

Office Use Only	11-18-21	\$ 175 -	BOA-21-28152
	Date Filed	Fee	Application Number



**JOHNSON COUNTY, IOWA**

**APPLICATION FOR: SPECIAL EXCEPTION OR VARIANCE APPROVAL**

Application is hereby made for approval of a:

- Special Exception (reduction of requirement by 50% or less).
- Variance from Floodplain Management Regulations.
- Variance (reduction of requirement by more than 50%).
- Modification of Subdivision Regulations.

on property located at (street address if available or layman's description):

2254 540th St. SW

Parcel Number: 1419379002

Subdivision name and lot number (if applicable): Stringtown Acres Third Lot 1

Current Zoning: C-Commercial Proposed Use of the Structure: Sales

**For setback reduction requests (Special Exception or Variance – please complete the following:**

	Front	Side	Side	Rear
Required Setback:	30	10		30
Requested Setback:	30	10		15'

On a separate sheet explain how or why this request satisfies the practical difficulty, unnecessary hardship, or exception hardship criteria – as applicable. The location of these criteria in the Unified Development Ordinance is outlined on page 2 of this application.

**PLEASE PRINT OR TYPE**

The undersigned affirms that the information provided herein is true and correct. If applicant is not the owner, applicant affirms that the owner(s) of the property described on this application consent to this application being submitted, and said owners hereby give their consent for the office of Johnson County Planning, Development, and Sustainability to conduct a site visit and photograph the subject property.

Willis Schlabach  
Name of Owner

Name of Applicant (if different)

2238 540th St. SW Kalona, IA. 52247  
Applicant Street Address (including City, State, Zip)

683-2415 none  
Applicant Phone Applicant Email

*Willis Schlabach*  
Applicant Signature

**See back page for Application Submittal Requirements and Checklist**

15 September 2021

Mr. Josh Busard  
Johnson County Zoning Director

Re: Variance Request Lot 1 of Stringtown Acres Third for Willis Schlabach,  
a Commercial Zoned Lot

Dear Josh:

Attached please find the application and accompanying documents for a Variance Request application for Willis Schlabach. Willis would like to make this request in order to expand his current sales building to accommodate his customers and add bathrooms.

The new building is an exterior copy of current sales building, turned for porch to face east.

Section 8:1.28(D)(2)

- (a) This variance request does exceed 50% reduction
  
- (b)(i) none
- (b)(ii) relatively open north, west & east
- (b)(iii) owner and family does not own the property immediately north
- (b)(iv) no utilities in area in question or improvements
- (b)(v) applicant is bound to current zoning and property lines to the north
  
- (c)(i) current ordinance requires 30' rear setback in this zoning district  
this is known by Willis and family
- (c)(ii) current C-Commercial District fits the uses on this parcel
- (c)(iii) other zoning requirements are stricter than current C-Commercial District and do not accommodate the uses here
  
- (d)(i) at this time it is not known for the intentions for the property

immediately north, but for now it is bare ground, new building will be maintained on property

(d)(ii) this is a thriving business and more than likely will improve the value of surrounding property

(d)(iii) no planned improvements are planned at this time

(d)(iv) the Schlabach family has made every effort to minimize dust, made their drainage fall away from neighboring properties and have safe buildings, also have no heavy equipment

(d)(v) no tall building is planned here to block any views

(e)(i) as this addition will increase the value of this property, it is not the intension of the owner to profit from that value

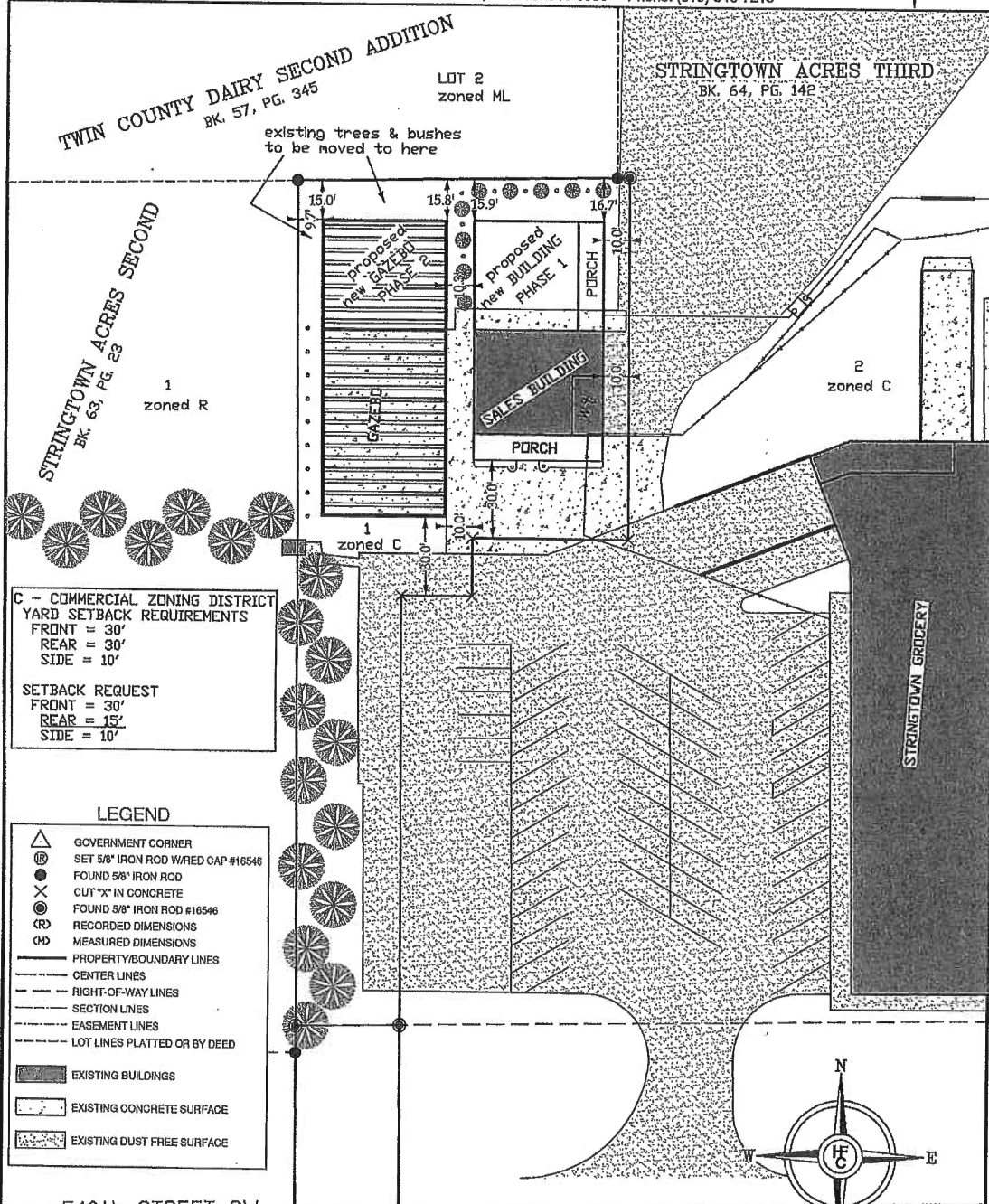
If you have questions or if you require further information you may contact myself, Mr. Michael Brenneman: Attorney or Willis Schlabach.

