

**AGENDA**

**The City of Rolla  
Planning & Zoning Commission  
Rolla City Council Chambers, 901 North Elm Street  
Tuesday, October 11, 2022 at 5:30 PM**

**Commission Members:**

**Chairperson Don Brown, Vice-Chairperson Russell Schmidt, Secretary-Treasurer Robert Anderson, Nathan Chirban, Kevin Crider, Janece Martin, Monte Shields, Monty Jordan, Vacant**

- I. **APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, September 13, 2022.
- II. **REPORT ON RECENT CITY COUNCIL ACTIONS:**
  1. **SUB22-07 - Gracie Place 2:** A Minor Subdivision to combine lots and create an outlot at 2000 Hwy E
- III. **OLD BUSINESS:** **NONE**
- IV. **NEW BUSINESS:**
  1. **SUB22-08 – Frueh Addition:** A Minor Subdivision to combine two residential lots at 3 Lewis Lane.
- V. **PUBLIC HEARING:**
  1. **VAC22-03 – Vacation of Alley:** Vacation of a portion of the alley between 10<sup>th</sup>, 11<sup>th</sup>, Cedar, and Maple Streets.
- VI. **OTHER BUSINESS/REPORTS FROM THE CHAIRPERSON, COMMITTEE, OR STAFF:**
  1. **Update on Zoning Code Rewrite:** Presentation of proposed Sections 400, 500, 600, 700, and 800
- VII. **CITIZEN COMMENTS:**

**NEXT MEETING DATE:**

**Tuesday, November 15, 2022**

**MINUTES**  
**ROLLA PLANNING AND ZONING COMMISSION MEETING**  
**ROLLA CITY HALL COUNCIL CHAMBERS**  
**TUESDAY, SEPTEMBER 13, 2022**

**Presiding:** Russell Schmidt, Vice-Chairperson

**Commission Members Present:** Robert Anderson, Monty Jordan, Janece Martin, Monte Shields, Kevin Crider

**Commission Members Absent:** Don Brown, Nathan Chirban

**I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, July 12, 2022. **Vice-Chairperson Russell Schmidt approved the minutes as printed and distributed.**

**II. REPORT ON RECENT CITY COUNCIL ACTIONS:**

1. **ZON22-03, 1702/1704 E 10<sup>th</sup> Street:** A rezoning (map amendment) from the R-3, Multi-family district to the C-O, Commercial Office district.

**III. OLD BUSINESS:** NONE

**IV. NEW BUSINESS:**

1. **SUB22-07 – Gracie Place 2:** A Minor Subdivision to combine lots and create an outlot at 2000 Hwy E.

Tom Coots presents the staff report.

***A motion was made by Monte Shields, seconded by Robert Anderson, to recommend approval to City Council of Gracie Place 2 subdivision. A roll call vote on the motion showed the following: Ayes: Anderson, Crider, Jordan, Martin, and Shields. Nays: None. The motion passes unanimously.***

**V. PUBLIC HEARING:** NONE

**VI. OTHER BUSINESS / REPORTS FROM COMMITTEE OR STAFF:**

1. **Update on Zoning Code Rewrite:** Presentation of proposed Sections 100, 200, and 300.

**VII. CITIZEN COMMENTS:**

1. A presentation was made by Jaden Gurney to gain input from the Commission for a proposed RV park at Blues Lake.

**Meeting adjourned: 6:49 p.m.**

**Minutes prepared by: Sarah West**

**NEXT MEETING:**

**Tuesday, October 11, 2022**



Report to:

**Planning and Zoning  
Commission**

Case No.: SUB 22-08

**Meeting Date:** October 11, 2022

**Subject:** Frueh Addition: A Minor Subdivision to combine two residential lots at 3 Lewis Lane.

**Background:** The applicant has purchased the subject property with the intention of redeveloping the property for a multi-family development. The subject property was previously on the Abandoned Building Registry following several years of being vacant.

**Application and Notice:**

Applicant/Owner - Robert and Martha Frueh of the Frueh Trust  
Public Notice - <https://www.rollacity.org/agenda.shtml>  
City Council Date - October 17, 2022

**Property Details:**

Current zoning - R-3, Multi-family  
Current use - Multi-family Residential  
Land area - Lot 1: 1.69 acres

**Public Facilities/Improvements:**

Streets - The subject property has frontage on Bardsley Rd, a major arterial road; and is accessed via Lewis Lane, a private drive.  
Sidewalks - Sidewalks are located adjacent to the property.  
Utilities - The subject property should have access to all needed utilities, although utilities for adjacent lots do cross the subject property.

**Comprehensive Plan:** The Comprehensive Plan designates the subject property as being appropriate for Medium/High Density residential uses.

