City of Carroll

112 E. 5th Street Carroll, Iowa 51401-2799 (712) 792-1000 FAX: (712) 792-0139

MEMO TO: Honorable Mayor and City Council Members

FROM: Mike Pogge-Weaver, City Manager MKP-W

DATE: March 18, 2020

SUBJECT: Minor Subdivision – Lot 1 of the NE1/4 SE1/4 Section 11, T84N, R35W

John Werden of Eich, Werden Steger and Ahrendsen Law Firm PC has submitted and is requesting approval of an application for a Minor Subdivision to be named Minor Subdivision – Lot 1 of the NE1/4 SE1/4 Section 11, T84N, R35W. The subdivision is located on the west side of US Highway 71 between 180th Street to the south and 170th Street to the north. The property is outside the corporate limits for the City of Carroll; however, it is within the City's 2-mile review area.

The property is identified in the 2013 Carroll Comprehensive Plan as Agriculture. The existing zoning is A-2, Agriculture District.

The development consists of 1 single-family lot which is 5.01 acres in size. The lot meets the minimum requirements for single-family residential.

No new streets or right-of-ways are proposed as part of this development and all lots will have access to Highway 71. No new City owned utilities are proposed in the development. West Central Iowa Rural Water will serve each lot and septic will be used for sanitary sewer.

The attached plat is pertinent to the application and includes the exterior boundary description of the proposed plat.

PLANNING AND ZONING COMMISSION RECOMMENDATION: That the Carroll City Council approve the Minor Subdivision – Lot 1 of the NE1/4 SE1/4 Section 11, T84N, R35W.

STAFF RECOMMENDATION: Staff recommends City Council approval of the Minor Subdivision – Lot 1 of the NE1/4 SE1/4 Section 11, T84N, R35W as recommended by the Planning and Zoning Commission.

CITY OF CARROLL
SUBDIVISION DATA

NAME OF PLAN: Minor Subdivision – Lot 1 of the NE1/4 SE1/4 Section 11, T84N, R35W
NAME OF OWNER/DEVELOPER: Cletus Brinks Trust/John Werden of Eich, Werden, Steger & Ahrendsen Law Firm PC

GENERAL INFORMATION:

PLAT LOCATION:	West side of US Highway 71 between 180th Street to the south and 170th Street to the north
SIZE OF PLAN:	5.01 Acres
ZONING:	A-2, Agriculture District

LOTS:

NUMBER:	1 Residential Lot
SIZE/DENSITY:	0.20 units per acre
USE:	Agriculture and Single Family Residential
BUILDING LINES:	80 front yard; 100' rear yard; and 30' side yard

ADJACENT LANDS:

NORTH:	Agricultural Land
SOUTH:	General Business District (B-2)
EAST:	Agricultural Land
WEST:	Agricultural Land

STREET DEVELOPMENT:

No new streets or right-of-ways are proposed as part of this development. The lot will have access to US Highway 71.

WASTE WATER:

No new City owned water utilities are proposed in the development. West Central Iowa Rural Water will serve the lot.

WATER SYSTEM:

No new City owned sanitary sewer utilities are proposed in the development. Each lot will be served by a septic system for sanitary sewer service.

PLAT DRAWINGS:

The Planning and Zoning Commission and Staff recommends approval as presented.

RESOLUTION NO. _____

WHEREAS, John Werden of Eich, Werden Steger and Ahrendsen Law Firm PC, representing the owner of certain real estate described in a certain plat filed by them with the City Clerk of the City of Carroll, Iowa, known as Minor Subdivision, Lot 1 of NE1/4 SE1/4 Section 11, T84N, R35W, Carroll County, Iowa; and,

WHEREAS, the said plat has been duly examined by the City Planning and Zoning Commission, which has recommended approval of the same on March 11, 2020, and found same to conform to the general plan of the City; and,

WHEREAS, said plat has been examined by the City Council and found to conform to the City of Carroll Subdivision Ordinance and falls within the general plan of the City of Carroll, Iowa, and is found to comply with Chapter 354 of the 2019 Code of Iowa.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carroll, Iowa:

1. That the final plat of Minor Subdivision, Lot 1 of NE1/4 SE1/4 Section 11, T84N, R35W, Carroll County, Iowa, is found to conform with the law and is hereby approved and accepted.

