

# Minutes - Woodbury County Board of Adjustment Meeting – December 6, 2021

The Board of Adjustment meeting convened on the 6th of December 2021 at 6:00 PM in the first-floor board room of the Woodbury County Courthouse. The meeting was also made available for public access via teleconference.

BA Members Present : Bob Brouillette, Ashley Christensen, Pam Clark, Daniel Hair  
County Staff Present: Dan Priestley, David Gleiser, Dawn Norton  
Public Present: Matthew Wulf, Melissa Wulf

## Call to Order

Vice-Chair Ashley Christensen formally called the meeting to order at 6:00 PM.

## Public Comment on Matters Not on the Agenda

No public comment for non-agenda items.

## Approval of Minutes

The November 1, 2021 minutes were approved. Motion by Brouillette to approve; second by Clark. Motion passed 4-0.

## Conditional Use Permit (Residential Solar Panels) – (Dean Kruse)

Priestley presented the staff report for the Kruse conditional use permit application for installation of solar panels on the roof of his single-family dwelling on parcel #864303300004; located in the NW ¼ of the NE ¼ of Section 2, T89N R46W (Concord Township), Agricultural Preservation (AP) Zoning District; not located in a floodplain; Address 1862 100<sup>th</sup> St, Sioux City, IA 51108. It is the recommendation of staff to approve the conditional use permit. Brouillette asked of the life expectancy of the solar panel; Priestley stated 20 years. A motion was made by Brouillette to close the public hearing; seconded by Christensen. Motion passed 4-0. A motion was made by Brouillette to recommend approval of the conditional use request for installation of solar panels on the roof of Mr. Kruse's home; second by Clark. Motion passed 4-0.

## Variance Setback Reduction Request – (Matthew & Melissa Wulf)

Priestley read the staff report into record for the Wulf variance request for an addition to their legal nonconforming home to construct a handicapped accessible living space and garage within the 100 ft front yard setback on parcel #884511400004; located at 1779 Hancock Ave, Merville, IA.; in the SE ¼ of Section 11, T88N R45W (Merville Township), Agricultural Preservation (AP) Zoning District; not located within a floodplain. The addition is to be built 47 ft from the front right-of-way line. The hardship is a result of not having space within the assigned setback area for needed expansion to accommodate their son's medical needs. Neighbors within 500 ft where notified; public hearing posted in Sioux City Journal; relevant stakeholders were asked to comment. No negative comments were received. Woodbury County Engineer is working with the Wulf's to remove old and install new driveway. Staff recommends approve of the variance setback reduction request. Matthew Wulf explained they are implementing ADA specification to the house; elevation of existing garage is not feasible for use. A motion was made by Christensen to close the public hearing; seconded by Brouillette. Motion passed 4-0. A motion was made by Hair to recommend approval of the variance setback reduction request by the Wulf's; second by Christensen. Motion passed 4-0.

## Discussion/Action: Proposed Rules of Procedure for the Woodbury County Board of Adjustment

Gleiser overviewed proposed bylaws modeled from the Board of Supervisors meetings and other counties. There have not previously been bylaws, this would solidify rules of procedure. Board of Supervisors would need to approve. Christensen asked if this would allow electronic communication, Gleiser stated yes, for situations like illness or travel, but there would still need to be three members physically present at the meeting for a quorum. Members would need to attend 50% of the scheduled meetings. This proposed Board of Adjustment Rules of Procedure will be presented to the Board of Supervisors for review on December 21, 2021 and return to the Board of Adjustment for adoption on January 3, 2022.

## Discussion/Action: Proposed Zoning Ordinance Amendment

Gleiser stated this is to get up to speed on the Iowa Code with issues such as attendance and term limits. Brouillette asked if diversity is still included, Gleiser stated yes. Effort needs to be made to meet the diversity standards. Term limits are clarified, members with previous experience prior to January 2023, regardless of years of service will be eligible for two additional terms of 5 years each. Proposed Zoning Ordinance Amendment will go to the Zoning Commission for public hearing on January 24, 2022 for first reading, readings by the Board of Supervisors will be February 8, 2022 – 1<sup>st</sup> reading, February 15, 2022 – 2<sup>nd</sup> & possibly 3<sup>rd</sup>, February 22, 2022 – possibly 3<sup>rd</sup>.



Proposed Rules of  
Procedure.pdf

## Discussion: Solar Energy

Gleiser working on a draft for amendment to Zoning Ordinance to include topics such as site placement and decommissioning of units. Solar permits could be done under a conditional use permit or allowed use using a building permit, commercial and residential may be permitted differently. Brouillette mentioned lease protection conditions. Gleiser also suggested the

amendment could include natural buffers such as grass or other natural buffers. A work group consisting of the Dan, David, county engineer, assistant county attorney, conservation, finance, assessor, emergency management/services, fire department, MidAmerican, will be working together on the amendment.

**Public Comment on Matters Not on the Agenda**

None

**Board Member Comment or Inquiry**

None.

**Adjourn**

Brouillette made a motion to adjourn the meeting; second by Clark. Motion passed 4-0. The meeting concluded at 6:47 pm.