

Jones County Planning and Zoning Commission Meeting Minutes June 9, 2020 4:00 p.m.

Members present:

Tim Fay, Chairman
Jim McElheny – via zoom
Lowell Tiedt
Keith Stamp

Member absent:

Kristina Doll

Staff present:

Michele Lubben, Jones County Land Use Administrator

Visitors present:

Randy Williams – MMS surveyor via zoom
Bryce Ricklefs – Burr Oak Developer
Dean Wood – 9941 Forest Chapel Rd., Anamosa
Jeff Banowetz – applicant, 8002 218th Ave., Martelle
Laddie Nachazel – owner, 3243 Stone City Rd., Central City

Fay called the meeting to order at 3:58 p.m.

Motion by Tiedt seconded by McElheny to approve the agenda to the meeting. All aye. Motion carried.

Motion by McElheny seconded by Tiedt to approve the meeting minutes for the May 12, 2020 meeting. All aye. Motion carried.

Motion by McElheny seconded by Tiedt to open the public hearing at 4:00 p.m to rezone parcels legally described as Lot 3 and Lot 4 in the Nachzel 1st Addition in Section 19 or Fairview Township from the A-Agricultural District to the C-2 Highway Commercial District. More specifically, the request is to relocate Banowetz Lumber Company to Lot 3 and for parking and/or expansion for Affordable Heating and Cooling on Lot 4. All aye. Motion carried.

The Land Use Administrator discussed the application, aerial map, and written report that were sent to the Commission and the certified letters were sent to adjacent landowners. There were no written or verbal comments received on the application. The owner and applicant both received a copy of the written report. Banowetz discussed the current lumberyard property within the city limits of Anamosa is owned by St. Paul Lutheran Church and he is currently renting that property. The church has decided to tear down the building so he is looking to relocate. This property gives him the space he needs to build a building and have further expansion and have enough space for material stock. McElheny asked about the site plan submitted in which the setback to Lot 3 is essentially 3 ft. from the road right of way easement. The proposed structure should have room to be designed to accommodate setbacks. The Land Use Administrator discussed the information from the DOT regarding the existing access. The Iowa

DOT is reviewing the existing access and may require a traffic study and upgraded access for the proposed change.

Motion by Tiedt seconded by Stamp to close the public hearing at 4:05 p.m. All aye. Motion carried.

Motion by Tiedt seconded by Stamp to recommend approval to the Board of Supervisors to rezone the parcels from the A-Agricultural District to the C-2 Highway Commercial District with the understanding that all other county and state regulations will be in compliance.

Roll call vote:

Stamp – Aye

McElheny – Aye

Tiedt - Aye

Fay – Aye

All aye. Motion carried.

Motion by Stamp seconded by Tiedt to review a final plat for owners Gotsch Partners Ltd. and Michelle Niehaus. All aye. Motion carried.

Gotsch Partners Ltd. and Michelle Niehaus, wish to subdivide Parcels 2000-19 and 2008-127 in the SW SE in Section 17 of Fairview Township containing approximately 4.40 acres into a one lot subdivision with a non-buildable outlot called Saving Grace Addition. The Commission reviewed the preliminary plat back in May and the Commission did not have any recommended changes to the final plat. The existing variances to the subdivision ordinance are included below:

- Variance to Section 2. Streets and Access Points, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance;
 - There are no proposed interior streets. Lot 1 is accessed off Fairview Road. Outlot “A” is accessed from an adjacent lot (Parcel 97-71)
- Variance to Section 3. Interior Street Standards, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance;
 - There are no proposed interior streets. Therefore, there are no cul-de-sacs, bus turnarounds or street names.
- Variance to Section 7. Storm Water Pollution Prevention Plan, of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance.
 - Developer requests a variance since no improvements are being made to the subdivision. It would be requested that a Storm Water Pollution Prevention Plan is submitted if Lot 1 is developed and disturbs more than one acre. However, if the disturbance is less than one acre, it is not required.
- Variance to Section 5. Article VII Procedure for Review of Plats; Item P. requests a soil erosion control plan and drainage control plan created by a licensed engineer, filed with the Jones County Land Use Office. A request from the surveyor for a variance to this request because there is no site improvements on this property at this time.

Randy Williams from MMS was present via zoom to answer any questions regarding the subdivision application. There were no other comments or questions.

Motion by Stamp seconded by Tiedt to close the public hearing at 4:10 p.m. All aye. Motion carried.

Discussion amongst the Commission included that this proposed minor subdivision corrects a situation of the lack of access to parcel 2008-126, a landlocked parcel. No additional access to the highway or demand for other public facilities is required. The Land Use Administrator report includes the necessary minor variances required by the Subdivision Ordinance.

Motion by Stamp seconded by Tiedt to recommend approval to the Board of Supervisor the final plat for Saving Grace Addition, a one lot subdivision with a non-buildable outlot with the noted variances above.

Roll call vote:

Stamp – Aye

McElheny – Aye

Fay – Aye

Tiedt - Aye

All aye. Motion carried.

Motion by Tiedt seconded by McElheny to open the public hearing at 4:11 p.m. for a review of a final plat for Northern View Acres, a four lot subdivision with one non-buildable outlot and includes Lot A for future road right of way dedication along Circle Drive. All aye. Motion carried.

Randy Williams and Bryce Ricklefs were present via zoom to discuss the changes from the preliminary plat. As recommended, the subdivision has had its access points reduced from five to three, the lots were reduced to four individual lots and the future right of way acquisition has been placed on the plat. The Commission discussed the future Circle Drive re-development and extension into the future closed Old Dubuque Rd. intersection. These are all items to be discussed and placed on the 5-year road plan.

