



Wichita-Sedgwick County Metropolitan Area Planning Department

May 23, 2005

Stephen C & Carolyn J Langhofer
2438 Timber Creek
Wichita, KS 67204

Re: **VAC2005-00008** Request to vacate platted access control, generally located south of 29th Street North and approximately 1/4 mile east of Ridge Road.

Dear Mr. & Mrs. Langhofer:

At its regular meeting on Tuesday, May 17, 2005, the Wichita City Council considered the request. The action of the City Council was to APPROVE subject to the recommendation by the MAPC.

If you have any questions about this matter, please call 268-4494.

Sincerely,


Bill Longnecker
Senior Planner

BL:le

cc: Jim Armour, City Engineer, Public Works Department, Mail Stop 1-71
Paul Gunzelman/Carla Jones, Public Works Engineering, Mail Stop 1-71
Sedgwick County Electric Coop, Attention: Allen Henning & Wayne Voss, P.O. Box 220, Cheney, KS, 67205-0220
Baughman Company, P.A., Attention: Phil Meyer, 315 Ellis, Wichita, KS 67211
Mark A & Susan G Eaton, 2618 Lakeridge, Wichita, KS 67205-1662
Randy Ketzner, 249 S. Maple Dunes, Wichita, KS 67235
Mark & Jana Griggs, 1310 Hickory Creek Ct., Wichita, KS 67235
RRGNL LLC, c/o West Wichita Development Inc., 12602 W. 13th St, Wichita, KS 67235
Ridge Port Lake Master Assoc., 8100 E. 22nd N #1000, Wichita, KS 67226

MAY 20 2005
METROPOLITAN PLANNING
ROUTE 

1. That due and legal notice has been given by publication as required by law, by publication in The Wichita Eagle on March 24, 2005, which was at least 20 days prior to the

public hearing.

2. No private rights will be injured or endangered by the vacation of the above-described platted complete access control and the public will suffer no loss or inconvenience thereby.

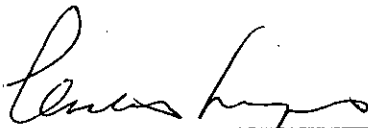
3. In justice to the petitioner(s), the prayer of the petition ought to be granted.

4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

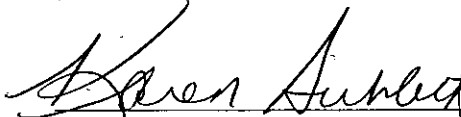
5. Dedications of abutter's access rights over Lots 2 & 3, Block A, Barefoot Bay Estates will be recorded with the Register of Deeds.

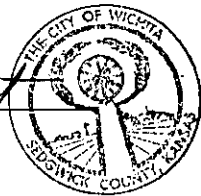
6. The vacation of platted complete access control described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 17th day of May 2005 ordered that the above-described platted complete access control is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

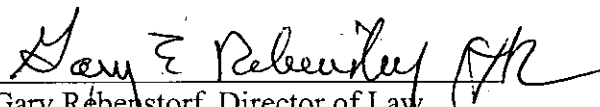

Carlos Mayans, Mayor

ATTEST:


Karen Sublett, City Clerk



Approved as to Form:


