



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS (MAY 10) (WEEK 19 OF 2022)

Live streaming at: https://www.youtube.com/user/woodburycountyiowa

Agenda and Minutes available at: www.woodburycountyiowa.gov

Live telephonic access at: 712-224-6014

Rocky L. DeWitt 253-0421 rdewitt@woodburycountyiowa.gov Keith W. Radig 560-6542 kradig@woodburycountyiowa.gov Jeremy Taylor 259-7910 jtaylor@woodburycountyiowa.gov Matthew A. Ung 490-7852 matthewung@woodburycountyiowa.gov Justin Wright 899-9044 jwright@woodburycountyiowa.gov

You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held May 10, 2022 at 4:30 p.m. in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

This is a formal meeting during which the Board may take official action on various items of business. If you wish to speak on an item, please follow the seven participation guidelines adopted by the Board for speakers.

- 1. Anyone may address the Board on any agenda item after initial discussion by the Board.
2. Speakers will approach the microphone one at a time and be recognized by the Chair.
3. Speakers will give their name, their address, and then their statement.
4. Everyone will have an opportunity to speak. Therefore, please limit your remarks to three minutes on any one item.
5. At the beginning of the discussion on any item, the Chair may request statements in favor of an action be heard first followed by statements in opposition to the action.
6. Any concerns or questions you may have which do not relate directly to a scheduled item on the agenda will also be heard under the first or final agenda item "Citizen Concerns."
7. For the benefit of all in attendance, please turn off all cell phones and other devices while in the Board Chambers.

AGENDA

- 4:00 p.m. 1. Grant Township Trustees Meeting
a. Approval of the agenda
b. Approval of the minutes of the March 29,2022 Grant Township meeting
c. Approval of Claims
Philip Welte Mowing = FY22 - \$3,750.00
d. Reports on Committee Meetings
e. Township Citizen Concerns
f. Township Trustee Concerns
g. Adjournment

- 4:30 p.m. Call Meeting to Order – Pledge of Allegiance to the Flag – Moment of Silence
2. Citizen Concerns Information
3. Approval of the agenda Action

Consent Agenda

Items 4 through 9 constitute a Consent Agenda of routine action items to be considered by one motion. Items pass unanimously unless a separate vote is requested by a Board Member.

- 4. Approval of the minutes of the May 3, 2022 meeting

5. Approval of claims
6. Building Services – Kenny Schmitz  
Approval of items to be auctioned per Personal Property Disposition Policy
7. Human Resources – Melissa Thomas
  - a. Approval of Memorandum of Personnel Transactions
  - b. Authorization to Initiate Hiring Process
8. Board Administration – Dennis Butler  
Set the public hearing for the FY22 Budget Amendment #1 for May 31, 2022 at 4:40 p.m.
9. Board Administration – Karen James  
Approval of lifting tax suspensions for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension

### End Consent Agenda

- |                                |   |
|--------------------------------|---|
|                                | <ol style="list-style-type: none"> <li>10. Secondary Roads – Mark Nahra           <ol style="list-style-type: none"> <li>a. Receive bids for project number L-B(M299)—73-97 and return them to the county engineer for review <span style="float: right;">Action</span></li> <li>b. Consider approval of resolutions for drainage district tax levies <span style="float: right;">Action</span></li> <li>c. Approve the resolution setting interest rates for drainage district warrants for districts under the jurisdiction of the Woodbury County Board of Supervisors <span style="float: right;">Action</span></li> </ol> </li> </ol>  |
|                                | <ol style="list-style-type: none"> <li>11. Community &amp; Economic Development – Daniel Priestley           <ol style="list-style-type: none"> <li>a. Receive final report and Zoning Commission recommendation from their 4/25/22 meeting <span style="float: right;">Action</span></li> </ol> </li> </ol>  |
| <b>4:40 p.m.</b><br>(Set time) | <ol style="list-style-type: none"> <li>b. Public hearing on a Zoning Ordinance Map Amendment to rezone GIS #894624100009 owned by the Joint Revocable Living Trust of Alvin O. Zellmer and Barbara Zellmer from the Agricultural Preservation to the Agricultural Estates Zoning District <span style="float: right;">Action</span></li> <li>c. Conduct and approve the second reading of the ordinance as the final reading <span style="float: right;">Action</span></li> <li>d. Approval to waive the third reading</li> <li>e. Approval to adopt the Zoning District Map Amendment (Rezone) to the Zoning Ordinance <span style="float: right;">Action</span></li> </ol>  |
| <b>4:42 p.m.</b>               | <ol style="list-style-type: none"> <li>f. Receive final report and Zoning Commission recommendation from their 4/25//22 meeting <span style="float: right;">Action</span></li> <li>g. Public hearing on a Zoning Ordinance (Set time) Map Amendment to rezone GIS Parcel #874705200002 owned by the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust, from the Agricultural Preservation to the Agricultural Estates Zoning District <span style="float: right;">Action</span></li> <li>h. Approve the second reading of the ordinance as the final reading <span style="float: right;">Action</span></li> <li>i. Approve to waive the third reading <span style="float: right;">Action</span></li> <li>j. Approval to adopt the Zoning District Map Amendment (Rezone) to the Zoning Ordinance <span style="float: right;">Action</span></li> </ol> |

- |     |  |             |
|-----|--|-------------|
| k.  | Receive the final staff report and P&Z Commission's recommendation from their 4/25/22 meeting  | Action      |
| l.  | Approve the AI and Barb Concord Place Addition final plat and authorize the Chairman to sign the resolution  | Action      |
| m.  | Receive the final staff report and P&Z Commission's recommendation from their 4/25/22 meeting  | Action      |
| n.  | Approve the Husen Addition final plat with the condition that the property owner sign a pavement agreement with the county and authorize the Chairman to sign the resolution | Action      |
| 12. | County Sheriff – Chad Sheehan<br>Approve and allow the county to allocate the funds needed for the purchase of handguns and then be reimbursed throughout the fiscal year    | Action      |
| 13. | Reports on Committee Meetings  | Information |
| 14. | Citizen Concerns   | Information |
| 15. | Board Concerns   | Information |

**ADJOURNMENT**

*Subject to Additions/Deletions*

## CALENDAR OF EVENTS

<b>WED., MAY 11</b>	<b>7:30 a.m.</b>	SIMPCO Executive-Finance Committee - Hybrid
	<b>8:05 a.m.</b>	Woodbury County Information Communication Commission, First Floor Boardroom
	<b>12:00 p.m.</b>	District Board of Health Meeting, 1014 Nebraska St.
<b>THU., MAY 12</b>	<b>12:00 p.m.</b>	SIMPCO Board of Directors, 1122 Pierce St.
	<b>4:00 p.m.</b>	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
<b>WED., MAY 18</b>	<b>12:00 p.m.</b>	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
	<b>1:00 p.m.</b>	Regional Workforce Development Meeting, 2508 4 <sup>th</sup> Street, Sioux City
<b>THU., MAY 19</b>	<b>4:30 p.m.</b>	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
<b>FRI., MAY 20</b>	<b>12:00 p.m.</b>	Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G
<b>MON., MAY 23</b>	<b>6:00 p.m.</b>	Zoning Commission Meeting, First Floor Boardroom
<b>TUE., MAY 24</b>	<b>2:00 p.m.</b>	Decat Board Meeting, Western Hills AEA, Room F
<b>WED., MAY 25</b>	<b>2:30 p.m.</b>	Rolling Hills Community Services Region Governance Board Meeting
	<b>6:00 p.m.</b>	Emergency Management Commission Meeting, Climbing Hill
	<b>7:00 p.m.</b>	911 Service Board Meeting, Public Safety Center, Climbing Hill
	<b>7:15 p.m.</b>	Woodbury County Solid Waste Agency (Sanitary Landfill) Executive Committee Meeting, Public Safety Center, Climbing Hill
<b>THU., MAY 26</b>	<b>11:00 a.m.</b>	Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
	<b>11:15 a.m.</b>	Western Iowa Community Improvement Regional Housing Trust Fund Meeting, Hybrid
<b>WED., JUNE 1</b>	<b>10:00 a.m.</b>	Loess Hills Alliance Stewardship Meeting, Pisgah, Iowa
	<b>11:00 a.m.</b>	Loess Hills Alliance Executive Meeting
	<b>1:00 p.m.</b>	Loess Hills Alliance Full Board Meeting
	<b>4:45 p.m.</b>	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
<b>THU., JUNE 2</b>	<b>10:00 a.m.</b>	COAD Meeting, The Security Institute
<b>MON., JUNE 6</b>	<b>6:00 p.m.</b>	Board of Adjustment meeting, First Floor Boardroom
<b>WED., JUNE 8</b>	<b>8:05 a.m.</b>	Woodbury County Information Communication Commission, First Floor Boardroom
	<b>12:00 p.m.</b>	District Board of Health Meeting, 1014 Nebraska St.
<b>THU., JUNE 9</b>	<b>12:00 p.m.</b>	SIMPCO Board of Directors, 1122 Pierce St.
	<b>4:00 p.m.</b>	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park

**Woodbury County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will consider reasonable accommodations for qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the Employer.**

*Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's civil rights coordinator. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.*



The Board of Supervisors met on Tuesday, March 29, 2022 at 4:00 p.m. as Trustees for Grant Township. Trustees present were Taylor, Ung, Radig, De Witt, and Wright. Township Clerk Jean Lillie was not present.

A. Motion by Ung second by De Witt to approve the agenda for March 29, 2022. Carried 4-0.

Motion by Ung second by De Witt to appoint Michelle Skaff as temporary clerk. Carried 4-0.  
Ung advised he did reach out to the Elected Clerk about the meeting and had no response.

B. Motion by Ung second by Radig second by to approve minutes of the March 29, 2022 meeting. Carried 4-0.

C. Motion by Radig second by De Witt to approve the FY21 Summary Statement of Receipts and Disbursements. Carried 5-0.

Wright arrived.

D. Motion by Ung second by Radig to approve the following claims:

Oto Fire = FY22 - \$7,500.00  
Oto Fire = additional equipment - \$28,000.00  
Oto Fire Total = \$35,500.00  
Anthon Fire = FY22 - \$7,500.00  
Anthon Fire = additional equipment - \$28,000.00  
Anthon Fire Total = \$35,500.00  
Total Fire = \$71,000.00

Ross Baldwin, Anthon Fire, spoke on behalf of the claims for Anthon Fire.  
Jason Weber, Oto Fire, spoke on behalf of the claims for Oto Fire.

Carried 5-0.

E. A public hearing was held at 4:15 p.m. for proposed Grant Township FY23 Budget. The trustees called on anyone wishing to be heard.

Motion by Ung second by Taylor to close the public hearing. Carried 5-0.

F. Motion by Ung second by De Witt to adopt Grant Township FY23 Budget. Carried 5-0.

G. The Trustees heard reports on committee meetings.

H. There were no citizen concerns.

I. Trustee concerns were heard.

J. Meeting was adjourned.



## MAY 3, 2022 EIGHTEENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, May 3, 2022 at 4:30 p.m. Board members present were Ung, Radig, De Witt, Taylor, and Wright. Staff members present were Karen James, Board Administrative Assistant, Joshua Widman, Assistant County Attorney, Melissa Thomas, Human Services Director, and Patrick Gill, Auditor/Clerk to the Board.

The regular meeting was called to order with the Pledge of Allegiance to the Flag and a Moment of Silence.

1. There were no citizen concerns.

2. Motion by Radig second by Taylor to approve the agenda for May 3, 2022. Carried 5-0. Copy filed.

Motion by Radig second by De Witt to approve the following items by consent:

3. To approve minutes of the April 26, 2022 meeting. Copy filed.

4. To approve the claims totaling \$477,230.79. Copy filed.

5. To approve a 28E Agreement between Woodbury County, Iowa, and the Woodbury Soil and Waste Conservation District for funding and management of a watershed inspection and maintenance program in Woodbury County. Copy filed.

6. To approve an application for a 12-month, Class A Liquor License (LA) (Private Club) with Sunday sales privileges for the White Horse Patrol Club, effective 04/26/22 through 4/25/23. Copy filed.

7. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #894723360012, 1433 Hildahl Ave.

### **RESOLUTION #13,420 NOTICE OF PROPERTY SALE**

**WHEREAS** Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

**Lots Thirteen and Fourteen (13 & 14) in Block Two (2) of Kelly Park Addition, City of Sioux City, in the County of Woodbury and State of Iowa  
(1433 Hildahl Ave.)**

**NOW THEREFORE,**

**BE IT RESOLVED** by the Board of Supervisors of Woodbury County, Iowa as follows:

1. That a public hearing on the aforesaid proposal shall be held on the **17<sup>th</sup> Day of May, 2022 at 4:35 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **17<sup>th</sup> Day of May, 2022**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$500.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 3<sup>rd</sup> Day of May, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 8a. To approve the separation of Myles McCrea, Operations Officer-Paramedic, Emergency Services Dept., effective 04-27-22. Separation.; the transfer of Justin Donaghu, Court Security Officer, County Sheriff Dept., effective 05-02-22, \$25.24/hour, 0%. Transfer from Civilian Jailer to Court Security Officer.; the appointment of Casey Cooper, Equipment Operator, Secondary Roads Dept., effective 05-04-22, \$24.55/hour. Job Vacancy Posted 3-15-22. Entry Level Salary: \$24.55/hour.; the appointment of Jesse Duerksen, Motor Grader Operator, Secondary Roads Dept., effective 05-04-22, \$24.85/hour. Job Vacancy Posted 11-24-21. Entry Level Salary: \$24.85/hour.; the reclassification of Jacklyn Fox, Assistant County Attorney, County Attorney Dept., effective 05-16-22, \$99,558/year, 3.4%=\$3,350./year. Per AFSCME Assist. County Attorney Contract agreement, from Step 10 to Step 11.; the reclassification of Adam Little, Civilian Jailer, County Sheriff Dept., effective 05-16-22, \$21.88/hour, 4%=\$.86/hour. Per CWA Civilian Officers Contract agreement, from Class 3 to Class 2.; and the separation of Mark Petit, Motor Grader Operator, Secondary Roads Dept., effective 05-31-22. Retirement. Copy filed.
- 9a. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes for Kim Hansen, 3501 Transit Ave., Sioux City, parcel #884706139009.

