

Office Use Only		\$	
	Date Filed	Fee	Application Number



**JOHNSON COUNTY, IOWA**  
**APPLICATION FOR: ZONING AMENDMENT**

Application is hereby made to:

- Reclassify certain property on the Johnson County Zoning Map.**
- Amend the text of the Johnson County Unified Development Ordinance (UDO)**

**For Map Changes Only:**

The property to be rezoned is located at (street address if available or layman's description):  
 4075 Black Hawk Ave. SW

Parcel Number(s) (legal description must also be attached): 1219177001 1219176001  
 SE 1/4- NE 1/4, Section 19, T-79-N, R-8-W & Tract B, Zimmerman Subdivision.

The area to be rezoned is comprised of 1.53 total acres.

Current Zoning Classification(s): A Proposed Zoning Classification(s): R

**For Text Amendments Only:**

The amendment(s) propose changes to the following sections of the UDO (please be as specific as possible, and provide the specific code reference):

**PLEASE PRINT OR TYPE**

The undersigned affirms that the information provided herein is true and correct. If applicant is not the owner, applicant affirms that the owner(s) of the property described on this application consent to this application being submitted, and said owners hereby give their consent for the office of Johnson County Planning, Development, and Sustainability to conduct a site visit and photograph the subject property.

**James A. Hesseltine**

Name of Owner

Name of Applicant (if different)

4075 Black Hawk Ave. SW Oxford, IA. 52322

Applicant Street Address (including City, State, Zip)

471-7614

ericplp@aol.com

Applicant Phone

Applicant Email

Applicant Signature

**[See back page for Application Submittal Requirements and Checklist](#)**

The following items must be submitted for the application to be complete. Incomplete applications will be returned and will not be considered until the next submission deadline. If working with an engineer who can provide CAD or GIS line work, electronic submissions should be submitted in accordance with the PDS department's electronic submission guidelines (see below). Preference is that electronic submission is provided prior to hard copy submission, or the day after the posted submission deadline.

**Initial each item below** to confirm that you are aware of the submittal requirements for an application to be considered complete.

- A brief cover letter explaining the application and outlining the intended end use. If the request includes multiple proposed zoning classifications, the letter should include a breakdown of the number of acres being changed to each zoning designation requested.
- Resolution Affirming the Stability of the Road System (signed and notarized).
- Ten (10) copies of the rezoning exhibit (and any other sheets larger than 11x17).
- The names and addresses of owners of all property within five hundred (500) feet of the parcel being rezoned.
- A map of sufficient size to show the property for rezoning out-lined in red and the property within 500 feet of the property for rezoning outlined in blue.
- Application Fee (varies based on nature of application) is due at the time of submittal.  
Fee submitted: \$ 961.20
- Proof of application to Johnson County Public Health for a Public Health Zoning Application.

**(Optional) Electronic Submission Requirements** – If an electronic submission of a rezoning exhibit is being submitted, it should conform with the following:

- Electronic or digitized copy (CAD line work or GIS geodatabase) of proposed plat in .dwg format (.dxf is also acceptable if .dwg is not an option. No .zip files will be accepted).
  - Submission must be saved in AutoCAD 2007 or older format
  - Submissions must use Coordinate System: NAD\_1983\_StatePlane\_Iowa\_South\_FIPS\_1402\_Feet
  - If applicable, submission should include information for Sensitive Areas Analysis/Mapping and Stormwater/Soil Erosion Control infrastructure on the site. This includes any limits of disturbance or other impact areas.
  - Submission should NOT include legends, legal descriptions, location maps, signature blocks, etc.



HART-FREDERICK CONSULTANTS P.C.

ENGINEERS & SURVEYORS

1 July 2021

Mr. Josh Busard  
Johnson County Zoning Director

Re: Rezoning Request for James Hesseltine

Dear Josh:

Attached please find the application and accompanying documents for a Rezoning Request application for James.

James is going to apply for a Historic Residence Parcel Split this rezoning is to facilitate the needed area to make a subdivision happen.

If you have questions or if you require further information you may contact myself, Mr. Patrick Ford: Attorney, or James Hesseltine.

