



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

September 13, 2007

Michael A. Unrein  
Jewell A. Unrein  
12520 Tallowood Dr.  
Wichita, KS 67206

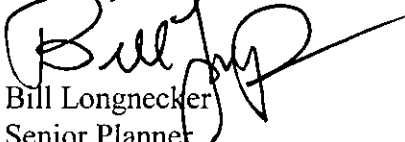
Re: **VAC2007-00023** - Request to vacate a portion of platted setbacks, generally located midway between 21<sup>st</sup> and 13<sup>th</sup> Streets North, on the west side of 127<sup>th</sup> Street East, and southeast of Castelwood and Tallowood Drive.

Dear Mr & Mrs. Unrein:

At its regular meeting on Tuesday, September 11, 2007, the Wichita City Council considered the request. The action of the City Council was to APPROVE subject to the recommendation by the MAPC.

If you have any questions about this matter, please call 268-4494.

Sincerely,

  
Bill Longnecker  
Senior Planner

BL:le

cc: Jim Armour, City Engineer, Public Works Department, Mail Stop 1-71  
Paul Gunzelman/Carla Jones, Public Works Engineering, Mail Stop 1-71  
Tim Herian, 351 Oakwood Dr., Wichita, KS 67208  
Douglas M. & Susan M. Torline, 12500 Tallowood Dr., Wichita, KS 67206  
Thomas S. & Linda D. Vaught, 12430 Castlewood Cir., Wichita, KS 67206  
Robert D. & Dianne Allison, 12420 Castlewood Cr., Wichita, KS 67206  
Gilbert J. & Louis J. Sigg, 12410 Castlewood, Wichita, KS 67206  
John & Denise Steinacker, 12413 Castlewood Cir., Wichita, KS 67206  
Dennis J. & Amy L. Hall, 12505 E. Castlewood Ct., Wichita, KS 67206



Sedgwick County  
Register of Deeds - Bill Meek  
DOC.#/FLM-PG: 28916589

Receipt #: 1667202  
Pages Recorded: 2  
Cashier Initials: AL

Authorized By:   
Recording Fee: DDH

Date Recorded: 9/14/2007 2:57:40 PM



**BEFORE THE CITY COUNCIL OF THE  
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS**  
CITY CLERK'S ORIGINAL  
RETURN TO CITY CLERK

Approved / Accepted By City Council

This 9-11-07

IN THE MATTER OF THE VACATION OF )  
PLATTED SETBACKS )

GENERALLY LOCATED )  
MIDWAY BETWEEN 13<sup>TH</sup> & 21<sup>ST</sup> STREETS )  
NORTH, ON THE WEST SIDE OF 127<sup>TH</sup> STREET )  
EAST AND SOUTHEAST OF CASTLEWOOD )  
& TALLOWOOD DRIVES )

Case No. VAC2007-00023

MORE FULLY DESCRIBED BELOW )

VACATION ORDER

**VACATION ORDER**

NOW on this 11<sup>th</sup> day of September 2007 comes on for hearing the petition for vacation filed by Michael A. & Jewell A. Unrein praying for the vacation of the following described platted front yard setbacks, to-wit:

The south 15-feet of the platted 35-foot front yard building setback & the south 5-feet of the platted 25-foot front yard building setback, all located on Lot 12, Block 1, Crestview Country Addition, Wichita, Sedgwick County, Kansas.

