

Office Use Only		\$	
	<i>Date Filed</i>	<i>Fee</i>	<i>Application Number</i>



## 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):

1675 500th ST. SW

Parcel Number(s) (legal description must also be attached): 1315202003

The area to be rezoned is comprised of 1.29 total acres.

Current Zoning Classification(s): A

Proposed Zoning Classification(s): R

#### **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.

Brenneman Acres LLC

*Name of Owner*

Kristen L. Brenneman

*Name of Applicant (if different)*

1699 500th ST. SW Kalona, IA. 52247

*Applicant Street Address (including City, State, Zip)*

319-683-2661

*Applicant Phone*

krisbren@aol.com

*Applicant Email*

Kristen L. Brenneman

*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:**

- \_\_\_\_\_ A brief cover letter explaining the requested code change and outlining the reasoning of why the change is being requested.
- \_\_\_\_\_ 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).
- \_\_\_\_\_ Application Fee (\$750) is due at the time of submittal.
- \_\_\_\_\_ (Optional) Any other supporting information the applicant wishes to submit.

**For Map Changes – Complete This Section**

- ✓ \_\_\_\_\_ 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 by 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(s) 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 (due at submittal - varies based on nature of application). Fee submitted: \$451.60
- ✓ \_\_\_\_\_ Proof of application to Johnson County Public Health for a Public Health Zoning Application.

\_\_\_\_\_ **For requests to rezone to RE:**

- Completed "Application Checklist for Utility-Scale Solar Systems (Supplemental Conditions), accompanied by all information outlined on said checklist.
- Electronic Submission (as outlined below) is required for requests to rezone to RE.

**(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 of the CAD line work or GIS geodatabase in .dwg format (.dxf is also acceptable if .dwg is not an option. No .zip files will be accepted). Any other materials should be in .pdf format.
  - Submission must be saved in AutoCAD 2017 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

2 May 2023

Mr. Josh Busard  
Johnson County Zoning Director

Re: Rezoning A to R, for Brenneman Acres LLC, a Residential Parcel Split

Dear Josh:

Attached please find the application and accompanying documents for a Rezoning application for the Brenneman family.

At this time the Brenneman family would like to rezone this portion of their property for the existing house of their daughter and her family. This parcel has access to 500<sup>th</sup> ST. SW, water and sewer systems are established.

If you have questions or if you require further information you may contact myself or Allison Goertz.

Respectfully Submitted,

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

C: Brenneman Acres LLC  
Ms. Allison Goertz  
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.

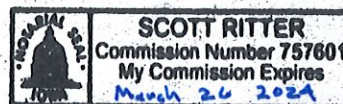
My (our) signature on this document indicates that I have read the above road policy of Johnson County, Iowa, and understand the contents of the above shown policy, and that the zoning, or subdivision, action that is being taken by me (us) would be subject to the above Resolution by the Johnson County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

Kristen L. Breneman  
Signature of Owner, Contract Owner, Option Purchaser

1699 500<sup>th</sup> St. SW Kalona, IA. 52247  
Address and Phone Number

Subscribed and sworn to before me on this 10<sup>th</sup> day of May,  
2023.

Scott Ritter  
Notary Public, in & for the State of Iowa.



<u>MailingName</u>	<u>MailingAddress2</u>	<u>MailingAddress3</u>	<u>MailingZipCode</u>	<u>Parcel</u>
Michael Steckly	1499 480th ST. SW	Wellman, IA.	52356	1310351001
				1315126001
Deer Creek Acres LLC	1076 500th ST. SW	Wellman, IA.	52356	1310376002
				1310377002
Brenneman Acres LLC	1699 500th ST. SW	Kalona, IA.	52247	1310451001
Daryl G. & Rachel E. Beachy	1572 560th ST. SW	Kalona, IA.	52247	1315226001
James L. & Marilyn Schrock	1676 500th ST. SW	Kalona, IA.	52247	1310377003

