

RESOLUTION #19-21
ZONING CHANGE – Burke Property

Whereas, Mark and Rebecca Burke have filed with the Floyd County Zoning Commission (Commission) the required documentation to support the following:

- an application to rezone from AG to R-1, 6.05 acres, known as parcel #141740001400, of a 14.4 acre parcel described as Parcel D located at N¼ of Section 17, Township 94 North, Range 17 West of the 5th PM of Floyd County, Iowa in Union Township;

Whereas, the Commission provided timely notice of publication on April 6, 2021 regarding a Public hearing on the application to rezone the subject property set for April 20, 2021;

Whereas, the Floyd County Board of Supervisors provided timely notice on April 30, 2021 regarding a Public Hearing on the application to rezone the subject property set for May 11, 2021;

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 to recommend to the Board to approve said application.

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 Kamm motioned and Supervisor Schwickerath seconded to:
(Check all that apply.) 6.05

Approve the first reading of the application to rezone ~~14.4~~ acres from AG to R-1.

Set the date for the second reading and review of the application for May 25, 2021

Waive the second reading of the application to rezone said property.

Waive the third reading of the application to rezone said property.

Disapprove the application to rezone said property.

Approve the final reading and approve the application to rezone 14.4 acres from AG to R-1.

Vote taken resulted as follows:

Ayes – Kamm, Schwickerath, Tjaden

Nays – _____

Absent – _____

PASSED, ADOPTED AND APPROVED this ~~11~~ day of May 11, 2021.

ATTEST:

Gloria A. Carr
Gloria A. Carr, Auditor

FLOYD COUNTY BOARD OF SUPERVISORS

Linda Tjaden
Linda Tjaden, Chair

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 Friday on the 30 day of April A.D., 2021 and ending with the issue of, April 30, 2021.

Christopher J. Hall
Owner/Publisher

Acknowledgement and charges for above services

\$ 16.13

Subscribed and sworn to before me this 30 day of April A.D., 2021

[Signature]

Notary Public in and for the State of Iowa



Legal Notice

**NOTICE OF PUBLIC HEARING
RESCHEDULED**

Petition to Rezone and Minor Sub-
division

The Floyd County Board of Supervisors find it necessary to reschedule a hearing previously scheduled for April 27, 2021 regarding an application from Mark and Rebecca Burke to rezone 6.05 Acres from AG to R-1 on property located on Parcel #141740001400, Marble Rock, in the NE 1/4 of Section 17, Township 94 North, Range 17 West of the 5th P.M., Union Township, Floyd County, Iowa.

The Floyd County Board of Supervisors also find it necessary to reschedule a hearing previously scheduled for April 27, 2021 regarding an application from Thomas C. and Lorraine A. Winterink for a Minor Subdivision at property located at 1880 Gilbert St, Charles City, Lot 3 NESW EX HWY & LTS 1-2 & 4 NESW LYING W & SWLY OF RIVER of Section 35, Township 96 North, Range 16 West of the 5th P.M., St Charles Township, Floyd County, Iowa.

Be advised that you may file an objection to or support of said application orally or in writing at the hearing with the Board of Supervisors or prior to the hearing with the County Auditor, 101 S Main St, Ste 302, Charles City, IA 50616.

Please call 641-257-6131 if you have any questions regarding this notice

No. 21011
04/30/2021



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

Account # 2113
Charge \$ 16.13
Date 4-30-21

FLOYD COUNTY PETITION TO REZONE

TO: PLANNING AND ZONING COMMISSION
FLOYD COUNTY COURTHOUSE - 101 S. MAIN
CHARLES CITY, IA. 50616

MEMBERS:

We (1), the undersigned owner (s) of the property described below in Paragraph 1, do hereby respectfully petition the Floyd County Planning and Zoning Commission and the Board of Supervisors to amend the present Zoning Regulations as hereinafter designated; and in support thereof, present the following facts.

1. That the area to be rezoned is legally described as follows:

Parcel D in Section 17-94-17 Hayd Co., IA.

See attached survey.

Parcels # ~~14-17-251-661-660~~ and # ~~14-17-400-014-00~~

2. That it is requested and desired to rezone the foregoing property from Ag District to Res District.

3. That the reasons for requesting the change or changes are as follows:

We want to sell the property as a possible building site.

