



## PLANNING AND ZONING COMMISSION MEETING

Tuesday, October 01, 2024 at 8:30 AM

Council Chambers - 331 First Street East

### AGENDA

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#### MEETING OPENING

1. Roll Call

#### NEW BUSINESS

2. Approval of meeting minutes - Sept 3, 2024
3. Final Plat-MBH Addition

#### ADJOURNMENT

This agenda is subject to change.



[www.independenceia.org](http://www.independenceia.org)

**Commission Members**

Item #2.

Jane Leaven  
Stephanie Sailer  
Stephanie Berns  
Tami Fenner

Matt Mayner  
Bill Lake  
Larry Karsten

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## PLANNING AND ZONING COMMISSION MINUTES

September 3, 2024

The Independence Planning & Zoning Commission met in the Council Chambers at 8:30 AM, on Tuesday, September 3, 2024.

Matthew Chesmore, Building Official called the meeting to order with Jane Leaven, Matt Mayner, Tami Fenner, Larry Karsten, Stephanie Berns, Bill Lake and Stephanie Sailer in attendance. Also in attendance were Matt Chesmore, Building Official and Elliott Henderson.

Meeting minutes from August 6, 2024 were approved. Jane Leaven made a motion to approve. Bill Lake seconded. All aye.

An Application for Rezoning submitted by Elliott Henderson, of Henderson Family Land LLC, was approved. A motion to approve was made by Stephanie Sailer and seconded by Matt Mayner. All aye.

An Application for Preliminary plat for Henderson Addition to the City of Independence was approved. Motion to approve made by Tami Fenner. Matt Mayner seconded. All aye.

The meeting adjourned at 8:41 AM. Stephanie Sailer made motion to adjourn. Jane Leaven seconded. All aye.

Respectfully submitted,

Stephanie Sailer

Planning and Zoning Commission Secretary



## PLANNING AND ZONING MEMORANDUM

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**TO:** Planning and Zoning Commission

**FROM:** Matt Chesmore, Building Official

**DATE OF MEETING:** October 1, 2024

**ITEM TITLE:** Final Plat-MBH Addition

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### **BACKGROUND:**

The City routinely reviews plats that are filed with the County that occur within a 2-mile border of the City Limits of Independence. On Tuesday, August 6, 2024, the Planning and Zoning Commission met and reviewed a preliminary plat of survey, ultimately making a recommendation to the City council to approve the preliminary plat of survey. With no recommended modifications, on August 12, 2024, the City Council accepted and approved the preliminary plat of survey as submitted.

### **DISCUSSION:**

The attached plat shows one lot to be subdivided into three individual lots during this process. The attached exhibit shows two single family homes and one proposed single-family home to be constructed in the future, as well as the approximate location of septic systems, etc. Minimal alterations were made to the final plat, including the updating of the legal description due to the recording of Parcel K in Inst #2024R01787.

### **RESULTS:**

The City has established priorities during strategic planning sessions. This item supports the Vision from that session of Developing and Reviving Independence. This item helps achieve that vision by allowing surrounding areas that lie within the 2-mile border to be developed.

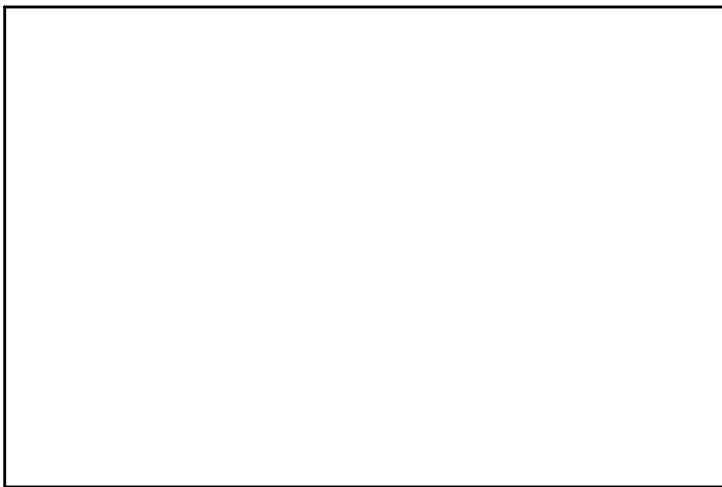
### **FINANCIAL CONSIDERATION:**

There is no significant financial consideration for this item other than the staff's time in preparing the resolution.

