

## **SMITHCO SUBDIVISION, RESUBDIVISION OF LOT B**

Engineering Comments: Must comply with all storm water and flood control ordinances. Detention must be provided for any increase in impervious area added to the site since 1984 in excess of 4000 square feet. Any work performed in the right of way will require a right of way permit.

Traffic Engineering Comments: Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.

Urban Forestry Comments: Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).

Fire-Rescue Department Comments: No comments.

MAWSS Comments: MAWSS has water and sewer services available, but a Capacity Assurance application for **additional** sewer service has not been applied for. MAWSS cannot guarantee **additional** sewer service until a Capacity application is approved by Volkert Engineering, Inc.

The plat illustrates the proposed 1-lot, 0.2± acre subdivision which is located at the Southeast corner of Oakland Drive, in Council District 6. The subdivision is served by public water and sanitary services.

The purpose of this application is to amend the recorded front building setback line.

Smithco Subdivision was recorded in 2007 as a 3-lot subdivision. In 2008 a building permit was issued for the construction of a single-family dwelling on Lot B meeting the standard recorded 25' front building setback. However, the building footprint was reversed at stake-out resulting in an actual 22.4' front setback at the Northwest corner of the dwelling which was only recently discovered. In order to have the dwelling compliant to the front setback, the applicant wishes to amend the recorded 25' setback to 20'.

In such cases where there is only a slight encroachment into the required setback and the building construction has been completed, modification of the structure to meet the required setback would be impracticable. However, since the encroachment is within 22.4' of the front property line, the amendment of the front setback to allow for the encroachment would be the most practical solution. In conjunction with the amendment of the front setback line on the plat, a Front Setback Variance would be required.

The plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval, subject to the following conditions:

- 1) revision of the front setback line to follow the recorded 25' front setback line but amended to follow the footprint of the building within the encroachment; and
- 2) the submission and approval of a Front Setback Variance by the Board of Zoning Adjustment prior to the recording of the final plat.

