4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; therefore, there should not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that an Administrative Adjustment to Condition #2 for CON2003-00047 is hereby granted to permit a concrete block screening wall subject to the following conditions:

1) The permitted material for the screening fence required by Condition #2 shall be either metal panels or concrete blocks.

2) All other conditions of approval for CON2003-00047 shall be met as stated in the Conditional Use Resolution.

3) If the Zoning Administrator finds that there is a violation of any of the conditions of the Administrative 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 Administrative Adjustment is null and void.

The "Development Application" sign should now be removed from the property.

John L. Schlegel
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

cc: 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

CITY OF WICHITA

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

November 2, 2004

Ronald A. Goodwin
1716 S. Richmond
Wichita, KS 67213

Re: CON2004-00023: An Administrative Adjustment to Condition #2 of CON2003-00047 to permit a concrete block screening wall.

Legal Description: Lot 1, Block A, Aaron Goodwin Addition, Wichita, Sedgwick County, Kansas. Located north of 25th Street North and east of Broadway.

Dear Mr. Goodwin:

We have reviewed your request for an Administrative Adjustment to Condition #2 of CON2003-00037. Condition #2 requires the site to be enclosed by a metal panel fence; however, you indicate that due to the high cost of steel, you prefer to enclose the site with a concrete block wall. Therefore, you have requested an Administrative Adjustment to permit the concrete block screening wall.

Sec. V-D.14. of the Unified Zoning Code allows the Planning Director, with the concurrence of the Zoning Administrator, to approve minor adjustments to conditions of a Conditional Use as long as the adjustment does not have any of the negative impacts stated in Sec. V-I.6. We find that permitting a concrete block screening wall instead of a metal panel fence as proposed meets the four conditions required by Section V-1.6 of the Unified Zoning Code as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: The material from which the screening fence is constructed will have no impact on the safety and convenience of vehicular and pedestrian circulation.

2) Impact on existing uses in surrounding areas: The proposed concrete block screening wall will provide equivalent screening of the salvage yard from view from adjoining properties; therefore, there should be no impact on existing uses in surrounding areas.

3) Compatibility with existing or permitted uses on abutting sites: Use of the subject property for a salvage yard has been found to be compatible with existing or permitted uses on abutting sites through the approval of CON2003-00047. The compatibility with existing or permitted uses on abutting sites should not be reduced by adjusting the permitted screening fence material.