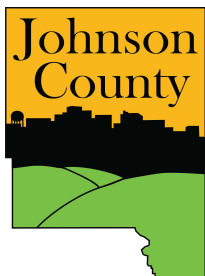


**PLANNING APPLICATION COVER SHEET****PROJECT TYPE: Rezoning****NO. VAR26-000001****APPLICATION DATE: 02/09/2026****PROPERTY OWNER: KEVIN W & JULIE AGAN MONSON****APPLICANT: Lacey Stutzman****WORK DESCRIPTION: SW 1/4 - SE 1/4 Section 23-T79N-R7W - Farmstead Split****SITE ADDRESS:****PARCEL NUMBER: 1123451002****PROPOSED USE OF STRUCTURE:****APPLICATION INFORMATION****Planning, Development and Sustainability****913 S. Dubuque St. Iowa City, IA 52240****[planning@johnsoncountyiowa.gov](mailto:planning@johnsoncountyiowa.gov). 319-356-6083****<https://www.johnsoncountyiowa.gov/pds>**



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February 9, 2026

Johnson County Board of Adjustment  
913 S. Dubuque St, Suite 204  
Iowa City, IA 52240

RE: Letter of Intent – Modification of Subdivision Requirements

Dear Members of the Board of Adjustment,

On behalf of Kevin Monson, we respectfully submit a request for a Modification of Subdivision Requirements to allow relief from the requirements of Section 8:2.7.C.3 of the Johnson County Code of Ordinances in order to comply with the intent and standards of Section 8:1.6.L.2. We believe the goal of this request is to comply with the intent of Chapter 8:2 in the creation of orderly subdivisions.

Mr. Monson proposes to complete a subdivision via a Farmstead Split of his property located in the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 23, Township 79 North, Range 7 West of the Fifth Principal Meridian, Johnson County, Iowa. Portions of Section 23 were previously platted in 1878 (Book 1, Page 34), with lots bound by the quarter-quarter section lines and the centerline of what is now known as Rohret Road SW. It is believed that the intent of this original plat was to delineate the areas of each quarter-quarter on the north and south sides of the roadway. Mr. Monson's property, which he wishes to subdivide via Farmstead Split, was originally platted as Lot 1 of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and included all but approximately  $\pm 0.25$  acres of the quarter-quarter section.

Section 8:2.7.C.3 of the Johnson County Code of Ordinances requires that *"Where an application to subdivide includes any part of a lot or outlot shown on a previously recorded plat, the entirety of those same previously platted lot(s) shall be included within the new subdivision boundary"*. Compliance with this provision would require Mr. Monson to subdivide the entire  $\pm 39.75$ -acre parcel, placing the remainder of the property outside of the proposed 5.0-acre buildable lot into one or more outlots. Due to the unique physical and legal characteristics of the subject parcel resulting from its original configuration under the 1878 plat, which is not common to similarly situated agricultural properties within the same zoning district, strict adherence to this requirement would preclude reasonable development that is otherwise permitted in the Agriculture zoning district by being in direct conflict with the provisions of the Farmstead Split regulations in Section 8:1.6.L.2, which state that, *"A maximum of two (2) Outlots may be included on the plat and shall not exceed five (5) combined acres."* This hardship is created by the application of the ordinance and was not created by the applicant or any predecessor in title.



The hardship prompting this request is the result of unique physical and legal characteristics peculiar to the subject parcel, specifically its original configuration under the 1878 plat encompassing nearly the entirety of the quarter-quarter section. This circumstance is not common to similarly situated agricultural properties within the same zoning district. Rezoning the property from Agricultural to another zoning district would not alleviate the requirement of Section 8:2.7.C.3. Additionally, the property is not located within a Future Land Use Designation Area that would currently support zoning other than agriculture-based classifications.

Granting the requested modification will not compromise the spirit or intent of the Subdivision Regulations and will not alter the essential character of development in the area. The proposed subdivision is consistent with other Farmstead Splits in the vicinity and will not impede the orderly development of surrounding properties, impair the provision of utilities, access, or drainage, increase hazards, create nuisance conditions, or adversely affect the value, light, or air of adjacent properties.

