

Planning Agenda # _____

**City of Wichita
City Council Meeting
December 14, 1999**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: V-2183 - PUBLIC HEARING REQUEST TO VACATE A
PORTION OF A BUILDING SETBACK LOCATED NORTH
OF 31ST STREET SOUTH AND EAST OF WEST STREET.
(District IV)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

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

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

Background: The applicant is requesting to vacate 15 feet of the 35-foot platted building setback. This would allow expansion of the dental office on-site.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order, subject to the property shall be developed in general conformance with the approved site plan which is attached. No written protests have been filed.

Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Recommendations/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the Mayor to sign.

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

IN THE MATTER OF THE VACATION OF	)	
A PORTION OF A BUILDING SETBACK	)	
	)	
	)	
GENERALLY LOCATED	)	Case No. V-2183
NORTH OF 31ST STREET SOUTH AND EAST OF	)	
WEST STREET	)	
	)	
	)	
<u>MORE FULLY DESCRIBED BELOW</u>	)	

VACATION ORDER

NOW on this 14th day of December, 1999, comes on for hearing the petition for vacation filed by Dr. Steven Twietmeyer, praying for the vacation of the following described a portion of a building setback, to-wit:

The north 15 feet and the east 15 feet of the building setback as platted on the south and west property lines of Lot 2, Kessler Addition, Wichita, Sedgwick County.

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 on June 22, 1999, which was at least 20 days prior to the public hearing.

2. No private rights will be injured or endangered by the vacation of the above-described a portion of a building setback, and the public will suffer no loss or inconvenience thereby.

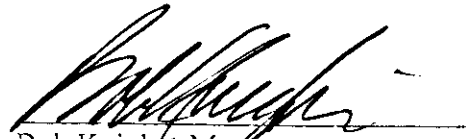
3. In justice to the petitioner(s), the prayer of the petition ought to be granted.

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.

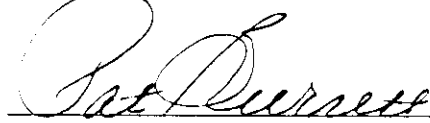
5. The vacation of a portion of a building setback described herein should be approved, subject to the following condition:

- A) The property shall be developed in general conformance with the approved site plan which is attached.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 14th day of December, 1999, ordered that the above-described a portion of a 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, City Clerk



Approved as to Form:


Gary Rebenstorf, Director of Law

9 KESSLER

6

30 TH.

ST.

SOUTH

9

ADD.

WEST

KESSLER
2
ADD.

10

JANZEN

SECOND

ILLINOIS
CIRCLE

7

8

MC CONAS
CIRCLE

14

15

KESSLER
CIRCLE

21

22

KNIGHT
CIRCLE

28

31 ST. S.S.

THIRTY FIRST