

**TENTATIVE AGENDA
SCOTT COUNTY BOARD OF SUPERVISORS
May 8 - 12, 2023**

Tuesday, May 9, 2023

**Special Board Meeting - 8:30 am
Board Room, 1st Floor, Administrative Center**

***** CLOSED SESSION*****

Committee of the Whole will begin immediately after Special Board Meeting.

- ___ 1. Roll Call: Rawson, Beck, Dickson, Maxwell, Paustian
- ___ 2. Discussion of pending litigation pursuant to Iowa Code Section 21.5(1)(c). - CLOSED SESSION

Motion to go into Closed Session:

Moved by ___ Seconded by ___

Rawson ___ Beck ___ Dickson ___ Maxwell ___ Paustian ___

Motion to go into Open Session:

Moved by ___ Second by ___

Rawson ___ Beck ___ Dickson ___ Maxwell ___ Paustian ___

- ___ 3. Adjourned. Moved by ___ Seconded by ___

**Committee of the Whole - 8:35 am
Board Room, 1st Floor, Administrative Center **In-Person and Virtual** **NEW TIME****

* *Committee of the Whole will begin immediately following the Special Board Meeting**

The public may join this meeting in person OR by phone/computer/app by using the information below. Contact 563-326-8702 with any questions.

TO JOIN BY PHONE 1-408-418-9388

ACCESS CODE: 2489 076 0027 PASS CODE: 1234

OR you may join via Webex. Go to www.webex.com and JOIN meeting using the same Access Code and Pass Code above.

See the Webex Instructions in packet for a direct link to the meeting.

- ___ 1. Roll Call: Rawson, Beck, Dickson, Maxwell, Paustian

- ___ 2. Public Comment as an Attendee.
By Phone:
*3 to raise/lower hand, *6 to unmute (host must unmute you first)

By Computer:
Bottom right of screen, you will find Participants and Chat, in this area you will find the hand icon, use the hand icon to raise and lower your hand.

Presentation

- ___ 3. Quad City Chamber presentation by Julie Forsythe at 8:35 a.m.....

Facilities & Economic Development

- ___ 4. Approval of plans, specifications, and letting date for the Hot Mix Asphalt (HMA) Resurfacing project. (Item 04) Consent Agenda Consideration
- ___ 5. Approval of plans, specifications, and letting date for the bridge replacement project over the South Fork of Lost Creek in Section 7 of Princeton Township. (Item 05) Consent Agenda Consideration
- ___ 6. Approval to purchase two (2) tandem axle cab and chassis from Thompson Truck and Trailer in the amount of \$233,860. (Item 06) Consent Agenda Consideration
- ___ 7. Approval to purchase and installation of two (2) tandem axle dump bodies with snow plow equipment from Henderson Products in the amount of \$307,510. (Item 07) Consent Agenda Consideration
- ___ 8. Public Hearing and First Reading to Amend Chapter 6 of County Code of Ordinances for Minimum Lot Size. Public Hearing to be held Thursday, May 11, 2023 at 5:00PM during the Board Meeting. (Item 08)
- ___ 9. Public Hearing and First Reading to Amend Chapter 6 of County Code of Ordinances for Accessory Dwelling Units (ADUs). Public Hearing to be held Thursday, May 11, 2023 at 5:00PM during the Board Meeting. (Item 09)
- ___ 10. Public Hearing and First Reading to Amend Chapter 6 of County Code of Ordinances for an Amendment to the Zoning Map for Grunwald Rezoning (A-P) to (C-R). Public Hearing to be held Thursday, May 11, 2023 at 5:00PM during the Board Meeting. (Item 10)
- ___ 11. Preliminary plat approval for the Olathea Overlook. (Item 11) Consent Agenda Consideration
- ___ 12. Second of three readings to amend Chapter 6 of the Scott County Code of Ordinances to add Section 6-5 (106) Snow Tubing Facility and Section 6-5(107) Snow Tubing Facility Concessions/Warming Area. (Item 12)

Human Resources

- ___ 13. Staff appointments. (Item 13) Consent Agenda Consideration

___ 14. Recruitment incentives for Deputies. (Item 14) Consent Agenda Consideration

Finance & Intergovernmental

___ 15. Contract amendment for the EMS Transition Study and Business Consulting Services with Public Consulting Group. (Item 15) Consent Agenda Consideration

Other Items of Interest

___ 16. Consideration of appointments with upcoming term expirations for boards and commissions. (Item 16) Consent Agenda Consideration

- o Benefited FD #6 Mary Friederichs Serving since 2011
- o Benefited FD #5 Joni Dittmer
- o Library Board Shelli Englebrecht Serving since 2015
- o Library Board Nicole Wuestenberg Serving since 2014
- o Quad Cities Chamber Mahesh Sharma Serving since 2016

___ 17. Cigarette/tobacco permits for the following: Davenport Country Club 25500 Valley Drive Pleasant Valley, IA 52767, Kwik Star #1071 at 13888 118th Avenue Davenport, IA 52804, The Locust Mart at 11423 160th Street Davenport, IA 52804 and Big 10 Mart #29 - 21010 N. Brady St. Davenport, IA 52806. Consent Agenda Consideration

___ 18. Beer/liquor renewal for Beer/liquor license renewal for Olathea Creek Vineyard & Winery at 23456 Great River Road, Le Claire, IA 52753. Consent Agenda Consideration

___ 19. Adjourned. Moved by ___ Seconded by ___

Thursday, May 11, 2023

**Regular Board Meeting - 5:00 pm
Board Room, 1st Floor, Administrative Center ****In-Person and Virtual******

The public may join this meeting in person OR by phone/computer/app by using the information below. Contact 563-326-8702 with any questions.

TO JOIN BY PHONE 1-408-418-9388
ACCESS CODE: 2492 612 1796 PASS CODE: 1234

OR you may join via Webex. Go to www.webex.com and JOIN meeting using the same Access Code and Pass Code above.

See the Webex Instructions in packet for a direct link to the meeting.

Public Hearings

___ 1. Public Hearing relative to an Amendment to the Scott County Code of Ordinances, Chapter 6 - Zoning Code for Minimum Lot Size.

- _____ 2. Public Hearing relative to an Amendment to the Scott County Code of Ordinances, Chapter 6 - Zoning Code for Accessory Dwelling Units (ADUs).
- _____ 3. Public Hearing relative to an Amendment to the Scott County Code of Ordinances, Chapter 6 - Zoning Map for Grunwald Rezoning (A-P) to (C-R).

Instructions for *Unmuting Phone Line* during Board Meeting teleconference

To gain the moderator’s attention, **press *3 from your phone OR the raise hand icon** on computer or mobile device (for location of raise hand icon, see below). Phone lines will be placed on mute during the meeting. Participants may unmute their line using the mute icon or *6 on their phone after being recognized by the Chair.

Meeting # 2489 076 0027

Password #1234

Connect via Computer or application:

Host: www.webex.com Meeting number: **above** Password: **1234**

Or use direct link to meeting:

<https://scottcountyiowa.webex.com/scottcountyiowa/j.php?MTID=m1aaa384606828dafa9a40ff447da953>

Connect via telephone: 1-408-418-9388 Meeting number: **above** Password: **1234**

Telephone / Cell Phones Connections:

Telephones lines will be placed on mute during the meeting. Participants may “raise their hand” by using *3 to gain attention of the host.

When called upon for comments by the Board,

1. The host will then unmute the participant’s line at the appropriate time.
2. A user must have his or her own device unmuted.
3. The user may then unmute his or her conference line by keying * 6
4. After conversation, please lower your hand. (*3 again)

Computer / Application Connections:

If connected via web application or computer, the user should look for the **Raise Hand**  raise hand symbol and click to appear raised so the host may acknowledge you.

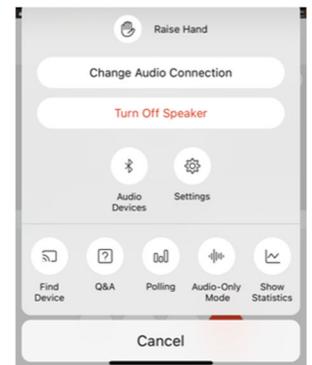
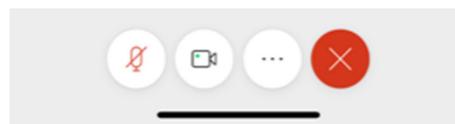
1. The host will then unmute the participant’s line at the appropriate time.
2. A user must have his or her own device unmuted.
3. The user may then unmute his or her conference line by clicking the microphone symbol.
4. After conversation, please lower your hand. (*3 again)

You can mute yourself so that everyone can concentrate on what's being discussed. While you're on a call or in a meeting, select  at the bottom of the meeting window. You'll know it's working when the button turns red .

If you want to unmute yourself, select . Others can hear you when the button turns gray.

When you're muted and move away from the call controls, the mute button moves to the center of your screen and fades in color  to indicate that you're still muted.

To find the **raise hand icon**, you may need to click on ...





SCOTT COUNTY ENGINEER'S OFFICE

950 E. Blackhawk Trail
Eldridge, Iowa 52748

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E-MAIL - engineer@scottcountyiowa.gov
WEB SITE - www.scottcountyiowa.gov

ANGELA K. KERSTEN, P.E.
County Engineer

ELLIOTT R. PENNOCK, E.I.T.
Assistant County Engineer

TARA YOUNGERS
Senior Administrative Assistant

MEMO

TO: Mahesh Sharma
County Administrator

FROM: Angie Kersten, P.E.
County Engineer

SUBJ: Approval of Plans, Specifications, and Letting Date

DATE: May 2, 2023

This resolution is to approve the plans, specifications, and letting date for a Hot Mix Asphalt (HMA) Resurfacing project. Project L-623--73-82 is on 150th Avenue and 146th Avenue from 290th Street north and westerly to 305th Street.

This project is budgeted and programmed in FY 2024 of our County Five-Year Construction Program. The project will be paid for out of our local secondary road fund.

Included with this memo is the title sheet of the plan set. I recommend signing the title sheet and approving the project for a local letting on June 12, 2023.

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

May 11, 2023

APPROVAL OF THE PLANS, SPECIFICATIONS, AND LETTING DATE FOR
HMA RESURFACING PROJECT NO. L-623--73-82

BE IT RESOLVED by the Scott County Board of Supervisors as
follows:

Section 1. That the plans, specifications, and letting
date be approved for HMA Resurfacing Project No.
L-623--73-82 and the letting be set for
June 12, 2023, at 10:00 A.M.

Section 2. That this resolution shall take effect
immediately.

SCOTT COUNTY ENGINEER'S OFFICE

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Item 05

05/09/2023



ANGELA K. KERSTEN, P.E.
County Engineer

ELLIOTT R. PENNOCK, E.I.T.
Assistant County Engineer

TARA YOUNGERS
Senior Administrative Assistant

MEMO

TO: Mahesh Sharma
County Administrator

FROM: Angie Kersten, P.E.
County Engineer

SUBJ: Approval of Plans, Specifications, and Letting Date

DATE: May 2, 2023

This resolution is to approve the plans, specifications, and letting date for a bridge replacement project. Project LFM-723--7X-82 is on 240th Avenue (Z30) over the South Fork of Lost Creek in Section 7 of Princeton Township.

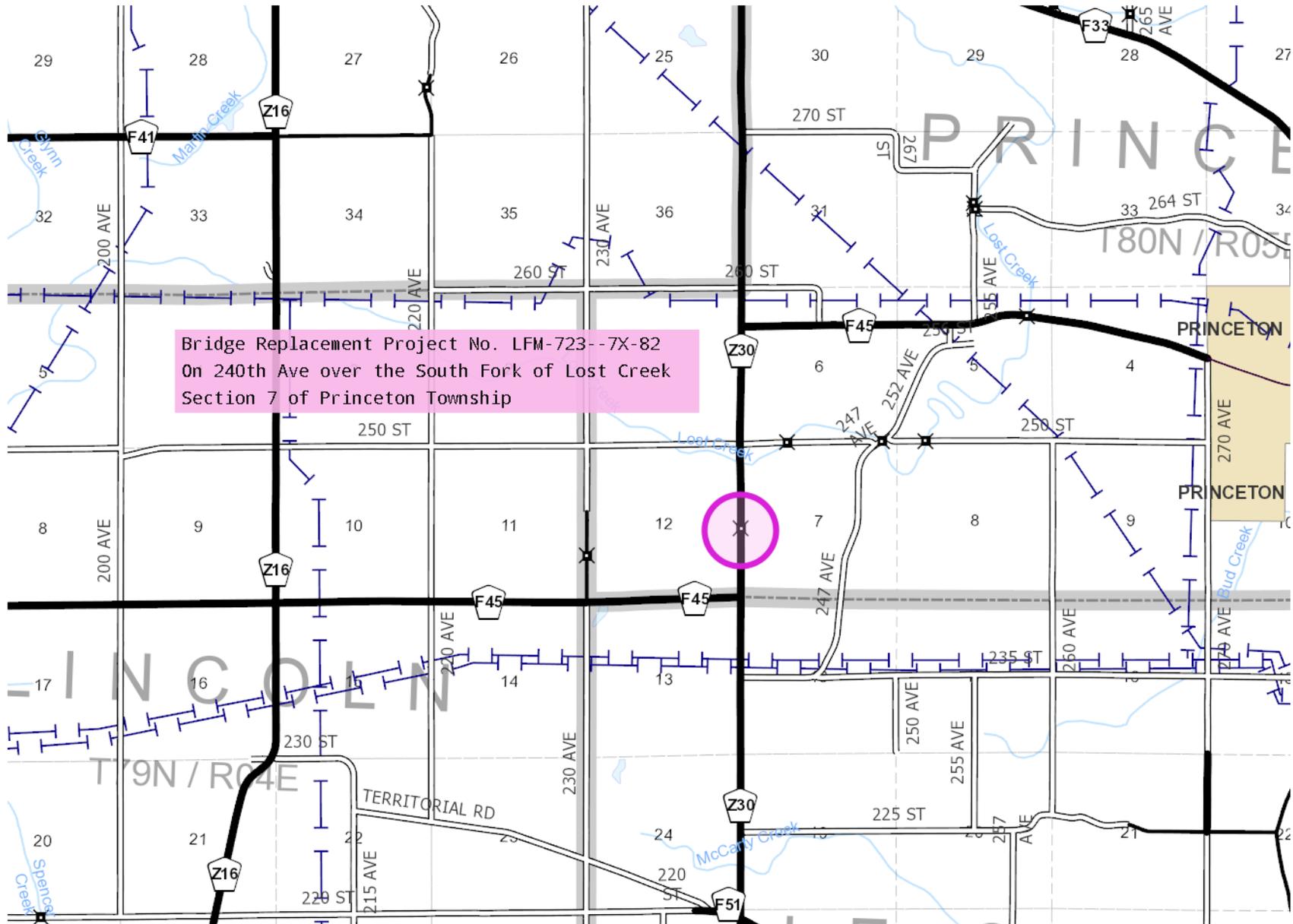
This project is budgeted and programmed in FY 2024 of our County Five-Year Construction Program. The project will be paid for out of our local secondary road fund.

Included with this memo is the title sheet of the plan set. I recommend signing the title sheet and approving the project for a local letting on June 12, 2023.

Bridge Replacement 7G Princeton

Scott - ICEASB Easy Map

8:59 AM, Tue, May 2, 2023



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

May 11, 2023

APPROVAL OF THE PLANS, SPECIFICATIONS, AND LETTING DATE FOR
BRIDGE REPLACEMENT PROJECT NO. LFM-723--7X-82

BE IT RESOLVED by the Scott County Board of Supervisors as
follows:

Section 1. That the plans, specifications, and letting
date be approved for Bridge Replacement Project No.
LFM-723--7X-82 and the letting be set for
June 12, 2023, at 9:00 A.M.

Section 2. That this resolution shall take effect
immediately.

**SCOTT COUNTY ENGINEER'S OFFICE**

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Assistant County Engineer

TARA YOUNGERS
Senior Administrative Assistant

MEMO

TO: Mahesh Sharma
County Administrator

FROM: Angie Kersten, P.E.
County Engineer

SUBJ: Approval to Purchase Two (2) 2025 Tandem Axle Dump Truck

DATE: May 3, 2023

Based on our annual assessment of our fleet, our department budgeted for the replacement of one tandem axle dump truck in FY2023. This is a replacement purchase for our 2016 Peterbilt tandem axle dump truck with 197,200 miles and 7,510 hours on the engine.