### **RECOMMENDATION:**

Staff recommends a motion to recommend the City Council accept and approval the MBH, final plat of survey, an addition within two miles of the city limits of the City of Independence, Iowa as submitted.

RECORDER'S INDEX
COUNTY: BUCHANAN
SECTION: 33-T89N-R9W
QUARTER SECTION: NW1/4-SW1/4
CITY: INDEPENDENCE
SUBDIVISION: MBH ADDITION
BLOCK: N/A
LOT(S): 1-3
PROPRIETOR: CRAIG AND KATHY FINHOLT
REQUESTED BY: CRAIG AND KATHY FINHOLT



FOR RECORDER'S USE ONLY

PREPARED BY/RETURN TO: FEHR GRAHAM, 221 EAST MAIN ST., SUITE 301 MANCHESTER, IA 52057 - PH: 563.927.2060

**FINAL PLAT  
MBH ADDITION  
IN THE NW 1/4 OF THE SW1/4 OF SECTION 33-T89N-R09W  
CITY OF INDEPENDENCE, BUCHANAN COUNTY, IOWA**

NOTE: THIS SUBDIVISION PLAT IS A RETRACEMENT AND DIVISION OF PARCEL K AS SHOWN IN PLAT OF SURVEY RECORDED DECEMBER 29, 1997, IN RECORDING INSTRUMENT #1997R03901 AND IN PLAT OF SURVEY RECORDED JULY 15, 2024, IN RECORDING INSTRUMENT #2024R01787; AND IN QUIT CLAIM DEED RECORDED JULY 2, 1993, IN BOOK 544, PAGE 649; ALL ON FILE IN THE BUCHANAN COUNTY RECORDER'S OFFICE, INDEPENDENCE, IOWA.

**SURVEY DESCRIPTION:**

MBH ADDITION IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 89 NORTH, RANGE 9 WEST OF THE 5TH P.M., BUCHANAN COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION;

THENCE NORTH 00°16'42" WEST (ASSUMED BEARING) WEST, 380.13 FEET ALONG WEST LINE OF SAID QUARTER-QUARTER SECTION LINE AND THE CENTERLINE OF GOLF COURSE ROAD TO THE NORTHWEST CORNER OF PARCEL K;

THENCE NORTH 89°20'31" EAST, 231.09 FEET ALONG THE NORTH LINE OF SAID PARCEL TO THE NORTH EAST CORNER OF SAID PARCEL;

THENCE SOUTH 00°33'01" EAST, 380.08 FEET ALONG THE EAST LINE OF SAID PARCEL TO THE SOUTHEAST CORNER OF SAID PARCEL, THE CENTERLINE OF 218TH AVE AND THE SOUTH LINE OF SAID QUARTER-QUARTER SECTION LINE;

THENCE SOUTH 89°19'47" WEST, 232.90 FEET ALONG SAID SOUTH LINE OF SAID PARCEL, THE SAID CENTERLINE AND THE SOUTH QUARTER-QUARTER SECTION LINE TO THE POINT OF BEGINNING;

CONTAINING 2.024 ACRES, INCLUDING 0.359 ACRE OF GOLF COURSE BOULEVARD RIGHT-OF-WAY AND 0.177 ACRE OF 218TH STREET RIGHT-OF-WAY, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

**SANITARY SEWER EASEMENT #1**

A STRIP OF LAND FOR SANITARY SEWER EASEMENT PURPOSES BEING LOCATED IN LOT 1 IN MBH ADDITION IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 89 NORTH, RANGE 9 WEST OF THE 5TH P.M., BUCHANAN COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1 IN SAID MBH ADDITION;

THENCE SOUTH 00°33'01" EAST, 17.62 FEET ALONG EAST LINE OF SAID LOT 1 TO THE POINT OF BEGINNING,

THENCE SOUTH 87°08'33" WEST, 101.85 FEET;

THENCE SOUTH 01°37'26" EAST, 10.00 FEET;

THENCE SOUTH 87°08'33" WEST, 10.07 FEET TO THE WEST LINE OF SAID LOT 1;

THENCE SOUTH 01°42'30" EAST, 10.00 FEET ALONG SAID WEST LINE;

THENCE NORTH 87°08'33" EAST, 111.53 FEET TO THE EAST LINE OF SAID LOT 1;

THENCE NORTH 00°33'01" WEST, 20.02 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING;

CONTAINING 0.049 ACRE, SUBJECT TO OTHER EASEMENT OF RECORD.

