

**STAFF REPORT**  
**Planning Commission Meeting April 16, 2018**

**AGENDA ITEM NO.:** 2  
**PROJECT # / TITLE:** Case # 18-01  
**REQUEST:** Lot Split-Lot 66 Missionhill Acres  
**LOCATION:** 5538 Maple St  
Mission, Kansas 66202  
**PROPERTY OWNER/APPLICANT:** David & Rachel Bennier  
5538 Maple St  
Mission, KS 66202  
**PUBLIC HEARING:** NA  
**STAFF CONTACT:** Danielle Sitzman



**Property Information:**

**Zoning of the Subject Property**  
The subject property is currently zoned “R-1” Single-family residential.

**Surrounding properties are zoned and developed as follows:**  
North/East/South/West-“R-1” Single-family residential, detached dwellings.

**Comprehensive Plan Future Land Use Recommendation for this area:**  
The Comprehensive Plan indicates this area is appropriate for low-density residential neighborhoods with a

variety of housing types and schools, religious institutions, parks, and other civic uses.

**Background:**

The applicant is the current owner and occupant of the existing home on the subject property. If the lot split is approved, the applicant intends to sell the newly created vacant lot for development into a single family dwelling.

**Analysis:**

**Lots**

In the presented survey the applicant proposes to split the subject property, Lot 66 of Missionhill Acres, into 2 lots. The dimensions of both of the proposed lots are 60 feet wide by 140 feet deep.

City Code *Section 410.010 I.* states any single-family dwelling constructed, reconstructed or altered shall require a lot having a width of not less than seventy (70) feet and an average depth of one hundred ten (110) feet, with the following exception:

2. Any lot may be split to a minimum width of sixty (60) feet and depth of one hundred ten (110) feet if it complements the overall character of the adjacent neighborhood. In considering applications for a lot split to a width of less than seventy (70) feet, the lot width of any newly created lot may not be less than seventy-five percent (75%) of the average front lot width of lots within the subject property's block.

Section 405.020

**BLOCK:** A piece or parcel of land entirely surrounded by public highways or streets other than alleys.

The subject block is bounded by Maple Street, 56th Street, Reeds Rd, and 55th Street.

The dimensions of the surrounding lots on the subject block are as follows:

