



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

July 16, 2025

Steven Schwartz
11518 W. Kenny St.
Wichita, KS 67212

Ref: VAC2025-00017: Vacation request in the City to vacate a 50 feet of a 55-foot drainage easement to build a detached garage; generally located on the north side of West Kenny Street, within one-quarter mile east of North 119th Street West (11518 W. Kenny St.).

Dear Applicant,

At the **Tuesday, July 15, 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



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June 17, 2025

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Ref: VAC2025-00017: Vacation request in the City to vacate a 50 feet of a 55-foot drainage easement to build a detached garage; generally located on the north side of West Kenny Street, within one-quarter mile east of North 119th Street West (11518 W. Kenny St.).

Dear Applicant,

At the **Thursday, June 12, 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 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) All improvements shall be according to City Standards and at the applicants' expense.
- (3) Provide Planning with a legal description of the vacated portion of the platted utility easement on a Word document via E-mail that can be used on the Vacation Order. This must be provided to the Planning Department prior to this case going to City Council for final action.
- (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.

These conditions have been met. Therefore, this case is scheduled for final action by the Wichita City Council on **Tuesday, July 15, 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'.

Philip Zevenbergen
Current Plans
Division Manager



Tonya Buckingham

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

**IN THE MATTER OF THE VACATION OF A PORTION OF A)
PLATTED DRAINAGE EASEMENT)**

**GENERALLY LOCATED ON THE NORTH SIDE OF WEST)
KENNY STREET, WITHIN ONE-QUARTER MILE EAST OF)
NORTH 119TH STREET WEST)**

VAC2025-00017

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 15th day of July 2025, comes on for hearing the petition for vacation filed by Steven Schwartz (owner) praying for the vacation of a portion of a platted building setback, to wit:

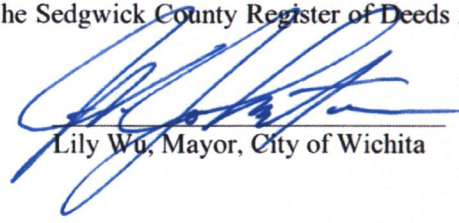
Portion of the drainage easement to be vacated:
The West 50 feet of the 55-foot drainage easement, Lot 4, Block 1, Golden Hills 2nd Addition, Wichita, Sedgwick County, Kansas.

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 May 22, 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 drainage easement, 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 drainage easement, should be approved.

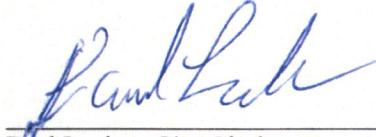
July 15, 2025
VAC2025-00017

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 15th day of July 2025, ordered that the above-described portion of a platted drainage easement 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

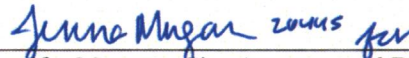
ATTEST:



Paul Leeker, City Clerk



Approved as to Form:



Jennifer Magana, City Attorney and Director of Law



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
16399	663310	Print Legal Ad-IPL02339250 - IPL0233925		1	81 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 21, 2025
(One Time Only)
MAPC/BZA June 12, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, June 12, 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.

CON2025-00070: Conditional Use request in the City to allow an Accessory Apartment on property zoned SF-5 Single-Family Residential District, generally located on the west side of North Linden Drive, within 550 feet south of East Central Avenue (3 Linden Drive).

DER2025-00008: 2025 Urban Growth Area Update - Pursuant to K.S.A. 12-747 et. Seq., amendment of the Urban Growth Area as an element of the Community Investments Plan 2015-2035, the Wichita-Sedgwick County Comprehensive Plan, will be considered.

DER2025-00011: College Hill Neighborhood Plan - Pursuant to K.S.A. 12-747 et. Seq., adoption of the College Hill Neighborhood Plan as an element of the Community Investments Plan 2015-2035, the Wichita-Sedgwick County Comprehensive Plan, will be considered.

VAC2025-00017: Vacation request in the City to vacate 50 feet of a 55-foot drainage easement to build a detached garage, generally located on the north side of West Kenny Street, within one-quarter mile east of North 119th Street West (11518 West Kenny Street).

VAC2025-00018: Vacation request in the City to vacate a 20-foot drainage & utility easement to build a new home, generally located on the west side of East Laguna Circle, within one-half mile west of South 143rd Street East.

ZON2025-00022: Zone Change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District, generally located on the southwest corner of West University Avenue and South All Hallows Avenue (401 South All Hallows Avenue).

ZON2025-00023: Zone Change request in the City from LC Limited Commercial District to GC General Commercial to allow Vehicle Storage Yard, generally located on the northwest corner of South Seneca Street and West Carey Lane (3825 South Seneca Street).

