



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

February 27, 2025

Chad M. Henningsen
15513 E. Willowbrook Cir.
Wichita, KS 67230

Foster Design Associates
Attn: David Foster
11514 W. Central Park Ct.
Wichita, KS 67205

Ref: VAC2024-00059: Vacation request in the City of a portion of a platted interior side setback; generally located on the south side of East Willowbrook Circle and within one-quarter mile west of South 159th Street East (15513 E. Willowbrook Cir.).

Dear Applicant,

At the **Tuesday, February 25, 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 'Philip Zevenbergen'.

Philip Zevenbergen
Current Plans
Division Manager



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

January 24, 2025

Chad M. Henningsen
15513 E. Willowbrook Cir.
Wichita, KS 67230

Foster Design Associates
Attn: David Foster
11514 W. Central Park Ct.
Wichita, KS 67205

Ref: VAC2024-00059: Vacation request in the City of a portion of a platted interior side setback; generally located on the south side of East Willowbrook Circle and within one-quarter mile west of South 159th Street East (15513 E. Willowbrook Cir.).

Dear Applicant,

At the **Thursday, January 23, 2025**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

- (1) Abandonment or relocation/reconstruction of any/all utilities made necessary by the vacation of the described portion of a wall easement and utility easement shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide approval from franchised utilities for the relocation of franchised utilities. All to be provided to the Planning Department prior to this case going to City Council for final action.
- (2) As needed provide Planning with dedication of easements by separate instruments with original signatures to go with the Vacation Order to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds. All to be provided to the Planning Department prior to this case going to City Council for final action.
- (3) All improvements shall be according to City Standards and at the applicants' expense.
- (4) Per MAPC Policy Statement #7, all conditions are to 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.

VAC2024-00059: Vacation request in the City of a portion of a platted interior side setback; generally located on the south side of East Willowbrook Circle and within one-quarter mile west of South 159th Street East (15513 E. Willowbrook Cir.).
Page 2

These conditions have been met. Therefore, this case is scheduled for final action by the Wichita City Council on **Tuesday, February 25, 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

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

Philip Zevenbergen
Current Plans
Division Manager



Document #: 2025-004879
Date Recorded: 02/28/2025 12:04:21 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 ONE-QUARTER MILE WEST OF
SOUTH 159TH STREET WEST AND WITHIN ONE-QUARTER
MILE NORTH OF US-54/400**

VAC2024-00059

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 25th day of February 2025, comes on for hearing the petition for vacation filed by Chad and Lacey Henningsen (owners) praying for the vacation of a portion of a platted building setback, to wit:

Portion of a platted building setback to be vacated:

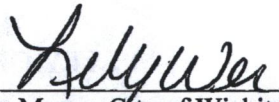
The North 80 feet of the 15-foot platted side yard building setback of Lot 2, Block 1, Belle Terre South Addition, Wichita, Sedgwick County, Kansas.

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 January 2, 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.

February 25, 2025
VAC2024-00059

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 25th day of February 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.

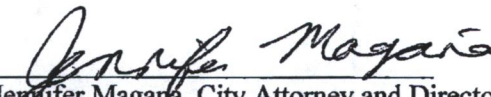

Lily Wu, Mayor, City of Wichita

ATTEST:


Paul Leeker, City Clerk



Approved as to Form:


Jennifer Magana, City Attorney and Director of Law

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CITY OF WICHITA, SEDGWICK COUNTY, KANSAS**

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

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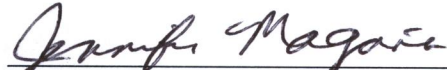
ATTEST:


Paul Leeker, City Clerk




Lily Wu, Mayor, City of Wichita

Approved as to Form:


Jennifer Magana, City Attorney and Director of Law



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenot Herald
The Charlotte Observer
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Durham | The Herald-Sun
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Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	622543	Print Legal Ad-IPL02097390 - IPL0209739	MAPC/BZA 1/23/25	\$60.00	2	49 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 December 29, 2024
(One Time Only)
MAPC/BZA January 23, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, January 23, 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.

CON2024-00247: Conditional Use in the City to allow a Short-Term Rental on property zoned SF-5 Single Family Residential; located approximately 357 feet south of the intersection of East 2nd Street North and West 9th Street North and North Battin Avenue (227 North Battin Avenue).

CON2024-00280: Conditional Use in the City to allow for Day Care, General on properties zoned SF-5 Single-Family Residential, located on the northwest corner of South Seneca Street and West Regal Street (2801 South Seneca Street and 1121 West Regal Street).

CON2024-00282: Conditional Use request in the City for Utility, Major for an internet exchange point on property zoned SF-5 Single-Family Residential; located on the north side of East 21st Street North and within one-half west of North Oliver Avenue (on the northwest corner of East Hillside and North Fountain).

