

Planning Agenda Item # _____

City of Wichita
City Council Meeting
June 2, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1758 Request to vacate a portion of a platted building setback located east of Greenwich and north of Harry

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of building setback as amended at MAPC hearing.

MAPC Recommendation: Approve vacation of building setback as amended at hearing.
(unanimous)

Background: In order to better orient a proposed home, the applicant is requesting to vacate a portion of a building setback. The original request was to vacate all of a 20-foot portion of the platted 40-foot building setback. However, the vacation was approved to include only that portion needed for the proposed house. County Engineering and the utility representatives indicated that the vacation would have no adverse effects.

The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: This request for vacation is located on property outside the City of Wichita, but within three miles thereof. As such, no petition, publication of notification or public hearing is required before the Wichita City Council.

Recommendations/Action: Approve vacation.

COPIED
OF RECORD

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

U-1758

IN THE MATTER OF THE VACATION OF A)
PROTION OF A PLATTED BUILDING SETBACK,)
)
)
GENERALLY LOCATED EAST OF GREENWICH)
ROAD AND NORTH OF HARRY)

MAPD CASE NO. V-1758

VACATION ORDER

NOW on this 8th day of July, 1992, at 9:00 o'clock A.M. comes on for hearing a petition praying for the vacation of the following-described building setback, to wit:

[see attached legal description]

WHEREUPON, it is shown that proper notice has been given by publication once each week for three consecutive weeks in the official county paper, the first such publication having occurred on June 16, 1992; and it is further shown that proper proof of such publication has been filed herein. The Board finds that such notice is in lawful form and that it conforms to K.S.A. 58-2613.

THEREAFTER, the Board, having heard all interested parties and being otherwise duly advised in the premises, finds and determines that no private rights will be injured or endangered by such vacation; that the public will suffer no loss or inconvenience

OWA

County Clerk

thereby; that no written objections hereto have been filed with the Sedgwick County Clerk; and that, in justice to the petitioner, the petition's prayer should be granted.

The Board further finds that on May 7, 1992, the Metropolitan Area Planning Commission recommended that the vacation petition herein be approved; and on June 2, 1992, the Governing Body of the City of Wichita recommended that the said petition be approved.

THEREFORE, IT IS ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS THAT the above-described building setback be and the same is hereby vacated.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

Betsy Gwin
BETSY GWIN, Chair

ATTEST:
Don Wright
DON WRIGHT, County Clerk

APPROVED AS TO FORM:

Richard A. Euson
RICHARD A. EUSON
Assistant County Counselor

STATE OF KANSAS 1 SS
SEDGWICK COUNTY
FILED FOR RECORD AT

8:00 AM
JUL 13 1992 1221827

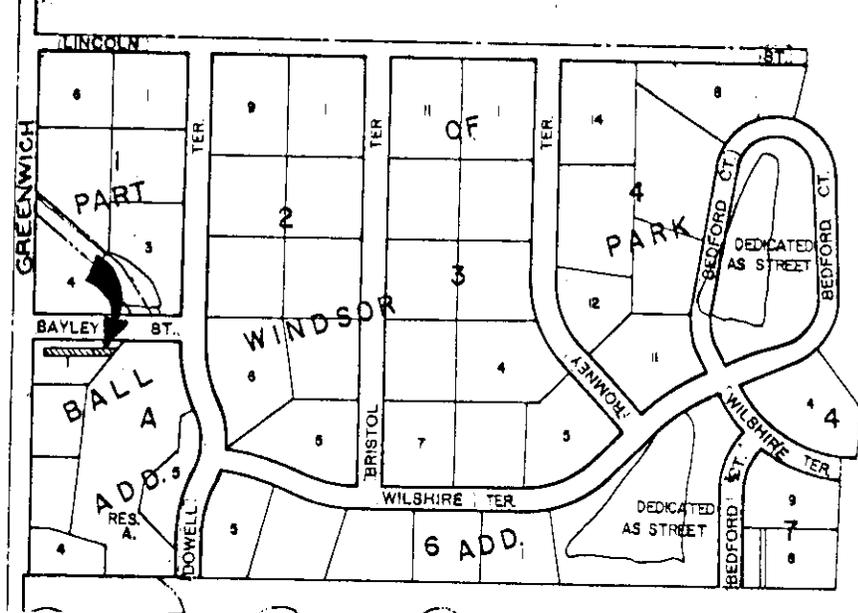
PAT KETTLER
REGISTER OF DEEDS

Ed Reed
Deputy

MAPD CASE NO. V-1758

LEGAL DESCRIPTION

Commencing at the N.W. Corner of Lot 1, Block A, Ball Addition, Sedgwick County, Kansas; thence $S00^{\circ}W$ along the west line of said Lot 1, 40 feet; thence $N89^{\circ}51'E$, 39.23 feet for a point of beginning; thence $N26^{\circ}00'E$, 22.28 feet to a point 20 feet south of the north line of said Lot 1; thence $N89^{\circ}51'E$, 5 feet; thence $S68^{\circ}00'E$, 53.05 feet to a point 40 feet south of the north line of said Lot 1; thence $S89^{\circ}51'W$, 63.95 feet to the point of beginning.



Application Filed 3/24/92
 S/D Comm. Action DAWD 4/16/92

M.A.P.C. Action 4/23/92 - DIST 11/4
2 wks.
5-7-92 Approved 5-7-92

W.C.C. Action 6-2-92 Approved

Bd. Co. Co. Action 7-8-92 Approved

Order to Vacate Recorded _____

Recorded County
 July 13, 1992