We believe the ordinance requirement in question creates a hardship for the property to be developed as intended per the relative zoning district. Subsequent subdivisions completed on adjacent lots of the original plat of 1878 were not subject to this requirement, below is a list of subdivisions that were completed within the original bounds of the 1878 but not subject to resubdivision of the entire originally platted area:

- Windy Meadows Addition – Book 46, Page 130 (2003)
- Wolz First Subdivision – Book 61, Page 224 (2017 - A Farmstead Split)
- Monson Meadows Subdivision – Book 53, Page 182 (2008 - A Farmstead Split)
- W-Four Subdivision – Book 35, Page 29 (1995)

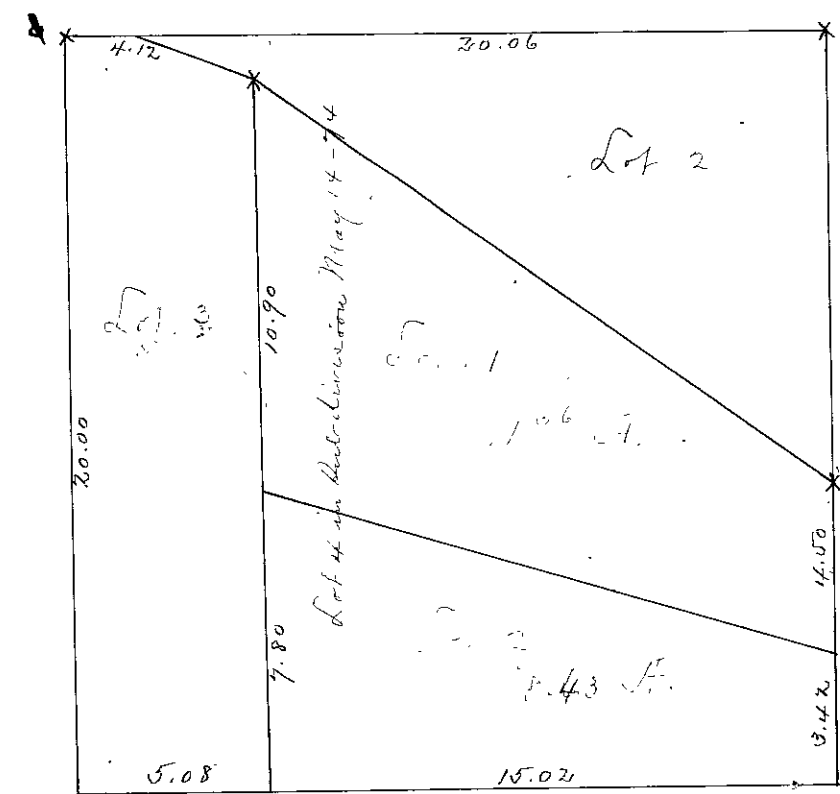
This request is not based on financial considerations, cost of development, or increased profitability, but rather seeks relief from an ordinance conflict that imposes an unnecessary and substantial hardship beyond mere inconvenience.

A copy of the plat of 1878 (Book 1, Page 34) has been included for your reference, with markups added for reference of location and area. We appreciate your time and consideration of this application, please reach out if you have any questions or concerns.

Respectfully submitted,

Lacey S. Stutzman





State of Iowa, Johnson County, ss.

I do hereby certify, That before me a Justice of the peace in and for said County & State aforesaid personally appeared the above named Joel Linkhart who are personally known to me to be the identical person whose name are affixed to the above statement and acknowledged the same to be their voluntary act and deed for the disposition of the property described as shown on foregoing plat.

Witness my signature this 9<sup>th</sup> day of Jan A.D. 1878.