IPL0233925
 May 21 2025

In The STATE OF KANSAS
 In and for the County of Sedgwick
 1 insertion(s) published on:
 05/21/25

STATE OF KANSAS)
 SS
 County of Sedgwick)

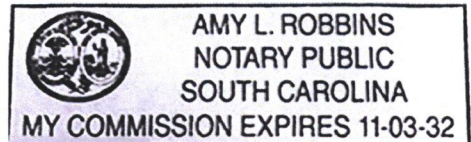
Mary Castro, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has 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 05/21/2025 to 05/21/2025.

Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
 DATED: 05/21/2025

Amy Robbins

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



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!

STAFF REPORT

CASE NUMBER: VAC2025-00017 - Request to vacate a portion of a platted drainage easement.

OWNER/APPLICANT: Steven Schartz & Ronda Holdt (Applicants)

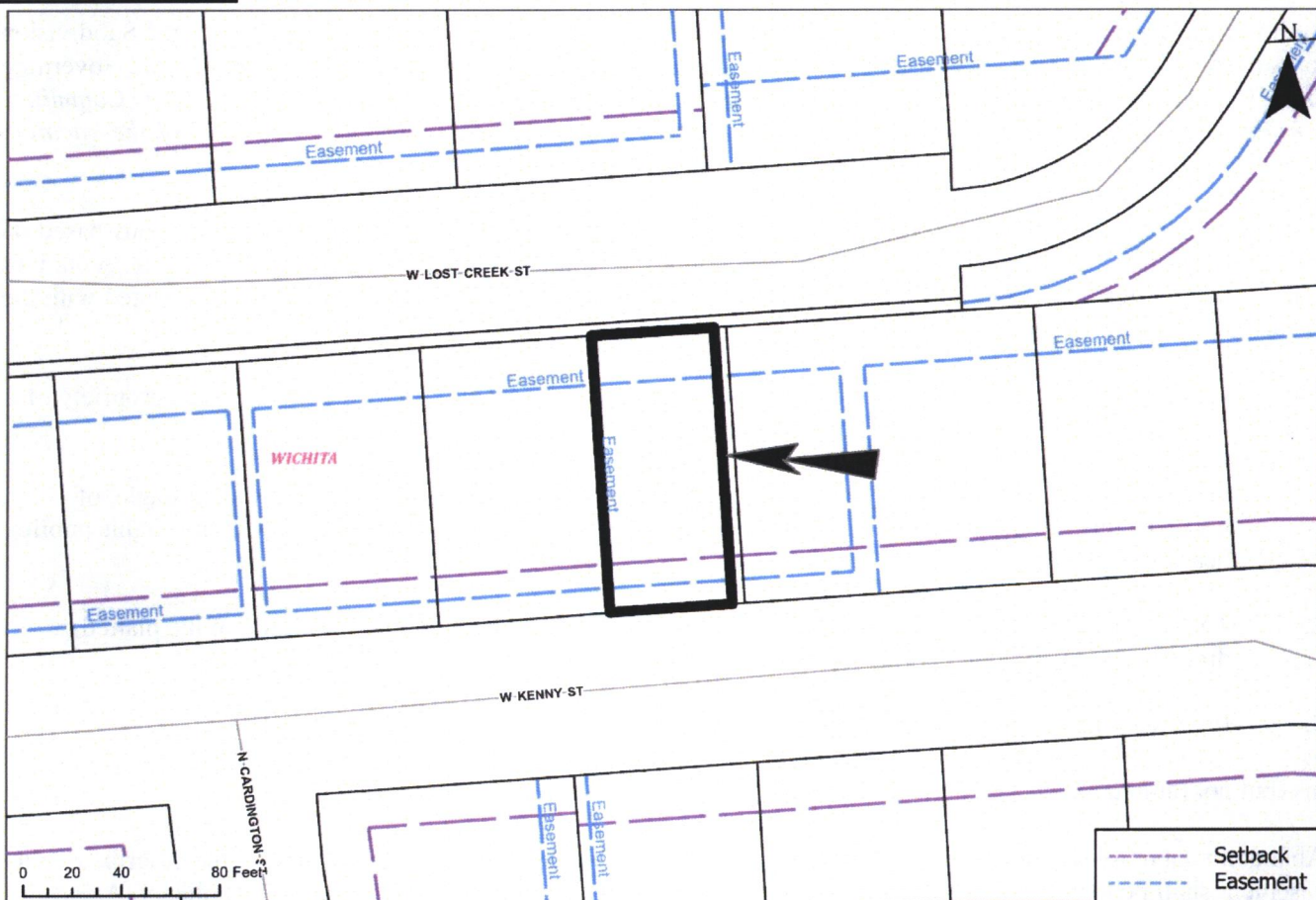
LEGAL DESCRIPTION: Vacating the West 50 feet of a 55-foot drainage easement on Lot 4, Block 1, Golden Hills 2nd Addition, Wichita, Sedgwick County, Kansas.

LOCATION: Generally located north along West Kenny Street and within a quarter mile East of North 119th Street West (11518 W. Kenny St.). (WCC V).

REASON FOR REQUEST: To allow construction of a garage.

CURRENT ZONING: The subject site and all surrounding properties are zoned SF-5 Single-Family Residential District and developed with single-family dwellings.

