

Planning Agenda Item # _____

City of Wichita
City Council Meeting
August 10, 1993

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V- 1826; Request to vacate building setback, generally located south of Mt. Vernon and west of Webb. (District # 2).

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve vacation.

MAPC Recommendation: Approve vacation (unanimous).

Background: This is the vacation of a portion of a platted 25-foot front yard building setback. A portion of the house was constructed within the building setback area. The present vacation request only applies to that portion of building setback adjacent to and in front of applicant's house. Staff and MAPC have recommended approval because there are no utilities within the setback being vacated, the remainder of front yard building setback is unaffected by this vacation, and the vacation will not adversely affect the public interest.

This vacation has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

RECOMMENDATIONS/ACTIONS:

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

150029-2909.

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

IN THE MATTER OF THE VACATION OF
THAT PORTION OF BUILDING SETBACK

GENERALLY LOCATED SOUTH OF
MT. VERNON AND WEST WEBB

MORE FULLY DESCRIBED BELOW

) NOTE: This vacation order
) corrects the vacation
) order recorded October 25,
) 1993 on Film 1384, pages
) 0858 and 0859
)
) Case No. V-1826
)

VACATION ORDER

NOW on this 10th day of August, 1993, comes on for hearing the petition for vacation filed by Andreas Papamichael, praying for the vacation of the following described portion of building setback, to-wit:

That portion of the platted 25-foot building setback line on Lot 20, Block 2, Hedge Cliff 4th Addition, Wichita, Kansas, described as beginning 24.3 feet west and 15 feet north of the S.E. corner of said Lot 20; thence north parallel with the east line of said Lot 20, 24 feet; thence west parallel with the south line of said Lot 20, 0.7 feet; thence south parallel with the east line of said Lot 20, 24 feet; thence east parallel with the south line of said Lot 20, 0.7 feet to the point of beginning.

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 Reporter of notice of this vacation proceeding for consecutive weeks on 7-23-93 & 7-30-93
2. No private rights will be injured or endangered by the vacation of the above-described portion of 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.

8⁰⁰ City Clerk

1001 22009

MICROFILMED
OF RECORD

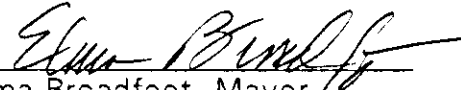
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Vacation Order
V - 1826

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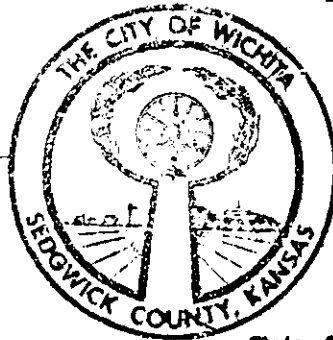
5. The vacation of the portion of building setback described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of August, 1993, ordered that the above-described portion of 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.

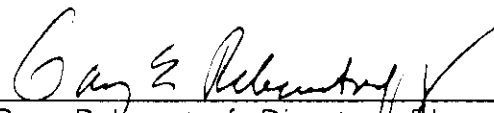

Elma Broadfoot, Mayor

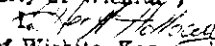
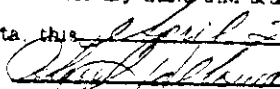
ATTEST:

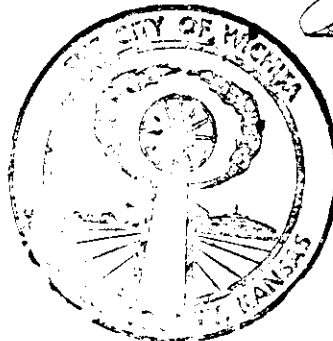

Pat Burnett, Deputy City Clerk



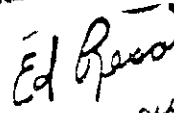
Approved as to Form:

