

ORDINANCE NO. 070322

Approving the preliminary plat of Cole Acres on a 1.82 acre tract of land generally located on the west side of Sam Ray Road about 1,500 feet north of NE Barry Road (8550 NE Sam Ray Road). (SD 1318)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That the preliminary plat of Cole Acres on a 1.82 acre tract of land generally located on the west side of Sam Ray Road about 1,500 feet north of NE Barry Road (8550 NE Sam Ray Road), and more specifically described as follows:

All that part of the Northeast Quarter of Section 8, Township 51 North, Range 32 West of the Fifth Principal Meridian, all in Kansas City, Clay County, Missouri, being more particularly described as follows: Commencing at the northeast corner of said Section 8; thence South 00°41'42" West along the east line of said Northeast Quarter, a distance of 997.12 feet; thence North 88°47'36" West, a distance of 25.00 feet to the west line of N. Sam Ray Road, as now established and also the true point of beginning; thence South 00°41'42" West along said west line, a distance of 125 feet; thence North 88°47'36" West, a distance of 635.00 feet; thence North 00°41'42" East, a distance of 125.00 feet; thence South 88°41'42" East, a distance of 635.00 feet to the true point of beginning. This tract of land contains 1.82 acres and is subject to restrictions, reservations, easements and covenants of record, if any.

is hereby approved, subject to the following conditions:

1. That the developer cause the area to be platted and processed in accordance with Chapter 66, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Subdivision Regulations.
2. That the developer dedicate additional right of way for a local street as required by Development Services so as to provide a minimum of 25 feet of right of way as measured from the centerline of N.E. Sam Ray Road.
3. That the developer subordinate to the City all private interest in the area of any right-of-way dedication as required by Development Services, and that the developer be responsible for all costs associated with subordination activities.
4. That the developer enter into a unsecured deferral agreement to construct new sidewalks along the development street frontage when sidewalks are permitted on the adjacent property north or south of this property, or on property on the east side of N.E. Sam Ray Road opposite the plat area, as required by Development Services, prior to recording the plat.

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5. That the public sanitary sewer system need not be extended provided that the developer demonstrates that the existing private sewage disposal system complies with Chapter 18, Kansas City Building and Rehabilitation Code, Code of Ordinances, at the time of each application for building permits which may add plumbing fixtures.
6. That the developer contribute \$218.89 in lieu of parkland dedication for 1 single-family unit (1 unit x 3.7 x .006 x \$9,859.86 (year 2007) = \$218.89) in satisfaction of Section 66-128 of the Subdivision Regulations.
7. That the developer receive the approval of the Board of Zoning Adjustment for a variance to the minimum required lot size.
8. That the maximum 3 to 1 depth to width ratio per Section 66-124 of the Subdivision Regulations is hereby waived.

A copy of the preliminary plat is on file in the office of the City Clerk with this ordinance and is made a part hereof.

Section B. That the Council finds and declares that before taking any action on the proposed preliminary plat hereinabove, all public notices and hearings required by the Subdivision Regulations have been given and had.

I hereby certify that as required by Chapter 66, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

Secretary, City Plan Commission

Approved as to form and legality:

M. Margaret Sheahan Moran
Assistant City Attorney