



Board of Supervisors

April 21, 2020

Residential Parcel Subdivision

Rasmussen Acres

Property Owner

Charles F. & Mary C. Rasmussen

Parcel Identification Number(s)

07-12-200-400

Size of Area

39.06 net-acres

Location of Subdivision

Richland Township (Section 12, Township 84, Range 22)

Districts

A-1 Agricultural District

Story County Ambulance

Nevada Fire Department

Colo-Nesco School District

Midland Power Coop

Iowa Regional Utilities Association



Background of Property

- The subject property is located over six miles northeast of Nevada and over four miles southwest of Zearing.
- The subject property is a 39.06 net-acre parcel containing a farmstead with an existing dwelling constructed in 1967, several accessory structures constructed between 1900 to 2006, and three steel grain storage bins constructed from the early to late 1960's. The property owners are currently raising cattle on the property.
- Except for the creek/stream areas, approximately 28 acres of the parcel contains pastureland for grazing cattle.
- The property has frontage along 680th Avenue to the east. An existing access is located in the northeast corner of the parcel and a gravel driveway extends westerly to the farmstead located in the northwest area of the parcel.
- A tributary of the East Indian Creek meanders through the central area of the parcel and its located south of the farmstead. The creek/stream extends through the east, south and west property lines. A treed area is located on the north side of the farmstead and also extends along the north and east property line areas.
- A 1% annual chance flood plain area is located along the stream/creek areas located in the southwest and central areas of the property and the flood plain extends through the south and west property lines.

Proposed subdivision

- **Rasmusson Acres Residential Parcel Subdivision Plat will include proposed Lot 1, a 34.98-net acre lot containing the existing farmstead that includes the dwelling, accessory buildings and corn cribs located at 17257 680th Avenue, and proposed Lot 2, a 4.08-net acre lot located in the southeast area of the parcel.**
- **Proposed Lot 1 will continue to be used for livestock production and the balance of the land area will remain as pastureland. The existing dwelling is served with rural water. Rural water will be extended to proposed Lot 2. Proposed Lot 2 will accommodate a proposed new single family dwelling for the property owner's son who assists with the farming operation throughout the year.**
- **A 60 feet wide easement is shown along the creek/streams. The applicant's son will need to apply for an entrance permit from Engineering/Secondary Roads for a new access from 680th Avenue to proposed Lot 2, a septic system permit from Environmental Health, and a 911 address permit from Planning and Development at the time the zoning permit application is submitted for the proposed dwelling for proposed Lot 2.**
- **In addition to the subdivision plat application and drawing submittal on March 25, 2020, the applicant also submitted the Consent to Plat, Title Opinion, Story County Treasures Certificate, a copy of the written drainage easement and a separate drainage easement drawing, and provided responses to County staff comments.**

