

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

INSTRUCTIONS FOR VACATION REQUEST

1. Prior to submitting an application for a Vacation, a pre-application meeting with the Metropolitan Area Planning Department (MAPD) is advised to determine the public and private entities that have an interest in the proposed Vacation. MAPD staff typically does not recommend approval of a Vacation request if any of the entities with an interest oppose the Vacation.
2. The attached form must be completed before it can be presented to the Metropolitan Area Planning Commission. All spaces should be filled in or marked as "not applicable", i.e. (N.A.).
3. The completed form should be submitted to the Metropolitan Area Planning Department, 2nd Floor, The Ronald Reagan Building, 271 W. 3rd Street, Wichita, KS 67202.
4. A Vacation application shall be accompanied by a current ownership list certified by a title company containing a legal description of the area in the application as well as the name of the owner, shall include the names and mailing address (with zip codes) of all property owners within the area defined as the 'Type of Vacation' (see below for additional detail).

Type of Vacation

- a. *Street or Alley Right-of-Way.* All owners of property adjacent to a street or alley petitioned to be vacated. In the event a vacation would leave a dead end street or alley, all of the owners of property adjacent to the remaining segment of street or alley shall also receive written notice. If the Planning Director determines the vacation of the street or alley could have an effect upon traffic circulation in the vicinity, the Director may require that the owners of property within a radius of up to 2 blocks shall also be entitled to notice and, within the City of Wichita, set a hearing before the appropriate District Advisory Board through the same written notice.
- b. *Access Controls.* All lots or tracts involved, plus all lots and tracts on the same side of the street within the same block, plus all lots and tracts on the opposite side of the street from the property involved, and if involving areas greater than one block in length, then the owners of all lots and tracts in the next block. In the event of a partial block, the balance of the block shall be included for notification purposes.
- c. *Building Setbacks.* For a building setback along the front of a lot, the same procedure as for access controls. For a building setback along a side or rear lot line, the owners of property abutting thereupon.
- d. *Drainage and/or Utility Easements.* Owners of all lots or tracts on which the easement is located and owners of all lots or tracts which abut the easement to be vacated.
- e. *Reserves.* If the vacation is to permit the construction of building or structure on a reserve dedicated to open space, the same policy as for building setbacks. If for a vacation of an entire reserve, then all owners of property within the subdivision from which the reserve was first dedicated.

- f. *Plat.* Owners of all lots or parcels within the plat or tracts of land included within the area proposed to be vacated. Also, all owners of land abutting the plat to be vacated.
 - g. *Exclusion of Land from City.* Owners of all lots or parcels within the area proposed to be excluded from the city, as well as owners of all lots or parcels abutting said area.
 - h. *Special Cases.* In the event a petition for vacation involves some special dedication, such as pedestrian access or avigation rights, or any other dedication not specifically identified above, the notification area shall be determined by the Planning Director.
5. Applications for vacation must be accompanied by a filing fee in the amount of \$525.00 or (make check payable to "City of Wichita"). Reprocessing of a vacation case must be accompanied by a filing fee in the amount of \$275.00.
 6. The applicant shall submit an accurate site plan. The site plan shall be drawn to scale and show the location of property lines and buildings, parking areas, driveways and other improvements or facilities which necessitate the Variance. One (1) 8.5" x 11" or 11" x 17" copy of the site plan shall be submitted. Other plans, drawings or information which the MAPD deems necessary to enable proper consideration of the request may be required.
 7. Applications for Vacation must be accompanied by a Vacation petition with the original signatures of the property owners.
 8. The Vacation request will be scheduled for public hearing by the Metropolitan Area Planning Commission (MAPC). It will be scheduled for review and recommendation by the Subdivision Committee, usually one week prior to the MAPC hearing. A MAPC recommendation for approval will not be placed on the agenda for consideration by the appropriate governing body until such time as all requirements made by the MAPC have been met by the applicant. In the event the applicant disagrees with the recommendation or a condition made by the MAPC, the Vacation request may be appealed to the appropriate governing body. No Vacation request is final until acted upon by the appropriate governing body.
 9. In accordance with local policy, the applicant shall post one or more Vacation application signs on the application site for at least 13 days immediately prior to the scheduled public hearing of the application request. Signs shall be purchased from the MAPD when the application is filed. The fee for each sign is \$5, and one sign is required for each street frontage.
 10. Any dedications, covenants or special documents involved in a Vacation request will be provided to MAPD staff (in the original form with the owner's original signature) prior to the Vacation request being forwarded to the governing body for final action.
 11. After approval of the Vacation request by the Metropolitan Area Planning Commission, the original documents (dedications, covenants, etc.) associated with the Vacation request shall be submitted to MAPD staff for recording with the Vacation Order by the Sedgwick County Register of Deeds. The applicant shall not directly submit the required documents to the Register of Deeds. The applicant shall provide a check to MAPD staff payable to "Register of Deeds" for each document that is required with the Vacation Order. The current fee structure for the Register of Deeds is \$21.00 for the first page (with a 1.5-inch margin at the top of the page) and \$17.00 for each subsequent page. Documents to be recorded cannot be larger than legal size (8 1/2" x 14").