In May 2022, we solicited bids on Public Purchase for the tandem axle dump truck cab and chassis and the dump body with snow equipment. We received one bid for the cab and chassis with an estimated delivery time of 480 days. The dealer also included notes stating that with the current state of the supply chain, parts shortages, and pricing volatility industry wide the delivery time could be pushed further out and they may have to ask for material surcharge fees. We received three bids for the dump body with snow equipment.

For the past several years we have bid the cab and chassis separate from the body with snow equipment. We issue separate purchase orders to each of the responsive low bidders. The cab and chassis is built and delivered to the body manufacturer. The body manufacturer then builds the body with snow equipment and delivers the completed truck to our maintenance shop. The process worked well in the past when materials were readily available and delivery times were stable.

Due to the considerably long estimated delivery time of the cab and chassis and uncertainty in price, we determined that there is substantial risk involved with issuing two separate purchase orders and decided to reject all quotes. We notified all bidders of our decision to reject all quotes. We decided to wait to replace the truck when market conditions stabilized.

However, as the year went on we learned that long lead times on the manufacturing of heavy equipment were common among all manufacturers and didn't appear to be shortening anytime soon. Additionally, we had ordered a single axle dump truck in April 2021, and are still waiting for the truck to be delivered. The cab and chassis were completed in March 2023, and the truck is now being outfitted with the body and snow equipment. The manufacturers are continuing to work well together despite the long delays. However, we did pay a \$4,100 surcharge fee for the

cab and chassis in April 2022. Despite these issues, we determined that it is necessary to move forward with replacing the tandem axle dump truck at this time.

During our FY 2024 fleet assessment, we determined that two tandem axle dump trucks are now in need of replacement. The second truck is a replacement purchase for our 2017 International tandem axle dump truck with 174,400 miles and 6,542 hours on the engine. This truck was listed as a trade option in the bid specifications. The City of Eldridge requested the option to purchase our 2016 Peterbilt. When we receive the replacement truck, we will evaluate current sales of similar dump trucks and negotiate a fee with the City of Eldridge. We will bring the proposal to the Board for consideration at that time.

Bids were solicited on Public Purchase for two (2) tandem axle dump truck cab and chassis and we received the following bids:

Dealership	Location	Vehicle Bid	Extended Warranty Option Cost per Truck	Price per Truck	Trade In\Discounts	Total Purchase with Options Less Trade (Two Trucks)
Thompson Truck & Trailer	Davenport, IA	International HV-513	\$3,068	\$138,862	\$50,000	\$233,860
GTG Peterbilt	Davenport, IA	Peterbilt 367	\$16,903	\$182,020	\$55,000	\$342,846

Bids were solicited on Public Purchase for the dump body with snow equipment and we received the following responsive bids:

Dealership	Location	Equipment Bid	Total Purchase (two trucks)
Henderson Products	Manchester, IA	Dump Body and Snow Equipment	\$307,510
Bonnell Industries	Dixon, IL	Dump Body and Snow Equipment	\$311,008.26

The delivery time quoted for the cab and chassis is estimated to be July 2024. Additionally, the dealer included notes stating that with the current state of the supply chain, parts shortages, and pricing volatility industry wide the delivery time could be pushed further out and they may have to ask for a material surcharge fee. The dump body and snow equipment dealer included similar notes regarding delivery and price.

The total cost for the two purchases are \$541,370. We budgeted \$250,000 in FY2023 and \$250,000 in FY2024 for the tandem axle dump trucks. At this time, it appears this will be a FY2025 purchase. We have sufficient funds in our secondary road fund balance to appropriate \$541,370 in FY2025 to purchase these dump trucks. I recommend trading our 2017 International and purchasing two (2) cab and chassis with extended warranties from Thompson Truck and Trailer for a total of \$233,860. I also recommend purchasing two dump bodies with snow equipment from Henderson Products for a total of \$307,510.

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

May 11, 2023

A RESOLUTION APPROVING THE AWARD OF BID FOR THE PURCHASE OF TWO (2) 2025 TANDEM AXLE CAB AND CHASSIS

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

- Section 1. That the bid for two (2) 2025 tandem axle, International HV513, cab and chassis for Secondary Roads is approved and hereby awarded to Thompson Truck & Trailer, Davenport, IA, in the amount of \$233,860.
- Section 2. This resolution shall take effect immediately.

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

May 11, 2023

A RESOLUTION APPROVING THE AWARD OF BID FOR THE PURCHASE AND
INSTALLATION OF TWO (2) DUMP BODIES WITH SNOW EQUIPMENT

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

- Section 1. That the bid for purchase and installation of two (2) dump bodies with snow equipment on tandem axle cab and chassis for Secondary Roads is approved and hereby awarded to Henderson Products, Manchester, IA, in the amount of \$307,510.
- Section 2. This resolution shall take effect immediately.



**Planning & Development
Scott County, Iowa**

Email: planning@scottcountyiowa.com
Office: (563) 326-8643
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Item 08
05/09/2023

Chris Mathias, Director

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

April 28, 2023

To: Mahesh Sharma, County Administrator
From: Chris Mathias, Planning Director
Re: Public Hearing and First Reading of Proposed Text Amendment to raise the minimum lot size for residential lots.

Staff are proposing amendments to Chapter 6 pertaining to raising the minimum lot size for single family residential lots. We have heard from the Planning & Zoning Commission as well as the County Health Dept. about concerns that septic systems cannot be properly sited on single family lots. While there may be room for the initial septic system, the Health dept. has expressed concern that many lots will not have room for a back up septic system when the first septic system fails. We have also seen subdivisions where virtually every lot is built to the current minimum lot size of 30,000 SF. In some cases, these subdivisions end up with utility or drainage easements that are too narrow to actually work for their intended purpose or a subdivision that is not properly designed.

I've attached two memos to the Planning & Zoning Commission which provide details on how we came to our decision. You will see that Staff did look to see what other County governments in the region had for a minimum lot size. We also are proposing to keep the 30,000 SF minimum lot size if the subdivision is served by off-site sewer and water service. However, all residential lots with on-site septic and wall would now require a minimum lot size of 60,000 SF. I will be at the Committee of the Whole on May 9th to present and answer your questions on this matter. We are also asking to hold a public hearing on adopting the ordinance text at the Board Meeting on May 11th. Here is a summary of how the Planning & Zoning Commission voted on this item, recommending approval at the April 18th, 2023 meeting:

3. Public Hearing – Ordinance Text Amendment

Proposal to increase the minimum lot size for the Agricultural-Preservation (A-P), Agricultural-General (A-G), and Single-Family Residential (R-1) Zoning District from 30,000 square feet to 60,000 square feet.

The Commission voted (6-0) to recommend approval of the ordinance text amendment in accordance with staff's recommendation. No members of the public spoke for or against the proposal.

- **Vote (recommend approval of ordinance text amendment): 6-0, All Ayes**

Members Present: Armstrong, Maxwell, Rochau, Scheibe, Schnekloth, Steward
Members Absent: Piatak



**Planning & Development
Scott County, Iowa**

Chris Mathias, Director

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Fax: (563) 326-8257

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

March 17, 2023

To: Planning & Zoning Commission
From: Chris Mathias, Planning Director
Re: Minimum Lot Size

Staff have been considering a change to the minimum lot size requirement for the R-1 (Single Family Residential) zoning district, as well possibly other zoning districts in unincorporated Scott County. Currently, there is a 30,000 square foot (SF) minimum lot size in R-1. This small lot size can lead to subdivisions that are poorly designed, have access issues or drainage easements that don't provide adequate maintenance access. Another concern from Staff and members of the Planning & Zoning Commission has been the lack of area available for a septic system. There is also the added issue that septic systems eventually need to be replaced and there should be room for a backup septic system.

While the 30,000 SF minimum lot size might seem large to some more urban jurisdictions and areas with little to no individual septic tanks on lots, for Scott County's jurisdiction it is too small. The Planning & Zoning Commission has seen subdivisions over the years where many of the lots are barely over the minimum size. This has resulted in subdivisions with drainage and utility easements that cannot be accessed in reality. Storm water issues that are identified cannot be corrected without proper access for whomever needs to access the location. These subdivision proposals have also had access issues when it comes to flag lots and shared driveways.

The biggest issue for both Planning and Health Dept. staff has been the lack of adequate space for a conventional septic system. Certain developers have gone into proposed subdivisions and done grading work that removes all of the top soil. This top soil layer is the most ideal soil for a conventional septic system to function. After the good soil is removed and the site is left with clay and lower quality soils, sometimes the only septic solution is a sand filter system. The sand filter option requires water to flow away from the septic over ground. If a lot is already too small and contains a large house this can leave little room for a septic and especially for the sand filter option which could result in water leaving the site and spilling onto neighboring properties.

Here is a look at what other County Governments are requiring for Minimum Lot Size:

County	Min. Lot Size	Notes:
Clinton	2 acres	9600 SF in R-2 (no individual septic and well)
Johnson	1/4 acre	With Additional Residential Districts that limit to 2 acres, 3 acres, 5 acres, 10 acres and 20 acres
Linn	1 acre	For lots served by private on-site septic systems
Muscatine	1 acre	
Rock Island	20,000 SF	



**Planning & Development
Scott County, Iowa**

Chris Mathias, Director

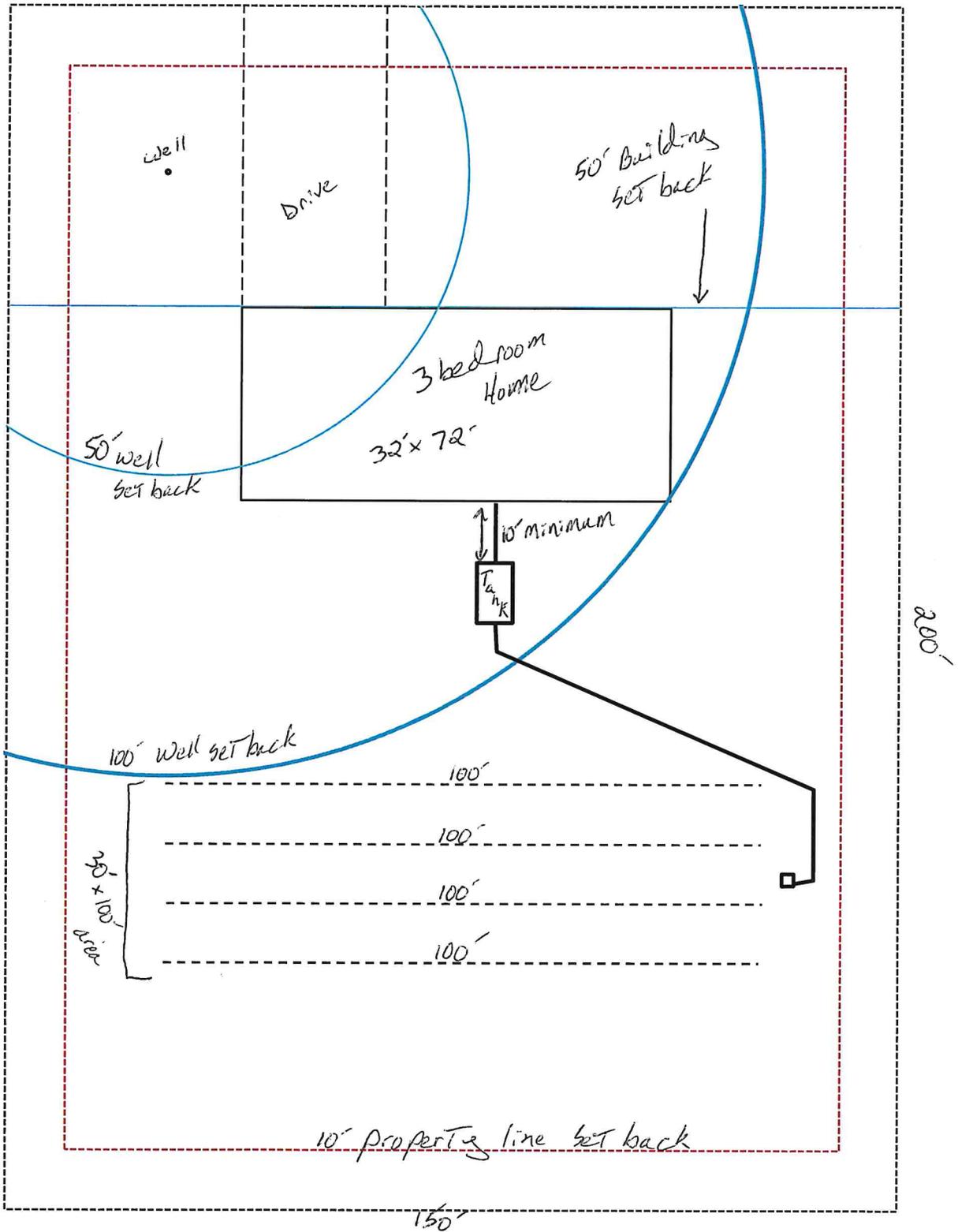
Email: planning@scottcountyiowa.com
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Fax: (563) 326-8257

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

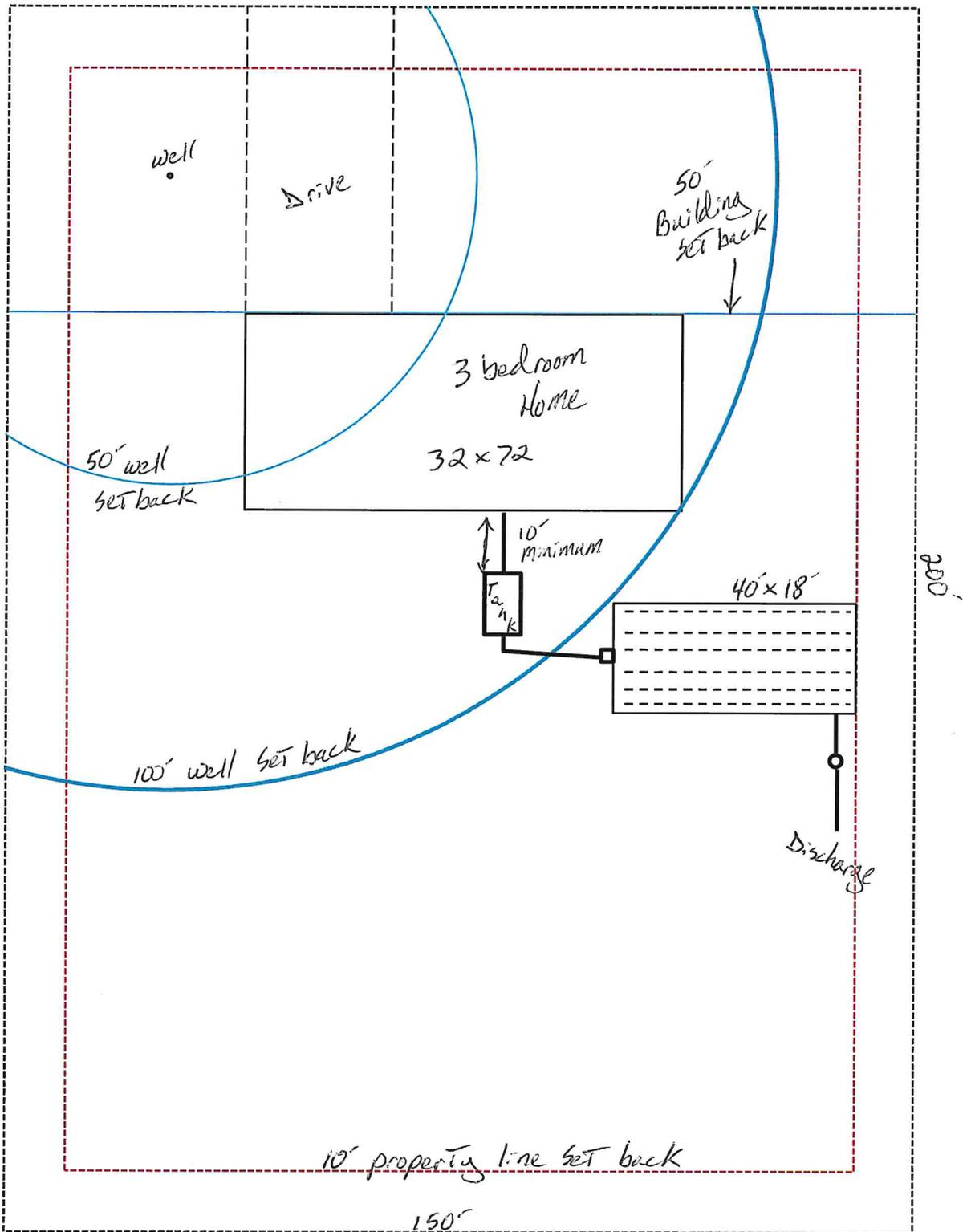
Staff also reached out to the County Health Dept. to discuss the typical size and layout of septic systems that they see throughout the County. Jack Hoskins prepared some diagrams showing septic system type and size in relation to a typical house size and lot layout. These diagrams are attached to this memo. You can see that they expect a typical conventional septic system of roughly 3,000 SF for a 3 bedroom home and up to 6,000 SF for a 5 bedroom home. The sand filter systems are used when the soil quality or lot size does not allow for a conventional system. Sand filter systems are typically 800 SF for a 3 bedroom and 1200 SF for a 5 bedroom home. However, the sand filter does discharge water from the system. If there isn't enough room to properly site the sand filter system away from the property line, it could lead to more water runoff onto neighboring properties.

