

**PLANNING & DEVELOPMENT**

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Timothy Huey  
Director

To: Dee F. Bruemmer, County Administrator

From: Brian McDonough, Planning & Development Specialist

Date: January 20, 2015

**Re: Presentation of the Planning and Zoning Commission's recommendation regarding the Final Plat of Harvest Heights, a one (1) lot minor subdivision plat located in Part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 31, Cleona Township.**

At their January 6, 2015 meeting, the Scott County Planning and Zoning Commission recommended approval, by a 4-1 vote, of the combination Sketch Plan and Final Plat of Harvest Heights subdivision. The recommendation was in accordance with staff's recommendation, including the conditions that all platting documents be submitted and the City of Durant review and approve the Plat, all prior to consideration by the Board of Supervisors.

Approval of this Final Plat allows for the creation of an approximately 3 acre parcel out of an existing approximately 9 acre tract of land. The current owners have indicated that this new Lot 1 is being created in order to transfer ownership of the property. The prospective buyers intend to locate a new church on the site. The property is zoned Agricultural-General (A-G) which allows churches as a permitted use. The property is within  $\frac{1}{4}$  mile of the City of Durant, but is nearly  $\frac{3}{4}$  mile from City sewer and water infrastructure. The City has reviewed and approved the Plat, noting that the property is not within their current service area, or any future growth area for municipal services. As staff presented to the Commission, had this been a rezoning request staff's recommendation would likely have been different. Similarly, had this property been directly adjacent to City limits, staff would have required the applicants to approach the City regarding annexation prior to any consideration by the County. In this case, the property is not directly adjacent to the City, and it is currently zoned A-G, which allows the proposed future use of a church by right. The property is located on a flat, paved road with adequate site distances. Prior to the issuance of a building permit for any future development, the Planning Commission would be required to review and approve a site plan addressing site specific details including parking and circulation, building setbacks, and storm water drainage.

The applicants, Denis and Kerri Bland, were present at the meeting and spoke in favor of the request, along with their engineer. Don Holst, neighboring property owner, spoke against the request citing Ag preservation and drainage issues. Mr. Holst pointed out the approximate location of farm tiles on adjacent land that he farms. None of the tiles appeared to cross the proposed new lot.



PLANNING & ZONING COMMISSION

STAFF REPORT

January 6, 2014



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- Applicant:** IGW Trust, c/o Denis and Kerri Bland
- Request:** Minor Subdivision – Sketch Plan/Final Plat: Harvest Heights
- Legal Description:** Part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 31, Cleona Township
- General Location:** Approximately  $\frac{1}{4}$  mile east of the City of Durant on the north side of 200<sup>th</sup> Street / Hwy 927
- Existing Zoning:** Agricultural-General (A-G)
- Surrounding Zoning:**
- North:** Agricultural-General (A-G)
  - South:** 200<sup>th</sup> Street / Muscatine County
  - East:** Agricultural-Preservation (A-P)
  - West:** Agricultural-General (A-G) / City of Durant

**GENERAL COMMENTS:** This request is for a one (1) lot subdivision, creating a new 3 acre parcel, more or less, out of an existing approximately 9 acre parcel of land. The applicant has indicated that this split serves to create an appropriately sized and separately transferrable tract of land for the future location of a church. The property is zoned Agricultural-General (A-G) which allows churches as a principal permitted use. If this Minor Plat is approved, the applicant or any future owner would be required to submit a site plan for review and approval by the Planning Commission prior to the establishment of any new use or the issuance of any building permit(s). This proposal requires subdivision review and approval because this split constitutes the repeated creation of three (3) or more lots out of this original aliquot part of land, being the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 31 in Cleona Township. Previous splits out of this same aliquot part do not allow for this request to be reviewed administratively as a plat of survey.

**STAFF REVIEW:** Staff has reviewed the plat for compliance with the requirements of *Chapter 9: Subdivision Ordinance* and *Chapter 6: Zoning Ordinance* of Scott County Code. This subdivision is classified as a minor plat because it creates less than five (5) lots and does not involve the extension of any new streets or other public services. For minor subdivision plats an applicant may combine the sketch plan and final plat phases into a single step for the Planning and Zoning Commission's review and recommendation, which has been done in this case.