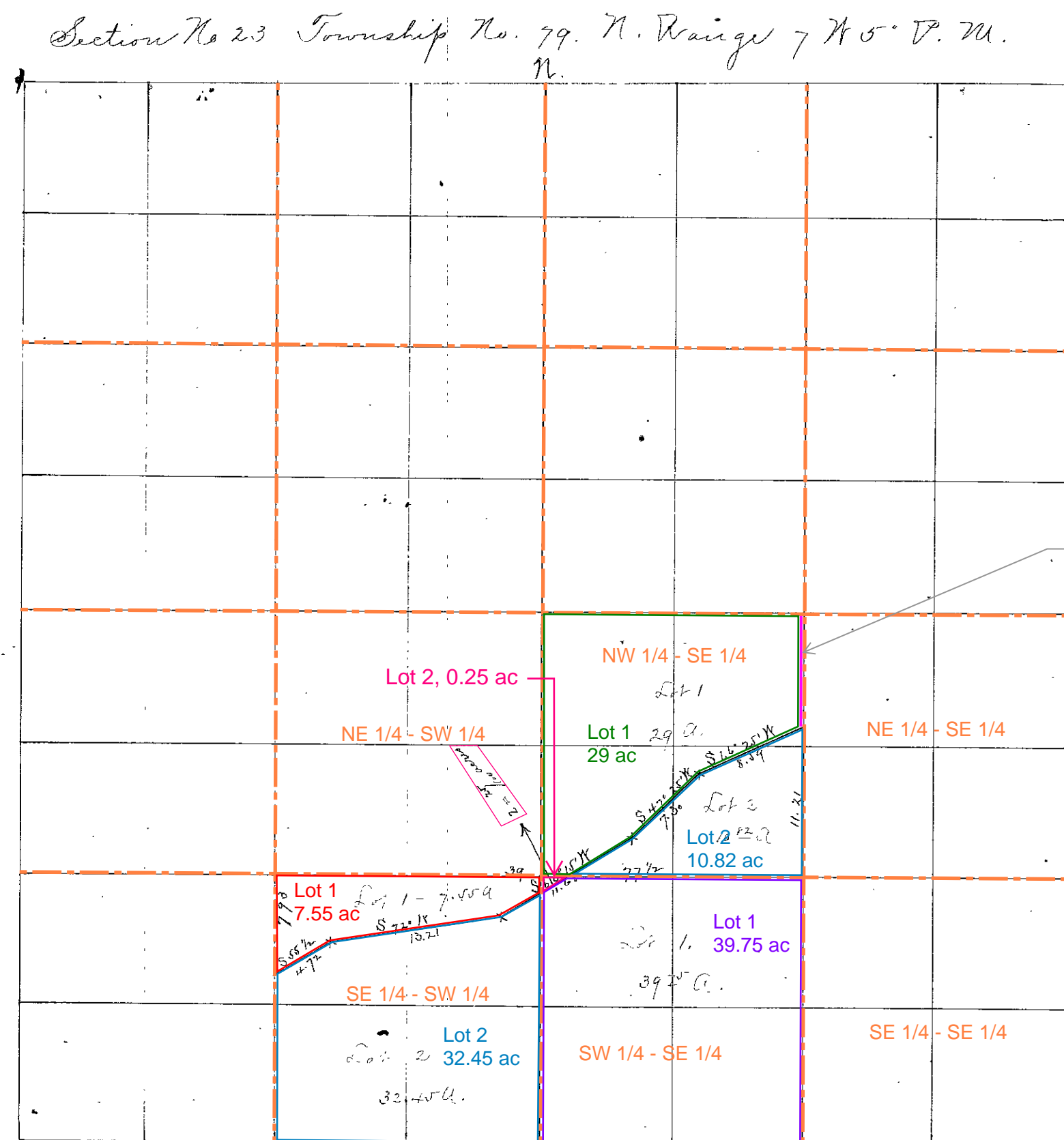
Henry Vanderlip

Justice of the Peace.

Recorded Jan'y 10<sup>th</sup> 1878 at 9 A.M.

A. L. Foster Recorder

per Holt.



No. 1 Note triangular piece in the NW Corner of SW 1/4 is Lot 2 area 0.25 acre

Bearings to corners

No. 1. Note triangular piece in NW  $\frac{1}{4}$  Sec 34  $\frac{1}{2}$  is Lot 2, area 25 acres.

