



Wichita-Sedgwick County Metropolitan Area Planning Department

August 17, 2005

J & B Ventures
644 Glendoven Road
Andover, KS 67002-9216

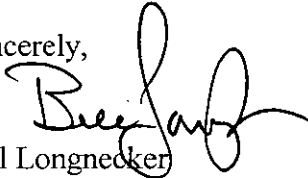
Re: **VAC2005-00026** - Request to vacate a portion of a platted front setback, generally located east of Webb Road and north of Central Avenue, on the northeast corner of Webb Road and Mellor Street.

Dear Ladies and Gentlemen:

At its regular meeting on Tuesday, August 9, 2005, the Wichita City Council considered the request. The action of the City Council was to APPROVE subject to the recommendation by the MAPC.

If you have any questions about this matter, please call 268-4494.

Sincerely,


Bill Longnecker
Senior Planner

BL:le

cc: Jim Armour, City Engineer, Public Works Department, Mail Stop 1-71
Paul Gunzelman/Carla Jones, Public Works Engineering, Mail Stop 1-71
Richard H. Price Jr., 8529 Stoneridge, Wichita, KS 67206
John R. Carnahan, 8629 Shannon Way, Wichita, KS 67206
Norris LC, 19918 W. Kellogg Dr., Goddard, KS 67052
Faber Trust Properties, LLC, 13501 Links Lane, Wichita, KS 67235
Jim L & Delores J Brawner, 1828 S. 125th East, Wichita, KS 67207
Robert N. & Stella Cooley, 630 Hoyt, Wichita, KS 67206
Gale L & Norma N. Blank, 623 Hoyt, Wichita, KS 67206
John D & Christine P. White, 8903 Clubside, Wichita, KS 67206

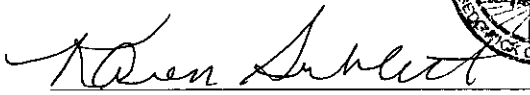
METROPOLITAN PLANNING
ROUTE ☐ _____

The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

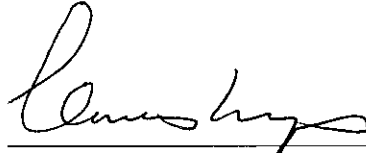
1. That due and legal notice has been given by publication as required by law, by publication in The Wichita Eagle on June 23, 2005, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described portion of a platted front setback, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner(s), the prayer of the petition ought to be granted.
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.
5. The vacation of a portion of the platted front setback described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 9th day August 2005 ordered that the above-described portion of a platted front setback is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

ATTEST:


Karen Sublett, City Clerk




Carlos Mayans, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law

SUBDIVISION COMMITTEE

METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. _____

July 7, 2005

STAFF REPORT

CASE NUMBER: **VAC2005-00026** Request to vacate a portion of a platted setback

APPLICANTS/OWNER: J & B Ventures
Richard H Price & John R Carnahan (contract purchasers)