4. That the undersigned are the owner (s) of the property within the area which is under consideration for rezoning.
5. That the undersigned have been fully appraised and acquainted with the uses to which the area to be rezoned may be put if the rezoning is approved.
6. I attach as part of this petition:

- A list of names and mailing addresses of the property owners within five hundred (500) feet of the subject property;
- A plat of the area to be rezoned;
- Five (5) copies of any documents submitted;
- A **nonrefundable** fee of one hundred fifty (\$150.00) dollars.

7. The applicant hereby agrees to pay the costs of this process, and will bear the costs of publication of legal notices in a newspaper of general circulation (to be direct billed to the applicant or agent) of this action.

SIGNED	PRINTED NAME	ADDRESS	CITY	PHONE	PROPERTY DESCRIPTION
<i>Rebecca Burke</i>	Mark & Rebecca Burke	124 N Elm St.	Cresco, IA	563-380-2868	6.95 Acres bareland on Indigo Ave.

Notice: This petition shall come for public hearing before the Zoning Commission on the 2nd Tuesday of each month, and shall be directly followed by a public hearing before the Board of Supervisors for approval.

331.305



Document 2015-1665

Book 2015 Page 1665 Type D0 Pages 2
Date 7/30/2015 Time 10:09 AM
Rec Amt \$12.00

INDEX
CHK
NOTE
SCAN
ODD

DEBORAH K ROBERTS, COUNTY RECORDER
FLOYD COUNTY IOWA

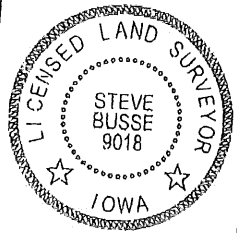
PLAT OF SURVEY

DESCRIPTION PARCEL D:

COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 17, TOWNSHIP 94 NORTH, RANGE 17 WEST OF THE 5TH P.M. FLOYD COUNTY, IOWA; THENCE SOUTH 89°32'30" EAST 825.50 FEET ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 17; THENCE SOUTH 4°14'40" EAST 2112.66 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 4°14'40" EAST 965.56 FEET TO THE NORTHWEST CORNER OF PARCEL C IN SAID SECTION 17; THENCE NORTH 89°34'05" EAST 419.63 FEET ALONG THE NORTH LINE OF SAID PARCEL C; THENCE SOUTH 3°00'30" EAST 264.23 FEET; THENCE NORTH 88°58'25" EAST TO THE CENTERLINE OF THE SHELL ROCK RIVER; THENCE NORTHWESTERLY ALONG THE SHELL ROCK RIVER TO THE NORTH LINE OF LOT 1 OF SUBDIVISION OF LOT 10 OF IRREGULAR SURVEY OF THE NORTHEAST 1/4 OF SAID SECTION 17; THENCE SOUTH 89°00'10" WEST TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 14.40 ACRES INCLUDING 1.00 ACRE IN ROAD RIGHT OF WAY AND 2.3 ACRES IN RIVER
NOTE: THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 17 WAS ASSUMED TO BEAR SOUTH 89°32'30" EAST FOR THIS DESCRIPTION.

