



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

August 7, 2025

Juan Gutierrez
2912 E Clover Ln.
Wichita, KS 67216

Ref: VAC2025-00016: Vacation request in the City to vacate a platted 30-foot street side setback to let the 15-foot zoning setback apply for new construction on property zoned SF-5 Single-Family Residential; generally located one-block west of South Hillside Avenue and two-blocks south of East Pawnee Avenue (3019 E. Glen Oaks Dr.).

Dear Applicant,

At the **Thursday, August 7, 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,

A handwritten signature in blue ink, appearing to read 'S. Deetz'.

Samuel Deetz
Current Plans
Associate Planner



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

June 26, 2025

Juan Gutierrez
2912 E Clover Ln.
Wichita, KS 67216

Ref: VAC2025-00016: Vacation request in the City to vacate a platted 30-foot street side setback to let the 15-foot zoning setback apply for new construction on property zoned SF-5 Single-Family Residential; generally located one-block west of South Hillside Avenue and two-blocks south of East Pawnee Avenue (3019 E. Glen Oaks Dr.).

Dear Applicant,

At the **Thursday, June 26, 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 **Thursday, August 7, 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,

Samuel Deetz
Current Plans
Associate Planner



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

**IN THE MATTER OF THE VACATION OF A BUILDING)
SETBACK)**

**GENERALLY LOCATED ONE-BLOCK WEST OF SOUTH)
HILLSIDE AVENUE AND TWO-BLOCKS SOUTH OF)
EAST PAWNEE AVENUE)**

VAC2025-00016

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 7th day of August, 2025, comes on for hearing the petition for vacation filed by Juan Gutierrez (owner), praying for the vacation of described building setback, to wit:

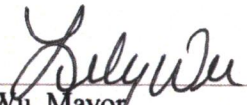
Platted setback to be vacated in order for the 15-foot zoning setback to govern:
Vacating the 30-foot platted setback along the southeast property line of Lot 1, Block 9,
Pawnee Ranch Addition, Wichita, Sedgwick County, Kansas.

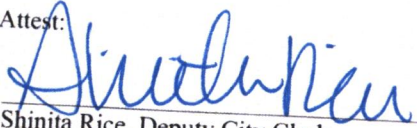
The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication, as required by law, in The Wichita Eagle on June 5, 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 building setback, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner(s), the prayer of the petition 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 building setback, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 7th day of August, 2025, ordered that the described building setback is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.

CITY OF WICHITA, KANSAS


Lily Wu, Mayor

Attest:

Shinita Rice, Deputy City Clerk



Approved as to Form:


Jennifer Magana, City Attorney and Director of Law

METROPOLITAN AREA PLANNING COMMISSION

**AGENDA REPORT NO.
June 26, 2025**

STAFF REPORT

CASE NUMBER: VAC2025-00016 - City vacation of a platted side setback.

APPLICANTS: Juan Gutierrez (applicant/owner)

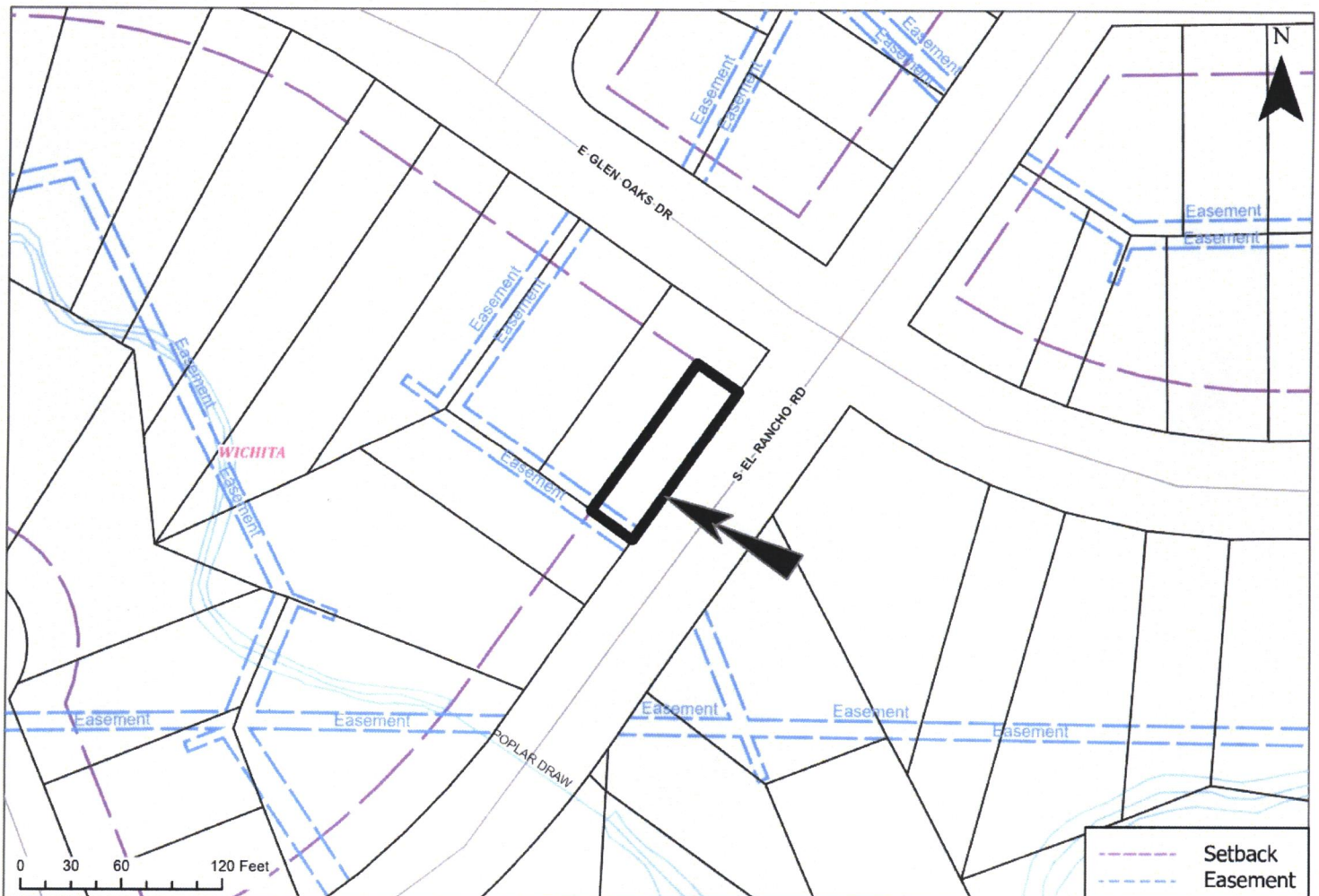
LEGAL DESCRIPTION: Vacating the Southeast 30-foot platted street side setback on Lot 1, Block 9, Pawnee Ranch Addition, Wichita, Sedgwick County, Kansas.

