

**JONES COUNTY
PLANNING & ZONING COMMISSION
TUESDAY, APRIL 9, 2024 4:30 P.M.
BOARD ROOM, JONES COUNTY COURTHOUSE**

- 4:30 p.m.**
- Call meeting to order, approve agenda, and March 4, 2024 meeting minutes.

 - Public hearing on the final plat for owner Ricky G & Virginia R Caspers, to subdivide Lot 13 of Wapsi Ridge 1st Addition , Section 15, of Fairview Township into a three lot subdivision called Wapsi Ridge 2nd Addition.
 - Possible action on the final plat for Wapsi Ridge 2nd Addition subdivision.
 - Next meeting, May 14, 2024. Application deadline is Wednesday April 24, 2024.

 - Adjourn

Jones County Land Use
Rm 113 Courthouse, 500 W Main St.
Anamosa, Iowa 52205
Phone: 319-462-2282 Fax: 319-462-5815
Email: landuse@jonescountyiowa.gov
Website: www.jonescountyiowa.gov



JONES COUNTY LAND USE

Date: January 9, 2024

To: Planning and Zoning

From: Whitney Amos Land Use Administrator


Re: Review of Wapsi Ridge 2nd Addition subdivision-preliminary plat

A review of the requirements within the ordinance were outlined and the following variances are noted:

- Variance 2 to Article 4 Section IV Location subdivision is greater than ½ mile from a hard surface road. The entrance to the subdivision is .86mile from the nearest hard surface road which is County Rd E34. The original subdivision was approved with it being greater than a ½ mile from a hard surface road because Forest Chapel Rd is a stabilized gravel surface.
- 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 appears to have an existing access from Rebel Dr. and appears to cross a small portion of lot 2.
 - Lot 2 has direct access from Rebel Dr.
 - Lot 3 has access through an existing established trail across Lot 4 of Wapsi Ridge 1st Addition.
- 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.
 - If more than 1 acre is disturbed a Storm Water Pollution Prevention Plan will be needed.

Review by the Jones County Land Use Administrator

	<p>Jones County Engineer – Derek Snead</p>
Comments:	<p><i>I have reviewed the Subdivision Application submitted by Mr. Caspers. My comments are as follows:</i></p> <ul style="list-style-type: none"> • <i>Jones County has established rules for control of access to secondary roads. This policy was developed to formalize Jones County's requirements for the location and establishment of driveways, field accesses and farm entrances requested by county property owners. If a new access will be constructed or if there are any proposed changes to an existing property access, the property owner must file an 'Application for Access' with the Jones County Secondary Road Department prior to commencing any access construction.</i> • <i>Jones County has established an ordinance to ensure uniform building and structural alterations along County public secondary road rights-of-way that will protect and preserve the highway corridor. If a property owner desires to build a structure or alter an existing structure that is within thirty feet of the secondary road right-of-way, then a variance request must be filed with the County Engineer's Office before any construction may commence.</i> • <i>Any work that may necessitate work (ditching, driveway resurfacing, etc.) within the County road right-of-way must first obtain an Application for Alteration of Public Right-of-Way before commencing with construction.</i>
	<p>Jones County District Soil Conservationist – Addie Manternach</p>
Comments:	<p><i>I do not see any major concerns/impacts of the planned subdivision at its proposed location. I'm not sure from the information provided if there will be any earthmoving or land cover disturbed as part of this proposed project. If there will be, the landowner is advised to take precautions to control soil erosion and sediment runoff from the construction site. During any construction where earthmoving occurs or existing land cover is disturbed, there is the potential for increased soil erosion from wind and rain, resulting in degraded lands. Also, runoff from heavy rain events during construction is likely to wash soil and other loose material into nearby water bodies, impairing the water quality and degrading aquatic habitat. The Jones Soil & Water Conservation District advises putting a construction site erosion control plan in place prior to starting any land disturbing activity. The plan should include the installation of practices such as silt fence and mulching to prevent on-site soil erosion and address sediment leaving the property.</i></p>
	<p>Jones County Sanitarian – Paula Hart</p>
Comments:	<ul style="list-style-type: none"> • <i>Must obtain septic and well permits from this department prior to construction of new dwellings. Minimum required separation distances must be met.</i> • <i>Recommend shared wells on lots where topographically feasible. Private wells may serve 25 or fewer individuals without requiring DNR public well registration. This is approximately 4-5 houses. A well agreement is required and a recorded copy to be submitted to this office.</i>

	Flood Plain Manager – Brenda Leonard
	<i>Below is attached the current flood plain map of the parcels listed in the request. I cannot tell where the boundaries of the parcels are on the flood plain map.</i>
Comments:	
	Jones County Conservation Board - Brad Mormann
Comments:	<i>No comments recieved</i>
	Jones County E911 Coordinator – Gary Schwab
Comments:	<i>The Preliminary Plat of Wapsi Ridge Second Addition has been reviewed by the Jones County 911 Coordinator, and found compliant to Chapter 3, Uniform Rural Address System to Title IV Streets, Roads Public Ways and Transportation, as part of the Jones County Code of Ordinances.</i>

Jones County Planning and Zoning Commission Meeting Minutes March 4, 2024 4:30 p.m.

