

**PLANNING & DEVELOPMENT**

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Timothy Huey  
Director

To: Dee F. Bruemmer, County Administrator

From: Timothy Huey, Planning Director

Date: March 8, 2010

**Re: A request by Robert Kauth for approval of the Final Plat of Kauth's 2<sup>nd</sup> Addition a thirteen (13) lot residential subdivision located west of 95<sup>th</sup> Avenue and south of Hickory Hills Second Annex in part of the NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of Section 15, Buffalo Township.**

The Planning Commission unanimously recommended approval of the Final Plat in accordance with staff's recommendation. The Preliminary Plat had been approved in 2007 with four conditions, all of which the Planning Commission determined had been met.

The Preliminary Plat had included 21 lots but the applicant chose to only final 12 of those lots with Lot 13 being the 7 acre balance of the property shown as future development. Those future lots would access the cul de sac, 95<sup>th</sup> Avenue Court.

Only the applicant and the neighboring property owner, the developer of Oak Valley Addition, were in attendance at the Planning Commission and both spoke in favor of the Final Plat.

**RECOMMENDATION:** The Planning Commission recommends that the Final Plat of Kauth's 2<sup>nd</sup> Addition be approved



PLANNING & ZONING COMMISSION  
STAFF REPORT  
January 4, 2011



**Applicant:** Robert Kauth

**Request:** Final Plat of Kauth's 2<sup>nd</sup> Addition, a proposed thirteen (13) lot residential subdivision.

**Legal Description:** Part of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 15, Buffalo Township.

**General Location:** West of 95<sup>th</sup> Ave. South of Hickory Hills Second Annex

**Zoning:** Single Family Residential (R-1)

**Surrounding Zoning:**

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

**GENERAL COMMENTS:** The Preliminary Plat for this proposed 21 lot residential subdivision was approved by the Board of Supervisors on August 23, 2007 with four conditions in accordance with the Planning Commission's recommendations. The Preliminary Plat was for the 32 acre balance of a forty acre tract. An earlier Preliminary Plat was withdrawn due to concerns with the access to four of the lots that crossed Dodges Creek. Those lots were eliminated from the plat and that area was included with Lot 10 that contains the applicant's existing house and is 8.91 acres in size. The initial 6.5 acres of original 40 acre parcel was platted in 2002 and 2003 into six residential lots as Kauth's 1<sup>st</sup> Addition. That area included the entire frontage on 95<sup>th</sup> Avenue of the forty acre parcel. The current Final Plat includes 12 of the lots on the approved Preliminary Plat and a large lot (Lot 13) that is designated as the area for future development and was shown as the location of nine lots on the Preliminary Plat.

**STAFF REVIEW:** Staff has reviewed this Final Plat request for compliance with the requirements of the Subdivision Regulations, the Zoning Ordinance and the four conditions of Preliminary Plat approval. Those four conditions were:

1. All grading and construction comply with the erosion and sediment control plan as approved by the County Engineer and the Natural Resources Conservation Service;
2. That permitted areas for residences and accessory buildings be shown on the Final Plat;
3. The County Engineer review and approve all street construction plans prior to construction; and
4. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.



