

PLANNING & DEVELOPMENT

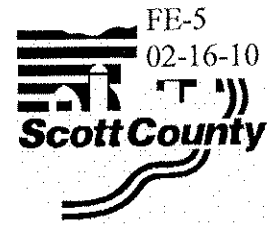
500 West Fourth Street

Davenport, Iowa 52801-1106

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Timothy Huey
Director

To: Dee F. Bruemmer, County Administrator

From: Timothy Huey, Planning Director

Date: February 24, 2009

Re: A request by Gary Ramm for Final Plat approval of Leaf Lake Estates 2nd Addition, a proposed three (3) lot subdivision. The property is located in part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, Buffalo Township, the property is zoned Single Family Residential (R-1).

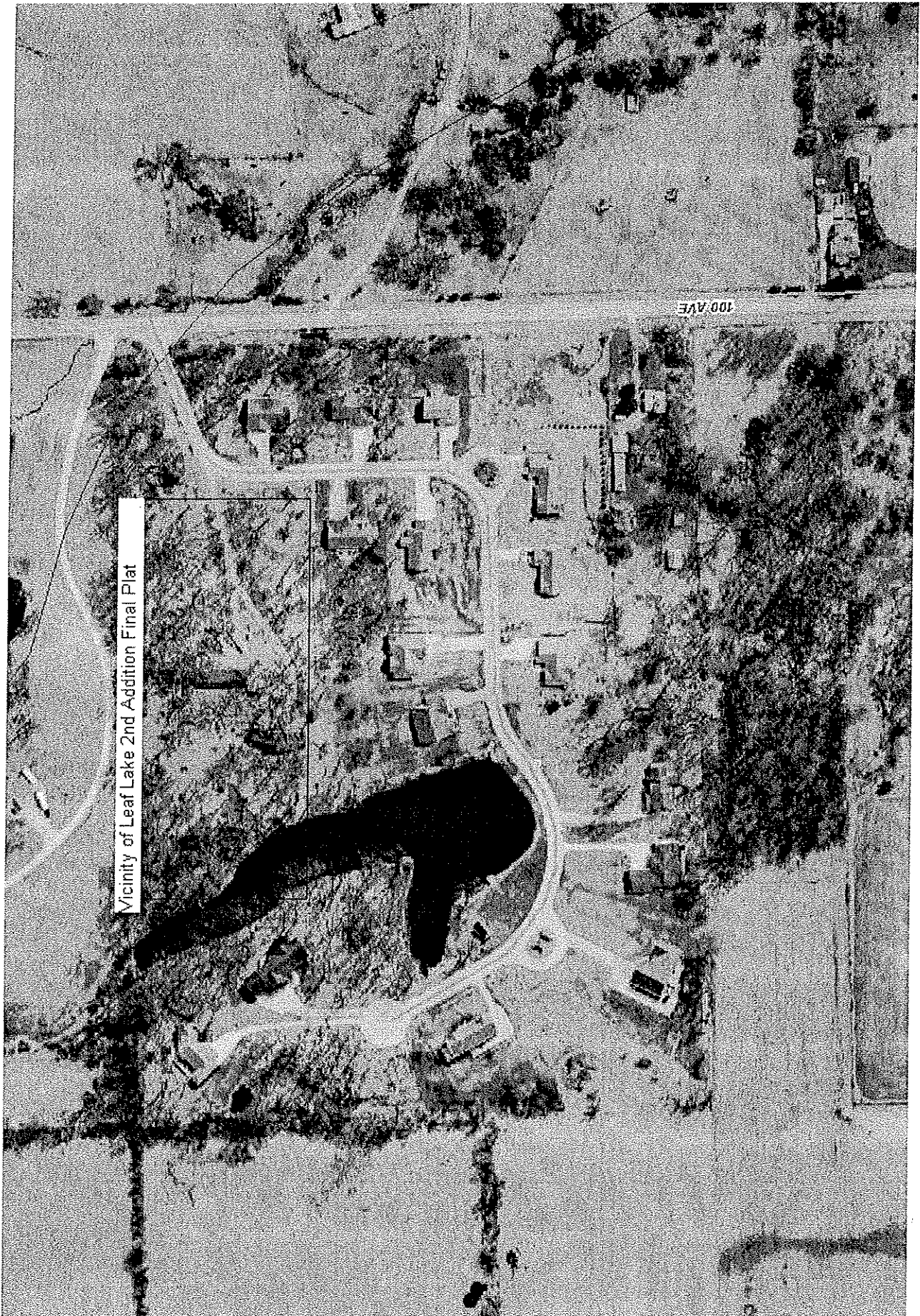
The Planning Commission unanimously recommended approval of this Final Plat in accordance with staff's recommendations. When the 22 lots of Leaf Lake Estates were platted in 2004 the restrictive covenants did not require the 3.7 acre parcel with the existing house to be subject to those covenants. However the covenants did stipulate that if that property was ever subdivided at some point in the future the new lots would also be subject to the same restrictive covenants.

