



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

May 11, 2022

Baughman Company, P.A.  
Attn: Phil Meyer  
315 Ellis  
Wichita, KS 67211

**Ref: VAC2022-00007:** Request in the City to vacate a portion of a platted setback on SF-5 Single-Family Residential zoned property generally located two block east of North Hoover Street on the northeast corner of West 1<sup>st</sup> Street & North Elder Street (208 North Elder and 5234 West 1st Street).

Phil,

At the **Thursday, May 05, 2022**, 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 an approved legal description of the vacated east 10 feet of the platted 30-foot setback on the SF-5 Single-Family Residential/TF-3 Duplex zoned subject sites; Lots 5 & 6, Block 3, Westbreeze Addition. This results in a 20-foot front yard setback. Provide the approved legal on 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) Provide documentation of an easement dedicated by separate instrument to cover the sewer line running parallel to the north side of Lot 5, Block 3, Westbreeze Addition. If no easement is found dedicate a sewer easement with original signatures for recording with the Register of Deeds. All original dedications will go with the Vacation Order to City Council for final action and filling with the Sedgwick County Register of Deeds. This must be provided to Planning prior to the case going to City Council for final action.
- (3) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. All improvements shall be according to City Standards and will be at the applicant's expense. Approval of plans for the relocation of any and all utilities by Public Works and/or franchised utilities must be completed prior to the case going to City Council for final action. Provide Planning with letters of approval or E-mails of approval.
- (4) Provide Planning with any required easement(s) dedicated by separate instrument(s) with original signatures for recording with the Register of Deeds. All original dedications will go with the Vacation Order to City Council for final action and filling with the Sedgwick County Register of Deeds.
- (5) 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.

When all of the above conditions have been completed and there are no other documents requested; this case will be scheduled for final action by the Wichita City Council at the first appropriate date after **May 19, 2022** (end of the two-week protest period). 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,



William Longnecker  
Senior Planner

WL:kw

cc: Whitetail Management LLC, Brandon Hermreck, 17337 Airport Rd., Fall River KS 67047-8471