

Staff Report

Board of Supervisors

Date of Meeting:
January 7, 2020

Case Number SUB09-19

Residential Parcel Subdivision
C & S Cairns Subdivision
Resolution No. 20-50

APPLICANT:

Chuck Cairns
62128 315th ST
Maxwell, IA 50101

STAFF PROJECT MANAGER:

Marcus Amman, Planner
Jerry Moore, Director

SUMMARY:

A Residential Parcel Subdivision request for Parcel #15-19-300-105 to reconfigure the one parcel into two lots and one outlot as follows: proposed Lot 1, 2.61-net acres located on the western portion of the existing parcel, which would be considered buildable, and proposed Lot 2, 3.15-net acres containing the existing single-family dwelling and accessory structures, and proposed Outlot A, a 1.80 net-acre lot. The outlot is not considered buildable, for the purpose of dividing the property owner's estate. Planning and Development Staff recommend approval of the proposed C & S Cairns Subdivision plat.





Property Owner

CAIRNS, CHARLES W TRUSTEE (Deed)
CAIRNS, SHIRLEY ANN REVOCABLE TRUST (Deed)
CAIRNS, SHIRLEY ANN TRUSTEE (Deed)
CAIRNS, CHARLES W REVOCABLE TRUST 1/2 (Deed)

Parcel Identification Number(s)

15-19-300-105

Size of Area

8.66 net-acres

Location of Subdivision

Indian Creek Township
NW SW of Section 19, Township 82, Range 22

Districts

A-1 Agricultural District
Collins-Maxwell School District
Maxwell Fire Department
Story County Sherriff
Story County Ambulance
Indian Creek Watershed
Consumers Energy
Indian Creek #66

Description of Proposed Subdivision

The application is to consider a request for a Residential Parcel Subdivision to reconfigure one parcel into two lots and an outlot. The parcel is in the NW SW of Section 19 Township 82 Range 22. The parcels are proposed to be divided from north to south into proposed Lot 1, 2.61 net-acres, and proposed Lot 2, 3.15 net-acres. Lot 1 will have access through an easement at the northwest corner of lot two off of 315th Street. Outlot A is 1.80-net acres and covers the southern 49.16 feet and the eastern 88.05 feet of the existing parcel.

The purpose behind the reconfiguration is for the property owner to divide the property owner's estate. At this time the property owner does not intend to change the current use of proposed Lot 1 from being in agricultural production. Property owner understands that when they decide to develop the parcel or sell the parcel to be developed, the development must meet the Story County Development Standards.

The existing access on proposed Lot 2 will also serve Lot 1. The property owner has worked with the County Engineer's Office regarding the access to Lot 2. In support of the County Engineers



review and feedback of the subdivision plat, Planning and Development Staff have communicated with the property owner that an access easement for the shared access is encouraged. Consequently the property owner has placed an easement on the Plat. Property owner also understands that if a separate access is requested on proposed Lot 1 one existing access on proposed Lot 2 would have to be removed, per the County Engineer's office.

Current and Future Land Use

Proposed Lot 2 is currently the site of the existing single-family dwelling and various agriculturally related accessory structures. Proposed Lot 1 is currently in agricultural production. Proposed Lot 1 will stay in agricultural production until the applicant decides to build on the parcel or sell the parcel. The Future Land Use map identifies this area as being included in the Agricultural Conservation Area.

Applicant's Property and Current Surrounding Land Use

- The property is located in the Indian Creek Township. The property is located 2.8 miles east of Cambridge and 2.8 miles west of Maxwell. Adjacent properties include:

North

- One 32.65 net-acre parcel in row crop production under the ownership of David, Georgia, and John Griffith.
- One 39.00 net-acre parcel in row crop production under the ownership of David, Georgia, and John Griffith.
- One 18.33 net-acre parcel in row crop production under the ownership of Dwight A & Carla S Veldhuizen.

East

- One 39 net-acre parcel in row crop production owned by CAIRNS, CHARLES W TRUSTEE (Deed)
CAIRNS, SHIRLEY ANN REVOCABLE TRUST (Deed)
CAIRNS, SHIRLEY ANN TRUSTEE (Deed)
CAIRNS, CHARLES W REVOCABLE TRUST 1/2 (Deed).

South

- One 57.53 net-acre parcel in row crop production owned by CAIRNS, CHARLES W TRUSTEE (Deed)
CAIRNS, SHIRLEY ANN REVOCABLE TRUST (Deed)
CAIRNS, SHIRLEY ANN TRUSTEE (Deed)
CAIRNS, CHARLES W REVOCABLE TRUST 1/2 (Deed).



West

- One 36.86 net-acre parcel in row crop production owned by Patricia M Black Trustee and Patricia M Black Revocable Trust.

There are 18 (17 not including subject property) parcels located within a quarter mile of the property. 18 (17 not including subject property) of the parcels are located in unincorporated Story County, 3 contain single-family dwellings, 11 contain bare land, 1 contains an addition to a building.

