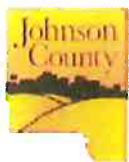
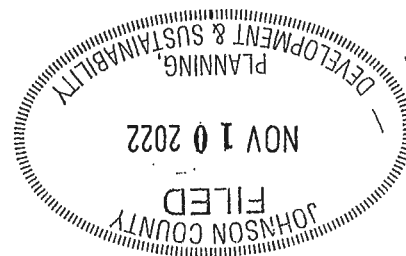


| | | | |
|--------------------|------------|-----------|--------------------|
| Office Use Only | 11-10-22 | \$2808.40 | PZC-22-28300 |
| | Date Filed | Fee | Application Number |



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 – Complete This Section

The property to be rezoned is located at (street address if available or layman's description):
2612 120th St NW Swisher, IA 52338

Parcel Number(s) (legal description must also be attached):

0304328002,0304301002,0304351004,0304376002,0304352001,0304351003

The area to be rezoned is comprised of **60.21** total acres.

CH - 27.77 acres
ML - 30.13 acres

Current Zoning Classification(s): **AG Dwelling**

Proposed Zoning Classification(s): **Light Industrial**

For Text Amendments – Complete This Section:

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.

Loren Ziskovsky

Name of Owner

Loren Ziskovsky

dotloop verified
11/08/22 8:21 AM CST
NLB1-UJ2-MOPV-ZQ5X

Todd Philipp

Name of Applicant (if different)

Applicant Street Address (including City, State, Zip)

319-533-5009

Applicant Phone

toddphilipp@autotruckcenter.net

Applicant Email

Todd Philipp

dotloop verified
11/08/22 8:21 AM CST
NLB1-UJ2-MOPV-ZQ5X

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.

For Text Amendments – Complete This Section:

- ~~TAP~~ A brief cover letter explaining the requested code change and outlining the reasoning of why the change is being requested.
- ~~TAP~~ The proposed code changes indicating the specific sections and wording to added, deleted, and/or changed. This must be in a format which staff can clearly and accurately interpret and translate into official ordinance amendment format (Contact the office with questions or for more detail).
- ~~TAP~~ Application Fee (\$750) is due at the time of submittal.
- ~~TAP~~ (Optional) Any other supporting information you may wish to submit.

For Map Changes – Complete This Section

- ~~TAP~~ 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.
- ~~TAP~~ Resolution Affirming the Stability of the Road System (signed and notarized).
- ~~TAP~~ Ten (10) copies of the rezoning exhibit (and any other sheets larger than 11x17).
- ~~TAP~~ The names and addresses of owners of all property within five hundred (500) feet of the parcel being rezoned.
- ~~TAP~~ 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.
- ~~TAP~~ Application Fee (varies based on nature of application) is due at the time of submittal.
Fee submitted: \$2808.40
- ~~TAP~~ 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:

- ~~TAP~~ 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.

February 24, 2023

To Whom It May Concern,

Following extensive discussion with the applicant by Johnson County and the City of Swisher, the initial rezoning request for 60.21 acres of ML – Light Industrial has been revised to a request for 27.77 acres of CH – Highway Commercial and 30.13 acres of ML – Light Industrial. The initial application has been revised to reflect this new rezoning request.



Joseph Wilensky, AICP
Assistant Planner
Planning, Development & Sustainability
Johnson County, Iowa

LEGAL DESCRIPTION – HIGHWAY COMMERCIAL (CH):

That part of the Southwest Quarter of Section 4, Township 81 North, Range 7 West of the 5th Principal Meridian, Johnson County, Iowa lying east of Highway 965 as condemned for road purposes by proceedings recorded in Book 234, Page 67, lying west and north of the real estate conveyed to the state of Iowa for road purposes by warranty deed recorded in Book 346, Page 388, records of the Recorder of Johnson County, Iowa described as follows:

Beginning at the SW corner of Auditor's Parcel No. 2015056; thence N01°05'54"W along the west line of said Auditor's Parcel and the east right-of-way line of Highway 965, 321.88 feet to the NW corner of said Auditor's Parcel; thence N01°02'57"W along said east right-of-way line, 1292.99 feet to the SW corner of JOCO 50 Subdivision, Johnson County, Iowa; thence N89°53'47"E along the south line of said JOCO 50 Subdivision, 774.17 feet; thence S00°06'13"E, 1545.56 feet to the north right-of-way line of 120th Street NW; thence S77°50'21"W along said north right-of-way line, 30.42 feet; thence S86°00'08"W along said north right-of-way line, 148.56 feet to the SE corner of Killdeer Meadows Addition, Johnson County, Iowa; thence S78°55'38"W along said north right-of-way line and the south line of said Addition, 239.69 feet to the SE corner of said Auditor's Parcel No. 2015056; thence S88°41'24"W along the south line of said Auditor's Parcel and said north right-of-way line of 120th Street NW, 334.04 feet to the Point of Beginning, containing 27.77 acres.

