

Office Use Only	12/12/24	\$	P2C 248638
	Date Filed	Fee	Application Number



**JOHNSON COUNTY, IOWA**

**APPLICATION FOR: SUBDIVISION PLAT APPROVAL**

Application is hereby made for approval of a:  Preliminary  Final  Combined  
subdivision plat on property located at (street address if available or layman's description):

6305 Sioux Ave SE, Lone Tree

Parcel Number(s): 1813401002

Proposed Subdivision Name: Westtoot Bluff Second Subdivision

The subdivision contains 1.94 total acres divided into 1 total lots as follows:

Buildable Lots: 1 Non-buildable outlots: 0

Total buildable acres: 1.50 Total non-buildable acres: .44

Current Zoning: R Proposed Use of the Subdivision: Residential

Richard R. Nowotny, PLS

r.nowotny@mmsconsultants.net, 319-351-8282

Name of Engineer/Surveyor

Contact Email and Phone

Allison Goertz

goertz@hebblelaw.com, 319-351-8100

Name of Attorney

Contact Email and Phone

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.

James & Debra Warden

Brett & Jennifer Kiene

Name of Owner

Name of Applicant (if different)

6305 Sioux Ave SE, Lone Tree, IA 52755

Applicant Street Address (including City, State, Zip)

Applicant Phone

Applicant Email

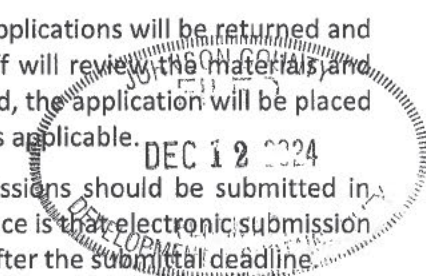
*Brett Kiene*  
Applicant Signature

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

**Applications should be emailed to [planning@johnsoncountyiowa.gov](mailto: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. Once submitted, county staff will review the materials and request revisions (if necessary). Once all revisions and outside reviews have been received, the application will be placed on the next available Planning and Zoning Commission or Board of Supervisors agenda, as applicable.

If working with an engineer who can provide CAD or GIS line work, electronic submissions should be submitted in accordance with the department's electronic submission guidelines (see below). Preference is given to 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	Electronic Copy (PDF unless otherwise noted)	Hard Copies (number specified)
Application Fee (varies based on application. Fee: \$ <sup>540.00</sup> )		(1) ly ✓
This application form with all information completed	ly ✓	(3) ly ✓
Brief cover letter explaining the application and describing lots, road(s), provision of water, septic, etc.	ly ✓	(2) ly ✓
The subdivision plat conforming to all standards in subsection 8:2 of the UDO (optional: additional sheets such as a Right-of-Way Acquisition Plat)	ly ✓	(2) ly ✓
CAD line work of the plat, following the guidelines below	ly ✓	
Sensitive Areas Analysis in compliance with the Sensitive Areas Ordinance, or an <u>approved</u> waiver	ly ✓	
CAD line work of the Sensitive Areas Exhibit, following the guidelines below		
Stormwater Management Plan (including soil erosion and sediment control) in compliance with the Stormwater Management regulations, or an <u>approved</u> waiver	ly ✓	
Proof of application to Johnson County Public Health for a Public Health Zoning Application	ly ✓	
<u>For subdivisions that propose to create a new access or upgrade an existing access to a public county road:</u> copy of an approved ROW Permit (Access Permit) from Johnson County Secondary Roads		
<u>For Farmstead Splits:</u> a list of parcel numbers of the parent farm and the book and page(s) recorded prior to December 1, 2000		
<u>For Final Plats:</u> As-Built drawings for installed infrastructure, including statement/certification from the engineer affirming that the as-built infrastructure conforms to the intent and design of the prelim plat		
CAD line work of stormwater infrastructure, following the guidelines below		
<u>For Combined and Final Plats:</u> Unsigned, draft legal documents are due at the time of submittal unless otherwise noted below. Additional documents may be required based on the nature of the application.		
1. <u>SIGNED</u> Auditor's Certificate approving the subdivision name	ly ✓	(1) ly ✓
2. <u>SIGNED</u> and notarized Resolution Affirming the Stability of the Road System	ly ✓	ly ✓
3. draft Owner's Certificate	ly ✓	
4. draft Title Opinion		
5. draft Treasurer's Certificate		
6. draft Subdivider's Agreement		
7. draft Fence Agreement		
8. Others as applicable (easement agreements, Homeowners Association docs, etc.)		

