



Tuesday, July 1, 2025
Commission Room, City Hall 5:30 PM
Independence Planning Commission/Board of Zoning Appeals
To join by Conference Call dial:1-785-289-4727 Conference ID: 820 754 218#

- I. CALL TO ORDER
- II. MINUTES
 - a. Consider approving minutes of the June 3, 2025 meeting.
- III. BOARD OF ZONING APPEALS (DOES NOT INCLUDE OUTSIDE CITY APPOINTMENTS)
 - a. Public Hearing to receive comments on a variance request to allow the number of wall signs on a single facade to exceed code in a C-4, highway commercial district at 121 Peter Pan Road.
 - b. Public Hearing to receive comments on a variance request to exceed the allowable dimensions of a rear wall sign at 320 N. Penn Avenue.
- IV. PLANNING COMMISSION
- V. DISCUSSION
- VI. ADJOURNMENT



**PLANNING COMMISSION ACTION / BOARD OF
ZONING APPEALS MINUTES
CITY OF INDEPENDENCE
July 1, 2025**

Department City Clerk

Prepared By

AGENDA ITEM Consider approving minutes of the June 3, 2025 meeting.

SUMMARY RECOMMENDATION

I move to approve the June 3, 2025 minutes as presented

SUPPORTING DOCUMENTS

1. June 3 2025 PZ Minutes

Minutes of the Planning and Zoning Commission/Board of Zoning Appeals's June 3, 2025 Meeting

I. Call to Order

Present: Michelle Avery, Tim Haynes, Rachel Lyon, Lisa Richard by phone, Kym Kays, Butch Holum, Rita Ortolani

Absent: Gary Hogsett, Brett Gilcrist

City Staff Present: Kelly Passauer, City Manager/Zoning Administrator; David Schwenker, City Clerk; Jeff Chubb, City Attorney and Kayla Schabel, Executive Assistant

Guests: Larry McHugh, Sean Clapp and Christopher Shires by phone

Chairperson Lyons called the meeting to order.

II. Minutes

- a. Consider approving minutes of the April 8, 2025 meeting.

Motion:

On the motion of Tim Haynes, seconded by Butch Holum, the Commission approved the April 8, 2025, minutes as presented.

Aye: Tim Haynes, Rachel Lyon, Butch Holum, Kym Kays, Rita Ortolani

Nay: None

III. Board of Zoning Appeals (Does not include outside City appointments)

- a. Public hearing to consider a request to allow encroachment of canopy columns into the required setback in a O & P Office and Professional District at 712 West Myrtle Street.

K-State Research and Extension – Wildcat District is proposing to construct a new community center facility at 712 W. Myrtle Street. The location is a corner lot and applicant owns the entire block. This is in an O&P (Office and Professional) District, which requires a minimum front yard of 25 feet from the property line. While the main building structure meets this requirement, the design includes a canopy supported by two columns that would encroach into the front setback area. Applicant is requesting a variance to allow limited encroachment by canopy columns into the setback. A site plan has been submitted with the application.

SECTION 508.0- O&P, OFFICE AND PROFESSIONAL DISTRICT

508.1. Intent: District O&P is intended to provide areas for public, semipublic, institutional, professional and office types of uses. Land space and aesthetic

Minutes of the Planning and Zoning Commission/Board of Zoning Appeals's June 3, 2025 Meeting

requirements of these uses make desirable either a central location or a suburban location near residential neighborhoods. Residential development is permitted in this district.

508.2. Permitted uses: The listing of permitted uses is set out in appendix "A" of these regulations.

508.3. Conditional uses: The listing of conditional uses is set out in appendix "A" of these regulations.

508.4. Intensity of use regulations:

a. Minimum lot area:

Single-family dwelling—7,200 square feet per family.

Two-family dwelling—4,000 square feet per family.

Three-family dwelling—3,000 square feet per family.

Low-rise multifamily—2,000 square feet per family.

High-rise multifamily—900 square feet per family.

b. Maximum lot coverage: 40 percent.

508.5. Height regulations: 35 feet or 2½ stories.

508.6. Yard regulations:

a. Minimum front yard: 25 feet measured from property line.

b. Minimum side yard: Eight feet except when abutting street or R zone—15 feet or 40 percent of height.

c. Minimum rear yard: Ten feet except when abutting R zone—25 feet.

508.7. Parking and loading regulations: See article VII.

508.8. Use limitations:

a. Residential development is permitted in the O&P district if it can be shown that such development will be compatible with surrounding uses.

b. Existing residential structures may be altered, remodeled or improved subject to any restrictions and regulations which would be applicable to residences located in the corresponding residential district.

c. No merchandise shall be handled or displayed and no equipment or vehicle, other than motor passenger cars, shall be stored outside a building in this district for more than 24 hours in a 30-day period.

d. A pharmacy wherein retail sale only of prescription medicines, drugs, pharmaceuticals or orthopedic devices, customarily incident to the practice of medicine, shall be allowed as an accessory use in an office building provided not less than five physicians occupy offices within the building.

e. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any property located in a residential district.

Motion:

On the motion of Butch Holum, seconded by Lisa Richard, the Commission approved a variance to allow an 11-foot encroachment by canopy columns into the front yard setback at 712 W. Myrtle Street, reducing the required 25-foot front yard setback to 14 feet along Myrtle Street.

Aye: Michelle Anderson, Tim Haynes, Rachel Lyon, Lisa Richard, Butch Holum, Kym Kays, Rita Ortolani

Nay: None

**Minutes of the Planning and Zoning Commission/Board of Zoning Appeals's June 3, 2025
Meeting**

IV. Planning Commission

a. Worksession on Zoning Code Update.

This is a continuation of the work session from December, January, February, March, and April, and no action is anticipated.

V. Discussion

VI. Adjournment

Motion:

On the motion of Tim Haynes, seconded by Butch Holum the Commission adjourned the meeting.

Aye: Michelle Anderson, Tim Haynes, Rachel Lyon, Lisa Richard, Butch Holum, Kym Kays, Rita Ortolani

Nay: None

Rachel Lyon, Chairperson

Lisa Richard, Vice-Chair



**REQUEST FOR BOARD OF ZONING APPEALS ACTION
VARIANCE
CITY OF INDEPENDENCE
JULY 1, 2025**

Department Admin

Prepared By Kayla Schabel

AGENDA ITEM Public Hearing to receive comments on a variance request to allow the number of wall signs on a single facade to exceed code in a C-4, highway commercial district at 121 Peter Pan Road.

SUMMARY RECOMMENDATION Approve Variance

BACKGROUND Wal-Mart, represented by Springfield Sign, has requested a variance for their location at 121 Peter Pan Road, Independence, Kansas. The request seeks to exceed the permitted number of wall signs on a single façade in a C-4 highway commercial district.

