



Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Flm-Pg: 30304791

Receipt #: 2424204
Pages Recorded: 2

Recording Fee: \$0.00

Cashier: KVENATOR

Authorized By: *Tonya Buckingham*

Date Recorded: 04/26/2024 02:58:12 PM



**BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS**

**IN THE MATTER OF THE VACATION OF A PORTION
OF A PLATTED BUILDING SETBACK**

**GENERALLY LOCATED ON THE NORTH SIDE OF EAST
CENTRAL AVENUE AND WITHIN ONE-HALF MILE WEST
OF NORTH ROCK ROAD**

VAC2024-00010

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 23rd day of April 2024, comes on for hearing the petition for vacation filed by Ryan Stuhlsatz and Alicia Gregg-Stuhlsatz (owners) praying for the vacation of a portion of a platted building setback, to wit:

Vacating the North 43 feet of the South 50 feet of the West 65 feet of the East 85 feet of the platted 50-foot setback on Lot 6, Block G, Woodlawn Village 1st Addition, Wichita, Sedgwick County, Kansas.

The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication, as required by law, in The Wichita Eagle on March 7, 2024, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the described portion of a platted building setback, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner, the prayer of the petitioner ought to be granted.
4. A dedication of access control over and across the south line of said Lot 6, Block G, Woodlawn Village 1st Addition shall be recorded along with the Vacation Order at the Sedgwick County Register of Deeds.

April 23, 2024
VAC2024-00010

5. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.
6. The vacation of the described portion of a platted building setback should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 23rd day of April 2024, ordered that the above-described portion of a platted building setback is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order and the dedication of access control to the Sedgwick County Register of Deeds for recording.

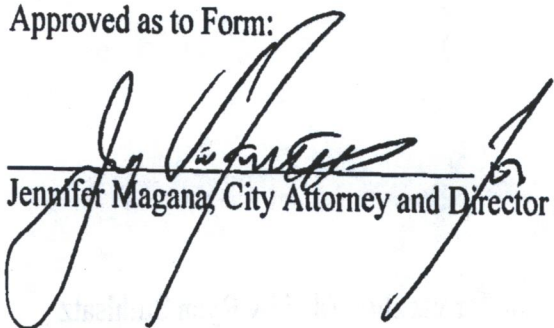
ATTEST:


Jamie Buster, City Clerk




Lily Wu, Mayor, City of Wichita

Approved as to Form:


Jennifer Magana, City Attorney and Director of Law

UNOFFICIAL COPY



Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Flm-Pg: 30304792

Receipt #: 2424204
Pages Recorded: 1

Recording Fee: \$21.00

Cashier: KVENATOR

Authorized By: *Tonya Buckingham*

Date Recorded: 04/26/2024 02:58:13 PM



DEDICATION OF ACCESS CONTROL

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, Ryan Stuhlsatz and Alicia Gregg-Stuhlsatz, being the owners of the following described real estate in Sedgwick County, Kansas, to wit:

Lot 6, Block G, Woodlawn Village 1st Addition, Wichita, Sedgwick County, Kansas.

does hereby transfer and convey to the City of Wichita, all abutter's rights of access, ingress, and egress to said property from or to East Central Avenue, over and across the South property line.

Executed this 28 day of March, 2024.

Ryan Stuhlsatz

Ryan Stuhlsatz

Alicia Gregg-Stuhlsatz

Alicia Gregg-Stuhlsatz

STATE OF KANSAS)

) ss

COUNTY OF SEDGWICK)

BE IT REMEMBERED, that on this 28 day of March, 2024 before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came, Ryan Stuhlsatz and Alicia Gregg-Stuhlsatz, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

Josh Rivas

Notary Public

SEAL



(My Commission Expires: 4-14-2026)

Paul Gunzelman

Paul Gunzelman, P.E.
Public Works and Utilities ← for

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CITY OF WICHITA, SEDGWICK COUNTY, KANSAS**

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April 23, 2024
VAC2024-00010

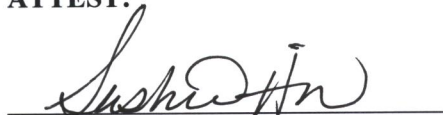
5. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 23rd day of April 2024, ordered that the above-described portion of a platted building setback is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order and the dedication of access control to the Sedgwick County Register of Deeds for recording.

