



PLANNING AND ZONING COMMISSION

AGENDA REPORT

May 25, 2020

ITEM 5.I: A Final Plat of Mary Depp's Addition-Replat of Lots 32, 33, and 34, Block 6

APPLICANT: Scott Stockon

LOCATION: 620, 622, & 626 W. Market St.

ZONING: R4: Medium Density Multifamily Residence District

BACKGROUND:

The proposed plat moves the interior lot lines between three existing lots and a vacated alley. The minor plat covers 33,077 sq. ft. of land and creates three buildable lots and no new streets. All the lots are in a R4 District. Currently Lot 1 has one outbuilding on it, and Lots 2 and 3 have a single-family house on them. An application has been filed by the applicant to vacate the north-south alley located between the original Lots 32 and 33. The vacated alley would become a part of new Lot 2. The developer intends to develop the three new lots with duplexes.

The properties to the east and north are duplexes in a R4 District. The properties to the west and south are single-family houses in a R1 and R4 District. The 2017 Comprehensive City Plan Update shows the future land use of this lot as medium density residential.

RECOMMENDATION:

Staff recommends approval of the plat with the condition below. This condition will need to be addressed before the mylar is submitted to the City for recording:

1. The two existing buildings are required to be demolished prior to the plat being recorded so that no new non-conforming situations are created by the plat. The survey will need to be revised before the mylar is printed.

- Attachments:
1. Findings and Recommendation Form
 2. Aerial photo of site
 3. Zoning information for the site
 4. Future Land Use Map from 2017 Comprehensive City Plan Update
 5. Application
 6. A Final Plat of Mary Depp's Addition-Replat of Lots 32, 33, and 34, Block 6

PLANNING AND ZONING COMMISSION
FINDINGS AND RECOMMENDATION

Property owned by: Scott Stockton

Request to Consider: Final Plat of Mary Depp's Addition-Replat of Lots 32, 33, and 34, Block 6

The Planning and Zoning Commission has considered the final plat at an open public meeting on _____ day of _____, 2020 and makes the following findings and recommendations based upon the information presented with respect to these matters:

1. The plat complies with the purpose of Chapter 21 and promotes the orderly development of the community.
2. The plat satisfies the design requirements of Chapter 21, Subdivision Regulations, and Chapter 27, Zoning, except as noted.

3. The following special physical conditions affect the property: _____

4. The relationship of the proposed replat to the goals and objectives of the Comprehensive City Plan is such that applicable objectives of the plan _____ will be _____ will not be furthered.

Regarding the proposed Final Plat of Mary Depp's Addition-Replat of Lots 32, 33, and 34, Block 6, the Planning and Zoning Commission:

