

Recorder Use Only



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SHERYL J THUL, COUNTY RECORDER  
BOONE IOWA

*ret. to - Co. Auditor*

**BOARD OF SUPERVISOR  
BOONE COUNTY, IOWA**

ORDINANCE NO. 92

Ordinance amending the official zoning map of Boone County for Boone County from A-1 (Agricultural) to I-2 (Heavy Industrial). Approximately 71 ACRES.

**THE NE SW (EX PART OF PARCEL C), LOT B IN THE NW SW FR, NW SW FR (EX LOT B, EX PARCEL D & EX PART OF PARCEL C), SW SW FR (EX LOT A), SW SW FR LOT A, AND THE SE SW OF SECTION THIRTY ONE, TOWNSHIP EIGHTY TWO NORTH, RANGE TWENTY EIGHT WEST OF THE FIFTH P.M., BOONE COUNTY IOWA.**

**Location Summary: In southwest Boone County, northwest of the town of Perry.**

See Exhibit A- as recorded in Boone County Recorder's Office

**WHEREAS,** In this case, Metro Waste Authority and North Dallas Landfill has petitioned to rezone the property described hereinabove from A-1 (Agricultural) to I-2 (Heavy Industrial) to accommodate an expansion of the existing landfill.

**WHEREAS,** The Director of Planning and Development has forwarded a recommendation for approval to the Boone County Zoning Commission with finding of facts as follows; the location of this proposal fits the policies by promoting an industrial use in an area that is noted in the Boone County Comprehensive Plan- Future Land Use Map as an area abutting transitional/ agriculture.

**WHEREAS,** The Zoning Commission has held a public hearing in accordance with the Iowa Code and has forwarded a letter of recommendation of 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.

**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 described as follows:  
THE NE SW (EX PART OF PARCEL C), LOT B IN THE NW SW FR, NW SW FR (EX LOT B, EX PARCEL D & EX PART OF PARCEL C), SW SW FR (EX LOT A), SW SW FR LOT A, AND THE SE SW OF SECTION THIRTY ONE, TOWNSHIP EIGHTY TWO NORTH, RANGE TWENTY EIGHT WEST (Union Township) OF THE FIFTH P.M., BOONE COUNTY IOWA.

APPROXIMATELY 71 ACRES be rezoned from A-1 Agriculture to I-2 Heavy Industrial.

See Exhibit A- as recorded in Boone County Recorder's Office

**SECTION TWO:** Approval with the following conditions:

1. Metro Waste Authority purchase and operate the North Dallas Landfill, and
2. Metro Waste Authority apply and obtain approval of a conditional use permit (CUP) from the Boone County Board of Adjustments (BOA).

**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 24, 2008

Moved by: Sorensen

Seconded by: Reed

Discussion: The Board agreed to add a condition to Section Two - 1. Metro Waste Authority purchase and operate the North Dallas Landfill and approval by Zoning Board of Adjustment.

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

Albert Sorensen	<input type="checkbox"/> A	Mike O'Brien	<input checked="" type="checkbox"/> X	David Reed	<input type="checkbox"/> A
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**ACTION UPON SECOND READING**

**DATE:** November 26, 2008

Moved by: O'Brien

Seconded by: Sorensen

Discussion: The Board agreed to add a condition to Section Two - 2. Metro Waste Authority apply and obtain approval of a conditional use permit (CUP) from the Boone County Board of Adjustment. This was in the first motion but failed to be carried forward on the Ordinance.

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

Albert Sorensen	<input type="checkbox"/> A	Mike O'Brien	<input type="checkbox"/> A	David Reed	<input type="checkbox"/> A
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**ACTION UPON FINAL READING**

**DATE:** December 1, 2008

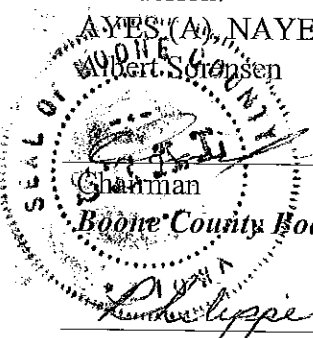
Moved by: O'Brien

Seconded by: Sorensen

Discussion:

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

Albert Sorensen	<input type="checkbox"/> A	Mike O'Brien	<input type="checkbox"/> A	David Reed	<input type="checkbox"/> A
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Dec. 1, 2008  
Date

Dec. 1, 2008  
Date

**ATTEST:**

*Philippe E. Meier, County Auditor*

I hereby agree to the conditions set forth above.