**WATER SERVICE EASEMENT #1**

A STRIP OF LAND FOR WATER SERVICE EASEMENT PURPOSES BEING LOCATED IN LOT 1 IN MBH ADDITION IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 89 NORTH, RANGE 9 WEST OF THE 5TH P.M., BUCHANAN COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1 IN SAID MBH ADDITION;

THENCE SOUTH 00°33'01" EAST, 107.16 FEET ALONG EAST LINE OF SAID LOT 1 TO THE POINT OF BEGINNING,

THENCE CONTINUING SOUTH 00°33'01" EAST, 10.01 FEET ALONG SAID EAST LINE;

THENCE SOUTH 87°29'02" WEST, 38.70 FEET;

THENCE SOUTH 54°36'40" EAST, 47.77 FEET TO THE SAID EAST LINE;

THENCE SOUTH 00°33'01" EAST, 12.34 FEET ALONG SAID EAST LINE;

THENCE NORTH 54°36'40" WEST, 57.49 FEET;

THENCE NORTH 74°25'41" WEST, 13.13 FEET;

THENCE NORTH 01°42'30" WEST, 12.30 FEET;

THENCE NORTH 87°29'02" EAST, 59.43 FEET TO THE SAID EAST LINE AND POINT OF BEGINNING;

CONTAINING 0.028 ACRE, SUBJECT TO OTHER EASEMENTS OF RECORD.

**WATER SERVICE EASEMENT #2**

A STRIP OF LAND FOR WATER SERVICE EASEMENT PURPOSES BEING LOCATED IN LOT 1 AND LOT 2 IN MBH ADDITION IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 89 NORTH, RANGE 9 WEST OF THE 5TH P.M., BUCHANAN COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 IN SAID MBH ADDITION;

THENCE NORTH 02°46'50" EAST, 74.56 FEET ALONG WEST LINE OF SAID LOT 1;

THENCE NORTH 00°08'14" WEST, 43.90 FEET ALONG SAID WEST LINE;

THENCE NORTH 38°42'28" WEST, 18.05 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING;

THENCE SOUTH 41°04'04" WEST, 28.55 FEET;

THENCE NORTH 43°28'59" WEST, 10.05 FEET;

THENCE NORTH 41°04'04" EAST, 54.81 FEET;

THENCE SOUTH 20°32'43" EAST, 11.37 FEET;

THENCE SOUTH 41°04'04" WEST, 21.81 FEET TO THE SAID WEST LINE AND THE POINT OF BEGINNING;

CONTAINING 0.012 ACRE, SUBJECT TO OTHER EASEMENTS OF RECORD.

REFERENCE IS HEREBY MADE TO A SURVEY AND PLAT MADE BY DANIEL T. CRAWFORD, RECORDED DECEMBER 29, 1997, IN RECORDING INSTRUMENT #1997R03901; TO A SURVEY AND PLAT MADE BY HAROLD M. JENSEN, RECORDED OCTOBER 28, 1975, IN BOOK 391, PAGE 377; TO A SURVEY AND PLAT MADE BY L. BAGG, RECORDED JUNE 20, 1871, IN BOOK 1, PAGE 53; ALL ON FILE IN THE BUCHANAN COUNTY RECORDER'S OFFICE, INDEPENDENCE, IOWA.

**SURVEYOR:**

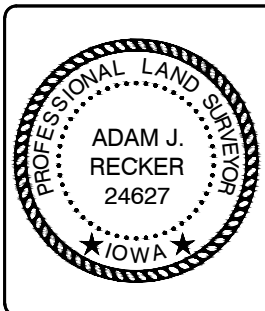
FEHR GRAHAM  
221 E. MAIN ST., SUITE 301  
MANCHESTER, IOWA 52057

**PROPRIETOR/OWNER:**

CRAIG AND KATHY FINHOLT  
1805 218TH ST  
INDEPENDENCE, IA 50644

**REQUESTED BY/SUBDIVIDER:**

CRAIG AND KATHY FINHOLT



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 Land Surveyor under the laws of the State of Iowa. The unadjusted error of closure does not exceed 1:10,000 for the subdivision boundary and does not exceed 1:5,000 for any individual lot.

