

Planning Agenda Item # _____

City of Wichita
City Council Meeting
October 9, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1680 - REQUEST TO VACATE PLATTED BUILDING SETBACK LOCATED
SOUTH OF KELLOGG AND EAST OF 143RD STREET EAST.

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: The applicant is seeking to tear down an old storage shed and build a new one and expand it. He is requesting the vacation of 10 feet of the setback along 143rd. The owner is dedicating by separate instrument, complete access control across the west line of the property along 143rd St. 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:

300210-9024

STATE OF KANSAS } ss
 SEDGWICK COUNTY }
 FILED FOR RECORD AT
 10:00 AM

BEFORE THE BOARD OF COUNTY COMMISSIONERS
 OF SEDGWICK COUNTY, KANSAS

Nov 15 1990 1104433

PAT KETTLER
 REGISTER OF DEEDS

IN THE MATTER OF THE VACATION OF
 Building Setback
 GENERALLY LOCATED
 Springdale Country Club Estates

*Ed Ross
 Deputy*

MICROFILMED
 OF RECORD

VACATION ORDER

NOW on this 14th day of November, 1990, at 9:00
 o'clock A.M. comes on for hearing the petition for vacation
 filed by Larnard E. Smith, praying for the vacation of the
 following described building setback.

The east 10 feet of the south 30 feet of the west 20 feet of
 Lot 10, Block 6, Springdale Country Club Estates, Sedgwick
 County, Kansas V-1680

the said petitioners being represented by their attorney,
-----.

WHEREUPON, it is shown that proper notice has been given by
 publication in the Daily Reporter, a newspaper printed in the
 State of Kansas and being published in and for general
 circulation in Sedgwick County, Kansas, the first publication
 being made on the 18th day of October, 1990, and
 proper proof of such publication being filed herein. The Board
 being advised in the premises find that usch notice is in due
 legal form and conforms to K.S.A. 58-2613.

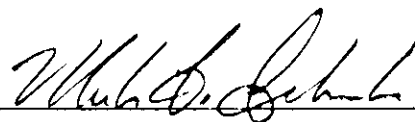
THEREAFTER, the matter is presented to the Board and the
 Board finds that no private rights will be injured or endangered
 by such vacation and that the public will suffer no loss or
 inconvenience thereby, and that in justice to the petitioners,
 their prayer should be granted and that no written objections
 have been filed hereto with the County Clerk.

8.00 ct

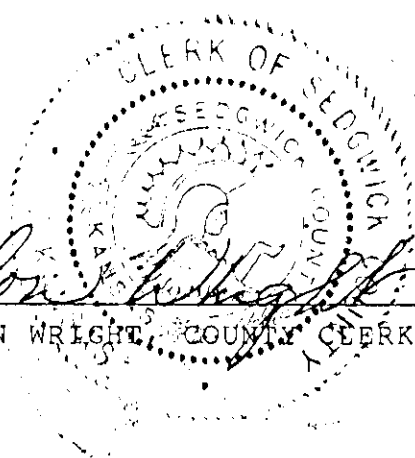
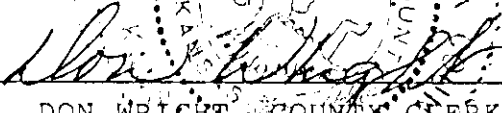
County Clerk

The Board further finds that the Governing Body of the City of Wichita, by Resolution, at its regular meeting held on the 9th day of October, 1990, recommended and approved the vacation of the above-described building setback.

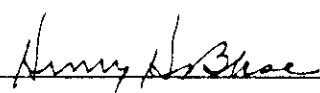
IT IS, THEREFORE, BY THE BOARD OF COUNTY COMMISSIONERS, in regular session duly assembled, ordered that the above-described building setback is hereby vacated.


MARK F. SCHROEDER, CHAIRMAN

ATTEST:



DON WRIGHT, COUNTY CLERK

APPROVED AS TO FORM:


for RICHARD EUSON, ASST. COUNTY COUNSELOR

