

Planning Agenda # _____

**City of Wichita
City Council Meeting
July 11, 1995**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1918 REQUEST TO VACATE A PORTION OF A
BUILDING SETBACK LOCATED SOUTH OF CENTRAL AND WEST OF
119TH ST. WEST.
(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 corners of an existing garage have been found to be encroaching a platted 25 foot building setback. In order to clear the property's title the applicant is requesting to vacate a 2 x 18 foot portion of the setback. No objections have been received from nearby property owners. City Engineering and the utility representatives of the Subdivision Committee indicated that no utilities are impacted 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/Actions:

Close the public hearing; approve the vacation and authorize the Mayor to sign the Vacation Order; and record a certified copy of the Vacation Order; recording costs to be billed to: 150029-2909

FILE COPY

Approved / Accepted By City Council

This July 11, 1995

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BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS



IN THE MATTER OF THE VACATION OF
A BUILDING SETBACK

GENERALLY LOCATED
SOUTH OF CENTRAL AND
WEST OF 119TH ST. WEST

Case No. V-1918 STATE OF KANSAS)
SEDGWICK COUNTY) SS
FILED FOR RECORD AT
3:30 P.M.

1467390 4318

MORE FULLY DESCRIBED BELOW

PAT KETTLER
REGISTER OF DEEDS

Pat Kettler
Deputy

VACATION ORDER

NOW on this 11th day of July, 1995, comes on for hearing the petition for vacation filed by Randall E. Ketzner, praying for the vacation of the following described building setback, to-wit:

A Portion of the 25 Foot Building Setback from Bay Country on Lot 25, Block 5, Bay Country, An Addition to Wichita, Sedgwick County, Kansas, described as beginning at a point on said 25 Foot Building setback, said point being 10 feet north of the south line of said Lot 25; thence northwesterly along said setback line, 18 feet; thence southwesterly at right angles, 2 feet; thence southeasterly at right angles, 18 feet; thence northeasterly 2 feet to 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 6-30-95 & 7-7-95.
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.

C
K

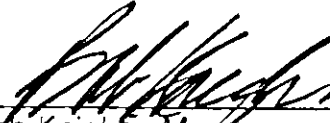
City Clerks Office
N. Main - 12th Floor
Wichita, KS 67202

Vacation Order
V - 1918

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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.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 11th day of July, 1995, 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.

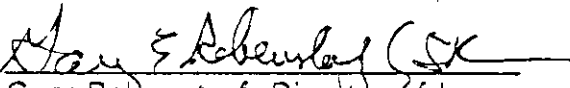

Bob Knight, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk



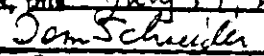
Approved as to Form:

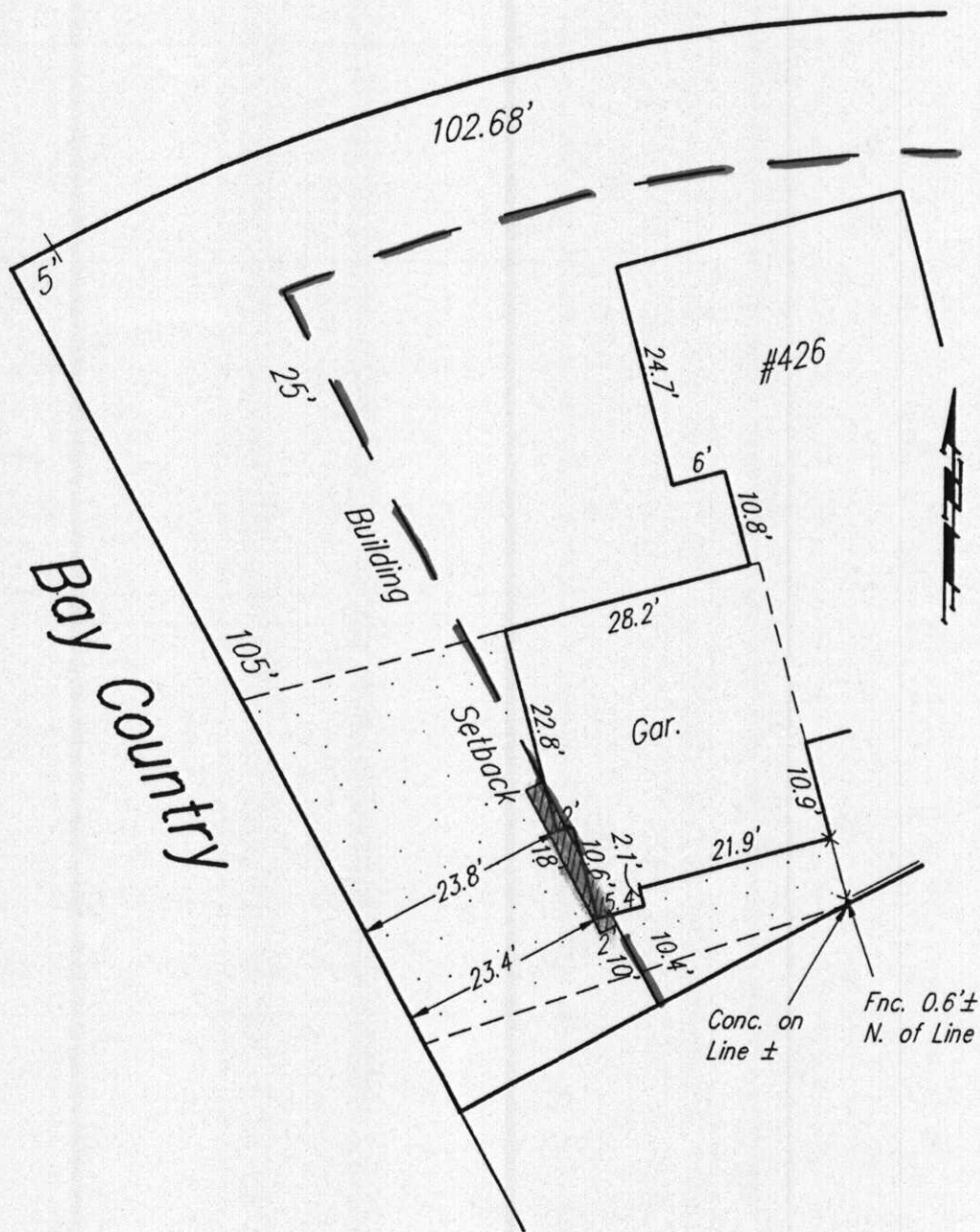

Gary E. Rebenstorf, Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita)

I, Tom Schneider, 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 July 19, 1995

Tom Schneider, Deputy City Clerk
TOM SCHNEIDER



Lot 25, Block 5
Bay Country Additon