



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

April 23, 2025

Joseph P. Schneider
9710 N. Oliver St.
Valley Center, KS 67147

Merestone Surveying, LLC
216 W. Rosewood St.
Rosehill, KS 67133

Ref: VAC2025-00008: Vacation request in the County to vacate 30 feet of complete access control to construct a new driveway on property zoned RR Rural Residential; generally located 1500 feet north of East 93rd Street North and on the east side of North Oliver Street (9710 N. Oliver Street).

Dear Applicant,

At the **Wednesday, April 23, 2025**, meeting of the Sedgwick County Board of County Commissioners, 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**

March 27, 2025

Joseph P. Schneider
9710 N. Oliver St.
Valley Center, KS 67147

Merestone Surveying, LLC
216 W. Rosewood St.
Rosehill, KS 67133

Ref: VAC2025-00008: Vacation request in the County to vacate 30 feet of complete access control to construct a new driveway on property zoned RR Rural Residential; generally located 1500 feet north of East 93rd Street North and on the east side of North Oliver Street (9710 N. Oliver Street).

Dear Applicant,

At the **Thursday, March 27, 2025**, 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) Approval of the vacation of the described complete access control is contingent upon approval of the proposed lot split. The applicant shall provide Planning a copy of the recorded lot split prior to this case being scheduled for final action by the Board of County Commissioners.
- (3) The drive shall be constructed to County Standards and at the owner's expense.
- (4) 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.
- (5) All improvements shall be according to County Standards and at the applicant's expense.
- (6) 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

VAC2025-00008: Vacation request in the County to vacate 30 feet of complete access control to construct a new driveway on property zoned RR Rural Residential; generally located 1500 feet north of East 93rd Street North and on the east side of North Oliver Street (9710 N. Oliver Street).

Page 2

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 Sedgwick County Board of County Commissioners on **Wednesday, April 16, 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,

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 #: 2025-015506

Date Recorded: 04/24/2025 03:21:17 PM

Pages: 3 Recording Fee: 0.00

Sedgwick County Kansas

Tonya Buckingham,
Register of Deeds

Tonya Buckingham

BEFORE THE BOARD OF 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 NORTH OLIVER)
AVENUE AND ONE-QUARTER MILE NORTH OF)
EAST 93RD STREET NORTH)

CASE NO. VAC2025-00008

VACATION ORDER

NOW on this 23RD day of April, 2025, comes the petition filed by Joseph and Deborah Schneider, owner(s) of all property abutting the following-described portion of a complete access control (collectively "Applicant"), praying for the vacation of:

A thirty (30) foot wide opening along the west line of Lot 4, Block A, Jubilee Presbyterian Church Addition located in the southwest quarter (SW/4) of Section Twenty-Four (24), Township Twenty-Five South (T25S), Range One East (R1E) of the 6th P.M., Sedgwick County, Kansas, being fifteen (15) feet on each side of a point located 168 feet north of the southwest corner of said Lot 4.

WHEREAS, upon the filing of the petition, the Metropolitan Area Planning Commission ("Planning Commission") set the petition for hearing on March 27, 2025 at 1:30 P.M., and gave notice of said hearing by publication in the official county newspaper on March 6, 2025.

WHEREAS, on March 20, 2025, the Subdivision Committee of the Planning Commission held a public hearing on the petition and voted to recommend approval of the vacation to the Planning Commission, subject to the following conditions:

1. Applicant shall 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. Applicant shall provide Planning a copy of the recorded lot split prior to this case being scheduled for final action by the Board of County Commissioners.
3. The drive shall be constructed to County Standards and at the owner's expense.
4. 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.

5. All improvements shall be according to County Standards and at the applicant's expense.
6. All conditions shall be completed within one year of approval by the Planning Commission, or the vacation request will be considered null and void. All vacation requests are not complete until the applicable governing body has 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.

WHEREAS, on March 27, 2025, the Planning Commission held a public hearing on the petition and voted on consent to recommend approval of the vacation to the Board of County Commissioners of Sedgwick County, Kansas, subject to the aforementioned conditions.