**WOODBURY COUNTY, IOWA  
RESOLUTION #13,421  
RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES**

**WHEREAS**, Kim Hansen, is the titleholder of property located at 3501 Transit Ave., Sioux City, IA, Woodbury County, Iowa, and legally described as follows:

**Parcel #884706139009**

**HENRIETTA PLACE LOT 11 BLOCK 4**

**WHEREAS**, Kim Hansen is the titleholder of the aforementioned property have petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2017 Iowa Code section 427.9, and

**WHEREAS**, the Board of Supervisors recognizes from documents provided that the petitioner is unable to provide to the public revenue; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Woodbury County Board of Supervisors hereby grants the request for a suspension of taxes, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this property.

**SO RESOLVED** this 3rd day of May, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 9b. To approve the lifting of tax suspension for Terry Michalosky, parcel #894813454008, 3425 Military Rd. Copy filed.  
  
Carried 5-0.
- 10. Daniel Cotter addressed the Board to resolve to rid the county of fraud-enabled machines and restore citizen's confidence in the validity of our election process. Copy filed.
- 12a. Bid letting was held for project #130<sup>th</sup> St. Fencing. The bids are as follows:

Northwest Landscaping, Inc	\$9,200.00
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Motion by De Witt second by Taylor to receive the bids and refer them to the County Engineer for review and recommendation. Carried 5-0. Copy filed.

- 11a. A public hearing was held at 4:40 p.m. for Zoning Ordinance Map Amendment to rezone GIS Parcel #894624100009 owned by the Joint Revocable Living Trust of Alvin O Zellmer and Barbara Zellmer from the Agricultural Preservation to the Agricultural Estates Zoning District. The Chairperson called on anyone wishing to be heard.  
  
Motion by Taylor second by De Witt to close the public hearing. Carried 5-0.
- 11b. Motion by Radig second by Taylor to conduct the first reading of the ordinance. Carried 5-0. Copy filed.
- 11c. A public hearing was held at 4:42 p.m. for Zoning Ordinance Map Amendment to rezone GIS Parcel #874705200002, owned by the Maxy's Family Farm LLC and the Brian and Bonnie Ivener Trust, from the Agricultural Preservation to the Agricultural Estates Zoning District. The Chairperson called on anyone wishing to be heard.  
  
Motion by Taylor second by Radig to close the public hearing. Carried 5-0.
- 11d. Motion by Radig second by De Witt to conduct the first reading of the ordinance. Carried 5-0. Copy filed.
- 12b. Motion by Radig second by Taylor award the bid to Northwest Landscaping. Carried 5-0. Copy filed.
- 12c. Motion by Radig second by Taylor to award the bid for front wheel assist tractor to S & S Equipment for a new McCormick X6.35 tractor for \$63,950.00. Carried 5-0. Copy filed.
- 12d. Motion by Radig second by De Witt to award the bid for single axle trucks to Boyer Truck for \$168,886 and \$167,404. Carried 5-0. Copy filed.
13. Motion by Taylor second by Radig to approve a paid intern position for Sheriff's office. Carried 5-0. Copy filed.
- 8b. Motion by Radig second by De Witt to approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Temporary Intern, County Sheriff Dept. Wage Plan: \$15.00/hour; and F/T Operations Officer-Paramedic, Emergency Services Dept. Wage Plan: \$18.82-\$19.95/hour. Carried 5-0. Copy filed.
14. Motion by Taylor second by Ung to approve the funding request in the amount of \$5,229.89 from Gaming Fund for Nature Center Security Camera System. Carried 5-0. Copy filed.
15. The Board heard reports on committee meetings.
16. There were no citizen concerns.
17. Board concerns were heard.

The Board adjourned the regular meeting until May 10, 2022.

Meeting sign in sheet. Copy filed.

# Woodbury County Personal Property Disposition Form



DATE: 5/10/22

	NAME:
	DEPARTMENT: Secondary Roads
	AUTHORIZED REPRESENTATIVE: Building Services Director
	PHONE:

Fill in the fields below (\* REQUIRED):

Item Description*	HP Z220 CMT Workstation, Windows 10 Pro Intel Xeon processor 8GB ECC RAM 500GB hard drive, Product No. A3J44AV Serial No. 2UA3282KKC – YSR119
Estimated Value*	\$ 50.00
Current Location*	759 E. Frontage Road Merville, IA 51039
County Asset Number	
Serial/VIN Number	
Year	
Make/Model	
Auction Reserve	
Notes	Old PC from Secondary Roads. WCICC approved of disposal.




For Office Use Only:

GovDeals ID #	412
Sale Price	
Date	

# Woodbury County Personal Property Disposition Form



DATE: 5/10/22

	NAME:
	DEPARTMENT: Secondary Roads
	AUTHORIZED REPRESENTATIVE: Building Services Director
	PHONE:

Fill in the fields below (\* REQUIRED):

Item Description*	HP Z220 CMT Workstation, Windows 10 Pro Intel Xeon processor 8GB ECC RAM 500GB hard drive, Product No. A3J44AV Serial No. 2UA3281696 – YSR120
Estimated Value*	\$ 50.00
Current Location*	759 E. Frontage Road Merville, IA 51039
County Asset Number	
Serial/VIN Number	
Year	
Make/Model	
Auction Reserve	
Notes	Old PC from Secondary Roads. WCICC approved of disposal.

For Office Use Only:

GovDeals ID #	413
Sale Price	
Date	

# HUMAN RESOURCES DEPARTMENT

## MEMORANDUM OF PERSONNEL TRANSACTIONS

**DATE:** May 10, 2022

**\* PERSONNEL ACTION CODE:**

- |                |                     |
|----------------|---------------------|
| A- Appointment | R-Reclassification  |
| T - Transfer   | E- End of Probation |
| P - Promotion  | S - Separation      |
| D - Demotion   | O - Other           |

**TO: WOODBURY COUNTY BOARD OF SUPERVISORS**

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Tronson, Sterling	County Sheriff	5-30-22	Civilian Jailer	\$21.88/hour	4%=\$.86/hour	R	Per CWA Civilian Officers Contract agreement, from Class 3 to Class 2.
Schager, Danielle	Juvenile Detention	5-30-22	Youth Worker	\$28.84/hour	6.5%=\$1.77/hour	R	Per AFSCME Juvenile Detention Contract agreement, from Grade 1/Step 5 to Grade 1/Step 6.

**APPROVED BY BOARD DATE:** \_\_\_\_\_

**MELISSA THOMAS, HR DIRECTOR:** *Melissa Thomas HR Director*



**HUMAN RESOURCES DEPARTMENT  
WOODBURY COUNTY, IOWA**

**DATE: May 10, 2022**

**AUTHORIZATION TO INITIATE HIRING PROCESS**

<b>DEPARTMENT</b>	<b>POSITION</b>	<b>ENTRY LEVEL</b>	<b>APPROVED</b>	<b>DISAPPROVED</b>
Secondary Roads	District Foreman	Wage Plan: \$68,573.62 – \$73,301.34/year		
Secondary Roads	Motor Grader Operator	CWA Secondary Roads: \$24.85/hour		

\_\_\_\_\_  
Chairman, Board of Supervisors



# Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039  
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER  
Mark J. Nahra, P.E.  
mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
Benjamin T. Kusler, E.I.T.  
bkusler@sioux-city.org

SECRETARY  
Tish Brice  
tbrice@sioux-city.org

To: Board of Supervisors  
Human Resources Department

From: Mark Nahra, Woodbury County Engineer

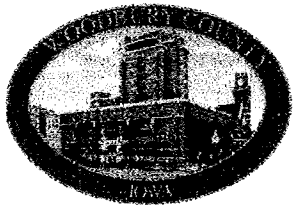
Date: May 2, 2022

Subject: District 5 (Hornick) Maintenance Foreman Position

I am requesting that the Board authorize the replacement of Jamie Amick, District 5 (Hornick) Maintenance Foreman, who is transferring to District 2 (Merville) effective May 6, 2022. I would like to fill this position quickly, if a suitable applicant can be found.

Since this is not a union position, there is no internal posting requirement and the position can be immediately advertised. Applicants from inside and outside our department can be considered for this position.

Thank you for your consideration.



# Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039  
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER  
Mark J. Nahra, P.E.  
mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
Benjamin T. Kusler, E.I.T.  
bkusler@sioux-city.org

SECRETARY  
Tish Brice  
tbrice@sioux-city.org

To: Board of Supervisors  
Human Resources Department

From: Mark Nahra, Woodbury County Engineer

Date: May 2, 2022

Subject: Hornick District Staff Level – Mark Petit Retirement

With the retirement of Mark Petit from county employment, a motor grader operator position will be vacant in our District 5 unit at Hornick. This will leave the district shorthanded if the vacancy is not filled.

**RECOMMENDATION: It is my recommendation that we fill the vacant motor grader operator position immediately.** Thank you for your attention.

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 5/5/22 Weekly Agenda Date: 5/10/22

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Karen James, Administrative Assistant

**WORDING FOR AGENDA ITEM:**

Approval of lifting tax suspensions for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

Annually, the Board of Supervisors requires those receiving tax suspensions to re-certify their income. Those petitioners who fail to re-certify their income by the deadline or if their income does not qualify for continued tax suspension, will be turned over to the Board of Supervisors for action on lifting the tax suspension.

**BACKGROUND:**

**FINANCIAL IMPACT:**

None

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

To lift the tax suspension of the petitioners that are listed on the attachment.

**ACTION REQUIRED / PROPOSED MOTION:**

Approval of lifting tax suspensions for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension.

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 05/05/2022 Weekly Agenda Date: 05/10/2022

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Mark J. Nahra, County Engineer

**WORDING FOR AGENDA ITEM:**

Receive bids for project number L-B(M299)--73-97

**ACTION REQUIRED:**

- |  |   |  |
|--|---|--|
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input type="checkbox"/>   | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input type="checkbox"/>    | Other: Informational <input type="checkbox"/> | Attachments <input checked="" type="checkbox"/>    |

**EXECUTIVE SUMMARY:**

Plans have been completed for a bridge replacement project on Taylor Ave, south of 220th Street and east of Anthon. Bids are due at the Board meeting on 05/02/2022

**BACKGROUND:**

The project will replace a bridge with a RCB culvert. The bridge is currently closed due to failure of substructure piling.

**FINANCIAL IMPACT:**

The projects are paid for with Woodbury County secondary road funds .

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

I recommend that the Board receive the bids for project L-B(M299)--73-97 and return them to the county engineer for review.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive bids for project number L-B(M299)--73-97 and return them to the county engineer for review.

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 05/05/2022 Weekly Agenda Date: 05/10/2022

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Mark J. Nahra, County Engineer

**WORDING FOR AGENDA ITEM:**

Consider approval of drainage district tax levies

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The county board of supervisors serves as trustees for nine drainage districts. Annually tax levies to meet the expenses of maintaining the drainage districts are set by the board.

**BACKGROUND:**

Recommended tax levies are attached for board consideration.

**FINANCIAL IMPACT:**

The levies are imposed upon benefited lands by formulas approved at the adoption of the drainage district.

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Recommend that the board approve the attached resolutions setting levies for nine drainage districts.

**ACTION REQUIRED / PROPOSED MOTION:**

The board is to make individual motions approving each drainage district resolution.

**DRAINAGE TAX**

**FY 2022/23  
RECOMMENDED DRAINAGE ASSESSMENTS FOR DRAINAGE DISTRICTS  
UNDER THE DIRECT CONTROL OF THE  
WOODBURY COUNTY BOARD OF SUPERVISORS, AS TRUSTEES**

Treasurer's Balance - Outstanding Warrants = Auditor's Balance

<u>Drainage District</u>	<u>Year Built</u>	<u>Original Cost</u>	<u>County Treasurer's Balance April 15, 2022</u>	<u>Outstanding Warrants** April 15, 2022</u>	<u>County Auditor's Balance April 15, 2022</u>	<u>7/1/22 to 6/30/23 Other Est. Expenditures</u>	<u>FY 2022-23 Recommended Levy</u>
1. Anthon Central	1925	\$ 4,943.00	\$ 357.03	\$ 18.73	\$ 290.87	\$ -	\$ 100.00
2. Bennett-McDonald	1963	1,320.00	1,066.44	34,175.33	1,060.14	-	35,000.00
3. Maple River	1920	44,249.00	143.47	---	88.71	-	0.00
4. Orton Slough	1919	16,109.00	788.98	---	707.43	-	0.00
5. Smithland	1916	12,473.00	17,846.23	---	17,807.10	-	0.00
6. Smokey Hollow	1924	1,048.00	3,089.33	---	3,084.33	-	0.00
7. Weber Creek	1931	9,599.00	3,555.55	---	3,532.89	-	0.00
8. Wolf Creek	1908	34,418.00	21,089.57	163,260.54	35,386.12	-	28,000.00
9. Wolf Creek Pump	1985	21,262.45	2,200.61	208.60	160.56	0.00	0.00 *
Sub-Dist 2			67.03	---	43.57	0.00	0.00
Sub-Dist 3			2,013.81	9.77	2,010.80	0.00	0.00

\*(Hearing not required.) Section 468.126,1c, Code of Iowa 2015, states in part: "If the estimated cost of a repair exceeds twenty thousand dollars, or seventy-five percent of the original total cost of the district and subsequent improvements, whichever is the greater amount, the board shall set a date for a hearing on the matter of making the proposed repairs, ---."

