

Planning Agenda # _____

**City of Wichita
City Council Meeting
April 11, 2000**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: V-2215 - REQUEST TO VACATE A PORTION OF A 25-FOOT PLATTED STREET-SIDE BUILDING SETBACK LOCATED AT THE NORTHWEST CORNER OF SENECA AND PAWNEE (2361 S. SENECA) (District IV)

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

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a portion of a 25-foot platted street-side building setback.

MAPC Recommendation: Approve vacation of a portion of a 25-foot platted street-side building setback. (unanimous)

Background: The applicant is requesting to vacate 5 feet of a platted 25-foot street-side building setback. The applicant wishes to construct a building for his furniture rental business. The remaining setback along Seneca would be 20 feet and within the guidelines set forth by the Unified Zoning Code for the 'LC' Limited Commercial District.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Recommendations/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the necessary signatures to sign.

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

IN THE MATTER OF THE VACATION OF)
A PORTION OF A 25-FOOT PLATTED)
STREET-SIDE BUILDING SETBACK)
)
)
GENERALLY LOCATED) **Case No. V-2215**
NORTHWEST CORNER OF SENECA AND)
PAWNEE (2361 S. SENECA))
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 11th day of April, 2000, comes on for hearing the petition for vacation filed by James L. Basham, praying for the vacation of the following described a portion of a 25-foot plated street-side building setback, to-wit:

The west 5 feet of the east 25-foot plated setback adjacent to Seneca on Lot 1, Madden Addition to Wichita, Sedgwick County, Kansas.

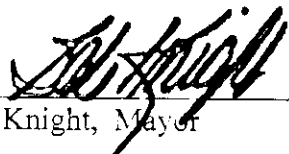
The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication as required by law, by publication in the Daily Reporter on February 22, 2000 which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described a portion of a 25-foot plated street-side building 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 a portion of a 25-foot platted street-side building setback described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 11th day of April 2000, ordered that the above-described portion of a 25-foot platted street-side building 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

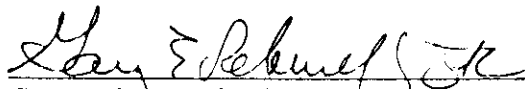
ATTEST:



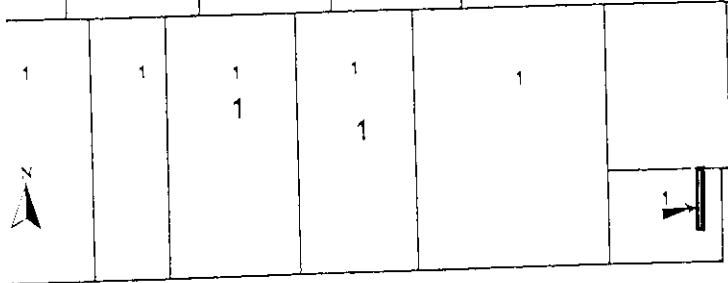
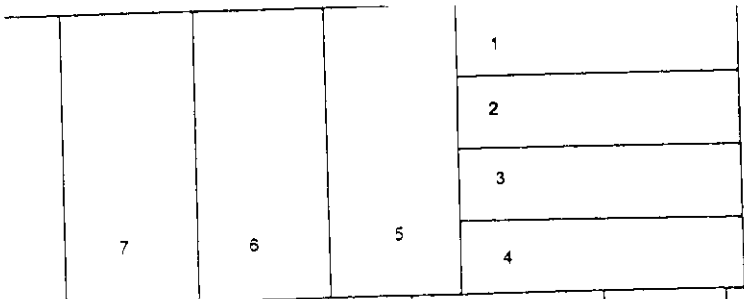
Pat Burnett, City Clerk



Approved as to Form:



Gary Rebenstorf, Director of Law



PAWNEE

SENECA