



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

March 23, 2001

Charles W. Hinkle
1402 W. 35th Street North
Wichita KS 67204

Re: **VAC2001- 00007**- Request to vacate public utility generally located at the northeast corner of Curtis Street and 11th Street.

Dear Mr. Hinkle:

At the Thursday, March 22, 2001, 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 March 16, 2001. 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, April 10, 2001, 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 black ink, appearing to read 'Bill Longnecker'.

Bill Longnecker
Senior Planner

BL:le

cc: Mike Lindebak, City Engineer, Public Works Department, Mail Stop 1-71
Carla Jones / Paul Gunzelman, Public Works Engineering, Mailstop 1-71
Air Capitol Land Surveying, c/o Robert Previterra, 2160 W. 21st Street, Wichita, KS 67203
Charles W. Hinkle, 1226 N. Curtis, Wichita, KS 67212
Debra D. Bell, 1232 N. Curtis, Wichita, KS 67212
Amy D. Quiring, Christopher L. Shepherd, 1168 N. Curtis, Wichita, KS 67212
Bruce H. Eden, H. Denise Blanchat-Eden, 5311 W. 11th Street North, Wichita, Ks 67212
Bryan & Gwen Lagaly, 1237 Hickory Creeck, Ct., Wichita, KS 67235

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STAFF REPORT

CASE NUMBER: VAC2001-00007: Request to vacate a 20-ft utility easement.

OWNER/APPLICANT: Charles W. Hinkle

AGENT: Air Capital Land Surveyors/Robert Previtera

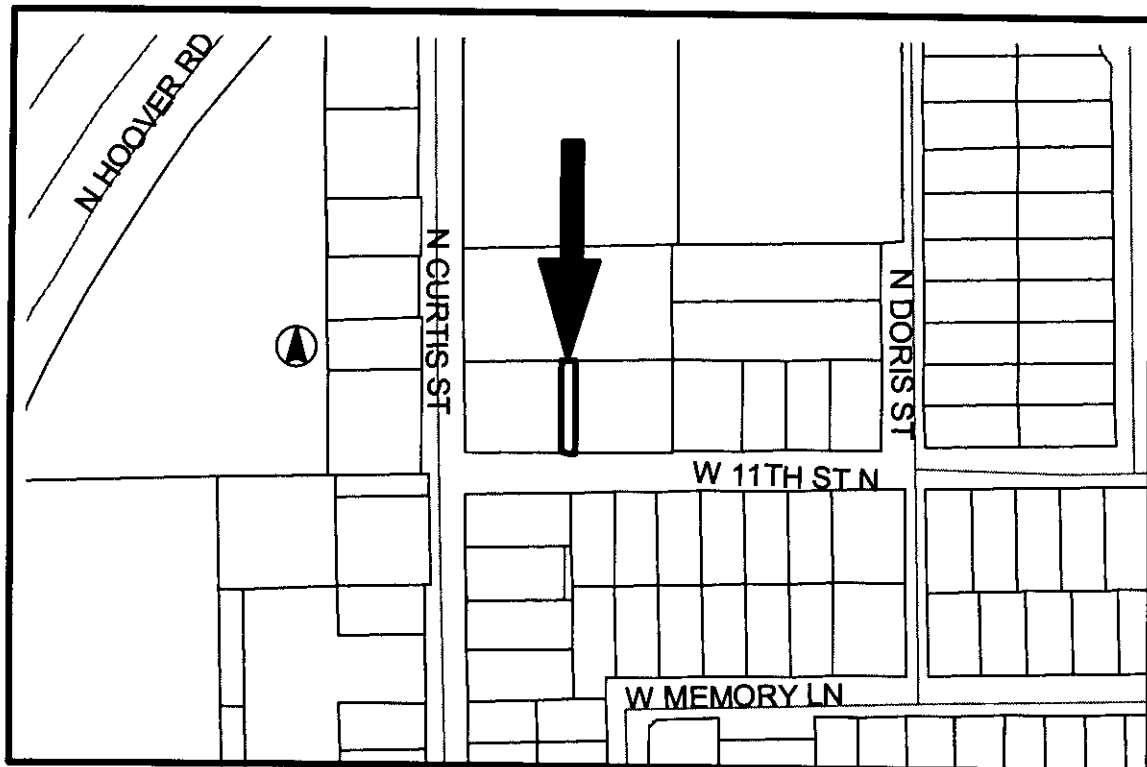
LEGAL DESCRIPTION: Easement Vacation; The east twenty (20-ft) of the west 160 feet of the south half of Lot 19, R.A. Morris Tracts, Sedgwick County, Kansas.

LOCATION: Generally located on the Northeast corner of Curtis and 11th.

REASON FOR REQUEST: For future development of this site.

CURRENT ZONING: Subject property is zoned SF-6 Single Family Residential. Properties to the north, west, south and east are zoned SF-6 Single Family Residential.

VICINITY MAP:



The applicant is requesting to vacate a 20-ft Utility Easement and proposes providing a substitute 20-ft utility easement. The substitute 20-ft easement would be partially located approximately 10 ft. east of the existing easement, with remaining 10-ft located within the east half of the existing easement. There is an 8-inch sanitary sewer line located in this 20-ft easement. The applicant proposes to do a Lot Split contingent on the consideration and recommendation of the vacation request. The applicant proposes to build homes on the parcels created by the Lot Splits

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 Wichita Eagle of notice of this vacation proceeding one time March 2, 2001, 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 access control, 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 access control described in the petition should be approved subject to the following conditions.
1. **City Public Works** requires the applicant to verify the location of the sewer line in the existing easement. If it is as shown on the plat, Public Works does not oppose the vacation request.
 2. **Utility Representatives** has no objection to the vacation request.
 3. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.
 4. All improvements shall be according to City Standards.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

The Subdivision Committee recommends approval subject to the following conditions:

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vacate easement

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1. The applicant shall verify the location of the sewer line in the existing easement. If it is as shown on the plat, Public Works does not oppose the vacation request and the substitute easement.
2. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.
3. All improvements shall be according to City Standards.