**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.



**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

Environmental Specialists

Landscape Architects

Land Planners

Land Surveyors

Civil Engineers

December 12, 2024

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

RE: Letter of Intent for Kiene rezoning and Preliminary and Final Plat application

Dear Josh:

Brett and Jennifer Kiene wish to rezone a portion of their property located at 6305 Sioux Ave SE, Lone Tree, Iowa. The parcel of land is 1.94 acres and is in the northeast quarter of the southeast quarter of Section 13-T77N-R6W. It is currently zoned agricultural and they wish to rezone it to residential.

There is a historic house which they plan to replace with a new house. There will be a new septic system installed. The existing well is shown on the plat. An existing driveway will be utilized and has been approved by Johnson County Secondary Roads.

Respectfully submitted,

David M. West, PLS

T:\12099\12099-001\12099-001LetterofIntent.docx



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 Iowa City, Iowa 52240  
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## LETTER OF TRANSMITTAL

TO: Josh Busard  
 Johnson County Planning,  
 Development, & Sustainability Dept.

Date: 12/12/24	Project #: 12099-001
From: MMS Consultants, Inc.	
RE: Westtoot Bluff Second Subdivision	

We are sending you the following attached items: **Via Hand Delivered**

COPIES	DATE	PROJECT NO.	DESCRIPTION
3	12/12/24	12099-001	Application for Subdivision Plat Approval & \$540.00 fee
2	12/12/24	12099-001	Letter of Intent
1	12/12/24	12099-001	Road Resolution
1	12/12/24	12099-001	Certificate of County Auditor
2	12/12/24	12099-001	Preliminary & Final Plat
2	12/12/24	12099-001	ROW Acquisition Plat

These are transmitted as checked below:

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> For approval | <input type="checkbox"/> Approved as submitted            | <input type="checkbox"/> For Approval & Signature       |
| <input type="checkbox"/> For your use            | <input type="checkbox"/> Approved as noted                | <input type="checkbox"/> Submit copies for distribution |
| <input type="checkbox"/> As requested            | <input type="checkbox"/> Returned as noted                | <input type="checkbox"/> For Recording                  |
| <input type="checkbox"/> For review & comment    | <input type="checkbox"/> Prints returned after loan to us | <input type="checkbox"/> Other                          |

REMARKS:

David M. West, PLS  
 MMS Consultants, Inc.

COPY TO: \_\_\_\_\_

Received by: \_\_\_\_\_

IF ENCLOSURES ARE NOT NOTED, KINDLY NOTIFY US AT ONCE.

Environmental Specialists

Landscape Architects

Land Planners

Land Surveyors

Civil Engineers

**DESCRIPTION**

A PORTION OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 13, TOWNSHIP 77 NORTH, RANGE 6 WEST OF THE 5TH PRINCIPAL MERIDIAN, JOHNSON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

