

**RESOLUTION NO. 2024-**

**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, September 3, 2024, and approved Elliot Henderson's July 30, 2024, request to rezone an area of property from A-1 Agricultural to R-1 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:

The South ½ of the SE ¼ of Section 5, Township 88 North, Range 9 West of the 5<sup>th</sup> P.M., in the City of Independence, Buchanan County, Iowa; except the North 45 Feet of the South ½ of the SE ¼ of said Section 5 and except the West 496.32 feet of the South ½ of the SE ¼ of said Section 5. Described land contains 62.87 acres.

**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. September 23, 2024, 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 September 23, 2024 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 along Bland Boulevard with a legal description of "The South ½ of the SE ¼ of Section 5, Township 88 North, Range 9 West of the 5<sup>th</sup> P.M., in the City of Independence, Buchanan County, Iowa; except the North 45 feet of the South ½ of the SE ¼ of said Section 5 and the West 496.32 feet of the South ½ of the SE ¼ of said Section 5" from its current zoning of A-1 Agricultural to R-1 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. 2024-** was passed and approved by a majority vote of the City Council of Independence, Iowa, on the 9<sup>th</sup> day of September.

Record of Voting:

Ayes:

Nays:

Absent:

**Resolution No. 2024-** declared passed and adopted by the Mayor on this 9<sup>th</sup> day of September 2024.

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Brad Bleichner, Mayor of the City of Independence, IA

ATTEST:

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