

Planning Agenda # _____

**City of Wichita
City Council Meeting
October 13, 1998**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2108 REQUEST TO VACATE A PORTION OF 25 FOOT BUILDING SETBACK LOCATED WEST OF ROCK ROAD AND NORTH OF 37TH STREET NORTH (4111 IRONWOOD.
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a portion of 25 foot building setback.

MAPC Recommendation: Approve vacation of a portion of 25 foot building setback.
(unanimous)

Background: The applicant is requesting to vacate a slight portion of the platted 25 foot building setback. The setback is along the north and is platted from Ironwood Court. The vacation would allow the applicant to add a third bay to the existing two-car garage.

Public Works has reviewed and approved this request. The Subdivision Committee and the MAPC both voted unanimously to approve the requested vacation of a portion of the building setback.

Legal Considerations: The City Clerk needs to certify as to proper notification and no filing of written protest.

Recommendations/Actions: Close the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Vacation Order.

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

J. Brelan
Deputy

IN THE MATTER OF THE VACATION OF
25 FOOT BUILDING SETBACK

GENERALLY LOCATED
ROCK ROAD AND 37TH STREET NORTH

Case No. V-2108

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS) ss
SEDGWICK COUNTY)

DEC 3 11 47 AM '98



VACATION ORDER

BILL MEEK
REGISTER OF DEEDS

NOW on this 13th day of October, 1998, comes on for hearing the petition for vacation filed by Kathryn R. Newsom, praying for the vacation of the following described 25 foot building setback, to-wit:

Commencing at the Northeast corner of said Lot 12, Block 3, Willowbend 1st Addition to Wichita, Sedgwick County, Kansas; thence S 89° 10' 51" W, 33 feet along the North line of said Lot 12; thence S 0° 49' 09" E, 23.74 feet parallel to the East line of said Lot 12 to the point of beginning; thence continuing S 0° 49' 09" E, 1.26 feet; thence S 89° 10' 51" W, 200.00 feet parallel to the North line of said Lot 12; thence N 0° 49' 09" W, 1.26 feet parallel to the East line of said Lot 12; thence N 89° 10' 51" E, 20.00 feet parallel to the North line of said Lot 12 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 9-22-98, 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 25 foot 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.

8.00

City Clerk

150003
8.00
cl

MICROFILMED
OF RECORD

Vacation Order
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5. The vacation of the 25 foot building setback described herein should be approved, subject to the following condition:

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

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 13th day of October, 1998, ordered that the above-described 25 foot 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.



ATTEST:

Pat Burnett
Pat Burnett, City Clerk

Bob Knight
Bob Knight, Mayor

Approved as to Form:

Gary Rebenstorf
Gary Rebenstorf, Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita)
I, Pat Burnett, City Clerk of the City of Wichita,
do hereby certify that the foregoing is a true and correct
copy of the original of the City Council Resolution
passed on the 13th day of October, 1998.
Given under my hand and seal of the City of
Wichita, this OCT 13 1998
Pat Burnett City Clerk