\*\*Balance verification

Dated this \_\_\_\_\_ day of May, 2022

\_\_\_\_\_  
Dennis D. Butler – Supervisor’s Office

\_\_\_\_\_  
Mark J. Nahra - County Engineer

RESOLUTION NO. \_\_\_\_\_

ORTON SLOUGH DRAINAGE DISTRICT

RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE  
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Orton Slough Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Orton Slough Drainage District, that a special tax and/or assessment in the sum of \$ 0.00 be levied against all the tracts of land, lots, railroad companies and public highways within said Drainage District, same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this \_\_\_\_\_ day of May, 2022

WOODBURY COUNTY BOARD OF SUPERVISORS

ATTESTED:

BY: \_\_\_\_\_  
Chairman

\_\_\_\_\_  
Patrick F. Gill, County Auditor

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



RESOLUTION NO. \_\_\_\_\_

SMOKEY HOLLOW DRAINAGE DISTRICT

RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE  
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Smoky Hollow Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Smoky Hollow Drainage District, that a special tax and/or assessment in the sum of \$ 0.00 be levied against all the tracts of land, lots, railroad companies and public highways within said Drainage District, same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this \_\_\_\_\_ day of May, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

ATTESTED:

BY: \_\_\_\_\_  
Chairman

\_\_\_\_\_  
Patrick F. Gill, County Auditor

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

WEBER CREEK DRAINAGE DISTRICT

RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE  
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Weber Creek Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Weber Creek Drainage District, that a special tax and/or assessment in the sum of \$ 0.00 be levied against all the tracts of land, lots, railroad companies and public highways within said Drainage District, same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this \_\_\_\_\_ day of May, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

ATTESTED:

BY: \_\_\_\_\_  
Chairman

\_\_\_\_\_  
Patrick F. Gill, County Auditor

\_\_\_\_\_  
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\_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

WOLF CREEK DRAINAGE DISTRICT

RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE  
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Wolf Creek Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Wolf Creek Drainage District, that a special tax and/or assessment in the sum of \$ 28,000.00 be levied against all the tracts of land, lots, railroad companies and public highways within said Drainage District, same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ May \_\_\_\_\_, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

ATTESTED:

BY: \_\_\_\_\_  
Chairman

\_\_\_\_\_  
Patrick F. Gill, County Auditor

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\_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

BENNETT-MCDONALD DRAINAGE DISTRICT

RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE  
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Bennett-McDonald Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Bennett-McDonald Drainage District, that a special tax and/or assessment in the sum of \$ 35,000.00 be levied against all the tracts of land, lots, railroad companies and public highways within said Drainage District, same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this \_\_\_\_\_ day of May, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

ATTESTED:

BY: \_\_\_\_\_  
Chairman

\_\_\_\_\_  
Patrick F. Gill, County Auditor

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

SMITHLAND DRAINAGE DISTRICT

RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE  
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Smithland Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies, and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Smithland Drainage District, that a special tax and/or assessment in the sum of \$ 0.00 be levied against all the tracts of land, lots, railroad companies, and public highways within said Drainage District and same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this \_\_\_\_ day of May, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

ATTESTED:

BY: \_\_\_\_\_

Chairman

\_\_\_\_\_  
Patrick F. Gill, County Auditor

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\_\_\_\_\_  
\_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

WOLF CREEK PUMPING DISTRICT #2

RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE  
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Wolf Creek Pumping District #2 of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies, and public highways within the boundaries of the said Pumping District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Wolf Creek Pumping District #2, that a special tax and/or assessment in the sum of \$ 0.00 be levied against all the tracts of land, lots, railroad companies, and public highways within said Pumping District and same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this \_\_\_\_\_ day of May, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

ATTESTED:

BY: \_\_\_\_\_  
Chairman

\_\_\_\_\_  
Patrick F. Gill, County Auditor

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\_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

WOLF CREEK PUMPING DISTRICT #3

RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE  
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Wolf Creek Pumping District #3 of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies, and public highways within the boundaries of the said Pumping District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Wolf Creek Pumping District #3, that a special tax and/or assessment in the sum of \$ 0.00 be levied against all the tracts of land, lots, railroad companies, and public highways within said Pumping District and same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ May \_\_\_\_\_, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

ATTESTED:

BY: \_\_\_\_\_

Chairman

\_\_\_\_\_  
Patrick F. Gill, County Auditor

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\_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

ANTHON CENTRAL DRAINAGE DISTRICT

RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE  
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Anthon Central Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Anthon Central Drainage District, that a special tax and/or assessment in the sum of \$ 100.00 be levied against all the tracts of land, lots, railroad companies and public highways within said Drainage District, same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ May, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

ATTESTED:

BY: \_\_\_\_\_

Chairman

\_\_\_\_\_  
Patrick F. Gill, County Auditor

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\_\_\_\_\_



RESOLUTION NO. \_\_\_\_\_

MAPLE RIVER DRAINAGE DISTRICT

RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE  
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Maple River Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Maple River Drainage District, that a special tax and/or assessment in the sum of \$ 0.00 be levied against all the tracts of land, lots, railroad companies and public highways within said Drainage District, same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ May, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

ATTESTED:

BY: \_\_\_\_\_

Chairman

\_\_\_\_\_  
Patrick F. Gill, County Auditor

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\_\_\_\_\_  
\_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

POVERTY HOLLOW DRAINAGE DISTRICT

RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE  
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Poverty Hollow Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Poverty Hollow Drainage District, that a special tax and/or assessment in the sum of \$ 450.00 be levied against all the tracts of land, lots, railroad companies and public highways within said Drainage District, same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ May, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

ATTESTED:

BY: \_\_\_\_\_  
Chairman

\_\_\_\_\_  
Patrick F. Gill, County Auditor

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\_\_\_\_\_  
\_\_\_\_\_

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 05/05/2022 Weekly Agenda Date: 05/10/2022

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Mark J. Nahra, County Engineer

**WORDING FOR AGENDA ITEM:**

Consider a resolution to set the interest rates on drainage district warrants during fiscal year 2023.

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The Woodbury County Board of Supervisors can set the interest rate paid on drainage district warrants for districts for which the board serves as trustees.

**BACKGROUND:**

Under Sec. 74A.3 (1c). Special assessment bonds, certificates, warrants or other obligations, the principal and interest of which are payable from special assessments levied against benefited property may bear interest at a rate to be set by the issuing governmental body or agency.  
74A.3(2). The interest rates authorized by this section to be set by the issuing government.

**FINANCIAL IMPACT:**

There is no financial impact to the county board. Interest rates are paid by drainage district properties benefited within each district under the jurisdiction of the board. The past several years the interest rate has been set at 5.0%.

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Approve the resolution setting interest rates for drainage district warrants for districts under the jurisdiction of the Woodbury County Board of Supervisors.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the resolution setting interest rates for drainage district warrants for districts under the jurisdiction of the Woodbury County Board of Supervisors.

**WOODBURY COUNTY, IOWA**

**RESOLUTION # \_\_\_\_\_**

**RESOLUTION ESTABLISHING THE INTEREST RATE PAID ON DRAINAGE WARRANTS**

**WHEREAS**, the Woodbury County Board of Supervisors has the authority to establish the interest rate on drainage warrants pursuant to Iowa Code Chapter 468.

**NOW, THEREFORE, BE IT RESOLVED**, by the Woodbury County Board of Supervisors that the interest rate for Drainage Warrants is hereby set at 5% APR for Fiscal Year 2023.

**SO RESOLVED** this 10<sup>th</sup> day of May 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS

**DATED** this 10<sup>th</sup> day of May 2022

**WOODBURY COUNTY BOARD OF SUPERVISORS**

**ATTESTED:**

**BY:**

\_\_\_\_\_  
Keith Radig, Chairman

\_\_\_\_\_  
Patrick F. Gill, County Auditor

\_\_\_\_\_  
Rocky DeWitt

\_\_\_\_\_  
Jeremy Taylor

\_\_\_\_\_  
Matthew Ung

\_\_\_\_\_  
Justin Wright

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 4/28/22

Weekly Agenda Date: 5/3/22 4:40

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Daniel Priestley, CED Zoning Co

**WORDING FOR AGENDA ITEM:**

a.Receive final report-Zoning Commission recommendation to approve rezone of Prcl. #894624100009 from 4/25/22 b.Public Hearing on a Zoning Ordinance Map Amendment to rezone Prcl #894624100009 from the Agricultural Preservation to Agricultural Estates c.Approve the 2nd Reading of the the Ordinance as final reading d.Waive the 3rd Reading of the Ordinance e.Adopt the Zoning Ordinance Map Amendment

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The Board of Supervisors will hold a public hearing to discuss a proposed Zoning Ordinance Map Amendment to rezone GIS Parcel 894624100009 from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

Following the public hearing, the Board may defer consideration of the proposal; or reject the proposal; or proceed to adopt an ordinance approving the amendment to the zoning district map.

A 60% majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20% of either, (a) the area of the subject property or (b) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing.

The Board of Supervisors may impose restrictive conditions upon the approval of an amendment to the zoning district map if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

**BACKGROUND:**

The Joint Revocable Living Trust of Alvin O. Zellmer and Barbara Zellmer has filed a Zoning Ordinance Map Amendment (rezone) application to rezone Parcel #894624100009 from AP to AE concurrently with an application for a three-lot minor subdivision on the property as referenced above as well as Parcel #894624100006.

The purpose of this application is so the existing house on the proposed Lot 2, which is completely located within the Trust Parcel (#894624100009) can be split from the farm ground and be incorporated with the proposed Lots 1 and 2 in the same AE Zoning District . The use of the land will remain unchanged for the foreseeable future, as the Trust and its immediate successors plan to continue using the Trust property for agricultural purposes, while the house can be sold for residential purposes. No residential development is planned. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via a April 7, 2022 letter about the April 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were submitted. The property is located in the Special Flood Hazard Area (Zone A - Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, this proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal. Following their public hearing, the Woodbury County Zoning Commission voted 4-0 to recommend approval to the Board of Supervisors at their April 25, 2022 meeting.

**FINANCIAL IMPACT:**

0

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Receive final report and Zoning Commission recommendation from their 4/25/22 meeting.  
Open and close the public hearing. (Set Time: 4:40 PM)  
Conduct and approve the second reading of the ordinance as the final reading.  
Waive the third reading.  
Adopt the ordinance.  
If needed, a 3rd public hearing/reading of the ordinance has been scheduled for Tuesday, 5/17/22 at 4:40 PM.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive final report and Zoning Commission recommendation from their 4/25/22 meeting.  
Open and close the public hearing. (Set Time: 4:40 PM)  
Motion to conduct and approve the second reading of the ordinance as the final reading  
Motion to waive the third reading.  
Motion to adopt the Zoning District Map Amendment (Rezone) to the Zoning Ordinance.



**WOODBURY COUNTY  
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyia.gov  
Dawn Norton · Sr. Clerk · dnorton@woodburycountyia.gov  
Telephone (712) 279-6609 Fax (712) 279-6530

**Joint Revocable Living Trust of Alvin O. Zellmer & Barbara Zellmer  
REZONE FROM AP TO AE ZONING DISTRICT  
FINAL REPORT – 4/28/22**

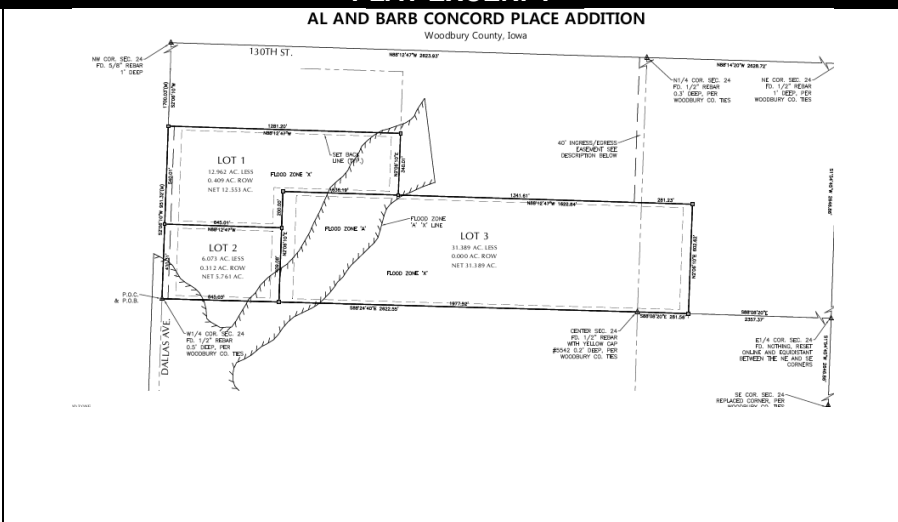
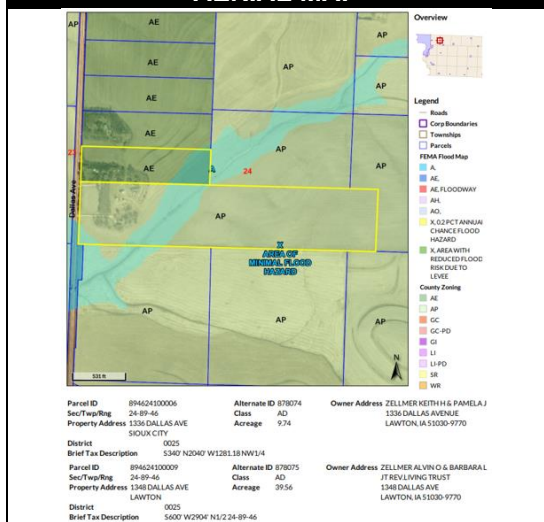
APPLICATION DETAILS	PROPERTY DETAILS	TABLE OF CONTENTS
<p><b>Applicant(s):</b> Joint Revocable Living Trust of Alvin O. Zellmer and Barbara Zellmer <b>Application Type:</b> Zoning Ordinance Map Amendment (Rezoning) <b>Current Zoning District:</b> Agricultural Preservation (AP) <b>Proposed Zoning District:</b> Agricultural Estates (AE) <b>Total Acres:</b> 39.56 <b>Current Use:</b> Residential/Agricultural <b>Proposed Use:</b> Residential/Agricultural <b>Corn Suitability Rating(s):</b> 59.32 <b>Pre-application Meeting(s):</b> November 15, 2021 <b>Application Date:</b> March 30, 2022 <b>Legal Notice Date:</b> April 13, 2022 <b>Stakeholders' (1000') Letter Date:</b> April 7, 2022 <b>Zoning Commission Public Hearing Date:</b> April 25, 2022 <b>Board of Supervisors Public Hearing Dates:</b> May 3, 2022 at 4:40 PM; May 10, 2022 at 4:40 PM; May 17 at 4:40 PM</p>	<p><b>Parcel(s):</b> 894624100009 <b>Township:</b> T89N R46W (Concord) <b>Section:</b> 24; <b>Quarter:</b> SW ¼ NW ¼, SE ¼ NW ¼, &amp; SW ¼ NE ¼ <b>Zoning District:</b> Agricultural Preservation (AP) <b>Floodplain District:</b> Zone A (Floodplain) <b>Address:</b> 1348 Dallas Ave., Lawton, IA 51030-9770</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Summary, Recommendation, Aerial &amp; Plat Excerpt</li> <li><input type="checkbox"/> Zoning Commission Minutes</li> <li><input type="checkbox"/> Application</li> <li><input type="checkbox"/> Proposed Ordinance Language</li> <li><input type="checkbox"/> Review Criteria</li> <li><input type="checkbox"/> Legal Notification</li> <li><input type="checkbox"/> Adjacent Owners' Notification</li> <li><input type="checkbox"/> Stakeholder Comments</li> <li><input type="checkbox"/> Supporting Documentation</li> </ul>

**SUMMARY**

The Joint Revocable Living Trust of Alvin O. Zellmer and Barbara Zellmer has filed a Zoning Ordinance Map Amendment (rezoning) application to rezone Parcel #894624100009 from AP to AE concurrently with an application for a three-lot minor subdivision on the property as referenced above as well as Parcel #894624100006. The purpose of this application is so the existing house on the proposed Lot 2, which is completely located within the Trust Parcel (#894624100009) can be split from the farm ground and be incorporated with the proposed Lots 1 and 2 in the same AE Zoning District. The use of the land will remain unchanged for the foreseeable future, as the Trust and its immediate successors plan to continue using the Trust property for agricultural purposes, while the house can be sold for residential purposes. No residential development is planned. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via a April 7, 2022 letter about the April 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were submitted. The property is located in the Special Flood Hazard Area (Zone A - Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, this proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal. The Woodbury County Zoning Commission voted 4-0 to recommend approval of this proposal at their April 25, 2022 meeting to the Board of Supervisors.

