

**RESOLUTION 40-22**  
ZONING CHANGE – JESSE WHITE SUBDIVISION, LOTS 1 & 2

Whereas, Linda Uker and Kimberly White have filed with the Floyd County Zoning Commission (Commission) the required documentation to support the following:

- Petition to Rezone Application for Lots 1 and 2 of the Jesse White Subdivision containing 3.16 acres including 0.5 acres in Public Road Right-of-Way lying SW¼ SE¼ in Section 31, Township 96N, Range 18W, Rockford Township, Floyd County, Iowa from AG to R-1.

Whereas, timely notice of publication was provided on August 16, 2022 regarding public hearings to be held by the Zoning Commission on August 23, 2022 and the Board of Supervisors on August 29, 2022;

Whereas, the Commission reviewed the information and based on Iowa Code, the Floyd County Zoning Ordinance and Regulations and the Floyd County Comprehensive Plan and voted unanimously to recommend to the Board that the final plat be approved.

Therefore, upon the Floyd County Board of Supervisor's review of said information and after closing their Public Hearing for the subject property the following actions were taken:

Supervisor Tjaden motioned and Supervisor Schweickardt seconded to:  
(Check all that apply.)

<input checked="" type="checkbox"/> Approve the first reading of the application to rezone Lot 1 and Lot 2 of Jesse White Subdivision from AG to R-1.
<input type="checkbox"/> Set the date for the second reading and review of the application for _____.
<input checked="" type="checkbox"/> Waive the second reading of the application to rezone said property.
<input checked="" type="checkbox"/> Waive the third reading of the application to rezone said property.
<input checked="" type="checkbox"/> Approve the final reading and approve the application to rezone Lot 1 and Lot 2 of Jesse White Subdivision from AG to R-1.
<input type="checkbox"/> Disapprove the application to rezone said property.

Vote taken resulted as follows:

Ayes – Tjaden, Schweickardt, Kamm  
Nays – \_\_\_\_\_  
Absent – \_\_\_\_\_

PASSED, ADOPTED AND APPROVED this 29<sup>th</sup> day of August, 2022.

ATTEST:

Gloria A. Carr  
Gloria A. Carr, Auditor

FLOYD COUNTY BOARD OF SUPERVISORS

Douglas A. Kamm  
Douglas A. Kamm, Chair

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## Form Center

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### Petition to Rezone

[Sign in to Save Progress](#)

#### Petition to Rezone Application

Please fill out and print this application and mail with the required documentation and fees listed below to:

Planning and Zoning Commission

Floyd County Courthouse

101 S. Main St.

Charles City, IA 50616

#### Petition to Rezone

We (I), the undersigned owner (s) of the property described below in Paragraph 1, do hereby respectfully petition the Floyd County Planning and Zoning Commission and the Board of Supervisors to amend the present zoning regulations as hereinafter designated, and in support thereof, present the following facts.

#### 1. Legal Description\*

Lots 1 and 2, Jesse White Subdivision, Floyd County, Iowa

The area to be rezoned is legally described as the above.

#### 2. It is requested and desired to rezone the property as such:\*

From AG District to R-1 District

#### 3. The reasons for requesting the change or changes are as follows:\*

Splitting building site and need to meet minimum lot size.

4. The undersigned are the owner(s) of the property within the area which is under consideration for rezoning.

5. The undersigned have been fully appraised and acquainted with the uses to which the area to be rezoned may be put if the rezoning is approved.

6. I attach as part of this petition:

- A plat of the area to be rezoned
- A nonrefundable fee of \$150 dollars

7. The applicant hereby agrees to pay the costs of this process, and will bear the costs of publication of legal notices in a newspaper of general circulation (to be direct billed to the applicant or agent) of this action.

Signature of Applicant

*Kimberly A. Uker & Linda L. Uker*

Printed Name of Applicant

Linda L. Uker & Kimberly A. White

Applicant's Phone Number\*

641-210-5726 / 641-756-2422

Property Description\*

Applicant's Address\*

208 7th Street N.E., Apt. 7 & 1062 190th Street

City\*

Rockford

State\*

Iowa

Zip\*

50468

Notice

This petition shall come for public hearing before the Zoning Commission, and shall be followed by a public hearing before the Board of Supervisors for approval.