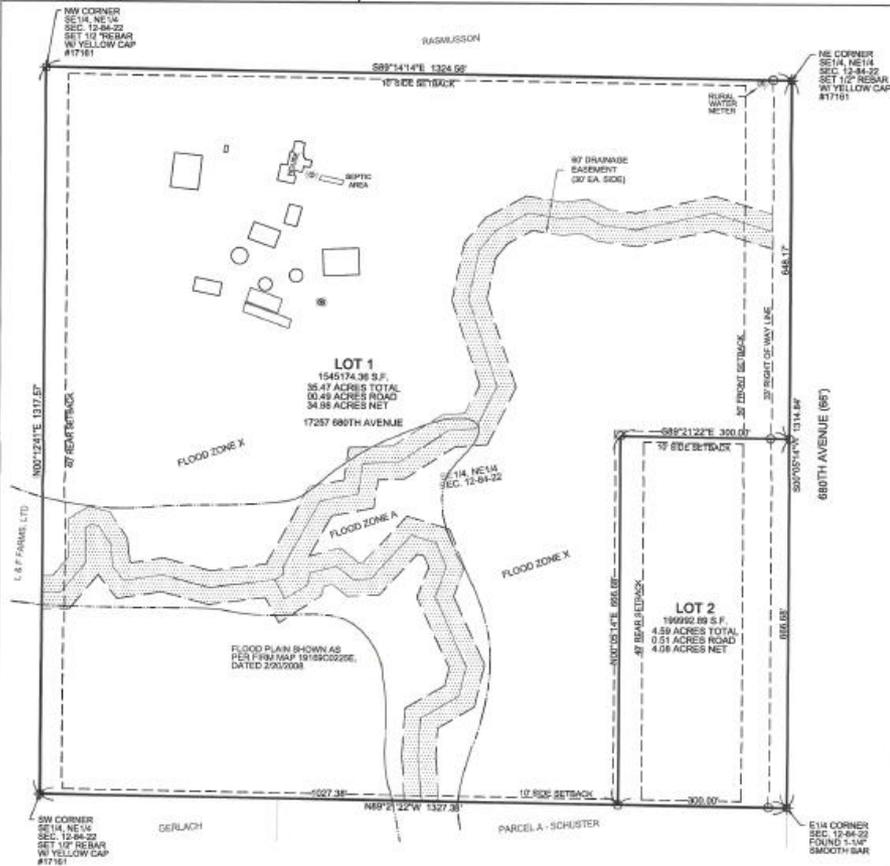
FINAL PLAT RASMUSSEN ACRES

LOCATION: A RESIDENTIAL PARCEL SUBDIVISION OF THE SE1/4,
NE1/4 SEC. 12-84-22, STORY COUNTY, IOWA

PROPRIETOR: CHARLES F. & MARY C. RASMUSSEN
17257 680TH AVE.
NEVADA, IA 50203

REQUESTED BY: TED RASMUSSEN

SURVEYOR: R. BRADLEY STUMBO, PLS #17161
FOX ENGINEERING ASSOCIATES, INC.
AMES, IA 50010
515-233-0000



Survey Description:

A subdivision of the Southeast Quarter of the Northeast Quarter of Section 12, Township 84 North, Range 22 West of the 5th P.M., Story County, Iowa, being more particularly described as follows: Beginning at the East Quarter Corner of said Section 12; thence N89°21'22"W, 1327.38 feet to the Southwest Corner of said Southeast Quarter of the Northeast Quarter; thence N30°10'51"W, 1314.84 feet to the Northwest Corner thereof; thence S89°14'14"E, 1324.66 feet to the Northeast Corner thereof; thence S00°05'14"W, 1314.84 feet to the point of beginning, containing 40.06 acres, which includes 1.00 acre of existing public right of way.

Notes:

- Both lots will be served by private septic and rural water.
- All new lots shall require an E911 address for inhabited structures, including residences and businesses, telecommunications towers and facilities, and for any public assembly areas including open-air, outdoor activities. E911 addresses shall be assigned by Story County at the request of the property owner.

Districts:

Zoning: A-1 (Agricultural)
School: Colo-NE/SCO
Fire: Nevada Fire Department
Ambulance: Story County
Watershed: Indian Creek
Utilities: Iowa Regional Utility Assn., Midland Power

○ = SET 1/2" REBAR W/ YELLOW CAP #17161



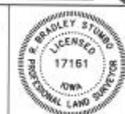
FOX Engineering Associates, Inc.
414 South 17th Street, Suite 107
Ames, Iowa 50010
Phone: (515) 233-0000
FAX: (515) 233-0103

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.

R. Bradley Stumbo
R. BRADLEY STUMBO, PLS
License number 17161

4/08/2020
DATE

My license renewal date is December 31, 2021.



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- **The property is designated as Agricultural Conservation Areas and Natural Areas in the Capstone (C2C) Comprehensive Plan Future Land Use Map. Agricultural Conservation Areas “encompass large areas of highly valuable farmland, with farming and agricultural production as the primary activity.” Principles for the designation include encouraging high-value agriculture lands to remain in production.**
 - **Natural Resource Areas are also located along the creek/stream areas of the property and also encompass areas outside the creeks/streams. As previously stated, 4.08 acres will be included with proposed Lot 2 in the southeast area of the property. The footprint of the proposed dwelling is planned to be located on the higher elevation area of proposed Lot 2, outside of the Natural Resource Area and most of proposed Lot 2 will be located outside of the Natural Resource Areas.**
 - **No land will be taken out of row crop production to create the subdivision and as previously stated, the creation of proposed Lot 2 will allow the property owner’s son to construct a new dwelling**

Surrounding property

North

38 acres contains row crops, pasture and creek. Owned by applicant.