We can see some common ideas when we analyze how other County jurisdictions are managing minimum lot size and on-site septic systems. Most counties have either multiple residential zones to accommodate neighborhoods that could be on different points of the spectrum between rural or urban, or they differentiate between lots with an on-site septic system and lots served by water and sewer off-site. For example, Johnson County has at least 6 different residential zones with minimum lot sizes ranging from $\frac{1}{4}$ acre to 20 acres. Linn County takes a different approach and has a higher minimum lot size for "lots served by private on-site septic systems."

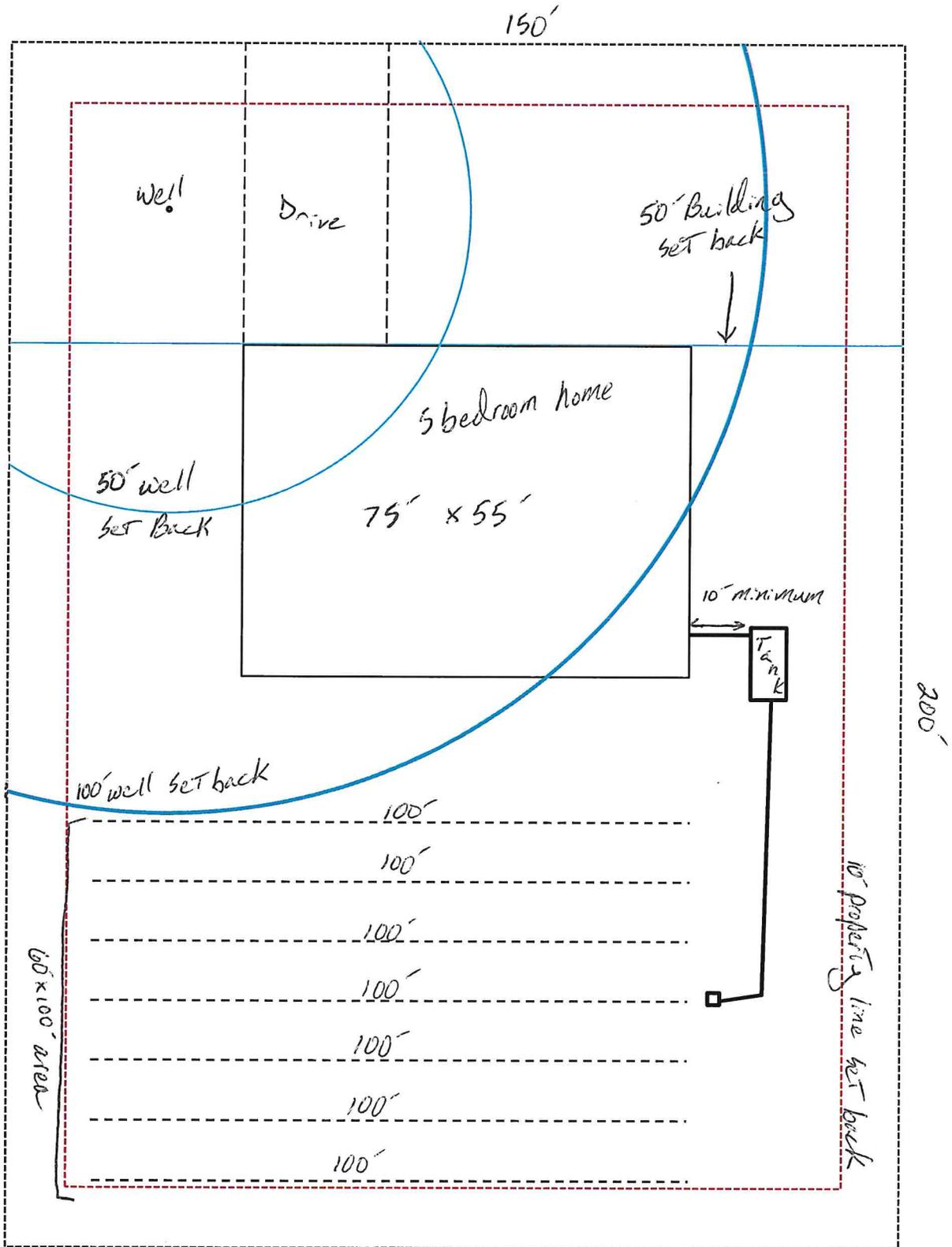
Creating 5 different residential zoning districts to handle this problem would not be a practical solution for Scott County at the moment. However, raising the minimum lot size in the A-P, A-G and R-1 zoning districts for proposed subdivisions that will be served by on-site septic systems should be considered. The 30,000 minimum Lot size could stay in place for subdivisions with off-site common sewer collection with no septic systems on-site. Staff believes that lots with on-site septic systems should really be of a minimum lot size of no less than 1 - 2 acres. Going to 1 acre would only add 13,560 SF to the current minimum lot size and it seems like this might not be enough to really address the issues. Staff believes that going to a minimum lot size of 60,000 SF for lots in the A-P, A-G and R-1 districts, with on-site septic systems is a prudent decision to make. This would double the current minimum lot size for these type of subdivisions.



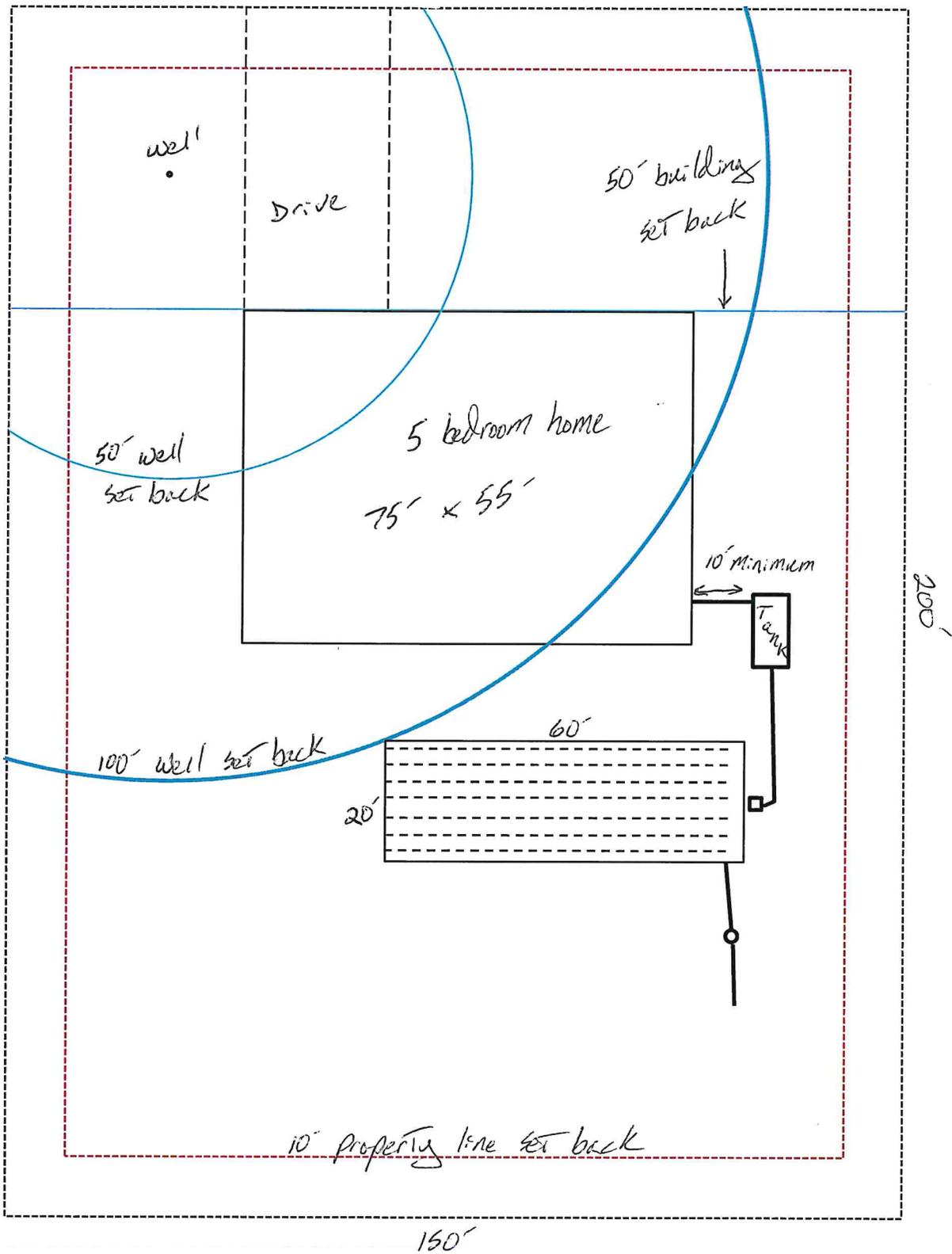
- 3 bedroom home
- Minimum sized lot
- Minimum sized conventional system



- 3 bedroom home
- minimum sized lot
- minimum sized sand filter



- 5 bedroom home
- Minimum sized lot
- Minimum sized conventional system



- 5 bedroom home
- Minimum sized lot
- Minimum sized Sand Filter



Planning & Development
Scott County, Iowa

Chris Mathias, Director

Email: planning@scottcountyiowa.com
Office: (563) 326-8643
Fax: (563) 326-8257

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

April 12, 2023

To: Planning & Zoning Commission
From: Chris Mathias, Planning Director
Re: Minimum Lot Size

Based on the Planning & Zoning Commission’s direction, Staff are proposing the following text amendments to change the minimum lot size for the A-P, A-G and R-1 zoning districts. As you can see below, these changes will amend the tables in Sections in sections 6-9, 6-10 and 6-12. The minimum lot size would stay at 30,000 square feet for subdivisions that do not require on-site water and sewage systems. For subdivisions that do require on-site water and septic systems, the minimum lot size would be raised to 60,000 square feet.

A public hearing is scheduled for April 18th, 2023 at the Planning & Zoning Commission meeting to consider these changes. Chapter 6 of the Code or Ordinances would be amended as follows:

EDIT

6-9 E. Minimum Lot Area, Lot Width, Setback & Maximum Height Requirements

PRINCIPAL BUILDING	Lot Width	Front Yard	Side Yard	Rear Yard	Max Stories	Max Height
LOT AREA	100 ft	50 ft	10 ft	40 ft	2 ½	35 ft
NO SEWER OR WATER 3060,000 SF						
LOT AREA	100 ft	50 ft	10 ft	40 ft	2 ½	35 ft
W/ SEWER OR WATER						
30,000 sq ft						

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6-10 E. Minimum Lot Area, Lot Width, Setback & Maximum Height Requirements

PRINCIPAL BUILDING	Lot Width	Front Yard	Side Yard	Rear Yard	Max Stories	Max Height
LOT AREA	100 ft	50 ft	10 ft	40 ft	2 ½	35 ft
NO SEWER OR WATER 3060,000 SF						
LOT AREA	100 ft	50 ft	10 ft	40 ft	2 ½	35 ft
W/ SEWER OR WATER						
30,000 sq ft						

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**Planning & Development
Scott County, Iowa**

Chris Mathias, Director

Email: planning@scottcountyiowa.com
Office: (563) 326-8643
Fax: (563) 326-8257

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

6-12 E. Minimum Lot Area, Lot Width, Setback & Maximum Height Requirements

PRINCIPAL BUILDING	Lot Width	Front Yard	Side Yard	Rear Yard	Max Stories	Max Height
LOT AREA NO SEWER OR WATER 3060 000 SF	100 ft	50 ft	10 ft	40 ft	2 ½	35 ft
LOT AREA W/ SEWER OR WATER 30,000 sq ft	100 ft	50 ft	10 ft	40 ft	2 ½	35 ft

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Prepared by: Scott County Planning & Development, 600 West Fourth Street, Davenport Iowa

SCOTT COUNTY ORDINANCE NO. 23 - _____

AN ORDINANCE TO AMEND PORTIONS OF THE ZONING ORDINANCE PERTAINING TO INCREASING THE MINIMUM LOT SIZE FOR RESIDENTIAL LOTS IN UNINCORPORATED SCOTT COUNTY.

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

Section 1. Amend Section 6-9 E of the Zoning Ordinance for Unincorporated Scott County as follows:

PRINCIPAL BUILDING	Lot Width	Front Yard	Side Yard	Rear Yard	Max Stories	Max Height
LOT AREA NO SEWER OR WATER 60,000 SF	100 ft	50 ft	10 ft	40 ft	2 ½	35 ft
LOT AREA W/ SEWER OR WATER 30,000 sq ft	100 ft	50 ft	10 ft	40 ft	2 ½	35 ft
ACCESSORY BUILDINGS	Lot Width	Front Yard	Side Yard	Rear Yard	Max Stories	Max Height
LOT AREA N/A	N/A	50 ft	10 ft	10 ft	2	35 ft

Section 2. Amend Section 6-10 E of the Zoning Ordinance for Unincorporated Scott County as follows:

PRINCIPAL BUILDING	Lot Width	Front Yard	Side Yard	Rear Yard	Max Stories	Max Height
LOT AREA NO SEWER OR WATER 60,000 SF	100 ft	50 ft	10 ft	40 ft	2 ½	35 ft
LOT AREA W/ SEWER OR WATER 30,000 sq ft	100 ft	50 ft	10 ft	40 ft	2 ½	35 ft
ACCESSORY BUILDINGS	Lot Width	Front Yard	Side Yard	Rear Yard	Max Stories	Max Height
LOT AREA N/A	N/A	50 ft	10 ft	10 ft	2	35 ft

Section 3. Amend Section 6-12 E of the Zoning Ordinance for Unincorporated Scott County as follows:

PRINCIPAL BUILDING	Lot Width	Front Yard	Side Yard	Rear Yard	Max Stories	Max Height
LOT AREA NO SEWER OR WATER 60,000 SF	100 ft	50 ft	10 ft	40 ft	2 ½	35 ft
LOT AREA W/ SEWER OR WATER 30,000 sq ft	100 ft	50 ft	10 ft	40 ft	2 ½	35 ft

ACCESSORY BUILDINGS	Lot Width	Front Yard	Side Yard	Rear Yard	Max Stories	Max Height
LOT AREA N/A	N/A	50 ft	10 ft	10 ft	2	35 ft

Section 4. The County Auditor is directed to record this ordinance in the County Recorder's Office.

Section 5. 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 6. Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

Section 7. Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Public Hearing / First Consideration _____,

Second Consideration _____,

Third Consideration _____,

 Ken Beck, Chair
 Scott County Board of Supervisors

Attested by: _____

Kerri Tompkins, County Auditor

Published on _____



**Planning & Development
Scott County, Iowa**

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Item 09
05/09/2023

Chris Mathias, Director

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

April 28, 2023

To: Mahesh Sharma, County Administrator
From: Chris Mathias, Planning Director
Re: Public Hearing and First Reading of Proposed Text Amendment to Chapter 6 Pertaining to Accessory Dwelling Units

Staff are proposing amendments to Chapter 6 pertaining to accessory dwelling units (ADUs). Our goal here is to encourage ag. preservation, aging in place, increased housing options, and to respond to the housing crisis. Earlier this year, these proposed changes were discussed at the joint meeting between the Board of Supervisors, Planning & Zoning Commission and Zoning Board of Adjustment. These amendments accomplish a few things. First, they standardize the language and definitions throughout the Zoning Code that pertain to ADUs. Secondly, they will allow each residential lot to have the right to construct an ADU by right, subject to the standards proposed. Finally, although this would be allowing ADUs without a special use permit, there are still many rules that we are proposing to put in place. These amendments will require the property owner to submit a registration with the P & D department before a building permit can be issued for an ADU. The requirement for registration will ensure compliance with setbacks and height standards, that the lot is of sufficient size to accommodate the development, compliance with health dept. rules pertaining to septic and well, and other important issues.

