


Planning Agenda # _____

**City of Wichita
City Council Meeting
September 12, 2000**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2000-00030 - REQUEST TO VACATE A PORTION OF BUILDING SETBACK GENERALLY LOCATED APPROXIMATELY 5 BLOCKS SOUTH OF HARRY ON THE WEST SIDE OF HOOVER. (1821 S. EISENHOWER) (District V)

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of building setback.

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

Background: The applicant is requesting to vacate the interior 15 feet of a 35-foot platted building setback on the south property line of Lot 9. This property is zoned "LI" Limited Industrial, which has no street side building setback requirement per the Zoning Code. This adjustment to the existing setback would comply with the required zoning setback. This request would allow the applicant to develop the property consistent with Lot 10, north of the subject property.

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.

MICROFILMED
OF RECORD

1924783.8198

CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

SEP 12 2000

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FILM 2104 PAGE 0241

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

IN THE MATTER OF THE VACATION OF)
BUILDING SETBACK)

GENERALLY LOCATED)
APPROXIMATELY 5 BLOCKS SOUTH OF)
HARRY ON THE WEST SIDE OF HOOVER)
1821 S. EISENHOWER)

MORE FULLY DESCRIBED BELOW)

Case No. VAC2000-00030



STATE OF KANSAS } ss
SEDGWICK COUNTY }

OCT 19 11 26 AM '00

Judy Paget
Deputy

BILL MEEK
REGISTER OF DEEDS

VACATION ORDER

NOW on this 12th day of September, 2000, comes on for hearing the petition for vacation filed by Next Generation Investments, LLC, c/o William or Alan Smith, praying for the vacation of the following described building setback, to-wit:

The north 15 feet of the south 50 feet shown a building setback along Eisenhower Court on Lot 9, Block 1, Airport Industrial Park Addition, 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 Eagle on July 26, 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 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.

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CIV

City Clerk


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Vacation Order
VAC2000-00030

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

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 12th day of September 2000, ordered that the above-described 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

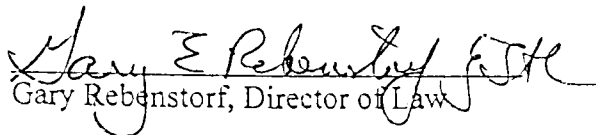
ATTEST:



Pat Burnett, City Clerk



Approved as to Form:



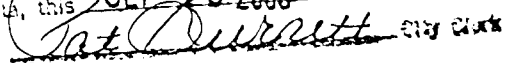
Gary Rebenstorf, Director of Law



State of Kansas)
Sedgwick County) ss
City of Wichita)

I, **Pat Burnett** City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is affixed is a true and correct copy of the original on file in my office.

Given under my hand and seal of the City of Wichita, this **SEP 12 2000**



Pat Burnett City Clerk

W HARRY ST

S EISENHOWER CT

S LINCOLN BLVD

S WASHINGTON CT

S HOOVER ST



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