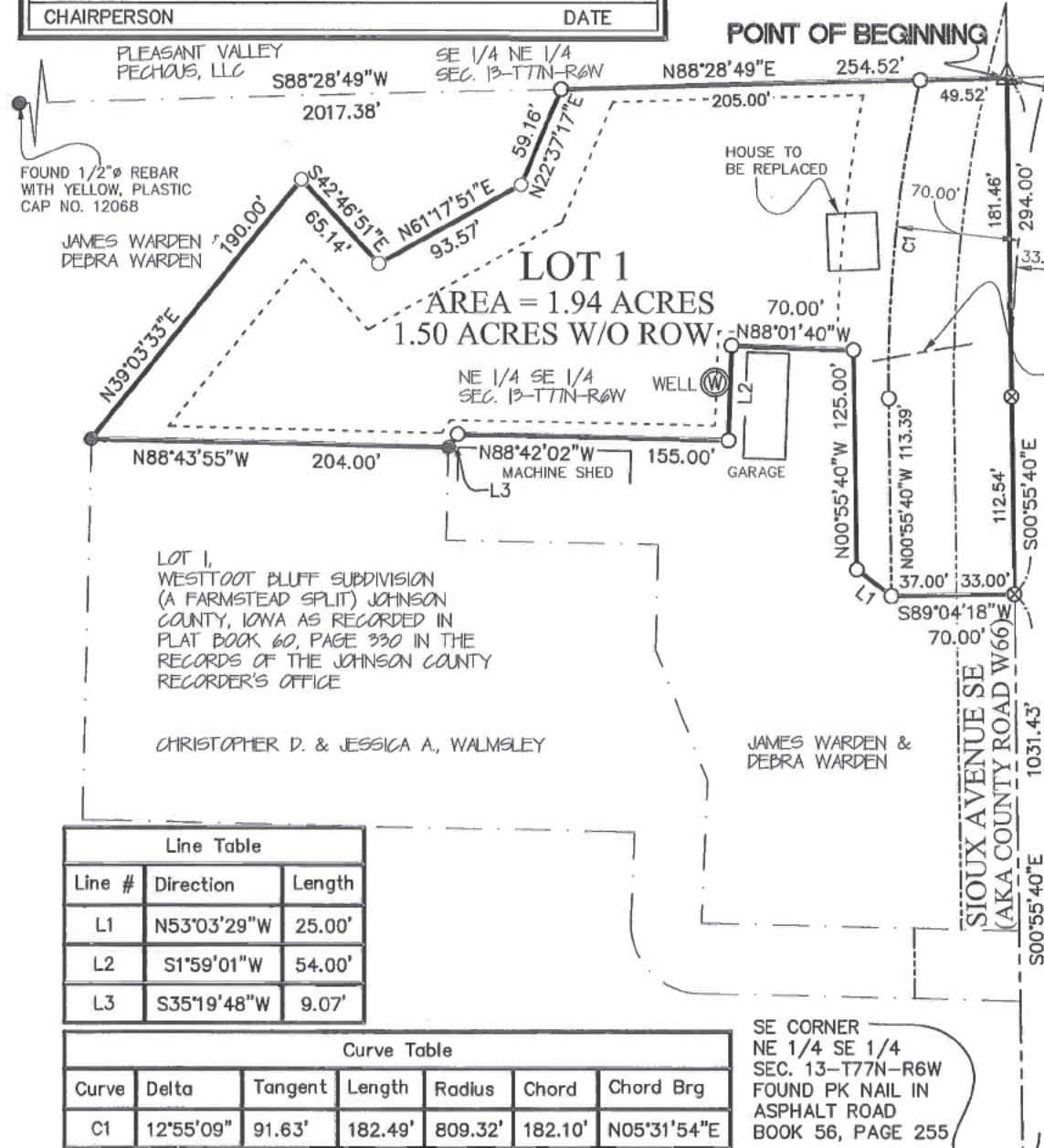
**BEGINNING** AT THE EAST ONE-QUARTER CORNER OF SECTION 13, TOWNSHIP 77 NORTH, RANGE 6 WEST OF THE 5TH PRINCIPAL MERIDIAN, JOHNSON COUNTY, IOWA; THENCE S00°55'40"E, ALONG THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 13, A DISTANCE OF 294.00 FEET; THENCE S89°04'18"W, 70.00 FEET; THENCE N53°03'29"W, 25.00 FEET; THENCE N00°55'40"W, 125.00 FEET; THENCE N88°01'40"W, 70.00 FEET; THENCE S01°59'01"W, 54.00 FEET; THENCE N88°42'02"W, 155.00 FEET; THENCE S35°19'48"W, 9.07 FEET TO A POINT ON THE NORTH PERIMETER OF LOT 1, WESTTOOT BLUFF SUBDIVISION (A FARMSTEAD SPLIT) JOHNSON COUNTY, IOWA, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 60, PAGE 330 IN THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE; THENCE N88°43'55"W, ALONG SAID NORTH PERIMETER, 204.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE N39°03'33"E, 190.00 FEET; THENCE S42°46'51"E, 65.14 FEET; THENCE N61°17'51"E, 93.57 FEET; THENCE N22°37'17"E, 59.16 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 13; THENCE N88°28'49"E, ALONG SAID NORTH LINE, 254.52 FEET TO THE **POINT OF BEGINNING**, CONTAINING 1.94 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

