CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

July 7, 2026

Andrew Gayer
4632 S. Oak Ave.
Wichita, KS 67217

Emerie, LLC
Attn: Jesse DeMint
4638 S. Oak Ave.
Wichita, KS 67217

Re: **BZA2026-00063:** Administrative Adjustment in the City to reduce the south interior side setback from 6 feet to 4.2 feet (30 percent) for future building addition on property zoned SF-5 Single-Family Residential District, generally located one-half mile east of South Seneca Street and within one-quarter mile north of West 47th Street South (4632 S. Oak Ave.).

Legal Description: Lot 6, Block 5, Purcell's 9th Addition, Wichita, Sedgwick County, Kansas.

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to reduce the south interior side setback from 6 feet to 4.2 feet (30 percent) for an area less than 300 square feet on the aforementioned property. The subject site currently has a dwelling and a detached garage. We understand that a proposed pergola is desired to be constructed that would attach to the east side of the dwelling and attach to the north side of the garage - essentially attaching all structures together on the site. Therefore, the current detached garage would have to comply with setbacks for a principal structure, which requires an interior side setback of 6 feet. The total area of encroachment is 36 square feet (20 feet by 1.8 feet), which is less than the allowable encroachment of up to 300 square feet.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum interior side setback (required by the property development standards of the zoning district) by up to 50 percent (for an area less than 300 square feet). This adjustment is permissible when the provisions of this section and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the setback as proposed meets the provisions of Section V-I.2.a and the four criteria required by Section V-1.6 as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed reduction of the south interior setback from 6 feet to 4.2 feet will have no impact on the safety and convenience of vehicular and pedestrian circulation in the right-of-way. The placement of the proposed pergola will not be constructed closer to the street than the existing dwelling.

2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses. The surrounding properties are zoned SF-5 and developed with single-family dwellings.

The garage is an existing structure, and the proposed pergola would be constructed in between the existing dwelling and existing garage. No structure is being constructed closer to the property lines than those structures that already exist.

3) Compatibility with existing or permitted uses on abutting sites: The proposed addition to the residential structure is compatible with the surrounding development. The proposed pergola would be constructed in between the existing dwelling and existing garage. The detached garage currently meets minimum setback requirements for detached accessory structures on the rear half of a lot.

4) Effect on public health, safety, or welfare: There will be no 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 the Zoning Adjustment to reduce the south interior side setback from 6 feet to 4.2 feet for an area less than 300 square feet is hereby GRANTED, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site plan.

2) The applicant shall obtain a building permit within one year of the Administrative Adjustment approval. The site shall conform to all codes including but not limited to zoning, building, health, and fire.

3) The setback reduction shall apply only to the 4.2-foot south interior side setback as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.

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

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

Scott Wadle, Director
Metropolitan Area Planning Department

J.R. Cox Jr.

Chris Labrum, Director
Metropolitan Area Building and Construction Department

cc: MABCD
Dalton Glasscock, City Council District IV
Maddy Campbell, CSR District IV

SITE PLAN

N ↑

APPROVED 7/7/26 BY [signature] BZA26-63