**Discussion:** The proposed plat appears to meet all zoning and subdivision requirements.

**Findings:**

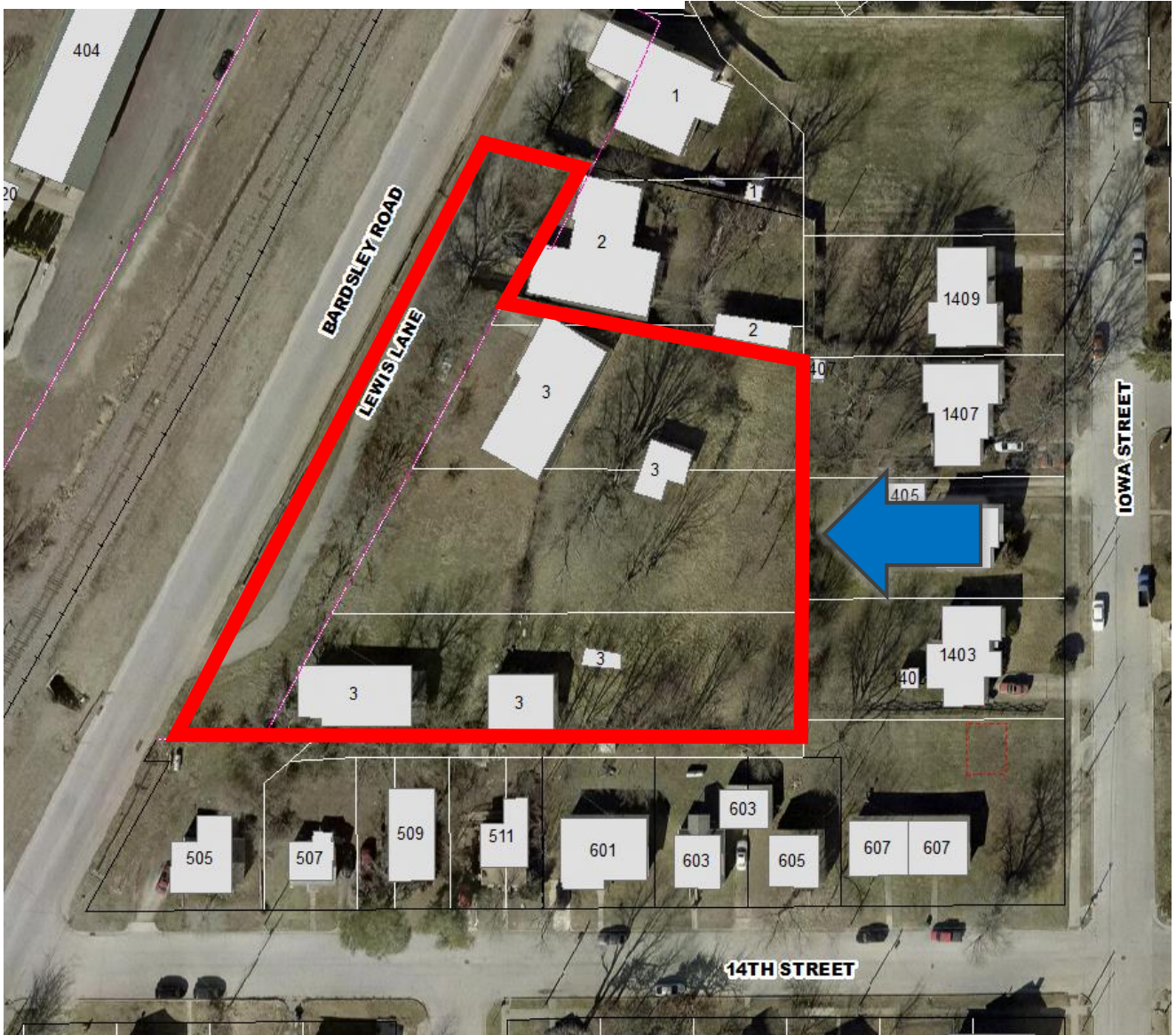
1. The proposed minor subdivision would combine two residential lots.
2. The plat appears to be in compliance with all applicable zoning, subdivision, and other requirements.

**Alternatives:**

1. Find the request meets all applicable requirements and recommend the City Council approve the request.
2. Find that the request could meet all applicable requirements with the imposition of reasonable conditions and recommend that the City Council conditionally approve the request.
3. Find that the request does not meet all applicable requirements and recommend that the City Council deny the request.
4. Find that additional information and discussion is needed prior to making a recommendation and table the request to a certain date.

**Prepared by:** Tom Coots, City Planner

**Attachments:** Area Map, Application, Plat



**Project Information:**

Case No: SUB22-08

Location: 3 Lewis Lane

Applicant: Robert Frueh

Request:

Minor Subdivision to combine residential lots into one lot



**For More Information Contact:**

Tom Coots, City Planner  
tcoots@rollacity.org

(573) 426-6974  
901 North Elm Street  
City Hall: 2<sup>nd</sup> Floor  
8:00 – 5:00 P.M.  
Monday - Friday

pd ck# 220462



COMMUNITY DEVELOPMENT DEPARTMENT  
901 North Elm St  
Rolla, MO 65401  
P.O. Box 979

573-364-5333 + www.rollacity.org/comdev

**SUBDIVISION APPLICATION**

**Contact Information:**

**Property Owner:**  
Frueh Trust

Name(s)  
11725 County Road 8070

Mailing Address  
Rolla, MO 65401

City, State, Zip  
(573) 308-5201

Phone  
rmfrueh@hotmail.com , robfrueh@yahoo.com

Email

**Agent/Applicant (If Different Than Property Owner):**

Name

Mailing Address

City, State, Zip

Phone

Email

**Property/Request Information:**

**Request:** \_\_\_\_\_ Sketch Plat  
 \_\_\_\_\_ Major Subdivision  
 \_\_\_\_\_ Minor Subdivision  
 X \_\_\_\_\_ Replat  
 \_\_\_\_\_ Subdivision Variance  
 \_\_\_\_\_ Vacation of ROW/easement

3 Lewis Lane  
 Property Address/Location

R3, Multi-Family

Property Zoning

2 existing 1 proposed  
 Number of existing and new lots proposed

FRUEH ADDITION  
 Name of Subdivision

**APPLICATION CHECKLIST:**

<b>Applicant Checks Boxes</b>	<input checked="" type="checkbox"/>	<b>Completed Application Form</b>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<b>Agent Letter (If Applicable)</b>	<input type="checkbox"/> N/A
	<input type="checkbox"/>	<b>Filing Fee - \$300 (Major Subdivision); \$100 (Minor Subdivision/Replat); \$350 (Subdivision Variance) + Recording Fee (\$44 or \$69)</b>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<b>Improvement Plans (Final Plats only; 1 paper copy and pdf version)</b>	<input type="checkbox"/> N/A
	<input type="checkbox"/>	<b>Plat (5 paper copies and pdf version) or Vacation Exhibit</b>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<b>Letter of Request (Subdivision Variance only)</b>	<input type="checkbox"/> N/A
			<b>City Staff Verifies</b>

**OFFICE USE ONLY:**

Case No: SUB 22-08      DRC Meeting Date: 9.6.22      PC Hearing Date: 10.11.22

Submission Date: 8.29.22      Advertise By: N/A      CC Hearing Date: 10.17.22 / 11.7.22

## I N F O R M A T I O N :

(Optional) **Sketch Plats** must include the following information (Section 42-32.1):

1. Proposed subdivision name, contact information for property owner, north arrow, scale, date.
2. Location map, general dimensions of property lines, existing easements, ROW's, buildings, cemeteries, watercourses, flood areas, contours, ect.
3. Name, location, dimensions of existing streets; name, width, classification or proposed streets and alleys.
4. Existing utilities and stormwater management facilities on and adjacent to property.
5. Location, dimensions, and configuration of proposed lots.
6. Location and general layout of proposed water and sewer lines.

