



Sedgwick County
Register of Deeds - Tonya Buckingham

Doc.#/Film-Pg: 30316641

Receipt #: 2432118
Pages Recorded: 2

Recording Fee: \$0.00

Cashier: ttope

Authorized By: *Tony Buckingham*

Date Recorded: 06/24/2024 02:17:51 PM



**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 NORTH SIDE OF EAST
CENTRAL AVENUE AND ONE-HALF MILE EAST OF
NORTH WOODLAWN BOULEVARD**

VAC2024-00022

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 18TH day of June 2024, comes on for hearing the petition for vacation filed by Pamela K. Hedden Rev. Trust (owner) praying for the vacation of a portion of a platted building setback, to wit:

Vacate the North 24 feet of the South 36.5 feet of the East 36 feet of the West 53 feet of the platted 50-foot setback on Lot 7, Block F, Woodlawn Village 1st Addition, Wichita, Sedgwick County, Kansas

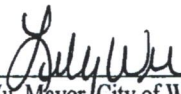
The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication, as required by law, in The Wichita Eagle on May 2, 2024, 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. A dedication of access control over and across the south line of said Lot 7, Block F, Woodlawn Village 1st Addition shall be recorded along with the Vacation Order at the Sedgwick County Register of Deeds.
5. 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.

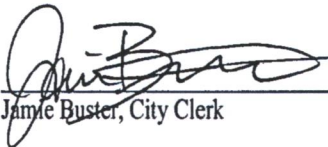
June 18, 2024
VAC2024-00022

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

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 23rd day of April 2024, 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 and the dedication of access control to the Sedgwick County Register of Deeds for recording.

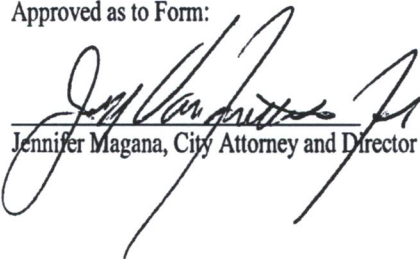

Lily Wu, Mayor, City of Wichita

ATTEST:


Jamie Buster, City Clerk



Approved as to Form:


Jennifer Magana, City Attorney and Director of Law

UNOFFICIAL COPY



Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Film-Pg: 30316640

Receipt #: 2432118
Pages Recorded: 1

Recording Fee: \$21.00

Cashier: tteps
Date Recorded: 06/24/2024 02:17:50 PM
Authorized By: Tonya Buckingham



DEDICATION OF ACCESS CONTROL

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, Pamela K. Hedden Rev. Trust, being the owner of the following described real estate in Sedgwick County, Kansas, to wit:

Lot 7, Block F, Woodlawn Village 1st Addition, Wichita, Sedgwick County, Kansas.

does hereby transfer and convey to the City of Wichita, all abutter's rights of access, ingress, and egress to said property from or to East Central Avenue, over and across the South property line.

Executed this 29 day of May, 2024.

Pamela K. Hedden
Pamela Hedden, Trustee

STATE OF KANSAS)

COUNTY OF SEDGWICK) ss

BE IT REMEMBERED, that on this 29 day of May, 2024 before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came, Pamela Hedden (Trustee), who is personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

SEAL



Elizabeth Plank
Notary Public

(My Commission Expires: November 16, 2026)

Paul Gunzelman
Paul Gunzelman, P.E. for
Public Works and Utilities

**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 NORTH SIDE OF EAST
CENTRAL AVENUE AND ONE-HALF MILE EAST OF
NORTH WOODLAWN BOULEVARD**

VAC2024-00022

MORE FULLY DESCRIBED BELOW

VACATION ORDER

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Vacate the North 24 feet of the South 36.5 feet of the East 36 feet of the West 53 feet of the platted 50-foot setback on Lot 7, Block F, Woodlawn Village 1st 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 May 2, 2024, 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. A dedication of access control over and across the south line of said Lot 7, Block F, Woodlawn Village 1st Addition shall be recorded along with the Vacation Order at the Sedgwick County Register of Deeds.
5. 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.