Adam J. Recker, P.L.S. \_\_\_\_\_ Date \_\_\_\_\_  
License Number: 24627  
My license renewal date is December 31, 2025.  
Sheets covered by this seal: SHEETS 1 THROUGH 3

**FEHR GRAHAM**  
ENGINEERING & ENVIRONMENTAL

ILLINOIS  
IOWA  
WISCONSIN

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FLD BK: FEHR GRAHAM  
2023 RECKER No. 1  
PG: 57

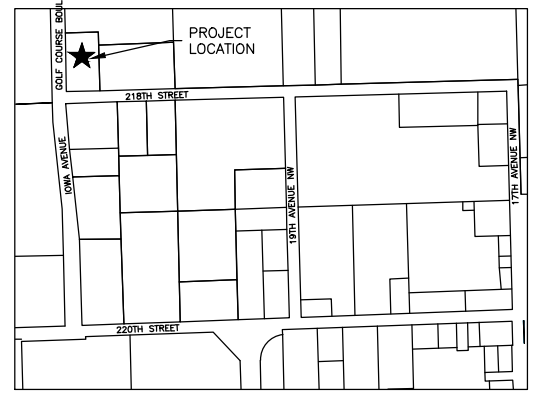
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JULY 16, 2024

JOB NUMBER:  
24-809

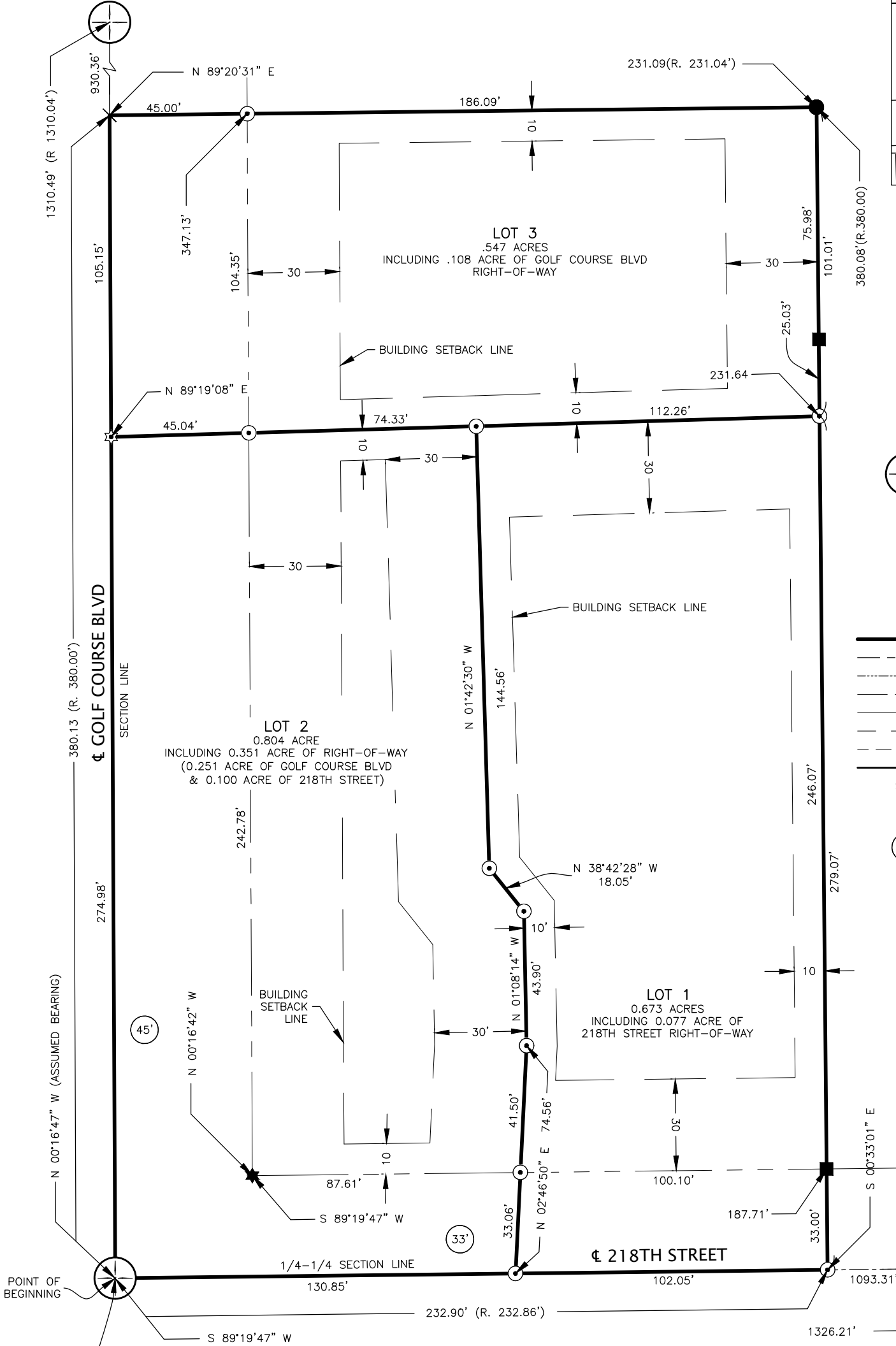
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# FINAL PLAT MBH ADDITION IN THE NW 1/4 OF THE SW1/4 OF SECTION 33-T89N-R09W CITY OF INDEPENDENCE, BUCHANAN COUNTY, IOWA





















