

Instrument No. 028270
 State of Iowa, Boone County, SS
 Filed for Record at 11:30 AM
 This 13 day of Dec. 2002
 Sheryl J. Thul, Recorder, Fees \$ no fee
 Number of Pages 6

ret. to - Co. Auditor

**BOONE COUNTY BOARD OF SUPERVISORS
 BOONE COUNTY, IOWA**

ORDINANCE NO. 46

ORDINANCE AMENDING THE OFFICIAL BOONE COUNTY ZONING MAP

AMENDMENT TO REDESIGNATE PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 05, TOWNSHIP 82 NORTH, RANGE 26 WEST OF THE 5TH PM, BOONE COUNTY, IOWA, LOT 3, CONTAINING 20.33 ACRES MORE OR LESS PARCEL NUMBERS 088226051400002 & 088226054100001 . From I-2 (HEAVY INDUSTRIAL) to A-1 (AGRICULTURE) AS IDENTIFIED ON THE ATTACHED MAP.

WHEREAS, In this case, Dusty and Marnie Overland have petitioned Boone County to rezone the property described hereinabove from I-2 (Heavy Industrial) to A-1 (Agriculture) to accommodate a single family home. The land was previously owned by Halletts Construction Company and had been used for business purposes when the first Official Zoning Map was originally created. That use has now discontinued and the Overland's have purchased the property in good faith and intend on using the land for a use similar to agriculture/residential.

WHEREAS, The Director of Planning and Development has forwarded a recommendation for approval to the Boone County Zoning Commission. The Zoning Commission held a public hearing on October 28, 2002 in accordance with the Iowa Code and has forwarded a motion of recommendation of approval to the Boone County Board of Supervisors for the rezoning at the property noted hereinabove.

WHEREAS, The property mentioned hereinabove contains an active mine. The "active" status of this property as a mine does not effect the zoning status of the property nor does an "active" status affect the ability of the property owners to obtain a zoning permit for construction of a new single family home.

**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 legally described as follows: NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 05, TOWNSHIP 82 NORTH, RANGE 26 WEST OF THE 5TH PM, BOONE COUNTY, IOWA, LOT 3, CONTAINING 20.33 ACRES MORE OR LESS PARCEL NUMBERS 088226051400002 & 088226054100001, BE RE-ZONED FROM I-2 (HEAVY INDUSTRIAL) to A-1 (AGRICULTURE)

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

November 27, 2002

Overland Rezoning
Ordinance No. 46

ACTION UPON FIRST READING

DATE: November 18, 2002

Moved by: Reed

Seconded by: Sorensen

Discussion:

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

Albert Sorensen A Donovan Olson A David Reed A

ACTION UPON SECOND READING

DATE: November 25, 2002

Moved by: Reed

Seconded by: Olson

Discussion:

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

Albert Sorensen X Donovan Olson A David Reed A

ACTION UPON FINAL READING

DATE: November 27, 2002

Moved by: Sorensen

Seconded by: Reed

Discussion:

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

Albert Sorensen A Donovan Olson A David Reed A

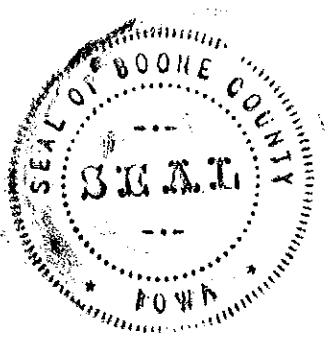
Donovan Olson, Chairman
Boone County Board of Supervisors