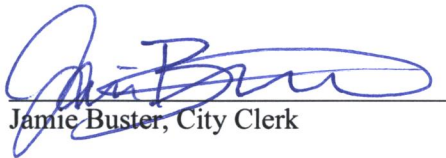
June 18, 2024
VAC2024-00022

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

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 23rd day of April 2024, 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 and the dedication of access control to the Sedgwick County Register of Deeds for recording.

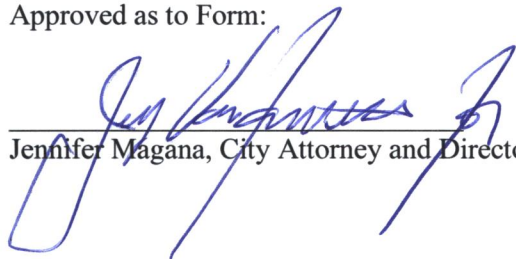

Lily Wu, Mayor, City of Wichita

ATTEST:


Jamie Buster, City Clerk



Approved as to Form:


Jennifer Magana, City Attorney and Director of Law



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

June 18, 2024

James and Pamela Hedden
507 N Armour Dr.
Wichita, KS 67206

Ref: VAC2024-00022: Vacation request in the City to vacate a portion of a platted setback, located on the northwest corner of East Central Avenue and North Armour Drive (507 N. Armour Dr.).

James,

At the **Tuesday, June 18, 2024**, meeting of the Wichita City Council, the above-referenced vacation request was approved.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Philip Zevenbergen'.

Philip Zevenbergen, AICP
Current Plans Division Manager

PZ:IJ



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

May 24, 2024

James and Pamela Hedden
507 N Armour Dr.
Wichita, KS 67206

Ref: VAC2024-00022: Vacation request in the City to vacate a portion of a platted setback, located on the northwest corner of East Central Avenue and North Armour Drive (507 N. Armour Dr.).

James,

At the **Thursday, May 23, 2024**, 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) A dedication of complete access control from the entire length of the south lot line of the described lot shall be dedicated by separate instrument, with original signatures. This shall be provided to Planning prior to this case going to City Council for final action.
- (3) The applicant shall submit an Administrative Adjustment to the Planning Department for review by the Planning Director and Zoning Administrator in order to permit the construction of an accessory structure in front of the main dwelling. This Administrative Adjustment shall be completed prior to the issuance of any building permits.
- (4) 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.
- (5) All improvements shall be according to City 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.

VAC2024-00022: Vacation request in the City to vacate a portion of a platted setback, located on the northwest corner of East Central Avenue and North Armour Drive (507 N. Armour Dr.).
Page 2

When all of the above conditions have been completed, this case will be scheduled for final action by the Wichita City Council **at an appropriate time after the conditions have been met.** 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 long horizontal flourish extending to the right.

Philip Zevenbergen, AICP
Current Plans Division Manager

PZ:IJ

METROPOLITAN AREA PLANNING COMMISSION

**AGENDA REPORT NO.
May 23, 2024**

STAFF REPORT

CASE NUMBER: VAC2024-00022 - City Vacation of a portion of a platted 50-foot street-side setback.

APPLICANT James and Pamela Hedden (Applicants)

LEGAL DESCRIPTION: Generally described as vacating the North 24 feet of the South 36.5 feet 24 of the East 36 feet of the West 53 feet of the platted 50-foot setback on Lot 7, Block F, Woodlawn Village 1st Addition, Wichita, Sedgwick County, Kansas

LOCATION: Generally located on the north side of East Central Avenue and one-quarter mile east of North Woodlawn Boulevard (507 North Armour Drive (WCC II))

REASON FOR REQUEST: Construct a detached garage.

CURRENT ZONING: Site and adjacent properties are zoned SF-5 Single Family.

