

BZA 25-88-Rocky & Terry Wilburn request  
a VARIANCE to reduce side yd setback  
from 6 to 1 1/2' for deck & 1' for roof on  
zoned AA 1-Fam. DD (3860 E. Pawnee)

**ACTION**

BZA. 25-88 Approved 6/28/88  
DATE

1000 1/4 Sec. 2-25-88  
Checked to  
Shel 9-21-88

5946 U

DATA SHEET

MAP NO.: 5745C

CASE NO. BZA 25-88

(CPO 3B, 6/16/88)

REQUEST: Variance to reduce the side yard setback from 6 feet to 1½ feet for a deck and reduce the setback for the roof over the deck to 1 foot

EXISTING ZONING: "AA" One-Family Dwelling District

GENERAL LOCATION: Northeast corner of Pawnee and Pawnee Court

APPLICANTS: Rocky L. & Terry L. Wilburn  
ADDRESS: 3860 E. Pawnee Ct.,  
Wichita, KS 67218

PHONE: 683-2441

AGENT: None  
ADDRESS:

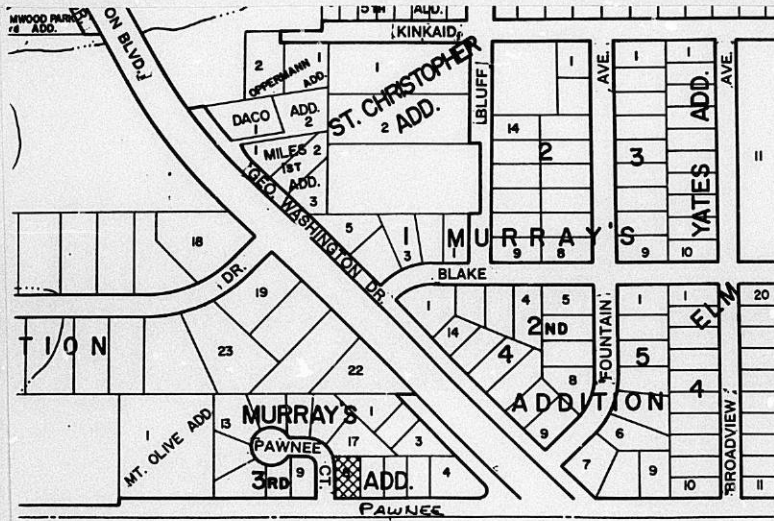
PHONE:

AREA DATA

Acres: (115 ft. by 74.2 ft.)

Adjacent Zoning and Land Use:

North "AA"  
South "RB"  
East "AA"  
West "AA"



BZA INSPECTION SHEET

MAP NO.: 5745C

CASE NO. BZA 25-88

REQUEST: Variance to reduce the side yard setback from 6 feet to 1½ feet for a deck and reduce the setback for the roof over the deck to 1 foot.

EXISTING ZONING: "AA" One-Family Dwelling District

GENERAL LOCATION: Northeast corner of Pawnee and Pawnee Court

APPLICANTS: Rocky L. & Terry L. Wilburn  
ADDRESS: 3860 E. Pawnee Ct.  
Wichita, KS 67218

PHONE: 683-2441

AGENT: None  
ADDRESS:

PHONE:

HEARING DATE: 6/28/88

BZA ACTION: Approved

FOLLOW-UP DATE: None

PL1-0432

RESOLUTION NO. BZA 25-88

WHEREAS, Rocky L. and Terry L. Wilburn, pursuant to Section 2.12.590.B, Code of the City of Wichita, request a variance to reduce the side yard setback from 6 feet to 1½ feet for a deck and reduce to 1 foot the setback for the roof over the deck on property zoned the "AA" One-Family Dwelling District and legally described as follows:

Lot 8, Murray's 3rd Addition to Wichita, Sedgwick County, Kansas. Generally located at the northeast corner of Pawnee and Pawnee Court (3860 E. Pawnee Court).

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 June 28, 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 design of the house and its location on the lot makes the east side of the property the "back yard" or livable outdoor area, and its narrow width of less than 12 ft. makes full utilization of the site desirable; 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 owner of the lot to the east, which is the only adjacent property really affected by this variance, has given her approval of the requested variance; 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 deck and its roof have already been constructed and a requirement to modify these structures enough to comply with the setback requirements of the zoning ordinance may be an economic hardship and a reduced deck area with partial cover would leave a less "livable" yard area for the applicants; 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 deck and its roof are barely visible from the public streets, due to the distance from the streets and the existing 6-ft. fence around the lot; 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 a covered deck without side enclosures still permits sufficient light, air, drainage and access between adjacent houses; 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.