Per City Code §802.5(a), each business is limited to no more than three illuminated or nonilluminated wall or marquee signs, with no more than one per façade.

The applicant initially requested an additional 5 signs per front and side facade in their variance request. The applicant, after the initial variance request application, requested to have 8 signs on the front facade, 6 on the side facade and 4 on the back facade- for a total of 19 signs. Attached is the sign plan and a list of all signs for the building.

The building has a footprint of nearly 148,000 square feet, making it one of the largest commercial structures in the city and district. Multiple service departments such as Auto Care and Pickup are located on the sides of the structure, which due to the size and layout of the lot, have limited visibility from public rights-of-way and main parking areas. All proposed signage is modest in design and consistent in architectural style, with none exceeding height or lighting limitations. Due to the size of the structure, the proposed signage is less than 5% of the front facade.

802.5. District C-2 and C-4 – Sign Regulations Summary

Businesses in the C-4 district may display up to three wall or marquee signs, one per façade, with total area not exceeding 20% of that façade. Signs may not exceed five feet above roofline and must adhere to area limits.

BOARD OF ZONING APPEALS CONSIDERATIONS

The five considerations that must be considered when reviewing a variance include

1. That the variance requested 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 any action or actions of the property owner or the applicant;

The property's large scale, single ownership, and internal departmental segmentation present a unique circumstance. It is atypical in the district and necessitates clearer on-site wayfinding that would not be adequately met under standard sign allowances.

2. That the granting of the permit for the variance will not adversely affect the rights of the adjacent property owners or residents.

There is no residential adjacency, and signage is proportionate and visually coordinated. There is no identified negative impact on neighboring properties or the surrounding commercial environment.

3. That the strict application of the provisions of the zoning regulations of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application;

Strict enforcement of the code limits would obstruct internal visibility and customer orientation across a complex site, creating unnecessary hardship in terms of basic wayfinding for a multi-department facility.

4. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.

Enhanced navigation promotes convenience, order, and customer safety without posing aesthetic or environmental disruption. The signage layout is supportive of the public interest.

5. Granting the variance will not be opposed to the general spirit and intent of the zoning regulations.

Though the request exceeds numeric sign limits, the proposed plan aligns with the ordinance's broader goals—sign control, safety, and orderly design—through restrained scale and intentional placement.

STAFF RECOMMENDATION

Staff recommends approval of the variance to allow the nineteen wall signs as presented at 121 Peter Pan Road in a C-4 district.

SUGGESTED MOTION

"I move to approve a variance to allow nineteen wall signs as presented on the building of 121 Peter Pan Road in a C-4 district."

SUPPORTING DOCUMENTS

1. Variance Application
2. Sign Permit Request
3. List of Proposed Signage
4. Sign Plan Part 1
5. Sign Plan Part 2

APPLICATION TO BOARD OF ZONING APPEALS

CITY OF INDEPENDENCE, KANSAS

1. Date: 05/07/2025

2. Name, Address and Telephone Number of Property Owner:

Wal-Mart Real Estate Business Trust
Attn: Property Tax Department 0555 PO Box 8050 Bentonville, AE 72726

3. I appoint the following person as my agent during consideration of my request:

Name: Springfield Sign 4825 E Kearney St. Springfield, MO 65803
Address: Lora Trent 417.862.2454 / loram@springfieldsign.com
Telephone:

4. Common Address of Land Involved:

121 Peter Pan Rd. Independence, KS 02893

5. Legal Description of Land Involved:

CHRISTINA COMM SUB, S35, T32, R15, ACRES 18.5, LT 2; & COM 627' E & 38.93' S OF NW COR SEC FOR POB, S 226.07' E 30' N 225.87' W TO POB; Plat Book/Page 7 /19 Deed Book/Page 530 /418 488 /215 486 /421 486 /420 486 /382 486 /381 486 /380 486 /315 481 /411 436 /429

6. Describe what you wish to do which the zoning code prohibits:

Wal-Mart would like to request approval for a total of 5 wall signs per one facade. Per Code 802.5(a) District C-4 Wall and marquee sign: Each business or commercial establishment shall be permitted not more than three illuminated or nonilluminated wall or marquee signs, not more than one on a facade, the total area of which sign shall not exceed 20 percent of the total area of the facade upon which it is placed.

7. The following condition(s), which were not created by the owner's actions, are unique to the property in question and are not commonly found in the same zone or district:

No the conditions were not created by the owner's action; and the variance, if granted, will not alter the essential character of the locality. Wal-Mart is a nationally recognized retail store that offers a variety of goods and services and with that comes Brand Standard consistencies. The Brand Standard format for Wal-Mart wall signs is to have their Brand Standard sizing on their front elevation. The signs, by design, are very modest in size, color, and stature and they are integral to the warm architectural features of the building

8. The proposed development would not adversely affect the rights of the adjacent property owners or residents because:

The proposed request would not adversely affect the rights of the adjacent property owners or residents as we are removing the existing signage that is currently there and replacing with new signage similar in size and location.

9. The literal enforcement of the zoning regulations will result in the following unnecessary hardships:

The zoning ordinance creates an unusual and unnecessary hardship as Wal-Mart would not be able to provide to the public proper knowledge, branding, and proper way-finding.

10: The proposed development will not be contrary to the public health, safety, morals, or general welfare because:

The granting of this Variance will not adversely affect the public's health, safety, morals, order, convenience, prosperity, or general welfare in which this property is located. The granting of the Variance will not adversely affect the rights of adjacent landowners or residents. The proposed request will not impair an adequate supply of light and air to the adjacent property, or substantially increase the congestion of the public streets. Our request is harmonious to the overall intent of the sign regulations.

11: The proposed development will not be contrary to the general spirit and intent of the zoning ordinance because:

Wal-Mart is a nationally recognized retail store, and with that comes Brand Standards consistencies. The Brand Standard format for Wal-Mart is to be consistent with branding, public identity, public wayfinding, public safety, marketing, and visual imaging throughout the entire chain. The requested variance is minimum and reasonable use to our business and shall not be opposed to the general spirit and intent of the Zoning Ordinance. Granting our request is intended to establish a comprehensive and balanced system of sign control and accommodates the need for a well-maintained, safe and effective communications.

12: Please attach a site plan showing the dimensions of the lot, the location of building (both existing and proposed), and the location of existing buildings on adjacent property.

Site Plan Attached

If the space provided is not sufficient, the applicant may attach additional pages. The applicant also may submit any other pertinent information including photographs, drawings, maps, statistics, legal documents, and letters of support.

Signed by: Charity Sanchez 5/27/2025
Signature of Property Owner: 1BE8231F489B42A...

