



**Planning & Development
Scott County, Iowa**

Chris Mathias, Director

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Administrative Center
600 West Fourth Street
Davenport, Iowa 52801-1106

To: Mahesh Sharma, County Administrator

From: Christopher Mathias, Planning Director

Date: May 16, 2022

Re: Final Plat approval of a Minor Subdivision known as Faulhaber's Second Addition, a replat of Lot 1, Faulhaber's First Addition, part of the SW ¼ of fractional Section 14 and part of the SE ¼ of Section 15, in LeClaire Township (Parcel ID#: 951539101), located at 23347 277th Street.

This request is for approval of a Final Plat of a 2-lot minor subdivision of an approximately 14.58 acre tract, more or less. The proposed subdivision would consist of Lot 1, an 11.75 acre lot with an existing single-family home, and Lot 2, a 2.83 acre lot which would have a single family home in the future, if approved.

The main issue of concern with this subdivision was access. A second driveway to serve Lot 2 would not be allowed at this location, per Scott County Ordinances. The applicant has addressed this issue by requiring a shared driveway to be maintained and regulated with a recorded access easement agreement.

The Planning Commission has reviewed this Final Plat and determined it was in compliance with ordinance requirements and the conditions of the sketch plan approval. This property is in the platting jurisdiction of the City of Princeton and the City has also approved this plat.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommends approval of the Final Plat of Faulhaber's Second Addition. Vote: 7-0, All Ayes



PLANNING & ZONING COMMISSION

STAFF REPORT

April 1st, 2022



Applicant: Tom Faulhaber

Request: Final Plat of “Faulhaber’s Second Addition”

Legal Description: A replat of Lot 1, Faulhaber’s First Addition, part of the SW ¼ of fractional Section 14 and part of the SE ¼ of Section 15, in LeClaire Township (Parcel ID#: 951539101).

General Location: 23347 277th Street

Zoning: Single Family Residential (R-1)

Surrounding Zoning:

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

GENERAL COMMENTS: This request is for approval of a Final Plat of a 2-lot minor subdivision of an approximately 14.58-acre tract, more or less, at 23347 277th Street in LeClaire Township. The proposed subdivision would consist of Lot 1, an 11.75 acre lot with an existing single-family home, and Lot 2, a 2.83 acre lot which would have a single family home in the future, if approved.

STAFF REVIEW: Staff has reviewed this request for compliance with the requirements of the Subdivision Regulations and Zoning Ordinances for Final Plat approval. This subdivision is classified as a minor plat because it creates less than five (5) lots and would not involve the extension of any new streets or other public services.

Zoning, Land Use, and Lot Layout

The proposed Plat would subdivide the approximately 14.58-acre tract that is currently zoned R-1 into two (2) lots. There is already a single-family home on Lot 1. The applicant would like family to build a home close to their existing home. They are proposing to create Lot 2 for this purpose. Lot 2 would be a 2.83-acre lot and this subdivision would create a development right to construct a single-family home on said Lot 2.

Directly to the east of this property is Olathea Creek Vineyard and Winery, an ag-tourism use. The winery is accessed from Great River Road to the east. To the north of the subject property is untilled agricultural land. Adjacent to the south is a single family residence and tilled farmland. Across the street to the west we have a similar mix of a few single family residences and tilled ag-land.

Access and Roadway Improvements

Currently, the existing single-family home on the subject property has access off of 277th Avenue. The applicant plans for the proposed Lot 2 to share a driveway with Lot 1. Not only is it difficult with the topography to construct a second driveway, but it is also against County policy to have another driveway here. Scott County requires a 30 feet minimum difference between each driveway. In addition, a 6:1 slope is required on the sides of the driveways. The County only



PLANNING & ZONING COMMISSION

STAFF REPORT

April 1st, 2022



allows shared driveways with an approved access easement. The applicant has added an access easement to the plat to allow shared access and maintenance of the driveway which will serve both Lot 1 and Lot 2. Secondary Roads has reviewed this proposal and approves.

Stormwater Management

This proposal does not include any new roadways and is only a two lot subdivision, so staff would not see any need for a storm water management plan.

Erosion and Sediment Control Plan

Erosion Control Plans are typically submitted and reviewed by the County Engineer in conjunction with the road construction plans. Since this proposal does not include any new roadways, an Erosion Control Plan is not required.

Wastewater Disposal and Water Provision

This proposal was sent to the County Health Department for its review. The Health Department stated that there should be no issues as long as there is no extensive dirt work on the parcel.

