commission memo

DATE: December 4, 2019
TO: Planning and Zoning Commission
FROM: David N. Hockett, AICP
Principal Planner
RE: Peterson’s Properties’ Addition

a. CPC Resolution No. 19-52 recommending approval of Peterson’s Properties Addition Final Plat located at 5105 N. 10th Street, Marion, Linn County, Iowa. (Peterson’s Properties & Rentals LLC)

The applicant is seeking a two (2) lot final plat for property located at 5105 N. 10th Street currently located within Linn County, but within the City of Marion’s two (2) mile review boundary. Subdivisions of Linn County property within the two (2) mile boundary requires the City review and provide recommendation of the plat prior to the Linn County Board of Supervisors final consideration.

Proposed lot 1 will consist of 0.5 acres and currently has no existing structures, the proposed lot 2 will consist of 0.62 acres, and has an existing home with accessory structures as well as well and septic system as permitted in Linn County. City Services are not currently available to the property and while within distance to extend to the property it would be cost prohibitive to extend for a single lot at this time.

The property will dedicate 60’ of public right-of-way for 10th Street, which meets the City requirements for road dedication.
The property is currently zoned USR, Urban Service Residential (Linn County) which is a designation for residential properties within Linn County when near or adjacent to municipal boundaries and City services.

As part of the City of Marion approval a memorandum of agreement will be required to be signed that will indicate that the property owner may be responsible for future public improvement costs associated with improvements to 10th Street and that they will sign a petition and agree to not object to the annexation to the City of Marion, which the City will hold until such time that the property is adjacent to City limits. This is a standard agreement required of all county subdivisions when located within a City Growth area.
LEGAL DESCRIPTION:
The South 285 feet of Lot 2, Irregular Survey of the Northwest Quarter of the Southwest Quarter in Section 19, Township 64 North, Range 6 West of the Fifth Principal Meridian, Linn County, Iowa, described as follows:

Commencing at the West Quarter Corner of Section 19, Township 64 North, Range 6 West of the Fifth Principal Meridian; thence S10°54'E along the west line of the Southwest Quarter of said Section 19, a distance of 326.61 feet to a point on the west boundary of Shamrock Woods First Addition to Linn County, Iowa, and the point of beginning; thence continuing S10°10'44"E along said west line of the Southwest Quarter, 295.05 feet to a point on the west boundary of said Shamrock Woods First Addition; thence S89°50'26"W along said west boundary, 231.15 feet; thence N10°54'45"W along said west boundary, 295.04 feet; thence N89°50'26"W along said west boundary, 231.15 feet to the point of beginning.

Said parcel contains 1.12 acres, subject to easements and restrictions of record.