

The Muscatine County Zoning Commission met in the Board of Supervisors Office on Friday, August 5, 2022, with Chairperson Tom Harper and board members Carol Schlueter, Martha Peterson, Virginia Cooper, and Brad Akers present. Eric S. Furnas, Planning, Zoning & Environmental Administrator and Dixie Seitz, Office Administrator were also in attendance.

Others present for this hearing: Scott Pottorff.

Tom Harper: I will open the public meeting by reading the mission statement. The Muscatine County Zoning Commission is a five-member group of residents of the County who are appointed by the Muscatine County Board of Supervisors. We serve as non-professionals and without compensation. Our purpose is to advise the Muscatine County Board of Supervisors on managing the growth of the County. This involves reviewing subdivisions, rezoning requests, the use of public property, and reports related to land use policy and long-range planning. Recognizing that our decisions will not satisfy everyone, we attempt to base our decisions on what is best for the long-term interest of the County. We ask for your input, pro or con, on issues before us in order that we may formulate the best decisions possible. Please take this opportunity to share your thoughts and concerns with us. Our recommendations are not taken lightly by the Board of Supervisors, but the Board of Supervisors, your elected representatives, make the final decisions on all issues. Do we have minutes to approve from the last month?

Dixie Seitz: Yes, they were for the Siebke Subdivision by Nancy Stockwell.

Tom Harper: Okay, so the minutes were sent out to all members for review. I will entertain a motion to approve the minutes as read if there are no changes or corrections.

Martha Peterson: I will make a motion to approve the minutes as read.

Tom Harper: Is there a second?

Virginia Cooper: I'll second.

Tom Harper: A motion has been made and seconded to approve the minutes from the previous meeting. Any discussion? Hearing none, all those in favor signify by saying Aye (5) Opposed (0). The minutes are approved. So we have all five members present today, so Eric would you read the request?

Eric Furnas: Zoning Agenda Item #01. Jason and Hope Curry, Record Owners, request approval of the preliminary plat of the proposed Curry Acres Subdivision located in Fruitland Township, in the NW $\frac{1}{4}$  of Sec. 25-T76N-R3W, Northwest of Hwy. 61 at 2147 Hwy. 61, containing approximately 8.98 acres, and is zoned R-2 Residential District.

Tom Harper: Was there any correspondence?

Eric Furnas: No sir.

Tom Harper: Okay, is the owner or applicant or spokesperson here to speak to tell us about your request?

Scott Pottorff: Sure, my name is Scott Pottorff, I am with MMS Consultants, Inc. in Iowa City and I am involved in this project. Jason has been to most meetings prior to this one, but he was out of town today so he asked me to represent him. We went back and forth with the owner a little bit about the layout of the lots here. But this is what we ended up with. But I will be able to answer any questions that anybody would have. Our goal here is to have nine residential lots that each have a single-family home. They would each have their own well

and septic system on the lot. The existing house will remain on lot one. There is an existing outbuilding on lot two, but it will come down and they will build a new dwelling there. There is an existing right-of-way on the west side of the property, it's kind of... it's an old street that they probably made years ago. It's kind of been ... it looks like it's kind of been previously proposed to be vacation or to be closed. But for whatever reason they decided not to, I'm not sure. But it was back in the 90's, I think. Since that time the airport has taken over more ground up further north. So I'm not sure if it has a lot of use anymore. But I don't think that there is any intention of using it or having access to it. But I would think that the county would say that there shouldn't be or couldn't be access to it. But the intention is for everyone to use the new street that is being proposed and no access at all on the old right-of-way.

Tom Harper: Okay, Eric do you have any comments?

