

**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

## 2022 VACATION CALENDER

MAPC/BZA CLOSING DATE <small>(Submit by 4:00 p.m.)</small>	ADVERTISING DATE <small>(No Later Than Thursday)</small>	SUBDIVISION MEETING DATE <small>(Thursday 9:30 a.m.)</small>	MAPC/BZA HEARING DATE <small>(Thursday 1:30 p.m.)</small>
November 29, 2021	December 16, 2021	December 22, 2021	January 6, 2022
December 13, 2021	December 30, 2021	January 13, 2022	January 20, 2022
December 27, 2021	January 13, 2022	January 27, 2022	February 3, 2022
January 10, 2022	January 27, 2022	February 10, 2022	February 17, 2022
January 24, 2022	February 10, 2022	February 24, 2022	March 3, 2022
February 7, 2022	February 24, 2022	March 10, 2022	March 17, 2022
February 28, 2022	March 17, 2022	March 24, 2022	April 7, 2022
March 14, 2022	March 31, 2022	April 14, 2022	April 21, 2022
March 28, 2022	April 14, 2022	April 28, 2022	May 5, 2022
April 11, 2022	April 28, 2022	May 12, 2022	May 19, 2022
April 25, 2021	May 12, 2022	May 26, 2022	June 2, 2022
May 9, 2022	May 26, 2022	June 09, 2022	June 16, 2022
May 23, 2022	June 16, 2022	June 23, 2022	July 7, 2022
June 13, 2022	June 30, 2022	July 14, 2022	July 21, 2022
June 27, 2022	July 14, 2022	July 28, 2022	August 4, 2022
July 11, 2022	July 28, 2022	August 11, 2022	August 18, 2022
July 25, 2022	August 11, 2022	August 25, 2022	September 1, 2022
August 8, 2022	August 25, 2022	September 08, 2022	September 15, 2022
August 29, 2022	September 15, 2022	September 22, 2022	October 6, 2022
September 12, 2022	September 29, 2022	October 13, 2022	October 20, 2022
September 26, 2022	October 13, 2022	October 27, 2022	November 3, 2022
October 10, 2022	October 27, 2022	November 10, 2022	November 17, 2022
October 24, 2022	November 10, 2022	November 23, 2022	December 1, 2022
November 7, 2022	November 23, 2022	December 08, 2022	December 15, 2022
November 28, 2022	December 15, 2022	December 21, 2022	January 5, 2023
December 19, 2022	January 5, 2023	January 12, 2023	January 19, 2023
January 2, 2023	January 19, 2023	January 26, 2023	February 9, 2023
January 16, 2023	February 2, 2023	February 16, 2023	February 23, 2023
January 30, 2023	February 16, 2023	March 02, 2023	March 9, 2023

Subdivision meetings begin at 9:30 am on Thursdays, and Metropolitan Area Planning Commission {MAPC} meetings begin at 1:30 pm on alternating Thursdays unless otherwise noted. All meetings are held at The Ronald Reagan Building, 271 W. 3<sup>rd</sup> Street, Suite 203, Wichita KS \*UNLESS OTHERWISE NOTED\*

RED = date adjustment due to holiday