Gary Rebenstorf, Director of Law

STAFF REPORT

CASE NUMBER: VAC2005-00008 Request to vacate platted access control

APPLICANTS/OWNERS: Stephan & Carolyn Langhofer Mark & Susan Eaton

AGENT: Baughman Co. PA., c/o Phil Meyer Randy Ketzner

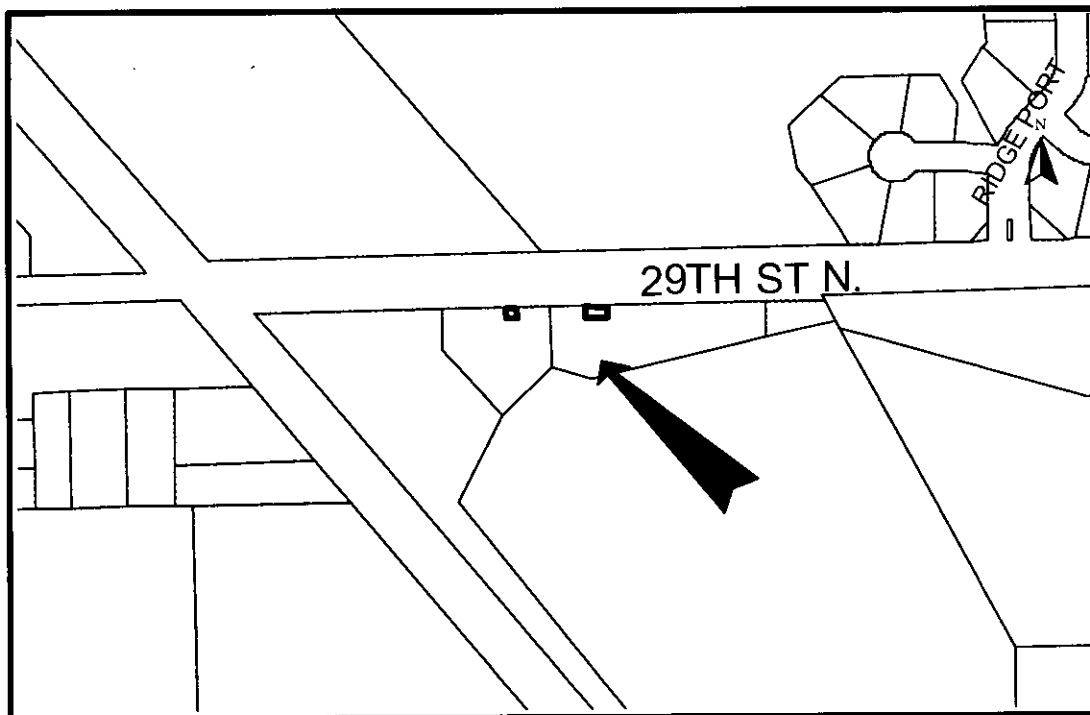
LEGAL DESCRIPTION: Generally described as the west 14.00-feet of complete access control over the east 89.98-feet of that north portion of Lot 2 running parallel to the 29th Street North and the east 30-feet of the west 87.02-feet of that north portion of Lot 3 running parallel to the 29th Street North, all in Block A, the Barefoot Bay Estates Addition, Wichita, Sedgwick County, Kansas

LOCATION: Generally located on the south of 29th Street North approximately 1/4 mile east of Ridge Road

REASON FOR REQUEST: To realign driveways to match up with existing driveways and proposed driveways

CURRENT ZONING: The site and all abutting eastern and adjacent northern parts of the southern properties are zoned "SF-5" Single-family Residential. Adjacent western and a portion of the northern and southern properties are zoned "LI" Limited Industrial.

VICINITY MAP:



The applicant has applied for the vacation of the complete access control along the subject site's 29th Street North frontage. The vacation will allow the one 30-foot drive on Lot 2 to shift itself 14-feet east and allow the one 30-foot drive onto Lot 3 to shift itself 123-feet east; all lots are in Barefoot Bay Estates Addition. There will be 133-feet of access control between the new drives, if the vacation is approved, instead of the current 300-feet. It is not clear what the realigned drives will be matching up with north, across 29th Street North. There is a large sand pit north, across 29th Street North from the site. The drives provide the only access onto two large single-family lots that abut a sand pit on their south sides. 29th Street North is a paved two-lane arterial that has primarily single-family development on either side of it at this location and some undeveloped "LI" property around sand pits. There are manholes and sewer lines located in portions of the 29th Street North ROW at his location. The Barefoot Bay Estates Addition was recorded with the Register of Deeds February 24, 2004.

Based upon information available prior to the public hearings and reserving the right to make recommendations based on subsequent comments from Public Works, franchised utility representatives and other interested parties, Planning Staff recommends approval to vacate a portion of the platted access control, per the approval of the Traffic Engineer, with conditions.

- 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 24, 2005 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 portion of platted complete access control and the public will suffer no loss or inconvenience thereby.
 3. In justice to the petitioner, the prayer of the petition ought to be granted.