2. This Resolution shall be fully binding upon the owners, their assigns, purchasers or successors in interest.

3. The Mayor and City Clerk of the City of Carroll, Iowa, are hereby directed to certify this Resolution and cause the same to be affixed to the said plat as provided by law.

Adopted and passed by the Carroll City Council this 23rd day of March, 2020.

CITY COUNCIL OF THE
CITY OF CARROLL, IOWA

By: _____
Eric P. Jensen, Mayor

ATTEST:

By: _____
Laura A. Schaefer, City Clerk

CERTIFICATE

State of Iowa)
ss.
Carroll, County)

We, Eric P. Jensen, Mayor, and Laura A. Schaefer, City Clerk of the City of Carroll, Iowa hereby certify that at a meeting of the City Council of the City of Carroll, Iowa, held on the 23rd day of March, 2020 the attached Resolution was adopted by the City Council of the City of Carroll, Iowa, approved by the Mayor, duly entered into the record of the City Council meeting of that date, and we further certify that the Minor Subdivision Plat is found to conform to the law as approved and accepted and we hereby certify this Resolution and cause the same to be affixed to the Minor Subdivision Plat as provided by law.

_____
Eric P. Jensen, Mayor

ATTEST:

_____
Laura A. Schaefer, City Clerk

State of Iowa)
ss.
Carroll County)

On this 23rd day of March, 2020, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Eric P. Jensen and Laura A. Schaefer, to me personally known, who, being by me duly sworn did say that they are the Mayor and City Clerk, respectively, of the City of Carroll, Iowa, executing the within and foregoing instrument, and that said instrument was signed and sealed on behalf of the City of Carroll, Iowa, by authority of its City Council and that said Mayor and City Clerk, as such officers acknowledged the execution of said instrument to be the voluntary act and deed of the City of Carroll, Iowa, by it and by them voluntarily executed.

_____
Notary Public in and for the State of Iowa

Index Legend

SURVEYOR'S NAME/RETURN TO:
MIKE SCHULTE, SCHULTE SURVEYING, INC.
2003 390TH STREET, WESTSIDE, IA 51467
712-790-3489 MIKE@SCHULTESURVEY.COM
REQUESTED BY/SUBDIVIDER:
JOHN WERDEN OF EICH, WERDEN STEGER & AHRENDSEN LAW FIRM PC
OWNER:
CLETUS BRINKS TRUST
SURVEY LOCATED:
MINOR SUBDIVISION, LOT 1 OF THE NE1/4 SE1/4
SECTION 11, T84N, R35W, CARROLL COUNTY, IOWA
SURVEY DATE: 2020/02/12

