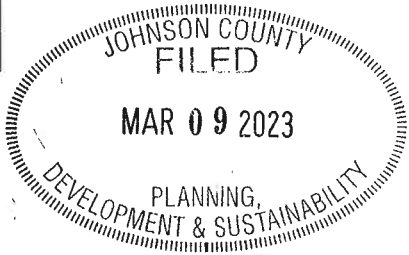


Office Use Only	3/9/23	\$560-	PC-23-28342
	Date Filed	Fee	Application Number



**JOHNSON COUNTY, IOWA**  
**APPLICATION FOR: SUBDIVISION PLAT APPROVAL**

Application is hereby made for approval of a (circle): **PRELIMINARY / FINAL / COMBINED**  
subdivision plat on property located at (street address if available or layman's description):

810 Oak Avenue SE, Swisher, IA 52338

Parcel Number(s): 0308301005

Proposed Subdivision Name: Marak Meadows Subdivision

The subdivision contains 5.0 total acres divided into 2 total lots as follows:

Buildable Lots: 1 Non-buildable outlots: 1

Total buildable acres: 1.99 Total non-buildable acres: 3.01

Current Zoning: R Proposed Use of the Subdivision: Residential

Glen Meisner/Gina Landau  
Name of Engineer/Surveyor

g.meisner@mmsconsultants.net, g.landau@mmsconsultants.net, 351-8282  
Contact Email and Phone

Craig Willis  
Name of Attorney

craigw@meardonlaw.com, 319-338-9222  
Contact Email and Phone

**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.

Phyllis Marak  
Name of Owner

Name of Applicant (if different)

800 Oak Avenue SE, Swisher, IA 52338

Applicant Street Address (including City, State, Zip)

319-857-4278  
Applicant Phone

pennymarak@gmail.com  
Applicant Email

Phyllis Marak  
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. Electronic submissions should be submitted prior to hard copy delivery. In all cases electronic submission is due by 12-noon 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.

- gll ✓ Application Fee (varies based on nature of application) is due at the time of submittal.
- gll ✓ A brief letter of intent explaining the application and describing road, well, septic, etc.
- gll ✓ Ten (10) copies of the plat (and any other sheets larger than 11x17).
- gll ✓ The names and addresses of owners of all property within five hundred (500) feet of the parent property or parcel.
- gll ✓ A signed certificate of the Auditor approving the subdivision name.
- gll ✓ Resolution Affirming the Stability of the Road System (signed and notarized).
- gll ✓ One (1) copy of the completed Sensitive Areas Analysis in compliance with the Sensitive Areas Ordinance, or an approved waiver.
- gll ✓ One (1) copy of the Stormwater Management Plan (including soil erosion and sediment control) in compliance with the Stormwater Management regulations, or an approved waiver.
- gll Proof of application to Johnson County Public Health for a Public Health Zoning Application.
- \_\_\_\_\_ For subdivisions that propose to create a new access or upgrade an existing access to a public county road: a copy of an approved ROW Permit (Access Permit) from Johnson County Secondary Roads.
- \_\_\_\_\_ FARMSTEAD SPLITS ONLY: include a list of parcel numbers of the parent farm and the book and page(s) recorded prior to December 1, 2000.
- \_\_\_\_\_ FINAL PLATS ONLY: As-Built drawings for installed infrastructure, including statement/certification from the engineer affirming that the as-built infrastructure conforms to the intent and design parameters of the preliminary plat.
- gll ✓ FINAL & COMBINED PLATS: The following DRAFT (unsigned) legal documents in digital or hard copy.
  - Owner's Certificate
  - Title Opinion
  - Treasurer's Certificate
  - Subdivider's Agreement
  - Fence Agreement
  - Other as applicable (easements, ROW dedication, Consent of Mortgagee, etc.)