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Receive an email copy of this form.

Email address

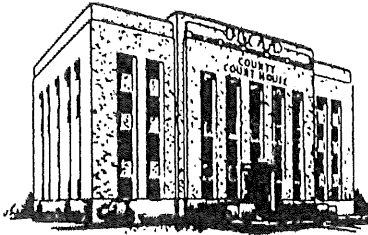
jarthur@lairdlawfirm.com

This field is not part of the form submission.

Submit

Submit and Print

\* indicates a required field



## FLOYD COUNTY ZONING ADMINISTRATION

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Jeff Sherman

FLOYD COUNTY COURT HOUSE  
101 SOUTH MAIN, SUITE 206  
CHARLES CITY, IA 50616  
(641) 257-6145

### NOTICE OF PUBLIC HEARING

The Floyd County Zoning Commission has received Applications to Rezone and do a Minor Subdivision.

#### TO WHOM IT MAY CONCERN

You are hereby notified Linda Uker & Kimberly White filed applications with the Floyd County Zoning Commission for a 3 Lot minor subdivision and rezone Lots 1&2, 2.66 acres from AG to R-1 for the purpose of having a residential subdivision in the SW ¼ SE ¼ Section 31, Township 96North, Range 18 West of the 5<sup>th</sup> P.M., Rockford Township, Floyd County, Iowa.

You are further notified the Floyd County Zoning Commission will hold a Public Hearing on this request in the office of the Floyd County Planning & Zoning Department on the first floor of the Floyd County Courthouse at 9:00 a.m. on August 23, 2022 at which time you may appear to file written or oral objection or support of said application.

Floyd County Board of Supervisors will hold public hearings on August 29, 2022 at 9:15 A.M. to consider same.

Floyd County Zoning Commission  
By Jeff Sherman, Zoning Administrator

*Please publish one time on August 16, 2022*

## LIST OF PROPERTY OWNERS WITHIN 500 FEET

1. Darrin M. White  
Kimberly A. White  
1062 190<sup>th</sup> Street  
Rockford, Iowa 50468
2. James D. Dow  
Debbie J. Dow  
1195 280<sup>th</sup> Street  
Marble Rock, Iowa 50653
3. Ramlar Farms, Inc.  
1246 215<sup>th</sup> Street  
Rockford, Iowa 50468
4. Michael L. Sinning  
Patricia A. Sinning  
401 1<sup>st</sup> Avenue NE  
Rockford, Iowa 50468
5. Kelly A. O'Rourke, Trustee  
Laurel M. O'Rourke Revocable Trust  
645 Briarstone Drive #6  
Mason City, Iowa 50401

Minutes of Zoning Commission Meeting held August 23, 2022

Unapproved minutes

**I. Call to Order.**

Meeting was called to order at 9:00 a.m. in the Zoning Office at the Court House. Commission members present were, Dean Tjaden, Ben Rottinghaus, Allison Staudt, and Pam-Erbe-Lines and Guy Carpenter. Also present was Jen Solomon Zoning Administrative Assistant. Attached to these minutes and made a part hereof is a list of additional attendees.

**II. Approval of Agenda.**

A motion to approve the agenda as was made by Ben Rottinghaus seconded by Guy Carpenter. The motion was unanimously approved.

**III. Approval of Minutes.**

The chair asked if there was a motion for the minutes. A motion to approve the minutes from the July 27, 2022 meeting was made by Pam Erbe-Lines seconded by Allison Staudt. The motion was unanimously approved.

**IV. Public Comment  
None**

**V.**

**New Business:** County Staff Presentation of Case: A request by Linda Uker & Kimberly White has filed an application with the Floyd County Zoning Commission for a 3 Lot minor subdivision and rezone Lots 1&2, 2.66 acres from AG to R-1 for the purpose of having a residential subdivision in the SW ¼ SE ¼ Section 31, Township 96North, Range 18 West of the 5<sup>th</sup> P.M., Rockford Township, Floyd County, Iowa.

