

Planning Agenda # _____

**City of Wichita
City Council Meeting
March 3, 1998**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2064 REQUEST TO VACATE PLATTED BUILDING SETBACK LOCATED AT THE CORNER OF WEST AND 17TH STREET NORTH.
(District #5)

INITIATED BY: Metropolitan Area Planning Department *MCroat*

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of building setback.

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

Background: The applicants are requesting the vacation of a portion of the platted 25-foot building setback along 17th Street just east of West Street, down to 20 feet, in order to construct a detached garage. The contractor applied for a building permit and was advised of the platted building setback restriction.

The Subdivision/Utility Committee recommended the request to vacate a portion of the platted building setback be approved subject to the following conditions:

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

The MAPC recommended approval of the Subdivision/Utility Committee recommendation. No members of the public spoke in opposition to this request.

Recommendations/Actions:

Close the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; record the certified copy of the Vacation Order, recording costs to be billed to:
150003-2909



STATE OF KANSAS }
SEDGWICK COUNTY } SS

Approved / Accepted By City Council

This MAR 3 1998

APR 15 10 14 AM '98

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Christina
Deputy

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

IN THE MATTER OF THE VACATION OF)
BUILDING SETBACK)
)
GENERALLY LOCATED)
CORNER OF WEST AND 17TH STREET)
NORTH)
)
MORE FULLY DESCRIBED BELOW)

Case No. V-2064

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 3rd day of March, 1998, comes on for hearing the petition for vacation filed by Lawrence R. & Shirley A. Ricke, praying for the vacation of the following described building setback, to-wit:

That portion of the platted building setback described as beginning at the SW corner of Lot 20, Block 6, Sunset Heights 3rd Addition to the City of Wichita, Sedgwick County, Kansas; thence north along the west line of said Lot 20 a distance of 25 feet; thence east and parallel to the south line of said Lot 20 a distance of 31.5 feet to the point of beginning; thence east and parallel to the south line of said Lot 20 a distance of 22 feet; thence south and parallel to the east line of said Lot 20 a distance of 5 feet; thence west and parallel to the south line of said Lot 20 a distance of 22 feet; thence north and parallel with the east line of said Lot 20 a distance of 5 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 one time 2-6-98, which was at least 20 days prior to this public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described 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.
5. The vacation of the building setback described herein should be approved.

8:00
-CK

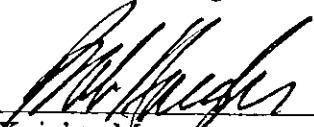
CITY CLERK

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Vacation Order
V - 2064

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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 3rd day of March, 1998, ordered that the above-described 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.



Bob Knight, Mayor

ATTEST:



Pat Burnett, City Clerk



Approved as to Form:

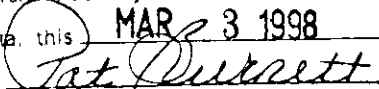


Gary Rebenstorf, Director of Law



State of Kansas)
Sedgwick County) ss
City of Wichita)

Pat Burnett 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 my office.

Given under my hand and seal of the City of Wichita, this MAR 3 1998
 City Clerk

