

RESOLUTION 35-19
ZONING CHANGE & MINOR SUBDIVISION – JOYNER PROPERTY

Whereas, William and Julie Joyner have filed with the Floyd County Zoning Commission (Commission) the required documentation to support the following:

- an application to rezone 10.36 acres of property known as Parcels #072310000200 and #072310001100 (aka 2604 and 2606 160th St, Floyd, Iowa) in the W½ NW¼ of Section 23, Township 96 North, Range 16 West of the 5th P.M., Floyd County, Iowa from AG to R-1 for the purpose of establishing a subdivision;
- an application for approval of a Final Minor Subdivision Plat identified as Riverfront Drive Addition at the same location as stated above.

Whereas, the Commission and the Floyd County Board of Supervisors (Board) provided timely notice of publication on October 29, 2019 regarding a Public Hearing on the application to rezone the subject property set for November 5 and November 12, respectively.

Whereas, the Commission reviewed the information and based on Iowa Code, the Floyd County Zoning Ordinance and Regulations and the Floyd County Comprehensive Plan and voted unanimously to recommend to the Board that both applications be approved.

Therefore, upon the Floyd County Board of Supervisor's review of said information and after closing their Public Hearing for the subject property the following actions were taken:

Supervisor Tjaden motioned and Supervisor Schwickerath seconded to:
(Check all that apply.)

<p>Zoning Change:</p> <p><input checked="" type="checkbox"/> Approve the first reading of the application to rezone 10.36 acres from AG to R-1.</p> <p><input checked="" type="checkbox"/> Set the date for the second reading and review of the application for <u>Nov 26, 2019</u>.</p> <p><input type="checkbox"/> Waive the second reading of the application to rezone said property.</p> <p><input type="checkbox"/> Waive the third reading of the application to rezone said property.</p> <p><input type="checkbox"/> Approve the final reading and approve the application to rezone 10.36 acres of said property from AG to R-1.</p> <p><input type="checkbox"/> Disapprove the application to rezone said property.</p> <p>Minor Subdivision</p> <p><input checked="" type="checkbox"/> Approve the first reading of the application for a Minor Subdivision.</p> <p><input checked="" type="checkbox"/> Set the date for the second reading and review of the application for <u>NOV 26, 2019</u>.</p> <p><input type="checkbox"/> Waive the second reading of the application for a Minor Subdivision.</p> <p><input type="checkbox"/> Waive the third reading of the application for a Minor Subdivision.</p> <p><input type="checkbox"/> Approve the final reading and approve the application for a Minor Subdivision.</p> <p><input type="checkbox"/> Disapprove the application for a Minor Subdivision</p>
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Vote taken resulted as follows:

Ayes – Tjaden, Schwickerath, Kamm

Nays – _____

Absent – _____

PASSED, ADOPTED AND APPROVED this 12th day of November, 2019.

ATTEST:

