

PLANNING & DEVELOPMENT

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Timothy Huey
Director

To: Dee F. Bruemmer, County Administrator

From: Brian McDonough, Planning & Development Specialist

Date: January 21, 2014

Re: Presentation of the Planning and Zoning Commission's recommendation regarding the Final Plat of Buena Vista Addition, a minor subdivision plat located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8 in Pleasant Valley Township, Lot 1 and Part of Lot 2 of Sheppard's Addition.

At their January 7, 2014 meeting, the Scott County Planning and Zoning Commission voted unanimously (6-0) to recommend approval of the Final Plat of Buena Vista Addition in accordance with staff's recommendation and conditions of approval. The applicant, Craig Windmiller, was the only member of the public present at the meeting, and did not address the Commission.

Staff recommended approval of the Final Plat due to its compliance with the Scott County Zoning Ordinance and Subdivision Ordinance. Staff recommended approval subject to the condition that the City of Bettendorf approve and sign the Final Plat prior to approval by the Board of Supervisors. The staff report also contained a second condition stating that a private covenant be created and recorded addressing the maintenance of the shared access driveway. A copy of this covenant was provided to staff immediately prior to the beginning of the Planning Commission meeting on January 7th, and therefore the Commission waived this condition.

Approval of this Final Plat allows for the finished construction of two (2) attached single-family dwelling units. The sketch plan for this development was unanimously approved by the Planning Commission last May. Several surrounding property owners attended the May meeting and spoke in opposition to the request. Sketch plan and final plat approval occurred separately for surveying purposes. Approval of this request allows each dwelling unit to be located on a separate lot, for transfer of ownership purposes.



PLANNING & ZONING COMMISSION
STAFF REPORT
January 7, 2014



- Applicant:** Windmill Design and Development
- Request:** Final Plat Review – Minor Subdivision (Buena Vista Addition)
- Legal Description:** Pt NW¼ SW¼ of Section 8, Pleasant Valley Township, Lot 1 and Part of Lot 2 of Sheppard’s Addition. Final Plat approval will create new Lots 1 and 2 of Buena Vista Addition.
- General Location:** 25200 and 25250 Valley Drive
- Existing 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)
 - West:** Single-Family Residential (R-1)

GENERAL COMMENTS: This is a request for recommendation on Final Plat approval of a minor subdivision. Approval would allow two (2) zero lot line attached single-family dwellings to be located on separate lots. The Sketch Plan for this proposed subdivision was reviewed and recommended for approval by the Commission this past May with the following conditions:

1. The City of Bettendorf also review and approve the Final Plat prior to Final Plat approval by the Board of Supervisors;
2. The private covenants include provision for maintenance of the shared access driveway;
3. The Health Department review and approve the well and onsite waste water treatment system for the dwellings;
4. The County Engineer review and approve all drainage and erosion control plans prior to construction;
5. All required platting documents be submitted prior to Final Plat approval by the Board of Supervisors.

The property is a 1.87 acre parcel, including road right-of-way, and is being subdivided into two (2) lots to allow for separate ownership of each attached single-family dwelling unit. The new Lot 1 will contain approximately 0.85 acres, and the new Lot 2 approximately 0.83 acres, excluding road right-of-way. The Sketch Plan and Final Plat approval were submitted separately for surveying purposes. Construction began after Sketch Plan approval, and property pins have been set based upon the newly constructed common wall between the two units.



PLANNING & ZONING COMMISSION
STAFF REPORT
January 7, 2014



STAFF REVIEW: Staff has reviewed the Final Plat for compliance with the subdivision and zoning ordinances. The subdivision regulations allow a plat to be reviewed as minor if it creates less than five (5) lots and does not involve the extension of any new streets. This plat would comply with those requirements, since both proposed lots have frontage and access onto an existing street. All lot size requirements and setback distances have been met. The Final Plat is identical to the previously approved Sketch Plan in terms of measurements and dimensions. The Final Plat correctly shows the Valley Drive right-of-way adjacent to the property as well as a fifteen (15) foot utility easement and signature blocks for utility companies approval.

