

Planning Agenda Item # _____

City of Wichita
City Council Meeting .
May 8, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1660 - REQUEST TO VACATE A PLATTED BUILDING SETBACK, LOCATED AT THE SOUTHWEST CORNER OF 13TH STREET NORTH AND MORGANTOWN IN AN AREA WEST OF RIDGE ROAD.
(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 applicant desires to expand an existing detached garage into the building setback. A dense evergreen hedgerow along the west property line and a solid, six-foot wooden fence along the north property line will provide sufficient screening for the garage within this side yard. 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)
A PLATTED BUILDING SETBACK.)
)
GENERALLY LOCATED AT THE SOUTHWEST)
CORNER OF 13TH STREET NORTH AND MORGAN-)
TOWN IN AN AREA WEST OF RIDGE ROAD)
(V-1660).)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 8th day of May, 1990, comes on for hearing the petition for vacation filed by Michael E. & Suzanne L. Tammany, praying for the vacation of the following described platted building setback, to-wit:

The east 26-feet of the west 35-feet of the south 13-feet of the north 15-foot platted building setback on Lot 12, Block B, Country Acres 3rd Addition, to 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 _____.
2. No private rights will be injured or endangered by the vacation of the above-described 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.

Vacation Order
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 8th day of May, 1990, 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, Mayor

John Moir, City Clerk

Approved as to Form:

Thomas Powell, Director of Law

Form 1020