Eric Furnas: Just that this was recently rezoned to R-2 Residential District instead of agricultural. Being this is in the shadows of the airport, we felt that commercial probably wasn't the best use for that property. It would have potentially larger structures and more traffic. So it was rezoned to R-2 Residential District for a residential subdivision. So that brings us to this proposed subdivision. All the proposed lots do meet the lot area for the requirements of R-2 zoning district. The platted road appears to meet the road requirements with the surfacing for a residential subdivision. The proposed frontage road would be located on the existing driveway, which needs to be approved through the State of Iowa. I will go into the old road right-of-way to the west, I agree with what the Mr. Pottorff found. The existing right-of-way was never vacated. They indicated on the plat that the lots that do butt up against that old right-of-way, that they will not access that roadway. I think that we should make that a condition. Our ordinance does require that individual residential subdivisions shall not rely on individual entrances, but where possible that they rely on subdivision roads and not a county-maintained road. I mean, in realty I think it is just kind of out there. I mean, the airport, they might use it to access some of their ground. They provide minimal maintenance to it. But the county highway department is highly unlikely to grant and entrance permit onto it. So I would just like that reflected in any motion that you might approve... that all the lots in the subdivision are all accessed through the subdivision road. The erosion control plan is pretty minimal, but in my opinion it's very sufficient given the topography and the soil. I believe they have gone above what is actually needed. I don't imagine that there will be a whole lot of grading there that will have to occur. That's about all I have to say. I know that they are working through, or already have, the DOT approval for that existing entrance.

Scott Pottorff: Well that's another conversation that I need to formally file with the DOT. But yeah it would be just a modification of the existing entrance. But yeah, I still have to do the paperwork to get that onto the next step. I just wanted to make sure that you were okay with what was actually being proposed before I got too carried away with doing that. But if you folks are okay with what is being proposed, I will go ahead and submit that paperwork. I don't believe that there will be a problem based on our previous conversation with the State DOT.

Eric Furnas: Right and that is certainly something that we can require prior to the final plat being approved.

Tom Harper: Do the board members have any comments or questions?

Carol Schlueter: Yeah, the north side of this property... is that airport property?

Eric Furnas: Yes.

Carol Schlueter: All the way along there?

Eric Furnas: Yes.

Carol Schlueter: Okay, so lot one is where the existing house is and then lot two is where there is an existing outbuilding. Is it definitely going to come down or whoever buys that they can leave it?

Scott Pottorff: Well Curry's intend to take that down before they sell that lot, but I guess I can't swear to that. But that's what my understanding was. I don't know... I mean, it's some kind of storage, it's not a house or anything like that. It couldn't be the primary structure on that lot at all. I mean, it's within the backyard setback and all of that kind of stuff. So it probably has to come down if they want to put a septic system on this lot for a new house.

Carol Schlueter: Okay. And Eric all of these lots will have their own well and septic system, is that correct?

Eric Furnas: Correct. And according to our wastewater ordinance and our R-2 ordinance for lot size minimums... this meets the minimum size square footage to be able to place a well and a septic system on each lot. The soils in this area are actually pretty light and they often lend themselves to smaller septic systems. So they would more easily lend themselves to a well and septic system on each lot. Unlike clay type soils, sometimes you either have to have up to 500 or 600 feet of field tile or a sand filter type septic system. I'm not going to say that sometimes it gets a little challenging. I mean, depending upon where one neighbor puts their septic system and then where they place a well... But we have several R-2 lots in the county where it has been accomplished. They can share a well between two lot owners and a septic system, and that's all fine. That's something that we have allowed before.

Brad Akers: What is the rule, I mean something like four houses on a shared well?

Eric Furnas: So it's actually no more than 15 service connections for 60 days or more out of the year or 25 individuals for 60 days out of the year is the rule. We see some small subdivisions where maybe they have three wells for 12 lots. If over that then they have to go through the DNR for a public well supply.

Tom Harper: Okay, is there is nothing else is there a motion by the board?

Carol Schlueter: I will a motion that we recommend to the Board of Supervisors approval of this preliminary plat of the Curry Acres Subdivision located in Fruitland Township, and also, I want to add that Lots 5, 6 & 7 must use the subdivision road, Curry Court and cannot use the existing easement for any access.

Tom Harper: Okay, is there a second to that motion?

Martha Peterson: I will second it.

Tom Harper: A motion has been made with a stipulation and it's been seconded, is there any further comments or questions? Hearing none, all those in favor of the motion signify by saying Aye (5) Opposed (0). The motion has been approved. This will go onto the Board of Supervisors. Eric's office will notify you of that meeting. And we are adjourned.

MUSCATINE COUNTY ZONING COMMISSION

By Eric S. Furnas, Planning, Zoning & Environmental Administrator