LOCATION: Generally located one-block west of South Hillside Ave. and two-blocks south of East Pawnee Ave (3019 East Glen Oaks Dr.).

REASON FOR REQUEST: To construct a garage apartment.

CURRENT ZONING: SF-5 Single Family Residential District

VICINITY MAP:



The applicant is requesting the vacation of a platted 30-foot street side setback in order to allow the zoning setbacks to apply. The property is generally located one-block west of South Hillside Ave. and two-blocks south of East Pawnee Ave. The property is addressed 3019 East Glen Oaks Dr. and is zoned SF-5 Single Family Residential District (SF-5). The purpose of this request is to construct a garage apartment. It is understood that this proposed use is a single dwelling, which is permitted within the current zoning. The garage apartment is proposed to have a 24-foot street side yard setback and therefore will follow the Unified Zoning Code standards for a minimum side setback of 15 feet in the SF-5 District.

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. The Pawnee Ranch Addition was recorded with the Register of Deeds June 14, 1947.

Evergy has no items in the areas the applicant is requesting to vacate and therefore has no objection. Whitney Rusk, Area Design Representative, will be the contact for this vacation request and any project associated with it. She can be contacted at (785) 508 - 2695. Standard language applies: **Any relocation or removal of existing Evergy equipment will need to be discussed and will be at the applicant's expense.**

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 platted 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 June 5, 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 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) Vacate the described platted setback in order to permit the zoning setback to apply. Provide planning staff with legal descriptions of the approved vacated portion of the platted setback on 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 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. Aerial Map
2. Vacation Exhibit