VICINITY MAP



The applicants propose to vacate the North 24 feet of the South 36.5 feet 24 of the East 36 feet of the West 53 feet of the platted 50-foot setback on Lot 7, Block F, Woodlawn Village 1st Addition, Wichita, Sedgwick County, Kansas. The property is addressed 507 North Armour Drive and is generally located on the north side of East Central Avenue and one-quarter mile east of North Woodlawn Boulevard. The purpose of this vacation is to construct a 24-foot by 36-foot detached garage. The lot is zoned SF-5 Single Family Residential. If approved, the request would reduce the platted building setback to 12.5 feet. The Unified Zoning Code's (UZY) minimum side street setback is 15 feet. The applicants' request does exceed the minimum side street setback by 2.5 feet.

Note: the detached shed illustrated on the aerial image and the survey has been removed and no longer encroaching into the setback.

Four properties within one-quarter mile east and west of the subject site (501 North Tallyrand Street, 508 North Mission Road, 508 North Hampton Road, and 508 North Armour Drive) were approved for the reduction of the platted 50-foot street-side setback to 7.5 feet (VAC2019-00035, VAC2023-00040), 7 feet (VAC2024-00010), and 5 feet (VAC2016-00049).

There is a sanitary sewer line on the east side of the vacation area, in a dedicated easement. The proposed vacation of the setback does not alter the easement, so there is no concern from Public Works. Because the property abuts East Central, complete access control shall be dedicated for the entire length of the Lot to prevent any driveways from being constructed along East Central. Neither Every nor Cox object to this vacation. There are no lines or equipment in the vacation area. There are overhead lines along the west property line in the utility easement. The garage being built will have to maintain proper clearance from Every lines and equipment. Attached are Every Service Standards. LaDonna Vanderford, Area Design Representative for Every can be contacted at 316-261-6290 with any questions. The Woodlawn Village 1st Addition was recorded with the Register of Deeds April 17, 1954.

Due to the lot's geometry, the narrow street side is the side that front East Central Avenue. The Unified Zoning Code defines this narrow street side as the "front" of the lot. Therefore, any accessory structure constructed between the main dwelling and the south property line is considered to be "in front of" the main dwelling, per the definition of the Unified Zoning Code. This is the case even if the dwelling faces the long street side. In order to construct an accessory structure in front of the main dwelling, the applicant will have to submit an Administrative Adjustment application to the Planning Department.

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 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 May 2, 2024, 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 building 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) A dedication of complete access control from the entire length of the south lot line of the described lot shall be dedicated by separate instrument, with original signatures. This shall be provided to Planning prior to this case going to City Council for final action.
- (3) The applicant shall submit an Administrative Adjustment to the Planning Department for review by the Planning Director and Zoning Administrator in order to permit the construction of an accessory structure in front of the main dwelling. This Administrative Adjustment shall be completed prior to the issuance of any building permits.
- (4) 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.
- (5) All improvements shall be according to City 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