City of Princeton Review

This property is within two miles of the Princeton city limits. Therefore, review and approval of the Final Plat by the City of Princeton is required. At this time, staff has notified the City of the Final Plat submittal but has not received formal approval/consent. The Plat will not be forwarded to the Board of Supervisors for its consideration until formal approval/consent is received.

Others Notified

The Subdivision Ordinance requires additional notification of the following County Departments and local entities: Assessor, Auditor, and District Soil Conservationist Staff. Those entities did not have any comments at this time. Staff also notified adjacent property owners within five hundred feet (500') of the public hearing before the Planning Commission.

RECOMMENDATION: Staff recommends that the Final Plat of Faulhaber's Second Addition be approved with the following conditions:

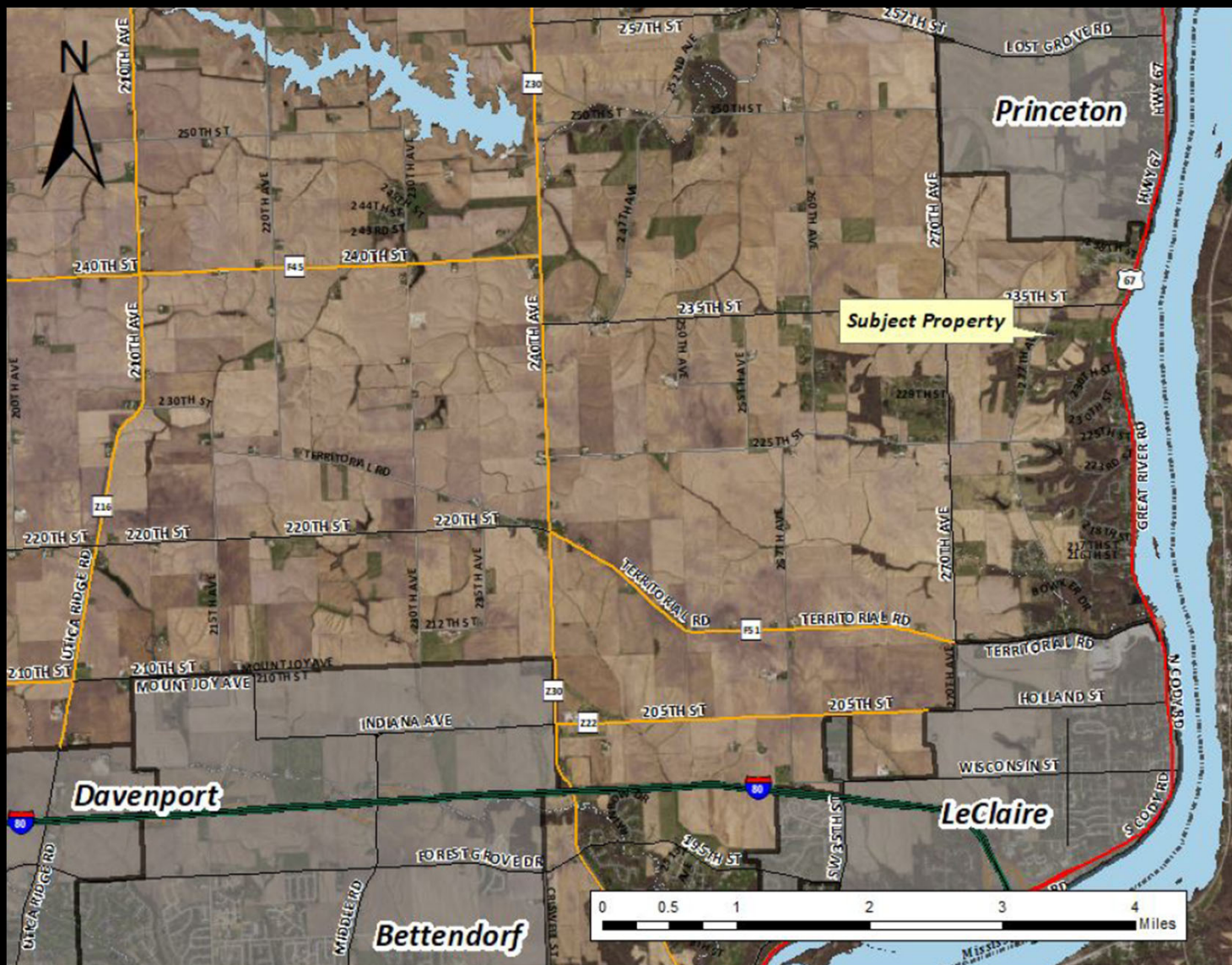
1. The City of Princeton approve the Final Plat before Board of Supervisors approval/denial.

