

Planning Agenda Item # _____

City of Wichita
City Council Meeting
June 6, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1602 REQUEST TO VACATE A PORTION OF A PLATTED BUILDING
SETBACK IN AN AREA NORTH OF CENTRAL AND WEST OF WEBB ROAD
(District #2)

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 location of the involved lot at a corner and adjacent to a cul-de-sac has limited this site's buildable area. The garage for a proposed home will project into one of the lot's setbacks. The applicant is requesting to vacate a portion of a setback for the proposed house. 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 the Vacation Order; and record certified copy of Order, recording costs to be billed to:

150029-2909

Approved / Accepted By City Council

This JUN 6 1989 STATE OF KANSAS } SS
 SEDGWICK COUNTY }
 FILED FOR RECORD AT
8:00 PM

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

JUN 27 89 1015495

PAT KETTLER
 REGISTER OF DEEDS

Ed Rosa
County

MICROFILMED
 OF RECORD

IN THE MATTER OF THE VACATION OF)
 A PORTION OF PLATTED BUILDING SETBACK)
)
 GENERALLY LOCATED NORTH OF CENTRAL AND)
 WEST OF WEBB ROAD (V-1602))
)
)
)
 MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 6th day of June, 1989, comes on for hearing the petition for vacation filed by Gary Wiley for Lakepoint Co., praying for the vacation of the following described portion of a platted building setback, to-wit:

A tract of land in Lot 17, Block 2, Country Walk, an Addition to Wichita, Sedgwick County, Kansas, for the purpose of building setback variance described as: Commencing at the intersection of the westerly right-of-way line of Cypress Court with the southerly right-of-way line of Cypress St. Thence bearing S40°00'00"E along the westerly right-of-way line of Cypress Court a distance of 15.93 feet; thence bearing S50°00'00"W a distance of 20.00 feet to the point of beginning thence bearing N40°00'00"W a distance of 8.28 feet; thence bearing S69°57'46"W a distance of 24.00 Feet; thence bearing S20°02'14"E a distance of 9.00 feet to a point on a curve to the left having a radius of 278.00 feet and a chord of bearing N67°21'13"E; thence along said curve through a central angle of 5°32'12", an arc distance of 26.86 feet to the point of beginning. Containing 220.00 sq. ft., 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 Record of notice of this vacation proceeding for consecutive weeks on MAY 24 & 31, 1989.
2. No private rights will be injured or endangered by the vacation of the above-described portion of a platted building setback, and the public will suffer no loss or inconvenience thereby.

8:00
 ca

City Clerk

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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.

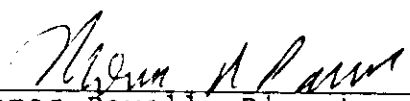
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 6th day of June, 1989, ordered that the above-described building setback is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

ATTEST:

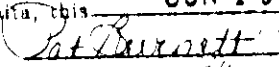

John Moir, City Clerk


Bob Knight, Mayor

Approved as to Form:


Thomas Powell, Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita)
I, Pat BURNETT, 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 of the City Clerk.
Given under my hand and seal of the City of Wichita, this JUN 13 1989

 Deputy City Clerk