Recommends Approval

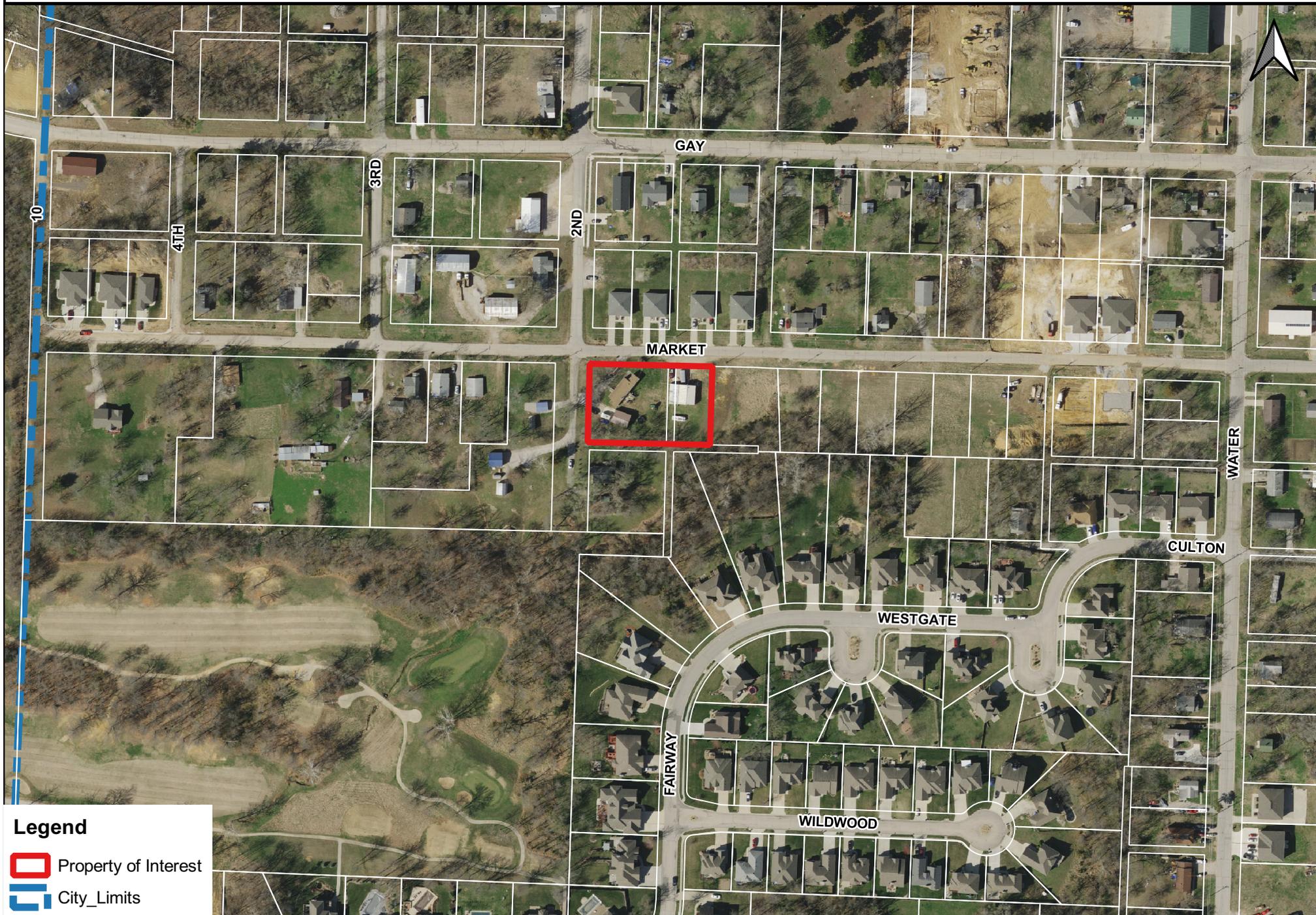
Recommends Approval with Conditions _____

Disapproves _____

Passed by the Planning & Zoning Commission