Gloria A. Carr
Gloria A. Carr, Auditor

FLOYD COUNTY BOARD OF SUPERVISORS
Douglas A. Kamm
Douglas A. Kamm, Chair

FINAL PLAT RIVERFRONT DRIVE ADDITION

APPROVED:
CITY OF FLOYD

BY: _____

DATE: _____

APPROVED:
PLANNING AND ZONING
COMMISSION FLOYD COUNTY,
IOWA

BY: _____

DATE: _____

APPROVED:
COUNTY AUDITOR

BY: _____

DATE: _____

RIVERFRONT DRIVE ADDITION DESCRIPTION

A PARCEL OF LAND DESIGNATED AS RIVERFRONT DRIVE ADDITION PART OF TRACT ONE (1) AS DEPICTED IN BOOK FOUR (4) OF I.S. PAGE ONE-HUNDRED FOURTEEN (114) FOUND AT THE FLOYD COUNTY RECORDER'S OFFICE AND THE WEST ONE-HALF (W 1/2) NORTHWEST QUARTER (NW 1/4) ALL IN SECTION 28-T96N-R16W OF THE 5TH P.M. FLOYD COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING (P.O.C.) AT THE SOUTHWEST CORNER (SW COR.) OF THE NORTHWEST QUARTER (NW 1/4) NORTHWEST QUARTER (NW 1/4) OF SAID SECTION TWENTY-THREE (23); THENCE ON AN IOWA ZONE TWO (2) REGIONAL COORDINATE SYSTEM BEARING OF $500^{\circ}14'39''$ W 150.16 FEET (150.0 FEET) ALONG THE WESTERLY LINE OF THE SOUTHWEST QUARTER (SW 1/4) NORTHWEST QUARTER (NW 1/4) OF SAID SECTION TWENTY-THREE (23) TO THE SOUTHWEST CORNER (SW COR.) OF EXISTING TRACT TWO (2) AS DEPICTED IN SAID BOOK FOUR (4) OF I.S. PAGE ONE-HUNDRED FOURTEEN (114); THENCE $N89^{\circ}51'01''$ E 25.24 FEET (25 FEET) ALONG THE SOUTHERLY LINE OF SAID TRACT TWO (2) TO THE POINT OF BEGINNING (P.O.B.); THENCE $500^{\circ}34'44''$ E 69.57 FEET (SOUTH 70.4 FEET) ALONG THE MOST SOUTHERLY WESTERLY LINE OF TRACT ONE (1) AS DEPICTED IN SAID BOOK FOUR (4) OF I.S. PAGE ONE-HUNDRED FOURTEEN (114) TO THE SOUTHWEST CORNER OF SAID TRACT ONE (1); THENCE $S88^{\circ}14'40''$ E ($S89^{\circ}25''$ E) 1239.88 FEET ALONG THE SOUTHERLY LINE OF SAID TRACT ONE (1) TO THE CENTERLINE OF THE CEDAR RIVER; THENCE $N50^{\circ}41'35''$ W 290.59 FEET ALONG SAID CENTERLINE; THENCE $N55^{\circ}00'16''$ W 264.87 FEET ALONG SAID CENTERLINE; THENCE $N59^{\circ}15'30''$ W 281.98 FEET ALONG SAID CENTERLINE; THENCE $N65^{\circ}43'52''$ W 231.36 FEET ALONG SAID CENTERLINE; THENCE $N65^{\circ}16'50''$ W 405.79 FEET ALONG SAID CENTERLINE TO THE WESTERLY LINE OF THE NORTHWEST QUARTER (NW 1/4) NORTHWEST QUARTER (NW 1/4) OF SAID SECTION TWENTY-THREE (23) AND THE WESTERLY LINE OF EXISTING TRACT ONE (1) AS DEPICTED IN SAID BOOK FOUR (4) OF I.S. PAGE ONE-HUNDRED FOURTEEN (114); THENCE $500^{\circ}19'08''$ W 300.36 FEET ALONG SAID WESTERLY LINE TO THE NORTHWEST CORNER (NW COR.) OF EXISTING TRACT TWO (2) AS DEPICTED IN SAID BOOK FOUR (4) OF I.S. PAGE ONE-HUNDRED FOURTEEN (114); THENCE $S91^{\circ}37'24''$ E 47.09 FEET ($S92^{\circ}00''$ E 47.2') ALONG THE NORTHERLY LINE OF SAID TRACT TWO (2) TO THE NORTHEAST CORNER (NE COR.) OF SAID TRACT TWO (2); THENCE $S00^{\circ}09'04''$ W 280.70 FEET (SOUTH 280.7 FEET) ALONG THE EASTERLY LINE OF SAID TRACT TWO (2) TO THE POINT OF BEGINNING (P.O.B.). SAID RIVERFRONT DRIVE ADDITION CONTAINS 10.85 ACRES, AND IS SUBJECT TO ANY EASEMENTS WRITTEN OR OTHERWISE.

