

PLANNING & DEVELOPMENT

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Timothy Huey
Director

To: Dee F Bruemmer, County Administrator

From: Timothy Huey, Planning Director

Date: June 12, 2012

Re: Approval of second and final reading or ordinance amendment to rezone 1.17 acres more or less from Commercial Light Industrial (C-2) to Heavy Manufacturing District (M) located at 17100 215th Street, Lot 6 of North Brady Industrial Park, Section 25, Sheridan Township.

The Board of Supervisors held a public hearing on this application on May 24 and heard from the applicant and his environmental advisor. Eight letters in support and one in opposition were also presented to the Board. The Board approved the first of two reading on June 7.

On May 1, 2012, following its public hearing, the Planning Commission with a 5 Aye 2 Nay (Lloyd, Rivers) vote recommended approval of the rezoning in accordance with staff's recommendation based on their determination that the request met a preponderance of the criteria of the land use policies and was based on their determination that the request met a preponderance of the criteria of the land use policies. This request is to allow a damaged vehicle salvage operation to be conducted in this location in order to sell salvaged and used vehicle parts. The property has been developed with commercial uses for over twenty years, is located on adequately constructed paved roads, and has public water but no sewer service. There is no buffering between this property and adjacent residential uses and this would be addressed through the Special Use Permit process by the Zoning Board of Adjustment.

There were four adjacent property owners present that had questions and concerns with the impact that dismantling and salvage business would have on their quality of life and their property values.

Planning Commission recommendation: The Planning Commission recommends approval with the request to rezone 1.17 acres (more or less) from Commercial Light Industrial (C-2) to Heavy Manufacturing District (M) based on its compliance with a preponderance of the criteria of the Revised land use policies with the condition that parts salvage and vehicle dismantling be permitted but be conducted only within the enclosed building and all outdoor storage be screened with a solid fence a minimum of ten feet in height..

Prepared by: Scott County Planning and Development, 500 West Fourth Street, Davenport Iowa

SCOTT COUNTY ORDINANCE NO. 12-_____

AN ORDINANCE TO AMEND THE ZONING MAP BY REZONING APPROXIMATELY 1.17 ACRES MORE OR LESS IN SECTION 25, 79 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN (SHERIDAN TOWNSHIP) FROM "C-2" COMMERCIAL LIGHT INDUSTRIAL TO "M" HEAVY MANUFACTURING DISTRICT IN UNINCORPORATED SCOTT COUNTY WITH THE CONDITION THAT PARTS SALVAGE AND VEHICLE DISMANTLING BE CONDUCTED ONLY WITHIN THE ENCLOSED BUILDING AND ALL OUTDOOR STORAGE BE SCREENED WITH A SOLID FENCE A MINIMUM OF TEN (10) FEET IN HEIGHT

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY
IOWA:

Section 1. In accordance with Section 6-31 Scott County Code, the following described unit of real estate is hereby rezoned from a "C-2" Commercial Light Industrial zoning district to "M" Heavy Manufacturing Zoning District with the condition that parts salvage and vehicle dismantling be conducted only within the enclosed building and all outdoor storage be screened with a solid fence a minimum of ten (10) feet in height to wit:

Lot 6 of North Brady Industrial Park, 79N, Range 3E, Section 25, Sheridan Township

Section 2. The County Auditor is directed to record this ordinance in the County Recorder's Office.

Section 3. Severability Clause. If any of the provisions of this Ordinance are for any reason illegal or void, then the lawful provisions of the Ordinance, which are separate from said unlawful provisions shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

Section 4. Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

Section 5. Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Approved this day of , 2012

Tom Sunderbruch, Chairman
Scott County Board of Supervisors

Roxanna Moritz, Scott County Auditor