

Planning Agenda # _____

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

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2107 REQUEST TO VACATE A PORTION OF A
BUILDING SETBACK LOCATED SOUTH OF 30TH STREET NORTH AND
EAST OF LONGFELLOW (3045 N. ROCK ROAD)
(District #2)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve the vacation of a portion of a building setback.

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

Background: The applicant is requesting to vacate a portion of the platted 35 foot building setback. The setback is along the north line of Lot 2, Block 1, Northrock Crossing and would reduce the building setback to 26.75 feet. The vacation would allow the expansion of the existing building.

Public Works has reviewed and approved the vacation 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.

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CLERK'S ORIGINAL
RETURN TO CITY CLERK

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J. Breha

Deputy

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

IN THE MATTER OF THE VACATION OF
BUILDING SETBACK

GENERALLY LOCATED
30TH STREET NORTH AND LONGFELLOW

MORE FULLY DESCRIBED BELOW

Case No. V-2107

STATE OF KANSAS) ss
SEDGWICK COUNTY)

DEC 3 11 47 AM '98



VACATION ORDER

BILL MEER
REGISTER OF DEEDS

NOW on this 13th day of October, 1998, comes on for hearing the petition for vacation filed by J & K Properties, c/o Connie Schroeder, Wichita Nephrology Group, praying for the vacation of the following described building setback, to-wit:

A reduction of the building setback along the north line of Lot 2, Block 1, Northrock Crossing Addition to Wichita, Sedgwick County, Kansas from 35 feet to 26.75 feet for the east 202 feet of the west 275 feet of said Lot 2.

MICROFILMED
OF RECORD

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 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, subject to the following condition:

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city Clerk

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Vacation Order
V - 2107

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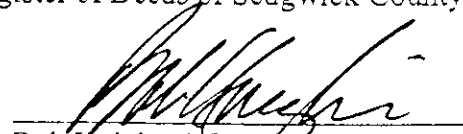
- A) Any relocation or reconstruction of any utilities made necessary by this vacation shall be the responsibility of the applicant.

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

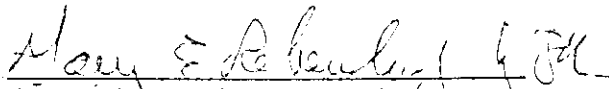
ATTEST:


Pat Burnett, City Clerk




Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law

OCT 13 1998