INGRESS AND EGRESS EASEMENT ACROSS LOT 1 RIVERFRONT DRIVE ADDITION DESCRIPTION

A PARCEL OF LAND DESIGNATED AS RIVERFRONT DRIVE ADDITION PART OF TRACT ONE (1) AS DEPICTED IN BOOK FOUR (4) OF I.S. PAGE ONE-HUNDRED FOURTEEN (114) FOUND AT THE FLOYD COUNTY RECORDER'S OFFICE AND THE WEST ONE-HALF (W 1/2) NORTHWEST QUARTER (NW 1/4) ALL IN SECTION 28-T96N-R16W OF THE 5TH P.M. FLOYD COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING (P.O.B.) AT THE NORTHEAST CORNER (NE COR.) OF EXISTING TRACT TWO (2) AS DEPICTED IN SAID BOOK FOUR (4) OF I.S. PAGE ONE-HUNDRED FOURTEEN (114) THENCE ON AN IOWA ZONE TWO (2) REGIONAL COORDINATE SYSTEM BEARING OF $577^{\circ}25'35''$ E 186.46 FEET TO THE EASTERLY LINE OF LOT ONE (1) RIVERFRONT DRIVE ADDITION; THENCE $500^{\circ}02'32''$ E 15.85 FEET ALONG SAID EASTERLY LINE; THENCE $N77^{\circ}25'35''$ W 49.79 FEET; THENCE $S26^{\circ}47'13''$ E 107.98 FEET TO SAID EASTERLY LINE; THENCE $S00^{\circ}02'32''$ E 119.18 FEET ALONG SAID EASTERLY LINE TO THE SOUTHEAST CORNER (SE COR.) OF LOT ONE (1) OF SAID RIVERFRONT DRIVE ADDITION; THENCE $N89^{\circ}53'09''$ W 20.00 FEET ALONG THE SOUTHERLY LINE OF SAID LOT ONE (1); THENCE $N00^{\circ}02'32''$ W 114.43 FEET PARALLEL WITH THE EASTERLY LINE OF SAID LOT ONE (1); THENCE $N26^{\circ}47'13''$ W 113.77 FEET; THENCE $N77^{\circ}25'35''$ W 113.57 FEET TO THE EASTERLY LINE OF SAID EXISTING TRACT TWO (2); THENCE $N00^{\circ}09'04''$ E 20.48 FEET ALONG THE EASTERLY LINE OF SAID TRACT TWO (2) TO THE POINT OF BEGINNING (P.O.B.). SAID EASEMENT CONTAINS 0.18 ACRES.

SURVEYOR'S NOTES:

- 1) IOWA ZONE 2 IS THE BASIS OF BEARING FOR THE PURPOSE OF THIS SURVEY.
- 2) THIS SURVEY WAS PART RETRACEMENT.
- 3) THE SOUTHWEST CORNER OF THE EXISTING TRACT 1, WAS A 3/8" REBAR FOUND LAYING UNDER A LAND OWNER 17'10" CORNER POST. TOOK THE 3/8" REBAR AND PUT BACK AT THE BASE OF BRUSH OFF CORNER POST.
- 4) DISTANCES ARE FROM MONUMENT TO MONUMENT.
- 5) THE COURSE THROUGH THE $\frac{1}{2}$ OF THE CEDAR RIVER HAVE NO MONUMENTS.

DOCUMENTS USED FOR THIS SURVEY
PLATE BK.4 OF I.S. PG.114, BK.4 PG.38
CERT# DOC.#2014-2487,
DOC.#2008-2863
DEED# DOC.#2008-2716

