FS

Memorandum

To: Hiawatha City Council

CC: Kim Downs, City Administrator

From: Patrick Parsley, Community Development Director

John Bender, City Engineer

Date: October 31, 2017

Re: Extra Territorial Platting review for John Thoreson Addition

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Background: The City has received a request to review a plat proposed in Linn County and within the two-mile radius of the Hiawatha city limits. The plat request is to plat a single lot along Edgewood Road which is currently used as a single family residence. The property is located in Britney Estates which is nearly surrounded by the City of Hiawatha. This lot is not adjacent to the Hiawatha boundary. No right-of-ways or public improvements are required. Attached is a

Location map

Proposed site plan

Legal description

The authority to review all plats in the two-mile area is in accordance with UDC Section 165.52 and is referenced in Iowa State Code Section 354.9. A resolution is required to approve extra territorial plats as for plats within the city limits. The same platting rules, policies and procedures apply. If Council chooses to exercise their review authority, the plat should be sent to the Planning and Zoning Commission for review and recommendation in the same way all plats are reviewed and approved.

Alternatively, this State Code section allows the Council to waive their review authority if deemed appropriate. By resolution the Council may waive their review authority and allow this plat to occur without review. This plat is a simple re-plat of an existing lot to change the setback on the lot to allow for the construction of an accessory building. If this were to occur within the City limits, our setbacks would allow for the same construction because a 20' utility easement is located on the west side of the property.

Recommendation: Given the minor nature of this plat we would recommend a resolution waiving Hiawatha's review for this plat.

FINAL PLAT
THORESON FIRST ADDITION TO LINN COUNTY, IOWA

Recorder's Stamp:

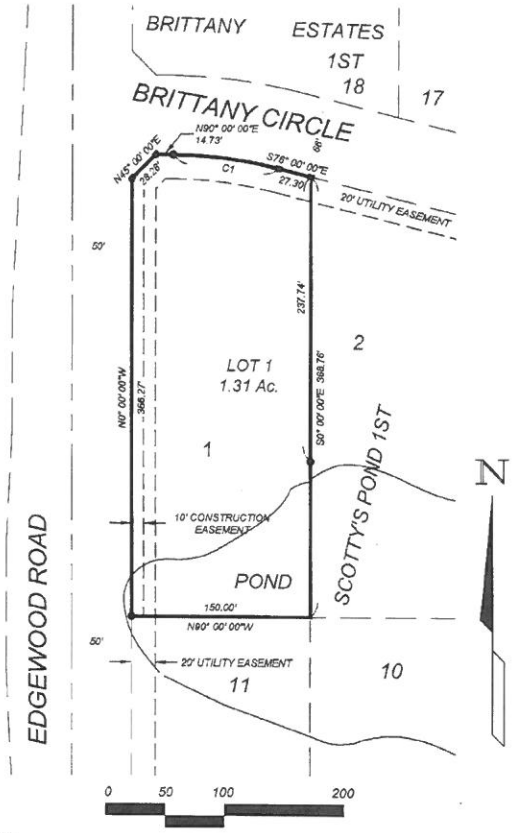
Index Legend

Location:	LOT 1, SCOTTY'S POND FIRST ADDITION
Requestor:	
Proprietor:	John E. Thoreson
Surveyor:	Stephen M. Brain, PE, LS
Surveyor Company:	Brain Engineering, Inc.
Return To:	S. M. Brain, 1540 Midland Ct NE Cedar Rapids, IA 52402 or mikeb@brain-eng.com | (319) 294-9424

