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Patrick F. Gill, Auditor/Recorder, Woodbury County Iowa



ORDINANCE NO. 58

**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

WHEREAS the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder, and

WHEREAS the Woodbury County Board of Supervisors has received a report in respect to amending the said Ordinance from the Woodbury County Zoning Commission which held a public hearing on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and


WHEREAS the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

WHEREAS the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

NOW THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

Dated this 10th day of August 2021.

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS



Rocky De Witt, Chairman



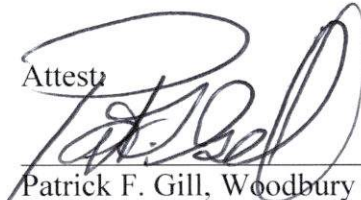
Mathew A. Ung, Vice Chairman



Mark Monson

Keith Radig

Justin Wright

Attest:


Patrick F. Gill, Woodbury County Auditor

Adoption Timeline:	
Public Hearing and 1 st Reading:	Aug. 3, 2021
Public Hearing and 2 nd Reading:	Aug. 10, 2021
Public Hearing and 3 rd Reading:	waived on Aug. 10, 2021
Adopted:	Aug. 10, 2021
Effective:	Aug. 18, 2021

ITEM ONE (1)

Property Owner: Lieber Properties, LLC, 1138 S. Derby Lane, North Sioux City, SD 57049

Petitioner Applicant: Lieber Properties, LLC, 1138 S. Derby Lane, North Sioux City, SD 57049

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, July 26, 2021, to review and make a recommendation for amendments to the Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa as follows:

Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 28.539 acres located in the SW ¼ of Section 24, T88N R47W (Woodbury Township) in the County of Woodbury and State of Iowa and for 12.094 acres located in the SW ¼ of Section 24, T88N R47W (Woodbury Township) in the County of Woodbury and State of Iowa. Both properties are known as GIS Parcels #884724300005 and #884724300004.

ALL THAT PART OF THE SOUTHWEST 1/4 OF SECTION 24 LYING NORTH AND EAST OF OLD HIGHWAY NO. 141 IN TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 24; THENCE NORTH 89°35'03" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 FOR 99.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°35'03" WEST ALONG SAID SOUTH LINE FOR 21.75 FEET TO THE CENTERLINE OF SAID OLD HIGHWAY NO. 141; THENCE NORTH 47°37'36" WEST ALONG SAID CENTERLINE FOR 1672.31 FEET; THENCE NORTHWESTERLY ALONG SAID CENTERLINE FOR 330.13 FEET ON A 1427.60 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, HAVING A LONG CHORD OF 329.39 FEET, BEARING NORTH 54°15'05" WEST; THENCE NORTH 60°52'34" WEST ALONG SAID CENTERLINE FOR 422.95 FEET; THENCE NORTHWESTERLY ALONG SAID CENTERLINE FOR 54.14 FEET ON A 1427.51 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, HAVING A LONG CHORD OF 54.13 FEET, BEARING NORTH 61°57'45" WEST TO THE EASTERLY LINE OF DAVIS ADDITION TO WOODBURY COUNTY, IOWA; THENCE NORTH 17°15'20" EAST ALONG SAID EASTERLY LINE FOR 1082.11 FEET; THENCE SOUTH 53°31'40" EAST FOR 198.00 FEET; THENCE SOUTH 13°57'45" EAST FOR 469.00 FEET; THENCE SOUTH 41°35'25" EAST FOR 211.20 FEET; THENCE SOUTH 59°43'15" EAST FOR 258.00 FEET; THENCE SOUTH 24°35'33" EAST FOR 191.00 FEET; THENCE SOUTH 27°07'23" EAST FOR 330.00 FEET; THENCE SOUTH 37°50'27" EAST FOR 260.00 FEET; THENCE SOUTH 26°54'04" EAST FOR 280.77 FEET; THENCE NORTH 65°28'57" EAST FOR 105.85 FEET TO THE EASTERLY BOUNDARY LINE OF A SPECIAL WARRANTY DEED RECORDED IN ROLL 747, IMAGE 9349 IN THE RECORDER'S OFFICE AT THE WOODBURY COUNTY COURTHOUSE; THENCE SOUTH 23°48'50" EAST ALONG SAID EASTERLY BOUNDARY LINE FOR 922.89 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL CONTAINS 28.539 ACRES, MORE OR LESS, WHICH INCLUDES 3.932 ACRES IN ROADWAY EASEMENT; AND