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**Preliminary Plats** must include the following information (Section 42-32.2):

1. Legal description and boundary line.
2. Name and location of adjoining existing subdivisions, streets, ROW widths, alleys, property lines, ect.
3. Proposed streets with width, centerline, grade, length; dimensions of easements and alleys, ect.
4. Existing property lines, buildings, and utilities.
5. Arrangement, location, dimensions of proposed lots with area, line bearings, angles, and setbacks.
6. Location, dimensions, and area of land to be dedicated or reserved for common ownership.
7. Contour lines, water courses, ravines, culverts, bridges, ponds, ect.
8. Proposed sewer lines, storm sewer lines, drainage facilities, bridges, ect. and easements

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**Final Plats** must include the following information (Section 42-32.3):

1. Items shown on Preliminary Plat except contours, land features, street grades, and utilities.
2. Plat restrictions and restrictive covenants regarding building permits.
3. Dedication deed for easements, streets, alleys, parkland, ect.
4. Access limitation and improvement acceptance notes.
5. Planning and Zoning Commission and City Council approval.
6. City and County tax release.
7. Surveyors and Recorders Certificate.

Note: A Major Subdivision must include a Preliminary Plat. A Major Subdivision is a subdivision which creates (5) or more lots and/or requires the extension of streets.

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**Vacations** of rights-of-way or easements must include a Vacation Exhibit which shows property lines, buildings, utilities or public infrastructure within 30 feet of the area to be vacated. Property lines and building locations must be based on a survey. Utility locations may be from field observations, GIS, utility companies, and/or field markings.

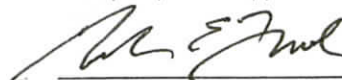
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### Acknowledgement and Authorization:

The owner(s) understand and agree that the application will be placed on hold until a complete application and all required items on the checklist are received. The owner(s) understand and agree to permitting employees of the City of Rolla to enter the subject property for purposes of posting a yard sign(s), retrieving the yard sign(s), taking photographs of the property/building(s), and investigating the property for pertinent information related to the request. Should ownership of the property change after the application is submitted, authorization is required from the new owner to continue with the review of the request, or the request will be withdrawn from consideration. The undersigned understands that refunds may be provided if the request is withdrawn prior to the Planning Commission hearing, less any costs already incurred.

Property Owner(s):

Applicant/Agent (If Different From Owner)

 ROBERT E. FRUEN

Sign                      Print

\_\_\_\_\_  
Sign                      Print

 MADHA A. FRUEH

Sign                      Print

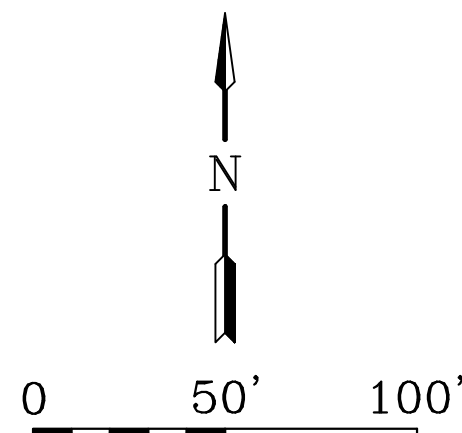
\_\_\_\_\_  
Sign                      Print

