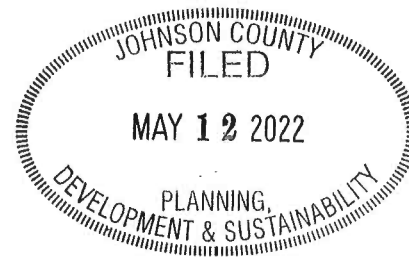


Office Use Only	5/12/2022	\$ 540 <sup>00</sup>	PZC-22-28225
	Date Filed	Fee	Application Number



**JOHNSON COUNTY, IOWA**

**APPLICATION FOR: SUBDIVISION PLAT APPROVAL**



Application is hereby made for approval of a (circle): **PRELIMINARY / FINAL / COMBINED**  
subdivision plat on property located at (street address if available or layman's description):

4506 Black Hawk SW, Parnell, IA 52325

**Parcel Number(s):** 1232301001

**Proposed Subdivision Name:** Johnston Estate Addition

The subdivision contains 2.84 total acres divided into 1 total lots as follows:

Buildable Lots: 1

Non-buildable outlots: 0

Total buildable acres: 2.84

Total non-buildable acres: 0

**Current Zoning:** Ag

**Proposed Use of the Subdivision:** Residential

Mark Stein

Name of Engineer/Surveyor

m.stein@mmsconsultants.net 319-351-8282

Contact Email and Phone

Christopher Jones

Name of Attorney

cj@shuttlesorthlaw.com 319-365-9461

Contact Email and Phone

**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.

Ronald W. Schintler

Name of Owner

Scott & Arlene Johnston

Name of Applicant (if different)

2889 IWV Rd SW, Iowa City, IA 52240

Applicant Street Address (including City, State, Zip)

319-338-6547

Applicant Phone

asjohn383@commspeed.net

Applicant Email

X Scott Johnston  
Applicant Signature

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

The following items must be submitted for the application to be complete. Incomplete applications will be returned and will not be considered until the next submission deadline. Electronic submissions should be submitted prior to hard copy delivery. In all cases electronic submission is due by 12-noon the day after the posted submission deadline. **Initial each item below** to confirm that you are aware of the submittal requirements for an application to be considered complete.

- ✓\$540 Application Fee (varies based on nature of application) is due at the time of submittal.
- ✓LSS A brief letter of intent explaining the application and describing road, well, septic, etc.
- ✓LSS Ten (10) copies of the plat (and any other sheets larger than 11x17).
- ✓LSS The names and addresses of owners of all property within five hundred (500) feet of the parent property or parcel.
- ✓LSS A signed certificate of the Auditor approving the subdivision name.
- ✓LSS Resolution Affirming the Stability of the Road System (signed and notarized).
- ✓LSS One (1) copy of the completed Sensitive Areas Analysis in compliance with the Sensitive Areas Ordinance, or an approved waiver.
- ✓LSS One (1) copy of the Stormwater Management Plan (including soil erosion and sediment control) in compliance with the Stormwater Management regulations, or an approved waiver.
- ✓LSS Proof of application to Johnson County Public Health for a Public Health Zoning Application.
- ✓N/A For subdivisions that propose to create a new access or upgrade an existing access to a public county road: a copy of an approved ROW Permit (Access Permit) from Johnson County Secondary Roads.
- ✓LSS **FARMSTEAD SPLITS ONLY:** include a list of parcel numbers of the parent farm and the book and page(s) recorded prior to December 1, 2000. **1232376001, 1232301001: Bk 2652, Pg 182**
- ✓N/A **FINAL PLATS ONLY:** As-Built drawings for installed infrastructure, including statement/certification from the engineer affirming that the as-built infrastructure conforms to the intent and design parameters of the preliminary plat.
- LSS **FINAL & COMBINED PLATS:** The following DRAFT (unsigned) legal documents in digital or hard copy.
  - Owner's Certificate
  - Title Opinion
  - Treasurer's Certificate
  - Subdivider's Agreement
  - Fence Agreement
  - Other as applicable (easements, ROW dedication, Consent of Mortgagee, etc.)