# LOCATOR MAP



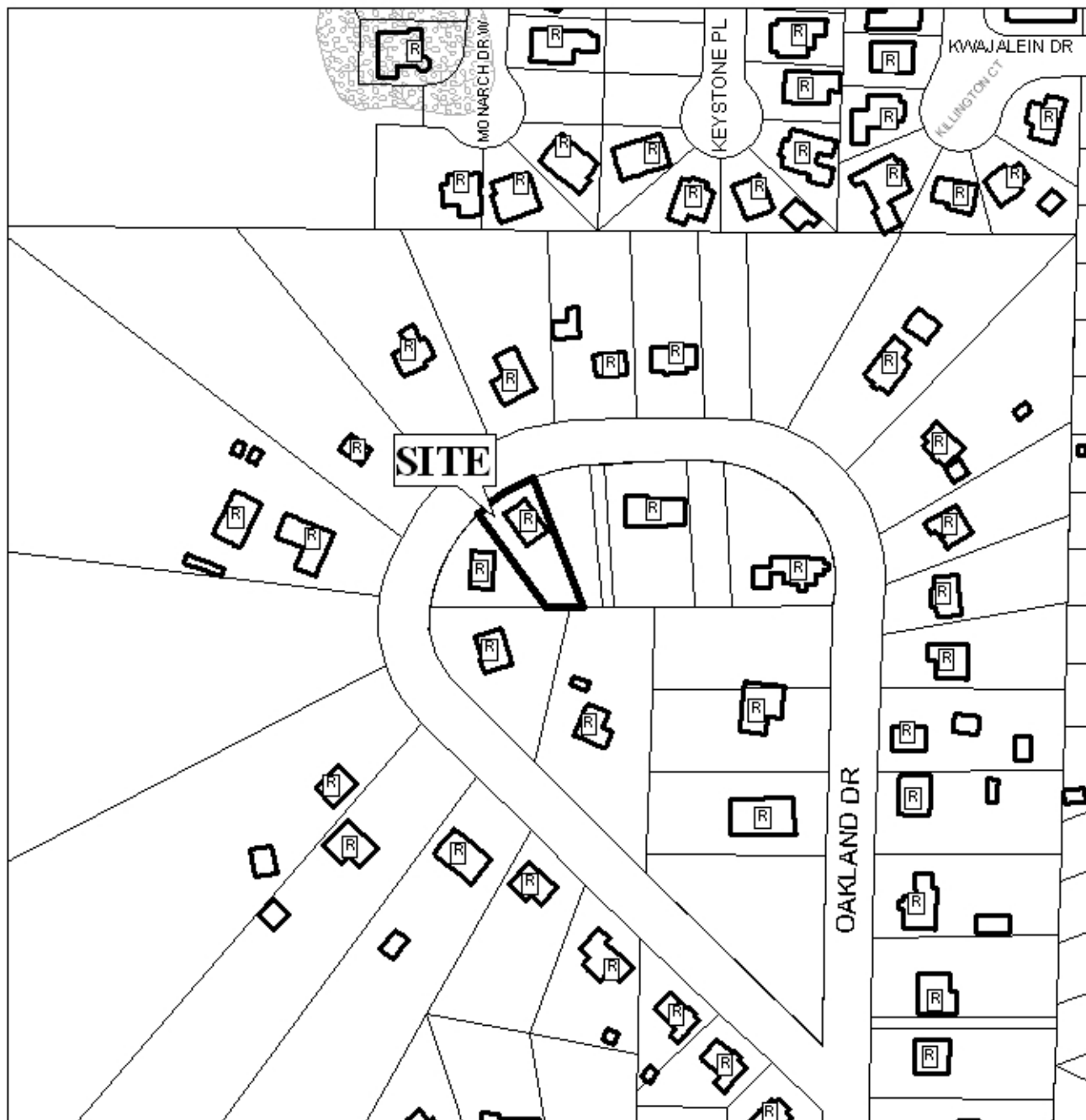
APPLICATION NUMBER 11 DATE May 21, 2009

APPLICANT Smithco Subdivision, Resubdivision Lot B

REQUEST Subdivision



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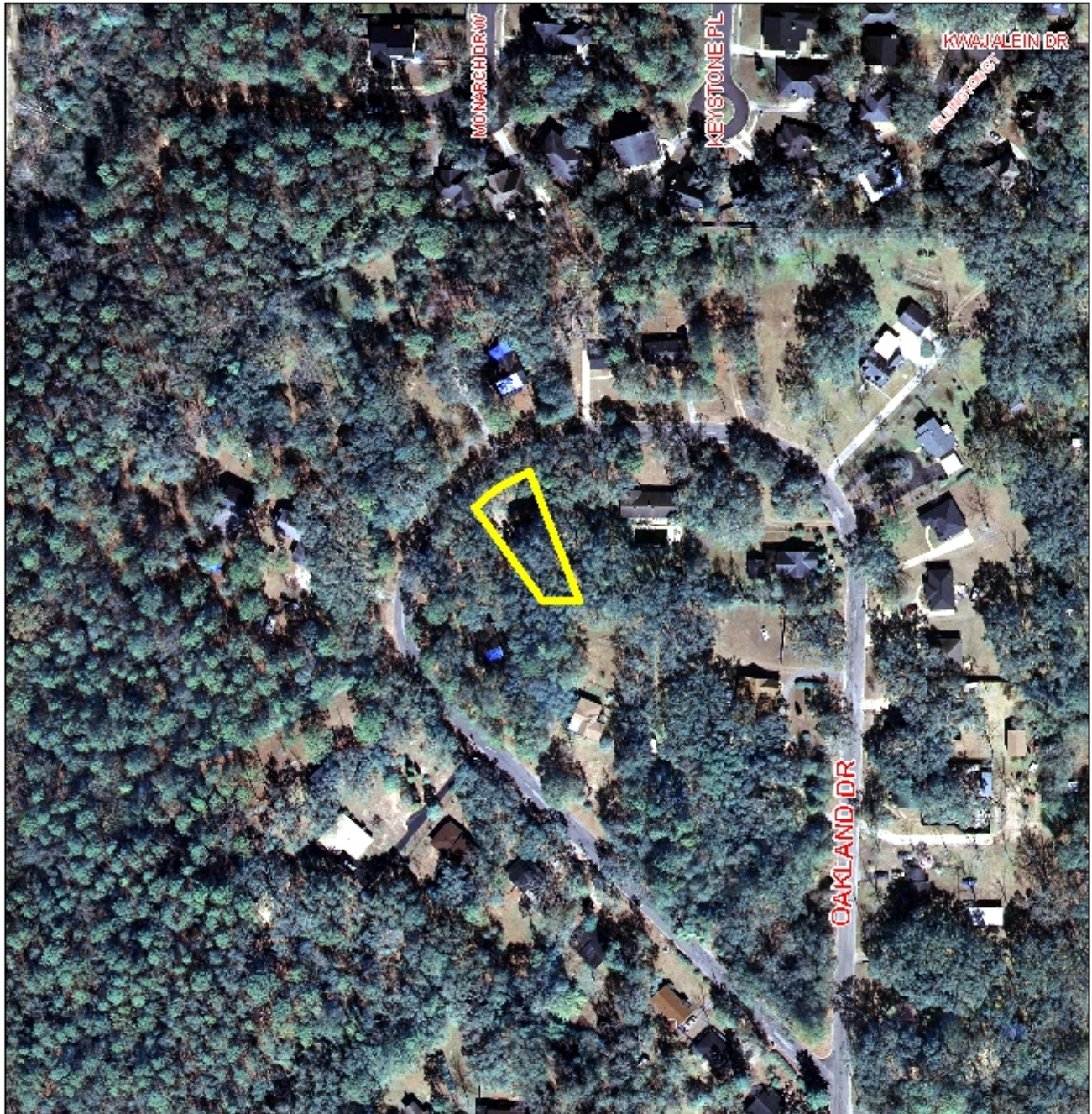
LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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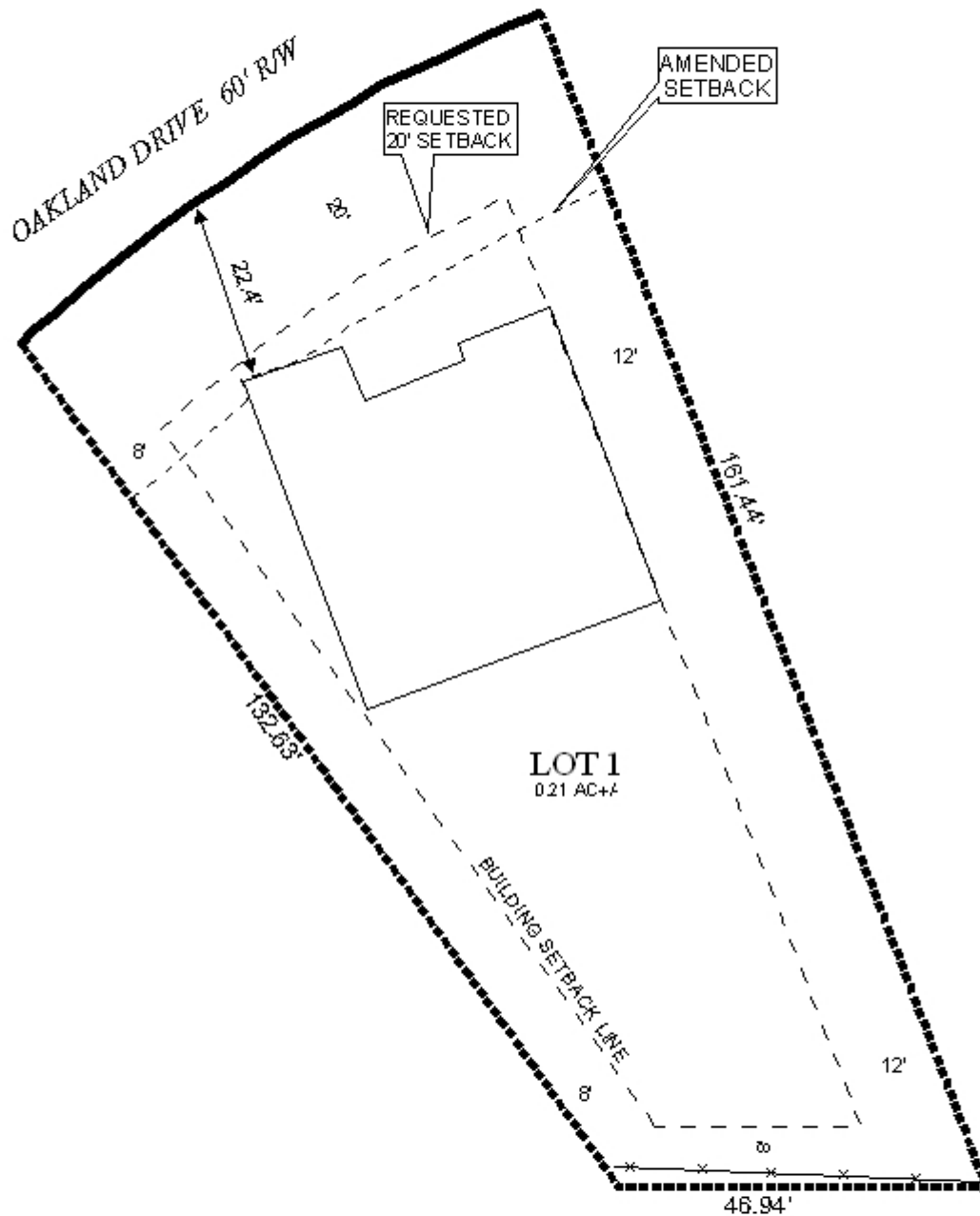
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## DETAIL SITE PLAN



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