



May 27, 1993

John C. Gray, III  
Rt. 2  
Box 483  
Burleson, Texas 76208

RE: V-1808; Request to vacate street right-of-way and  
drainage reserve

Dear Mr. Gray,

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, Thursday, May 27, 1993, the above referenced vacation request was considered.

The action of the Committee was to recommend that this vacation be approved, subject to:

- A. Any relocation or reconstruction of utilities necessitated by this vacation shall be the sole responsibility and expense of the applicant(s).
- B. This vacation is limited to the existing garage. If the existing garage is destroyed or removed, no other garage or other structure shall be built in that location.
- C. Applicant shall submit to City Engineering for approval a contingent dedication of right-of-way and drainage reserve which provides that upon the destruction or removal of the existing garage, the vacated right-of-way and drainage reserve will be dedicated back to

the City of Wichita. Applicant shall provide MAPD with the approved contingent dedication for recording.

- D. Utilities may be located within the right-of-way proposed to be vacated. Applicant shall contact the utility companies (KCE, Multimedia, SW Bell) to determine the precise location of any utility. Any relocation or reconstruction of utilities necessitated by this vacation shall be the sole responsibility and expense of the applicant.
- E. Applicant shall remove the shed from street right-of-way and drainage reserve. Further, applicant should contact the office of Central Inspection to determine alternate locations for the shed, and what permits are required.

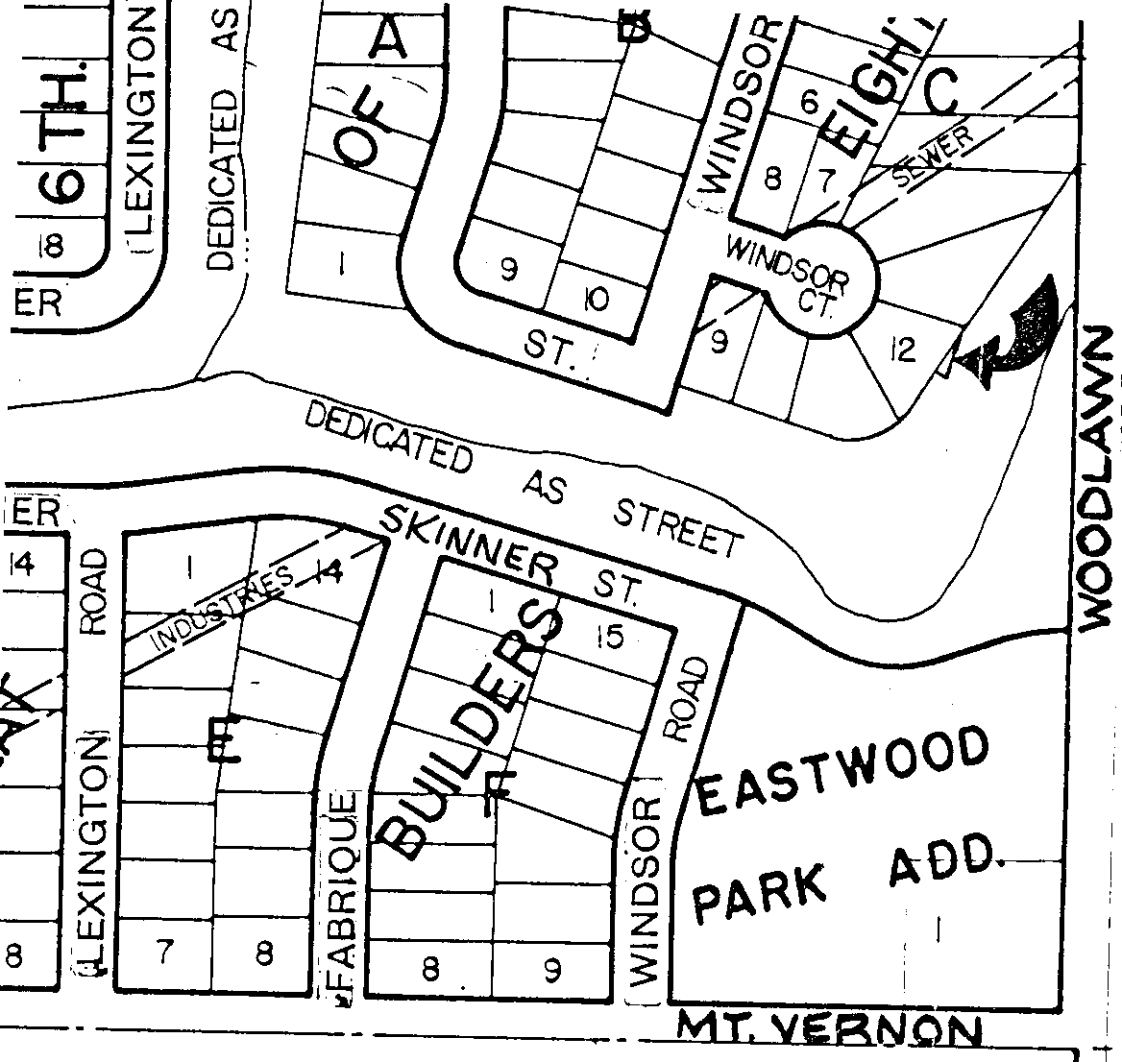
This vacation case will be forwarded to the Metropolitan Area Planning Commission for its consideration on Thursday, June 3, 1993, at 1:30 p.m., in the Planning Conference Room, Tenth Floor, City Hall, 455 North Main Street. Upon satisfactory completion of all conditions, this case will be scheduled for final public hearing by Wichita City Council.

