

Article I. Title, Application, Purpose, Exemption, Interpretation, Zoning Commission

Section 1.01 Title

This ordinance shall be known as the Zoning Ordinance for Boone County, Iowa.

Section 1.02 Application

This ordinance shall apply to the unincorporated territory of Boone County, Iowa

Section 1.03 Purpose

The zoning ordinance and districts as herein established have been made in accordance with a comprehensive plan and policies to promote, in accordance with present and future needs, the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of Boone County, Iowa. The ordinance has been made with reasonable consideration, among other things, for the existing use and character of property, to the character of the particular district involved, and its peculiar suitability for particular uses, to trends of growth or change, and with a view to conserving natural resources and the value of land and buildings and encouraging the most appropriate use of land throughout the unincorporated territory of Boone County, Iowa.

Section 1.04 Farms Exempt

In accordance with the provisions of Chapter 335, Code of Iowa, except to the extent required to implement Section 335.27, no ordinance adopted under this chapter applies to land, farm houses, farm barns, farm outbuildings or other buildings or structures which are primarily adapted, by reason of nature and area, for use for agricultural purposes, while so used.

In order for the land to be designated as a farm, it shall be an operation of the usual nature of local farms, raising crops and/or livestock (such as corn, grain, beans, cattle, sheep, hogs). Animals on such farms shall be raised, housed, and fed on the same farm.

Section 1.05 Interpretation

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, convenience, order, comfort, prosperity, sustainability or general welfare. It is not intended by this ordinance to interfere with, or abrogate or annul any easements, covenants or other agreements between parties, provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or premise or upon height of buildings, or requires larger open spaces than are imposed or required by other resolutions, ordinances, rules, ordinances, or by easements, covenants, or agreements, the provisions of this ordinance shall govern.

Section 1.06 Disclaimer Regarding “Approval” of County Representatives

Whenever the words “approve”, “approved”, “approval” or similar words are used in describing actions taken by the Zoning Administrator, Zoning Commission, Board of Adjustment, County Engineer, or the County Board of Supervisors, such words shall be construed as ministerial acts which only entail review for

compliance with the Ordinance. Boone County makes no warranties, either expressed or implied, that any plans, plats, subdivision, re-zoning, variance, or any other actions that constitute “approval” by Boone County are merchantable, fit for any particular purpose, or free from design or construction defects.

Section 1.07 Amendment Table

Date	Ordinance No.	Description	Applicable Section No.
06-04-08	88	Amendment of Boone County Zoning Ordinance No. 27	11.06
07-25-08	90	Amend Official Zoning Map of Boone County – Farmers Cooperative Company from A-1 to A-2 to accommodate an anhydrous ammonia storage facility.	4.05
09-26-08	91	Amend Official Zoning Map of Boone County – From A-1 to C-1 to accommodate signage for the Farm Progress Show and the Central Iowa Expo Center.	4.10
12-01-08	92	Amend Official Zoning Map of Boone County – Metro Waste Authority and North Dallas Landfill from A-1 to I-2 to accommodate an expansion of the existing landfill.	4.11
02-17-09	94	Text amendment allowing landfill and or solid waste disposal facilities in an I-2 Heavy Industrial District as a Conditional Use Permit or CUP	4.12 and 4.16
02-17-09	95	Text amendment providing for the regulation of the construction and operation of commercial wind energy facilities in Boone County, Iowa, subject to reasonable conditions that will protect the environment, public health, safety, and welfare.	8.04 and Sub-Sections 8.04.02, 8.04.03, 8.04.04, and 8.04.05
04-07-09	96	Amend Official Zoning Map of Boone County – West Central Cooperative from A-1 to A-2 to accommodate expansion of current operations (+/-) five (5) acres improving public safety and truck traffic patterns in and out of the property from ‘T’ Avenue.	4.05
Disapproved 04-28-09 Approved 06-16-09	97	Amend Official Zoning Map of Boone County – Hemmen Moving Services from A-1 to I-1 to accommodate a trucking facility for hauling household and business goods and materials.	4.11
05-05-09	98	Amend Official Zoning Map of Boone County – Todd and Shantel Smith from A-1 to C-1 to accommodate the construction of a physical therapy clinic.	4.10
10-17-09	101	Amend Official Zoning Map of Boone County – Susan Hudson (+/-) 13 acres from A-1 to R-1 to accommodate a four (4) lot minor subdivision one (1) to two (2) acres each.	4.07
8-31-10	102	Amend Official Zoning Map of Boone County – E.P. Frazier, Inc. and Valerie Elaine Williams (+/-) 17.98 acres from A-1 to TA-1 with Conservation Overlay District on top of TA-1 base zoning to accommodate a three lot minor residential subdivision	4.06
6-29-10	104	Amend Official Zoning Map of Boone County – Jorgen Johansen (+/-) 36.25 acres to include Conservation Overlay District on top of the existing A-1 base zoning	4.13
8-24-10	105	Amend Official Zoning Map of Boone County – Richard	4.13

		Burdess (+/-) 7.43 acres to include Conservation Overlay District on top of the existing A-1 base zoning	
10-26-10	106	Amend Official Zoning Map of Boone County – Carl Thorgren (+/-) 29.70 acres from A-1 to A-2 to accommodate future agricultural related businesses.	4.05
12-7-10	107	Amend Official Zoning Map of Boone County – Shirley Stevens, Richard Wilson, and Linda Anderson (siblings) (+/-) 8.03 acres from A-1 to R-1 to accommodate a three lot residential minor subdivision called Stevens Subdivision	4.07
3-15-11	108	Amend Official Zoning Map of Boone County – James Grabau (+/-) 1.38 acres from A-1 to C-1 to accommodate expansion and sale of Grabau Construction, an existing construction business.	4.10
3-30-11	109	Text amendment to Rescind Section 4.13 CO Conservation Overlay District	11.06