WICHITA — SEDGWICK COUNTY

W SC

METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

April 19, 1999

Phyllis Voss & Bill Jarnagin
201 S. Ridgewood
Wichita, Ks 67218

Re: V-2165 - Request to vacate utility easement behind Lot 8, 9, & 10, Block 1, Springdale Lakes Addition

Dear Ms. Voss and Mr. Jarnagin:

At the Thursday, April 15, 1999, meeting of the Metropolitan Area Planning Commission, the above-referenced vacation request was approved subject to the conditions recommended by the Subdivision Committee and stated in our letter of April 8, 1999. This case will be scheduled for final action by the Wichita City Council at the first appropriate date after all conditions have been met. If you have any questions about this matter, please call 268-4421.

Sincerely,

Keith Gooch

Keith Gooch
Senior Planner

KG:le
Enclosure

cc: Jim Weber, Sedgwick County Department of Public Works
Mike Lindebak, City Engineer, Public Works Department, Mail Stop 1-71
Theodora Slayton, 13707 E. Kellogg, Wichita, Ks 67230
Baughman Company, P.A., c/o Phil Meyer, 315 Ellis, Wichita, KS 67211

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April 8, 1999

Bill Jarnagin and Phyllis Voss
201 S. Ridgewood
Wichita, KS 67218

Re: V-2165 - Request to vacate utility easement behind Lot 8, 9, & 10, Block 1, Springdale Lakes Addition

Dear Ms. Voss and Mr. Jarnagin:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, April 8, 1999, the above-captioned vacation request was considered. The action of the Committee was to recommend that this vacation be approved subject to:

A) The applicant shall dedicate a utility easement on Lot 10 which connects with the existing east-west utility easement.

B) The applicant shall covenant these three lots together and not sell them separately. This covenant shall be between her and Sedgwick County.

C) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.

This matter is set for public hearing by the Metropolitan Area Planning Commission on Thursday, April 15, 1999, at 1:30 p.m. in the Planning Conference Room, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas. If you have any questions, please call at 268-4421.

Sincerely,

Keith Gooch

Keith Gooch
Senior Planner

KG:le

cc: Mike Lindebak, City Engineer, Public Works Department, Mail Stop 1-71
Theodora Slayton, 13707 E. Kellogg, Wichita, Ks 67230

METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 2-1
April 15, 1999

## STAFF REPORT

**CASE NUMBER:** V-2165 Request to vacate a utility easement

**OWNER/APPLICANT:** Phyllis and Bill Jarnagin

**AGENT:** N/A

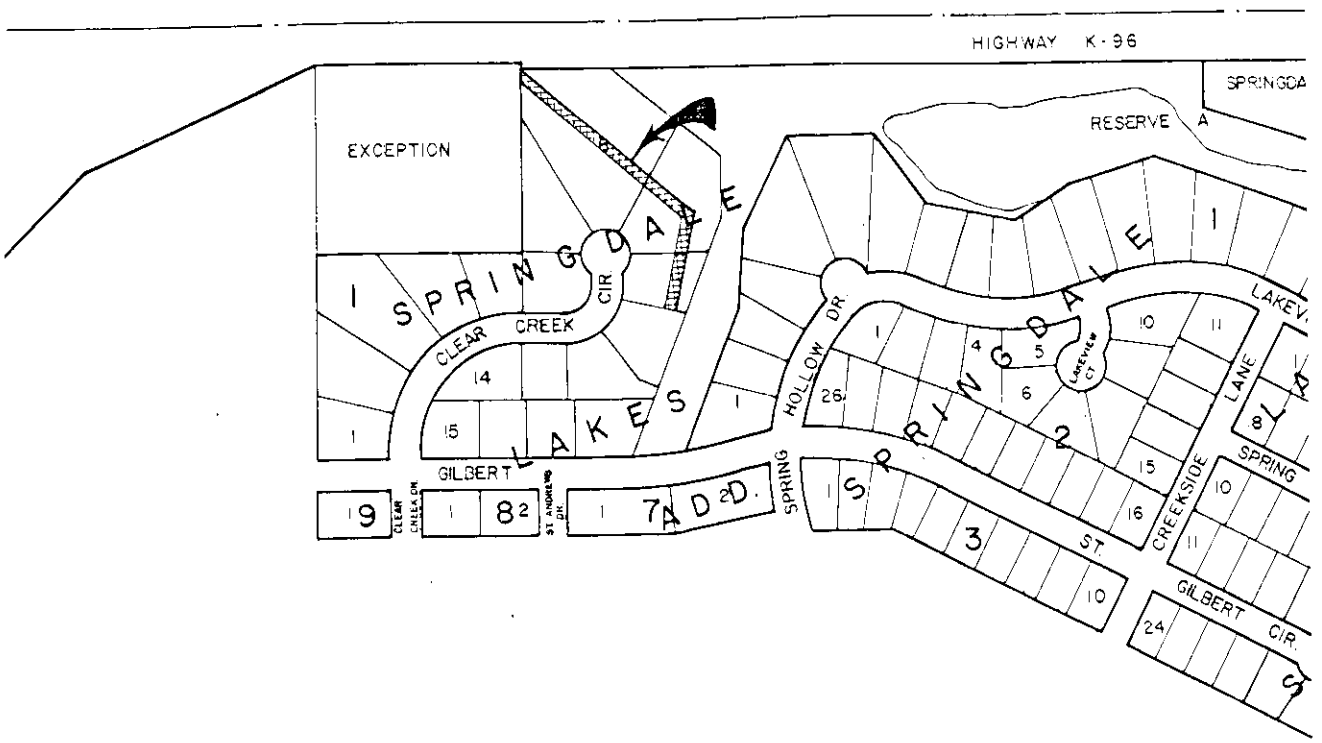
**LEGAL DESCRIPTION:** The north-south utility easement which runs across Lots 8, 9, 10, Block 1, Springdale Lakes Addition.

**LOCATION:** South of US-54 and east of 143rd Street West

**REASON FOR REQUEST:** To allow for a single-home to be located on these three lots

**CURRENT ZONING:** "SF-6" Single-family

**VICINITY MAP:**



The applicant is requesting to vacate a utility easement to allow for the construction of a single-family home. The applicant has stated she and her husband owns these three lots and will submit a covenant to covenant these lots together and they will not be sold separate.

Based upon the information available prior to the public hearing, staff recommends the MAPC make the following findings and recommendation to the City Council:

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, by publication in the Daily Reporter of notice of this vacation proceeding one time on March 26, 1999, 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 utility easement, and the public will suffer no loss or inconvenience thereby.

   3. In justice to the petitioner(s), the prayer of the petition ought to be granted.

B. Therefore, the vacation of a portion of a utility easement described in the petition should be approved, subject to the following conditions:

   A. The applicant shall dedicate a utility easement on Lot 10 which connects with the existing east-west utility easement.

   B. The applicant shall covenant these three lots together and not sell them separately. This covenant shall be between her and Sedgwick County.

   C. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.

**SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:**

The Subdivision Committee recommended approval, subject to the following conditions:

A. The applicant shall dedicate a utility easement on Lot 10 which connects with the existing east-west utility easement.

B. The applicant shall covenant these three lots together and not sell them separately. This covenant shall be between her and Sedgwick County.

C. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.