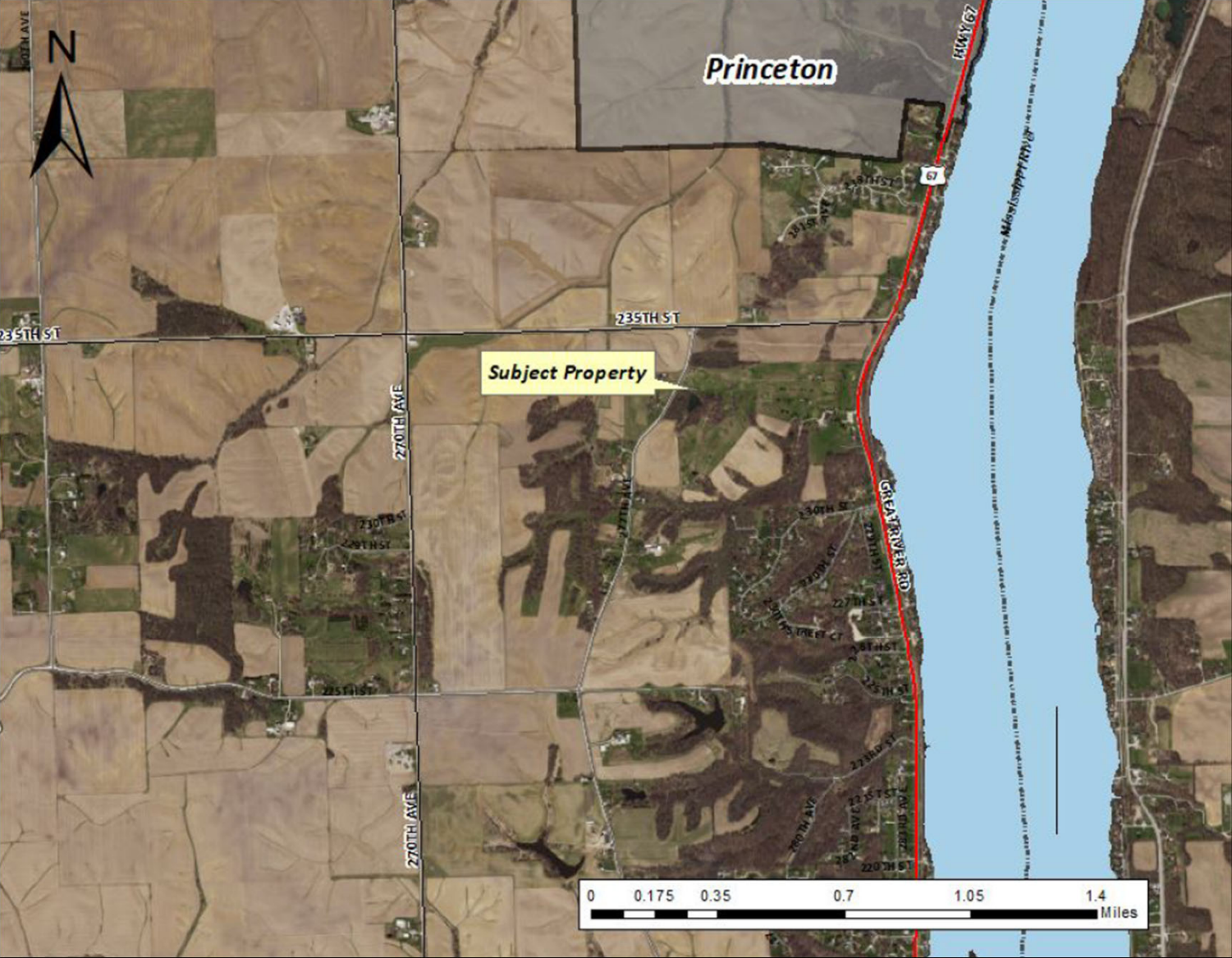
Submitted by:
Christopher Mathias, Director
April 1, 2022

Final Plat – Minor Subdivision

SUMMARY

- **Applicant:** Tom Faulhaber
- **Request:** Final Plat Approval “Faulhaber’s Second Addition”
- **Legal Description:** A replat of Lot 1, Faulhaber’s First Addition, part of the SW $\frac{1}{4}$ of fractional Section 14 and part of the SE $\frac{1}{4}$ of Section 15, in LeClaire Township
- **Size:** 14.583 acres (approximately)
- **Zoning:** Residential Single-Family (R-1)