Respectfully Submitted,

J. Scott Ritter, LLS  
Hart-Frederick Consultants P.C.

C: Mr. James Hesseltine  
Mr. Pat Ford  
HFCfile



**RESOLUTION 04-19-90-2**  
**AFFIRMING THE STABILITY OF THE ROAD SYSTEM**

Whereas Johnson County is one of the counties in the State of Iowa that is increasing in its population; and

Whereas there is a growing tendency for persons in Johnson County to prefer to develop lots for building purposes; and

Whereas improvement of currently non-improved roads to standards dictated by the state of Iowa for Secondary roads is expensive;

Now, therefore be it resolved that any person who develops a rezoned and subdivided lot in Johnson County should first be aware of the existing secondary road conditions serving that tract of land, and should act under the presumption that said road in all probability will continue in its present condition. Private interests or adjacent landowners may underwrite the costs to bring said road up to minimum state standards which includes providing the necessary right-of-way, moving fences, grading, culverts, surfacing, and other items that may be needed to provide an improved road. These improvements can be achieved by permission of Johnson County per the **Iowa Code**, Section 319.14, and by Johnson County Resolution 08-10-89-2. However, if this tract of land is located on a road that has been designated as a Level B road per Resolution 04-05-90-1, Johnson County will provide no more services than stated in Johnson County Ordinance 02-08-90-1. If possible, consideration should be given to the prospect of agreeing that said road be closed by Johnson County and maintained by the residents owning land abutting said road to county subdivision standards as a private lane.

My (our) signature on this document indicates that I have read the above road policy of Johnson County, Iowa, and understand the contents of the above shown policy, and that the zoning, or subdivision, action that is being taken by me (us) would be subject to the above Resolution by the Johnson County Board of Supervisors.



\_\_\_\_\_  
Signature of Owner, Contract Owner, Option Purchaser

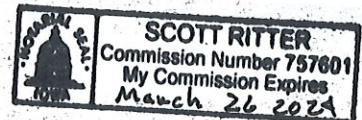
4075 Black Hawk Ave. SW    Oxford, IA. 52322    471-7614

\_\_\_\_\_  
Address and Phone Number

Subscribed and sworn to before me on this 7<sup>th</sup> day of July, 2021.



\_\_\_\_\_  
Notary Public, in & for the State of Iowa.



MailingName

Ada M. Crow

MailingAddress2

4272 Black Hawk Ave. SW

MailingAddress3

Oxford, IA.

MailingZipCode

52322

Parcel

1220251001

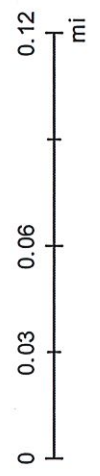




The information presented herein is intended to be an accurate representation of existing records. Johnson County assumes no liability for errors or omissions. Users relying on this information do so at their own risk.



2019



1 inch = 293 feet

**Johnson County GIS**  
**Web Printing**

**2019**

Printed: 6/7/2021





FOR OFFICE USE ONLY:  
**ZONING NUMBER:** \_\_\_\_\_

Johnson County Public Health  
855 S. Dubuque Street \* Iowa City, Iowa 52240 \* 319/356-6040 \* Fax: 319/356-6044

## Johnson County Public Health Zoning Application

Applicant Name: <u>James Hesselstine</u>	Phone Number: <u>(319) 471-7614</u>		
Address: <u>4075 Black Hawk Ave. SW</u>	City: <u>Oxford</u>	State: <u>IA</u>	Zip: <u>52322</u>

**NOTE: THIS APPLICATION NEED NOT BE SUBMITTED FOR FINAL PLATS.**

TYPE OF ZONING REQUEST:	APPLICATION FEE:
<input checked="" type="checkbox"/> Zoning reclassification from <u>A</u> to <u>R</u>	\$75.00 Application Fee
<input type="checkbox"/> Combined preliminary and final plat	\$50.00 + \$20.00 per Lot Application Fee*
<input type="checkbox"/> Preliminary plat using private onsite/centralized waste water systems	\$50.00 + \$20.00 per Lot Application Fee*
<input type="checkbox"/> Conditional Use Permit	\$25.00 Application Fee

**\*Outlots Exempt**


Application Fee 75 + Number of lots \_\_\_\_\_ Minus Number of Outlots = \_\_\_\_\_ x \$20.00 Fee Per Lot  
= Enclosed Fee \$75

**PLEASE RETURN THIS APPLICATION AND APPROPRIATE APPLICATION FEE TO:**

**JOHNSON COUNTY PUBLIC HEALTH  
855 S. DUBUQUE STREET  
IOWA CITY, IA 52240**

**The application and fee must be received by the department NO LESS THAN 24 HOURS prior to the Johnson County Zoning commission public hearing and/or the Johnson County Zoning Board of Adjustment.**

No refund shall be made of any required fee accompanying a required application once filed with the administrative officer.

