

Planning Agenda Item # _____

City of Wichita
City Council Meeting
May 8, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1657 - REQUEST TO VACATE A PLATTED BUILDING SETBACK,
LOCATED AT THE NORTHEAST CORNER OF JUNIPER AND CHESTNUT, IN
AN AREA EAST OF THE ARKANSAS RIVER AND NORTH OF 47TH STREET
SOUTH.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of building setback.

MAPC Recommendation: Approve vacation of building setback.
(unanimous)

Background: The applicant's property is a triangular shaped lot which warrants the vacation of the platted building setback to allow the construction of an attached garage. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: This request for vacation is located on property outside the City of Wichita, but within three miles thereof. As such, no petition, publication of notification or public hearing is required before the Wichita City Council.

Recommendations/Action: Approve vacation; adopt resolution; record resolution, recording cost to be billed to:

150029-2909

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

1117 PAGE 1969
STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED FOR RECORD AT
1:30 PM
Jul 290 1077636
PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

IN THE MATTER OF THE VACATION OF
A PLATTED BUILDING SETBACK
GENERALLY LOCATED AT THE NORTHEAST
CORNER OF JUNIPER AND CHESTNUT, IN AN
AREA EAST OF THE ARKANSAS RIVER AND
NORTH OF 47TH STREET SOUTH.

Ed Bond
Register

VACATION ORDER

NOW on this 27th day of June, 1990, at 9:00
o'clock A.M. comes on for hearing the petition for vacation
filed by BOYD A. MOORE, praying for the vacation of the
following described BUILDING SETBACK.

That part of the 20 foot building setback line on lot 54, Block 29, Oaklawn,
a Subdivision near Wichita, Sedgwick County, Kansas, described as commencing
at the intersection of said 20 foot building setback line with the east line
of said Lot 54; thence west along said setback line 10.4 feet for the place
of beginning; thence south at right angles 8 feet; thence west at right
angles 57.3 feet; thence north at right angles 8 feet; thence east at right
angles 57.3 feet to the place of beginning.

~~the said petitioners being represented by their attorney,~~

WHEREUPON, it is shown that proper notice has been given by
publication in the DAILY REPORTER, a newspaper printed in the
State of Kansas and being published in and for general
circulation in Sedgwick County, Kansas, the first publication
being made on the 23d, day of May, 1990, and
proper proof of such publication being filed herein. The Board
being advised in the premises find that usch notice is in due
legal form and conforms to K.S.A. 58-2613.

THEREAFTER, the matter is presented to the Board and the
Board finds that no private rights will be injured or endangered
by such vacation and that the public will suffer no loss or
inconvenience thereby, and that in justice to the petitioners,
their prayer should be granted and that no written objections
have been filed hereto with the County Clerk.

800

County Clerk

The Board further finds that the Governing Body of the City of WICHITA, by Resolution, at its regular meeting held on the 8th day of MAY, 1990, recommended and approved the vacation of the above-described BUILDING SETBACK.

IT IS, THEREFORE, BY THE BOARD OF COUNTY COMMISSIONERS, in regular session duly assembled, ordered that the above-described BUILDING SETBACK is hereby vacated.

Mark F. Schroeder

MARK F. SCHROEDER, CHAIRMAN



ATTEST:

Don Wright
DON WRIGHT, COUNTY CLERK

APPROVED AS TO FORM:

for *Richard Euson*
RICHARD EUSON, ASST. COUNTY COUNSELOR

RESERVE A

SCHOOL DISTRICT
NO. 6

JUNIPER

OAK

CEDARDALE

SUB.

54

1

49

CHESTNUT

DR.

16

7

22

17

27

LOCUST

DR.

17

7

21

47TH ST. SO.