

Planning Agenda Item # _____

City of Wichita
City Council Meeting
September 13, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1551 - REQUEST TO VACATE A PORTION OF A PLATTED BUILDING SETBACK LOCATED
IN AN UNINCORPORATED PART OF SEDGWICK COUNTY ON THE NORTH SIDE OF TAFT IN
AN AREA EAST OF CITY VIEW.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of building setback.

MAPC Recommendation: Approve vacation of building setback. (unanimous)

Background: This vacation case has been requested in order to clear a "cloud" from the property's title because of a building encroachment. After vacation, a 36-foot setback will remain. This vacation case requests vacation of only that portion of the setback needed to clear the building encroachment. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: This request for vacation is located on property outside the City of Wichita, but within three miles thereof. As such, no petition, publication of notification or public hearing is required before the Wichita City Council.

Recommendations/Action: Approve vacation; adopt resolution; record resolution, recording cost to be billed to:

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

Appr / Accepted By City Council

This SEP 13 1988

() (Published in the Daily Record ^{Reporter} SEP 16 1988, 1988)

RESOLUTION

A RESOLUTION APPROVING THE VACATION OF A PORTION OF A PLATTED BUILDING SETBACK DESCRIBED AS:

The north 4 feet of the south 40 feet of the west 40 feet of the east 130 feet of Lot 7, Block 4, Maple Hill Fifth Addition, Wichita, Sedgwick County, Kansas.

WHEREAS, there has been filed in the office of the Wichita-Sedgwick County Metropolitan Area Planning Department, proceedings for the vacation of building setback described as:

The north 4 feet of the south 40 feet of the west 40 feet of the east 130 feet of Lot 7, Block 4, Maple Hill Fifth Addition, Wichita, Sedgwick County, Kansas.

WHEREAS, said Department has given notice of such proceedings to all adjoining property owners of a public hearing to be held before the Wichita-Sedgwick County Metropolitan Area Planning Commission; and

WHEREAS, such a public hearing was held by the Wichita-Sedgwick County Metropolitan Area Planning Commission on August 4, 1988;

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That the building setback, described as follows, to-wit:

The north 4 feet of the south 40 feet of the west 40 feet of the east 130 feet of Lot 7, Block 4, Maple Hill Fifth Addition, Wichita, Sedgwick County, Kansas.

CASE NO. V-1551

be and same is approved for vacation.

SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that the above-described building setback be vacated in the event that a proper petition is filed under the provisions of Kansas Statutes Annotated, 58-2613, 58-2614 and 58-2615.

SECTION 3. That this resolution shall be in force and take effect from and after its passage and publication once in the official city paper.

Passed and approved at Wichita, Kansas, this 13th day of September, 1988.

ATTEST:

Dale E. Rea
Dale E. Rea, Deputy City Clerk (Seal)

Skeets L. Winkler
SKEETS L. WINKLER VICE MAYOR

STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED FOR RECORD AT
-- 8:00 AM
SEP 26 1988 0971178

PAT NETTLER
REGISTER OF DEEDS

Pat Nettler
Deputy

MICROFILMED
OF RECORD

5.00

City Clerk

Surveyor