CUP2024-00048: CUP Amendment in the City to CUP DP-8 to amend maximum height, maximum building coverage, maximum gross area, and floor area ratio on Parcel 2C, generally located northwest of the intersection of East 21st Street and Pinecrest Avenue.

DER2024-00009: Unified Zoning Code amendment creating the Short-Term Rental in the County land use and the establishment of permitting standards.

VAC2024-00059: Vacation request in the City of Interior side setback; generally located on the south side of East Willowbrook Circle and within one-quarter mile west of South 159th Street East (15513 East Willowbrook Circle).

VAC2024-00061: Vacation request in the City to reduce a platted 15-foot street side setback to 12 feet for future development on property zoned TF-3 Two-Family Residential District; located within one-block west of North 151st Street West and within one-quarter mile south of West 21st Street North.

VAC2024-00062: Vacation request in the City to vacate a portion of a platted 60-foot to reduce it to 55 feet to bring an existing building in compliance, on property zoned LI Limited Industrial; located one-quarter mile east of South Hydraulic Ave and two-blocks south of East Wassall St (2110 E. Industrial Ave).

ZON2024-00061: Zone Change request in the City from SF-5 Single-Family Residential District to MF-18 Multi-Family Residential, generally located on the north side of West 51st Street North and one-quarter mile west of North Seneca Street (1608 West 51st Street North).

IPL0209739
Dec 29 2024

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

1 insertion(s) published on:

12/29/24

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, 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 12/29/2024 to 12/29/2024.

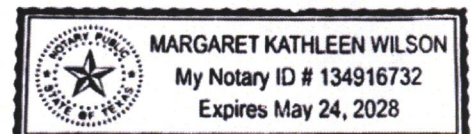
Mary Castro

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

DATED: 12/30/2024

Margaret K. Wilson

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!



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
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Idaho Statesman
Bradenton Herald
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Durham | The Herald-Sun
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San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

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IPL0209740
Jan 1 2025

In The STATE OF KANSAS

In and for the County of Sedgwick

1 insertion(s) published on:

01/01/25

STATE OF KANSAS)

SS

County of Sedgwick)

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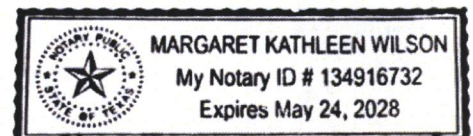
Mary Castro

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

DATED: 01/02/2025

Margaret K. Wilson

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!

METROPOLITAN AREA PLANNING COMMISSION

**AGENDA REPORT NO.
January 23, 2025**

STAFF REPORT

CASE NUMBER:

VAC2024-00059 - City Vacation of a portion of a platted 15-foot building setback.

APPLICANT:

Chad Henningsen (applicant)/ Foster Design Associates (agent)

LEGAL DESCRIPTION:

Generally described as vacating the north 80 feet of the platted 15-foot side yard setback of Lot 2, Block 1, Belle Terre South Addition, Wichita, Sedgwick County, Kansas.

LOCATION:

Generally located one-quarter mile west of South 159th Street West and within one-quarter mile north of East US-54/400 (15513 E. Willowbrook Cir.) (WCC II)

