

STAFF REPORT

CASE NUMBER: VAC2018-00028 - City vacation of a portion of platted building setback

APPLICANT/AGENT: Ron and Kara Geist (applicant/owner), Hentzen Contractors Inc. (agent)

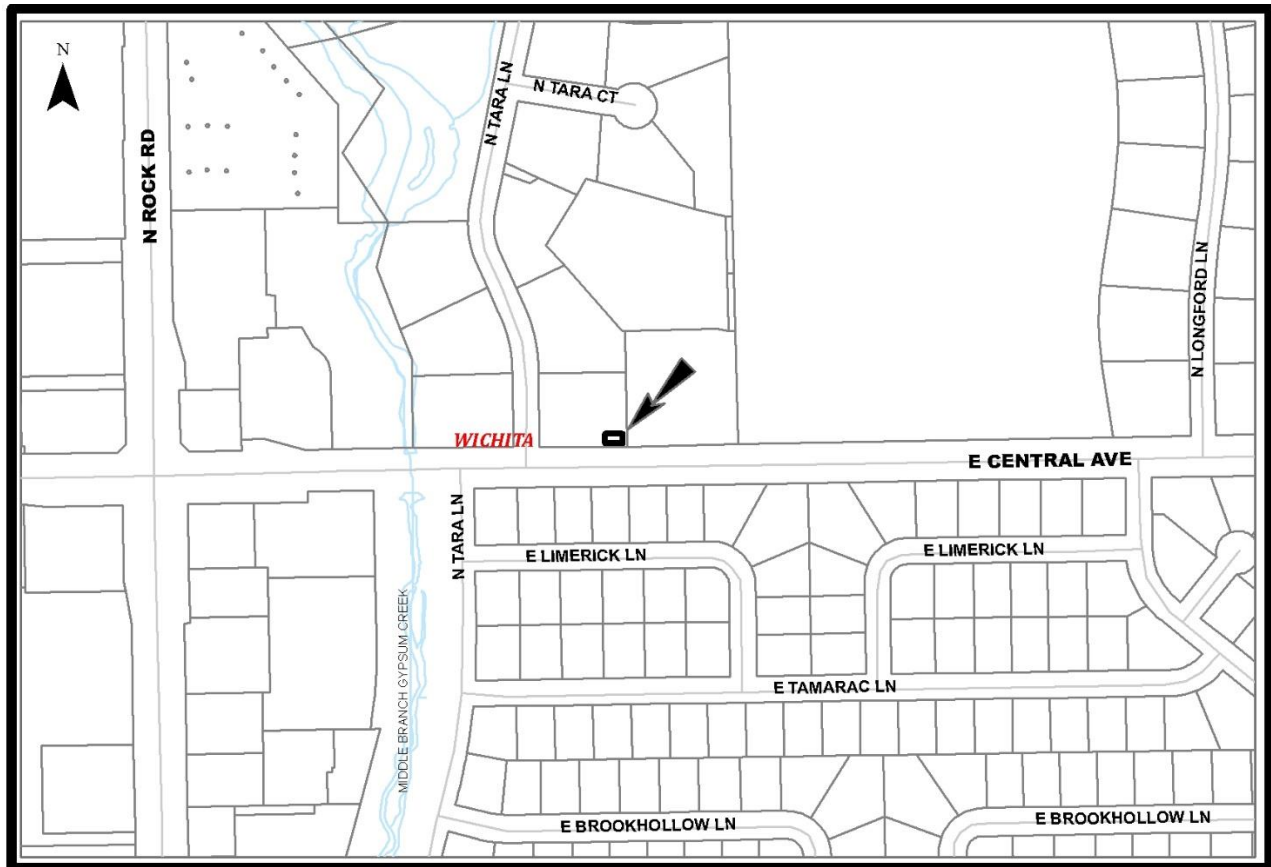
LEGAL DESCRIPTION: Generally described as vacating a 40-foot by 22-foot portion of the platted 30-foot building setback located on the south side of Lot 4, Block 5, Vickridge 2nd Addition, Wichita, Sedgwick County, Kansas

LOCATION: Generally located on the north side of East Central Avenue and east of North Rock Road (500 North Tara)

REASON FOR REQUEST: To allow for the construction of a garage

CURRENT ZONING: SF-5 Single Family

VICINITY MAP:



