

# CLINTON COUNTY PLANNING AND ZONING MINUTES

## PLANNING AND ZONING COMMISSION MEETING

February 15, 2012

Clinton County Annex-DeWitt

<b>Jerome Burken</b>	<b>-Present</b>	
<b>Roger Boussetot</b>	<b>-Present</b>	
<b>James Ralston</b>	<b>-Absent</b>	<b>Gail Thomas -Present</b>
<b>Rita Hart</b>	<b>-Present</b>	
<b>Bill Kruse</b>	<b>-Present</b>	

Chairman Burken called the meeting to order at 8:30 a.m. Roll call showed 4 members present. The Minutes of June 6, 2011 were approved as sent.

**Election of officers.** Kruse made a motion to elect Burken for President, Hart seconded. Motion passed, all in favor. Boussetot made a motion to elect Kruse Vice president, Hart seconded, all in favor, motion passed.

### **AGENDA ITEM IV–WILLIAM SHIRLEY REZONING**

**Others present: Jeff Shirley, Glenn McCulloh, Merl McCulloh**

Jeff Shirley represented the applicant, William Shirley. The Shirley's have requested the rezoning of a 6.5 acre parcel from A-1 to AR-1 for the purpose of greater residential density on a non-agricultural parcel. Public notice has been given and all fees paid.

The property is located at 3454 275<sup>th</sup> St, Camanche.

The Public Hearing was opened at 8:40 am.

Jeff Shirley explained that they would like to build a new house next to his father's home. Staff presented maps and aerial photos to describe the situation. Staff presented a staff summary of the proposed rezoning.

Glenn and Merl McCulloh spoke of concerns about the drainage through the property. The Commissioners heard the concerns and discussed the issue as it pertains to the proposed rezoning. It was suggested that a drainage easement was a side issue that must be addressed by other means.

The public hearing was closed at 9:06 am.

Staff recommendation is to forward a recommendation for rezoning to the Clinton County Board of Supervisors.

The criteria for review were discussed and adopted into the record.

Map Amendment Criteria review 9.3.2.B.5 for Shirley rezoning application as approved by Clinton County Planning and Zoning Commission

- a. Whether or not the current district classification of the property to be rezoned is valid and the suitability of the subject property for the uses to which it has been restricted under the existing zoning classification. **The current zoning classification, A-1 (Prime Agricultural), is valid for this site, which was formerly the home site for the surrounding farm. The zoning classification requested, AR-1 is also valid for this site. One home sits on the property,**

**which is the limit as currently zoned. The parcel has generally medium quality soils with the CSR ranging from 30 to 85. There is adequate undeveloped area for an additional building site.**

- b. Whether there is a need for additional land zoned for the purpose requested. **The AR-1 Zoning district is the second largest district in the county. Most of the area south of DeWitt is either currently zoned AR-1 or could be rezoned to AR-1 as designated on the Future Land Use Map. This site is designated on the Future Land Use Map for AR-1 zoning. It is located within ¼ mile of the current AR-1 boundary. There is some need for additional AR-1 land southeast of DeWitt at this time.**
- c. The character and use of nearby property. **The surrounding area is a mix of agriculture and low density residential. North, East and West is generally agricultural while south and southwest tends more toward residential.**
- d. Master Plan future land use designations. **The current Future Land Use Map designates this site for Agricultural and recreation use (AR-1).**
- e. The extent to which the proposed use will detrimentally or positively affect nearby property. **Rezoning of this property to AR-1 would allow the property to be subdivided into 2 residential sites. Because the land is currently a residential parcel on a paved road, additional homes here would likely have a minimal effect on the existing homes or surrounding farmland.**
- f. The length of time the subject property has remained vacant as zoned. **This property is undeveloped and unused farmland with no previous proposals for development.**
- g. Recommendations of the County's professional staff. **This area is designated on the Future Land Use Map as being available for Agricultural-Recreation zoning, allowing a maximum density of one house for every 5 acres, with each lot being a minimum of 2 net acres. The parcel size will limit the number and configuration of lots on this property. As the Future Land Use Map designation is for AR-1 zoning, and there do not appear to be significant impediments to development of the property as proposed, staff recommends approval of the rezoning application.**
- h. The availability and adequacy of required public and community facilities, utilities and services to serve the proposed use. These may include, but are not limited to, sanitary and storm sewers, water electrical service, police and fire protection, schools, parks and recreation facilities, roads, libraries, solid waste collection and disposal and others as applicable. **This is planned as a rural residential site with facilities typically available within an urban area not being readily available. Water and wastewater facilities would be provided with a private well and private on-site septic systems. Solid waste disposal would be the responsibility of the individual homeowners. Electrical service would be provided by the local utility. The Clinton County Sheriff's Department**

would be responsible for police protection. The Low Moor Volunteer Fire Department provides fire protection for this area and is located about 5 miles away. This site is within the Central Community School District. No new public roads are anticipated to be required for development of the property.

- i. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the street network influenced by the use, or present parking problems in the vicinity of the property. **Access to this site is 275<sup>th</sup> Street, a gravel local road with a 2002 traffic count of 31 VPD. The County road system has the capacity to absorb the traffic generated by the proposed development.**
- j. The environmental impacts that the proposed use will generate including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting, or other environmental harm. **Placement of on-site septic systems and well would need to be done in compliance with County and State regulations. Residential use of this site would likely have minimal other environmental impacts.**
- k. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to these Regulations and other applicable County Ordinances. **Various health and zoning ordinance requirements apply to placement of structures, wells and septic systems, storage of inoperable vehicles, setbacks and other zoning restrictions.**

Kruse made a motion to approve a resolution, to recommend that the Clinton County Board of Supervisors approve the rezoning of the above described parcel from A-1 to AR-1. Discussion ensued regarding the drainage issue and the effect of Planning and Zoning Commission action on that issue. It was determined that the zoning has no impact on the drainage issue. Motion to approve was seconded by Burken, all in favor, motion passed.

#### **AGENDA ITEM VI-OTHER BUSINESS**

With no further business, the meeting was adjourned at 9:46 a.m.

Respectfully Submitted,

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Clinton County Zoning Administrator