DATE SURVEYED	8-14-18
SCALE	AS SHOWN
PROJECT NO.:	19208
DRAWN BY:	BVS
CHECKED BY:	BVS
SHEET	1 of 2



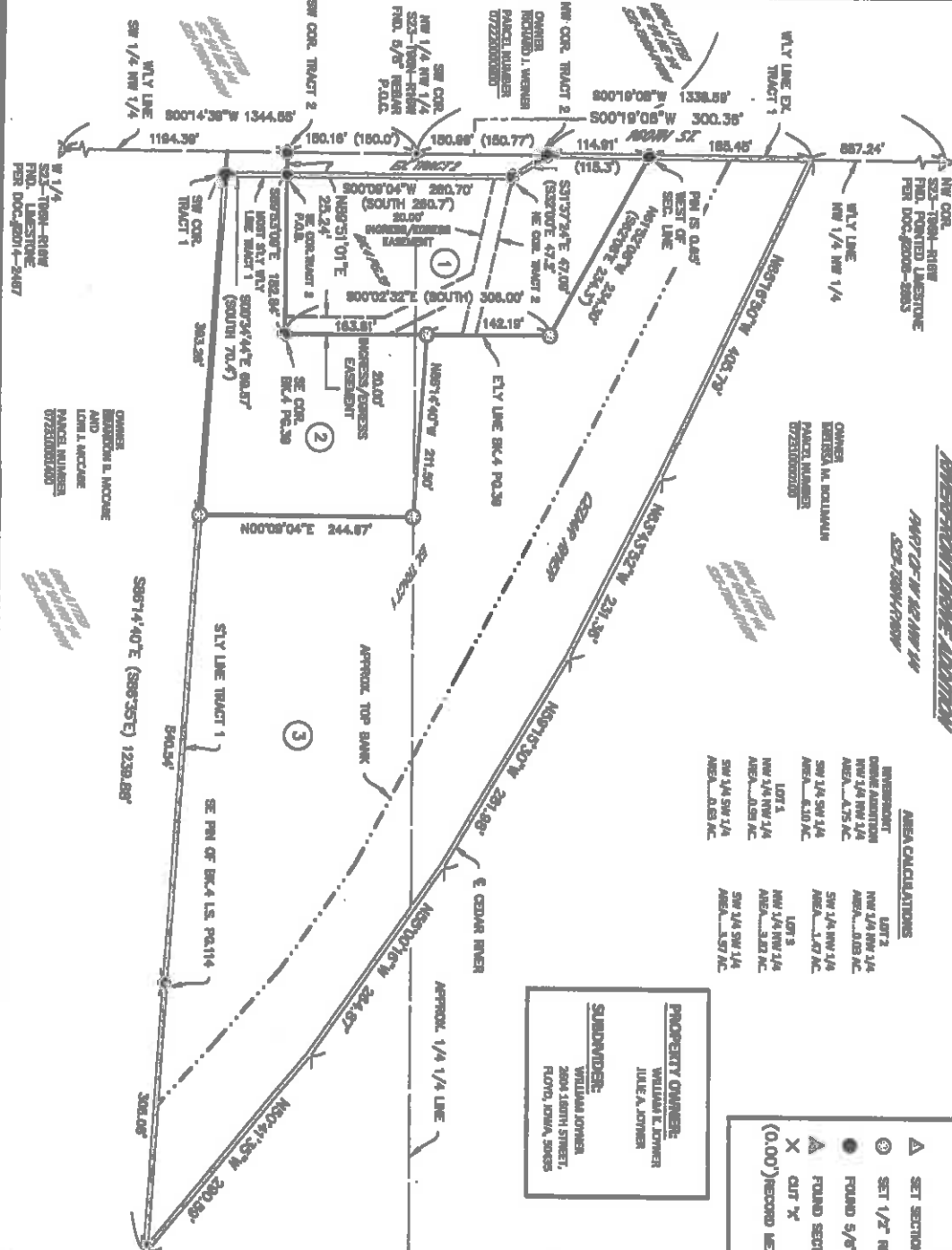
I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Benjamin Stark 10-2-18
Benjamin Stark Date

License number 23708 Sheets covered by this book 2
My license renewal date is December 31, 2019

**STARK
SURVEYING
INC.**

FINAL PLAT RIVERFRONT DRIVE ADDITION



OVERLAPPING ADJUTANT
PART OF W. 1/4 NW 1/4
SEC. 128N, T. 28N, W. 1/4

OWNER: DEBORA M. BOLLMAN
PARCEL NUMBER: 07251000000

AREA CALCULATIONS

TRACT	AREA (AC)
LOT 1	4.10 AC
LOT 2	0.83 AC
LOT 3	3.27 AC
LOT 4	1.49 AC
LOT 5	1.57 AC

PROPERTY OWNER:
WILLIAM E. JYNER
JULE A. JYNER
2804 180TH STREET,
FLOR, IOWA, 50505

SUBDIVIDER:
WILLIAM E. JYNER
JULE A. JYNER
2804 180TH STREET,
FLOR, IOWA, 50505

- LEGEND**
- ▲ SET SECTION CORNER AS NOTED (P.O.C.) POINT OF COMMENCEMENT
 - ⊙ SET 1/2" REBAR 24" LONG VPC 23700 (P.O.B.) POINT OF BEGINNING
 - FOUND 5/8" REBAR MONUMENT UNLESS NOTED
 - ▲ FOUND SECTION CORNER AS NOTED
 - X CUT X
 - (0.00) RECORD MEASUREMENT
 - ⑤5 LOT NUMBER

STARK SURVEYING INC.