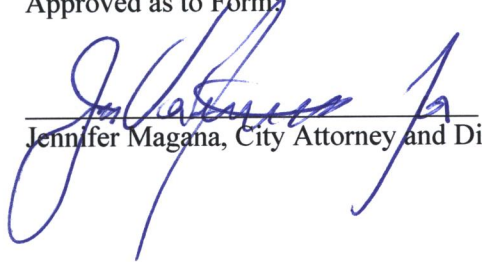

Lily Wu, Mayor, City of Wichita

ATTEST:


for Jamie Buster, City Clerk



Approved as to Form:


Jennifer Magana, City Attorney and Director of Law



Wichita-Sedgwick County Metropolitan Area Planning Department

April 26, 2024

Ryan Stuhlsatz and Alicia Gregg-Stuhlsatz
508 N. Armour
Wichita, KS 67206

Ref: VAC2024-00010: Vacation request in the City to vacate a portion of a platted 50-foot front setback on property zoned SF-5 Single-Family Residential District, generally located on the north side of East Central Ave and within one-half mile west of North Rock Road.

Dear Applicant;

At its regular meeting on **April 23, 2024**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** the vacation request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Philip Zevenbergen', written over a horizontal line.

Philip Zevenbergen, AICP
Current Plans
Division Manager



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

March 29, 2024

Ryan Stuhlsatz and Alicia Gregg-Stuhlsatz
508 N. Armour
Wichita, KS 67206

Ref: VAC2024-00010: Vacation request in the City to vacate a portion of a platted 50-foot front setback on property zoned SF-5 Single-Family Residential District, generally located on the north side of East Central Ave and within one-half mile west of North Rock Road.

Ryan and Alicia,

At the **Thursday, March 28, 2024**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

- (1) Provide Planning Staff with a legal description of the approved vacated portion of the platted setback in a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to City Council for final action.
- (2) A dedication of complete access control from the entire length of the south lot line of the described lot shall be dedicated by separate instrument, with original signatures. This shall be provided to Planning prior to this case going to City Council for final action.
- (3) The applicant shall submit an Administrative Adjustment to the Planning Department for review by the Planning Director and Zoning Administrator in order to permit the construction of an accessory structure in front of the main dwelling. This Administrative Adjustment shall be completed prior to the issuance of any building permits.
- (4) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide Planning with any needed easements dedicated by separate instrument with original signatures. These conditions must be completed prior to the case going to Council for final action.
- (5) All improvements shall be according to City Standards and at the applicant's expense.
- (6) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the Vacation Order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been

VAC2024-00010: Vacation request in the City to vacate a portion of a platted 50-foot front setback on property zoned SF-5 Single-Family Residential District, generally located on the north side of East Central Ave and within one-half mile west of North Rock Road.

March 29, 2024

Page 2

When all of the above conditions have been completed and there are no other documents requested; this case will be scheduled for final action by the Wichita City Council at the first appropriate date after **April 11, 2024**, (end of the two-week protest period). This letter also serves as a reminder that the vacation notification signs should now be removed from the property. If you have any questions concerning this case, please contact our office at 268-4421.

Sincerely,

A handwritten signature in blue ink, appearing to read "Philip Zevenbergen", with a stylized flourish at the end.

Philip Zevenbergen, AICP
Current Plans Division Manager

PZ:IJ



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	527836	Print Legal Ad-IPL01628410 - IPL0162841		\$141.30	2	84 L

Attention: MANDY HEBERT

CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202

MHEBERT@wichita.gov

OCA 150004

Published in The Wichita Eagle on March 7, 2024

(One Time Only)
MAPC/EZA March 28, 2024
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, March 28, 2024, no earlier than 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.

CON2024-00010: Request in the City for a Conditional Use for Entertainment Establishment to bring existing Candle Club into conformance and permit new outdoor patio on property zoned LC Limited Commercial, located on the southwest corner of East 13th Street North and North Woodlawn Blvd (6135 E. 13th Street). CUP2024-00004: CUP Amendment in the City to CUP DP-319 Providence Square Community Unit Plan to reduce the side setback of Parcel 1A for outdoor storage and increase area of outdoor storage, generally located on the northwest corner of East 13th Street North and North Oliver Avenue.

VAC2024-00009: Vacation request in the City to vacate the west half of Nelson Street Right-of-Way, generally located adjacent to property north of West Ponderosa Street and within one-quarter mile east of North West Street (3534 West Ponderosa Street).

VAC2024-00010: Vacation request in City to vacate a portion of a side yard setback on the south side of the property generally located at the northeast corner of E. Central Ave. and N. Armour Dr. (508 N. Armour Dr.).