I've attached the memo to the Planning & Zoning Commission which details all of the amendments and rules. I will also be giving a detailed presentation at the Committee of the Whole on May 9th to try and answer any of your questions. We are also asking to hold a public hearing on adopting the ordinance text at the Board Meeting on May 11th, 2023. Here is a summary of how the Planning & Zoning Commission voted on this item, recommending approval at the April 18th, 2023 meeting:

4. Public Hearing – Ordinance Text Amendment

Proposal to create regulations for accessory dwelling units.

The Commission voted (6-0) to recommend approval of the ordinance text amendment in accordance with staff's recommendation. No members of the public spoke for or against the proposal.

- **Vote (recommend approval of ordinance text amendment): 6-0, All Ayes**

Members Present: Armstrong, Maxwell, Rochau, Scheibe, Schnekloth, Steward
Members Absent: Piatak



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600 West Fourth Street
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April 12, 2023

To: Planning & Zoning Commission
From: Chris Mathias, Planning Director
Re: Accessory Dwelling Units Ordinance

Based on the Planning & Zoning Commission's direction, Staff are proposing accessory dwelling unit (ADU) regulations for unincorporated Scott County. As you can see below, Staff have proposed changes to the language that was presented to you at the last commission meeting. These changes have been proposed to address the questions that the Commission had regarding the maximum size of a detached ADU, and the questions on which structure would be considered the principal or accessory structure. The maximum size of a detached ADU is now limited to 800 SF or 50% of the ground floor SF of the principal structure, whichever is greater. Moreover, the principal structure shall remain the first dwelling unit constructed on the property, and the second dwelling unit constructed shall always be the ADU, subject to the square footage limitation proposed. Finally, staff added some language that there should be unobstructed access to a detached ADU for emergency vehicles.

CHANGES PROPOSED TO CHAPTER 6

Add Definition to Section 6-4:

ACCESSORY DWELLING UNIT: a smaller, independent residential dwelling unit located on the same lot as a stand-alone single-family home, containing provisions for sleeping, cooking, and sanitation.

Add Section 6-6 (V) Accessory Dwelling Units:

V. Accessory Dwelling Units: Unless specified elsewhere in the Ordinance, these regulations shall apply to all residential lots regardless of zoning designation.

- (1) One accessory dwelling unit is allowed per residential lot.
- (2) The residential lot must meet the minimum lot size for that zoning district.
- (3) One of the two dwelling units must be occupied by the owner of the lot for as long as the accessory dwelling unit is occupied.
- (4) An accessory dwelling unit may be located within a detached structure or within the same structure as the principal dwelling unit.
 - a. Accessory dwelling units located within a detached structure must meet the maximum height and minimum setback requirements for detached accessory buildings within the applicable zoning district.
 - b. Accessory dwelling units located within the same structure as the principal dwelling units must meet the maximum height and minimum setback requirements for principal structures within the applicable zoning district.
- (5) Adequate off-street parking is required for an accessory dwelling unit.
- (6) Total square footage of accessory dwelling units located within detached structures shall not exceed 50% of the total habitable (i.e. excluding attached garage square footage) ground floor square footage of the principal structure or 800 square feet, whichever is greater.
 - a. The principal structure shall remain the first dwelling unit constructed on the property. (i.e. It is not permitted to construct a second dwelling unit that is larger than the first in order to



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convert the first unit into the Accessory Dwelling Unit; the second dwelling unit constructed shall always be the Accessory Dwelling Unit and subject to the square footage limitation above.)

b. The square footage limitation shall be determined at the point which a building permit is issued for the Accessory Dwelling Unit and shall be based on the current habitable ground floor square footage of the principal structure at that time. Future additions to or reconstruction of the principal structure after the Accessory Dwelling Unit is approved and constructed shall not increase the square footage limitation for the Accessory Dwelling Unit.

(7) Detached structures containing accessory dwelling units must be architecturally compatible with the principal structure and/or zoning district. Architectural compatibility generally includes the following: matching or similar building materials, roofing materials, roof slopes, building eaves, and building fenestration.

(8) The combined number of occupants in the principal structure and the accessory dwelling unit may not exceed the number allowed by the definition of "FAMILY" as defined by the Zoning Ordinance.

(9) The accessory dwelling unit must satisfy the requirements of all construction codes adopted by the County including building, electrical, fire, and plumbing codes.

(10) The County Health Department must approve the sewage and water systems for the accessory dwelling unit prior to the issuance of a building permit.

(11) There shall remain unobstructed access to a detached accessory unit **for emergency vehicles** for as long as the unit is occupied.

(12) Before an accessory dwelling unit is approved for construction and/or occupancy, the property owner must submit a registration agreement to the Planning & Development Department with the following information: A statement agreeing that one of the two dwelling units must be occupied by the owner of the lot for as long as the accessory dwelling unit is occupied, and a statement agreeing to the limits and other standards listed above. Accessory dwelling units constructed or occupied without a registration agreement shall be considered principal structures, which is a violation of Section 6-6 N. One Principal Building to a Lot.

(13) Regulations, restrictions, and limitations applicable to "Community Area Development Residential District (CAD-R)" zoned properties and other properties under the jurisdiction of homeowners' associations may supersede the standards listed above.

OTHER DEFINITIONS/SECTIONS TO EDIT – Revisions in Red

Edit Section 6-6 H Zero Lot Line:

6-6 H. Zero Lot Line: In residential districts, single-family attached dwellings, two-family dwellings and townhouses may be sited on a lot line in such a manner that the lot line runs the entire length of the common wall separating the dwelling units. The front and rear yard setbacks shall be maintained, and the side yard for the end units shall conform to the district area regulations. In a "C-1" or "C-2" District, the building(s) may be sited on the side and/or rear yard lot line so long as the principal building is no closer than thirty-five (35) feet to a residential district or an adjoining residence lot line. Any new subdivision or re-subdivision proposing the use of the zero lot line shall comply with the procedures of a site plan review by the Planning and Zoning Commission, as described in Section 6-29. **Accessory Dwelling Units shall not be sited with a zero lot line and must follow the Accessory Dwelling Unit standards set forth in Sec. 6-6 (V) of this Code.**



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600 West Fourth Street
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Edit Section 6-6 N One Principal Building to a lot:

6-6 N. One Principal Building to a Lot: Every building hereafter erected or structurally altered shall be located on a lot, as defined herein, and in no case shall there be more than one (1) single-family residence or duplex on a single lot or tract of land except under the following conditions: (1) An approved temporary mobile home on a farmstead or residential lot may be located on the same lot as the primary residence. (2) ~~A subordinate residence~~ **An Accessory Dwelling Unit approved with a Special Use Permit meeting the requirements of Section 6-6(V) of this Code,** or a second residence with an approved farmstead split created with a Plat of Survey. (3) More than one (1) industrial, commercial, multi-family dwelling or institutional principal building may be erected on a single lot or tract, but all such buildings must be located in compliance with the setback requirements of the applicable district regulations.

Edit Section 6-6 U(4b):

6-6 U(4b). No accessory building may contain or be used as a dwelling unit unless ~~a second residence is approved with a Special Use Permit~~ **it is approved as an accessory dwelling unit per Section 6-6(V) of this Code,** or a second residence is created with farmstead split by an approved Plat of Survey.

Delete Section 6-9 D(11):

~~6-9 D(11). One attached or detached dwelling unit subordinate to the existing dwelling unit, provided that the new dwelling unit meets all building and fire codes and zoning area and setback requirements, that there is unobstructed access to the new dwelling unit for emergency vehicles, and that the County Health Department approves the sewage and water systems.~~

There will be a public hearing at the April 18th meeting to consider these proposed changes. If you choose to recommend approval, the proposed ordinance will then go to the Board of Supervisors for the final decision.

Prepared by: Scott County Planning & Development, 600 West Fourth Street, Davenport Iowa

SCOTT COUNTY ORDINANCE NO. 23 - _____

AN ORDINANCE TO AMEND PORTIONS OF THE ZONING ORDINANCE PERTAINING TO ACCESSORY DWELLING UNITS FOR UNINCORPORATED SCOTT COUNTY.

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

Section 1. Amend Section 6-5 DEFINITIONS of the Zoning Ordinance for Unincorporated Scott County by adding:

Section 6-5(2) ACCESSORY DWELLING UNIT: a smaller, independent residential dwelling unit located on the same lot as a stand-alone single-family home, containing provisions for sleeping, cooking, and sanitation.

Section 2. Amend the Zoning Ordinance for Unincorporated Scott County by amending Sec. 6-6 H as follows:

H. Zero Lot Line: In residential districts, single-family attached dwellings, two-family dwellings and townhouses may be sited on a lot line in such a manner that the lot line runs the entire length of the common wall separating the dwelling units. The front and rear yard setbacks shall be maintained, and the side yard for the end units shall conform to the district area regulations. In a "C-1" or "C-2" District, the building(s) may be sited on the side and/or rear yard lot line so long as the principal building is no closer than thirty-five (35) feet to a residential district or an adjoining residence lot line. Any new subdivision or re-subdivision proposing the use of the zero lot line shall comply with the procedures of a site plan review by the Planning and Zoning Commission, as described in Section 6-29. Accessory Dwelling Units shall not be sited with a zero lot line and must follow the Accessory Dwelling Unit standards set forth in Sec. 6-6 (V) of this Code.

Section 3. Amend the Zoning Ordinance for Unincorporated Scott County by amending Sec. 6-6 N as follows:

N. One Principal Building to a Lot: Every building hereafter erected or structurally altered shall be located on a lot, as defined herein, and in no case shall there be more than one (1) single-family residence or duplex on a single lot or tract of land except under the following conditions: (1) An approved temporary mobile home on a farmstead or residential lot may be located on the same lot as the primary residence. (2) An Accessory Dwelling Unit meeting the requirements of Section 6-6(V) of this Code, or a second residence with an approved farmstead split created with a Plat of Survey. (3) More than one (1) industrial, commercial, multi-family dwelling or institutional principal building may be erected on a single lot or tract, but all such buildings must be located in compliance with the setback requirements of the applicable district regulations.

Section 11. Amend the Zoning Ordinance for Unincorporated Scott County by amending Sec. 6-6 U (4)b as follows:

No accessory building may contain or be used as a dwelling unit unless it is approved as an accessory dwelling unit per Section 6-6(V) of this Code, or a second residence is created with farmstead split by an approved Plat of Survey.

Section 5. Amend the Zoning Ordinance for Unincorporated Scott County by adding Sec. 6-6 V Accessory Dwelling Units as follows:

V. Accessory Dwelling Units: Unless specified elsewhere in the Ordinance, these regulations shall apply to all residential lots regardless of zoning designation.

- (1) One accessory dwelling unit is allowed per residential lot.
- (2) The residential lot must meet the minimum lot size for that zoning district.
- (3) One of the two dwelling units must be occupied by the owner of the lot for as long as the accessory dwelling unit is occupied.
- (4) An accessory dwelling unit may be located within a detached structure or within the same structure as the principal dwelling unit.
 - a. Accessory dwelling units located within a detached structure must meet the maximum height and minimum setback requirements for detached accessory buildings within the applicable zoning district.
 - b. Accessory dwelling units located within the same structure as the principal dwelling units must meet the maximum height and minimum setback requirements for principal structures within the applicable zoning district.
- (5) Adequate off-street parking is required for an accessory dwelling unit.
- (6) Total square footage of accessory dwelling units located within detached structures shall not exceed 50% of the total habitable (i.e. excluding attached garage square footage) ground floor square footage of the principal structure or 800 square feet, whichever is greater.
 - a. The principal structure shall remain the first dwelling unit constructed on the property. (i.e. It is not permitted to construct a second dwelling unit that is larger than the first in order to convert the first unit into the Accessory Dwelling Unit; the second dwelling unit constructed shall always be the Accessory Dwelling Unit and subject to the square footage limitation above.)
 - b. The square footage limitation shall be determined at the point which a building permit is issued for the Accessory Dwelling Unit and shall be based on the current habitable ground floor square footage of the principal structure at that time. Future additions to or reconstruction of the principal structure after the Accessory Dwelling Unit is approved and constructed shall not increase the square footage limitation for the Accessory Dwelling Unit.

(7) Detached structures containing accessory dwelling units must be architecturally compatible with the principal structure and/or zoning district. Architectural compatibility generally includes the following: matching or similar building materials, roofing materials, roof slopes, building eaves, and building fenestration.

(8) The combined number of occupants in the principal structure and the accessory dwelling unit may not exceed the number allowed by the definition of “FAMILY” as defined by the Zoning Ordinance.

(9) The accessory dwelling unit must satisfy the requirements of all construction codes adopted by the County including building, electrical, fire, and plumbing codes.

(10) The County Health Department must approve the sewage and water systems for the accessory dwelling unit prior to the issuance of a building permit.

(11) There shall remain unobstructed access to a detached accessory unit for emergency vehicles for as long as the unit is occupied.

(12) Before an accessory dwelling unit is approved for construction and/or occupancy, the property owner must submit a registration agreement to the Planning & Development Department with the following information: A statement agreeing that one of the two dwelling units must be occupied by the owner of the lot for as long as the accessory dwelling unit is occupied, and a statement agreeing to the limits and other standards listed above. Accessory dwelling units constructed or occupied without a registration agreement shall be considered principal structures, which is a violation of Section 6-6 N. One Principal Building to a Lot.

(13) Regulations, restrictions, and limitations applicable to “Community Area Development Residential District (CAD-R)” zoned properties and other properties under the jurisdiction of homeowners’ associations may supersede the standards listed above.

Section 6. Amend the Zoning Ordinance for Unincorporated Scott County by deleting Sec. 6-9 D(11) in its entirety.

Section 7. The County Auditor is directed to record this ordinance in the County Recorder's Office.

Section 8. 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 9. Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

Section 10. Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Public Hearing / First Consideration _____,

Second Consideration _____,

Third Consideration _____,

Ken Beck, Chair
Scott County Board of Supervisors

Attested by: _____

Kerri Tompkins, County Auditor

Published on _____



**Planning & Development
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Item 10
05/09/2023

Chris Mathias, Director

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

April 28, 2023

To: Mahesh Sharma, County Administrator
From: Chris Mathias, Planning Director
Re: Public Hearing and First Reading of proposed amendment to the zoning map to rezone 55.7 acres from (A-P) Agricultural-Preservation to (C-R) Conservation-Recreation

Planning Staff have received a request from Rily and Ardita Grunwald to rezone 55.7 acres from (A-P) Agricultural-Preservation to (C-R) Conservation-Recreation in the W ½ of the SW ¼ of Section 6 in Princeton Township. The specific parcels proposed to be rezoned are 950649003, 950633001. These properties are located east-adjacent to Lost Grove Lake State Park along 240th Avenue. I've attached to this memo, the staff report, maps, and other attachments that went to the Planning & Zoning Commission to provide more details on this matter. As you're probably aware, Rily and Ardita have previously applied to add the definition of "Snow Tubing Facility" to the zoning ordinance.

I will be at the Committee of the Whole on May 9th to give a presentation and answer your questions on this matter. We are also asking to hold a public hearing on adopting the ordinance to revise the map at the Board Meeting on May 11th. Here is a summary of how the Planning & Zoning Commission voted on this item (including members of the public in attendance that spoke in opposition to the request), recommending approval at the April 18th, 2023 meeting:

1. Public Hearing – Rezoning

Application from Rily and Ardita Grunwald (deedholder Dale Grunwald) to rezone 55.7 acres, more or less, from Agricultural-Preservation (A-P) to Conservation-Recreation (C-R) in the W ½ of the SW ¼ of Section 6 in Princeton Township (Scott County Parcels #950633001, 950649003).