DATE SURVEYED 6-14-18
SCALE AS SHOWN
PROJECT NO. 18228
DRAWN BY: BMS
CHECKED BY: BMS
SHEET 2 of 2

DOCUMENTS USED FOR THIS SURVEY
PLAT BK.4 OF T.S. POLI14, BK.4 PG.38
CERTS.DOC.42014-2487,
DOC.42014-2883
DEED.DOC.42008-2716

SURVEYOR'S NOTES:

- 1) LINDS ZONE 2 IS THE BOUNDARY OF EXAMINED FOR THE PURPOSE OF THIS SURVEY.
- 2) THIS SURVEY WAS PART RECONSTRUCTION.
- 3) THE SURVEYOR CONSENTS TO THE EXISTING LAYERS BEING A LINDS ZONE 2 AND DOES NOT CORRECT THEM, NOR THE DATE OF SURVEY AND PUT BACK AT THE DATE OF SURVEY OR CORNER FROM.
- 4) CORNERS ARE FROM ADJUTANT TO THE CORNER.
- 5) THE CORNER BETWEEN THE E. OF THE CEDAR RIVER HAVE NO MONUMENTS.



61-09000-401-01

Proof of Publication

STATE OF IOWA
Floyd County,

I, Christopher Hall, Owner/Publisher, of the CHARLES CITY PRESS, in said county, do hereby state that I certify under penalty of perjury and pursuant to the laws of the State of Iowa that a notice, which is a true copy, has been printed and published each week for 1 consecutive weeks in the regular daily issues of said paper commencing with the issue of Wednesday on the 30 day of October A.D., 2019 and ending with the issue of October 30, 2019.

Christopher Hall
Owner/Publisher

Acknowledgment and charges for above services
\$ 112.91

Subscribed and sworn to before me this 30 day of October A.D., 2019

Christine A Reinold
Notary Public in and for the State of Iowa



Charles City Press
Remit payment to Accounts Payable
801 Riverside Drive
Charles City, IA 50616
For questions please call (641) 228-3211

Account # 2113
Charge \$ 112.91
Date 10-30-19

NOV 12 2019

BY: _____

Legal Notice • Legal Notice • Legal Notice • Legal Notice

Table with multiple columns containing names, addresses, and phone numbers. Includes entries for various individuals and businesses such as 'C. J. Hall', 'M. J. Hall', 'J. J. Hall', etc.

Proof of Publication

STATE OF IOWA
Floyd County,

I, Christopher Hall, Owner/Publisher, of the CHARLES CITY PRESS, in said county, do hereby state that I certify under penalty of perjury and pursuant to the laws of the State of Iowa that a notice, which is a true copy, has been printed and published each week for 1 consecutive weeks in the regular daily issues of said paper commencing with the issue of Tuesday on the 29 day of October A.D., 2019 and ending with the issue of, October 29, 2019.

Christopher Hall
Owner/Publisher

Acknowledgement and charges for above services

\$ 20.19

Subscribed and sworn to before me this 29 day of October A.D., 2019

Christine A. Rimrod
Notary Public in and for the State of Iowa



NOV 12 2019

BY: _____

Legal Notice

NOTICE OF PUBLIC HEARINGS

Petitions to rezone have been received by the Floyd County Zoning Commission, and subdivision applications have been received by the Floyd County Zoning Commission.

TO WHOM IT MAY CONCERN

You are hereby notified William and Julie Joyner have filed a petition to rezone 10.36 acres of property from AG to R-1 at 2604 160th St and parcel 07231001100, Floyd, in section 23, township 96, Range 16, Floyd township, Floyd Co, Iowa.

You are also hereby notified William and Julie Joyner have filed an application for approval of final plat for a 3(dupe) lot subdivision, which includes property 2604 160th St and parcel 07231001100, Floyd, in section 23, township 96 North, Range 16 Floyd township, Floyd Co, Iowa.

You are also hereby notified Raymond Johnson has filed a petition to rezone 1.58 acres from AG to R-1, the property located at 2604 160th St, Charles City, section 23, township 96 North, Range 16, St. Charles township, Floyd Co, Iowa.

You are further notified the Floyd County Zoning Commission will hold Public Hearings on these petitions in the office of the Floyd County Planning & Zoning Department on the 1st floor of the Floyd County Courthouse at 9:00 am on November 5, 2019, at which time you may appear to file written or oral objection or support of said applications.

(Note: Board of Supervisors will hold a public hearing on November 12, 2019 at 9:30 A.M. to consider same.)

Floyd County Zoning Commission
By: Leslie Weber, Zoning Administrator

No. 19485
10/29/19



Remit payment to Accounts Payable
801 Riverside Drive
Charles City, IA 50616
For questions please call (641) 228-3211

Account # 2066
Charge \$ 20.19
Date 10-29-19