**AERIAL MAP**

**PLAT EXCERPT**



**ZONING COMMISSION & STAFF RECOMMENDATION**

The Woodbury County Zoning Commission voted 4-0 to recommend approval of this proposal at their April 25, 2022 meeting to the Board of Supervisors.

Staff recommends approval of this rezoning request as proposed.

## ZONING COMMISSION DRAFT MINUTES – APRIL 25, 2022

### Minutes - Woodbury County Zoning Commission Meeting – April 25, 2022

The Zoning Commission (ZC) meeting convened on the 25th of April at 6:00 PM in the first-floor boardroom in the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Chris Zellmer Zant, Tom Bride, Corey Meister, Jeff O'Tool  
County Staff Present: Dan Priestley, Dawn Norton  
Public Present: Dolf Ivener, Troy Husen, Jim Zellmer (Phone)

#### Call to Order

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

#### Public Comment on Matters Not on the Agenda

None.

#### Approval of Minutes

The February 28, 2022 minutes were approved. Motion to approve: Meister. Second: O'Tool. Motion approved 4-0.

#### Public Hearing: Husen Addition Minor Subdivision Proposal

Priestley read the preliminary report and staff recommendation into the record. Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust has filed an application for a four-lot minor subdivision on the property identified as Parcel #874705200002. The purpose of this proposal is to establish four residential lots. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via a April 7, 2022 letter about the Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. The County Engineer also stated that a paving agreement should be applied to this subdivision. Extraterritorial review was waived by the City of Sergeant Bluff with Resolution No. 21-33 on December 14, 2021. A portion of the property is in the Special Flood Hazard Area – Zone A – Floodplain but not in any buildable area. This proposal meets requirements of the Zoning and Subdivision Ordinances. Bride pointed out that the property has a significant Crop Suitability Rating (CSR – 75.51); this area is also located close to the Sergeant Bluff and residential development is already established. Dolf Ivener offered background on the purpose of the project. Troy Husen inquired about the effects of the paving agreement including the costs. Priestley indicated that it is an 80/20 agreement where property owners would pay 40% along their frontage or lineal feet of each lot to the center of the road. If there is any proposal to pave the road in the future, there will likely be public hearings administered by county engineer's office. It is the recommendation of staff to approve this proposal with the condition that the property owner(s) sign a paving agreement for any future paving along 220<sup>th</sup> Street. Motion to close public hearing: O'Tool. Second: Meister. Motion approved 4-0. Motion to recommend approval of the Husen Addition Minor Subdivision to the Board of Supervisors with the condition property owners sign a paving agreement: O'Tool. Second: Bride. Motion approved 4-0.

#### Public Hearing: Zoning Ordinance Map Amendment (Rezone) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District Proposal – Maxys Family Farm LLC/Brian and Bonnie Ivener Trust

Priestley read the preliminary report and staff recommendation into the record. Concurrently with the previous minor subdivision application, this proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 10.90-acres located in the NE ¼ of the NE ¼ of Section 5, T87N R47W (Liberty Township), Woodbury County, parcel #874705200002, for the purpose of establishing four residential lots. The neighbors within 1000 FT have been duly notified via a April 7, 2022 letter about the Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were received. A portion of the property is in the Special Flood Hazard Area – Zone A – Floodplain but not in any buildable area. Based on the information received, staff recommends approval of this proposal with the condition that the property owner(s) sign a paving agreement for any future paving along 220<sup>th</sup> Street. Motion to close public hearing: O'Tool. Second: Meisner. Motion approved 4-0. A motion was made to recommend approval to the Board of Supervisors for the request as proposed to Agricultural Estates with the condition that the owner(s) sign a paving agreement: O'Tool. Second: Bride. Motion approved 4-0.

#### Public Hearing: Al and Barb Concord Place Addition Minor Subdivision Proposal

Priestley read the preliminary report and staff recommendation into the record. The Joint Revocable Living Trust of Alvin O. Zellmer and Keith H. Zellmer and Pamela J. Zellmer have filed an application for a three-lot minor subdivision on Parcel #894824100006 and #894824100009. The purpose of this application is so the existing house on the proposed Lot 2, which is completely located within the Trust Parcel (#894824100009) can be split from the farm ground and be incorporated with the proposed Lots 1 and 2 in the same AE Zoning District. The use of the land will remain unchanged for the foreseeable future, as the Trust and its immediate successors plan to continue using the Trust property for agricultural purposes, while the house can be sold for residential purposes. No residential development is planned. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were submitted. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. Priestley noted that the county engineer initially had concerns about a proposed easement and its access to



a suitable driveway. However, the issue was resolved with a revised easement. Extraterritorial review is not required as the property is located greater than 2 miles from an incorporated area. The property is located in the Special Flood Hazard Area (Zone A - Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, this proposal meets the appropriate criteria for approval. One of the property owners, Jim Zellmer, was present via the phone but had no comments about the proposal. It is the recommendation of staff to approve this proposal. Motion to close public hearing: Meister. Second: Bride. Motion approved 4-0. A motion was made to recommend approval to the Board of Supervisors for the Al and Barb Concord Place Addition Minor Subdivision: Bride. Second: O'Tool. Motion approved 4-0.

**Public Hearing: Zoning Ordinance Map Amendment (Rezoning) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District Proposal – Joint Revocable Living Trust of Alvin O. Zellmer & Barbara Zellmer**

Priestley read the preliminary report and staff recommendation into the record. Along with previous minor subdivision application, this proposal is to rezone Parcel #894624100009 from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District with an application for a three-lot subdivision on Parcel #894624100009.

The purpose of this application is so the existing house on the proposed Lot 2, which is completely located within the Trust Parcel (#894624100009) can be split from the farm ground and be incorporated with the proposed Lots 1 and 2 in the same AE Zoning District. The use of the land will remain unchanged for the foreseeable future, as the Trust and its immediate successors plan to continue using the Trust property for agricultural purposes, while the house can be sold for residential purposes. No residential development is planned. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were submitted. The property is located in the Special Flood Hazard Area (Zone A - Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, this proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal. Motion to close Public Hearing: O'Tool. Second: Meister. Motion approved 4-0. Motion to recommend the proposed Zoning Ordinance Map Amendment from AP to AE to the Board of Supervisors: O'Tool. Second: Bride. Motion approved 4-0.

**Discussion of Solar Ordinance Provisions**

Priestley facilitated a discussion concerning residential solar systems and utility scale solar systems including some of their differences as it pertains to permitting. He indicated that area communities such as the City of Sioux City administratively issue building permits for residential solar systems as accessory structures/uses to the properties. The current language in the Woodbury County Zoning Ordinance requires a conditional use permit for all solar projects regardless of type. Priestley reminded the Commissioners that in recent years the county has received conditional use permit applications from both residential scale and utility scale projects. A revised ordinance may be required to address future needs depending on the intensity of the projects from residential to utility scale. Several considerations include road use agreements, decommissioning plans, setback requirements, etc. Priestley recommended that the Commission continue this discussion at future meetings and in the meantime, he will continue to research other jurisdictions and their respective policies as it comes to both residential and commercial solar operations.

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

None.

**Commissioner Comment or Inquiry**

Bride bought up State of Iowa legislation – Senate File 2285, pertaining to the incorporated areas' ability to require annexation agreements. Priestley will research.

**Staff Update**

Priestley formally informed the Commission that Director David Gleiser has left the Woodbury County Community & Economic Department.

**Adjourn**

The meeting adjourned at 7:20 PM.



## METCALF & BEARDSHEAR

ATTORNEYS AT LAW

232 Main Street  
P. O. Box 454  
Menville, IA 51039  
Phone: 712-873-3229  
Fax: 712-873-3228

GLENN A. METCALF  
glenn.metcalf@menvillelawoffice.com  
RYAN D. BEARDSHEAR  
ryan.beardshear@menvillelawoffice.com

March 25, 2022

Woodbury County Zoning  
620 Douglas St. # 600  
Sioux City, IA 51101

Dear County Zoning Office:

My Client, the Alvin and Barbara Zellmer Joint Revocable Living Trust, is filing an application to re-zone a parcel of land from AP to AE in order to split a parcel No: 894624100009 ("Trust Parcel"), legally described as:

The South Six hundred feet (S 600') of the West Two thousand, nine hundred, four feet (N 2,904') of the North Half (N ½) of Section Twenty-four (24), Township Eighty-nine (89), North, Range Forty-Six (46), West of the 5<sup>th</sup> P.M., in Woodbury County Iowa.  
(See deed recorded on November 4, 2013, on Roll 732, Image 7886).

My client and Keith and Pamela Zellmer, owners of Parcel No. 894624100006 ("Keith's Parcel"), have proposed the creation of a subdivision, to be commonly known as the "Al and Barb Concord Place Addition" (Hereafter known as "subdivision"). A minor subdivision application is being filed herewith. Keith's parcel, legally described as:

The South Three Hundred, forty feet (S 340') of the North Two Thousand, Forty feet (N 2,040') of the West One Thousand, two hundred, eighty-one and eighteen hundredths feet (W 1,281.18') of the Northwest Quarter (NW ¼) of Section Twenty-four (24), Township Eighty-nine (89) North, Range Forty-six (46), West of the 5<sup>th</sup> P.M., in Woodbury County, Iowa.  
(See deed recorded on April 20, 1987, on Roll 185 Image 1307).

is presently zoned AE, but the Trust Parcel is zoned AP. In order to complete the subdivision, the Trust Parcel must be re-zoned as AE. The purpose of creating the minor subdivision is so the existing house on proposed Lot 2, which is completely located within the Trust Parcel, can be split from the agricultural land on the Trust Parcel. The use of the land will remain unchanged for the foreseeable future, as the Trust and its immediate successors plan to continue using the Trust property for agricultural purposes, while the house can then be sold for residential purposes. No residential development is planned.

The proposed subdivision has following measured, legal description:

A parcel of land in the North One-half (N ½) of Section Twenty-four (24), Township Eighty-nine (89) North, Range Forty-six (46), West of the 5<sup>th</sup> P.M., Woodbury County, Iowa. Said parcel more particularly described as follows: Commencing and beginning at the West One-quarter (W ¼) corner of said Section Twenty-four (24), thence South Eighty-eight Degrees Twenty-four Minutes Forty Seconds (S 88°24'40") East (an assumed bearing) along the South line of the Northwest Quarter (NW ¼) for Two Thousand Six Hundred Twenty-two and Fifty-five Hundredths Feet (2,622.55') to the center of Section Twenty-four (24); thence South Eighty-eight Degrees Eight Minutes Twenty Seconds (S88°08'20") East along the South line of the Northeast Quarter (NE ¼) for Two Hundred Eight-one and Fifty-six Hundredths Feet (281.56'); thence North Two Degrees Six Minutes Ten Seconds (N 02°06'10") East for Six Hundred Two and Sixty-two Hundredths Feet (602.62'); thence North Eighty-eight Degrees Twelve Minutes Forty-seven Seconds (N 88°12'47") West for One Thousand Six Hundred Twenty-two and Eighty four Hundredths Feet (1,622.84'); thence North Two Degrees Six Minutes Ten Seconds (N 02°06'10") East for Three Hundred Forty and One Hundredths Feet (341.01); thence North Eighty-Eight Degrees Twelve Minutes Forty-seven seconds (N 88°12'47") West for One Thousand Two Hundred Eighty-one and Twenty Hundredths Feet (1,281.20') to the West line of the Northwest Quarter (NW ¼); thence South Two Degrees Sixteen Minutes Ten Seconds (S 02°16'10") West along the West line of the Northwest Quarter (NW ¼) for Nine Hundred Fifty-one and Thirty-two Hundredths Feet (951.32')(M) to the point of beginning. Said parcel contains 50.424 acres more or less.