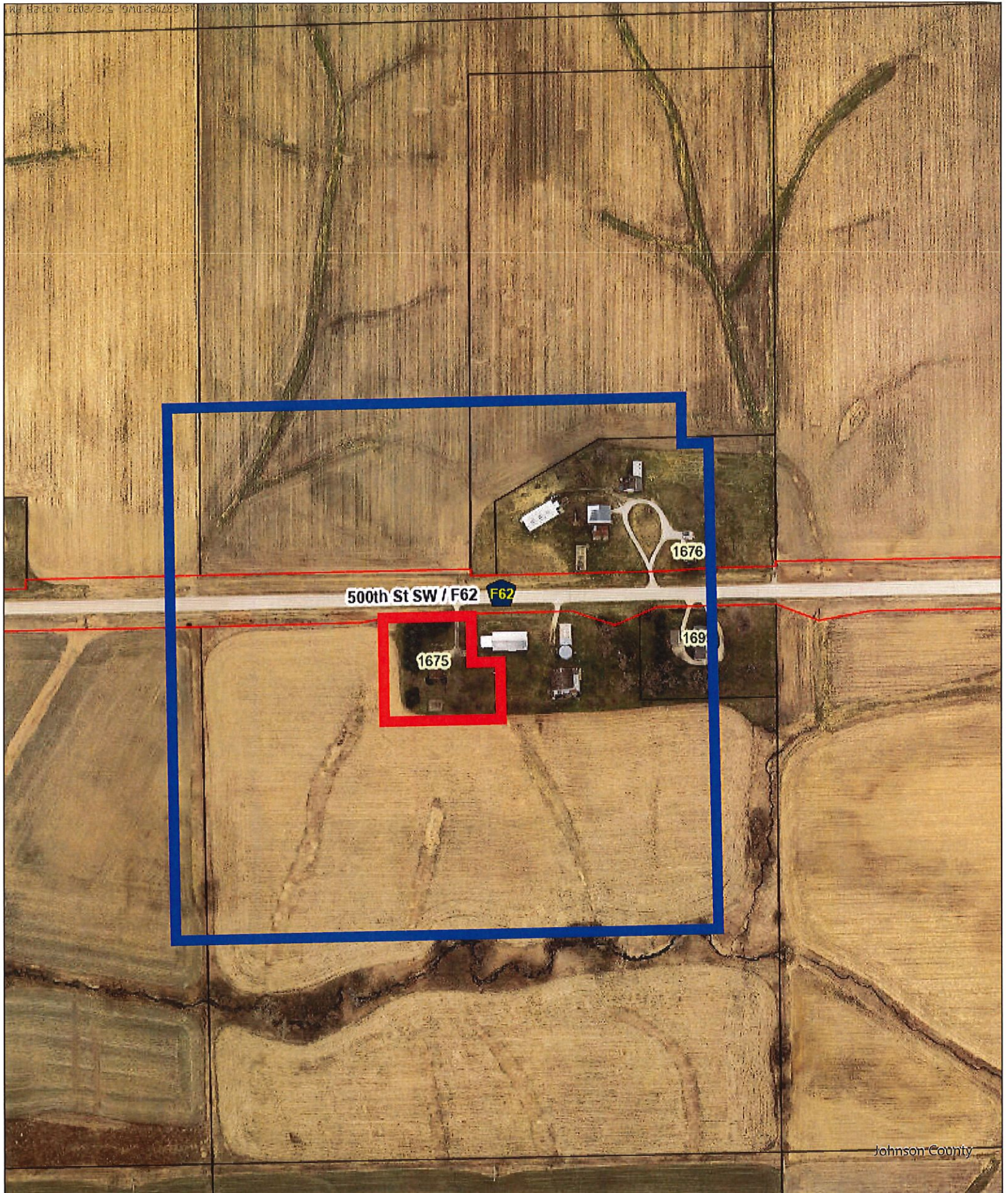
2 May 2023

Parcel # and Deed Book & page for Brenneman Acres LLC,

Parcel ID: 1315202003 Book 5328 on page 907

C: Brenneman Acres LLC  
Ms, Allison Goertz  
HFC file





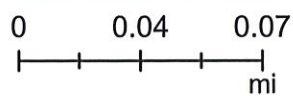
Johnson County



## Johnson County GIS Web Printing

Rezoning Exhibit

Printed: 5/2/2023



1 inch = 293 feet



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.



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>Kristen Brenneman</u>	Phone Number: <u>(319) 683-2661</u>		
Address: <u>1699 500<sup>th</sup> St. SW</u>	City: <u>Kalona</u>	State: <u>IA</u>	Zip: <u>52247</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
<b>*Outlots Exempt</b>	

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: Kristen L Brenneman Date: 5-10-23



## LEGEND

- |   |                                    |
|---|------------------------------------|
|  | GOVERNMENT CORNER                  |
|  | SET 5/8" IRON ROD W/RED CAP #16546 |
|  | FOUND 5/8" IRON ROD #10896         |
|  | FOUND 5/8" IRON ROD #16546         |
|  | FOUND 5/8" IRON ROD #8165          |
| (R)   | RECORDED DIMENSIONS                |
| (M)   | MEASURED DIMENSIONS                |
|  | ZONING BOUNDARY LINES              |
|  | CENTER LINES                       |
|  | RIGHT-OF-WAY LINES                 |
|  | SECTION LINES                      |
|  | EASEMENT LINES                     |
|  | LOT LINES PLATTED OR BY DEED       |
|  | FIELD LINE                         |
|  | LOCATED BUILDINGS                  |
|  | CONCRETE SURFACE                   |

