

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:

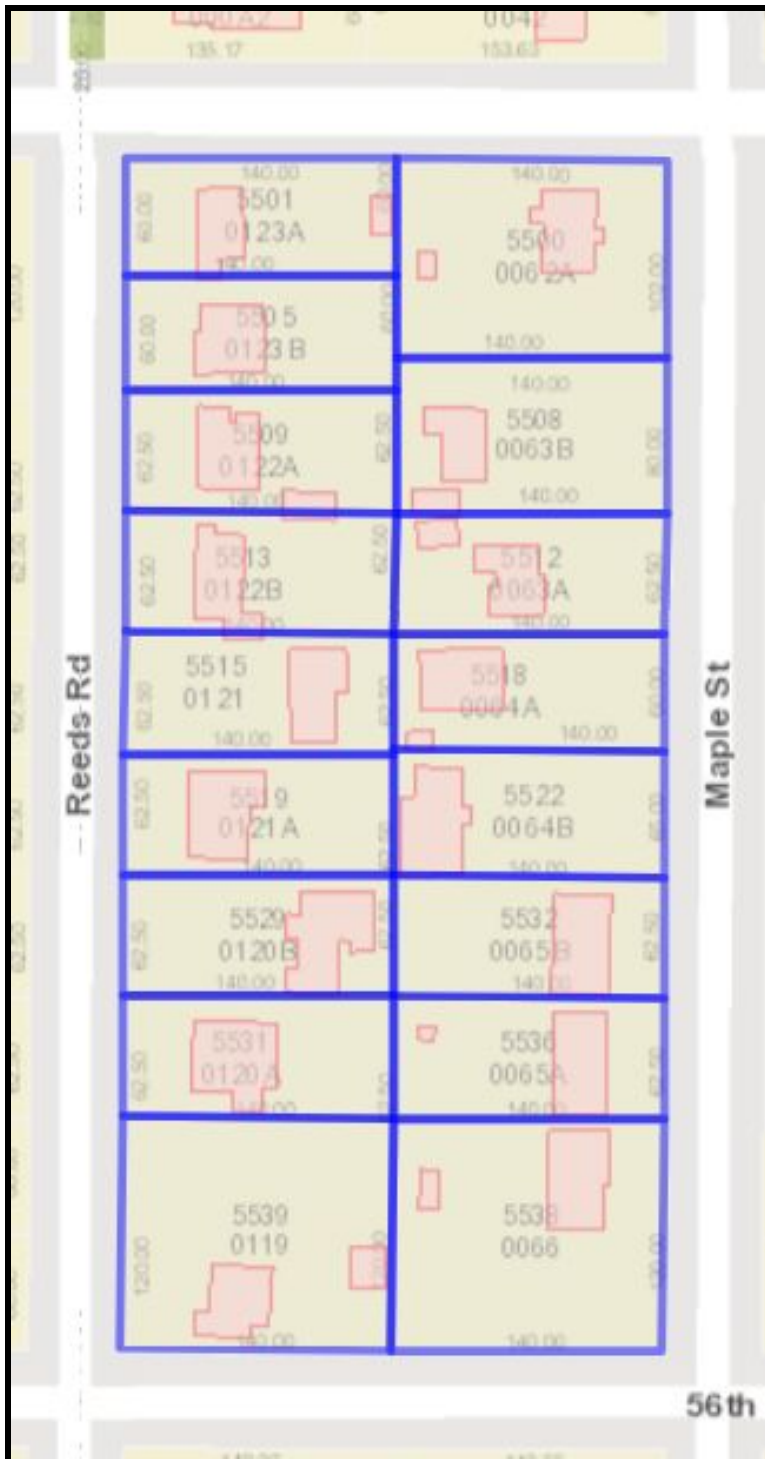
Address	Front Lot Width (Ft)	Address	Front Lot Width (Ft)
5500 Maple St	102.0	5505 Reeds Rd	60.0
5508 Maple St	80.0	5509 Reeds Rd	62.5
5512 Maple St	62.5	5513 Reeds Rd	62.5
5518 Maple St	60.0	5515 Reeds Rd	62.5
5522 Maple St	65.0	5519 Reeds Rd	62.5
5532 Maple St	62.5	5529 Reeds Rd	62.5
5536 Maple St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