VACATION

CHECKLIST OF REQUIRED APPLICATION MATERIALS

- Application form
- Vacation petition
- Site plan
- Legal description of area to be vacated
- Certified ownership list (original document)
- Filing fee

Note: When applying, please have yourself or your representative present during the processing of the application in case planners have questions or to correct possible errors on the application.

VAC _____

VACATION PETITION

I/We the undersigned, do hereby formally petition the Wichita-Sedgwick County Metropolitan Area Planning Commission in the matter of the Vacation of _____, generally located at _____.

The petitioner prays this petition be set for public hearing by the Wichita-Sedgwick County Metropolitan Area Planning Commission, that proper legal notice of said hearing be provided, and that said petition be granted by the governing body.

PETITIONER:

PETITIONER:

Signature

Signature

Print Name

Print Name

Date

Date

Agent for Petitioner*

Company Name

Signature

Print Name

Date

*I am authorized to sign this Petition on behalf of the Owner(s) of the real property identified above.

APPLICATION

This form MUST be completed and filed at the Planning Department located on the 2nd floor of The Ronald Reagan Building, 271 W. 3rd Street, Wichita, KS, 67202 in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED. Check the appropriate box for type of application being submitted. A separate application form and filing fee is required for each application. A pre-application conference with the planning staff is recommended before filing this application.

SECTION I

This property is located within: Wichita Sedgwick County (unincorporated)

Metropolitan Area Planning Commission:

- Zone Change: From zoning district: _____ to _____
- Planned Unit Development: Approval Amendment to PUD _____ Adjustment to PUD _____
- Community Unit Plan: Approval Amendment to CUP _____ Adjustment to CUP _____
- Protective Overlay: Approval Amendment to PO _____ Adjustment to PO _____
- Conditional Use: To allow: _____ zone district: _____
 Adjustment to CU/CON#: _____
- Vacation of: _____ zone district: _____
(Use a separate sheet for legal description, if necessary)
- Administrative Permit: To allow: _____-foot high wireless communication facility. zone district: _____
- Off-Site Billboard Sign within _____ feet of a residential lot/structure. zone district: _____

Board of Zoning Appeals:

- Variance: To allow: _____ zone district: _____
- Appeal of: _____ zone district: _____
- Zoning Adjustment: To allow: _____ zone district: _____
- Sign Code Adjustment: To allow: _____ zone district: _____

SECTION II

1. The application area is legally described as Lot(s) _____; Block(s) _____, _____ Addition, (Wichita) Sedgwick County, KS. If appropriate, a metes and bounds description may be attached.
2. The application area contains _____ acres.
3. This property is located at (address) _____ which is generally located at (relation to nearest streets) _____
4. We are filing this request for the following reasons: _____
5. County control number: _____

6. The names of the owners of all property included in this application MUST be listed as applicants. Contract purchasers, lessees or others directly associated with the property may also be listed if they desire to be advised of the proceedings. (Use a separate sheet for additional applicants if needed.)

A. Applicant _____ Phone _____
 Address _____ Zip Code _____
 Email Address _____

Agent _____ Phone _____
 Address _____ Zip Code _____
 Email Address _____

B. Applicant _____ Phone _____
 Address _____ Zip Code _____
 Email Address _____

Agent _____ Phone _____
 Address _____ Zip Code _____
 Email Address _____

C. Applicant _____ Phone _____
 Address _____ Zip Code _____
 Email Address _____

Agent _____ Phone _____
 Address _____ Zip Code _____
 Email Address _____

7. We acknowledge receipt of the instruction sheet explaining the method of submitting this application. We realize that this application cannot be processed unless it is completely filled in; is accompanied by a current abstractor's certificate as required in the instruction sheet; and is accompanied by the appropriate fee. We further certify that the foregoing information is true and correct to the best of our knowledge. We authorize unannounced inspections of the subject property by City and/or County staff for the purpose of collecting information to review and analyze this request. We acknowledge that the MAPC, Governing Body, or Board of Zoning Appeals shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

_____ By _____
 Applicant's signature Authorized Agent (if any)

_____ By _____
 Applicant's signature Authorized Agent (if any)

_____ By _____
 Applicant's signature Authorized Agent (if any)

The Petition must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the owner's written notarized authorization to this application.

