

PLANNING & DEVELOPMENT

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Timothy Huey
Director

To: Dee F. Bruemmer, County Administrator

From: Timothy Huey, Planning Director

Date: November 2, 2010

Re: A request by Richard Voss for approval of the Final Plat of Voss 2nd Addition, a 4-lot subdivision, located south of 225th Street and on either side of 277th Avenue legally described as part of the N½ of the SW¼ and part of the NW¼ of the SE¼ of Section 22, LeClaire Township.

The Planning Commission unanimously recommended approval of the Final Plat in accordance with staff's recommendations. The applicant represents his father's estate and the purpose of the plat is to reconfigure the existing 104 acre farm to facilitate the disposition of the estate. There is an existing farmstead on the property and approval of this plat will create a 5.75 acre farmstead lot and three farm parcels of 12.5 acres, 31 acres and 55 acres in size. Prior to any further development of the property for non ag related purposes would require approval of a residential subdivision plat for the property on the east side of 277th Avenue and approval of a rezoning and subdivision plat for the property on the west side of 277th Avenue.

A note has been placed on the plat stating that no non agricultural development of the property is permitted unless further subdivisions and /or rezonings are approved.

The City of LeClaire approved this plat on November 1st.

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



PLANNING & ZONING COMMISSION

STAFF REPORT

September 21, 2010



Applicant: Richard Voss

Request: Voss 2nd Addition, a proposed four (4) lot subdivision

Legal Description: A replat of Lots 1 and 2 of Scott's Subdivision and part of the N½ of the SW¼ and part of the NW¼ of the SE¼ of Section 22, LeClaire Township

General Location: South of 225th Street and east and west of 277th Avenue

Zoning: Lots 1 and 2-Agricultural General (A-G)
Lots 3 and 4-Single Family Residential (R-1)

Surrounding Zoning:

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

GENERAL COMMENTS: This request is to reconfigure an existing 104 acre farm property to facilitate the disposition of an estate. Portions of the farm property lie on either side of 277th Avenue. The 67.5 acres on the west side of 277th Avenue is zoned Ag-General and is shown on the Future land Use Map as appropriate for residential development. The 36.5 acres on the east side of 277th Street is already zoned Single family residential and has been since the current zoning map was adopted in 1981. Approval of this plat will divide the 67.5 acres on the west side of the road into a 55 acre parcel and a 12.5 acre parcel. The two lots on the east side of the road will be a 5.75 acre parcel for the existing farmstead and the 31 acre parcel of the property that is currently cultivated for row crops even though it is zoned R-1.

STAFF REVIEW: Staff has reviewed this request for approval of a Sketch Plan and Final Plat of a Minor Plat. The Subdivision Regulations allow a plat to be reviewed as a Minor Plat if the plat creates less than five (5) lots and does not involve the extension of any new streets. This plat would comply with those requirements, since all the proposed lots have frontage and access to existing streets.

The Zoning regulations require that all residential lots have a minimum of twenty (20') feet of frontage on a public or private road designed for the proposed building or structure. Lot 3, the proposed lot for the existing farmstead has a twenty foot wide "flagpole" that provides access to and frontage on 277th Avenue in the location of the existing driveway. Due to it being residentially zoned, Lot 4 would have a development right for a new single family dwelling. Development of additional residences on this property would require approval of a subsequent subdivision plat.



