



Wichita-Sedgwick County Metropolitan Area Planning Department

August 28, 2007

Brandon Walsh
1426 N. Stratford Lane
Wichita, KS 67206

Re: **VAC2007-00021** - Request to vacate a platted setback, generally located east of Woodlawn Boulevard, north of 13th Street North, and southwest of Stratford & Armour Lanes.

Dear Mr. Walsh:

At its regular meeting on Tuesday, August 28, 2006, 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,

A handwritten signature in black ink, appearing to read 'Bill Longnecker', written over a horizontal line.

Bill Longnecker
Senior Planner

BL:le

00002282913071

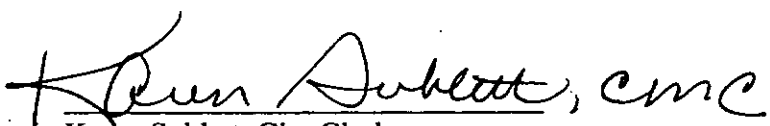
- 3. A 20-foot front yard setback on Lot 2, Block 7, McEwen 6th Addition will be in effect at the recording of this Vacation Order with the Register of Deeds.
- 4. In justice to the petitioner(s), the prayer of the petition ought to be granted.
- 5. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.
- 6. The vacation of the platted setback described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 28th day of August 2007 ordered that the above-described portion of the platted 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.



Carl Brewer, Mayor

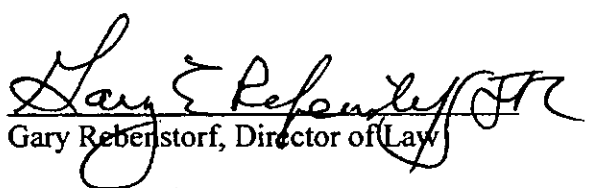
ATTEST:



Karen Sublett, City Clerk



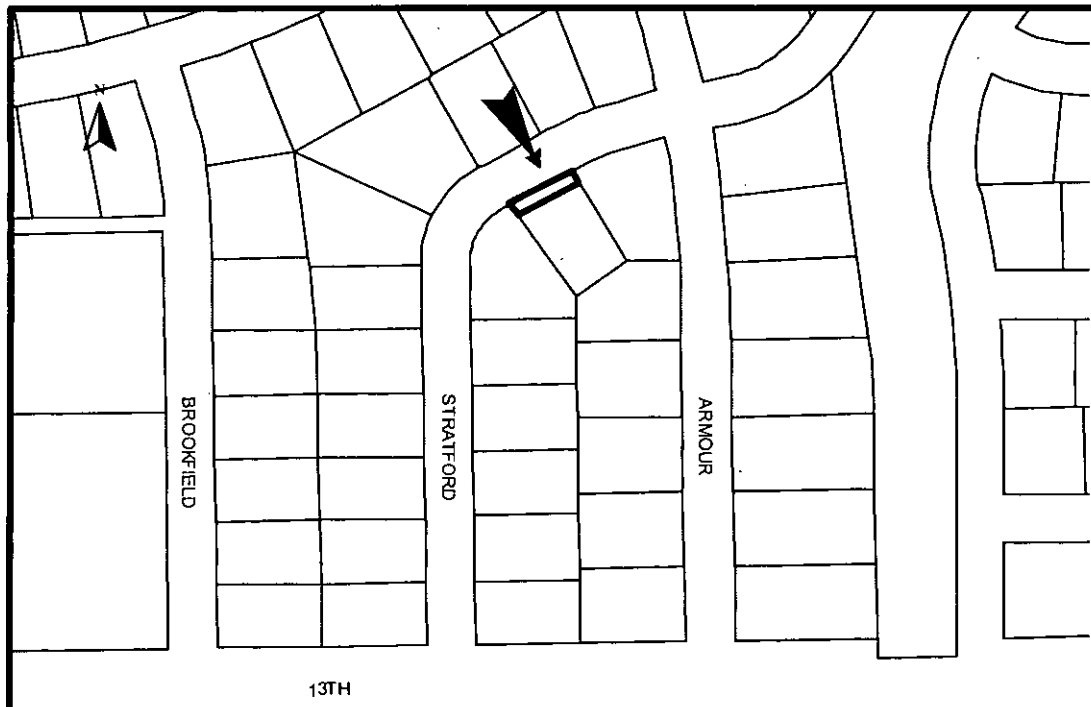
Approved as to Form:



Gary Reberstorf, Director of Law

STAFF REPORT

- CASE NUMBER:** VAC2007-00021 Request to vacate a platted setback
- OWNER/APPLICANT:** Brandon Walsh
- LEGAL DESCRIPTION:** Generally described as the platted 30-foot front yard building setback, located on Lot 2, Block 7, McEwen 6th Addition, Wichita, Sedgwick County, Kansas.
- LOCATION:** Generally located east of Woodlawn Boulevard, north of 13th Street North southwest of Stratford and Armour Lanes (WCC #II)
- REASON FOR REQUEST:** Additional room for a garage
- CURRENT ZONING:** The site and all abutting and adjacent properties are zoned "SF-5" Single-family Residential.
- VICINITY MAP:**



The applicant proposes to vacate the platted 30-foot front yard setback. The Unified Zoning Code's (UZC's) minimum front yard setback for the "SF-5" Single-family Residential zoning district is 25-feet. If the setback were the minimum 25-foot setback per the UZC, an Administrative Adjustment could be applied to reduce the 25-foot setback by 20%; a 20-foot setback. There is a 5-foot half of a 10-foot platted side yard setback on the property's west side that will not be affected by the vacation request. There are no platted utility easements within the platted setback. There are no manholes, sewer or water lines in the platted setback. Sewer is located along the lot's south property line and water is located in the Stratford Lane right-of-way (ROW). Comments from the franchised utilities and Storm Water have not been received and are needed to determine if they have utilities located within the easement. The McEwen 6th Addition was recorded with the Register of Deeds October 11, 1958.

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 the platted setback with conditions.

- (1) The new setback will be per the UZC's minimum 25-foot front yard setback for the "SF-5 zoning district or/and if necessary a 20-foot front yard setback, as permitted by the 20% reduction standards of an Administrative Adjustment.
- (2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicant's expense. If needed provide easements for utilities. Retain the existing platted easement that intersects the platted setback.
- (3) All improvements shall be according to City standards and at the applicant's expense.
- (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

