Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Flm-Pg: 30322775
Receipt #: 2436128
Pages Recorded: 2
Recording Fee: $0.00
Cashier: ccritchf
Authorized By: Tonya Buckingham
Date Recorded: 07/23/2024 01:59:25 PM

BEFORE THE COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF A PORTION OF PLATTED ACCESS CONTROL	)	
LOCATED ON THE EAST SIDE OF SOUTH 151ST STREET WEST AND WITHIN ONE-HALF MILE NORTH OF WEST MAPLE STREET	)	CASE NO. VAC2024-00030

VACATION ORDER

NOW on this 17th day of July 2024, at 9:00 o'clock A.M., comes the petition filed by Michael D. and Karen E. Hampton Living Trust ("Petitioner") praying for the vacation of the following-described portion of a platted complete access control, to-wit:

> Vacating the North 30.00 feet of the South 72.50 feet platted complete access control over and across the West line of Lot 2, Block A, Snook Addition, Sedgwick County, Kansas.

WHEREUPON, it is shown that proper notice has been given by publication once at least 20 days prior to the date of hearing in the official county newspaper, the Ark Valley News, such publication having occurred on May 23, 2024; and it is further shown that proper proof of such publication has been filed herein. The Board finds that such notice is in lawful form and that it conforms to K.S.A. 58-2613, and amendments thereto.

THEREAFTER, the Board of County Commissioners of Sedgwick County, Kansas ("Board"), being duly advised in the premises, finds and determines that no private rights will be injured or endangered by such vacation; that the public will suffer no loss or inconvenience thereby; that no written objections hereto have been filed with the Sedgwick County Clerk; and that, in justice to the petitioner, the petition's prayer should be granted.

The Board further finds that the Metropolitan Area Planning Commission held a public hearing on the 13th day of June 2024, and recommended that the vacation petition herein be approved.

UNOFFICIAL COPY

THEREFORE, IT IS ORDERED BY THE BOARD that the portion of platted access control described above is hereby vacated. It is further ordered that County Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

Commissioners present and voting were:

PETER F. MEITZNER	aye
SARAH LOPEZ	aye
DAVID T. DENNIS	aye
RYAN K. BATY	aye
JAMES M. HOWELL	aye

Dated this 17 day of July, 2024.

ATTEST:

KELLY B. ARNOLD, County Clerk

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

RYAN K. BATY, Chairman
Commissioner, Fourth District

SARAH LOPEZ, Chair Pro Tem
Commissioner, Second District

JIM HOWELL
Commissioner, Fifth District

DAVID T. DENNIS
Commissioner, Third District

PETE MEITZNER
Commissioner, First District

APPROVED AS TO FORM:

SAMANTHA SEANG
Assistant County Counselor

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CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

July 18, 2024

Michael D. & Karen E. Hampton Living Trust
554 S. Westmore Ct.
Wichita, KS 67209

Baughman Company, P.A.
Attn: Jay Cook
315 S. Ellis Ave.
Wichita, KS 67211

Ref: VAC2024-00030: Vacation request in the County to vacate a portion of complete access control for a driveway for new residence on property zoned SF-20 Single-Family Residential; located on the east side of South 151st Street West and within one-half mile north of West Maple Street (212 South 151st Street West).

Dear Applicants,

At the **Wednesday, July 17, 2024**, meeting of the Sedgwick County Board of County Commissioners, the above-referenced vacation request was approved.

Sincerely,

Philip Zevenbergen, AICP
Current Plans Division Manager

CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

June 14, 2024

Michael D. & Karen E. Hampton Living Trust
554 S. Westmore Ct.
Wichita, KS 67209

Baughman Company, P.A.
Attn: Jay Cook
315 S. Ellis Ave.
Wichita, KS 67211

Ref: VAC2024-00030: Vacation request in the County to vacate a portion of complete access control for a driveway for new residence on property zoned SF-20 Single-Family Residential; located on the east side of South 151st Street West and within one-half mile north of West Maple Street (212 South 151st Street West).

Dear Applicants,

At the **Thursday, June 13, 2024**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

(1) If recommended for approval by the Metropolitan Area Planning Commission, the applicant shall provide Planning with a legal description. This legal description must be provided to Planning staff prior to the case going to the Sedgwick County Board of County Commissioners for final action. Provide Planning staff with legal description of the approved vacated portion of the platted access control on a Word document via e-mail to be used on the Vacation Order.