The Preliminary Plat was approved by the Board of Supervisors in March, 2009 with the following conditions:

- 1). The City of Buffalo also review and approve the Preliminary and Final Plat prior to Final Plat approval by the Board of Supervisors;
- 2). The private covenants include provisions for equitable participation of these properties in the road and common open space maintenance of Leaf Lake Estates;
- 3). The County Engineer review and approve all drainage, erosion control and street construction plans prior to construction;
- 4). The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval;
- 5). The accessory building on proposed Lot 2 and 3 be removed prior to Final Plat approval;
- 6). That the size of Lot 3 meets the Leaf Lake Estates minimum lot size of .85 of an acre and that all three lots abide by the Declaration of Protective Covenants, Conditions and Restrictions set forth in Leaf Lake Estates recorded covenants; and
- 7). Property owners within 500 feet be notified when the Final Plat comes before the Planning Commission.

The Planning Commission determined that those conditions had substantially been met. The applicant's attorney indicated that the City of Buffalo would review and approve this plat prior to approval by the Board of Supervisors

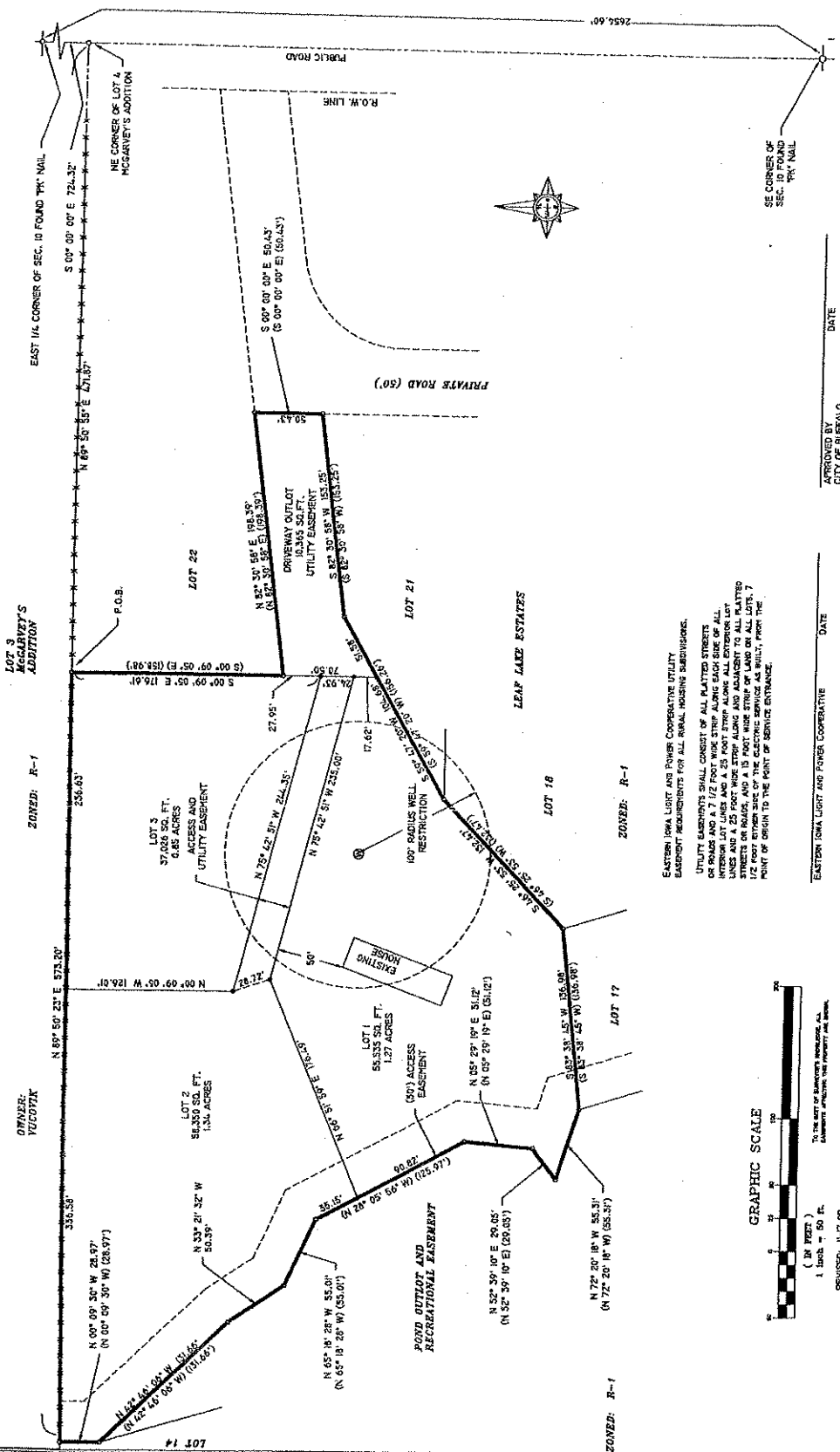
RECOMMENDATION: The Planning Commission recommends that the Final Plat of Leaf lake Estates 2nd Addition be approved.



