

Planning Agenda Item # _____

City of Wichita
City Council Meeting
June 6, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1603 REQUEST TO VACATE A PORTION OF A PLATTED BUILDING
SETBACK IN AN AREA EAST OF 119TH STREET WEST AND NORTH OF 13TH STREET
NORTH (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 configuration of this lot and its location adjacent to a cul-de-sac has limited the buildable area of the lot. In order to build a proposed house on this lot, the applicant is requesting to reduce the front building setback from 25-feet to 15-feet. 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

Approved / Accepted By City Council
 JUN 6 1989
 SEDGWICK COUNTY, KANSAS
 This FILED FOR RECORD AT
 8:00 AM

BEFORE THE CITY COUNCIL OF THE
 CITY OF WICHITA, SEDGWICK COUNTY, KANSAS JUN 27 89 1015494

IN THE MATTER OF THE VACATION OF)
 A PLATTED BUILDING SETBACK)
)
 GENERALLY LOCATED IN AN AREA EAST OF)
 119TH STREET WEST AND NORTH OF 13TH)
 STREET NORTH. (V-1603))
)
 MORE FULLY DESCRIBED BELOW)

PAT KETTLER
 REGISTER OF DEEDS

Ed P. Peralta
City Clerk

VACATION ORDER

NOW on this 6th day of June, 1989, comes on for hearing the petition for vacation filed by Gary Wiley for Slawson Investment Corp., praying for the vacation of the following described portion of a platted building setback, to-wit:

The southerly 10 feet of the 25-foot front yard building setback in Lot 4, Block 16, Echo Hills, 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 MAY 24 & 31, 1989.
2. No private rights will be injured or endangered by the vacation of the above-described portion of a 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. The vacation of the building setback described herein should be approved.

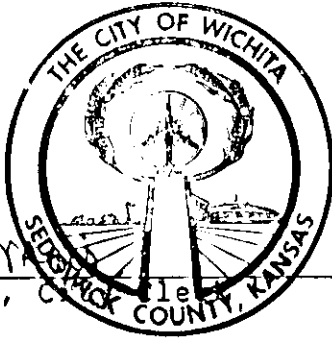
MICROFILMED
OF RECORD

8.00 ca

City Clerk

Vacation Order
V-1603
Page 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 6th day of June, 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:

John Moir
John Moir, Clerk

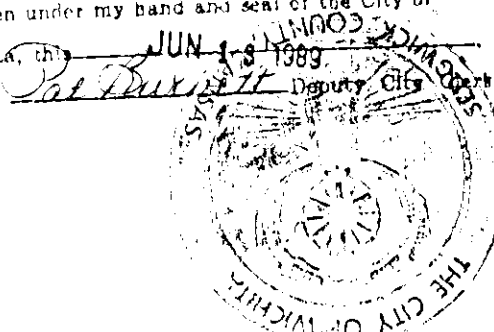
Bob Knight
Bob Knight, Mayor

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law

Form 1020

State of Kansas)
Sedgwick County) ss
City of Wichita)
I, PAT BURNETT, 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 JUN 13 1989



119th ST. W.