**VI. Ben Rottinghaus made motion to approve subdivision and rezoning AG to R-1 Seconded by Guy Carpenter  
5 ayes/0 naves**

**VII. Commission Comments:** Dean Tjaden will present application to the Board of Supervisors meeting August 29, 2022.

**VIII. Staff Comments:**

**IX. Adjournment.** At 9:15 AM

Chair asked if there was any further business.

Chair asked for motion for adjournment. Motion made by Ben Rottinghaus seconded by Allison Staudt. The motion was unanimously approved.

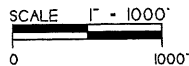
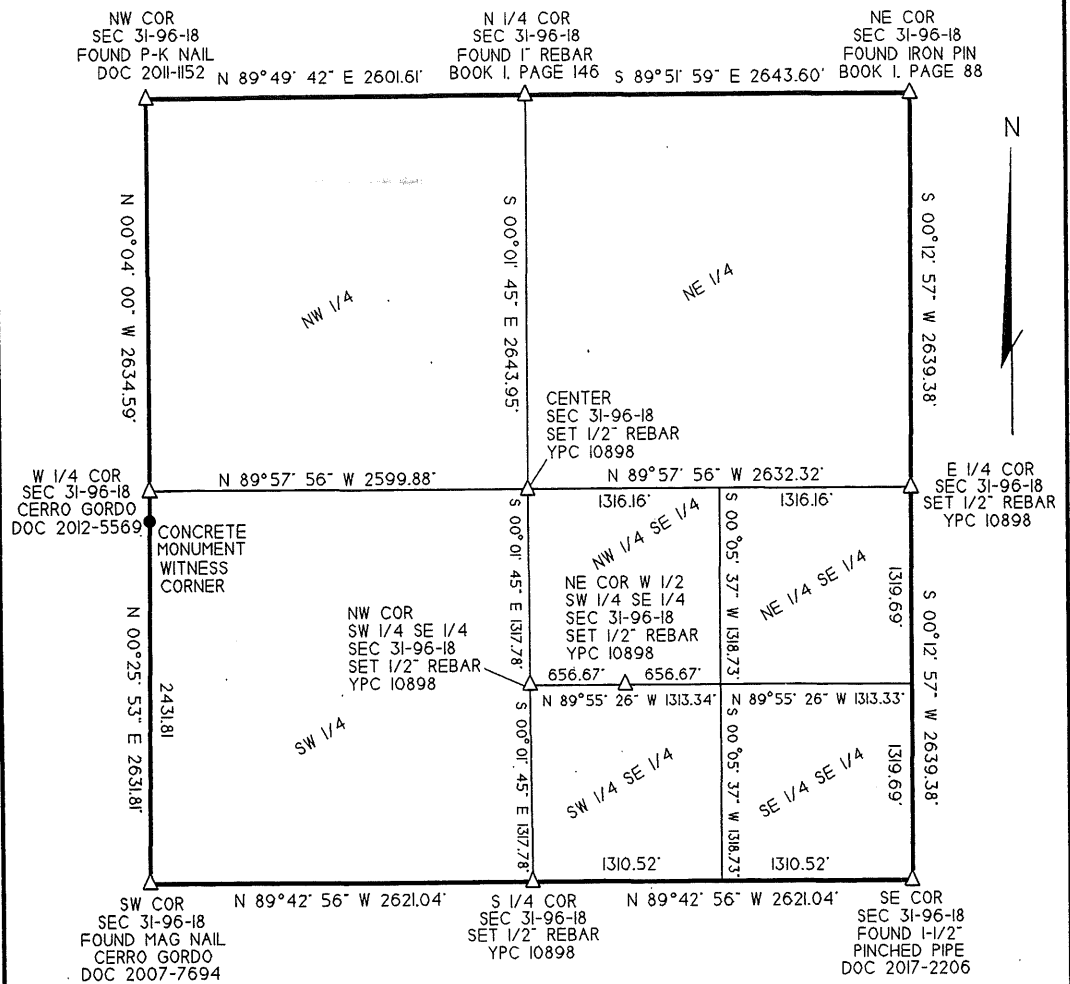
Zoning Administrator Jeff Sherman