this _____ day of _____, 2020.

Chair

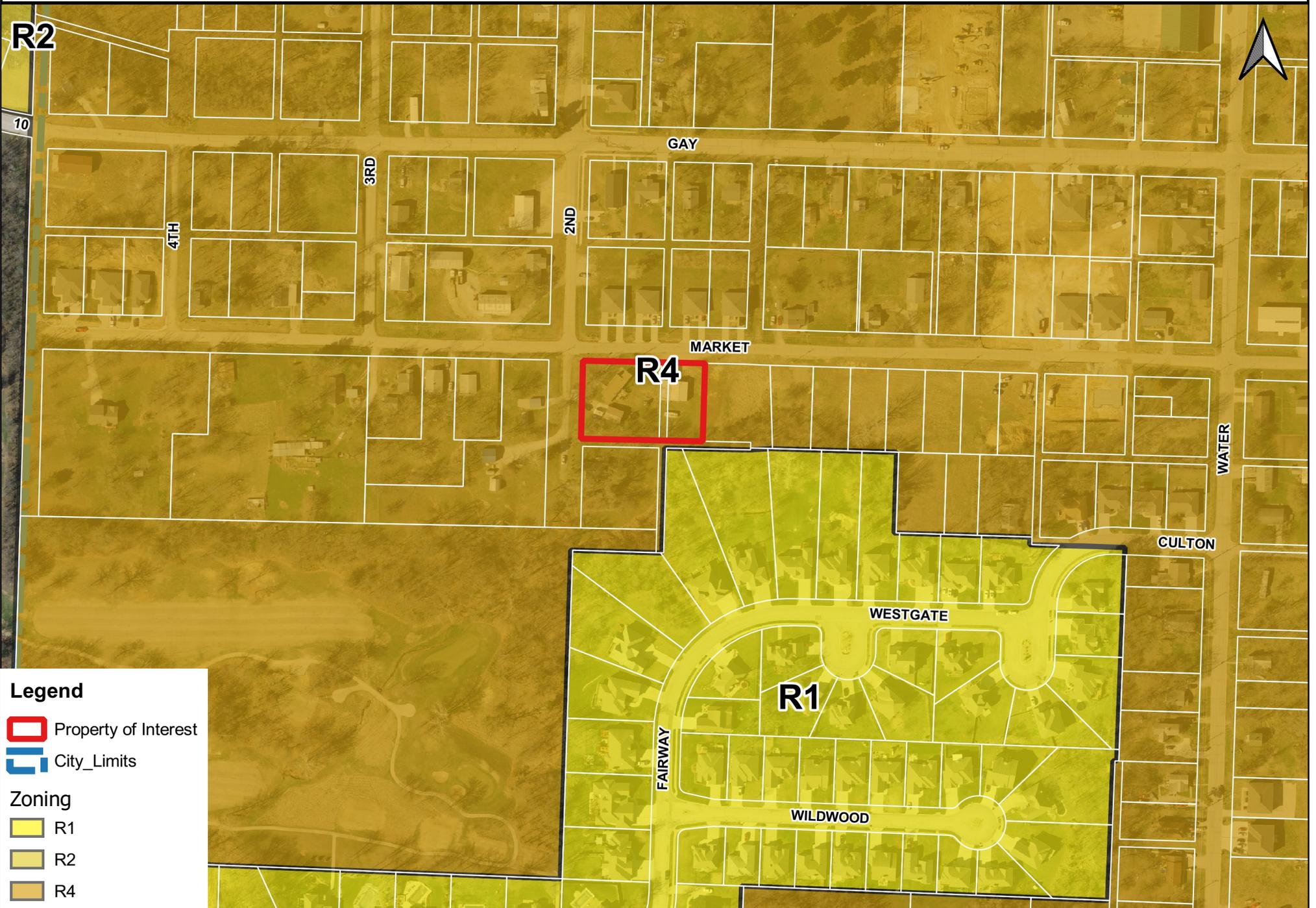
A FINAL PLAT OF MARY DEPP'S ADDITION-REPLAT OF LOTS 32, 33 AND 34, BLOCK 6 AERIAL MAP