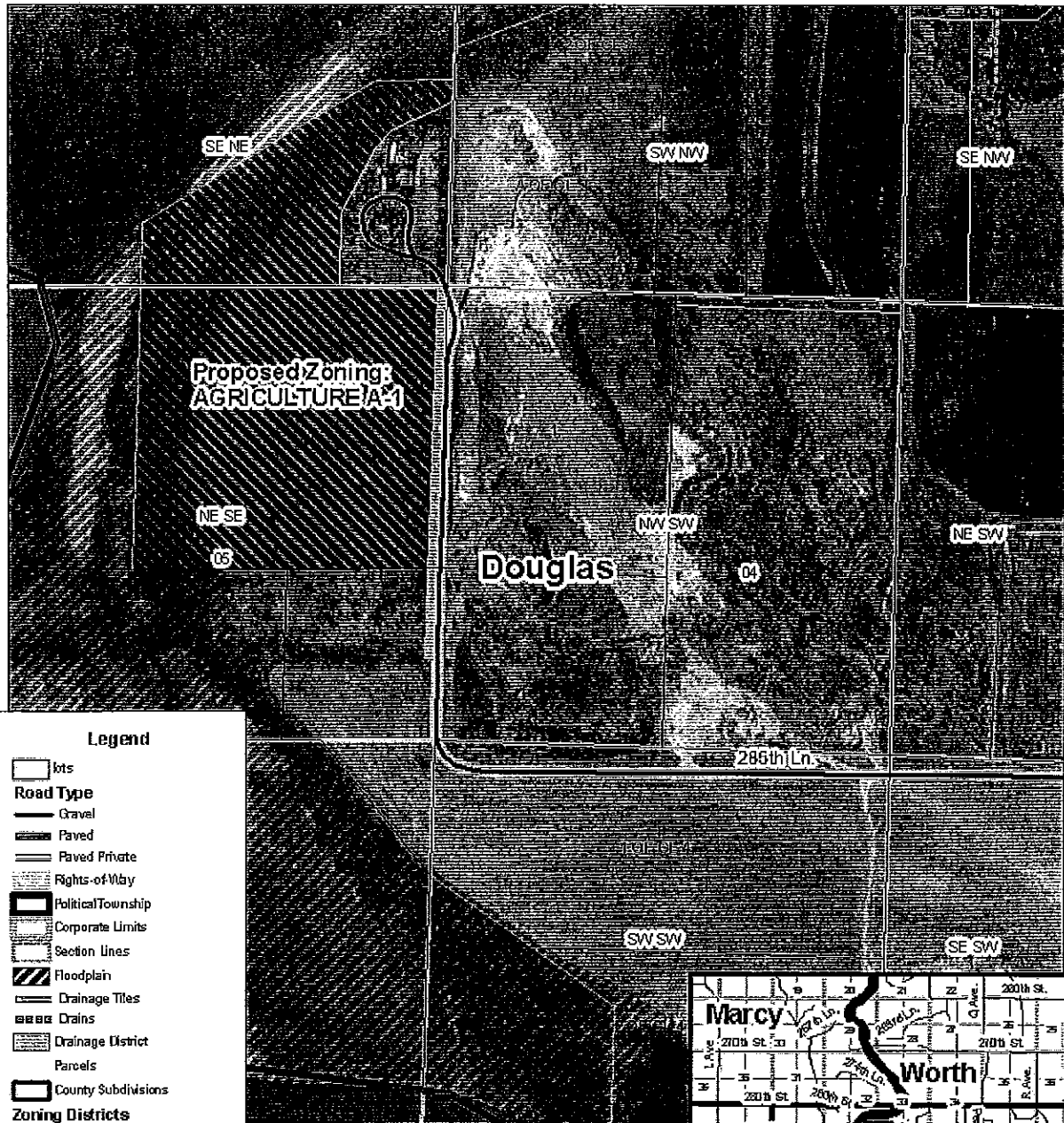
12/13/02
Date

ATTEST:

12/13/02
Date

Philippe E. Meier, County Auditor





Legend

- lots
- Road Type**
 - Gravel
 - Paved
 - Paved Private
 - Rights-of-Way
- Political Township
- Corporate Limits
- Section Lines
- Floodplain
- Drainage Tiles
- Drains
- Drainage District
- Parcels
- County Subdivisions
- Zoning Districts**
 - Agriculture
 - Agriculture Business
 - Residential
 - Residential Mobile Home Park
 - Commercial
 - Limited Industrial
 - Heavy Industrial