Minutes taken by Jen Solomon

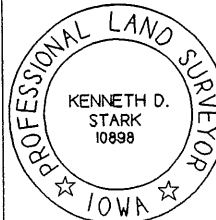
PLAT OF SURVEY	
LOCATION	COUNTY: FLOYD ALIQUOT PART: SW 1/4 SE 1/4 SECTION: 31 TOWNSHIP: T96N RANGE: R18W
PROPRIETOR	JESSE WHITE
REQUESTED BY	DARRIN WHITE
SURVEYOR	KENNETH D. STARK
SURVEY COMPANY	STARK SURVEYING
PHONE NUMBER	641-423-7947
RETURN TO:	STARK SURVEYING 1622 SOUTH TAFT AVENUE MASON CITY, IA. 50401

FINAL PLAT  
JESSE WHITE SUBDIVISION  
FLOYD COUNTY, IOWA

SHEET 1 of 3

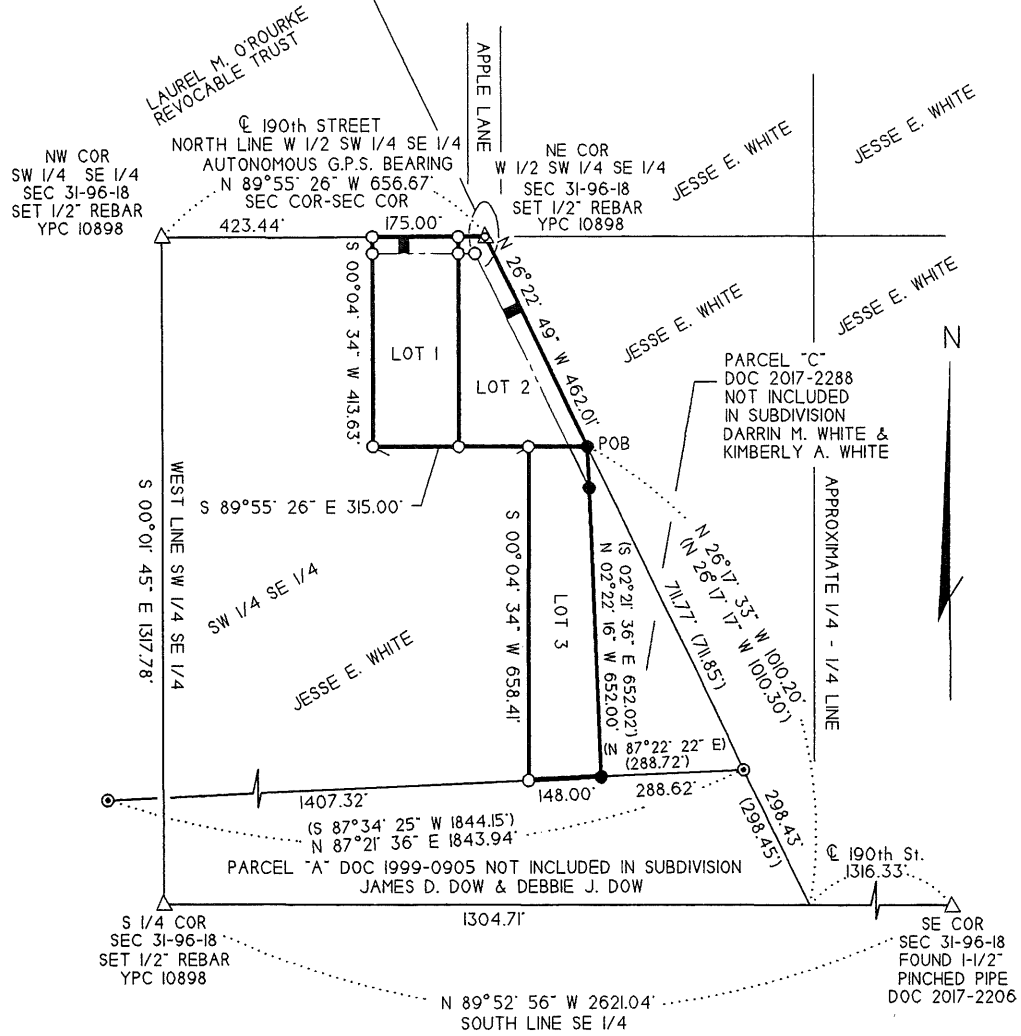
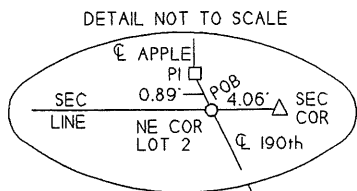