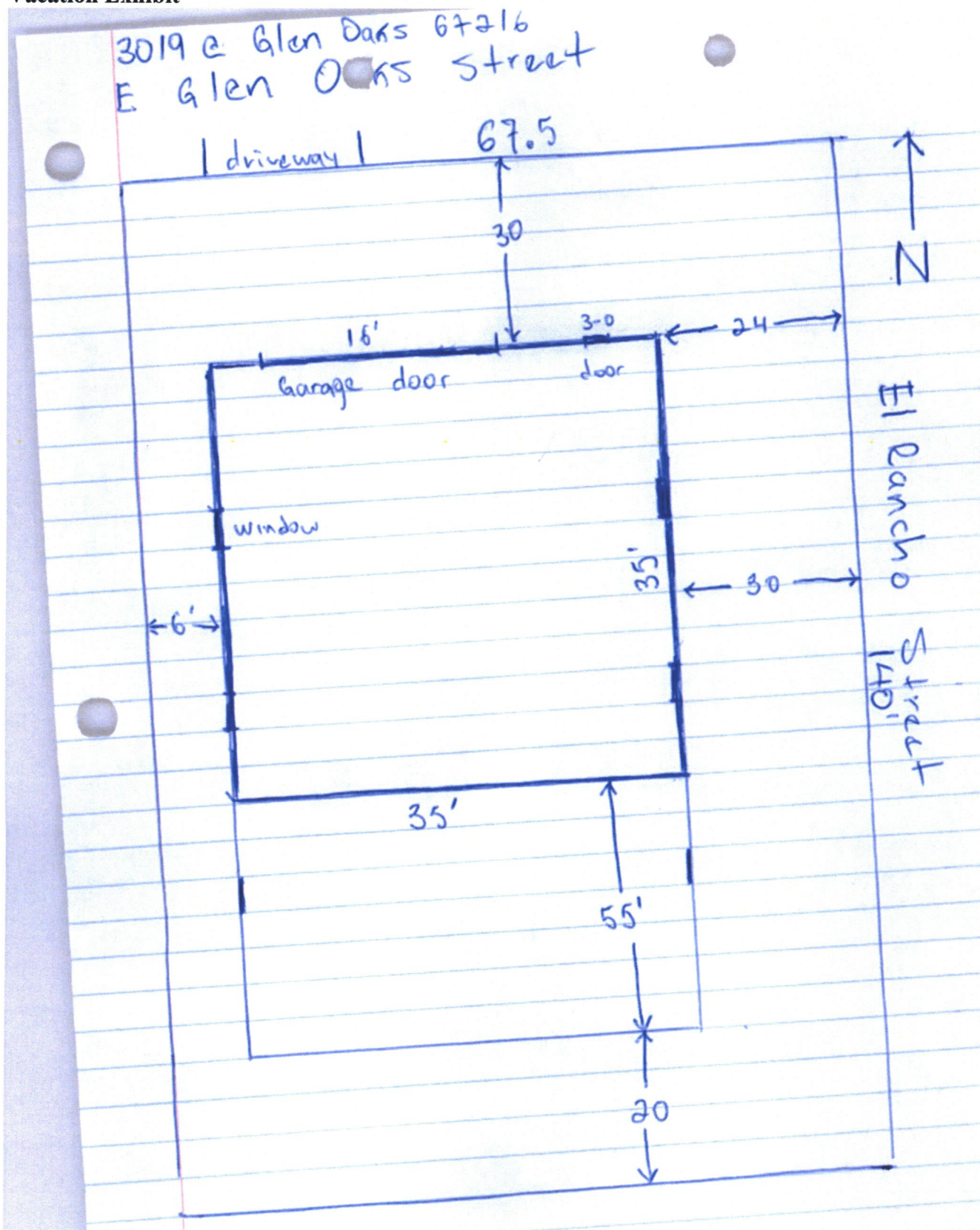
Aerial Map

VAC2025-16

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



Vacation Exhibit



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
41100	10479	Legal Ad - IPL0236284		1.0	86.0L

ATTENTION: CITY OF WICHITA/PLANNING DEPT IP
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202
MHEBERT@wichita.gov

MAPC/BZA June 26, 2025 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, June 26, 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.**

BZA2025-00034: Variance request in the City to install a roof top sign that exceeds 400 sq. ft. on the property zoned CBD Central Business District, located on southeast corner of East English Street and South Broadway Avenue (333 East English Street).

CON2025-00073: Conditional Use request in the City to have Vehicle and Equipment Sales, Outdoor on property zoned LC Limited Commercial, located within one-block north of West 25th Street North and on the east side of North Amidon Avenue (2666 North Amidon Avenue).

VAC2025-00016: Vacation request in the City to vacate a platted 30-foot street side setback to let the 15-foot zoning setback apply for new construction on property zoned SF-5 Single-Family Residential; generally located one-block west of S Hillside Ave. and two-blocks south of East Pawnee Ave (3019 E. Glen Oaks).

VAC2025-00020: Vacation request in the City of a utility easement, generally located on the north side of East Shadybrook Street and within 400 feet west of North Woodlawn Boulevard (6210 East Shadybrook Street).

VAC2025-00021: Vacation request in the City of a 50 foot Taxiway Easement, generally located approximately 1/4 mile southwest of the intersection of West Harry Street and South Hoover Street (1651 S Eisenhower Ct).

ZON2025-00025: Zone Change request in the City from MF-29 Multi-Family Residential District to LC Limited Commercial District for Vehi-

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

County of Sedgwick)

the undersigned, 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.

1.0 insertion(s) published on:
06/04/25 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Sherry Chasteen



Sherry Chasteen

Shannon Dale Gray



Sworn to and subscribed before me this 2nd day of June in the year of 2025

SHANNON DALE GRAY
NOTARY PUBLIC - STATE OF OKLAHOMA
COMMISSION # 25004306
MY COMM. EXPIRES Apr 10, 2029

Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNIX*

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

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ZON2025-00025: Zone Change request in the City from MF-29 Multi-Family Residential District to LC Limited Commercial District for Vehicle Repair, Limited, generally located on the east side of South Hillside Avenue, within one-half mile south of East Pawnee Avenue.

ZON2025-00026: Zone Change request in the City from LI Limited Industrial District to GC General Commercial to allow residential apartments using containers, generally located two-blocks east of South Washington Avenue and within one-block north of East Kellogg (428 South Laura Avenue & 427 South Pattie Avenue).
IPL0236284
Jun 4 2025