SHEET 1 OF 2

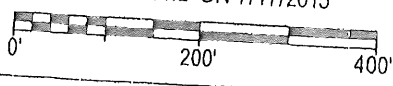


I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

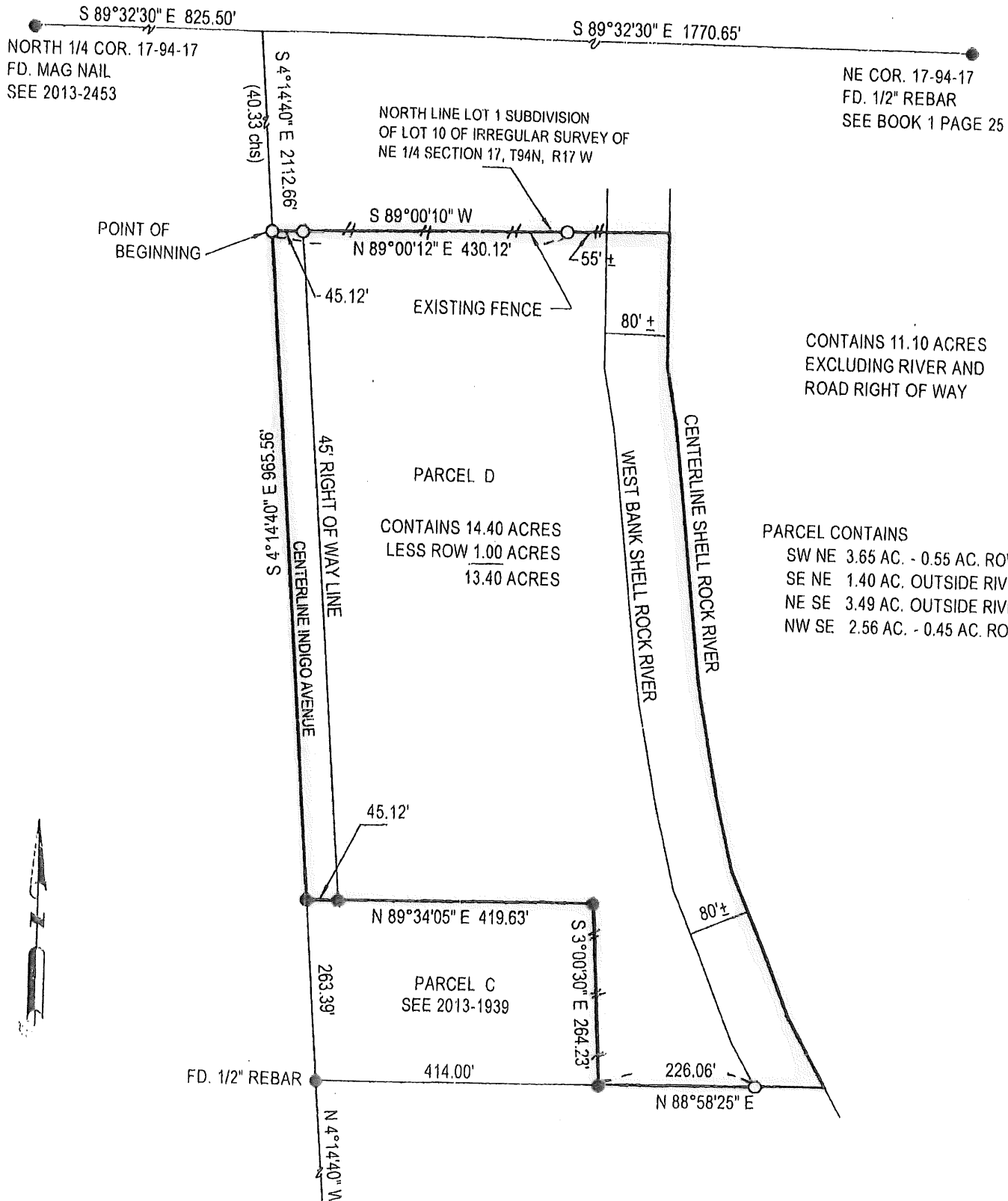
Steve Busse 7/28/15
STEVE BUSSE DATE

LICENSE NUMBER 9018
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2016
PAGES OR SHEETS COVERED BY THIS SEAL. 2

- SET NO. 4 REBAR X 24" LONG WYELLOW PLASTIC CAP #9018
 - (00') RECORDED AS
 - # EXISTING FENCE LINE
 - CORNERS FOUND PIN/ CAP #9018 UNLESS NOTED
 - △ SURVEY MARK NAIL / WASHER SET IN PAVING
- PROPRIETER - ROBERT FISH
SURVEY REQUESTED BY BECKY BURKE
FIELD WORK COMPLETED ON 7/17/2015



PLAT OF SURVEY



William & Jeanette Boyd Irrevocable Trust
302 West Street
Marble Rock, IA 50653

Tracy K. Merfeld Revocable Trust
P.O. Box 308
Marble Rock, IA 50653

Wayne & Janet Riniker
1551 Wind Ave
Cresco, IA 52136

Kevin & Deborah Friedman
2446 Hickory Ave
Marble Rock, IA 50653

Martin Parcher
2755 Indigo Avenue
Marble Rock, IA 50653

James A. Erb
701 2nd Ave
Charles City, IA 50616

The Erb Family Trust A
James A. Erb Trustee

The Erb Family Trust B
James A. Erb Trustee

The Erb Family Charitable Remainder UniTrust
First Citizens Trust Co., as Trustee
300 N. Main
There is a cemetery to the south.

Steve + Beth Diers
1888 Gilbert