Planning Agenda #_____

City of Wichita
City Council Meeting
March 21, 1995

Agenda Report #_____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1901 REQUEST TO VACATE A BUILDING SETBACK

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 corner lot was platted with 30-foot building setbacks to both adjacent streets. The street to the east, Eilison is only a half street and has not yet been installed. The applicant is requesting to vacate a portion of the setback to Eilison in order to provide additional area for a planned expansion to the existing residence. No utilities will be impacted and both County Engineering and the utility representatives of the Subdivision Committee had no objections to the vacations, also no abutting property owners have indicated any objections at this point. 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/Actions: Approve vacation;

FILM 1530 PAGE 156

STATE OF KANSAS) ss
SEDGWICK COUNTY)
FILED FOR RECORD AT
12:30 P M
1459444 MAY 16 95
PAT KETTLER
REGISTER OF DEEDS

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF BUILDING SETBACK	)	
GENERALLY LOCATED SOUTH OF HARRY AND EAST OF GREENWICH ROAD.	)	MAPD CASE NO. V-1901

VACATION ORDER

NOW on this 3rd day of May, 1995, at 9:00 o'clock A.M. comes on for hearing a petition praying for the vacation of the following-described real property, to wit:

> That portion of a platted building setback described as: The west 15 feet of the 30 foot building setback platted adjacent to the east line of Lot 9, Sloan's Addition, Sedgwick County, Kansas, except the south 30-feet thereof.

WHEREUPON, it is shown that proper notice has been given by publication once each week for three consecutive weeks in the official county newspaper, the first such publication having occurred on April 7, 1995, and it is further shown that proper proof of such publication has been filed herein. The Board finds that such notice is in lawful form and that it conforms to K.S.A. 58-2613.

THEREAFTER, the Board, having heard all interested parties and being otherwise duly advised in the premises, finds and determines that no private rights will be injured or endangered by such vacation; that the public will suffer no loss or inconvenience thereby; that no written objections hereto have been filed with the Sedgwick County Clerk; and that, in justice to the petitioner, the petition's prayer should be granted.

COPY
City Clerks Office
455 N. Main - 12th Floor
Wichita, KS 67202

The Board further finds that on February 23, 1995, the Metropolitan Area Planning Commission recommended that the vacation petition herein be approved; and on March 21, 1995, the Governing Body of the City of Wichita recommended that the said petition be approved.

THEREFORE, IT IS ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS THAT the above-described real property be and the same is hereby vacated.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

Mark F. Schroeder, Chairman

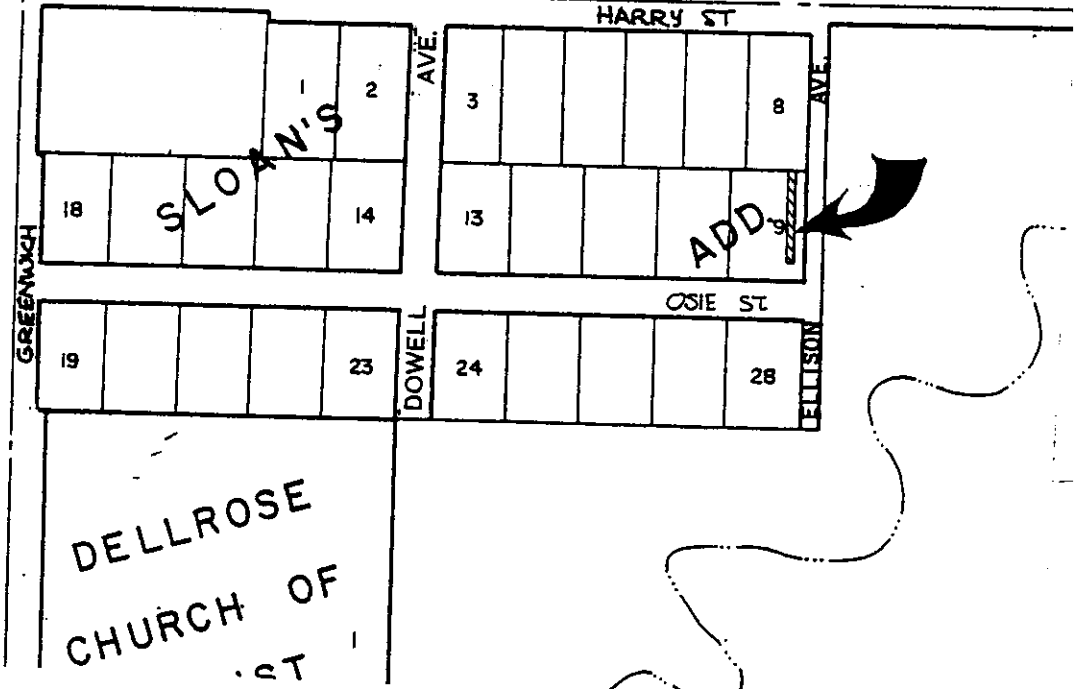
ATTEST:

Susan E. Crockett-Spoon
County Clerk

APPROVED AS TO FORM:

Richard A. Euson by Carmen S. Greenup
Richard A. Euson
Assistant County Counselor

COPY


HARRY ST
AVE.
AVE.
1
2
3
8
SLOAN'S
ADD.
18
14
13
9
OSIE ST
GREENWICH
DOWELL
ELLISON
19
23
24
28
DELLROSE
CHURCH OF