

RESOLUTION NO. 2025-

**RESOLUTION TO PROVIDE FOR A NOTICE OF HEARING
ON A REZONING REQUEST FROM A-1 AGRICULTURAL
TO R-1 RESIDENTIAL; WITHIN THE CITY OF
INDEPENDENCE, BUCHANAN COUNTY, IOWA**

WHEREAS, the Planning and Zoning Commission held a meeting on Tuesday, March 4, 2025, and approved Steve Gee's February 27, 2025, request to rezone an area of property from A-1 Agricultural to R-2 Residential for a housing subdivision and submitted their recommendation to the City Council for approval; and

WHEREAS, the description of the area of proposed rezoning is as follows:

Beginning at the SE corner of Lot 5, Hummingbird Court at the Pines, Second Addition to the City of Independence, Buchanan County, Iowa; thence along the East line of said Hummingbird Court at the Pines, Second Addition, N00°43'24"W, 45.49 feet; thence continuing along said East line N00°25'10"W, 269.98 feet to the SW corner of Lot 6, Goldfinch Court at the Pines, First Addition; thence along the southerly line of said Goldfinch Court at the Pines, First Addition, N61°11'21"E, 736.70 feet; thence N65°25'41"E, 88.35 feet to the SW corner of Lot 4, Cardinal Court at the Pines; thence along the southerly boundary of Cardinal Court at the Pines N81°16'41"E, 193.75 feet; thence N89°50'03"E, 263.16 feet to the west right-of-way line of 6th Avenue Southwest; thence along said west right-of-way line S00°09'57"E, 277.74 feet to the Northeast corner of Tract A of the Pines First Addition; thence along the northerly line of said Pines First Addition S89°50'08"W, 251.57 feet; thence S61°22'57"W, 936.33 feet to the NE corner of Lot 1 of the Pines Second Addition; thence S75°25'08"W, 41.49 feet; thence N89°59'47"W, 65.11 feet to the point of beginning. Described land contains 9.12 acres and is subject to easements and restrictions of record.

WHEREAS, it has been proposed that the City Council of the City of Independence, Iowa (the "City"), undertake the authorization of a rezoning request, which proposed request and notice of hearing are on file with the City Clerk; and

WHEREAS, it is necessary to fix a time and place of a public hearing on the rezoning request;

NOW, THEREFORE, Be It Resolved by the City Council (the "Council") of the City of Independence, Iowa, as follows:

Section 1. The rezoning request documents referred to in the preamble hereof are hereby approved in their preliminary form.

Section 2. The request is hereby determined to be necessary and desirable for the City.

Section 3. March 24, 2025, at 5:00 p.m., at the City Hall, Independence, Iowa, is hereby fixed as the time and place of hearing on the Contract Documents.

Section 4. The City Clerk is hereby authorized and directed to publish notice (the "Notice of Hearing") of the hearing on the rezoning request in a newspaper of general circulation in the City, which publication shall be made at least once, not less than seven (7) and not more than twenty (20) days prior to the date of the said hearing. The Notice of Hearing shall be in substantially the following form:

**NOTICE TO PUBLIC
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City Council of the City of Independence, Iowa will conduct a Public Hearing on March 24, 2025 at 5:00 p.m. in the Independence City Council Chambers to receive comments on the following item: Consider a rezoning request for an area of land between Spruce and Juniper Drives with a legal description of “Beginning at the SE corner of Lot 5, Hummingbird Court at the Pines, Second Addition to the City of Independence, Buchanan County, Iowa; thence along the East line of said Hummingbird Court at the Pines, Second Addition, N00°43’24”W, 45.49 feet; thence continuing along said East line N00°25’10”W, 269.98 feet to the SW corner of Lot 6, Goldfinch Court at the Pines, First Addition; thence along the southerly line of said Goldfinch Court at the Pines, First Addition, N61°11’21”E, 736.70 feet; thence N65°25’41”E, 88.35 feet to the SW corner of Lot 4, Cardinal Court at the Pines; thence along the southerly boundary of Cardinal Court at the Pines N81°16’41”E, 193.75 feet; thence N89°50’03”E, 263.16 feet to the west right-of-way line of 6th Avenue Southwest; thence along said west right-of-way line S00°09’57”E, 277.74 feet to the Northeast corner of Tract A of the Pines First Addition; thence along the northerly line of said Pines First Addition S89°50’08”W, 251.57 feet; thence S61°22’57”W, 936.33 feet to the NE corner of Lot 1 of the Pines Second Addition; thence S75°25’08”W, 41.49 feet; thence N89°59’47”W, 65.11 feet to the point of beginning. Described land contains 9.12 acres and is subject to easements and restructions of record” from its current zoning of A-1 Agricultural to R-2 Residential for a housing subdivision.

Section 5. All provisions set out in the attached forms of notice are hereby recognized and prescribed by the City Council and all resolutions or orders or parts thereof, to the extent the same may be in conflict herewith, are hereby repealed.

RESOLUTION NO. 2025- was passed and approved by a majority vote of the City Council of Independence, Iowa, on the 10th day of March 2025.

Record of Voting:

Ayes:

Nays:

Absent:

Resolution No. 2025- declared passed and adopted by the Mayor on this 10th day of March 2025.

Brad Bleichner, Mayor of the City of Independence, IA

ATTEST:

Susi Lampe, IaCMC, IaCFO,
Assistant City Manager/City Clerk/Treasurer of the City of Independence, IA