Signature of Applicant:  Date: 7-7-21



# HART-FREDERICK CONSULTANTS P.C.

www.hart-frederick.com  
510 State Street P.O. Box 560 TIFFIN, IOWA 52340-0560 Phone: (319) 545-7215 www.hart-frederick.com



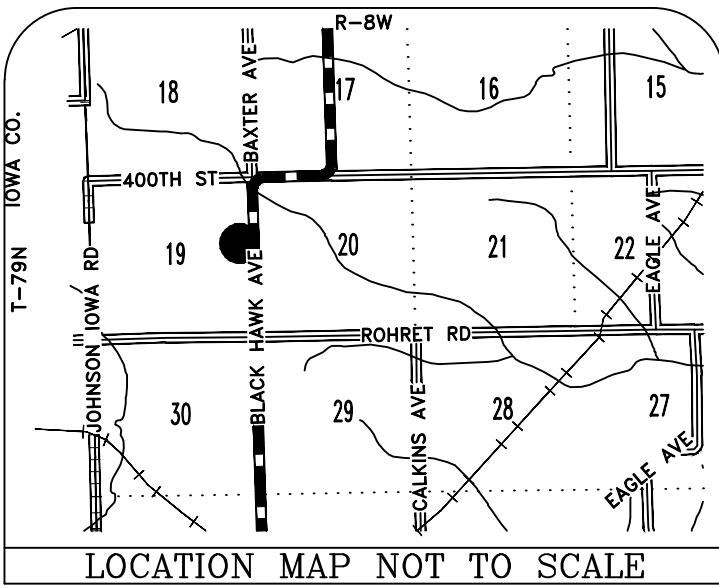
William R. & Nancy Ganschow

2

NORTHEAST ROW LOT 2

NORTHEAST CORNER SECTION 19-79-8 FOUND 5/8" REBAR 15" DEEP TIES BK. 38, PG. 221

N 89°48'58" E 1302.23'(M) S 88°42'45" E 1301.96'(R)



ZIMMERMAN SUBDIVISION BK. 18, PG. 79

TRACT B James A. Hesseltnine

**LEGEND**

- △ GOVERNMENT CORNER
- ⊗ SET 5/8" IRON ROD W/RED CAP #16546
- FOUND 5/8" IRON ROD
- ⊗ CUT "X" IN CONCRETE
- SET PK NAIL
- (R) RECORDED DIMENSIONS
- (M) MEASURED DIMENSIONS
- PROPERTY/BOUNDARY LINES
- - - CENTER LINES
- - - RIGHT-OF-WAY LINES
- - - SECTION LINES
- - - EASEMENT LINES
- - - LOT LINES PLATTED OR BY DEED
- ▭ EXISTING BUILDINGS
- ▨ CONCRETE SURFACE

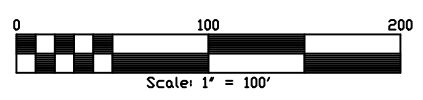
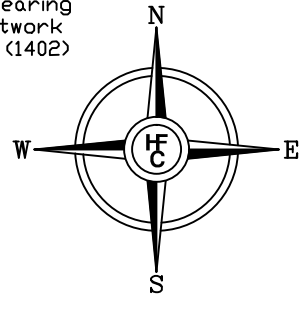
NUMBER	DIRECTION	DISTANCE
L1	S 82°29'59" W	70.39'
L2	S 01°07'29" E	87.00' (M)
	S 00°20'48" W	87.00' (R)
L3	S 89°11'27" W	12.89'
L4	N 82°29'59" E	13.51'