Roof Pitch 8/12
 Asphalt 30 Yr Architectural Shingles
 12" Soffits
 8" Fascia

8' wall

2x10 Floor Joist

9' Wall

2x10 Floor Joist

9' Foundation

House Sq Ft:
 First Floor 1189
 Second Floor 1466
 Basement 1080
 Garage 714
 Porch 95

All work shall conform to the 2012 IRC
 as adopted by the City of Mission
 and the Mission Municipal Code

908 Sq' of Wall Area
 193 Sq' Windows and Doors
 =21%

Front Elevation

Elevation 3

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
Front Elevation

PROJECT DESCRIPTION:
**Klassen Residence
 5540 Maple St.
 Mission, KS**

DRAWINGS PROVIDED BY:
**Klassen Construction
 9901 Connell Dr.
 Overland Park, KS 6612**

DATE:

3/13/2018

SCALE:

1/4"=1'

SHEET:

A-1



Elevation 4



Elevation 6



Elevation 5

--

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
Rear and Side Elevations

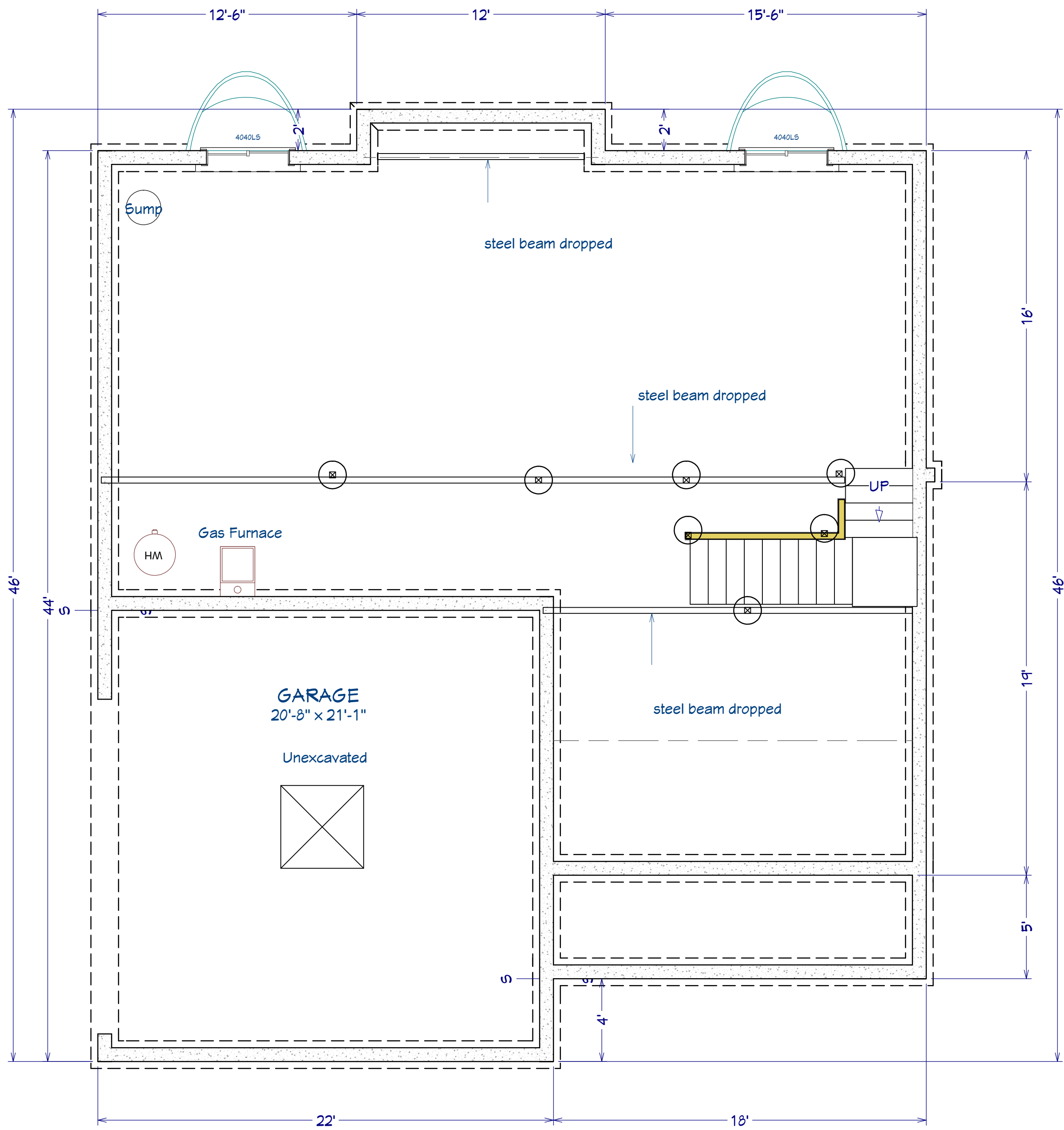
PROJECT DESCRIPTION:
Klassen Residence
5540 Maple St.
Mission, KS