Therefore, the vacation of a portion of the platted complete access control described in the petition should be approved with conditions;

- (1) Vacate that portion of platted access control along the site's 29th Street North frontage, as approved by the Traffic Engineer to allow the shifting of the 30-foot access onto Lot 2 & 3, the Barefoot Bay Estates Addition. Provide Staff with a metes and bounds description of the location of the realigned drives.
- (2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants.
- (3) All improvements shall be according to City Standards, including any driveways from private property onto public ROW and if necessary provide a guarantee to close the existing drives.
- (4) Per the MAPC Policy Statement #7, all conditions to be completed within one year of approval by the

MAPC or the vacation request will be considered null and void. All vacation request 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.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

The Subdivision Committee recommends approval subject to the following conditions;

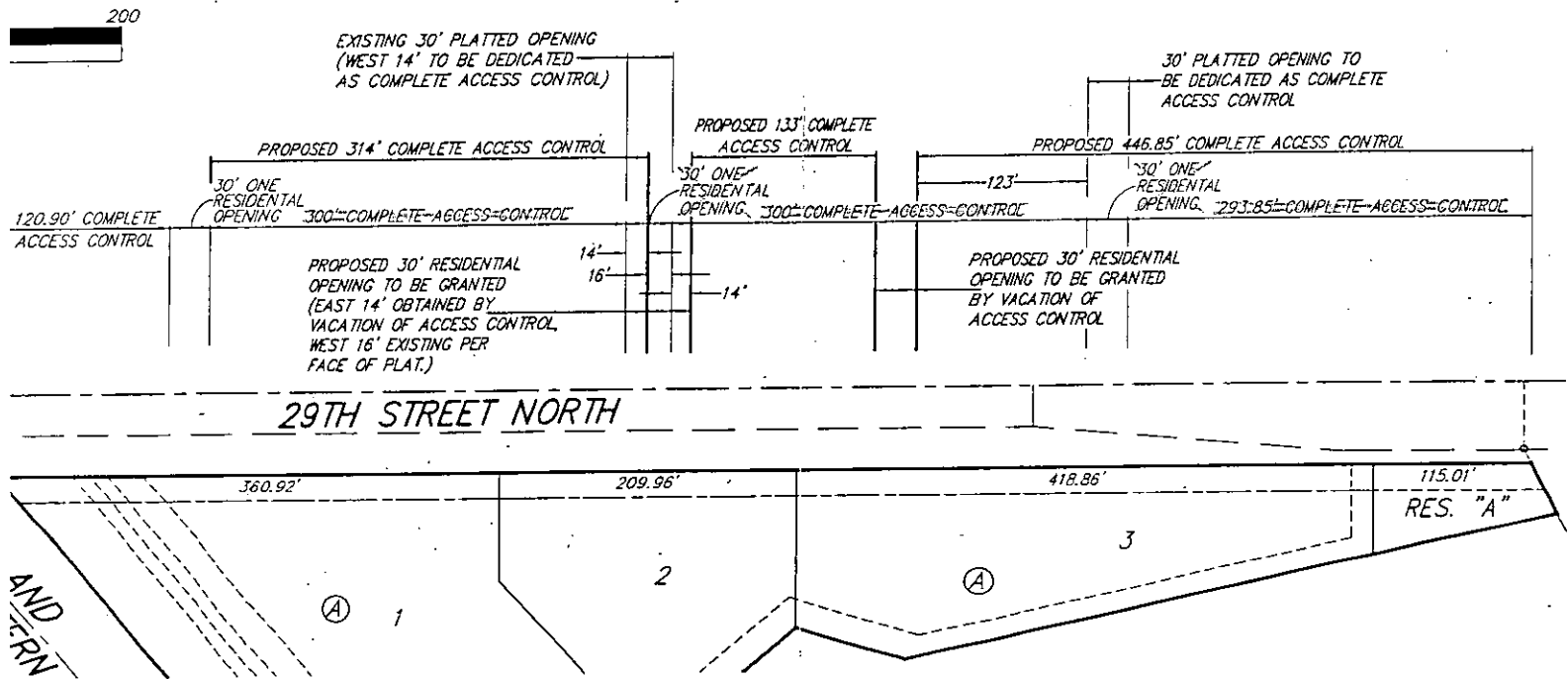
- (1) Vacate that portion of platted access control along the site's 29th Street North frontage, as approved by the Traffic Engineer to allow the shifting of the 30-foot access onto Lots 2 & 3, the Barefoot Bay Estates Addition.
- (2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants.
- (3) All improvements shall be according to City Standards, including any driveways from private property onto public ROW and if necessary provide a guarantee to close the existing drives.
- (4) Per the MAPC Policy Statement #7, all conditions to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation request 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.

