

Minutes - Woodbury County Zoning Commission Meeting – February 22, 2021

The Zoning Commission (ZC) meeting convened on the 22nd of February 2021 at 6:00 PM via teleconference due to the social distancing recommendations as a result of the COVID-19 virus.

ZC Members Present (Telephone): Chris Zellmer Zant, Tom Bride, Barb Parker, Corey Meister, Jeffrey O'Tool
County Staff Present: David Gleiser, Dan Priestley
Public Present (Telephone): Doug Mordhorst, Steve Holmes

Call to Order

Chair Zellmer Zant formally called the meeting to order at 6:00 PM.

Public Comment on Matters Not on the Agenda

Zoning Coordinator Priestley updated the commission on the final approval of Dustin Stieneke's rezone request by the Board of Supervisors on January 19, 2021.

Approval of Minutes

The December 28, 2020 minutes were approved. Motion by Commissioner O'Tool to approve; second by Commissioner Parker. Motion passed 5-0.

Election of Chair and Vice Chair

Commissioner Parker made a motion to nominate Commissioner Chris Zellmer Zant as Chair of the Woodbury County Zoning Commission for 2021; second by Commissioner Meister. Motion passed 5-0. Chair Zellmer Zant accepted the position. Chair Zellmer Zant made a motion to nominate Commissioner Tom Bride as Vice Chair of the Woodbury County Zoning Commission for 2021; second by Commissioner O'Tool. Motion passed 5-0. Vice Chair Bride accepted the position.

Public Hearing – Zoning Ordinance Map Amendment (Rezone) Proposal

Priestley delivered the staff report. Steve Holmes, co-trustee of the Gilbert C. Holmes Irrevocable Trust has submitted a zoning ordinance map amendment application to rezone their family property from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District concurrently with a minor subdivision application to divide the parcel into three lots (Lot 1 – 3.107 acres; Lot 2 – 3.130 acres; Lot 3 – 3.273 acres) to establish the Rainbow Addition. The purpose of this proposal is to divide the property among three siblings and enable the opportunity for Steve Holmes to build a single-family dwelling on the proposed Lot 3. The property was purchased by his father, Gilbert C. Holmes in 1961 who operated a fur and fox farm on the property until 1986. Mr. Holmes resided on the property until 2015 and passed in 2019. The property is identified as Parcel #894634100004 and located in T89N R46W (Concord Township) in the SW ¼ of the NW ¼ of Section 34. The address is 7510 Correctionville Road, Sioux City, Iowa 51106. The property is not located in the floodplain. As of February 22, 2021, no comments were received from property owners within 1000'. Following the evaluation of the requirements for a rezone as per the Woodbury County Zoning Ordinance, the staff recommends approval of the rezone as proposed. Commissioner Parker inquired about the issue of two residences located on Lot 1. Priestley indicated that this was brought to the property owners' attention and staff will work with the property owners on bringing the property into compliance. Commissioner Parker inquired if anyone resides on the property. Steve Holmes, co-trustee of the Gilbert C. Holmes Estate discussed the historical nature of the dwellings. Vice Chair Bride discussed the legal nonconforming structures on the lots. CED Director Gleiser indicated that staff will work with the property owners administratively on the oversight of the second dwelling. A motion was made by Commissioner O'Tool to recommend approval of the zoning district map amendment for Parcel #894634100004 from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District; second by Commissioner Parker. Motion passed 5-0.

Public Hearing – Rainbow Addition Minor Subdivision Proposal

Priestley delivered the staff report. Steve Holmes, co-trustee of the Gilbert C. Holmes Irrevocable Trust has submitted a minor subdivision application to divide their family parcel into three lots (Lot 1 – 3.107 acres; Lot 2 – 3.130 acres; Lot 3 – 3.273 acres) to establish the Rainbow Addition. It is required that this property be concurrently rezoned from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District to meet the requirements of Section 3.01.1(B) of the Woodbury County Zoning Ordinance as not more than two homes are allowed in a 40 acre tract in the AP Zoning District as is allowed in the AE Zoning District. The purpose of this proposal is to divide the property among three siblings. Steve Holmes plans to build a single-family dwelling on the

proposed Lot 3 while Lot 1 has two existing dwellings and Lot 2 has an existing dwelling as a result of the property's previous agricultural use. Holmes' father, Gilbert C. Holmes, purchased the land in 1961 and operated a fur and fox farm on the property until 1986. Mr. Holmes resided on the property until 2015 and passed in 2019. The property is identified as Parcel #894634100004 and located in T89N R46W (Concord Township) in the SW ¼ of the NW ¼ of Section 34. The address is 7510 Correctionville Road, Sioux City, Iowa 51106. The property is not located in the floodplain. As of February 22, 2021, no comments were received from property owners within 1000'. Following the evaluation of the staff review requirements for a minor subdivision as per the Woodbury County Zoning and Subdivision ordinances, the staff recommends approval of the final plat as proposed. Vice Chair Bride inquired about the septic system on Lot 2 and about the required lot frontage. Priestley indicated that Lot 1 complies with the 200 FT frontage requirement. Steve Holmes stated that the septic system including drain fields are contained on Lot 2. Chair Zellmer Zant inquired about septic system transfer protocol. Priestley stated that Siouxland District Health oversees the septic requirements. Chair Zellmer Zant inquired about the mag nails on the plat in terms of frontage. Surveyor Doug Mordhorst discussed the areas of roadway easement and right-of-way. Chair Zellmer Zant inquired whether each lot would be served by a driveway. Mordhorst stated yes. Commissioner Meister inquired about the approval of lots with nonconforming structures. Priestley indicated that it is common and allowed. Chair Zellmer Zant indicated that in 2005 the opportunity for a grandpa house was put into place for a relative who could not live alone. Commissioner Meister inquired about what happens if a non-family member lives in a house that was at one time designed as one for a relative or worker. Gleiser indicated that once the allowed use ceases for a year, then it is no longer allowed. Also, if the property sustains more than 50% of what it costs to repair it, it would not be allowed. Staff will work with the property owner to bring the property into compliance. Commissioner O'Tool inquired about the location of the driveways. Priestley indicated that the driveway location is the role of the Secondary Roads department. Chair Zellmer Zant made a motion to close the public hearing; second by Vice Chair Bride. Motion passed 5-0. A motion was made Commissioner Meister to recommend approval of the Rainbow Addition final plat as proposed to the Board of Supervisors; second by Commissioner O'Tool. Motion passed 5-0.

Public Comment on Matters Not on the Agenda

None.

Commissioner Comment or Inquiry

None.

Adjourn

Motion by Chair Zellmer Zant to adjourn; second by Commissioner Meister. Motion passed 5-0. Meeting adjourned at 6:47 PM.