NOW, after being duly advised in the premises, the Board of County Commissioners of Sedgwick County, Kansas (the "Board") finds that:

1. notice has been given as required by K.S.A. 58-2613 and amendments thereto;
2. no written objections have been filed with the County Clerk by any owner of land adjoining the area to be vacated;
3. the public will suffer no loss or inconvenience by such vacation; and
4. no private rights will be injured or endangered thereby.

IT IS THEREFORE ORDERED BY THE BOARD that the portion of platted access control described above is hereby vacated subject to the aforementioned conditions and all property rights of public utilities, rights-of-ways, and easements for public service facilities then in existence and use within the vacated area are preserved and protected.

[balance of this page intentionally left blank, signature page follows]

IT IS FURTHER ORDERED that the County Clerk enter this Order on the records of proceedings of the Board and file a certified copy of this Order in the Office of the Register of Deeds of Sedgwick County.

Commissioners present and voting were:

PETER F. MEITZNER	<u>Aye</u>
JEFF BLUBAUGH	<u>Aye</u>
STEPHANIE WISE	<u>Aye</u>
RYAN BATY	<u>Aye</u>
JAMES M. HOWELL	<u>Aye</u>

Dated this 23 day of April, 2025.

ATTEST:

Kelly B. Arnold
KELLY B. ARNOLD, County Clerk



APPROVED AS TO FORM:

Samantha Seang 4/21/25
SAMANTHA SEANG
Assistant County Counselor

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

Ryan Baty
RYAN BATY, Chairman
Commissioner, Fourth District

Peter F. Meitzner
PETER F. MEITZNER, Chair Pro Tem
Commissioner, First District

Jeff Blubaugh
JEFF BLUBAUGH
Commissioner, Second District

Stephanie Wise
STEPHANIE WISE
Commissioner, Third District

James M. Howell
JAMES M. HOWELL
Commissioner, Fifth District

BEFORE THE BOARD OF 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 NORTH OLIVER)
AVENUE AND ONE-QUARTER MILE NORTH OF)
EAST 93RD STREET NORTH)

CASE NO. VAC2025-00008

VACATION ORDER

NOW on this 23RD day of April, 2025, comes the petition filed by Joseph and Deborah Schneider, owner(s) of all property abutting the following-described portion of a complete access control (collectively "Applicant"), praying for the vacation of:

A thirty (30) foot wide opening along the west line of Lot 4, Block A, Jubilee Presbyterian Church Addition located in the southwest quarter (SW/4) of Section Twenty-Four (24), Township Twenty-Five South (T25S), Range One East (R1E) of the 6th P.M., Sedgwick County, Kansas, being fifteen (15) feet on each side of a point located 168 feet north of the southwest corner of said Lot 4.

WHEREAS, upon the filing of the petition, the Metropolitan Area Planning Commission ("Planning Commission") set the petition for hearing on March 27, 2025 at 1:30 P.M., and gave notice of said hearing by publication in the official county newspaper on March 6, 2025.

WHEREAS, on March 20, 2025, the Subdivision Committee of the Planning Commission held a public hearing on the petition and voted to recommend approval of the vacation to the Planning Commission, subject to the following conditions:

1. Applicant shall 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. Applicant shall provide Planning a copy of the recorded lot split prior to this case being scheduled for final action by the Board of County Commissioners.
3. The drive shall be constructed to County Standards and at the owner's expense.
4. 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.

5. All improvements shall be according to County Standards and at the applicant's expense.
6. All conditions shall be completed within one year of approval by the Planning Commission, or the vacation request will be considered null and void. All vacation requests are not complete until the applicable governing body has 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.

WHEREAS, on March 27, 2025, the Planning Commission held a public hearing on the petition and voted on consent to recommend approval of the vacation to the Board of County Commissioners of Sedgwick County, Kansas, subject to the aforementioned conditions.

NOW, after being duly advised in the premises, the Board of County Commissioners of Sedgwick County, Kansas (the "Board") finds that:

1. notice has been given as required by K.S.A. 58-2613 and amendments thereto;
2. no written objections have been filed with the County Clerk by any owner of land adjoining the area to be vacated;
3. the public will suffer no loss or inconvenience by such vacation; and
4. no private rights will be injured or endangered thereby.

