



Civil Engineering
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Community Planning
Surveying

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December 21, 2010

Mr. John Shutak
Utilities Engineer
City of Lawrence Utilities Department
PO Box 708
Lawrence, KS 66044

RE: MS-12-9-10
Clemente Addition; 3801 W. 6th Street
Variance Request

Mr. Shutak:

I am writing to request a variance from City Code 19-214(B) that states that "a private sanitary sewer service line shall not be located in a City public utility easement or City public right of way for a length greater than 15 feet."

Clemente Addition (MS-12-9-10) is a replat of Lot 1, Block One, Comet Lane Addition. A vacant restaurant exists on site in a structure which has stood on this land for decades, previously serving as a residence. The site was platted as a single lot (Comet Lane Addition) and approved for commercial uses (Final Development Plan for 6th and Comet Lane PCD) in 2000. Public improvements for storm sewer and sanitary sewer were approved at that time. The approved sanitary sewer improvements (Engineering Department number 13-SS2-100(P)) extended a public main into the lot and provided a new stub for the restaurant's service line. Less than 15 feet of service line was located within in public utility easement.

MS-12-9-10 proposes splitting the existing single lot into three lots and a stormwater detention tract. A utility easement, to be filed by separate instrument, will provide all three lots with legal access to the existing sanitary sewer main. The existing line servicing the vacant restaurant will extend further than 15 feet within the proposed easement.

Per City Code 19-214(E), the provisions of section 19-214 may be waived by the City Commission upon finding that the requirements of this Section create a hardship on the property owner or that the characteristics of the property are unique in comparison with other properties in the general area. I am requesting a variance given that the sanitary sewer main and service line have existing on site for nearly a decade and were approved, constructed and accepted per 13-SS2-100(P).

Christopher M. Storm, P.E.
Landplan Engineering, P.A.