(2) The drive shall be constructed to County Standards and at the owner's expense.

(3) Any relocation or reconstruction of utilities made necessary by this vacation shall be to County Standards and the responsibility of the owner and at the expense of the owner, including the relocation of any power poles, equipment, or public utilities and drainage. Provide approval from those utilizes of any relocation of those impacted utilities prior to the case goes to Sedgwick County Board of County Commissioners for final action.

(4) All improvements shall be according to County Standards and at the applicant's expense.

(5) 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.

VAC2024-00030: Vacation request in the County to vacate a portion of complete access control for a driveway for new residence on property zoned SF-20 Single-Family Residential; located on the east side of South 151st Street West and within one-half mile north of West Maple Street (212 South 151st Street West).

All of the above conditions have been completed. This case will be scheduled for final action by the Sedgwick County Board of County Commissioners on **July 17, 2024**. 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,

Philip Zevenbergen, AICP
Current Plans Division Manager

Sedgwick Co. public notice

(Published in The Ark Valley News May 23, 2024.)

MAPC June 13, 2024
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, June 13, 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.

PUD2024-00010: Zone Change in the County from RR Rural Residential to PUD Planned Unit Development to permit a mix of residential and commercial uses including Construction Sales and Service, Bed and Breakfast, and Event Center; located on the west side of North Woodlawn and one-quarter mile south of East 69th Street.

VAC2024-00030: Vacation request in the County of a portion of complete access control for a driveway for new residence on property zoned SF-20 Single-Family Residential; located on the east side of South 151st Street West and within one-half mile north of West Maple Street (212 South 151st Street West).

ZON2024-00023: Zone Change request in the County from SF-20 Single-Family Residential to LC Limited Commercial to eliminate landscape and screening requirements on adjacent property; located on the southeast corner of West Kellogg and South 135th Street West.

ZON2024-00024: Zone Change request in the County from RR Rural Residential to SF-20 Single-Family Residential for residential development on one- to two-acre lots; located on the east side of North 215th Street West and north of West 29th Street North.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor. 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 May 23, 2024
Scott Wadle, Secretary
Wichita Sedgwick County Metropolitan Area Planning Commission

Affidavit of Publication

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

Chris Strunk, being first duly sworn, deposes and says: That he is Publisher of The Ark Valley News, formerly The Valley Center Index, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County Kansas, with a general paid circulation on a yearly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Valley Center in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the 23rd day of May, 2024, with subsequent publications being made on the following dates:

_____, 2024 _____, 2024
_____, 2024 _____, 2024
_____, 2024 _____, 2024

Chris Strunk

Subscribed and sworn to before me this 23rd day of May, 2024.

Notary Public

My commission expires

Additional copies $

Printer's fee

LISA K. STRUNK NOTARY PUBLIC 4/24/28 STATE OF KANSAS

AGENDA REPORT NO. 3.4

METROPOLITAN AREA PLANNING COMMISSION **June 13, 2024**

STAFF REPORT

CASE NUMBER: **VAC2024-00030**- Request in the County to vacate a portion of platted access control located along South 151st Street West

APPLICANTS: Hampton Michael D. & Karen E. Liv. Trust (applicant)/ Baughman Company