Legend

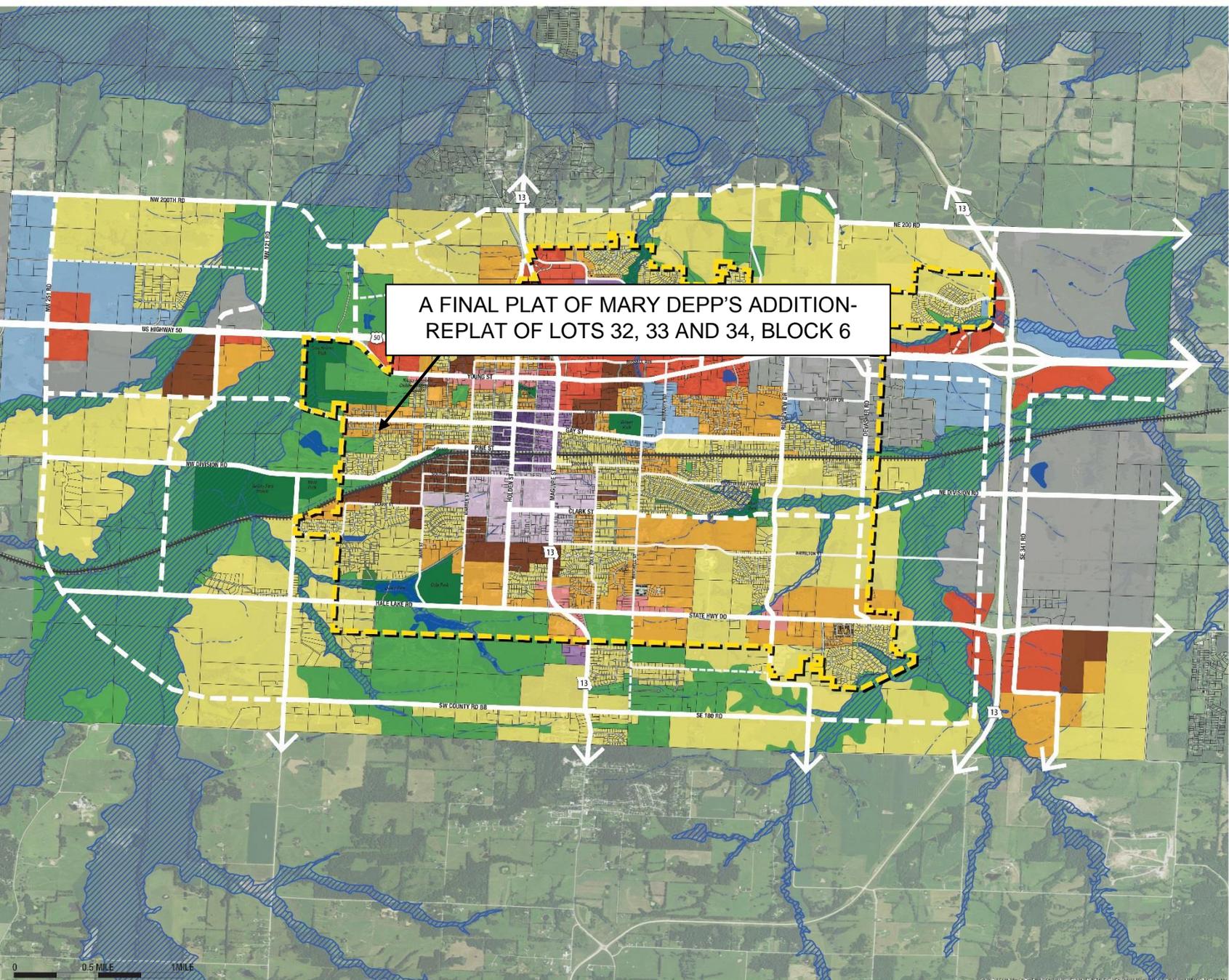
-  Property of Interest
-  City_Limits

A FINAL PLAT OF MARY DEPP'S ADDITION-REPLAT OF LOTS 32, 33 AND 34, BLOCK 6
CURRENT ZONING DESIGNATION



A FINAL PLAT OF MARY DEPP'S ADDITION-REPLAT OF LOTS 32, 33 AND 34, BLOCK 6

- LEGEND**
- CITY LIMITS
 - PARCEL BOUNDARY
 - STREAMS
 - LAKE
 - EXISTING PARK / PRAIRIE
 - RAILROAD
 - FLOODPLAIN
- MAJOR STREETS**
- ARTERIAL
 - PROPOSED ARTERIAL
 - COLLECTOR
 - PROPOSED COLLECTOR
- FUTURE LAND USE**
- AG / OPEN SPACE
 - NEIGHBORHOOD COMMERCIAL
 - COMMUNITY COMMERCIAL
 - UNIVERSITY MIXED USE
 - NEIGHBORHOOD MIXED USE
 - MIXED USE
 - INDUSTRIAL
 - SINGLE FAMILY RESIDENTIAL
 - MEDIUM DENSITY RESIDENTIAL
 - HIGH DENSITY RESIDENTIAL
 - OFFICE / BUSINESS PARK



Minor Plat Application

Plat Name: Mary Depp's addition-replat of lots 32,33,34, block 6

Date Plat Submitted: 3-9-2020

Location: Lots 32, 33, and 34 in Mary Depp's addition

Attach current legal description of all the property included in the proposed plat

Developer: <u>Scott Stockton</u>	Engineering Firm: <u>Whitehead Consultants, Inc.</u>
Address: <u>83 sw 880th rd</u>	Contact Person: <u>Michael Taylor</u>
<u>Chilhowee, MO 64733</u>	Address: <u>114 N Main St.</u>
Phone #: <u>(660)-238-4917</u>	<u>Clinton, MO 64735</u>
Fax #: _____	Phone #: <u>(660)-885-8311</u>
	Fax #: _____

Project Characteristics

Zoning: _____

Floodplain Zone: _____

No. of Lots 3

Total Acres: 0.76

The undersigned person(s) hereby certify they are the owner (s) of record of the entire fee simple interest in the real estate included in the proposed plat.

Owner's Name: Scott Stockton
Address: 83 sw 880th rd
Chilhowee, MO 64733

Signature: 

Owner's Name: _____
Address: _____

Signature: _____

Please submit the following items with the completed application form:

1. 2 paper copies of the plat or 1 PDF copy of the plat
2. Digital file of lot lines to be incorporated into City's GIS system (.dwg, .dxf, .dgn, or .shp)
3. Receipts from each of the utility companies stating they received a copy of the same plat
4. Filing fee

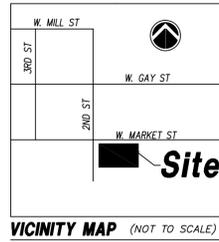
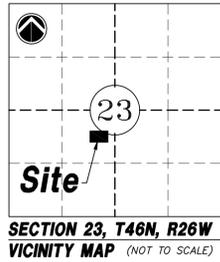
For Office Use Only: Submit completed application to Planner

Filing Fee: \$250

Date Paid: 3-9-2020

A Final Plat of MARY DEPP'S ADDITION-REPLAT OF LOTS 32, 33 AND 34, BLOCK 6

BEING A REPLAT OF LOTS 32, 33, 34 AND PART OF THE 14' PLATTED ALLEY, BLOCK 6,
MARY DEPP'S ADDITION, TO THE CITY OF WARRENSBURG, JOHNSON COUNTY, MISSOURI
RECORDED IN PLAT BOOK 1 AT PAGE 10, LOCATED IN PART OF THE NORTHEAST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 46 NORTH, RANGE 26 WEST OF THE 5TH P.M.