△ = SECTION CORNER AS NOTED



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

*Kenneth D. Stark* 05-23-22  
 KENNETH D. STARK DATE  
 LICENSE NUMBER 10898  
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2023  
 PAGES OR SHEETS COVERED BY THIS SEAL: 3



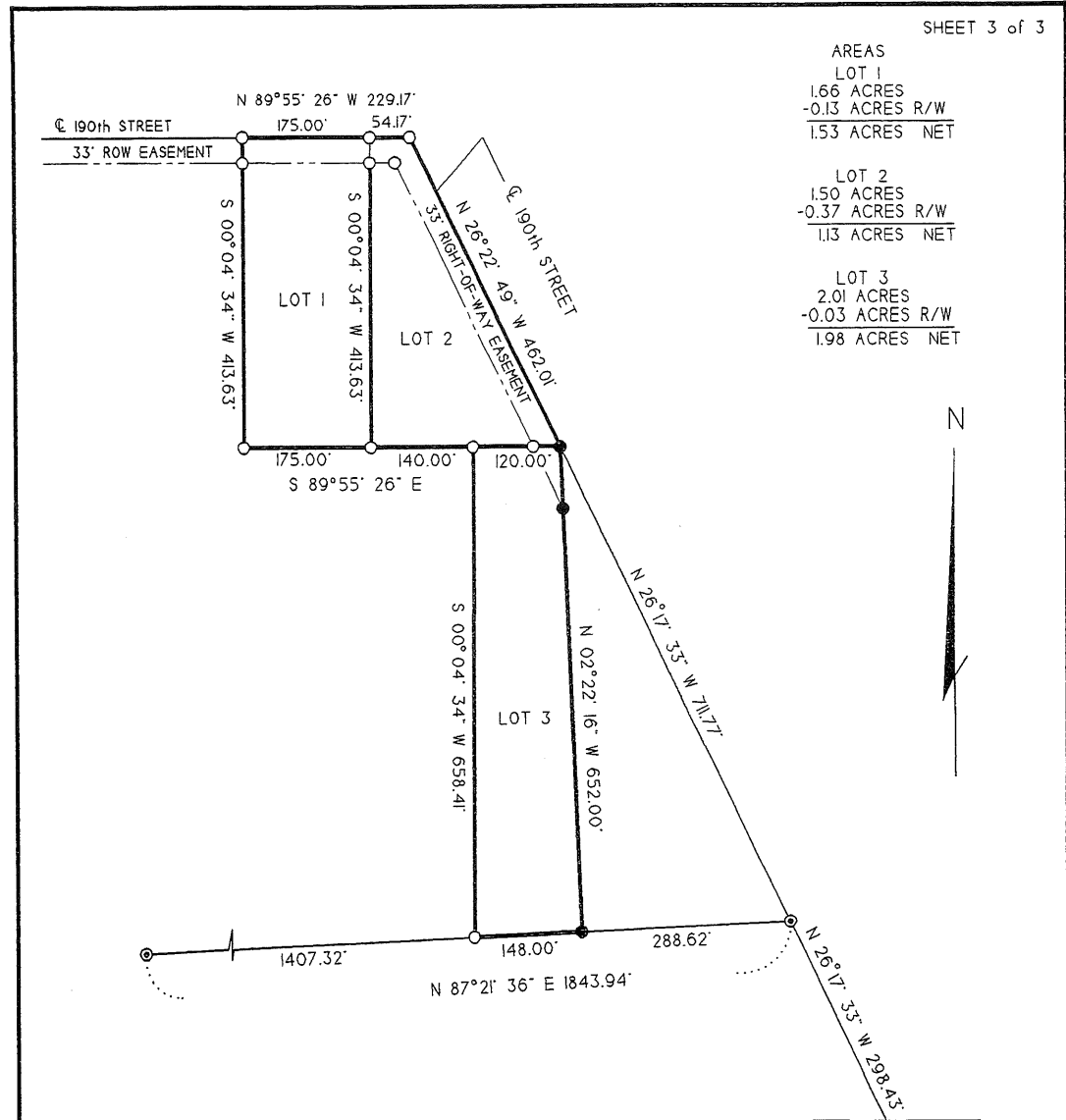
OWNER: JESSE E. WHITE  
 1052 190th STREET  
 ROCKFORD, IOWA 50468

