


ret. to - Co. Auditor

**BOARD OF SUPERVISOR
BOONE COUNTY, IOWA**

ORDINANCE NO. 101

<p>Recorder Use Only</p>  <p>Document 100237 Book 2010 Page 0237 Type 04 099 Pages 4 Date 1/25/2010 Time 9:30 AM Rec Amt \$.00</p> <p>SHERYL J THUL, COUNTY RECORDER BOONE IOWA</p>
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ORDINANCE AMENDING THE OFFICIAL BOONE COUNTY ZONING MAP

THE NORTHWEST QUARTER-QUARTER SECTION OF THE SOUTHEAST QUARTER SECTION OF SECTION 24, TOWNSHIP 84 NORTH, RANGE 27 WEST OF THE 5TH PM, BOONE COUNTY, IOWA, CONTAINING APPROXIMATELY 13 ACRES MORE OR LESS.

WHEREAS, Susan Hudson is petitioning to rezone her property (PIN 088427244200012) from A-1 Agricultural Conservation District to R-1 Rural Residential District. Hudson intends to sub divide her property into to four (4) residential lots that will be one (1) to two (2) acre in size. Hudson intends to sell these lots to the public.

WHEREAS, at certain times it is necessary to amend the Boone County Official Zoning Map when addressing issues of growth and desires of the property owner and citizens.

WHEREAS, at certain times it is necessary for a land owner or applicant to request that their property or parcel or lot be rezoned in order to accommodate a different land use in accordance with the local zoning regulation.

WHEREAS, the applicant or property owner did adequately described the nature of the proposed project for which the rezoning is being requested.

WHEREAS, the applicant or property owner did adequately demonstrated how the rezoning being requested conforms with the adopted comprehensive development plan and future land use map.

WHEREAS, the applicant or property owner did adequately demonstrated that the rezoning being requested is in conformance with the statement of intent for the zoning district and requirements for the zoning district.

WHEREAS, the applicant or property owner did adequately demonstrated the compatibility of the proposed rezoning and project with the character of the immediate vicinity and with the potential development and use of adjacent property.

WHEREAS, the applicant or property owner did adequately described the suitabilities and

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limitations imposed by the site's natural resources for the proposed land use including any measures to mitigate development impacts and protect environmental resources from erosion, sedimentation, flooding, storm water runoff into neighboring properties, view shed protection, slope plantings, established mature growth, et cetera.

WHEREAS, the applicant or property owner did adequately described the impacts of the proposed land use on public and private facilities and services including transportation driveways, streets, roads into and out of the site, customer and employee parking, loading and unloading, water, waste treatment and police and fire protection.

WHEREAS, the Director of Planning and Development forwarded a recommendation for approval to the Boone County Zoning Commission. The Zoning Commission held a public hearing on **Monday, September 28, 2008** in accordance with Iowa Code. The Zoning Commission moved to "recommend approval" of the proposed amendment to the Boone County Official Zoning Map. The recommendation to the Boone County Board of Supervisors for the proposed amendment to the Boone County Official Zoning Map has been certified by the Herman Kopitzke, Chair of the Boone County Zoning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BOONE COUNTY, IOWA AS FOLLOWS:

SECTION ONE: That Boone County Board of Supervisors shall, and it does hereby, approve an amendment to the Boone County Zoning Ordinance as summarized above *(See Exhibit A) be re-zoned from A-1 Agricultural Conservation District to R-1 Rural Estates Residential District.

SECTION TWO: Approval with the following conditions:

- 1.
- 2.

SECTION THREE: That this amendment shall be in full force and effect from and after its passage and approval in the manner provided by law.

ACTION UPON FIRST READING

DATE: November 3, 2009

Moved by: Foster

Seconded by: Lusher

Discussion:

AYES (A), NAYES (N), ABSENT (X):

Mike O'Brien	<input checked="" type="checkbox"/>	Bill Lusher	<input checked="" type="checkbox"/>	Tom Foster	<input checked="" type="checkbox"/>
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ACTION UPON SECOND READING

Moved by: Foster

Seconded by: Lusher

Discussion:

AYES (A), NAYES (N), ABSENT (X):

Mike O'Brien Bill Lusher

DATE: November 10, 2009

Tom Foster

ACTION UPON FINAL READING

Moved by: Foster

Seconded by: Lusher

Discussion:

AYES (A), NAYES (N), ABSENT (X):

Mike O'Brien Bill Lusher

DATE: November 17, 2009

Tom Foster

Chairman
Boone County Board of Supervisors

Date

M. O'Brien

Nov 24, 2009
Date

ATTEST:

Philippe E. Meier, County Auditor

Philippe E. Meier

November 24, 2009

*Exhibit A is on file in Boone County Recorder's Office