PLANNING & ZONING COMMISSION

STAFF REPORT

September 21, 2010



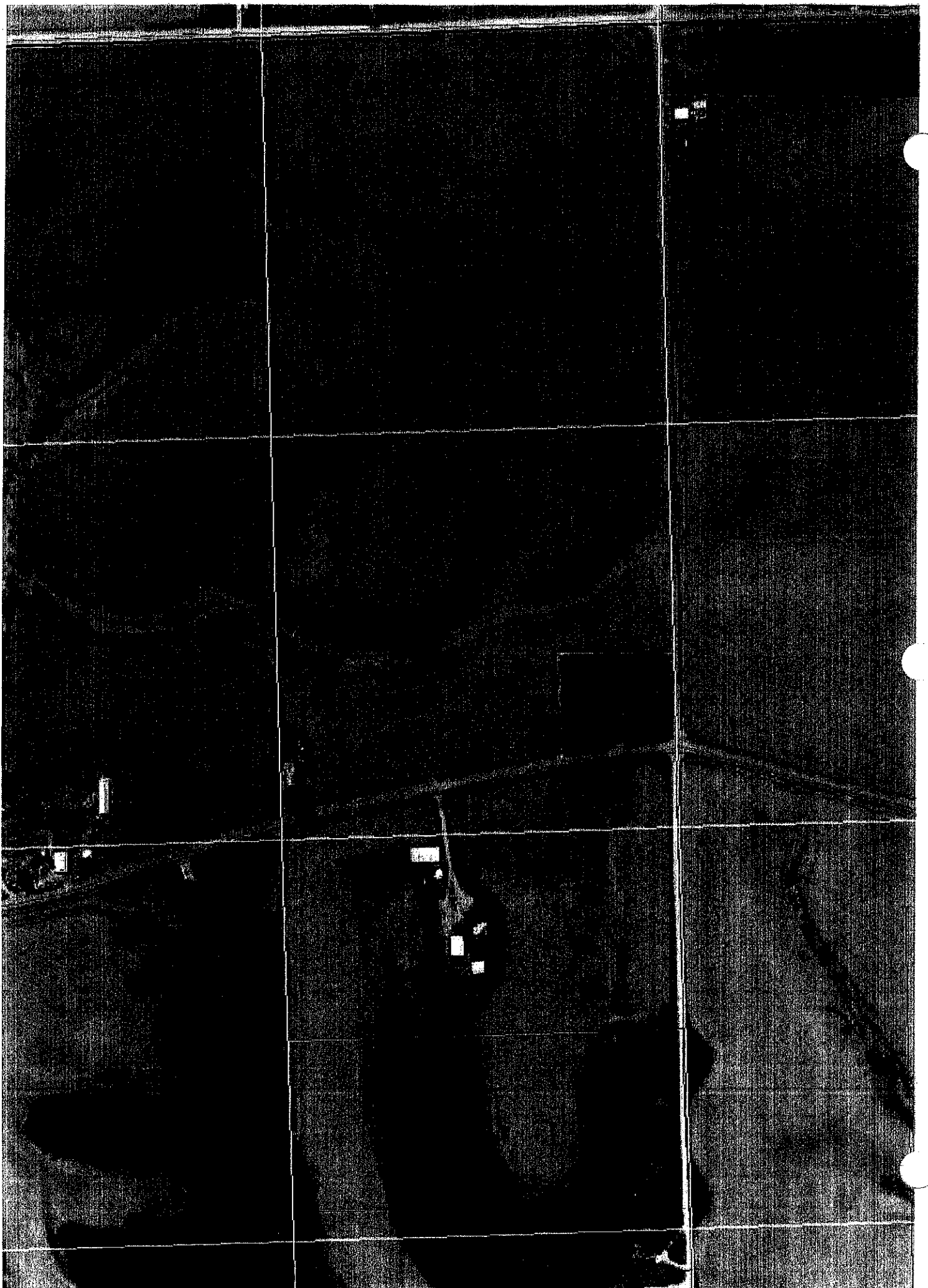
The two lots on the west side of the road, which are zoned A-G, would not retain any development right for any non-ag related development. Prior to any residential development of this land both a rezoning and a subsequent subdivision plat would have to be approved. Staff would recommend that a note be placed on the plat that states that under the existing A-G zoning no non-ag related development of Lots 1 & 2 would be permitted.

Neither the County Health Department nor the County Engineer had any comments or concerns with this plat.

Staff has mailed notification to the adjacent property owners within five hundred feet (500') of this property regarding this subdivision request. Staff has not, as of yet, received any calls or comments on this proposed plat.

RECOMMENDATION: Staff recommends that the Final Plat of Voss 2nd Addition be approved with the condition that a note be placed on the plat that states that under the existing A-G zoning no non-ag related development of Lots 1 & 2 would be permitted.

Submitted by:
Timothy Huey, Director
September 16, 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
November 9, 2010
APPROVING THE FINAL PLAT OF VOSS 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 9th day of November 2010 considered the Final Plat of **VOSS 2ND ADDITION** a four (4) lot subdivision, being a replat of Lots 1 and 2 of Scott's Subdivision and part of the N ½ of the SW ¼ and part of the NW ¼ of the SE ¼ of Section 22, 79 North, Range 5 East of the 5th Principal Meridian (LeClaire 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 with the condition that a note be placed on the plat that states under the existing Agricultural General zoning no non ag related development of Lots 1 and 2 would be permitted.

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.