Proposed Lot 1 meets all of the lot size requirements for an A-G district, including the required minimum overall size, frontage, width, and depth. Lot 1 also meets all pertinent lot sizing and dimension requirements contained in the Subdivision Ordinance. This property could be used for any of the principal permitted uses listed in the A-G zoning district regulations, including farms, farming and farmhouses, parks, churches, schools, cemeteries, charitable institutions, and



PLANNING & ZONING COMMISSION

STAFF REPORT

January 6, 2014



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municipal buildings/facilities. New single-family houses are not a permitted use in A-G. As stated previously, the applicant has indicated that the future use will be a church.

Staff has notified neighboring property owners within 500 feet of this request, and has received one phone call with questions. The County Engineer was notified of the request and had no comments. The County Health Department was also notified, and commented that every effort should be made for any future use to connect to Durant's municipal sewer and water systems if available. The site is located less than ¼ mile east of the corporate limits of the City of Durant. However, the City's water and sewer infrastructure is only extended to existing developed areas, and such infrastructure is nearly ¾ of a mile west of proposed Lot 1. The cost to extend these services to the site is likely cost prohibitive for development at this time. Any development in the near future requiring water provision and wastewater treatment would need to provide these facilities on-site, and do so in accordance with the requirements of the Scott County Health Department.

This Plat has also been sent to the City of Durant for their review, since it is within their two-mile extraterritorial review jurisdiction for platting. Prior to any consideration of this request by the Board of Supervisors, the City of Durant must take official action to approve the Plat.

**RECOMMENDATION:**

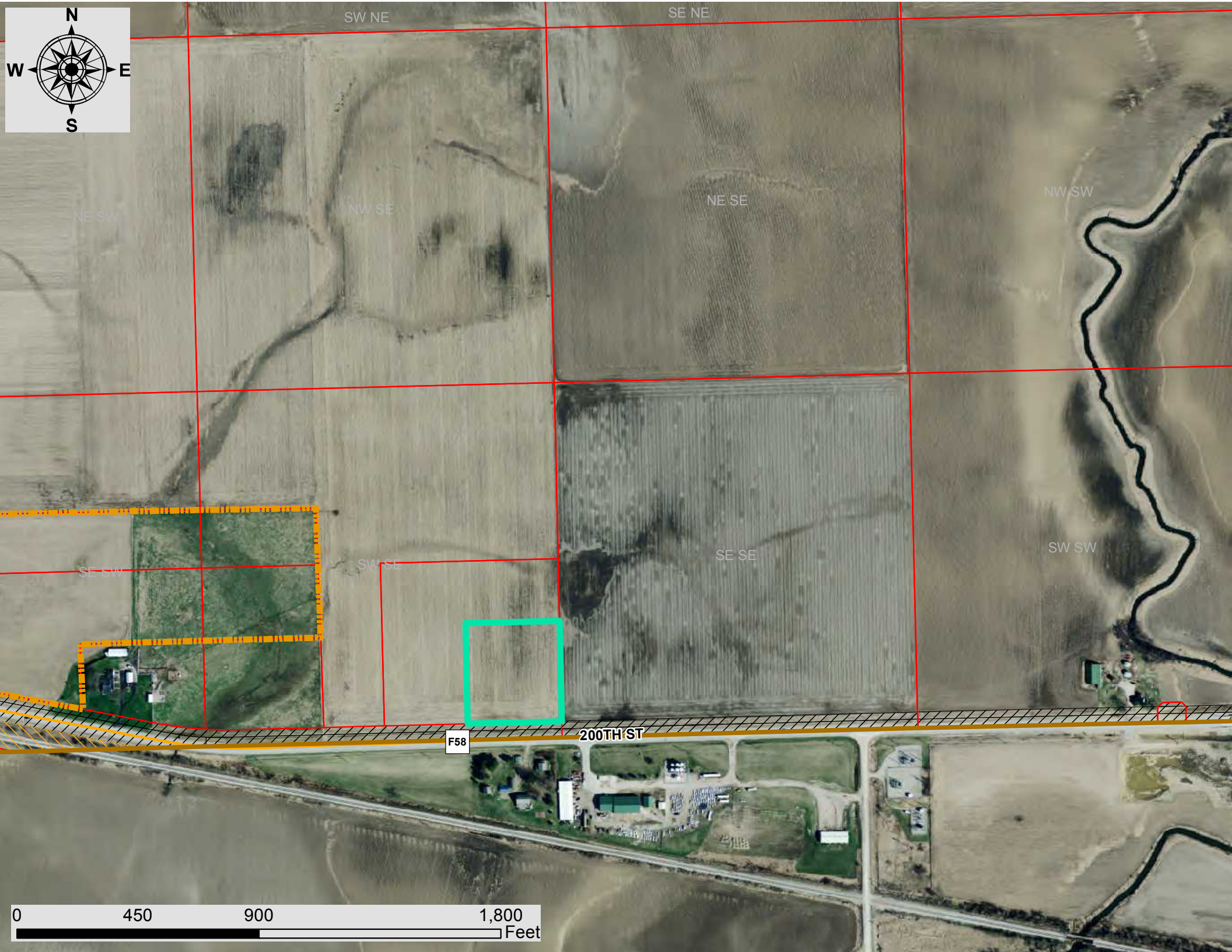
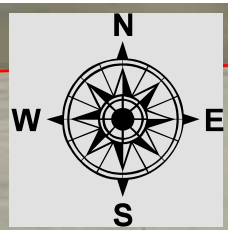
Staff recommends approval of this request due to its conformity with the Scott County Zoning and Subdivision Ordinances.