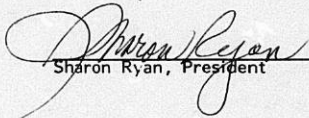
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request be approved for a variance to reduce the side yard setback from 6 feet to 1½ feet for a deck and reduce to 1 foot the setback for the roof over the deck on property zoned the "AA" One-Family Dwelling District and legally described as follows:

Lot 8, Murray's 3rd Addition to Wichita, Sedgwick County, Kansas. Generally located at the northeast corner of Pawnee and Pawnee Court (3860 E. Pawnee Court).

subject to the following conditions:

1. The applicant shall obtain a building permit from Central Inspection and shall comply with all building code requirements.
2. The existing lattice shall be removed and the roof cut back so as to maintain a minimum 1-foot clearance between the east property line and the roof overhang.
3. No additional roof shall be added to the deck, unless it complies with the setback requirements of the zoning ordinance.

ADOPTED AT WICHITA, KANSAS, this 28th day of June, 1988.

  
Sharon Ryan, President

ATTEST:

  
Louise Olivarez, Assistant Secretary

THE CITY OF WICHITA



BOARD OF ZONING APPEALS  
CITY HALL — TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 268-4421

July 1, 1988

Rocky L. & Terry L. Wilburn  
3860 E. Pawnee Court  
wichita, KS 67218


Re: BZA 25-88 - Variance to reduce side yard setback (3860 E. Pawnee Ct.)

Dear Mr. & Mrs. Wilburn:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on June 28, 1988. This Resolution reflects the official action of the Board to approve 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 questions concerning this matter, please call our office.