- NOTES: 1) BEARINGS ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) LIBRARY CALIBRATION USING THE IOWA REAL TIME NETWORK (RTN) WITH DATUM NAD83 (2011) EPOCH 2010.000. THE DISTANCES SHOWN ON THE PLAT ARE HORIZONTAL GROUND DISTANCES AND NOT GRID DISTANCES.  
2) ALL FOUND PINS ARE 5/8"Ø REBAR PINS WITH YELLOW, PLASTIC CAPS NO. 8165, UNLESS NOTED OTHERWISE.

-PREPARED BY AND RETURN TO: MMS CONSULTANTS, INC. 1917 S. GILBERT ST. IOWA CITY, IOWA 52240 (319)351-8282

**PRELIMINARY AND FINAL PLAT  
WESTTOOT BLUFF SECOND SUBDIVISION  
JOHNSON COUNTY, IOWA**

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



**LEGEND AND NOTES**

- ▲ CONGRESSIONAL CORNER, FOUND
- △ CONGRESSIONAL CORNER, REESTABLISHED
- CONGRESSIONAL CORNER, RECORDED LOCATION
- PROPERTY CORNER(S), FOUND (as noted)
- PROPERTY CORNERS SET (5/8"Ø REBAR PINS WITH YELLOW, PLASTIC CAPS EMBOSSED WITH "MMS 17916")
- SET "MAG" NAIL IN PAVEMENT
- PROPERTY &/or BOUNDARY LINES
- - - CONGRESSIONAL SECTION LINES
- - - RIGHT-OF-WAY LINES
- - - CENTER LINES
- - - LOT LINES, INTERNAL
- - - LOT LINES, PLATTED OR BY DEED
- - - EASEMENT LINES, WIDTH & PURPOSE NOTED
- - - EXISTING EASEMENT LINES, PURPOSE NOTED
- (R) RECORDED DIMENSIONS
- (M) MEASURED DIMENSIONS
- C22-1 CURVE SEGMENT NUMBER

UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS

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

Notary Public, in and for the State of Iowa.