DRAWINGS PROVIDED BY:
Klassen Construction
9901 Connell Dr.
Overland Park, KS 6612

DATE:
3/13/2018

SCALE:
1/8"=1'

SHEET:
A-2



LIVING AREA
1030 sq ft

Foundation

--

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
Foundation Floor Plan

PROJECT DESCRIPTION:
**Klassen Residence
5540 Maple St.
Mission, KS**

DRAWINGS PROVIDED BY:
**Klassen Construction
9901 Connell Dr.
Overland Park, KS 6612**

DATE:

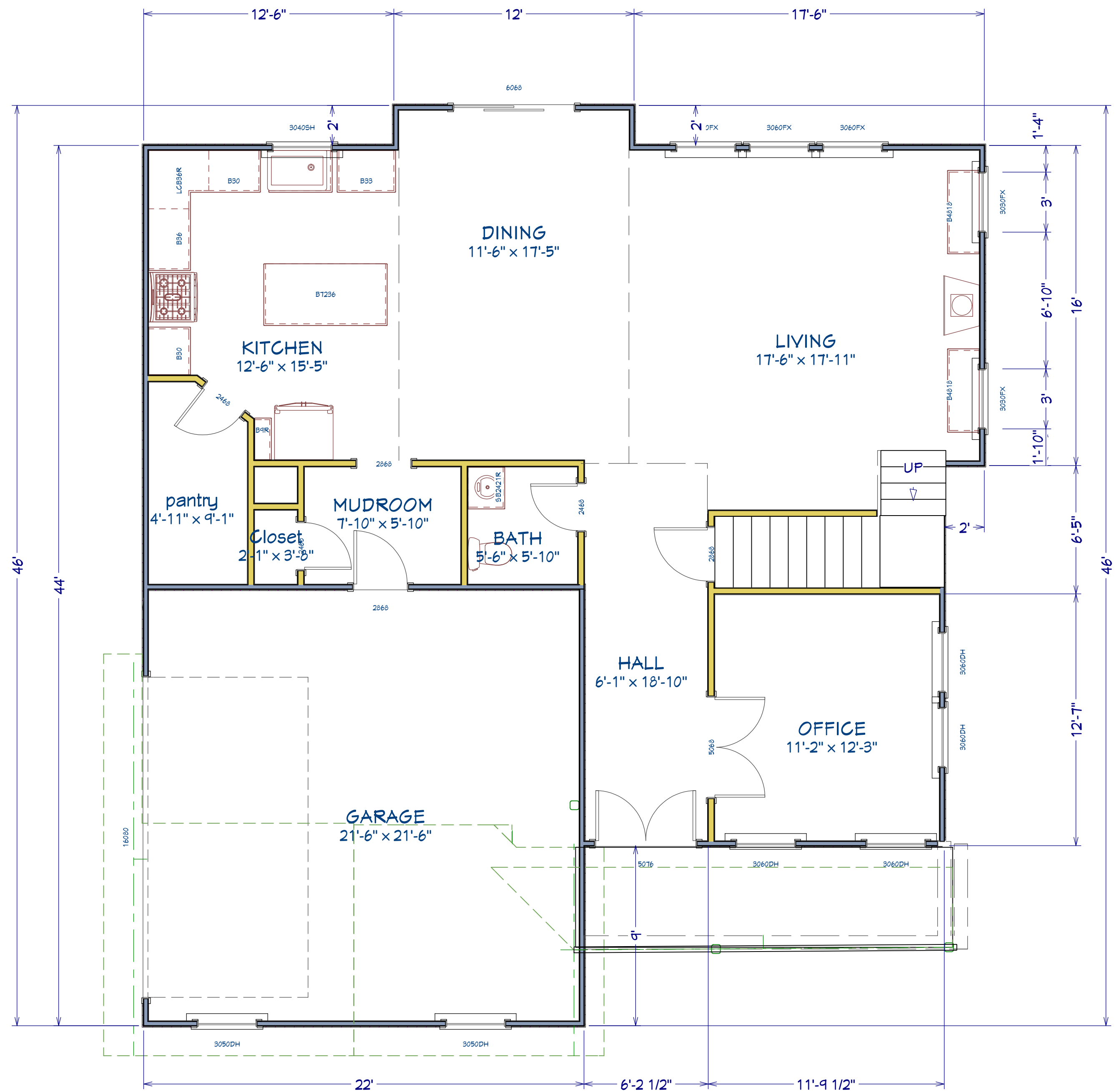
3/13/2018

SCALE:

1/4"=1'

SHEET:

A-5



LIVING AREA
1177 sq ft

1st Floor

--

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
First Floor Plan

PROJECT DESCRIPTION:
**Klassen Residence
5540 Maple St.
Mission, KS**

DRAWINGS PROVIDED BY:
**Klassen Construction
9901 Connell Dr.
Overland Park, KS 6612**

DATE:

