CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

June 4, 2025

Joyce C. Ballard Revocable Trust
Attn: Nathan Ballard
4716 S. Millwood Ave.
Wichita, KS 67217

Ref: VAC2025-00011: Vacation request in the City to vacate a portion of a platted building setback for an egress window well, generally located on the east side of South Millwood Avenue and within 375 feet north of West 47th Street South (4716 South Millwood Ave.).

Dear Applicant,

At the **Tuesday, June 3, 2025**, meeting of the Wichita City Council, the above-referenced vacation request was approved.

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
Current Plans
Division Manager

Wichita-Sedgwick County Metropolitan Area Planning Department

April 24, 2025

Joyce C. Ballard Revocable Trust
Attn: Nathan Ballard
4716 S. Millwood Ave.
Wichita, KS 67217

Ref: VAC2025-00011: Vacation request in the City to vacate a portion of a platted building setback for an egress window well, generally located on the east side of South Millwood Avenue and within 375 feet north of West 47th Street South (4716 South Millwood Ave.).

Dear Applicant,

At the **Thursday, April 24, 2025**, 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) 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.
(3) All improvements shall be according to City Standards and at the applicant's expense.
(4) 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.

These conditions have been met. Therefore, this case is scheduled for final action by the Wichita City Council on **Tuesday, June 3, 2025.** 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
Current Plans
Division Manager

Document #: 2025-025192
Date Recorded: 06/09/2025 03:34:52 PM
Pages: 2 Recording Fee: 0.00
Sedgwick County Kansas
Tonya Buckingham,
Register of Deeds

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 EAST SIDE OF SOUTH MILLWOOD AVENUE AND WITHIN ONE-BLOCK NORTH OF WEST 47TH STREET SOUTH	)	**VAC2025-00011**

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 3rd day of June 2025, comes on for hearing the petition for vacation filed by Joyce Ballard Revocable Trust (owner) praying for the vacation of a portion of a platted building setback, to wit:

Portion of the building setback to be vacated:
The East 4 feet of the West 30 feet of the North 6 feet of the South 17 feet of Lot 3, Block 22, Purcell's Eleventh 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 and at www.wichita.gov/LegalNotices on April 3, 2025, 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. 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.

5. The vacation of the described portion of a platted building setback, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 3rd day of June 2025, 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 to the Sedgwick County Register of Deeds for recording.

Lily Wu, Mayor, City of Wichita

ATTEST:

Paul Leeker, City Clerk

Approved as to Form:

Jennifer Magana, City Attorney and Director of Law

McClatchy

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	Cols	Depth
16399	651733	Print Legal Ad-IPL02264370 - IPL0226437		2	47 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 April 9, 2025
(One Time Only)
MAPC/BZA April 24, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, April 24, 2025, 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. Full notice can be found at www.wichita.gov/LegalNotices.

BZA2025-00015: Variance request in the City to increase the size of the allowed building sign of a property zoned TF-3 Two-Family Residential District, generally located within one-half mile south of East 13th Street North and east of North Roosevelt Avenue (1034 North Roosevelt Avenue).

CON2025-00052: Conditional Use request in the City for an Accessory Apartment on property zoned SF-5 Single-Family Residential; generally located on the west side of North Clifton Avenue approximately 300 feet south of East Central Avenue (435 North Clifton Avenue).

CON2025-00053: Conditional Use request in the City for an Accessory Apartment on property zoned SF-5 Single Residential; Generally located on the northwest corner of East Waterman Street and South Rutan Avenue (255 South Rutan Avenue).

CON2025-00056: Conditional Use request in the City for Entertainment Establishment in the City; generally located on the south side of East 47th Street South and within 150 feet east of South Hydraulic Avenue (1827 East 47th Street South).

VAC2025-00010: Vacation request in the City of a portion of a platted easement, generally located between East Cessna Street and South George Washington Boulevard (4104 East Cessna Street).

VAC2025-00011: Vacation request in the City to vacate a portion of building setback for an egress window well, generally located on the east side of South Millwood Avenue and within 375 feet north of West 47th Street South (4716 South Millwood Avenue).

ZON2025-00009: Zone Change request in the City from SF-5 Single Family Residential to TF-3 Two-Family Residential District to allow two duplexes, generally located within two blocks south of West Maple Street on the west side of South All Hallows Avenue.

ZON2025-00010: Zone Change request from TF-3 Two-Family Residential District to B Multi-Family Residential District to build five apartments, generally located on the west side of North Volutsia Avenue, within 200 feet north of East Douglas Avenue (117 North Volutsia Avenue).

IPL0226437
Apr 10 2025

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

1 insertion(s) published on:
04/10/25

STATE OF KANSAS)
SS
County of Sedgwick)

Mary Castro, of lawful age, being first duly sworn, deposeth 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 04/10/2025 to 04/10/2025.

Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 04/10/2025

Amy Robbins

Notary Public in and for the state of South Carolina, residing in Beaufort County

AMY L. ROBBINS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 11-03-32

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

METROPOLITAN AREA PLANNING COMMISSION

AGENDA REPORT NO.
April 24, 2025

STAFF REPORT

CASE NUMBER: **VAC2025-00011** - City Vacation of a portion of a platted setback.

APPLICANT Joyce Ballard Revocable Trust (applicant)

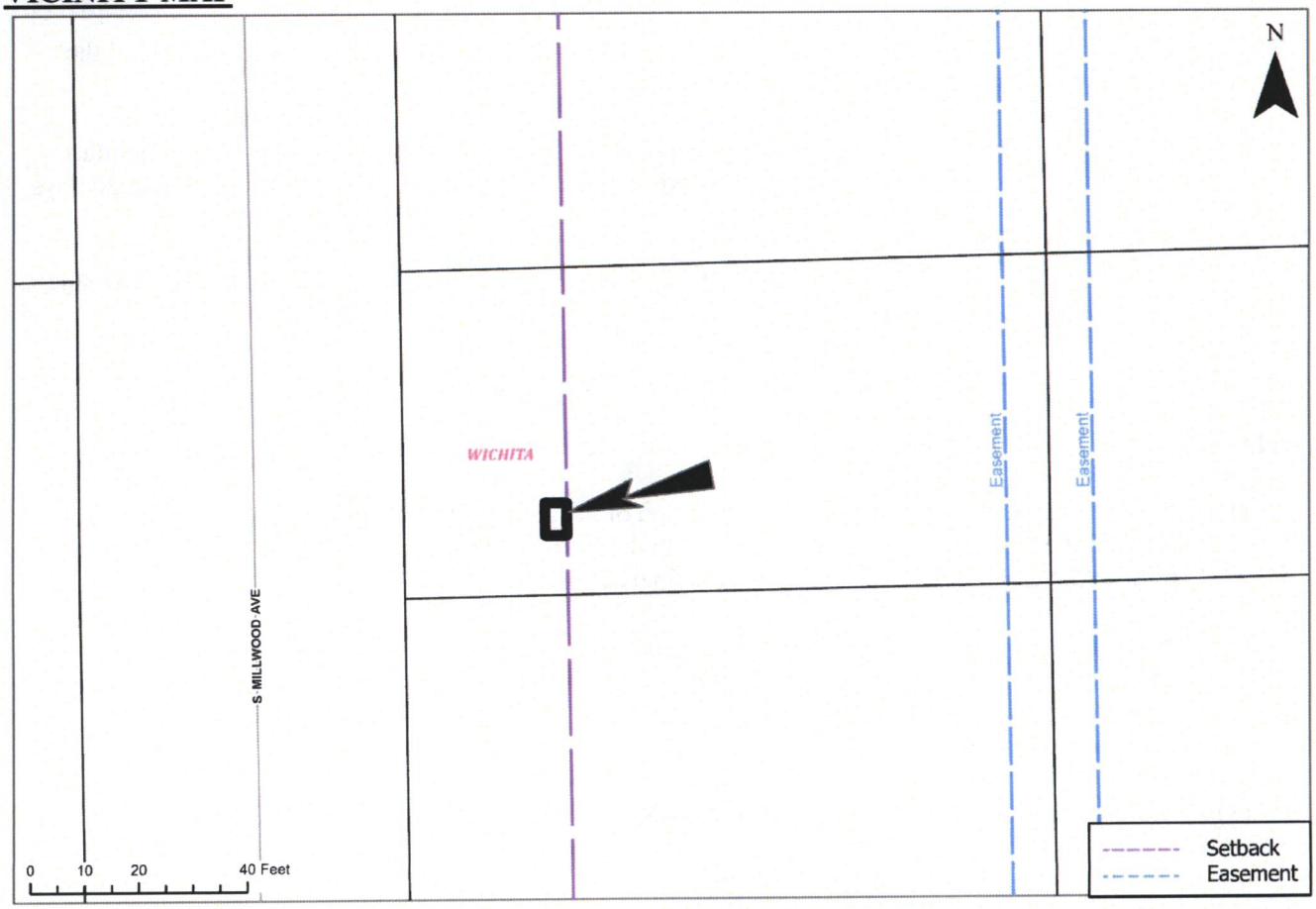
LEGAL DESCRIPTION: Vacating the East 4 feet of the West 30 feet of the North 6 feet of the South 17 feet of Lot 3, Block 22, Purcell's 11th Addition, Wichita, Sedgwick County, Kansas.

LOCATION: Generally located within one-block north of West 47th Street South and within one-quarter mile west of South Seneca Street (4716 South Millwood Ave.). (WCC IV)

REASON FOR REQUEST: Construct an egress window well.

CURRENT ZONING: Site and adjacent properties are zoned SF-5 Single Family Residential District and developed with single-family dwellings.

