

Planning Agenda # _____

**City of Wichita
City Council Meeting
August 15, 2000**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2000-00028-REQUEST TO VACATE A PORTION OF A 25-FOOT GENERALLY LOCATED AT THE NORTHEAST CORNER OF PARKDALE AND 17TH STREET NORTH (1804 N. PARKDALE) (District V)

INITIATED BY: Metropolitan Area Planning Department *M. K. Hout*

AGENDA ACTION: Planning *but #3*

Staff Recommendation: Approve vacation of a portion of building setback.

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

Background: The applicant is requesting to vacate 10 feet of a 25-foot platted building setback along one street of a corner lot, for the addition of a third bay to the existing garage. The "street side yard" in the zoning code is only 15 feet.

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.

Dezel

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

**IN THE MATTER OF THE VACATION OF)
A PORTION OF A BUILDING SETBACK)**

**GENERALLY LOCATED)
NORTHEAST CORNER OF PARKDALE AND)
17TH STREET NORTH (1804 N. PARKDALE))**

Case No. VAC2000-00028

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 15th day of August, 2000, comes on for hearing the petition for vacation filed by Jay & Rebecca, praying for the vacation of the following described portion of building setback, to-wit:

The north 10 feet of the south 25 feet designated as 25-foot building setback on Lot 1, Block 11, Westlink Village 14th Addition. Wichita, Sedgwick County, Kansas EXCEPT west 25 feet of said lot.

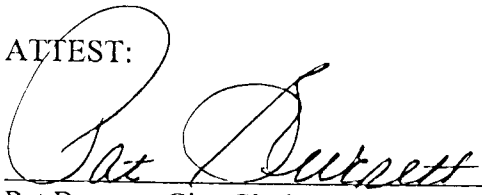
The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication as required by law, by publication in the Daily Reporter on July 7, 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 portion of a 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 portion of a building setback described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 15th day of August 2000, ordered that the above-described a portion of 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.

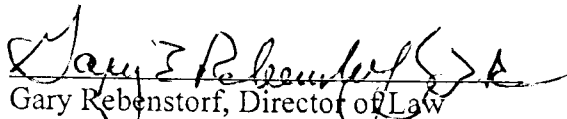
ATTEST:

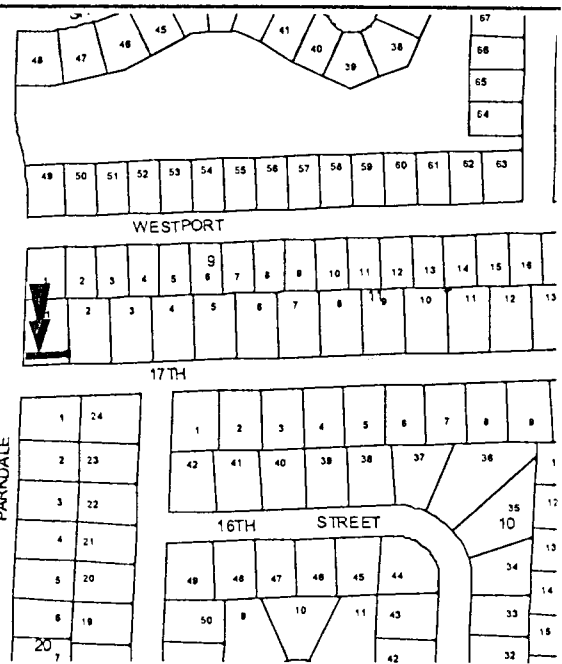
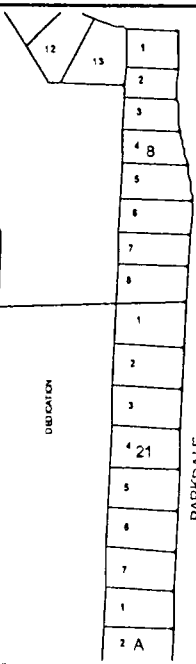
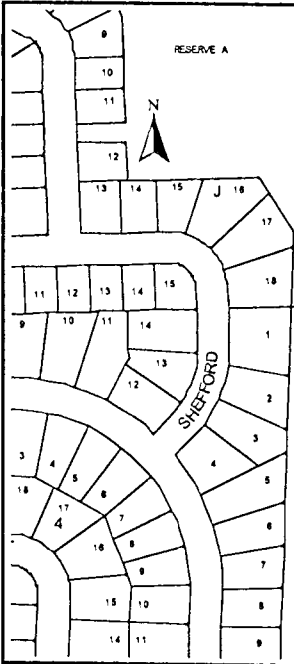

Pat Burnett, City Clerk



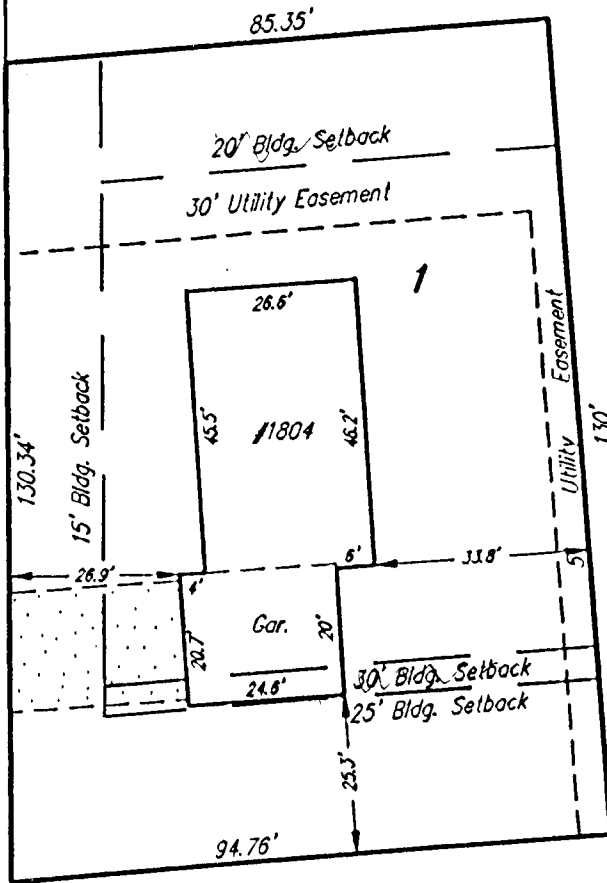

Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law



Parkdale



30' Setback
20' Setback
15' Setback
per Film 2422, Pg. 831

17th. Street North