**Electronic Submission Requirements** – an electronic submission of all hard-copy materials required above should be submitted prior to hard copy delivery. In all cases, electronic submission is due by 12 noon the day after the submittal deadline for the application to be considered complete. Electronic submissions should include:

- LSS Electronic or digitized copy (CAD line work or GIS geodatabase) of proposed plat in .dwg format (.dxf is also acceptable if .dwg is not an option. No .zip files will be accepted).
  - Submission must be saved in AutoCAD 2017 or older format
  - Submissions must use Coordinate System: NAD\_1983\_StatePlane\_Iowa\_South\_FIPS\_1402\_Feet
  - Submission **MUST** include information for Sensitive Areas Analysis/Mapping and Stormwater/Soil Erosion Control infrastructure on the site. This includes any limits of disturbance or other impact areas.
  - Submission should NOT include legends, legal descriptions, location maps, signature blocks, etc.
- LSS A PDF of the entire application packet (a single PDF preferred; but a separate PDF for plat, application materials, sensitive areas, stormwater plan, and legal documents are acceptable).
- LSS If only submitted electronically, DRAFT legal documents must be provided by 12 noon the day after the submission deadline or the application will be returned as incomplete.



# MMS Consultants, Inc.

*Experts in Planning and Development Since 1975*

1917 S. Gilbert Street  
Iowa City, Iowa 52240

**319.351.8282**

mmsconsultants.net  
mms@mmsconsultants.net

May 11, 2022

Mr. Josh Busard  
Jo. Co. Planning, Development, & Sustainability Dept.  
913 S. Dubuque St, Suite 204  
Iowa City, IA 52240

RE: Johnston Estate Addition – 4506 Black Hawk Ave SW, Oxford

Dear Josh:

Scott Johnston is filing a farmstead split application for property located at 4506 Black Hawk Ave SW in Parnell, Iowa. The property is currently owned by Ronald Schintler.

Mr. Johnston intends to construct a home on the new parcel, a new septic system will be installed at building time. The existing access and well will continue to be utilized. Stormwater will be addressed at building time and a sensitive areas report has been included with this application.

Respectfully submitted,

A handwritten signature in black ink, reading 'Lacey Sexton Stutzman'.

Lacey Sexton Stutzman

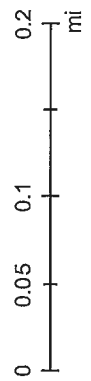
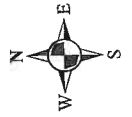
9022-002L2.docx





Johnson County

The information presented herein is intended to be an accurate representation of existing records. Johnson County assumes no liability for errors or omissions. Users relying on this information do so at their own risk.



1 inch = 586 feet

**Johnson County GIS**  
**Web Printing**



**My Map**

Printed: 3/10/2022

Adjacent Property Owners List  
Johnston Estate Addition  
Within 500'  
MMS Project #9022-002

EZRA & DAWN SCHROCK  
5434 JOHNSON IOWA RD SW  
WELLMAN, IA 52356

HERTZ FARM MANAGEMENT INC  
PO BOX 500  
NEVADA, IA 50201-0500

JAMES A JR & TAMI L JACKSON  
4506 BLACK HAWK AVE SW  
PARNELL, IA 52325

LINN RIDGE FARMS INC  
1380 BLACK DIAMOND RD SW  
OXFORD, IA 52322

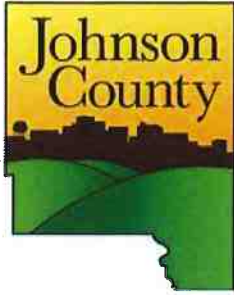
MARY A MALLOY  
3035 270TH ST  
WILLIAMSBURG, IA 52361