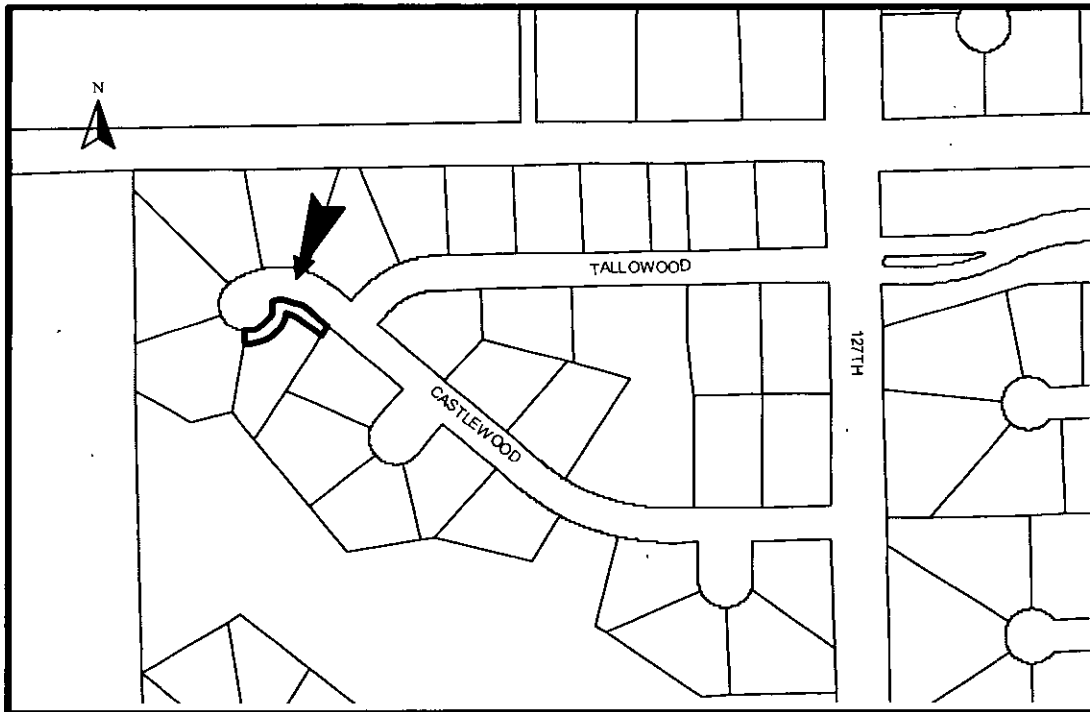
The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication as required by law, by publication in the Wichita Eagle and the Derby Reporter on July 26, 2007, which was at least 20 days prior to the public hearing.



STAFF REPORT

- CASE NUMBER:** VAC2007-00023 Request to vacate a platted setbacks
- OWNER/APPLICANT:** Michael A & Jewell A Unrein
- AGENT:** Tim Herian
- LEGAL DESCRIPTION:** Generally described as the platted 35-foot & 25-foot front yard building setbacks, located on Lot 12, Block 1, Crestview Country Addition, Wichita, Sedgwick County, Kansas.
- LOCATION:** Generally located midway between 13<sup>th</sup> & 21<sup>st</sup> Streets North, on the west side of 127<sup>th</sup> Street East and southeast of Castelwood & Tallowood Drives (WCC #11)
- REASON FOR REQUEST:** Additional room to build a single-family residence
- CURRENT ZONING:** The site and all abutting and adjacent properties are zoned "SF-5" Single-family Residential.
- VICINITY MAP:**



The applicant proposes to vacate the platted 35-foot & 25-foot platted front yard setbacks. The Unified Zoning Code's (UZC's) minimum front yard setback for the "SF-5" Single-family Residential zoning district is 25-feet. If the setback were the minimum 25-foot setback per the UZC, an Administrative Adjustment could be applied to reduce the 25-foot setback by 20%; a 20-foot setback. There are platted easements (with sewer in one, but no water) that will not be affected by the vacated setbacks. There are no other utilities in the portions of the setbacks that are proposed to be vacated. The Bridgewood Addition was recorded with the Register of Deeds August 21, 1980. The Single-family residences around the vacant site were built between 1992-1995; the site is the last undeveloped lot in the subdivision.

Based upon information available prior to the public hearings and reserving the right to make recommendations based on subsequent comments from City Public Works, franchised utility representatives and other interested parties, Planning Staff recommends approval of the vacation of the platted setbacks with conditions.

- 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 and the Derby Reporter, of notice of this vacation proceeding one time July 26, 2007 which was at least 20 days prior to this public hearing.
  2. That no private rights will be injured or endangered by the vacation of the above-described platted setbacks and the public will suffer no loss or inconvenience thereby.
  3. In justice to the petitioner, the prayer of the petition ought to be granted.

Therefore, the vacation of the platted setback, described in the petition should be approved with conditions;