DEVELOPER: JESSE E. WHITE ESTATE  
 1052 190th STREET  
 ROCKFORD, IOWA 50468

SCALE 1" = 300'

△ - SECTION CORNER AS NOTED  
 ● - FOUND 5/8" REBAR BPC 13644  
 ⊙ - FOUND 1/2" REBAR YPC 10898  
 □ - FOUND 1/2" REBAR  
 ○ - SET 1/2" REBAR YPC 10898  
 ■ - EXISTING DRIVEWAY  
 B/YPC - BLUE/YELLOW PLASTIC CAP  
 (00) - RECORD DIMENSION  
 POB - POINT OF BEGINNING





AREAS	
LOT 1	1.66 ACRES
	-0.13 ACRES R/W
	1.53 ACRES NET
LOT 2	1.50 ACRES
	-0.37 ACRES R/W
	1.13 ACRES NET
LOT 3	2.01 ACRES
	-0.03 ACRES R/W
	1.98 ACRES NET

SOUTH LINE SE 1/4

\*\*\*\*\* DESCRIPTION \*\*\*\*\*

A PARCEL OF LAND DESIGNATED AS JESSE WHITE SUBDIVISION LOCATED IN PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 31, TOWNSHIP 96 NORTH, RANGE 18 WEST OF THE 5<sup>th</sup> P.M., FLOYD COUNTY, IOWA DESCRIBD AS: COMMENCING AT THE NORTHEAST CORNER (NE COR) OF THE WEST HALF (W 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 31; THENCE ON AN AUTONOMOUS G.P.S BEARING N 89° 55' 26" W 4.06 FEET ALONG THE NORTH LINE OF SAID WEST HALF ( W 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE N 89° 55' 26" W 229.17 FEET; THENCE S 00° 04' 34" W 413.63 FEET PERPENDICULAR TO SAID NORTH LINE; THENCE S 89° 55' 26" E 315.06 FEET PARALLEL WITH SAID NORTH LINE; THENCE S 00° 04' 34" W 658.41 FEET PERPENDICULAR TO SAID NORTH LINE TO THE NORTH LINE OF EXISTING PARCEL "A" AS DEPICTED IN COUNTY RECORDER'S DOCUMENT 1999-0905; THENCE N 87° 21' 36" E (RECORD S 87° 34' 25" W) 148.00 FEET TO THE SOUTHWEST CORNER (SW COR) OF EXISTING PARCEL "C" AS DEPICTED IN COUNTY RECORDER'S DOCUMENT 2017-2288; THENCE N 02° 22' 16" W 652.00 FEET (RECORD S 02° 21' 36" E 652.02 FEET) ALONG THE WEST LINE OF SAID PARCEL "C" TO THE NORTH CORNER THEREOF AND THE CENTERLINE OF COUNTY ROAD 190<sup>th</sup> STREET; THENCE N 26° 22' 49" W 462.01 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING. SAID JESSE WHITE SUBDIVISION CONTAINS 5.17 ACRES INCLUDING 0.53 ACRES IN PUBLIC ROAD RIGHT-OF-WAY EASEMENT AND IS SUBJECT TO ANY OTHER EASEMENTS, RECORDED OR OTHERWISE.

SCALE 1" = 200'

- △ - SECTION CORNER AS NOTED
- - FOUND 5/8" REBAR BPC 13644
- ⊙ - FOUND 1/2" REBAR YPC 10898
- - FOUND 1/2" REBAR
- - SET 1/2" REBAR YPC 10898
- B/YPC - BLUE/YELLOW PLASTIC CAP
- (OO) - RECORD DIMENSION
- POB - POINT OF BEGINNING