**Electronic Submission Requirements** – an electronic submission of all hard-copy materials required above should be submitted prior to hard copy delivery. In all cases, electronic submission is due by 12 noon the day after the submittal deadline for the application to be considered complete. Electronic submissions should include:

- gll \_\_\_\_\_ 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 2017 or older format
  - Submissions must use Coordinate System: NAD\_1983\_StatePlane\_Iowa\_South\_FIPS\_1402\_Feet
  - Submission **MUST** 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.
- gll \_\_\_\_\_ A PDF of the entire application packet (a single PDF preferred; but a separate PDF for plat, application materials, sensitive areas, stormwater plan, and legal documents are acceptable).
- \_\_\_\_\_ If only submitted electronically, DRAFT legal documents must be provided by 12 noon the day after the submission deadline or the application will be returned as incomplete.



# MMS Consultants, Inc.

Experts in Planning and Development Since 1975

1917 S. Gilbert Street  
Iowa City, Iowa 52240

319.351.8282

mmsconsultants.net  
mms@mmsconsultants.net

February 14, 2023

Mr. Josh Busard  
Jo. Co. Planning, Development, & Sustainability Dept.  
913 S. Dubuque St, Suite 204  
Iowa City, IA 52240

RE: Letter of Intent for Marak Meadows Subdivision and Rezoning

Dear Josh:

Phyllis Marak wishes to rezone and subdivide a portion of her family's property located at 810 Oak Avenue SE, Swisher, Iowa. The current parcel is approximately 35 acres and she wants to split off five acres around the house and outbuildings.

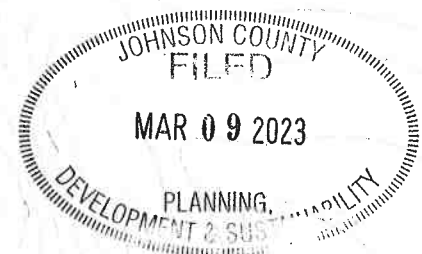
This is being done as a Historic Residential Split since the house was built prior to 2000. Lot 1 will be a 1.99 acre buildable lot and be zoned Residential. Outlot A is 3.01 acres and will remain Agricultural.

A new septic system will be installed this spring. The well is located on the parcel to the north and a well and waterline easement is shown on the plat. The home will continue to utilize the existing access on the west side of the property from Oak Avenue SE.

Respectfully submitted,

Gina Landau

7778-004Letter of Intent.docx



Environmental Specialists

Landscape Architects

Land Planners

Land Surveyors

Civil Engineers

Adjacent Property Owners List  
Marak Meadows Subdivision  
Within 500'  
MMS Project #7778-004

BERNARD J & PHYLLIS M MARAK  
800 OAK AVE SE  
SWISHER, IA 52338

CEDAR RAPIDS & IOWA CITY RR  
4902 N BILTMORE LN, STE 1000  
MADISON, WI 53718

CITY OF SWISHER  
PO BOX 279  
SWISHER, IA 52338

CRAIG A & KAREN S VONDRACEK  
711 OAK AVE SE  
SWISHER, IA 52338

DARYL J & MARY F HYNEK  
PO BOX 91  
SWISHER, IA 52338

DONALD E & LINDA LEE KULISH  
1219 L RD NW  
SWISHER, IA 52338

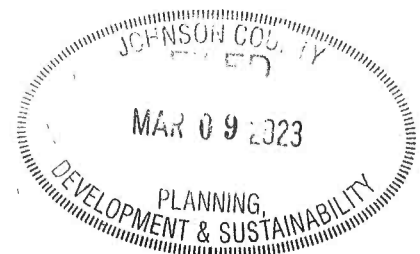
HARRY B & MARILYN K JOHNSON  
PO BOX 12  
SWISHER, IA 52338

