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SHERYL J THUL, COUNTY RECORDER  
BOONE IOWA

*ret. to -  
Co. Auditor*

**BOARD OF SUPERVISORS  
BOONE COUNTY, IOWA**

ORDINANCE NO. 70

ORDINANCE AMENDING THE OFFICIAL BOONE COUNTY ZONING MAP

**THE SW SE AND THE WEST 1/2 OF THE SE SE OF SECTION 3 AND THE NW NE OF SECTION 10 OF WORTH TOWNSHIP IN BOONE COUNTY, IOWA. APPROXIMATELY 100 ACRES.**

(SEE EXHIBIT A AS RECORDED IN BOONE COUNTY RECORDERS OFFICE)

**WHEREAS,** In this case, Jerry Behn has petitioned Boone County to rezone the property described hereinabove from A-1 (Agricultural) to R-1 (Residential) to accommodate a 40 plus lot residential single-family subdivision.

**WHEREAS,** The Director of Planning and Development has forwarded a recommendation for approval to the Boone County Zoning Commission with conditions.

**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 one negative vote, recommends approval of the petition by the Board of Supervisors with the following conditions: a long-term storm water management plan be developed, a buffer of perennial vegetation with long root system be developed and/or maintained between the lots and Pease Creek and it's tributary, NPDES General Permit #2 be obtained and adhered to before and during construction, approximately 30 acres south and east of the Pease Creek tributary as shown on exhibit A.

**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 SW SE AND THE WEST 1/2 OF THE SE SE OF SECTION 3 AND THE NW NE OF SECTION 10 OF WORTH TOWNSHIP IN BOONE COUNTY, IOWA. APPROXIMATELY 100 ACRES (SEE EXHIBIT A) be rezoned from A-1 Agriculture to R-1 Residential.

**SECTION TWO:** That the specific boundaries of the rezoning shall be affirmed based on a survey submitted during the subdivision review process.

**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:** Oct. 26, 2005

Moved by: Sorensen

Seconded by: Reed

November 2, 2005

Behn Subdivision Rezoning  
Ordinance No 70

Discussion: All oral comments were made by the Board of Supervisors. Justification for Naye vote by Sorensen attached.

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

Albert Sorensen  N Mike O'Brien  A David Reed  A

**ACTION UPON SECOND READING**

DATE: Oct. 28, 2005

Moved by: Reed

Seconded by: Sorensen

Discussion: All oral comments were made by the Board of Supervisors. Justification for Naye vote by Sorensen attached.

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

Albert Sorensen  N Mike O'Brien  A David Reed  A

**ACTION UPON FINAL READING**

DATE: Nov. 2, 2005

Moved by: Reed

Seconded by: Sorensen

Discussion:

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

Albert Sorensen  N Mike O'Brien  A David Reed  A

*M. O'Brien*  
Chairman  
Boone County Board of Supervisors

*11-16-05*  
Date

*Philippe E. Meier*  
ATTEST: *by Heidi Kerkemiller, Deputy Auditor*  
Philippe E. Meier, County Auditor

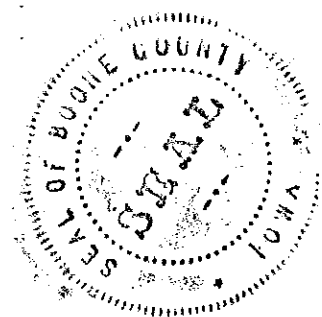
*11-10-05*  
Date

**Statement of Justification for denial as follows for Albert Sorensen.**

October 26, 2005 Sorensen stated that the county is currently in the process of rewriting the comprehensive plan and believes that this rezoning should wait until this document is finished.