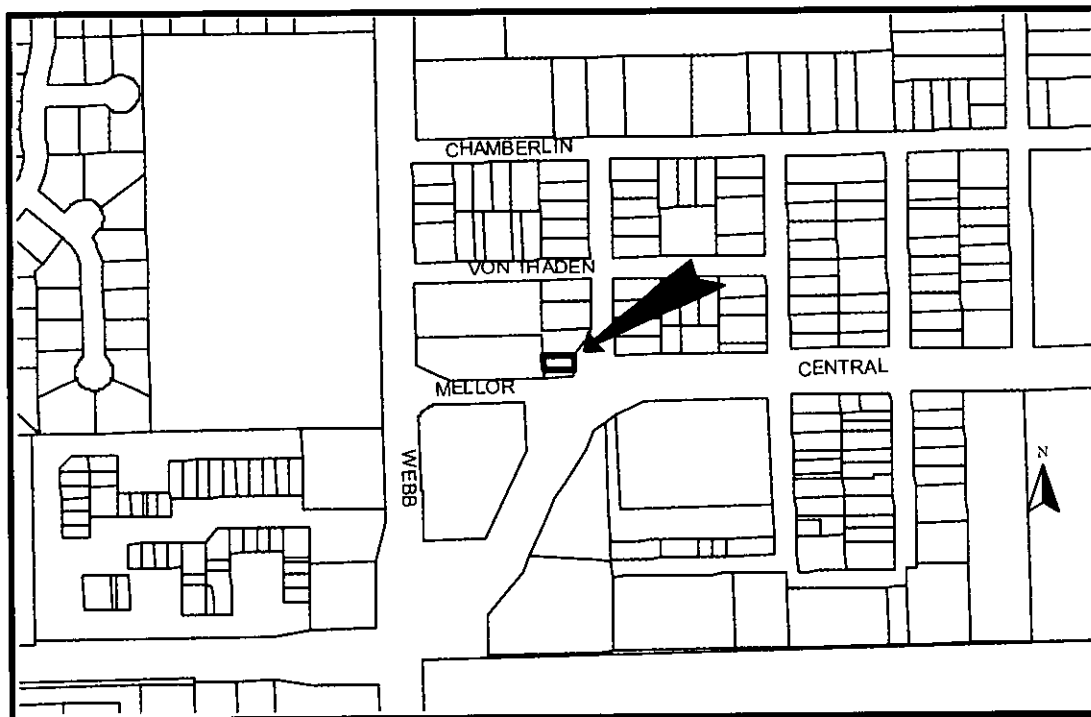
LEGAL DESCRIPTION: The north 30-feet of the platted 50-foot front setback running parallel to the south lot line of the southeast portion of Lot 1, Block 1, the Kuhlman Addition, Wichita, Sedgwick County, Kansas

LOCATION: Generally located northeast of the Central Avenue & Webb Road intersection, on the northwest corner of the Central Avenue & Mellor Street intersection

REASON FOR REQUEST: Allow more area for development

CURRENT ZONING: Site and all properties south, north and west are zoned "LI" Limited Industrial.
← Properties east and north of the site are zoned "SF-5" Single-family
← Residential.

VICINITY MAP:



The applicants are requesting consideration to vacate the north 30-feet of the platted 50-foot front yard setback, as generally described. The applicant 's proposed vacation would allow the construction of a

warehouse on the remaining undeveloped southeast portion of Lot 1, Block 1, the Kuhlman Addition. The UZC provides a 20-foot front setback for the "LI" zoning district. There are no sewer lines, manholes or water lines in the platted setback. Comments from franchised utilities have not been received and are needed to determine if they have utilities in the easement. There are no platted easements in the platted setback. The Kuhlman Addition was recorded with the Register of Deeds May 5, 1999.

