Wichita-Sedgwick County Metropolitan Area Planning Department

August 4, 2026

Daniel R. & Sharon S. Stubbs
2107 W. 46th St. S.
Wichita, KS 67217

Ref: VAC2026-00022: Vacation request in the City to vacate a portion of a building setback on property zoned SF-5 Single-Family Residential District, generally located on the southwest corner of West 46th Street South and South Euclid Avenue (2107 W 46th St. S).

Dear Applicants,

At the **Tuesday, August 4, 2026**, 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,

Samuel Deetz
Current Plans
Associate Planner

Wichita-Sedgwick County Metropolitan Area Planning Department

July 9, 2026

Daniel R. & Sharon S. Stubbs
2107 W. 46th St. S.
Wichita, KS 67217

Ref: VAC2026-00022: Vacation request in the City to vacate a portion of a building setback on property zoned SF-5 Single-Family Residential District, generally located on the southwest corner of West 46th Street South and South Euclid Avenue (2107 W 46th St. S).

Dear Applicant,

At the **Thursday, July 9, 2026**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

(1) Vacate the described platted setback. 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.

These conditions have been met. Therefore, this case is scheduled for final action by the Wichita City Council on **Tuesday, August 4, 2026**. 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

Document #: 2026-046679
Date Recorded: 08/11/2026 12:33:12 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 PLATTED SETBACK	)	
GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WEST 46TH STREET SOUTH AND SOUTH EUCLID AVENUE	)	**VAC2026-00022**
MORE FULLY DESCRIBED BELOW	)	

VACATION ORDER

NOW on this 4th day of August, 2026, comes on for hearing the petition for vacation filed by Daniel R. & Sharon S. Stubbs (owners), praying for the vacation of described portion of a platted setback, to wit:

The West 4.00 feet of the platted 15-foot street side setback along South Euclid Avenue and excepting that portion of the North 25-foot front setback on Lot 11, Block 2, Caldwells 3rd 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 18, 2026, 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 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 portion of a platted setback, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 4th day of August, 2026, ordered that the described portion of a platted 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, 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
41100	IPL0349485	Legal Ad - IPL0349485	7-9-2026 MAPC Summary Hearing	2.0	128.0L

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

OCA 150004
Published in The Wichita Eagle on June 17, 2026
(One Time Only)
MAPC/BZA July 9, 2026
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, July 9, 2026, 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.**

CON2026-00081: Conditional Use request in the City to allow wrecking and salvage/specialized recycling services on property zoned GI General Industrial, generally located west along North Hydraulic Avenue and 600 feet south of East 37th Street North (3629 North Hydraulic Avenue).

CUP2026-00022: Amendment in the City to CUP DP-67 to remove Sec. III-D(6)(Y) Supplemental Use Regulation #13, from Parcel 3B to increase maximum monument sign area to 80 square feet, generally located one-quarter mile south of East 21st Street North and east of North Woodlawn Boulevard.

CUP2026-00023: CUP Amendment to DP-37 (with ZON2026-00028) to allow potential for future OW Office Warehouse Development, modify boundaries of Parcel 28 and 29, create new parcel and reduce setback on Parcel 29, generally located on southwest corner of West University Avenue and South Holland Lane.

PUD2026-00014: Zone Change request in the city from LC Limited Commercial District to PUD to create the Part of Lot 1, Lyman Ray 2nd Addition PUD, generally located at the southeast corner of South Greenwich Road and East Waterman Street (336 South Greenwich Road).

VAC2026-00022: Vacation request in the City to vacate a portion of a building setback on property zoned SF-5 Single-Family Residential District, generally located on the southwest corner of West 46th Street South and South Euclid Avenue (2107 W 46th St S).

VAC2026-00023: Vacation request in the City for a drainage easement, utility easement and a portion of platted utility easement ; generally located south of the East 29th Street North and 0.3 miles west of North Rock Road.

VAC2026-00024: Vacation request in the City to relocate a utility easement to allow development of a Warehouse, Self-Storage facility ; generally located southwest corner of the West University Avenue and South Holland Lane.