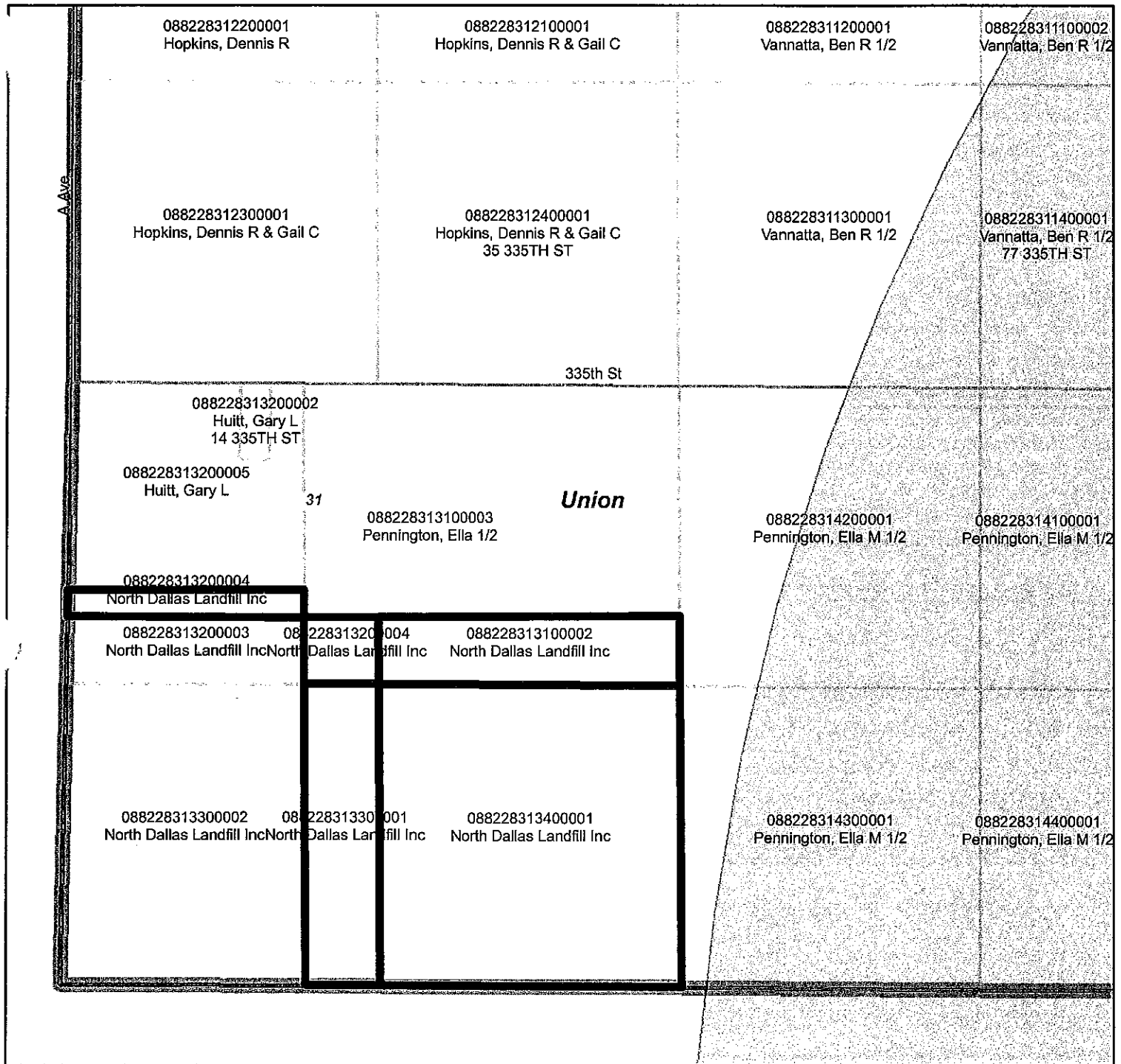
*James B. Hadden III*  
Applicant Signature

12 - 5 - 08  
Date

# Boone County GIS

Geographic Information System  
 Map created by the Boone County Planning and Development Department 515-433-0550

This data is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden of determining accuracy for the appropriateness for use rests solely on the requester. The County makes no warranties, express or implied, as to the use of the data. The requester acknowledges and accepts the limitations of the data, including the fact that the data is dynamic and is in a constant state of maintenance and update.



## Legend

Buffer\_of\_Parcels\_2

### Roads

<all other values>

### ROAD\_TYPE

; ; <Null>; Gravel

Paved; paved; pavedS; raved

Parcels