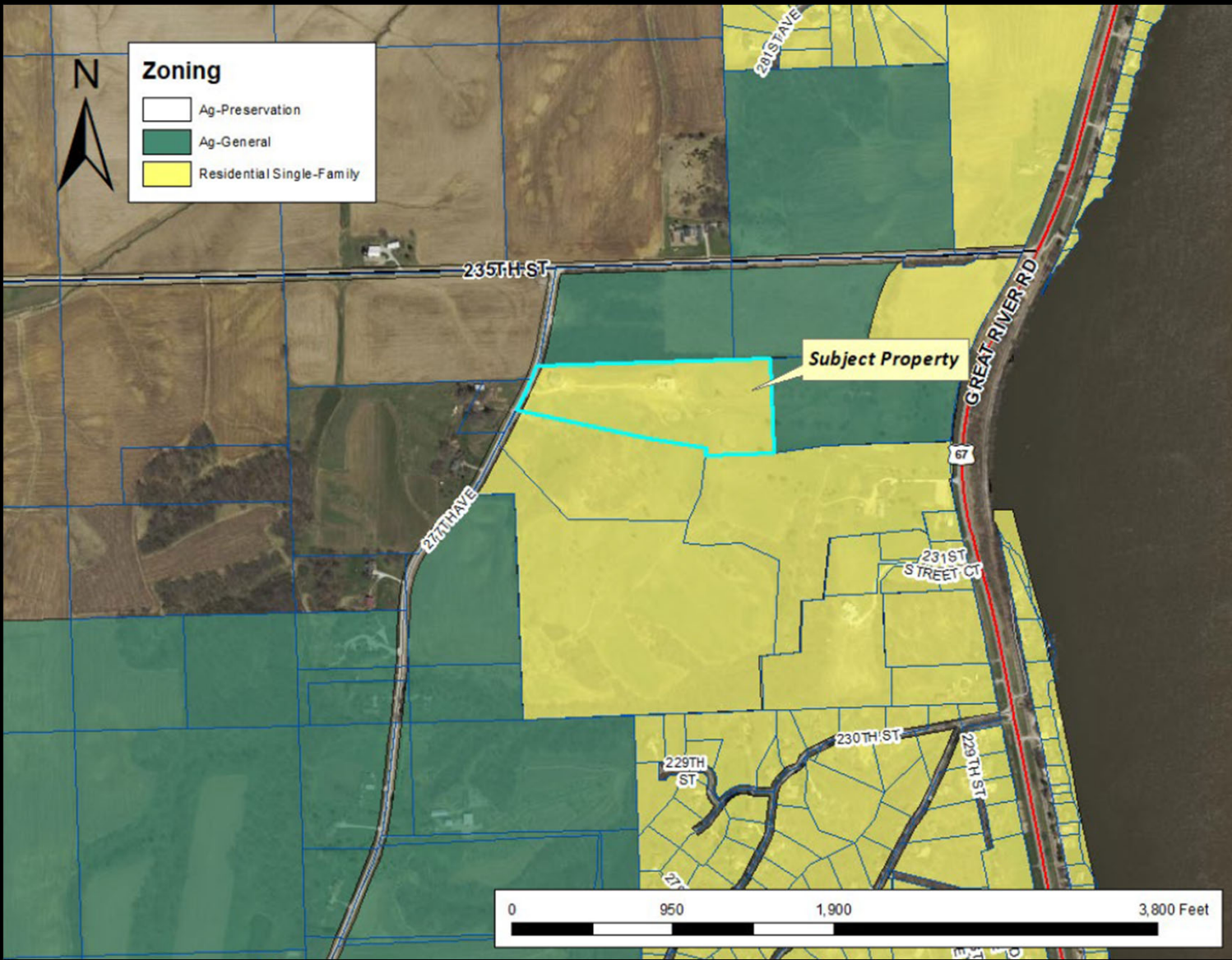


Princeton

Subject Property

Great River Rd

0 0.175 0.35 0.7 1.05 1.4 Miles





235TH ST

N

Subject Property

270TH AVE

0 295 590 1,180 Feet

235th Street, facing north-northwest



Subject property, facing east



Facing west, subject property behind camera





