JOHNSON COUNTY PLANNING AND ZONING COMMISSION

REGULAR MEETING-TUESDAY, SEPTEMBER 3, 2019

Vice-Chairman Julie Baker called the meeting of the Johnson County Planning and Zoning Commission to order September 3, 2019 at 7:06 PM.

Those present were Commission members Layne Qualm and Curt Newcomb, Planner Jim Waller, Vicki Edelman County Clerk and Deputy County Attorney Barry Crago. Chairman Travis Pearson participated via telephone and Manny Rodriguez was absent from this meeting.

Curt Newcomb moved to approve the minutes of the August 6, 2019 regular meeting as amended. Travis Pearson seconded, motion carried.

Vice-Chairman Baker opened discussion on the Amended Plat/Re-Subdivision of Lot 7-9 Bald Ridge Estates Subdivision.

Planner Waller presented the following report to the Commission regarding the Amended Plat/Re-Subdivision of Lot 7-9 Bald Ridge Estates Subdivision.

Case: RE-SUB 2019-001
Item: Lisa Norman proposed resubdivision
Summary: Resubdivision of Lot 7-9 Bald Ridge Estates

Background information:

1. Proposed resubdivision located off Bald Ridge Dr (Bald Ridge Estates).
2. Owner of record; Lisa Norman as filed in Book 87A61 page 618 (6.5 Ac). This parcel is described as Lot 9 Bald Ridge Subdivision.
3. Owner of record, Lisa Norman as filed in Book 87A68 page 199. This lot is vacant and is described as Lot 8 Bald Ridge Subdivision.
4. Owner of record, Galen Richards and Suzie Kirvinskee Trustees of the Richards Kirvinskee Family Irrevocable Trust, dated December 1, 2015 as filed in Book 87A67 page 388 (5.1 Ac). This parcel is vacant and is described as Lot 7 Bald Ridge Subdivision.
5. The three lots are all adjacent and Lot 8 is being proposed to be split between Lot 7 and 9.
6. June 4, 2019 it was determined that resubdivision is applicable and a new plat required along with notices.
7. DEQ/WQD placed restrictions on depth and location of leachfields; restrictions are shown on the original plat and disclosed on re-subdivision plat.
8. DEQ/WQD placed restrictions on well locations and depths; restrictions and warnings shown on the original plat and disclosed on the re-subdivision plat.

Planning Considerations:

1. Notification and Advertisements
1. Public notice; 2 consecutive notices in the newspaper; affidavit of publication received.
2. Adjacent landowners notified according to the Minor Subdivision Regulations.
   i. Letter of support from an adjacent landowner; increasing lot size is favorable.

2. Size of lots proposed;
   a. Originally the lots are 5.1, 5.1, & 6.5 acres respectively;
   b. Re-dividing the 3 lots will create 2 lots of 7.6 & 9.0 acres.

3. Soils and Flooding Potential
   a. Lake DeSmet Conservation District provided a review and recommendation on May 24, 2007.
      i. All soil limitations identified on the original final plat shown on resubdivision plat.
      ii. Decreasing density should lessen disturbances by eliminating a house site.

4. Septic system and Water well placement;
   a. Original Hydrology review applicable to resubdivision. DEQ/WQD comments stand from the original review in 2007. No changes needed to letter of recommendation from DEQ as this is a reduction in density.
      i. Well and septic restrictions still applicable.
      ii. Warnings noted on the plat
   b. Increasing the lot size will allow for more property line separation and lessen conflicts
      Lot 7 has a new permitted septic system and well—Septic Permit # 19-012 and Well Permit # P210942.0W
   c. Lot 9 has an existing septic and well—Septic Permit # 9814 and Well Permit # P202665.0W

5. State Engineer's Office
   a. Generally, water rights were reviewed during the subdivision review in 2007.
      i. No surface water rights were identified on the subject lands
      ii. Additional water well information disclosed on the re-subdivision plat.
   b. Decreasing density (less houses) lessen possible well conflicts.
      i. It was noted by the State Engineer’s Office, they are generally supportive of approving the development at the time. However, they advised that any number of events could occur at some point in the future which may preclude the state from issuing new permits.

6. Access and utility easements and lot line shown on the new plat.
   a. Bald Ridge Drive is not changing from the original plat.
   b. Utility easements are reserved along the lot lines and is not changing from the original plat.
   c. Original lot lines shown as a lighter grey. Do these lines need identified as vacated?

7. Plat Contents
   a. The re-subdivision plat contains all warnings from the original plat and is consistent with the regulations.

Recommendations:

1. Approve the final plat for the Re-subdivision of Lot 7-9 Bald Ridge Estates. Subject to the fee and certified notice mailing cost:
2. Others

Planner Waller reported the only issue is he is waiting on the mylar from the Engineer. There was no discussion or questions from the Commission.
Travis Pearson moved per the planner’s recommendation to approve the final plat for Re-subdivision of Lot 7-9 Bald Ridge Estates subject to fees and considerations. Layne Qualm seconded, motion carried.

Vice-Chairman Baker called for the next agenda item being the presentation of Tract 10 Robinson Acres proposed subdivision. Planner Waller reported Tract 10 of Robinson will be divided into 3 lots. Craig Shavlik will submit a sketch plan review for the meeting in October. Notice of intent to subdivide will be sent certified to all adjacent land owners. Robinson Lane which is a county road only has a 40’ easement; according to the regulations the road within the subdivision is to have a 60’ easement. There are slope issues within the lots and possibly septic sites will have to be designated. This will be looked at as a major subdivision by the City of Buffalo. Travis Pearson commented there would need to be a cul-de-sac for turning emergency equipment and would agree to a variance back to the 40’ within the subdivision.

Vice-Chairman Baker called for Old Business. Planner Waller reported on the Boundary Line Adjustment of Lot 4 & 5 Lake Meadows Subdivision Phase I; saying there is now an attorney involved and they propose an acreage swap of the exact same. They will need to notify the adjacent land owners.

There being no new business and no public comments Vice-Chairman Julie Baker asked for the Staff Report.

Planner Waller reported he has done 6 septic inspections and has 5 applications since August 6th. He also reported he has been contacted on several proposed subdivisions within the county.

The next meeting will be on October 1, 2019 with a work session beginning at 6:00pm and the regular meeting to be at 7:00pm.

There being no further business Layne Qualm moved to adjourn the meeting at 7:30P.M. Curt Newcomb seconded, motion carried.

Respectfully,

Julie Baker, Vice-Chairman

Attest:

Vicki Edelman, County Clerk

Date 1/5/19