Applicable Regulations – Story County Land Development Regulations

87.07 RESIDENTIAL PARCEL SUBDIVISION PLAT

1. A subdivision may be submitted for review and approval as a Residential Parcel Subdivision Plat when all of the following are true:
 - a. The development lots created by the subdivision are intended to be used for residential purposes.
 - b. Only two development lots may be created.
 - c. The Assessment Property Record Card for the property shall show a single-family dwelling and/or farmstead, as defined in Section 85.08, in existence.
 - d. The subdivision includes no land set apart for new streets, alleys, parks, dedicated open space, school property, or public use.
 - e. The subdivision lies wholly within the A-1 District. For parcels located within the boundaries of the *Ames Urban Fringe Plan*, the subdivision must be both zoned A-1 Agricultural and lie wholly within the Rural Service and Agricultural Conservation Area designation.
 - f. Both development lots (created by the Residential Parcel Subdivision Plat) shall contain a minimum of one acre (net) each. All side and rear yard setback requirements must be met.
 - g. All resulting development lots shall have access to an adjoining public roadway by actual road frontage or easement.
 - h. No variances from subdivision or zoning standards shall be granted in order to accomplish the Residential Parcel Subdivision Plat.
 - i. The existing parcel shall not have been created through a previously approved Residential Parcel Subdivision Plat.

Commentary

The following comments are part of the official record of the proposed Residential Parcel Subdivision Plat – **C&S Cairns Subdivision, Case No. SUB09-19**. If necessary, conditions of approval may be formulated based on these comments.

Comments from the Interagency Review Team

The application materials were forwarded to the members of the Interagency Review Team on July 30, 2019, and the following applicable comments were received.



Story County Environmental Health Comments:

1. Proposed lot 2 contains two wells and septic permit #3560. The septic laterals are contained within lot 2 boundaries. A review of the Environmental Health Department files show no known wells or septic. If lot 1 were to be developed, wells and septic are permitted through the Environmental Health Department. I have no concerns with the proposed subdivision.

Story County Emergency Management Comments:

1. No comment

Story County Assessor's Office Comments:

1. The Assessor's Office will review the Classification of the parcels for the 2020 Assessment.

Story County Auditor's Office

1. No comment

Story County Engineer's Office

1. Applicant already has an approved permit for a new drive which also requires that one existing drive be removed. **Applicant decided to have an access easement added to the northwest corner of Lot 2 to grant access to lot 1. Applicant understands that for Lot 1 to have its own access one existing access on lot 2 would have to be removed.**

Story County Planning & Development Department Comments and Applicant Responses

Story County Planning and Development Comments for Surveyor

1. Please provide a corrected plat. Submitted plat has dots throughout making the document illegible in places. **Provided**
2. Please add a note to the plat that Outlot A is not buildable. **Provided**
3. Please confirm the building west of the eastern most drive has been removed. **Building is there**
4. Please correct "Iowa Rural Utilities Association" to "Iowa Regional Utility Association" on the plat. **Corrected**
5. Please provide the Plat of Survey any size with original signature and another no larger than 8 ½" x 14" with original signature. **Provided**
6. A residential parcel subdivision will create two lots that are each buildable for one single-family dwelling. Please describe any plans to construct a dwelling on Lot 2, including the potential location, access location, and construction timeline. **No plans at this time.**
7. What is the planned use for Outlot A? How will Outlot A be accessed? **Outlot A is planned to continue to be in agricultural production. Outlot A will be accessed from Lot 2**



8. Are any restrictive covenants proposed? If so, please provide a copy. **Restrictive Covenants were submitted. There are a total of 22.**

Comments from the General Public

Notification letters were mailed to surrounding property owners within a ¼ mile of the subject property regarding the public meeting on the subdivision request on December 27, 2019.

No comments were received as of the writing of this Staff Report.

Comments from Cities within Two Miles

There are no cities within two miles of the proposed subdivision.

Analysis

Points to consider in evaluating the applicant's request to divide their property through the Residential Parcel Subdivision Plat process to create two (2) lots that are buildable and an outlot.

1. The goal of the subdivision is to divide the one existing parcel into two lots for the purpose of dividing the property owner's estate. The configuration also provided both lots with frontage on 315th Street.
2. The subdivision meets all requirements and standards for a Residential Parcel Subdivision. Lot 1 will continue to be used for agricultural purposes and is not currently intended for future development.
3. Additional divisions of the lots created with the residential parcel subdivision are not permitted through another residential parcel subdivision.
4. The existing access on proposed Lot 2 will also serve Lot 1. An access easement has been identified on the Plat in response to the County Engineers review and feedback of the Subdivision Plat.

Alternatives

Based on the submittal application, site review, Staff Report, Story County Engineer's recommendations, and responses to comments from applicant; Story County Planning & Development Staff recommend the approval of the C & S Cairns Subdivision, as proposed (alternative #1).

1. **The Story County Board of Supervisors approves Resolution # 20-50, the Residential Parcel Subdivision Plat – C&S Cairns Subdivision, as put forth in SUB09-19.**
2. The Story County Board of Supervisors approves Resolution # 20-50, the Residential Parcel Subdivision Plat – C&S Cairns Subdivision, with conditions, as put forth in SUB09-19.
3. The Story County Board of Supervisors denies Resolution #20-50, the Residential Parcel Subdivision Plat – C&S Cairns Subdivision, as put forth in SUB09-19.
4. The Story County Board of Supervisors tables the decision on Resolution #20-50, the Residential Parcel Subdivision Plat – C&S Cairns Subdivision, as put forth in SUB09-19



and directs the applicant to address specific areas for additional information, review and/or modifications, and to work with staff to place the subdivision plat back on the Board of Supervisor's agenda.