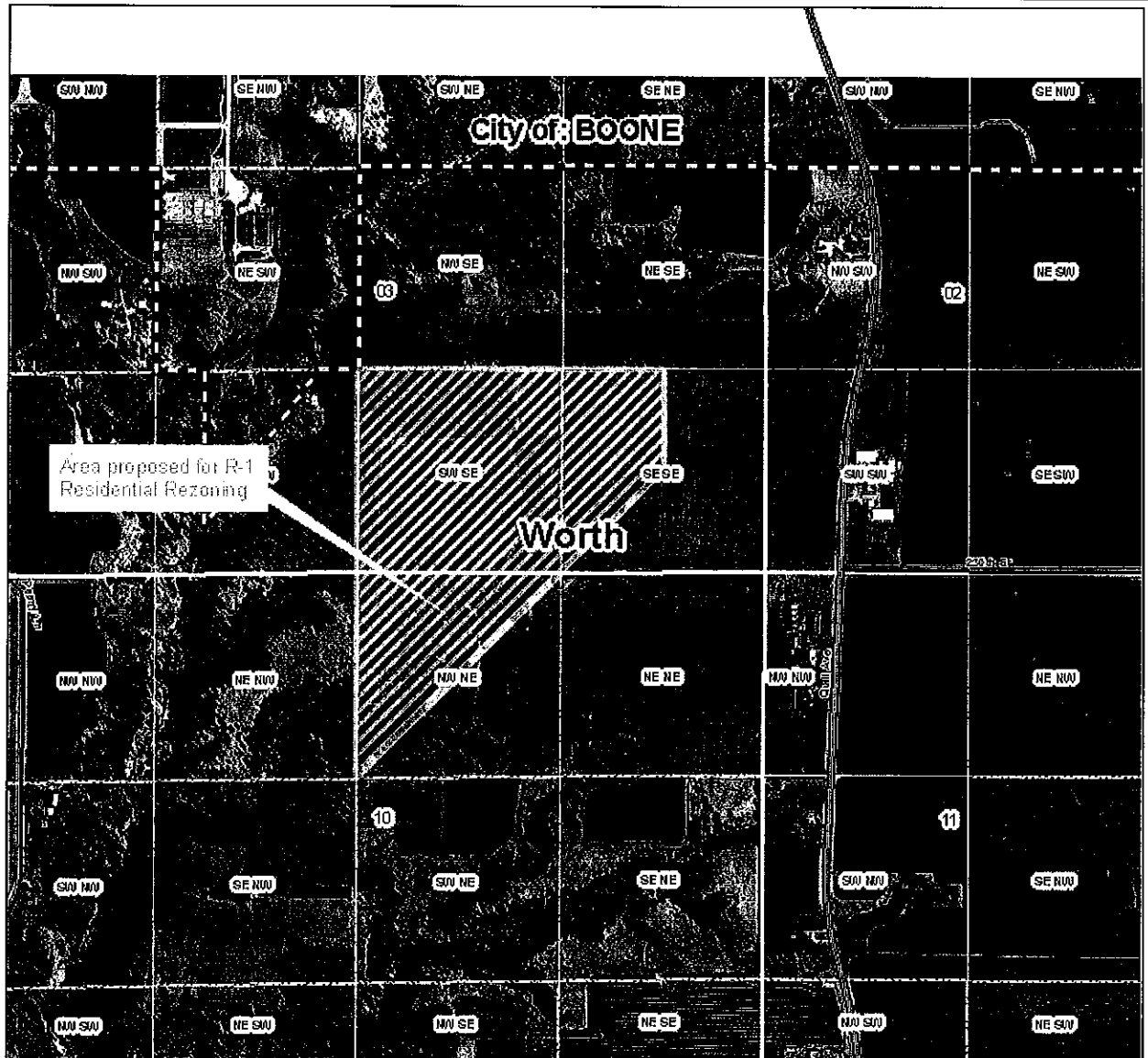
October 28, 2005 Sorensen stated that the county is currently in the process of rewriting the comprehensive plan and believes that this rezoning should wait until this document is finished.

Exhibit A – Attached



# Boone County Exhibit A

This data is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The user or client is responsible for the appropriateness for use, accuracy or reliability of the data. 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.



0 200 400 800 Feet



**Legend**

- Corporate Limits R0801
- Political Jurisdiction ROAD TYPE
- Section Lines
- HA - HA Sections
- gated
- gated