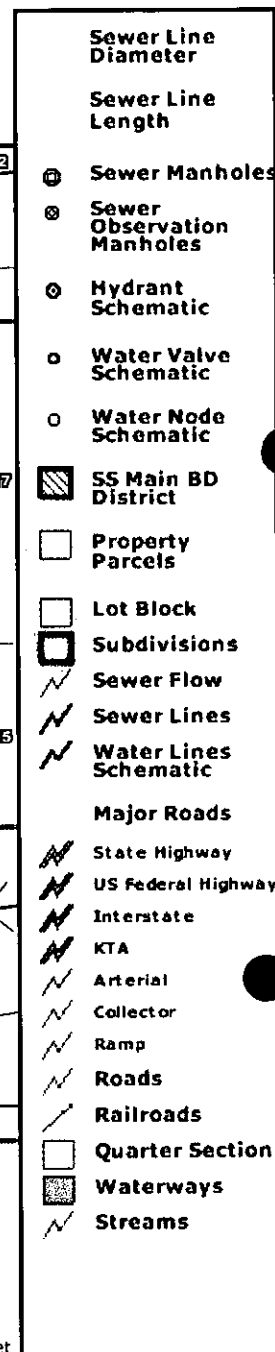
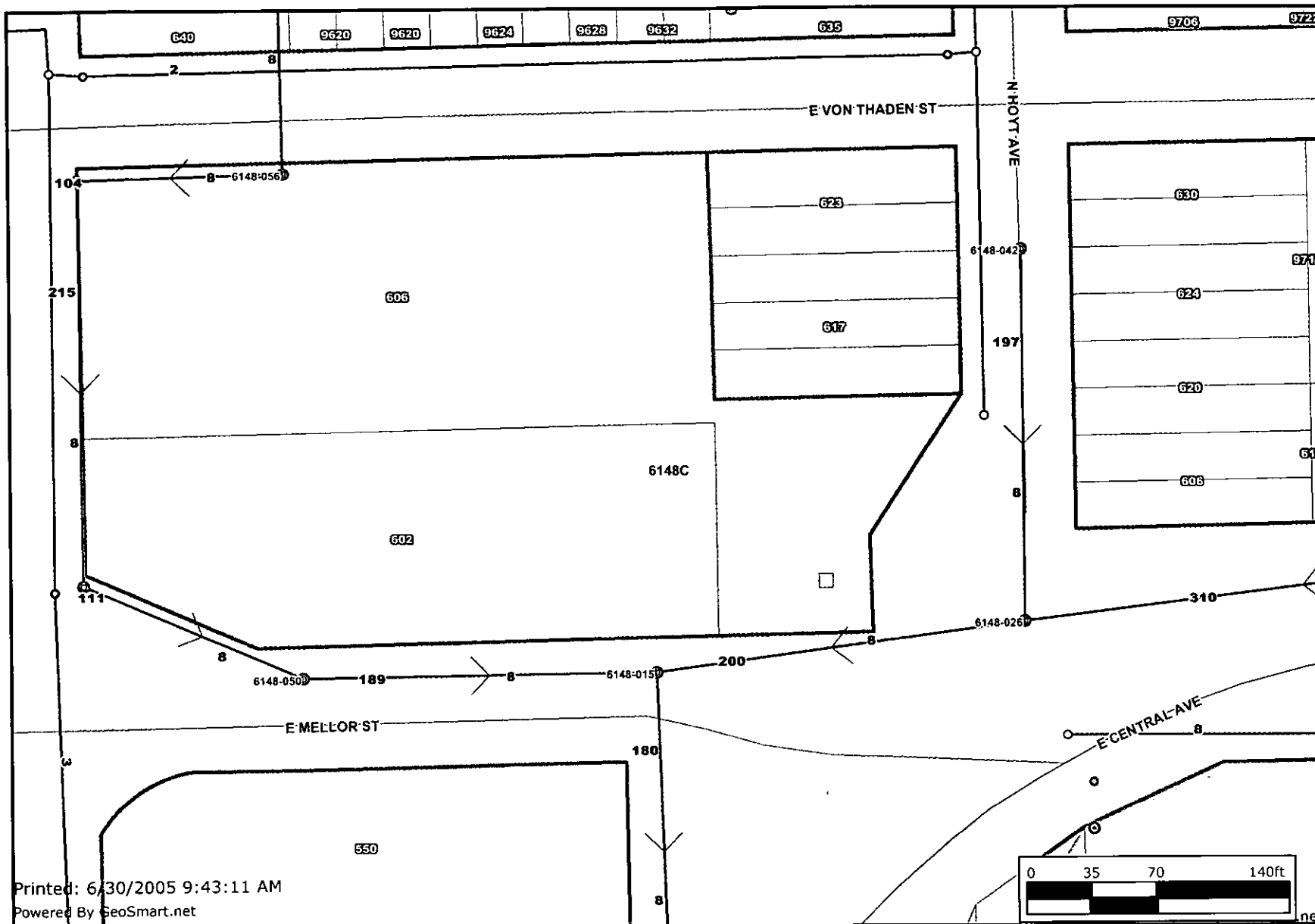
Based upon information available prior to the public hearings and reserving the right to make recommendations based on subsequent comments from City Public Works, franchised utility representatives and other interested parties, Planning Staff recommends approval of the vacation of a portion of the platted 50-foot front yard setback, as described.

- (1) Vacate the north 30-feet of the platted 50-foot front yard setback, on the southeast portion of Lot 1, Block 1, the Kuhlman Addition, as recorded with Wichita, Sedgwick County, Kansas. Provide Staff with a metes and bounds description of the area of encroachment, on a word documents via e-mail.
- (2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants.
- (3) All improvements shall be according to City Standards.
- (4) Per MAPC Policy Statement #7, all conditions to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation request are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.



vac2005-26

water & sewer



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