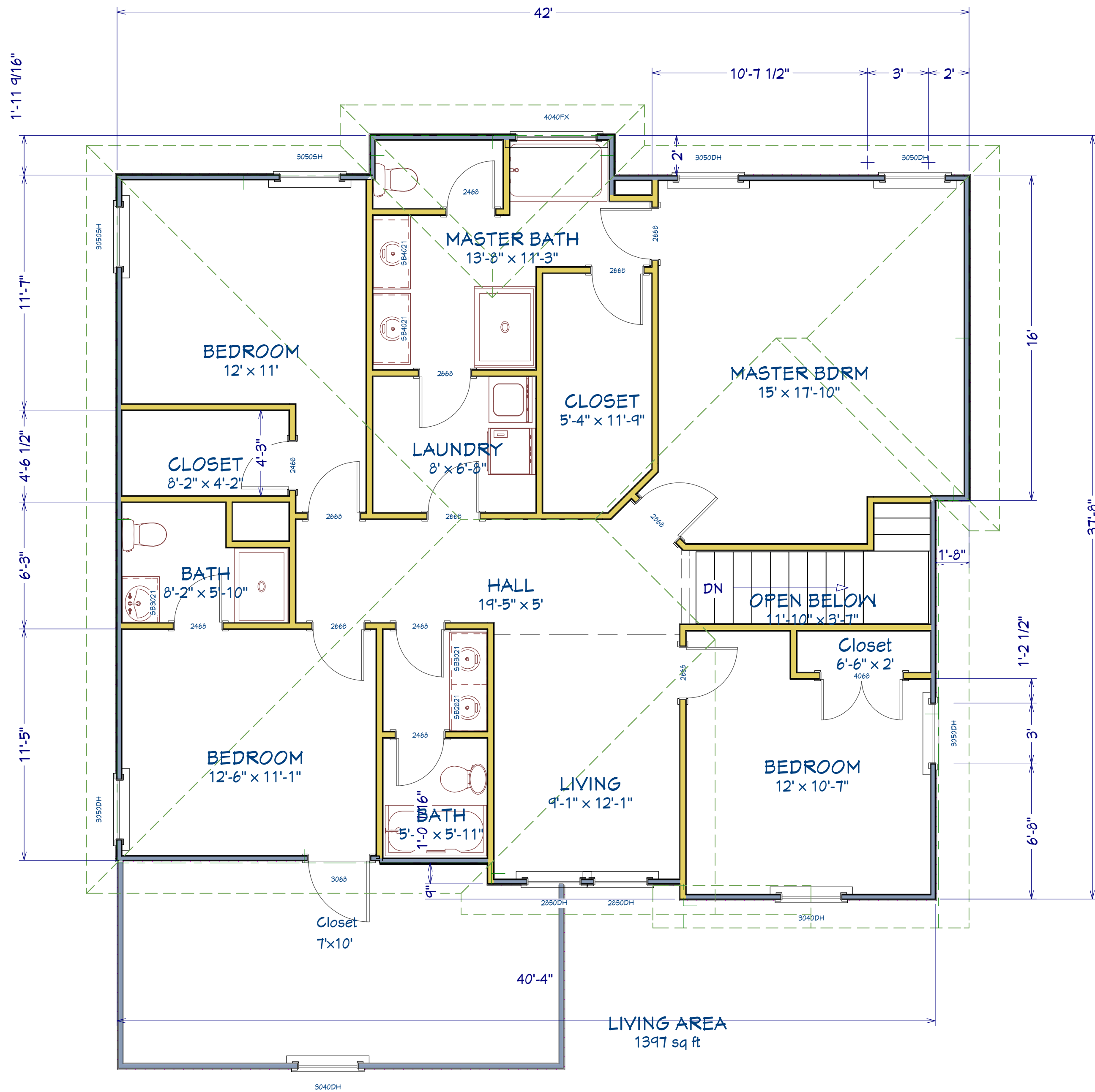
3/13/2018

SCALE:

1/4"=1'

SHEET:

A-3



2nd Floor

NO.	DESCRIPTION	BY	DATE

PROJECT DESCRIPTION:			
Klassen Residence			
5540 Maple St.			
Mission, KS			

DRAWINGS PROVIDED BY:			
Klassen Construction			
9901 Connell Dr.			
Overland Park, KS 6612			

SHEET TITLE:			
Second Floor Plan			

DATE:			
3/13/2018			
SCALE:			
1/4"=1'			
SHEET:			
A-4			

Additional Information for Lot Split Application, Planning Case Number 18-01

Prepared by David Bennier on 3/25/18

Contents:

- Average Lot Width Calculation
- Chimney Projection into Side Yard
- Neighborhood Compatibility of the Proposed Lots

Average Lot Width Calculation

From Municipal Code 410.010.1.2, Minimum Lot Size:

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.

The minimum permitted lot width is 60' wide. The proposed split lots may not be less than the width of 75% of the average lot width on the block. From 405.020.B a "block" is a "piece or parcel of land entirely surrounded by public highways or streets..." The following calculation shows that 75% of the average lot width of the subject block is 54.24', so the minimum lot width of 60' controls. The proposed lot widths of 60' satisfactorily fit the minimum lot widths of the block.