Case Number: _____
Date Filed: _____
Fee Received: _____
Present Zoning: _____

**APPLICATION FOR SIGN PERMIT
CITY OF INDEPENDENCE, KS
620-332-2504**

BUSINESS _____

ADDRESS _____

CONTACT NAME [Business Owner] _____

PHONE _____ City License # _____

SIGN COMPANY _____

CONTACT NAME _____

Location of sign or advertising structure, be specific in detail: _____

Color _____ Dimensions _____ sq ft per face

Construction Material _____ Lit Internally? Y/N _____

ELECTRICIAN _____

COMPANY NAME _____

PHONE _____ City License # _____

ADDITIONAL INFORMATION & REQUIREMENTS

Does this design fit the guidelines of the historical district?

One set of detailed scale drawings and specifications [dimensions] showing proposed structure, method of construction and attachment to building or ground must accompany this application.

Stress and design calculation [if applicable] showing dead load and wind design must accompany this application.

Evidence that sign will comply with National Electric Code must accompany this application [if applicable].

Application submitted by Lora Trent

PERMIT APPROVAL

A \$25.00 fee must be paid and permit must be signed before work is started on installation of sign.

_____ Date _____ Permit Number _____
Zoning Administration

RE: Wal-Mart Permits Submittal

From Lora Trent <LoraM@springfieldsign.com>

Date Fri 6/27/2025 8:42 AM

To Kayla Schabel <kaylas@independences.gov>

Front Elevation

2' 5" x 12' 7" = 30.41 sq. ft. Wal-Mart

12' x 10' 8" = 128 sq. ft. Spark

2' x 9' 8 3/8" = 26.27 sq. ft. Grocery

2' x 22' 5 1/8" = 60.74 Home & Pharmacy

2' x 10' 4" = 20.67 Outdoor

1' 6" x 10' 10" = 16.25 sq. ft. Auto Care >

1' 6" x 5' 5 1/2" = 8.19 sq. ft. Vision

2' x 12' 4 1/2" = 24.75 sq. ft. Auto Care

3' 4" x 9' 8" = 32.22 sq. ft. Pickup

Front Elevation Auto Center

2' 6" x 2' 6" = 4.91 sq. ft. Auto Numerals (x3)

1' x 2' 4" = 2.33 sq. ft. Tire (x2)

1' 4" x 6' 11" = 9.33 sq. ft. Oil Change

Rear Elevation

2' 6" x 2' 6" = 4.91 sq. ft. Auto Numerals (x2)

1' x 2' 4" = 2.33 sq. ft. Tire (x2)