The applicant proposes to vacate a 40-foot by 22-foot portion of the platted 30-foot building setback located on the south side of Lot 4, Block 5, Vickridge 2nd Addition. The lot is zoned SF-5 Single Family. The Unified Zoning Code's (UZC) minimum street side setback standard for the SF-5 Single Family zoning district is 15 feet. If approved, the request would reduce the platted building setback to 8 feet for a 40-foot portion of Lot 4's frontage along Central Avenue. There are no public utilities located within the vacation area. Westar has no objections to this vacation. Vickridge 2nd Addition was recorded with the Register of Deeds September 14, 2006.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from Public Works, Stormwater, Water and Sewer, Traffic, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portions of platted building setback.

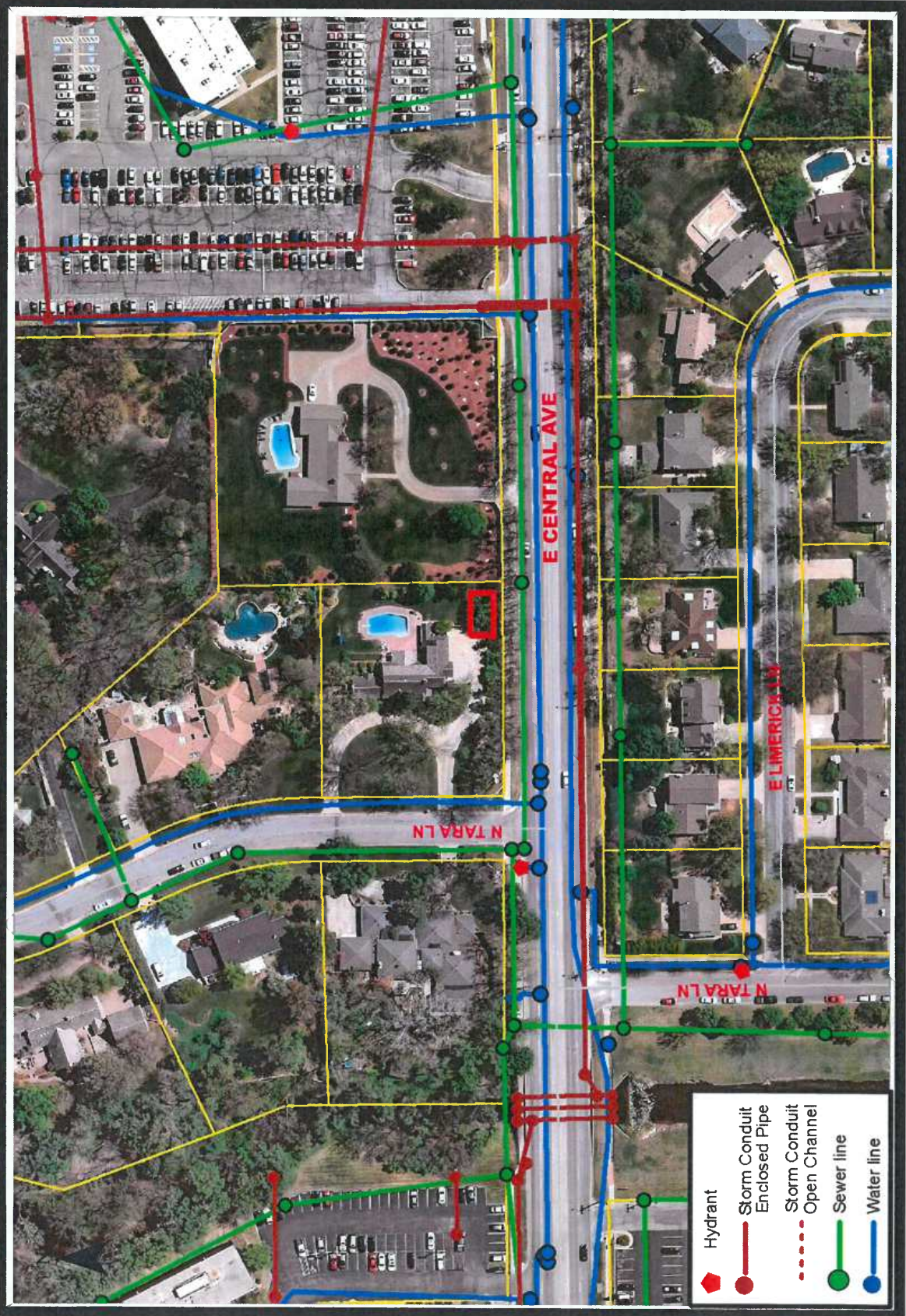
- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time November 15, 2018, which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the described portion of the platted building setback and that the public will suffer no loss or inconvenience thereby.
 3. In justice to the petitioner, the prayer of the petition ought to be granted.

