

# Staff Report

Story County Board of Supervisors



**Date of Meeting:** March 10, 2026

**Staff Project Manager:** Leslie Day

**Case Number:** SUB25-000045

**Name of Subdivision:** Pudenz Estates Residential Parcel Subdivision

**Resolution No.** 26-63

## REQUESTED ACTION

The request is for a Residential Parcel Subdivision Plat to create one lot which contains the existing dwelling (Lot 1), and an Outlot (Outlot A) as permitted in Section 87.07 Residential Parcel Subdivision Plats of the *Story County Code of Ordinances*.

## RECOMMENDATION

All requirements for a Residential Parcel Subdivision Plat are met. Planning and Development staff recommend approval of the subdivision as submitted.

**APPLICANT(S):** Andrew Cofran  
JEO Consulting Group

**PARCEL IDENTIFICATION NUMBER(S)**  
13-08-300-340

**DISTRICTS**  
A-1 Agricultural  
Ballard School District

**SIZE OF PARCEL/AREA**  
Gross Acres 12.26      Net Acres 11.87

**PROPERTY OWNER(S):**  
Marilyn M. Osterhout Trustee (Deed), Marilyn M. Osterhout Trust (Deed),

**GENERAL PROPERTY LOCATION**  
51147 300th St. Kelley, IA 50134-8555  
Section:08 Township:82 Range:24 SW SW E of RY

**LAND USE FRAMEWORK DESIGNATION**  
The subject property is designated as Agricultural Conservation Area on the Cornerstone to Capstone (C2C) Plan.

**CURRENT LAND USE**  
The site is assessed as an Agriculture use by the Story County Assessor's Office.

## CITIES WITHIN TWO MILES OF PROPOSED SUBDIVISION REQUEST

The proposed subdivision lies within two miles of the city of Kelley. On February 24, 2026, the Kelley City Council waived their right to review the Pudenz Estates Residential Parcel Subdivision with Resolution # 16 (2025-2026) fiscal year, and they are in favor of the subdivision of the property.



## Background

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### Description of Proposed Subdivision

The request is for a Residential Parcel Subdivision Plat to create one lot which contains the existing dwelling (Lot 1), and an Outlot (Outlot A) as permitted in Section 87.07 Residential Parcel Subdivision Plats of the *Story County Code of Ordinances*. The applicable requirements are outlined below.

### Applicable Regulations – Story County Land Development Regulations

#### 87.07 RESIDENTIAL PARCEL SUBDIVISION PLATS

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.
  - 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.

### Property History

This parcel (Parcel Identification Number 1308300340) was created on January 18, 2019, when the southwest quarter of the southwest quarter of Section 8, Township 82, Range 24, was divided due to a now-abandoned railroad right-of-way formerly owned by the Chicago and Northwestern Transportation Company that runs through the property. The division was established by a Retracement Boundary Survey recorded as Instrument No. 2019-00485.

The proposed Outlot A contains a Zone A flood area, as identified by Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps.



**Current and Future Land Use**

The current parcel is 11.04 net-acres and zoned A-1 Agricultural. All proposed lots will retain this zoning. At present, the existing parcel contains a new single-family dwelling.

The future intent is for proposed Lot 1 to be used for the dwelling and the proposed Outlot A to be an unbuildable lot.

The property is designated as Agricultural Conservation on the Cornerstone to Capstone (C2C) Future Land Use Map. Principles for the Agricultural Conservation designation include to:

Principle 1:

Conserving agricultural land, as well as agricultural practices, is a fundamental principle in Story County. Areas are identified, conserved, and enhanced within the county for farming practices and agricultural production.

Principle 2:

Continue to work towards strategies that promote alternative agricultural methods that work in harmony with conventional operations. A variety of farm types is a good thing.

Principle 3:

Encourage high-value agricultural lands to remain as agricultural and discourage non-agricultural development of such lands. Direct future non-agricultural development toward the designated Urban Expansion, Rural Residential, Rural Village, and Commercial-Industrial Area designations on the Future Land Use Map.

Principle 4:

Design areas identified for development to limit conflicts between agricultural uses and rural residences and other types of land uses. Through development practices preserve and protect prime agricultural lands and the ability to engage in agricultural activities.

Principle 5:

Promote the continued health of agriculture through an ongoing planning process to identify partnerships and develop voluntary, incentive-based programs and strategies.

**Current Surrounding Land Use**

The property is in the Southwest of the Southwest Quarter of Section 8 of Palestine Township. Adjacent properties include:

*North*

A 2.72 net-acre parcel in the A-1 Agricultural Zoning district. This parcel is owned by Marilyn M. Osterhout Trustee and is used for Agricultural Purposes .

*South*

A 34.73 net-acre parcel in the A-1 Agricultural Zoning district. This parcel is owned by Tron N. Scott and is used for Agricultural purposes.

*East*

A 35.63 net-acre parcel in the A-1 Agricultural Zoning district. This parcel is owned by Marilyn M. Osterhout Trustee and is used for Agricultural Purposes .

*West*

A 3.39 net-acre parcel in the A-1 Agricultural Zoning district. This parcel was part of the Northwestern Railroad (now abandoned) is owned by Marilyn M. Osterhout Trustee and is used mainly for Agricultural purposes.



