

City of Wichita
City Council Meeting
September 29, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1487 - REQUEST TO VACATE A PORTION OF A PLATTED FRONT YARD
BUILDING SETBACK.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a portion of the platted building setback.

MAPC Recommendation: Approve vacation of a portion of the platted building setback. (unanimous)

Location: In an area east of Cypress, north of Elm. (District #2).

Applicant: Ritchie Associates, 8100 E. 22nd Street North, Bldg. 500,
Wichita, KS 67226

Site Size: A triangular portion of a building setback containing approximately 33 square feet.

Current Zoning: "AA" (Single-Family)

Background: This vacation case has been requested in order to provide additional buildable lot area for the corner of a proposed house on a cul-de-sac. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions. This case was previously scheduled for consideration on September 15, 1987, but was struck from the agenda because of a publication error.

Legal Considerations: The City Clerk needs to certify as to proper notification and no filing of written protest.

Recommendations/Action: Close public hearing; approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order, recording costs to be billed to:

755-68-360-50000-295-000-000

BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF A PORTION OF)
A PLATTED BUILDING SETBACK.)

GENERALLY LOCATED IN AN AREA EAST OF)
CYPRESS AND NORTH OF ELM. (V-1487))

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS)
SEDGWICK COUNTY)
FILED FOR RECORD AT SEP 15 1987
1:00 P M

VACATION ORDER NO. 9 11550 MICROFILMED
PAT KETTLER
REGISTER OF DEEDS Ed Brady

NOW on this 29th day of September, 1987, comes on for hearing the petition for vacation filed by Ritchie Associates, praying for the vacation of the following described portion of a platted building setback, to-wit:

A tract of land on Lot 4, Block 2, Gatewood Addition, more fully described as beginning on the platted building setback line, said point being approximately 32 feet south and 17 feet east of the northwest corner of said Lot 4; thence N 75° 00' E, a distance of 11.0 feet; thence S 15° 00' E, a distance of 6.0 feet; thence northwesterly along said platted setback line to the point of beginning. (V-1487)

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 Daily Record of notice of this vacation proceeding for consecutive weeks on SEPT. 15 & 22, 1987.
2. No private rights will be injured or endangered by the vacation of the above-described building 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 the building setback described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 29th day of September, 1987, ordered that the above-described building 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:

Dale E. Rea, Deputy City Clerk

Approved as to Form:

Thomas Powell, Interim Director of Law

PL/7321/5

City Clerk

Robert C. Knight, Mayor

State of Kansas)
Sedgwick County,)
City of Wichita)
DALE E. REA, Deputy City Clerk of the City of Wichita, Kansas, hereby certifies that the documents to which this certificate is attached are a true and correct copy of the original documents on file in the office of the City Clerk. Given under my hand and seal of the City of Wichita, this 29th day of September, 1987.

