



**STAFF REPORT**

City of Arkansas City Neighborhood Services Division

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CASE NUMBER  
BZA-2021-208

APPLICANT/PROPERTY OWNER  
Jeff Sherrard-Alloy Architecture/USD 470

PUBLIC HEARING DATE  
July 13, 2021

PROPERTY ADDRESS/LOCATION  
1200 W Radio Ln

**BRIEF SUMMARY OF REQUEST**

Jeff Sherrard of Alloy Architecture has requested a variance to the sign regulations. The subject property is located at 1200 W Radio Lane. The property is currently developed as Arkansas City High School. The area surrounding the property is residential and commercial (mixed use). Residential surround the property. There are two churches to the south and southwest and a dental office to the south as well. The applicants are planning an upgrade to the sign including a digital message board. Regulations allow for a 10' pole sign with an area of no more than 50 square feet. The proposal is for a sign with a height of 14' 6" and an area of 76 square feet. The property is approximately 86 acres. Staff recommends approval of both variances.



Map data ©2021 Esri World Topographic map

EXISTING ZONING P-Public Use District	EXISTING LAND USE High School	SURROUNDING ZONING North-R-1, County South-R-2, P West-R-1 East-R-1, R-2	SITE IMPROVEMENTS School and related facilities	SIZE OF PROPERTY 125'X190' 0.55 acres
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STAFF RECOMMENDATION

**APPROVE**

**APPROVE WITH CONDITIONS**

**DENY**

**DOES STRICT ADHERANCE TO THE REGULATIONS REPRESENT AN UNNECESSARY HARSHIP ON THE APPLICANT?**

The site presents a difficulty in finding a proper location for the sign partly due to the curve in Summit Street in this area. The current proposal seems to be the best of both worlds in that it attempts to come closer to the requirements while also maintaining visibility.

**PROPERTY HISTORY**

The subject property was developed as the high school back in the 1980s. There have been a number of expansions to the complex including the football stadium and tennis courts around 2008-2010.

**RELIEF SOUGHT:**

- A variance to exceed the maximum height for a pole sign by 4 feet 6 inches. Total height: 14' 6"
- A variance to exceed the maximum area of the sign by 26 square feet. Total area: 76 square feet

## **Findings**

In order to consider a request for a variance, the Board of Zoning Appeals must make written findings of facts that the following conditions apply to the property in question.

### **1. Is the proposed sign variance a design, location or size which adversely impacts the neighborhood?**

Applicant: The nearest house is approximately 250' away and is on the property of the First Church of the Nazarene. The closest private residence is more than 300' away from the proposed sign.

Staff: The sign is a significant distance from any residences and most likely will not have an adverse impact on them.

### **2. Will the granting of the sign variance adversely affect the rights of adjacent property owners?**

Applicant: The variance would not affect adjacent property owners.

Staff: Staff agrees with this assessment. Although the flashing of the digital sign should likely be regulated as being turned off between the hours of 10pm and 6am because it is within 200 feet of a residentially zoned district per Zoning Regulations.

### **3. Will the strict application of the provisions of the zoning regulations of which the variance is requested constitute unnecessary hardship upon the property owner represented in the application?**

Applicant: Because of the size of the site and building as well as the speed of traffic on Radio Lane, the required sign size and height would be more difficult without slowing traffic.

Staff: Staff mostly agrees with this assessment. The regulations do not take into account the size of the property and the traffic. They mostly protect adjacent property owners. A smaller digital sign can be more difficult to read and potentially cause traffic to slow.

### **4. Will the granting of the sign variance interfere with or be confused with any traffic signal, sign or light?**

Applicant: There are no traffic signals near the proposed sign.

Staff: Staff agrees with this assessment. Although, they should be careful when the school zones are active which are technically traffic signals.

### **5. Will the granting of the sign variance be contrary to the general spirit and intent of the zoning regulations and Comprehensive Plan objectives?**

Applicant: Because of the size of the facility it has traffic similar to a C-2 or C-3 zone and should then have a similar size sign.

Staff: While it is true that the traffic generated by the high school is similar to that of a commercial business, the regulations are written to protect the residential areas adjacent to the site. That being said, due to the distance from adjacent homes, staff believes granting the variance will not be contrary to the general spirit and intent of the zoning regulations and Comprehensive Plan objectives.

### **6. The recommendations of professional staff;**

It is the recommendation of staff that a sign variance to exceed the maximum height by 4 feet 6 inches feet and

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exceed the maximum area by 26 square feet approved based on the following factors:

- The proposed signage will not adversely affect the neighborhood
  - The distance from the sign to the nearest house is approximately 250 feet away from the sign.
  - The signage will not interfere or be confused with traffic signals or road signs and lights.
  - The variance is not opposed to the general spirit and intent of the zoning regulations and Comprehensive Plan objectives.
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