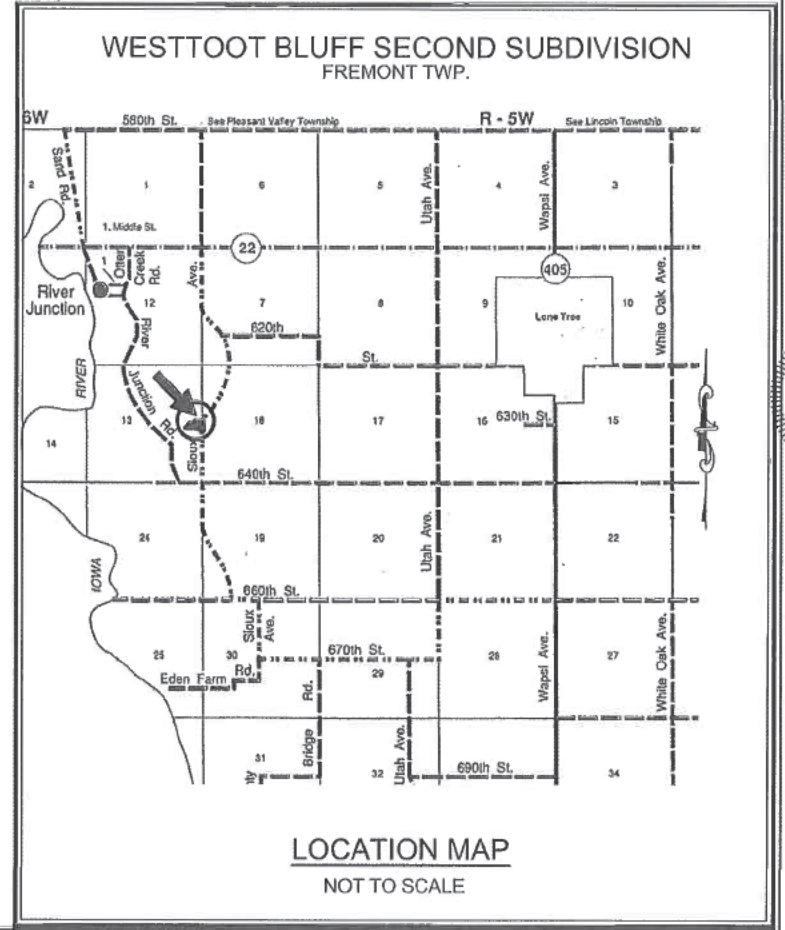
**PLAT PREPARED BY:**  
MMS CONSULTANTS INC.  
1917 S. GILBERT ST  
IOWA CITY, IOWA, 52240

**OWNERS:**  
JAMES & DEBRA WARDEN  
6171 SIOUX AVENUE SE  
LONE TREE, IOWA 52755

**SUBDIVIDERS:**  
BRETT & JENNIFER KIENE  
6305 SIOUX AVENUE SE  
LONE TREE, IOWA 52755

**SUBDIVIDERS' ATTORNEY:**  
ALLISON GOERTZ  
HONOHAN, EPLEY, BRAD-  
DOCK & BRENNEMAN, LLP  
330 E. COURT STREET  
IOWA CITY, IOWA 52240

LOCATION:	A PORTION OF THE NE 1/4 OF THE SE 1/4 OF SEC. 13-T77N-R6W OF THE 5TH P.M., JOHNSON COUNTY, IOWA
LAND SURVEYOR, INCLUDING FIRM OR ORGANIZATION:	RICHARD R. NOWOTNY, P.L.S. MMS CONSULTANTS INC. 1917 SOUTH GILBERT STREET IOWA CITY, IOWA, 52240 PHONE: 319-351-8282
SURVEY REQUESTED BY:	BRETT AND JENNIFER KIENE
PROPRIETOR OR OWNER:	JAMES AND DEBRA WARDEN
DATE OF SURVEY:	NOVEMBER 7, 2024
DOCUMENT RETURN INFORMATION:	LAND SURVEYOR

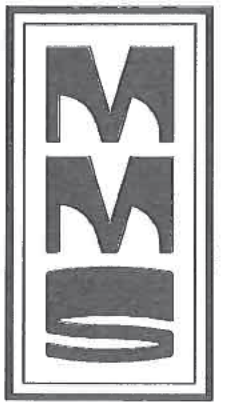


I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

RICHARD R. NOWOTNY  
P.L.S. Iowa Lic. No. 17916  
My license renewal date is December 31, 20\_\_\_\_.

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

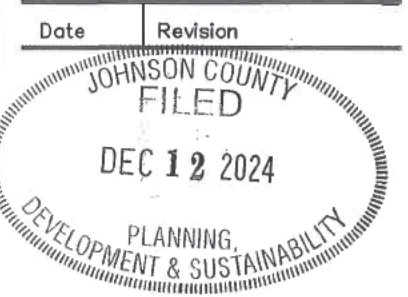
**SEAL**



CIVIL ENGINEERS  
LAND PLANNERS  
LAND SURVEYORS  
LANDSCAPE ARCHITECTS  
ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.  
IOWA CITY, IOWA 52240  
(319) 351-8282

www.mmsconsultants.net



**PRELIMINARY AND FINAL PLAT  
WESTTOOT BLUFF SECOND SUBDIVISION**

A PORTION OF THE  
NE 1/4 OF THE SE 1/4  
OF SEC. 13-T77N-R6W  
OF THE 5TH P.M.,  
JOHNSON COUNTY, IOWA

MMS CONSULTANTS, INC.