Members present:

Tim Fay
Keith Stamp
Kris Doll
Janine Sulzner

Members Absent:

Lowell Teidt

Staff present:

Whitney Amos, Jones County Land Use Administrator

Visitors present:

Kristofer Lyons-County Attorney
Krist Aitchison- GIS Coordinator
Ned Rohwedder- Supervisor
Mary Melchert

Chairperson Fay called the meeting to order at 4:30 p.m.

Motion by Stamp seconded by Sulzner to approve the agenda for the meeting. All aye. Motion carried.

Motion by Sulzner seconded by Doll to approve the meeting minutes with corrections for the February 13, 2024, meeting. All aye. Motion carried.

Much discussion was had regarding the pipeline ordinance. Kristi Aitchison presented the Commission with the two maps that were requested with a ½ mile buffer around structures and ¼ mile buffer around structures. With the ½ mile buffer map it was evident that there would be no possibility for a pipeline. The ¼ mile buffer map was a little more practical however it would still be difficult.

Lyons stated that he had contacted Shelby and Story County Attorney's about the lawsuits they are involved in with the pipeline company. He stated that the biggest issue the other counties are running into are the preemption issue. If the state utility board allowed the pipeline projects, then the county cannot uphold their ordinance, as it would be going against the state. The county can work with the pipeline but cannot enforce their ordinance.

Sulzner questioned definitions #15 "Hazardous Liquid" & #16 "Hazardous Liquid Pipeline" would this then apply to all pipelines or just CO2 pipelines? Lyons advised that how the ordinance is written that it would apply to all pipelines. If CO2 pipelines were singled out, then that could also result in a lawsuit and would not stand up in court. All current pipelines would be grandfathered in.

Melchert brought up the discussion of Dickinson County's pipeline ordinance. It is different than most as far as setbacks, 1600 ft. from city limits. It is their intention to avoid a lawsuit to be filed against them. Additionally, ½ mile from churches, schools, nursing homes, medical facilities, public parks, and other "sensitive" areas; 1,000 feet from livestock operations and certain utility infrastructure; 200 feet from wells.

Lyons stated with lawsuits going before the federal court it maybe worth waiting to see how the 8th circuit Judge will rule. Or wait to see if the legislature will rule on this in the next couple of months since there is no proposed pipeline coming through Jones County currently.

There was also questioning as to where the Board of Supervisors stand on this ordinance. What setbacks would they like to see? Do they still want to proceed with an ordinance or wait? Rohwedder believes the entire Board is still wanting an ordinance, but there has been very little discussion between them. Rohwedder requested that someone attend a meeting to update the Board.

It was a consensus that there has been a lot of discussion on this ordinance, and it would be beneficial to have the Supervisors input.

Stamp would like to move forward with the ordinance and ¼ mile set back and give it to the Board of Supervisors to make changes as they see fit.

Motion by Stamp seconded by Doll to move the Pipeline ordinance with the ¼ mile set back and current language of the ordinance to the Board.

Fay- Aye
Stamp- Aye
Doll- Aye
Sulzner-Nay

Motion carried. 3-1

Next meeting, will be Tuesday April 9th, 2024, at 4:30 p.m.

Motion by Stamp seconded by Sulzner to adjourn at 5:24 p.m.

All aye. Motion carried.