Plat of Minor Subdivision

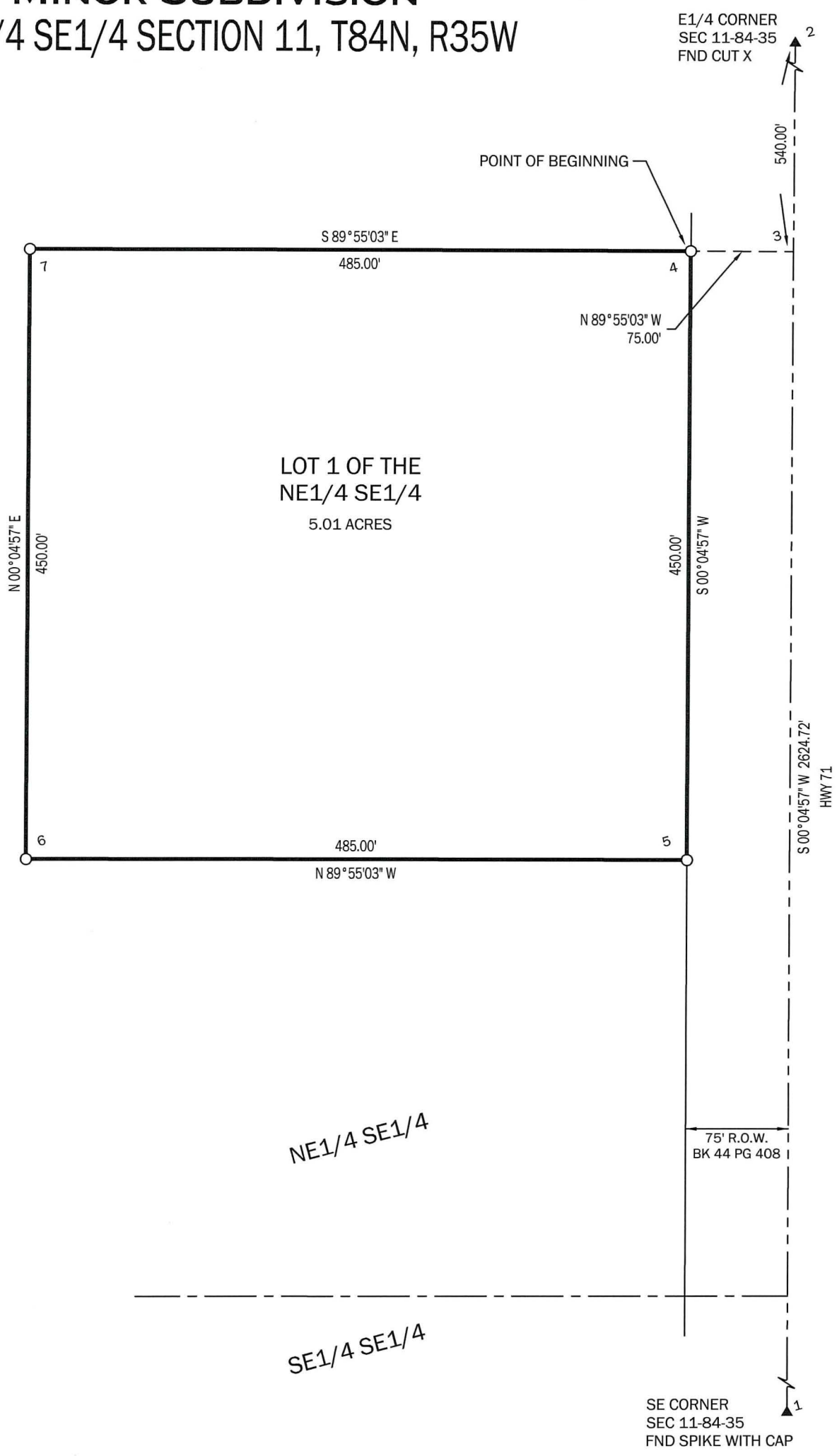
LOT 1 OF THE NE1/4 SE1/4 SECTION 11, T84N, R35W

MINOR SUBDIVISION LEGAL DESCRIPTION:

LOT 1 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 84 NORTH, RANGE 35 WEST, OF THE 5TH, P.M., CARROLL COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE EAST 1/4 CORNER OF SECTION 11, TOWNSHIP 84 NORTH, RANGE 35 WEST, OF THE 5TH, P.M., CARROLL COUNTY, IOWA, THENCE SOUTH 00°04'57" WEST ALONG THE EAST LINE OF SAID SOUTHEAST 1/4, 540.00 FEET; THENCE NORTH 89°55'03" WEST, 75.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF STATE HIGHWAY 71, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 00°04'57" WEST ALONG SAID WEST RIGHT OF WAY LINE, 450.00 FEET; THENCE NORTH 89°55'03" WEST , 485.00 FEET; THENCE NORTH 00°04'57" EAST , 450.00 FEET; THENCE SOUTH 89°55'03" EAST , 485.00 FEET TO THE POINT OF BEGINNING CONTAINING 5.01 ACRES, MORE OR LESS, SUBJECT TO ANY AND ALL EASEMENTS APPARENT OR OF RECORD.

