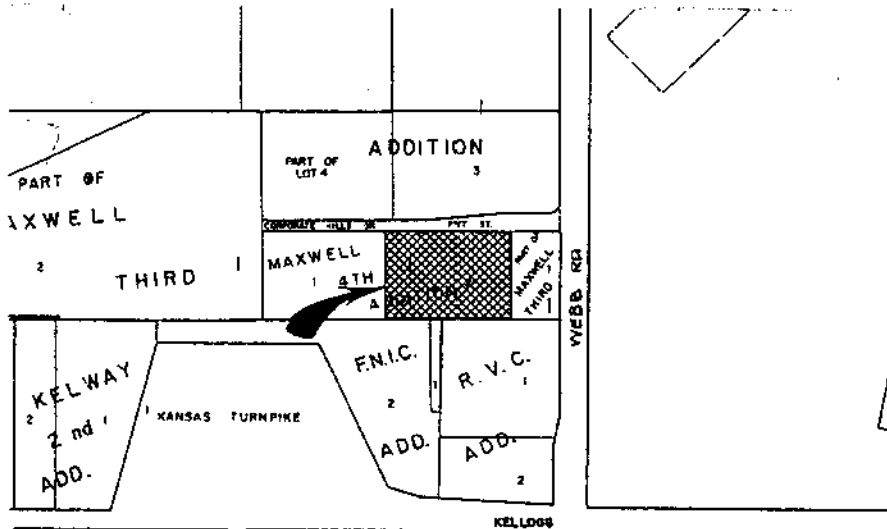
REQUEST:

1. Variance to increase the height of a building sign from 30' to 41' on the east face of the Comfort Inn at 9525 E. Corporate Hills.
2. Variance to increase the height of a building sign from 30' to 34' on the east face of the Hampton Inn at 9449 E. Corporate Hills.

CURRENT ZONING: "LC" w/DP-116 Limited Commercial

SITE SIZE: 2.5 Acres

LOCATION: South side of Corporate Hills, west of Webb Road.



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 State Statutes, are found to exist

BACKGROUND: The applicant, Tharaldson Development Company, is developing property located south of Corporate Hills Drive and west of Webb Road as the site for a Hampton Inn motel and Comfort Inn motel. The applicant appeared before the Board of Zoning Appeal on July 23, 1996, and was granted three sign variances which will allow three building signs to be placed in areas that did not have the required depth of parking area nor did they have street frontage required by the sign code. During that review by the Board it was determined that two of the signs were also going to be placed higher than the 30 foot maximum provided for in the sign code. The applicant, therefore, is now requesting the following height variances in order to install signs to make the motels' locations known to the traveling public.

Request Number 1: Variance to increase the height of a building sign from 30 feet to 41 feet on the east face of the Comfort Inn at 9525 E. Corporate Hills. This building sign would face Webb Road but would be separated from Webb Road frontage by an existing business, the Aviation Associates Credit Union.

Request Number 2: Variance to increase the height of a building sign from 30 feet to 34 feet on the east face of the Hampton Inn at 9449 E. Corporate Hills. This building sign would face Webb Road but would be separated from Webb Road frontage by two existing businesses, the Comfort Inn and the Aviation Association Credit Union.

The applicant has indicated that the proposed building signs at the requested height on the Comfort Inn and Hampton Inn are necessary to inform the traveling public as to the location of these motels.

ADJACENT ZONING AND LAND USE:

NORTH	"LC"	Motel (Fairfield Inn) and Undeveloped Land
SOUTH	"LC"	Motel (Residence Inn) and Office Building Parking Lot
EAST	"LC"	Financial Institution (Aviation Associates Credit Union)
WEST	"LC"	Undeveloped Land

REQUEST NUMBER 1: Variance to increase the height of a building sign from 30' to 41' on the east face of the Comfort Inn at 9525 E. Corporate Hills.

UNIQUENESS: It is the opinion of staff that this property is unique inasmuch as the building on the site is three stories tall and will be visible to motorists on Webb Road for a major distance even though it is located approximately 250 feet from Webb Road. Also, the building design, with its numerous windows, provides uninterrupted space for a sign only at a height above 30 feet.

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 is directed to the rear of another business and should not be detrimental to other uses that exist or may develop in the area.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the sign regulations may constitute an unnecessary hardship upon the applicant inasmuch as the identification of a highway oriented use that depends, to great extent, on the traveling public needs sufficient visibility to allow the public to locate the site from adjacent roadways.

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest inasmuch as the requested sign height is in character with the building and the limitations on lighting will keep the sign from being a distraction to motorists in the area.

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 sign regulations inasmuch as the intent is to provide adequate but not excessive signage for all properties, but no provisions are made for building signs on mid-rise or high-rise structures.

RECOMMENDATION: Should the Board determine that all five conditions necessary to the granting of the 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 applicant shall obtain a sign permit and shall comply with all sign code requirements, unless a variance is granted by the Board. Only one building sign shall be permitted on this building at a height greater than 30 feet and it shall be no higher than 41 feet.
2. The building sign approved by this variance shall be limited to a non-flashing, internally-illuminated sign or a non-illuminated sign.
3. The sign shall be installed within one year or this variance shall become null and void.

REQUEST NUMBER 2: Variance to increase the height of a building sign from 30 feet to 34 feet on the east face of the Hampton Inn at 9449 E. Corporate Hills.

UNIQUENESS: It is the opinion of staff that this property is unique inasmuch as the building on the site is three stories tall and will be visible to motorists on Webb Road for a major distance even though it is located approximately 500 feet from Webb Road. Also, the building design, with its numerous window, provides uninterrupted spaces for a sign only at a height above 30 feet.

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 the sign would face the rear of another motel owned by this applicant and should not be detrimental to that use or to other uses that may develop in the area.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the sign regulations may constitute an unnecessary hardship upon the applicant inasmuch as the identification of a highway oriented use that depends, to great extent, on the traveling public needs sufficient visibility to allow the public to locate the site from adjacent roadways.

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest inasmuch as the requested sign height is in character with the building and the limitations on lighting will keep the sign from being a distraction to motorists in the area.

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 sign regulations inasmuch as the intent is to provide adequate but not excessive signage for all properties, but no provisions are made for building signs on mid-rise or high-rise structures.

RECOMMENDATION: Should the Board determine that all five conditions necessary to the granting of the 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. Prior to installing this building sign, the applicant shall obtain a sign permit and shall comply with all sign code requirements, unless a variance is granted by the Board. Only one building sign shall be permitted on this building at a height greater than 30 feet and it shall be no higher than 34 feet.