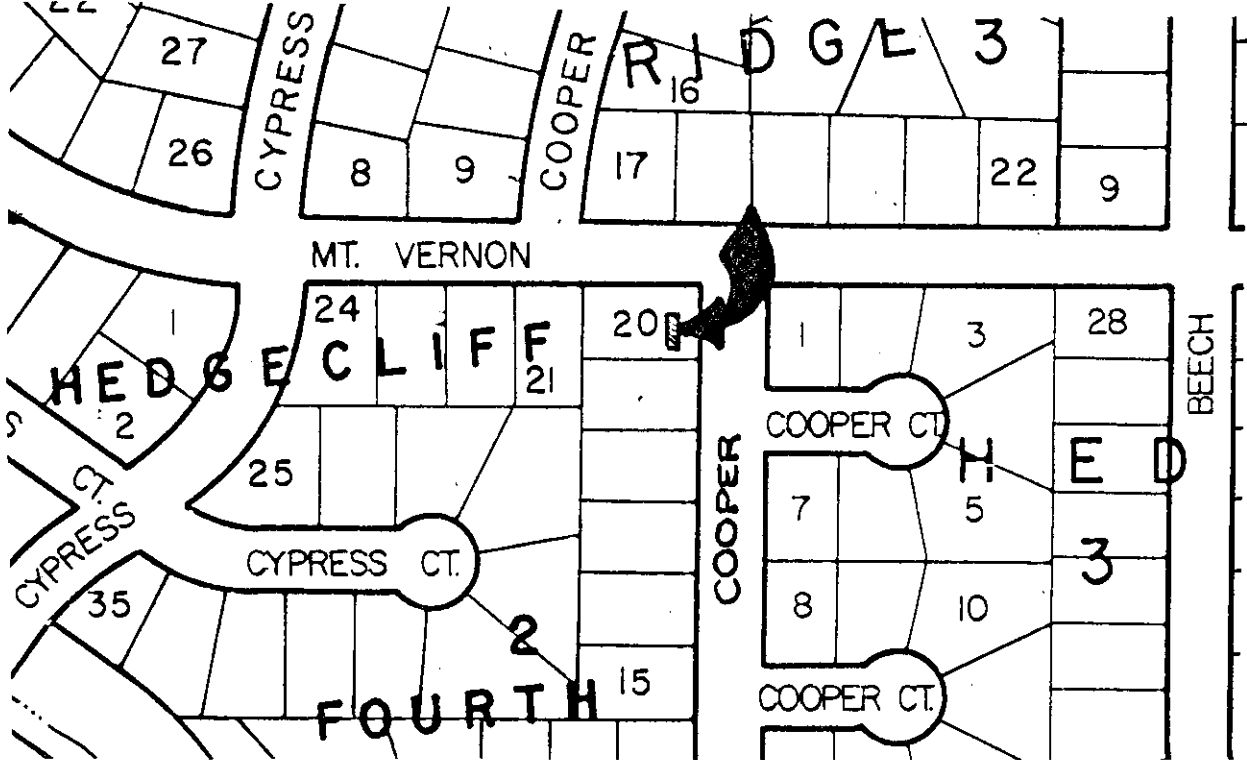

Gary Rebenstorf, Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita)
I,  Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is affixed is a true and correct copy of the original on file in the office the the City Clerk. Given under my hand and seal of the City of Wichita, this April 22, 1994
 Deputy City Clerk



STATE OF KANSAS) ss
SEDGWICK COUNTY)
FILED FOR RECORD AT
8-00A M
JUN 23 1994
NO. 1392071
PAT KETTLER
REGISTER OF DEEDS


Ed Reed
Deputy



Application Filed 6/21/93
 S/D Comm. Action 7/8/93
 Approved
 M.A.P.C. Action
 Approved 7-15-93

W.C.C. Action 8-10-93 Approved
 Bd. Co. Co. Action
 Order to Vacate Recorded
 11/23/1994