

Office Use Only	2/5/25	\$	P2C-25-28656
	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):

Being 119' North of 2238 540th St. SW

Parcel Number(s): 1419355003

Proposed Subdivision Name: Barn Yard Acre

The subdivision contains 1.00 total acres divided into _____ total lots as follows:

Buildable Lots: 1 Non-buildable outlots: _____

Total buildable acres: 1.00 Total non-buildable acres: _____

Current Zoning: ML Proposed Use of the Subdivision: Horse Barn & Lot

Scott Ritter
Name of Engineer/Surveyor

sritter@hart-frederick.com
Contact Email and Phone

Michael Brenneman
Name of Attorney

brenneman@hebbblaw.com
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.

Willis E. Schlabach
Name of Owner

Name of Applicant (if different)

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

Applicant Phone: none Applicant Email

Willis E. Schlabach
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. 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 submission should be submitted in accordance with the 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	Electronic Copy (PDF unless otherwise noted)	Hard Copies (number specified)
Application Fee (varies based on application. Fee: \$ 540)		(1)
This application form with all information completed	TSR	(3)
Brief cover letter explaining the application and describing lots, road(s), provision of water, septic, etc.	TSR	(2)
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)	TSR	(2)
CAD line work of the plat, following the guidelines below	TSR	
Sensitive Areas Analysis in compliance with the Sensitive Areas Ordinance, or an approved waiver	TSA	
CAD line work of the Sensitive Areas Exhibit, following the guidelines below	TSA	
Stormwater Management Plan (including soil erosion and sediment control) in compliance with the Stormwater Management regulations, or an approved waiver	TSM	
Proof of application to Johnson County Public Health for a Public Health Zoning Application	JSP	
For subdivisions that propose to create a new access or upgrade an existing access to a public county road: copy of an approved ROW Permit (Access Permit) from Johnson County Secondary Roads	N/A	
For Farmstead Splits: a list of parcel numbers of the parent farm and the book and page(s) recorded prior to December 1, 2000	N/A	
For Final Plats: 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	N/A	
CAD line work of stormwater infrastructure, following the guidelines below	TSM	
For Combined and Final Plats: 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. SIGNED Auditor's Certificate approving the subdivision name	JDR	(1)
2. SIGNED and notarized Resolution Affirming the Stability of the Road System		
3. draft Owner's Certificate		
4. draft Title Opinion		
5. draft Treasurer's Certificate	MB	
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.



HART-FREDERICK CONSULTANTS P.C.

ENGINEERS & SURVEYORS



4 February 2025

Mr. Josh Busard
Johnson County Zoning Director

Re: Barn Yard Acre, for Willis Schlabach

Dear Josh:

Attached please find the application and accompanying documents for a 1 acre subdivision application for the Willis Schlabach.

At this time the Willis had Auditor Parcel 2024050 split off from Lot 1 of Twin County Dairy Second Addition. The initial purpose was to have a place for his horses. Well we found out this to be an illegal split of a Commercial property, and so this subdivision plat. This lot has access to 540th St. SW, via a 60' access easement.

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

Respectfully Submitted,

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

C: Mr. Willis Schlabach
Mr. Michael Brenneman
HFCfile



PLANNING, DEVELOPMENT AND SUSTAINABILITY

PLANNING DIVISION

JOSH BUSARD
AICP, LEED-AP, CFM
DIRECTOR

NATHAN MUELLER, AICP, CFM
ASSISTANT DIRECTOR



WAIVER RESPONSE

Date: February 3, 2025
To: Hart-Frederick Consultants; Attn. Scott Ritter
From: Kasey Hutchinson, Environmental Regulations Coordinator
Re: Waiver Request, PPN 1419355003

Recently, your firm submitted a request to waive the Stormwater Management and Sensitive Areas requirements for a subdivision, PPN 1419355003. After review, the PDS Administrative Officer has issued the following decision regarding the request:

Request to waive Stormwater Management: **With Future Building Permit or Development Application**

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

Request to waive Sensitive Areas: **Approved**

- Waiver has been requested and approved for all sensitive areas.

Please contact me at khutchinson@johnsoncountyiowa.gov if you have any questions.

Respectfully,

Kasey Hutchinson
Environmental Regulations Coordinator

Office Use Only	1/28/25 <i>Date Filed</i>	POS-25-28650 <i>Application Number</i>
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JOHNSON COUNTY, IOWA
REQUEST FOR WAIVER: Storm-water Management Requirements

Type of Development Application: Auditors parcel 2024050
 Street Address or Layman's Description: 5370 Highway 1 SW, Kalona
 Parcel Number(s): 1419355001 1419355003

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.