VAC2024-00011: Request in the City to vacate a drainage right-of-way from 35 feet to 15 feet to allow for expansion of the existing structure on property zoned LI Limited Industrial District, generally located on the east side of South Hoover Road, within one-half mile north of K-42 (2550 South Hoover).

ZON2024-00012: Zone change request in the City from LI Limited Industrial District to CBD Central Business District to match zoning of nearby properties, generally located on the west side of North Oak Street, within 200 feet north of West Douglas Avenue (115 & 121 North Oak Street).

ZON2024-00013: Zone change request in the City from TF-3 Two-Family Residential District to B Multi-Family District to construct a multi-unit property, generally located on the east side of North Lorraine Avenue, within 550 feet north of East 2nd Street North.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the Wichita-Sedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, 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 proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

Options to participate:

1) Attend In-Person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. Self-paid parking is available nearby. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5:00 PM, 3 days prior to the meeting.
2) Submit Comments Ahead of Time regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department) - using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting. Planning Departments staff make efforts to share all comments but may not be able to share those received after the deadlines below. Please be sure to provide ample time for delivery. Written Comments should be submitted by 5:00 PM the day before the meeting. Video and Audio Comments (mp3, etc.) formats be submitted at least 3 days prior to the MAPC meeting. The comments should indicate which item they pertain to and be less than three (3) minutes in duration.

Email: Planning@wichita.gov

Mailing Address:

Wichita-Sedgwick County Metropolitan Area Planning Department

Attn: Scott Wadle

271 W. 3rd Street - Suite 201

Wichita, KS 67202

Phone: 316.268.4421

Fax: 316.858.7764

3) If you need accommodations pursuant to the ADA, please contact Planning Staff within one week prior to the scheduled meeting.

Option to View Remotely (Not Participate)

The meeting will be streamed live and recorded. Virtual comment is not available. To view the live stream or recording, follow the link: <https://www.wichita.gov/planning>

WITNESS MY HAND on March 7, 2024
Scott Wadle, Secretary

Wichita-Sedgwick County

Metropolitan Area Planning Commission

IPL0162841

Mar 7 2024

In The STATE OF KANSAS
In and for the County of Sedgwick

1 insertion(s) published on:

03/07/24

STATE OF KANSAS)

SS

County of Sedgwick)

Stefani Beard, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 03/07/2024 to 03/07/2024.

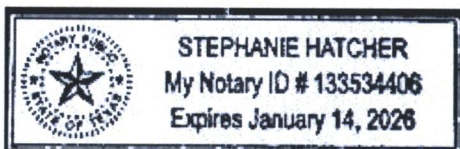
Stefani Beard

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 03/07/2024

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in
Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

AGENDA REPORT NO.
March 28, 2024

CASE NUMBER:

