

SUBDIVISION COMMITTEE  
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4

September 8, 1988

STAFF REPORT  
(Final Plat)

CASE NUMBER: S/D 88-76 - REBECCA ADDITION

OWNER/APPLICANT: Dean L. Bussart

SURVEYOR/ENGINEER: Baughman Company, P.A.

LOCATION: Northeast corner of Old Manor and Central

SITE SIZE: 1.0 acres

NUMBER OF LOTS

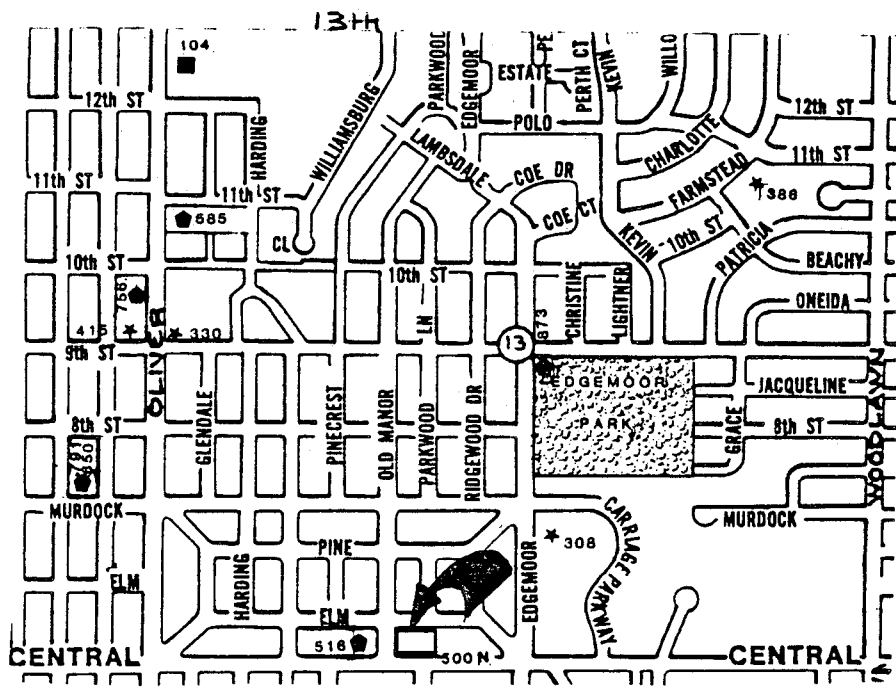
Residential:	
Office:	
Commercial:	3
Industrial:	
Total:	3

MINIMUM LOT AREA: 7,813.5 Sq. Ft.

CURRENT ZONING: "B"

PROPOSED ZONING: "OC" (Z-2872)

VICINITY MAP:



**STAFF COMMENTS:**

**NOTE:** The applicant's associated zone case (Z-2872) requesting "B" (multi-family) to "OC" (office/commercial) zoning has been approved subject to replatting.

- A. The applicant shall guarantee any drainage improvements required by the platting of this property.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. The final plat tracing shall indicate a 25-foot building setback from the south property line and a 15-foot building setback from the west property line of the plat. These setbacks will pass through the existing building which encroach into the setback area. Central Inspection has advised that the platting of this building setback does not preclude the property owner from maintaining or remodeling that portion of the building within the setback area. The building cannot, however, be enlarged within the setback and, if the building is removed, any new building construction must observe the platted building setback.
- D. On the final plat tracing, the wording in the plattor's text regarding the contingent dedications shall be amended to read as follows:

"The contingent street dedication is hereby dedicated to the public contingent upon the removal or destruction of those portions of the existing buildings which exist within and adjacent to the area of the contingent dedication. This contingent dedication shall run with the land but shall not be construed to require the removal or destruction of a portion of the existing buildings."
- E. The applicant shall submit a sidewalk certificate stating that a sidewalk will be constructed on Old Manor at the time of site development. (Commercial Zoning)
- F. Prior to scheduling this case before the City Council, the existing structures which encroach into the utility easements being granted must be removed. Once the structures have been removed, a letter so stating shall be submitted from the platting engineer. If the applicant desires to keep the existing buildings which encroach the easement, he will need to contact the Sewer Maintenance Division of the Water Department in order to obtain a "Hold Harmless Agreement." The applicant shall execute a copy of the City's standard agreement form. This agreement will permit the encroachments, but will however, hold the City harmless for any damage done to the building caused by maintenance of the sewer lateral in the subject easement.

- G. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- H. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- I. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- J. Recording of the plat within 30 days after approval by the City Council.
- K. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage plan. Specifically, are any drainage guarantees required?

**NOTE:** This plat has been submitted in final form only.