Lora Trent / Permit Department
Manager

loram@springfieldsign.com

Springfield Sign

Office: 417.862.2454

4825 E Kearney St | Springfield, MO

65803

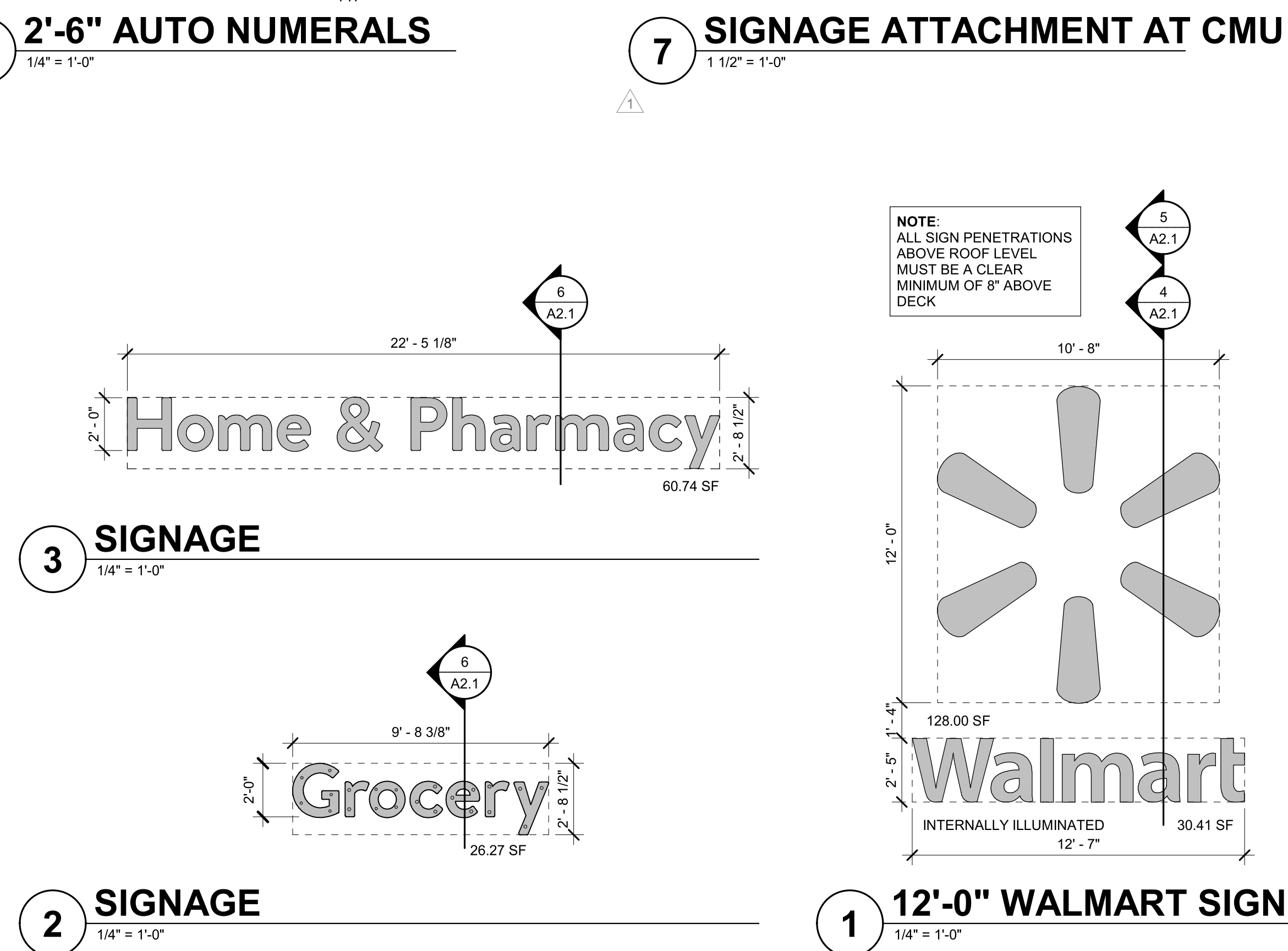