The Commission voted (5-1) to recommend approval of the request in accordance with staff's recommendation. Rily Grunwald was present to answer questions and respond to public comment. Several members of the public were in attendance and spoke in opposition to the request:

- Dennis Queal (24460 250th Street)
- Gaylon Ideker (24883 248th Avenue)
- Glen Soenksen (44 Rainbow Drive)
- Sherry Daurer (25900 240th Avenue)
- Clayton Engler (25587 252nd Avenue)
- John Dexter (24439 250th Avenue)

• Vote (recommend approval rezoning from A-P to C-R): 5-1, Schneklath dissenting



Z30

240TH AVE

257TH ST

Subject Property

240TH ST

F45

0 0.2 0.4 0.8 1.2 1.6 Miles

259TH ST



Z30

240TH AVE

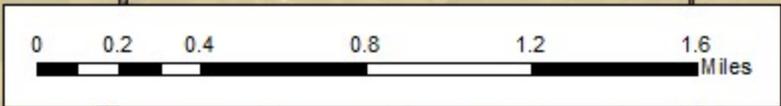
257TH ST

Subject Property

240TH ST

F45

- Ag-Preservation
- Ag-Floating
- Ag-General
- Residential Single-Family



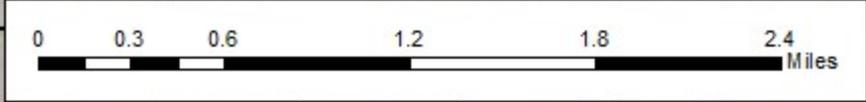
235TH ST



Subject Property

Future Land Use

	AG
	AP
	CM
	R1



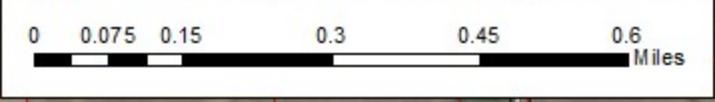


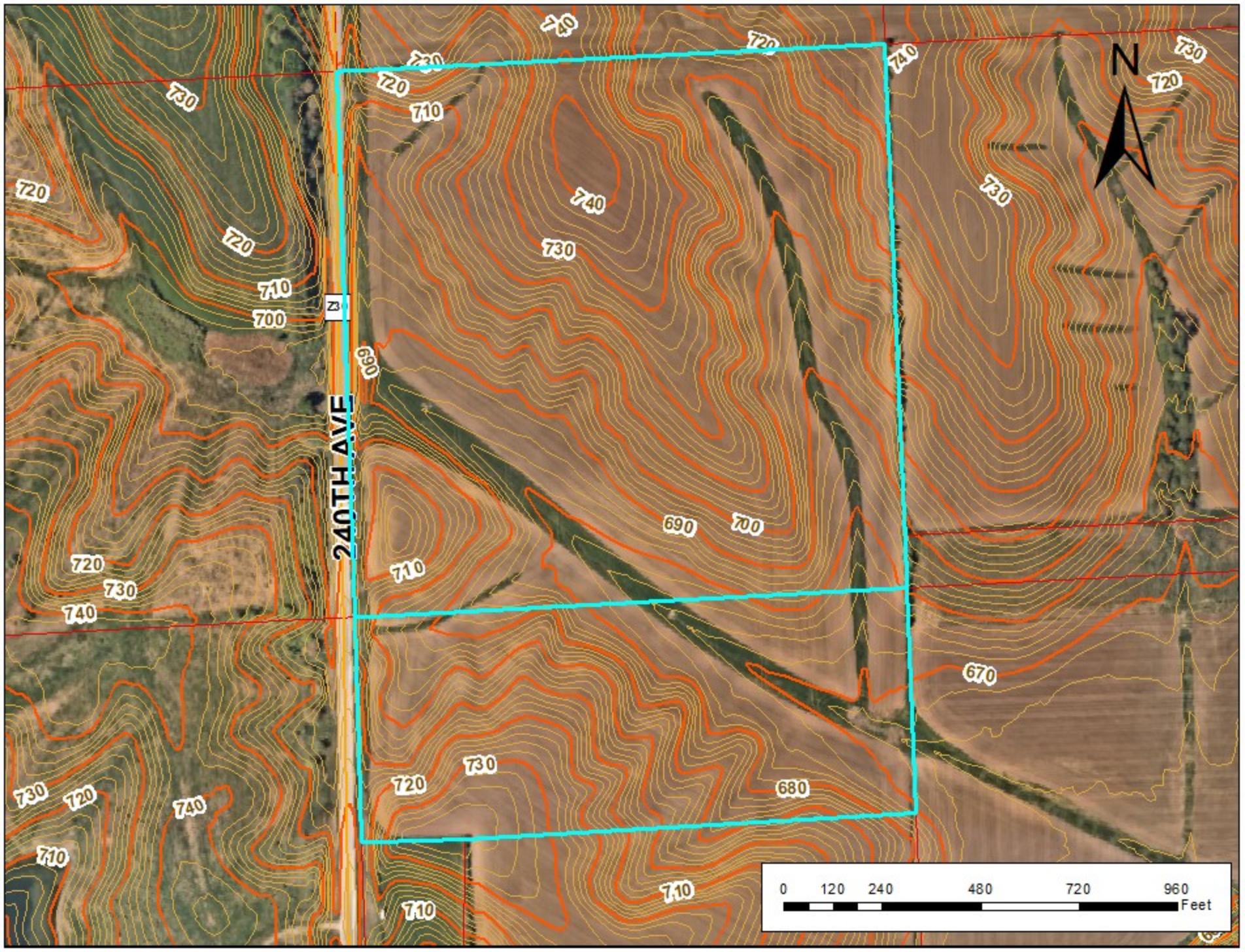
257TH ST

Subject Property

230

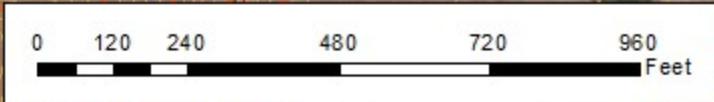
240TH AVE





240TH AVE

Z



Layer List Legend

Quick Links:
[Property Search](#)
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Layers:

- Addressing
- Dimensions
- Survey
- Ownership
- Corporate Limit Line
- Building Footprints
- Political Township
- Roads
- Railroad
- County Boundary
- Water Features
- Parks
- Planning
- Cities
- Surrounding Areas
- Land and Soil
 - Soils
 - Non Crop
 - Exemptions
 - Gross Average CSR for Rural Ag Parcels
- 2019 Aerial Photos
- 2016 Aerial Photos
- 2014 Aerial Photos
- 2009 Aerial Photos
- 2005 Aerial Photos

[Restore Layer Defaults](#)



Results:

Parcel ID - 950649003
 Owner - GRUNWALD DALE A (Deed)
 GRUNWALD JILL R (Deed)
 Acres - 17.05
[View: Parcel Report](#) | [Ag Soil Report](#) | [Google Maps](#)

Parcel ID - 950633001
 Owner - GRUNWALD DALE A (Deed)
 GRUNWALD JILL R (Deed)
 Acres - 38.65
[View: Parcel Report](#) | [Ag Soil Report](#) | [Google Maps](#)

240TH AVE

Z30

34.71

43.46



PLANNING & ZONING COMMISSION

STAFF REPORT

April 18, 2023



- Applicant:** Rily and Ardita Grunwald (deed holder Dale Grunwald)
- Request:** Rezone 55.7 acres, more or less, from Agricultural-Preservation (A-P) to Conservation-Recreation (C-R)
- Legal Description:** Part of the W ½ of the SW ¼ of Section 6 in Princeton Township
PINs: 950649003, 950633001
- General Location:** East-adjacent to Lost Grove Lake State Park along 240th Avenue (Z30)
- Existing Zoning:** Agricultural-Preservation (A-P)
- Surrounding Zoning:**
- North:** Agricultural-Preservation (A-P)
 - South:** Agricultural-Preservation (A-P)
 - East:** Agricultural-Preservation (A-P)
 - West:** Agricultural-Preservation (A-P)

GENERAL COMMENTS: This request is to rezone 55.7 acres, more or less, from Agricultural-Preservation (A-P) to Conservation-Recreation (C-R). The applicants intend to establish a Snow Tubing Facility on the site, which is a pending Special Permitted Use in the C-R district. The Planning and Zoning Commission voted (5-0) to recommend approval of ordinance text amendments to add a definition of “Snow Tubing Facility” and to add it to the list of Special Permitted Uses in the C-R district at its March 21, 2023 meeting. The Commission’s recommendation will be before the Board of Supervisors for its consideration at its April 27, 2023 meeting.

If the Commission were to favorably recommend and the Board of Supervisors were to approve a rezoning to C-R, the applicants still would not be able to initiate construction of the Snow Tubing Facility. Since the Snow Tubing Facility would be considered a *Special* Permitted Use rather than a Principal Permitted Use, a site plan would first need to be approved by the Zoning Board of Adjustment.

- In the case where the Board of Supervisors does not approve the ordinance text amendments to add a definition of “Snow Tubing Facility” and to add it to the list of Special Permitted Uses in the C-R district, the applicants will not apply to bring the Commission’s recommendation on the rezoning to the Board of Supervisors.
- In the case where the Board of Supervisors approves the rezoning to C-R but the Zoning Board of Adjustment does not approve a site plan for the Snow Tubing Facility, the property would remain zoned C-R, which would greatly limit the permitted land uses. However, it’s important to note that an agricultural-exempt



PLANNING & ZONING COMMISSION

STAFF REPORT

April 18, 2023



farmer could use this land for agricultural uses.

STAFF REVIEW: Staff has reviewed this request for its adherence to the Scott County Zoning Ordinance and to the Scott County Land Use Policies. Any proposed changes in zoning in the rural unincorporated area of the county should comply with a preponderance of the applicable Scott County Land Use Policies:

Is the development in compliance with the adopted Future Land Use Map?

The area to be rezoned is shown on the Future Land Use Map (FLUM) as remaining A-P. That being said, the General Intent of the C-R district as adopted in the Zoning Ordinance is as follows:

The Conservation-Recreation District is intended and designed to provide opportunities for residents and visitors to enjoy the natural resources and environmentally-sensitive areas in the County. The standards are intended to define and conserve selected natural resource areas by either minimizing impact to them or allowing for responsible recreational uses within them.

From its conception, staff has considered the C-R district very much parallel to and compatible with the environmental preservation goals of the County, and therefore views the proposed development as in compliance with the FLUM.

The rezoning request meets a preponderance of this criteria.

Is the development on marginal or poor agricultural land?

The subject property has CSR2 ratings ranging from 8 to 87, and steep topography with elevations ranging from 740 feet to 665 feet. The average CSR2 rating for PIN 950633001 (38.65 acres, more or less) is 34.71. The average CSR2 rating for PIN 950649003 (17.05 acres, more or less) is 43.46. Scott County has traditionally considered CSR2 ratings of 60 and above as “prime agricultural land.”

The rezoning request meets this criteria.

Does the proposed development have access to adequately-constructed, paved roads?

The area to be rezoned has frontage along 240th Avenue, an adequately-constructed, paved County road. The County Secondary Roads Department did not have any comments or concerns regarding the proposal.

The rezoning request meets this criteria.



PLANNING & ZONING COMMISSION

STAFF REPORT

April 18, 2023



Does the proposed development have adequate provision for public or private sewer and water services?

The property is not currently served by public sewer or public water. Any further development must comply with State and County health regulations for on-site wastewater treatment. The County Health Department did not have any comments or concerns regarding the proposal at this point.

A Snow Tubing Facility would create a unique challenge for water services since snow-making would be an integral part of operations. Before bringing any proposals forward on the Snow Tubing Facility, staff was in contact with the Iowa Department of Natural Resources (DNR) to evaluate whether the applicants would be able to utilize the surface water source(s) available. The DNR seemed open to approving a detention lake that would be created by damming the tributary to Lost Creek located on the property.

The rezoning request meets this criteria.

Is the area near existing employment centers, commercial areas and does not encourage urban sprawl?

Staff always envisioned private park uses within C-R districts as being near existing conservation-recreation areas like public parks and other natural areas, not near existing employment centers or commercial areas. The subject property is immediately adjacent to Lost Grove Lake State Park, which is the ideal location for a private park use.

The rezoning request meets this criteria.

Is the proposed development located where it is least disruptive to existing agricultural activities?

The intent of the Scott County land use policies is not only to limit or prevent the conversion of prime agricultural land for development, but also to prevent the incursion of non-farming neighbors into agricultural areas. The area to be rezoned is heavily surrounded by agricultural uses, but is also immediately adjacent to Lost Grove Lake State Park. When viewed as an extension of the adjacent park use, the proposal is less disruptive to existing agricultural activities than a location without an adjacent park use.

The rezoning request meets a preponderance of this criteria.



PLANNING & ZONING COMMISSION

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Does the area have stable environmental resources?

The area to be rezoned has two primary bluffs at the northern and southern boundaries with two drainage ways that meet and join Lost Creek on another property approximately 900 feet to the southeast. Elevations on the property range from 740 feet to 665 feet, with slopes ranging from 2% to 18% and either “eroded” or “severely eroded” status according to the Web Soil Survey data from the Natural Resources Conservation Service (NRCS). The area is currently farmed with row crops, which may destabilize the soils on the site to a greater extent than a private park use would over time.

The rezoning request meets this criteria.

Is the proposed development sufficiently buffered from other less intensive land uses?

The area to be rezoned is immediately adjacent to a public park land use and surrounded by agricultural land uses. Buffering requirements will likely be part of any Special Use Permit review and approval by the Zoning Board of Adjustment.

The rezoning request meets a preponderance of this criteria.

Is there a recognized need for such development?

Chapter 2 of the Scott County Comprehensive Plan includes “Parks, Open Space, and Conservation Area Objectives” that direct County planning efforts to “ensure that existing and future parks, open space, and conservation areas are meeting the needs of the residents and offer opportunities for visitors to the County.” The Commission and Board of Supervisors advanced that objective by creating the C-R district, and it is clear the private sector sees a demand for private park uses within the County and is responding by attempting to amend the ordinance text and zoning map.

The rezoning request meets this criteria.

~*~

Staff has mailed notification to the adjacent property owners within five hundred feet (500') of this property of this hearing. A sign has also been placed on the property stating the date and time this request would be heard by the Planning and Zoning Commission. Staff has received comment from one member of the public who is opposed to the rezoning, and intends to attend the public hearing.

Staff has also notified the County Secondary Roads Department, County Health Department, Bi-State Regional Commission, and the local NRCS for review and



PLANNING & ZONING COMMISSION

STAFF REPORT

April 18, 2023



comment. The Secondary Roads Department, Health Department, and local NRCS did not have any comments or concerns. Staff expects Bi-State Regional Commission to provide a review, which will be provided to Commission members before or at the hearing.

RECOMMENDATION: Staff recommends that the rezoning of 55.7 acres of this property from Agricultural-Preservation (A-P) to Conservation-Recreation (C-R) be approved based on its compliance with a preponderance of the criteria of the Revised Land Use Policies.

Submitted by:
Alan Silas, Planning & Development Specialist
April 14, 2023

PLANNING & DEVELOPMENT

600 West Fourth Street
Davenport, Iowa 52801-1106
Email: planning@scottcountyiowa.gov
Office: (563) 326-8643



Chris Mathias,
Director

**NOTICE OF PLANNING AND ZONING COMMISSION
PUBLIC HEARING FOR REZONING**

In accordance with Section 6-31 of the Revised Zoning Ordinance for unincorporated Scott County, the Planning and Zoning Commission will review a proposed rezoning on **Tuesday, April 18, 2023 at 5:30 P.M.** This notice is being sent to property owners of record within 500 feet of the property in question and appropriate County officials. The meeting will be held in the **1st Floor Board Room of the Scott County Administrative Center, 600 West 4th Street, Davenport, Iowa 52801.**

The Planning and Zoning Commission will hear the request of **Rily and Ardita Grunwald** (deedholder Dale Grunwald) to rezone 55.7 acres, more or less, from Agricultural-Preservation (A-P) to Conservation-Recreation (C-R) in the W ½ of the SW ¼ of Section 6 in Princeton Township (Scott County Parcels #950633001, 950649003). The applicants intend to eventually pursue approval of a Special Use Permit to construct and operate a Snow Tubing Facility on the property. The Scott County Board of Supervisors is currently considering an ordinance text amendment to add Snow Tubing Facility to the list of Special Permitted Uses in the C-R District. The rezoning in and of itself will *not* allow development on the site: If the rezoning and text amendment are approved by the Board of Supervisors, the applicants must be granted a Special Use Permit from the Scott County Zoning Board of Adjustment prior to construction and operation.

