

Planning Agenda # _____

**City of Wichita
City Council Meeting
December 16, 1997**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2046 REQUEST TO VACATE PARTIAL BUILDING
SETBACK LINE LOCATED IN AN AREA SOUTH AND EAST OF 119TH
STREET AND CENTRAL.
(District #5)

INITIATED BY: Metropolitan Area Planning Department *M. Krout*

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a partial building setback line.

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

Background: The applicants are desiring to construct an addition onto their existing garage. Because of the odd shape of the lot, a corner of the addition will encroach about 7 feet into the 25 foot platted building setback line along Jennie. The applicants did extensive redesign of the garage addition in order to remain outside the utility easement along the side lot line.

The Subdivision Committee and MAPC both approved the vacation. No notified neighbors or other members of the public addressed the MAPC in opposition to this request.

Recommendations/Actions: Close the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Vacation Order; recording costs to be billed to: 150029-2909

1662649 JA

Approved / Accepted By City Council

This DEC 16 1997

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CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

Page 1 of 2

MICROFILMED
OF RECORD

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

IN THE MATTER OF THE VACATION OF)
PARTIAL BUILDING SETBACK LINE)
)
GENERALLY LOCATED)
SOUTH AND EAST OF 119TH STREET AND)
CENTRAL)
)
MORE FULLY DESCRIBED BELOW)

Case No. V-2046



STATE OF KANSAS)
SEGWICK COUNTY)
JAN 29 10 44 AM '98)
REGISTER OF DEEDS)
LARRY CONSOLVER)
S. Christensen)
Deputy)

VACATION ORDER

NOW on this 16th day of December, 1997, comes on for hearing the petition for vacation filed by Tommie L. & Phyllis M. Neill, praying for the vacation of the following described partial building setback line, to-wit:

Commencing at the North most corner of Lot 1, Block 11, Westlink Village nineteenth addition, Sedgwick County, Kansas; thence S 28 degrees 17' 57" E along the northeasterly line of said Lot 1, 25.0 feet; thence southwesterly parallel with the northwesterly line of said Lot 1 being along a curve to the left with a radius of 141 feet a distance of 21.13 feet to a point of beginning; continuing on said curve, 11.41 feet; thence N 71 degrees 48' 47" W, 2.9 feet; thence N 18 degrees 11' 13" E, 9.6 feet; thence S 71 degrees 48' 47" E, 9.0 feet to a point 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 11-25-97.
2. No private rights will be injured or endangered by the vacation of the above-described partial building setback line, 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.

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Vacation Order
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Page 2 of 2


5. The vacation of the partial building setback line described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 16th day of December, 1997, ordered that the above-described partial building setback line 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:


Pat Burnett, City Clerk




Bob Knight, Mayor