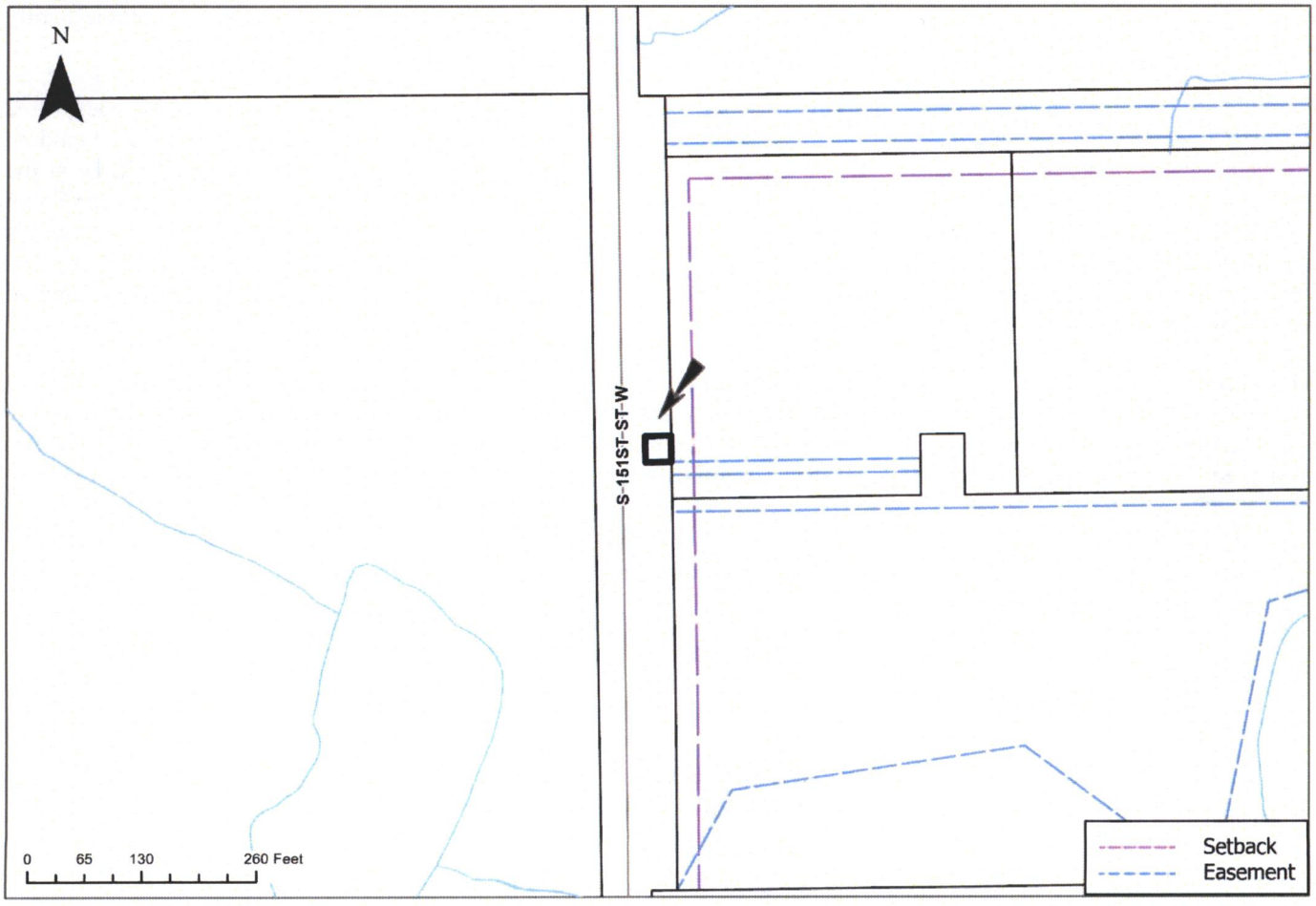
LEGAL DESCRIPTION: Generally described as vacating the north 30 feet of the south 72.50 feet of platted complete access control over and across the west line of Lot 2, Block A, Snook Addition, Sedgwick County, Kansas.

LOCATION: Generally located on the east side of South 151st Street West, within one-half mile north of West Maple Street (212 South 151st Street West).

REASON FOR REQUEST: To permit an alternate drive location for a proposed dwelling.

CURRENT ZONING: The subject site and properties on all sides are zoned SF-20 Single-Family Residential District (SF-20) and are developed with large lot single-family residences or agricultural uses.

VICINITY MAP



The applicant proposes to vacate the north 30 feet of the south 72.50 feet of platted complete access control over and across the west line of Lot 2, Block A, Snook Addition, Sedgwick County, Kansas. The subject site is located on the east side of South 151st Street West and within one-half mile north of West Maple Street (212 South 151st Street West). The site is currently undeveloped, but the applicant is proposing to construct a single-family dwelling with a detached garage. If approved, the applicant would be permitted to construct a 30-foot drive off of South 151st Street West to access their property.

Within the Snook Addition, Reserve A was platted along the north property lines of Lots 2, 3, and 4; and it was platted for the purpose of providing access to said lots. The attached site plan indicates that Lot 2 is not intending to utilized Reserve A as an access However, a drive would be constructed at the time when Lots 3 and/or 4 are developed in order to give them access. The distance between the proposed driveway for Lot 2 and the future drive access in Reserve A is 370 feet (center-line to center-line).