If you have any questions or comments regarding this meeting or proposal, please call or write the Planning and Development Department, Scott County Administrative Center, 600 West Fourth Street, Davenport, Iowa 52801, (563) 326-8643, planning@scottcountyiowa.gov, or attend the meeting.

Prepared by: Scott County Planning and Development, 600 West Fourth Street, Davenport Iowa

SCOTT COUNTY ORDINANCE NO. 23-_____

AN ORDINANCE TO AMEND THE ZONING MAP BY REZONING APPROXIMATELY 55.7 ACRES IN SECTION 6, PRINCETON TOWNSHIP FROM AGRICULTURAL-PRESERVATION (A-P) TO CONSERVATION-RECREATION (C-R), ALL WITHIN UNINCORPORATED SCOTT COUNTY.

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 Agricultural-Preservation (A-P) to Conservation-Recreation (C-R) to-wit:

The NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6 in Township 79 North, Range 5 East of the 5th P.M. (Princeton Township) AND the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6 in Township 79 North, Range 5 East of the 5th P.M. (Princeton Township) excluding the South 776.07 feet of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6 in Township 79 North, Range 5 East of the 5th P.M. (Princeton Township)

Section 2. This ordinance changing the above described land to Conservation-Recreation (C-R) is approved as recommended by the Planning and Zoning Commission.

Section 3. The County Auditor is directed to record this ordinance in the County Recorder's Office.

Section 4. 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 5. Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

Section 6. 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 _____ 2023.

Ken Beck, Chair
Scott County Board of Supervisors

Kerri Tompkins, County Auditor



**Planning & Development
Scott County, Iowa**

Email: planning@scottcountyiowa.com
Office: (563) 326-8643
Fax: (563) 326-8257

Item 11
05/09/2023

Chris Mathias, Director

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

April 28, 2023

To: Mahesh Sharma, County Administrator
From: Chris Mathias, Planning Director
Re: Olathea Overlook Preliminary Plat Approval

Planning Staff have received a request from Steve and Lisa Zelle (DBA Legacy Development) for a major subdivision known as Olathea Overlook. The proposed plat would subdivide 39-acre tract, more or less, (Scott County Parcel #951555002) into six (6) lots. The property is legally described as Lot 4 of Great River Hills in Section 15 of LeClaire Township.

I will be at the Committee of the Whole on May 9th to give a presentation and answer your questions on this matter. I've also attached the staff report and maps for your information. Here is a summary of how the Planning & Zoning Commission voted on this item, recommending approval at the April 18th, 2023 meeting:

2. Public Hearing – Preliminary Plat

Application from Steve and Lisa Zelle (DBA Legacy Development) for a major subdivision known as Olathea Overlook. The proposed plat would subdivide 39-acre tract, more or less, (Scott County Parcel #951555002) into six (6) lots. The property is legally described as Lot 4 of Great River Hills in Section 15 of LeClaire Township.

The Commission voted (6-0) to recommend approval of the request, with conditions, in accordance with staff's recommendation. The applicants were present to answer questions. No members of the public spoke for or against the request.

• Vote (recommend approval of Preliminary Plat with conditions): 6-0, All Ayes w/ Conditions:

1. The private covenants include provisions for the ownership and maintenance of the proposed outlot;
2. The private covenants include provision for road maintenance of the shared private road;
3. The private covenants include provisions that no additional subdivision of these lots be permitted;
4. The County Engineer review and approve all street construction plans, drainage plans, and erosion control plans prior to construction; and
5. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.



PRINCETON

235TH ST

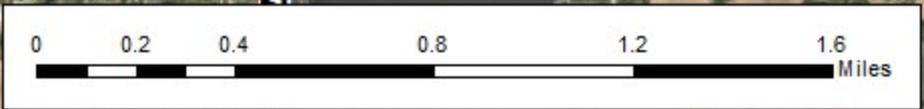
270TH AVE

HWY 67

Subject Property

67

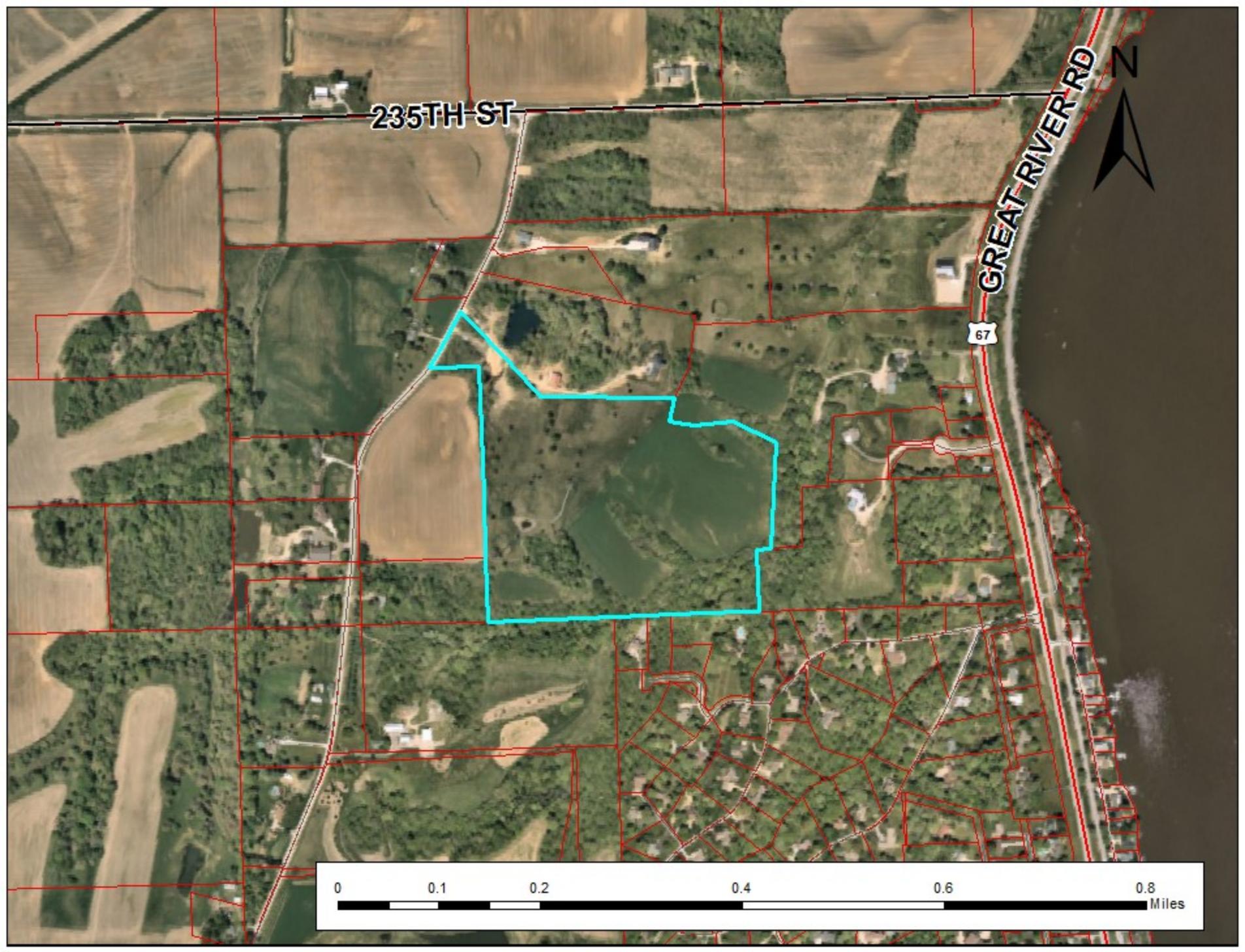
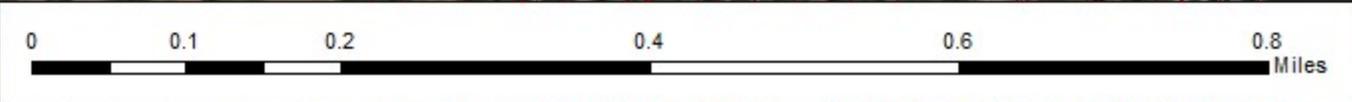
AT RIVER RD

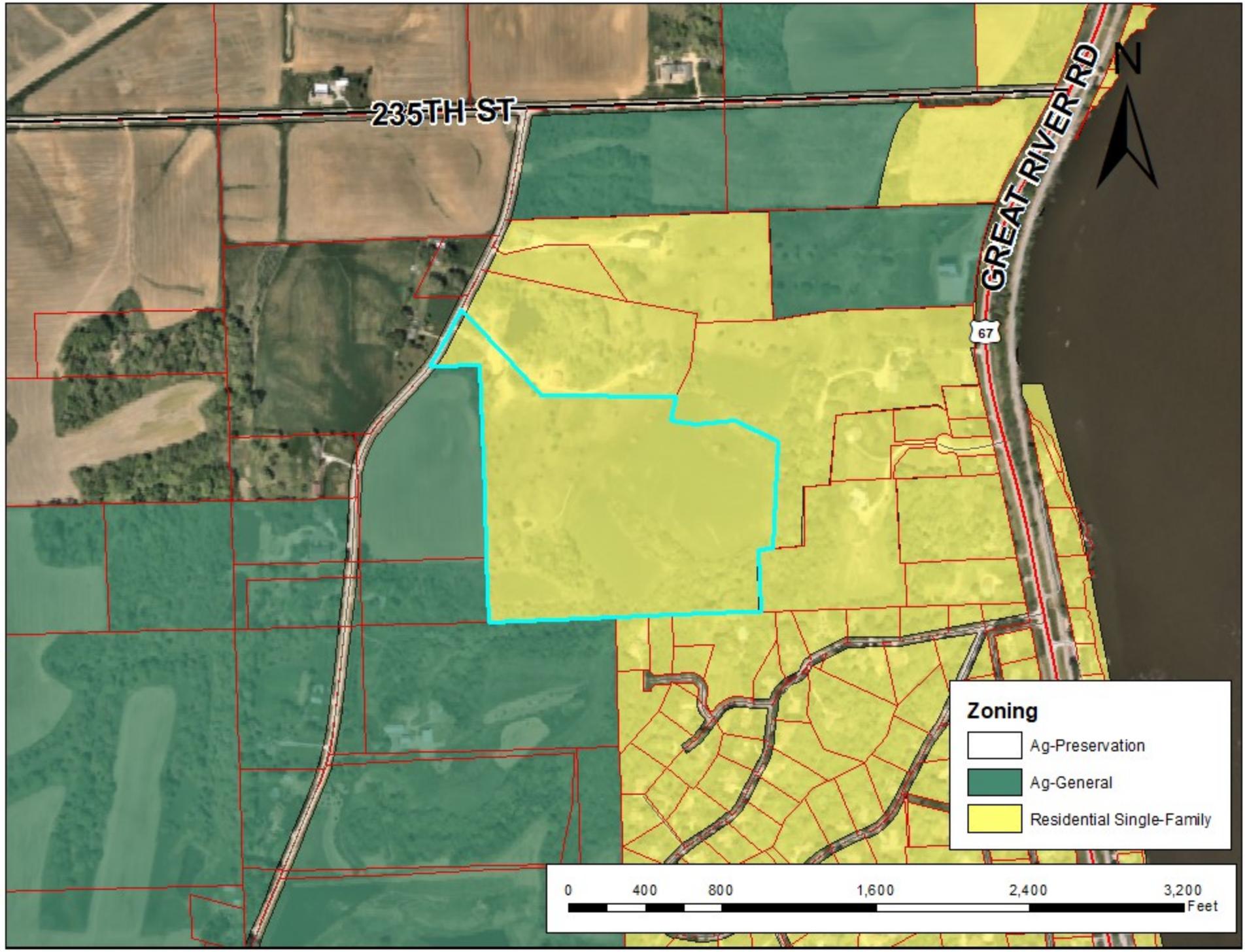


235TH ST

67

GREAT RIVER RD





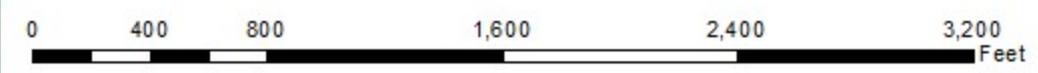
235TH ST

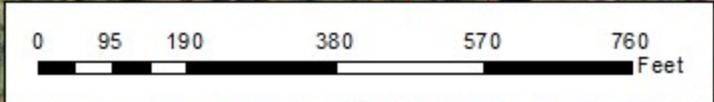
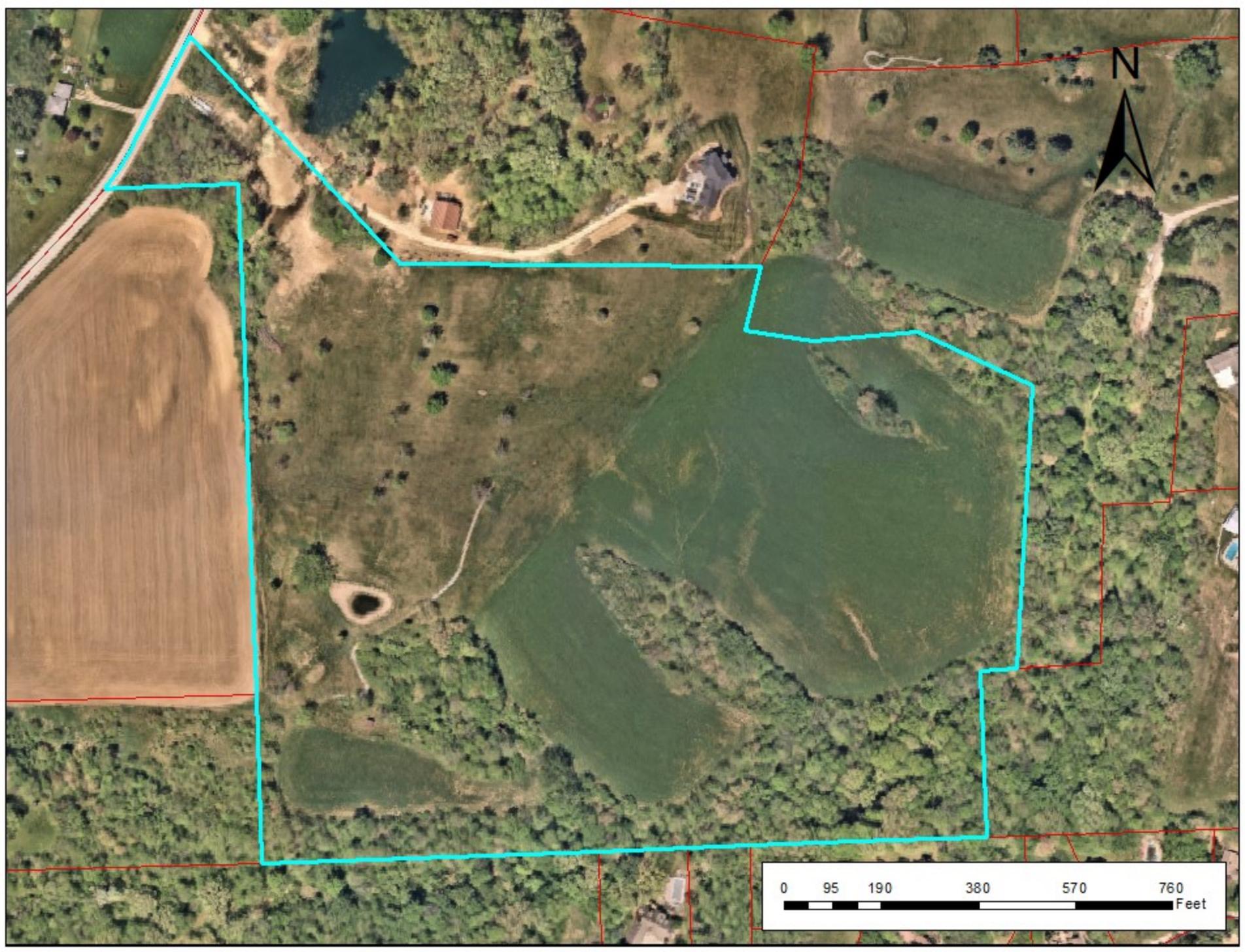
GREAT RIVER RD

67

Zoning

- Ag-Preservation
- Ag-General
- Residential Single-Family



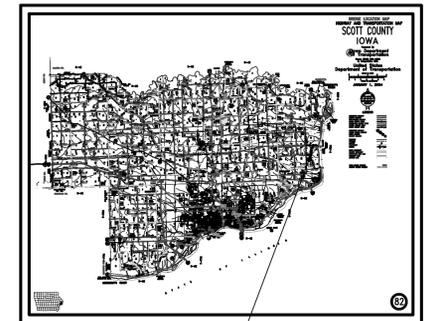


OLATHEA OVERLOOK

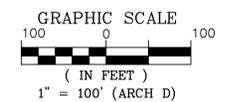
PRELIMINARY PLAT

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 FIFTH PRINCIPAL MERIDIAN, BEING A REPLAT OF LOT 4 OF THE GREAT RIVER HILLS AMENDED FINAL PLAT, AN ADDITION TO SCOTT COUNTY, IOWA

SITE LOCATION MAP



APPROXIMATE SITE LOCATION



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.