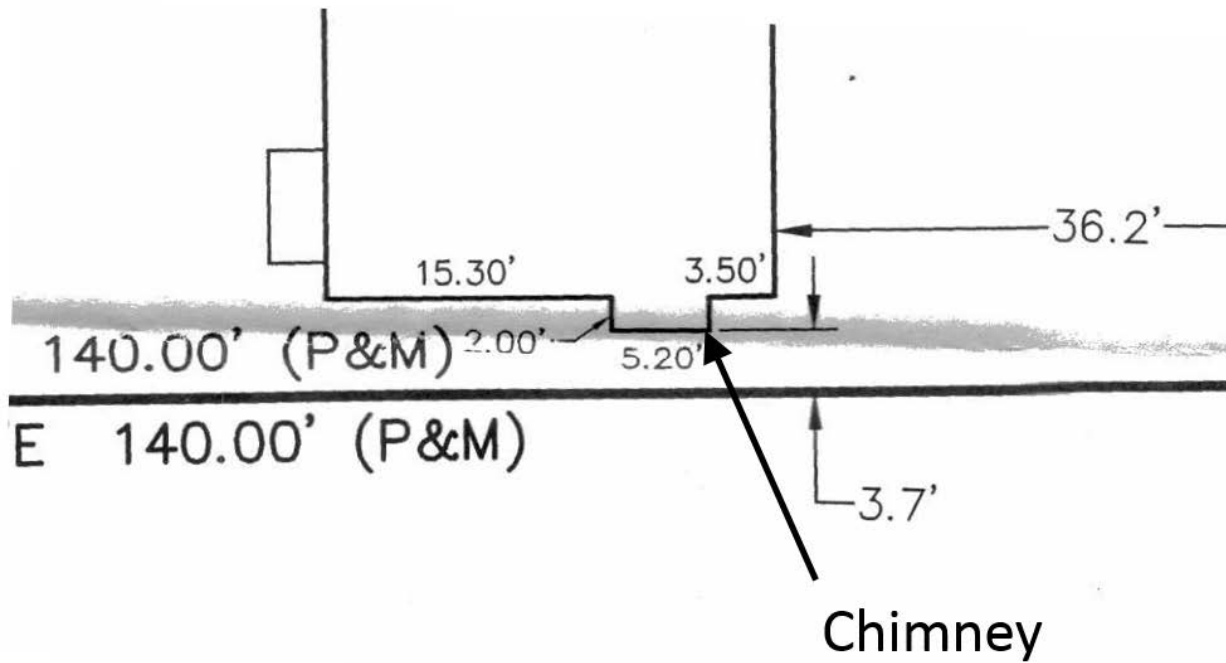
Address	Lot Width	Address	Lot Width
5500 Maple St	102.00 ft	5501 Reeds Rd	60.00 ft
5508 Maple St	80.00 ft	5505 Reeds Rd	60.00 ft
5512 Maple St	62.50 ft	5509 Reeds Rd	62.50 ft
5518 Maple St	60.00 ft	5513 Reeds Rd	62.50 ft
5522 Maple St	65.00 ft	5515 Reeds Rd	62.50 ft
5532 Maple St	62.50 ft	5519 Reeds Rd	62.50 ft
5536 Maple St	62.50 ft	5529 Reeds Rd	62.50 ft
5538 Maple St	120.00 ft	5531 Reeds Rd	62.50 ft
		5539 Reeds Rd	120.00 ft
		Block Average Lot Width =	72.32 ft
		75% of Block Average Lot Width =	54.24 ft

The lot width's above were taken from AiMS on 3/15/18 (<https://maps.jocogov.org/>).

Chimney Projection into Side Yard

Municipal Code Section 415.010 allows for a chimney to project up to 30" into the 5' side yard. According to the survey the existing chimney only projects 24" and would qualify for this exemption.

Below is a snippet from the survey, showing the chimney projection from the south side of the existing house.