Date:	11/11/2024
Surveyed by:	Field Book No:
RRN	1396
Drawn by:	Scale:
MAS	1" = 100'
Checked by:	Sheet No:
GDM, RRN	1
Project No:	of:
12099-001	1

# ROAD RIGHT-OF-WAY - ACQUISITION PLAT (WESTTOOT BLUFF SECOND SUBDIVISION) JOHNSON COUNTY, IOWA

## DESCRIPTION

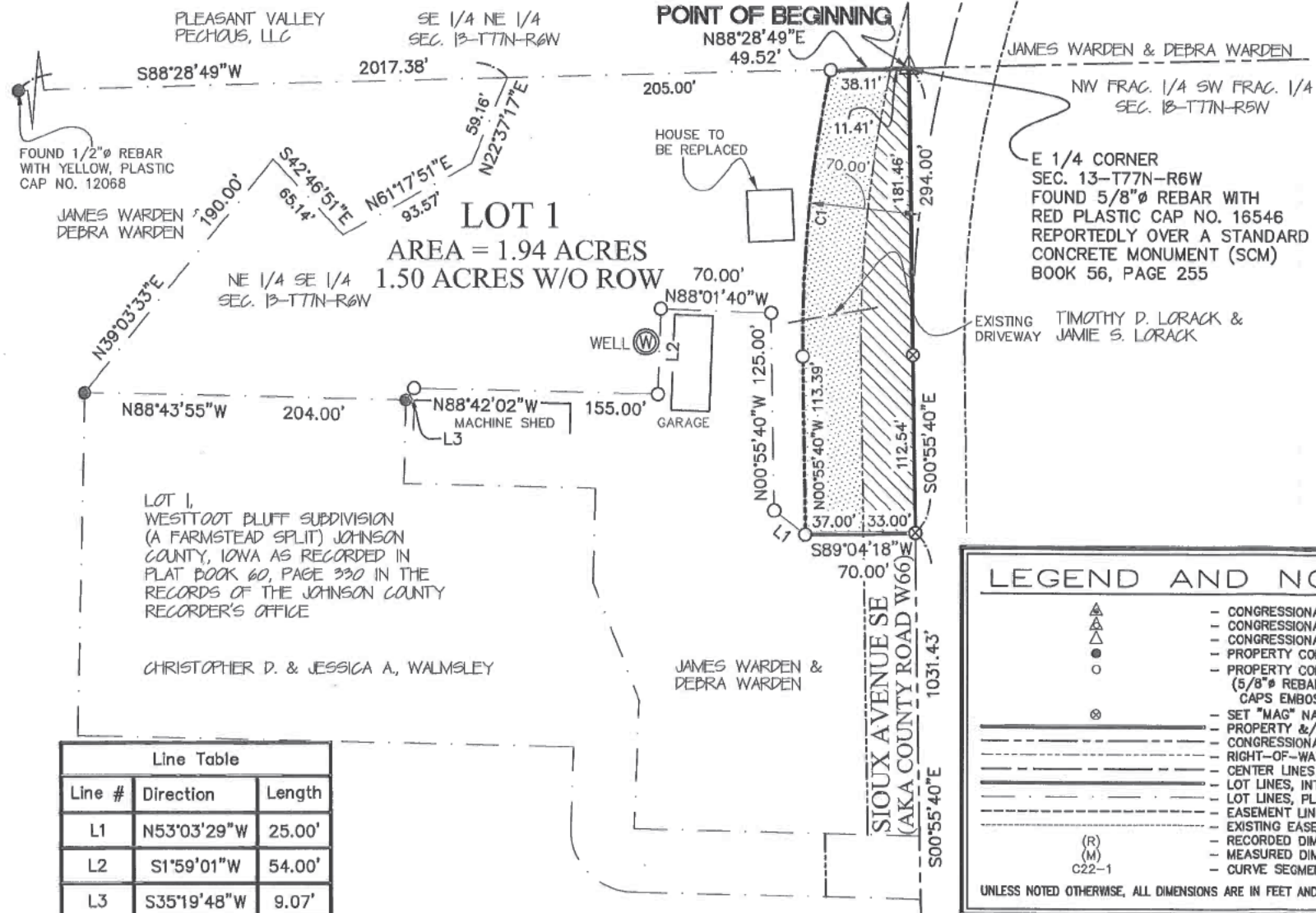
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**BEGINNING** AT THE EAST ONE-QUARTER CORNER OF SECTION 13, TOWNSHIP 77 NORTH, RANGE 6 WEST OF THE 5TH PRINCIPAL MERIDIAN, JOHNSON COUNTY, IOWA; THENCE S00°55'40"E, ALONG THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 13, A DISTANCE OF 294.00 FEET; THENCE S89°04'18"W, 70.00 FEET; THENCE N00°55'40"W, 113.39 FEET; THENCE NORTHEASTERLY, 182.49 FEET, ALONG AN ARC OF A 809.32 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, WHOSE 182.10 FOOT CHORD BEARS N05°31'54"E, TO A POINT ON THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 13; THENCE N88°28'49"E, ALONG SAID NORTH LINE, 49.52 FEET TO THE **POINT OF BEGINNING**, CONTAINING 0.44 ACRE OF WHICH 0.19 ACRE IS EXISTING ROAD RIGHT-OF-WAY AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