ZON2026-00026: Zone Change request in the City from SF-5 Single-Family Residential District to U University District to build student housing, generally located east of South Hiram Street and south of West Mentor Street (D-O Delano Overlay).

ZON2026-00027: Zone Change request in the City from GO General Office to LC Limited Commercial, generally located on the south-west corner of South Hydraulic Avenue and East Zimmerly Street (1405 South Hydraulic Avenue).

ZON2026-00028: Zone Change request in City (with CUP2026-00023) to allow potential for future OW Office Warehouse Development, generally located on southwest corner of West University Avenue and South Holland Lane
IPL0349485
Jun 17 2026

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, 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.

1.0 insertion(s) published on:
06/17/26 Print

Print Tearsheet Link

Marketplace Link

Kathy Wilson

DIGITALLY SIGNED

Kathy Wilson

Amanda Rodela

DIGITALLY SIGNED

Sworn to and subscribed before me on Jun 17, 2026, 10:21 AM EDT

NOTARY PUBLIC STATE OF TEXAS
AMANDA RODELA
ELECTRONIC NOTARY PUBLIC
STATE OF TEXAS
COMMISSION # 135511392
MY COMMISSION EXPIRES 4/15/2029

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

METROPOLITAN AREA PLANNING COMMISSION

AGENDA REPORT NO.
July 9, 2026

STAFF REPORT

CASE NUMBER: **VAC2026-000022** - City vacation of a portion of a platted setback.

APPLICANTS: Daniel & Sharon Stubbs (applicants/owners)

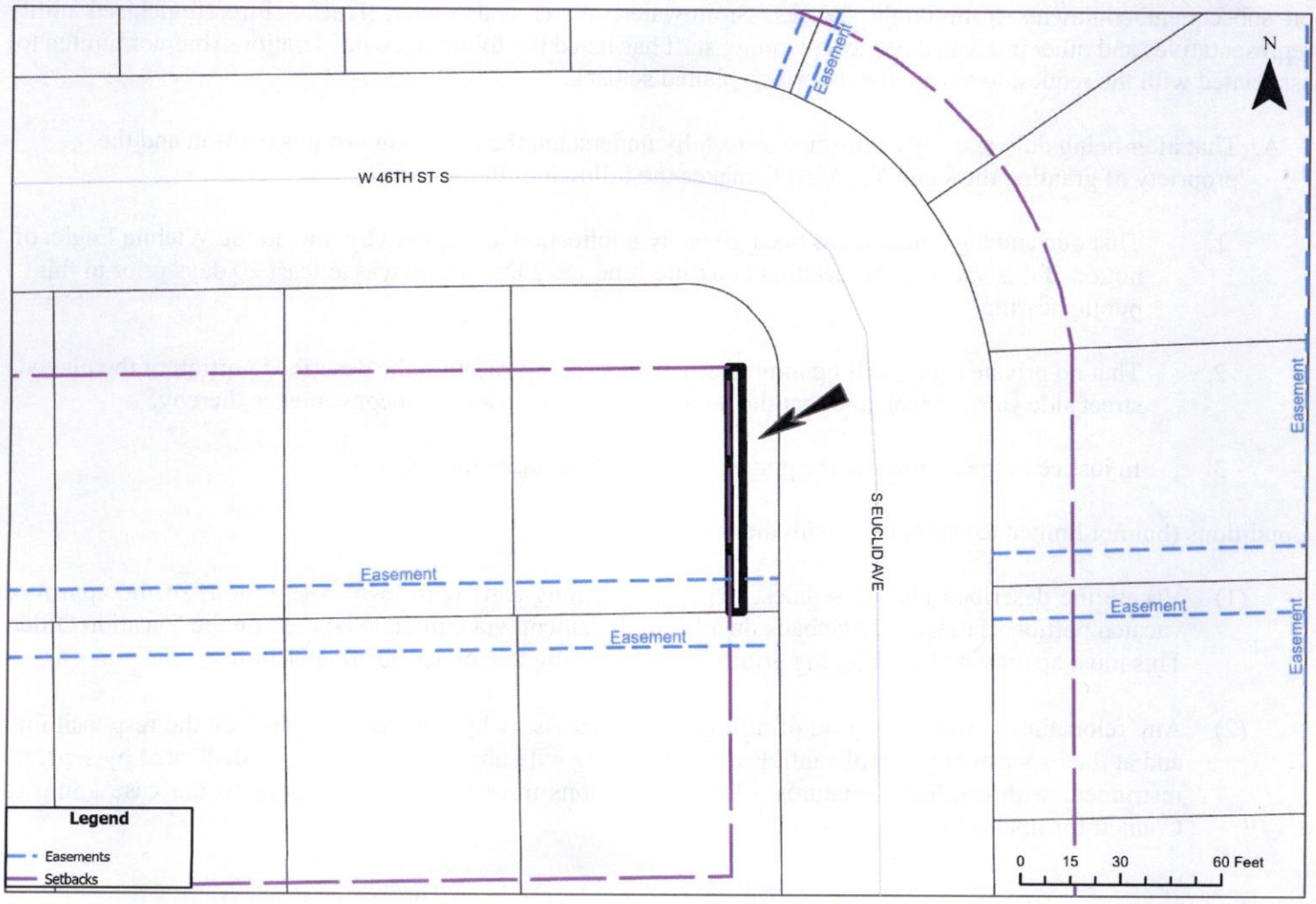
LEGAL DESCRIPTION: Vacating 4 feet of a 15-foot platted side setback on the east side on Lot 11, Block 2, Caldwells 3rd Addition, Wichita, Sedgwick County, Kansas.