LEGAL DESCRIPTION – LIGHT INDUSTRIAL (ML):

That part of the Southwest Quarter of Section 4, Township 81 North, Range 7 West of the 5th Principal Meridian, Johnson County, Iowa lying east of Highway 965 as condemned for road purposes by proceedings recorded in Book 234, Page 67, lying west and north of the real estate conveyed to the state of Iowa for road purposes by warranty deed recorded in Book 346, Page 388, records of the Recorder of Johnson County, Iowa described as follows:

Commencing as a Point of Reference at the SW corner of JOCO 50 Subdivision, Johnson County, Iowa; thence N89°53'47"E along the south line of said JOCO 50 Subdivision, 774.17 feet to the Point of Beginning; thence continuing N89°53'47"E along said south line, 912.57 feet to the SE corner of said JOCO 50 Subdivision and the west right-of-way line of Interstate 380; thence S08°07'44"E along said west right-of-way line, 353.77 feet; thence SW-ly along said west right-of-way line on an arc of 527.86 feet of a 1527.10-foot radius curve to the right, having a chord length of 525.24 feet bearing S08°28'57"W; thence S18°29'02"W along said west right-of-way line, 581.93 feet; thence S55°36'29"W along said west right-of-way line, 154.71 feet to the north right-of-way line of 120th Street NW; thence S88°26'35"W along said north right-of-way line, 449.78 feet; thence S77°50'21"W along said north right-of-way line, 123.31 feet; thence N00°06'13"W, 1545.56 feet to the south line of said JOCO 50 Subdivision and the Point of Beginning, containing 30.13 acres.

Letter of Intent

November 9, 2022

Johnson County Zoning Office
913 S Dubuque Street
Unit 204
Iowa City, Iowa 52240

To Whom It May Concern,

We are asking for the property at 2612 120th Street NW, in Swisher to be rezoned from AG Dwelling to Light Industrial, as it is our intent to build a RV Center and truck repair shop on this property.

Sincerely,

Todd Philipp



Cross Property 360 Property View

2612 120th St NW, Swisher, IA 52338

Listing

Land/Lot/Farm

2612 120th St NW

CRAAR



| | | |
|---|---------------------|----------------------------------|
| MLS#: 2209494 | LND - Active | List Price: \$4,250,000 |
| Area: Corridor Area | | SubType: Development Land |
| Address: 2612 120th St NW | | |
| City/Town: Swisher | | Zip Code: 52338 |
| County: Johnson | | Parcel #: 0304351003 |
| School Dist: | | Zoning: Ag |
| Lot Size: Irreg | | Acres: 60.210 |
| Possession: Negotiable | | Tillable Acres: |
| CB: CSR Avg: | | CRP Acres: |
| ASC Yield: | | CRP Year: |
| Elem School: | | House: Yes |
| Jr/Mid Sch: | | Assoc Fee: |
| High School: | | Taxable Value: |
| Gross Tax: \$5,485 | | Net Tax: \$5,485 |
| Legal Desc: Several; per abstracts | | |
| Directions: Corner of Hwy 965 & 120th St at Swisher/Shueyville exit. | | |

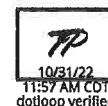
Recent: **10/31/2022 : NEW**

Remarks

Prime development location of 60 acres m/l in the heart of the Corridor. Situated on the NW corner of the Swisher/Shueyville exit, bordered by I-380 on the east, Hwy 965 on the west, and 120th St (F12) on the south. SW corner of the property located at the 4 way stop at 965 & 120th. Per Johnson County Future Use Plan/Map, future zoning is envisioned as light industrial / commercial. Sale includes the 2 residential homes at 2612 and 2616 120th St NW, as well as surrounding parcels making up the full 60+ acres. See notes & agent remarks for all included parcels.

