



Sedgwick County...
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Sedgwick County

525 North Main Street 3rd
Floor
Wichita, KS 67203

Legislation Text

File #: 17-485, **Version:** 1

VAC2017-00005 - County request to vacate part of a building setback generally located East of South 311 St W and North of 23rd St S. (District 3 - City of Garden Plain's Urban Area of Influence)

Recommended Action: Follow the recommendation of the Metropolitan Area Planning Commission, approve the Vacation Order, and authorize the necessary signatures.

The applicant proposes to vacate the inside 10 feet of the platted 35-foot building setback, except the northern 25 feet and the southern 35 feet, located on and running parallel to the west property line of Lot 3, Meadowlark Hills 2nd Addition. The lot is zoned RR Rural Residential. If approved, the request would reduce the platted building setback to 25 feet. The Unified Zoning Code's (UZO) minimum street side setback standard for the RR zoning district is 20 feet. The applicant's request does not exceed the minimum street side setback for RR zoning. If approved, the request would reduce the setback from the centerline of a section line road in the county to 75 feet. The UZO's minimum setback from the centerline of a section line road in the county is 85 feet. Pursuant to Sec. III-E.1.e. (4) of the UZO, "[i]f the minimum Setback standards imposed by this Code conflict with...the remaining Building Setback Lines that are modified by a valid, recorded vacation order, the minimum Setback shall be the same distance as shown on the valid, recorded...vacation order." The applicant's request does exceed the minimum setback from the centerline of a section line road in the county. Jim Weber, Deputy Director of Sedgwick County Public Works, has no objection to the vacation. Westar has no equipment located within the setback. The Meadowlark Hills 2nd Addition was recorded with the Register of Deeds October 20, 1983.

Alternatives: Not applicable.

Financial Considerations: Approved by Division of Finance; complies with Kansas Budget Law and Cash Basis Law
Not applicable.

Legal Considerations: Approved as to form and signed by County Counselor's Office
The Board of County Commissioners is authorized by K.S.A. 58-2613, et seq. to grant petitions for vacation of platted streets, alleys, public easements and public reservations. Approval is by simple majority vote. A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Policy Considerations: Not applicable.