

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1206 - VACATION OF A PORTION OF THE PLATTED BUILDING SETBACK ON LOT 2, BLOCK 1, PLUMTHICKET SECOND ADDITION.

The Planning Commission recommends approval subject to:

1. All proceedings shall be without cost to the City, County or any utility company.
2. The vacation ordinance shall only vacate that portion of the building setback where the actual encroachment exists. The applicant shall provide a legal description of that portion of the 20-foot setback that is subject to the building encroachment.
3. The applicant is hereby advised that additional construction costs may be incurred because of the proximity of the lot's driveway to storm water sewer inlets.

Gardner moved, Parsons seconded and it carried unanimously. Goebel was absent. Moore not present for this vote. One vacancy. (8-11-83)

ACTION: Approve the vacation request as recommended by the Metropolitan Area Planning Commission and place the ordinance on its first reading.

VACATION CASE DATA

Legal description: That portion of the platted 20-foot building setback from Plumthicket Circle on Lot 2, Block 1, Plumthicket Second described as:

Commencing at the northeast corner of said Lot 2; thence S 0°47'16" E, 27.93 feet to the platted building setback line; thence along said line curving to the right with a central angle of 52°47'38", a radius of 70.00', a length of 64.50 feet, a long chord of 62.24 feet, bearing S 80°01'37" W to the point of beginning; thence continuing along the setback line curving to the right with a central angle of 13°43'45", a radius of 70.00 feet, a length of 16.77 feet, a long chord of 16.73 feet, bearing N 66°42'42" W; thence S 73°34'34" E, 16.61 feet; thence S 16°25'19" W, 2.00 feet to the point of beginning

General Location: south side of Plumthicket Circle in an area west of Webb Road.

Applicant: Leewood Homes  
6130 Legion, 67204

Protestors (If any): None

(97878) (Published in The Daily Record Sept. 16, 1983)

ORDINANCE NO. 38-512

AN ORDINANCE VACATING A PORTION OF THE PLATTED BUILDING SETBACK ON LOT 2, BLOCK 1, PLUMTHICKET SECOND, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That the portion of platted 20-foot building setback from Plumthicket Circle on Lot 2, Block 1, Plumthicket Second, an Addition to Wichita, Sedgwick County, Kansas, described as follows, to-wit:

Commencing at the northeast corner of said Lot 2; thence S 0°47'16" E, 27.93 feet to the platted building setback line; thence along said line curving to the right with a central angle of 52°47'38", a radius of 70.00', a length of 64.50 feet, a long chord of 62.24 feet, bearing S 80°01'37" W to the point of beginning; thence continuing along the setback line curving to the right with a central angle of 13°43'45", a radius of 70.00 feet, a length of 16.77 feet, a long chord of 16.73 feet, bearing N 66°42'42" W; thence S 73°34'34" E, 16.61 feet; thence S 16°25'19" W, 2.00 feet to the point of beginning; (MAPC NO. V-1206);

be and the same is hereby vacated in accordance with K.S.A. 13-443, subject, however, to the concurrence in such vacation by the Board of County Commissioners as by law provided.

SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that said above described setback be vacated by said Board in case a proper petition is filed under the provisions of K.S.A. 12-504, 12-505 and K.S.A. 12-506.

SECTION 3. That this Ordinance shall be in force and take effect from and after its passage and publication once in the official city paper.

PASSED AND APPROVED at Wichita, Kansas this 13<sup>th</sup> day of September, 1983.

ATTEST:

Margalee Wright, Mayor

Donald C. Gisick, City Clerk

(SEAL)