WILLIS SCHLABACH

NONE

Name of Applicant

Applicant Email Address

Applicant Phone

TWIN COUNTY DAIRY, INC.

Owner Email Address

Name of Owner (if different)

5382 HWY 1 SW, KALONA, IA 52247

Owner Mailing Address (include City, State, Zip)

Willis E Schlabach

1-27-25

Applicant Signature

Date

ADMINISTRATIVE OFFICER'S DECISION: APPROVE WITH BUILDING PERMIT** DENY OR DEVELOPMENT APPLICATION

Jan T
ADMINISTRATIVE OFFICER

2/3/2025
DATE

**Sediment and Erosion 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.

Initial 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.

Office Use Only	1/28/25	PDS-28650
	Date Filed	Application Number



JOHNSON COUNTY, IOWA
REQUEST FOR WAIVER: Sensitive Areas Ordinance

Type of Development Application: Auditors parcel 2024050
 Street Address or Layman's Description: 5370 Highway 1 SW, Kalona
 Parcel Number(s): 1419355001 1419355003

Please check all sensitive areas for which waiver is being requested:

- Critical Wildlife Habitat
- Historic Properties
- Prairie & Prairie Remnant
- Savanna & Savanna Remnant
- Significant Slopes
- Stream Corridors, Watercourses, and Surface Water Bodies
- Floodplain & Floodway
- Wetlands
- Woodlands

Justification for granting this waiver request should be attached hereto. See back of this page.

The undersigned hereby requests waiver from the Sensitive Areas 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.

WILLIS SCHLABACH
Name of Applicant

NONE
Applicant Email Address

[Redacted]
Applicant Phone

TWIN COUNTY DAIRY, INC.
Name of Owner (if different)

[Redacted]
Owner Email Address

5382 HWY 1 SW, KALONA, IA 52247
Owner Mailing Address (include City, State, Zip)

Willis E. Schlabach
Applicant Signature

1-27-25
Date

ADMINISTRATIVE OFFICER'S DECISION: APPROVE PARTIAL APPROVAL** DENY
[Signature] 2/3/2025
 ADMINISTRATIVE OFFICER DATE

**See accompanying letter for explanation for specific requirements.

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.
- Supporting documentation to justify waiver approval for each sensitive area for which waiver is being requested (see below).

Examples of supporting information for each of the sensitive areas is listed below. Information additional to this may be necessary to sufficiently illustrate the absence of sensitive areas. If provided information does not confirm the absence of the sensitive area(s), the waiver request will be denied. The list below is meant to illustrate *potential* supporting information, and should not be construed as a complete list, or that including the provided items will guarantee waiver approval. Please initial or check each sensitive area for which material has been provided in support of the waiver request.

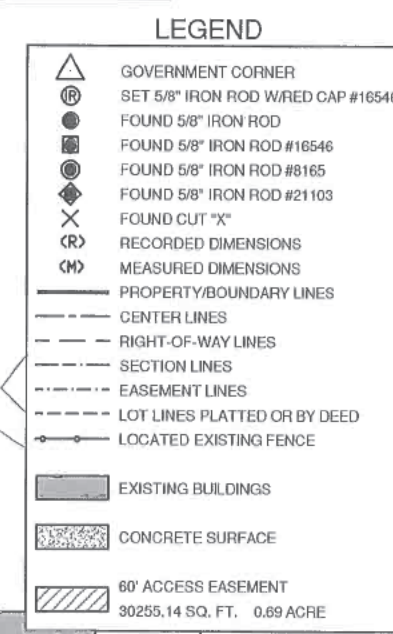
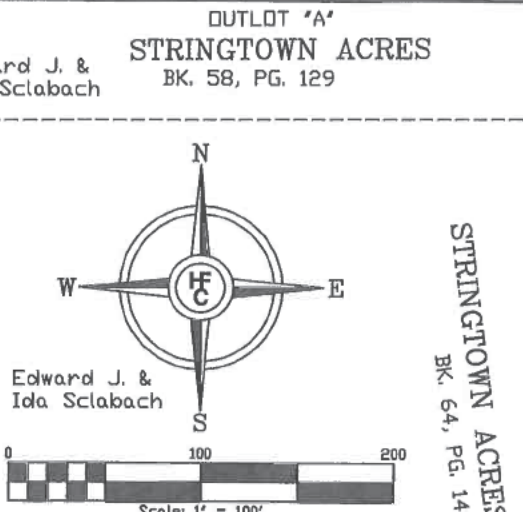
- Critical Wildlife Habitat: documentation, such as aerial photographs, showing absence of potential habitat for Threatened and Endangered species.
- Floodplain and Floodway: FEMA map showing absence of floodplain and floodway.
- Historic Properties: letter from the Office of the State Archaeologist indicating that survey is not warranted. Residential subdivisions which propose no more than one buildable lot and no more than three outlots are exempt from Historic Properties requirements.
- Prairie and Prairie Remnant: aerial photographs showing history of row crops.
- Savanna and Savanna Remnant: aerial photographs showing absence of open-grown trees.
- Significant Slopes: soil survey map showing absence of soils characterized by excessive slopes and/or contour map showing slopes less than 25%.
- Stream Corridors, Watercourses, and Surface Water Bodies: U.S. Geological Survey Quadrangle Map showing absence of a blue line river, stream, or drainageway, and aeriels showing the absence of watercourses and surface water bodies.
- Wetlands: National Wetlands Inventory (NWI) map showing absence of wetlands, soil survey map showing absence of hydric soils, and contour map showing absence of a geomorphic setting supportive of wetlands (e.g. depression, drainageway, surface water body, etc.).
- Woodlands: aerial photographs showing absence or sparse distribution of trees.

