

Planning Agenda # _____

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

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2045 REQUEST TO VACATE PARTIAL BUILDING
SETBACK LINE LOCATED IN AN AREA NEAR 47TH STREET SOUTH,
AND PALISADE AVENUE.
(District #4)

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

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of partial building setback line.

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

Background: The applicants are renovating an existing building to house the new Royal Caribbean Cruises, Inc., call center. As part of the renovations, an expanded foyer addition is being constructed. To accommodate this addition, the construction will need to encroach 15 feet into a 35 foot platted building setback that faces the Palisade Avenue. The adjoining properties, as well as those across the street, are all industrial.

The Subdivision Committee and MAPC both approved the vacation. No 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

1662648 42 2

Approved / Accepted By City Council

This DEC 16 1997

FILE 754 PAGE 1704

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)
NEAR 47TH STREET SOUTH AND PALISADE)
AVENUE)

MORE FULLY DESCRIBED BELOW)

Case No. V-2045



REGISTER OF DEEDS
LARRY COMSOLVER

JAN 29 10 44 AM '98

STATE OF KANSAS)
SEDGWICK COUNTY)
SS

S. Chitterson
Deputy

VACATION ORDER

NOW on this 16th day of December, 1997, comes on for hearing the petition for vacation filed by Rodger A. Brooks, Architect, praying for the vacation of the following described partial building setback line, to-wit:

Lot 2, Rock Island Industrial Park Addition, Wichita, Sedgwick County, Kansas, described as commencing at the S.E. corner of said Lot 2; thence N 00° E, along the east line of said Lot 2, 78 feet; thence N 90° W, 20 feet for a place of beginning; thence N 90° W, 15 feet to the platted 35 foot Building Setback Line; thence N 00° E, along said Setback Line, 15 feet; thence N 90° E, 15 feet; thence S 00° W, 15 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 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.

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

RETURN ABOVE

P. du ck

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Vacation Order
V - 2045

Page 2 of 2

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.



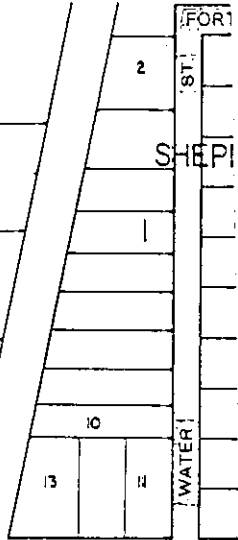
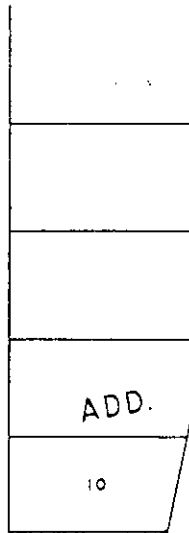
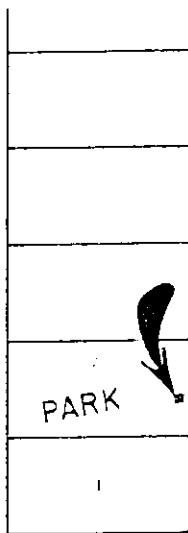
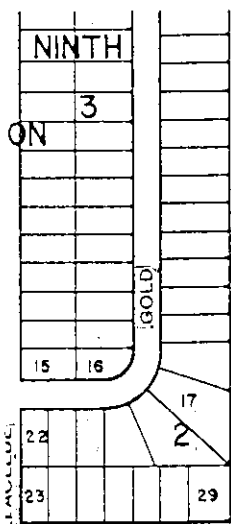
Bob Knight, Mayor

ATTEST:



Pat Burnett, City Clerk





47TH ST. SQ

ST.

SC