ALL THAT PART OF THE SOUTHWEST 1/4 OF SECTION 24 IN TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 24; THENCE NORTH 89°35'03" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 FOR 99.00 FEET TO THE EASTERLY BOUNDARY LINE OF A SPECIAL WARRANTY DEED RECORDED IN ROLL 747, IMAGE 9349 IN THE RECORDER'S OFFICE AT THE WOODBURY COUNTY COURTHOUSE; THENCE NORTH 23°48'50" WEST ALONG SAID EASTERLY BOUNDARY LINE FOR 922.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 23°48'50" WEST ALONG SAID EASTERLY BOUNDARY LINE FOR 1939.90 FEET TO THE NORTH LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 89°55'54" WEST ALONG SAID NORTH LINE FOR 454.29 FEET TO THE NORTHEAST CORNER OF DAVIS ADDITION TO WOODBURY COUNTY, IOWA; THENCE SOUTH 17°15'20" WEST ALONG THE EASTERLY LINE OF SAID DAVIS ADDITION FOR 35.74 FEET; THENCE SOUTH 53°31'40" EAST FOR 198.00 FEET; THENCE SOUTH 13°57'45" EAST FOR 469.00 FEET; THENCE SOUTH 41°35'25" EAST FOR 211.20 FEET; THENCE SOUTH 59°43'15" EAST FOR 258.00 FEET; THENCE SOUTH 24°35'33" EAST FOR 191.00 FEET; THENCE SOUTH 27°07'23" EAST FOR 330.00 FEET; THENCE SOUTH 37°50'27" EAST FOR 260.00 FEET; THENCE SOUTH 26°54'04" EAST FOR 280.77 FEET; THENCE NORTH 65°28'57" EAST FOR 105.85 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL CONTAINS 12.094 ACRES, MORE OR LESS.

NOTICE REGARDING PUBLIC HEARINGS
WOODBURY COUNTY BOARD OF
SUPERVISORS

The Woodbury County Board of Supervisors will hold public hearings on the following item of business, hereafter described in detail, on Tuesday, August 3, 2021 at 4:50 PM, Tuesday, August 10, 2021 at 4:50 PM and Tuesday, August 17, 2021 at 4:50 PM or as soon as possible thereafter as the matter may be considered.

Said hearings shall be held at the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, in the Board of Supervisors' meeting room in the basement of the courthouse. Persons wanting to participate in the public hearings may attend in person during the meetings to comment.

Copies of said item may now be examined in the Woodbury County Auditor's office in said Courthouse by any interested persons.

All persons who wish to be heard in respect to this matter should appear to participate in the aforesaid hearing.

Item One (1)

Pursuant to Section 335 of the Code of Iowa, the Woodbury County Board of Supervisors will hold public hearings, as referenced above, to consider the application for a zoning ordinance map amendment (rezone) to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County Iowa by Lieber Properties, LLC.

The proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 28.539 acres located in the SW 1/4 of Section 24, T88N R47W (Woodbury Township) in the County of Woodbury and State of Iowa and for 12.094 acres located in the SW 1/4 of Section 24, T88N R47W (Woodbury Township) in the County of Woodbury and State of Iowa. Both properties are known as GIS Parcels #884724300005 and #884724300004 and the areas are described as:

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RECORDED IN ROLL 747, IMAGE 9349 IN THE RECORDER'S OFFICE AT THE WOODBURY COUNTY COURTHOUSE; THENCE NORTH 23°48'50" WEST ALONG SAID EASTERLY BOUNDARY LINE FOR 922.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 23°48'50" WEST ALONG SAID EASTERLY BOUNDARY LINE FOR 1939.90 FEET TO THE NORTH LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 89°55'54" WEST ALONG SAID NORTH LINE FOR 454.29 FEET TO THE NORTHEAST CORNER OF DAVIS ADDI-

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SAID DESCRIBED PARCEL CONTAINS 12.094 ACRES, MORE OR LESS.
Owner/Applicant: Lieber Properties, LLC, 1138 S. Derby Lane, North Sioux City, SD 57049
Published in the Sioux City Journal July 30, 2021. LGL#34490

PROOF OF PUBLICATION
STATE OF IOWA
COUNTY OF WOODBURY

The undersigned, of said County, being duly sworn, on oath states the undersigned is an employee of the Sioux City Journal printed and published by Journal Communications, in Sioux City in said County and issued daily and Sunday and that the annexed printed NOTICE OF

Notice: proposed rezone (Lieber Properties)

in said newspaper one consecutive Friday issues, the first publication thereof being on the 30th day of July, 2021.