LOCATION: Generally located at the southwest corner of West 46th Street South and South Euclid Avenue (2107 West 46th Street South).

REASON FOR REQUEST: To install an egress window.

CURRENT ZONING: The subject site and abutting property are zoned SF-5 Single-Family Residential District.

VICINITY MAP:



The applicants are requesting the vacation of the west 4 feet of a 15-foot side setback on the east side of the lot. The property is generally located at the southwest corner of West 46th Street South and South Euclid Avenue. The property is zoned SF-5 Single-Family Residential District (SF-5). The purpose of this request is to allow the installation of an egress window. The proposed 11-foot setback is less than the 15-foot street side setback required by the Unified Zoning Code for the SF-5 District. However, a zoning street side setback can be reduced up to 50 percent by Administrative Adjustment for an area less than 300 square feet. A request to reduce the platted setback to 11 feet is equivalent to what can be done administratively had the setback not been platted.

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. The Caldwells 3rd Addition was recorded with the Register of Deeds March 21, 1978.

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 18, 2026, 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. 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. Legal Description
2. Aerial Map
3. Vacation Exhibit

Legal Description for a Vacation

We would like to install an Egress window at the property location of 2107 W 46th St So, Wichita, Kansas 67217. It is in the Caldwell Third Addition, Lot 11 & E 1 Ft of Lot 10, Block 2. The location of proposed work site is west of Euclid Street and south of 46th St So. According to the property boundary from the surveyor report, it is 15' 5" from the east boundary of the property or an actual distance of 30 feet from the curb site just off of Euclid Street. All work will be done within the privacy fence on the east side of the house. It will involve installing a pre-cast concrete well with the dimensions of 54 inches width and 40 inches out from the house. It will be centered 19' 5" from the northeast corner of the house. The well covering is an illumicast window well made of an aluminum frame and a clear UV resistant polycarbon covering. We plan to change the sewing room into a livable bedroom area for resale purposes. However, not only do we need approval to build past the setback line for the egress window area, but we would also like to include approval for the remainder of this setback line on this property for possible future improvements. Thanks for your consideration in this matter.