PLANNING & ZONING COMMISSION  
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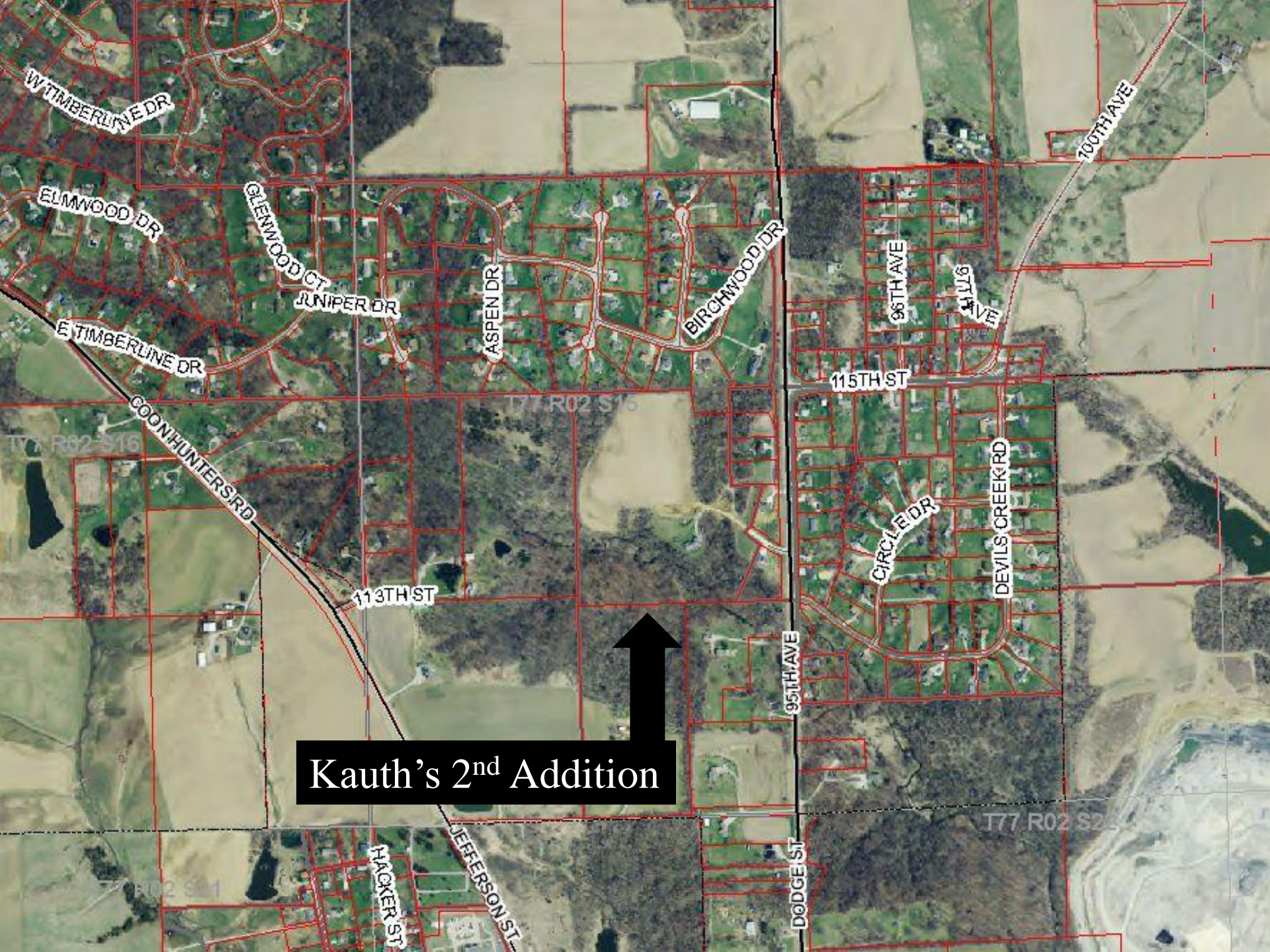
The County Engineer states that the new roads, 114<sup>th</sup> Street and 94<sup>th</sup> Avenue Court, appear to have been adequately constructed. However the County Engineer does state that he has concerns that he never received, reviewed or approved any final construction plans for that road. He did review Preliminary Plans and he states that the road construction appears to match those plans. He also states that the grades for 114<sup>th</sup> Street are nearly 7% in spots which was steeper than was shown on the plans. Finally he states that the road design is not consistent as far as the use of curb and gutter and that the standard for the County to accept subdivision roads is that they have curb and gutter throughout. He states that this would influence his recommendation on whether the County Board should accept these roads onto the County's system.