PREPARED BY AND RETURN TO: MMS CONSULTANTS, INC. 1917 S. GILBERT ST. IOWA CITY, IOWA 52240 (319)351-8282

**TOTAL ROAD ROW AREA = 0.44 ACRE (19,328 SQ. FT.)**  
**EXISTING ROAD ROW AREA = 0.19 ACRE (8,401 SQ. FT.)**

- NOTES: 1) BEARINGS ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) LIBRARY CALIBRATION USING THE IOWA REAL TIME NETWORK (RTN) WITH DATUM NAD83 (2011) EPOCH 2010.000. THE DISTANCES SHOWN ON THE PLAT ARE HORIZONTAL GROUND DISTANCES AND NOT GRID DISTANCES.  
 2) ALL FOUND PINS ARE 5/8"Ø REBAR PINS WITH YELLOW, PLASTIC CAPS NO. 8165, UNLESS NOTED OTHERWISE.



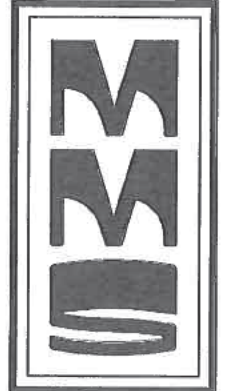
Line #	Direction	Length
L1	N53°03'29"W	25.00'
L2	S1°59'01"W	54.00'
L3	S35°19'48"W	9.07'

Curve	Delta	Tangent	Length	Radius	Chord	Chord Brg
C1	12°55'09"	91.63'	182.49'	809.32'	182.10'	N05°31'54"E