# Final Plat of FRUEH ADDITION

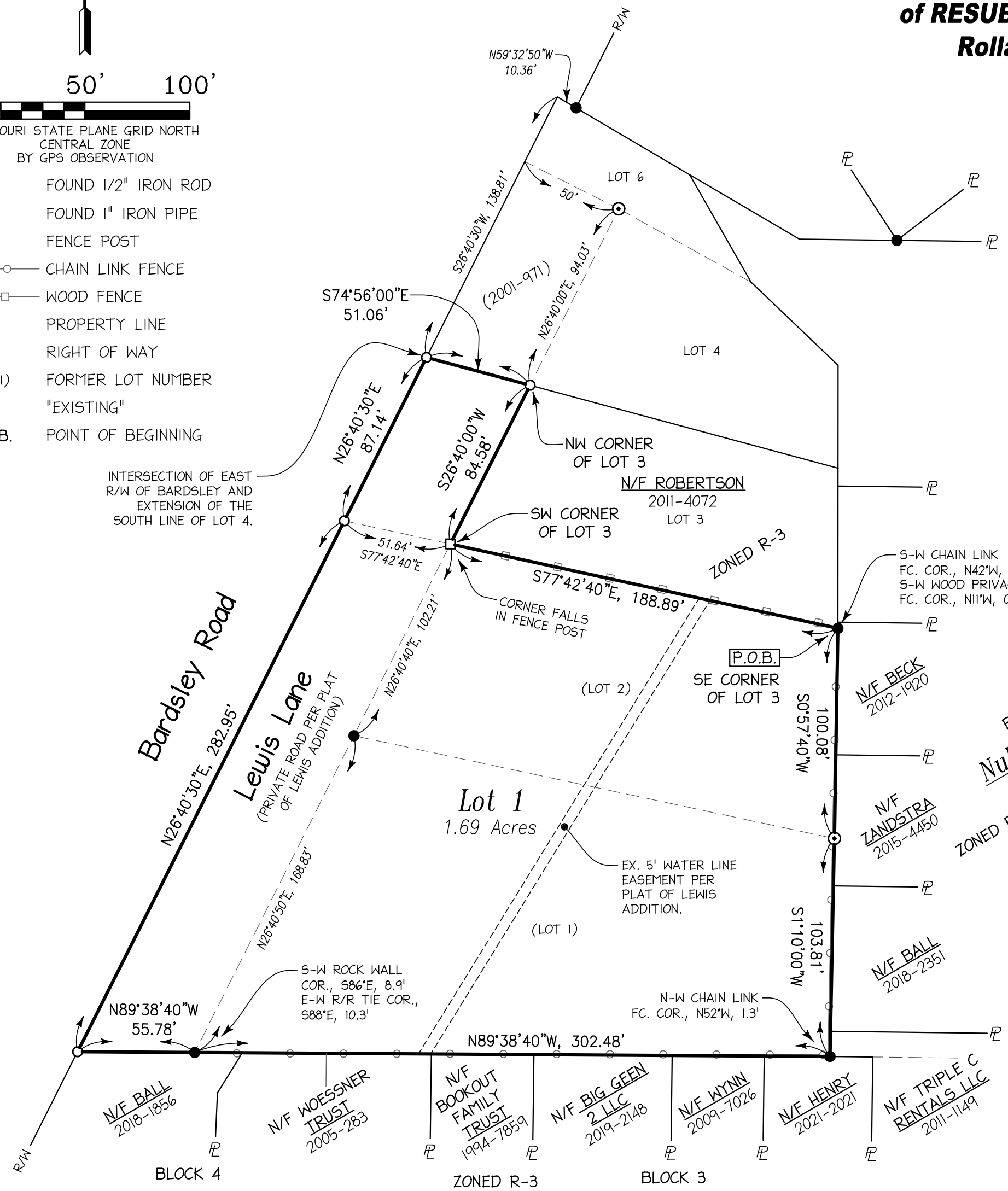
Being a Lot Consolidation of Lots 1, 2 and Part of Lewis Lane  
of RESUBDIVISION OF LEWIS ADDITION  
Rolla, Phelps County, Missouri

DESCRIPTION

A fractional part of Lots 1 and 2, and, a fractional part of Lewis Lane, all in RESUBDIVISION OF LEWIS ADDITION, Rolla, Missouri more particularly described as follows: Beginning at the Southeast Corner of Lot 3 of said RESUBDIVISION OF LEWIS ADDITION; thence South 0°57'40" West, 100.08 feet, and, South 1°10'00" West, 103.81 feet, all along the East line of said RESUBDIVISION OF LEWIS ADDITION to the North line of HOLLOWAY ADDITION, Rolla, Missouri; thence North 89°38'40" West, 358.26 feet along said North line and its extension to the easterly right of way of Bardsley Road; thence North 26°40'30" East, 370.09 feet along said easterly right of way to its intersection with the extension of the South line of Lot 4 of RESUBDIVISION OF LEWIS ADDITION; thence South 77°42'40" East, 240.53 feet along said South line and its extension to the Northwest corner of the aforesaid Lot 3; thence North 26°00'00" East, 84.58 feet along the West line of said Lot 3 to its Southwest Corner; thence South 77°42'40" East, 188.89 feet along the south line of said Lot 3 to the point of beginning. Above described tract contains 1.69 acres, more or less, per plat of survey J-4667, dated August 26, 2022, by CM Archer Group, P.C.



- MISSOURI STATE PLANE GRID NORTH  
CENTRAL ZONE  
BY GPS OBSERVATION
- FOUND 1/2" IRON ROD
- ⊙ FOUND 1" IRON PIPE
- FENCE POST
- CHAIN LINK FENCE
- WOOD FENCE
- ℙ PROPERTY LINE
- R/W RIGHT OF WAY
- (LOT 1) FORMER LOT NUMBER
- EX. "EXISTING"
- P.O.B. POINT OF BEGINNING



IMPROVEMENT ACCEPTANCE

Approved subject to construction of improvements in accordance with development plans on file with the City of Rolla. This plat meets current subdivision codes of the City of Rolla.

Steve Hargis, PE Director of Public Works	_____	Date	_____
Rodney Bourne, PE General Manager Rolla Municipal Utilities	_____	Date	_____
Floyd Jernigan Parks Director	_____	Date	_____

PLANNING & ZONING APPROVAL

Approved this \_\_\_\_ day of \_\_\_\_\_, 2022.

Don Brown, Chairman Planning & Zoning Commission	_____
Steve Flowers Interim Community Development Director	_____

ACKNOWLEDGMENT OF APPROVAL BY CITY COUNCIL

This is to acknowledge that the City Council of the City of Rolla, Missouri has, by ordinance duly adopted, approved this plat and has authorized the same to be filed for record in the Office of the Recorder of Deeds, Phelps County, Missouri.

Louis J. Magdits IV Mayor, City of Rolla	_____	Date	_____
Attest:			
Lorri Thurman City Clerk	_____	Date	_____

COUNTY & CITY TAX RELEASE

I hereby certify that all property taxes levied by the County of Phelps and the City of Rolla against the real estate described on this plat have been paid in full for 2021 and all prior years.

Faith Ann Barnes Collector of Revenue Phelps County, Missouri	_____	Date	_____
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RECORDER'S CERTIFICATE

This plat was filed for record in my office on this \_\_\_\_ day of \_\_\_\_\_, 2022. Plat filed at Cabinet \_\_\_\_\_, Number \_\_\_\_\_.