As far as the other conditions of Preliminary Plat approval the grading and road construction have complied with the erosion and sediment control plan, the limits for the drainage easements for Dodges Creek and its tributary to the north are shown on the affected lots, along with the front yard setback lines and finally all the proposed wastewater treatment facilities will meet Health Department requirements at the time houses and septic systems are constructed on each lot.

**RECOMMENDATION:** Staff recommends that the Final Plat for Kauth's 2<sup>nd</sup> Addition be approved.

Submitted by:  
Timothy Huey, Director  
December 30, 2010





**Kauth's 2<sup>nd</sup> Addition**



ATTORNEY: MR. THOMAS R. SCHIRMAN  
202 N. 2<sup>ND</sup> ST.  
ELDRIDGE, IOWA 52748  
283-9600

# FINAL PLAT OF KAUTH'S 2<sup>ND</sup> ADDITION

AN ADDITION TO SCOTT COUNTY, IOWA  
BEING A PART OF THE NE 1/4 OF SW 1/4 OF  
SECTION 15, TOWNSHIP 77 NORTH, RANGE 2 EAST OF THE FIFTH P.M.  
THIS PLAT CONTAINS 30.6 ACRES, MORE OR LESS

**NOTES:**

1. THE OWNER OF THIS SUBDIVISION IS MR. ROBERT KAUTH, 11348 49<sup>TH</sup> AVENUE, BLUE GRASS, IOWA 52725.
2. ALL RESIDENTIAL LOTS IN THIS SUBDIVISION ARE TO HAVE INDIVIDUAL, ON-SITE, WASTE WATER TREATMENT SYSTEMS APPROVED BY THE SCOTT COUNTY HEALTH DEPT.
3. ALL RESIDENTIAL LOTS IN THIS SUBDIVISION ARE TO BE CONNECTED TO A QUASIPUBLIC WATER SYSTEM, WITH THE WELLS LOCATED ON OUTLOT 2 AS SO NOTED ON THE FINAL PLAT.
4. THIS LAND IS CURRENTLY ZONED R-1. ALL NEW CONSTRUCTION SHALL COMPLY WITH THE CURRENT SCOTT COUNTY ZONING ORDINANCES RELATIVE TO THE ZONING DISTRICT.
5. THE NATURE AREA IS ASSIGNED TO OUTLOT # 5, AND IS TO BE RESERVED FOR THE USE AND BENEFIT OF HOMEOWNERS OF KAUTH'S 2<sup>ND</sup> ADDITION.
6. OUTLOT # 4 IS AN ACCESS CORRIDOR TO OUTLOT # 5 AND IS FOR THE USE AND BENEFIT OF THE HOMEOWNERS OF KAUTH'S 2<sup>ND</sup> ADDITION.
7. OUTLOT # 1 IS AN ACCESS CORRIDOR TO LOT 4 IN KAUTH'S 1<sup>ST</sup> ADDITION AND IS RESERVED FOR THE OWNER OF SAID LOT 4. THIS OUTLOT IS TOTALLY WITHIN THE PLATTED DRAINAGE EASEMENT AS SHOWN ON THE FINAL PLAT OF KAUTH'S 2<sup>ND</sup> ADDITION.
8. 114<sup>TH</sup> STREET AND 95<sup>TH</sup> AVENUE COURT ARE TO BE DEDICATED TO SCOTT COUNTY AS PUBLIC ROADS AND WILL BE MAINTAINED BY THE COUNTY UPON THE COMPLETION OF THE IMPROVEMENTS WITHIN THESE ROADS AND THE RECORDING OF THIS PLAT.
9. UPON THE RECORDING OF THIS FINAL PLAT THE 30 FOOT WIDE ACCESS EASEMENT SHOWN CROSSING PARTS OF LOTS 10, 12, & 13 OF KAUTH'S 2<sup>ND</sup> ADDITION WILL BE LEGALLY CHANGED TO A UTILITY EASEMENT AND WATERMAIN EASEMENT.
10. A 300 FOOT RADIUS EASEMENT WILL EXIST AROUND THE WELLS LOCATED ON OUTLOTS # 2, # 4, AND NO SURFACE CEPTIC FIELDS ARE PERMITTED WITHIN THESE EASEMENT ZONES.
11. A 100 FOOT RADIUS EASEMENT WILL EXIST AROUND THE WELLS NOTED IN NOTE #10, AND NO SEPTIC TANKS, OR CHEMICALS APPLIED TO THE SOIL, ARE PERMITTED WITHIN THESE 100 FOOT EASEMENT ZONES.
12. OUTLOTS # 2 & 3 PROVIDE ACCESS TO THE WELLS FOR CONSTRUCTION, MAINTENANCE AND REPAIR. OUTLOT # 2 MAY CONTAIN THE STRUCTURE FOR THE PRESSURE TANK(S) ASSOCIATED WITH THE QUASIPUBLIC WATER SYSTEM.
13. BLANKET UTILITY EASEMENTS ARE GRANTED TO THE RESPECTIVE UTILITY COMPANIES TO EXTEND SERVICES TO HOMES ON INDIVIDUAL LOTS.
14. THERE IS A 3 FOOT WIDE DRAINAGE AND UTILITY EASEMENT ALONG THE SIDE AND REAR LOT LINES OF ALL LOTS, BEING 7.5 FEET EITHER SIDE OF AND PARALLEL TO THE LOT LINE, AND IS AVAILABLE FOR USE OF HOMEOWNERS TO CONVEY DRAINAGE OFF OF THEIR LOT TO ADJACENT WATERWAYS AND FOR THE EXTENSION OF PUBLIC UTILITY LINES AND EQUIP.