LEGAL DESCRIPTION

WAPSI RIDGE 2ND ADDITION, JONES COUNTY, IOWA - comprised of Lot 13 of Wapsi Ridge 1st Addition, Jones County, Iowa; containing a total of 9.35 acres more or less, divided into 3 lots and number Lot 1, Lot 2, and Lot 3 as shown on the attached plat, **subject to easements, reservations, restrictions, and rights of way of record and not of record** and more particularly described by metes and bounds as follows:

BEGINNING at the Northeast corner of Section Fifteen (15), Township Eighty-four North (T84N), Range Four West (R4W) of the Fifth Principal Meridian, Jones County, Iowa, corner also being the Northeast corner of Lot 13 of Wapsi Ridge 1st Addition, Jones County, Iowa as recorded in Instrument #: 2019-0314 in the Office of the Jones County Recorder;

Thence South 00°-00'-55" East 439.66 feet along the East line and to the Southeast corner of said Lot 13;

Thence North 89°-15'-01" West 360.12 feet along a Southerly line and to a Southerly corner of said Lot 13;

Thence North 44°-34'-16" West 506.39 feet along a Southerly line and to a Southerly corner of said Lot 13;

Thence South 40°-25'-33" West 215.73 feet along a Southerly line and to a Southerly corner of said Lot 13;

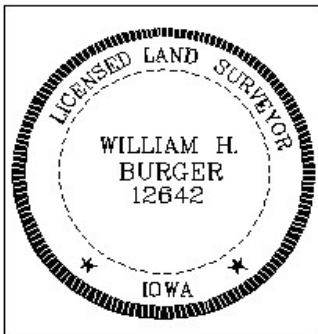
Thence along a Southerly line of said Lot 13 and along a circular curve concave Southerly for an arc length of 103.49 feet, said circular curve having a central angle of 20°-11'-56", a radius of 293.57 feet, a chord bearing of North 78°-00'-24" West and a chord length of 102.96 feet;

Thence North 88°-06'-22" West 380.28 feet along a Southerly line and to the Southwest corner of said Lot 13;

Thence North 00°-05'-59" West 256.66 feet along the West line and to the Northwest corner of said Lot 13;

Thence South 87°-45'-47" East 1337.50 feet along the North line of said Lot 13 to the **POINT OF BEGINNING** containing a total of 9.35 acres more or less, divided into 3 lots and number Lot 1, Lot 2, and Lot 3 as shown on the attached plat, **subject to easements, reservations, restrictions, and rights of way of record and not of record**;

The North line of Lot 13 of Wapsi Ridge 1st Addition, Jones County, Iowa is assumed to bear South 87°-45'-47" East.



SURVEYORS CERTIFICATE

I hereby certify that this land survey document was prepared and related survey work was performed by me or under my direct personal supervision, and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa;

My license renewal date is December 31, 2024

William H. Burger _____ Date _____ Reg. No. 12642
Sheet No. _____ covered by this seal

FINAL PLAT

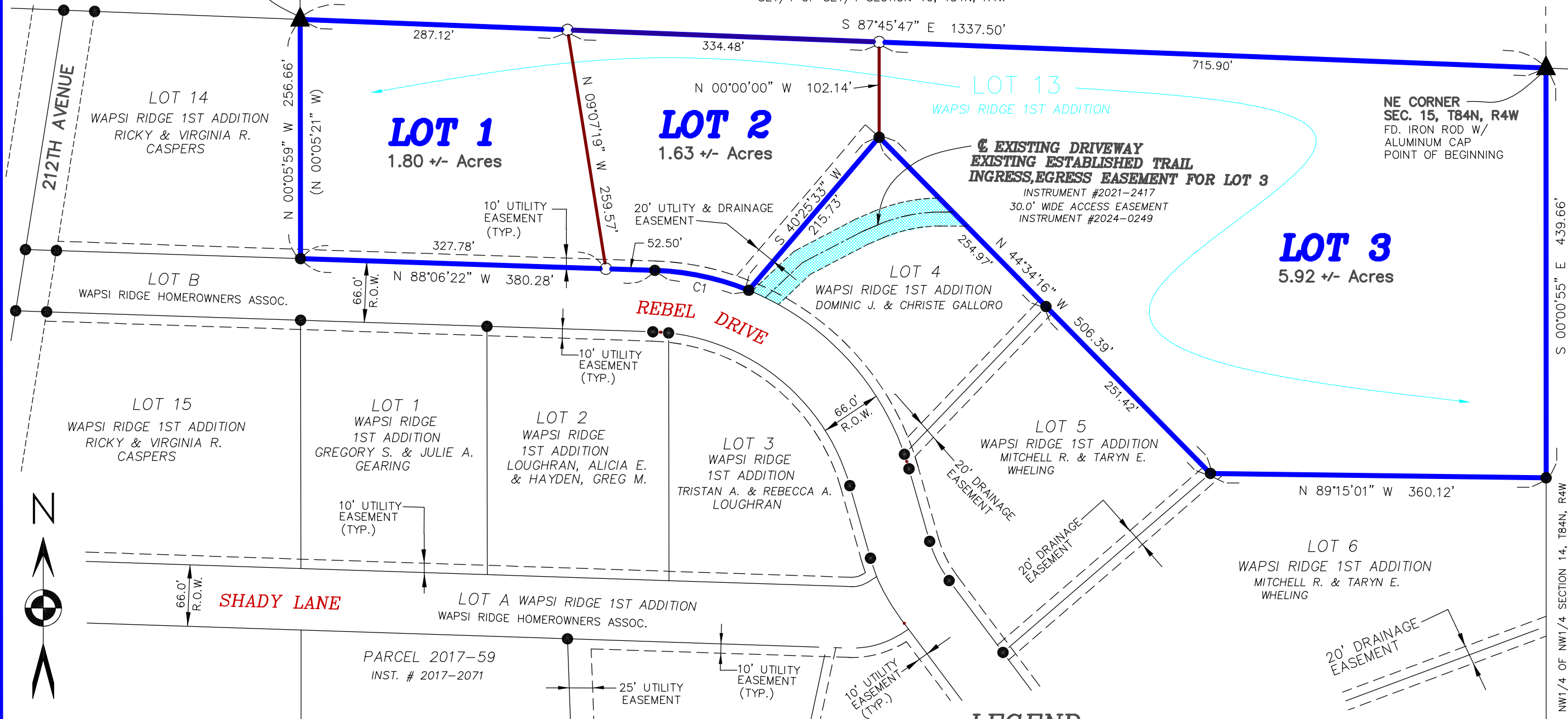
WAPSI RIDGE 2ND ADDITION, JONES COUNTY, IOWA