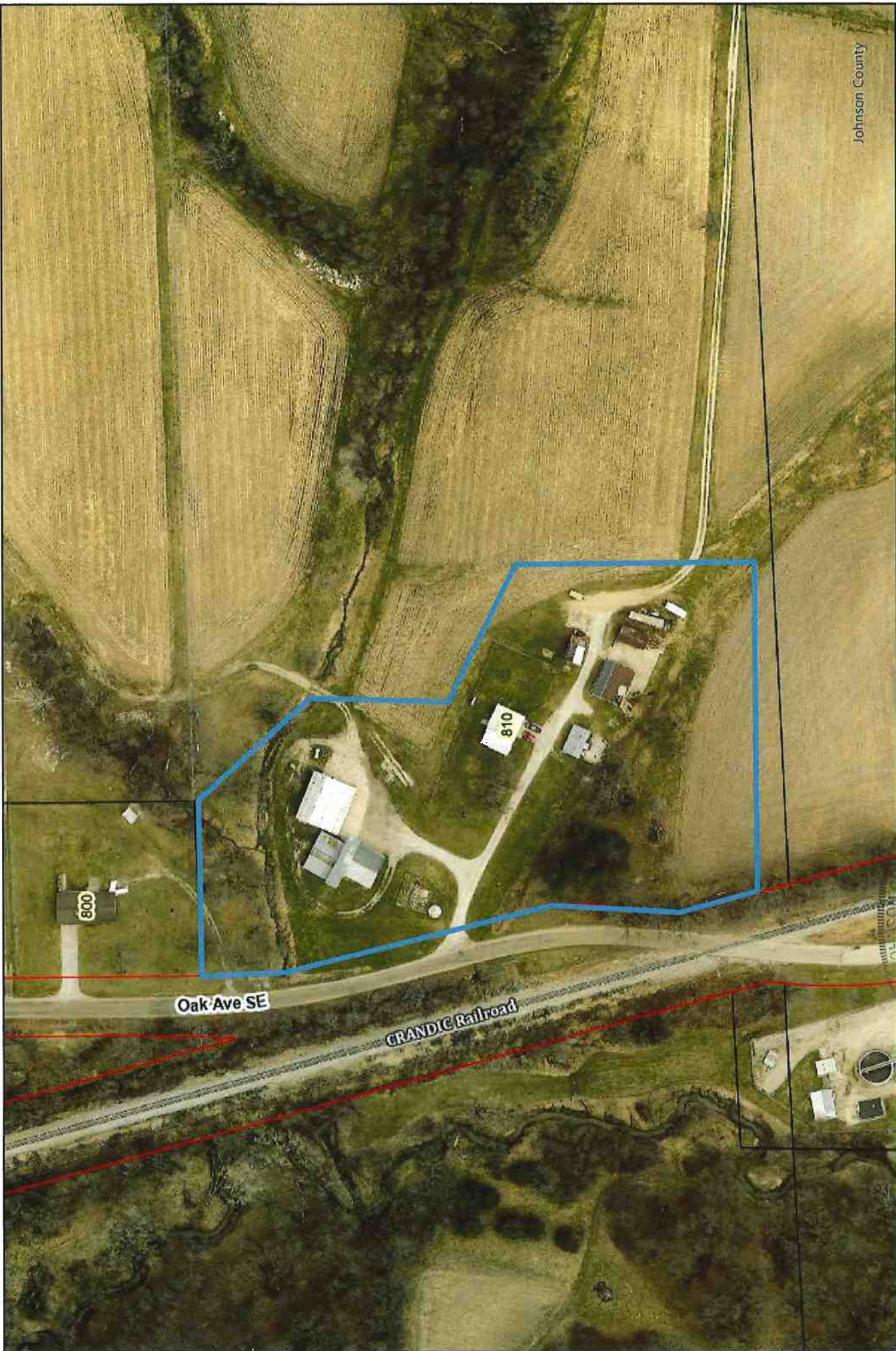
L GREGORY & EDWINA G  
BRENNEMAN  
1018 SWISHER VIEW DR SW  
SWISHER, IA 52338

LISA L & KURT D NEARAD  
620 OAK AVE SE  
SWISHER, IA 52338

SHARON K BROWN  
11510 34TH ST SW  
SWISHER, IA 52338

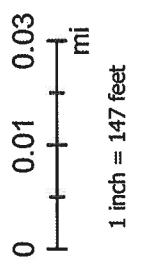
W DAVID & CHRYSTAL R FALTIS  
PO BOX 68  
1040 SWISHER VIEW DR  
SWISHER, IA 52338





Johnson County

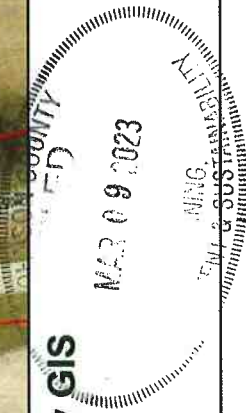
The information presented herein is intended to be an accurate representation of existing records. Johnson County assumes no liability for errors or omissions. Users relying on this information do so at their own risk.



