

City of Wichita  
City Council Meeting  
September 10, 1991

Agenda Report # \_\_\_\_\_

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1728 - REQUEST TO VACATE A PORTION OF A  
PLATTED BUILDING SETBACK LOCATED WEST OF WOODLAWN AND NORTH  
OF ZIMMERLY.  
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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Staff Recommendation: Approve vacation of portion of a building setback.

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

Background: The applicant wishes to orient a garage to Zimmerly, rather than out to Woodlawn. The home's existing construction precludes it from being located fully behind the platted side yard setback. Approximately 4 feet of setback is needed to adequately build the garage. No existing sidewalk or utilities are effected by the vacation. 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 PORTION OF A PLATTED BUILDING SETBACK )  
 )  
GENERALLY LOCATED WEST OF WOODLAWN )  
AND NORTH OF ZIMMERLY. (V-1728) )  
 )  
 )  
MORE FULLY DESCRIBED BELOW )

VACATION ORDER

NOW on this 10th day of September, 1991, comes on for hearing the petition for vacation filed by Judith A. Hart, praying for the vacation of the following described building setback, to-wit:

Part of Lot 18, Block G, Replat of Trollope-Fallon Addition to Wichita, Kansas, described as follows: Commencing at the SE corner of said Lot 18; thence north along the east line of said Lot 18, 15 feet; thence west parallel with the south line of said Lot 18, 63.15 feet to a point of beginning; thence south parallel with the east line of said Lot 18, 4 feet; thence west parallel with the south line of said Lot 18, 24 feet; thence north parallel with the east line of said Lot 18, 4 feet; thence east parallel with the south line of said Lot 18, 24 feet to the point of beginning.

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 Reporter 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  
V-1728  
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of September, 1991, 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.

\_\_\_\_\_  
Bob Knight, Mayor

ATTEST:

\_\_\_\_\_  
Pat Burnett, Deputy City Clerk

Approved as to Form:

\_\_\_\_\_  
Joe Lang, Acting Director of Law