SUBDIVIDOR: JAMES HESSELTINE 4075 BLACK HAWK AVE. SW OXFORD, IA. 52322

ATTORNEY: PATRICK FORD 222 S LINN ST. IOWA CITY, IA. 52240

PLAT PREPARED BY: HART-FREDERICK CONSULTANTS P.C. 510 EAST STATE STREET P.O. BOX 560 TIFFIN, IA. 52340

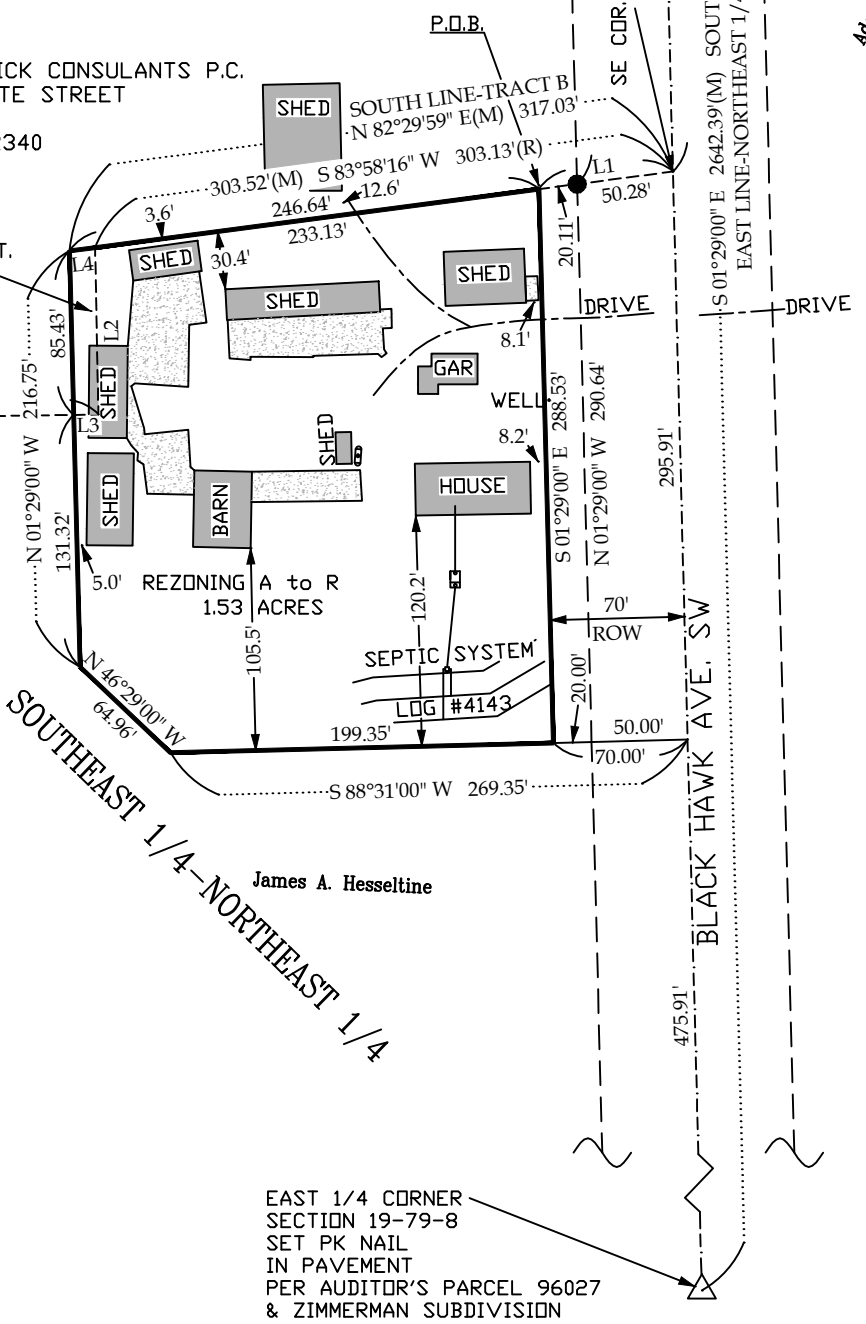
Basis for bearing is IARTN network Iowa South (1402)



REZONING A to R

Being a part of the Southeast 1/4 of the Northeast 1/4 and a part of Tract B of Zimmerman Subdivision as is recorded in Book 18 on page 79 in the office of the Johnson County Recorder, all of Section 19, Township 79 North, Range 8 West of the 5th P.M., Johnson County, Iowa and is more particularly described as follows.

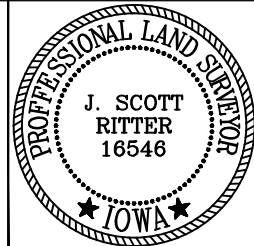
Commencing at the Northeast corner of Section 19, Township 79 North, Range 8 West; thence S 01°29'00" E along the East line of the Northeast 1/4 of said Section 19, a distance of 1870.57 feet to the Southeast corner of Tract B of Zimmerman Subdivision as is recorded in Book 18 on page 79 in the office of the Johnson County Recorder; thence S 82°29'59" W along the South line of said Tract B, a distance of 70.39 feet to the Point of Beginning; thence S 01°29'00" E, a distance of 288.53 feet; thence S 88°31'00" W, a distance of 199.35 feet; thence N 46°29'00" W, a distance of 64.96 feet; thence N 01°29'00" W, a distance of 216.75 feet; thence N 82°29'59" E along said South line of Tract B and its extension thereof, a distance of 246.64 feet to the Point of Beginning containing 1.53 acres.



APPROVED BY THE JOHNSON COUNTY BOARD OF SUPERVISORS

CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.  
J. Scott Ritter, P.L.S. Date  
Iowa License Number: 16546  
My license renewal date is December 31, 2022.  
Pages covered by this seal: THIS SHEET ONLY



**REZONING EXHIBIT**  
PART OF THE SE 1/4-NE 1/4 & OF TRACT B OF ZIMMERMAN SUBDIVISION OF SECTION 19, T-79-N, R-8-W JOHNSON COUNTY, IOWA

DATE: 06/30/21	DRN: JSR	APP:
FLD BK: GPS	PROJ. NO: 217132	

EAST 1/4 CORNER SECTION 19-79-8 SET PK NAIL IN PAVEMENT PER AUDITOR'S PARCEL 96027 & ZIMMERMAN SUBDIVISION

Ada Crow Life Estate