





***Discussion:***

The applicant is proposing to create one (1) additional rural residential lot in accordance with the provisions set forth in the City's Zoning Ordinance. The ordinance stipulates that properties must be a minimum of 7.6 acres to allow for the subdivision of an additional lot. The new lot must be a minimum of 2.5 acres of buildable upland, have a minimum lot frontage on a public road and have no greater than a 1:4 lot frontage to lot depth ratio. The proposed lot would have the following characteristics.

**Lot size required** – minimum of 2.5 buildable acres

**Lot size proposed** – Parcel A – 3.82 acres  
Parcel B – 6.82 acres

**Minimum lot frontage required** – 300 LF (for property between 5-10 acres)

**Minimum lot frontage proposed** – Parcel A – 343.33 LF  
Parcel B – 393.17 LF

**Ratio of lot frontage to lot depth required** - no more than 1:4

**Ratio of lot frontage to lot depth proposed** - Parcel A – 1:2  
Parcel B – 1:1

Staff has worked with the applicant to create a buildable parcel that fits into the surrounding area with minimal impact on the surrounding properties. There is a large wetland located on the northeast side of this parcel. The wetland dictates the potential location of a home on the property. The applicant would like to utilize the high point on the property for the potential home location. The proposed subdivision would create a new 7 acre lot that has a buildable area to accommodate a home site while maintaining the required setbacks. The existing homestead would be reduced down to a 3.59 acre parcel. The existing homestead and accessory structures will meet all applicable setbacks for the newly created lot. There will need to be a new driveway approved and built to provide access to Parcel B. Parcel B can easily accommodate a new home while maintaining the requisite setbacks from the property lines and wetland.

The existing home has an existing on-site septic system that will remain in use with the existing home. Parcel B will require a new on-site system and will need to accommodate the requisite secondary on-site septic system location. The applicant has provided the City with information verifying that the site can accommodate a primary and secondary site (see locations on survey).

The proposed subdivision delineates the requisite drainage and utility easements along all property lines. The easements will need to be revised to meet the City's established criteria. They are currently shown as 5 feet along the side property lines and will need to be increased to 10 feet.

The newly created Parcel B will be required to pay the City's Park Dedication required fee. For this property, the park dedication payment amount is \$5,000.00. This fee will need to be paid prior to recording the subdivision.

*Park dedication fee \$3,500 per lot up to 4.99 acres, plus \$750 per acre for each acre over 5.*

7 acres- \$3,500 for first 5 acres, plus \$1,500 for the additional 2 acres = \$5,000

The proposed subdivision appears to meet all of the applicable standards of the City's zoning and subdivision ordinance. The lots being created will fit into the surrounding area and have minimal impacts on the surrounding properties. The adjacent properties to the west and north are similar in size to the proposed lots after the subdivision.

***Planning Commission Discussion:***

Commissioners reviewed the request and asked several questions of staff and the applicant. Commissioners believed that the request was fairly straight forward and recommended approval to the City Council.

***Neighbor Comments:***

There were not comments made at the public hearing and the City has not received any written comments regarding the proposed subdivision.

***Recommendation:***

The Planning Commission recommended approval of the requested minor subdivision with the following findings:

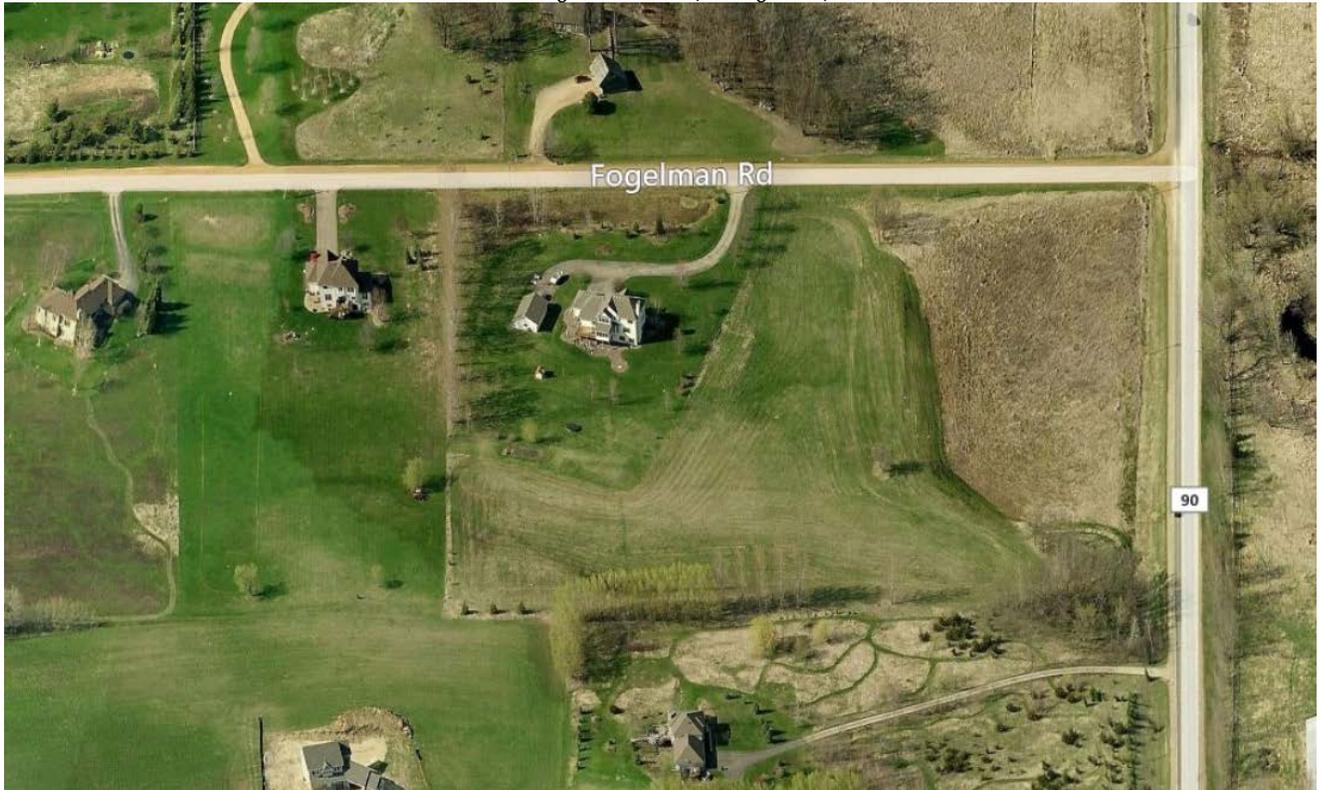
1. The proposed minor subdivision meets all applicable criteria and conditions stated in Chapter V, Section 500, Planning and Land Use Regulations of the City of Independence Zoning Ordinance.
2. The Applicant shall provide to the City a final survey indicating the requisite drainage and utility easements and legal descriptions for both lots.
3. The Applicant shall execute and record the requisite drainage and utility easement with the county within six (6) months of approval.
4. The Applicant shall pay the park dedication fees in the amount of \$5,000 prior to the applicant receiving final approval to record the subdivision by the City.
5. The Applicant shall pay for all costs associated with the City's review of the requested subdivision.
6. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

***Attachments:***

1. Property Pictures
2. Proposed Subdivision Depiction
3. Application

**Attachment #1**

*6485 Fogelman Road (looking north)*



*6485 Fogelman Road (looking west)*