Robin Kordes Recorder of Deeds Phelps County, Missouri	_____	Date	_____
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CERTIFICATE OF OWNERSHIP AND DEDICATION

The Robert E. and Martha A. Frueh Trust dated May 9, 2006 hereby certifies that it is the owner of the property described and shown hereon, which property is located within the subdivision jurisdiction of the City of Rolla, that it has caused this property to be platted as shown hereon and that said property shall be known and designated as "FRUEH ADDITION." The Robert E. and Martha A. Frueh Trust dated May 9, 2006 hereby freely adopts this plan of subdivision and dedicates to public use forever all easements shown upon this plat.

Dedicator does further grant to all political subdivisions and public and franchised utility companies providing utility services to the land described on this plat the right to install and maintain electrical, water, telephone, cable television, sanitary sewer, storm sewer, gas and fiber optic lines within and along those places which are designated as utility easements on this plat.

DATED: \_\_\_\_\_, 2022 THE ROBERT E. AND MARTHA A. FRUEH TRUST DATED MAY 9, 2006

By: \_\_\_\_\_  
Robert E. Frueh, Trustee

By: \_\_\_\_\_  
Martha A. Frueh, Trustee

"DEDICATOR"

STATE OF MISSOURI )  
                                  ) SS.  
COUNTY OF PHELPS )

On this \_\_\_\_ day of \_\_\_\_\_, 2022 before me appeared Robert E Frueh and Martha A. Frueh, to me personally known, who, being by me duly sworn did say: That they are trustees of The Robert E. and Martha A. Frueh Trust dated May 9, 2006, and that said instrument was signed in behalf of said trust by authority of its trustees, and said Robert E Frueh and Martha A. Frueh acknowledged said instrument to be the free act and deed of said trust.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state aforesaid, this \_\_\_\_ day of \_\_\_\_\_, 2022.  
My Commission Expires: \_\_\_\_\_

NOTARY PUBLIC

NOTES:

- Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements which were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, and any other facts which an accurate and current title search may disclose.
- I declare that to the best of my professional knowledge and belief, this plat and survey meets the current "Missouri Standards for Property Boundary Surveys" (20 CSR 2030-16).
- Tract is classified Urban (20 CSR 2030-16.040).
- Date of field work: August 10, 2022
- Plat represents a survey of lands described at 2022-3542.
- The tract shown on this plat does not lie within a Flood Hazard Area according to the applicable Flood Boundary and Floodway Map published by the U.S. Department of Housing and Urban Development, Federal Insurance Administration. See FEMA FIRM Map No. 29161C0234D, effect date 2/20/2008.
- Dimensions shown are measured. For record dimensions, see document(s) noted.
- Lot is zoned R-3, Multi-Family Residential District.

SPECIAL PLAT RESTRICTION AND RESTRICTIVE COVENANT AS TO THE ISSUANCE OF BUILDING OR CONSTRUCTION PERMITS

The undersigned owners of the tract of land herein platted do hereby impose upon said property and do hereby make the following restrictive covenant. No construction may be commenced upon the above described property until all necessary building and construction permits have been issued by the City of Rolla, Missouri and that it is understood by the undersigned that no such permits shall be issued for any lots herein platted until the completion of all public improvements appertaining to such lots or until a cash bond equal to the reasonable costs of completing such public improvements has been received and approved by the City of Rolla, Missouri. The above mentioned public improvements shall be completed pursuant to the agreement between the undersigned and the City of Rolla, Missouri for the completion of such improvements as required by this article of the City Code of Rolla, Missouri.

Holloway Addition

I, SYLVESTER FARRIS FURSE, IV, do hereby certify that this plat was prepared under my supervision from an actual survey of the land herein described prepared by Archer-Elgin Surveying and Engineering, LLC dated \_\_\_\_\_, 2022 and signed by Sylvester Furse, L.S. No. 2011017288 and that corner monuments and lot corner pins shown hereon were placed under the personal supervision of Sylvester Furse, L.S. No. 2011017288 in accordance with this article of the City Code of Rolla, Missouri.



		310 East 6th Street Rolla, Missouri 65401 Phone: 573-364-6362 Fax: 573-364-4782 www.archer-elgin.com	
CM Archer Group, P.C. E: 2083029242, L.S: 2084017577-D, A-2016017179 Archer-Elgin Surveying & Engineering, LLC: E: 2011024038, L.S: 2011025471, A-2012014618			
REVISIONS _____ _____ _____		Final Plat of FRUEH ADDITION Rolla, Phelps County, Missouri Frueh Trust 11725 County Road 8070; Rolla, Missouri 65401	
DRAWN BY MEP	SCALE 1" = 50'	SURVEY NO. J4667	DATE Aug. 26, 2022





Report to:

**Planning and Zoning  
Commission**

Case No.: VAC22-03

**Meeting Date:** October 11, 2022

**Subject:** Vacation of a portion of an alley between 10<sup>th</sup>, 11<sup>th</sup>, Cedar, and Maple Streets

**Background:** The applicants seek to vacate 80 feet of an alley adjacent to their properties. The alley is not built and not used in the area to be vacated. The eastern portion of the alley was previously vacated.

**Application and Notice:**

Applicant/Owner - Anne and Scott McClay; and Minh Nhut Nguyen of Wynn Wynn, LLC  
Public Notice - Letters mailed to impacted property owners; Legal ad in the Phelps County Focus;  
<https://www.rollacity.org/agenda.shtml>  
City Council Date - October 17, 2022

**Property Details:**

Land area - Approximately 1,120 sq. ft. to be vacated

**Public Facilities/Improvements:**

Utilities - Communications utilities are located in the alley. An easement will be retained.

**Comprehensive Plan:** The Comprehensive Plan does not provide guidance on street/alley vacations. Generally, alleys may be vacated where they are found to not be needed for access.

**Discussion:** With the eastern portion of the alley already having been vacated, and with the subject portion of the alley not being in use, the alley does not seem to have any public use. The area will be maintained as an easement for the existing utilities.

**Findings:**

1. Utilities are located in the area requested to be vacated; a utility easement will be retained.
2. No objections to the request were received by any utility companies.
3. Alley is not used for access; eastern portion previously vacated.