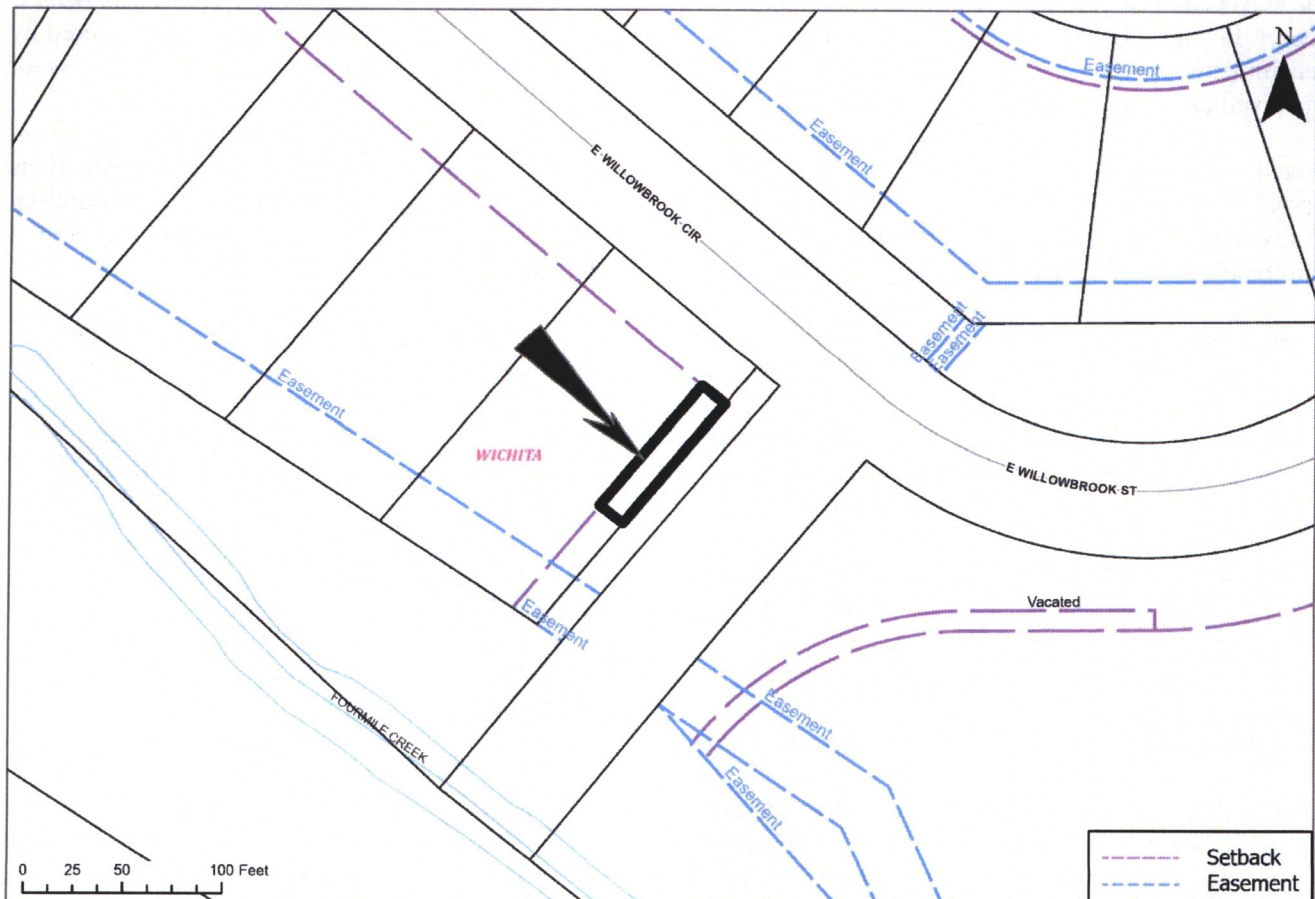
REASON FOR REQUEST:

To allow for a garage addition.

CURRENT ZONING:

The subject site and all abutting sites are zoned SF-5 Single-Family Residential District and are developed with single-family dwellings or are part of platted reserves.

VICINITY MAP:



The applicant proposes to vacate the north 80 feet of the platted 15-foot side yard setback of Lot 2, Block 1, Belle Terre South Addition. If approved, this will allow the applicant to construct a garage addition on the southeast side of the existing three-car garage. The request is to vacate the platted setback and reduce the setback at this location to zero feet. The standard interior side setback in the SF-5 Single-Family Residential District is six feet. If approved, this would permit a structure to be built up to the property line at this location.

The property adjacent to the southeast of the vacation area is a 15-foot-wide portion of Reserve B, which is dedicated for "floodway, drainage, lakes, parks, walkways, recreation facilities, entry monuments, and utilities confined to easements." Southeast of this 15-foot area of Reserve B is a vacated contingent street dedication (VAC2021-00029). The contingent street dedication was for future construction of East Kellogg Drive. The subject 15-foot platted setback was likely platted with the anticipation of East Kellogg Drive being constructed at some point in the future. However, with the contingent street dedication vacated, a setback of that depth is no longer necessary. Even if a structure is built right up to the property line, there will still a 15-foot area of Reserve B providing separation.

Wichita Public Works and Utilities, Wichita Traffic Engineering, and Wichita Fire Department do not object to the vacation of the portion of the platted setback. Comments from franchised utilities have been received. Neither Evergy nor Cox object to the vacation request. They both have underground lines and equipment near the subject setback and Reserve B. Any relocation will be at the applicant's expense. Abby Brungardt is Evergy's Area Distribution Design Representative for this area. She can be contacted at 785-508-2715 with any questions or coordination efforts. The Belle Terre South Addition was recorded on August 21, 1997.

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 City 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 portion of the 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 January 2, 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) Abandonment or relocation/reconstruction of any/all utilities made necessary by the vacation of the described portion of a wall easement and utility easement shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide approval from franchised utilities

for the relocation of franchised utilities. All to be provided to the Planning Department prior to this case going to City Council for final action.

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SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.

Attachments:

- 1) Aerial Map
- 2) Vacation Exhibit

Aerial Map

VAC2024-59

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



Vacation Exhibit