Sincerely yours,

  
Louise Olivarez  
Assistant Secretary  
Board of Zoning Appeals

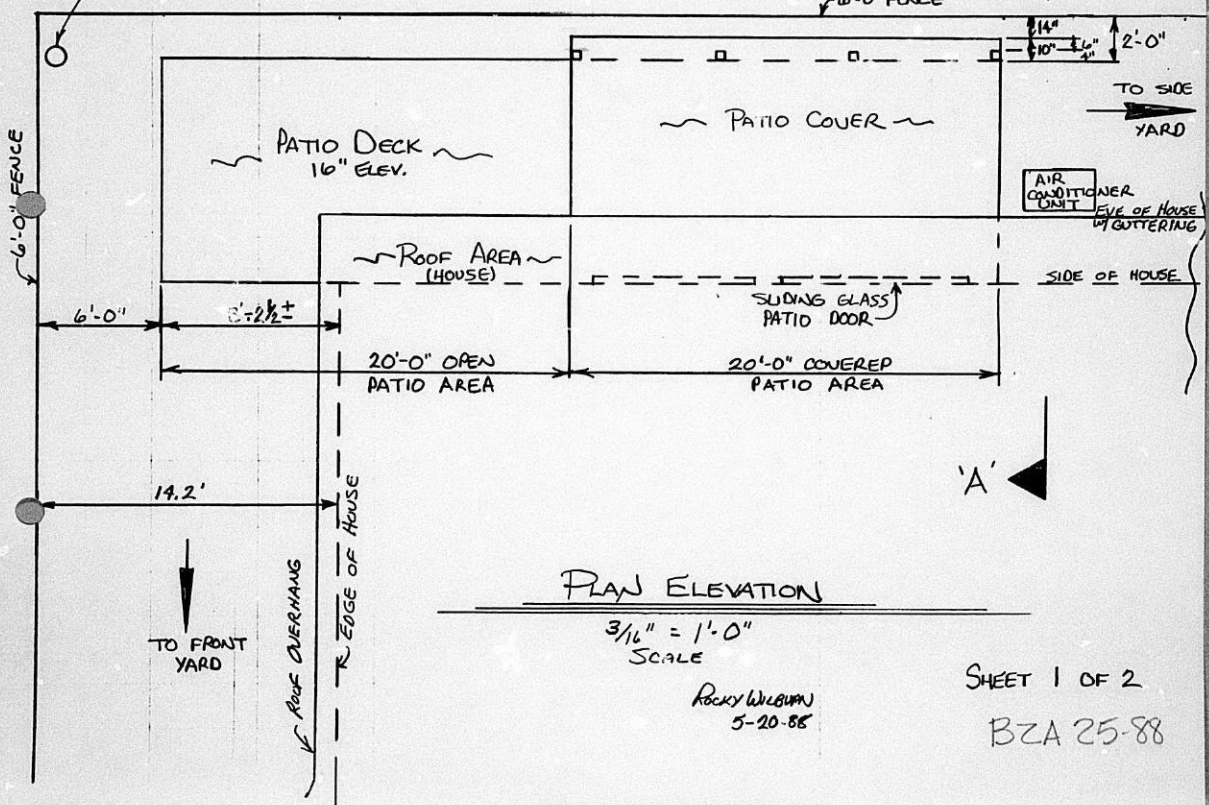
LO/jcm

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

NORTH ←

'A' ▲

TELEPHONE POLE



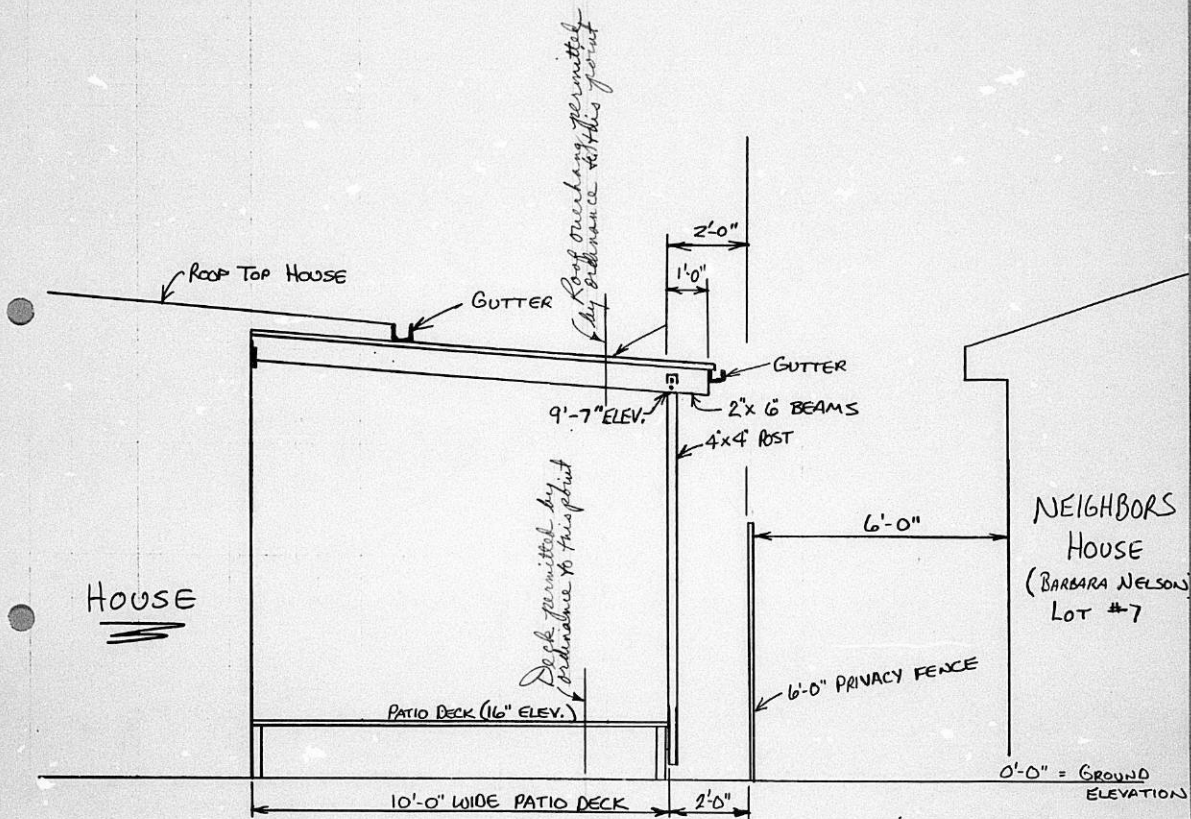
PLAN ELEVATION

3/16" = 1'-0"  
SCALE

Rocky Wilbur  
5-20-88

SHEET 1 OF 2

BZA 25-88



SECTION A-A

3/8" = 1'-0" SCALE

BZA 25-88  
SHEET 2 OF 2

DATE: 11/18/88 5:20 PM



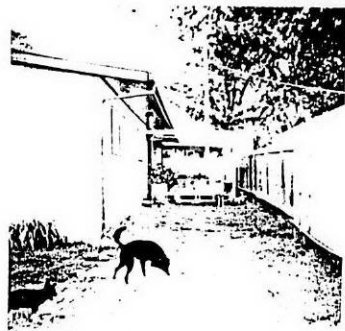
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FROM THE BEST  
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EAST SIDE OF HOUSE  
LOOKING SOUTH



EAST SIDE OF HOUSE  
LOOKING NORTH



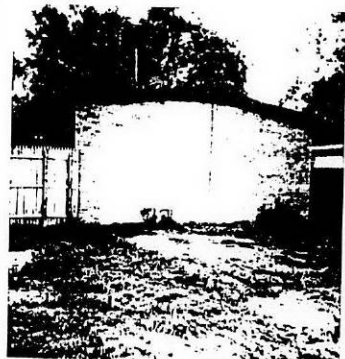
EAST SIDE OF HOUSE  
LOOKING NORTH



NORTH SIDE OF HOUSE  
LOOKING EAST



EAST SIDE OF HOUSE  
LOOKING SOUTH



SOUTH SIDE OF HOUSE  
FACING PAWNEE ST.

