

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL — TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688  
(316) 268-4421

26 August 1993

Patricia Jenkins  
112 N. Terrace, Wichita, Kansas 67220

George Matassarini  
112 N. Terrace, Wichita, Kansas 67220

RE: V-1832; Request to utility easement

Dear Applicants:

At the regular meeting of the Metropolitan Area Planning Commission, on Thursday, August 12, 1993, the above referenced vacation request was considered. The action of the Planning Commission was to recommend that this vacation be approved, 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 applicants.
- B. Applicant shall dedicate, by separate instrument, a 10-foot public utility easement along the east boundary (i.e. - the park/reserve centerline) of applicant's ownership.
- C. Based upon information from representatives from the utility companies regarding regulatory information, applicant is hereby notified that "open supply conductors and service cables shall not pass over a swimming pool, ... or within 10 feet of the edge of the pool, ... diving platform, [or] observation stands." As noted in *Staff Comment A*, any relocation or reconstruction of utilities necessitated by this vacation **due to the location of utility lines (KG&E, Multimedia) over or within 10 feet of the swimming pool and/or deck** shall be the sole responsibility and expense of the applicants.

Upon satisfactory completion of these conditions, as required by the Metropolitan Area Planning Commission, this case will be scheduled for final public hearing before the Wichita City Council. Should you have any questions regarding this vacation case, please feel free to contact me at 268-4495.

Sincerely,

A handwritten signature in black ink, appearing to read "B. G. Peshoff". The signature is stylized and written in a cursive-like font.

Bruce G. Peshoff, J.D.  
Associate Planner

cc: Mike Lindebak, City Engineer  
Christopher G. Strandlee

## STAFF REPORT

**CASE NUMBER:** V-1832

**OWNER/APPLICANTS:** Patricia Jenkins  
112 N. Terrace, Wichita, Kansas 67220  
  
George Matassarini  
112 N. Terrace, Wichita, Kansas 67220

**AGENT:** Christopher G. Strandlee  
412 E. Third, Wichita, Kansas 67202

**LEGAL DESCRIPTION:** That portion of utility easement described as:  
  
the east five feet of Lots 29, 30 and 31, Pershing  
Terrace Second Addition, Wichita, Sedgwick  
County, Kansas.

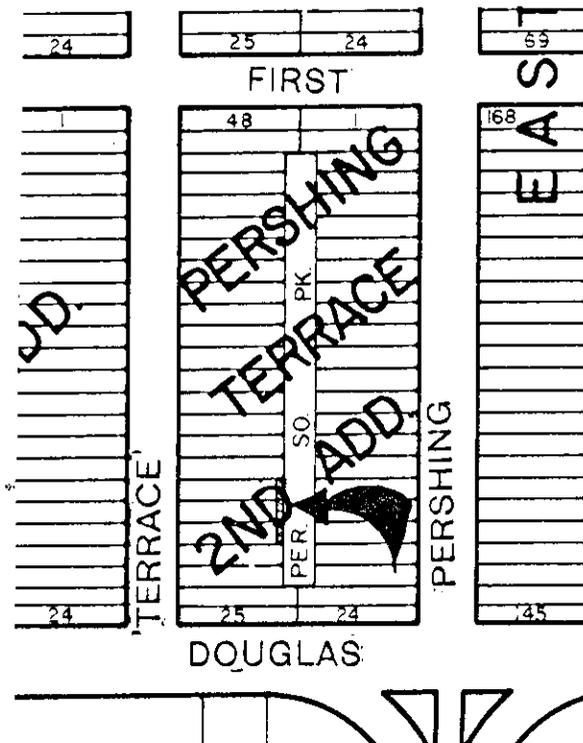
**LOCATION:** north of Douglas; west of Oliver

**REASON FOR REQUEST:** Existing swimming pool encroaches into utility  
easement.

**CURRENT ZONING:** "AA" - One-Family Dwelling

### VICINITY MAP

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**STAFF NOTE:** Applicant's property, as well as other property owners in this addition, abut Pershing South Park, a platted reserve. However, prior to this application being filed, the reserve apparently was conveyed to all abutting property owners. Sanitary sewer is located along the centerline of the park/reserve area.

**STAFF COMMENTS:** 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 applicants.
- (B) Applicant shall dedicate, by separate instrument, a 10-foot public utility easement along the east boundary (i.e. - the park/reserve centerline) of applicant's ownership.
- (C) City Engineering should be prepared to discuss and comment upon the acceptability of this vacation, and indicate any conditions and guarantees they may require of the applicants.
- (D) Representatives from the utility companies should be prepared to discuss and comment upon the acceptability of this vacation, and indicate any conditions and guarantees they may require of the applicants.