COMPRISED OF LOT 13 OF WAPSI RIDGE 1ST ADDITION

BERT E. & GERRI L. SHOVER
SE1/4 OF SE1/4 SECTION 10, T84N, R4W

NW CORNER NE1/4 NE1/4
SEC. 15, T84N, R4W
FD. 1/2" IRON ROD W/
YELLOW CAP #12642

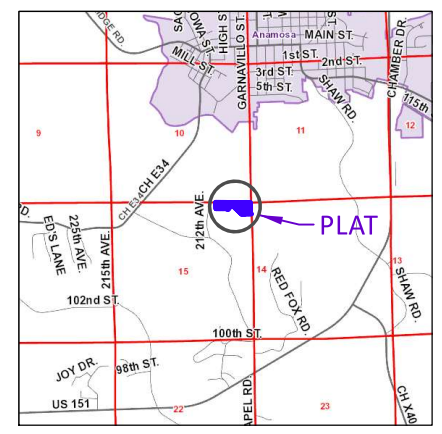
NE CORNER
SEC. 15, T84N, R4W
FD. IRON ROD W/
ALUMINUM CAP
POINT OF BEGINNING



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	103.49'	293.57'	20°11'56"	N 78°00'24" W	102.96'

LEGEND

- SET 1/2" IRON ROD W/ YELLOW CAP #12642
- FD. 1/2" IRON ROD W/ YELLOW CAP #12642
- SUBDIVISION BOUNDARY LINE
- INTERNAL LOT LINE
- SECTION LINE AND OR 1/4 OR 1/4 1/4 SECTION LINE
- - - UTILITY & DRAINAGE EASEMENT
- - - COUNTY ROAD R.O.W. LINE
- () RECORDED AS



LOCATION MAP (NO SCALE)



PREPARED BY BILL BURGER 510 3RD STREET WEST COURT, WORTHINGTON, IOWA 52078 (563) 855-2028
 STATE OF IOWA WAPSPINICON STATE PARK NW1/4 OF NW1/4 SECTION 14, T84N, R4W

INDEX LEGEND
 LOCATION: LOT 13 OF WAPSI RIDGE 1ST ADDITION
 PROPRIETORS: RICK CASPERS AND VIRGINIA CASPERS
 REQUESTOR: RICK CASPERS
 SURVEYOR: BILL BURGER
 SURVEYOR COMPANY: WM. BURGER LANDSURVEYOR
 RETURN TO: BILL BURGER, 510 3RD STREET WEST COURT, WORTHINGTON, IA 52078 | (563) 855-2028



DATE OF SURVEY: 1/26/2024	SCALE: 1" = 115'	SHEET 1 OF
PROPRIETORS: SEE INDEX LEGEND		
I HEREBY CERTIFY THAT THIS LANDSURVEYING DOCUMENT WAS PREPARED AND RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA. MY LICENSE RENEWAL DATE IS DECEMBER 31, 2024		
Wm. Burger LandSurveyor 510 3rd Street West Court Worthington, Iowa 52078		WILLIAM H. BURGER #12642 DATE

NO. OF SHEETS COVERED BY THIS SEAL: 1