THE ABOVE DESCRIBED PARCEL SHALL HEREAFTER BE KNOWN AS LOT 1 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 84 NORTH, RANGE 35 WEST, OF THE 5TH, P.M., CARROLL COUNTY, IOWA



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Site Address

17663 HWY 71
CARROLL, IA 51401

Owner

CLETUS BRINKS TRUST
17663 HWY 71
CARROLL, IA 51401

Developer

JOHN WERDEN
EICH, WERDEN STEGER & AHRENDSEN LAW FIRM PC
815 N. MAIN ST.
CARROLL, IA 51401
712-792-3424

Basis of Bearing

IaRCS ZONE 7 - US SURVEY FEET
IaRTN DERIVED - NAD83(2011)(EPOCH 2010.00)

POINT	NORTHING	EASTING
1	7471619.98	17433420.64
2	7474244.70	17433424.42
3	7473704.70	17433423.64
4	7473704.81	17433348.64
5	7473254.81	17433348.00
6	7473255.51	17432863.00
7	7473705.51	17432863.65

Legend

SURVEY	FOUND	SET
SECTION CORNER	▲	△
5/8" REBAR YPC #17979 (UNLESS NOTED)	●	○
MAG NAIL	•	∘
PLATTED DISTANCE	P	
MEASURED DISTANCE	M	
SECTION LINE	— — — —	

PROFESSIONAL LAND SURVEYOR
MIKE SCHULTE
17979
IOWA

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED 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.

2020/02/21
MIKE SCHULTE — DATE
LICENSE NUMBER: 17979
LICENSE RENEWAL DATE IS DECEMBER 31, 2021
PAGES COVERED BY THIS SEAL: 1 OF 1

LOT 1 OF THE NE1/4 SE1/4 SECTION 11, T84N, R35W

SCHULTE SURVEYING, INC.

DRAWN BY: MLS
PROJ NUMBER: 20-011
SHEET: 1 OF 1
SCALE: 1"= 100'

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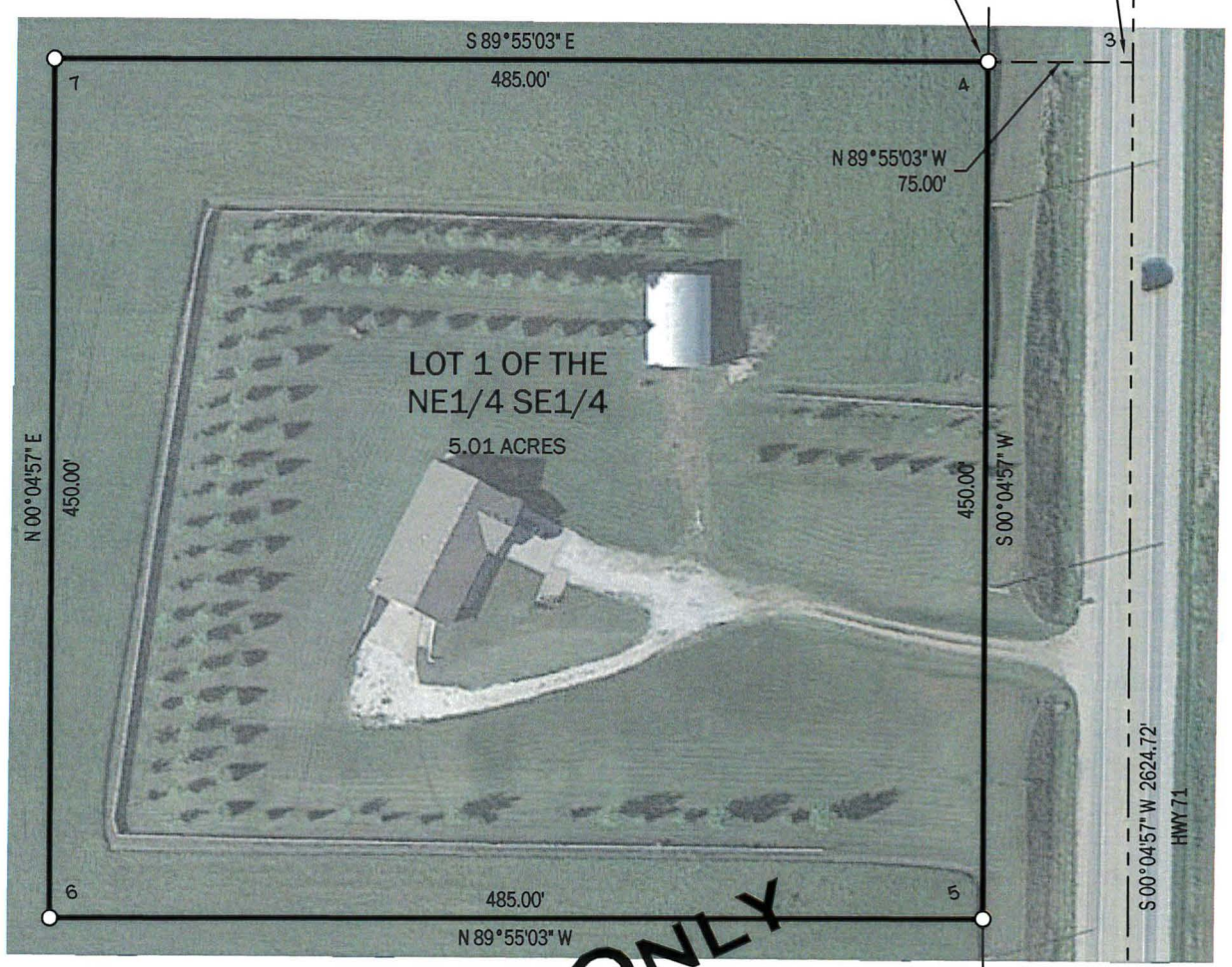