Lot 2 Faulhaber's First Addition, south of subject property

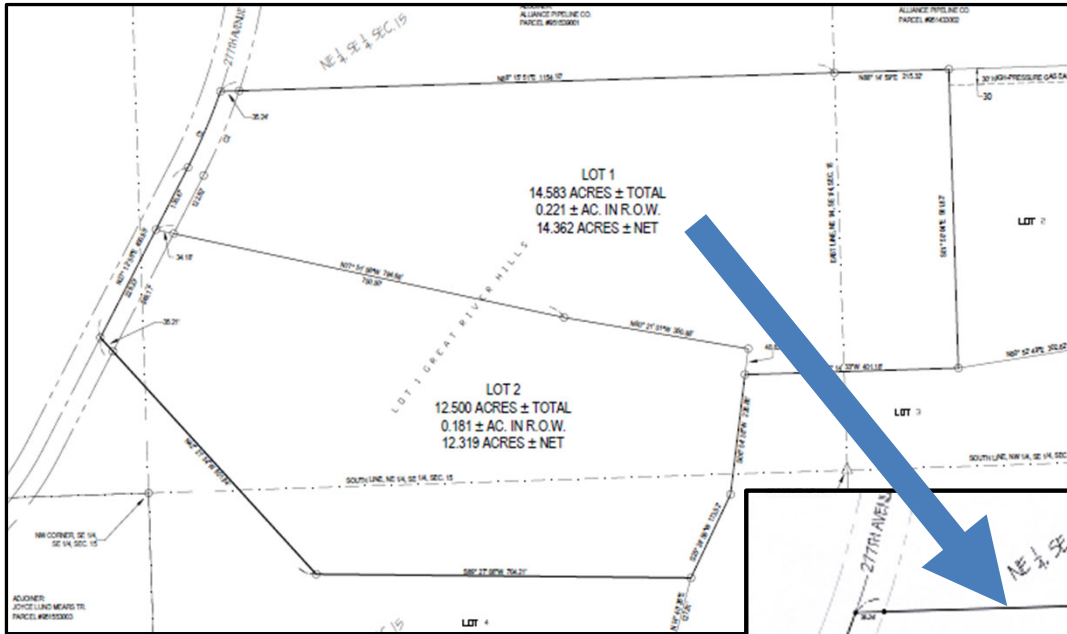
Olathea Creek Vineyard and Winery, east of subject property



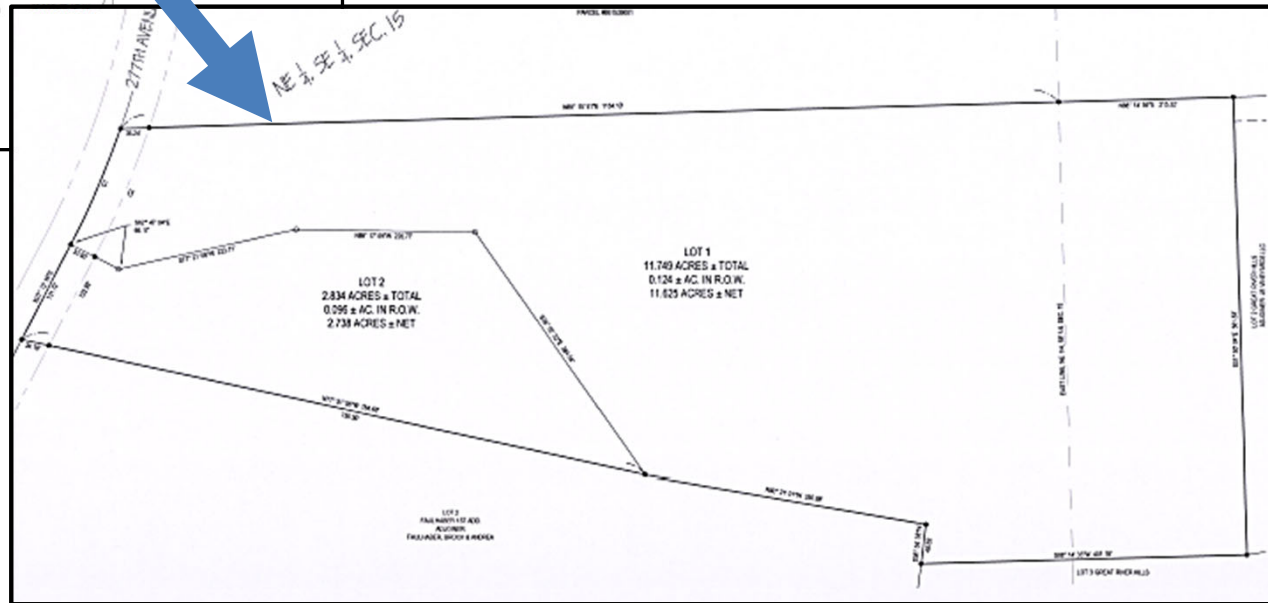
Alliance Pipeline Inc. property, north of subject property



