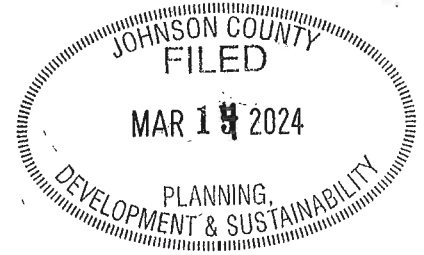


Office Use Only	3/15/24	\$77.20	PZC-24-28502
	Date Filed	Fee	Application Number



JOHNSON COUNTY, IOWA
APPLICATION FOR: ZONING AMENDMENT

Application is hereby made to:

- ☒ Reclassify certain property on the Johnson County Zoning Map.
☐ Amend the text of the Johnson County Unified Development Ordinance (UDO)

For Map Amendments – Complete This Section:

The property to be rezoned is located at (street address if available or layman's description):

1956 520th St. SW Kalona, IA. 52247

Parcel Number(s) (legal description must also be attached): 1314477001

The area to be rezoned is comprised of 9.43 total acres.

Current Zoning Classification(s): MH Proposed Zoning Classification(s): ML

For Text Amendments – Complete This Section:

The amendment(s) propose changes to the following sections of the UDO (please be as specific as possible, and provide the specific code reference):

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.

Ryan Miller
Name of Owner

Farmers Hen House, LLC
Name of Applicant (if different)

1956 520th St SW, Kalona IA, 52247
Applicant Street Address (including City, State, Zip)

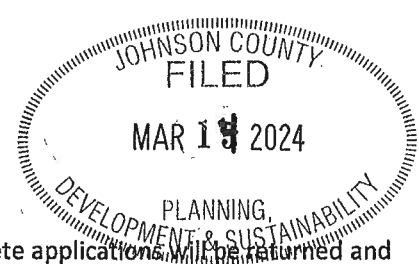
844-340-9424
Applicant Phone

ryan@farmershenhouse.com
Applicant Email

Applicant Signature

See back page for Application Submittal Requirements and Checklist

Applications should be emailed to planning@johnsoncountyiowa.gov and delivered to the Planning, Development and Sustainability Office (913 South Dubuque Street, Iowa City, IA 52240)



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. If working with an engineer who can provide CAD or GIS line work, electronic submissions should be submitted in accordance with the PDS department's electronic submission guidelines (see below). Preference is that electronic submission is provided prior to hard copy submission, but will be accepted until 12:00 p.m. the day after the submittal deadline.

Initial each empty box below to ensure you included all necessary information in the appropriate form for an application to be considered complete. Some items may require both electronic and physical copies.

Items Required – <u>for Map Amendments</u>	Electronic Copy (PDF unless otherwise noted)	Hard Copy
Application Fee (varies based on application. Fee: \$_____)		
This application form with all information completed	JSR	(2)
Brief cover letter explaining the application and the intended end use.	JSR	
Word document with the legal description of each area being rezoned by zoning designation requested	JSR	
Optional: A rezoning exhibit (submit one hard copy, a PDF, and CAD line work following the guidelines below)	JSR	
Signed and notarized Resolution Affirming the Stability of the Road System	JSR	
Proof of application to Johnson County Public Health for a Public Health Zoning Application	JSR	
<u>For requests to rezone to RE-Renewable Energy:</u> <ul style="list-style-type: none"> Completed "Application Checklist for Utility-Scale Solar Systems (Supplemental Conditions)", accompanied by all information outlined on said checklist. Electronic Submission of all materials is required. 	N/A	

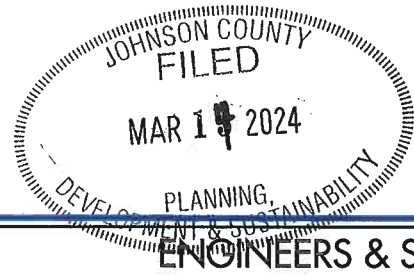
Items Required – <u>for Text Amendments</u>	Electronic Copy (PDF unless otherwise noted)	Hard Copy
Application Fee (\$750)		
This application form with all information completed		(2)
Brief cover letter explaining the requested code change and outlining the reasoning of why the change is being requested		
The proposed code changes indicating the specific sections and wording to added, deleted, and/or changed. This must be in a format which staff can clearly and accurately interpret and translate into official ordinance amendment format (Contact the office with questions or for more detail)		
Optional: Any other supporting information the applicant wishes to submit.		