**Alternatives:**

1. Recommend the City Council approve the request and retain the area as a utility easement.
2. Find that request is not appropriate recommend that the City Council deny the request.
3. Find that additional information and discussion is needed prior to making a recommendation and table the request to a certain date.

**Prepared by:** Tom Coots, City Planner

**Attachments:** Application, Public Notice, Exhibit

**SUBDIVISION APPLICATION**

**Contact Information:**

**Property Owner:**  
 Name(s) ANNE & SCOTT McCLAY  
 Mailing Address 407 E 10TH STREET  
ROLLA, MO 65401  
 City, State, Zip  
 Phone 573-465-1819  
 Email anne.c.mcclay@gmail.com

**OTHER PROPERTY OWNER Agent/Applicant (If Different Than Property Owner):**  
 Name Minh Nhut Nguyen  
 Mailing Address 410 East 11th Street  
Rolla, MO 65401  
 City, State, Zip 314-347-5643  
 Phone minhut34@hotmail.com  
 Email

**Property/Request Information:**

**Request:**

- Sketch Plat
- Major Subdivision
- Minor Subdivision
- Replat
- Subdivision Variance
- Vacation of ROW/easement

VACANT ALLEY  
BETWEEN 407 E 10TH & 410 E 11TH  
 ALLEY  
 Property Address/Location

R-3  
 Property Zoning

2  
 Number of existing and new lots proposed

EASTON ADDITION  
 Name of Subdivision

**APPLICATION CHECKLIST:**

<b>Applicant Checks Boxes</b>	<input checked="" type="checkbox"/>	<b>Completed Application Form</b>	<input checked="" type="checkbox"/>
	<input type="checkbox"/> N/A	<b>Agent Letter (If Applicable)</b>	<input type="checkbox"/> N/A
	<input type="checkbox"/> N/A	<b>Filing Fee - \$300 (Major Subdivision); \$100 (Minor Subdivision/Replat); \$350 (Subdivision Variance) + Recording Fee (\$44 or \$69)</b>	<input type="checkbox"/> N/A
	<input type="checkbox"/> N/A	<b>Improvement Plans (Final Plats only; 1 paper copy and pdf version)</b>	<input type="checkbox"/> N/A
	<input checked="" type="checkbox"/>	<b>Plat (5 paper copies and pdf version) or <u>Vacation Exhibit</u></b>	<input checked="" type="checkbox"/>
	<input type="checkbox"/> N/A	<b>Letter of Request (Subdivision Variance only)</b>	<input type="checkbox"/> N/A

**OFFICE USE ONLY:**

Case No: <u>VAC 22-03</u>	DRC Meeting Date: <u>9.20.22</u>	PC Hearing Date: <u>10.11.22</u>
Submission Date: <u>9.12.22</u>	Advertise By: <u>9.22.22</u>	CC Hearing Date: <u>10.17.22 / 11.7.22</u>

**INFORMATION:**

**(Optional) Sketch Plats must include the following information (Section 42-32.1):**

1. Proposed subdivision name, contact information for property owner, north arrow, scale, date.
2. Location map, general dimensions of property lines, existing easements, ROW's, buildings, cemeteries, watercourses, flood areas, contours, ect.
3. Name, location, dimensions of existing streets; name, width, classification or proposed streets and alleys.
4. Existing utilities and stormwater management facilities on and adjacent to property.
5. Location, dimensions, and configuration of proposed lots.
6. Location and general layout of proposed water and sewer lines.

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**Preliminary Plats must include the following information (Section 42-32.2):**

1. Legal description and boundary line.
2. Name and location of adjoining existing subdivisions, streets, ROW widths, alleys, property lines, ect.
3. Proposed streets with width, centerline, grade, length; dimensions of easements and alleys, ect.
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5. Arrangement, location, dimensions of proposed lots with area, line bearings, angles, and setbacks.
6. Location, dimensions, and area of land to be dedicated or reserved for common ownership.
7. Contour lines, water courses, ravines, culverts, bridges, ponds, ect.
8. Proposed sewer lines, storm sewer lines, drainage facilities, bridges, ect. and easements

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**Final Plats must include the following information (Section 42-32.3):**

1. Items shown on Preliminary Plat except contours, land features, street grades, and utilities.
2. Plat restrictions and restrictive covenants regarding building permits.
3. Dedication deed for easements, streets, alleys, parkland, ect.
4. Access limitation and improvement acceptance notes.
5. Planning and Zoning Commission and City Council approval.
6. City and County tax release.
7. Surveyors and Recorders Certificate.

**Note: A Major Subdivision must include a Preliminary Plat. A Major Subdivision is a subdivision which creates (5) or more lots and/or requires the extension of streets.**

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**Vacations of rights-of-way or easements must include a Vacation Exhibit which shows property lines, buildings, utilities or public infrastructure within 30 feet of the area to be vacated. Property lines and building locations must be based on a survey. Utility locations may be from field observations, GIS, utility companies, and/or field markings.**


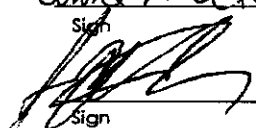
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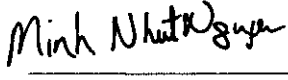
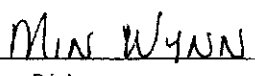
**Acknowledgement and Authorization:**

