

Planning Agenda Item # _____

City of Wichita
City Council Meeting
October 9, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1677 - REQUEST TO VACATE A PLATTED BUILDING SETBACK LOCATED AT THE SOUTHEAST CORNER OF 55TH ST. SOUTH AND ST. FRANCIS AVE., SOUTH BROADWAY GARDENS, AN ADDITION IN SEDGWICK COUNTY, KANSAS.

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 is seeking to vacate a platted building setback in order to rebuild a garage in the same site. They were not aware the previous structure was within the setback until an attempt was made to get a building permit. The applicant is dedicating by separate instrument, complete access control across the north line of this property to 55th St. South. 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 3 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 costs to be billed to:

150029-2909

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(4668) (Published in the Daily Record October 12, 1990)

RESOLUTION

A RESOLUTION APPROVING THE VACATION OF PLATTED BUILDING SETBACK DESCRIBED AS:

That part of Lot 1, Block 6, South Broadway Gardens an Addition in Sedgwick County, Kansas, described as commencing at the N.W. Corner thereof; thence N 90° E, along the north line of said Lot 1, 49.04 feet; thence S 00° W, 30 feet for a place of beginning; thence N 68° 27' 40" E, 40.86 feet; thence N 90° E, 6.13 feet; thence S 21° 32' 20" E, 16.13 feet; thence S 90° W, 50.06 feet to the place of beginning.

; and
WHEREAS, there has been filed in the office of the Wichita-Sedgwick County Metropolitan Area Planning Department, proceedings for the vacation of platted building setback described as:

That part of Lot 1, Block 6, South Broadway Gardens an Addition in Sedgwick County, Kansas, described as commencing at the N.W. Corner thereof; thence N 90° E, along the north line of said Lot 1, 49.04 feet; thence S 00° W, 30 feet for a place of beginning; thence N 68° 27' 40" E, 40.86 feet; thence N 90° E, 6.13 feet; thence S 21° 32' 20" E, 16.13 feet; thence S 90° W, 50.06 feet to the place of beginning.

WHEREAS, said Department has given notice of such proceedings to all adjoining property owners of a public hearing to be held before the Wichita-Sedgwick County Metropolitan Area Planning Commission; and

WHEREAS, such a public hearing was held by the Wichita-Sedgwick County Metropolitan Area Planning Commission on August 30, 1990;

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That the platted building setback, described as follows, to-wit:

CASE NO. V-1677

That part of Lot 1, Block 6, South Broadway Gardens an Addition in Sedgwick County, Kansas, described as commencing at the N.W. Corner thereof; thence N 90° E, along the north line of said Lot 1, 49.04 feet; thence S 00° W, 30 feet for a place of beginning; thence N 68° 27' 40" E, 40.86 feet; thence N 90° E, 6.13 feet; thence S 21° 32' 20" E, 16.13 feet; thence S 90° W, 50.06 feet to the place of beginning.

00H

city clerk

MICROFILMED
OF RECORD

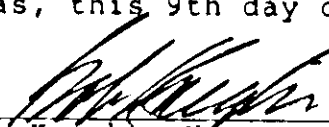
Vacation Resolution
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Be and same is approved for vacation.

SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that the above-described platted building setback be vacated in the event that a proper petition is filed under the provisions of Kansas Statutes Annotated, 58-2613, 58-2614 and 58-2615.

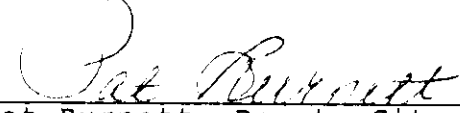
SECTION 4. That this resolution shall be in force and take effect from and after its passage and publication once in the official city paper.

Passed and approved at Wichita, Kansas, this 9th day of October, 1990.

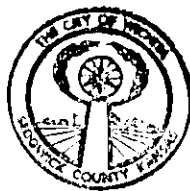


Bob Knight, Mayor

ATTEST:



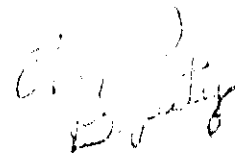
Pat Burnett, Deputy City Clerk (Seal)



