

Planning Agenda # _____

City of Wichita
City Council Meeting
August 4, 1998

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2095 REQUEST TO VACATE A PORTION OF 25 FOOT BUILDING SETBACK LOCATED ON A LOT ON BRADFORD CIRCLE IN THE WHITE TAIL ADDITION, SOUTH AND WEST OF BRADFORD CIRCLE, 13TH STREET NORTH AND 127TH EAST.
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

M. Krout

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: This is a request to vacate a small triangular area within the platted 25 foot building setback, to accommodate a proposed house plan. This vacation would reduce the building setback from 25 feet to 15. 7 feet on the southern portion of the property.

The vacation request has been reviewed and approved by the Planning Commission. Nearby lot owners were notified, but no members 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.

731830 U-8 88
Approved / Accepted By City Council
This AUG 4 1998

FILE 1835 GE0022 150003 - 8 8
CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

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MICROFILMED
OF RECORD

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

IN THE MATTER OF THE VACATION OF)
25 FOOT BUILDING SETBACK)

GENERALLY LOCATED)
WHITE TAIL AND BRADFORD CIRCLE,)
NEAREST INTERSECTION IS 13TH STREET)
NORTH AND 127TH EAST (12765 E. BRADFORD)
CIRCLE))

Case No. V-2095



MORE FULLY DESCRIBED BELOW

Pat H. [unclear]
Deputy

STATE OF KANSAS }
SEDGWICK COUNTY } SS
Oct 8 8 02 AM '98

VACATION ORDER

BILL MEEK
REGISTER OF DEEDS

NOW on this 4th day of August, 1998, comes on for hearing the petition for vacation filed by Ritchie Development Corporation, Attn: Krista Peterson, praying for the vacation of the following described a portion of 25 foot building setback, to-wit:

Lot 17, Block 1, White Tail Addition to Sedgwick County, Kansas, and excluding from said area the following described tract: Commencing at the northeast corner of said lot 17; thence bearing S89°11'17"W along the north line of said Lot 17. A distance of 49.23 feet; thence bearing S0°48'43"E a distance of 38.98 feet to a point in the platted 25 foot building setback line and to the point of beginning; Thence bearing S0°48'43"E a distance of 11.20 feet; thence bearing S89°11'17"W a distance of 9.30 feet to a point in said setback line on a curve to the right having a radius of 62.50 feet and a chord of 14.42 feet bearing N39°21'00"E; thence along said curve through a central angle of 13°15'11" an arc distance of 14.46 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 Aug 10 1998, 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 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.

800
RETURN ABOVE

Vacation Order
V - 2095

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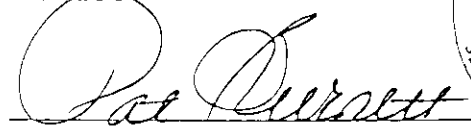
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

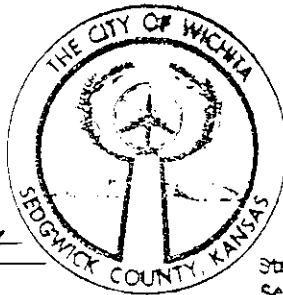
5. The vacation of the a portion of 25 foot building setback described herein should be approved, subject to the following condition:

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 4th day of August, 1998, ordered that the above-described a portion of 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, City Clerk

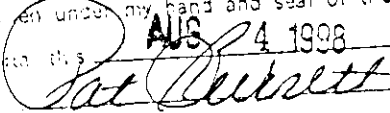



Bob Knight, Mayor

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 AUG 4 1998
 City Clerk

Approved as to Form:


Gary Rebenstorf, Director of Law



LOT 17, BLOCK 1 WHITE TAIL ADDITION

LEGEND

T. F.
PAD

S. S.
WTR.

X 0.0
0.0 T. C.
0.0 W
0.0 I
0.0 F

- TOP FOUNDATION
- = ELEVATION AT GARAGE DOOR OPENING
- = STEP BRICK LEDGE
- SANITARY SEWER
- WATER LINE
- FLOW ARROW
- = POINT ELEVATION
- = TOP CURB
- = WALK ELEVATION
- = TOP IRON
- = * FINISH ELEVATION

SCALE: 1"=20'