FOR OFFICE USE ONLY

Map _____ Zoning (N) _____ (S) _____ (E) _____ (W) _____ MAPC/BZA _____ Township _____
 Council/Commission District _____ DAB _____ Sm. City PC _____
 NA/HOA _____
 Date _____ Fee _____ Received By _____

Required Documents:

- Ownership List BZA Justification Legal Description Vacation Petition Site Plan Signs

2019 SUBDIVISION COMMITTEE MEETING CALENDAR

One business day BEFORE 'Plat Closing Date' please email PDF APPLICATION by 10:00am to nstrahl@wichita.gov and kwilson@wichita.gov. **ON 'Plat Closing Date'** please email PLAT by 10:00am, also submit 32 folded paper copies (fold with plat name showing) of plat(s) and one signed application by 12:00noon.

SUBDIVISION MEETINGS BEGIN AT 10:00 A.M.

'PLAT CLOSING DATES'

December 10, 2018
December 28, 2018 (Friday)
January 14, 2019
January 28, 2019
February 11, 2019
February 25, 2019
March 11, 2019
March 25, 2019
April 08, 2019
April 29, 2019
May 13, 2019
May 24, 2019 (Friday)
June 10, 2019
July 01, 2019
July 15, 2019
July 29, 2019
August 12, 2019
August 26, 2019
September 09, 2019
September 30, 2019
October 14, 2019
October 28, 2019
November 08, 2019 (Friday)
November 25, 2019
December 09, 2019
December 27, 2019 (Friday)

MEETING DATES

December 27, 2018
January 17, 2019
January 31, 2019
February 14, 2019
February 28, 2019
March 14, 2019
March 28, 2019
April 11, 2019
April 25, 2019
May 16, 2019
May 30, 2019
June 13, 2019
June 27, 2019
July 18, 2019
August 01, 2019
August 15, 2019
August 29, 2019
September 12, 2019
September 26, 2019
October 17, 2019
October 31, 2019
November 14, 2019
November 27, 2019 (Wednesday)
December 12, 2019
December 26, 2019
January 16, 2020

*** ALL meetings will be held at The Ronald Reagan Building, 271 W. 3rd St N, Suite 203, Wichita KS 67201 ***

**WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
and BOARD OF ZONING APPEALS
2019 CALENDAR**

The Ronald Reagan Building, 271 West 3rd Street, Second Floor, Ste. 203, Wichita, Kansas

CLOSING DATE (Submit by 4:00 p.m.)	NOTICE TO OFFICAL NEWSPAPER (Due by 9:00 a.m.)	ADVERTISING DATE (No Later Than)	MAPC/BZA HEARING DATE (Thursday 1:30 p.m.)
December 3, 2018	December 17, 2018	December 20, 2018	January 10, 2019
December 17, 2018	December 31, 2018	January 3, 2019	January 24, 2019
December 28, 2018 (Friday)	January 14, 2019	January 17, 2019	February 7, 2019
January 14, 2019	January 28, 2019	January 31, 2019	February 21, 2019
January 28, 2019	February 11, 2019	February 14, 2019	March 7, 2019
February 11, 2019	February 25, 2019	February 28, 2019	March 21, 2019
February 25, 2019	March 11, 2019	March 14, 2019	April 4, 2019
March 11, 2019	March 25, 2019	March 28, 2019	April 18, 2019
April 1, 2019	April 15, 2019	April 18, 2019	May 9, 2019
April 15, 2019	April 29, 2019	May 2, 2019	May 23, 2019
April 29, 2019	May 13, 2019	May 16, 2019	June 6, 2019
May 13, 2019	May 24, 2019 (Friday)	May 30, 2018	June 20, 2019
June 3, 2019	June 17, 2019	June 20, 2019	July 11, 2019
June 17, 2019	June 28, 2019 (Friday)	July 4, 2019	July 25, 2019
July 1, 2019	July 15, 2019	July 18, 2019	August 8, 2019
July 15, 2019	July 29, 2019	August 1, 2019	August 22, 2019
July 29, 2019	August 12, 2019	August 15, 2019	September 5, 2019
August 12, 2019	August 26, 2019	August 29, 2019	September 19, 2019
August 30, 2019 (Friday)	September 16, 2019	September 19, 2019	October 10, 2019
September 16, 2019	September 30, 2019	October 3, 2019	October 24, 2019
September 30, 2019	October 14, 2019	October 17, 2019	November 7, 2019
October 14, 2019	October 28, 2019	October 31, 2019	November 21, 2019
October 28, 2019	November 8, 2019 (Friday)	November 14, 2019	December 5, 2019
November 8, 2019 (Friday)	November 22, 2019 (Friday)	November 28, 2019	December 19, 2019
December 2, 2019	December 16, 2019	December 19, 2019	January 9, 2020
December 16, 2019	December 30, 2019	January 2, 2020	January 23, 2020

The MAPC and the BZA meet at 1:30 p.m. on the dates indicated above. If you have questions contact the Metropolitan Area Planning Department at (316) 268-4421.