Vicinity of Leaf Lake 2nd Addition Final Plat

LEAF LAKE ESTATES 2ND ADDITION

BEING A RE-PLAT OF LOT 23 IN LEAF LAKE ESTATES IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 77 NORTH, RANGE 2 EAST OF THE 5TH PRINCIPAL MERIDIAN, SCOTT COUNTY, IOWA



APPROVED BY: CITY OF BUFFALO

DATE:

OWNER: GARY HAHM
1230 100TH AVENUE
DAVENPORT, IOWA

SUBDIVIDER: KEVIN HAHNS
910 EAST 32ND STREET
DAVENPORT, IOWA

DATE: 11-3-08

SCALE: 1" = 50'

APPROVED BY: MICHAEL D. CRAPNELL
DATE: DECEMBER 3, 2008

PAGES OR SHEETS COVERED BY THIS SEAL:

LEGEND:

DEED DIMENSION = 10.0'

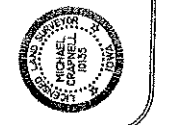
FIELD DIMENSION = 0.0'

MONUMENTS FOUND = 0

RECORDS SET # = REBAR # 30'

RECORDS SET # = REBAR # 30'

FENCE LINE =



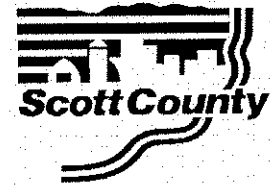
CRAPNELL LAND SURVEYING COMPANY
814 EAST RIVER DRIVE
DAVENPORT, IOWA 52803
(563) 336-3256

SCOTT COUNTY, IOWA

PLAT NO. 2400-B



PLANNING & ZONING COMMISSION
STAFF REPORT
January 19, 2010



Applicant: Gary Ramm

Request: Final Plat of Leaf Lake Estates 2nd Addition, a three (3) lot residential subdivision

Legal Description: Part of the NE ¼ of the SE ¼ of Section 10, Buffalo Township

General Location: 9920 123rd Street

Zoning: Single Family Residential (R-1)

Surrounding Zoning:

- North:** Single Family Residential (R-1)
- South:** Single Family Residential (R-1)
- East:** Single Family Residential (R-1) and Agricultural General (A-G)
- West:** Single Family Residential (R-1)

GENERAL COMMENTS: The Preliminary Plat to resubdivide a 3.7 acre parcel into three lots was approved March, 2009 with seven (7) conditions. There is an existing house on the property which is on Proposed Lot 1. All these three proposed lots of Leaf Lake 2nd Addition will have access provided by a shared driveway within an outlet in the location of the current driveway for the existing residence. Approval of this plat will create two new development lots for single family residences.