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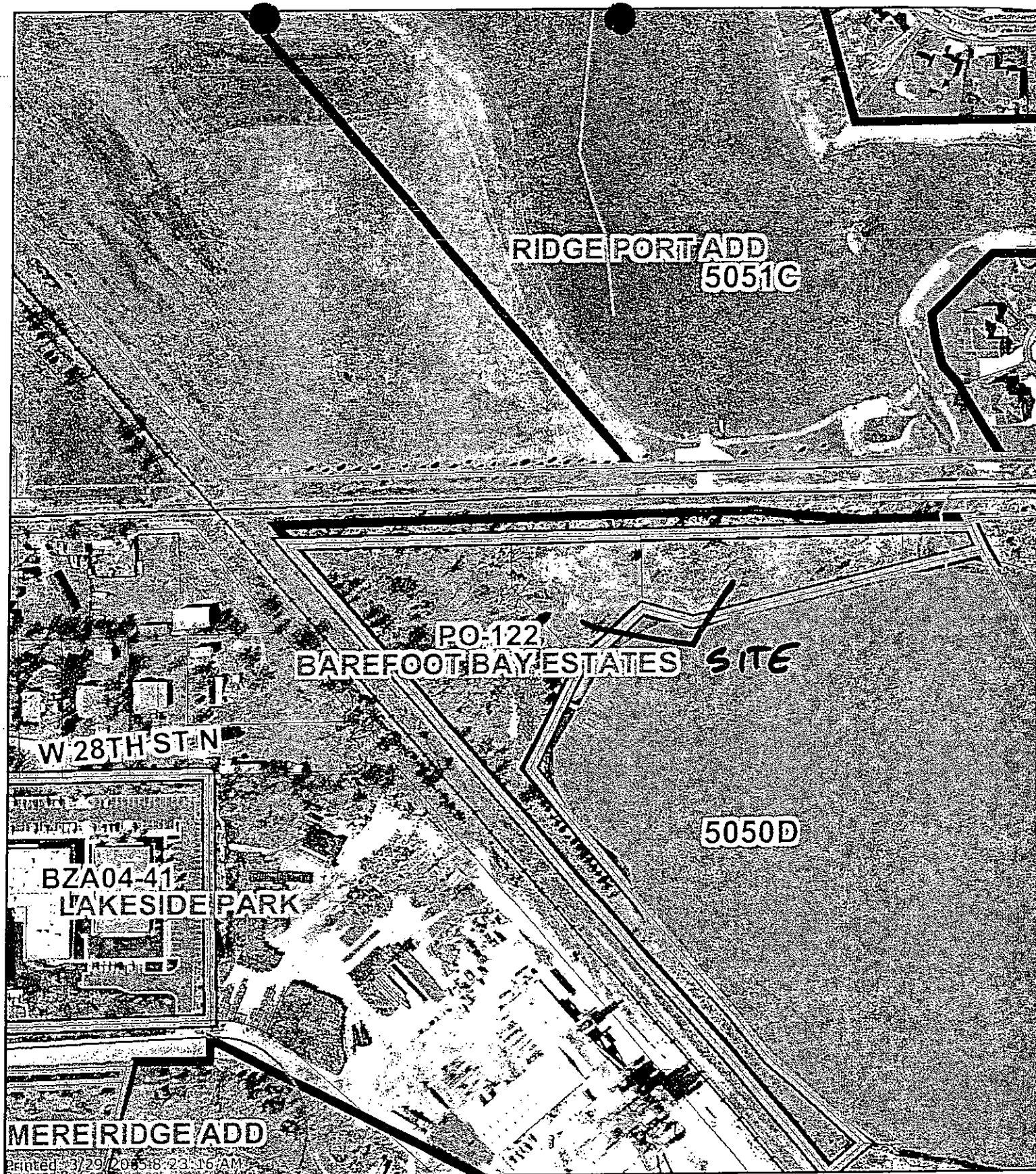
EXHIBIT

BAREFOOT BAY ESTATES

WICHITA, SEDGWICK COUNTY, KANSAS







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