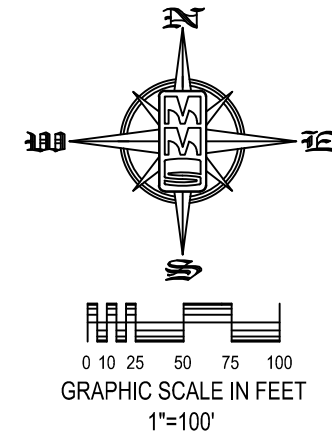
Johnson County GIS  
Web Printing  
My Map

MAR 09 2023

Printed: 3/6/2023



EXISTING ZONING: A-AGRICULTURAL  
 PROPOSED ZONING: R-RESIDENTIAL



**DESCRIPTION**

A PORTION OF AUDITOR'S PARCEL 2001-128, LOCATED IN THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 8, TOWNSHIP 81 NORTH, RANGE 7 WEST OF THE 5TH PRINCIPAL MERIDIAN, JOHNSON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SECTION 8, TOWNSHIP 81 NORTH, RANGE 7 WEST OF THE 5TH PRINCIPAL MERIDIAN, JOHNSON COUNTY, IOWA; THENCE S01°42'40"E, ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 8, A DISTANCE OF 847.53 FEET; THENCE S88°17'20"W, 1254.82 FEET TO A POINT ON THE WESTERLY LINE OF AUDITOR'S PARCEL 2001-128, JOHNSON COUNTY, IOWA, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 43, PAGE 289 IN THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE AND THE POINT OF BEGINNING; THENCE S66°16'00"E, 138.19 FEET; THENCE N90°00'00"E, 126.27 FEET; THENCE S00°00'00"E, 55.52 FEET; THENCE S66°16'00"E, 203.87 FEET; THENCE S23°44'00"W, 195.00 FEET; THENCE N70°57'07"W, 321.60 FEET TO ITS INTERSECTION WITH THE WESTERLY LINE OF SAID AUDITOR'S PARCEL 2001-128, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF OAK AVENUE SE; THENCE NORTHWESTERLY, 62.85 FEET, ALONG SAID WESTERLY LINE AND EASTERLY RIGHT-OF-WAY LINE OF OAK AVENUE SE AND AN ARC OF A 183.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, WHOSE 62.54 FOOT CHORD BEARS N04°25'25"W; THENCE N14°18'09"W, ALONG SAID WESTERLY LINE AND EASTERLY RIGHT-OF-WAY LINE OF OAK AVENUE SE, 210.92 FEET TO THE POINT OF BEGINNING, CONTAINING 1.99 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

**REZONING EXHIBIT  
 JOHNSON COUNTY, IOWA**

PLAT PREPARED BY:  
 MMS CONSULTANTS INC.  
 1917 S. GILBERT STREET  
 IOWA CITY, IA 52240

OWNER(S)/SUBDIVIDER(S):  
 PHYLLIS M. MARAK & THE  
 ESTATE OF BERNARD J. MARAK  
 800 OAK AVENUE SE  
 SWISHER, IOWA 52338