Under the International Residential Code, each of the proposed dwelling units is considered a separate building because they are each attached to the ground and have a minimum of two sides open to the outside. The units will meet fire separation requirements, in this case amounting to each building having a one-hour fire rated wall on the side where the buildings meet, with a one-inch air gap between the two walls. It is staff's determination that this proposal is a permitted use in the R-1 zoning district because the units are considered separate, single-family dwellings. The zoning ordinance does not require that single-family dwellings be detached in an R-1 zoning district. Furthermore, the Ordinance does not require that each dwelling unit in an R-1 district be located on a separate lot, but only that the maximum allowed density not be exceeded (either one dwelling unit per 0.69 acres or three dwelling units per acre, via special site plan). In this case, both dwellings would be allowed on the same 1.87 acre parcel, but separate lots will allow for individual transfer of ownership.

Each unit has obtained a separate building permit, and passed rough-in inspections, with a final inspection and certificate of occupancy to following in the coming months. Each unit has an attached three-car garage, with one being a side-loaded garage. Both units will be served by a shared, looped driveway connecting to Valley Drive. The original site plan indicated two turnaround areas which will prevent cars from having to back out onto Valley Drive. Each unit is single-story with a walkout lower level.

Both the Scott County Health Department and the Scott County Engineer were notified for review and comment on the Sketch Plan last May. Since then the Health Department has approved the installation of separate sand filter wastewater treatment systems for each unit.

Verbeke-Meyer Engineering and Surveying has obtained the signatures of all utility companies on the plat, and is awaiting Final Plat approval from the Bettendorf City Council at their January 7, 2014 meeting before obtaining the City's signature on the plat. At that point, the Final Plat will be delivered to Scott County for final signature and recording. Copies of all platting documents have been received.



PLANNING & ZONING COMMISSION
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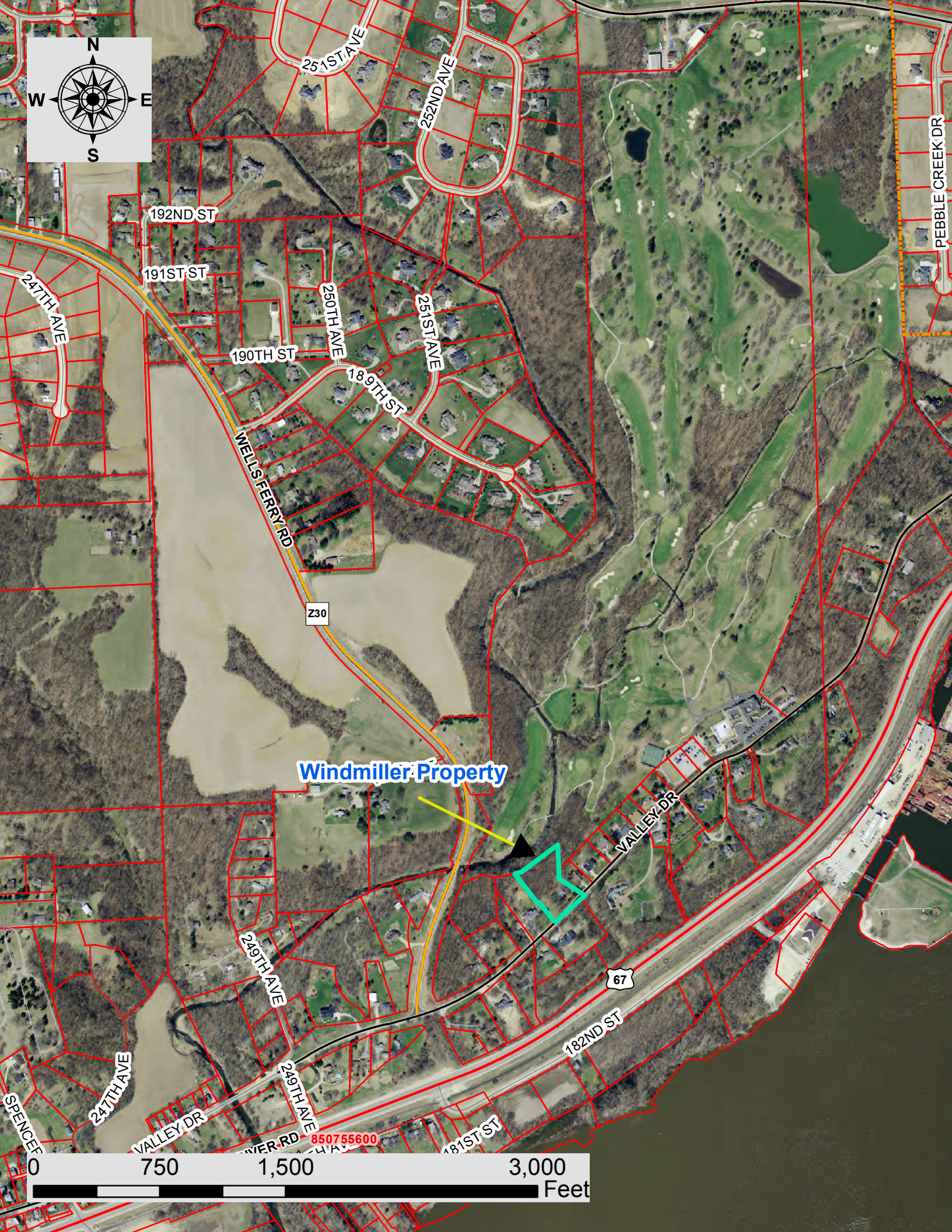
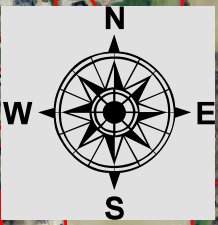