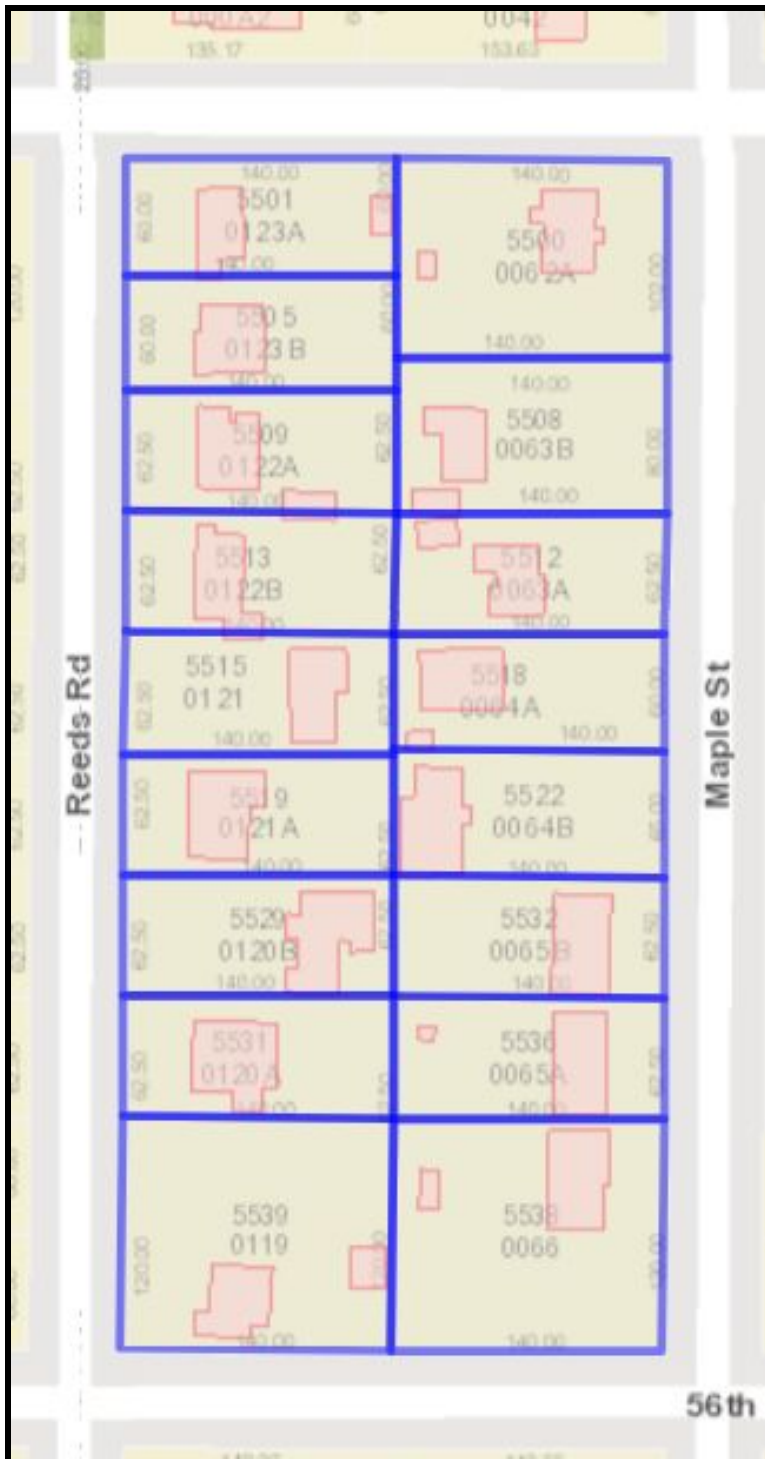
Address	Front Lot Width (Ft)	Address	Front Lot Width (Ft)
5500 Maple St	102.0	5505 Reeds Rd	60.0
5508 Maple St	80.0	5509 Reeds Rd	62.5
5512 Maple St	62.5	5513 Reeds Rd	62.5
5518 Maple St	60.0	5515 Reeds Rd	62.5
5522 Maple St	65.0	5519 Reeds Rd	62.5
5532 Maple St	62.5	5529 Reeds Rd	62.5
5536 Maple St	62.5	5531 Reeds Rd	62.5
5501 Reeds Rd	60.0	5539 Reeds Rd	120.0

The average lot width (mean) on the subject block is 70'.

Seventy-five percent (75%) of average lot width would be 53'.

The proposed lot width is 60' and the depth is 140'.

**LOT:** A parcel of land occupied or to be occupied by one (1) main building or unit group of buildings and the accessory buildings or uses customarily incident thereto, including such open spaces as are required under these regulations. A "lot", as used in this Title, may consist of one (1) or more platted lots or tract or tracts as conveyed or parts thereof.



Lots on the subject block are highlighted in blue.

Section 415.010.C - Yard Exceptions.

2. Every part of a required yard or court shall be open from its lowest point to the sky unobstructed, except for the ordinary projection of sills, belt courses, cornices, chimneys, buttresses, ornamental features and eaves provided that none of the above projections shall extend more than thirty (30) inches into a minimum yard and, provided further, that canopies or open porches having a roof area not exceeding sixty (60) square feet may project a maximum of six (6) feet into the required front or rear yard and existing open porches extending into the required yard shall not be enclosed.

According to the survey, the chimney would only project 24" into the setback area and qualifies for an exemption. The existing home would meet all required setbacks once the proposed lot split is made.

Section 445.360 - Floor area

All new single-family dwellings must have a minimum ground floor area of 864 square feet. A building permit is required prior to

construction. This standard and all other zoning requirements will be reviewed at that time.

**Suggested Findings of Fact - 455.090 Regulation Governing Lot Splits.**

All lot splits must have Planning Commission and City Council approval. New lots so created must conform to current zoning width and depth requirements. Applications for lot splits must be accompanied by a survey showing the new lots to be created along with a legal description of each new lot.

The proposed lot split is greater than 75% of the average lot width of the surround block as required by the current zoning standards. A survey and legal descriptions have been provided. No non-conformities are created by the lot split.

**Staff Recommendation**

Staff recommends the Planning Commission adopt the findings of fact contained in this staff report and recommend approval of the proposed lot split, Case # 18-01 to the City Council.