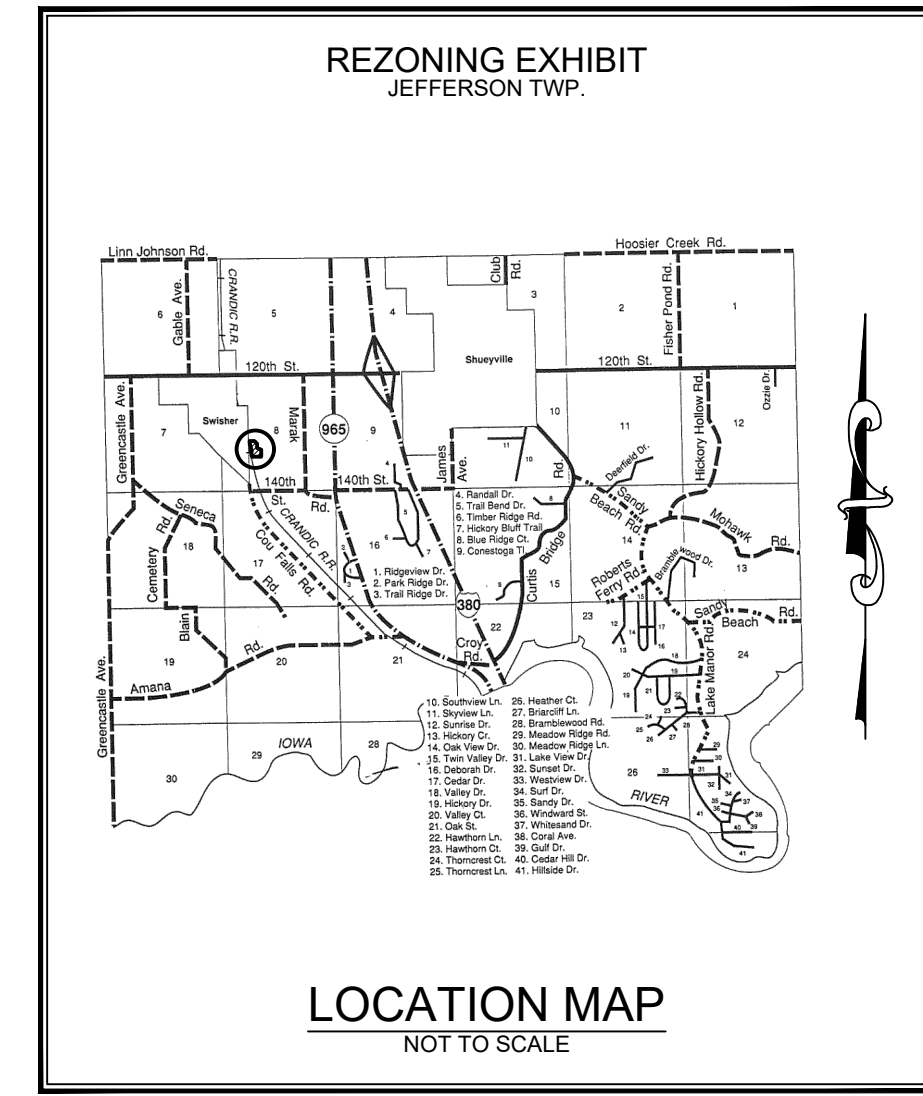
OWNERS' ATTORNEY:  
 CRAIG N. WILLIS  
 MEARDON SUEPPEL & DOWNER P.L.C.  
 122 SOUTH LINN STREET  
 IOWA CITY, IOWA 52240

**NOTES:**

- 1) BEARINGS ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) LIBRARY CALIBRATION USING THE IOWA REAL TIME NETWORK (RTN) WITH DATUM NAD83(2011) (EPOCH 2010.000). THE DISTANCES SHOWN ON THE PLAT ARE HORIZONTAL GROUND DISTANCES AND NOT GRID DISTANCES.
- 2) ALL FOUND PINS ARE 5/8"Ø REBAR PINS WITH YELLOW PLASTIC CAPS no. 8165 UNLESS NOTED OTHERWISE.

LOCATION: A PORTION OF AUDITOR'S PARCEL 2001-128, LOCATED IN THE NE 1/4 OF THE SW 1/4 OF SEC. 8-T81N-R7W OF THE 5TH P.M., JOHNSON COUNTY, IOWA
LAND SURVEYOR, INCLUDING FIRM OR ORGANIZATION: GLEN D. MEISNER, P.E. & P.L.S. MMS CONSULTANTS INC. 1917 SOUTH GILBERT STREET IOWA CITY, IOWA, 52240 PHONE: 319-351-8282
SURVEY REQUESTED BY: PHYLLIS MARAK
PROPRIETOR(S) OR OWNER(S): THE ESTATE OF BERNARD J. MARAK AND PHYLLIS M. MARAK
DATE OF SURVEY: JANUARY 12, 2023
DOCUMENT RETURN INFORMATION: LAND SURVEYOR