IT IS THEREFORE ORDERED BY THE BOARD that the portion of platted access control described above is hereby vacated subject to the aforementioned conditions and all property rights of public utilities, rights-of-ways, and easements for public service facilities then in existence and use within the vacated area are preserved and protected.

[balance of this page intentionally left blank, signature page follows]

IT IS FURTHER ORDERED that the County Clerk enter this Order on the records of proceedings of the Board and file a certified copy of this Order in the Office of the Register of Deeds of Sedgwick County.

Commissioners present and voting were:

PETER F. MEITZNER
JEFF BLUBAUGH
STEPHANIE WISE
RYAN BATY
JAMES M. HOWELL

Aye
Aye
Aye
Aye
Aye

Dated this 23 day of April, 2025.

ATTEST:

Kelly B. Arnold
KELLY B. ARNOLD, County Clerk



BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

Ryan Baty
RYAN BATY, Chairman
Commissioner, Fourth District

Peter F. Meitzner
PETER F. MEITZNER, Chair Pro Tem
Commissioner, First District

Jeff Blubaugh
JEFF BLUBAUGH
Commissioner, Second District

Stephanie Wise
STEPHANIE WISE
Commissioner, Third District

James M. Howell
JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM:

Samantha Seang 4/21/25
SAMANTHA SEANG
Assistant County Counselor

Sedgwick Co. public notice

(Published In The Ark Valley News
March 6, 2025.)

MAPC March 27, 2025 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, March 27, 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.

VAC2025-00007: Vacation request in the County to vacate a 30-foot sanitary sewer easement of a property zoned GC General Commercial District, generally located on the northwest corner of East 77th Street North and North Hydraulic Avenue.

VAC2025-00008: Vacation Request in the County to vacate 30 feet of a complete access control to construct a new driveway on property zoned RR Rural Residential generally located 1500 feet North of 93rd Street North and Oliver Street (9710 N Oliver Street).

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 March 6, 2025

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 uninterrupted 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 6th day of March, 2025.

with subsequent publications being made on the

following dates:

_____, 2025 _____, 2025

_____, 2025 _____, 2025

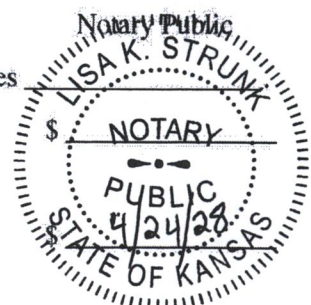
_____, 2025 _____, 2025

Subscribed and sworn to before me this 6th day of March, 2025.

My commission expires

Additional copies

Printer's fee



METROPOLITAN AREA PLANNING COMMISSION

**AGENDA REPORT NO.
March 27, 2025**

STAFF REPORT

CASE NUMBER:

VAC2025-00008- Request in the County to vacate a portion of
platted access control.

APPLICANTS:

Joseph Schneider (applicant)/ Merestone Surveying, LLC

LEGAL DESCRIPTION:

Generally described as vacating 30 feet of access control, being 15 feet
on each side of a point located 168 feet north of the southwest corner of
Lot 4, Block A, Jubilee Presbyterian Church Addition, Sedgwick
County, Kansas.

LOCATION:

Generally located on the east side of North 47th Street East (North Oliver
Ave.) and one-quarter mile north of East 93rd Street North (9710 N.
Oliver Ave.).