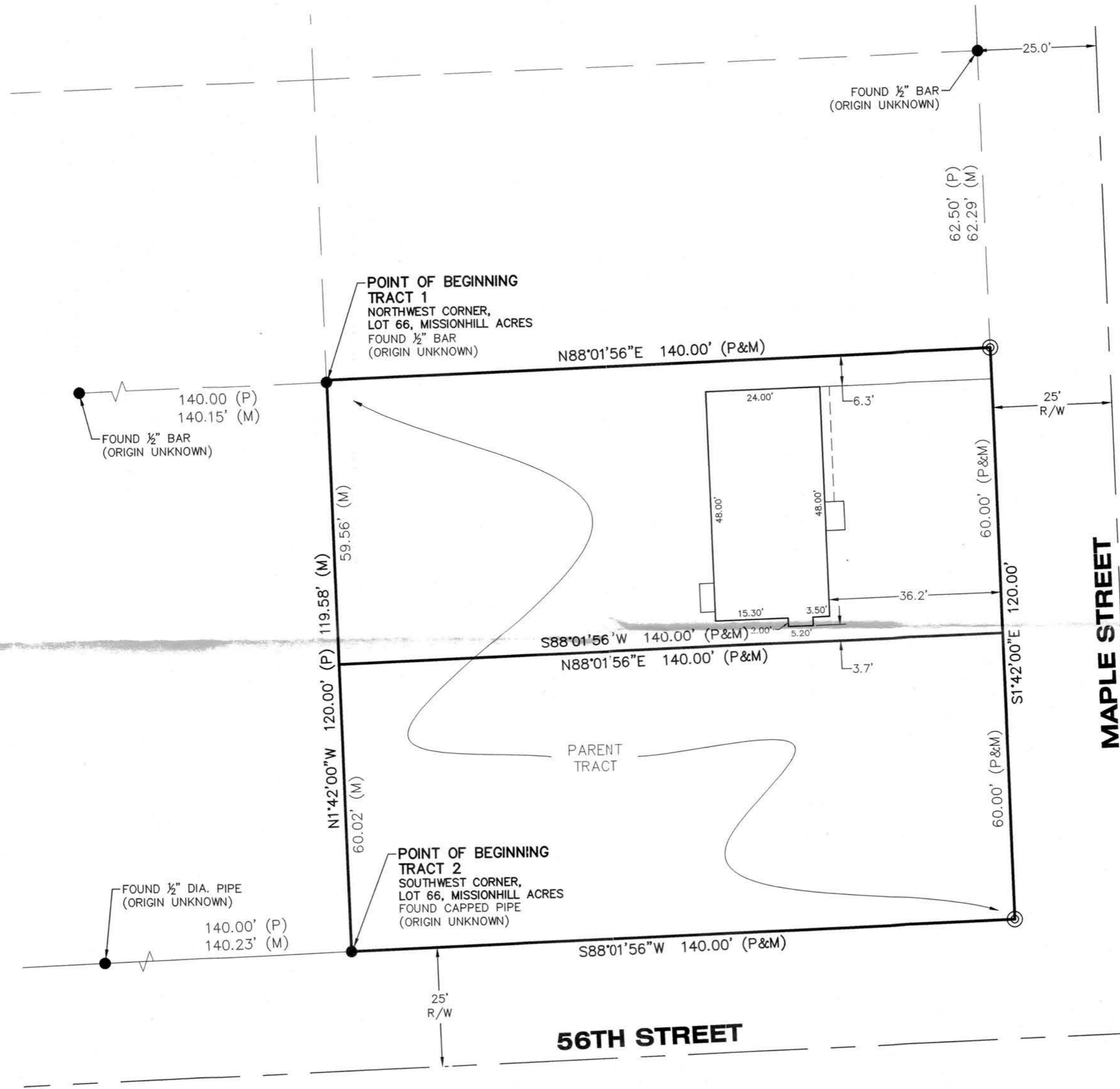
Neighborhood Compatibility of the Proposed Lots

The table below summarizes the house styles and lot widths for the 5500 and 5600 block of Maple street, the neighborhood in which the proposed lot split is located. Note that the proposed 60’ wide lot at 5538 Maple St matches (3) other lots within the neighborhood, with similar split level house styles and 2 car garages, on lot widths equal to or near 60’ wide. The proposed 5540 Maple St lot is proposed to have a 2 story house with a 2 car garage. The proposed house fits into the neighborhood, in which there are already (7) 2 story houses. The 2 car garage fits in well also, in a neighborhood with (5) 2 car garages. Most of the 2 story houses in the neighborhood have lot widths equal to or near 60’ wide.

