

Planning Agenda # _____

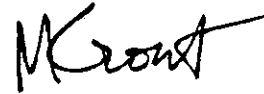
**City of Wichita
City Council Meeting
September 15, 1998**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2103 REQUEST TO VACATE A PORTION OF THE 35
FOOT BUILDING SETBACK LOCATED IN AN AREA AT 21ST AND ROCK
ROAD (2209 BROMFIELD)
(District #2)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a portion of the 35 foot building setback.

MAPC Recommendation: Approve vacation of a portion of the 35 foot building setback.
(unanimous)

Background: The applicant is requesting to vacate a portion of the platted 35 foot building setback. The setback is in the rear yard and is platted from 21st Street North. The vacation would allow the applicant to construct a shed in the rear yard.

Public Works has indicated that this vacation request is acceptable. No member of the public addressed the MAPC in opposition to this request.

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**

IN THE MATTER OF THE VACATION OF
A PORTION OF THE 35 FOOT BUILDING
SETBACK

GENERALLY LOCATED
21ST AND ROCK ROAD

MORE FULLY DESCRIBED BELOW

Case No. V-2103



STATE OF KANSAS } SS
 SEDGWICK COUNTY }

Oct 8 8 02 AM '98

BILL MEIK
REGISTER OF DEEDS

VACATION ORDER

NOW on this 15th day of September, 1998, comes on for hearing the petition for vacation filed by Robert E. McGuire, praying for the vacation of the following described a portion of the 35 foot building setback, to-wit:

The north 14 feet of the south 20 feet of the west 20 feet of the east 33 feet of Lot 7, Block 10, Sycamore Village Second Addition, an addition to Wichita, Sedgwick County, Kansas.

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 8-21-98, 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 a portion of the 35 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.
5. The vacation of the a portion of the 35 foot building setback described herein should be approved, subject to the following condition:

7.00

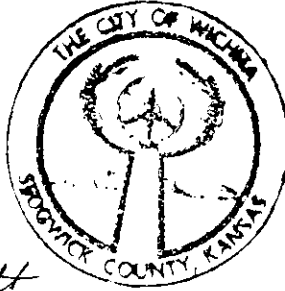
City Clerk

Vacation Order
V - 2103

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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 15th day of September, 1998, ordered that the above-described a portion of the 35 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 E 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, 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 SEP 15 1998
Pat Burnett City Clerk

