

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

Applicant Email

Willis E. Schlabach

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 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 <u>approved</u> waiver	TSR	
CAD line work of the Sensitive Areas Exhibit, following the guidelines below	TSR	
Stormwater Management Plan (including soil erosion and sediment control) in compliance with the Stormwater Management regulations, or an <u>approved</u> waiver	TSR	
Proof of application to Johnson County Public Health for a Public Health Zoning Application	TSR	
<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	N/A	
<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	N/A	
<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	N/A	
CAD line work of stormwater infrastructure, following the guidelines below	TSR	
<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	JDR	(1)
2. <u>SIGNED</u> and notarized Resolution Affirming the Stability of the Road System		
3. draft Owner's Certificate	MB	
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.





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 540<sup>th</sup> 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](mailto: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.

*Name of Owner (if different)*

*Owner Email Address*

5382 HWY 1 SW, KALONA, IA 52247

*Owner Mailing Address (include City, State, Zip)*

*Willis E Schlach*

1-27-25

*Applicant Signature*

*Date*

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

*[Signature]*

2/3/2025

ADMINISTRATIVE OFFICER

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-286SD
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**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:

- |   |  |  |  |   |
|---|--|--|--|---|
| <input type="checkbox"/> Critical Wildlife Habitat                                | <input type="checkbox"/> Historic Properties   | <input type="checkbox"/> Prairie & Prairie Remnant | <input type="checkbox"/> Savanna & Savanna Remnant | <input type="checkbox"/> Significant Slopes |
| <input type="checkbox"/> Stream Corridors, Watercourses, and Surface Water Bodies | <input type="checkbox"/> Floodplain & Floodway | <input type="checkbox"/> Wetlands                  | <input type="checkbox"/> 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

NONE

Name of Applicant

Applicant Email Address

Applicant Phone

TWIN COUNTY DAIRY, INC.

Name of Owner (if different)

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

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 aerials 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: SEE SUBDIVIDORS NOTE  
SURVEYOR: J. SCOTT RITTER, PLS #16546  
COMPANY: HART-FREDERICK CONSULTANTS P.C.  
510 STATE ST. PO BOX 560 TIFIN, IA 52340  
RETURN TO: sritter@hart-frederick.com (319) 545-7215



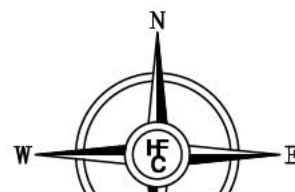
HART-FREDERICK CONSULTANTS P.C.

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

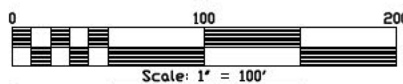


OUTLOT "A"  
STRINGTOWN ACRES  
BK. 58, PG. 129

Edward J. &  
Ida Schlach



Edward J. &  
Ida Schlach



LEGEND

- GOVERNMENT CORNER
- SET 5/8" IRON ROD W/RED CAP #16546
- FOUND 5/8" IRON ROD
- FOUND 5/8" IRON ROD #16546
- FOUND 5/8" IRON ROD #8165
- FOUND 5/8" IRON ROD #21103
- FOUND CUT "X"
- RECORDED DIMENSIONS
- MEASURED DIMENSIONS
- PROPERTY/BOUNDARY LINES
- CENTER LINES
- RIGHT-OF-WAY LINES
- SECTION LINES
- EASEMENT LINES
- LOT LINES PLATTED OR BY DEED
- LOCATED EXISTING FENCE
- EXISTING BUILDINGS
- CONCRETE SURFACE
- EXISTING 40' ACCESS EASEMENT  
12368.84 SQ. FT. 0.28 ACRE
- 60' ACCESS EASEMENT  
30255.14 SQ. FT. 0.69 ACRE

STRINGTOWN ACRES THIRD  
BK. 64, PG. 142

AUDITOR PARCEL 2024041  
BK. 68, PGS. 11-12

Katie A. Gingerich  
Willis E. &  
Mary Schlach

AUDITOR PARCEL 2024050  
BK. 68, PG. 30

EXISTING SHED  
FOUNDATION

LOT 1  
1.00 ACRE

Willis E. &  
Mary Schlach

NORTH LINE-LOT 1  
N 88°58'05" E 369.84'(M) N 89°29'16" E 370.25'(R)

Willis E. &  
Mary Schlach

STRINGTOWN ACRES SECOND  
BK. 63, PG. 23

APPROVED BY THE JOHNSON COUNTY BOARD OF SUPERVISORS

CHAIRPERSON

DATE

Katie A. Gingerich  
Lowell G. Yoder

AUDITOR PARCEL 2024040  
BK. 68, PGS. 11-12

NORTH LINE-LOT 1  
N 88°59'35" E 919.33'(M) N 89°29'16" E 919.72'(R)

LOT 1

Twin County Dairy, Inc.