STAFF REVIEW: Staff has reviewed this Final Plat for compliance with the Subdivision Regulations and the conditions of Preliminary Plat approval. Those seven (7) conditions were:

1. The City of Buffalo also review and approve the Preliminary and Final Plat prior to Final Plat approval by the Board of Supervisors;
2. The private covenants include provision for equitable participation of these properties in the road and common open space maintenance of Leaf Lake Estates;
3. The County Engineer review and approve all drainage, erosion control and street construction plans prior to construction;
4. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval;
5. The accessory building on proposed Lot 2 and 3 be removed prior to Final Plat approval;
6. That the size of Lot 3 meets the Leaf Lake Estates minimum lot size of .85 of an acre and that all three lots abide by the Declaration of Protective Covenants, Conditions and Restrictions set forth in Leaf Lake Estates recorded covenants; and
7. Property owners within 500 feet be notified when the Final Plat comes before the Planning Commission.



PLANNING & ZONING COMMISSION
STAFF REPORT
January 19, 2010



The applicant's attorney noted the provision in the recorded covenants that stated that if the current Lot 23 (the applicant's property) is subdivided or replatted all new lots shall be no smaller than the average size of the other lots in this subdivision and all new lots will be subject to all covenants and restrictions which includes road maintenance and common open space use and maintenance. Lot 3 has been amended to meet the minimum size of .85 acre. The City of Buffalo will approve the Final Plat prior to approval by the Board of Supervisors and the property owners within 500 feet have been notified of the current review of the Final Plat by the Planning Commission.

The accessory buildings on proposed Lots 2 & 3 have been removed and the shared access driveway has been hard surfaced in accordance with the requirements of the County Engineer.

The Health Department has noted that two acceptable soil percolation tests per lot will have to be submitted prior Final Plat approval. If soil perc tests are not acceptable then an alternative system, such as a sand filter will be required.

The applicant proposes to serve the lots with the existing private well adjacent to the existing house. There is a requirement that no septic system be placed within 100 feet of the well and that 100 foot well easement is shown on the plat.

RECOMMENDATION: Staff recommends that the Final Plat of Leaf Lake 2nd Addition be approved.

Submitted by:
Timothy Huey, Director
January 14, 2010

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES THAT
THIS RESOLUTION HAS BEEN FORMALLY APPROVED BY
THE BOARD OF SUPERVISORS ON _____
DATE _____

SCOTT COUNTY AUDITOR

RESOLUTION

SCOTT COUNTY BOARD OF SUPERVISORS\

February 18, 2010

APPROVING THE FINAL PLAT OF LEAF LAKE ESTATES 2ND ADDITION

BE IT RESOLVED by the Scott County Board of Supervisors as follows:

Section 1. As the local governing body responsible for the approval of subdivision plats within its rural jurisdiction, the Scott County Board of Supervisors has on this 18th day of February considered the Final Plat of **LEAF LAKE ESTATES 2ND ADDITION** a three (3) lot subdivision, in part of the NE ¼ SE ¼ of Section 10, 77 North, Range 2 East of the 5th Principal Meridian (Buffalo Township), Scott County, Iowa, and having found the same made in substantial accordance with the provisions of Chapter 354, Code of Iowa, and the Scott County Subdivision Ordinance, does hereby approve the Final Plat of said subdivision .

Section 2. The Board Chairman is authorized to sign the Certificate of Approval on behalf of the Board of Supervisors and the County Auditor to attest to his signature.

Section 3. This resolution shall take effect immediately