

Planning Agenda Item # _____

City of Wichita
City Council Meeting
December 15, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1791 REQUEST TO VACATE BUILDING SETBACKS,
LOCATED SOUTH OF 37TH STREET NORTH AND WEST OF ROCK ROAD
(District #2)

INITIATED BY: Metropolitan Area Planning Department *M Kraut*

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of building setbacks.

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

Background: Because of limited building area for lots adjacent to culs-de-sac, the applicant is requesting the reduction of the building setbacks for several lots. The applicant is the present owner of all of the lots within the addition. The Subdivision Committee has indicated that the vacation should have no negative impacts. 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 the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of the Vacation Order; recording costs to be billed to:

150029-2909

FILE COPY

This DEC 15 1992

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

IN THE MATTER OF THE VACATION OF)
BUILDING SETBACKS)
)
GENERALLY LOCATED SOUTH OF 37TH STREET)
NORTH AND WEST OF ROCK ROAD (V-1791))
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 15TH day of December, 1992, comes on for hearing the petition for vacation filed by Joe H. Lee, President, Leewood Homes, Inc., praying for the vacation of the following described building setbacks, to-wit:

- Portions of platted building setbacks described as:
- The easterly 5-feet of the 25-foot building setbacks to Governour Cir., as platted on Lots 17 and 18, Block 1;
- and
- The northerly 5-feet of the 25 foot building setback to Inwood Ct., as platted on Lot 38, Block 1;
- and
- The southerly 5-feet of the 25-foot building setback to Inwood Ct., as platted on Lot 35, Block 1;
- and
- The easterly 5-feet of the 25-foot building setbacks to Inwood Ct., as platted on Lots 24 and 25, Block 2;
- All in Leewood Village at Northrock, an Addition to Wichita, Sedgwick County, Kansas

MICROFILMED
OF RECORD

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 11/27/92 + 12/4/92.
2. No private rights will be injured or endangered by the vacation of the above-described building setbacks, 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.

8.00

City Clerk

150029 2209

8-

Vacation Order
V-1791
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5. The vacation of the building setbacks described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 15th day of December, 1992, ordered that the above-described building setbacks are 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.

Frank M. Oyle
Frank M. Oyle, Mayor

ATTEST:

Pat Burnett
Pat Burnett, Deputy City Clerk



Approved as to Form:

Gary Rebenstorff
Gary Rebenstorff, Director of Law

STATE OF KANSAS | ss
SEDGWICK COUNTY |
FILED TO REGISTER AT
8-00a

FEB 4 93 1267511

PAT KETTLER
REGISTER OF DEEDS

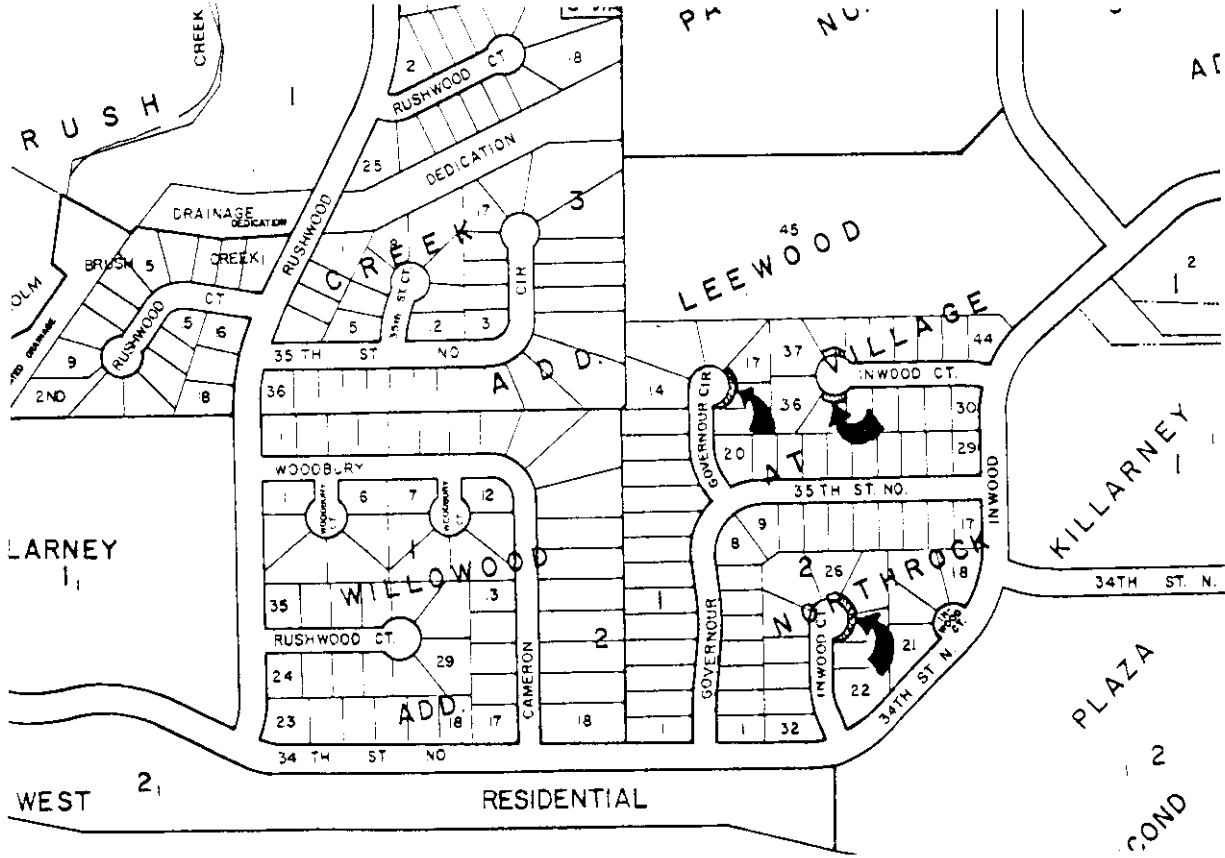
*Ed Bond
Secretary*

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 attached is a true and correct copy of the original on file in the office of the City Clerk. Given at my name and seal of the City of

Wichita, Kansas, this DEC 15 1992
Pat Burnett Deputy City Clerk





Application Filed 10/22/92
 S/D Comm. Action ~~10/22/92~~ 11-12-92
 M.A.P.C. Action 11/19/92

W.C.C. Action Approved 12-15-92
 Bd. Co. Co. Action _____

Order to Vacate Recorded _____
 February 4, 1993