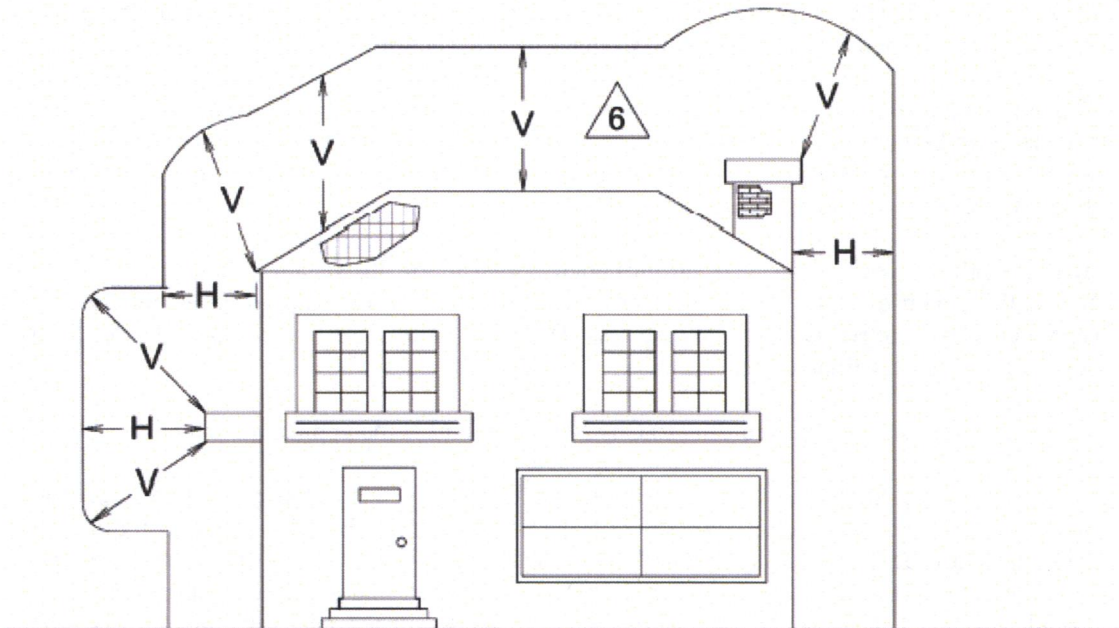
The Subdivision Committee recommends approval per staff recommendations.

Attachments:

- 1) Everygy Clearance Standards
- 2) Aerial Map
- 3) Site plan



10.28 – Clearances of Conductors Adjacent to Buildings but Not Attached to the Building.



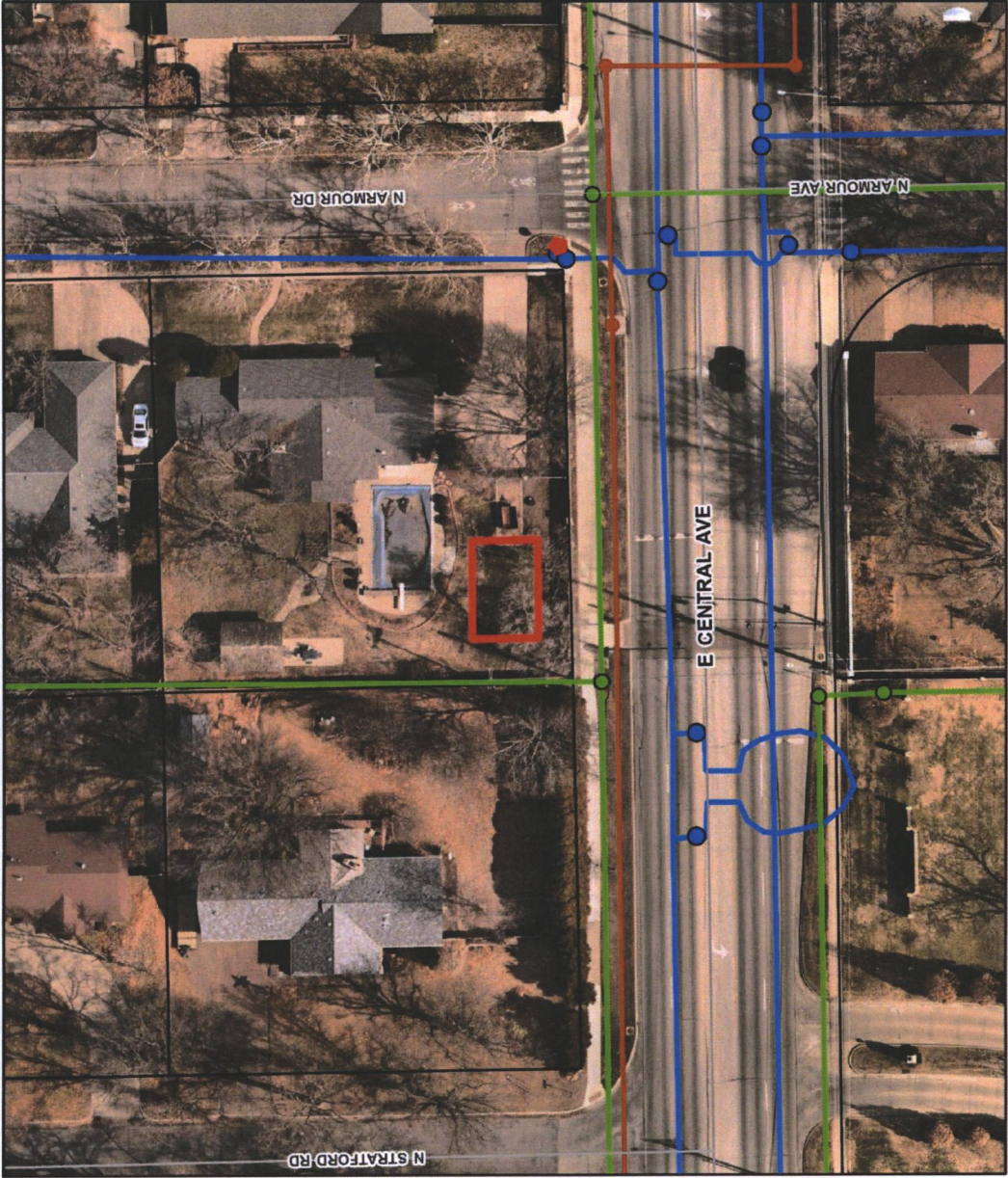
Voltage of Supply Conductors (Volts)	Horizontal Clearance (H) (Feet)	Vertical Clearance (V) (Feet)	Balconies and Flat Roofs (Feet)
System Neutral Grounded Guys 240,480V Multiplex	5.0	3.5	10.5
240, 480 V Line to Line Open Wire	5.5	11.0	11.5
12,23,34kV Line to Line	7.5	12.5	13.5
69kV Line to Line	8.5	13.5	14.5