APPLICANT

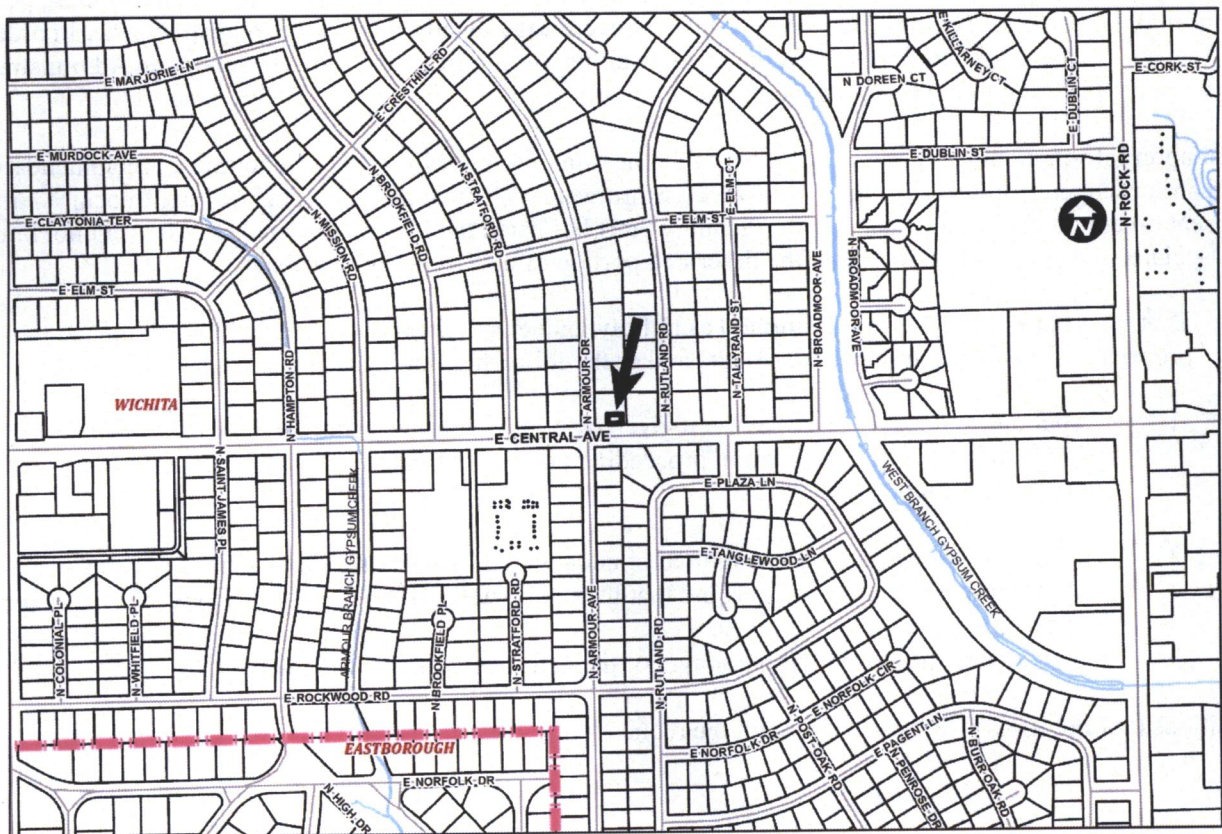
LEGAL DESCRIPTION:

LOCATION:

REASON FOR REQUEST:

CURRENT ZONING:

VICINITY MAP



The applicants propose to vacate the north 43 feet of the west 65 feet of the east 85 feet of the platted 50-foot building setback located on the south side of the property platted as Lot 6, Block G, Woodlawn Village 1st Addition. The property is addressed 508 North Armour Drive and is generally located on the north side of East Central Avenue and one-quarter mile east of North Woodlawn Boulevard. The purpose of this vacation is to construct a 28-foot by 65-foot detached garage and an in-ground pool. Only a portion of the proposed in-ground pool will encroach in the subject vacation area. The lot is zoned SF-5 Single Family Residential. If approved, the request would reduce the platted building setback to 7 feet. The Unified Zoning Code's (UZC) minimum side street setback is 15 feet. The applicants' request does exceed the minimum side street setback by 8 feet.

Three properties within one-quarter mile east and west of the subject site (501 North Tallyrand Street, 508 North Mission Road, and 508 North Hampton Road) were approved for the reduction of the platted 50-foot street-side setback to 7.5 feet (VAC2019-00035, VAC2023-00040) and 5 feet (VAC2016-00049).

There is a sanitary sewer line on the east side of the vacation area, in a dedicated easement. The proposed vacation of the setback does not alter the easement, so there is no concern from Public Works. Because the property abuts East Central, complete access control shall be dedicated for the entire length of the Lot to prevent any driveways from being constructed along East Central. Neither Everygy nor Cox object to this request. They do not have lines or equipment in the vacation area. They do have lines within the easement on the east side of the property. Everygy has an underground service line running northeast to southwest from the northeast corner of the lot. Both the proposed garage and in-ground pool will need to maintain property clearances from the lines and equipment per the attached service standards. Ladonna Vanderford, Everygy Area Design Representative can be contacted at 316-261-6290 regarding this item. The Woodlawn Village 1st Addition was recorded with the Register of Deeds April 17, 1954.

Due to the lot's geometry, the narrow street side is the side that front East Central Avenue. The Unified Zoning Code defines this narrow street side as the "front" of the lot. Therefore, any accessory structure constructed between the main dwelling and the south property line is considered to be "in front of" the main dwelling, per the definition of the Unified Zoning Code. This is the case even if the dwelling faces the long street side. In order to construct an accessory structure in front of the main dwelling, the applicant will have to submit an Administrative Adjustment application to the Planning Department.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from Public Works, Stormwater, Water and Sewer, Traffic, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portion of platted building setback.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time March 7, 2024, which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the described portion of the platted street side yard setback and that the public will suffer no loss or inconvenience thereby.
 3. In justice to the petitioner, the prayer of the petition ought to be granted.