Faulhaber's First Addition (2018)



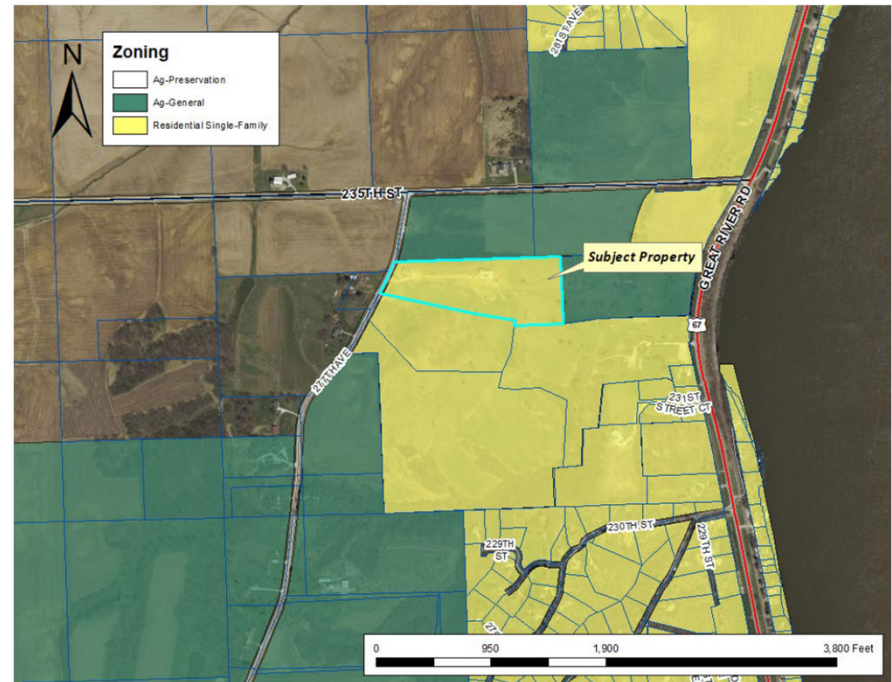
**Lot 1 Faulhaber's First
(14.583 acres) >
Lot 1 (11.749 acres)
Lot 2 (2.834 acres)**



Faulhaber's Second Addition (proposed)

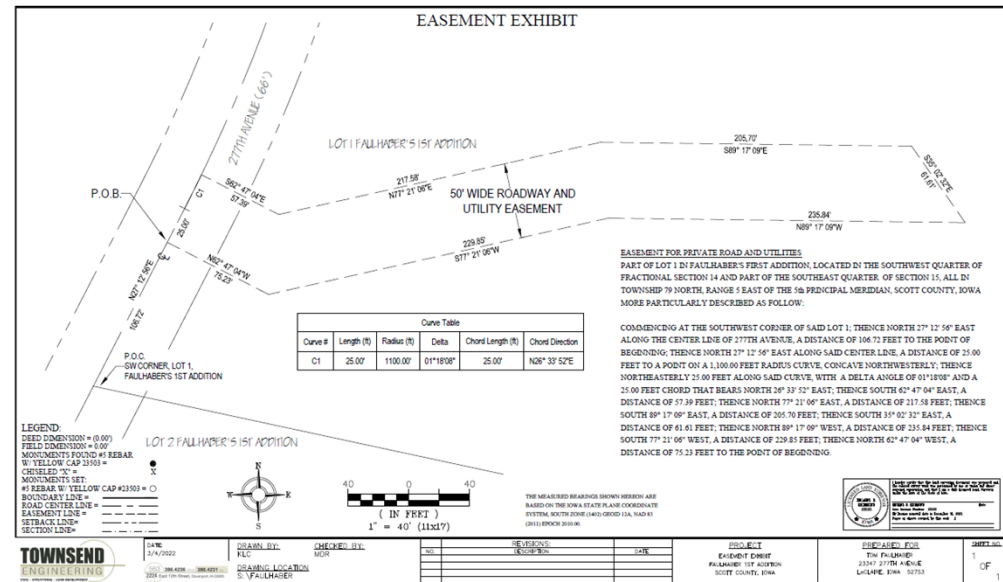
Zoning, Land Use, and Lot Layout

- Current Land Use: single-family dwelling (Lot 1)
- Proposed Land Use: single-family dwelling (Lot 2)
- Since tract is currently zoned R-1, Lot 2 would have a development right for dwelling without rezoning
- Surrounded by agriculture, low-density residential, and winery