Electronic Submission Requirements for CAD line work:

- Must be in AutoCAD 2017 or older and .dwg format (.dxf is also acceptable, no .zip files will be accepted).
- Submissions must use Coordinate System: NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet
- If applicable, submission should 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.



HART-FREDERICK CONSULTANTS P.C.



5 March 2024

Mr. Josh Busard
Johnson County Zoning Director

Re: Rezoning MH to ML, Lot 2, Farmers Henhouse Third Subdivision, for
Farmers Hen House LLC

Dear Josh:

Attached please find the application and accompanying documents for a
Rezoning application for Farmers Hen House LLC.

At this time Farmers Hen House LLC would like to proceed with rezoning
this property to ML it is my understanding there are issues with the MH
zoning and Farmers Henhouse would like to make this right.

This property has access to 520th Street. SW. This facility has an existing
septic system and an existing water system.

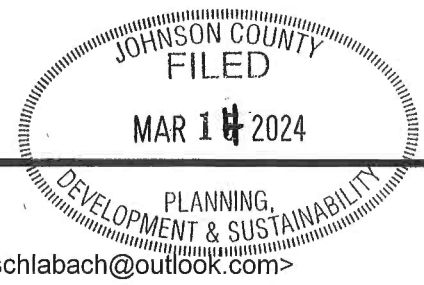
If you have questions or if you require further information you may contact
myself, Sylvan Schlabach or Ryan Miller.

Respectfully Submitted,

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

C: Mr. Ryan Miller
Mr. Sylvan Schlabach
HFCfile

sritter@hart-frederick.com



From: Maya Simon <msimon@johnsoncountyiowa.gov>
Sent: Friday, March 1, 2024 8:11 AM
To: sritter@hart-frederick.com; "Sylvan Schlabach" <sylvanschlabach@outlook.com>
Cc: PDS Planning Email Group
Subject: Farmers Hen House Zoning
Attachments: Rezoning&Ord Amendment App_Fillable.pdf

Sylvan and Scott,

In writing the staff report for your Site Plan application, I came across several issues with the property's zoning from 1971 that need to be addressed. In short, we recommend rezoning the property to ML-Light Industrial. **To continue moving forward with your project, please submit the attached rezoning application.**

The first issue is that general manufacturing/ag product processing are not a permitted use in the MH-Heavy Industrial district. Your current operations are considered legal non-conforming, since they were permitted in the district at the time they were built. However, this new addition would expand your non-conforming use and thus the use needs to be brought into compliance. This use is currently allowed in the ML-Light Industrial district.

The second issue is that the rezoning to MH-Heavy Industrial from 1971 included a condition requiring a 200-foot buffer between the centerline of the road and the production facility. It appears that past building additions have already violated that buffer, and this new addition would also be within the required buffer. To continue with the proposed addition within 200 feet of the road centerline, we recommend rezoning to ML, thereby removing the conditional zoning buffer requirement.

If you would like to rezone to avoid the buffer and non-conforming issues, please submit the attached application and supporting materials to PDS prior to your Site Plan being considered by the Board (i.e. by end of day next Wednesday). In talking with Josh, he has agreed to waive the rezoning fee to help bring the site into compliance. Rezoning approvals take time (approximately 3 months), but in an effort to keep your building plans on track, we would be comfortable recommending that the Board condition approval of the Site Plan on the rezoning being approved. We are optimistic that we can achieve your proposed addition, and bring the site into compliance with our regulations, in a reasonable time.

This is a lot in an email, so feel free to call or set up a meeting with me if you have any questions. The Site Plan is scheduled on next week's formal Board meeting, but may be deferred to figure out the zoning.



Maya Simon, AICP (she/her)
Assistant Planner
Johnson County PDS
(319) 356-6083

Please Note: Starting in November 2023, Johnson County PDS will temporarily relocate to the 3rd floor of the Johnson County Health and Human Services Building located at 855 S. Dubuque St. in Iowa City. Free public parking is located to the north of the HHS building. Our office is still open to the public during this relocation. You can also reach us by phone at 319-356-6083. Building permit and inspection questions can be emailed to building@johnsoncountyiowa.gov. Questions related to development applications or code enforcement can be emailed to planning@johnsoncountyiowa.gov.

www.hart-freda.nl

REZONING EXHIBIT
 REZINE MH to ML
 5196 FARMERS AVE SW
 LOT 2
 FARMERS HENHOUSE THIRD SUBDIVISION
 JOHNSON COUNTY, IOWA

DATE: 02/01/23	DRN: JSR	APP:
FLD BK: GPS	PROJ. NO: 237013	