



Wichita-Sedgwick County Metropolitan Area Planning Department

December 8, 2000

Forrest Lakes Inc.
C/o Marvin Schellenberg
7926 W. 21st Street North
Wichita, KS 67205

Re: **VAC2000-00056** - Request to vacate utility easements generally located North of 29th Street North, west of Ridge.

Dear Mr. Schellenberg:

At the Thursday, December 7, 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 December 1, 2000. 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,

Barry L. Carroll
Barry L. Carroll
Associate Planner

BLC:le

cc: Mike Lindebak, City Engineer, Public Works (1-71)
Professional Engineering Consultants, P.A., c/o Gary Wiley, 303 S. Topeka, Wichita, KS
67202



Wichita-Sedgwick County Metropolitan Area Planning Department

December 1, 2000

Forrest Lakes Inc.
C/o Marvin Schellenberg
7926 W. 21st Street North
Wichita KS 67205

Re: **VAC2000-00056**- Request to vacate utility easements generally located North of 29th Street North, west of Ridge.

Dear Mr. Schellenberg:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, November 30, 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 grant a 10-foot easement within or near Lot 35, Block 4, Forest Lakes Addition.
- B. 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, December 7, 2000 at 1:00 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,

Barry L. Carroll

Barry L. Carroll
Associate Planner

BLC:le

cc: Mike Lindebak, City Engineer, Public Works Department, Mail Stop 1-71
Professional Engineering Consultants, P.A., c/o Gary Wiley, 303 S. Topeka, Wichita, KS 67202

STAFF REPORT

CASE NUMBER: VAC2000-00056 - Request to vacate utility easements

OWNER/APPLICANT: Forest Lakes, Inc. c/o Marvin Schellenberg

AGENT: Gary Wiley, PEC, PA

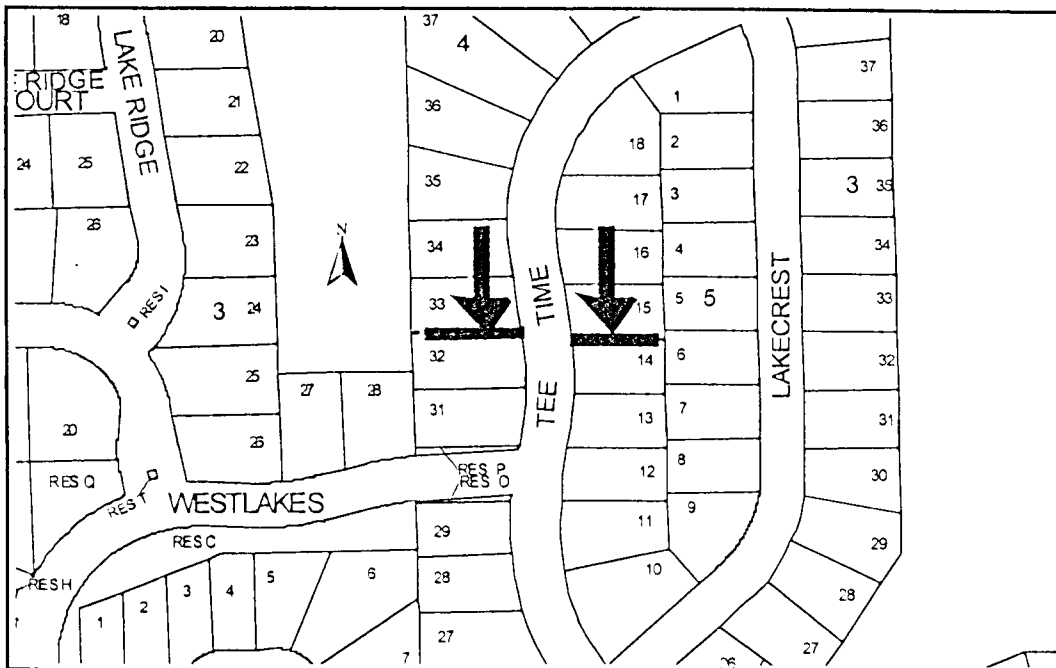
LEGAL DESCRIPTION: The 10 foot utility easement common to Lots 32 and 33, Block 4, Forest Lakes, EXCEPT the west 25 feet thereof;
and
The 10 foot utility easement common to Lots 14 and 15, Block 5, Forest Lakes, EXCEPT the east 10 feet thereof.

LOCATION: North of 29th Street North, west of Ridge

REASON FOR REQUEST: The two utility easements fall with a tract that the applicant has proposed to create larger lots

CURRENT ZONING: "SF-6" Single-Family Residential

VICINITY MAP:



The applicant is requesting to vacate utility easements that are interior to property. The applicant wishes to create larger lots.

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 November 17, 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 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 the utility described in the petition should be approved subject to the following conditions:
 - 1. The applicant shall grant a 10-foot easement within or near Lot 35, Block 4, Forest Lakes Addition.
 - 2. 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 recommends approval subject to the following conditions:

- 1. The applicant shall grant a 10-foot easement within or near Lot 35, Block 4, Forest Lakes Addition.
- 2. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.