Very truly yours,

METCALF & BEARDSHEAR  
Menville, Iowa

By:

  
Ryan D. Beardshear

RDB:ed

Enclosure



### Rezoning Application & Zoning Ordinance Map Amendment

<b>Owner Information:</b> Owner <u>Joint Revocable Living Trust of Alvin O. Zellmer &amp; Barbara Zellmer</u> Address <u>1348 Dallas Avenue</u> <u>Lawton, IA 51030</u> Phone <u>(864) 477-8825</u>	<b>Applicant Information:</b> Applicant <u>James Zellmer as Trustee</u> Address <u>604 N Almond Drive</u> <u>Simpsonville, SC 29681</u> Phone <u>(864) 477-8825</u>
---	---

Engineer/Surveyor Craig Beedle Phone (712) 253-3328

**Property Information:**  
Property Address 1348 Dallas Avenue, Lawton, IA 51030  
or Address Range \_\_\_\_\_  
Quarter/Quarter SW1/4 NW1/4 Sec. 24 Twship/Range 89/46W  
Parcel ID # 894624100009 or GIS # \_\_\_\_\_ Total Acres 39.56  
Current Use residential/agricultural Proposed Use residential/agricultural  
Current Zoning AP Proposed Zoning AE  
Average Crop Suitability Rating (submit NRCS Statement) Total adj. CSR pts.: 2346.77  
Avg. CSR/Acre: 59.32

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).  
*Phone conference*  
A formal pre-application meeting is recommended prior to submitting this application.  
Pre-app mtg date 11/15/21 Staff present Dharby

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.  
This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.  
Owner James Zellmer as Trustee Applicant James Zellmer as Trustee  
Date Feb 2, 2022 Date Feb 2, 2022

Fee: \$400 Case #: 6750  
Check #: 6891  
Receipt #: \_\_\_\_\_



**ORDINANCE NO. \_\_**

**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 \_\_\_\_ day of \_\_\_\_\_ 2022.**

**THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS**

\_\_\_\_\_  
**Keith Radig, Chairman**

\_\_\_\_\_  
**Jeremy Taylor, Vice Chairman**

\_\_\_\_\_  
**Rocky De Witt**

\_\_\_\_\_  
**Matthew Ung**

\_\_\_\_\_  
**Justin Wright**

Attest:

\_\_\_\_\_  
Patrick F. Gill, Woodbury County Auditor

<b>Adoption Timeline:</b> Public Hearing and 1st Reading: Public Hearing and 2nd Reading: Public Hearing and 3rd Reading: Adopted: Effective:
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## ITEM ONE (1)

Property Owner: Joint Revocable Living Trust of Alvin O. Zellmer and Barbara L. Zellmer,  
1348 Dallas Ave., Lawton IA 51030-9770

Petitioner Applicant: Joint Revocable Living Trust of Alvin O. Zellmer and Barbara L. Zellmer,  
1348 Dallas Ave., Lawton IA 51030-9770

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, April 25, 2022, 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 39.56-acres located in the SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , and the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 24, T89N R46W (Concord Township) in the County of Woodbury and State of Iowa. The property is identified as Parcel #894624100009 and is described as

The South Six hundred feet (S 600') of the West Two thousand, nine hundred, four feet (N 2,904') of the North Half (N  $\frac{1}{2}$ ) of Section Twenty-four (24), Township Eighty-nine (89), North, Range Forty-Six (46), West of the 5<sup>th</sup> P.M., in Woodbury County Iowa. (See deed recorded on November 4, 2013, on Roll 732, Image 7886).

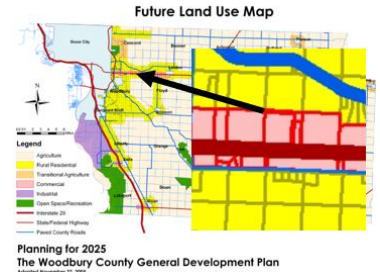
**EVALUATION CRITERIA**

The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

**Conformance with the goals and objectives set forth in the approved general development plan for Woodbury County including the future land use map.**

The 2005 Future Land Use Map shows this area as General Commercial. The parcel is currently zoned Limited Industrial (LI) and the request is to change to Agricultural Estates (AE). The request conforms to the goals and objectives of the general development plan as it relates to the following land use goals:

- **Land Use Goal 1.2:** Adopt development regulations that promote efficient, stable land uses with minimum conflicts and provision of public infrastructure.
- **Agricultural Goal 3.1:** Promote agriculture as the main industry in the rural portion of the county.



**Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.**

There are no conflicts with the policies and plans of other agencies.

**Consideration of the Corn Suitability (CSR) of the property.**

The CSR2 rating for this property includes the rating of 61.79. The agricultural goal of the Woodbury County General Plan is to protect prime farmland as determined by a high corn suitability rating (e.g. over 65 CSR) from conversion to other land uses.

**Summary**

Parcel ID	894624100009
Gross Acres	39.56
ROW Acres	0.00
Gross Taxable Acres	39.56
Exempt Acres	0.00
Net Taxable Acres	39.56 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	61.79 (2444.39 CSR2 Points / 39.56 Gross Taxable Acres)

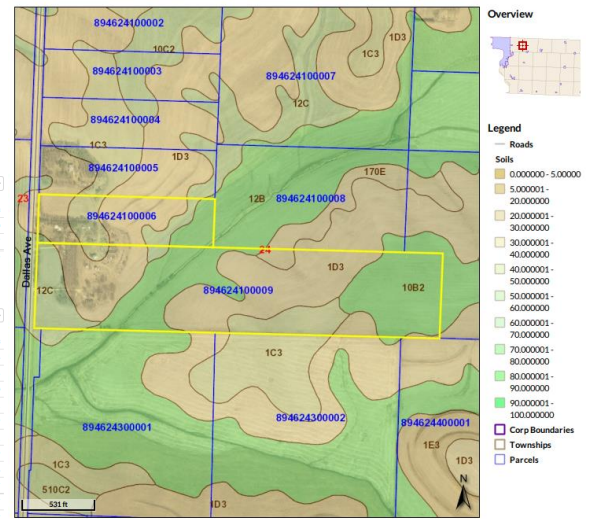
*Agland Active Contig 3017 CSR2*

**Sub Parcel Summary**

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	33.48	63.44	2,124.00	2,124.00
Non-Crop	6.08	52.70	320.39	222.77
<b>Total</b>	<b>39.56</b>		<b>2,444.39</b>	<b>2,346.77</b>

**Soil Summary**

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12B	NAPIER SILT LOAM, 2 TO 5 PERCENT SLOPES	93.00	5.78	537.54	537.54
100% Value	10B2	MONVONIA SILT LOAM, 2 TO 5 PERCENT SLOPES, MODERATELY ERODED	91.00	7.73	703.43	703.43
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	2.60	231.40	231.40
100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	3.04	176.32	176.32
100% Value	170E	NAPIER-CASTANA SILT LOAMS, 9 TO 20 PERCENT SLOPES	57.00	0.67	38.19	38.19
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	13.66	437.12	437.12
Non-Crop	12B	NAPIER SILT LOAM, 2 TO 5 PERCENT SLOPES	93.00	0.94	87.42	44.29
Non-Crop	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	1.01	89.89	46.54
Non-Crop	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	0.42	24.36	15.97
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	3.71	118.72	115.97
<b>Total</b>				<b>39.56</b>	<b>2,444.39</b>	<b>2,346.77</b>



**Compatibility with adjacent land uses.**

The portion of this property being rezoned to AE includes both farm ground and a home. The rezone of this property is compatible with the abutting parcels.

**Compatibility with other physical and economic factors affecting or affected by the proposed rezoning.**

This proposal is compatible with other physical and economic factors in the project area as there are no major infrastructure improvements required.

**Any other relevant factors.**

None.







# PARCEL REPORT - 894624100009

## Summary

Parcel ID 894624100009  
 Alternate ID 878075  
 Property Address 1348 DALLAS AVE  
 LAWTON IA 51030  
 24-89-46  
 Sec/Twp/Rng 5600' W2904' N1/2 24-89-46  
 Brief Tax Description (Note: Not to be used on legal documents)  
 155-1188 (3/29/1983)  
 Deed Book/Page 39.56  
 Gross Acres 39.56  
 Net Acres 39.56  
 Adjusted CSR Pts 2346.77  
 Zoning AP - AGRICULTURAL PRESERVATION  
 District 0025 CONCORD/LAWTON-BRONSON  
 School District LAWTON-BRONSON  
 Neighborhood N/A



## Owner

**Deed Holder** Zellmer Alvin O & Barbara L J Rev Living Trust  
 1348 Dallas Ave  
 Lawton IA 51030-9770

**Contract Holder**

**Mailing Address** Zellmer Alvin O & Barbara L J Rev Living Trust  
 1348 Dallas Ave  
 Lawton IA 51030-9770

## Land

Lot Area 39.56 Acres: 1,723,234 SF

## Residential Dwellings

**Residential Dwelling**  
 Occupancy Single-Family / Owner Occupied  
 Style 1 Story Frame  
 Architectural Style N/A  
 Year Built 1920  
 Condition Normal  
 Roof Asph / Gable  
 Flooring  
 Foundation Conc  
 Exterior Material WOOD  
 Interior Material Pls  
 Brick or Stone Veneer  
 Total Gross Living Area 1,040 SF  
 Main Area Square Feet 780  
 Attic Type 3/4 Finished; 351 SF  
 Number of Rooms 0 above; 0 below  
 Number of Bedrooms 0 above; 0 below  
 Basement Area Type 1/2  
 Basement Area 390  
 Basement Finished Area  
 Plumbing 1 Base Plumbing (Full);  
 Appliances; 1 Dishwasher;  
 Central Air Yes  
 Heat Yes  
 Fireplaces  
 Porches 15 Frame Enclosed (260 SF);  
 Decks  
 Additions 1 Story Frame (260 SF);  
 Garages

## Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Shed - Loafing	CATTLE SHED	30	60	1952	1
0	Bin - Grain Storage (Bushel)		0	0	1960	2
0	Bin - Grain Storage (Bushel)		0	0	1960	1
0	Bin - Grain Storage (Bushel)		30	18	1979	1

## Valuation

	2022	2021	2020	2019	2018
Classification	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture
+ Assessed Land Value	\$59,410	\$59,410	\$56,160	\$56,160	\$81,740
+ Assessed Building Value	\$1,130	\$1,660	\$1,170	\$1,170	\$7,130
+ Assessed Dwelling Value	\$68,550	\$68,550	\$62,090	\$62,090	\$54,650
+ Gross Assessed Value	\$133,090	\$133,620	\$123,420	\$123,420	\$143,520
- Exempt Value	\$0	\$0	\$0	\$0	\$0
+ Net Assessed Value	\$133,090	\$133,620	\$123,420	\$123,420	\$143,520

## Sioux City Special Assessments and Fees

[Click here to view special assessment information for this parcel.](#)

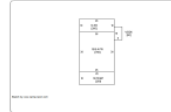
## Woodbury County Tax Credit Applications

[Apply for Homestead, Military or Business Property Tax Credits](#)

## Photos



## Sketches



No data available for the following modules: Commercial Buildings, Yard Extras, Sales, Permits, Sioux City Tax Credit Applications.

# SOIL REPORT - 894624100009

## Summary

Parcel ID 894624100009  
 Gross Acres 39.56  
 ROW Acres 0.00  
 Gross Taxable Acres 39.56  
 Exempt Acres 0.00  
 Net Taxable Acres 39.56 (Gross Taxable Acres - Exempt Land)  
 Average Unadjusted CSR2 61.79 (2444.39 CSR2 Points / 39.56 Gross Taxable Acres)

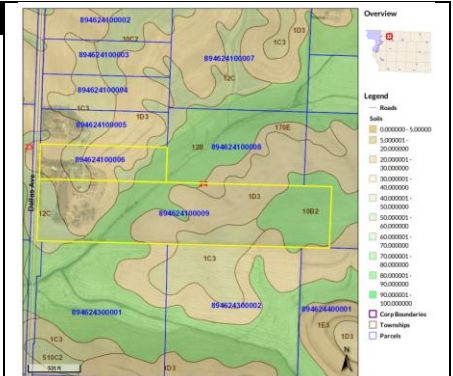
Agland Active Config 2017 CSR2

## Sub Parcel Summary

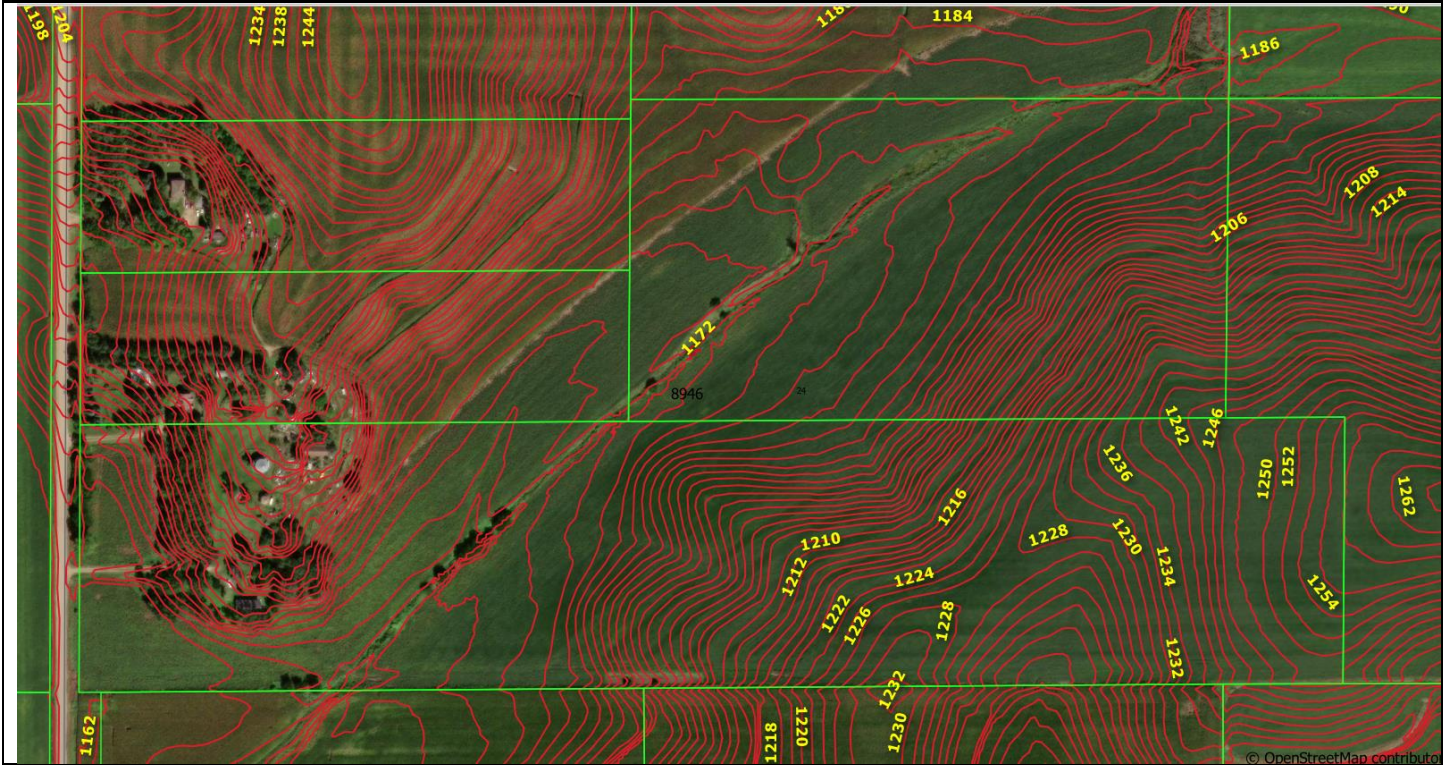
Description	Acres	CSR2	Unadjusted CSR2 Points	Columns	
				Adjusted CSR2 Points	Adjusted CSR2 Points
100% Value	33.48	63.44	2,124.00		2,124.00
Non-Crop	6.08	52.70	320.39		222.77
<b>Total</b>	<b>39.56</b>		<b>2,444.39</b>		<b>2,346.77</b>