(25) "BLOCK 4"
MARY DEPP'S ADDITION
PLAT BOOK 1 AT PAGE 10
SURVEY RECORD BOOK 4 AT PAGE 43

(26)

"BLOCK 5"
MARY DEPP'S ADDITION
PLAT BOOK 1 AT PAGE 10

RECOVERED 1/2" IRON BAR,
SOUTHEAST CORNER LOT 26, BLOCK 4,
-REFERENCED AS SET BY MO PLS 1713, IN
SURVEY FOR CLARENCE KAUFMAN,
PREPARED BY T.K. LAND SURVEYOR'S, INC.
IN JOB NO. 86-37, DATED 06/18/1986,
RECORDED IN DEED BOOK 776 AT PAGE 68,
RECORDED IN SURVEY RECORD BOOK 4
AT PAGE 43.

RECOVERED 1/2" IRON BAR,
NORTHWEST CORNER, LOT 34, BLOCK 6,
-REFERENCED AS RECOVERED BY MO
PLS 2000161238, IN SURVEY FOR
STANLEY R. SMITH, PREPARED BY
WHITEHEAD CONSULTANTS, INC. IN JOB
NO. 19-296, DATED 09/18/2019.

RECOVERED 5/8" IRON BAR,
NORTHWEST CORNER, LOT 35, BLOCK 7,
-REFERENCED AS RECOVERED BY MO PLS
2000161238, IN SURVEY FOR STANLEY R.
SMITH, PREPARED BY WHITEHEAD
CONSULTANTS, INC. IN JOB NO. 19-296,
DATED 09/18/2019.

RECOVERED 1/2" IRON BAR,
SOUTHWEST CORNER,
LOT 34, BLOCK 6,
-REFERENCED AS RECOVERED BY MO PLS
2000161238, IN SURVEY FOR STANLEY R.
SMITH, PREPARED BY WHITEHEAD
CONSULTANTS, INC. IN JOB NO. 19-296,
DATED 09/18/2019.

RECOVERED 5/8" IRON BAR,
SOUTHWEST CORNER, LOT 35, BLOCK 7,
-REFERENCED AS RECOVERED BY MO PLS
2000161238, IN SURVEY FOR STANLEY R.
SMITH, PREPARED BY WHITEHEAD
CONSULTANTS, INC. IN JOB NO. 19-296,
DATED 09/18/2019.