East

24.03 acres contains row crops. Owned by Connor Farms LLC

South

12.89 acres contains mostly pasture and creek and single family dwelling. Owned by Allan R. Jr. and Shelly A. Schuster

24.51 acres contains row crops. Owned by Lois Gerlach and Dwayne and Geraldine Gerlach, and Dwayne Gerlach

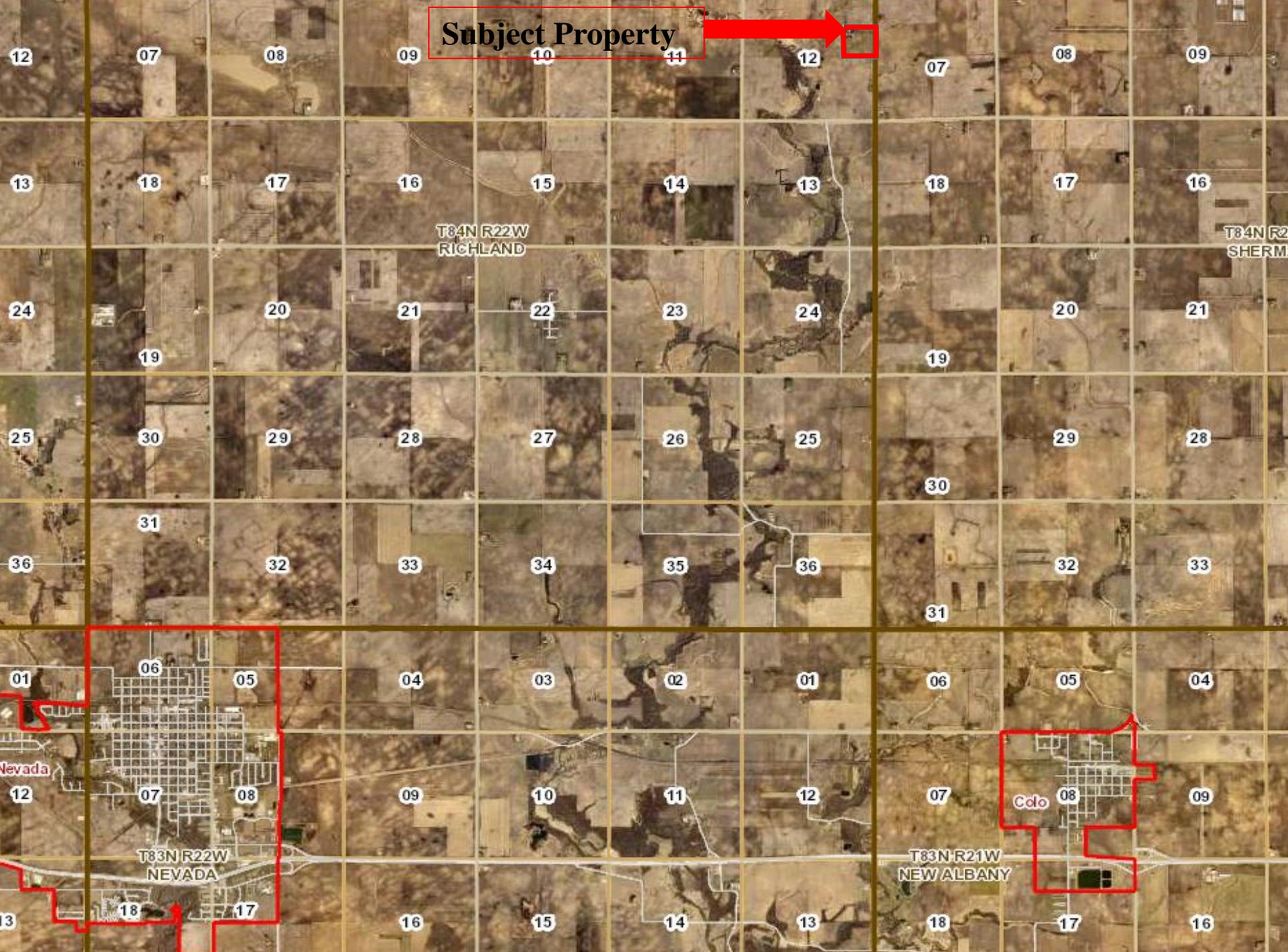
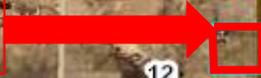
West

40 acres contains pastureland and creek. Owned by Lois Jean Rasmusson, Deed Holder L & F Farms LTD

There are 21 parcels located within a quarter-mile of the property, five contain single-family dwellings. Nine of the parcels within quarter mile of the property meet or exceed the minimum 35-acre requirement to construct a single-family dwelling in the A-1 Agricultural Zoning District.



