

Planning Agenda # _____

**City of Wichita
City Council Meeting
July 18, 2000**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2000-00022 - REQUEST TO VACATE A PORTION OF A
25-FOOT BUILDING SETBACK LOCATED SOUTH OF 45TH
STREET NORTH AND EAST OF ROCK ROAD ON
IRONWOOD.
(District II)

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

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

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

Background: The applicant is requesting to vacate 10 feet of a 25-foot building setback to construct a new home on this lot. This is a corner lot with 25-foot platted building setbacks on each street side. This lot also has a considerable drainage easement along the rear lot line, thus limiting the amount of buildable area.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Recommendations/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the necessary signatures.

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

**IN THE MATTER OF THE VACATION OF)
A PORTION OF A 25-FOOT BUILDING)
SETBACK)**

**GENERALLY LOCATED)
SOUTH OF 45TH STREET NORTH AND EAST)
OF ROCK ROAD ON IRONWOOD)**

Case No. VAC2000-00022

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 18th day of July, 2000, comes on for hearing the petition for vacation filed by Leewood Homes, c/o Keith Harimon, praying for the vacation of the following described portion of a 25-foot building setback, to-wit:

Commencing at the Southwest corner of Lot 5, Block 1, Willowbend Eighth Estates Addition to Wichita, Sedgwick County, Kansas; thence N27deg28'34"E, 16.37 feet along West line of said Lot 5 to the Point of Beginning; thence N27deg28'34"E, 10.58 feet to a point on the curve to the right; thence along said curve 67.50 feet, said curve having central angle of 51deg33'52", a radius of 75.00 feet, and a long chord of 65.24 feet, bearing N70deg36'51"E, to a point on the curve to the right; thence along said curve 10.50 feet, said curve having central angle of 02deg34'03", a radius of 234.38 feet, and a long chord of 10.50 feet, bearing S22deg55'07"W, to a point on the curve to the left; thence along said curve 58.73 feet, said curve having central angle of 51deg45'58", a radius of 65.00 feet, and a long chord of 56.75 feet, bearing S67deg52'47"W to the Point of Beginning. Said tract contains 630 square feet, more or less.>>

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 on June 6, 2000, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described portion of a 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.
5. The vacation of a portion of a 25-foot building setback described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 18th day of July 2000, ordered that the above-described portion of a 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.



Bob Knight, Mayor

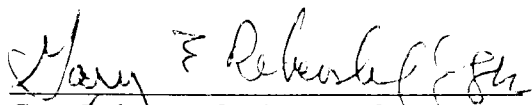
ATTEST:



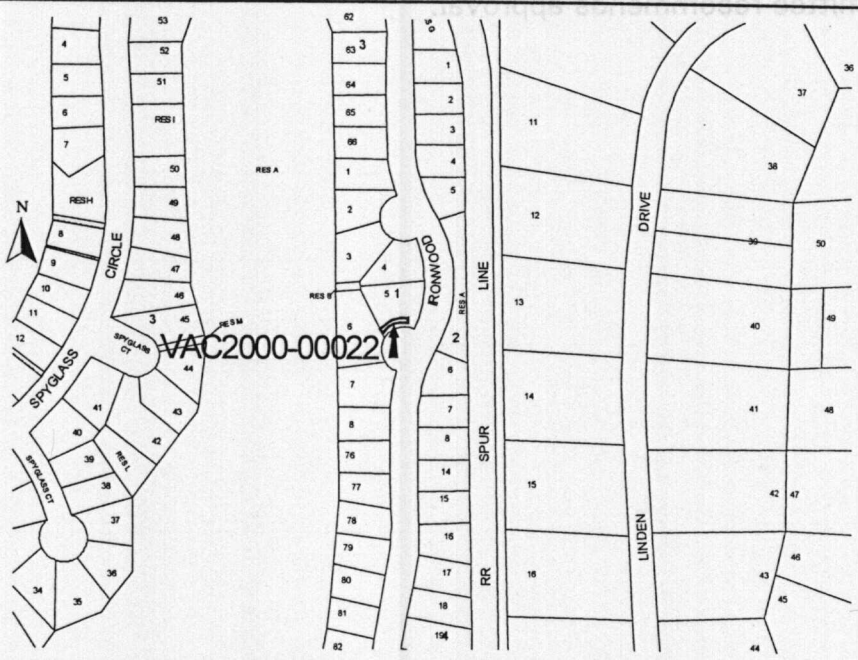
Pat Burnett, City Clerk



Approved as to Form:



Gary Rebenstorf, Director of Law



RES. "B"

10.00'

N 00°49'16" W

S 88°04'58" W

149.59'

DRNG. &
UTIL. ESMT.

N 27°28'54" W

127.39'

PLATTED 25' BLDG. STBK.

PROP. 15' BLDG. STBK.

10' UTIL. ESMT.

R=50.00' L=70.83'

25' BLDG. STBK.

10' UTIL. ESMT.

R=259.38' L=116.56'

IRONWOOD