INDEX LEGEND

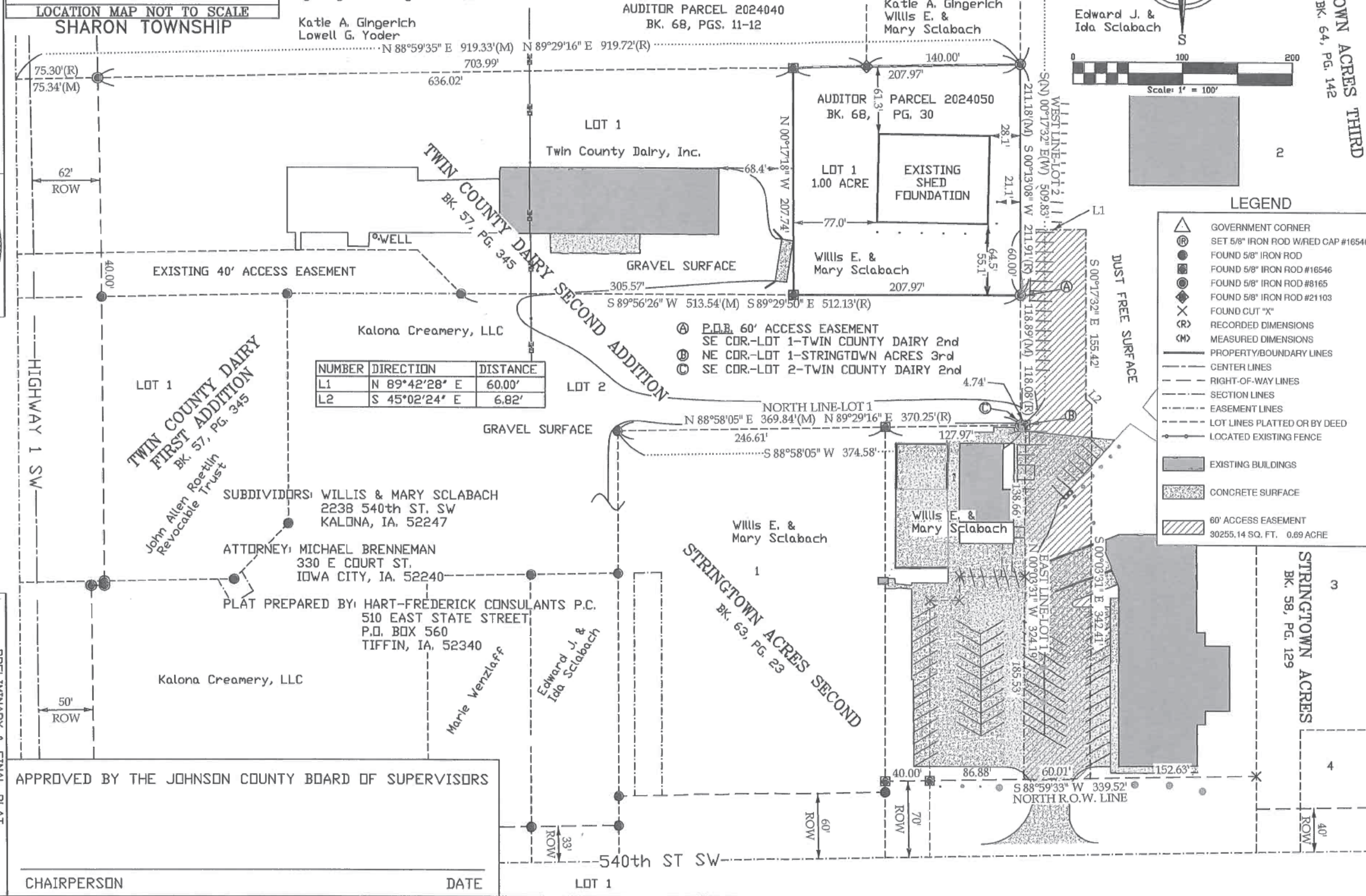
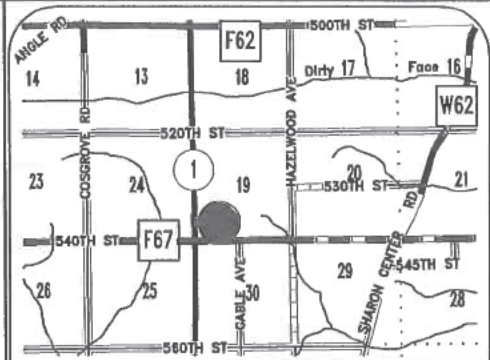
LOCATION: LOT 1 & LOT 2
 TWIN COUNTY DAIRY SECOND ADDITION
 REQUESTOR: WILLIS SCHLABACH
 PROPRIETOR: WILLIS E. & MARY SCHLABACH
 SURVEYOR: J. SCOTT RITTER, PLS #16546
 COMPANY: HART-FREDERICK CONSULTANTS P.C.
 510 STATE ST. PO BOX 560 TIFFIN, IA 52340
 RETURN TO: ritter@hart-frederick.com (319) 545-7215



