

Minutes - Woodbury County Zoning Commission Meeting September 28, 2015

The meeting convened on the 22nd of June, 2015 at 6:01 PM in the Board of Supervisor's meeting room on the first floor of the Court House, Downtown, Sioux City, Iowa. Present were the following Commission members – Tom Bride, Bruce Garbe, David McWilliams, Barbara Parker and Christine Zelman Zant. Zoning Staff Present: John Pylelo and Peggy Napier. Present from the public were Roger and Jean Hassebroeck, and Dave Lamberton.

The 1st agenda item is any citizen not on the agenda wishing to be heard.

The Planning and Zoning Office is not aware of any person intending to be present to be heard on a non-agenda matter.

The next agenda item is the approval of minutes from the Commission's June 22, 2015 meeting.

Mr. McWilliams made a motion to approve the June 22 minutes as written. Mr. Bride seconded the motion; motion passed 5-0.

The next agenda Item is a Public Hearing and Recommendation to the Board of Supervisors Re: The Final Plat for Water Dog Addition - a Minor Subdivision; GIS Parcel #874811300010.

Application Background, Location and Zoning

Roger and Jean Hassebroek have filed a subdivision application and final platting for a rural Woodbury County parcel. The applicants intend to subdivide 8.09 acres into two (2) lots. The applicants currently reside on the parent parcel within one of the two existing single family dwellings. The applicants wish to subdivide the parcel into two lots in order to place each dwelling on an independent parcel.

The parent parcel lies within rural Woodbury County approximately 9/10 of a mile southwest of the Sioux City corporate limits. The closest intersection is ½ mile to the east at 235th St. and Allison Ave. Location mapping can be found on the final platting. The location is within a portion of the NE ¼ of the SW ¼ of Section 11, Liberty West Township.

The parent parcel is zoned GI (General Industrial); is not located within a special flood hazard area; and does not lie within any drainage district. The parcel is serviced by drives addressed 1012 and 1020 235th St. The current and proposed use of the parent parcel and its structures are classified as legal non-conforming uses within the GI zoning district designation and Woodbury County zoning ordinances. As such the re-location, enlargement, or replacement of the existing dwellings and accessory structures may be restricted.

CSR

As primary use of the parent parcel is residential with the CSR value for the parcel being unavailable. CSR values for congruent parcels range from 30.57 to 39.00. This range is below the threshold where county policy discourages subdivision platting approval.

Paving Agreement

The location of the platted lots is along graveled right-of-way and will require the recording of a paving agreement pursuant to county paving policy as part of any final plat approval. Further the city of Sioux City can exercise its right to extraterritorial review and final plat approval.

Drives, Field Entrances and Easements

Multiple drives or field entrances exist which are capable of servicing both the proposed lots. The County Engineer has been made aware of the multiple access capability and the existence of circular drives. Of note is the fact that an ingress/egress easement exists interconnecting existing drives within the proposed two lots. The easement also provides ingress/egress through both lots to a multiple grain bin and shed site located on the adjacent parcel to the south. That adjacent southern parcel is owned by Wagner Farm Enterprises, LLC. The location of the addressed drives and some field entrances are not shown on the platting.

Utilities

Well and septic systems servicing the respective dwellings are location within the respective parcels. The exception being the water well servicing Lot 2's dwelling is located in the southeast corner of Lot 1.

Property Owner Notice

The six (6) property owners within 1000'; and listed within the certified abstractor's affidavit; were notified by letter of the public hearing. In addition the tenants of 1012 235th St. dwelling were also notified. As of September 21, 2015 the Planning and Zoning office had not received comment from any property owner owning property within 1,000' or from the tenants.

Agency Comment

The following departments or agencies were provided copies of the platting and asked to make comment. Responses noted are as of September 21, 2015:

Woodbury County REC: No response Received

Woodbury Soil Conservation District: No Response Received.

Natural Resources Conservation Service: No Response Received.

Iowa Department of Natural Resources: No Response Received.

Siouxland District Health Department: No response Received

Woodbury County Assessor: No response Received

Woodbury County Board of Supervisors: No response Received

Woodbury County Department of Emergency Services: No response Received

Woodbury County Engineer: Response Received;

To: John Pylelo, Woodbury County Planning and Zoning Administrator
From: Mark J. Nahra, County Engineer
Date: September 28, 2015
Subject: Waterdog Addition – A minor subdivision

The Secondary Road Department has reviewed the final plat for the above referenced subdivision forwarded with your memo dated September 10, 2015.

I am offering the following comments for your consideration,

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for each lot as required by Section 355.8 of the Code of Iowa.
- I reviewed the parcel for access issues. Currently 3 driveways serve the two lot subdivision and a farm access easement. These driveways have been in place for a number of years based on older aerial photos of the area. The current driveways may remain, but the owner should be aware that no further driveways may be added to either lot unless one of the current drives is removed or relocated.
- I have no other concerns or issues with this subdivision.

If there are any more questions or issues that arise later, please contact this office.

Woodbury County Recorder-Real Estate Department: The subdivision name has been reserved and is available for use.

Lisa McCardle - City Clerk, City of Sioux City: No response Received

Brent Nelson – Sr. Planner City of Sioux City: See e-mail of Charlie Cowell dated September 17, 2015 requesting plat changes.

Attachments

Attached find the following for your review:

- Location and Parcel Information
- Final Platting (Includes Topographical Contours)
- Aerial Photography
- Onsite Photographs
- Lamberton's e-mail dated September 17, 2015
- City of Sioux City and County Planning and Zoning's e-mail stream dated September 15, 2015.

Your Commission is asked to hold the required public hearing and make recommendation on final plat approval to the Board of Supervisors.

Mr. McWilliams made a motion to close the public hearing. Mrs. Parker seconded the motion; motion carried 5-0.

Comments:

Mrs. Hassebroeck recommended an easement for Lot 2 because they intend to put in an new septic system next year.

Mr. Pylelo said the department could adjust the recommendations.

Mr. Pylelo made a correction saying the pictures eight (8) through eleven (11) provided represent Lot 2. They should be representing Lot 1.

Staff Recommendation:

Subject to public hearing testimony the staff recommendation supports a final plat approval recommendation by your Commission conditioned upon:

- 1.) The subdivision's final platting be approved by the city of Sioux City pursuant to the city's extra-territorial right of review or, in the alternative, the city's waiver said review right.
- 2.) That addressed drive locations and all field entrances be shown on the platting.
- 3.) That the impact of the correction of the legal description pursuant to Dave Lamberton's e-mail of Sept 17, 2015 be made on the platting.
- 4.) An executed copy of a Paving Agreement meeting Woodbury County's current Paving Policies has been received.
- 5.) The recording of a utility easement in which the owner of Lot 2 can benefit from the existing water supply produced from the well located upon Lot 1. That the easement address accessing and maintaining the well and respective supply lines. Further that the easement address potential future construction of a well on Lot 2.
- 6.) That the structures shown on the platting be removed from the platting pursuant to the City of Sioux City's request. See Charlie Cowell e-mail and John Pylelo response dated September 15, 2015.
- 7.) That the elevation contours be removed from the final platting.

Mrs. Parker made a motion to approve Water Dog Addition subdivision. Mr. Garbe seconded the motion; motion carried 5-0.

Your next agenda item is hearing any citizen wishing to be heard.

The Planning and Zoning Office is not aware of any person intending to be present to be heard on a non-agenda matter.

The meeting was adjourned at 6:30 PM by Mr. McWilliams; seconded by Mr. Bride and carried 5-0.

Next meeting will be 6:00 PM Monday, November 23, 2015.