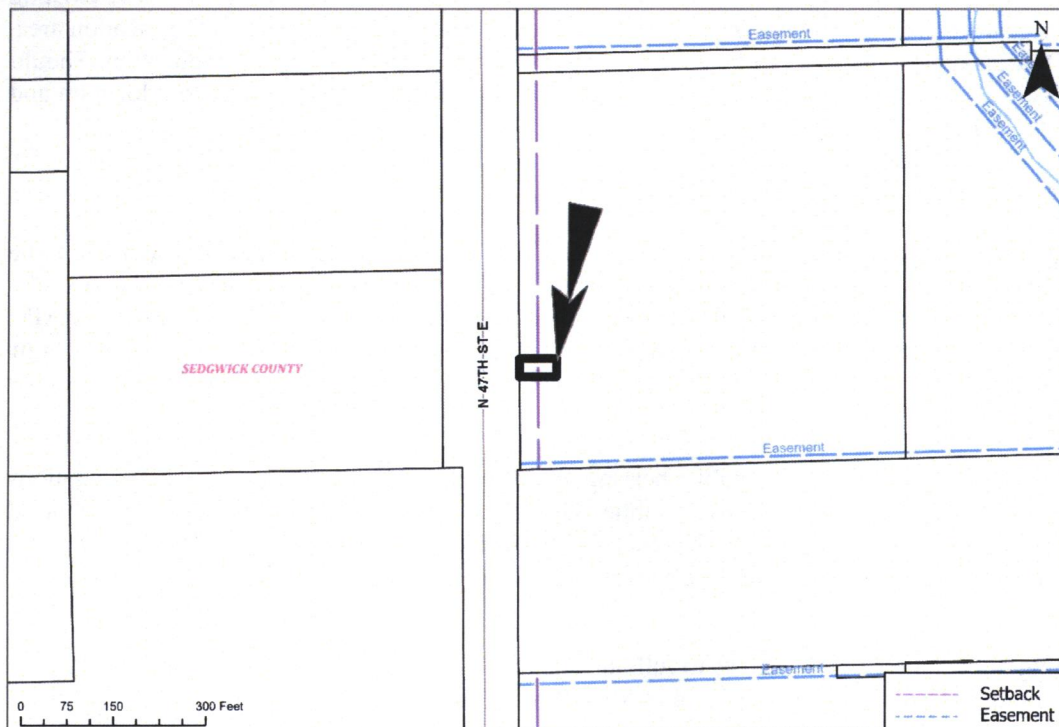
REASON FOR REQUEST:

To permit a drive entrance for a proposed lot split for construction of a
new home.

CURRENT ZONING:

The subject site and properties on all sides are zoned RR Rural Residential
District (RR) and are developed with large lot single-family residences or
agricultural uses.

VICINITY MAP



The applicant proposes to vacate 30 feet of access control along the west line of Lot 4, Block A, Jubilee Presbyterian Church Addition, Sedgwick County, Kansas. The center line of the proposed 30-foot opening would be 168 feet north of the southwest corner of said Lot 4. The subject site is located on the east side of North 47th Street East (North Oliver Avenue) and one-quarter mile north of East 93rd Street North (9710 N. Oliver Ave.). The site is currently with a single-family dwelling. The applicant is proposing to complete a lot split, which would create a new 3-acre lot on the south side of Lot 4. The vacation request is to permit a driveway to the proposed new lot. In January 2025, Planning Staff received correspondence regarding the proposed lot split, but no application has been submitted at this time. Staff recommends a condition that the vacation of access control be contingent upon approval of the lot split. The lot split will have to be completed prior to the vacation going to the Board of County Commissioners for final action.

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.

The proposed driveway would line up evenly across the street from an existing residential driveway. The proposed driveway would be approximately 300 feet south of a full-movement residential driveway to the north and approximately 360 feet from a full-movement residential driveway to the south. Though these distances do not meet the Access Management Policy requirements, Sedgwick County Public Works does not object to the vacation. With the proposed driveway providing access to a future single-family residential lot, turning movements onto North Oliver Avenue will be minimal.

Comments from franchise utilities have been received. Evergy does not object to the vacation. They have existing poles and lines on the east side of North Oliver Avenue, but they should not be in conflict with the vacation area. John Unruh, Area Design Representative, can be contacted at 316-261-6213 regarding this application. Should the need arise to possibly relocate any Evergy equipment, this will need to be discussed prior to relocation and relocation will be at the applicant's expense.

The Jubilee Presbyterian Church Addition was recorded on July 4, 2013.

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 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 portion 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 Ark Valley News, of notice of this vacation proceeding one time March 6, 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 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) Approval of the vacation of the described complete access control is contingent upon approval of the proposed lot split. The applicant shall provide Planning a copy of the recorded lot split prior to this case being scheduled for final action by the Board of County Commissioners.
- (3) The drive shall be constructed to County Standards and at the owner's expense.
- (4) 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.
- (5) All improvements shall be according to County Standards and at the applicant's expense.
- (6) 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.