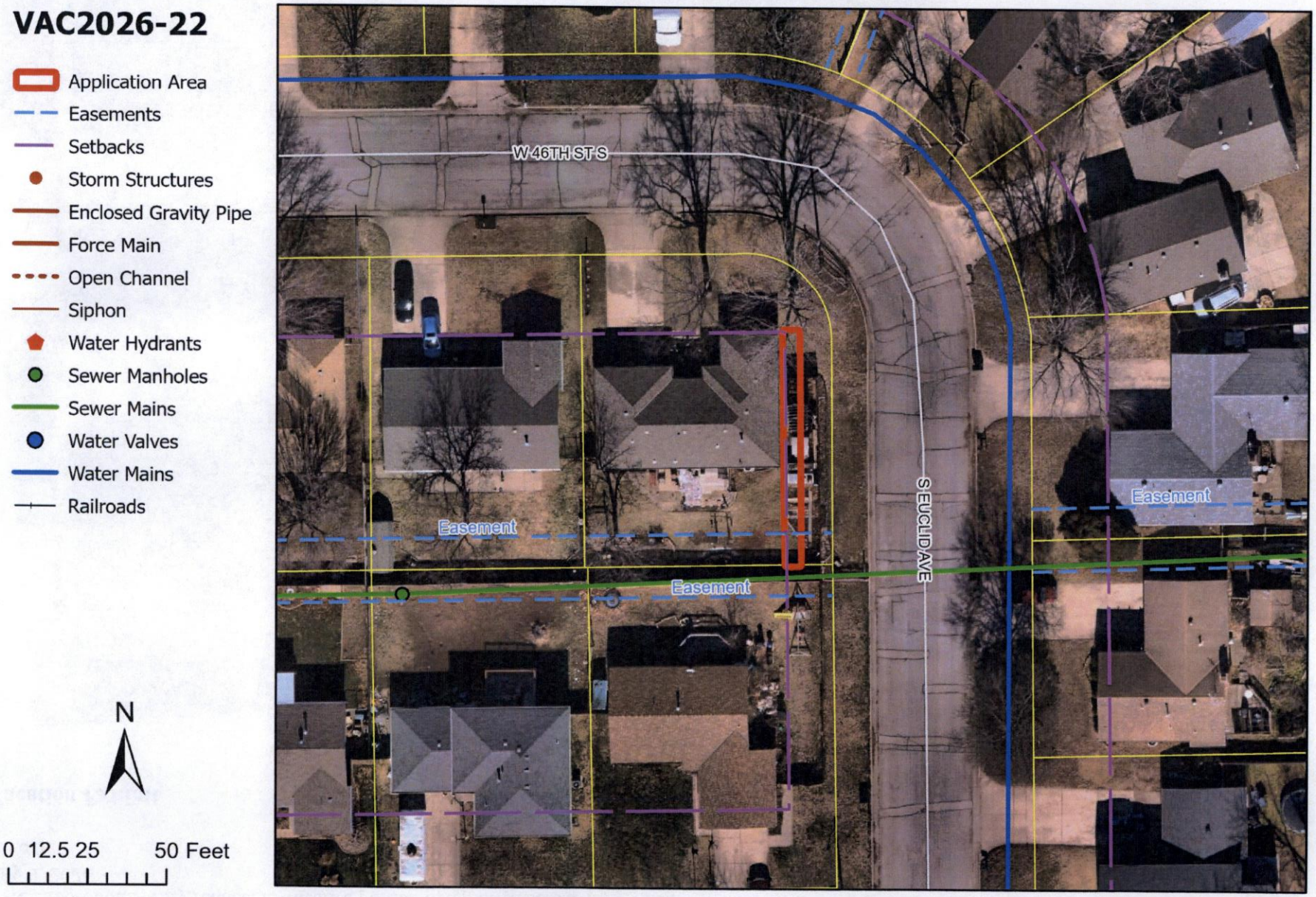
5.26.2026 5/26/2026

Daniel R. Stubbs Date Sharon S. Stubbs Date

Daniel R and Sharon S Stubbs
2107 W 46th St So
Wichita, KS 67217

Description:
Vacation of the platted West 4 foot of the platted 15 foot setback along Euclid Avenue on Lot 11, Block 2, Caldwell's 3rd Addition, Wichita, Kansas

Aerial Map


VAC2026-22
Application Area
Easements
Setbacks
Storm Structures
Enclosed Gravity Pipe
Force Main
Open Channel
Siphon
Water Hydrants
Sewer Manholes
Sewer Mains
Water Valves
Water Mains
Railroads
W 46TH ST S
S EUCLID AVE
Easement
Easement
Easement
N
0 12.5 25 50 Feet

Vacation Exhibit