Staff notified neighboring property owners within five hundred feet (500') of the Sketch Plan request back in May. At that meeting, (May 7, 2013) several property owners voiced their concerns and staff received letters objecting to the request.

RECOMMENDATION: Staff recommends that the Final Plat of Buena Vista Addition be approved with the following two (2) conditions:

1. The City of Bettendorf approve and sign the Final Plat prior to approval by the Board of Supervisors; and
2. A private covenant shall be created and recorded addressing the maintenance of the shared access driveway.

Submitted by:
Brian McDonough
December 31, 2013



Windmill Property

Z30

67

850755600

0 750 1,500 3,000 Feet

192ND ST

191ST ST

190TH ST

189TH ST

251ST AVE

252ND AVE

251ST AVE

24TH AVE

WELLS FERRY RD

249TH AVE

249TH AVE

247TH AVE

VALLEY DR

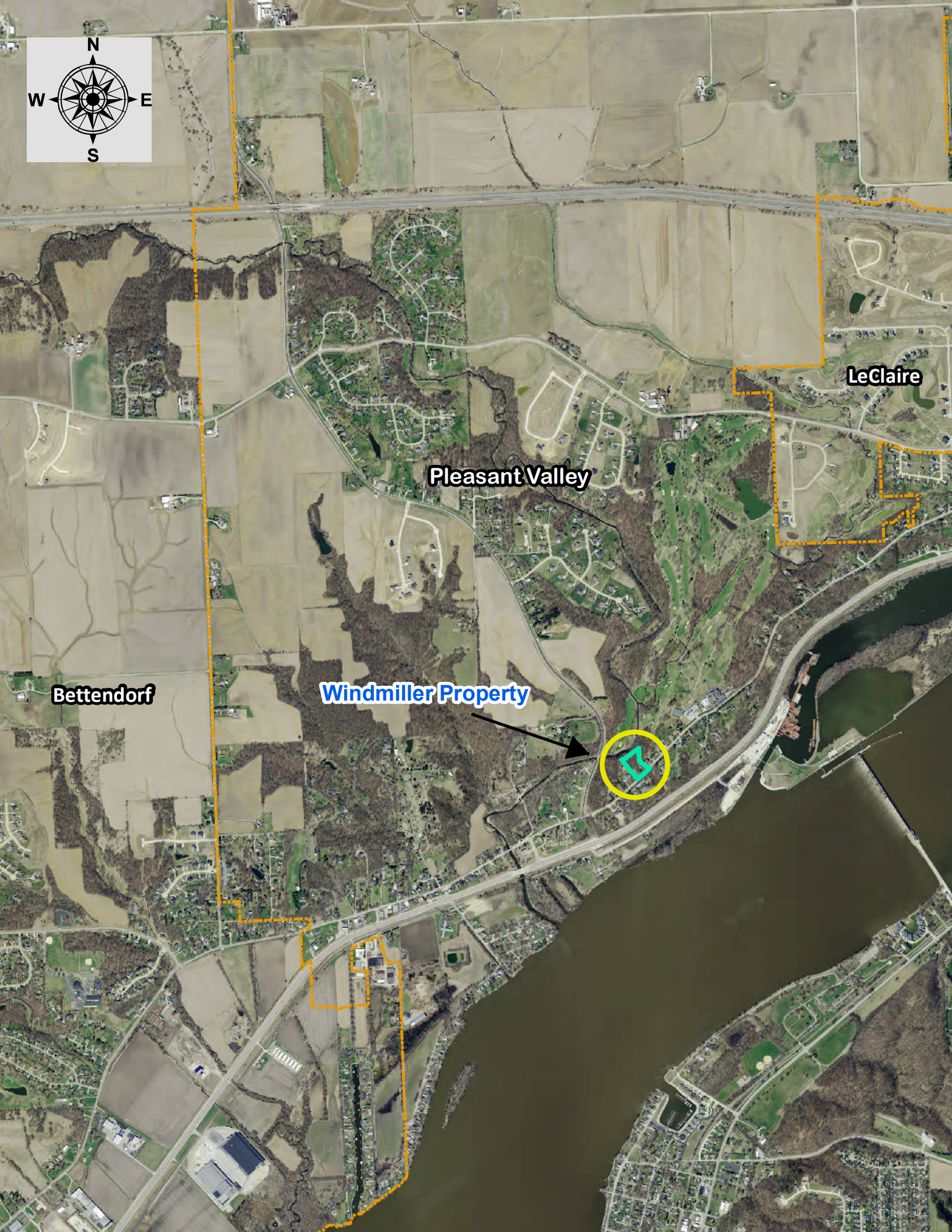
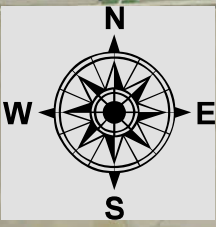
RIVER RD

181ST ST

182ND ST

VALLEY DR

PEBBLE CREEK DR



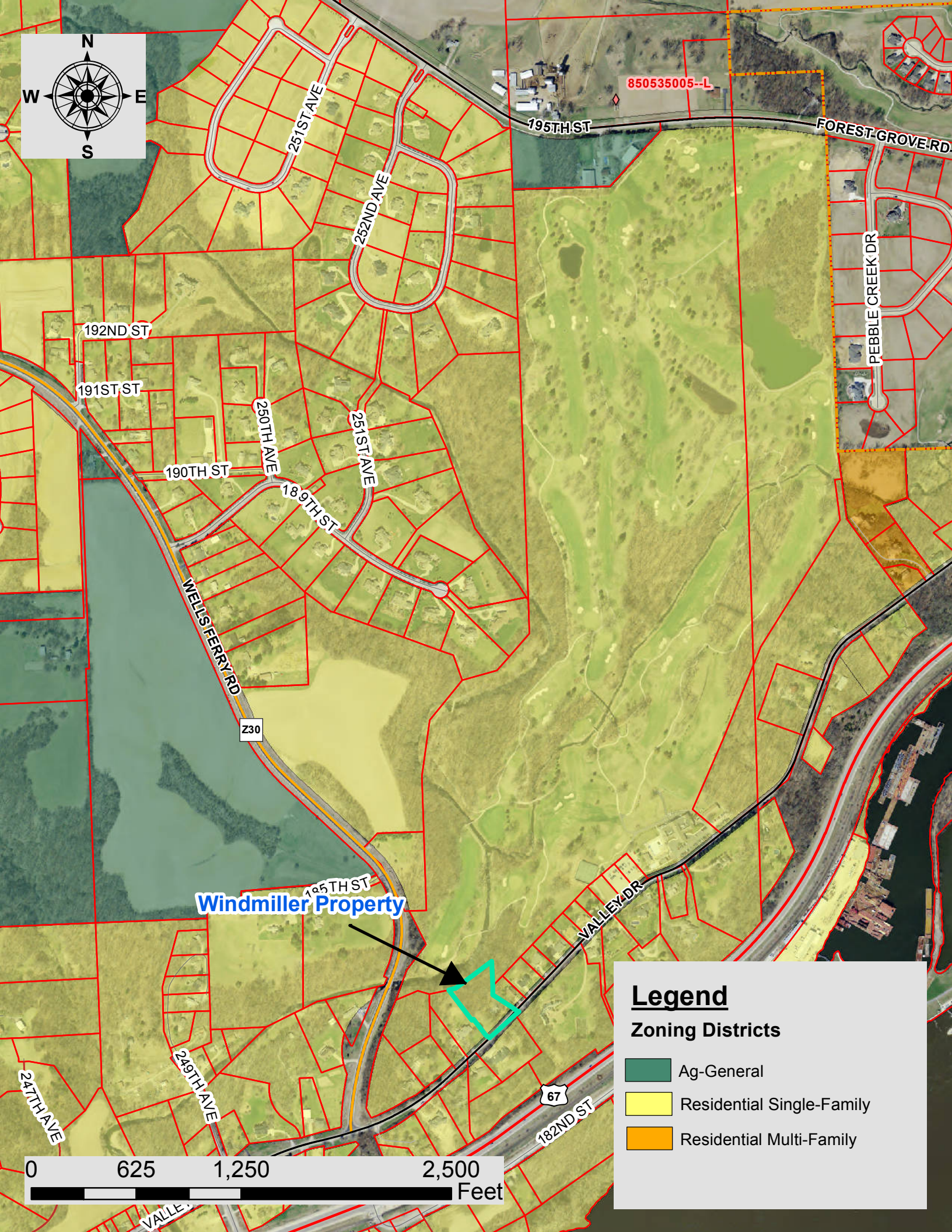
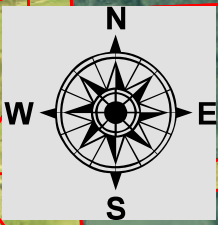
LeClaire