Features

Site Description: **Gentle Roll**
 Soil Type:
 Farm Misc:
 Utilities: **Electric**
 Water/Sewer/Rds: **Septic System, Well Water**
 Terms: **Cash, Conventional**



Office Information

Agent Remarks: **Sellers require 72 hrs response time to any offers. Houses being sold as is. 2612 is tenant occupied; viewable by appointment. To view/walk the property, contact LA to schedule & park at 2616. See additional notes for parcel #'s. Buyer to verify all info.**

Special Instructions: **Seller reserves & plans to remove many of the equipment items and some barn material prior to closing. Included parcels are: 0304326002, 0304301002, 0304351004, 0304376002, 0304352001, 0304351003. Future Use Map attached. See assessor's site for taxes.**

Owner/Lessor: **Ziskovsky** Incremental Comm: **N** Restricted: **N** Dual Commission: **N** CCB: **2.5**

List Agent: **HOLLERNATE121 - Nate Holler - Cell: 319-423-9596**

List Office: **CIRE - INTREPID REAL ESTATE - Office Phone: 319-423-9596**

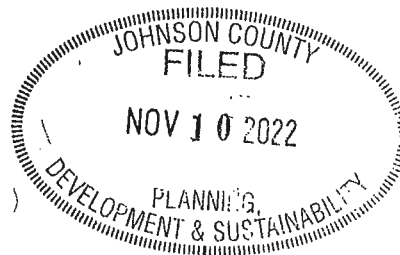
List Agent 2: **BassJosh121 - Josh Bass - Cell: 319-533-1872**

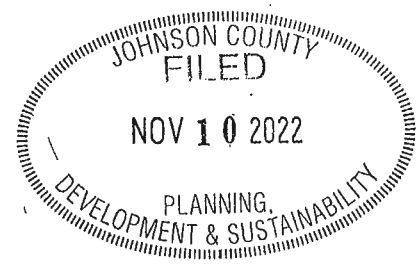
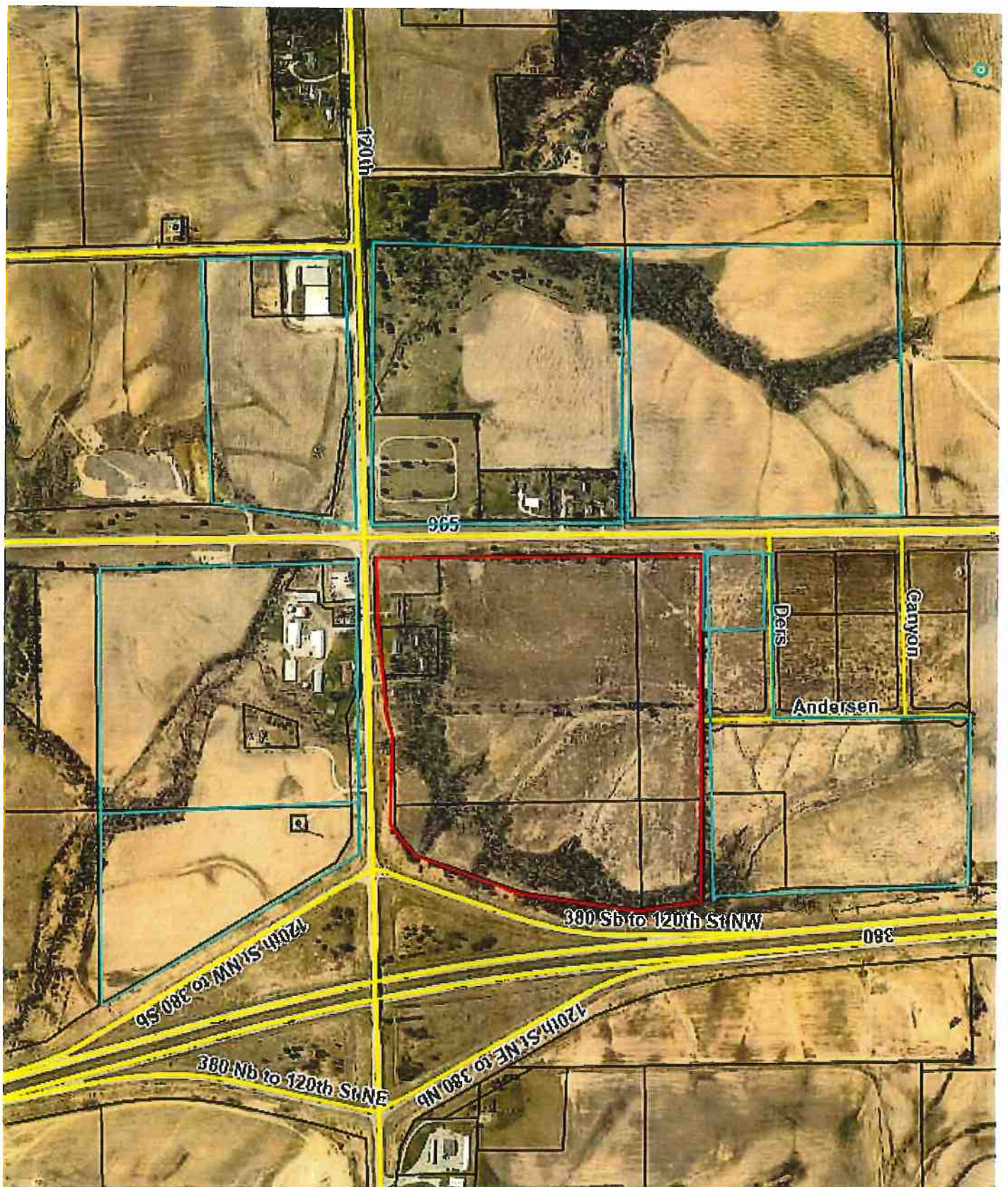
List Office 2: **CIRE - INTREPID REAL ESTATE**

