

RESOLUTION # 36-01-22-01A Resolution Approving the
Final Plat of Steven Ruff Subdivision First Addition by the
Jackson County, Iowa Board of Supervisors

WHEREAS, the final plat of Steven Ruff Subdivision First Addition, a subdivision of the North Half of the Northeast Quarter of section 13 in Bellevue Township, a minor subdivision under the provisions of Jackson County Ordinance #117, as amended, has been submitted for approval with the required fee;

AND WHEREAS, this plat has been reviewed by the County Engineer, who has waived requirements for drainage calculations and topographic contour data due to the limited potential of the plat to harm its neighborhood or the general public interest;

AND WHEREAS, this plat has been found to meet all applicable standards for subdivisions;

AND WHEREAS, this plat is judged to have minimal potential to negatively impact adjacent property or the public interest;

NOW, THEREFORE, BE IT RESOLVED by the Jackson County Board of Supervisors, that neither Zoning Commission study nor a public hearing is required for evaluation of this plat, and that the final plat of Steven Ruff Subdivision First Addition, as signed by Licensed Land Surveyor David P. Schneider December 8, 2000, is hereby approved for recording in accordance with Jackson County Ordinance #117, as amended, pending technical reviews and submission of owners' consent, attorney's title opinion, and County Treasurer's certification as required by the Code of Iowa. For the record we note the following:

- 1) The requirement to place all existing structures on the plat is waived as regards the existing structures on Lot 3, which are not deemed relevant to the matters at hand.
- 2) The requirement for recorded fence agreements with adjacent agricultural landowners is waived as regards the northern boundary of Lots 2 and 3 bordering property owned by Jeffrey and Barbara Michels. We find that good faith efforts by the developer to secure a fair fence agreement covering that boundary have been rejected by the Michelses, and that requiring an agreement as a condition of plat approval under these circumstances would be unjust to the developer.
- 3) Our ancient burial mound protection policy requires convincing evidence that such mounds are not endangered by this development. We are convinced that no surviving mounds are endangered because the major access road to the site has already been constructed; the site does not include timbered land on a ridge or terrace location; and regrading in the proposed house building location has already occurred.

PASSED AND APPROVED ON THIS 22nd DAY OF January, 2001.

ATTEST: T. W. Cotton
JACKSON COUNTY AUDITOR

Arund B. Kull
CHAIR, BOARD OF SUPERVISORS
J. C. Engel
MEMBER
John J. Willey
MEMBER