



Wichita-Sedgwick County Metropolitan Area Planning Department

May 26, 2000

Jay Russell, President
Auburn Hills, Inc.
12602 W. 13th Street
Wichita, KS 67235

Re: VAC2000-00009- Request to vacate a portion of a drainage and utility easement generally located on the east side of Hendryx Court, south of Hendryx.

Dear Mr. Russell:

At the Thursday, May 25, 2000, 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 May 19, 2000. Since you have completed all the approval conditions, this case will be placed on the Consent Agenda for final approval by the Wichita City Council on Tuesday, June 13, 2000, at 9:00 A.M. in the City Council Chamber, First Floor, City Hall, 455 North Main Street, Wichita, Kansas.

Sincerely,

A handwritten signature in cursive script, reading 'Lisa A. Van de Water'.

Lisa A. Van de Water
Senior Planner

LAV:le

cc: Mike Lindebak, City Engineer, Public Works Dept., Mail Stop 1-71
Savoy, Ruggles & Bohm, c/o Mark Savoy, 924 N. Main, Wichita, KS 67203
Steve Seiler, P.O. Box 711, Cheney, KS 67025
Steve L & Andrea L. Parker, 12813 W. Hendryx Court, Wichita, KS 67235
Stephen W. & Cathy L. Rorebeck, 12821 W. Hendryx Court, Wichita, KS 67235
John M. & Melodie D. Adams, 625 S. Wheatland, Wichita, KS 67235
Marjorie B. Chapple, 621 S. Wheatland, Wichita, KS 67235
Paul & Lori Truitt, 617 S. Wheatland, Wichita, KS 67235



Wichita-Sedgwick County Metropolitan Area Planning Department

May 19, 2000

Jay Russell, President
Auburn Hills, Inc.
12602 W. 13th Street
Wichita, KS 67235

Re: VAC2000-00009 - Request to vacate a portion of a drainage and utility easement generally located on the east side of Hendryx Court, south of Hendryx.

Dear Mr. Russell:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, May 18, 2000, 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 maintain the existing surface swale for surface drainage.

This matter is set for public hearing by the Metropolitan Area Planning Commission on Thursday, May 25, 2000 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,

Lisa A. Van de Water
Senior Planner

LAV:le

cc: Mike Lindebak, City Engineer, Public Works Department, Mail Stop 1-71
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STAFF REPORT

CASE NUMBER: VAC2000-00009 Request to vacate a portion of a 30-foot drainage and utility easement

OWNER/APPLICANT: Auburn Hills, Inc., c/o Jay Russell (owner); Steve Seiler (contract purchaser)

AGENT: Savoy, Ruggles & Bohm, P.A.

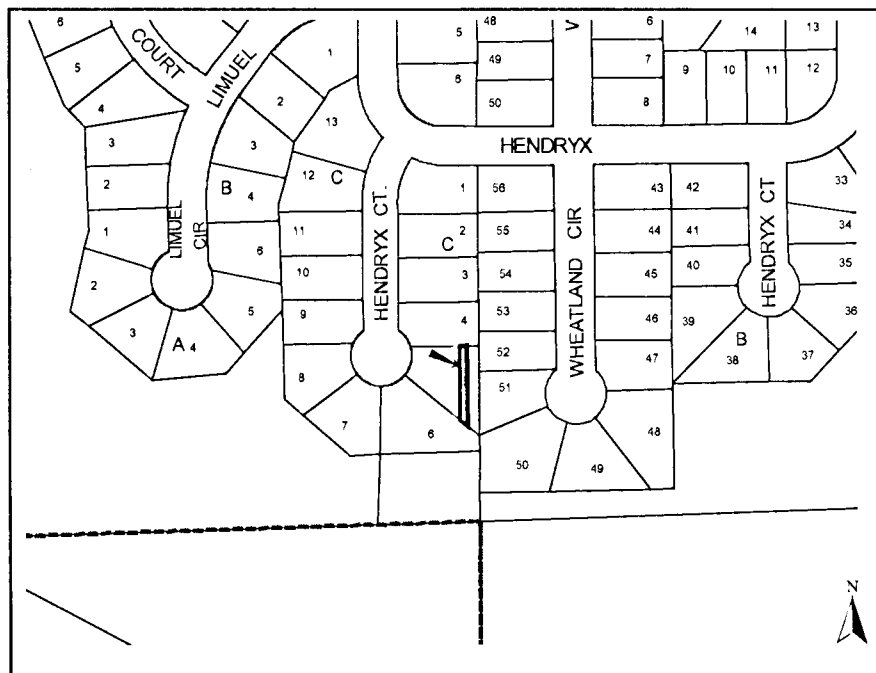
LEGAL DESCRIPTION: The West 10 feet of the east 30 feet of Lot 5, Block C, Auburn Hills 2nd Addition, Wichita, Sedgwick County, Kansas

LOCATION: Generally located ½ mile south of Maple and ½ mile east of 135th Street West (12817 Hendryx Court)

REASON FOR REQUEST: Construction of home with covered deck

CURRENT ZONING: SF-6, Single-family Residential

VICINITY MAP:



The applicant is requesting to vacate the west 10 feet of a 30-foot drainage and utility easement that runs along the rear property line of the subject property. The site is currently vacant, but the contract purchaser wishes to build a home with a covered deck that would extend into the existing easement. Additionally, the applicant would like to place a water-well for landscaping in the easement to be vacated.

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 May 2, 2000, 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 and drainage 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 drainage and utility easement described in the petition should be approved, subject to the following condition:
 - 1. The applicant shall maintain the existing surface swale for surface drainage.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

The Subdivision Committee recommends approval subject to the following condition:

- 1. The applicant shall maintain the existing surface swale for surface drainage.