## Analysis

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The proposed subdivision is consistent with the criteria outlined above in Section 87.07 Residential Parcel Subdivision Plat of the *Story County Code of Ordinances* as noted below:

- All requirements are satisfied.                       Not all requirements are satisfied, and those exceptions are noted below:

Erosion control requirements in [Section 88.05](#) will apply to any development of the lots. The requirements include a construction buffer from sensitive natural areas and other requirements for temporarily stabilization of disturbed soils on a site.

**Points to consider in evaluating the applicant’s request to divide property through a Residential Parcel Subdivision Plat process to create one lot which contains the existing dwelling, and an Outlot:**

1. All requirements for a Residential Parcel Subdivision Plat in Section 87.07 of the Story County Land Development Regulations have been met.

## Commentary

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The following comments are part of the official record of the proposed Pudenz Estates Residential Parcel Subdivision, Case No. SUB25-000045. If necessary, conditions of approval may be formulated based on these comments.

### Comments from the Interagency Review Team

The proposal underwent the usual Interagency Review, and the following comments were provided:

### Story County Planning and Development Questions and Comments

1. Show existing rural 911 addresses on the plat.
2. The plat must be signed and dated by the surveyor and include:
  - Surveyor’s Iowa license number
  - Legible seal
  - Confirmation that the license is current
3. Show net area calculations for each lot on the face of the plat, including conversions from acres to square feet.
4. Indicate all existing wells and septic systems on the plat, including setbacks to structures and property lines. If applicable, reference these in the Notes section.

### Required Additions to Notes Section:

5. Include the following applicable districts on the Notes section of the plat:
  - Drainage District
  - Emergency Services Districts (Ambulance and Fire)
  - School District
  - Zoning District
  - Utility District
  - Watershed District



6. Add the following Subdivision Restriction Statement:  
*“Additional divisions of the lots created with this Residential Parcel Subdivision Plat are not permitted unless the entire subdivision is considered for replating purposes.”*
7. Mention any easements.
8. Add the zoning district information.

**Story County Auditor’s Office Comments**

1. This was originally submitted and reviewed as a plat of survey creating Parcel D on April 17, 2025. On the subdivision plat we received now the original parcel is labelled as Proposed Parcel D and the remainder of the parcel being split is labelled Proposed Outlot. If this is to be a subdivision plat the outlot should be Outlot A and Parcel D will become Lot 1.
2. There are no bearings and dimensions on the face of the plat of Proposed Parcel D. They are there on the plat of survey we reviewed in April. Likewise, there is no bearing and dimension for the proposed outlot from the section line to the point of beginning.
3. In the legal description for the proposed outlot the point of beginning is mis-labelled as the point where the east line of the former railroad right-of-way intersects the south line of the section. This is the point of beginning for proposed Parcel D.
4. The entire subdivision should appear on a single sheet of paper and the legal description should trace the boundary of the entire subdivision. While there is nothing I am aware of that says you can’t describe the individual lots and outlots in a subdivision, and it works for this one it isn’t something we ever see. It would be impractical if you had a subdivision containing 5 or more lots for instance.

**Story County Environmental Health Comments**

No comments.

**Story County Engineer’s Office**

The unauthorized second driveway to the house needs to be removed before this is approved. The applicant has been notified about this multiple times.

**Story County Assessor’s Office**

No comments.

**Story County Conservation**

No comments.

The property proposed to be subdivided lies within two miles of the City of Kelley. The Code of Iowa grants subdivision review authority to communities within their two-mile limits. The City must adopt a resolution approving, denying or waiving their authority before the Board of Supervisors can take action on a proposed subdivision. Please reach out to the City Clerk at the following:

**City of Kelley**  
**1111 Grace Street**  
**Kelley, IA 50134**  
**(515) 769-2213**



**The surveyor has addressed all review comments and submitted a corrected subdivision plat.**

**Floodplain Management Program Comments**

The property is located in a Zone A Special Flood Hazard Area as defined by FEMA.

**Comments from the General Public**

Letters were mailed to surrounding property owners on February 26, 2026, regarding the Board of Supervisors’ meeting on the request. No public commentary was received or recorded at the time this report was published.

**Alternatives**

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Story County Planning and Development Staff recommend alternative one below regarding the Pudenz Estates Residential Parcel Subdivision, as submitted.

1. **The Story County Board of Supervisors approves Resolution #26-63, Pudenz Estates Subdivision, a Residential Parcel Subdivision Plat, as submitted.**
2. The Story County Board of Supervisors approves Resolution #26-63, the Pudenz Estates Subdivision, a Residential Parcel Subdivision Plat, with conditions.
3. The Story County Board of Supervisors denies Resolution #26-63, Pudenz Estates Subdivision, a Residential Parcel Subdivision Plat, as submitted.
4. The Story County Board of Supervisors tables the decision on Resolution #26-63, the Pudenz Estates Subdivision, a Residential Parcel Subdivision Plat, 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 the Board of Supervisors’ agenda.

**Attachments to the Staff Report**

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- Submitted application and plans
- Public Comments
- Written responses from applicants to comments
- Legal Description
- Resolution from city within two miles (if applicable)
- Other