Access and Roadway Improvements

- Against County policy to install another driveway for Lot 2
 - County requires 30 feet minimum distance between each driveway
 - County requires 6:1 slope on sides of driveway
 - County allows shared driveway with approved access easement, Secondary Roads has approved proposed easement

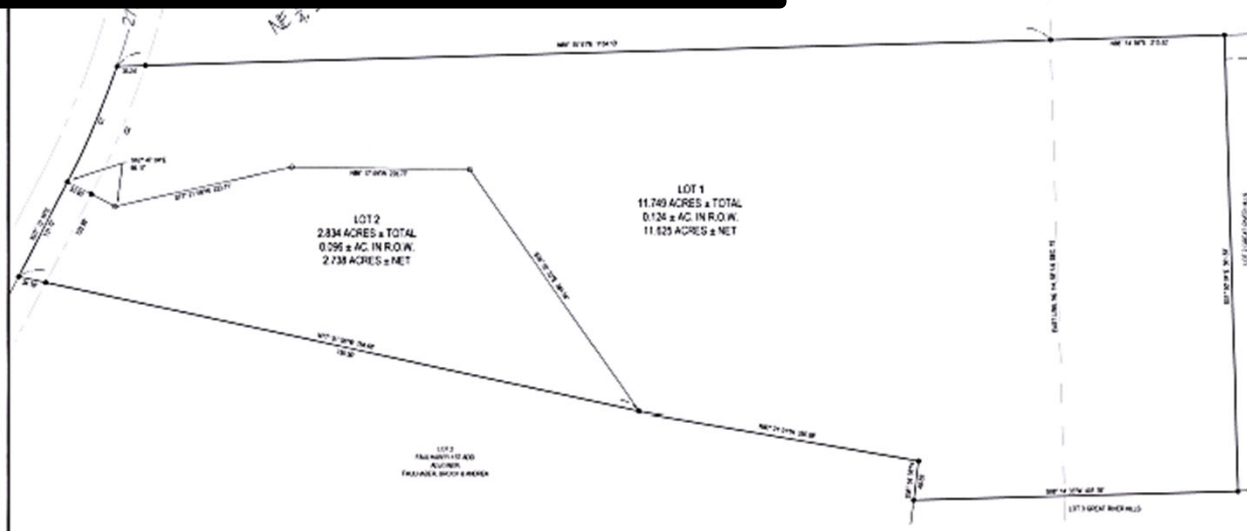


Public Hearing

FINAL PLAT OF:

FAULHABER'S SECOND ADDITION

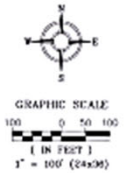
BEING A REPLAT OF LOT 1, FAULHABER'S FIRST ADDITION, PART OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 14 AND PART OF THE SOUTHEAST QUARTER OF SECTION 15, ALL IN TOWNSHIP 79 NORTH, RANGE 5 EAST OF THE 5th PRINCIPAL MERIDIAN, SCOTT COUNTY, IOWA.



NOTES:
 SUBDIVISION ACREAGE: 14.5834 ACRES ± / 432.0000 S.F.
 MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
 ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHTS-OF-WAY.
 COMPARE THE DESCRIPTION OF THIS PLAT WITH THE SCEDS ABSTRACT OR CERTIFICATE OF TITLE. ALSO COMPARE ALL POINTS BEFORE BUILDING BY OWNER, AND AT ONCE REPORT ANY DIFFERENCES.
 THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.
 ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE COUNTY OF SCOTT STANDARD SPECIFICATIONS.
 SEWER AND UNDERGROUND FACILITIES GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE TV SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.
 THE SUBJECT PROPERTY IS ZONED R-1 SINGLE FAMILY RESIDENTIAL. ZONING REQUIREMENTS AND BASED ON ZONING REQUIREMENTS AS OF THE DATE OF COUNTY BOARD RESOLUTION. IN CASE OF CONFLICT BETWEEN LINES SHOWN AND FUTURE ZONING REQUIREMENTS THE ZONING REQUIREMENTS SHALL GOVERN.
 THE SUBDIVISION LIES WITHIN ZONE 14C (AREA NOT PRONE TO FLOODING) AS SHOWN ON FEMA FIRM PANEL #19103C0283E, EFFECTIVE MARCH 23, 2021.
 SEWER TREATMENT TO BE PROVIDED BY PRIVATE SEWER SYSTEMS.
 UTILITY EASEMENTS SHALL ACCOMMODATE GAS, ELECTRIC, WATER AND COMMUNICATION LINES AS REQUIRED.
 PLAT OWNER'S FUTURE REQUIREMENTS FOR NEW A SUBDIVISION WILL DEVELOP HOMEOWNERS. THE COUNTY RESOLVES THE RIGHT IN ITS SOLE DISCRETION TO WITH OR WITHOUT ANY PLAT NOTE, TO TO SELL OR ACQUIRE ANY PORT OF ANY COUNTY EASEMENT LOCATED WITHIN THE PLAT. FURTHER THE CITY RESOLVES THE RIGHT UPON REQUEST OF THE OWNER TO RELOCATE ANY EASEMENT, ALTER LOT BOUNDARIES OR ALLOW GROUND TO BE REPLATED.