Approval is subject to the following conditions:

1. Signed copies of all required platting documents shall be submitted to the Planning & Development Department prior to this item being placed on the Board of Supervisors agenda for final approval.
2. The City of Durant shall review and approve the Final Plat prior to its consideration by the Board of Supervisors.

Submitted by:

Brian McDonough  
Planning & Development Specialist  
December 31, 2014



SW NE

SE NE

NE SW

NW SE

NE SE

NW SW

SE SW

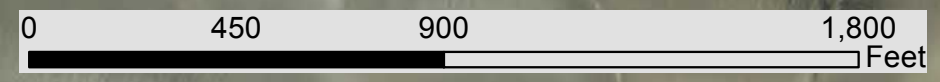
SW SE

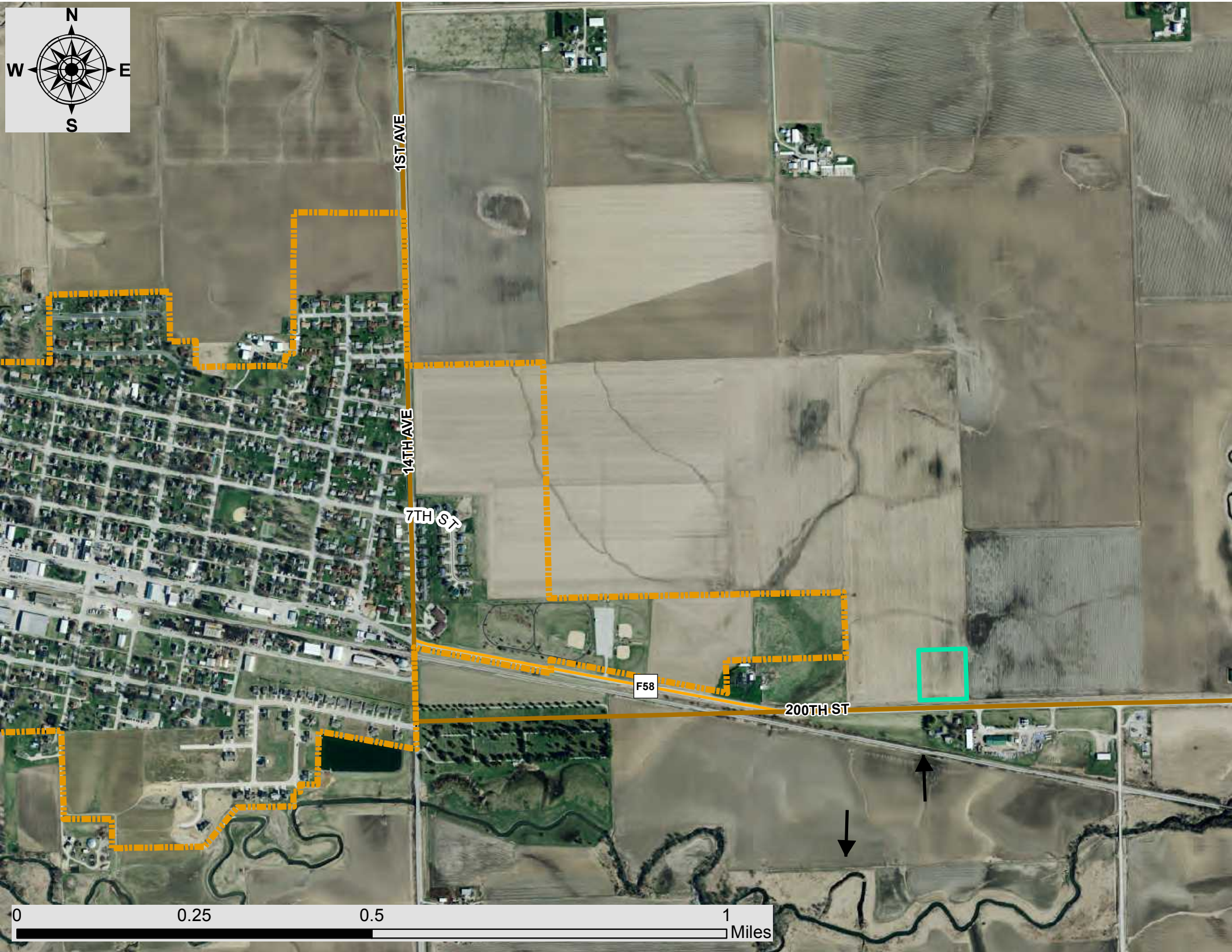
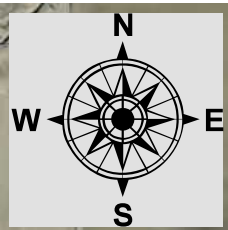
SE SE

