

**City of Wichita  
City Council Meeting  
October 13, 1998**

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

**TO:** Mayor and City Council

**SUBJECT:** PUBLIC HEARING V-2108 REQUEST TO VACATE A PORTION OF 25 FOOT BUILDING SETBACK LOCATED WEST OF ROCK ROAD AND NORTH OF 37TH STREET NORTH (4111 IRONWOOD.  
(District #2)

**INITIATED BY:** Metropolitan Area Planning Department

**AGENDA ACTION:** Planning

*M. K. Ketch  
10/13/98*

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**Staff Recommendation:** Approve vacation of a portion of 25 foot building setback.

**MAPC Recommendation:** Approve vacation of a portion of 25 foot building setback.  
(unanimous)

**Background:** The applicant is requesting to vacate a slight portion of the platted 25 foot building setback. The setback is along the north and is platted from Ironwood Court. The vacation would allow the applicant to add a third bay to the existing two-car garage.

Public Works has reviewed and approved this request. The Subdivision Committee and the MAPC both voted unanimously to approve the requested vacation of a portion of the building setback.

**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; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Vacation Order.

1747548 DE-388

CITY CLERK'S ORIGINAL  
RETURN TO CITY CLERK

APPROVED BY THE CITY CLERK  
THIS \_\_\_\_\_ 1998

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FILM 1856 PAGE 1548

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

*J. Brelva*  
Deputy

IN THE MATTER OF THE VACATION OF )  
25 FOOT BUILDING SETBACK )  
GENERALLY LOCATED )  
ROCK ROAD AND 37TH STREET NORTH )  
MORE FULLY DESCRIBED BELOW )

Case No. V-2108

STATE OF KANSAS ) ss  
SEDGWICK COUNTY )

DEC 3 11 47 AM '98

BILL NEEK  
REGISTER OF DEEDS



VACATION ORDER

NOW on this 13th day of October, 1998, comes on for hearing the petition for vacation filed by Kathryn R. Newsom, praying for the vacation of the following described 25 foot building setback, to-wit:

Commencing at the Northeast corner of said Lot 12, Block 3, Willowbend 1st Addition to Wichita, Sedgwick County, Kansas; thence S 89° 10' 51" W, 33 feet along the North line of said Lot 12; thence S 0° 49' 09" E, 23.74 feet parallel to the East line of said Lot 12 to the point of beginning; thence continuing S 0° 49' 09" E, 1.26 feet; thence S 89° 10' 51" W, 200.00 feet parallel to the North line of said Lot 12; thence N 0° 49' 09" W, 1.26 feet parallel to the East line of said Lot 12; thence N 89° 10' 51" E, 20.00 feet parallel to the North line of said Lot 12 to the point of beginning.

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 one time 9-22-98, which was at least 20 days prior to this public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described 25 foot 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.

*g.c.*

*City Clerk*

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CAL

Vacation Order  
V - 2108

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5. The vacation of the 25 foot building setback described herein should be approved, subject to the following condition:

- A) Any relocation or reconstruction of any utilities made necessary by this vacation shall be the responsibility of the applicant.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 13th day of October, 1998, ordered that the above-described 25 foot 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*  
 \_\_\_\_\_  
 Bob Knight, Mayor

ATTEST:

*Pat Burnett*  
 \_\_\_\_\_  
 Pat Burnett, City Clerk

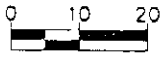
State of Kansas )  
 Sedgwick County ) ss  
 City of Wichita )  
 I, Pat Burnett, City Clerk of the City of Wichita,  
 do hereby certify that the foregoing is a true and correct  
 copy of the original of the above described order of the City  
 Council of the City of Wichita.

Approved as to Form:

*Gary Rebenstorf*  
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 Gary Rebenstorf, Director of Law