SCOTT COUNTY PLANNING AND DEVELOPMENT		MIDAMERICAN ENERGY	
BY	DATE	BY	DATE
MICHAEL D. RICHMOND			
SCOTT COUNTY, IOWA BOARD		MIDAMERICAN	
BY	DATE	BY	DATE
ATTEST		APPROVED BY	
DATE		DATE	

Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C1	155.67	1100.00'	08° 06' 17"	155.47'	N23° 00' 48"E
C2	172.81'	1133.00'	08° 44' 19"	172.64'	N22° 50' 47"E



THE MEASURED BEARINGS SHOWN HEREON ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (1402) GEOID 12A, NAD 83 (2011) EPOCH 2010.00.

LEGEND:
 DEED DIMENSION = (0.00')
 FIELD DIMENSION = 0.00'
 MONUMENTS FOUND #5 REBAR
 W/ YELLOW CAP #23503 =
 CHISELED "X" =
 MONUMENTS SET:
 #5 REBAR W/ YELLOW CAP #23503 =
 BOUNDARY LINE =
 ROAD CENTER LINE =
 EASEMENT LINE =
 SE TRACK LINE =
 SECTION LINE =

- Owner:
Tom & Brenda Faulhaber
23347 277th Avenue
LeClaire, Iowa 52753
- Engineer:
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
- Surveyor:
Michael D. Richmond
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
- Attorney:
Michael L. Gorsline
5119 Utica Ridge Road
Davenport, Iowa 52807
Ph: (563) 324-0441

	DATE: 04/17/2024	DRAWN BY: KLC	CHECKED BY: MDR	NO. 1	REVISIONS:	DATE	PROJECT: FINAL PLAT FAULHABER'S SECOND ADDITION SCOTT COUNTY, IOWA	DEVELOPER: TOM FAULHABER 23347 277TH AVENUE LECLAIRE, IOWA 52753	SHEET NO.: 1 OF 1
	 2224 East 12th Street, Davenport, IA 52803 WWW.TOWNSEND-ENG.COM	DRAWING LOCATION: FAULHABER'S FAULHABER 2ND							

An aerial photograph of a rural property. A cyan outline highlights a large, irregularly shaped parcel of land. Inside this parcel, there are several buildings, including a large white house and a smaller grey building. The surrounding area consists of green fields, some trees, and a road on the left side. A north arrow is visible in the top left corner. A callout box with a yellow background and black text points to the cyan-outlined area.

Staff Recommendation

Subject Property

Approve, with condition:

1. The City of Princeton approve the Final Plat before Board of Supervisors action to approve or deny

CERTIFICATE OF APPROVAL BY SCOTT COUNTY

I, Ken Beck, Chair of the Scott County Board of Supervisors, do hereby certify that said Board adopted a Resolution on May 26, 2022 in which it approved the Final Plat of **FAULHABER'S 2ND 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 26th day of May, 2022 considered the final plat of **FAULHABER'S 2ND ADDITION**, a 2-lot subdivision, a replat of Lot 1, Faulhaber's First Addition, part of the SW ¼ of fractional Section 14 and part of the SE ¼ of Section 15, in 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.

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 26th day of May, 2022

SCOTT COUNTY, IOWA

BY: _____
Ken Beck, Chair

ATTESTED BY: _____
Kerri Tompkins, 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
May 26, 2022
APPROVING THE FINAL PLAT OF FAULHABER'S 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 26th day of May 2022 considered the final plat of **FAULHABER'S 2ND ADDITION**, a 2-lot subdivision, a replat of Lot 1, Faulhaber's First Addition, part of the SW ¼ of fractional Section 14 and part of the SE ¼ of Section 15, in 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.

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.