VICINITY MAP:



The applicant proposes to vacate the west 50 feet of a 55-foot drainage easement on Lot 4, Block 1, Golden Hills 2nd Addition, Wichita, Sedgwick County, Kansas. The drainage easement is located along the eastern lot line of the property. The subject site is zoned SF-5 Single-Family Residential District and located north along West Kenny Street and within a quarter mile East of North 119th Street West (11518 W. Kenny St.). The Golden Hills 2nd Addition was recorded on August 01, 1986.

If approved, the vacation of drainage easement would allow for the construction of a 30-foot x 40-foot garage located 6 feet east of the existing house and will comply with the platted 20-foot building setback. The proposed garage will encroach 31 feet into the 55-foot platted drainage easement and will be 24 feet from the eastern property line.

GIS mapping shows no public utilities in the subject drainage easement. There is a platted 20-foot utility easement along the north property line and a 10-foot sanitary sewer easement running along the south and east property line. These easements will remain intact and the vacation of the drainage will not impact these easements.

Wichita Public Works approves of the vacation with the condition that the mentioned 10-foot sanitary sewer easement and 20-foot utility easement remains. City Fire and Stormwater, do not object to the request. Comments from franchised utilities have been received. Neither Cox, nor Kansas Gas have any lines or equipment in the vacation area and do not object to the request. Every approves of the vacation with the condition that the utility easement along the north property line remains

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 drainage easement.

- 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 22, 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 drainage easement 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 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) All improvements shall be according to City Standards and at the applicants' expense.
- (3) Provide Planning with a legal description of the vacated portion of the platted utility easement on a Word document via E-mail that can be used on the Vacation Order. This must be provided to the Planning Department prior to this

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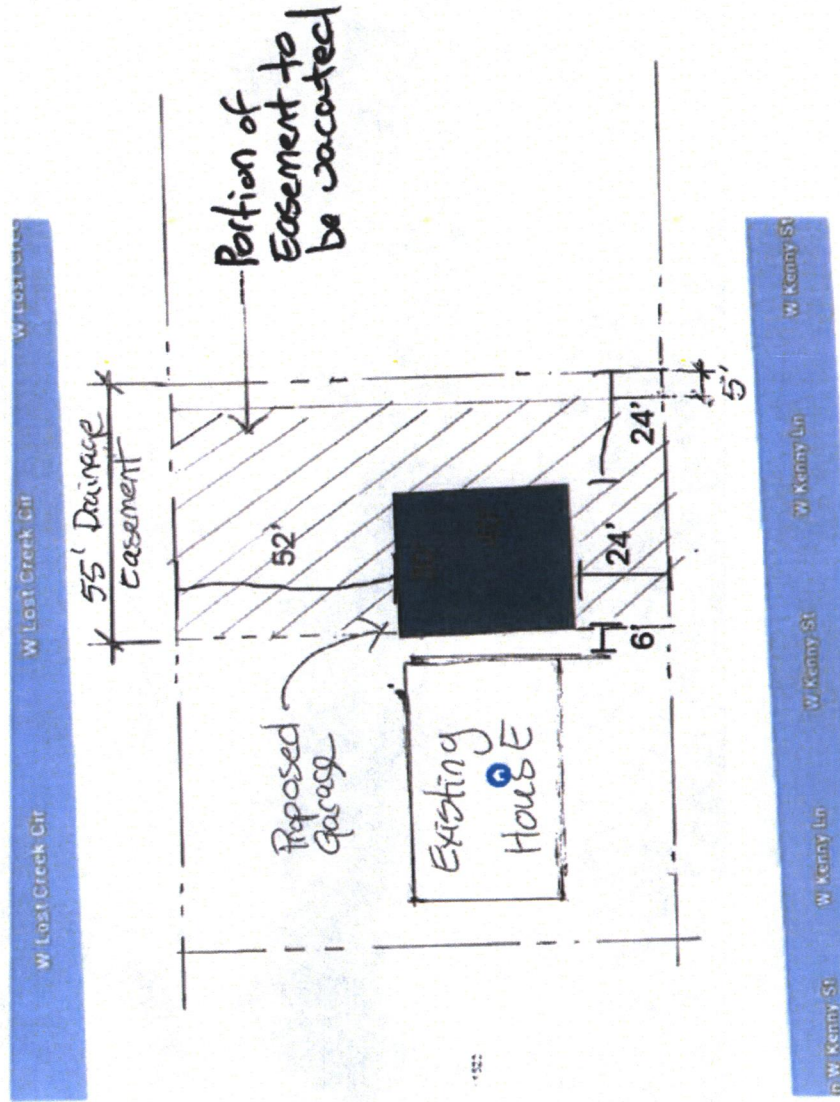
- (4) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken 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.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.












Attachments: 1) Vacation Exhibit, 2) Aerial Map, 3) Plat Exhibit

Vacation Exhibit



Aerial Map

VAC2025-17

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