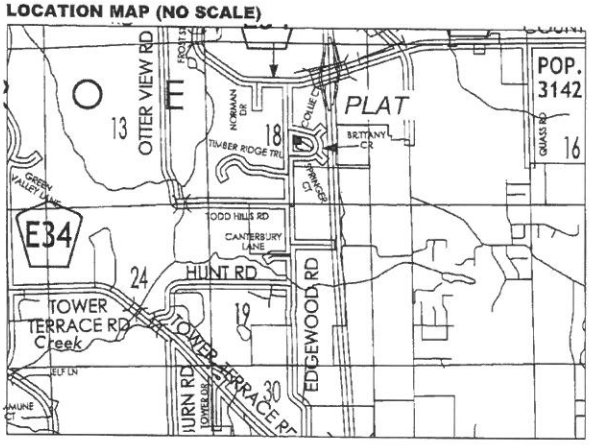
LEGAL DESCRIPTION
LOT 1, SCOTTY'S POND FIRST ADDITION TO LINN COUNTY, IOWA

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	89.68	367.00	14.00	S83° 00' 00"E	89.45



LOCATION MAP (NO SCALE)



NOTE:
ALL MEASUREMENTS IN FEET AND DECIMALS THEREOF.

PROPERTY ADDRESS:
3096 BRITTANY CIRCLE
CEDAR RAPIDS, IA 52411

OWNER:
JOHN E. THORESON
3096 BRITTANY CIRCLE
CEDAR RAPIDS, IA 52411
319-360-9027

SURVEYOR:
STEPHEN M. BRAIN, PE LS
BRAIN ENGINEERING, INC.
1540 MIDLAND COURT NE
CEDAR RAPIDS, IOWA 52402
319-294-9424
mikeb@brain-eng.com

▲	FOUND SECTION CORNER
●	FOUND 1/2" REBAR W/YPC #9647 OR AS LABELED
△	SET SECTION CORNER
○	SET 1/2" REBAR W/YPC #9647
POB	POINT OF BEGINNING
()	RECORDED AS
SCM	4"x 4" CONCRETE POST w/DISK
UE	UTILITY EASEMENT
P.O.S.	PLAT OF SURVEY
YPC	YELLOW PLASTIC CAP

LICENSED LAND SURVEYOR
STEPHEN MICHAEL BRAIN
9647
IOWA

I hereby certify that this land surveying document and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.
Signed Date

Stephen Michael Brain, L.S.
My License Renewal Date Is December 31, 2018
License Number 9647
Pages or sheets covered by this seal: THIS PAGE

DATE OF SURVEY: 10/12/17

Project No: 526517-10	Title: FINAL PLAT THORESON FIRST ADDITION	BRAIN ENGINEERING, INC.	Drawn: SMB 10/13/17 · Book: 361 · Checked: SMB 10/13/17 · Scale: 1"=100'

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SITE PLAN
THORESON FIRST ADDITION TO LINN COUNTY, IOWA

Index Legend

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LEGAL DESCRIPTION
LOT 1, SCOTTY'S POND FIRST ADDITION TO LINN COUNTY, IOWA

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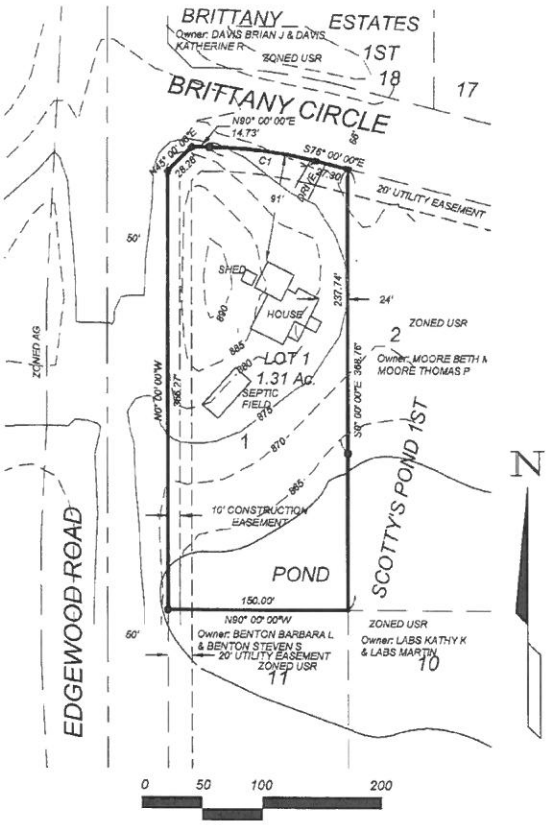