SW SW

F58

200TH ST





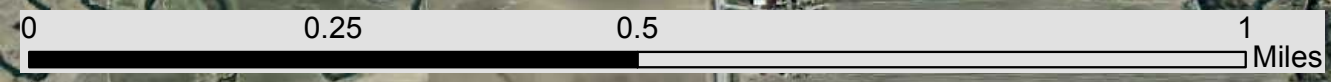
1ST AVE

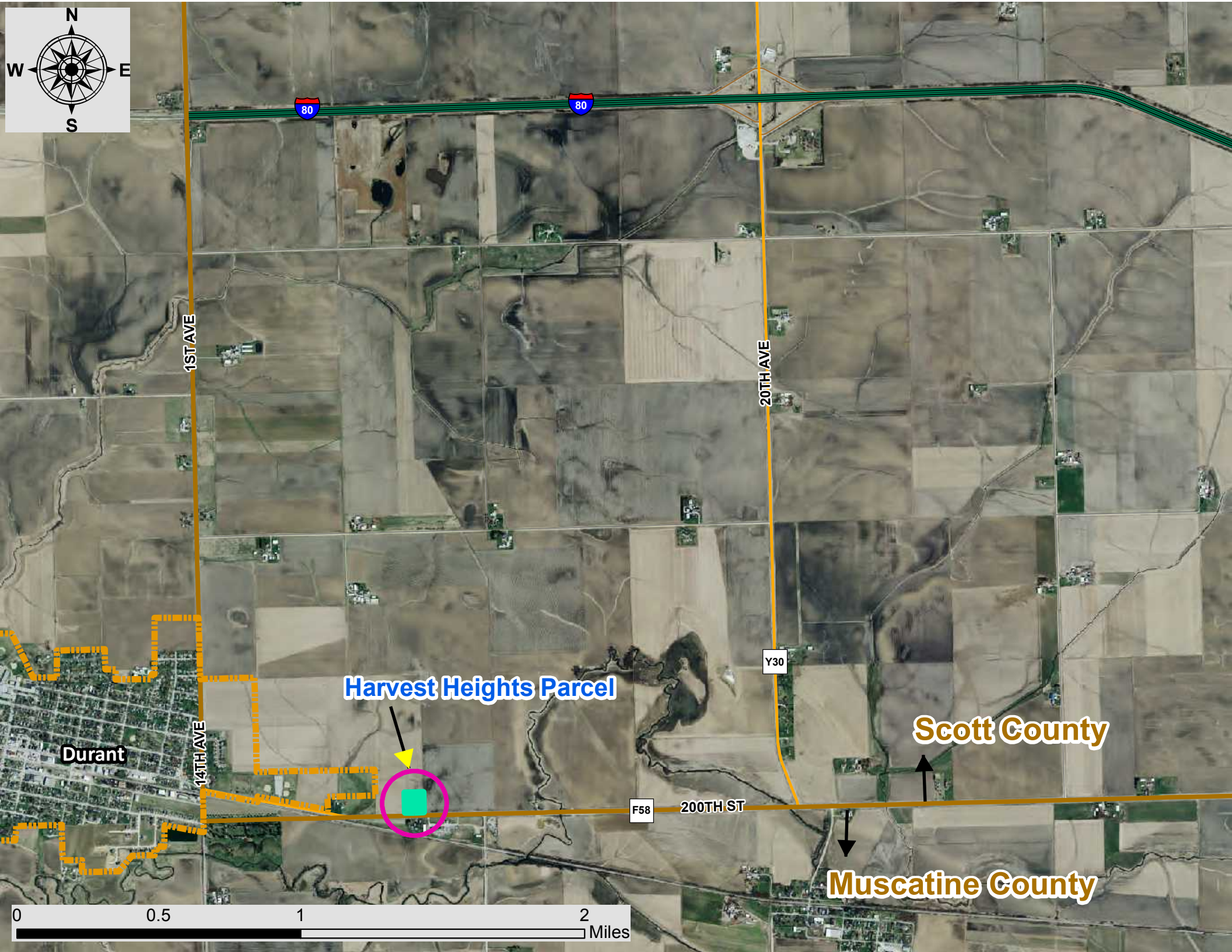
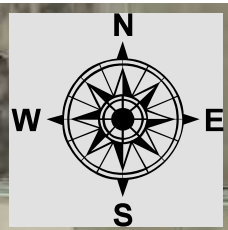
14TH AVE