Deer Creek Acres, LLC

AUDITOR PARCEL 2018135  
BK. 62, PG. 326

Deer Creek Acres, LLC

NORTHWEST CORNER  
SECTION 15-78-8  
FOUND MAG NAIL  
IN PAVEMENT  
TIES BK. 54, PG. 217

LOT 1  
SCHROCK SUBDIVISION  
BK. 38, PG. 12

James L. &  
Marilyn Schrock

NORTH 1/4 CORNER  
SECTION 15-78-8  
FOUND  
IN PAVEMENT  
TIES BK. 62, PG. 375

Brenneman Acres, LLC

510 State Street P.O. Box 560 Tiffin, Iowa 52340-0560 Phone: (319) 545-7215 [www.hart-frederick.com](http://www.hart-frederick.com)

**HART-FREDERICK CONSULTANTS P.C.**  
www.hart-frederick.com

Donna Chupp Living Trust

LOT 1  
MJB and KLB FIRST SUBDIVISION  
BK. 30, PG. 221

Michael J. &  
Kristen L. Brenneman

AUDITOR'S PARCEL 96096  
BK. 37, PG. 81

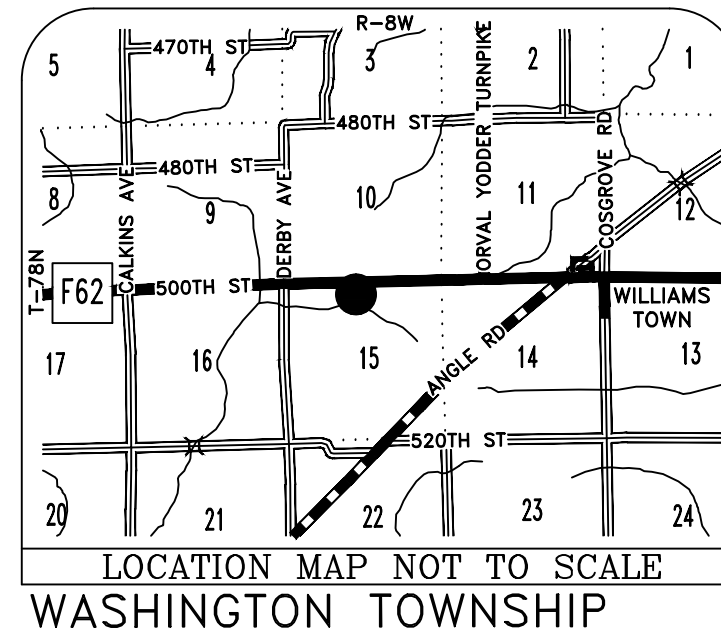
Brenneman Acres, LLC

## REZONE A to R

Being a part of the Northeast 1/4 of the Northwest 1/4 of Section 15, Township 78 North, Range 8 West of the 5th P.M., Johnson County, Iowa and is described as

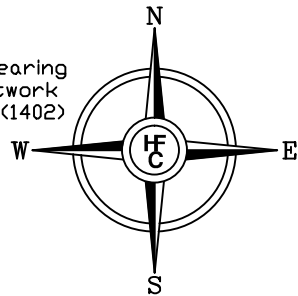
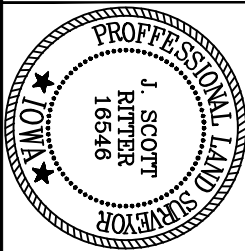
Commencing at the North 1/4 corner of said Section 15; thence S 88°51'35" W along the North line of the Northwest 1/4 of said Section 15, a distance of 717.19 feet; thence S 01°08'25" E, a distance of 70.00 feet to the Point of Beginning; thence continuing S 01°08'25" E, a distance of 75.10 feet; thence N 88°51'35" E, a distance of 87.79 feet; thence S 01°08'25" E, a distance of 129.05 feet; thence S 88°51'35" W, a distance of 309.28 feet; thence N 01°08'25" W, a distance of 204.15 feet; thence N 88°51'35" E, a distance of 221.50 feet to the Point of Beginning containing 1.29 acres.

NORTHEAST 1/4-NORTHWEST 1/4

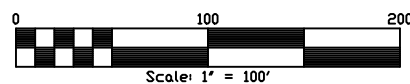


J. Scott Ritter, P.L.S.  
Iowa License Number: 16546  
My license renewal date is Dec  
Pages covered by this seal:

Date



Basis for bearing  
is IARTN network  
Iowa South (1402)



DATE: 05/02/23	DRN: JSR	APP:
FLD BK: GPS	PROJ. NO: 237082	

DRN: JSR	APP:
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APP:

REZONING EXHIBIT  
A RESIDENTIAL PARCEL SPLIT  
REZONE A-AGRICULTURAL to R-RESIDENTIAL  
A PART OF THE NE 1/4 - NW 1/4 OF  
SECTION 15, T-78-N, R-8-W  
JOHNSON COUNTY, IDWA