Conditions (but not limited to) associated with the request:

- (1) Provide Planning Staff with a legal description of the approved vacated portion of the platted setback in a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to City Council for final action.
- (2) A dedication of complete access control from the entire length of the south lot line of the described lot shall be dedicated by separate instrument, with original signatures. This shall be provided to Planning prior to this case going to City Council for final action.
- (3) The applicant shall submit an Administrative Adjustment to the Planning Department for review by the Planning Director and Zoning Administrator in order to permit the construction of an accessory structure in front of the main dwelling. This Administrative Adjustment shall be completed prior to the issuance of any building permits.
- (4) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide Planning with any needed easements dedicated by separate instrument with original signatures. These conditions must be completed prior to the case going to Council for final action.
- (5) All improvements shall be according to City Standards and at the applicant's expense.
- (6) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the Vacation Order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

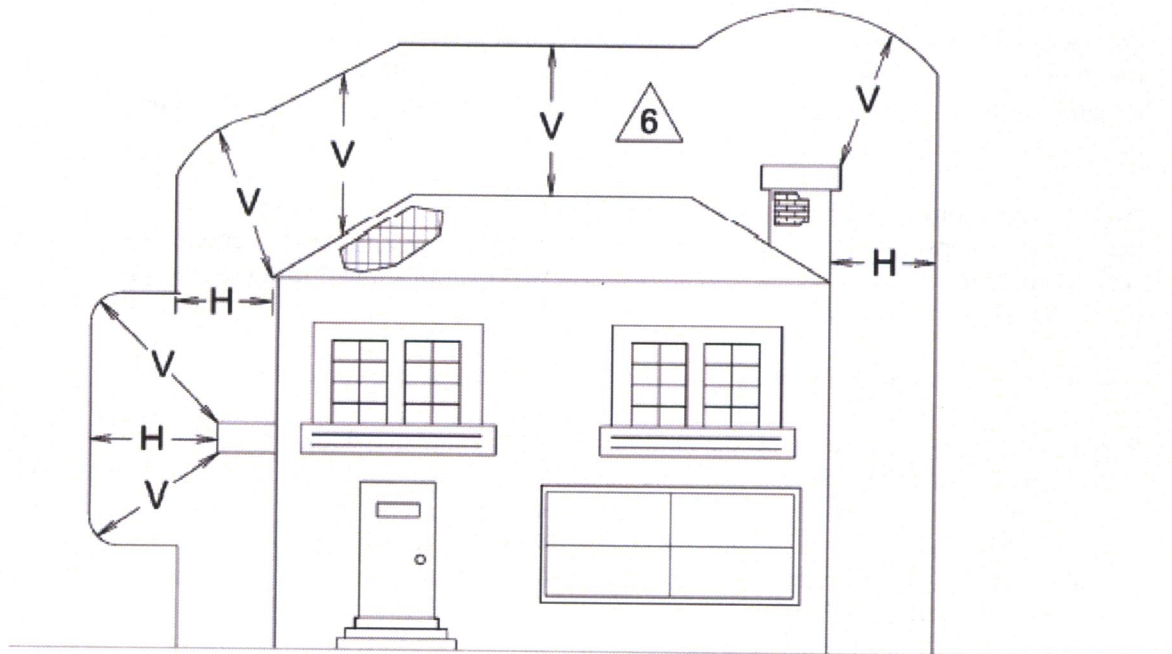
The Subdivision Committee recommends approval per staff recommendations.

Attachments:

- 1) Every Clearance Standards
- 2) Aerial Map
- 3) Site plan



10.28 – Clearances of Conductors Adjacent to Buildings but Not Attached to the Building.



Voltage of Supply Conductors	Horizontal Clearance (H)	Vertical Clearance (V)	Balconies and Flat Roofs
(Volts)	(Feet)	(Feet)	(Feet)
System Neutral Grounded Guys 240,480V Multiplex	5.0	3.5	10.5
240, 480 V Line to Line Open Wire	5.5	11.0	11.5
12,23,34kV Line to Line	7.5	12.5	13.5
69kV Line to Line	8.5	13.5	14.5