CITY OF INDEPENDENCE  
NOT TO SCALE



W1/4 CORNER  
SEC. 33-T89N-R9W  
FD. 1/2"Ø REBAR  
REC. INSTR. 1998R00156



**LEGEND**

-  SECTION CORNER AS DESCRIBED
-  FOUND 1/2"Ø REBAR W/YPC ILLEGIBLE
-  FOUND T-BAR
-  FOUND 1/2"Ø REBAR W/YPC #8812
-  FOUND CUT X
-  SET 1/2"Ø REBAR W/RPC #24627
-  SET CUT X
-  CALCULATED POSITION
-  SURVEY BOUNDARY
-  SECTION LINE
-  1/4-1/4 SECTION LINE
-  EXISTING RIGHT-OF-WAY
-  EXISTING PROPERTY LINE
-  PROPOSED SETBACK LINE
-  PROPOSED EASEMENT
-  PROPOSED PROPERTY LINE
-  STAINLESS STEEL WASHER
-  YELLOW PLASTIC CAP
-  RED PLASTIC CAP
-  RIGHT-OF-WAY WIDTH

NE CORNER  
SW1/4-SW1/4  
SEC. 33-T89N-R9W  
FD. 1/2"Ø REBAR  
REC. BK. 2, PG. 286

SW CORNER  
NW1/4-SW1/4  
SEC. 33-T89N-R9W  
FD. 1/2"Ø REBAR  
REC. BK. 2, PG. 286

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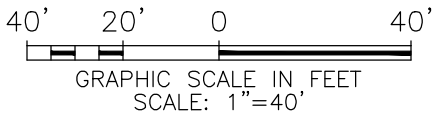
