

**Jones County Planning and Zoning Commission Meeting Minutes February 19, 2019 7:30 a.m.**

Members present:

Tim Fay, Chairman  
Jim McElheny  
Keith Stamp  
Lowell Tiedt

Members absent:

Dave Lubben

Staff present:

Michele Lubben, Jones County Land Use Administrator

Visitors present:

Angela Kearney – 16682 116<sup>th</sup> Ave., Scotch Grove  
Mike Weber – surveyor, Bernard  
Jason Gideon – 9635 230<sup>th</sup> Ave., Anamosa

Fay called the meeting to order at 7:30 a.m.

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

Motion by McElheny seconded by Stamp to approve the meeting minutes for the January 8, 2019 meeting. All aye. Motion carried.

Motion by Stamp seconded by McElheny to open the public hearing at 7:32 a.m. for preliminary and final plats for a re-subdivision of Lot 1 of Energy Consultants Group Addition into two lots to correct an encroachment of an accessory building on an adjacent parcel. All aye. Motion carried.

The Land Use Administrator explained the proposal and variances required for the re-subdivision of Lot 1 of Energy Consultants Group Addition. The Land Use Administrator discussed the options for correcting the encroachment. Option one includes removing the portion of the structure similar to what was completed for property in a subdivision in Center Junction or the second option is a re-subdivision of Lot 1 of Energy Consultants Group. Since this is in a Commercial District, the subdivision was the option presented to the owner. Gideon reported that when putting in a foundation last fall it was determined that what was believed to be a property line was not matching up. The Land Use Administrator had determined that a garage had an addition built in 2016-2017. This would not have required a permit, but the Land Use Administrator would have stressed the importance of meeting setbacks on the property. The assessor's office picked up the structure in 2017. McElheny noted that the southwest point of Lot 1 Energy Consultants Group 2<sup>nd</sup> Addition was a newly set pin and would not

have been there previously. The Land Use Administrator noted the following variances to the Jones County Subdivision Ordinance:

Article V – Minimum Improvements

- Section 2 - Streets and Access Points – there are no new roads, there will not be two access points and no new Road Association Agreement. Lot 2 does not have an access because it will be conveyed to the adjacent owner Michelle Flammang and will be considered for zoning purposes to one lot with the adjacent parcel.
- Section 3 – Interior Street Standards - There will be no cul-de-sac or interior road.
- Section 7 – Storm Water Pollution Prevention Plan – Only one new lot is being created (Lot 2) and no new construction is expected on the new lot. Lot 1 has a current Storm Water Pollution Prevention Plan that was submitted with the previous subdivision.

Motion by Stamp seconded by McElheny to close the public hearing at 7:41 a.m.

Motion by McElheny seconded by Stamp to recommend approval of the preliminary and final plats for Energy Consultants Group Second Addition with the variances noted above to correct an encroachment of an accessory building on an adjacent parcel.

Roll call vote:

McElheny – aye

Stamp – aye

Fay – aye

All aye. Motion carried.

Motion by Stamp seconded by McElheny to open the public hearing at 7:44 a.m. for preliminary and final plats for owner, Mitchel L. Rogers to subdivide Parcel 2008-07 in SE SW Section 5 and NW NW Section 8 of Washington Township into a one-lot subdivision called Tin City Acres. All aye. Motion carried.

The Land Use Administrator discussed the reason for the one-lot subdivision is that the property is both in the Residential and in Agricultural Zoning Districts. The placement of the new house and  $\frac{3}{4}$  of the parcel is within the Residential District. The parcel had been previously split from the original farm in 2008. There was previously a mobile home on the property, Mitchel Rogers has placed a doublewide structure on a foundation on the property, and for mortgage purposes is splitting the entire parcel of 18.7 acres into a one-lot subdivision. Lot 1 will be 5.49 gross acres and have access from the existing county road (Riverview Rd.) The Land Use Administrator noted the following variances to the Jones County Subdivision Ordinance:

Article V – Minimum Improvements

- Section 2 - Streets and Access Points – there are no new roads, there will not be two access points and no new Road Association Agreement.
- Section 3 – Interior Street Standards - There will be no cul-de-sac or interior road. Access will be off existing Riverview Road.