Scale 8 inches to the mile Var  $9^{\circ}$  E.

D. H. Price } Chairmen  
R. Reese } approved

A B Denison Flagman

Price surveyed at the request of D. H.  
and R. Reese.

State of Iowa Johnson County, ss:

I, Edward Norden County Surveyor of Johnson County Iowa do hereby certify the above to be a correct plat and copy of field notes of a survey of a road line between Price and Reese as surveyed by Henry W. Berry for D. C. Price and R. Reese on the 26<sup>th</sup> day of June A.D. 1874.

By Henry N. Berry Deputy

Edward Norden County Surveyor  
Johnson County, Iowa

Be it known that we D. A. Price and U. Reese make this statement that the above and foregoing subdivision of A's SE<sup>1</sup>/<sub>4</sub> - B's SE<sup>1</sup>/<sub>4</sub> and SE<sup>1</sup>/<sub>4</sub> B's Sec 23-79-7 as appears on this plat is with the free consent and in accordance with the desire of the undersigned owners and proprietors of the land described.

David H. Price *seal*  
Robert Reese *seal*

State of Iowa, Johnson County, ss:..

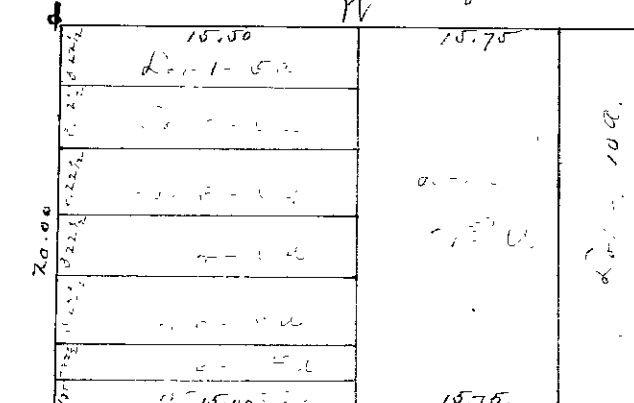
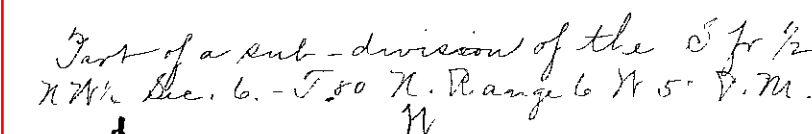
I do hereby certify That before me A. J. Kerschise Auditor in and for the said County and State aforesaid personally appeared the above named Dr. Price and W. Price who are personally known to me to be the identical persons whose names are affixed to the above statement and acknowledged the same to be their voluntary act and deed for the disposition of the property described as shown on foregoing plat.

Witness my signature and Seal of Board this 11<sup>th</sup> day of Dec A.D. 1875.

A. J. Hershire County Auditor

Recorded March 7<sup>th</sup> 1878 at 3 P.M.

A.L. Foster Records  
per Holt.



Be it Known That we Isaac Myers, Samuel  
Green, A. L. Morland, Mrs T. Morland and Sam  
Myers make this statement that the above and  
forgoing sub-division of the 3/4 of 1/2 N 1/4 Sec 6, T 20 S. R. 6 E  
as appears on this plat is with the free consent and  
in accordance and with the desire of the undersigned  
owners and proprietors of the land described.

Isaac Myers  
Samuel Green

A. L. Moreland  
H. T. Moreland  
Samuel B. Myers

Johnson County, State of Iowa, ss:

I do hereby certify That Loay  
Myers, Samuel Green, A. L. Moreland & Wm Moreland  
and Samuel Myers are personally known to me  
to be the identical person whose names are  
affixed to this instrument and acknowledged  
the contents of this instrument to the facts and  
to be their voluntary act and deed for the  
purposes mentioned this 12<sup>th</sup> day of March A.D. 1871.

Jacob Zeller  
J. Pea

Recorded March 27<sup>th</sup> 1878 at 12 M.

A. L. Foster Recorder  
per Holt.