Pleasant Valley

Bettendorf

Windmill Property








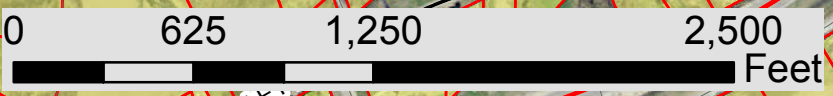
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Windmill Property

Legend

Zoning Districts

-  Ag-General
-  Residential Single-Family
-  Residential Multi-Family



CERTIFICATE OF APPROVAL BY SCOTT COUNTY

I, Larry Minard, Chairman of the Scott County Board of Supervisors, do hereby certify that said Board adopted a Resolution on January 30, 2014 in which it approved the Final Plat of **Buena Vista Addition** as follows:

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 30th day of January, 2014, considered the final plat known as **Buena Vista Addition**. Said plat is a subdivision being part of the west half of fractional Section 8 in Township 78 North, Range 5 East of the 5th Principal Meridian (Pleasant Valley Township), and being a replat of part of Lots 1 & 2 of W.J. Sheppard's Subdivision, Scott County, Iowa. The Scott County Board of Supervisors, having found said plat to be in substantial compliance with the provisions of Chapter 354, Code of Iowa and the Scott County Subdivision Ordinance, does hereby approve the final plat **Buena Vista Addition**.

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.

Signed this 30th day of January, 2014

SCOTT COUNTY, IOWA

BY: _____
Larry Minard, Chairman

ATTESTED BY: _____
Roxanna Moritz, Auditor

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

SCOTT COUNTY AUDITOR

R E S O L U T I O N
SCOTT COUNTY BOARD OF SUPERVISORS
January 30, 2014

APPROVING FINAL PLAT OF BUENA VISTA 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 30th day of January 2014, considered the final plat known as **Buena Vista Addition**. Said plat is a subdivision being part of the west half of fractional Section 8 in Township 78 North, Range 5 East of the 5th Principal Meridian (Pleasant Valley Township), and being a replat of part of Lots 1 & 2 of W.J. Sheppard's Subdivision, Scott County, Iowa. The Scott County Board of Supervisors, having found said plat to be in substantial compliance with the provisions of Chapter 354, Code of Iowa and the Scott County Subdivision Ordinance, does hereby approve the final plat of **Buena Vista Addition**.

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.