- Section 7 – Storm Water Pollution Prevention Plan – Only one new lot is being created and the area disturbed is expected to be less than one acre.

Motion by Stamp seconded by McElheny to close the public hearing at 7:49 a.m. All aye. Motion carried.

Motion by McElheny seconded by Stamp to recommend approval of Tin City Acres, a one-lot subdivision in Section 5 and 8 of Washington Township with the variances noted above.

Roll call vote:

McElheny – aye

Stamp – aye

Fay – aye

All aye. Motion carried.

Motion by Stamp seconded by McElheny to open the public hearing at 7:51 a.m. for applicant, Brian Kearney and owner, David Naylor to rezone a parcel legally described as Parcel A in the SE NW of Section 17 of Scotch Grove Township. The request is to rezone a portion of the parcel from the A-Agricultural District to the R-Residential District to allow a future split of the property and to be combined with the adjacent residential property. All aye. Motion carried.

Commission member Tiedt arrived at 7:52 a.m.

The Land Use Administrator noted all adjoining landowner letters were received and no written or verbal comments were received. The written report was sent to the Commission, the applicant and the owner. The red zoning sign has been returned.

Angela Kearney was present for the discussion and was able to answer questions regarding the proposal. The Land Use Administrator explained that the parcel was originally created in 1991 and is currently in the Agricultural Zoning District. The parcel is currently 3.34 acres since a small portion was split and conveyed to a previous owner to correct a boundary. The owner wishes to keep the remainder of the parcel as Agricultural and has submitted the necessary Agricultural Exemption application, site plan and tax documentation to prove so. Since this parcel does not qualify for any residential splits in the Agricultural District, the proposal is to re-zone approximately one acre to the north for a future split. Then once the split is completed, Naylor can convey the newly created parcel to the Kearney's via a deed. Once that deed is filed, Kearney's will then be required to survey their existing residential parcel, the W 35' of the N 290' and the newly created parcel to encompass their entire residential property into one tax parcel. Since parcels will eventually be combined and the remainder of the Parcel A staying as Agricultural, there will be no subdivision regulations. Kearney indicated the proposal for the newly created one acre would be for personal use and to extend their backyard.

Motion by Stamp seconded by Tiedt to close the public hearing at 7:59 a.m. All aye. Motion carried.

Motion by Tiedt seconded by Stamp to recommend approval to rezone a portion of a parcel legally described as Parcel A in the SE NW of Section 17 of Scotch Grove Township from A-Agricultural to R-Residential.

Roll call vote:

McElheny – aye

Stamp – aye

Tiedt – aye

Fay – aye

All aye. Motion carried.

The Land Use Administrator updated the Commission on the possible lighting violation for Dean Wood located at 21597 County Rd. E-34, Anamosa. They discussed Article XV Lighting Requirements and possible text amendments. Fay distributed a handout showing acceptable and unacceptable forms of shielded lights. Fay indicated Wood has possibly shielded all three lights on the building, however, the shield does not substantially reduce light glare.

Motion by Stamp seconded by McElheny for Chairman, Tim Fay to discuss Article XV Lighting Requirements with the Jones County Attorney to determine if there is a violation at 21597 County Rd. E-34, Anamosa. All aye. Motion carried.

Commission members discussed text amendments such as quarry provisions, wind energy conservation systems and setbacks for such uses. The Land Use Administrator will send the quarry text amendments to local quarry operators. McElheny has extensively researched wind energy conservation ordinances within Iowa and will continue to work on text amendments for our current ordinance. The Commission agreed wind energy conservation systems would be allowed within the Agricultural Zoning District as a Special Permitted Use to be approved by the Board of Adjustment.

Commission member Stamp left at 8:40 a.m.

Kris Doll, Onslow, is expected to be appointed to fill the vacancy left by retiring member Dave Lubben in District 3 at today's Board of Supervisor meeting. The Land Use Administrator hopes to have her attend the next meeting.

Next meeting, if needed, will be March 12, 2019 at 6:00 p.m. Deadline for applications will be February 20, 2019. If newly appointed commission member Kris Doll cannot make it, the meeting will be rescheduled and members will be notified of the new date and time.

Motion by McElheny seconded by Tiedt to adjourn at 8:53 a.m. All aye. Motion carried.