## Soil Summary

Description	SMS	Soil Name	CSR2	Columns		
				Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12B	NAPIER SILT LOAM, 2 TO 5 PERCENT SLOPES	93.00	5.78	537.54	537.54
100% Value	10B2	MONONA SILT LOAM, 2 TO 5 PERCENT SLOPES, MODERATELY ERODED	91.00	7.73	703.43	703.43
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	2.60	231.40	231.40
100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	3.04	176.32	176.32
100% Value	170E	NAPIER-CASTANA SILT LOAMS, 9 TO 20 PERCENT SLOPES	57.00	0.67	38.19	38.19
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	13.66	437.12	437.12
Non-Crop	12B	NAPIER SILT LOAM, 2 TO 5 PERCENT SLOPES	93.00	0.94	87.42	44.29
Non-Crop	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	1.01	89.89	46.54
Non-Crop	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	0.42	24.36	15.97
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	3.71	118.72	115.97
<b>Total</b>				<b>39.56</b>	<b>2,444.39</b>	<b>2,346.77</b>



# ELEVATION



**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 5/5/22

Weekly Agenda Date: 5/10/22 4:42

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Daniel Priestley, CED Zoning Co

**WORDING FOR AGENDA ITEM:**

a.Receive final report-Zoning Commission recommendation to approve rezone of Prcl. #874705200002 from 4/25/22 b.Public Hearing on a Zoning Ordinance Map Amendment to rezone Prcl. #874705200002 from the Agricultural Preservation to Agricultural Estates c.Approve the 2nd Reading of the the Ordinance as final reading d.Waive the 3rd Reading of the Ordinance e.Adopt the Zoning Ordinance Map Amendment

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The Board of Supervisors will hold a public hearing to discuss a proposed Zoning Ordinance Map Amendment to rezone GIS Parcel 874705200002 from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

Following the public hearing, the Board may defer consideration of the proposal; or reject the proposal; or proceed to adopt an ordinance approving the amendment to the zoning district map.

A 60% majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20% of either, (a) the area of the subject property or (b) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing.

The Board of Supervisors may impose restrictive conditions upon the approval of an amendment to the zoning district map if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

**BACKGROUND:**

Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust has filed an application for a zoning ordinance map amendment (rezone) on the property known as GIS Parcel #874705200002 from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the purpose of establishing four residential lots through a concurrent minor subdivision application.

This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission public hearing and have been requested to comment. As of April 18, 2022, no comments or inquiries have been received about the proposal. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. A small portion of the property that is not in any buildable area is located in the Special Flood Hazard Area (Zone A – Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, the proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal with the condition that the property owner(s) sign a pavement agreement for any future paving along 220th Street. The Woodbury County Zoning Commission voted 4-0 to recommend approval of this proposal at their April 25, 2022 meeting to the Board of Supervisors with the condition that the property owner(s) sign a pavement agreement with the county.

**FINANCIAL IMPACT:**

0

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Receive final report and Zoning Commission recommendation from their 4/25/22 meeting.  
Open and close the public hearing. (Set Time: 4:42 PM)  
Approve the second reading of the ordinance as the final reading.  
Waive the third reading.  
Adopt the ordinance.  
If needed, a third public hearing/reading of the ordinance has been scheduled for Tuesday, 5/17/22 at 4:42 PM.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive final report and Zoning Commission recommendation from their 4/25/22 meeting.  
Open and close the public hearing. (Set Time: 4:42 PM)  
Motion to approve the second reading of the ordinance as the final reading  
Motion to waive the third reading.  
Motion to adopt the Zoning District Map Amendment (Rezone) to the Zoning Ordinance.





**WOODBURY COUNTY  
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyia.gov  
Dawn Norton · Sr. Clerk · dnorton@woodburycountyia.gov  
Telephone (712) 279-6609 Fax (712) 279-6530

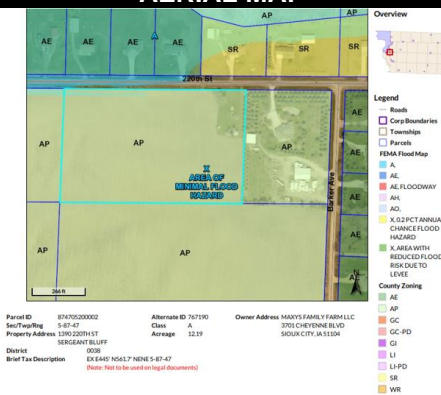
**Maxys Family Farm LLC / Brian and Bonnie Ivener Trust  
REZONE FROM AP TO AE ZONING DISTRICT  
FINAL REPORT – 4/28/22**

APPLICATION DETAILS	PROPERTY DETAILS	TABLE OF CONTENTS
<p><b>Applicant(s):</b> Maxys Family Farm LLC / Brian and Bonnie Ivener Trust  <b>Application Type:</b> Zoning Ordinance Map Amendment (Rezone)  <b>Current Zoning District:</b> Agricultural Preservation (AP)  <b>Proposed Zoning District:</b> Agricultural Estates (AE)  <b>Total Acres:</b> 10.90 Acres  <b>Current Use:</b> Farmland <b>Proposed Use:</b> Residential  <b>Corn Suitability Rating(s):</b> 75.51  <b>Pre-application Meeting:</b>  <b>Application Date:</b> April 1, 2022  <b>Legal Notice Date:</b> April 13, 2022  <b>Stakeholders' (1000') Letter Date:</b> April 7, 2022  <b>Zoning Commission Public Hearing Date:</b> April 25, 2022  <b>Board of Supervisors Public Hearing Dates:</b> May 3, 2022 at 4:42 PM; May 10 at 4:42 PM; May 17 at 4:42 PM</p>	<p><b>Parcel(s):</b> 874705200002  <b>Township:</b> T87N R47W (Liberty)  <b>Section:</b> 5; <b>Quarter:</b> NE ¼ NE ¼  <b>Zoning District:</b> Agricultural Preservation (AP)  <b>Floodplain District:</b> Zone A (Floodplain)  <b>Address:</b> 1390 220<sup>th</sup> St., Sergeant Bluff, IA 51054</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Summary, Recommendation, Aerial &amp; Plat Excerpt</li> <li><input type="checkbox"/> Application</li> <li><input type="checkbox"/> Review Criteria</li> <li><input type="checkbox"/> Legal Notification</li> <li><input type="checkbox"/> Adjacent Owners' Notification</li> <li><input type="checkbox"/> Stakeholder Comments</li> <li><input type="checkbox"/> Supporting Documentation</li> </ul>

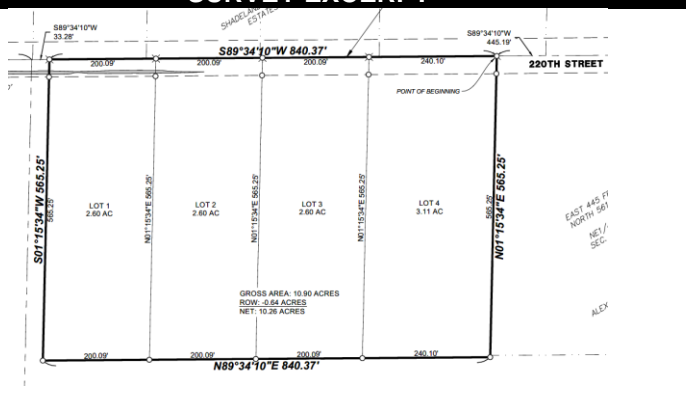
**SUMMARY**

Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust has filed an application for a zoning ordinance map amendment (rezone) on the property (Parcel #874705200002) as referenced above from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the purpose of establishing four residential lots through a concurrent minor subdivision application. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission public hearing and have been requested to comment. As of April 18, 2022, no comments or inquiries have been received about the proposal. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. A small portion of the property that is not in any buildable area is located in the Special Flood Hazard Area (Zone A – Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, the proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal with the condition that the property owner(s) sign a pavement agreement for any future paving along 220th Street. The Woodbury County Zoning Commission voted 4-0 to recommend approval of this proposal at their April 25, 2022 meeting to the Board of Supervisors with the condition that the property owner(s) sign a pavement agreement with the county.

**AERIAL MAP**



**SURVEY EXCERPT**



**ZONING COMMISSION & STAFF RECOMMENDATION**

The Woodbury County Zoning Commission voted 4-0 to recommend approval of this proposal at their April 25, 2022 meeting to the Board of Supervisors with the condition that the property owner(s) sign a pavement agreement with the county.

Staff recommends approval of this proposal with the condition that the property owner(s) sign a pavement agreement for any future paving along 220th Street.

## ZONING COMMISSION DRAFT MINUTES – APRIL 25, 2022

### Minutes - Woodbury County Zoning Commission Meeting – April 25, 2022

The Zoning Commission (ZC) meeting convened on the 25th of April at 6:00 PM in the first-floor boardroom in the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Chris Zellmer Zant, Tom Bride, Corey Meister, Jeff O'Tool  
County Staff Present: Dan Priestley, Dawn Norton  
Public Present: Dolf Ivener, Troy Husen, Jim Zellmer (Phone)

#### Call to Order

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

#### Public Comment on Matters Not on the Agenda

None.

#### Approval of Minutes

The February 28, 2022 minutes were approved. Motion to approve: Meister. Second: O'Tool. Motion approved 4-0.

#### Public Hearing: Husen Addition Minor Subdivision Proposal

Priestley read the preliminary report and staff recommendation into the record. Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust has filed an application for a four-lot minor subdivision on the property identified as Parcel #874705200002. The purpose of this proposal is to establish four residential lots. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via a April 7, 2022 letter about the Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. The County Engineer also stated that a paving agreement should be applied to this subdivision. Extraterritorial review was waived by the City of Sergeant Bluff with Resolution No. 21-33 on December 14, 2021. A portion of the property is in the Special Flood Hazard Area – Zone A – Floodplain but not in any buildable area. This proposal meets requirements of the Zoning and Subdivision Ordinances. Bride pointed out that the property has a significant Crop Suitability Rating (CSR – 75.51); this area is also located close to the Sergeant Bluff and residential development is already established. Dolf Ivener offered background on the purpose of the project. Troy Husen inquired about the effects of the paving agreement including the costs. Priestley indicated that it is an 80/20 agreement where property owners would pay 40% along their frontage or lineal feet of each lot to the center of the road. If there is any proposal to pave the road in the future, there will likely be public hearings administered by county engineer's office. It is the recommendation of staff to approve this proposal with the condition that the property owner(s) sign a paving agreement for any future paving along 220<sup>th</sup> Street. Motion to close public hearing: O'Tool. Second: Meister. Motion approved 4-0. Motion to recommend approval of the Husen Addition Minor Subdivision to the Board of Supervisors with the condition property owners sign a paving agreement: O'Tool. Second: Bride. Motion approved 4-0.

#### Public Hearing: Zoning Ordinance Map Amendment (Rezone) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District Proposal – Maxys Family Farm LLC/Brian and Bonnie Ivener Trust

Priestley read the preliminary report and staff recommendation into the record. Concurrently with the previous minor subdivision application, this proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 10.90-acres located in the NE ¼ of the NE ¼ of Section 5, T87N R47W (Liberty Township), Woodbury County, parcel #874705200002, for the purpose of establishing four residential lots. The neighbors within 1000 FT have been duly notified via a April 7, 2022 letter about the Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were received. A portion of the property is in the Special Flood Hazard Area – Zone A – Floodplain but not in any buildable area. Based on the information received, staff recommends approval of this proposal with the condition that the property owner(s) sign a paving agreement for any future paving along 220<sup>th</sup> Street. Motion to close public hearing: O'Tool. Second: Meisner. Motion approved 4-0. A motion was made to recommend approval to the Board of Supervisors for the request as proposed to Agricultural Estates with the condition that the owner(s) sign a paving agreement: O'Tool. Second: Bride. Motion approved 4-0.

#### Public Hearing: Al and Barb Concord Place Addition Minor Subdivision Proposal

Priestley read the preliminary report and staff recommendation into the record. The Joint Revocable Living Trust of Alvin O. Zellmer and Keith H. Zellmer and Pamela J. Zellmer have filed an application for a three-lot minor subdivision on Parcel #894824100006 and #894824100009. The purpose of this application is so the existing house on the proposed Lot 2, which is completely located within the Trust Parcel (#894824100009) can be split from the farm ground and be incorporated with the proposed Lots 1 and 2 in the same AE Zoning District. The use of the land will remain unchanged for the foreseeable future, as the Trust and its immediate successors plan to continue using the Trust property for agricultural purposes, while the house can be sold for residential purposes. No residential development is planned. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were submitted. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. Priestley noted that the county engineer initially had concerns about a proposed easement and its access to

a suitable driveway. However, the issue was resolved with a revised easement. Extraterritorial review is not required as the property is located greater than 2 miles from an incorporated area. The property is located in the Special Flood Hazard Area (Zone A - Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, this proposal meets the appropriate criteria for approval. One of the property owners, Jim Zellmer, was present via the phone but had no comments about the proposal. It is the recommendation of staff to approve this proposal. Motion to close public hearing: Meister. Second: Bride. Motion approved 4-0. A motion was made to recommend approval to the Board of Supervisors for the Al and Barb Concord Place Addition Minor Subdivision: Bride. Second: O'Tool. Motion approved 4-0.

**Public Hearing: Zoning Ordinance Map Amendment (Rezone) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District Proposal – Joint Revocable Living Trust of Alvin O. Zellmer & Barbara Zellmer**

Priestley read the preliminary report and staff recommendation into the record. Along with previous minor subdivision application, this proposal is to rezone Parcel #894824100009 from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District with an application for a three-lot subdivision on Parcel #894824100009.