BY THE SIGNITURES OF THOSE LISTED  
BELOW, LET IT BE KNOWN TO ALL,  
THAT NO OBJECTIONS ARE MADE TO HAVING  
A VARIANCE TO THE ZONING OF MR & MRS.  
ROCKY WILBURN, OF 3860 E. PAWEE CT,  
MURRAVS 3<sup>RD</sup> EDITION, LOT #8:

- |      |                   |      |
|------|-------------------|------|
| 1.)  | BARBARA M. NELSON | 13.) |
| 2.)  | Carolyn L. Lley   | 14.) |
| 3.)  | David Ogden       | 15.) |
| 4.)  |                   | 16.) |
| 5.)  |                   | 17.) |
| 6.)  |                   | 18.) |
| 7.)  |                   | 19.) |
| 8.)  |                   | 20.) |
| 9.)  |                   | 21.) |
| 10.) |                   | 22.) |
| 11.) |                   | 23.) |
| 12.) |                   | 24.) |

THE ABOVE SIGNATURES WERE COLLECTED  
& WITNESSED ON MAY 25, 1988

WITNESSED X Rocky & Wilburn 5-25-88  
WITNESSED X David A. McVay 5-25-88

THE CITY OF WICHITA

OFFICE OF Citizen Participation      DATE    June 21, 1988

TO      Louise Olivarez, Principal Planner

FROM    Shirley Mast, Administrative Aide III

*Shirley Mast*  
SUBJECT    BZA 25-88: Northeast corner  
            of Pawnee Court 3860 East Pawnee  
            Court - (variance)

On Thursday, June 16, 1988, Southeast CPO Council 3B considered the captioned case, a request for a variance to reduce the side yard setback from 6 feet to 1½ feet for a deck and reduce the side yard setback for the roof over the deck to 1 foot. Council members were provided the Notice of Public Hearing and MAPD staff comments. Following discussion, the Council voted 6-0 to recommend approval of the request subject to MAPD staff comments.

The applicants, Rocky L. and Terry Wilburn, were present to describe the request and respond to questions. No adjoining property owners or area residents were present concerning the case.

Please provide the Council's recommendation to the Board of Zoning Appeals when the case is considered at the June 28 meeting.

SM:dm

SECRETARY'S REPORT

CASE NUMBER: BZA 25-88

OWNER/APPLICANT/AGENT: Rocky & Terry Wilburn (owner/applicant)

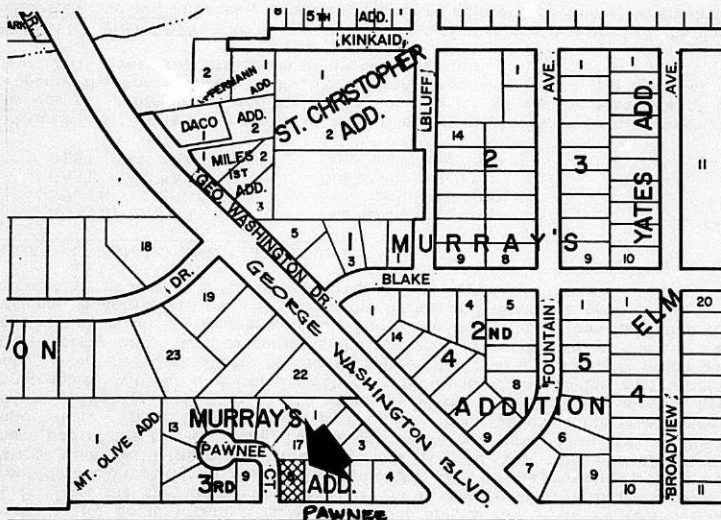
REQUEST: Variance to reduce the side yard setback from 6 ft. to 1½ ft. for a deck and reduce the side yard setback for the roof over the deck to 1 ft.

CURRENT ZONING: "AA" One-Family Dwelling District

SITE SIZE: 74.2 ft. x 115 ft.

LOCATION: Northeast corner of Pawnee and Pawnee Court (west of George Washington Boulevard and north of Pawnee)

PROPOSED USE: Deck, partially covered



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 of the 6-ft. side yard setback down to 1½ ft. to accommodate a deck AND down to 1 ft. to accommodate the roof over the deck. The area regulations of the zoning ordinance permit an open outside terrace to project no more than 2 ft. into a required side yard and permit roof overhangs to project no more than 2½ ft. into the yard (28.04.188). Thus, the deck could legally go to within 4 ft. of the side property line with the roof overhang 3½ ft. from the side property line. The lot is a corner lot with the narrow or front dimension being on Pawnee to the south. The house, however, faces west to Pawnee Court with the rear of the house and its patio doors being to the east. The south end of the house, facing Pawnee and the largest open lawn area on the lot, is solid brick. Thus, the area used as a typical "back yard" is the area to the east which is slightly less than 12 ft. wide. A 40-ft. long deck has already been constructed, without a permit, which goes to within 2 ft. of the east property line. Over the south 20 ft. of this deck is a roof with an overhang which goes to the property line. Lattice connects the roof rafters to the top of the 6-ft. wood fence which is on the property line. The owner has stated, however, that if this variance is approved, he will remove the lattice and alter the deck cover so that it maintains at least a 1-ft. setback from the east property line.