SE CORNER NE 1/4 SE 1/4 SEC. 13-T77N-R6W FOUND PK NAIL IN ASPHALT ROAD BOOK 56, PAGE 255

PLAT PREPARED BY:  
 MMS CONSULTANTS INC.  
 1917 S. GILBERT ST  
 IOWA CITY, IOWA, 52240  
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**SUBDIVIDERS' ATTORNEY:**  
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 330 E. COURT STREET  
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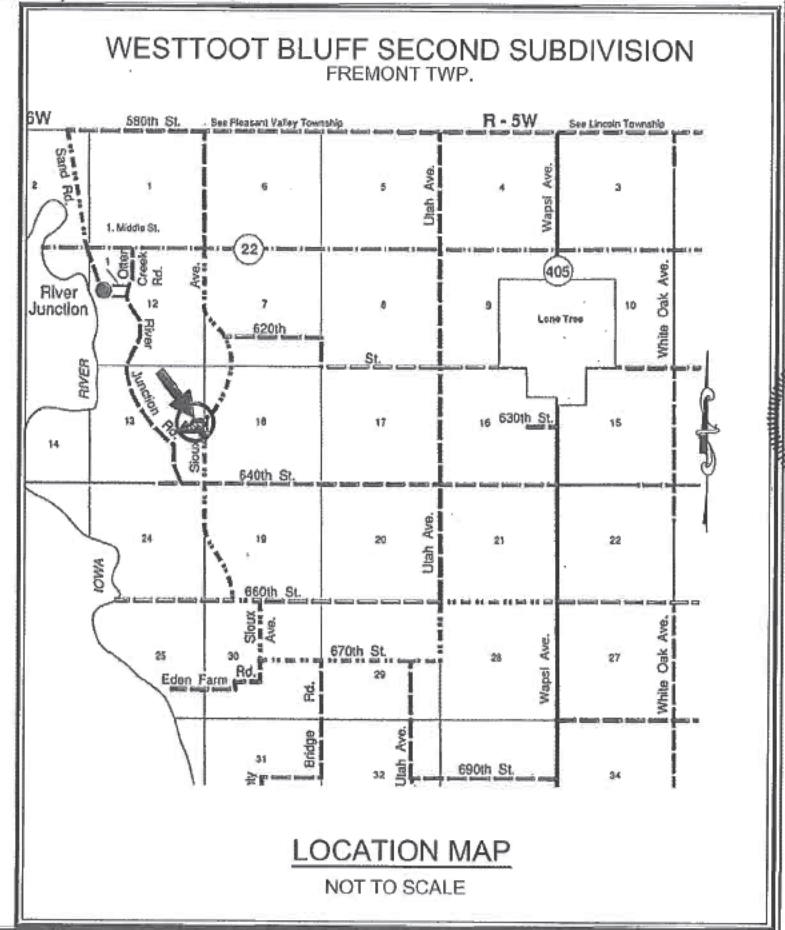
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CIVIL ENGINEERS  
 LAND PLANNERS  
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 LANDSCAPE ARCHITECTS  
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### LEGEND AND NOTES

▲	CONGRESSIONAL CORNER, FOUND
△	CONGRESSIONAL CORNER, REESTABLISHED
△	CONGRESSIONAL CORNER, RECORDED LOCATION
○	PROPERTY CORNER(S), FOUND (as noted)
○	PROPERTY CORNERS SET (5/8"Ø REBAR PINS WITH YELLOW, PLASTIC CAPS EMBOSSED WITH "MMS 17916")
⊙	SET "MAG" NAIL IN PAVEMENT
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---	LOT LINES, PLATTED OR BY DEED
---	EASEMENT LINES, WIDTH & PURPOSE NOTED
---	EXISTING EASEMENT LINES, PURPOSE NOTED
(R)	RECORDED DIMENSIONS
(M)	MEASURED DIMENSIONS
C22-1	CURVE SEGMENT NUMBER

UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS

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.

**RICHARD R. NOWOTNY**  
 P.L.S. Iowa Lic. No. 17916  
 My license renewal date is December 31, 20\_\_\_\_.

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

**RICHARD R. NOWOTNY**  
 17916  
 IOWA

SEAL

Date	Revision
JOHNSON COUNTY FILED DEC 12 2024 PLANNING, DEVELOPMENT & SUSTAINABILITY	

## ROAD RIGHT-OF-WAY ACQUISITION PLAT

A PORTION OF THE NE 1/4 OF THE SE 1/4 OF THE 5TH P.M., JOHNSON COUNTY, IOWA

MMS CONSULTANTS, INC.

Date:	11/13/2024
Surveyed by:	RRN
Field Book No:	1396
Drawn by:	MAS
Scale:	1" = 100'
Checked by:	GDM, RRN
Sheet No:	1
Project No:	12099-001
of:	1