7TH ST

F58

200TH ST





**Harvest Heights Parcel**

**Durant**

**Scott County**

**Muscatine County**

1ST AVE

14TH AVE

20TH AVE

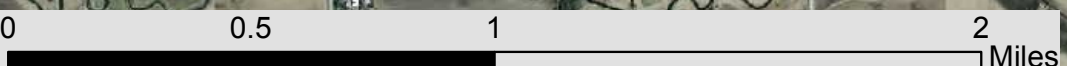
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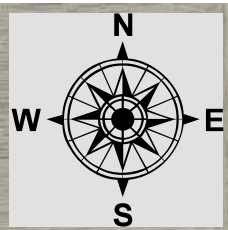
200TH ST

Y30

80

80







## Legend

-  Parcels
-  Harvest Heights Parcel
-  Incorporated City Limits

## Zoning Districts

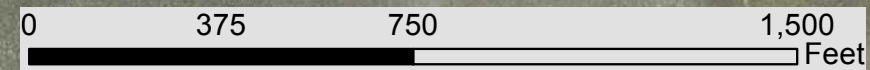
-  Ag-Preservation
-  Ag-General



440

F58

200TH ST



**CERTIFICATE OF APPROVAL BY SCOTT COUNTY**

I, Tom Sunderbruch, Chairman of the Scott County Board of Supervisors, do hereby certify that said Board adopted a Resolution on January 29, 2015 in which it approved the Final Plat of **Harvest Heights Subdivision** 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 29<sup>th</sup> day of January 2015, considered the Final Plat known as **Harvest Heights**. Said Plat is a subdivision being Part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 31 in Township 79 North, Range 1 East of the 5th Principal Meridian (Cleona Township), 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 and Zoning Ordinances, does hereby approve the Final Plat of **Harvest Heights**.

**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 29<sup>th</sup> day of January, 2015

SCOTT COUNTY, IOWA

BY: \_\_\_\_\_  
Tom Sunderbruch, 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

## RESOLUTION

### SCOTT COUNTY BOARD OF SUPERVISORS

January 29, 2015

#### APPROVING THE FINAL PLAT OF HARVEST HEIGHTS SUBDIVISION

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 29<sup>th</sup> day of January 2015, considered the Final Plat known as **Harvest Heights**. Said Plat is a subdivision being Part of the SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of Section 31 in Township 79 North, Range 1 East of the 5th Principal Meridian (Cleona Township), 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 and Zoning Ordinances, does hereby approve the Final Plat of **Harvest Heights**.
- 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.