**ADJACENT ZONING AND LAND USE:**

NORTH	"AA"	One-family dwelling
SOUTH	"RB"	Four-family dwelling
EAST	"AA"	One-family dwelling
WEST	"AA"	One-family dwelling

**UNIQUENESS:** It is the opinion of staff that this property is unique inasmuch as the design of the house and its location on the lot makes the east side of the property the "back yard" or livable outdoor area, and its narrow width of less than 12 ft. makes full utilization of the site desirable.

**ADJACENT PROPERTY:** It is the opinion of staff that the granting of the variance requested may not adversely affect the rights of adjacent property owners inasmuch as the owner of the lot to the east, which is the only adjacent property really affected by this variance, has given her approval of the requested variance.

**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 deck and its roof have already been constructed and a requirement to modify these structures enough to comply with the setback requirements of the zoning ordinance may be an economic hardship and a reduced deck area with partial cover would leave a less "livable" yard area for the applicants.

**PUBLIC INTEREST:** It is the opinion of staff that the requested variance would not adversely affect the public interest inasmuch as the deck and its roof are barely visible from the public streets, due to the distance from the streets and the existing 6-ft. fence around the lot.

**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 a covered deck without side enclosures still permits sufficient light, air, drainage and access between adjacent houses.

**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 applicant shall obtain a building permit from Central Inspection and shall comply with all building code requirements.
2. The existing lattice shall be removed and the roof cut back so as to maintain a minimum 1-foot clearance between the east property line and the roof overhang.
3. No additional roof shall be added to the deck, unless it complies with the setback requirements of the zoning ordinance.

NORTH ←

TELEPHONE POLE

'A'

6'-0" FENCE

14" 2'-0"

TO SIDE YARD

PATIO DECK 16" ELEV.

PATIO COVER

AIR CONDITIONER UNIT EYE OF HOUSE BY GUTTERING

ROOF AREA (HOUSE)

SIDE OF HOUSE

6'-0"

8'-2 1/2"

SLIDING GLASS PATIO DOOR

20'-0" OPEN PATIO AREA

20'-0" COVERED PATIO AREA

14.2'

'A'

TO FRONT YARD

ROOF OVERHANG  
EDGE OF HOUSE

### PLAN ELEVATION

3/16" = 1'-0" SCALE

Rocky Wilson  
5-20-88

SHEET 1 OF 2

HOUSE

ROOF TOP HOUSE

GUTTER

*Roof overhang permitted by each owner to this joint*

2'-0"

1'-0"

GUTTER

9'-7" ELEV.

2"x 6" BEAMS

4"x 4" POST

*Deck permitted by ordinance to this point*

PATIO DECK (16" ELEV.)

6'-0"

NEIGHBORS HOUSE  
(BARBARA NELSON)  
LOT #7

6'-0" PRIVACY FENCE

0'-0" = GROUND ELEVATION

10'-0" WIDE PATIO DECK

2'-0"

SECTION A-A

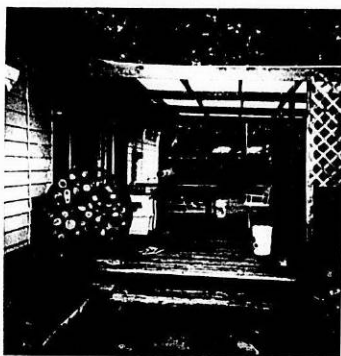
$\frac{3}{8}'' = 1'-0''$  SCALE

SHEET 2 OF 2

MICROFILMED  
FROM THE BEST  
AVAILABLE COPY



**EAST SIDE OF HOUSE  
LOOKING SOUTH**



**EAST SIDE OF HOUSE  
LOOKING NORTH**



**EAST SIDE OF HOUSE  
LOOKING NORTH**



**NORTH SIDE OF HOUSE  
LOOKING EAST**



**EAST SIDE OF HOUSE  
LOOKING SOUTH**



**SOUTH SIDE OF HOUSE  
FACING PALWEE ST.**

# THE CITY OF WICHITA



BOARD OF ZONING APPEALS  
CITY HALL — TENTH FLOOR  
435 NORTH LINCOLN STREET  
WICHITA, KANSAS 67202  
(316) 268-4421

June 7, 1988

Mr. & Mrs. R. L. Wilburn  
3860 E. Pawnee Court  
Wichita, KS 67218

Re: BZA 25-88

Dear Mr. & Mrs. Wilburn:

I have been unable to reach you by phone this past week, but wanted you to know that the Board of Zoning Appeals would like to see some photos of your covered deck for which you have filed a variance request. Could you please submit them to our office by June 13? They will also help us in preparing the staff report. We can make them available to the CPO Council for their June 16 meeting and also to the BZA for their June 28 meeting.

If you have any questions, please call me or Jack Galbraith at 268-4421.