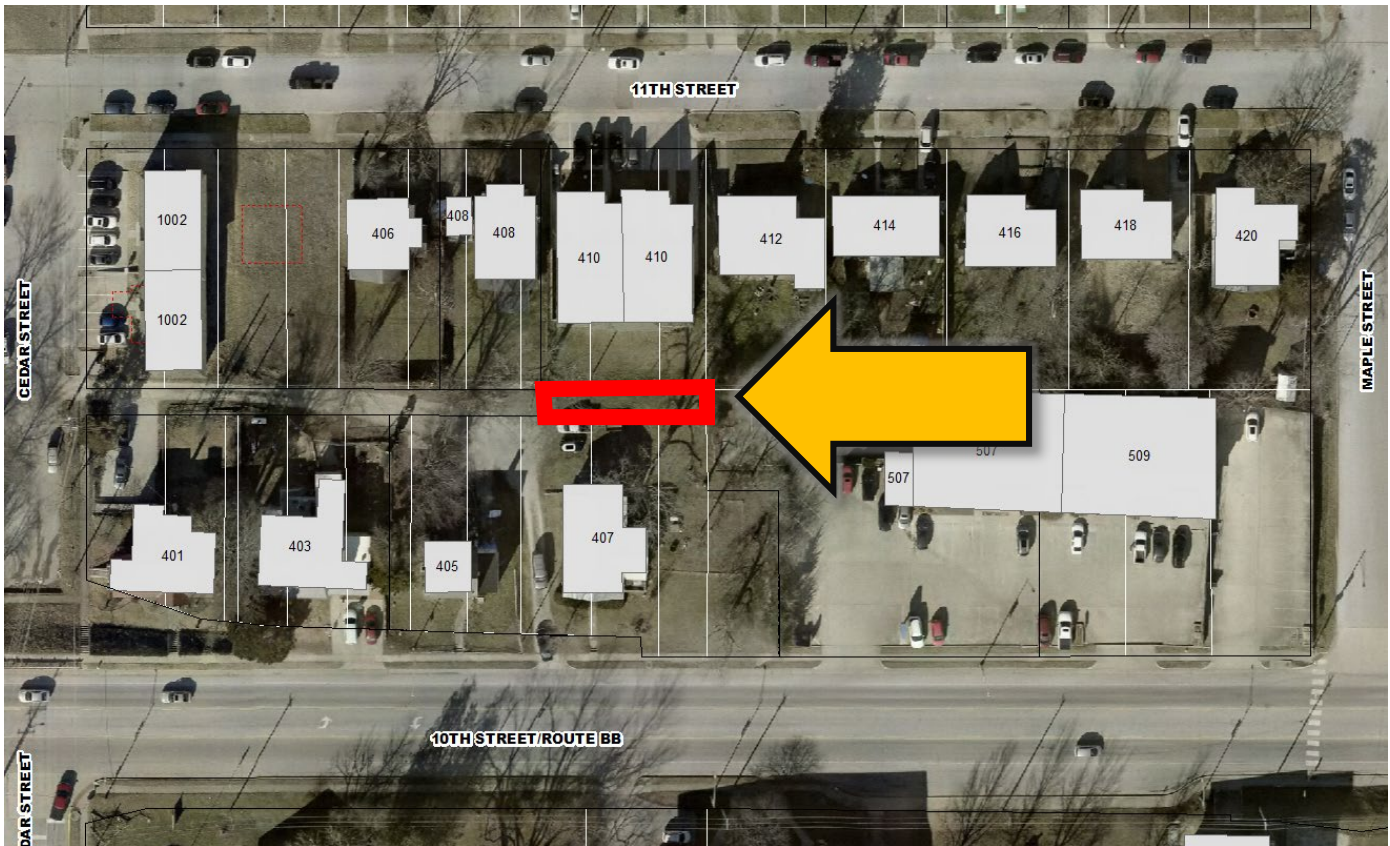
The owner(s) understand and agree that the application will be placed on hold until a complete application and all required items on the checklist are received. The owner(s) understand and agree to permitting employees of the City of Rolla to enter the subject property for purposes of posting a yard sign(s), retrieving the yard sign(s), taking photographs of the property/building(s), and investigating the property for pertinent information related to the request. Should ownership of the property change after the application is submitted, authorization is required from the new owner to continue with the review of the request, or the request will be withdrawn from consideration. The undersigned understands that refunds may be provided if the request is withdrawn prior to the Planning Commission hearing, less any costs already incurred.

Property Owner(s):

Applicant/Agent (If Different From Owner)

  
Sign  
  
Sign  
ANNE McCLAY  
Print  
SCOTT McCLAY  
Print

  
Sign  
  
Sign  
MINH NHAT NGUYEN  
Print  
MINH WYNN  
Print



**Project Information:**

Case No: VAC22-03  
 Location: Adjacent to 407 E 10<sup>th</sup> and  
 410 E 11<sup>th</sup> Street  
 Applicant: Anne and Scott McClay  
 and Mihn Nhut Nguyen  
 Request:  
 Vacation of a portion of alley between  
 10<sup>th</sup>, 11<sup>th</sup>, Cedar, and Maple Streets

**Public Hearings:**

Planning Commission  
**October 11, 2022**  
**5:30 PM**  
 City Hall: 1<sup>st</sup> Floor  
  
 City Council  
**October 17, 2022**  
**6:30 PM**  
 City Hall: 1<sup>st</sup> Floor

**For More Information Contact:**

**Tom Coots, City Planner**  
[tcoots@rollacity.org](mailto:tcoots@rollacity.org)  
  
 (573) 426-6974  
 901 North Elm Street  
 City Hall: 2<sup>nd</sup> Floor  
 8:00 – 5:00 P.M.  
 Monday - Friday



**What is a Vacation?**

A vacation is an application to vacate (or remove) all or a portion of a right-of-way adjacent to a property or an easement on a property. The right-of-way or easement must be found to no longer serve any current or future purpose.

**What is a Right-of-Way?**

In the context of a vacation application, a right-of-way refers to the area which has been dedicated to the City – usually for a public street. An easement is a portion of land that has granted the City the right to use a private property for some public purpose – usually for utilities, drainage, or access.

**How Will This Impact My Property?**

Each case is different. Adjacent properties are more likely to be impacted. Please contact the Community Development Office at (573) 426-6974 if you have any questions.

**What If I Have Concerns About the Proposal?**

If you have any concerns or comments, please try to attend the meeting to learn details about the project. You will be given an opportunity to ask questions or make comments regarding the case.