PLAT INFORMATION

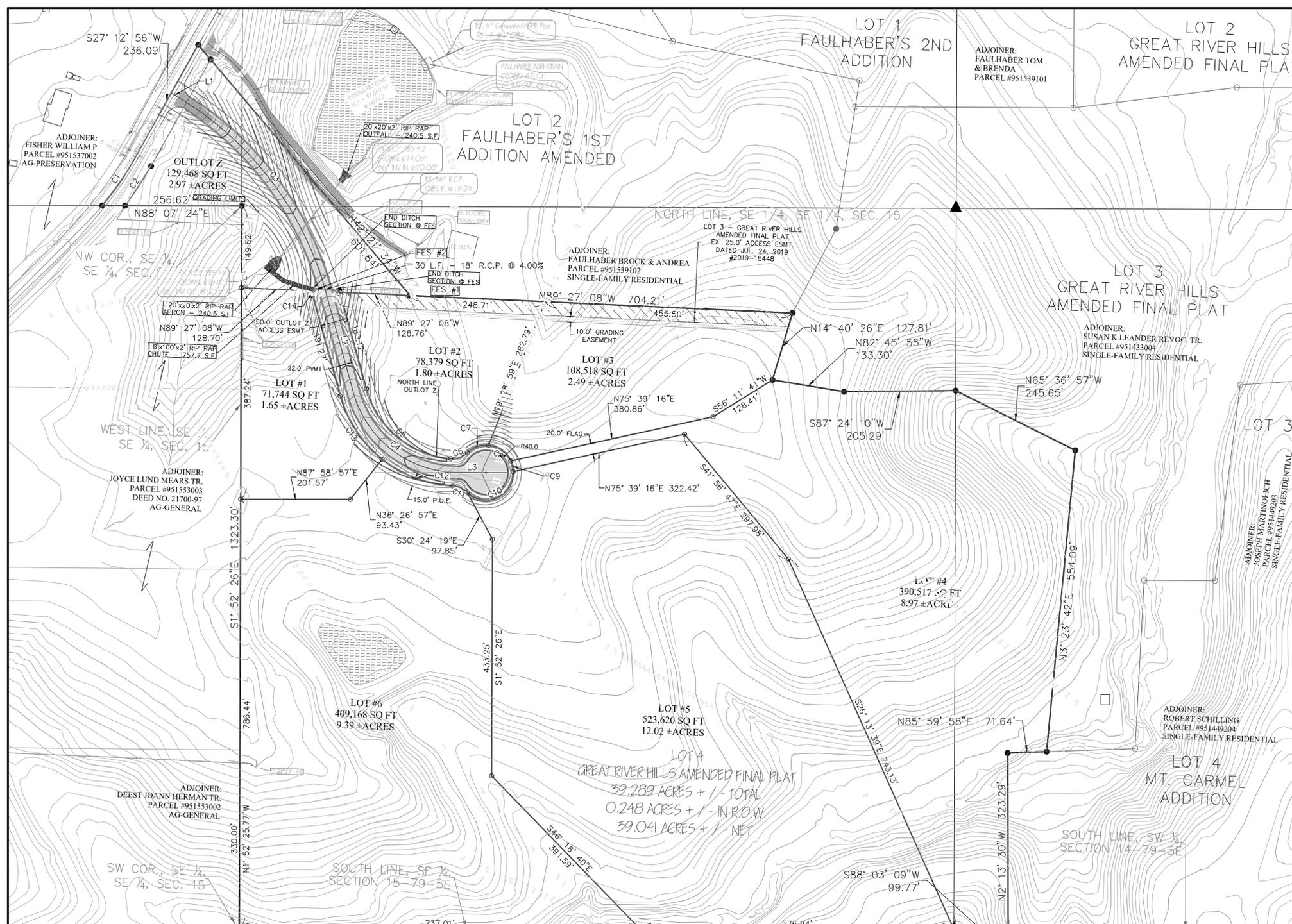
- Owner:**
Steve & Lisa Zelle
3285 Fields Drive
Bettendorf, Iowa 52722
Ph: (563) 332 - 3200
- Engineer-Of-Record:**
Christopher R. Townsend, P.E.
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386 - 4236
- Surveyor-Of-Record:**
Michael D. Richmond, PLS
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386 - 4236
- Attorney-Of-Record:**
Curt A. Oppel
Stanley Lande & Hunter
201 West 2nd Street, Suite 1000
Davenport, Iowa 52801
Ph: (563) 324 - 1000

GENERAL NOTES:

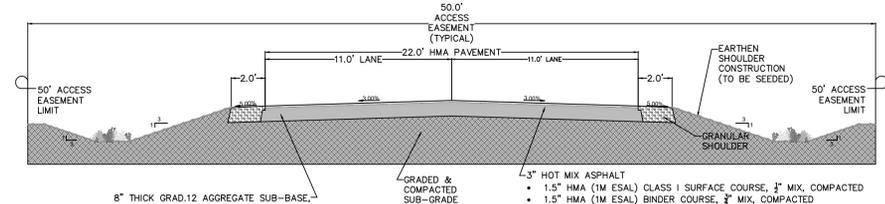
- LEGAL DESCRIPTION OF EXISTING PROPERTY:
PART OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 14 AND PART OF THE SOUTHEAST QUARTER OF SECTION 15, ALL IN TOWNSHIP 79 NORTH, RANGE 5 EAST OF THE FIFTH PRINCIPAL MERIDIAN, BEING A REPLAT OF LOT 4 OF THE GREAT RIVER HILLS AMENDED FINAL PLAT, AN ADDITION TO SCOTT COUNTY, IOWA.
- SUBDIVISION CONTAINS 39.289 ACRES (1,711,414 S.F.) TOTAL WITH 0.248 ACRES (10,798 S.F.) OF RIGHT-OF-WAY AND A NET AREA OF 39.041 ACRES (1,700,616 S.F.).
- MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- THE PRIVATE LANE SHALL BE NAMED IN ACCORDANCE WITH THE RURAL ADDRESSING SYSTEM FOR UNINCORPORATED SCOTT COUNTY.
- ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.
- COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT, OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND REPORT ANY DIFFERENCES AT ONCE.
- THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR-OF-RECORD'S SIGNATURE AND SEAL.
- ALL IMPROVEMENTS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF PRINCETON, IOWA STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, LATEST EDITION, AND THE SCOTT COUNTY, IOWA STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, LATEST EDITION, AND THE STANDARDS OF THE IOWA DEPARTMENT OF NATURAL RESOURCES, LATEST EDITION. IN THE EVENT OF CONFLICTING CODES, THE STRICTER SHALL PREVAIL.
- OVERLAY UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC (PRIMARY/SECONDARY/PAD-MOUNTED EQUIPMENT & STREET LIGHTS), TELEPHONE, AND CABLE TELEVISION SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.
- ALL IMPROVEMENTS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF PRINCETON, IOWA STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, LATEST EDITION, AND THE STANDARDS OF THE IOWA DEPARTMENT OF NATURAL RESOURCES, LATEST EDITION. IN THE EVENT OF CONFLICTING CODES, THE STRICTER SHALL PREVAIL.
- OVERLAY UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC (PRIMARY/SECONDARY/PAD-MOUNTED EQUIPMENT & STREET LIGHTS), TELEPHONE, AND CABLE TELEVISION SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.
- THE SUBJECT PROPERTY IS ZONED R-1: SINGLE FAMILY RESIDENCE. ZONING SETBACK LINES ARE BASED ON ZONING REQUIREMENTS AS OF THE DATE OF COUNTY BOARD APPROVAL. IN CASE OF CONFLICT BETWEEN THE LINES SHOWN AND FUTURE CODE REQUIREMENTS, THE CODE REQUIREMENTS SHALL GOVERN.
- THIS SUBDIVISION LIES WITHIN ZONE "X" (AREA NOT PRONE TO FLOODING) AS SHOWN ON FEMA FIRM PANEL #19163C0265G, EFFECTIVE MARCH 23, 2021.
- SEWAGE TREATMENT TO BE PROVIDED BY PRIVATE SEPTIC SYSTEMS, CONFORMING WITH THE SCOTT COUNTY, IOWA PRIVATE SEWAGE DISPOSAL SYSTEM STANDARD SPECIFICATIONS, LATEST EDITION.
- POTABLE WATER TO BE PROVIDED BY PRIVATE WELL SYSTEMS, CONFORMING WITH THE SCOTT COUNTY, IOWA PRIVATE WATER SUPPLY WELL STANDARD SPECIFICATIONS, LATEST EDITION.
- STORM WATER DETENTION SHALL BE PROVIDED BY EXISTING REGIONAL RETENTION POND, LOCATED ON LOT 2 OF THE FAULHABER'S FIRST ADDITION AMENDED, VIA AGREEMENT, TO BE RECORDED PRIOR TO FINAL PLAT APPROVAL.
- OUTLOT Z IS RESERVED FOR STORMWATER CONVEYANCE/DRAINAGE, PUBLIC INGRESS/EGRESS, AND PUBLIC SERVICES/UTILITIES TO THE SUBDIVISION.
- PLAT NOTES ESTABLISH REQUIREMENTS FOR HOW A SUBDIVISION WILL DEVELOP. HOWEVER, THE COUNTY RESERVES THE RIGHT IN ITS SOLE DISCRETION TO ALTER OR AMEND ANY PLAT NOTE, OR TO SELL OR VACATE ANY RIGHT-OF-WAY OR UTILITY EASEMENT DEDICATED WITHIN THE PLAT. FURTHER, THE COUNTY RESERVES THE RIGHT UPON REQUEST OF THE OWNER TO RELOCATE ANY EASEMENT, ALTER LOT BOUNDARIES, OR ALLOW GROUND TO BE RE-PLATTED.
- FURTHER SUBDIVISION OF PLATTED LOTS SHOWN HEREIN IS NOT PERMITTED.

Curve #	Length (FT)	Radius (FT)	Delta	Chord Direction	Chord Length (FT)
C1	107.78	573.00	10.78	N32° 36' 15"E	107.62
C2	86.92	606.00	8.22	N31° 19' 29"E	86.84
C3	459.40	600.00	43.87	S39° 25' 30"E	448.26
C4	260.15	200.00	74.53	S54° 45' 13"E	242.19
C5	214.07	175.00	70.09	N52° 32' 00"W	200.97
C6	33.39	40.00	47.83	S68° 30' 35"W	32.43
C7	42.44	50.00	48.63	S68° 54' 38"W	41.17
C8	52.15	50.00	59.76	N56° 53' 47"W	49.82
C9	20.14	50.00	23.08	S15° 28' 45"E	20.00
C10	118.59	50.00	135.90	N64° 00' 35"E	92.69
C11	29.02	40.00	41.57	S68° 49' 34"E	28.39
C12	141.61	225.00	36.06	S71° 34' 52"E	139.28
C13	141.61	225.00	36.06	N35° 31' 14"W	139.28
C14	8.16	575.00	0.81	N17° 53' 49"W	8.16

Line #	Length (FT)	Direction
L1	13.62	S61° 21' 35.27"E
L2	191.27	S17° 29' 24.94"E
L3	51.37	N87° 58' 59.79"E



LEGEND:
 DEED DIMENSION = (0.00)
 FIELD DIMENSION = 0.00' MONUMENTS FOUND:
 #5 REBAR, UNLESS NOTED = ●
 CHISELED "X" = X
 MONUMENTS SET:
 #5 REBAR W/ YELLOW CAP #23503 = ○
 BOUNDARY LINE = ————
 ROAD CENTER LINE = - - - - -
 EASEMENT LINE = - · - · -
 SETBACK LINE = - · - · -
 SECTION LINE = - - - - -



TYPICAL ROADWAY SECTION
SCALE: ONE INCH = FIVE FEET

EXISTING 25.0' ACCESS EASEMENT CONVEYED TO LOT 3 - GREAT RIVER HILLS DATED JULY 24, 2019 (REC# 2019-18448)
 PROPOSED 10.0' GRADING EASEMENT CONVEYED TO LOT 3 - GREAT RIVER HILLS

MINIMUM LOT AREA, LOT WIDTH, SETBACK, & MAXIMUM HEIGHT REQUIREMENTS
 LOT AREA : 30,000 SQ.FT. & LOT WIDTH : 100 FT.
 FRONT YARD : 50 FT. ; SIDE YARD : 10 FT. ; REAR YARD : 40 FT.
 MAX. STORIES : 2½ ; MAX. HEIGHT : 35 FT.



DATE: 03.20.2023 TE PROJECT NO.: OLATHEA
 563 386.4236 office 386.4231 fax
 2224 East 12th Street, Davenport, IA 52803

DRAWN BY: KRZ
 CHECKED BY: MDR/KLC
 DRAWING LOCATION
 D:\TOWNSEND ENGINEERING\TE PROJECTS\PRECISION BUILDERS, INC\OLATHEA\CAD\PRODUCTION DRAWINGS\LOT 4 - GREAT RIVER HILLS (PLAN).DWG

NO.	REVISIONS: DESCRIPTION	DATE
1.		

PROJECT
 PRELIMINARY PLAT
 OLATHEA OVERLOOK
 SCOTT COUNTY, IOWA

DEVELOPER
 STEVE & LISA ZELLE
 3285 FIELDS DRIVE
 BETTENDORF, IOWA

SHEET NO.
 1
 OF
 1



PLANNING & ZONING COMMISSION

STAFF REPORT

April 18, 2023



- Applicant:** Steve and Lisa Zelle (DBA Legacy Development)
- Request:** Preliminary plat approval for a major subdivision known as Olathea Overlook
- Legal Description:** Lot 4 of the Amended Final Plat of Great River Hills, an addition to Scott County, Iowa, being part of the SW $\frac{1}{4}$ of the fractional Section 14 and part of the SE $\frac{1}{4}$ of Section 15, all in LeClaire Township.
PIN: 951555002
- General Location:** Approximately $\frac{1}{4}$ mile West of Great River Road, South-adjacent to Faulhaber's First Addition along 277th Avenue, part of the former Olathea Golf Course
- Existing 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:** Agricultural-General (A-G), Agricultural-Preservation (A-P)

GENERAL COMMENTS: This request is for approval of a Preliminary Plat to subdivide an existing 39-acre parcel, more or less, into six (6) new lots. The subdivision, which would be known as Olathea Overlook, would have frontage along 277th Avenue and would be adjacent to several existing residential subdivisions including Faulhaber's First Addition, Mt. Carmel Addition, and Woods & Meadows. The current proposed plat features a short cul-de-sac from 277th Avenue for access to the development lots, which range in size from 1.65 to 12.02 acres. The plat also includes a 2.97-acre outlot (Outlot Z), which would contain about half of the length of the cul-de-sac at the subdivision entrance as well as components of the proposed storm water management system.

The Planning & Zoning Commission reviewed and approved a Sketch Plan for the development in February 2021, which was known as The Overlook at the time. The conditions of approval of the Sketch Plan are detailed in the Staff Review section.

STAFF REVIEW: Staff has reviewed this request for compliance with the requirements of the Subdivision Regulations and Zoning Ordinances. The Subdivision Regulations define a major plat as any subdivision not classified as a minor plat, including but not limited to subdivisions of five (5) or more lots, or any size plat requiring any new street or extension of public facilities, or the creation of any public improvements. For major plats,



approval of a preliminary plat is required prior to any final plat submittal. Following a recommendation by the Planning Commission, the Preliminary Plat must be approved by the Board of Supervisors prior to the preparation of a final plat.

Zoning, Land Use, and Lot Layout

The proposed configuration of the 39-acre tract creates six (6) development lots and one (1) outlot, each with the development right for one (1) single-family dwelling. Half of the lots would be less than 3.0 acres in size (1.65, 1.80, 2.49) and the other half would be significantly larger at 8.97, 9.39, and 12.02 acres.

