

**MINUTES OF THE CLAYTON COUNTY
PLANNING AND ZONING COMMISSION MEETING
MARCH 12, 2019**

Members Present: Mike Finnegan, Rebecca Spielbauer, Bruce Kann, Kari Friedlein, Roland Clinton, Mike Tucker, Doug Puffett, Elise Bergan and Allan Troester

Members Absent: Doug Reimer and Mary Klink

Others Present: Patti Ruff, Gary Willman, Wayne & Carol Sedlmayr, Bob & Bonnie Tyler, Jeff & Peggy Tipton, Chuck Hemann

The following items were considered on the Agenda:

1. Call to Order

The Clayton County Planning and Zoning Commission meeting on March 12, 2019 was called to order at 7:00pm by Chairperson Allan Troester.

2. Approval of Minutes

The minutes from the November 14, 2018, meeting were approved. Motion was made by Mike F. and 2nd by Rebecca S.

3. Public Hearing on MICHKARE Subdivision – Preliminary and Final Plat

Applicant: Karen Bird & Chris Zearley – Gary Willman Representative
Preliminary Plat for MICHKARE Subdivision of part of Lot Seventeen (17), part of Lot Eighteen (18), and part of Lot Nineteen (19); all of Zearley Subdivision in Government Lot One (1) in Section Five (5), Township Ninety-Two (92) North, Range Two (2) West of the Fifth Principal Meridian, Clayton County, Iowa.

Mr. Willman describe the 5 lots being proposed in the subdivision which would come available for sale upon approval. These lots will come with the stipulation of paying dues for access of use of Abel Drive. These dues would be paid to the Abel Island Association. Abel Drive then would be the access to these lots in the MICHKARE Subdivision.

Gary W. explained the utilities would run on the east side of the new subdivision. They are not on the plat because the easement is not a part of these 5 lots, but part of the Zearley subdivision these lots are being subdivided out of. Three of the lots are presold pending approval from the Planning and Zoning Commission and the Board of Supervisors.

Mr. Willman stated the city of Guttenberg waived their right of plat review. The city must approve since the subdivision will lie within the 2-mile radius of the city limits. Bruce Kann wanted clarification on going from 3 lots to 5 lots on half of the original 3. Gary explained there will be the 3 lots on the east side which remain as Zearley Subdivision.

Mike F. wanted to know where these lots were in correlation to the Abel Island Airport. Gary described how these lots were to the north and would not interfere with the taking off or landing of planes.

The Chairman asked what was going to be done with the remaining lots of the Zearley Sub. Gary answered he did not know of any plans for developing those lots at this time. By developing the 5 lots, it would be a substantial addition to the County

tax base.

Roland C drove down to the location and noted how nice this area looked and noted being in favor of approving this subdivision.

Mike F wanted to know what kind of houses were going to be allowed on the proposed lots. Gary stated how the creators did not put any restrictions on these lots and it would be up to the County Zoning Regulations as to what would be allowed to be constructed. Patti Ruff, Zoning Administrator, described the land in question was zoned as Riverside Recreational. She further explained what could be built for that zoning class. No Condominiums or apartments would be allowed, but retail and commercial could be.

Public discussion was held on water and septic requirements. Patti made the point of serious consideration of only allowing alternative septic systems due to tight constraints on separation distances from wells.

Other public comments concerning development of MICHKARE Subdivision were with the lots having access driveways off Abel Drive. The concern was having such a narrow roadway, the increase in traffic, and causing congestion on this portion of Abel Drive. Public discussion continued on the Abel Island Association approval of, or lack of approval between the Association and the Zearley family on usage of Abel Drive. Public comment was made on wishing the access to these lots would be accessed from the Zearley access and run on the east side of the 5 lots where the utility easement will run.

Mr Willman, in representing the sellers, felt the road access on the east side of the lots would force the backside to Abel Drive and create a bigger problem when came time for siting in septic systems.

Discussion continued on what would be allowed on these lots, for example, a convenience store. Patti R. reaffirmed the fact these lots were not a part of the Abel Island Association, and unless a covenant was drawn up, or restrictions by the county put in place, yes a convenience store could be built. Mr. Willman said the sellers would gladly agree to restrict the use of the property to single-family use. Due to lingering questions and some missing information, Mike Finnegan made the motion to table the approval of MICHKARE Subdivision with Bruce K 2nd the motion. Motion carried. A list of needed information would be created by the zoning office and submitted to Mr. Willman to submit for the next scheduled meeting.

It was decided to look at the zoning ordinances and potential changes at a future meeting. It was noted wind and solar should be components added to our current ordinance in some form or fashion.

No old business to address.

Meeting adjourned at 8:05pm.