Address	Lot Width	House Style			Attached Garage	Description
		1 Story	2 Story	Split level		
5500 Maple St	102.00 ft		X		None	2 story without a garage
5508 Maple St	80.00 ft	X			None	1 story without a garage
5512 Maple St	62.50 ft	X			None	1 story without a garage
5518 Maple St	60.00 ft	X			None	1 story without a garage
5522 Maple St	65.00 ft		X		1 car	2 story with 1 car garage
5532 Maple St	62.50 ft	X			1 car	1 story with 1 car garage
5536 Maple St	62.50 ft	X			1 car	1 story with 1 car garage
5538 Maple St	60.00 ft			X	2 car	Split level with 2 car garage
Proposed 5540 Maple St	60.00 ft		X		2 car	Proposed 2 story with 2 car garage
5600 Maple St	60.00 ft	X			None	1 story without a garage
5602 Maple St	60.00 ft		X		1 car	2 story with 1 car garage
5606 Maple St	60.00 ft			X	2 car	Split level with 2 car garage
5608 Maple St	62.50 ft			X	2 car	Split level with 2 car garage
5618 Maple St	62.50 ft		X		None	2 story without a garage
5622 Maple St	62.50 ft		X		1 car	2 story with 1 car garage
5628 Maple St	62.50 ft			X	2 car	Split level with 2 car garage
5632 Maple St	62.50 ft	X			None	1 story without a garage
5638 Maple St	60.00 ft		X		1 car	2 story with 1 car garage
5642 Maple St	60.00 ft		X		None	2 story without a garage

The lot width’s above were taken from AiMS on 3/15/18 (<https://maps.jocogov.org/>). House descriptions by David Bennier, 3/24/18.

T:\DRAWINGS_32000\32259 David Bennier Lot Split\Lot 66 Mission Hills Acres Lots 16-245 C05.dwg Scale=1:1 Drawn July 06, 2017 - 9:01am By Mike



LEGAL DESCRIPTION:
 LOT 66, MISSIONHILL ACRES, A SUBDIVISION IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF.

LOT 1
 ALL OF THAT PART OF LOT 66, MISSIONHILL ACRES A SUBDIVISION IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 66; THENCE NORTH 88 DEGREES 01 MINUTE 56 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 66, A DISTANCE OF 140.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 66 SAID POINT ALSO BEING A POINT ON THE WEST RIGHT-OF-WAY LINE OF MAPLE STREET; THENCE SOUTH 01 DEGREE 42 MINUTES 00 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 66 AND ALSO THE EAST RIGHT-OF-WAY LINE OF MAPLE STREET, A DISTANCE OF 60.00 FEET; THENCE SOUTH 88 DEGREES 01 MINUTE 56 SECONDS WEST, A DISTANCE OF 140.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 66; THENCE NORTH 01 DEGREE 42 MINUTES 00 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 66, A DISTANCE OF 59.56 FEET

PARENT TRACT
 Perimeter: 520.00' Area: 16800.00 Sq. Ft.
 Error Closure: 0.0000 Course: N0°00'00"E
 Error North: 0.00000 East: 0.00000
 Precision 1: 520000000.00

LOT 1
 Perimeter: 400.00' Area: 8400.00 Sq. Ft.
 Error Closure: 0.0000 Course: N0°00'00"E
 Error North: 0.00000 East: 0.00000
 Precision 1: 400000000.00

LOT 2
 Perimeter: 400.00' Area: 8400.00 Sq. Ft.
 Error Closure: 0.0000 Course: N0°00'00"E
 Error North: 0.00000 East: 0.00000
 Precision 1: 400000000.00

PREPARED FOR:
 DAVID BENNIER
 5538 MAPLE STREET
 MISSION, KANSAS 66202
 PHONE: (913) 424-7462

PREPARED BY:
 ALLENBRAND-DREWS & ASSOCIATES, INC.
 122 N. WATER STREET
 OLATHE, KANSAS 66061
 PHONE: (913) 764-1076
 FAX: (913) 764-8635



PROJECT LOCATION
 SECTION 8-12-25

THIS IS TO CERTIFY THAT ON THE 18TH DAY OF JUNE 2017, THIS FIELD SURVEY WAS COMPLETED ON THE GROUND BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE "KANSAS MINIMUM STANDARDS" FOR BOUNDARY SURVEYS PURSUANT TO K.A.R. 66-12-1.



SURVEY		
PT. OF NE 1/4 SECTION 8-12-25 JOHNSON COUNTY, KANSAS		
CIVIL ENGINEERS LAND SURVEYORS - LAND PLANNERS		
122 N. WATER STREET OLATHE, KANSAS 66061 PHONE: (913) 764-1076 FAX: (913) 764-8635		
Scale: 1"=20'	Drawn By: MBH	Project: 32259
Date: 6/19/2017	Checked By: RML	Section: 8-12-25