Sincerely,

*Louise Olivarez*  
Louise Olivarez  
Assistant Secretary  
Board of Zoning Appeals

LO/jcm

FILE COPY

BZA CASE NO. 25-88

15 LEGAL ADVERTISEMENT SENT TO MAPC & BZA

1 NOTICES SENT TO APPLICANT/AGENT

23 NOTICES SENT TO ADJOINING PROPERTY OWNERS

5 NOTICES SENT TO BZA MEMBERS

NOTICES SENT 6-3-88

1 NOTICES SENT TO CPO

2 NOTICES SENT TO CITY MANAGER & CITY  
COUNCIL REPRESENTATIVE TO DISTRICT

4 NOTICES TO MAPD STAFF

Jack Galbraith  
Louise Olivarez  
Bob Young  
Karen Crook

BOARD OF ZONING APPEALS  
Tenth Floor - City Hall  
455 North Main, Wichita, Kansas 67202

June 6, 1988

NOTICE OF PUBLIC HEARING:

CASE NO. BZA 25-88

As required by law, all property owners of record within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals are to be notified of the public hearing. An application has been filed by Rocky L. & Terry L. Wilburn requesting a variance.

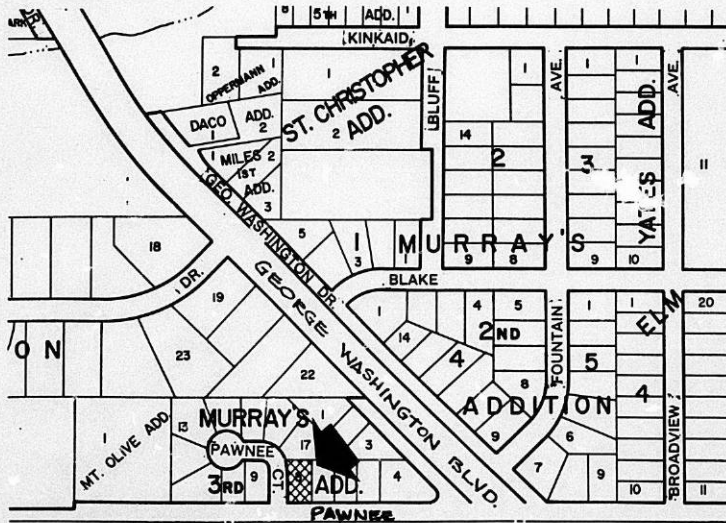
Pursuant to Section 2.12.590.B, of the Code of the City of Wichita, the applicant is requesting a variance to reduce the side yard setback from 6 feet to 1½ feet for a deck and reduce to 1 foot the setback for the roof over the deck on property zoned the "AA" One-Family Dwelling District. A legal description of the applicant's property is as follows:

Lot 8, Murray's 3rd Addition to Wichita, Sedgwick County, Kansas. Generally located at the northeast corner of Pawnee and Pawnee Court (3860 E. Pawnee Court).

This application has been assigned Case No. BZA 25-88. It will be considered by the Board of Zoning Appeals on Tuesday, June 28, 1988, at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 N. Main Street, Wichita, Kansas. If you have no interest in or objections to the requested variance, you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so either in person or by agent or attorney.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

NOTE: We have been advised by the Citizen Participation Organization staff that CPO Council 3B, Southeast, will consider this case at their meeting to be held on Thursday, June 16, 1988, at 7 p.m., at Mount Vernon Presbyterian Church, 3700 E. Mt. Vernon. Additional information regarding this CPO meeting may be obtained by calling the CPO office at 268-4516.



PL1-0430

( \_\_\_\_\_ ) Published in The Daily Reporter, June 3, 1988

OFFICIAL NOTICE

NOTICE IS HEREBY given that on the 28th day of June, 1988, the Board of Zoning Appeals of the City of Wichita, Kansas, meeting in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas will consider the following applications beginning at 1:30 p.m.

1. Case No. BZA 23-88 - John A. Van Walleghen, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to reduce the rear yard setback from 20 feet to 8 feet on property zoned the "AA" One-Family Dwelling District and legally described as follows:

Lot 1, Block 13, Garden Park Addition to Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of Tulsa and Pattie Streets (1239 Tulsa).

2. Case No. BZA 24-88 - Patrick M. Chapman, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of a used car sales lot on property partially zoned the "LC" Light Commercial District and the balance approved for the "LC" Light Commercial District and legally described as follows:

Lots 1241, 1243 and 1245 on Market Street and the north 9 feet of Lot 1244 and all of Lot 1246 on Broadway in Bush's Addition to the City of Wichita, Sedgwick County, Kansas. Generally located on the south side of 13th Street between Market and Broadway.

3. Case No. BZA 25-88 - Rocky L. and Terry L. Wilburn, pursuant to Section 2.12.590.B, Code of the City of Wichita, request a variance to reduce the side yard setback from 6 feet to 1½ feet for a deck and reduce to 1 foot the setback for the roof over the deck on property zoned the "AA" One-Family Dwelling District and legally described as follows:

Lot 8, Murray's 3rd Addition to Wichita, Sedgwick County, Kansas. Generally located at the northeast corner of Pawnee and Pawnee Court (3860 E. Pawnee Court).