Common Open Space

A major subdivision of this proposed density does not require common open space, but a 2.97-acre lot (Outlot Z) at the entrance would feature a portion of the roadway, components of the proposed storm water management system, and green space.

Access and Roadway Improvements

The right-of-way widths prescribed in the Subdivision Regulations for local residential streets require that a typical section include a minimum of 50 feet of right-of-way. Olathea Overlook would provide 22 feet for the roadway itself, 2 feet on either side of the roadway for granular shoulders, and 12 feet on either side of the granular shoulders for drainage ditches, resulting in a 50-foot right-of-way. The County Engineer has reviewed the roadway construction plans for compliance.

The plat also includes a platted access easement to Lot 3 of Great River Hills Amended Final Plat to the east of the development (deed holder Susan K. Leander Revocable Trust) with room for an 11-foot driveway, which fulfills a perpetual access agreement to provide access to that property. The platted easement would be located along the northern boundaries of Lots 2 and 3. Given the topography of the easement location, staff required that a 10-foot grading easement be platted along the southern edge of the access easement so that future owners of proposed Lots 2 and 3 are conscious of the grading that may need to take place if the driveway were graded and paved or graveled. Zoning staff would measure required setbacks from the southern edge of the grading easement instead of the access easement or property line.

Protection of Natural Vegetation Cover

Whenever a wooded site is to be developed, no more than fifteen percent (15%) of the naturally occurring canopy-tree cover shall be removed due to surface earth grading, roadway construction, building site clearance, or any other construction activity associated with subdivision site improvement. While the site contains some wooded areas in the lower elevations along the southern and eastern boundaries, as well as near the subdivision entrance, less than 15% will be impacted since the majority of the site is fallow former agricultural land or part of the former golf course.



Storm Water Management

The proposed Preliminary Plat would manage storm water by utilizing a drainage easement with the owners of an adjacent subdivision, Faulhaber's First Addition, to divert storm and surface water to an existing detention basin. A copy of the drainage easement (labeled Permanent Ingress-Egress Easement and Maintenance Agreement) has been reviewed and entered into the record.

Erosion and Sediment Control Plan

Erosion and Sediment Control Plans are not expected at Preliminary Plat stage, but will be forwarded to the County Engineer for review and comment at Final Plat.

Water

Each lot will be served by a private well. The County Health Department did not submit any comments or concerns with this Preliminary Plat.

Wastewater disposal systems

Subdivisions containing less than forty (40) lots may install individual on-site systems that meet County Health Department regulations, which is the intention for this development. The Health Department did not submit any comments or concerns with this Preliminary Plat.

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 Preliminary Plat submittal. The City has had no comments at this time, and their consent/approval is not required until the Final Plat stage.

Approval Conditions of the Sketch Plan

The Planning & Zoning Commission reviewed and approved a Sketch Plan for the development in February 2021, which was known as The Overlook at the time. The approval was contingent on six (6) conditions:

1. The private covenants include provisions for the ownership and maintenance of the proposed outlet;
Final private covenants must be submitted at Final Plat approval, so this will remain a condition of approval.
2. The private covenants include provision for road maintenance of the shared private road;
Final private covenants must be submitted at Final Plat approval, so this will remain a condition of approval.



PLANNING & ZONING COMMISSION

STAFF REPORT

April 18, 2023



3. That the easement for the shared driveway serving Lots 3 & 4 be a minimum of a 40 feet wide road easement with a 10 feet wide utility and drainage easement adjacent to one side of the road easement
The shared driveway for Lots 3 & 4 has been removed, so this condition is no longer relevant.
4. The private covenants include provisions for the use and maintenance of the proposed shared driveway;
The shared driveway for Lots 3 & 4 has been removed, so this condition is no longer relevant.
5. The private covenants include provisions that no additional subdivision of these lots be permitted; and
Final private covenants must be submitted at Final Plat approval, so this will remain a condition of approval.
6. The County Engineer review and approve all street construction plans, drainage plans, and erosion control plans prior to construction.
This will remain a condition of approval.

Others Notified

The Subdivision Ordinance requires additional notification of the following County Departments and local entities: Assessor, Auditor, Bi-State Regional Planning Commission, and District Soil Conservationist Staff. None of those entities submitted comments or concerns on the proposal as of this time.

Staff also notified adjacent property owners within five hundred feet (500') of the public hearing before the Planning Commission. No comments have been received as of yet.

RECOMMENDATION: Staff recommends that the Preliminary Plat of Olathea Overlook be approved with the following conditions:

1. The private covenants include provisions for the ownership and maintenance of the proposed outlot;
2. The private covenants include provision for road maintenance of the shared private road;
3. The private covenants include provisions that no additional subdivision of these lots be permitted;
4. The County Engineer review and approve all final street construction plans prior to construction; and
5. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.

Submitted by:
Alan Silas, Planning & Development Specialist
April 14, 2023

PLANNING & DEVELOPMENT

600 West Fourth Street

Davenport, Iowa 52801-1106

Email: planning@scottcountyiowa.gov

Office: (563) 326-8643

Fax: (563) 326-8257



Chris Mathias
Director

**NOTICE OF PLANNING AND ZONING COMMISSION
PUBLIC HEARING FOR REVIEW OF A PRELIMINARY PLAT OF A MAJOR SUBDIVISION**

Public Notice is hereby given as required by Section 6-31 of the County Code (Zoning Ordinance), that the Scott County Planning and Zoning Commission will hold a public hearing for a proposed preliminary plat of a major subdivision on **Tuesday, April 18, 2023 at 5:30 PM**. The meeting will be held in the **1st Floor Board Room of the Scott County Administrative Center, 600 West 4th Street, Davenport, Iowa 52801**.

The Planning and Zoning Commission will consider an application from **Steve and Lisa Zelle (DBA Legacy Development)** for a Preliminary Plat review of a Major Subdivision known as **Olathea Overlook**. The plat would subdivide an existing 39-acre parcel, more or less, into six (6) new lots. The property is zoned Residential Single-Family (R-1) and each new lot would retain one (1) development right for a single-family dwelling. All lots would have access via a private road built to county standards, located to the east of 277th Avenue. The property is legally described as Lot 4 of the Amended Final Plat of Great River Hills, an addition to Scott County, Iowa, being part of the SW ¼ of the fractional Section 14 and part of the SE ¼ of Section 15, all in LeClaire Township.

If you have questions or comments regarding this meeting or the proposed plat please call, write or email the Planning and Development Department, 600 West Fourth Street, Davenport, Iowa 52801, (563) 326-8643, planning@scottcountyiowa.gov or attend the meeting.

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 11, 2023

APPROVING THE PRELIMINARY PLAT OF OLATHEA OVERLOOK 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 11th day of May, 2023 considered the final plat of **OLATHEA OVERLOOK ADDITION**, a 6-lot subdivision in part of the SE ¼ of Section 15, and SW ¼ of Section 14, Township 79 North, Range 5 East of the 5th Principal Meridian (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 preliminary plat of said subdivision with the conditions that:

1. The private covenants include provisions for the ownership and maintenance of the proposed outlot;
2. The private covenants include provision for road maintenance of the shared private road;
3. The private covenants include provisions that no additional subdivision of these lots be permitted;
4. The County Engineer review and approve all street construction plans, drainage plans, and erosion control plans prior to construction; and
5. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.

Section 2. This Resolution shall take effect immediately.

Prepared by: Scott County Planning & Development, 600 West Fourth Street, Davenport Iowa

SCOTT COUNTY ORDINANCE NO. 23 - _____

AN ORDINANCE TO AMEND PORTIONS OF THE ZONING ORDINANCE FOR UNINCORPORATED SCOTT COUNTY TO ADD SNOW TUBING FACILITY AS A SPECIAL USE IN THE, CONSERVATION-RECREATION “C-R”. DISTRICT.

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

Section 1. Amend Section 6-5 DEFINITIONS of the Zoning Ordinance for Unincorporated Scott County by adding:

Section 6-5(106) SNOW TUBING FACILITY A private park facility generally used for the recreational activity of sliding downhill over snow on a large inflated inner tube. Private snow tubing operations shall take advantage of natural topography to provide appropriate slopes and shall not require significant grading. Snow tubing operations may include: mechanical uphill surface transportation utilizing an uphill-tow-style or conveyor-style system; a building to house pumps, snow-making and maintenance equipment and inner tube storage; a Snow Tubing Facility Concession/Warming Area; a scale-appropriate parking lot; and water detention lake. Most snow tubing operations shall require approval from the Iowa Department of Natural Resources prior to construction and operation.

Section 6-5(107) SNOW TUBING FACILITY CONCESSION/WARMING AREA: An enclosed building, limited to 1,200 square feet, containing restroom facilities, a warming area limited to space for changing clothes or preparation for snow tubing, and a concession area limited to the sale of pre-prepared foods with no food preparation that requires an oven, hood or grease trap.

Section 2. Amend the Zoning Ordinance for Unincorporated Scott County by amending Sec. 6-11 D as follows:

D. Special Permitted Uses: Snow tubing facility

Section 3. The County Auditor is directed to record this ordinance in the County Recorder's Office.

Section 4. 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 5. Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

Section 6. Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Public Hearing / First Consideration _____,

Second Consideration _____,

Third Consideration _____,

Ken Beck, Chair
Scott County Board of Supervisors

Attested by: _____

Kerri Tompkins, County Auditor

Published on _____

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

May 11, 2023

APPROVAL OF STAFF APPOINTMENTS

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

Section 1. The hiring of Jason James for the position of Office Assistant with the FSS Department at entry level rate.

Section 2. The hiring of Sophia Pena for the position of Office Assistant with the FSS Department at entry level rate.

Section 3. The hiring of Marc Wyers for the position of Assistant County Attorney with the County Attorney's Office at entry level rate.

Section 4. The hiring of Casey Peeters for the position of Assistant County Attorney with the County Attorney's Office at entry level rate.

Section 5. The hiring of Christine Starling for the position of Multi Service Clerk with the Treasurer's Office at entry level rate.

Section 6. Jennylyn Yerington for the position of Network Systems Administrator with the IT Department at entry level rate.

Section 7. Brandi Miller for the position of Corrections Officer with the Sheriff's Office at entry level rate.

Section 8. Mayson Gedye for the position of Corrections Officer with the Sheriff's Office at entry level rate.

Section 9. Ieashea Armstrong for the position of Corrections Officer with the Sheriff's Office at entry level rate.

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

May 11, 2023

APPROVING A RECRUITMENT INCENTIVE FOR DEPUTIES

WHEREAS, the Sheriff's Office needs to remain competitive with other law enforcement agencies in recruiting and hiring;

WHEREAS, most law enforcement agencies are offering incentives to hire experienced law enforcement, the County is proposing comparable measures;

WHEREAS, the funds needed for this incentive can come from the Sheriff's current salary budget authority and does not require additional funding.

NOW THEREFORE, BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

Section 1. That the attached side letter to the Deputy Sheriff Association contract be approved and executed by the Human Resource Director as Chief Negotiator, thereby allowing for recruitment incentives of increased pay rate and vacation accruals.

Section 2. That this resolution shall take effect immediately and expire on June 30, 2024.

SIDE LETTER BETWEEN

SCOTT COUNTY IOWA AND DEPUTY SHERIFF'S ASSOCIATION

1. The Sheriff is authorized to hire deputies who are currently certified through the Iowa Law Enforcement Academy or who are certified in a state other than Iowa, up to step 5 of Section 1.1 of the current wage scale.
2. The Sheriff is not required to seek prior Board approval pursuant to County Policy D.
3. Any deputy hired pursuant to Section 1 of this side letter may be permitted to accrue vacation pursuant to Section 5.1 up to the equivalent of 5 years of service with the County. A newly hired deputy who is currently certified through the Iowa Law Enforcement Academy or who is certified in a state other than Iowa, at minimum shall accrue vacation at the equivalent of 1 year of service with the County.
4. A new employee hired based upon this section shall not advance past a current employee with equitable experience. If this were to occur, the current employee will be brought to the wage step of the newly hired employee as well as the vacation accrual of the new employee.

This side letter shall be for any hires between July 1, 2023 and June 30, 2024 unless the parties mutually agree otherwise.

FOR DSA

FOR SCOTT COUNTY

Date _____

Date _____

OFFICE OF THE COUNTY ADMINISTRATOR

600 West Fourth Street
Davenport, Iowa 52801-1003

Office: (563) 326-8702

www.scottcountyiowa.gov



May 1, 2023

To: County Board of Supervisors

From: Mahesh Sharma, Scott County Administrator
David Farmer, Director of Budget and Administrative Services

RE: External Consultant for EMS Transition Study and Business Consulting Services – Contract Amendment

Scott County is consulting with many community partners and utilized outside consulting services about the potential transition of MEDIC EMS to a county department since last fall. In December, 2022 the County entered into contract with Public Consulting Group (PCG) for a consultation contract including two phases including an Operational Analysis, and an Administrative & Financial Analysis.

The Operational Analysis phase was presented on March 30, 2023. The Operational Analysis looked at call volume, response time, needs assessment, identification of impacts to 9-1-1 dispatching, organization structure, MEDIC EMS (501c3) transition timeline to County, and stakeholder interviews. The Administrative & Financial Analysis, will include community / municipality interviews, employee engagement, staffing needs assessment, financial analysis including GEMT revenue projections, identification of administrative / regulatory impacts, and comparison to three similar agencies / departments. The Administrative & Financial Analysis will be presented in the summer of 2023.

The current contract was an all-inclusive fee of \$33,500 and included one trip to Scott County. At this time, the Scott County transition team is requesting a contract amendment for additional services. The additional services will include:

- In person presentation for the phase 2 report, tentatively scheduled July 20, 2023.
- Remote / virtual engagement extended through January 2024
 - Not to exceed 10 hours per month
 - Participation in transition team meetings and other meetings as determined appropriate by Scott County transition team
 - Continued efforts to watch for possible opportunities or challenges present in the transition process.

Since we have begun this transition process, Scott County has engaged an external search firm for the department's first Director, and outside legal services. With a potential department Director not being in place until late summer or early fall, we would appreciate the additional support in the gap period between July 2023 and January 2024.

The transition team has appreciated the insight and guidance PCG has provided in discussions with outside partners, state representatives and the public. The Scott County transition team is currently meeting weekly for planning and other needs. PCG would remain available to help guide a new Director in their position and transition.

PCG has offered an all-inclusive fee of \$12,500 for the additional services.

It is the project team's recommendation to enter into a contract amendment with Public Consulting Group.

CC:

Vanessa Wierman, Human Resources Director / PIO

Amy Thoreson, County Health Director

Dave Donovan, SECC Director

Matt Hirst, Information Technology Director

Tammy Speidel, Facilities and Support Services Director

Linda Frederiksen, MEDIC EMS Director

Scott County Staff

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

MAY 11, 2023

APPROVING THE CONTACT AMENDMENT WITH PUBLIC CONSULTING GROUP, LLC FOR EMS TRANSITION STUDY AND CONSULTATION SERVICES

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

Section 1. Scott County is in support of MEDIC EMS as an emergency medical services provider within Scott County. Scott County has provided general financial support to MEDIC EMS as a core service provider for over 40 years.

Section 2. The MEDIC EMS Governing Board has requested that Scott County consider receiving its assets as part of a new department of the County.

Section 3. The County may enter into a contract amendment with Public Consulting Group for EMS Transition Study and Consultation. The fee is approved to be \$12,500 all-inclusive for the services.

Section 4. This resolution shall take effect immediately.

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

May 11, 2023

APPROVAL OF APPOINTMENTS TO BOARDS AND COMMISSIONS

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

- Section 1. That the appointment of Joni Dittmer to the Benefited Fire District #5 three (3) year term, expiring on June 30, 2026 is hereby approved.
- Section 2. That the appointment of Mary Friedrichs to the Benefited Fire District #6 three (3) year term, expiring on June 30, 2026 is hereby approved.
- Section 3. That the appointment of Shelli Englebrecht to the Library Board for a six (6) year term, expiring on June 30, 2029 is hereby approved.
- Section 4. That the appointment of Nicole Wuestenberg to the Library Board for a six (6) year term, expiring on June 30, 2029 is hereby approved.
- Section 5. That the appointment of Mahesh Sharma to the Quad Cities Chamber for two (2) year term, expiring on July 01, 2025 is hereby approved.
- Section 6. This resolution shall take effect immediately.