Beth Birdsell

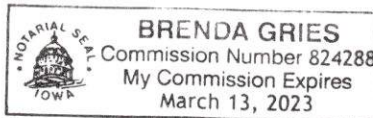
Beth Birdsell

Subscribed and sworn before me in Sioux City, in said County, this30th day ofJuly....., 2021,

Brenda Gries

Notary Public

In and for Woodbury County.



Legal #34490

155 Line

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\$90.36

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ORDINANCE NO. 58
 A ZONING DISTRICT DESIGNATION MAP-
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 TO THE WOODBURY COUNTY, IOWA
 ZONING ORDINANCE

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 WHEREAS the Woodbury County Board of Supervisors has received a report in respect to amending the said Ordinance from the Woodbury County Zoning Commission which held a public hearing on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and
 WHEREAS the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and
 WHEREAS the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;
 NOW THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.
 Dated this 10th day of August 2021.
 THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS

Rocky De Witt, Chairman
 Mathew A. Ung, Vice Chairman
 Mark Monson
 Keith Radig
 Justin Wright
 Adoption Timeline:
 Public Hearing and 1st Reading: August 3, 2021
 Public Hearing and 2nd Reading: August 10, 2021
 Public Hearing and 3rd Reading: Waived on August 10, 2021
 Adopted: August 10, 2021
 Effective: August 18, 2021
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 LOWS:

**PROOF OF PUBLICATION
 STATE OF IOWA
 COUNTY OF WOODBURY**

The undersigned, of said County, being duly sworn, on oath states the undersigned is an employee of the Sioux City Journal printed and published by Journal Communications, in Sioux City in said County and issued daily and Sunday and that the annexed printed NOTICE OF

Notice: Ordinance No. 58

in said newspaper one consecutive Wednesday issues, the first publication thereof being on the 18th day of August, 2021.

Beth Birdsell

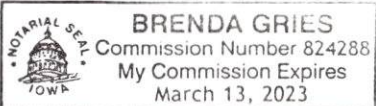
Beth Birdsell

Subscribed and sworn before me in Sioux City, in said County, this 1st day of September....., 2021,

Brenda Gries

Notary Public

In and for Woodbury County.



Legal #34549 189 Line 1 Times \$82.59

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 24; THENCE NORTH 89°35'03" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 FOR 99.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°35'03" WEST ALONG SAID SOUTH LINE FOR 21.75 FEET TO THE CENTERLINE OF SAID OLD HIGHWAY NO. 141; THENCE NORTH 47°37'36" WEST ALONG SAID CENTERLINE FOR 1672.31 FEET; THENCE NORTHWESTERLY ALONG SAID CENTERLINE FOR 330.13 FEET ON A 1427.60 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, HAVING A LONG CHORD OF 329.39 FEET, BEARING NORTH 54°15'05" WEST; THENCE NORTH 60°05'34" WEST ALONG SAID CENTERLINE FOR 422.95 FEET; THENCE NORTHWESTERLY ALONG SAID CENTERLINE FOR 54.14 FEET ON A 1427.51 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, HAVING A LONG CHORD OF 54.13 FEET, BEARING NORTH 61°57'45" WEST TO THE EASTERLY LINE OF DAVIS ADDITION TO WOODBURY COUNTY, IOWA; THENCE NORTH 17°15'20" EAST ALONG SAID EASTERLY LINE FOR 1082.11 FEET; THENCE SOUTH 53°31'40" EAST FOR 198.00 FEET; THENCE SOUTH 13°57'45" EAST FOR 469.00 FEET; THENCE SOUTH 41°35'25" EAST FOR 211.20 FEET; THENCE SOUTH 59°43'15" EAST FOR 258.00 FEET; THENCE SOUTH 24°35'33" EAST FOR 191.00 FEET; THENCE SOUTH 27°07'23" EAST FOR 330.00 FEET; THENCE SOUTH 37°50'27" EAST FOR 260.00 FEET; THENCE SOUTH 26°54'04" EAST FOR 280.77 FEET; THENCE NORTH 65°28'57" EAST FOR 105.85 FEET TO THE EASTERLY BOUNDARY LINE OF A SPECIAL WARRANTY DEED RECORDED IN ROLL 747, IMAGE 9349 IN THE RECORDER'S OFFICE AT THE WOODBURY COUNTY COURTHOUSE; THENCE SOUTH 23°48'50" EAST ALONG SAID EASTERLY BOUNDARY LINE FOR 922.89 FEET TO THE POINT OF BEGINNING.
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 SAID DESCRIBED PARCEL CONTAINS 12.094 ACRES, MORE OR LESS.
 Published in the Sioux City Journal August 18, 2021. LGL#34549