CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

August 25, 2025

John & Janelle Gutierrez
10306 W. Rita St.
Wichita, KS 67209

Troy Parks
1900 E. Douglas Ave.
Wichita, KS 67214

Re: **BZA2025-00056:** Administrative Adjustment in the City to reduce the north rear setback from 20 feet to 10 feet (50 percent for an area less than 300 square feet) to rebuild an existing deck on property zoned SF-5 Single-Family Residential District, generally located within one-block east of South Maize Road and within one-half mile north of West Pawnee Avenue (10306 W. Rita St.).

Legal Description: Lot 2, Block 1, Shelly's Orchard Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the north rear setback from 20 feet to 10 feet (50 percent) on the aforementioned property in order rebuild an existing, unenclosed deck. The deck would measure 16 feet by 16 feet (256 square feet) and would encroach into the rear setback by 10 feet. The deck would not encroach into the platted 10-foot utility easement along the rear property line.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum rear 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 north rear setback from 20 feet to 10 feet will have no impact on the safety and convenience of vehicular and pedestrian circulation in the right-of-way.

2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses. The surrounding properties are all zoned SF-5 Single-Family Residential District and developed with single-family dwellings. Though not in compliance, the deck has existed for some time, and it is not proposed to be enlarged.

3) Compatibility with existing or permitted uses on abutting sites: The proposed unenclosed deck is compatible with existing uses on abutting sites. The surrounding properties are all zoned SF-5 Single-Family Residential District and developed with single-family dwellings.

Though not in compliance, the deck has existed for some time, and it is not proposed to be enlarged.

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 north rear setback from 20 feet to 10 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 10-foot north rear 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;
Brooke Kauchak, CSR District IV

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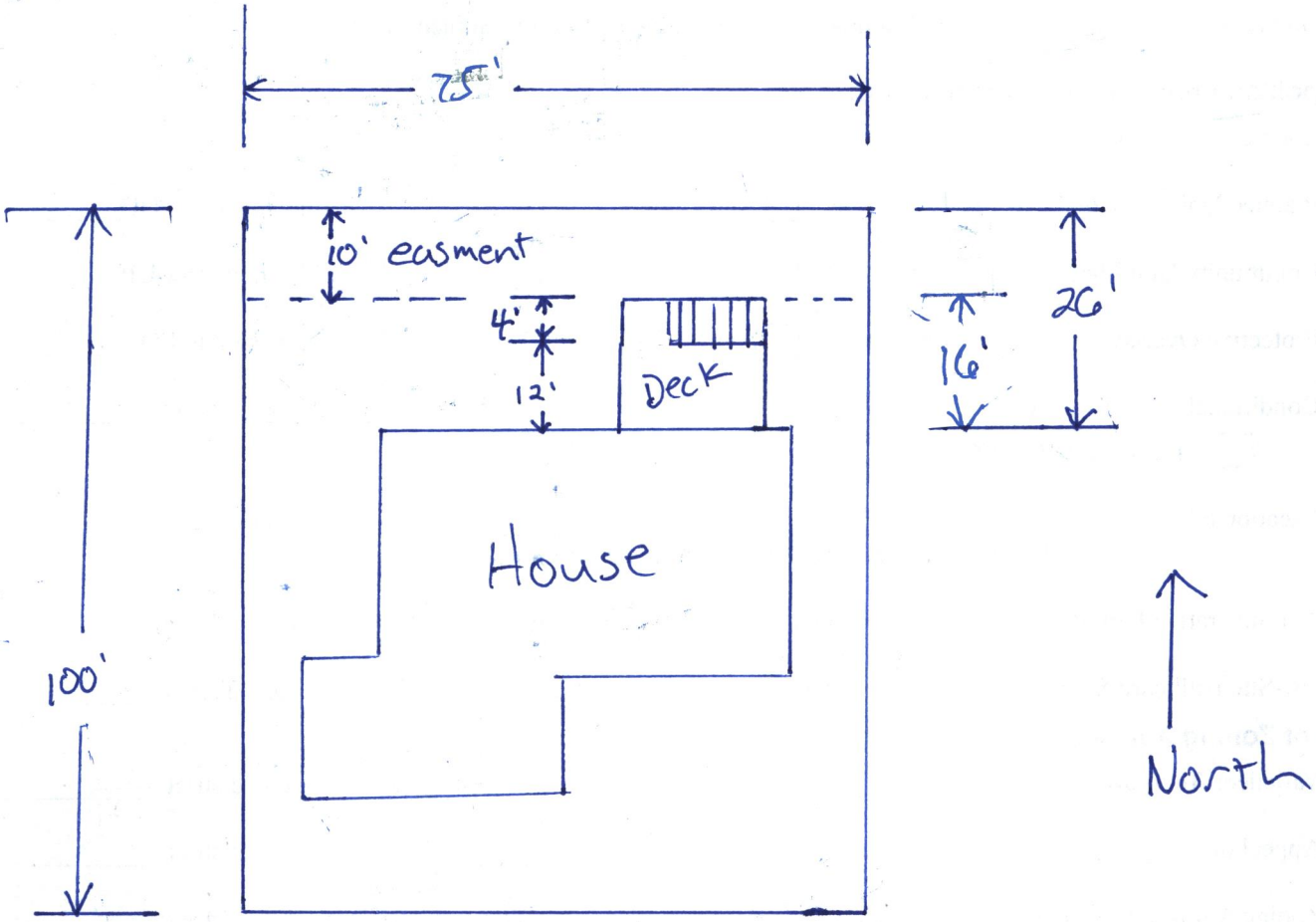

SITE PLAN

APPROVED 8/25/25 BY
BZA25-56