APPROVED BY MID AMERICAN ENERGY COMPANY  
BY: Rob Thomas  
DATE: 11/7/10  
(Approved subject to encumbrances of record by Mid American Energy Co.)

APPROVED BY QWEST COMMUNICATIONS COMPANY  
BY: Bgr  
DATE: 11-17-2010

APPROVED BY MEDIA COM  
BY: John D. Lill  
DATE: 12-8-2010

APPROVED BY EASTERN IOWA LIGHT AND POWER  
BY: Dennis Hill  
DATE: 11/22/10

APPROVED BY THE CITY OF BUFFALO, IOWA  
BY: Dale DeLagen  
DATE: 12-9-10

**SURVEYOR'S CERTIFICATE:**

I HEREBY CERTIFY THAT THIS SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION, AND THAT I AM A DULY LICENSED AND REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

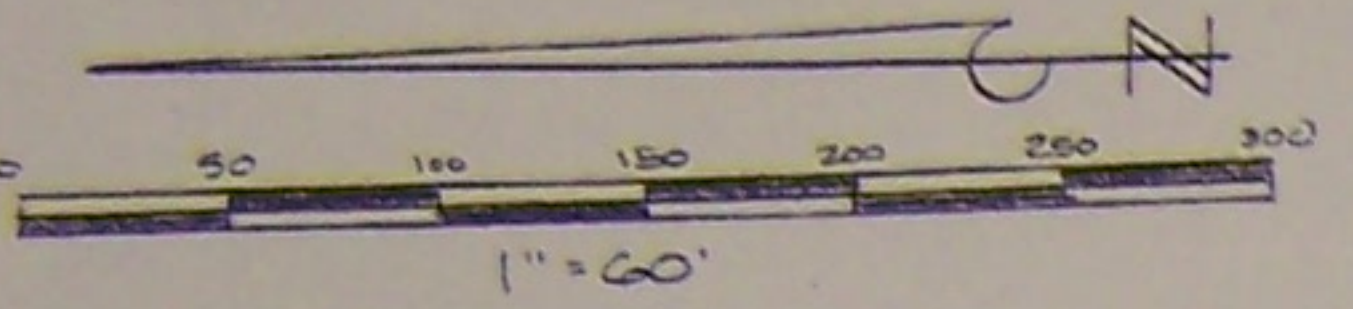
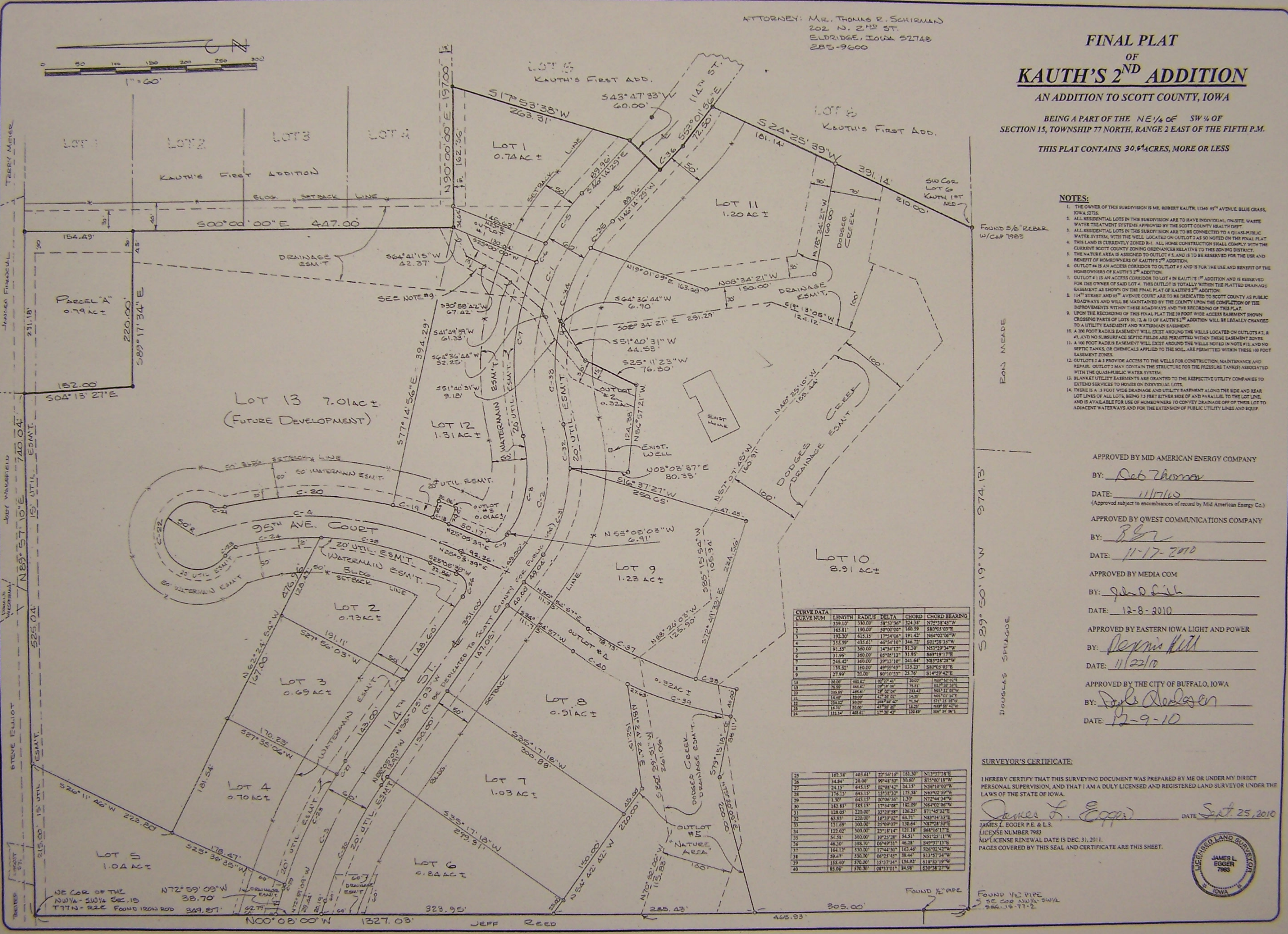
James L. Egger DATE: Sept. 25, 2010

JAMES L. EGGER P.E. & L.S.  
LICENSE NUMBER 7983  
MY LICENSE RENEWAL DATE IS DEC. 31, 2011.  
PAGES COVERED BY THIS SEAL AND CERTIFICATE ARE THIS SHEET.