Should you have any questions regarding this vacation case, please feel free to contact me at 268-4495.

Sincerely,

  
Bruce C. Peshoff  
Associate Planner

cc: Mike Lindebak, City Engineer  
Thuy & Kennis Lamuray  
James Larson  
Samuell Voshell  
Marilyn & Michael Young  
Rev. Robert Kloth  
Donald Price, Jr.



METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 2-1

June 3, 1993

STAFF REPORT

CASE NUMBER: V-1808 REQUEST TO VACATE STREET R-O-W AND A DRAINAGE RESERVE

OWNER/APPLICANT: John C. Gray, III, Rt. 2, Box 483, Burleson, Texas 76028

AGENT: Baughman Company, 330 Laura, Wichita, KS 67211

LEGAL DESCRIPTION: That portion of street right-of-way and drainage reserve described as:

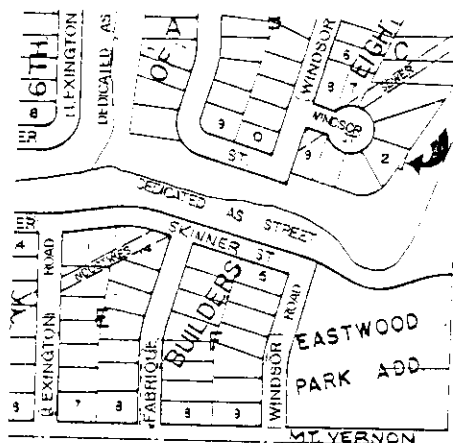
Commencing at the rear lot corner common to Lots 12 and 13, Block C, Replat of Builders Eighth Addition to Wichita, Kansas; thence southwesterly along the rear line of said Lot 12 with an assumed bearing of S 33°44'00" W, a distance of 7.8 feet for a place of beginning; thence S 65°53'28" E, a distance of 1.82 feet; thence S 24°06'32"W, a distance of 30.2 feet; thence N 65°53'28" W, a distance of 6.94 feet to a point on the rear line of said Lot 12; thence N 33°44'00" E, a distance of 30.63 feet to the place of beginning.

LOCATION: South of Harry and west of Woodlawn

REASON FOR REQUEST: Because encroachment of garage upon street right-of-way and drainage reserve has impeded transferability of title, vacation will clear title.

CURRENT ZONING: "AA" One-Family Dwelling

VICINITY MAP:



STAFF COMMENTS:

NOTE: Applicant has been notified that even if the vacation is approved, and the garage no longer encroaches on street right-of-way and drainage reserve, an application for a variance of the 20-foot rear yard setback is recommended.

Approve the vacation, subject to the following conditions:

- A. Any relocation or reconstruction of utilities necessitated by this vacation shall be the sole responsibility and expense of the applicant(s).
- B. This vacation is limited to the existing garage. If the existing garage is destroyed or removed, no other garage or other structure shall be built in that location.
- C. Applicant shall submit to City Engineering for approval a contingent dedication of right-of-way and drainage reserve which provides that upon the destruction or removal of the existing garage, the vacated right-of-way and drainage reserve will be dedicated back to the City of Wichita. Applicant shall provide MAPD with the approved contingent dedication for recording.
- D. Utilities may be located within the right-of-way proposed to be vacated. Applicant shall contact the utility companies (KGE, Multimedia, SW Bell) to determine the precise location of any utility. Any relocation or reconstruction of utilities necessitated by this vacation shall be the sole responsibility and expense of the applicant.
- D. Applicant shall remove the shed from street right-of-way and drainage reserve. Further, applicant should contact the Office of Central Inspection to determine alternate locations for the shed, and what permits are required.