

Planning Agenda # _____

**City of Wichita
City Council Meeting
October 13, 1998**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2099 REQUEST TO VACATE A PORTION OF A
PLATTED SETBACK LOCATED IN AN AREA NORTH OF AT HARRY
AND EAST OF WEBB
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

*M. K. K. H. H.
B. H. H.*

Staff Recommendation: Approve vacation of platted setback.

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

Background: The applicant is requesting to vacate a portion of a platted setback to install an ATM.

The Board of Zoning Appeals approved a request to reduce the front yard setback from 20 feet to 10 feet on September 22nd, subject to landscaping requirements.

Public Works and Traffic Engineering has reviewed and approved the vacation request. The Subdivision Committee and the MAPC both voted unanimously to approve the requested vacation of the platted building setback.

Legal Considerations: The City Clerk needs to certify as to proper notification and no filing of written protest.

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.

J. Brelan

Deputy

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

IN THE MATTER OF THE VACATION OF)
PLATTED SETBACK)
)
GENERALLY LOCATED)
HARRY & WEBB)
)
)
MORE FULLY DESCRIBED BELOW)

Case No. V-2099

STATE OF KANSAS) SS
SEDGWICK COUNTY)

Dec 3 11 45 AM '98

BILL HOOK
REGISTER OF DEEDS



VACATION ORDER

NOW on this 13th day of October, 1998, comes on for hearing the petition for vacation filed by Nationsbank, praying for the vacation of the following described platted setback, to-wit:

The south 22 feet of the north 291 feet of the east 11 feet of the west 18 feet of Lot 2, Block 1, Park Meadow Estates, Sedgwick County, Kansas.

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 one time 9-22-98, which was at least 20 days prior to this public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described platted 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 platted setback described herein should be approved, subject to the following condition:
 - A) Any relocation or reconstruction of any utilities made necessary by this vacation shall be the responsibility of the applicant.

MICROFILMED
OF RECORD

J. Brelan

City Clerk

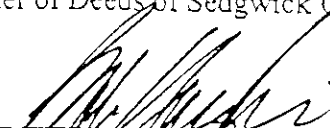
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Vacation Order
V - 2099

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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 13th day of October, 1998,
ordered that the above-described platted 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, City Clerk

Approved as to Form:

OCT 15 1998


Pat Burnett



Gary Rebenstorf, Director of Law



HARRISON

(CITY PARK)

