

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO BOARD OF CITY COMMISSIONERS

REQUEST FOR VACATION

CASE NO. V- 1198

CONSIDERED BY:  
SUBDIVISION COMMITTEE: 6-23-80  
PLANNING COMMISSION: 6-30-83

REQUEST FOR VACATION OF: portion of platted building setback

LOCATION: southwest corner of Douglas and Woodlawn

LEGALLY DESCRIBED AS:

The west 22 feet of the platted 30-foot setback from Woodlawn on Lot 1, East Village Second, An Addition to Wichita, Kansas.

REASON FOR REQUEST: to build a lap pool

NAME OF APPLICANT: Robert L. Lair  
105 Woodlawn Court  
Wichita, Kansas

REPRESENTATIVE FOR APPLICANT: --

PROTESTORS, IF ANY: --

PLANNING COMMISSION RECOMMENDATION: Approve the vacation request subject to:

- A. Only the area needed for pool construction shall be vacated. The applicant shall furnish a legal description of this area.
- B. The applicant shall submit a restrictive covenant stating that development is limited to construction of an unenclosed swimming pool.
- C. All proceedings shall be without cost to the City, County, or any utility company.

Gardner moved, Moore seconded and it carried unanimously. Goebel, Hansen and Lofton were absent. One vacancy.

ATTACHMENTS: Ordinance (Approved as to form by the Department of Law)

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

~~Withhold the ordinance from second reading until the restrictive covenant has been submitted.~~ *Instruct the City Clerk to file the restrictive covenant with the Register of Deeds, the recording cost of which shall be billed to the applicant.*

(97606) (Published in The Daily Record July 22, 1983)

ORDINANCE NO. 38-427

AN ORDINANCE VACATING A PORTION OF THE PLATTED BUILDING SETBACK FROM WOODLAWN ON LOT 1, EAST VILLAGE SECOND, AN ADDITION TO WICHITA, KANSAS.

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

SECTION 1. That the building setback from Woodlawn described as follows, to-wit:

Beginning at the northeast corner of Lot 1, East Village Second, An Addition to Wichita, Kansas; thence west along the north property line 30 feet; thence south parallel to the east property line 22.5 feet to the point of beginning; thence S 68° 30' E to a point 8 feet west of the east property line; thence south parallel to and 8 feet west of the east property line a distance of 3 feet; thence S 21° 30' W 19 feet; thence west parallel to the north lot line to a point 30 feet west of the east lot line; thence north parallel to the east lot line to the point of beginning; (MAPC NO. V-1198);

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 19<sup>th</sup> day of July, 1983.

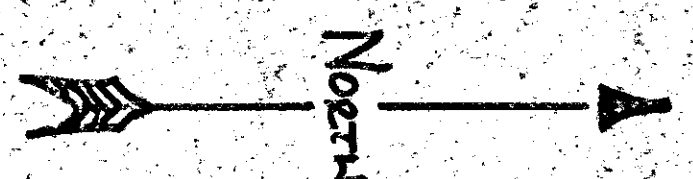
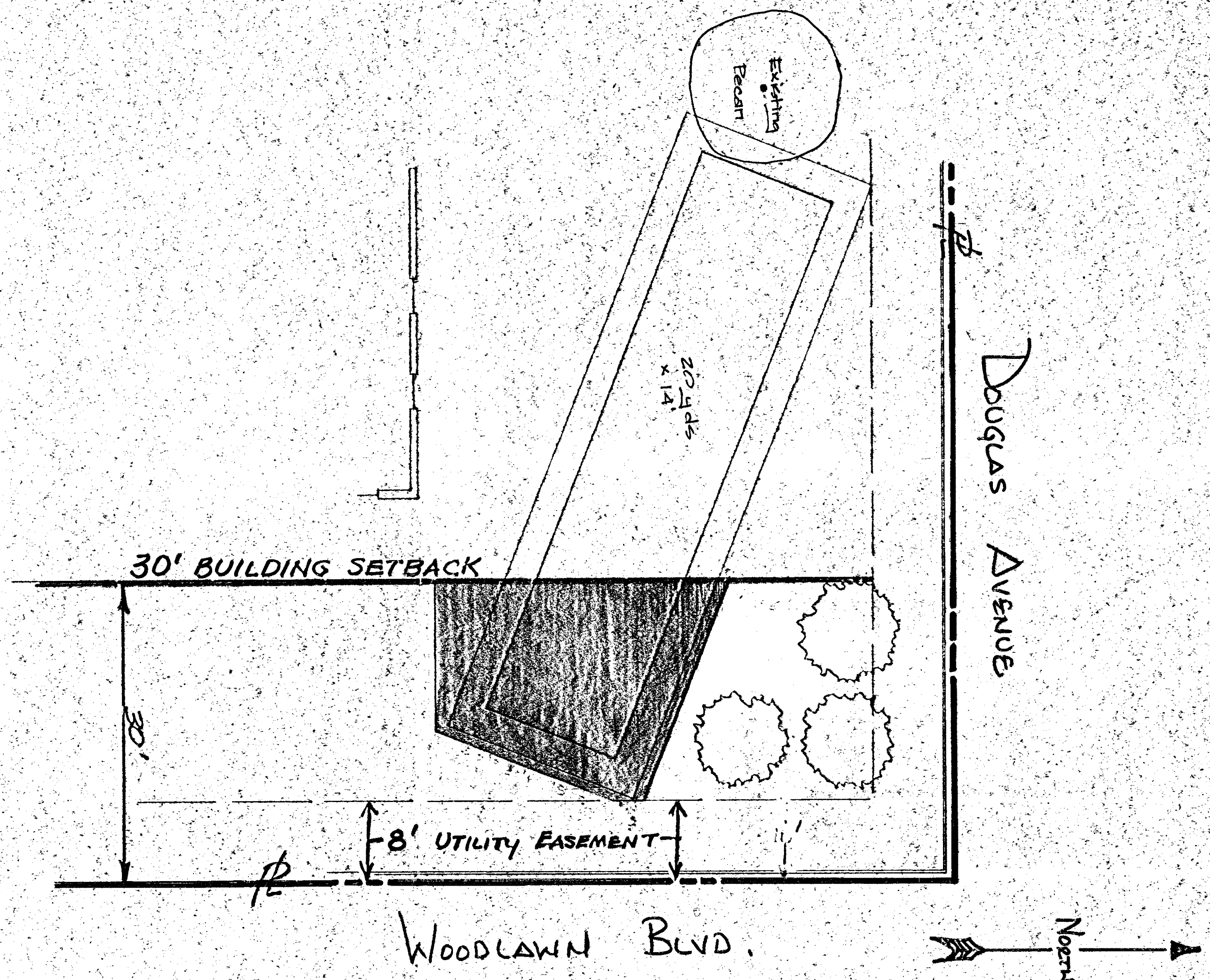
ATTEST:

Margalee Wright, Mayor

Donald C. Gisick, City Clerk

(SEAL)

1/1/93



30' BUILDING SETBACK

8' UTILITY EASEMENT

Existing Paved

20' x 14'

DOUGLAS AVENUE

WOODLAWN BLVD.