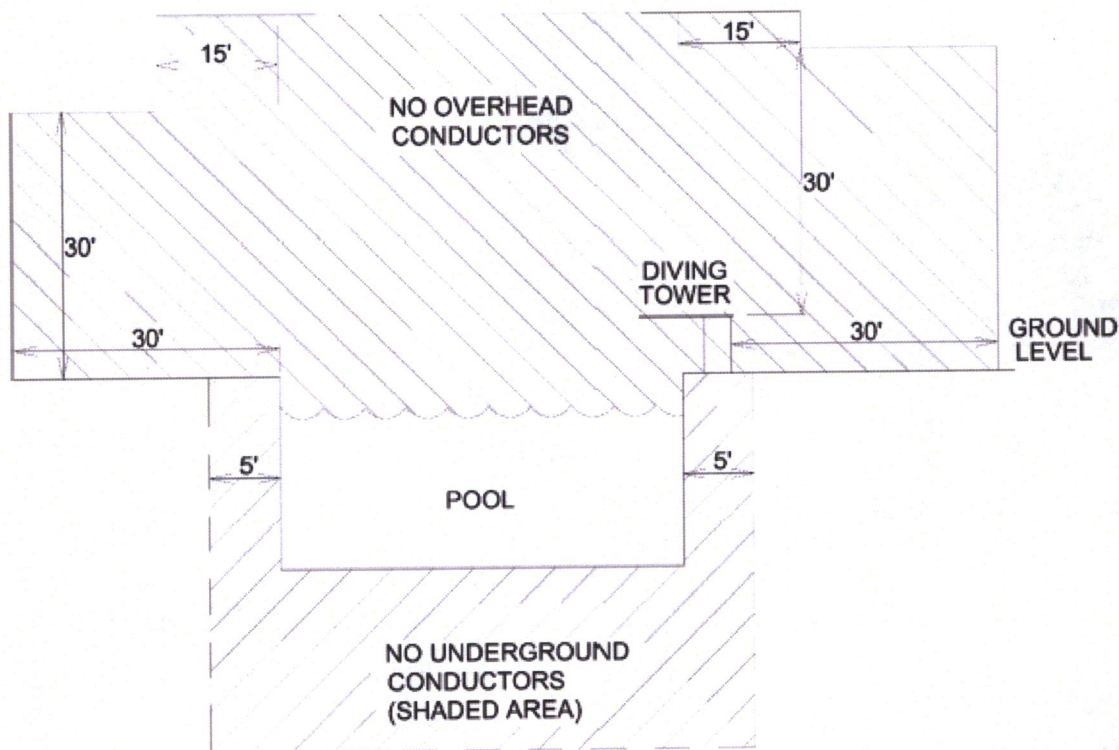
NESC Table 234-1

1. Customers, contractors, and their work equipment shall maintain a minimum clearance of 10 feet from the company's power lines. Kansas law requires workers to notify the company when work is necessary at clearance 10 feet or less. K.S.A.66-1709-1716 & OSHA 1910.333(c)(3)(i)(A) Notification shall be made 7 working days ahead of the time when work is to be started. There may be a cost involved to isolate power lines.
2. Table values are absolute minimum in clearances to structures.
3. Clearance requirements are taken from NESC article 234.
4. Voltages specified are line to line.
5. Customer must also follow NEC codes for clearances and service drops attachments.
6. Construction of supply circuits above buildings should be avoided.