HART-FREDERICK CONSULTANTS P.C.
 510 State Street P.O. Box 560 TIFFIN, IOWA 52340-0560
 www.hart-frederick.com Phone: (319) 545-7215 www.hart-frederick.com



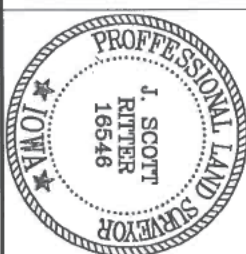
60' ACCESS EASEMENT
 Being a part of Lot 2 of Stringtown Third as is recorded in Plat Book 64 on page 142 in the office of the Johnson County Recorder and is described as:
 Beginning at the Southeast of Lot 1 of Twin County Dairy Second Addition as is recorded in Plat Book 57 on page 345 in the office of the Johnson County Recorder; thence N 00°17'32" W along the East line of Lot 2 of said Stringtown Acres Third, a distance of 60.00 feet; thence N 89°42'28" E, a distance of 60.00 feet; thence S 00°17'32" E, a distance of 155.42 feet; thence S 45°02'24" E, a distance of 6.82 feet; thence S 00°03'31" E, a distance of 342.41 feet to a point on the North right of way line for 540th Street SW; thence S 88°59'33" W along said North right of way line, a distance of 60.01 feet; thence N 00°03'31" W along the East line of Lot 1 of said Stringtown Acres Third and its extension thereof, a distance of 324.19 feet to the Northeast corner of said Lot 1; thence S 88°58'05" W along the North line of said Lot 1, a distance of 4.74 feet to the Southeast corner of Lot 2 of said Twin County Dairy Second Addition; thence N 00°17'32" W along the said West line of Lot 2 of Stringtown Acres Third, a distance of 118.89 feet to the Point of Beginning containing 0.69 acre.



NUMBER	DIRECTION	DISTANCE
L1	N 89°42'28" E	60.00'
L2	S 45°02'24" E	6.82'

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.
 Iowa License Number: 16546
 My license renewal date is December 31, 2026.
 Pages covered by this seal: THIS SHEET ONLY



Is Auditor Parcel 2024050 as is recorded in Plat Book 68 on page 30 in the office of the Johnson County Recorder containing 1.00 acre and being subject to all easements and restrictions of record.

PRELIMINARY & FINAL PLAT
 BARN YARD ACRE
 A PART OF LOT 1 OF
 TWIN COUNTY DAIRY SECOND ADDITION
 JOHNSON COUNTY, IOWA

DATE: 01/25 DRN: JSR APP:
 FLD BK: GPS PROJ NO: 247145

APPROVED BY THE JOHNSON COUNTY BOARD OF SUPERVISORS

CHAIRPERSON _____ DATE _____