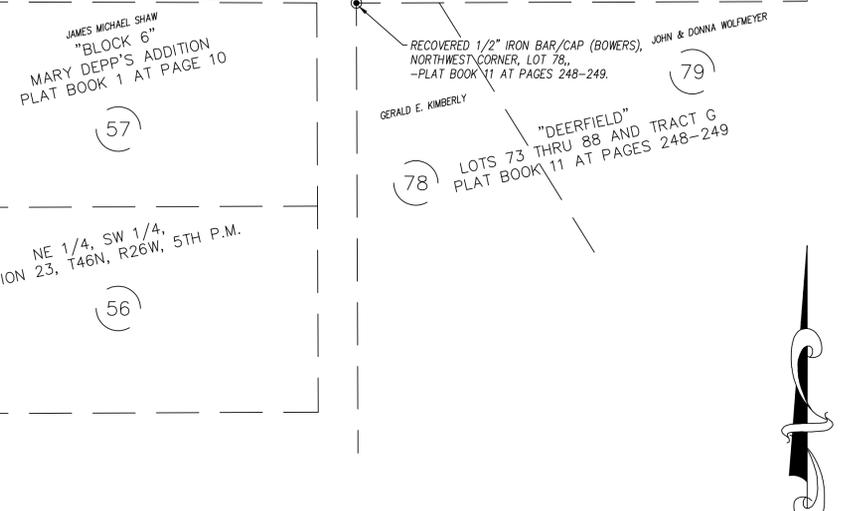
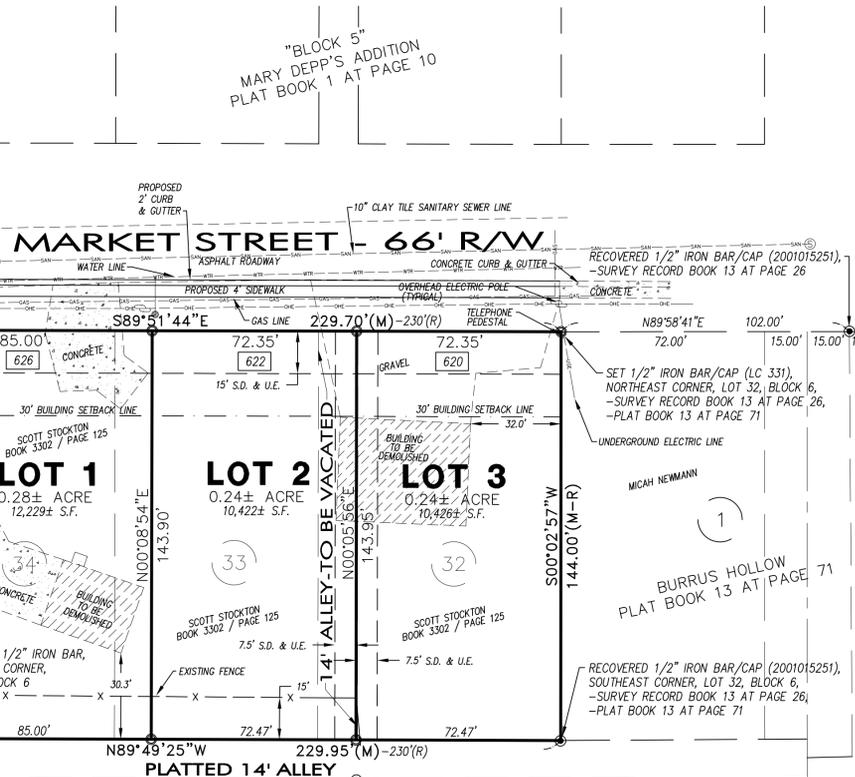
RECOVERED 1/2" IRON BAR,
SOUTHWEST CORNER,
LOT 34, BLOCK 6,
-REFERENCED AS RECOVERED BY MO PLS
2000161238, IN SURVEY FOR STANLEY R.
SMITH, PREPARED BY WHITEHEAD
CONSULTANTS, INC. IN JOB NO. 19-296,
DATED 09/18/2019.

"BLOCK 7"
MARY DEPP'S ADDITION
PLAT BOOK 1 AT PAGE 10
BOOK 2712 AT PAGE 003

RECOVERED 1/2" IRON BAR/CAP (LC 331),
SOUTHWEST CORNER, LOT 54, BLOCK 7,
-REFERENCED AS SET BY MO PLS 2000161238, IN
SURVEY FOR STANLEY R. SMITH, PREPARED BY
WHITEHEAD CONSULTANTS, INC. IN JOB NO. 19-296,
DATED 09/18/2019.

RECOVERED 1/2" IRON BAR/CAP (LC 331),
SOUTHWEST CORNER, LOT 54, BLOCK 7,
-REFERENCED AS SET BY MO PLS 2000161238, IN
SURVEY FOR STANLEY R. SMITH, PREPARED BY
WHITEHEAD CONSULTANTS, INC. IN JOB NO. 19-296,
DATED 09/18/2019.

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SURVEY FOR STANLEY R. SMITH, PREPARED BY
WHITEHEAD CONSULTANTS, INC. IN JOB NO. 19-296,
DATED 09/18/2019.



- LEGEND:**
- SURVEY MONUMENT (AS NOTED)
 - EXISTING 1/2" IRON BAR / CAP (LC 331)
 - SET 1/2" IRON BAR / CAP (LC 331)
 - R/W RIGHT-OF-WAY
 - (M) MEASURED
 - (R) RECORD-PLAT BOOK 1 AT PAGE 10
 - ⊕ CENTERLINE
 - 311 STREET ADDRESS

DEDICATION:

THE UNDERSIGNED PROPRIETORS OF THE REAL ESTATE DESCRIBED HEREON HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THIS PLAT, WHICH SUBDIVISION AND PLAT SHALL HEREAFTER BE KNOWN AS "MARY DEPP'S ADDITION-REPLAT OF LOTS 32, 33 AND 34, BLOCK 6". IT SHALL BE SUFFICIENT DESCRIPTION OF EACH LOT PLATTED HEREON TO BE DESIGNATED BY THE NUMBER/LETTER WHICH APPEARS ON SAID LOT FOLLOWED BY THE WORDS "MARY DEPP'S ADDITION-REPLAT OF LOTS 32, 33 AND 34, BLOCK 6" AN ADDITION TO THE CITY OF WARRENSBURG, MISSOURI.