NORMA F SCHROCK  
13352 COUNTY RD 42  
MILLERSBURG, IN 46543

RONALD W SCHINTLER  
2884 IWV RD SW  
IOWA CITY, IA 52246

TRACY A EVANS  
4620 BLACK HAWK AVE SW  
PARNELL, IA 52325





# PLANNING, DEVELOPMENT AND SUSTAINABILITY

## PLANNING DIVISION

**JOSH BUSARD**  
AICP, LEED-AP, CFM  
DIRECTOR

**NATHAN MUELLER, AICP, CFM**  
ASSISTANT DIRECTOR

**Luke McClanahan**  
ASSISTANT PLANNER

---

### WAIVER RESPONSE

Date: March 28<sup>th</sup>, 2022  
To: MMS Consultants; Attn. Lacey Stutzman  
From: Kasey Hutchinson, Soil and Water Conservation Coordinator  
Re: Waiver Request for 4506 Black Hawk Avenue SW (PPN 1232301001)

Recently, your firm submitted a request to waive the Stormwater Management requirements for a subdivision located at 4506 Black Hawk Avenue SW (PPN 1232301001). After a thorough review, the PDS Administrative Officer has issued the following decision on the request:

Request to waive Stormwater Management: **With Building Permit**

- Stormwater management planning will be required with any future building permit.

Please contact me at [khutchinson@johnsoncountyiowa.gov](mailto:khutchinson@johnsoncountyiowa.gov) if you have any questions.

Respectfully,

Kasey Hutchinson  
Soil and Water Conservation Coordinator

Office Use Only		
	Date Filed	Application Number



**JOHNSON COUNTY, IOWA**  
**REQUEST FOR WAIVER: Stormwater Management Requirements**

Type of Development Application: Farmstead Split  
 Street Address or Layman's Description: 4506 Black Hawk Ave SW, Parnell, IA 52325  
 Parcel Number(s): 1232301001

**A written narrative explaining justification for granting this waiver request should be attached hereto.**

The undersigned hereby requests waiver from the Stormwater Management Ordinance requirements of the Johnson County Unified Development Ordinance in connection with this project, and 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 waiver 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.

Scott Johnston

Name of Applicant

319-338-6547

Applicant Phone

asjohn383@outlook.com

Applicant Email Address

Ronald Schintler

Name of Owner (if different)

2884 IWV Road SW, Iowa City, IA 52246

Owner Mailing Address (include City, State, Zip)

Owner Email Address

Applicant Signature

Date

**Initial or check each item below to confirm that you are aware of the submittal requirements for a waiver request application to be considered complete.**



A waiver request fee of \$50 due at time of submittal.



A written narrative explaining the request.

ADMINISTRATIVE OFFICER'S DECISION: ☐ APPROVE ☒ WITH BUILDING PERMIT\*\* ☐ DENY

ADMINISTRATIVE OFFICER

DATE

\*\*Erosion and Sediment Control and Stormwater Management compliance will not be required with this development application, but will be required with any future building permits on this site.

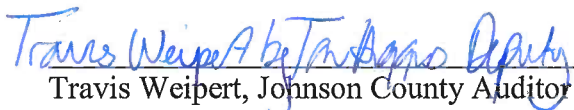
**CERTIFICATE OF COUNTY AUDITOR  
JOHNSTON ESTATE ADDITION  
JOHNSON COUNTY, IOWA**

I, Travis Weipert, the Johnson County Auditor, hereby approve Johnston Estate Addition, Johnson County, Iowa as a succinct and unique name for the subdivision containing the following described real estate located in Johnson County, Iowa

**LEGAL DESCRIPTION**

A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 79 NORTH, RANGE 8 WEST OF THE 5TH PRINCIPAL MERIDIAN, JOHNSON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 79 NORTH, RANGE 8 WEST OF THE 5TH PRINCIPAL MERIDIAN, JOHNSON COUNTY, IOWA; THENCE S89°58'24"E, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, A DISTANCE OF 33.01 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF BLACK HAWK AVENUE SW (AKA COUNTY ROAD W38) AND THE POINT OF BEGINNING; THENCE CONTINUING S89°58'24"E, ALONG SAID NORTH LINE, 340.09 FEET; THENCE S00°49'50"E, 358.94 FEET; THENCE S87°19'50"W, 279.97 FEET; THENCE N47°09'03"W, 77.08 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE; THENCE N01°37'56"W, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 319.81 FEET TO THE POINT OF BEGINNING, CONTAINING 2.81 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECLRD.

