

Planning Agenda # _____

**City of Wichita
City Council Meeting
September 18, 2001**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: **VAC2001-00031 - REQUEST TO VACATE A PORTION OF A RESERVE LOCATED SOUTHWEST OF 13TH STREET - MAIZE ROAD INTERSECTION.**
(District V)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a portion of reserve.

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

Background: The applicant is requesting consideration to vacate a portion of a reserve abutting the south line of Lot 2, Blk 1, Huntington Place 6th Addition. The pie shaped portion (1,240 sq-ft, with the narrow end being at the rear of the yard and the wide end in the front yard) of the reserve that the applicant is requesting vacated would move the side yard setback (unplatted but per CUP DP 152 for interior side yard setback of 6-ft) back with the newly created property line, allowing the applicant to build a house without encroachment into the interior side setback of 6-ft. The applicant has a letter from the Huntington Place Owners Association stating that they are 'not protesting' the application. The reserve is currently being used for open space.

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.

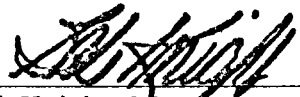
Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds.

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

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.

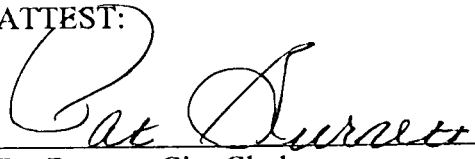
5. The vacation of a portion of a reserve described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 18th day of September 2001, ordered that the above-described portion of reserve 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

13TH



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