Conditions (but not limited to) associated with the request:

- (1) Provide Planning Staff with legal descriptions of the approved vacated portion of the platted setback on a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to Council for final action.
- (2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide Planning with any needed easements dedicated by separate instrument with original signatures. These conditions must be completed prior to the case going to Council for final action.
- (3) All improvements shall be according to City Standards and at the applicant's expense.
- (4) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

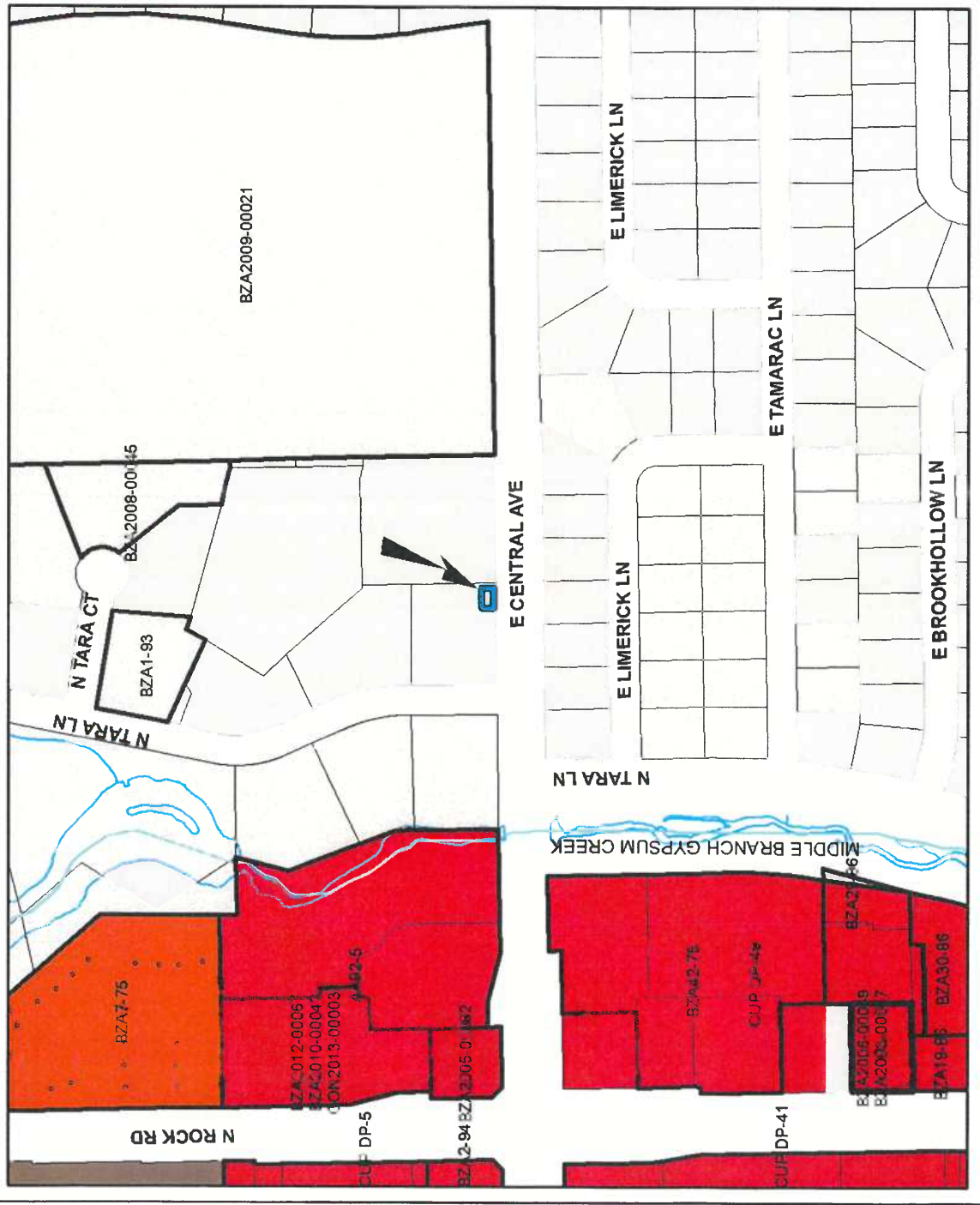
The Subdivision Committee recommends approval per staff recommendations.