CENTER OF SECTION  
 SEC. 8-T81N-R7W  
 FOUND 5/8"Ø REBAR WITH  
 YELLOW, PLASTIC CAP  
 NO. 8165,  
 BOOK 45, PAGE 32



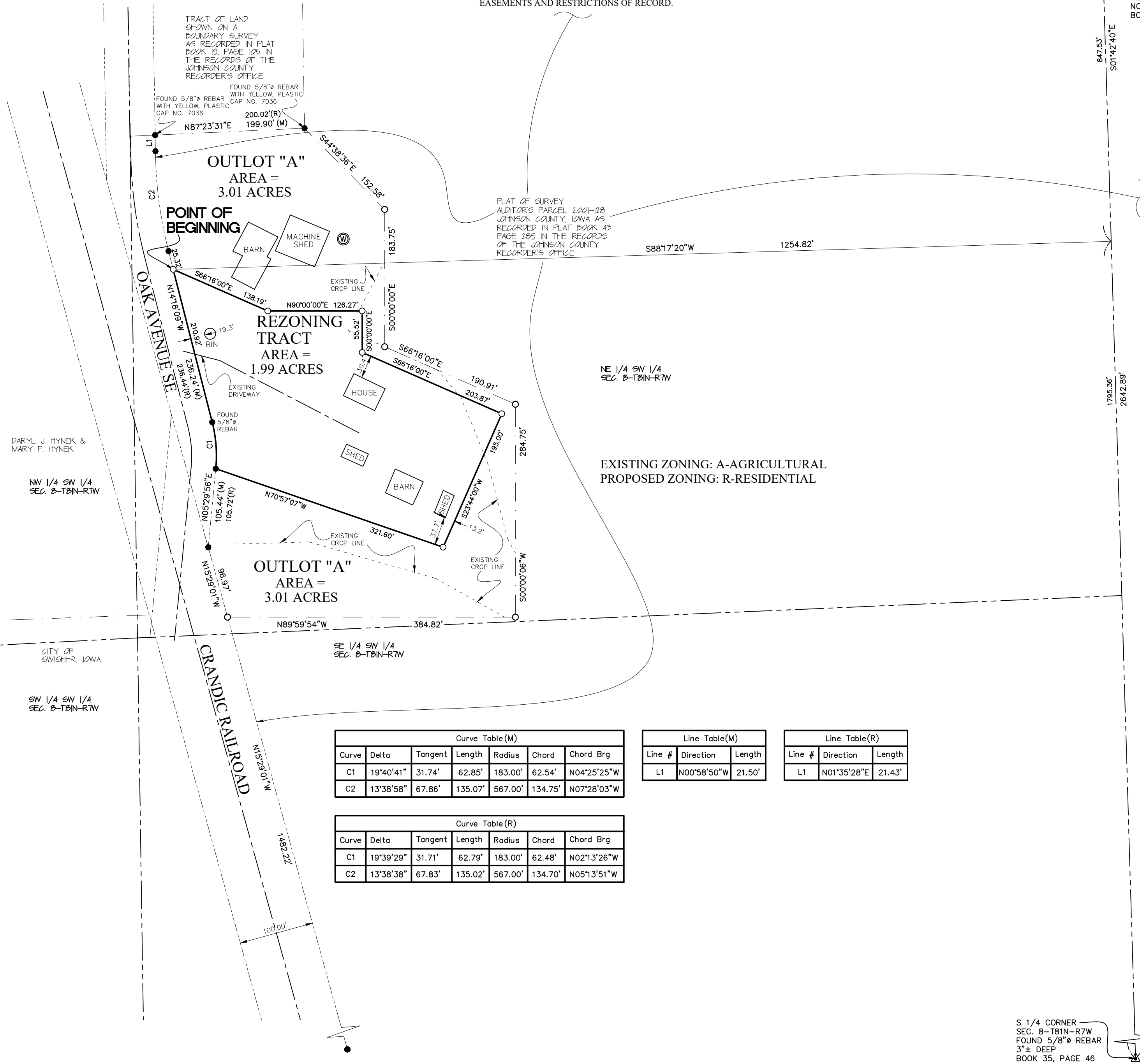
**LEGEND AND NOTES**

	- CONGRESSIONAL CORNER, FOUND
	- CONGRESSIONAL CORNER, RE-ESTABLISHED
	- CONGRESSIONAL CORNER, RECORDED LOCATION
	- PROPERTY CORNER(S), FOUND (as noted)
	- PROPERTY CORNERS SET (5/8" Iron Pin w/ yellow, plastic LS Cap embossed with "MMS")
	- CUT "x"
	- PROPERTY &/or BOUNDARY LINES
	- CONGRESSIONAL SECTION LINES
	- RIGHT-OF-WAY LINES
	- CENTER LINES
	- LOT LINES, INTERNAL
	- LOT LINES, PLATTED OR BY DEED
	- EASEMENT LINES, WIDTH & PURPOSE NOTED
	- EXISTING EASEMENT LINES, PURPOSE NOTED
	- RECORDED DIMENSIONS
	- MEASURED DIMENSIONS
	- CURVE SEGMENT NUMBER

UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS

**SOILS MAP**

NO.	SOIL TYPE	SLOPES
293D2	CHELSEA-LAMONT-FAYETTE	9-14 %
293E2	CHELSEA-LAMONT-FAYETTE	14-18 %
1485	SPILLVILLE LOAM	0-2 %



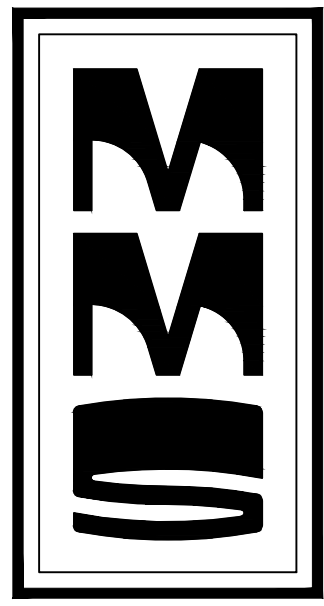
Curve Table (M)						
Curve	Delta	Tangent	Length	Radius	Chord	Chord Brg
C1	19°40'41"	31.74'	62.85'	183.00'	62.54'	N04°25'25"W