  
Travis Weipert, Johnson County Auditor

  
Date



**RESOLUTION 04-19-90-2**  
**AFFIRMING THE STABILITY OF THE ROAD SYSTEM**

Whereas Johnson County is one of the counties in the State of Iowa that is increasing in its population; and

Whereas there is a growing tendency for persons in Johnson County to prefer to develop lots for building purposes; and

Whereas improvement of currently non-improved roads to standards dictated by the state of Iowa for Secondary roads is expensive;

Now, therefore be it resolved that any person who develops a rezoned and subdivided lot in Johnson County should first be aware of the existing secondary road conditions serving that tract of land, and should act under the presumption that said road in all probability will continue in its present condition. Private interests or adjacent landowners may underwrite the costs to bring said road up to minimum state standards which includes providing the necessary right-of-way, moving fences, grading, culverts, surfacing, and other items that may be needed to provide an improved road. These improvements can be achieved by permission of Johnson County per the **Iowa Code**, Section 319.14, and by Johnson County Resolution 08-10-89-2. However, if this tract of land is located on a road that has been designated as a Level B road per Resolution 04-05-90-1, Johnson County will provide no more services than stated in Johnson County Ordinance 02-08-90-1. If possible, consideration should be given to the prospect of agreeing that said road be closed by Johnson County and maintained by the residents owning land abutting said road to county subdivision standards as a private lane.

My (our) signature on this document indicates that I have read the above road policy of Johnson County, Iowa, and understand the contents of the above shown policy, and that the zoning, or subdivision, action that is being taken by me (us) would be subject to the above Resolution by the Johnson County Board of Supervisors.

X *Lacey Johnson*

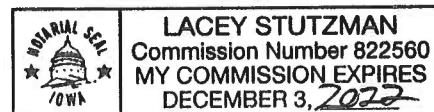
Signature of Owner, Contract Owner, Option Purchaser

2889 IWW Rd SW, Iowa City, IA 52240 319-338-6547

Address and Phone Number

Subscribed and sworn to before me on this 11<sup>th</sup> day of April, 2022.

*Lacey Stutzman*  
Notary Public, in & for the State of Iowa.