The Sedgwick County Access Management Policy requires a 660-foot minimum offset for drives on the same side of the street with full turning movements or drives on opposite sides of the street with conflicting left-turns. A 330-foot minimum spacing is required for drives that allow right-in-right-out only or drives on opposite sides of the street that do not line up or have conflicting left-turn movements. The Sedgwick County Access Management Policy permits deviations from these standards in situations where the character of the site, development, street or area presents unusual conditions and application of the standards will cause an undue hardship or impracticality. Additionally, Article 10- 104 of the Subdivision Regulations, Modification of Design Criteria, states that the MAPC may modify design criteria.

Sedgwick County Public Works does not object to the vacation, even though it does not meet the Sedgwick County Access Management Policy. The subject area is nearly surrounded by the City of Wichita and the distance between the proposed driveways is just under City's access management guideline of a 400-foot separation requirement between full movement access points along the same side of arterial street. With the proposed driveways providing access to future, single-family residential lots, turning movements onto South 151st Street West will be minimal.

Evergy does not object to the vacation request. They have existing equipment in the vacation area. Nick Hensley, Area Design Representative, is their contact for this request and can be contacted with any questions at 316-261-6320. Standard language applies: any relocation or removal of existing Evergy equipment will need to be discussed and will be at the applicant's expense. Cox does not object to the vacation request. They have a buried fiber line on the east side of the South 151st Street West right-of-way, and this line cannot be relocated. They stress that caution must be used when crossing this fiber line. James Walburn can be contacted regarding this item at 316-260-7491. Conditions #3, and #4 cover all utilities. Vehicular traffic, pedestrian traffic, public safety, and utilities should not be impacted by this vacation request if approved with the listed conditions.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from County Traffic, Public Works/Water & Sewer/Stormwater, 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 portions of the platted complete access control.

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 May 23, 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 access control 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) If recommended for approval by the Metropolitan Area Planning Commission, the applicant shall provide Planning with a legal description. This legal description must be provided to Planning staff prior to the case going to the Sedgwick County Board of County Commissioners for final action. Provide Planning staff with legal description of the approved vacated portion of the platted access control on a Word document via e-mail to be used on the Vacation Order.

(2) The drive shall be constructed to County Standards and at the owner's expense.

(3) Any relocation or reconstruction of utilities made necessary by this vacation shall be to County Standards and the responsibility of the owner and at the expense of the owner, including the relocation of any power poles, equipment, or public utilities and drainage. Provide approval from those utilizes of any relocation of those impacted utilities prior to the case goes to Sedgwick County Board of County Commissioners for final action.

