

**COUNCIL ACTION FORM**

**SUBJECT:** PLAT OF SURVEY – 2122 and 2130 McCarthy

**BACKGROUND:**

Application for a proposed plat of survey has been submitted for:

- ☐ Conveyance parcel (per Section 23.307)
- ☒ Boundary line adjustment (per Section 23.309)
- ☐ Re-plat to correct error (per Section 23.310)
- ☐ Auditor's plat (per Code of Iowa Section 354.15)

The subject site is located at:

Street Address: 2122 and 2130 McCarthy

Assessor's Parcel #: 0909428025 and 0909428010

Legal Description: See Plat of Survey

Owners: Mr. Shahbaz Ahmed Merchant and Mrs. Kaukab Barni Merchant

**The plat consolidates two residential parcels into one parcel so the owner can construct an addition to combine the two residential structures into one single family residential structure. A copy of the proposed plat of survey is attached for Council consideration.**

Pursuant to Section 23.308(4)(c), a preliminary decision of approval for the proposed plat or survey has been rendered by the Planning & Housing Department, subject to the following condition:

1. The official signing and recording of the Plat of Survey will not be completed until evidence of a conforming single family structure is verified at the time of occupancy.

The preliminary decision of approval requires all public improvements associated with and required for the proposed plat of survey be:

- ☐ Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.

- ☐ Delayed, subject to an improvement guarantee as described in Section 23.409.
- ☒ Not Applicable.

Under Section 23.307(5), the Council shall render by resolution a final decision of approval if the Council agrees with the Planning & Housing Director's preliminary decision.

**ALTERNATIVES:**

1. The City Council can adopt the resolution approving the proposed plat of survey if the Council agrees with the Planning & Housing Director's preliminary decision to approve the proposed plat of survey subject to the following condition:
  - a. The official signing and recording of the Plat of Survey not be completed until evidence of a conforming single family structure is verified at the time of occupancy.
2. The City Council can deny the proposed plat of survey if the City Council finds that the requirements for plats of survey as described in Section 23.308 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information.

**MANAGER'S RECOMMENDED ACTION:**

The Planning & Housing Department has determined that the proposed plat of survey satisfies all code requirements, and has accordingly rendered a preliminary decision to approve the proposed plat of survey subject to the condition noted in the report.

**Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1**, which is to adopt the resolution approving the proposed plat of survey, subject to holding the official signing and recording of the Plat of Survey until evidence of a conforming single family structure is verified at the time of occupancy.

Approval of the resolution will allow the applicant to prepare the official plat of survey incorporating all conditions of approval specified in the resolution. It will further allow the prepared plat of survey to be reviewed and signed by the Planning & Housing Director confirming that it fully conforms to all conditions of approval. Once signed by the Planning & Housing Director, the prepared plat of survey may then be signed by the surveyor, making it the official plat of survey, which may then be recorded in the office of the County Recorder.

It should be noted that according to Section 23.308(10), the official plat of survey will not be recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office, and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

# EXISTING CONDITIONS