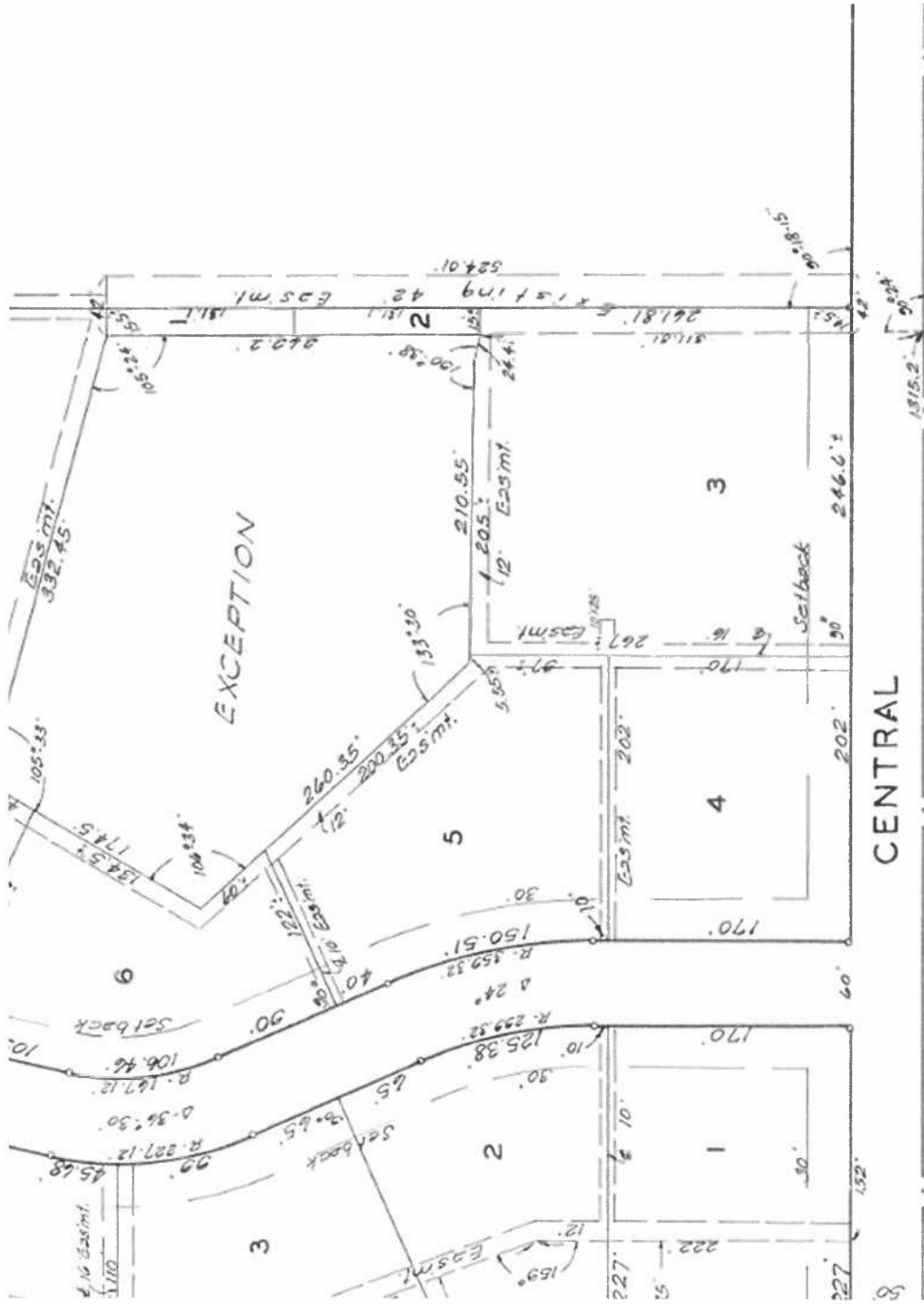


ZONING

RR	SF-20	SF-10	SF-5	TF-3	MF-18	MF-29	B	MH	NO	GO	NR	LC	GC	CBD	OW	IP	LI	IP-A	GI	AFB	U	PUD	AIRPORT	OLD TOWN
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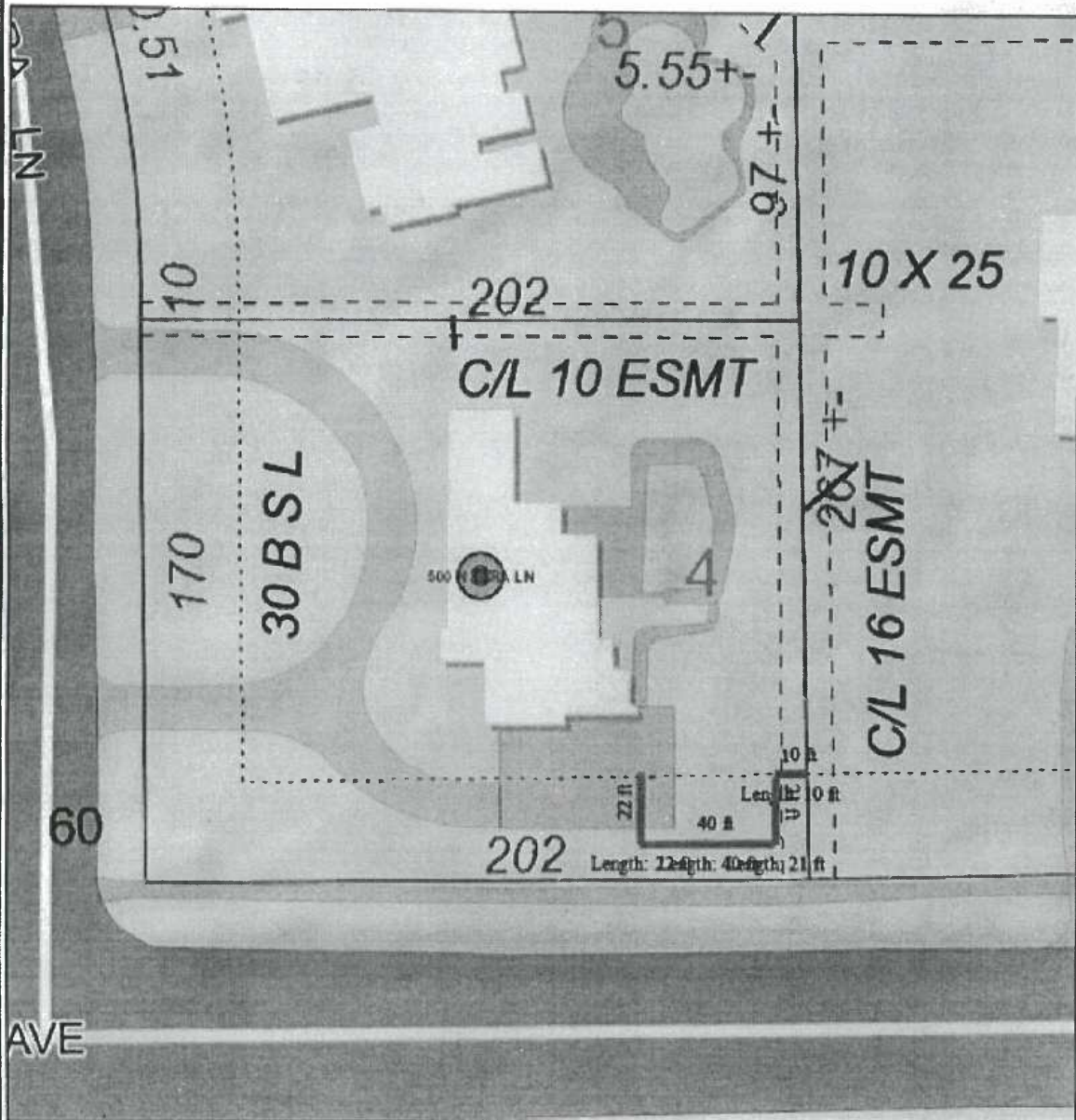


EXCEPTION

CENTRAL

2065.2'

Geist



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 Division of Information & Operations
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 Tel: 316.660.9290 Fax: 316.262.1174
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