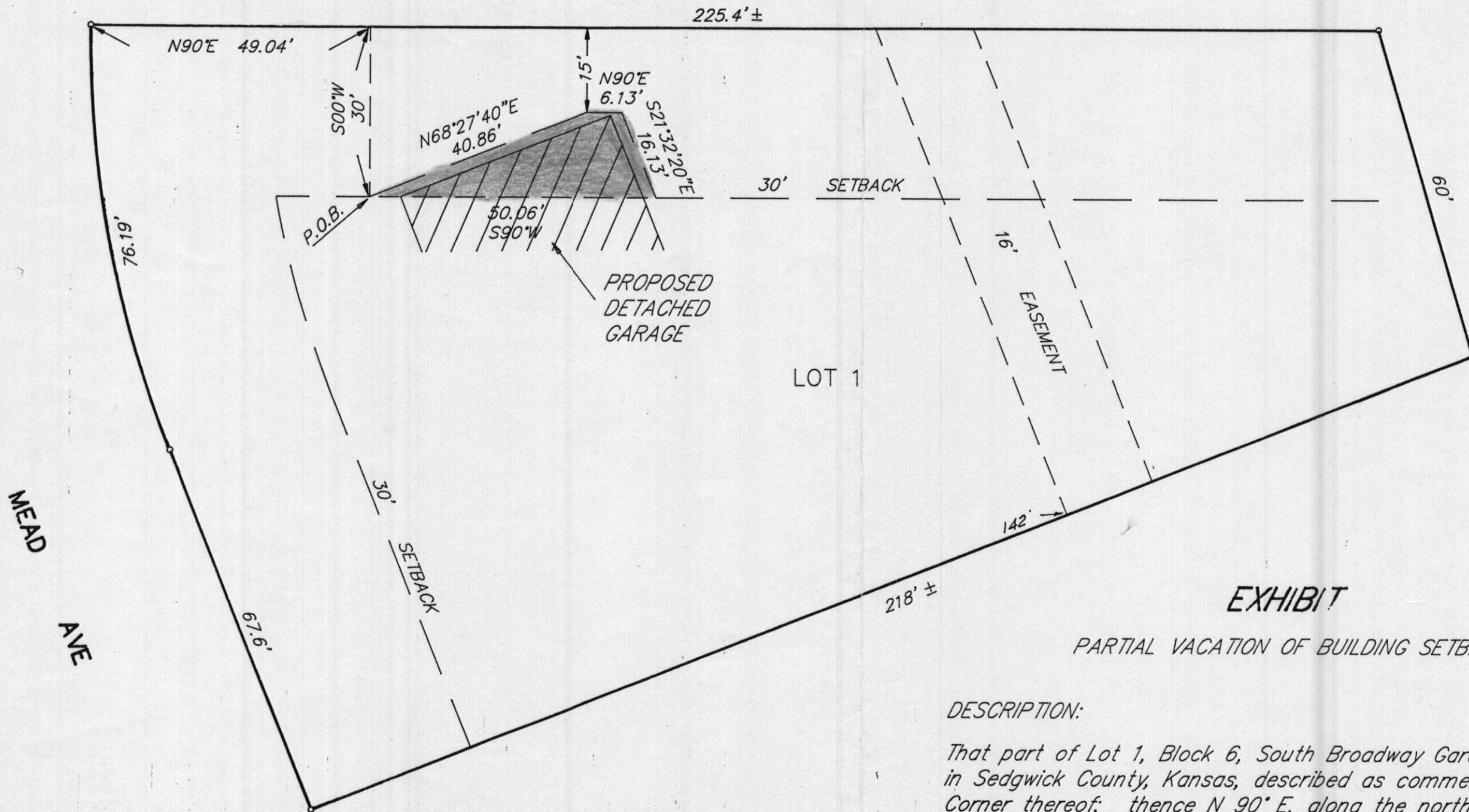
FILED IN BOOKS 100
SEDGWICK COUNTY
FILED FOR RECORD AT
OCT 10 1990

601251109268

PAT BURNETT
REGISTER OF DEEDS



55TH ST SO



1" = 20'

EXHIBIT

PARTIAL VACATION OF BUILDING SETBACK

DESCRIPTION:

That part of Lot 1, Block 6, South Broadway Gardens an Addition in Sedgwick County, Kansas, described as commencing at the N.W. Corner thereof; thence $N 90^\circ E$, along the north line of said Lot 1, 49.04 feet; thence $S 00^\circ W$, 30 feet for a place of beginning; thence $N 68^\circ 27' 40'' E$, 40.86 feet; thence $N 90^\circ E$, 6.13 feet; thence $S 21^\circ 32' 20'' E$, 16.13 feet; thence $S 90^\circ W$, 50.06 feet to the place of beginning.