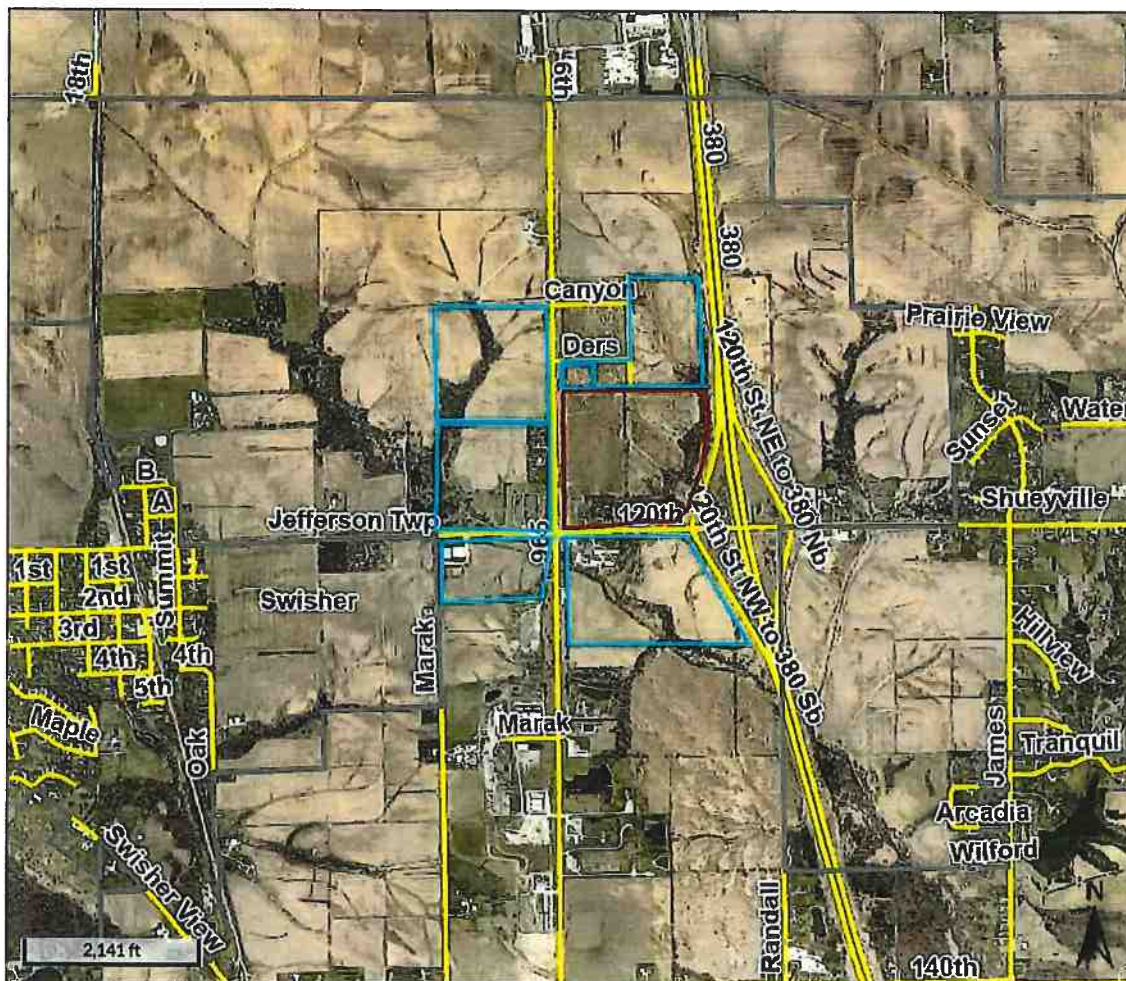
List Date: **10/31/2022** Expire Date:

