

Planning Agenda # _____

City of Wichita
City Council Meeting
July 16, 2002

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2002-00016 - REQUEST TO VACATE A PORTION OF A
PLATTED 15-FOOT SETBACK AND A PLATTED 25-FOOT
SETBACK ON A LOT LOCATED NORTHEAST OF THE
HARRY STREET AND WEBB ROAD INTERSECTION.
(District II)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

M. Kout

Staff Recommendation: Approve.

MAPC Recommendation: Approve. (unanimous)

Background: The applicant has replaced a slab for a covered porch that encroaches 6.54 feet into a 15-foot platted street side setback along Todd Street. The applicant also has an existing encroachment of a garage 0.8 feet into the 25-foot platted front setback facing Todd Place.

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.

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

**IN THE MATTER OF THE VACATION OF)
A PORTION OF A PLATTED 15-FOOT SETBACK)
AND A PLATTED 25-FOOT SETBACK)**

**GENERALLY LOCATED)
NORTHEAST OF THE HARRY STREET AND)
WEBB ROAD INTERSECTION)**

Case No. VAC2002-00016

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 16th day of July, 2002, comes on for hearing the petition for vacation filed by Robin Black, praying for the vacation of the following described a portion of a platted 15-foot side setback and a platted 25-foot front setback, to-wit:

Beginning at the southeast side of the west half Lot 28, Block 3, Park Meadows Estate Addition and going north 26.41-foot along the platted street side 15-ft building setback line (running parallel and adjacent to the west property line of Lot 28), then west 6.54-ft and then north 12.24-ft to the point of intersection at the platted street side 15-ft setback.

Beginning 0.8-feet on the north side of the platted 25-foot front building setback line (running parallel and adjacent to the north property line of the west half Lot 28 Block 3, Park Meadows Estate Addition) and going west 35.42-foot along the platted 25-foot front building setback line

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 Wichita Eagle on May 16, 2002, 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 a portion of a platted 15-foot side setback and a platted 25-foot front 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 platted 15-foot side setback and a platted 25-foot front setback described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 16th day of July 2002, ordered that the above-described a portion of a platted 15-foot side setback and a platted 25-foot front 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:

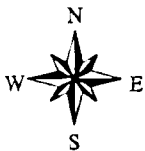

Gary Rebenstorf, Director of Law

BOSTON

TODD PLACE



TODD



HARRY

TODD PLACE