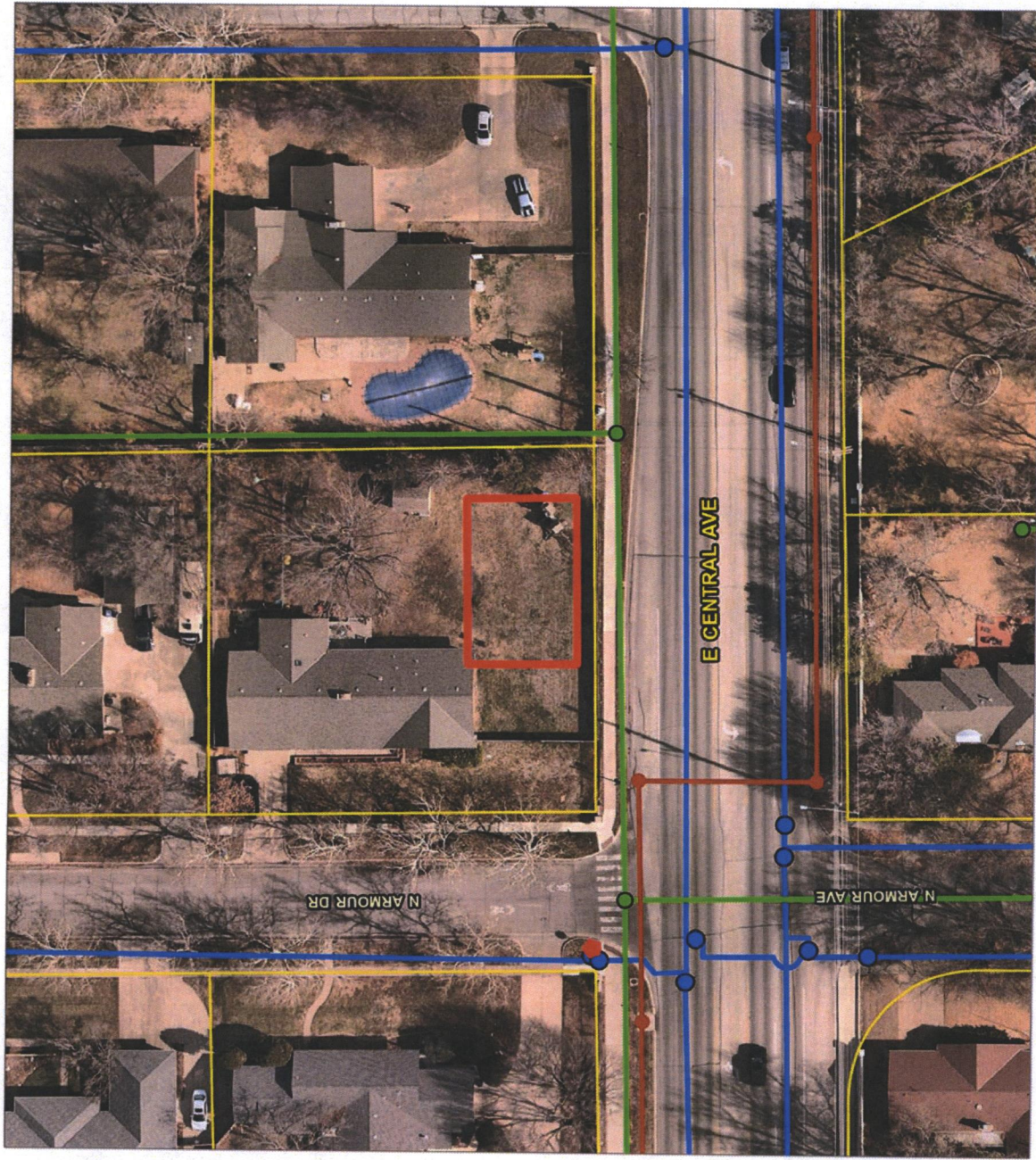


10.25 – Clearances to Bodies of Water

The following rules apply to in-ground pools, spas, and hot tubs, as well as hydro-massage bath tubs, decorative fountains, reflection pools, above ground pools, storable swimming or wading pools, or any other water surface.



1. If any overhead wires are within clearances specified in the drawing above, contact the Company's local service center to see that it is allowed/not allowed per NEC and NESC code.
2. Underground services and underground supply conductors shall not be permitted under a pool or within the area extending 5 feet horizontally from the inside wall of the pool. NEC 680.10
3. If any water surface (above ground pools, in-ground pools, spas, hot tubs, etc.) is being installed over or under existing service, the service shall be moved and relocated at customer's expense.



- VAC2024-00010
- Storm Structures
- Enclosed Gravity Pipe
- Force Main
- - - Open Channel
- Siphon
- Water Hydrants
- Sewer Manholes
- Sewer Mains
- Water Valves
- Water Mains



Software: ArcGIS
 Map Data Sources:
 City of Wichita
 Sedgwick County

Prepared: 2/20/2024

It is understood that while the City of Wichita Data Center Geographical Information Systems Department have no indication and reason to believe that there are any inaccuracies or errors in the data displayed on this map, the Data Center-GIS personnel make no warranty, representation, either expressed or implied, with respect to the information or data displayed.
 Note: Public property represented on this map is not intended to be inclusive.