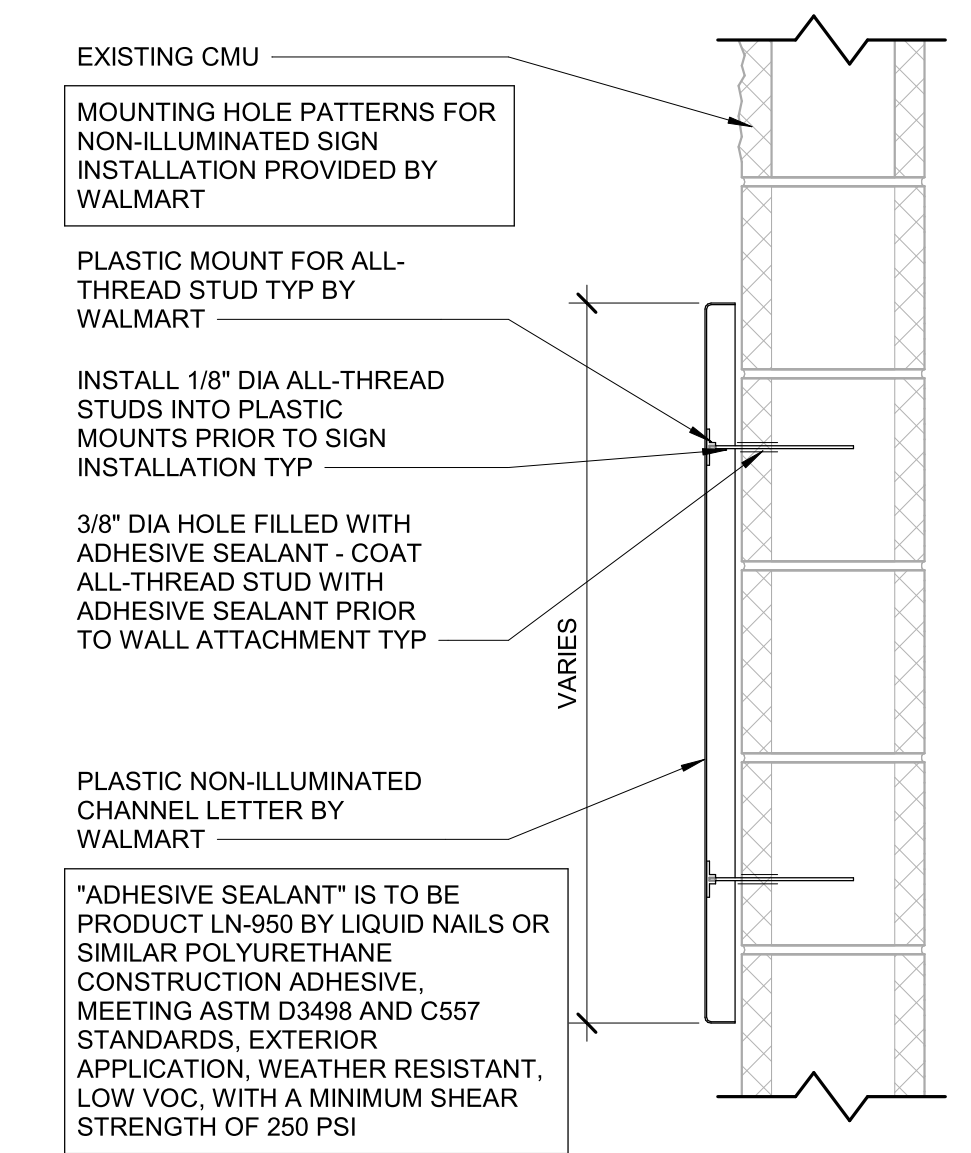
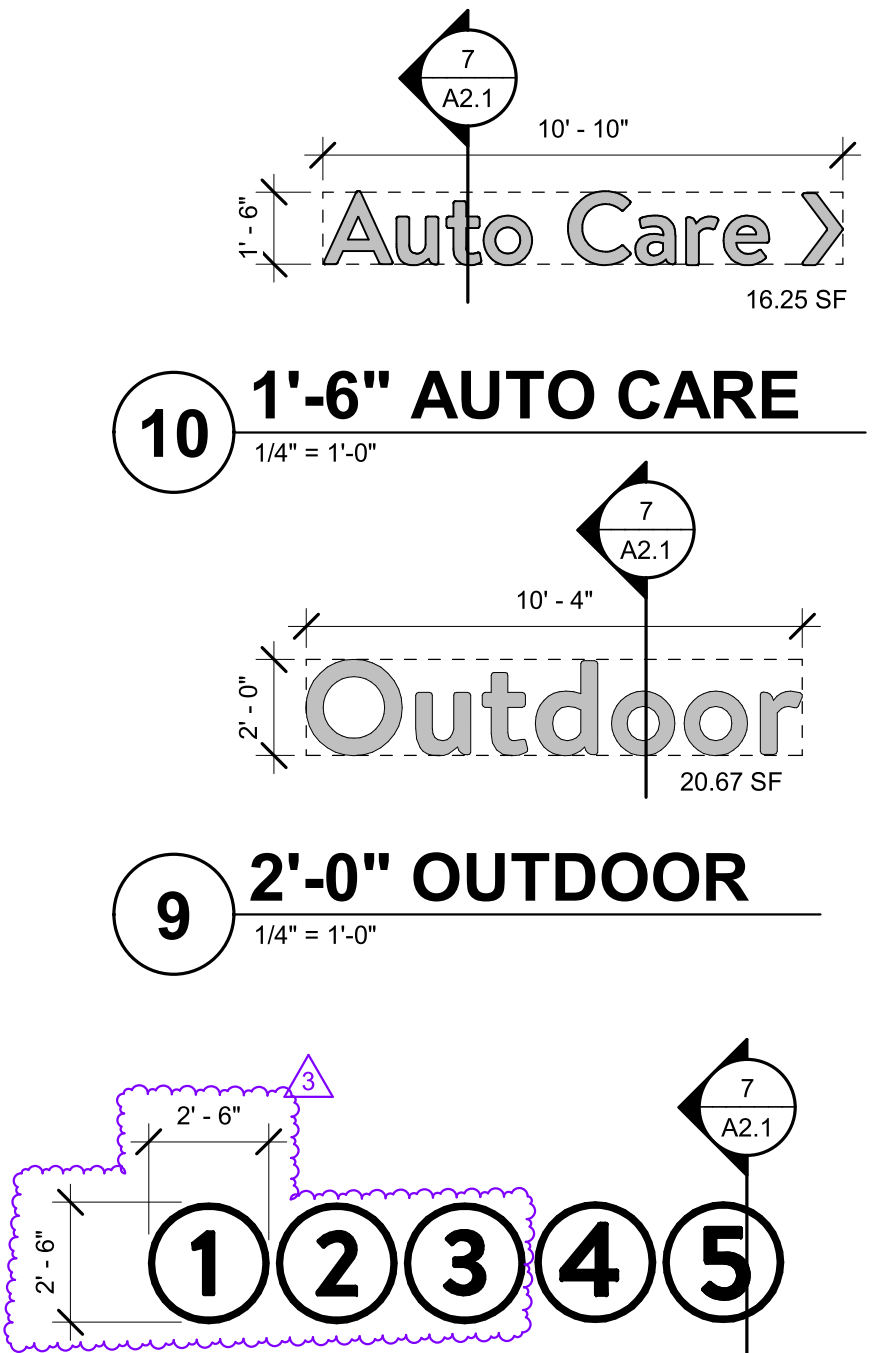
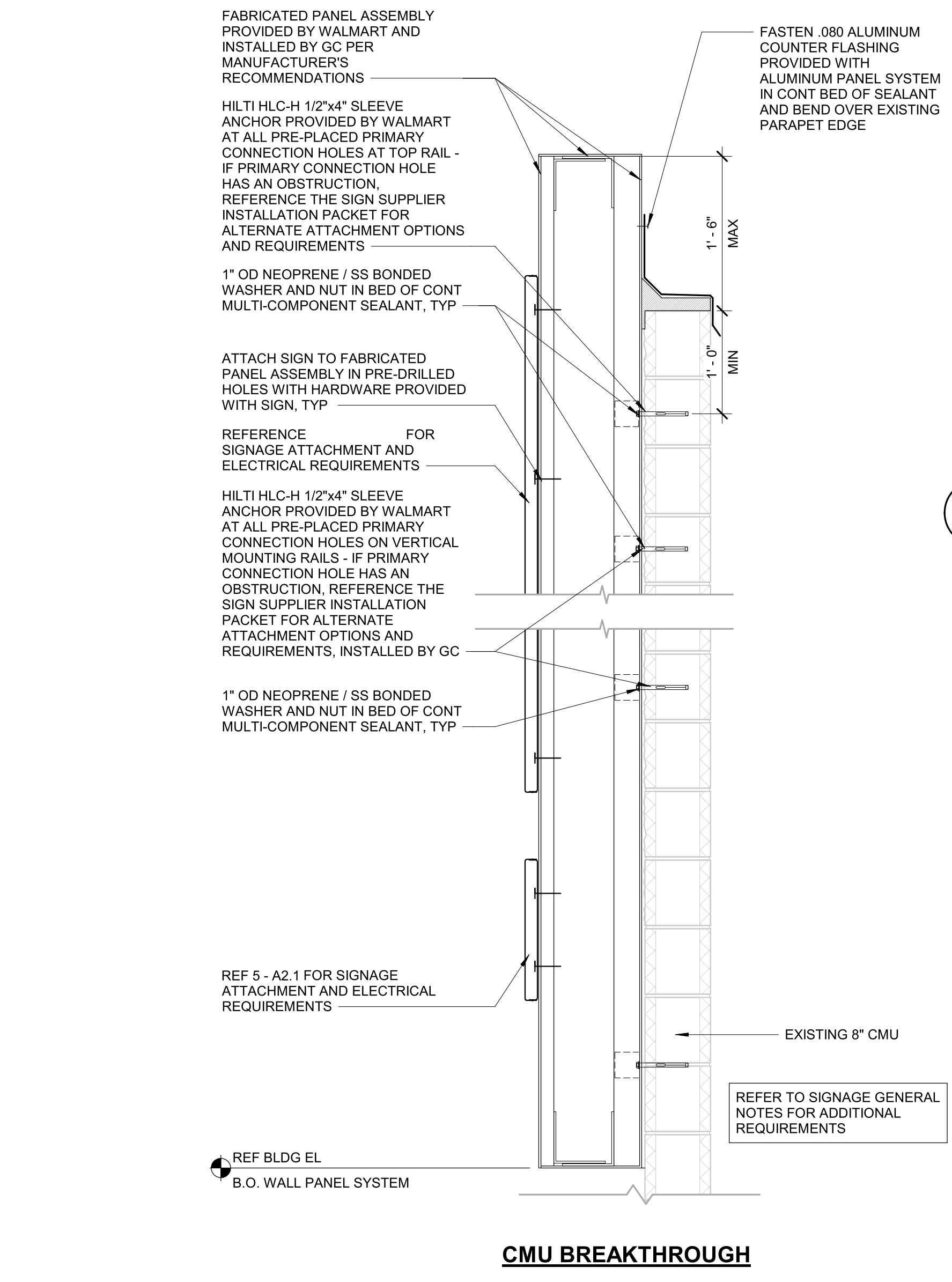
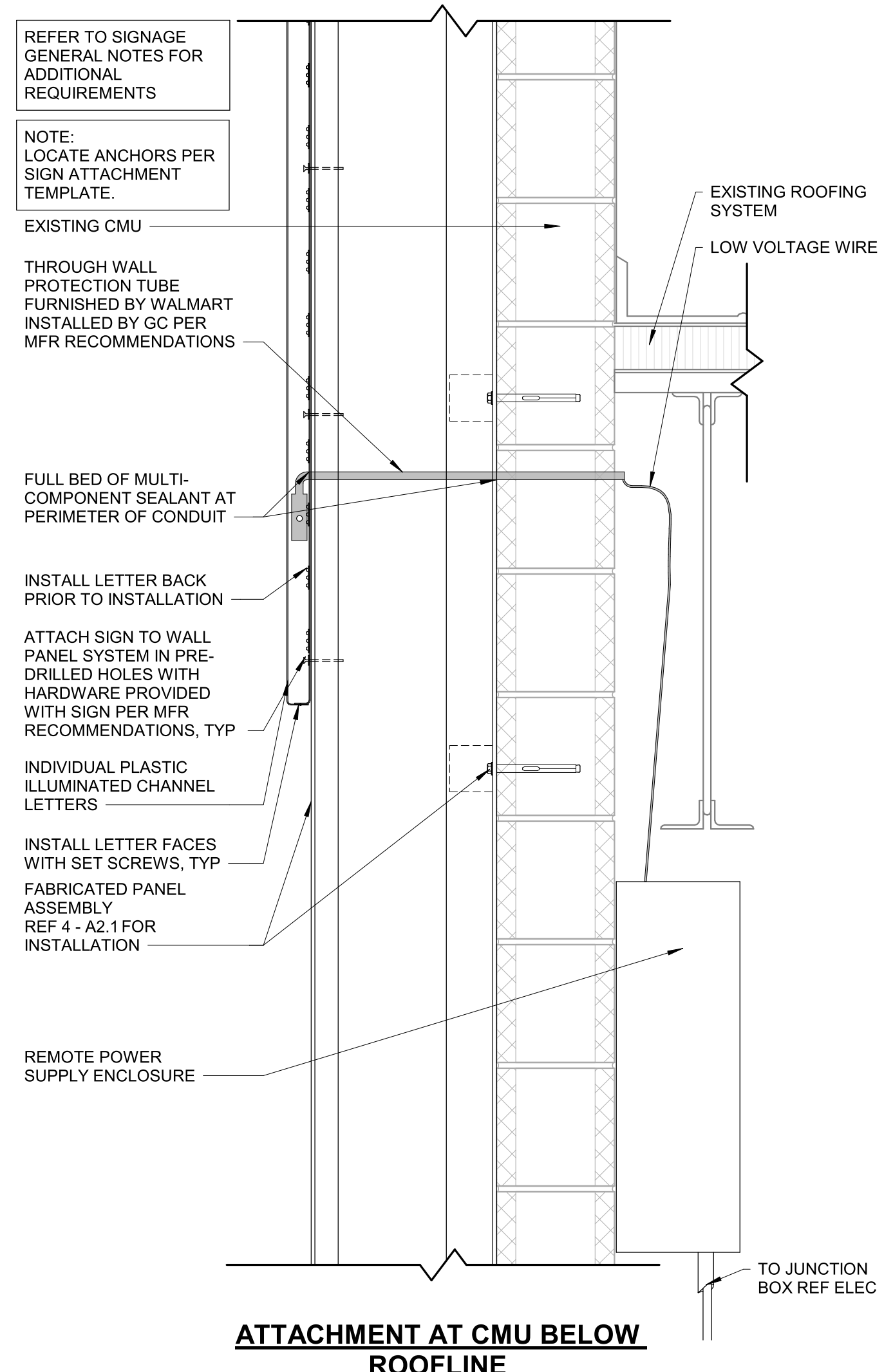
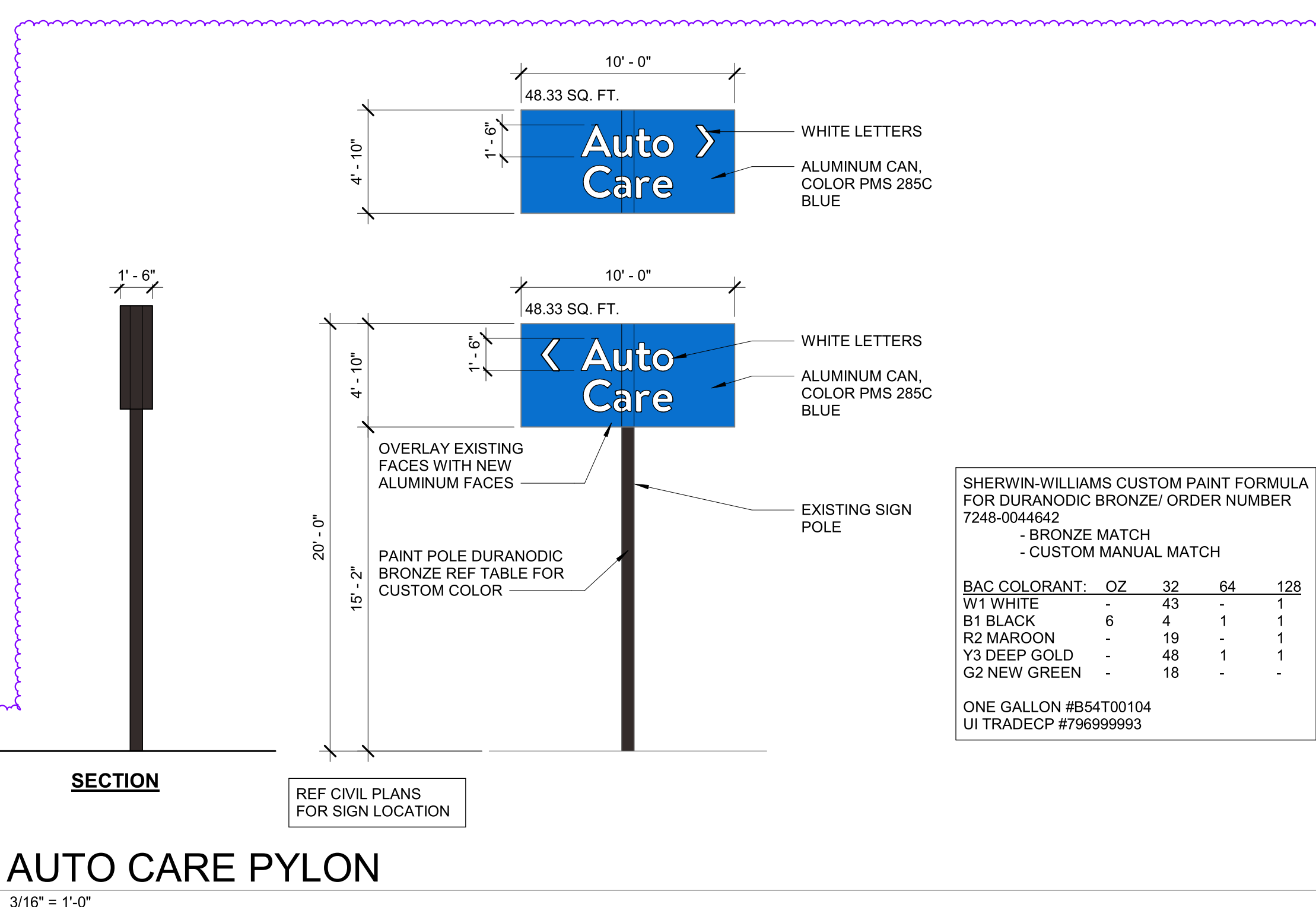
springfieldsign.com