Subject Property



T84N R22W
RICHLAND

T84N R2
SHERM

Nevada

Colo

T83N R22W
NEVADA

T83N R21W
NEW ALBANY

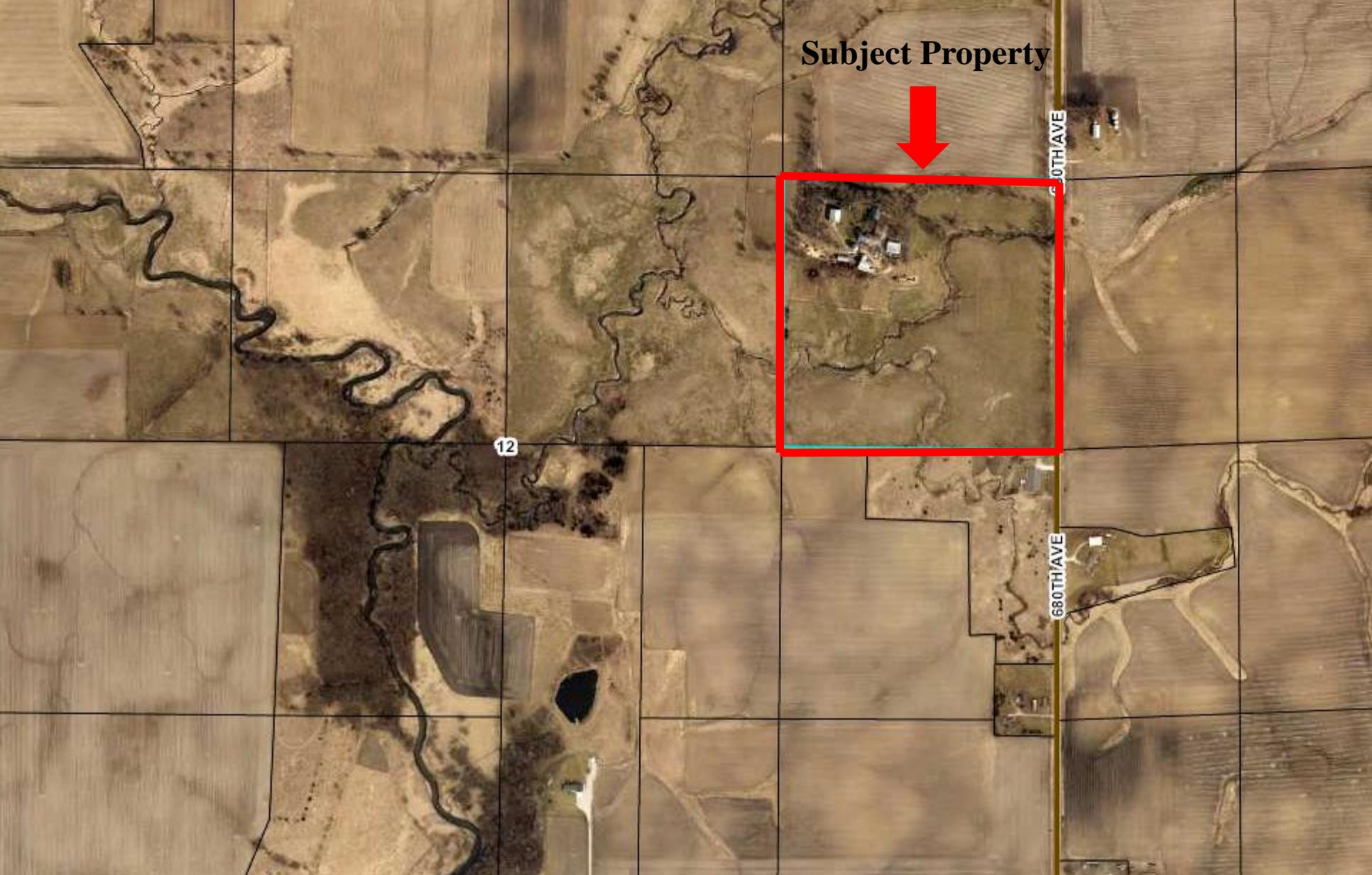
Subject Property



690TH AVE

680TH AVE

12



**Access to
farmstead
looking north at
680th Ave.**





On farmstead access
looking south at 680th
Ave.