4. Case No. BZA 26-88 - John C. and Mary L. Nodgaard, pursuant to Section 2.12.590.B, Code of the City of Wichita, request a variance to reduce the side yard setback from 6 feet to 5 feet on property zoned the "AA" One-Family Dwelling District and legally described as follows:

Lot 1, Block 6, Fifth Addition to Pine Valley Estates, Wichita, Sedgwick County, Kansas. Generally located on the east side of Lawrence Lane, ¼-mile south of 13th Street (1002 Lawrence Lane).

5. Case No. BZA 27-88 - Quality Child Care Centers, Inc.-Wesley Children's Center, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of a child care center on property zoned the "A" Two-Family Dwelling District and legally described as follows:

The West Half of Reserve D, Ken-Mar Addition to Wichita, Sedgwick County, Kansas. Generally located on the south side of 17th Street in an area west of Oliver (4401 E. 17th).

6. Case No. BZA 28-88 - Amoco Oil Company, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of a detached, single-bay automatic car wash in association with a proposed Amoco service station on property zoned the "LC" Light Commercial District and legally described as follows:

That part of Lot 1, Block 1, Amarado Estates, an addition to Wichita, Sedgwick County, Kansas, described as beginning at the S.W. Corner thereof; thence N 00° E, along the west line of said Lot 1, 175 feet; thence N 86°34'56" E, 213 feet; thence S 00° E, 184.38 feet more or less to a point on the south line of said Lot 1; thence N 79°22'53" W, along said south line of Lot 1, 38.59 feet to a deflection corner of said Lot 1; thence S 86°34'56" W, 175 feet to the point of beginning. Generally located at the northeast corner of 13th Street and Maize Road.

7. Case No. BZA 29-88 - M.H.M. Properties Inc. (Hilton Inn East), pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to reduce the parking requirements from 358 spaces to 341 spaces on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 3, East Side Center Addition to Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of Kellogg and Rock Road.

8. Case No. BZA 30-88 - Rudy Betts, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of an off-street parking lot on property zoned the "A" Two-Family Dwelling District and legally described as follows:

Lots 14 and 16, Block 6, J.O. Davidson 2nd Addition to Wichita, Sedgwick County, Kansas. Generally located on the east side of Custer in an area south of Central.

9. Case No. BZA 31-88 - Rudy Betts, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to reduce the rear yard setback from 10 feet to 0 feet on property zoned the "LC" Light Commercial District and legally described as follows:

Lots 2, 4, 6, 8, 10 and 12, Block 6, J. O. Davidson 2nd Addition to Wichita, Sedgwick County, Kansas. Generally located on the southeast corner of Central and Custer (3015 W. Central).

As provided in City Ordinances hereinabove described and Section 2.12.560 et. seq., Code of the City of Wichita, Sedgwick County, Kansas, the same will then and there be discussed and considered by the said Board of Zoning Appeals and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the exceptions and the variances will be considered by the Board of Zoning Appeals as by law provided.

WITNESS my hand and seal this 3rd day of June, 1988.

\_\_\_\_\_  
Jack H. Galbraith, Secretary

APPLICATION FOR VARIANCE

I. Applicant Rocky L. & Terry L. Wilburn  
Address 3860 E. Pawnee Ct. Zip Code 67218 Phone (316) 683-2441

Agent \_\_\_\_\_  
Address \_\_\_\_\_ Zip Code \_\_\_\_\_ Phone \_\_\_\_\_

Relationship of applicant to property is that of owner  
(Owner, Tenant, Lessee, Other)

II. The variance requested is <sup>a reduction of the side yard setback from 6' to 1/2' for a ~~covered~~ deck and a reduction to 1' for the roof over the back.</sup> for 6'0" side yard to be reduced to 1'6" min or 2'0" max and roof overlay from 3'6" to 1'0" min or 1'6" max.

on property zoned <sup>AA</sup> ~~2B~~ residential which is 115 ft by 74.2 ft (or \_\_\_\_\_ acres) in size, legally described as: Murray's 3rd Addition - Lot #8, Wichita, Sedgwick Co., Kas

and located (3860 E. Pawnee Ct.) of Sedgwick County  
Northeast corner of Pawnee Street & Court  
in the City of Wichita. Pawnee

- III. The applicant herein, or his authorized agent, acknowledges:
- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
  - b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 39-285); and that the appropriate fee is herewith tendered;
  - c. That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.
  - d. That all documents are attached hereto as noted in paragraphs 2, 3, 4, and 5 of the instructions.