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NEW SIGNAGE SCHEDULE							
SIGNAGE	QTY	ETRN/NEW	ILLUMINATED	COLOR	SIZE	AREA (SF)	TOTAL AREA (SF)
FRONT SIGNAGE							
SPARK WALMART (BADGE)	1	NEW	ILLUMINATED	WHITE/YELLOW	12'-0"	158.41	158.41
PICKUP	1	NEW	ILLUMINATED	WHITE	2'-6"	32.25	32.25
GROCERY	1	NEW	N/A	WHITE	2'-0"	26.27	26.27
HOME & PHARMACY	1	NEW	N/A	WHITE	2'-0"	60.74	60.74
OUTDOOR	1	NEW	N/A	WHITE	2'-0"	20.67	20.67
AUTO CARE WITH ARROW	1	NEW	N/A	WHITE	1'-6"	16.25	16.25
VISION	1	NEW	N/A	WHITE	1'-0"	8.19	8.19
ADDRESS	1	NEW	N/A	WHITE	1'-0"	N/A	N/A
FRONT SIGNAGE							322.75
AUTO CARE							
AUTO CARE	1	NEW	N/A	WHITE	2'-0"	24.75	24.75
OIL CHANGE	1	NEW	N/A	BLACK	9'-3"	9.33	9.33
TIRE	4	NEW	N/A	BLACK	1'-0"	2.33	9.32
NUMERICAL 1	1	NEW	N/A	BLACK	2'-6"	4.91	4.91
NUMERICAL 2	1	N/A	N/A	BLACK	2'-6"	4.91	4.91
NUMERICAL 3	1	NEW	N/A	BLACK	2'-6"	4.91	4.91
NUMERICAL 4	1	NEW	N/A	BLACK	2'-6"	4.91	4.91
NUMERICAL 5	1	NEW	N/A	BLACK	2'-6"	4.91	4.91
AUTO CARE							67.95
TOTAL BUILDING SIGNAGE							390.70

