

AGENDA ITEM E. NEW BUSINESS

ITEM 8 – COOK ESTATES IVERSIE ADDITION

KPB File No.	2022-028
Plat Committee Meeting:	April 11, 2022

STAFF REPORT - ADDENDUM

After the staff report was prepared, a request for an exception to KPB 20.30.170 – Blocks-Length requirements was received.

EXCEPTIONS REQUESTED:

KPB 20.30.170 – Blocks-Length Requirements

Staff Discussion: Per KPB Code, blocks shall not be less than 330 feet or more than 1,320 feet in length. The subdivision is not part of a closed block due to a large acreage lot located at the end of the Landess Avenue dedication. Akeve Avenue, Three Johns Street, and Landess Avenue currently define the block without a western dedication to close the block. The length along Three Johns Street is compliant at approximately 1,315 feet. The length along Landess Avenue from Three Johns Street to the western boundary of the subdivision is approximately 1,300 feet. A dedication within the subdivision will help bring the block closer to compliance, dependent on the lot to the south being further subdivided.

The best location for the dedication would be along the western boundary but there are several issues with that location. To the west is a flag lot. The length of the flag is approximately 342 feet and the width is 25 feet wide. It will require a subdivision of this lot to get a matching dedication and it would only be able to provide 25 feet. This subdivision plat could grant a 35 foot width right of way and if the neighboring lot wishes to subdivide in the future it could provide the remaining 25 feet. A 20 foot powerline easement exists 19 feet from the western boundary. Powerlines are an allowable use for right of way dedications but this will result in a powerline within the center of the right of way.

A dedication could be granted between the two lots. This would be required to be a full 60 foot wide right of way. There are structures existing on both lots. If dedicated centered on the existing proposed lot line will possibly result in the improvement on Lot 2-2A to be very close or within the building setback. The dedication will result in a loss of approximately .87 acres from this subdivision. The proximity to Honda Court needs to be taken into consideration.

Surveyor's Findings:

1. There is an existing 20' powerline easement centered 19' from the west property line.
2. A dedication would have the powerline in the middle of it.
3. The property on the other side is a flag lot.

Staff's Findings:

4. The neighboring flag lot's panhandle is only 25 feet wide.
5. There are existing structures and improvements on the proposed lots.
6. A dedication along the eastern boundary will connect to a cul-de-sac.
7. There are numerous large acreage lots within the area that have not been subdivided.
8. The lots are large enough to be further subdivided.
9. Lot 2-2B has additional access from Honda Court.
10. Locations of existing wells and septic systems has not been provided.
11. Future subdivisions of Lot 2-2A will be limited if no dedication is received.
12. The flag lot to the west is 2.234 acres.
13. A 25 foot dedication along the flag and remaining length of the lot will result in a 1.87 acre lot.
14. A private drive appears to be present about 400 feet to the west within large acreage lots.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 1-10 appear to support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 1-10 appear to support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 1-10 appear to support this standard.

Staff recommendation: place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

END OF STAFF REPORT ADDENDUM