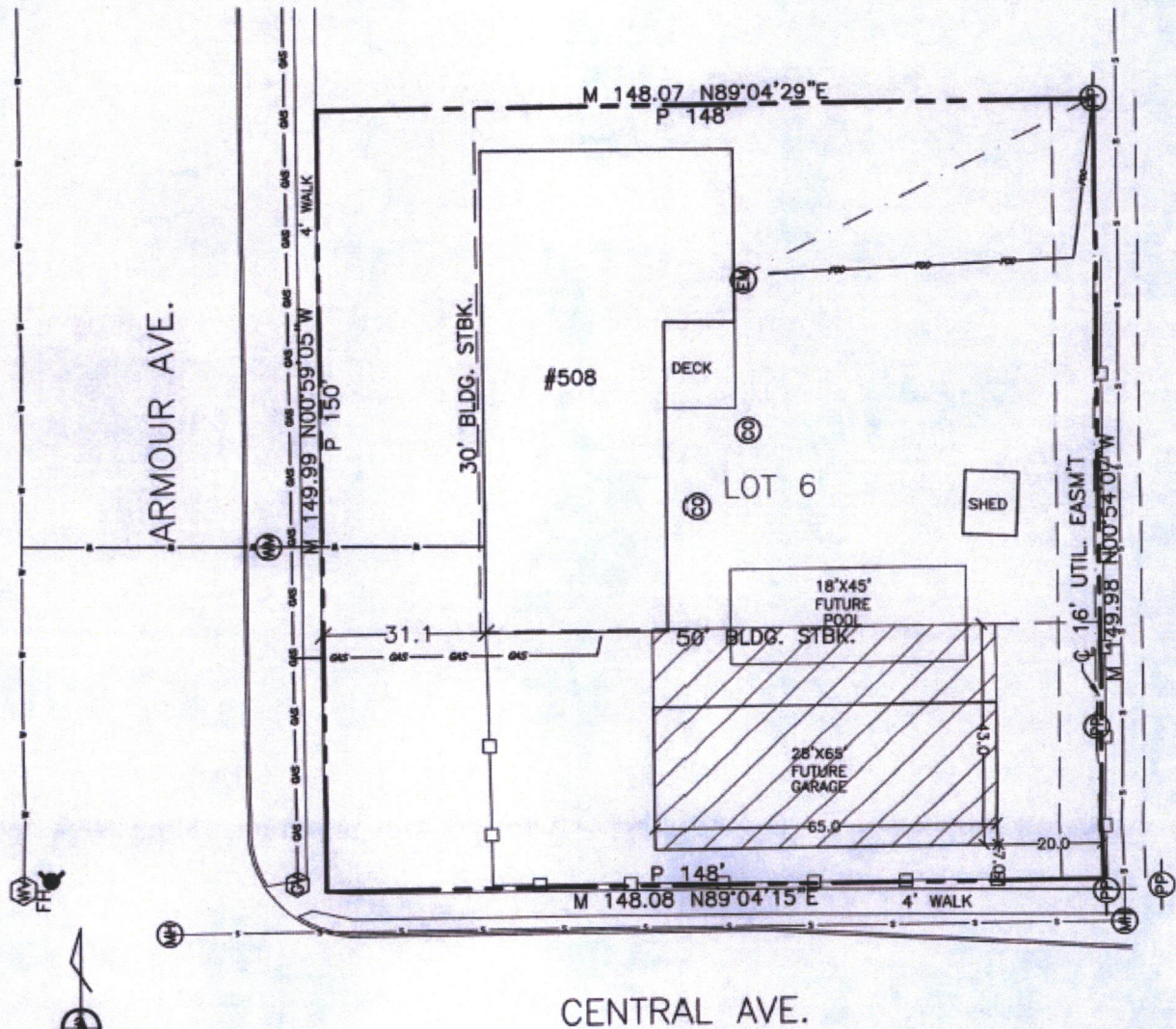
VAC2024-00010 - City Vacation of Platted Side Street Setback to Construct Detached Garage and In-Ground Pool.

March 28, 2024

Page 7

SITE PLAN

LEGAL DESCRIPTION: Lot 6, Block G, First Addition to Woodlawn Village, Wichita, Kansas



SCALE 1"=50'

- ⊕ - electric meter
- ⊕ - gas meter
- ⊕ - water valve
- ⊕ - water meter
- ⊕ - manhole
- ⊕ - sewer clean out
- ⊕ - power pole
- ⊕ - fire hydrant

- — — — — subject property line
- — — — — adjacent property line
- — — — — easement line
- — — — — setback line
- — □ — □ — wood privacy fence
- — — — — fiber optic line
- — — — — overhead electric line
- — — — — water line
- — — — — sanitary sewer line
- — — — — gas line



ARMSTRONG
LAND SURVEY, P.A.

WO 42559
 Page 2 of 2

P.O. Box 161039
 WICHITA, KS 67216
 PH. (316) 263-0082
 info@armstrongsurvey.com