NESC Table 234-1

1. Customers, contractors, and their work equipment shall maintain a minimum clearance of 10 feet from the company's power lines. Kansas law requires workers to notify the company when work is necessary at clearance 10 feet or less. K.S.A.66-1709-1716 & OSHA 1910.333(c)(3)(i)(A) Notification shall be made 7 working days ahead of the time when work is to be started. There may be a cost involved to isolate power lines.
2. Table values are absolute minimum in clearances to structures.
3. Clearance requirements are taken from NESC article 234.
4. Voltages specified are line to line.
5. Customer must also follow NEC codes for clearances and service drops attachments.
6. Construction of supply circuits above buildings should be avoided.

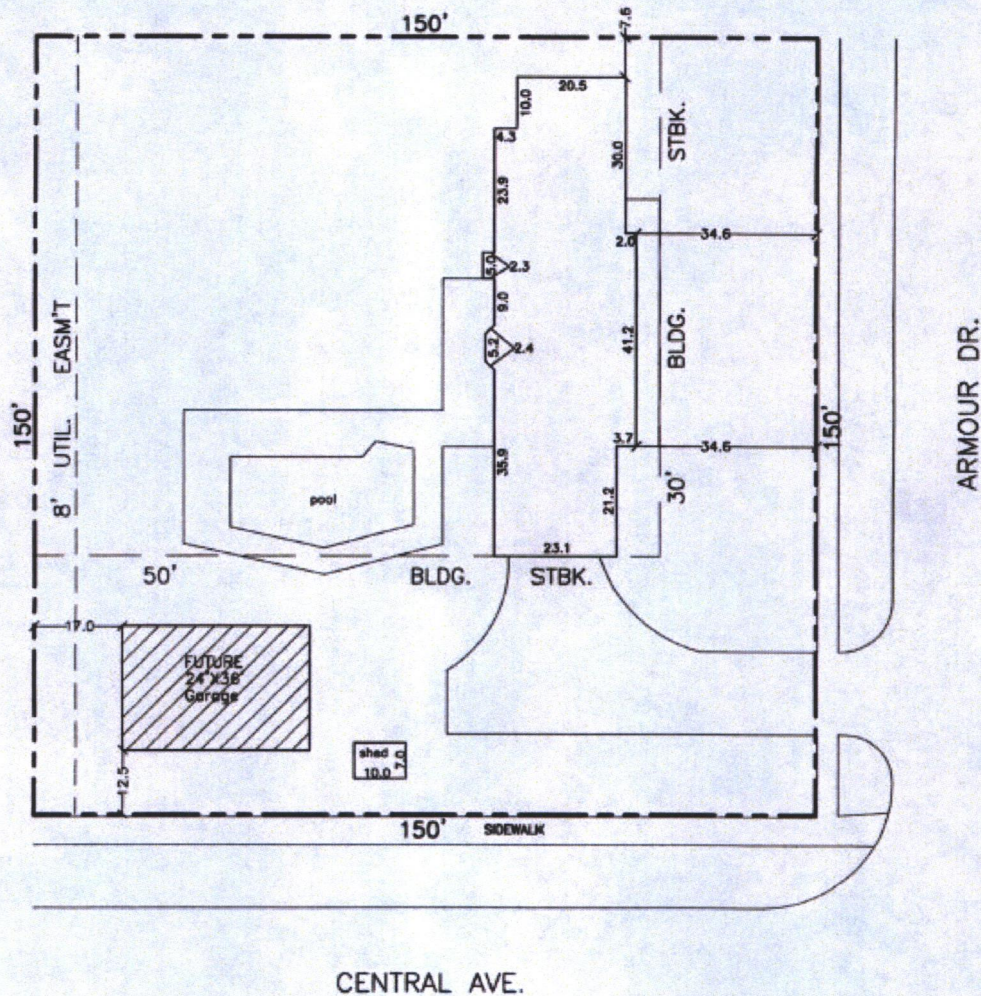
VAC2024-22

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



SITE PLAN

507 N Armour aka Lot I, Block F, First Addition to Woodlawn Village,
Wichita, Sedgwick County, Kansas.



W.O. #42849
Page 2 of 2

ARMSTRONG
LAND SURVEY, P.A.

P.O. Box 161039
WICHITA, KS 67216
PH. (316) 263-0082
info@armstrongsurvey.com



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
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Sun Herald
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The Charlotte Observer
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Durham | The Herald-Sun
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The Sun News - Myrtle Beach
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AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	547086	Print Legal Ad-IPL01710010 - IPL0171001		\$121.14	2	72 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 May 2, 2024

(One Time Only)

MAPC/BZA May 23, 2024

OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, May 23, 2024, 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.

PUD2024-00008: Zone Change in the City from TF-3 Two Family Residential to PUD to create the Baalman 5th PUD to allow a multi-family residential zoning district with non-standard side yard setbacks, located west side of South Maize Road and approximately one-half mile south of West Pawnee Avenue.

VAC2024-00022: Vacation request in the City to vacate a portion of the front setback, located on the northeast corner of East Central Avenue and North Armour Drive (507 North Armour Drive).

VAC2024-00024: Vacation request in the City to vacate a portion of a platted roadway, generally located on the west side of North Red Brush Street and within one-third of a mile south of East 21st Street North (1907 North Red Brush Street).

VAC2024-00025: Vacation case in the City to vacate the northwesterly 10-feet of a platted 30-foot setback zoned SF-Single Family Residential located 1250-feet west of South 151 Street West and 550-feet south of West Maple Street (355 South Wind Rows Lake Drive).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. 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 May 2, 2024

Scott Wadle, Secretary

Wichita-Sedgwick County

Metropolitan Area Planning Commission

IPL0171001

May 2 2024

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

1 insertion(s) published on:

05/02/24

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 05/02/2024 to 05/02/2024.

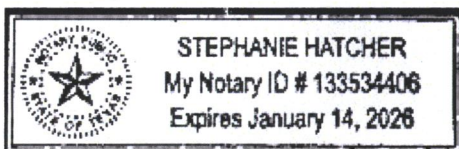
Mary Castro

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

DATED: 05/02/2024

Stephanie Hatcher

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!