LOT 2

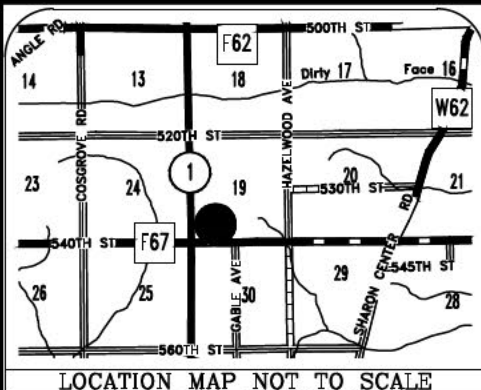
NUMBER	DIRECTION	DISTANCE
L1	N 44°59'54" W	56.28' (M)
L2	S 44°30'13" E	56.57' (R)
L3	N 89°59'31" W	120.84' (M)
L4	S 89°29'50" E	120.84' (R)
L5	S 88°59'35" W	246.46' (M)
L6	N 89°29'16" E	246.99' (R)
L7	N 88°59'35" E	247.53' (M)
L8	S 89°29'16" W	247.50' (R)
L9	N 89°56'26" E	159.39' (M)
L10	S 89°29'50" E	154.47' (R)
L11	N 01°01'20" E	155.07' (M)
L12	N 00°31'39" W	154.82' (R)
L13	N 89°42'28" E	60.00' (M)
L14	S 45°02'24" E	6.82' (R)

SUBDIVIDORS: WILLIS & MARY SCHLABACH  
2238 540th ST. SW  
KALONA, IA. 52247

TWIN COUNTY DAIRY, INC.  
5382 HWY 1 SW  
KALONA, IA. 52247

ATTORNEY: MICHAEL BRENNEMAN  
330 E COURT ST.  
IOWA CITY, IA. 52240

SOUTHWEST CORNER  
SECTION 19-78-7  
FOUND CONC. NAIL  
IN PAVEMENT  
TIES BK. 59, PG. 1



LOCATION MAP NOT TO SCALE  
SHARON TOWNSHIP

LOT 2  
2.96 ACRES  
0.28 ACRE in R.O.W.  
2.68 ACRES (NET)

TWIN COUNTY DAIRY  
FIRST ADDITION  
BK. 57, PG. 345

John Allen Roettlin  
Revocable Trust

Kalona Creamery, LLC

WEST LINE-SOUTHWEST 1/4-SOUTHWEST 1/4

HIGHWAY 1 SW

PRELIMINARY & FINAL PLAT  
(PAGE 1 of 2)

BARN YARD ACRE  
A RESUBDIVISION OF LOT 1 OF  
TWIN COUNTY DAIRY SECOND ADDITION  
JOHNSON COUNTY, 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



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





HART-FREDERICK CONSULTANTS P.C.

510 State Street P.O. Box 560 TIEFIN, IOWA 52340-0560 Phone: (319) 545-7215



BARN YARD ACRE (Brief description)

Is a Resubdivision of Lot 1 of Twin County Dairy Second Subdivision as is recorded in Plat Book 57 on page 345 in the office of the Johnson County Recorder containing 3.96 acres of which 0.28 acre is state road right of way and being subject to all easements and restrictions of record.

BARN YARD ACRE

Is a Resubdivision of Lot 1 of Twin County Dairy Second Subdivision as is recorded in Plat Book 57 on page 345 in the office of the Johnson County Recorder, Johnson County, Iowa and is more particularly described as follows.

Beginning at the Northwest corner of Lot 1 of Twin County Dairy Second Subdivision as is recorded in Plat Book 57 on page 345 in the office of the Johnson County Recorder; thence N 88°59'35" E along the North line of said Lot 1, a distance of 919.33 feet to the Northeast corner of said Lot 1; thence S 00°17'32" E along the East line of said Lot 1, a distance of 211.8 feet to the Southeast corner of said Lot 1; thence S 89°56'26" W along the South line of said Lot 1, a distance of 512.54 feet; thence N 44°59'54" W along said South line, a distance of 56.28 feet; thence N 89°59'31" W along said South line, a distance of 120.84 feet; thence S 88°59'35" W along said South line, a distance of 246.46 feet to the Southwest corner of said Lot 1, being a point on the West line of the Southwest 1/4 of the Southwest 1/4 of Section 19, Township 78 North, Range 7 West of the 5th P.M.; thence N 00°14'20" W along said West line, a distance of 160.02 feet to the Point of Beginning containing 3.96 acres of which 0.28 acre is state road right of way and being subject to all easements and restrictions of record.

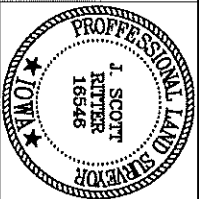
60' ACCESS EASEMENT

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.

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

Date



PRELIMINARY & FINAL PLAT  
(PAGE 2 of 2)  
BARN YARD ACRE  
A RESUBDIVISION OF LOT 1 OF  
TWIN COUNTY DAIRY SECOND ADDITION  
JOHNSON COUNTY, IOWA

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