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VERONICA A RARDIN, COUNTY RECORDER
 BOONE IOWA

**BOARD OF SUPERVISOR
 BOONE COUNTY, IOWA**

Ret-Boone Co Auditor

ORDINANCE NO. 129

ORDINANCE AMENDING THE OFFICIAL BOONE COUNTY ZONING MAP

LEGAL DESCRIPTIONS:

PIN 08 8325 10 12 50 002 *DESCRIBED* as Lot 1 Clear Creek Commons 2nd Addition, a part of Parcel "A" in the Northwest ¼ of the Northeast ¼ of Section 10, Township 83 North, Range 25 West of the 5th P.M., Colfax Township, Boone County, Iowa, consisting of 2.00 acres.

PIN 08 8325 10 12 50 001 *DESCRIBED* as Outlot 'A' Clear Creek Commons 2nd Addition, a part of Parcel "A" in the Northwest ¼ of the Northeast ¼ of Section 10, township 83 North, Range 25 West of the 5th P.M., Colfax Township, Boone County, Iowa, consisting of 0.46 acre.

PIN 08 8325 10 11 50 014 *DESCRIBED* as Lot 9 Clear Creek Commons Subdivision in the Northeast ¼ of the Northeast ¼ of Section 10, Township 83 North, Range 25 West of the 5th P.M., Colfax Township, Boone County, Iowa, consisting of 1.78 acres.

WHEREAS, at certain times it is necessary to clarify or change the Official Zoning Map and the text component of the Zoning Ordinance in order to make regulations more proficient in addressing issues of growth and desires of the citizens. It is also necessary to clarify the ordinance to make it organized and easier to understand.

WHEREAS, Todd Rueter, Rueter Corp., applied for the rezoning of 4.24 acres land located with Clear Creek Commons 2nd Addition and Clear Creek Commons Subdivision located approximately 7.5 miles east of the City of Boone. The site is located in NW ¼ NE ¼ and NE ¼ NE ¼ Section 10-83N-25W, Colfax Township, County of Boone.

WHEREAS, Lot 1 consisting of 2.0 acres shall be rezoned from A-1 (Agricultural Conservation District) to C-1 (General Commercial District) within Clear Creek Commons 2nd Addition in order to accommodate the construction of an indoor sports facility. Outlot 'A' consisting of 0.46 acre shall be rezoned from A-1 (Agricultural Conservation District) to C-1 (General Commercial District) within Clear Creek Commons 2nd Addition in order to accommodate the construction of a Right-of-Way. See *Exhibit A.

WHEREAS, Lot 9 consisting of 1.78 acres shall be rezoned from I-1 (Light Industrial District) to C-1 (General Commercial District) within Clear Creek Commons Subdivision in order to accommodate the construction of a parking lot. See Exhibit A.

WHEREAS, the Zoning Commission held a public hearing on **Monday, November 24, 2014** in accordance with Iowa Code. The Chairman of the Zoning Commission did forward a Final Report to the Boone County Board of Supervisors recommending approval of Todd Rueter, Rueter Corp's petition to rezone

2.46 acres from A-1 Agricultural Conservation District to C-1 General Commercial District of Clear Creek Common 2nd Addition and 1.78 acres from I-1 Light Industrial District to C-1 General Commercial District of Clear Creek Commons Subdivision in order to accommodate the construction of an indoor sports facility with parking lot.

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

SECTION ONE: That Boone County shall and hereby approves an amendment to the Official Zoning Map. Property shall be rezoned from A-1 Agricultural Conservation District to C-1 General Commercial District and I-1 Light Industrial District to C-1 General Commercial District. See *Exhibit A.

SECTION TWO: Approval with the following conditions:
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: December 17, 2014

Moved by: Hollingshead

Seconded by: Foster

Discussion:

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

Steve Duffy A Chet Hollingshead A Tom Foster A

ACTION UPON SECOND READING

DATE: December 24, 2014

Moved by: Foster

Seconded by: Hollingshead

Discussion: Approve second reading, waive third reading and adopt Ordinance.

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

Steve Duffy A Chet Hollingshead A Tom Foster A

ACTION UPON FINAL READING

DATE: NOT HELD – WAIVED

Moved by: _____

Seconded by: _____

Discussion:

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

Steve Duffy Chet Hollingshead Tom Foster

/s/ *Steve R. Duffy*
Chairman Steve R. Duffy
Boone County Board of Supervisors

12-31-2014
Date

/s/ *Philippe E. Meier*
ATTEST
Philippe E. Meier, County Auditor

12-31-2014
Date

*as recorded with this document in the Boone County Recorder's Office