A gravel driveway leads from the foreground into the distance, flanked by green grass. To the left, a line of bare trees stands against a clear blue sky. To the right, a field of harvested corn is visible. The scene is bright and clear, suggesting a sunny day.

Farmstead
driveway looking
west toward
farmstead



Looking south from
farmstead driveway



Looking north
from farmstead
driveway



Existing dwelling



Existing
buildings



More
buildings



Looking
toward
south on
property



Looking at
proposed dwelling
site and proposed
Lot 2



Proposed
Lot 2

A photograph of a dirt road in a rural landscape. The road is unpaved and runs from the foreground towards the background. On the left side of the road, there is a grassy area with several large, leafless trees. On the right side, there is a field with a fence line. In the distance, there are some buildings, including a blue house and a silver water tower, and a clear blue sky.

Looking north
on 680th Ave.
from proposed
Lot 2

A gravel road stretches into the distance under a clear blue sky. The road is flanked by green grass and a line of bare trees. In the foreground, the front left corner of a silver car is visible. The text "Looking south on 680th Ave. from proposed Lot 2" is overlaid on the grassy area to the right of the road.

Looking
south on
680th Ave.
from
proposed
Lot 2



Looking east
from 680th Ave.
across from
proposed Lot 2

Story County Land Development Regulations Ch. 87.07 Residential Parcel Subdivision Plat

Submittal Process.

- A. Formal Application Submitted.** A Residential Parcel Subdivision Plat application shall be submitted to the Planning and Development Department.
- (1)** A subdivision may be submitted for review and approval as a Residential Parcel Subdivision Plat when all of the following are true:
- a.** The development lots created by the subdivision are intended to be used for residential purposes.
 - b.** Only two development lots may be created.
 - c.** The Assessment Property Record Card for the property shall show a single-family dwelling and/or farmstead, as defined in Section [85.08](#), in existence.
 - d.** The subdivision includes no land set apart for new streets, alleys, parks, dedicated open space, school property, or public use.
 - e.** The subdivision lies wholly within the A-1 District. For parcels located within the boundaries of the *Ames Urban Fringe Plan*, the subdivision must be both zoned A-1 Agricultural and lie wholly within the Rural Service and Agricultural Conservation Area designation.
 - f.** Both development lots (created by the Residential Parcel Subdivision Plat) shall contain a minimum of one acre (net) each. All side and rear yard setback requirements must be met.
 - g.** All resulting development lots shall have access to an adjoining public roadway by actual road frontage or easement.
 - h.** No variances from subdivision or zoning standards shall be granted in order to accomplish the Residential Parcel Subdivision Plat.
 - i.** The existing parcel shall not have been created through a previously approved Residential Parcel Subdivision Plat.

Interagency Review

The application materials were forwarded to the members of the Interagency Review Team on March 31, 2020, and the following applicable comments were received.

Story County Engineer

Any proposed driveway will need a permit from our office and will need to meet our spacing and sight distance requirements.

Story County Assessor

The Assessor's Office will review the Classification of Lot 2 for the 01/01/2021 assessment.

Story County Assessor

The Assessor's Office will review the Classification of Lot 2 for the 01/01/2021 assessment.

Story County Environmental Health

We have received the septic system application. No concerns for Environmental Health.

Continue

Story County Planning & Development Department

For Attorney

The legal description of the subject property from your attorney's title opinion indicates the property is located in the east ½ of northeast quarter of section 12. The east half also include a separate parcel that you also own. While the general description is correct, the property is more specifically located in the southeast quarter of the northeast quarter of section 12. **Corrected copy provided by attorney.**

Please correct the reference on page three, number 8 to Lee Farms Subdivision. Please also indicate on the easement that the property owner is responsible for the maintenance and upkeep of the easement area. **Corrected copy provided by attorney.**

For Land Surveyor

Please add the following district information to the subdivision plat drawing. See Story County Land Development Regulations Ch. 87.07 2. A. 11 for details.

Fire: Nevada Fire Department

Utilities: Iowa Regional Utility Association and Midland Power Completed by land surveyor

Please add the 100-year flood plain information generally extending along the creek that meanders through the southwest portion of the property. See Ch. 87.07 2. A. 12 for details. **Completed by land surveyor**

For Property Owner

Are restrictive covenants proposed for the proposed subdivision? If so, please provide a copy. See Ch. 87.07 2. B 2. for details. **There will not be any covenants proposed.**

Please provide a brief narrative regarding the timing of the proposed single family dwelling planned for proposed lot 2. **There are plans for the single family dwelling to begin as soon as the division is complete and a building permit is approved (this is ready to be submitted once the division is complete).** The lumber and millwork supplier has the home on the schedule for delivery beginning April 27.