AN EASEMENT IS HEREBY GRANTED TO THE CITY OF WARRENSBURG, MISSOURI TO LOCATE, CONSTRUCT AND MAINTAIN OR TO AUTHORIZE THE LOCATION, CONSTRUCTION AND MAINTENANCE OF CONDUITS, GAS, WATER AND SEWER LINES, POLES, WIRES AND ANCHORS AND ALL OR ANY OF THEM UPON OR UNDER THE SURFACE OF THE LAND DESIGNATED STORM DRAINAGE & UTILITY EASEMENTS (S.D. & U.E.), IF ANY.

THE STREETS OR ROADS SHOWN ON THIS PLAT NOT ALREADY DEDICATED TO THE PUBLIC ARE HEREBY SO DEDICATED.

THE USE OF ALL LOTS ON THIS PLAT SHALL BE SUBJECT TO ANY AND ALL RESTRICTIONS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN JOHNSON COUNTY, MISSOURI AND TO ALL RESTRICTIONS IMPOSED BY ORDINANCE BY THE CITY OF WARRENSBURG, MISSOURI.

AS OWNER I HEREBY CERTIFY THAT I HAVE CAUSED THE LAND DESCRIBED ON THE PLAT TO BE SURVEYED, DIVIDED, MAPPED DEDICATED AND ACCESS RIGHTS RESERVED AS REPRESENTED ON THIS PLAT.

IN TESTIMONY WHEREOF THE UNDERSIGNED PROPRIETORS HAVE HEREUNTO SET THEIR HANDS THIS _____ DAY OF _____, 2020.

SCOTT STOCKTON

ACKNOWLEDGMENT:

STATE OF MISSOURI)
COUNTY OF _____)
ON THIS _____ DAY OF _____, 2020 BEFORE ME PERSONALLY APPEARED SCOTT STOCKTON SINGLE PERSON, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR THE COUNTY OF _____, STATE OF MISSOURI.

MY COMMISSION EXPIRES _____

(SEAL)

MORTGAGE HOLDERS _____

MORTGAGE HOLDERS _____

APPROVAL:

THIS CERTIFIES THAT THE WITHIN PLAT OF "MARY DEPP'S ADDITION-REPLAT OF LOTS 32, 33 AND 34, BLOCK 6" WAS SUBMITTED TO AND DULY APPROVED BY THE PLANNING AND ZONING COMMISSION AND THE CITY COUNCIL OF WARRENSBURG, MISSOURI. APPROVED BY ORDINANCE # _____ ON _____ DAY OF _____

BY: _____

MAYOR

ATTEST: _____

CITY CLERK

I HEREBY CERTIFY THAT ALL TAXES ON THE PROPERTY DESCRIBED HEREIN HAVE BEEN PAID AS OF DECEMBER 31, 2019.

BY: _____

COLLECTOR

DATE

DEVELOPER:
MR. SCOTT STOCKTON
83 SW 880TH ROAD
CHILHOWEE MO 64733

RECORD DESCRIPTION:

LOTS 32, 33, AND 34 IN MARY DEPP'S ADDITION, AS SHOWN BY THE PLAT RECORDED IN PLAT BOOK 1, PAGE 10, WARRENSBURG, JOHNSON COUNTY, MISSOURI.

AS SHOWN IN WARRANTY DEED RECORDED IN JOHNSON COUNTY DEED BOOK BOOK 3302 AT PAGE 125.

CONTAINING 0.76 ACRE OR 33,077 SQUARE FEET OF LAND, MORE OR LESS.

GENERAL NOTES:

1. BEARINGS BASED ON A PREVIOUS SURVEY BY MO PLS 1713, FOR CLARENCE KAUFMAN, PREPARED BY T.K. LAND SURVEYOR'S, INC. IN JOB NO. 86-37, DATED 06/18/1986, RECORDED IN DEED BOOK 776 AT PAGE 68, RECORDED IN SURVEY RECORD BOOK 4 AT PAGE 43.

2. RECORD PARCEL DEED DESCRIPTION PROVIDED BY CLIENT; ALSO RECORDED IN JOHNSON COUNTY DEED BOOK 33021 AT PAGE 125.

3. TYPE OF SURVEY: URBAN.

4. APPARENT OWNERSHIPS ARE BASED ON INFORMATION PROVIDED BY THE CLIENT AND THE OTHER INFORMATION OBTAINED FROM JOHNSON COUNTY RECORDS. THIS SURVEY DOES NOT REPRESENT AN OPINION AS TO TITLE.

5. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

6. THE SUBJECT TRACT, BY GRAPHIC PLOTTING ONLY, LIES IN ZONE X, "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN". ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S, NATIONAL FLOOD INSURANCE PROGRAM'S, FLOOD INSURANCE RATE MAP 29101C0220E, BEARING AN EFFECTIVE DATE OF 07/04/2011.

7. THE SUBJECT SITE IS CURRENTLY ZONED: R4; MEDIUM-DENSITY MULTIFAMILY RESIDENCE DISTRICT.

SURVEYORS NOTES:

1. NO STATEMENT IS MADE CONCERNING SUBSURFACE CONDITIONS OR THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT. NO ABOVE GROUND OR BELOW GROUND UTILITIES ARE SHOWN EXCEPT AS NOTED.

2. DECLARATION IS MADE TO THE ORIGINAL PURCHASER OF THIS SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

3. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF THE SURVEYOR PRESENT ON IT.

NOTE: NOTHING IN THIS SECTION IS ADOPTED OR APPROVED BY THE CITY IN THE ACCEPTANCE OF THE PLAT.

SURVEY REFERENCES:

1. FINAL PLAT OF MARY DEPP'S ADDITION TO THE CITY OF WARRENSBURG, JOHNSON COUNTY, MISSOURI, BY DEPUTY SURVEYOR THOMAS A. McSPADEN, DATED 10/16/1854, RECORDED IN PLAT BOOK 1 AT PAGE 10.

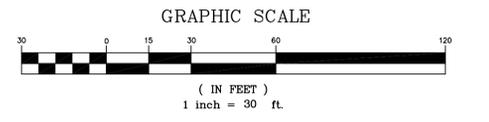
2. SUBSEQUENT SURVEY BY MO PLS 1713, FOR CLARENCE KAUFMAN, PREPARED BY T.K. LAND SURVEYOR'S, INC. IN JOB NO. 86-37, DATED 06/18/1986, RECORDED IN DEED BOOK 776 AT PAGE 68, RECORDED IN SURVEY RECORD BOOK 4 AT PAGE 43.

3. FINAL PLAT OF "DEERFIELD", LOTS 73 THRU 88 AND TRACT G, BY MO PLS 1733, DATED 08/13/2002, RECORDED IN PLAT BOOK 11 AT PAGES 248-249.

4. SUBSEQUENT SURVEY BY MO PLS 2001015251, FOR FORREST D. BURGESS, PREPARED BY EAGLE POINTE SURVEYING L.L.C. IN DRAWING NAME: 200904-369, DATED 06/04/2009, RECORDED IN SURVEY RECORD BOOK 13 AT PAGE 26.

5. FINAL PLAT OF BURRUS HOLLOW, BY MO PLS 2001015251, DATED 11/06/2014, RECORDED IN PLAT BOOK 13 AT PAGE 71.

6. SUBSEQUENT SURVEY BY MO PLS 2000161238, FOR STANLEY R. SMITH, PREPARED BY WHITEHEAD CONSULTANTS, INC. IN JOB NO. 19-296, DATED 09/18/2019.



CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY AND PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MISSOURI. THIS SURVEY HAS BEEN EXECUTED IN ACCORDANCE WITH THE CURRENT "MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS" (20 CSR 2030-16).

PRELIMINARY
DATE 02/25/20
MICHAEL L. TAYLOR MO. P.L.S. 2000161238
(AS ACTING AGENT FOR LC 331)

MARY DEPP'S ADDITION-REPLAT OF
LOTS 32, 33 AND 34, BLOCK 6
A REPLAT OF LOTS 32, 33, 34 AND PART OF PLATTED ALLEY,
BLOCK 6, MARY DEPP'S ADDITION,
WARRENSBURG, JOHNSON COUNTY, MISSOURI

Whitehead Consultants, Inc.
Engineers, Surveyors
114 NORTH MAIN STREET 312 WEST MAIN STREET
P.O. BOX 461 P.O. BOX 790
CLINTON, MISSOURI 64735 WARSAW, MISSOURI 65355
Phone: (660) 865-8311 Phone: (660) 438-9473
Fax: (660) 865-8447 Fax: (660) 438-9874

JOHNSON COUNTY RECORDER

NO.	DATE	DESCRIPTION	BY
2.	05/14/2020	CITY COMMENTS PER LETTER DATED 04/15/2020.	JEH
1.	04/01/2020	CITY COMMENTS PER LETTER DATED 03/31/2020.	JEH

DATE	DRAWN BY	CHECKED BY	JOB NO.	SCALE	SHEET NO.
02/25/20	JEH	MLT	20-026	1"=30'	1 OF 1