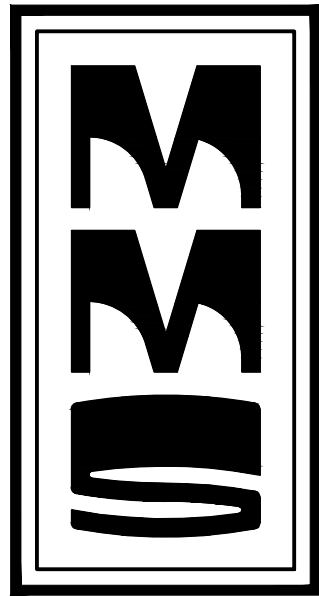
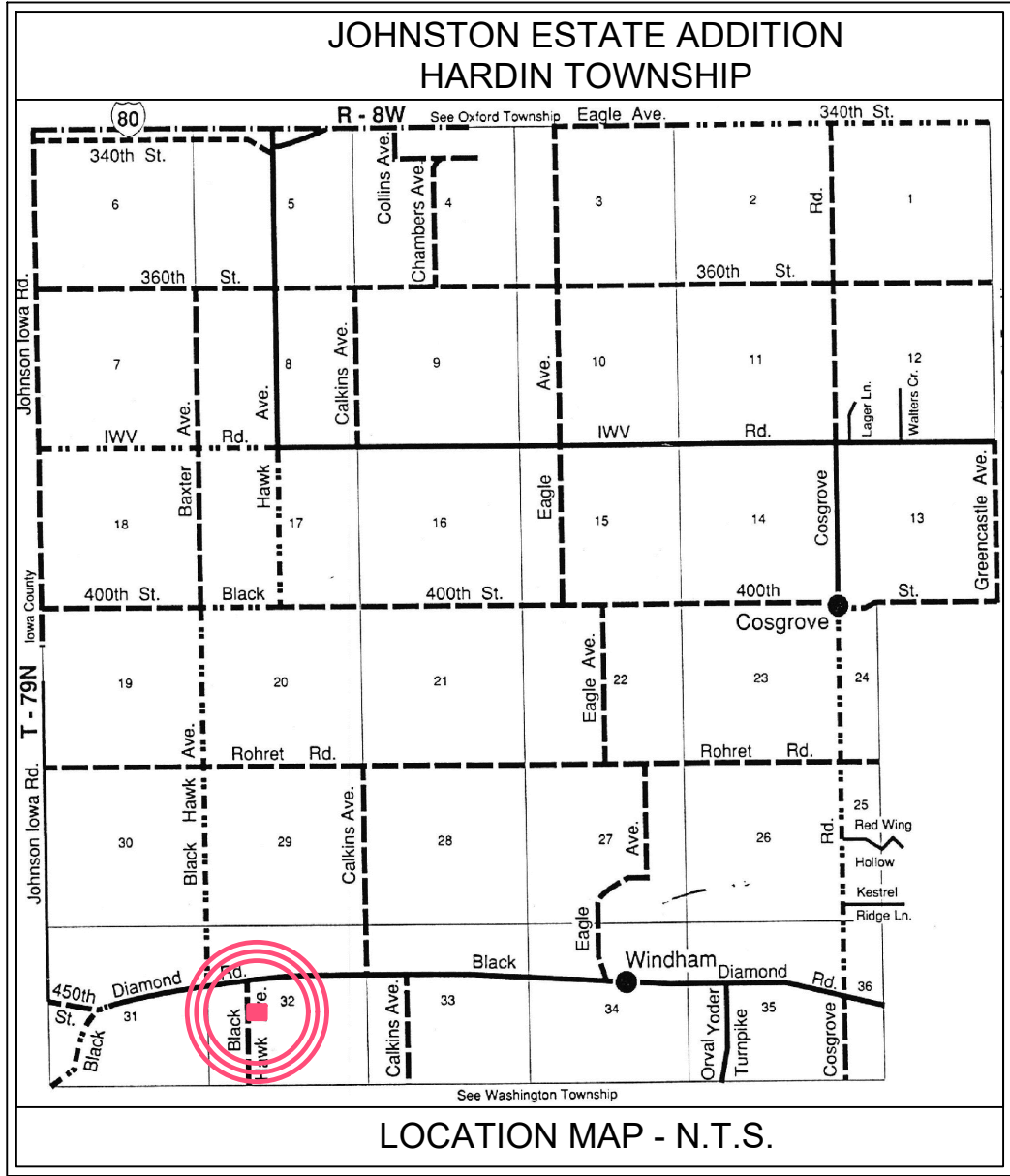
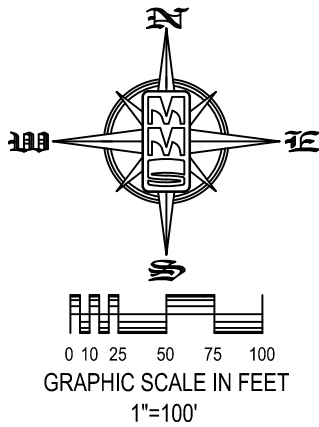
PRELIMINARY AND FINAL PLAT  
JOHNSTON ESTATE ADDITION  
(A FARMSTEAD SPLIT)  
JOHNSON COUNTY, IOWA

LOCATION:	SUBDIVIDER:
A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 79 NORTH, RANGE 8 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, JOHNSON COUNTY, IOWA.	SCOTT H. & ARLENE K. JOHNSTON 2889 IWV ROAD SW IOWA CITY, IOWA 52246
LAND SURVEYOR:	OWNER'S ATTORNEY:
MARK A. STEIN P.L.S. MMS CONSULTANTS INC. 1917 SOUTH GILBERT STREET IOWA CITY, IOWA 52240 PHONE: 319-351-8282	CHRISTOPHER A. JONES SHUTTLEWORTH & INGERSOLL, PLC 327 2ND STREET, SUITE 300 CORALVILLE, IOWA 52241
DATE OF SURVEY:	PROPRIETOR OR OWNER:
MAY 24, 2021	RONALD W. SCHINTLER 2884 IWV ROAD SW IOWA CITY, IOWA 52246
	DOCUMENT RETURN INFORMATION:
	ATTORNEY