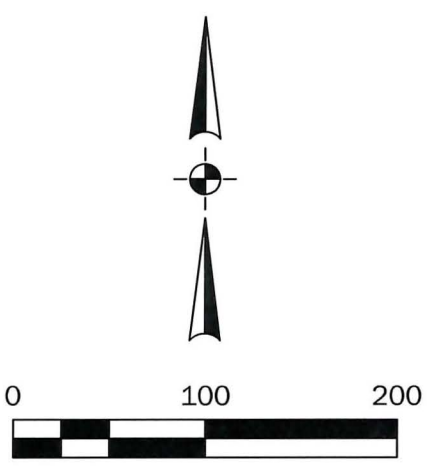

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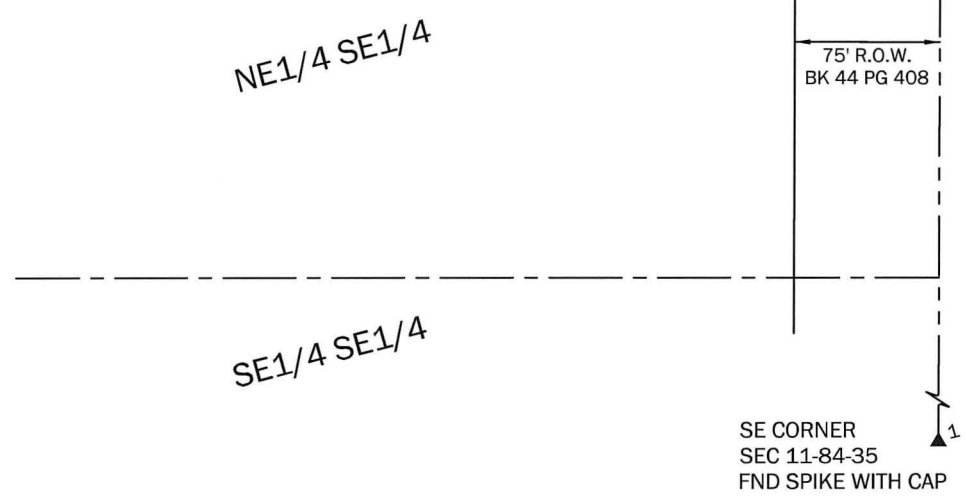

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