Motion by Tiedt seconded by Stamp to close the public hearing at 4:17 p.m. All aye. Motion carried.

Motion by Tiedt seconded by Stamp to recommend approval to the Board of Supervisors the final plat of Northern View Acres, a four lot subdivision with one non-buildable outlot and includes Lot A for future road right of way dedication along Circle Drive in Sections 36 and 25 of Cass Township containing approximately 23.16 acres containing the variances listed which include:

- Variance to Section 5. Lot Uses, Setbacks and Size of Article IV, Subdivision Design of the Jones County Subdivision Ordinance.
 - Outlot “A” is less than the one acre minimum due to the additional future road right of way to be dedicated to Jones County. This is a non-buildable outlot to be acquired by an adjacent landowner as listed on the final plat.
- Variance to Section 2. Streets and Access Points, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance;
 - There are no proposed interior streets. All lots (1-4) will be serviced by individual or shared access points off Circle Drive.
- Variance to Section 3. Interior Street Standards, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance;

- There are no proposed interior streets. Therefore, there are no cul-de-sacs, bus turnarounds or street names.
- Variance to Section 7. Storm Water Pollution Prevention Plan, of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance.
 - Developer requests a variance since no improvements are being made to the subdivision. However, with developing this 23-acre site, more than one acre will be disturbed, so a plan should be developed and submitted upon development.

Roll call vote:

McElheny – Aye

Stamp – Aye

Tiedt – Aye

Fay – Aye

All aye. Motion carried.

Next the Commission reviewed a tabled action from last month's meeting for a preliminary plat for owner, Ronald Dean Wood, to subdivide Lot 10 of Huntington Hills Part 3 in Section 22 of Fairview Township containing approximately 4.76 acres into a two lot subdivision called Huntington Hills 5th Addition. All aye. Motion carried.

Motion by Stamp seconded by McElheny to withdraw the May 12, 2020 motion to recommend approval of the minor preliminary plat for Huntington Hills 5th Addition. All aye. Motion carried.

The Land Use Administrator noted she discussed with the proposed new owner of Lot 1 regarding the restrictions and uses of the building. Chad Coons was in agreement to the possible deed restriction of Lot 1 to his current residential property and to possibly add a gate to the end of Lot 1 to prevent continued access to Lot 2. Chad also indicated he would want to apply to the Board of Adjustment for a possible Home Based Industry to continue to use the property for his business. The Commission requests that a gate be placed on the south property line of Lot 1 to prevent access to Lot 2.

The following variances still apply to the preliminary plat of Huntington Hills 5th Addition:

- Variance to Section 5. Lot Uses, Setbacks and Size of Article IV, Subdivision Design of the Jones County Subdivision Ordinance.
 - Lot 1 contains an existing structure that does not meet a setback to the private road or to the adjacent lot. This is to be noted as a non-buildable outlot to be acquired by an adjacent landowner and listed as such on the final plat.
- Variance to Section 2. Streets and Access Points, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance;
 - There are no proposed interior streets. All lots will be serviced by individual access points. Lot 1 will be serviced off the private road 100th Street and Lot 2 will be serviced off Forest Chapel Road.
- Variance to Section 3. Interior Street Standards, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance;

- There are no proposed interior streets. Therefore, there are no cul-de-sacs, bus turnarounds or street names.
- Variance to Section 7. Storm Water Pollution Prevention Plan, of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance.
 - There is no proposed development for Lots 1 or 2. If any development occurs and it will disturb more than one acre, a Storm Water Pollution Prevention Plan will be required.

Motion by Tiedt seconded by McElheny to recommend approval of the Huntington Hills 5th Addition preliminary plat subdivision to the Board of Supervisors as presented.

Roll call vote:

McElheny – Aye

Stamp – Aye

Tiedt – Aye

Fay – Aye

All aye. Motion carried.

Next Ronald Dean Wood wanted to discuss the parking on County Rd E-34 for a proposed commercial storage building as required by a Conditional Zoning Agreement from May 2017. He discussed that Sheriff, Greg Graver was to submit a letter to the Land Use Administrator regarding allowing parking on County Rd E-34. The Land Use Administrator has not received such letter and the Commission did not discuss the proposal as it was not listed on the agenda.

The Land Use Administrator updated the Commission on recent bill that have passed through the state legislation. The Land Use Administrator discussed that an Ag Exemption and Ag-Tourism bill has passed which prohibits counties from requiring Special Use Permits for agri-tourism operations and prohibits requiring applications for agricultural exemptions. The Land Use Administrator has been in contact with the Jones County Attorney Kristopher Lyons regarding these changes. In addition, the state is looking at additional wind and solar energy legislation that may remove more local control with these type of uses. The Land Use Administrator was hesitant to request a public hearing for the updated text amendments due to the changes in the state legislation until the information could be finalized.

Next meeting, will be Tuesday, July 14, 2020 at 4:00 p.m. The Commission agreed they like the 4:00 p.m. time frame for a meeting and will continue this time in the future. The Land Use Administrator indicated that the zoom meetings will continue as long as the Board of Supervisors are continuing them. Once the Board of Supervisors discontinue the electronic means of meeting, then the Land Use Administrator will also discontinue them for Land Use meetings.

Motion by Stamp seconded by Tiedt to adjourn at 4:55 p.m.