1. SIGNAGE FURNISHED BY WALMART AND INSTALLED BY GO THROUGH OWNER ASSIGNED SIGN CONTRACTOR
2. ALL SIGNAGE SHALL BE INSTALLED TO REMAIN IN PLACE ON BUILDING UNTIL GO SIGN COMPANY IS ON SITE
3. a. EXISTING SIGNAGE WILL THEN BE REMOVED, PATCH AND REPAIR WORK WILL BE COMPLETED AT SIGN LOCATIONS, AND SIGNAGE WILL BE INSTALLED PER PERMITS
4. b. A TEMPORARY BANNER WILL BE INSTALLED PRIOR TO REMOVAL OF EXISTING EXTERIOR SIGNAGE
5. a. BANNER WILL READ "WALMART SIGNAGE UNDER REPAIR. MODIFICATIONS AND/OR REPAIRS HAVE BEEN COMPLETED AND SIGNAGE IS INSTALLED
6. c. TEMPORARY BANNER WILL BE APPROXIMATELY 125 SF, 5' x 25'
7. d. EXTERIOR SIGN WORK NEEDS TO BE SCHEDULED, COMPLETED, AND APPROVED AND INSTALLED DURING WEEK 6 OF CONSTRUCTION SCHEDULE
8. 3. GO RESPONSIBILITIES
9. a. DURING FIRST WEEK OF CONSTRUCTION, REVIEW EXISTING CONSTRUCTION WHERE SIGN(S) WILL BE INSTALLED
10. a. i. EXISTING CONDITIONS DO NOT MATCH SIGN ATTACHMENT DETAILS SHOWN, REQUEST APPROVAL FROM CONSTRUCTION MANAGER TO SUBMIT RFI IN ACCORDANCE WITH SPEC
11. b. NOTE DIFFERENCE BETWEEN SIGN LOCATIONS INCLUDING DIMENSIONS, AND INCLUDE PHOTOGRAPHS FOR CLARIFICATION
12. b. c. PROVIDE SIGNAGE ATTACHMENT INSTALLATION OF SIGNAGE, REF SIGN DETAILS FOR LIGHTED /ID/O SIGN
13. c. PROVIDE JUNCTION BOXES AND CIRCUITRY TO "Walmart" and "Spunk" SIGNAGE
14. a. i. EXISTING (i) BOXES FROM "WAL-MART" SIGNAGE MAY BE REUSED
15. b. PROVIDE JUNCTION BOXES AND CIRCUITRY TO TENANT SIGNAGE LOCATION SHOWN, REF ELEC
16. c. INSTALL ACCESS DOORS TO TENANT SIGNAGE MUSEUM BOARD CEILINGS IF REQUIRED BY RELOCATION OF EXISTING TENANT SIGNAGE
17. f. PROVIDE WAGE AND CLOTHES FEEDING LIGHTING OF SIGNAGE, REF ELEC
18. g. MAKE FINAL TERMINATIONS ON LIGHTED SIGNAGE
19. h. VERIFY, LIT, AND TEST ALL SIGNS AND ULT EXTERIOR STAIN MOUNTED BUILDING SIGNS, UNLESS NOTED OTHERWISE
20. i. VERIFY EXTERIOR WALL PENETRATIONS, INSTALL CONDUIT, AND SEAL PENETRATIONS PER SPECS





**REQUEST FOR BOARD OF ZONING APPEALS ACTION
VARIANCE
CITY OF INDEPENDENCE
JULY 1, 2025**

Department Admin

Prepared By Kayla Schabel

AGENDA ITEM Public Hearing to receive comments on a variance request to exceed the allowable dimensions of a rear wall sign at 320 N. Penn Avenue.

SUMMARY RECOMMENDATION Approve variance.

BACKGROUND Edward Jones, represented by Jayhawk Signs & Graphics, LLC, has submitted an application requesting a variance to install an internally illuminated wall sign on the rear (east) wall of the building located at 320 North Penn Avenue. Per Section 802.6.a.8 of the zoning code, only one rear wall mounted sign not exceeding 18 inches by 36 inches is permitted for business identification purposes. The applicant proposes to install a 97-inch wide by 16-inch tall internally lit sign cabinet, which exceeds the maximum allowable area.

802.6. District C-3, central commercial district:

a. Permitted signs:

1. [Generally:] Signs permitted in the C-3 district shall be illuminated signs, nonilluminated signs, marquee signs, temporary signs, wall signs and projecting signs with the exception that no sign shall be mounted, painted or affixed to any surface extending above the transom or storefront beam whichever is higher.

2. Wall signs: One sign per face of building not to exceed 50 square feet or five percent of the total area, whichever is smaller.

3. Corner buildings: One sign equal to standards above for each wall.

4. Multiuse signs: Total sign area for all uses not to exceed above standards.

5. [Signs hanging from awnings or mounted to storefronts:] Signs hanging from awnings or mounted to storefronts may not exceed five square feet per face.

6. [Freestanding buildings:] Freestanding buildings shall be permitted one freestanding sign not to exceed 80 square feet per face or 160 square feet total of all faces in the sign area. The top of the sign shall not be higher than 25 feet above ground level.

7. Historical restorations or reproductions: Historically significant or reproduced signs shall be referred to the Main Street Committee for recommendation to the city commission who may authorize such installation.

8. [Rear wall signs:] One rear wall mounted sign not to exceed 18 inches by 36 inches for business identification.

b. [Poster panels and billboards:] Poster panels and billboards shall not be permitted in the C-3 zone.

c. Signs on awnings, canopies, and marquees:

1. There shall not be more than one sign exceeding an aggregate gross surface area of such awning, canopy or marquee of ten percent of the gross area for each principal building.