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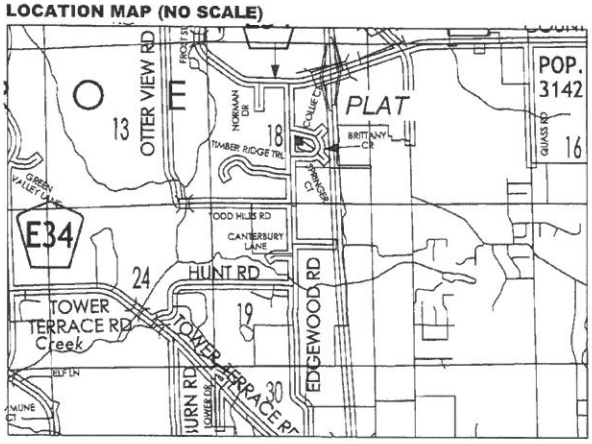

NOTE:
ALL MEASUREMENTS IN FEET AND DECIMALS THEREOF.
LOT IS SERVED BY COMMUNITY WELL.

PROPERTY ADDRESS:
3096 BRITTANY CIRCLE
CEDAR RAPIDS, IA 52411

OWNER:
JOHN E. THORESON
3096 BRITTANY CIRCLE
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LICENSED LAND SURVEYOR
STEPHEN MICHAEL BRAIN
9647
IOWA

I hereby certify that this land surveying document and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.
Signed Date

Stephen Michael Brain, L.S.
My License Renewal Date Is December 31, 2018
License Number 9647
Pages or sheets covered by this seal: THIS PAGE

DATE OF SURVEY: 10/12/17

Project No: 526517-10	Title: SITE PLAN THORESON FIRST ADDITION	BRAIN ENGINEERING, INC.	Drawn: SMB 10/13/17 · Book: 361 · Checked: SMB 10/13/17 · Scale: 1"=100'

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DRAFT

Prepared by and Return to: Kelly Kornegor, City of Hiawatha 101 Emmons Street Hiawatha, Iowa 52233, 319-393-1515

RESOLUTION NO. 17-
City Council

RESOLUTION WAIVING THE CITY OF HIAWATHA'S RIGHT TO REVIEW THE FINAL PLAT OF THORESON FIRST ADDITION TO LINN COUNTY, IOWA

WHEREAS, the City Council of the City of Hiawatha, Iowa has received a request to waive the right to review the Final Plat of Thoreson First Addition to Linn County, Iowa, shown in the attached Exhibit "A," subject to review and recommendation from the Community Development Director and City Engineer, and

WHEREAS, the Community Development Director and City Engineer reviewed the Final Plat of Thoreson First Addition to Linn County, Iowa, and determined the plat to reflect a minor request to re-plat an existing lot to change the setback for the construction of an accessory building, complying with provisions of the Hiawatha Unified Development Code and therefore recommended City Council approval of waiving the City's right to review authority, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA, hereby waiving the City of Hiawatha's right to review the Final Plat of Thoreson First Addition to Linn County, Iowa.

AYES:
NAYS:
ABSENT:

PASSED AND APPROVED this 15th day of November, 2017.

_____
Bill Bennett, Mayor

ATTEST: _____
Kelly Kornegor, City Clerk

DRAFT

I, Kelly Kornegor, City Clerk of the City of Hiawatha, Iowa, do hereby certify that the within and foregoing offer was duly approved and accepted by the City Council of the City of Hiawatha, by Resolution No. 17- and said resolution passed and approved on the 15th day of November, 2017.

_____

Kelly Kornegor, City Clerk