FOR COUNTY RECORDER'S USE

NOTES:  
1) ALL BEARINGS ARE BASED ON IOWA STATE PLANE COORDINATES (SOUTH ZONE), LIBRARY CALIBRATION ON MAY 24, 2021, USING THE IOWA REAL TIME NETWORK (RTN). THE DISTANCES SHOWN ON THE PLAT ARE HORIZONTAL GROUND DISTANCES AND NOT GRID DISTANCES.  
2) THE PARENT PARCEL OF 80± ACRES IS DESCRIBED IN A WARRANTY DEED RECORDED IN BOOK 2650, PAGE 295 IN THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE.

PLAT APPROVED BY:
JOHNSON COUNTY BOARD OF SUPERVISORS:
CHAIRPERSON
DATE



CIVIL ENGINEERS  
LAND PLANNERS  
LAND SURVEYORS  
LANDSCAPE ARCHITECTS  
ENVIRONMENTAL SPECIALISTS  
1917 S. GILBERT ST.  
IOWA CITY, IOWA 52240  
(319) 351-8282  
www.mmsconsultants.net

AUDITOR PARCEL 2005-126

IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 50 AT PAGE 32 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE.

SE 1/4 - NW 1/4  
SECTION 32-T79N-R8W

Point of Beginning

NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE FIFTH P.M. FOUND 5/8" REBAR BOOK 50 AT PAGE 326

NORMA F SCHROCK

NW 1/4 - SW 1/4  
SECTION 32-T79N-R8W

SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE FIFTH P.M. ESTABLISHED BY RECORDED LOCATION (AUDITOR'S PARCEL #2019064)

NE 1/4 - SW 1/4  
SECTION 32-T79N-R8W

EAST QUARTER CORNER OF SECTION 32-T79N-R8W OF THE FIFTH P.M. FOUND 5/8" REBAR W/ YELLOW PLASTIC LS CAP 8165 BOOK 38 AT PAGE 262

CENTER OF SECTION 32-T79N-R8W OF THE FIFTH P.M. SET 5/8" REBAR W/ YELLOW PLASTIC LS CAP 14675

RONALD W SCHINTLER

RONALD W SCHINTLER

DESCRIPTION - JOHNSTON ESTATE ADDITION

I CERTIFY THAT DURING THE MONTH OF JUNE, 2021, AT THE DIRECTION OF SCOTT JOHNSTON, A SURVEY WAS MADE UNDER MY SUPERVISION OF A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 79 NORTH, RANGE 8 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, JOHNSON COUNTY, IOWA, DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 79 NORTH, RANGE 8 WEST, OF THE FIFTH PRINCIPAL MERIDIAN. JOHNSON COUNTY, IOWA; THENCE S89°58'24"E, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, 373.10 FEET; THENCE S00°49'50"E, 358.94 FEET; THENCE S87°19'50"W, 367.98 FEET, TO A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE N01°37'56"W, ALONG SAID WEST LINE, 376.36 FEET TO THE **POINT OF BEGINNING**, CONTAINING 3.13 ACRES, AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

	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.
	MARK A. STEIN P.L.S. Iowa Lic. No. 14675 My license renewal date is December 31, 20 ____.

Pages or sheets covered by this seal: \_\_\_\_\_

Signed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public, in and for the State of Iowa.

PRELIMINARY AND  
FINAL PLAT  
JOHNSTON ESTATE ADDITION

(A FARMSTEAD SPLIT)

A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 79 NORTH, RANGE 8 WEST, OF THE FIFTH PRINCIPAL MERIDIAN,

JOHNSON COUNTY,  
IOWA  
MMS CONSULTANTS, INC.

Date:	06-24-2021
Surveyed by:	JRD
Field Book No:	1313
Drawn by:	RLW
Scale:	1"=100'
Checked by:	MAS
Sheet No:	1
Project No:	IOWA CITY 9022-002
of:	1