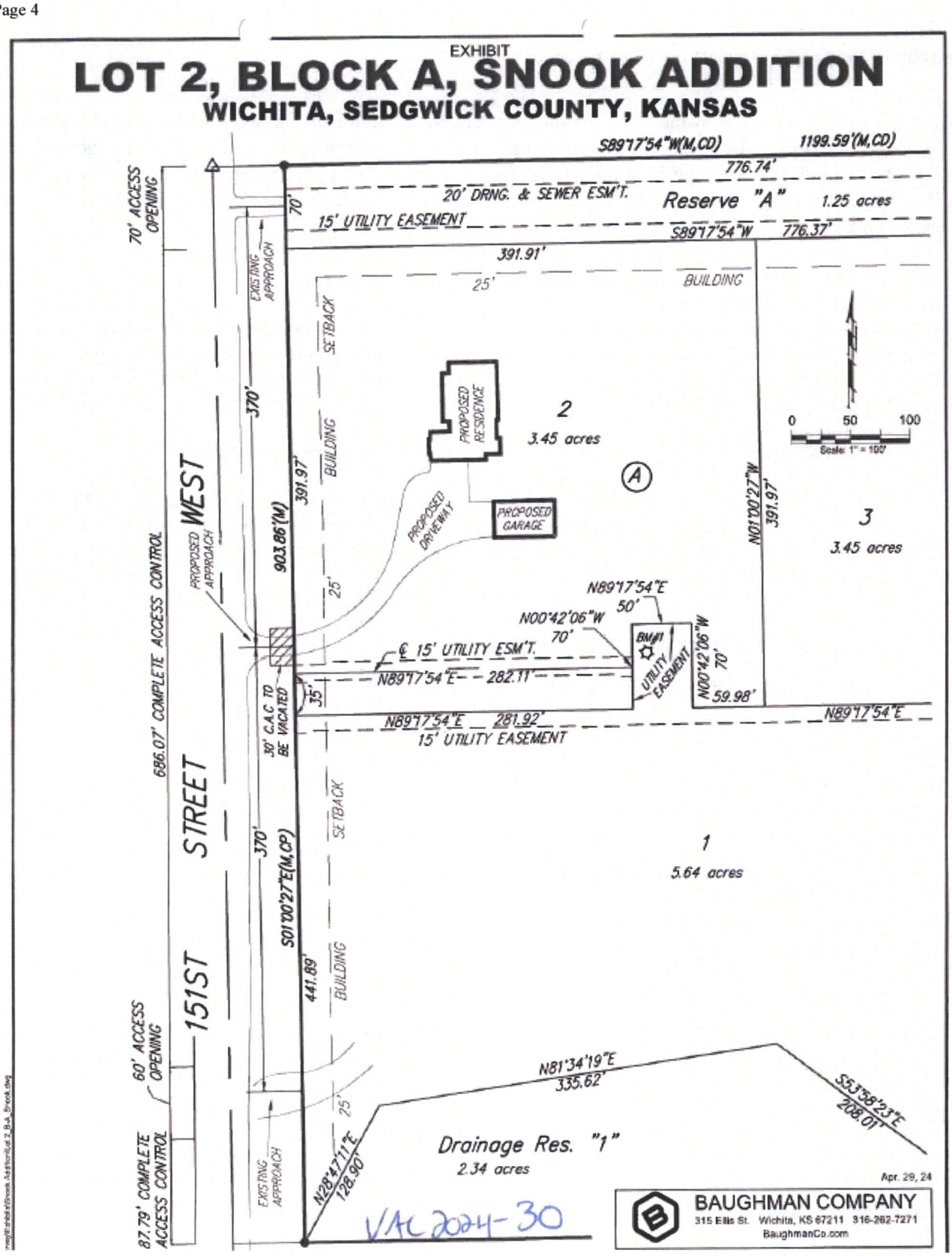
(4) All improvements shall be according to County Standards and at the applicant's expense.

(5) 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. Exhibit
2. Aerial Map


EXHIBIT
LOT 2, BLOCK A, SNOOK ADDITION
WICHITA, SEDGWICK COUNTY, KANSAS
S89°17'54"W(M,CD)
1199.59'(M,CD)
776.74'
20' DRNG. & SEWER ESM'T.
Reserve "A"
1.25 acres
15' UTILITY EASEMENT
S89°17'54"W
776.37'
391.91'
25'
BUILDING
70' ACCESS OPENING
70'
EXISTING APPROACH
SETBACK
370'
PROPOSED RESIDENCE
2
3.45 acres
A
PROPOSED DRIVEWAY
PROPOSED GARAGE
391.97'
BUILDING
PROPOSED APPROACH
903.86'(M)
25'
N01°00'27"W
391.97'
3
3.45 acres
0
50
100
Scale: 1" = 100'
N89°17'54"E
50'
N00°42'06"W
70'
℄ 15' UTILITY ESM'T.
BM#1
UTILITY EASEMENT
N00°42'06"W
70'
59.98'
N89°17'54"E 282.11'
35'
30' C.A.C. TO BE VACATED
N89°17'54"E 281.92'
N89°17'54"E
15' UTILITY EASEMENT
686.07' COMPLETE ACCESS CONTROL
WEST
STREET
151ST
370'
SETBACK
1
5.64 acres
S01°00'27"E(M,CP)
441.89'
BUILDING
60' ACCESS OPENING
N81°34'19"E
335.62'
S53°58'23"E
208.01'
87.79' COMPLETE ACCESS CONTROL
EXISTING APPROACH
25'
N28°47'11"E
128.90'
Drainage Res. "1"
2.34 acres
Apr. 29, 24
VAC2024-30
BAUGHMAN COMPANY
315 Ellis St. Wichita, KS 67211 316-262-7271
BaughmanCo.com


VAC2024-30
Storm Structures
Enclosed Gravity Pipe
Force Main
Open Channel
Siphon
Water Hydrants
Sewer Manholes
Sewer Mains
Water Valves
Water Mains
N
S 151ST ST W