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VERONICA A RARDIN, COUNTY RECORDER
 BOONE IOWA

Ret - Boone Co Auditor

**BOARD OF SUPERVISOR
 BOONE COUNTY, IOWA**

ORDINANCE NO. 116

**ORDINANCE AMENDING THE OFFICIAL BOONE COUNTY
 ZONING MAP**

LEGAL DESCRIPTION:

Survey Descriptions -

- a. That part of the Northwest quarter (1/4) of Southwest quarter (1/4) of Section thirty-three (33), Township eighty-three (83) North, Range twenty-six (26) West of the 5th P.M., Boone County, Iowa, lying South and West of the following described line: Beginning at the West quarter (1/4) corner of said Section thirty-three (33), thence N88°48'30"E, 621.38 feet along the North Line of said Southwest quarter (1/4) to the boundary line of the United States of America Saylorville Reservoir Project, thence South S56°49'20"E along said boundary line to the East line of said Northwest quarter (1/4) of Southwest quarter (1/4), and
- b. Parcel A, a part of the Southwest Quarter of Section 33, Township 83 North, Range 26 West of the 5th P.M., Boone County, Iowa, as shown in the Plat of Survey filed in Book 32, Page 62 and being more particularly described as follows:

Beginning at the Southwest Corner of the Northwest Quarter of the Southwest Quarter of said Section 33; thence N00°31'16"W, 430.73 feet along the west line of said Section 33; thence S83°18'32"E, 51.54 feet; thence S27°00'47"E, 181.43 feet; thence S86°44'04"E, 134.39 feet; thence N79°48'26"E, 511.13 feet; thence S22°31'12"E, 363.32 feet to a point in an existing fence; thence S89°21'06"W, 906.11 feet to the point of beginning, containing 5.87 acres, which includes 0.23 acres of existing public right-of-way, and

- c. Also, that part of the Southwest quarter (1/4) of Section thirty-three (33), Township eighty-three (83) North, Range twenty-six (26) West of the 5th P.M., Boone County, Iowa described as:

Beginning at the West quarter (1/4) corner of said Section thirty-three (33), thence N88°48'30"E, 621.38 feet along the North line of said Southwest (1/4) of the boundary of the United States of America Saylorville Reservoir Project, thence S56°49'20"E, 1145.5 feet along said boundary, thence S1°06'20"E, 390.9 feet along said boundary, thence N86°17'05"E, 245.6 feet along said boundary, thence S17°39'45"E, 647.55 feet along said boundary to a point on the South line of Lot two (2) of Government Lot eight (8) in the

Southeast quarter (1/4) of the Southwest quarter (1/4) of Section thirty-three (33), thence S89°02'45"W, 1333.45 feet along said boundary to the Southwest corner of Lot one (1) of the Southwest quarter (1/4) of the Southwest quarter (1/4) of Section thirty-three (33), thence S1°54'35"E, 324.17 feet along said boundary, thence S88°12'20"W, 661.3 feet along said boundary to the West line of said Section thirty-three (33), thence N1°19'33"W, 1973.3 feet along said West line to the point of beginning, except that part thereof lying in the Northwest quarter (1/4) of said Section thirty-three (33).

WHEREAS, at certain times it is necessary to amend the Boone County Official Zoning map and/or the text component which makes up the Boone County Zoning Ordinance. Map amendments become necessary to support and manage land use development as identified in the Boone County Comprehensive Development Plan Future Land Use Map.

WHEREAS, Jorgen Johansen, Property Owner, has applied for the re-zoning of 62 acres, more or less, consisting of that part of the Northwest quarter (1/4) of Southwest quarter (1/4) of Section thirty-three (33), Township eighty-three (83) North, Range twenty-six (26) West and Parcel A, a part of the Southwest Quarter of Section 33, Township 83 North, Range 26 West and that part of the Southwest quarter (1/4) of Section thirty-three (33), Township eighty-three (83) North, Range twenty-six (26) West from A-1 (Agricultural Conservation District) to TA-1 (Transitional Agricultural District) in order to accommodate future residential dwelling site(s).

WHEREAS, Jorgen Johansen, Property Owner, plans to divide off additional lot(s) thereby triggering the subdivision platting process. But first, the property will need to be rezoned from its current A-1 Agricultural Conservation Zoning status to TA-1 Transitional Agricultural Zoning District.

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, March 26, 2012**. The Zoning Commission, with a unanimous vote, recommends approval of the petition by the Board of Supervisors with no conditions. in accordance with Iowa Code. The Vice Chairman of the Zoning Commission forwarded a Final Report recommending approval to the Boone County Board of Supervisors for the rezoning of the property noted hereinabove. The Zoning Commission, with a unanimous vote, recommends approval of the petition by the Board of Supervisors with no conditions.

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

SECTION ONE: That Boone County shall, and it does hereby, approve an amendment to the Official Zoning Map that the property ******(See Exhibit A) be rezoned from A-1 Agricultural Conservation District to TA-1 Transitional Agricultural District

SECTION TWO: Approval with the following conditions:

1. None

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: April 18, 2012

Moved by: Foster

Seconded by: Lusher

Discussion:

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

Steve Duffy Bill Lusher Tom Foster

ACTION UPON SECOND READING

DATE: April 25, 2012

Moved by: Lusher

Seconded by: Foster

Discussion: The second reading was held and due to lack of opposition the Board approved the second reading and waived the third hearing and adopted Ordinance 116.

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

Steve Duffy Bill Lusher Tom Foster

ACTION UPON FINAL READING

DATE: NOT HELD- Waived third reading. Adopted 4-25-2012

Moved by: _____

Seconded by: _____

Discussion:

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

Steve Duffy Bill Lusher Tom Foster

Steve Duffy
Chairman

Boone County Board of Supervisors

April 25, 2012
Date

Philippe E. Meier

April 25, 2012
Date

ATTEST:
Philippe E. Meier, County Auditor

**As recorded with the Ordinance in the Boone County Records Office.