**What If I Cannot Attend the Meeting?**

Please try to attend the meeting if you have any questions or concerns. However, if you are unable to attend the meeting, you may provide written comments by letter or email. These comments will be presented to the Board.

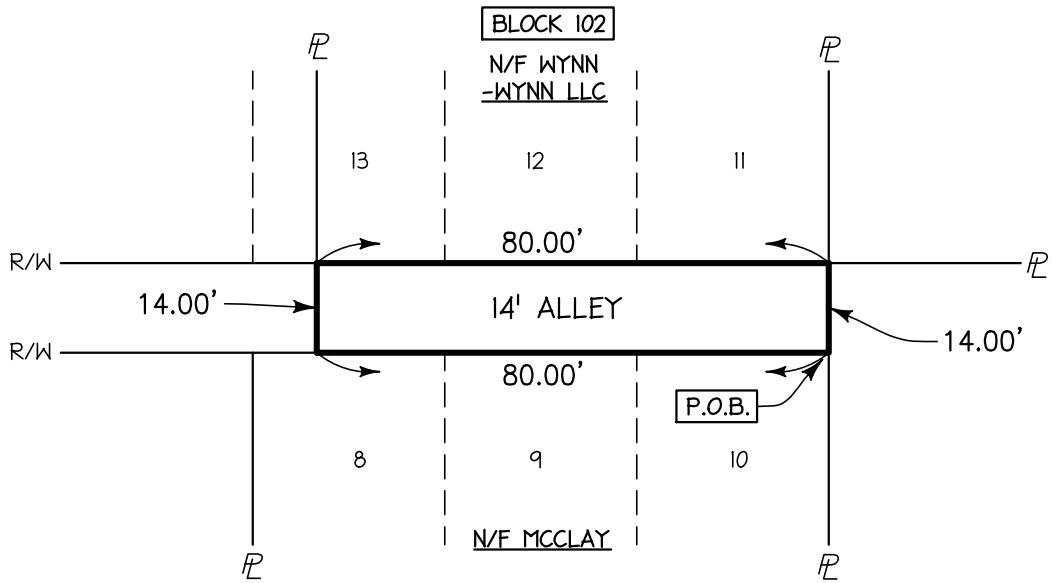
**What If I Have More Questions?**

Please contact the Community Development Office if you have any additional questions.

**LEGAL DESCRIPTION**

A fractional part of a 14 foot alley in Block 102 of EASTON ADDITION, Rolla, Missouri being more particularly described as follows: Beginning at the Northeast Corner of Lot 10, Block 102 of said EASTON ADDITION; thence West, 80 feet along the North line of said Lot 10 and along the North line of Lots 8 and 9, Block 102 of EASTON ADDITION; thence North, 14 feet to a point on the South line of Lot 13 of said Block 102 of EASTON ADDITION; thence East, 80 feet along said South line and along the South line of Lots 12 and 11 of said Block 102 of EASTON ADDITION to the southeast corner of said Lot 11; thence South, 14 feet to the point of beginning.





SCALE: 1"=30'

Exhibit "A"



CM Archer Group, P.C. dba:  
 CM Archer Group, P.C.: E: 2003023612, LS: 2004017577-D  
 Archer-Elgin Surveying & Engineering, LLC: E: 2011024038, LS: 2011025471, A-2012014618  
 310 East 6th Street, Rolla, Missouri 65401    Phone: 573-364-6362    Fax: 573-364-4782    www.emarcher.com    www.elginsurvey.com

Alley Vacation  
 Block 102, EASTON ADDITION  
 Rolla, Missouri

DATE:	Aug. 31, 2022
DESIGNED BY:	SFF
DRAWN BY:	MEP
PROJECT NO.:	J4709



Report to:

**Planning and Zoning  
Commission**

Case No.: TXT22-03

**Meeting Date:** October 11, 2022

**Subject:** Zoning Code Update: Presentation of proposed Sections 400, 500, 600, 700, and 800

**Background:** The current zoning code was adopted in 1988. The 1988 code included much language from the previous code, which was adopted in 1978, which also included language from the first code, adopted in the 1940's. The first code included language that originated in the model codes that were adopted across the country and first written decades earlier.

Since the 1988 code was adopted, there have been many revisions and additions. However, the revisions and additions have created issues with organization, duplication, and conflict with other areas of the code. Some provisions have become unenforceable or are not desired to be enforced. The current code lacks some provisions which may have caused an uneven application of the requirements.

The City Council established the Zoning Code Ad-hoc Committee in February 2022 to review the zoning codes, subdivision codes, and any other land use regulations to make recommendations for changes to the city codes. The ad-hoc committee included members of the Planning and Zoning Commission, Board of Adjustment, City Council, citizen representatives, and city administration. The ad-hoc committee has been meeting since March 2022.

The second half of the proposed changes to the city codes are presented at this time. The public hearing is planned for the November 15 Commission meeting.

**Application and Notice:**

Applicant - City of Rolla  
Public Notice - <https://www.rollacity.org/agenda.shtml>  
City Council Date - To be determined

**Discussion:** Section 400 details special uses such as Home Occupations, Adult Uses, Telecommunications, Manufactured Home Parks, Accessory Buildings, etc. The special uses are certain land uses which require additional regulation to mitigate impacts.

Section 500 covers the Subdivision Regulations, including application processes, design requirements, and other related subjects.

Section 600 is reserved for a potential Form-Based Code, which could be discussed in the future.

Section 700 is the Appendix, with the overall definitions and a use table.

Section 800 is reserved for listing the approved land use ordinances.

The Planning and Zoning Commission is asked to begin review of the proposed changes to the zoning and subdivision regulations. The public hearing will be planned for the November 15 Commission meeting.

**Prepared by:**

Tom Coots, City Planner

**Attachments:**

Proposed Sections 400, 500, 600, 700, and 800 of the revised Zoning and Subdivision Regulations