

The Muscatine County Zoning Commission met in the Administration Building on Friday, November 4, 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: Jason Curry.

Tom Harper: I will open the Zoning Commission meeting and read 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. Okay, we have all received the minutes from the last Zoning Commission meeting. If there are no corrections or changes, is there a motion to approve them as read?

Virginia Cooper: Motion to approve the minutes as read.

Tom Harper: Is there a second?

Martha Peterson: Second.

Tom Harper: There's been a motion to approve the minutes as read and it has been seconded. Any further discussion? Not hearing any, all those in favor of the motion please say Aye (5) Opposed (0). Okay, we have all five members here today, so we can start. Are you the Record Owner or applicant?

Jason Curry: Yes, I am Jason Curry.

Tom Harper: Eric will you please read the request?

Eric Furnas: Zoning Agenda Item #01. Jason and Hope Curry, Record Owners, request approval of the final plat of the proposed Curry Acres Subdivision located in Fruitland Township, in the NW¼ 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: Any correspondence?

Eric Furnas: No correspondence.

Virginia Cooper: What does this document pertain to? It's entitled Standard Terms and Conditions.

Eric Furnas: I believe that is the entrance permit from the State of Iowa for this property.

Virginia Cooper: Oh I see... it was all stapled together so I just didn't know for sure.

Eric Furnas: Yeah, that's the DOT approval for the entrance. It has all the rules for construction, when you have to barricade for when they are doing their entrance.

Tom Harper: Okay, would you like to tell us about your project or your request?

Jason Curry: Basically we took our property and had it rezoned to R-2 Residential District so that we could add multiply houses, we have eight lots that we have broke up. Most of the lots are fairly good size to where it's going to make a good yard. Down in that area there is a big need for extra housing and stuff like that. This piece of property, I have used as a hayfield for many many years. But with the heavy content of sand and everything like that, it's just every year it burns up. So I was trying to find a better purpose for it. So I think by putting some housing in there, it would be a better purpose.

Tom Harper: Eric, do you have any comments on this?

Eric Furnas: Yeah, as you know the preliminary plat has already been reviewed by yourselves and the Board of Supervisors. Really the reason for the final plat meeting is to make sure that the plat is still the same in the overall concept with what was presented at the preliminary plat time. Also to address any slight changes or matters that the Zoning Commission or the Board of Supervisors asked to attend to, which there were none in this case. It just has a lot of legal requirements for surveying. There have been no changes to the lots or the configuration, the street, the design itself since the preliminary plat. They have secured their final entrance permit approval for the DOT, which is on file. That is attached in your packet. So the design for their entrance has been approved by the engineers at DOT. The plat has been signed by the applicable utility companies, they will look at the utilities easements that have been laid out around the lots. The County Engineer, even though it does not include any access off of a county road, he has signed off on it because they had a signature block for it. So having reviewed the final plat compared to the preliminary plat, there being no issues or changes that were asked to be addressed by the Zoning Commission or the Board of Supervisors, I see no reason not to approve it.

Tom Harper: Okay, does anyone on the board have any questions or comments?

Carol Schlueter: So each lot will have their own well and septic system? It's not going to be a community well?

Jason Curry: Yeah, each lot will have their own well and septic system.

Carol Schlueter: And there is room on these lots for all of that?

Eric Furnas: There is. It gets somewhat small when you have the minimum size of R-2 Residential District, but given the soil types in this area for septic systems - they are quite small. The soil has a very good percolation rate, so that does help. I will say, even though they are planning on having individual wells and septic system, there would be opportunity to share a couple of wells. And that really wouldn't change anything on this plat if they go that route. As long as they are under the maximum number of connections that fall under a community well. We'll look at separation distances on wells and septic systems for each lot. I will also note that the city, since this is located within two miles of the city limits, they have to sign off on this plat as well. Their authority is really limited to the road and any sidewalk design. This was designed by the engineer to meet the subdivision road standards. It has not gone before the Board of Health yet because they just meet every other month and it's just didn't fall within you folk's schedule, but they will meet and review on November 16th.

Martha Peterson: Out of curiosity, can you get a left hand turn right into it? Or do you have to use the break in the highway?

Jason Curry: Yeah, there is a break in the highway right in front of this entrance.

Carol Schlueter: Okay, the last time we talked about this I thought we talked about the west edge of this property that there is a street or something there?

Eric Furnas: There is an old private right-of-way that has been vacated. So some of the legal descriptions of some of those lots that is up against that old road right-of-way states that. But all lots will access onto Curry Court. There will not be an access onto that old right-of-way. I believe that that was an old right-of-way that was for farmers to use, maybe airport maintenance, but it is specified that all of these houses will access off of the platted roadway.

Jason Curry: Yeah, it's more like a sand path really... than anything else.

Tom Harper: Is it like a B road?

Eric Furnas: No, it's not even technically a B road.

Tom Harper: So it's not maintained by the county?

Eric Furnas: No. It's just simply used by farmers in the area and the airport maintenance. It's not to say that someone can't go off with their four-wheeler onto this path, but it can't be an entrance.

Tom Harper: Okay, is there any other questions or comments? Does anyone care to make a motion?

Virginia Cooper: Well it appears that all of the requirements have been met and everything seems to be in order, so I will make a motion to recommend to the Board of Supervisors approval of the proposed final plat of Curry Acres Subdivision with nine lots.

Tom Harper: Is there a second?

Carol Schlueter: I'll second it.

Tom Harper: A motion has been made and seconded to recommend to the Board of Supervisors the approval of the final plat of the Curry Acres Subdivision. Is there any other discussion? Hearing none, all those in favor of the motion signify by saying Aye (5) Opposed (0). The motion carried. And that is the only case that we had today, so we are adjourned.

Jason Curry: Thank you.

MUSCATINE COUNTY ZONING COMMISSION

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