2. The gross surface area of a sign shall not exceed 50 percent of the gross surface area of the awning, canopy or marquee to which the sign is fixed.

d. General standards:

1. Any awning, canopy, marquee or projecting sign shall not be less than seven feet above

the surface of the grade of any street or sidewalk.

2. Awnings and canopies shall be no closer than four feet from the public street curb and in no case extend more than 12 feet from the property line.

3. Marquees shall be no closer than two feet from the property line.

BOARD OF ZONING APPEALS CONSIDERATIONS

The five considerations that must be considered when reviewing a variance include:

1. That the variance requested 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 any action or actions of the property owner or the applicant;

The applicant states the size is needed for visibility due to the building's orientation and parking configuration.

2. That the granting of the permit for the variance will not adversely affect the rights of the adjacent property owners or residents.

The applicant indicates the sign will face a parking area and will not cast excessive light onto neighboring uses.

3. That the strict application of the provisions of the zoning regulations of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application;

Without the variance, the business states it cannot adequately identify its rear entrance for customers and deliveries.

4. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.

The proposed sign is internally illuminated to avoid glare and improve area lighting.

5. Granting the variance will not be opposed to the general spirit and intent of the zoning regulations.

The applicant argues the sign complies with the general purpose of promoting safe and effective signage.

STAFF RECOMMENDATION

Staff recommends approval of the variance request as submitted.

SUGGESTED MOTION

"I move to approve the variance request to allow installation of a rear wall sign measuring 97 inches by 16 inches at 320 North Penn Avenue, as presented."

SUPPORTING DOCUMENTS

1. Variance Application
2. Sign Plan

APPLICATION TO BOARD OF ZONING APPEALS

CITY OF INDEPENDENCE, KANSAS

1. Date: 5-27-2025

2. Name, Address and Telephone Number of Property Owner:

Edward Jones
320 N Penn Ave
Independence, KS 67301

3. I appoint the following person as my agent during consideration of my request:

Name: Jayhawk Signs & Graphics, LLC
Address: 701 N Grand
Telephone: Pittsburg, KS 66762

4. Common Address of Land Involved:

320 N Penn Ave
Independence, KS 67301

5. Legal Description of Land Involved:

6. Describe what you wish to do which the zoning code prohibits:

Install one 97" wide x 16" tall internally lit sign cabinet on rear of building (east side).

7. The following condition(s), which were not created by the owner's actions, are unique to the property in question and are not commonly found in the same zone or district:

Owner wants to install a back lit sign that is larger than the location is zoned for.

8. The proposed development would not adversely affect the rights of the adjacent property owners or residents because:

The property behind the building is used for parking and is adjacent to a building that extends to the alley.

9. The literal enforcement of the zoning regulations will result in the following unnecessary hardships:

Owner not able to show what the business is.

10: The proposed development will not be contrary to the public health, safety, morals, or general welfare because:

The sign would be beneficial to lighting the area behind the building without excessive lighting.

11: The proposed development will not be contrary to the general spirit and intent of the zoning ordinance because:

The sign is a current industrie standard.

12: Please attach a site plan showing the dimensions of the lot, the location of building (both existing and proposed), and the location of existing buildings on adjacent property.

If the space provided is not sufficient, the applicant may attach additional pages. The applicant also may submit any other pertinent information including photographs, drawings, maps, statistics, legal documents, and letters of support.

Signature of Property Owner:


Martin T. Dickinson
Jayhawk Signs & Graphics, LLC

Case Number: _____

Date Filed: _____

Fee Received: _____

Present Zoning: _____



FRONT ELEVATION - PROPOSED



EXISTING

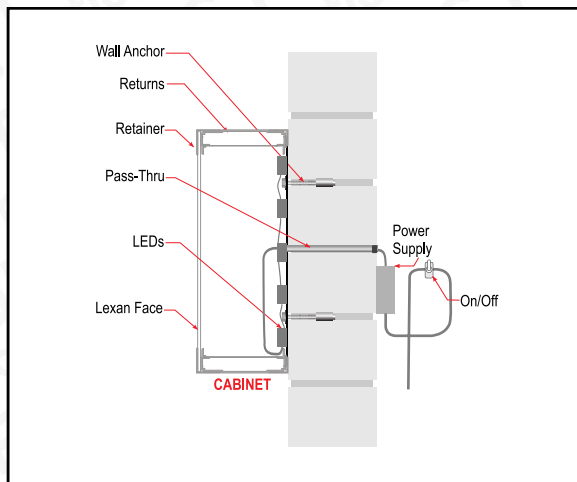
- ** POWER TO BE RAN BY OTHERS **
- ** DEDICATED CIRCUIT IS REQUIRED FOR ILLUMINATED SIGNS **
- ** WIRE NUTS ARE REQUIRED ON ALL ILLUMINATED SIGNS **



10.77 sq.ft.

WI-3 - 16" ILLUMINATED CABINET SIGN - GREY

- QTY.1
- LED INTERNALLY ILLUMINATED WALL CABINET
- CABINET PAINT TO MATCH PANTONE 2336-C
- FACE IS 3/16" CLEAR LEXAN w/ NON-GLARE MATTE FINISH
- BACKGROUND TO BE BACK SPRAYED TO MATCH PANTONE 2336 C
- LOGO TO BE BACK SPRAYED TRANSLUCENT WHITE
- REQUIRES U.L. AND MANUFACTURER'S LABELS
- POWER PROVIDED BY ELECTRICIAN AND CONNECTED IF WITHIN 6' OF THE SIGN
- DEDICATED CIRCUIT IS REQUIRED FOR ILLUMINATED SIGNS
- WIRE NUTS ARE REQUIRED ON ALL ILLUMINATED SIGNS



ILLUMINATED CABINET SIGN



ACCOUNT:
EDWARD JONES

FILE:
10457-3-ART1

REPRESENTATIVE:
Kaitlin Aroche

ADDRESS:
320 N Penn Ave
Independence KS 67301

ORIGINAL DRAWING DATE: 2/5/25

SCALE:
NTS

REV. #1 BY: EV REV. DATE: 6/10/2025

REVISION NOTES:
Removed note

REV. #2 BY: REV. DATE:

REVISION NOTES:

REV. #3 BY: REV. DATE:

REVISION NOTES:

NOTES:

REVISION-1
6/10/2025

DRAWN BY: E.Vazquez

REVISED BY: E.Vazquez

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Please sign & return drawing/s to **FASTSIGNS**
Signature below indicates approval of BOTH design & placement of sign/s
X
DATE

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FIELD VERIFY ALL MEASUREMENTS BEFORE BEGINNING ANY WORK.
INSTALLER TO VERIFY MOUNTING SURFACE PRIOR TO INSTALLATION.