

COMPARED

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FILED FOR RECORD
POTTAWATTAMIE CO. IOWA

2006 APR -7 AM 8:51

JOHN SCIORTINO
RECORDER

NO FEE

Prepared by: Pottawattamie County, Planning and Development, 223 South 6th Street, Council Bluffs, Iowa 51501 (712) 328-5792
Return to: Pottawattamie County, Planning and Development, 223 South 6th Street, Council Bluffs, Iowa 51501 (712) 328-5792

**PLANNING AND ZONING
RESOLUTION NO. 2006-02**

WHEREAS, the proposed preliminary plat and supporting documents for **Bent Tree Estates, Phase VI**, a subdivision situated in **Garner/Hardin Township**, has been filed with the Pottawattamie County Planning and Zoning Commission for its study and recommendation under **Case #SUB-2006-01** and

WHEREAS, in addition to the request for preliminary plat approval, a request was made to grant a variance to allow a temporary deaden street to be 1852' verses 1320' as stipulated by Section 9.15.110.03, Pottawattamie County, Iowa, Code; and

WHEREAS, said Commission conducted a public hearing on February 27, 2006 in accordance with Chapter 9.04 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, and has given all parties an opportunity to be heard; and

WHEREAS, after careful study and being thoroughly familiar with the involved real estate and the surrounding area, said Commission has submitted its written recommendation to this Board to approve the preliminary plat and the requested variance; and

WHEREAS, this Board conducted a public hearing on March 22, 2006 in accordance with the above-noted Ordinance and Statute, and has examined the proposed preliminary plat; and

WHEREAS, after careful study, and due consideration this Board has determined that the proposed preliminary plat conforms to the requirements of Chapter 9.01-9.30. Subdivision Ordinance of the Pottawattamie County, Iowa, Code; the Pottawattamie County, Iowa, Land Use Plan and Chapter 354, Code of Iowa, and has deemed it to be in the best interest of Pottawattamie County, Iowa, to concur with the County's Planning and Zoning Commission's recommendation:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA: That the proposed preliminary plat of **Bent Tree Estates, Phase VI**, along with the requested variance, be, and the same is hereby approved, as the preliminary plat of said subdivision, with the following stipulations:

1. The developer shall be responsible implementation of the NRCS approved Pollution Prevention Plan.

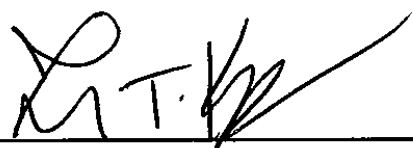
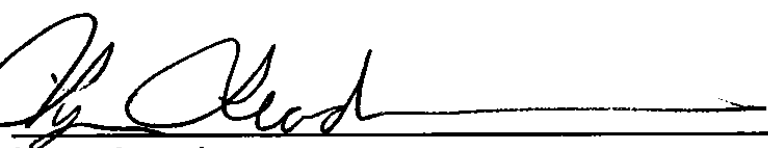
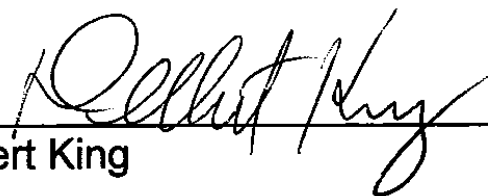
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2. No private water wells shall be dug or drilled on any of the lots in Bent Tree Estates, Phase VI, as the intent is that these lots will be serviced by municipal water.
3. No additional development can take place which connects to Bent Tree Estates, Phase VI, unless additional street access points are developed onto Highway 6 and McPherson Avenue.
4. The paving width shall be increased to 26'.

Provided however, that this Resolution shall not be construed as being a final acceptance or approval of said Plat with the meaning of Chapter 9.01-9.30, Subdivision Ordinance, of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa; that after completion of all improvements and satisfaction of all requirements for final plats required by the State and County Ordinances and this Resolution, the final plat shall be submitted to this Board for it's consideration.

PASSED AND APPROVED March 22, 2006.

	AYE	NAY	ABSTAIN	VOTE ABSENT
 _____ Loren Knauss, Chairman	●	○	○	○
 _____ Lynn Leaders	●	○	○	○
_____ ABSENT Betty Moats	○	○	○	●
 _____ Delbert King	●	○	○	○
_____ ABSENT Melvyn Houser	○	○	○	●

Attest: 

 Marilyn Jo Drake, County Auditor
 Pottawattamie County, Iowa

RECORD: After Passage