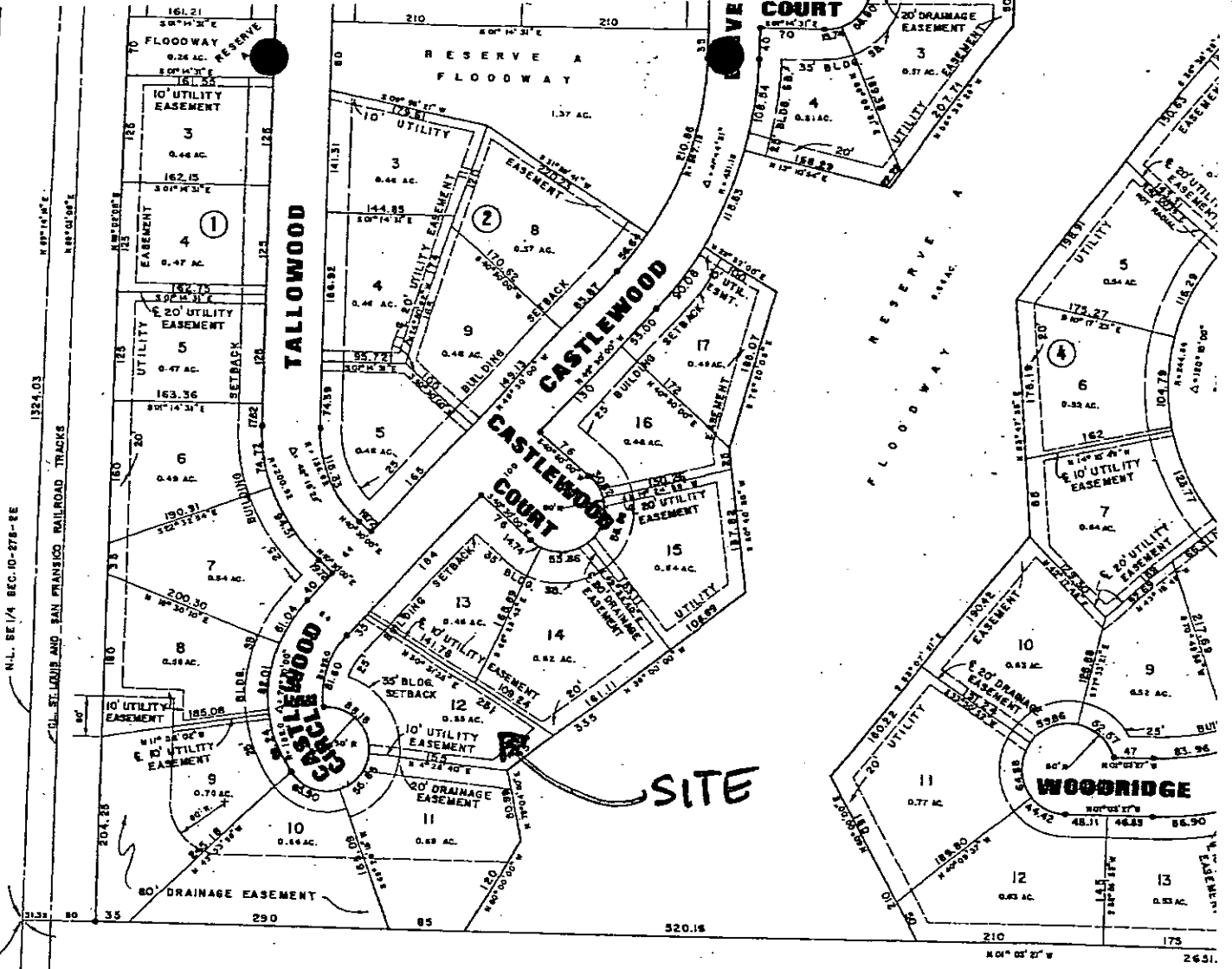
- (1) The front setbacks will be 20-feet.
- (2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicant's expense. If needed provide easements for utilities. Retain the existing platted easements that intersect the platted setback.
- (3) All improvements shall be according to City standards and at the applicant's expense.
- (4) Per MAPC Policy Statement #7, all conditions to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation request 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 subject to the following conditions:

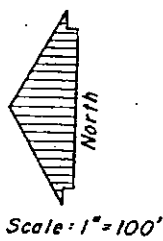
- (1) The front setbacks will be 20-feet.
- (2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicant's expense. If needed provide easements for utilities. Retain the existing platted easements that intersect the platted setbacks.
- (3) All improvements shall be according to City standards and at the applicant's expense.
- (4) Per MAPC Policy Statement #7, all conditions to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation request 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

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COR. E 1/2 SE 1/4  
10-275-2E

VAC 2007-23



CRESTVIEW CO  
**BRIDGEWOOD**

SEDGWICK CO

**REISS & COOL**



This digital plat record accurately represents the original plat filed with the Sedgwick County Geographic Information System under the supervision of the Sedgwick County Geographic Information System.

Bill Meek, Register  
Digitized rendition of original