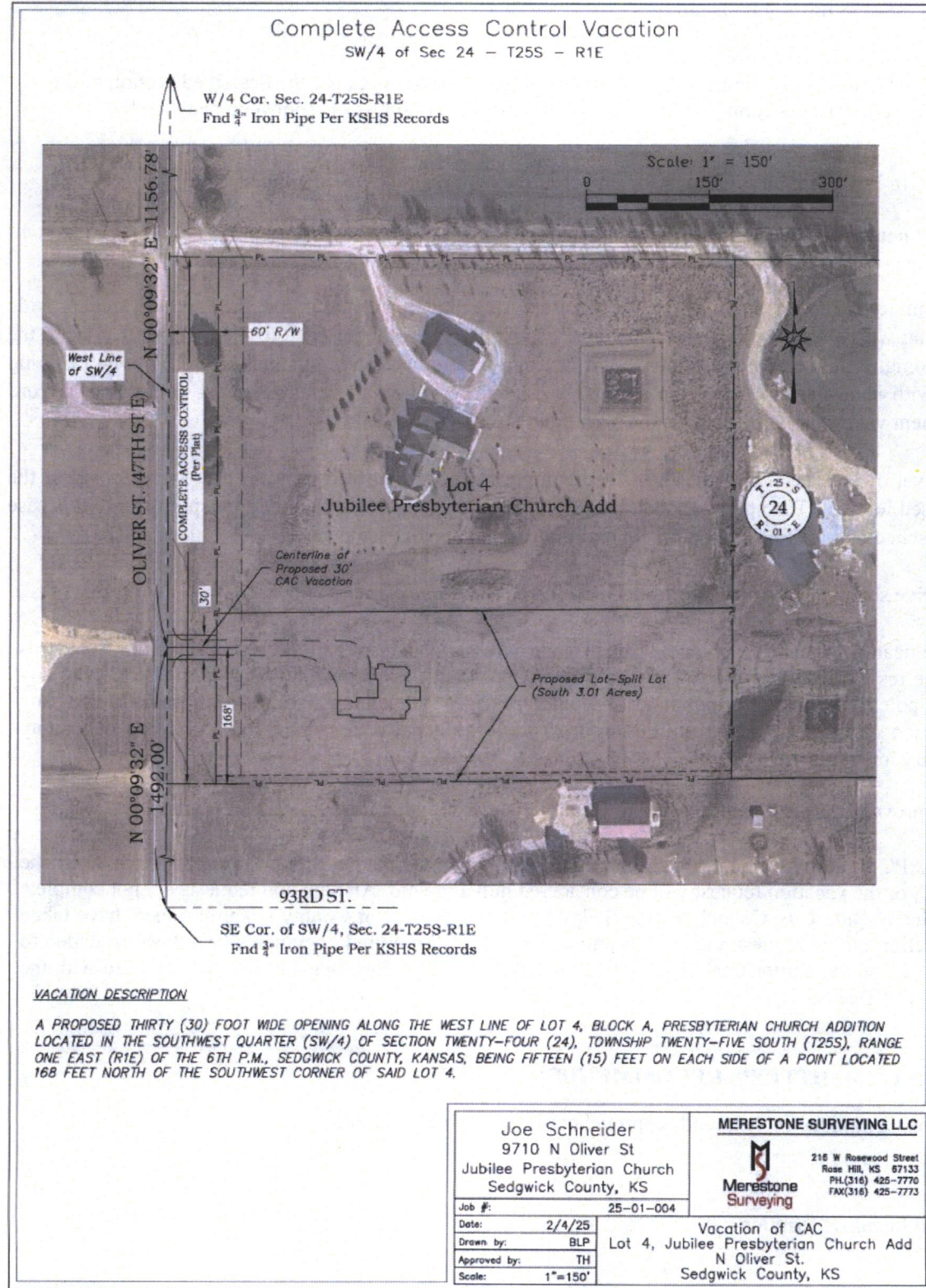
SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.

Attachments:

1. Exhibit and Legal Description
2. Aerial Map

Vacation Exhibit and Legal Description



Aerial Map

VAC2025-08

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

