

Planning Agenda Item # _____

City of Wichita
City Council Meeting
September 13, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Public Hearing V-1556 - REQUEST TO VACATE A PORTION OF A PLATTED BUILDING SETBACK, LOCATED ON THE NORTH SIDE OF O'NEIL IN AN AREA EAST OF 119TH STREET WEST (District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve plat. *vacation*

MAPC Recommendation: Approve plat. (unanimous)

Background: This vacation case has been requested in order to permit the applicant to finish construction of a dwelling unit which has been found to encroach the setback. After vacation, a 25-foot setback will remain. This case vacates only that portion of the 30-foot setback that is actually encroached upon. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: The City Clerk needs to certify as to proper notification and no filing of written protest.

Recommendations/Action: Close public hearing; approve vacation; authorize the Mayor to sign this Vacation order; and record certified copy of Order, recording costs to be billed to:

755-68-360-50000-295-000-000.

SEP 13 1988

This

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

MICROFILMED
OF RECORD

IN THE MATTER OF THE VACATION OF)
A PORTION OF A PLATTED BUILDING SETBACK.)
)
GENERALLY LOCATED ON THE NORTH SIDE OF)
O'NEIL IN AN AREA EAST OF 119TH STREET)
WEST (V-1556).)
)
MORE FULLY DESCRIBED BELOW)

STATE OF KANSAS) ss
SEDGWICK COUNTY)
FILED FOR RECORD AT
8:00 AM

Oct 3 1988 0972665

VACATION ORDER

PAT KETTLER
REGISTER OF DEEDS

Ed Rasmussen
Deputy

NOW on this 13th day of September, 1988, comes on for hearing the petition for vacation filed by Jerry Goodwin, praying for the vacation of the following described building setback, to-wit:

The north 5 ft. of the south 30 ft. of the east 34 ft. of the west 40.5 ft. of Lot 4, Block 1, Westlink Village Eighteenth Addition, 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 Record of notice of this vacation proceeding for consecutive weeks on AUG 31 1988 SEP 7 1988.
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.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 13th day of September, 1988, 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.



Sheets L. Winkler
SHEETS L. WINKLER VICE MAYOR

ATTEST: OF WICHITA

Dale E. Rea
Dale E. Rea, Deputy City Clerk

State of Kansas)
Sedgwick County) ss
City of Wichita)
I, Dale E. Rea, Deputy 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 the office the City Clerk. Given under my hand and seal of the City of Wichita, this SEP 19 1988
Dale E. Rea
Deputy City Clerk

city clerk

6.00 A

ARKRIDGE