

Prepared by Muscatine County Zoning Office, 3610 Park Avenue West, Muscatine, Iowa 52761
Return to the Muscatine County Administration Office, 414 E. 3rd Street, Muscatine, Iowa 52761

ORDINANCE #05-16-22-01

**ORDINANCE REZONING CERTAIN REAL PROPERTY
IN FULTON TOWNSHIP, MUSCATINE COUNTY, IOWA
FROM A-1 AGRICULTURAL DISTRICT ZONING CLASSIFICATION
TO C-2 COMMERCIAL DISTRICT ZONING CLASSIFICATION**

WHEREAS, Simply-Lean Enterprises Inc., Record Owner by Michael Birkinbine, filed a petition to rezone the easterly six (6.0) acres of the property described as: SW $\frac{1}{4}$ of Sec. 36-T78N-R1E, Parcel K, from its current classification of A-1 Agricultural District to C-2 Commercial District; and

WHEREAS, the rezoning proposal came before the Muscatine County Zoning Commission at a public hearing on April 1, 2022, and a report concerning the proposed rezoning has been forwarded to the Board of Supervisors; and

WHEREAS, a public hearing was held before the Muscatine County Board of Supervisors on May 2, 2022, at which members of the public had the opportunity to speak in favor of and in opposition to the proposed rezoning; and

WHEREAS, the Muscatine County Board of Supervisors finds that:

- A. Rezoning the Property would be in accordance with the Muscatine County Development Guide adopted in September, 1980, revised October, 2014, for the following reasons:
 1. This Property is in the vicinity of property that is currently zoned C-2 Commercial District;
 2. A portion of the Property is proposed to be used for outside rental storage;
 3. This property is less than two miles from the city limits of Blue Grass and therefore within an expected general development zone;
 4. The owner/applicant is applying to rezone only a portion of the property, the easterly six acres, in order to leave a buffer from two existing residential properties to the southwest.
 5. The rezoning of the Property would represent the orderly development of property in Muscatine County.

B. The rezoning of the Property will not be injurious to the health or safety of the residence of the county but rather will promote the welfare of the residents of the county.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Muscatine County Board of Supervisors as follows:

Section 1. The real property more particularly described as: Fulton Township in the SW¼ of Sec. 36-T78N-R1E, the Easterly six acres of Parcel K, as being subject to public road easements, is hereby rezoned from A-1 Agricultural District Zoning Classification to C-2 Commercial District Zoning Classification.

Section 2. The Zoning Administrator is directed to reflect this change in zoning classification on the official zoning map.

Section 3. This ordinance shall take effect upon its publication as required by law.

Section 4. The County Auditor, as required by law, shall immediately, after the publication of this ordinance, certify this ordinance to the County Recorder who shall perform further duties as prescribed by law.

Section 5. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

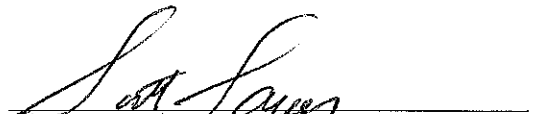
Section 6. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section provision or part thereof not adjudged invalid or unconstitutional.

PASSED, APPROVED AND ADOPTED on 16th day of May, 2022.

ATTEST



Tibe Vander Linden
Muscatine County Auditor



Scott Sauer, Chairperson
Muscatine County Board of Supervisors