

Planning Agenda Item # _____

City of Wichita
City Council Meeting
July 11, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1612 - REQUEST TO VACATE PLATTED BUILDING
SETBACK IN AN AREA ON THE NORTH SIDE OF REFLECTION ROAD ON
BOTH SIDES OF MORNING DEW.
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of building setback.

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

Background: The 20-foot rear yard setbacks were platted in excess of what is established in the Reflection Ridge Residential Community Unit Plan, DP-170; which provides for 10-foot rear yard building setbacks when adjacent to open space; thus the platted rear yard building setbacks are not needed. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: The City Clerk needs to certify as to proper notification and no filing of written protest.

Recommendations/Action: Close public hearing, approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order, recording costs to be billed to:
150029-2909

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

IN THE MATTER OF THE VACATION OF)
PLATTED BUILDING SETBACK)
)
GENERALLY LOCATED IN AN AREA ON THE)
NORTH SIDE OF REFLECTION ROAD ON BOTH)
SIDES OF MORNING DEW (V-1612).)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 11th day of July, 1989, comes on for hearing the petition for vacation filed by Reflection Ridge Inc., etal, praying for the vacation of the following described platted building setback, to-wit:

The 20 foot platted rear yard building setback on Lots 1 through 9 inclusive, Block 1, Morning Dew Addition to Wichita, Sedgwick County, Kansas, and Lots 27 through 44 inclusive, Block 1, Reflection Ridge Addition an Addition to Wichita, Sedgwick County, Kansas

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 Record of notice of this vacation proceeding for consecutive weeks on JUN 28 1989 & JUL 5 1989.
2. No private rights will be injured or endangered by the vacation of the above-described platted 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. Rear yard building setbacks shall be as provided in the Reflection Ridge Residential Community Unit Plan, DP-170; on file at the Metropolitan Area Planning Department.
6. The vacation of the platted building setback described herein should be approved.

8.00 CA

City Clerk

Vacation Order
V-1612
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 11th day of July, 1989, ordered that the above-described 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:

Bob Knight
Bob Knight, Mayor

John Moir
John Moir, City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law



State of Kansas)
Sedgwick County) ss
City of Wichita)
I, Dale E. Red, Deputy City Clerk of the City
of Wichita, Kansas, hereby certify that the document
to which this is affixed is a true and correct copy of
the original on file in the office of the City Clerk.
Given under my hand and seal of the City of
Wichita, this JUL 12 1989

Dale E. Red
Dale E. Red, Deputy City Clerk

MICROFILMED
OF RECORD

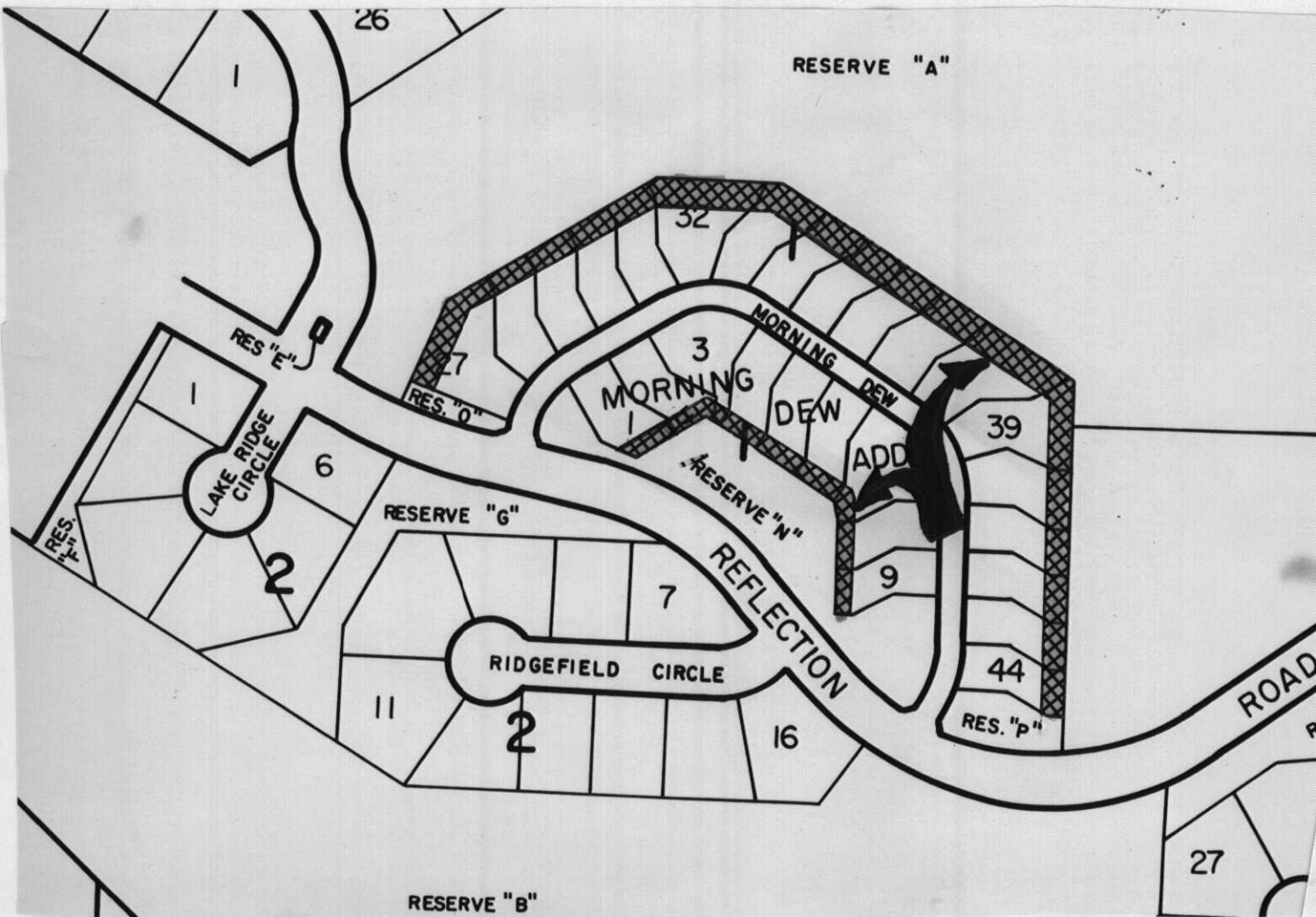
STATE OF KANSAS)
SEDCWICK COUNTY)
FILED JUL 12 1989
12-30 PM

JUL 11 1989 10:06 AM

PAT KETTLER
REGISTER OF DEEDS

Ed Rasmussen
Ed Rasmussen, Deputy

RESERVE "A"



RESERVE "B"