The purpose of this application is so the existing house on the proposed Lot 2, which is completely located within the Trust Parcel (#894824100009) can be split from the farm ground and be incorporated with the proposed Lots 1 and 2 in the same AE Zoning District. The use of the land will remain unchanged for the foreseeable future, as the Trust and its immediate successors plan to continue using the Trust property for agricultural purposes, while the house can be sold for residential purposes. No residential development is planned. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were submitted. The property is located in the Special Flood Hazard Area (Zone A - Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, this proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal. Motion to close Public Hearing: O'Tool. Second: Meister. Motion approved 4-0. Motion to recommend the proposed Zoning Ordinance Map Amendment from AP to AE to the Board of Supervisors: O'Tool. Second: Bride. Motion approved 4-0.

**Discussion of Solar Ordinance Provisions**

Priestley facilitated a discussion concerning residential solar systems and utility scale solar systems including some of their differences as it pertains to permitting. He indicated that area communities such as the City of Sioux City administratively issue building permits for residential solar systems as accessory structures/uses to the properties. The current language in the Woodbury County Zoning Ordinance requires a conditional use permit for all solar projects regardless of type. Priestley reminded the Commissioners that in recent years the county has received conditional use permit applications from both residential scale and utility scale projects. A revised ordinance may be required to address future needs depending on the intensity of the projects from residential to utility scale. Several considerations include road use agreements, decommissioning plans, setback requirements, etc. Priestley recommended that the Commission continue this discussion at future meetings and in the meantime, he will continue to research other jurisdictions and their respective policies as it comes to both residential and commercial solar operations.

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

None.

**Commissioner Comment or Inquiry**

Bride bought up State of Iowa legislation – Senate File 2285, pertaining to the incorporated areas' ability to require annexation agreements. Priestley will research.

**Staff Update**

Priestley formally informed the Commission that Director David Gleiser has left the Woodbury County Community & Economic Department.

**Adjourn**

The meeting adjourned at 7:20 PM.



### Rezoning Application & Zoning Ordinance Map Amendment

<b>Owner Information:</b>	<b>Applicant Information:</b>
Owner <u>Maxys Family Farm LLC</u>	Applicant <u>Dolf Ivener</u>
Address <u>3701 Cheyenne Blvd</u> <u>Sioux City, IA 51104</u>	Address <u>3400 Talbot Rd</u> <u>Sioux City, IA 51103</u>
Phone <u>712-251-9967</u>	Phone <u>712-251-9967</u>

Engineer/Surveyor Justin Jensen Phone 515-450-9199

**Property Information:**

Property Address or Address Range 1390 220th st Sergeant Bluff, IA 51054 proposed legal desc. attached

Quarter/Quarter NE 1/4 NE 1/4 Sec 5 Twshp/Range 87-47

Parcel ID # 874705200002 or GIS # \_\_\_\_\_ Total Acres 10.9

Current Use AGRICULTURE Proposed Use RESIDENTIAL

Current Zoning AP Proposed Zoning AE

Average Crop Suitability Rating (submit NRCS Statement) 75.51

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).

A formal pre-application meeting is recommended prior to submitting this application.

Pre-app mtg. date 12/21 Staff present [Signature]

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.

This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.

Owner Maxys Family Farm LLC Bonnie Ivener Applicant Dolf Ivener  
 Date 3/18/22 Brian Ivener Date 3/18/22  
Family Trust

Fee: \$400 Case #: 6152  
 Check #: 1374  
 Receipt #: \_\_\_\_\_





**ORDINANCE NO. \_\_**

**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 \_\_\_\_ day of \_\_\_\_\_ 2022.**

**THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS**

\_\_\_\_\_  
**Keith Radig, Chairman**

\_\_\_\_\_  
**Jeremy Taylor, Vice Chairman**

\_\_\_\_\_  
**Rocky De Witt**

\_\_\_\_\_  
**Matthew Ung**

\_\_\_\_\_  
**Justin Wright**

Attest:

\_\_\_\_\_  
Patrick F. Gill, Woodbury County Auditor

<b>Adoption Timeline:</b> Public Hearing and 1st Reading: Public Hearing and 2nd Reading: Public Hearing and 3rd Reading: Adopted: Effective:
--

## ITEM ONE (1)

Property Owner(s): Maxys Family Farm LLC, 3701 Cheyenne Blvd, Sioux City, IA 51104 and Brian & Bonnie Ivener Trust, 3701 Cheyenne Blvd, Sioux City, IA 51104

Petitioner Applicant: Maxys Family Farm LLC, 3701 Cheyenne Blvd, Sioux City, IA 51104 and Brian & Bonnie Ivener Trust, 3701 Cheyenne Blvd, Sioux City, IA 51104

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, April 25, 2022, 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 10.90-acres located in the NE ¼ of the NE ¼ of Section 5, T87N R47W (Liberty Township) in the County of Woodbury and State of Iowa. The property is located on a portion of Parcel #874705200002 and is described as

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 87 NORTH, RANGE 47 WEST OF THE 5TH P.M., CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

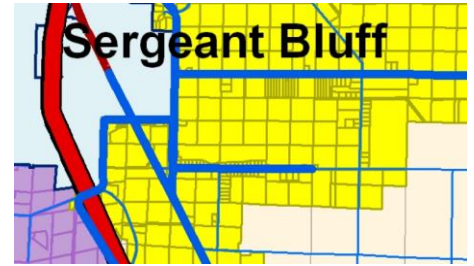
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 5; THENCE ALONG THE NORTH LINE OF SAID SECTION 5 S89°34'10"W, 445.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S89°34'10"W, 840.37 FEET; THENCE DEPARTING SAID NORTH LINE S01°15'34"W, 565.25 FEET; THENCE N89°34'10"E, 840.37 FEET TO THE WEST LINE OF THE EAST 445 FEET OF THE NORTHEAST 1/4 OF SAID SECTION 5; THENCE ALONG SAID WEST LINE N01°15'34"E, 565.25 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 10.90 ACRES INCLUDING 0.63 ACRE OF ROAD RIGHT OF WAY AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

# EVALUATION CRITERIA

The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

## Conformance with the goals and objectives set forth in the approved general development plan for Woodbury County including the future land use map.

The 2005 Future Land Use Map shows this area as Rural Residential. The parcel is currently zoned Agricultural Preservation (AP) and the request is to change to Agricultural Estates (AE). The request conforms to the goals and objectives of the general development plan as it relates to the following land use goals:



- **Residential Goal 5.1:** Encourage non-farm residential development to locate near cities or on existing hard surfaced roadways, particularly in areas that can be served by urban services such as public water and sewer systems.
- **Residential Goal 5.2:** Encourage residential development to locate in areas with suitable accessibility, soils, and terrain.
- **Land Use Goal 1.2:** Adopt development regulations that promote efficient, stable land uses with minimum conflicts and provision of public infrastructure.
- **Land Use Goal 1.3:** Encourage development near cities by discouraging leap-frog development outside municipalities.

## Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.

There are no conflicts with the policies and plans of other agencies.

## Consideration of the Corn Suitability (CSR) of the property.

The CSR2 rating for this property includes ratings of 75.51. The agricultural goal of the Woodbury County General Plan is to protect prime farmland as determined by a high corn suitability rating (e.g. over 65 CSR) from conversion to other land uses.

**Summary**

Parcel ID	874705200002
Gross Acres	12.19
ROW Acres	0.00
Gross Taxable Acres	12.19
Exempt Acres	0.00
Net Taxable Acres	12.19 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	75.51 (920.44 CSR2 Points / 12.19 Gross Taxable Acres)

*Agriculture Active Corridor 2017 CSR2*

**Sub Parcel Summary**

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	11.38	75.51	859.32	859.32
Non-Crop	0.81	75.46	61.12	34.47
<b>Total</b>	<b>12.19</b>		<b>920.44</b>	<b>893.79</b>

**Soil Summary**

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	2549	MODALE SOILS, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	76.00	9.99	759.24	759.24
100% Value	137	HANHIE SILT LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	1.39	100.08	100.08
Non-Crop	3549	MODALE SOILS, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	76.00	0.70	53.20	29.89
Non-Crop	137	HANHIE SILT LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	0.11	7.92	4.58
<b>Total</b>				<b>12.19</b>	<b>920.44</b>	<b>893.79</b>

**Overview**

**Legend**

- Roads
- Soils
  - 0.000000 - 5.000000
  - 5.000001 - 20.000000
  - 20.000001 - 30.000000
  - 30.000001 - 40.000000
  - 40.000001 - 50.000000
  - 50.000001 - 60.000000
  - 60.000001 - 70.000000
  - 70.000001 - 80.000000
  - 80.000001 - 90.000000
  - 90.000001 - 100.000000
- Corp Boundaries
- Townships
- Parcels


Parcel ID: 874705200002, Alternate ID: 767190, Owner Address: MAXY'S FAMILY FARM LLC, 3701 CHEYENNE BLVD, SIOUX CITY, IA 51104

Parcel ID: 874705200002, Class: A, Acreage: 12.19

Property Address: 1390 220TH ST, SERGEANT BLUFF, DISTRICT: 0038, BRET Tax Description: EX E449' N561.7' NENE S-87-47



John Schumacher and Kristi Schumacher	2250 Barker Ave.	Sgt. Bluff	IA	51054	No comments.
Paul J. Snyder and Peggy L. Snyder	2254 Barker Ave.	Sgt. Bluff	IA	51054	No comments.
Pamela A. Smith and Randy S. Smith	2260 Barker Ave.	Sgt. Bluff	IA	51054	No comments.
Robert F. Schultz and Debra L. Schultz	7380 Lakeport Rd.	Sgt. Bluff	IA	51054	No comments.
Trent J. Stulich and Julie T. Stulich	7384 Lakeport Rd.	Sgt. Bluff	IA	51054	No comments.
Joseph J. Hardy	7390 Lakeport Rd.	Sgt. Bluff	IA	51054	No comments.
Raymond A. Jackson and Jennifer A. Jackson	1359 220th St.	Sgt. Bluff	IA	51054	No comments.
Michael Kilburn and Stacy Kilburn	1361 220th St.	Sgt. Bluff	IA	51054	No comments.
Jacob A. Goodin and Sheli H. Goodin	1369 220th St.	Sgt. Bluff	IA	51054	No comments.
Josey L. Bales	1371 220th St.	Sgt. Bluff	IA	51054	No comments.
Scott A. Barto and Rachelle D. Barto	1379 220th St.	Sgt. Bluff	IA	51054	No comments.
Levi D. Montagne and Kelsey J. Montange	1383 220th St.	Sgt. Bluff	IA	51054	No comments.
Patrick Demara and Shelly Demara	1389 220th St.	Sgt. Bluff	IA	51054	No comments.
Troy M. Bowman and Danya R. Bowman	1391 220th St.	Sgt. Bluff	IA	51054	No comments.
Gary Kaiser and Stacy Kaiser	1395 220th St.	Sgt. Bluff	IA	51054	No comments.
Gary Lundeen	1401 220th St.	Sgt. Bluff	IA	51054	No comments.
Paul A. Jensen and Stacy L. Jensen	1409 220th St.	Sgt. Bluff	IA	51054	No comments.
Jack Cook Farms, Inc.	7374 Old Lakeport Rd.	Sgt. Bluff	IA	51054	No comments.

<b>STAKEHOLDER COMMENTS</b>	
<b>911 COMMUNICATIONS CENTER:</b>	No issues here. – Glenn Sedivy, 4/4/22.
<b>FIBERCOMM:</b>	No comments.
<b>IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):</b>	No comments.
<b>LONGLINES:</b>	No comments.
<b>LUMEN:</b>	<p>Below is a snapshot of Lumen's facility map in the area. Lumen doesn't have facilities adjacent to or within the subject property. Please let me know if you have any questions. – Paul Kingrey, 4/8/22.</p> 
<b>MAGELLAN PIPELINE:</b>	This project should not impact Magellan. – Bryan Ferguson, 4/4/22.
<b>MIDAMERICAN ENERGY COMPANY (Electrical Division):</b>	I have reviewed the attached proposed minor subdivision for MEC electric: No conflicts – The developer should be aware that any requested extension of electric facilities will be subject to a customer contribution. Let me know if you have any questions or concerns. – Casey Meinen, 4/4/22.
<b>MIDAMERICAN ENERGY COMPANY (Gas Division):</b>	No comments.
<b>NATURAL RESOURCES CONSERVATION SERVICES (NRCS):</b>	No comments.
<b>NORTHERN NATURAL GAS:</b>	No comments.
<b>NORTHWEST IOWA POWER COOPERATIVE (NIPCO):</b>	Have reviewed this zoning request, NIPCO has no facilities at or adjacent to this location. NIPCO has no issues with this request. – Jeff Zettel, 4/7/22.
<b>NUSTAR PIPELINE:</b>	No comments.
<b>SIOUXLAND DISTRICT HEALTH DEPARTMENT:</b>	No comments.
<b>WIATEL:</b>	No comments.
<b>WOODBURY COUNTY ASSESSOR:</b>	No comments.
<b>WOODBURY COUNTY CONSERVATION:</b>	No comments.
<b>WOODBURY COUNTY EMERGENCY MANAGEMENT:</b>	I have no concerns or comments. – Rebecca Socknat, 4/4/22.
<b>WOODBURY COUNTY EMERGENCY SERVICES:</b>	No comments.
<b>WOODBURY COUNTY ENGINEER:</b>	I have no issues with the proposed rezone. – Mark Nahra, PE, 4/1/22.
<b>WOODBURY COUNTY RECORDER:</b>	No issues. – Diane Swoboda Peterson, 4/4/22.
<b>WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):</b>	No concerns or comments. – Kent Amundson, 4/4/22.
<b>WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:</b>	The WCSWCD has no comments regarding this subdivision proposal. – Neil Stockfleth, 4/4/22.
<b>WOODBURY COUNTY TREASURER:</b>	The taxes for this parcel are current. – Kimberlee Koepke, 4/1/22.