Is the property currently connected to the rural water main? Will the proposed single family dwelling on lot 2 be connected to the existing rural water main? **We have opened those discussions and received the following emailed response from them. Applicant is planning to extend rural water to proposed Lot 2. Please forward any written communication from utility providers addressing their acknowledgement and ability to adequately serve a new dwelling on proposed lot 2. Email from rural water service provided.**

Follow up questions from Planning and Development

Is your parents or you planning to have the rural water line extended for your proposed dwelling? Yes we are planning to extend the line from the south. Do you know which adjacent property currently has the rural water service? **Both my parents and the property to the south have rural water. To avoid the creek to the north, I think we are going to have them extend the line from the south to our new dwelling.**

Also, from review of the aerial of the property, it appears the land area beyond the farmstead is pastureland. Is this pastureland also in a crop such as alfalfa or hay? **There is a very small patch on the northwest corner of the parcel that is rotated on tilled crops and oats/alfalfa. I believe it will be soybeans this year. The rest of the pasture is all used for grazing. 10-15 ago we did not have any cattle for 2-3 year so some of the grass was mowed and baled until cattle were brought back. At the end of the summer my dad typically mows whatever is left standing in the pasture as it is usually just thistles or other weeds that the cows refuse to eat. The area where the new subdivision is going was tilled a few years by my grandfather 60+ years ago, but it was reseeded to grass and has just been grass ever since.**

Also, how about the parcel to the north that your parents own, the row crop area is visible, however is the area to the north pastureland that is also in crops? **The area north of the tilled area has always been pasture to my knowledge.**

Lastly, you mentioned your parents raise cattle, do they raise other livestock? **There hasn't been any other livestock than cows on the property for at least 30+ years.**

Comments from General Public

- **Notification letters were mailed on April 15, 2020 to surrounding property owners within a ¼ mile of the subject property regarding the public meeting on the subdivision request.**
- **No comments were received as of the writing of this staff report.**
- **Comments from Cities within Two Miles**
There are no cities located within two miles of the property.

Analysis

Points to consider in evaluating the applicant's request to divide their property through the Residential Parcel Subdivision Plat process to create two (2) lots.

- 1. The property contains a farmstead and pastureland and proposed Lot 2 for the proposed dwelling will impact approximately 10% of the property. A majority of the land will continue to be used for agricultural purposes and no land will be taken out of row crop production for the creation of this subdivision.**
- 2. The purpose of the subdivision is for the property owner's son to construct a new dwelling on the property who will continue assisting with the farming operation.**
- 3. The subdivision meets all requirements and standards for a Residential Parcel Subdivision. Proposed Lot 1, a 34.98-net acre lot containing the existing farmstead that includes the dwelling, accessory buildings and corn cribs located at 17257 680th Avenue, and proposed Lot 2, a 4.08-net acre lot located in the southeast area of the property.**
- 4. Additional divisions of the lots created with the Residential Parcel Subdivision are not permitted in the A-1 District.**

Alternatives

Story County Planning & Development Staff recommend the Board of Supervisors approve Rasmusson Acres Subdivision, as proposed (alternative #1).

- 1.The Story County Board of Supervisors approves Resolution #20-87, the Residential Parcel Subdivision Plat – Rasmusson Acres Subdivision, as put forth in SUB04-20.**
- 2.The Story County Board of Supervisors approves Resolution #20-87, the Residential Parcel Subdivision Plat – Rasmusson Acres Subdivision, as put forth in SUB04-20, with conditions.
- 3.The Story County Board of Supervisors denies Resolution #20-87, the Residential Parcel Subdivision Plat – Rasmusson Acres Subdivision, as put forth in SUB04-20.
- 4.The Story County Board of Supervisors tables the decision on Resolution #20-87, the Residential Parcel Subdivision Plat – Rasmusson Acres Subdivision, as put forth in SUB04-20 and directs the applicant to address specific areas for additional information, review and/or modifications, and to work with staff to place the subdivision plat back on a future Board of Supervisor’s agenda.