

Planning Agenda # _____

**City of Wichita
City Council Meeting
December 20, 1994**

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: ~~PUBLIC HEARING~~ V-1891 REQUEST TO VACATE A PORTION OF A
BUILDING SETBACK IN AN AREA NORTH OF HARRY AND WEST OF
143RD ST. EAST

INITIATED BY: Metropolitan Area Planning Department

W Krout

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of building setback.

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

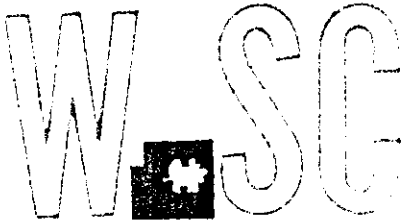
Background: An existing house was found to have a minor encroachment of a building setback. County Engineering indicated no public facilities were involved and the Subdivision Committee determined the vacation would have negative impacts. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

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

Recommendations/Actions: Approve vacation

FILE COPY

WICHITA — SEDGWICK COUNTY —



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421

November 22, 1994

Philip J. Rippee
1555 Creekside
Wichita, KS 67230

Re: V-1891 Request to vacate a portion of a building setback

Dear Mr. Rippee:

At the November 17, 1994 meeting of the Metropolitan Area Planning Commission, the above-referenced vacation request was approved subject to the conditions recommended by the Subdivision Committee and stated in our letter of November 10, 1994. Since you have completed all the approval conditions, we are automatically scheduling this case for review by the Wichita City Council. You will receive a copy of a publication notice indicating exactly when the City Council will hear this case.

Sincerely,

Don Losew
Don Losew
Senior Planner

DL:le

Enclosure

cc: Savoy, Ruggles, & Bohm, P.A., c/o Mark Savoy, 924 N. Main, Wichita, KS 67203
Harry J. & Melanie M. Laubhan, 1544 Creekside, Wichita, KS 67230
Victor D. & Diane H. Sheppard, 1548 Creekside, Wichita, KS 67230
Donald C. & Kathy A. Armstrong, 1552 Creekside, Wichita, KS 67230
Herman A. & Holly A Scharping, 1562 Creekside Ln, Wichita, KS 67230
Porter & Plumber Homes, a Kansas Partnership, 2999 penstemon Cr., Wichita, KS 67266
Nies Builder, Inc., 9415 E. Harry, Wichita, KS 67207
Mike Lindebak, City Engineer
Jim Weber, County Engineering, 1250 S. Seneca, Wichita, KS 67213

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421

Philip J. Rippee
1555 Creekside
Wichita, KS 67230

November 10, 1994

Re: V-1891 Request to vacate a portion of a building setback

Dear Mr. Rippee:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, Thursday, November 10, 1994, the above-captioned vacation request was considered. The action of the Committee was to recommend that this vacation be approved subject to:

- A. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, November 17, 1994 at 1:30 p.m. If you have any questions, please call - 268-4459.

Sincerely,

Don Losew
Senior Planner

DL:rh

cc: Savoy, Ruggles, & Bohm, P. A., c/o Mark Savoy, 924 N. Main, Wichita, KS 67203

Harry J. and Melanie M. Laubhan, 1544 Creekside, Wichita, KS 67230

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Mike Lindebak, City Engineer

Jim Weber, County Engineering, 1250 South Seneca, Wichita, KS 67213

REC-11

EXHIBIT
PARTIAL VACATION OF BUILDING SETBACK LINE

LEGAL DESCRIPTION:

Commencing at the northeasterly most corner of Lot 5, Block 1, Spring Hollow Fourth Addition, Sedgwick County, Kansas; thence S59°49'35"W, along the northwesterly line of said Lot 5, 25 feet; thence S30°10'25"E, along the Building Setback Line, 15.82 feet to the P.C. of a curve to the right, having a radius of 173 feet; thence southeasterly along said curve and through a central angle of 02°41'34", an arc distance of 8.13 feet for a place of beginning; thence continuing southeasterly, along said curve and through a central of 13°08'07", an arc distance of 39.66 feet; thence N72°35'25"E 2.55 feet; thence N17°24'35"W, 39.50 feet; thence S72°35'25"W, 4.97 feet to the place of beginning.