VICINITY MAP



The applicant proposes to vacate a portion of a platted 30-foot setback along south Millwood Avenue on Lot 3, Block 22, Purcell's 11th Addition in order to construct an egress window well. The Purcell's 11th Addition was recorded on April 26, 1954.The property is addressed 4716 South Millwood Avenue and is generally located within one-block north of West 47th Street South and within one-quarter mile west of South Seneca Street. The lot is zoned SF-5 Single Family Residential District, which per the Unified Zoning Code, would have a front zoning setback of 25 feet. The subject site was platted with a 30-foot front setback. If approved, only the described area will have a reduced setback for the window well.

There are no public utilities in the vacation area. Wichita Public Works and Utilities, Fire, Stormwater, or Traffic Engineering do not object to this vacation. Comments from franchised utilities have been received. Neither Cox, Evergy, nor Kansas Gas object to the vacation. They do not have any lines or equipment in the vacation area.

When determining a recommendation to be made to the Metropolitan Area Planning Commission (MAPC), the Subdivision and Utility Advisory Committee should consider the legal findings that are required to be made by the MAPC and Governing Body in order to grant the request. These findings are detailed in the subsequent MAPC report. *In particular, the Committee should consider whether any private rights will be injured or endangered by recommending approval of the vacation request, and whether or not the public will suffer any loss or inconvenience thereby.*

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 the 30-foot 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 April 3, 2025, 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 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) 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.

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

(4) 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.

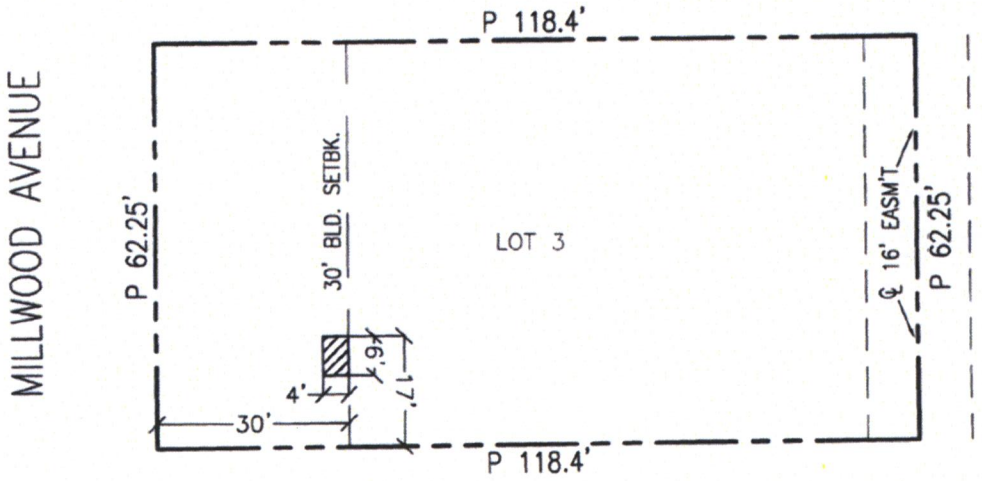
SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.

Attachments:

1) Vacation Exhibit
2) Aerial Map

Vacation Exhibit

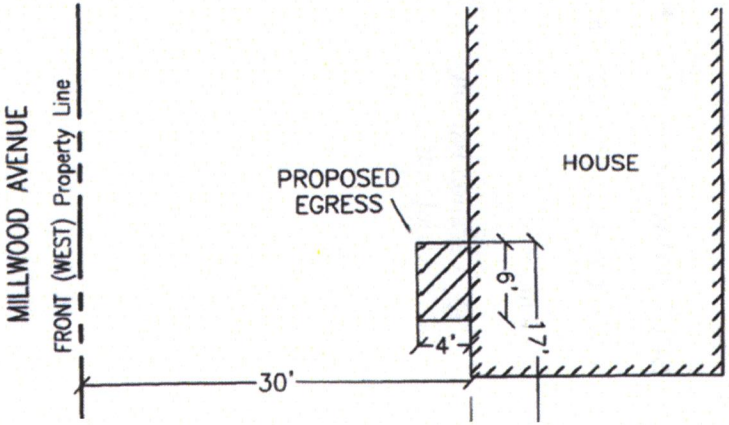


VACATION / BUILDING SETBACK AREA TO BE REDUCED

Setback Vacation Area/
Legal Description
Area Contains 24± sq. ft.

The East 4 feet of the West 30 feet of the North 6 feet of the South 17 feet of Lot 3, Block 22, Purcell's Eleventh Addition, Sedgwick County, Kansas

PROPOSED EGRESS DETAIL
(not to scale)



Aerial Map


VAC2025-11
City Limits
Storm Structures
Enclosed Gravity Pipe
Force Main
Open Channel
Siphon
Water Hydrants
Sewer Manholes
Sewer Mains
Water Valves
Water Mains
WICHITA