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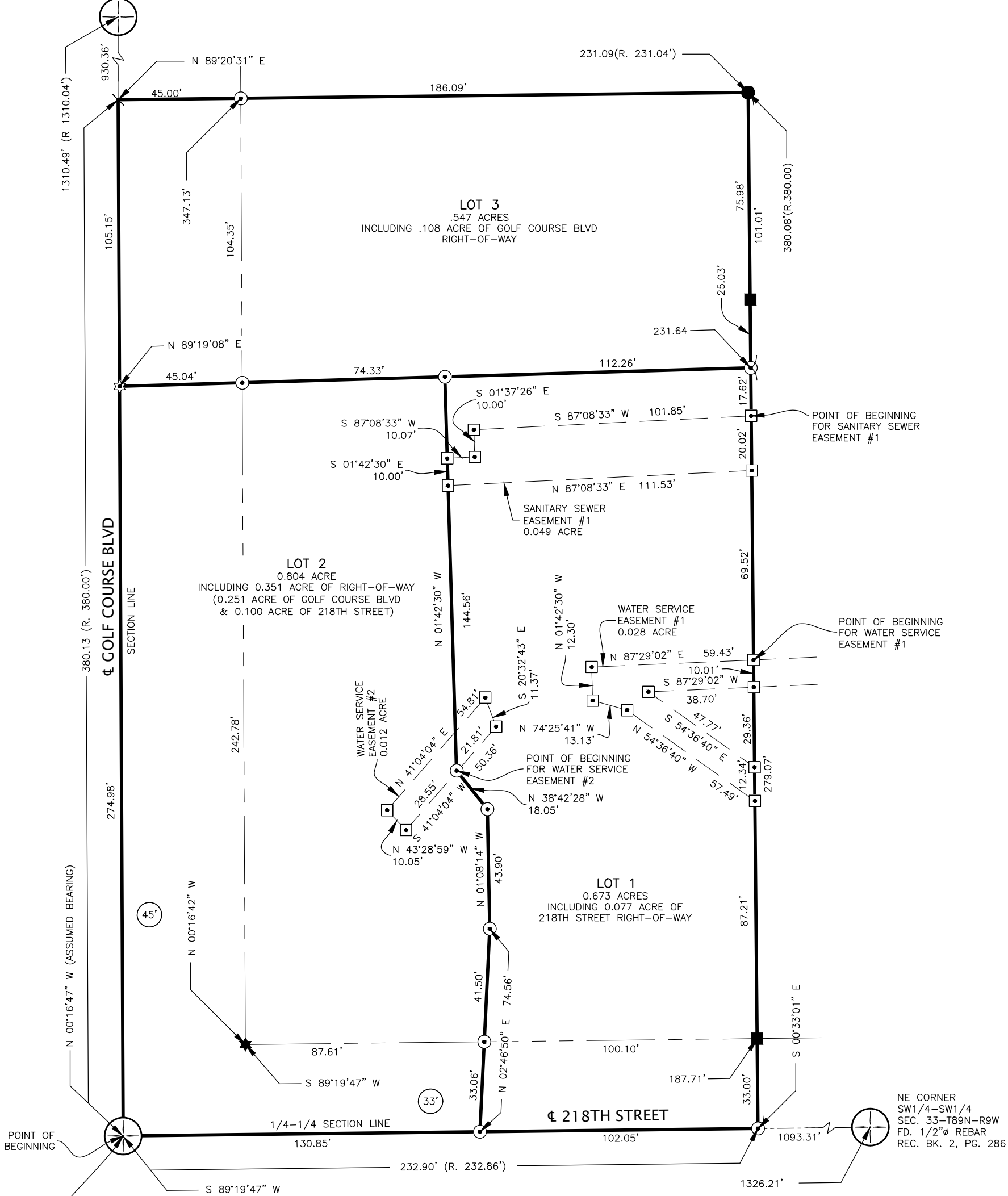
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JULY 16, 2024

JOB NUMBER:  
24-809  
SHEET NUMBER:  
2 of 3



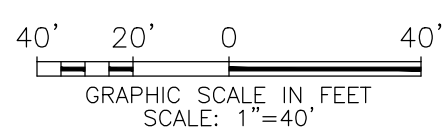
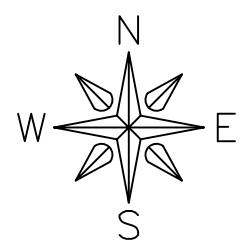
**FINAL PLAT OF SURVEY**  
**MBH ADDITION**  
**IN THE NW 1/4 OF THE SW1/4 OF SECTION 33-T89N-R09W**  
**CITY OF INDEPENDENCE, BUCHANAN COUNTY, IOWA**

W1/4 CORNER  
 SEC. 33-T89N-R9W  
 FD. 1/2" Ø REBAR  
 REC. INSTR. 1998R00156



SW CORNER  
 NW1/4-SW1/4  
 SEC. 33-T89N-R9W  
 FD. 1/2" Ø REBAR  
 REC. BK. 2, PG. 286

NE CORNER  
 SW1/4-SW1/4  
 SEC. 33-T89N-R9W  
 FD. 1/2" Ø REBAR  
 REC. BK. 2, PG. 286



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SURVEY WAS COMPLETED ON: JULY 16, 2024	SHEET NUMBER: 3 of 3