



WOODBURY COUNTY BOARD OF ADJUSTMENT

Monday, May 1, 2023 at 6:00 PM

The Woodbury County Board of Adjustment will hold a public meeting on **Monday, May 1, 2023 at 6:00 PM** in the 1st Floor Board of Supervisor's Meeting Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA. Please use the 7th St. entrance. Public access to the conversation of the meeting will also be made available during the meeting by telephone. Persons wanting to participate in the public meeting may attend in person or call: **(712) 454-1133** and enter the **Conference ID: 285 965 578#** during the meeting to listen or comment. It is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems.

AGENDA

1	CALL TO ORDER
2	ROLL CALL
3	PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA
4	APPROVAL OF MINUTES: April 3, 2023
5	ITEM(S) OF BUSINESS
»	<p>PUBLIC HEARING: CONDITIONAL USE PERMIT APPLICATION: VENDOR SALES OF ALCOHOL DURING RAGBRAI ON PARCEL #894407100006, 2590 110th St., Merville, IA 51039</p> <p>Backpocket Brewing (Applicant) and property owners Chad and Tara Schmitt have filed for a Conditional Use Permit application to sell alcohol during RAGBRAI's visit through Woodbury County on July 23, 2023. The proposed sales site is on Parcel #894407100006 in the NW ¼ of Section 7, T89N R44W (Arlington Township). The property is addressed at 2590 110th St., Merville, IA 51039. The parcel is located in the Agricultural Preservation (AP) Zoning District. The Woodbury County Board of Supervisors approved Ordinance #69, effective November 16, 2022, authorizing this request as a conditional use in the AP District.</p>
»	<p>PUBLIC HEARING: VARIANCE REQUEST TO BUILD ACCESSORY POLE BARN (SHED) PRIOR TO BUILDING A PRINCIPAL STRUCTURE (SINGLE-FAMILY DWELLING), PARCEL #884724300011</p> <p>Jerod & Kayla Eickholt have filed a variance application with the request to build an approximately 40' x 60' accessory pole barn (shed) prior to building a principal structure (single-family dwelling). Section 4.12.2 of the Woodbury County Zoning Ordinance requires that "no accessory building shall be constructed upon a lot until the construction of the principal building has commenced..." (p. 45). The property owners have filed this variance to request relief from the requirement that the principal structure (house) must be built before the accessory structure (shed) due to a delay with the contractor. The property is located on Parcel #884724300011 on Lot 1 of the Davis Estates Subdivision in Section 24, T88N R47W (Woodbury Township). The parcel is located in the Agricultural Estates (AE) Zoning District and is not located in the floodplain.</p>
»	<p>PUBLIC HEARING: CONDITIONAL USE PERMIT APPLICATION: LANDSCAPING SERVICES, NURSERY BUSINESS, AND OTHER RELATED USES, ETC. ON PARCEL #894607100006</p> <p>Marilyn Niemeyer, as Trustee of the Edwin O. Niemeyer Revocable Trust (Owner) and Sid Mosher (Applicant) has filed for a conditional use permit application to use the property for landscaping and a nursery on a portion of the property identified as Parcel #894607100006 in the SW ¼ of the NW ¼ of Section 7, T89N R46W (Concord Township). The parcel is located in the Agricultural Preservation (AP) Zoning District. The property is addressed at 1130 Barker Avenue, Sioux City, IA 51108. Although horticultural production (including nurseries & greenhouses) are principally allowed uses in the AP Zoning District, a conditional use permit is required for similar landscaping uses such as tree services, sand and gravel storage, and feed and seed sales, fertilizer storage/distribution/application, and other related uses to a landscaping business. This conditional use permit application is being considered concurrently with a one-lot minor subdivision application to establish a 4.5-acre lot.</p>

»	<p>PUBLIC HEARING: CONDITIONAL USE PERMIT APPLICATION: TEMPORARY BORROW PITS ON TWO PROPOSED BORROW AREAS: BORROW AREA #1: Parcel(s) 884704200001 & 884704200003; BORROW AREA #2: Parcel(s): 884702100006</p> <p>JB Holland Construction, Inc. (Applicant) and property owners Eric Hennings and Donald Hennings of the Hennings Joint Trust have filed for a Conditional Use Permit application to establish temporary borrow sites to remove earthen materials to be used in Phase 1 and 2 of the east bound Highway 20 project (IDOT Project #17-97-020-010). The proposed temporary borrow areas are located on Parcel #884704200001, Parcel #884704200003 and Parcel #884702100006. Both parcels are located on the south side of Highway 20. Each parcel is currently used as farm ground. The proposed cut area on Parcel #884704200001 and Parcel #884704200003 is 8-10 acres. The work area is 10 acres and the total excavation for export is 100,000-150,000 yrds³. The proposed cut area on Parcel #884702100006 is 8-10 acres. The work area is 10 acres, and the total excavation for export is 100,000-150,000 yrds³. The parcels are located in the Agricultural Preservation (AP) Zoning District and a portion of Parcel #884702100006 is located in the floodplain. However, this area will not be a part of the borrow site.</p>
»	<p>INFORMATION / DISCUSSION: WOODBURY COUNTY SOLAR ENERGY REQUIREMENTS REVIEW FOR POSSIBLE CHANGES TO ZONING ORDINANCE</p>
»	<p>INFORMATION / DISCUSSION: SUMMARY OF PROPOSED REVISIONS TO WOODBURY COUNTY ORDINANCE #56: AMENDMENTS TO MODIFY SECTION 6.1.A: WIND TURBINES SET BACK REQUIREMENTS TO INCREASE CERTAIN SETBACK REQUIREMENTS TO THE ORDINANCE REGULATING COMMERCIAL WIND ENERGY CONVERSION SYSTEMS IN UNINCORPORATED WOODBURY COUNTY.</p>
»	<p>INFORMATION / DISCUSSION: WOODBURY COUNTY COMPREHENSIVE PLAN 2040 UPDATE</p>
»	<p>INFORMATION / DISCUSSION: FEMA INITIATES 90-DAY APPEAL OF THE REVISED FLOOD RATE MAP AND FLOOD INSURANCE STUDY FOR WOODBURY COUNTY AND INCORPORATED AREAS</p>
6	<p>PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA</p>
7	<p>BOARD MEMBER COMMENT OR INQUIRY</p>
8	<p>STAFF UPDATE</p>
9	<p>ADJOURN</p>