Respectfully Submitted,

J. Scott Ritter, LLS  
Hart-Frederick Consultants P.C.

C: Mr. Willis Schlabach  
Mr. Michael Brenneman  
HFCfile

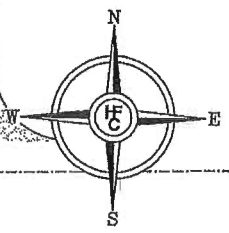
**HFC HART-FREDERICK CONSULTANTS P.C.**  
 www.hart-frederick.com  
 510 State Street P.O. Box 560 TIFFIN, IOWA 52340-0560 Phone: (319) 645-7215



**C - COMMERCIAL ZONING DISTRICT**  
**YARD SETBACK REQUIREMENTS**  
 FRONT = 30'  
 REAR = 30'  
 SIDE = 10'

**SETBACK REQUEST**  
 FRONT = 30'  
 REAR = 15'  
 SIDE = 10'

- LEGEND**
- △ GOVERNMENT CORNER
  - SET 5/8" IRON ROD W/RED CAP #16546
  - ⊙ FOUND 5/8" IRON ROD
  - ⊗ CUT "X" IN CONCRETE
  - ⊙ FOUND 5/8" IRON ROD #16546
  - ⊙ RECORDED DIMENSIONS
  - ⊙ MEASURED DIMENSIONS
  - PROPERTY/BOUNDARY LINES
  - CENTER LINES
  - RIGHT-OF-WAY LINES
  - SECTION LINES
  - EASEMENT LINES
  - LOT LINES PLATTED OR BY DEED
  - EXISTING BUILDINGS
  - ▨ EXISTING CONCRETE SURFACE
  - ▨ EXISTING DUST FREE SURFACE



540th STREET SW

**EMERY B. MILLER'S SUBDIVISION**  
 BK. 27, PG. 1  
 LOT 1

**E & S SUBDIVISION**  
 BK. 36, PG. 38  
 LOT 1

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 Professional Land Surveyor under the laws of the State of Iowa.

J. Scott Ritter, P.L.S. Date  
 Iowa License Number: 16546  
 My license renewal date is December 31, 2020.  
 Pages covered by this seal: THIS SHEET ONLY



**VARIANCE REQUEST EXHIBIT**  
 LOT 1  
 STRINGTOWN ACRES THIRD  
 JOHNSON COUNTY, IDWA

DATE: 9/21 DRN: JSR APP:  
 FLD BK: GPS PROJ. NO: 187206

<u>MailingName</u>	<u>MailingAddress2</u>	<u>MailingAddress3</u>	<u>MailingZipCode</u>	<u>Parcel</u>
Katie A. Gingerich Lowell G. Yoder	5271 Highway 1 SW	Kalona, IA.	52247	1419351001
Twin County Dairy Inc.	5370 Highway 1 SW	Kalona, IA.	52247	1419355001
Kalona Creamery LLC	2206 540th St. SW	Kalona, IA.	52247	1419355002
Marie Wenzlaff	2222 540th St. SW	Kalona, IA.	52247	1419353004
David L. & Wanda Miller Beachy	2229 540th St. SW	Kalona, IA.	52247	1430226003
Elsie Miller	5463 Gable Ave. SW	Kalona, IA.	52247	1430201002
Edward J. & Ida A. Schlabach	2228 540th St. SW	Kalona, IA.	52247	1419353003
Contract: Abner & Clara Yoder	2257 540th St. SW	Kalona, IA.	52247	1430202001
Contract: Nelson A. & Wilma E. Mullett	22660540th St. SW	Kalona, IA.	52247	1419379001
				1419377005
				1419377004
				1419377003