CURVE DATA	CURVE NUM	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
1	339.10'	330.00'	5837.74'	24.35°	275.3845'	N75°38'45"W
2	165.11'	160.00'	5070.00'	16.09°	152.0531'	S82°03'01"E
3	192.20'	415.15'	11754.04'	191.42°	266.0250'	W
4	55.55'	435.81'	4054.10'	346.72°	501.7235'	W
5	91.55'	360.00'	1474.12'	91.30°	N55°23'34"W	
6	31.95'	360.00'	8150.12'	31.95°	869.1917'	E
7	345.43'	360.00'	2991.10'	341.84°	N85°23'28"W	
8	175.25'	160.00'	4899.49'	135.23°	S80°03'01"E	
9	27.89'	20.00'	8010.51'	25.70°	S14°59'42"E	
10	20.00'	485.01'	10727.41'	20.00°	N88°42'04"E	
11	79.30'	288.61'	10918.38'	79.31°	N81°30'22"E	
12	38.49'	485.01'	2970.04'	38.49°	N81°11'29"W	
13	14.88'	10.00'	47.30'	14.30°	N88°15'14"E	
14	334.32'	50.00'	288.88'	71.54°	S71°13'38"W	
15	55.11'	10.00'	47.30'	14.30°	N88°15'14"E	
16	131.34'	405.81'	1712.49'	130.89°	N6°31'06"E	

25	162.54'	485.01'	2256.16'	161.30°	N13°17'04"E
26	34.84'	20.00'	9974.30'	33.60°	S75°00'18"W
27	24.15'	645.15'	10208.42'	24.15°	N28°10'09"W
28	176.13'	645.15'	12133.20'	175.58°	N49°02'39"W
29	1.30'	645.15'	6006.50'	1.30°	N72°44'34"W
30	182.83'	585.15'	17544.08'	182.09°	N84°02'06"W
31	128.05'	220.00'	33239.38'	126.25°	S71°45'32"E
32	63.91'	220.00'	16739.00'	63.71°	N63°14'33"E
33	137.89'	300.00'	37909.00'	138.64°	N37°25'09"E
34	122.02'	300.00'	23718.14'	121.18°	S68°16'17"E
35	55.51'	300.00'	10725.28'	54.51°	N51°22'11"W
36	46.30'	388.70'	6649.31'	46.28°	S49°37'13"E
37	164.15'	530.00'	17441.30'	163.46°	S56°02'42"W
38	39.41'	330.00'	6823.45'	38.44°	S13°57'24"W
39	155.40'	570.00'	15137.14'	154.92°	S13°21'19"W
40	85.04'	570.00'	68131.01'	84.98°	S10°34'27"W



TERRY MAJURE  
JENNIFER FINNIGAN  
JERRY WINDFIELD  
USMAN WAZIRWALI  
STEVIE ELLIOT  
TERRY

Found 5/8" REBAR W/CAP 7985  
Found 3/4" REBAR  
Found 1/2" PIPE  
Found 1/2" PIPE  
Found 1/2" PIPE

JEFF REED



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\**  
**March 17, 2011**  
**APPROVING THE FINAL PLAT OF KAUTH'S 2<sup>ND</sup> 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 17<sup>th</sup> day of March 2011 considered the Final Plat of **Kauth's 2<sup>nd</sup> Addition** a thirteen (13) lot subdivision, in part of the NE ¼ of the SW ¼ of Section 15, Buffalo Township, 77 North, Range 2 East of the 5<sup>th</sup> 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.