

Planning Agenda Item # \_\_\_\_\_

City of Wichita  
City Council Meeting  
August 27, 1991

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

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1726 - REQUEST TO VACATE A PORTION OF A  
PLATTED BUILDING SETBACK LOCATED NORTH OF 53RD ST. SOUTH, IN  
AN AREA EAST OF ASH.  
(District #4)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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Staff Recommendation: Approve vacation of building setback.

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

Background: A home at this site was damaged by tornadoes and was reconstructed on the existing foundation. However, the front porch was enclosed by the contractor who assumed the lots in the area were built with a typical 25 foot setback rather than the 30 foot setback actually platted. An enclosed porch violates setback requirements and the vacation is requested to remove the violation. The utilities and City Engineering have no objection to 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

AUG 27 1991

This \_\_\_\_\_

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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 SET- )  
BACK )  
 )  
GENERALLY LOCATED NORTH OF 53RD ST. )  
SOUTH, IN AN AREA EAST OF ASH ST. )  
(V-1726) )  
 )  
MORE FULLY DESCRIBED BELOW )

VACATION ORDER

NOW on this 27th day of August, 1991, comes on for hearing the petition for vacation filed by Mark D. Sullivan, praying for the vacation of the following described building setback, to-wit:

The north 4.5 feet of the south 30 feet of the east 11.3 feet of the west 35.5 feet of Lot 2, Block L, Mona Kay Matlock Addition an Addition in Sedgwick County, Kansas.

MICROFILMED  
OF RECORD

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 8/13/91 and 8/20/91.
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.

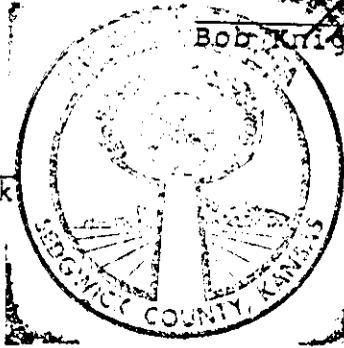
*Block* City Clerk

Vacation Order  
V-1726  
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 27th day of August, 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.

ATTEST:

*Pat Burnett*  
Pat Burnett, Deputy City Clerk



*Bob Knight*  
Bob Knight, Mayor

Approved as to Form:

*Joe Lang*  
Joe Lang, Acting Director of Law

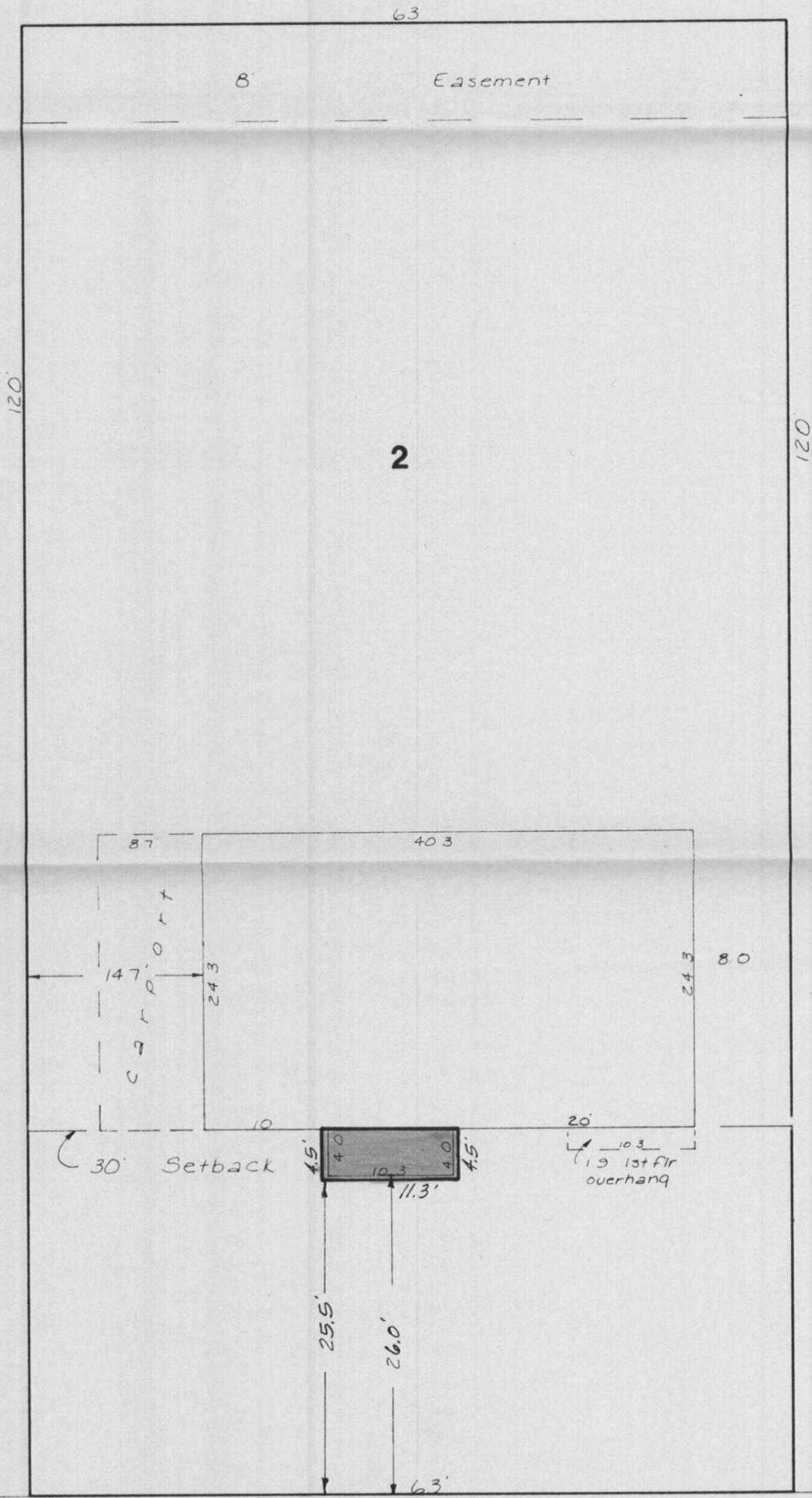
State of Kansas )  
Sedgwick County ) ss  
City of Wichita )  
*Cheryl Hollings*, Deputy City Clerk of the City  
of Wichita, Kansas, hereby certify that the document  
on which this is affixed is a true and correct copy of  
the original on file in the office of the City Clerk.  
Witness my hand and seal of the City of  
Wichita, Kansas, *October 24th, 1991*  
*Cheryl Hollings*, Deputy City Clerk

STATE OF KANSAS )  
SEDCWICK COUNTY ) ss  
FILED FOR RECORD AT  
*8:00 a.m.*

JAN 3 1992 1179862

PAT KETTLER  
REGISTER OF DEEDS

*Pat Kettler*  
*Register of Deeds*



53RD STREET SOUTH