C2	13°38'58"	67.86'	135.07'	567.00'	134.75'	N07°28'03"W

Curve Table (R)						
Curve	Delta	Tangent	Length	Radius	Chord	Chord Brg
C1	19°39'29"	31.71'	62.79'	183.00'	62.48'	N02°13'26"W
C2	13°38'38"	67.83'	135.02'	567.00'	134.70'	N05°13'51"W

Line Table (M)			Line Table (R)		
Line #	Direction	Length	Line #	Direction	Length
L1	N00°58'50"W	21.50'	L1	N01°35'28"E	21.43'

S 1/4 CORNER  
 SEC. 8-T81N-R7W  
 FOUND 5/8"Ø REBAR  
 3"± DEEP  
 BOOK 35, PAGE 46



CIVIL ENGINEERS  
 LAND PLANNERS  
 LAND SURVEYORS  
 LANDSCAPE ARCHITECTS  
 ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.  
 IOWA CITY, IOWA 52240  
 (319) 351-8282  
[www.mmsconsultants.net](http://www.mmsconsultants.net)

Date	Revision

**REZONING EXHIBIT  
 JOHNSON COUNTY, IOWA**

A PORTION OF AUDITOR'S  
 PARCEL 2001-128, LOCATED  
 IN THE NE 1/4 OF THE SW 1/4 OF  
 SEC. 8-T81N-R7W  
 OF THE 5TH P.M.,  
 JOHNSON COUNTY, IOWA

MMS CONSULTANTS, INC.

Date:	1/17/2023
Surveyed by:	JRD Field Book No: 1362
Drawn by:	MAS Scale: 1" = 100'
Checked by:	GDM Sheet No: 1
Project No:	7778-004 of. 1