Applicant Rocky L. Wilburn

Authorized Agent \_\_\_\_\_

OFFICE USE ONLY:

Map No. 5745C Zoning: (N) AA (S) RB (E) AA (W) AA CPO 3B 6-16

Received in Office of Secretary, Board of Zoning Appeals, 9:10 (9:10 a.m./p.m.), May 26, 1988, together with appropriate fee of 200.00

Signed [Signature]

**WICHITA — SEDGWICK COUNTY**

METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL — TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688



*FOR  
7/1/82*

Kenneth Lee & Glenda Ellen Benoit  
3824 E. Pawnee Ct.  
Wichita, KS 67218

*BZA 25-88*

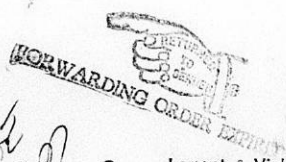
**Important! Notice of Meeting Enclosed**



**WICHITA — SEDGWICK COUNTY**

METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL — TENTH FLOOR  
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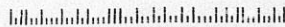


*FOR  
7/1/82*

Lamont & Vicki Bloom  
3810 E. Pawnee Ct.  
Wichita, KS 67218

*BZA 25-88*

**Important! Notice of Meeting Enclosed**



OWNERSHIP LIST

Lot	Block	Addition	Property Owner
Lot 21		Elmwood Addition	Edmond C. Fiedler Beverly A. Fiedler 2309 George Washington Blvd. Wichita, KS 67218
Lot 22		"	<del>Dale Y. Reed</del> (Dec'd) Cathryn E. Reed 2313 George Washington Blvd. Wichita, KS 67218
Lot 6	Block C	Planview Sub. #1	Stevie Phillips Betty Jean Phillips 3361 Cessna Wichita, KS 67210
Lot 7	Block C	"	Kenneth F. Erbert Maulee F. Erbert 5936 S. Osage Wichita, KS 67217
Lot 8	Block C	"	Ivan J. Beery c/o Kenneth F. Erbert 5936 S. Osage Wichita, KS 67217
Lot 9	Block C	"	Chuc Y. Huynh 3909 E. Pawnee Wichita, KS 67218 and Phuoc Van Ho 2521 West Hadden Wichita, KS 67217 and Lynda C. Clark Address Unknown and Niem T. Le Address Unknown
Lot 10	Block C	"	William Patrick Sheets 3913 E. Pawnee Wichita, KS 67218
Lot 11	Block C	"	Larry G. Kerr Susan L. Kerr 3919 E. Pawnee Wichita, KS 67218
Lot 9		Murray's 3rd Addition	Lamont Bloom Vicki Bloom 3810 E. Pawnee Ct. Wichita, KS 67218
Lot 10		"	<i>return</i> Kenneth Lee Benoit Glerda Ellen Benoit 3824 E. Pawnee Ct. Wichita, KS 67218

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 11		Murray's 3rd Addition	Daniel C. Avants Shirley M. Avants 3828 E. Pawnee Ct. Wichita, KS 67218
Lot 14		"	Barbara A. Murphy and Ethel Foster 3840 E. Pawnee Ct. Wichita, KS 67218
Lot 15		"	Thanh V. Mai Anh Kim Mai 3844 E. Pawnee Ct. Wichita, KS 67218
Lot 16		"	David R. Ogden Deborah Ann Ogden 3848 E. Pawnee Ct. Wichita, KS 67218
Lot 17		"	Carolyn L. Riley 3852 E. Pawnee Ct. Wichita, KS 67218
Lot 1		"	Norman W. Smith Alberta V. Smith 2333 George Washington Blvd. Wichita, KS 67218
Lot 2		"	Allan M. Wooldridge Ruth E. Wooldridge 2339 George Washington Blvd. Wichita, KS 67218 and Sondra L. Wooldridge c/o above address
Lot 3		"	Douglas M. Wilson Margaret R. Wilson 2345 George Washington Boulevard Wichita, KS 67218
Lot 4		"	Steven J. Thomas Mary Ann Thomas 3926 E. Pawnee Wichita, KS 67218
Lot 5		"	John E. Moore Nancyanne K. Moore 3920 E. Pawnee Wichita, KS 67218
Lot 6		"	Mildred Costin 3914 E. Pawnee Wichita, KS 67218

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 7		Murray's 3rd Addition	Barbara M. Nelson 3908 E. Pawnee Wichita, KS 67218
<i>application over</i> Lot 8		"	<i>dup</i> Rocky L. Wilburn Terry L. Wilburn 3860 E. Pawnee Ct. Wichita, KS 67218

We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots within a 200 foot radius of:

Lot 8, Murray's 3rd Addition to Wichita, Kansas, Sedgwick County, Kansas.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 25th day of May, 1988, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By *Dean R. Hawkin*  
~~is~~ Vice-President

Nº 00177

METROPOLITAN AREA PLANNING DEPARTMENT

Description City Board of Zoning Appeals

Name Rocky Wilburn

Address 3860 E. Pawnee Ct

Fund No. (circle one) 755-40710-003 (fees) 755-40710-004  
(books, xerox) 755-40710-026 (microfilm)

Amount \$206<sup>00</sup>

Date July 26, 88 Due Date July 26, 88 By [Signature]

Form 00-000