

Planning Agenda Item # _____

City of Wichita
City Council Meeting
March 26, 1991

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1700 - REQUEST TO VACATE A PORTION OF A
PLATTED BUILDING SETBACK; LOCATED AT THE NORTHEAST CORNER OF
CYPRESS AND CYPRESS CT. IN AN AREA WEST OF WEBB ROAD AND
NORTH OF CENTRAL.
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of platted building setback.

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

Background: The applicant requests a vacation of approximately 1-1/2 feet of a portion of a setback to clear title for the existing structure. City Engineering and the Utility Companies have indicated their approval of this vacation. 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

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

IN THE MATTER OF THE VACATION OF)
A PLATTED BUILDING SETBACK (V-1700))
)
GENERALLY LOCATED AT THE NORTHEAST)
CORNER OF CYPRESS AND CYPRESS CT. IN AN)
AREA WEST OF WEBB ROAD AND NORTH OF)
CENTRAL.)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 26th day of March, 1991, comes on for hearing the petition for vacation filed by Kent L. Adams, praying for the vacation of the following described platted building setback, to-wit:

That part of Lot 1, Block 2, Gatewood, an Addition to Wichita, Sedgwick County, Kansas described as commencing at the southwest corner thereof; thence northeasterly along the west line of said Lot 1, 41.22 feet; thence S 76°16'10" E, 13.5 feet for a place of beginning; thence continuing S 76°16'10" E, 1.5 feet to a point on the platted 15 foot building setback line; thence northeasterly along said building setback line, 15.92 feet; thence N 74°40'39" W, 1.5 feet; thence southwesterly parallel with the said 15 foot building setback line, 15.96 feet to the place of beginning.

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 of notice of this vacation proceeding for consecutive weeks on _____.

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.

FILE COPY

Vacation Order
V-1700
Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 26th day of March, 1991, 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.

Bob Knight, Mayor

ATTEST:

Pat Burnett, Deputy City Clerk

Approved as to Form:

Thomas Powell, Director of Law

CYPRESS

32'

SS

1.25' CLEAR
0.4' CLEAR

1.5'

13.5'
15.96'
15.92'
1.5'

41.22'

32'

29'

CYPRESS CT.

29'



6048TB
S 17
T 27S
V-1700
W. of Webb &
North of Central