DOM: **0**

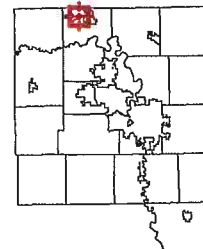
INFORMATION HEREIN DEEMED RELIABLE BUT NOT GUARANTEED. BUYER(S) TO VERIFY ALL INFORMATION.







Overview



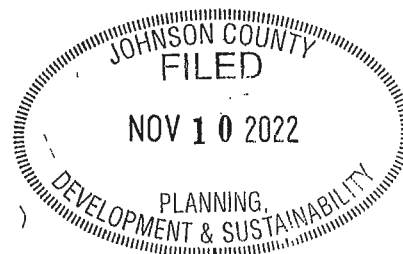
Legend

- Parcels
- Centerlines

| | | | | | |
|-----------------------|---|--------------|-----|---------------|------------------------|
| Parcel ID | 0304330002 | Alternate ID | n/a | Owner Address | HALO COMPANIES, LLC |
| Sec/Twp/Rng | n/a | Class | C | | 1040 GROUSE CT |
| Property Address | 2613 DERS DR NW | Acreage | 2.5 | | NORTH LIBERTY IA 52317 |
| | CEDAR RAPIDS | | | Value | \$3900 |
| District | JFG | | | | |
| Brief Tax Description | JOCO 50 SUBDIVISION LOT 8 | | | | |
| | (Note: Not to be used on legal documents) | | | | |

Date created: 11/9/2022
Last Data Uploaded: 11/8/2022 7:26:43 PM

Developed by  Schneider
GEOSPATIAL



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

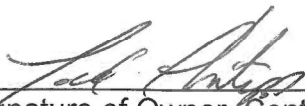
Whereas Johnson County is one of the counties in the State of Iowa that is increasing in its population; and

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.

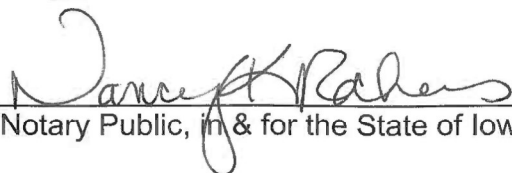


Signature of Owner, Contract Owner, Option Purchaser

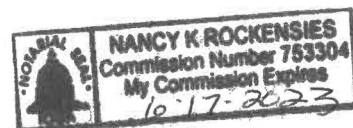
1769 Hawthorn LN NE Solon

Address and Phone Number

Subscribed and sworn to before me on this 10 day of November,
2002.



Notary Public, in & for the State of Iowa.





FOR OFFICE USE ONLY:
ZONING NUMBER: _____

Johnson County Public Health
855 S. Dubuque Street Suite 217 * Iowa City, Iowa 52240 * 319/356-6040 * Fax: 319/356-6044

Johnson County Public Health Zoning Application

| | | | |
|--|--|--|------------------------------------|
| Applicant Name: <u>Todd Philipp</u> | | Phone Number: <u>(319) 533-5009</u> | |
| Address: <u>2612 120th St NW</u> parcel IDs <u>030430602</u> <u>0304326002, 0304351004, 0304352001</u> <u>0304376002, 0304351003</u> | | City: <u>Swisher</u> | State: <u>IA</u> Zip: <u>52338</u> |

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

| TYPE OF ZONING REQUEST: | APPLICATION FEE: |
|--|--|
| <input type="checkbox"/> Zoning reclassification from <u>AG</u> to <u>Light Industrial</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 _____ + Lot Fee (if applicable)
(Number of lots _____ Minus Number of Outlots = _____ x \$20.00 Fee Per Lot)
= Enclosed Fee 75.00

PLEASE RETURN THIS APPLICATION AND APPROPRIATE APPLICATION FEE TO:

**JOHNSON COUNTY PUBLIC HEALTH
855 S. DUBUQUE STREET SUITE 217
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: Todd Philipp Date: Nov 9 - 22