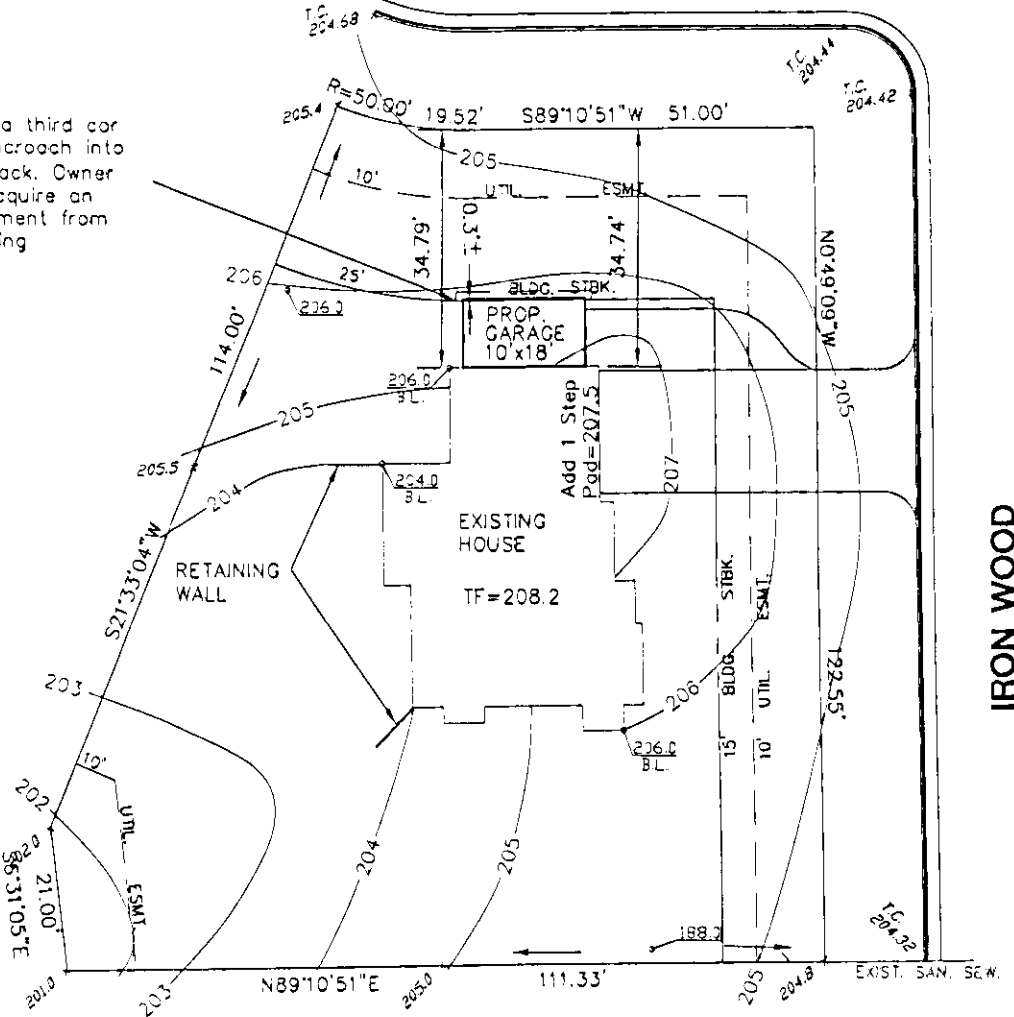
Given under my hand and seal of the City of  
 Wichita, this OCT 13 1998  
Pat Burnett City Clerk





# IRON WOOD CT.

With the addition of a third car garage, layout will encroach into the 25' building setback. Owner will be required to acquire an administrative adjustment from City of Wichita Planning Department.

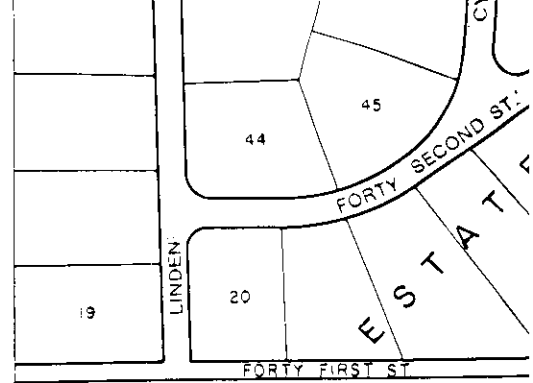


### GENERAL NOTES

1. Builder shall provide retaining walls along property line for grade transitions when required to maintain proper slopes between houses.
2. This drawing is provided for grading and drainage only and does not represent a boundary or mortgage title inspection. Information shown is from the plat unless otherwise indicated.

### LEGEND

T.W.	Top of Wall
F.G.	Finished Ground
B.L.	Brick Ledge
188.0	Proposed Elevations
x 20.0	Existing Elevations
10%	Flow Arrow & Percent Slope



TOBEN FOUR  
 ADDITION  
 I  
**V-2108** N #6052C