

PLANNING & ZONING COMMISSION MEETING
CITY OF DYERSVILLE

January 8, 2018

Meeting called to order by Chairman Olberding at 6:30 P.M.

Roll Call: Present: Commission Members: Ryan Cahill, Roger Gibbs, Mike Murphy,
Dan Olberding, Wayne Stelken

Absent: Matt Tauke, Bec Willenborg

1st Item: Approve Minutes of the December 11, 2017 Meeting

Chairman Olberding asked for questions or comments and there were none.

Murphy made a motion to approve the December 11, 2017 Minutes. Motion seconded by Gibbs.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Mike Murphy, Dan Olberding,
Wayne Stelken

Nays:

Motion Carried

2nd Item: Approve Final Plat Linden Avenue Place No.2 in the City of Dyersville, Dubuque County, Iowa comprised of E1/2 Lot 8A, W1/2 Lot 9A, E1/2 Lot 9A, W1/2 Lot 10A, E1/2 Lot 8, W1/2 Lot 9, E1/2 Lot 9 and W1/2 Lot 10 all in the Subdivision of Lot 5 of the Subdivision of the N1/2 of the SE1/4 in Section Thirty (30), Township Eighty-nine North (T89N), Range Two West (R2W) of the 5th P.M. and Lot 1 of Linden Avenue Place all in the City of Dyersville, Dubuque County, Iowa. Plat submitted by Richard & Helen Schnier.

Dick Schnier was present and advised there is a piece of land that runs behind his property and behind the next 5 lots. Schnier is planning on purchasing the strip from Bob Hodgson.

Chairman Olberding asked if there were any city issues. City Administrator Mick Michel advised that in the past there were some issues with Lot 1 and 2 that this plat will clear up. This plat is combining the east ½ of Lot 9 with the west ½ of Lot 10 with the vacated alley and combining the west ½ of Lot 9 with the east ½ of Lot 8 with the vacated alley. It is then taking the remaining vacated alley and creating "Outlot A" which the city requested. If there any future subdivisions in this area it will be easier to divide and cleans up the issues from the past. It is taking property previously deeded over to property owners and combining it into one lot.

The committee asked about and discussed the previous issues with this area. Michel advised there was issue on another lot and that has been resolved. The issue was two surveyors disagreeing on lot lines. Olberding was concerned about buildings being so close to the west property lines as shown on the aerial map. Michel advised the aerial map is just a guide and those lines can be off by several feet depending on the type of imagery used.

Chairman Olberding asked if all parties were agreement with this. Bob Hodgson was present and was asked if he was Ok with this. Hodgson advised he was.

After no further discussion, Gibbs made a motion to approve the Final Plat of Linden Avenue Place No. 2, City of Dyersville, Dubuque County, Iowa. Motion seconded by Cahill.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Mike Murphy, Dan Olberding,
Wayne Stelken

Nays:

Motion Carried

3rd Item: Approve Plat of Survey Parcel 2018-01 Comprised of Parcel 2013-29 and Part of the North Half (N1/2) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4), all in Section Twenty-six (26), Township Eighty-nine North (T89N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa. Parcel 2018-02 Part of the North Half (N1/2) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section Twenty-six (26), Township Eighty-nine North (T89N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa. Plat submitted by Bard Materials.

Ben Shroeder with Bard Materials was present and advised the plat is laying out two parcels, 2018-01 and 2018-02. Bard owns the land to the south of those and wants to purchase 2018-01. Bard already owns part of 2018-01 which was parcel 2013-29. Bard plans to rock this area and take piles from the Krapfl Quarry and place them here. Bard also wants to use this area to park machinery in the winter. Schroeder advised that Michel would like 30' access easement on the east side to be 40' and Schroeder advised he has no problems with that change. This access easement lets Fortmann's access their field.

Michel advised he is requesting the 40' easement in case there is future development and a street system is required. This is a compromise between the 66' easement and the 30'. Since there is just one parcel right now 40' should be enough to allow easy access of vehicles and machinery to the field.

Murphy asked about a comment made earlier about 2013. Michel advised back in 2013 Bard purchased parcel 2013-29 which on this plat is now part of 2018-01. There was some discussion regarding parcel 2013-29, where it was located, property Bard currently owns and what Bard plans to purchase.

Murphy asked what rights the city had in the future by creating the easement. Michel advised it does not give the city any rights, but it gives the developer a place to negotiate access to the development. Murphy asked if they had the right to say no to that and Michel advised yes. They have the right to contest it, but the access is always there as a private access. Michel wants the 40' easement because there is an industrial area here and wants to make sure there is enough room for equipment and machinery. Michel advised that in the case of a development, the developer would need to create a 66' right-of-way. The 40' access would remain. Michel wants to ensure in the future there enough of an access to 2018-02. If there is a development to the north, there would still be another access point maybe as a private drive. There was further discussion and clarification on this subject to clear up Murphy's questions.

Gibbs wanted to clarify that the 30' easement was being changed to 40' tonight. Michel advised it would be changed as part of the motion. The surveyor would be advised to make the change.

After no further discussion, Murphy made a motion to approve the amended Plat of Survey of Parcel 2018-01 and Parcel 2018-02, Delaware County, Iowa, changing the access easement to 40'. Motion seconded by Stelken.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Mike Murphy, Dan Olberding,
Wayne Stelken

Nays:

Motion Carried

The meeting adjourned at 6:46 PM on a motion by Cahill, seconded by Gibbs.

Lori A. Panton

Lori A. Panton – Recording Secretary

1/8/18
Date