# PARCEL REPORT

## Summary

Parcel ID 874705200002  
 Alternate ID 767190  
 Property Address 1390 220TH ST  
 SERGEANT BLUFF IA 51054  
 Sec/Twp/Rng 5-87-47  
 Brief Tax Description EX E445' N561.7' NENE S-87-47  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 2021-06042 (6/6/2021)  
 Gross Acres 12.19  
 Net Acres 12.19  
 Adjusted CSR Pts 893.79  
 Zoning AP - AGRICULTURAL PRESERVATION  
 District 0038 LIBERTY/SB/L  
 School District SCTI BLUFF LUTON  
 Neighborhood N/A

## Owner

**Deed Holder**  
 Mayo Family Farm LLC  
 3701 Cheyenne Blvd  
 Sioux City IA 51104

**Contract Holder**

**Mailing Address**  
 Michael Or Gina Bernstein  
 8 Crestwood Dr  
 Saint Louis MO 63105

**Ivener Brian & Bonnie Trust**  
 3701 Cheyenne Blvd  
 Sioux City IA 51104

## Land

Lot Area 12.19 Acres; 530,996 SF

## Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Bln - Wire Grain Storage		12	14	1967	1
0	Bln - Grain Storage (Bushel)		0	0	1977	1

## Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
2/5/2021	IVENER MAX & FRANCYS FAMILY TRUST	MAXYS FAMILY FARM LLC	2021-06042	No consideration	Deed		\$0.00
2/5/2021	IVENER MAX & FRANCYS FAMILY TRUST	MAXY FAMILY FARM LLC	2021-03169	NO LONGER USED (formerly Sale of two of more seperately assessed parcels)	Deed	Y	\$0.00

Show There are other parcels involved in one or more of the above sales:

## Valuation

	2022	2021	2020	2019	2018
Classification	Agriculture	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$22,880	\$22,880	\$21,630	\$21,630	\$31,130
+ Assessed Building Value	\$920	\$920	\$840	\$840	\$1,160
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$23,800	\$23,800	\$22,470	\$22,470	\$32,290
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$23,800	\$23,800	\$22,470	\$22,470	\$32,290

# SOIL REPORT

## Summary

Parcel ID 874705200002  
 Gross Acres 12.19  
 ROW Acres 0.00  
 Gross Taxable Acres 12.19  
 Exempt Acres 0.00  
 Net Taxable Acres 12.19 (Gross Taxable Acres - Exempt Land)  
 Average Unadjusted CSR2 75.51 (920.44 CSR2 Points / 12.19 Gross Taxable Acres)

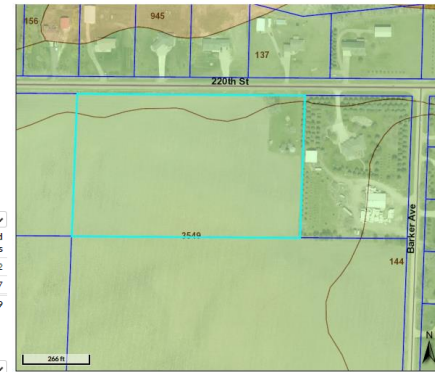
Aglamd Active Config 2017 CSR2

## Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
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## Overview



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- Corp Boundaries
- Townships
- Parcels

Parcel ID 874705200002  
 Sec/Twp/Rng 5-87-47  
 Property Address 1390 220TH ST  
 SERGEANT BLUFF

Alternate ID 767190  
 Class A  
 Acreage 12.19

Owner Address MAXYS FAMILY FARM LLC  
 3701 CHEYENNE BLVD  
 SIOUX CITY, IA 51104

District 0038  
 Brief Tax Description EX E445' N561.7' NENE S-87-47



ELEVATION



**PAVEMENT AGREEMENT**

**AGREEMENT TO IMPOSE COVENANT  
BASED UPON LINEAL LOT FRONTAGE**

The undersigned, *Brian Ivener, Trustee of the Brian & Bonnie Ivener Trust UTD July 6, 2006* and the *Maxys Family Farm LLC*, the owner(s) of the real estate known as Husen Addition Subdivision, an Addition to Woodbury County, Iowa, and legally described as follows:

Lots One (1), Two (2), Three (3), and Four (4) of Husen Addition Subdivision of Part of Section Five (5), Township Eight-Eight (87) North, Range Forty-Seven (47), West of the Fifth Principal Meridian, in the County of Woodbury and the State of Iowa, a/k/a see legal described in Exhibit "A" attached hereto and by this reference made a part hereof.

In consideration of the approval of the Plat of Husen Addition Subdivision we agree as follows:

1. To impose a recorded covenant on 22<sup>nd</sup> Street agreeing to an assessment on said Lots in event 22<sup>nd</sup> Street is hard surfaced and graded for that purpose (the Improvement).
2. At the time of the Improvement, the then owners, their successors, and assigns shall be assessed collectively a maximum of eighty percent (80%) of the total actual cost of the Improvement to the centerline of 22<sup>nd</sup> Street. The centerline to be fifty percent (50%) of the total Improvement of said roadways, therefore, the effective collective assessment against the Lots in *Husen Addition* Subdivision will be a maximum of forty percent (40%) of the total actual cost of the improvements abutting said lots.
3. The collective assessment shall be individually prorated to each of the Lots on the basis of the number of lineal feet on which each Lot abuts said roadway(s) and the respective Lot owners shall have the responsibility for the assessment only on the lot(s) within the Subdivision he/she or it may own.
4. In the event that statutes or ordinances existing at the time of the Improvements results in an overall lower assessment against the Lots in *Husen Addition* Subdivision, then the lower amount shall be assessed against said lots.
5. This Agreement to Impose Covenant shall be binding upon the respective successors, heirs, administrators, executors and assigns of the parties.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Maxys Family Farm, LLC,

\_\_\_\_\_  
*Dolf Ivener, Member*

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Brian and Bonnie Ivener Trust UTD July 6, 2006

\_\_\_\_\_  
*Brian Ivener, Trustee*

On this \_\_\_ day of \_\_\_\_\_ A.D. 2022, before me, the undersigned Notary Public, personally appeared to me known **Dolf Ivener, Member Maxys Family Farm LLC** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Dolf Ivener as Member of Maxys Family Farm LLC** executed the same as a voluntary act and deed.

\_\_\_\_\_  
Public in and for said County Notary  
Seal or stamp above

On this \_\_\_ day of \_\_\_\_\_ A.D. 2022, before me, the undersigned Notary Public, personally appeared to me known **Brian Ivener, Trustee of the Brian & Bonnie Ivener Trust UTD July 6, 2006** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Brian Ivener, Trustee of the Brian & Bonnie Ivener Trust UTD July 6, 2006** executed the same as a voluntary act and deed.

\_\_\_\_\_  
Public in and for said County Notary  
Seal or stamp above

EXHIBIT A

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 87 NORTH, RANGE 47 WEST OF THE 5TH P.M., CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 5; THENCE ALONG THE NORTH LINE OF SAID SECTION 5 S89°34'10"W, 445.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S89°34'10"W, 840.37 FEET; THENCE DEPARTING SAID NORTH LINE S01°15'34"W, 565.25 FEET; THENCE N89°34'10"E, 840.37 FEET TO THE WEST LINE OF THE EAST 445 FEET OF THE NE ¼ OF SAID SECTION 5; THENCE ALONG SAID WEST LINE N01°15'34"E, 565.25 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 10.90 ACRES INCLUDING 0.63 ACRE OF ROAD RIGHT OF WAY AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.



**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 5/5/22 Weekly Agenda Date: 5/10/22

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Dan Priestley, CED Zoning Coordinator

**WORDING FOR AGENDA ITEM:**

- a. Motion to receive the Zoning Commission's recommendation from their 4/25/22 meeting to approve the final plat of Al and Barb Concord Place Addition, a Minor Subdivision.
- b. Motion to approve the Al and Barb Concord Place Addition Minor Subdivision plat and authorize the Chairman to sign the resolution.

**ACTION REQUIRED:**

- |  |  |  |
|--|--|--|
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input checked="" type="checkbox"/> | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input type="checkbox"/>    | Other: Informational <input type="checkbox"/>          | Attachments <input checked="" type="checkbox"/>    |

**EXECUTIVE SUMMARY:**

The Supervisors will receive the Woodbury County Planning and Zoning (P&Z) Commission's recommendation and final staff report on said plat and shall approve, approve with conditions, or disapprove the plat. The Board may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat.

**BACKGROUND:**

The Joint Revocable Living Trust of Alvin O. Zellmer and Barbara Zellmer and Keith H. Zellmer and Pamela J. Zellmer have filed an application for a three-lot minor subdivision on the property as referenced above concurrently with a Zoning Ordinance Map Amendment application to rezone Parcel #894624100009 from AP to AE. The purpose of this application is so the existing house on the proposed Lot 2, which is completely located within the Trust Parcel (#894624100009) can be split from the farm ground and be incorporated with the proposed Lots 1 and 2 in the same AE Zoning District. The use of the land will remain unchanged for the foreseeable future, as the Trust and its immediate successors plan to continue using the Trust property for agricultural purposes, while the house can be sold for residential purposes. No residential development is planned. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were submitted. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. Extraterritorial review is not required as the property is located greater than 2 miles from an incorporated area. The property is located in the Special Flood Hazard Area (Zone A - Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, this proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal. The Woodbury County Zoning Commission voted 4-0 at their April 25, 2022 meeting to recommend approval of this minor subdivision request.

**FINANCIAL IMPACT:**

None

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Receive the final staff report and P&Z Commission's recommendation from their 4/25/22 meeting.  
Approve the plat and authorize the Chairman to sign the resolution.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive the final staff report and P&Z Commission's recommendation from their 4/25/22 meeting.  
Motion to approve the Al and Barb Concord Place Addition final plat and authorize the Chairman to sign the resolution.



# ZONING COMMISSION RESOLUTION

## CERTIFICATE OF WOODBURY COUNTY ZONING COMMISSION

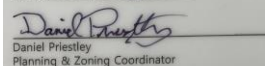
We do hereby certify that we are the Chair and the Administrator of the Zoning Commission, Woodbury County Iowa, and we do further certify that said Zoning Commission did take under advisement the attached Plat and that said Zoning Commission did on

the 25<sup>th</sup> day of April, 2022 recommend to the Woodbury County Board of Supervisors the acceptance and approval of said Subdivision.

Dated 5/4/2022

  
Chris Zellmer Zant, Chair  
Woodbury County Zoning Commission

Dated 5/4/2022

  
Daniel Priestley  
Planning & Zoning Coordinator

## ZONING COMMISSION DRAFT MINUTES – APRIL 25, 2022

### Minutes - Woodbury County Zoning Commission Meeting – April 25, 2022

The Zoning Commission (ZC) meeting convened on the 25th of April at 6:00 PM in the first-floor boardroom in the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Chris Zellmer Zant, Tom Bride, Corey Meister, Jeff O'Tool  
County Staff Present: Dan Priestley, Dawn Norton  
Public Present: Dolf Ivener, Troy Husen, Jim Zellmer (Phone)

#### Call to Order

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

#### Public Comment on Matters Not on the Agenda

None.

#### Approval of Minutes

The February 28, 2022 minutes were approved. Motion to approve: Meister. Second: O'Tool. Motion approved 4-0.

#### Public Hearing: Husen Addition Minor Subdivision Proposal

Priestley read the preliminary report and staff recommendation into the record. Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust has filed an application for a four-lot minor subdivision on the property identified as Parcel #874705200002. The purpose of this proposal is to establish four residential lots. This proposal has been properly notified in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via a April 7, 2022 letter about the Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. The County Engineer also stated that a paving agreement should be applied to this subdivision. Extraterritorial review was waived by the City of Sergeant Bluff with Resolution No. 21-33 on December 14, 2021. A portion of the property is in the Special Flood Hazard Area – Zone A – Floodplain but not in any buildable area. This proposal meets requirements of the Zoning and Subdivision Ordinances. Bride pointed out that the property has a significant Crop Suitability Rating (CSR – 75.51); this area is also located close to the Sergeant Bluff and residential development is already established. Dolf Ivener offered background on the purpose of the project. Troy Husen inquired about the effects of the pavement agreement including the costs. Priestley indicated that it is an 80/20 agreement where property owners would pay 40% along their frontage or lineal feet of each lot to the center of the road. If there is any proposal to pave the road in the future, there will likely be public hearings administered by county engineer's office. It is the recommendation of staff to approve this proposal with the condition that the property owner(s) sign a pavement agreement for any future paving along 220<sup>th</sup> Street. Motion to close public hearing: O'Tool. Second: Meister. Motion approved 4-0. Motion to recommend approval of the Husen Addition Minor Subdivision to the Board of Supervisors with the condition property owners sign a paving agreement: O'Tool. Second: Bride. Motion approved 4-0.

#### Public Hearing: Zoning Ordinance Map Amendment (Rezone) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District Proposal – Maxys Family Farm LLC/Brian and Bonnie Ivener Trust

Priestley read the preliminary report and staff recommendation into the record. Concurrently with the previous minor subdivision application, this proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 10.90-acres located in the NE ¼ of the NE ¼ of Section 5, T87N R47W (Liberty Township), Woodbury County, parcel #874705200002, for the purpose of establishing four residential lots. The neighbors within 1000 FT have been duly notified via a April 7, 2022 letter about the Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were received. A portion of the property is in the Special Flood Hazard Area – Zone A – Floodplain but not in any buildable area. Based on the information received, staff recommends approval of this proposal with the condition that the property owner(s) sign a paving agreement for any future paving along 220<sup>th</sup> Street. Motion to close public hearing: O'Tool. Second: Meisner. Motion approved 4-0. A motion was made to recommend approval to the Board of Supervisors for the request as proposed to Agricultural Estates with the condition that the owner(s) sign a paving agreement: O'Tool. Second: Bride. Motion approved 4-0.

#### Public Hearing: Al and Barb Concord Place Addition Minor Subdivision Proposal

Priestley read the preliminary report and staff recommendation into the record. The Joint Revocable Living Trust of Alvin O. Zellmer and Keith H. Zellmer and Pamela J. Zellmer have filed an application for a three-lot minor subdivision on Parcel #894624100006 and #894624100009. The purpose of this application is so the existing house on the proposed Lot 2, which is completely located within the Trust Parcel (#894624100009) can be split from the farm ground and be incorporated with the proposed Lots 1 and 2 in the same AE Zoning District. The use of the land will remain unchanged for the foreseeable future, as the Trust and its immediate successors plan to continue using the Trust property for agricultural purposes, while the house can be sold for residential purposes. No residential development is planned. This proposal has been properly notified in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were submitted. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. Priestley noted that the county engineer initially had concerns about a proposed easement and its access to

a suitable driveway. However, the issue was resolved with a revised easement. Extraterritorial review is not required as the property is located greater than 2 miles from an incorporated area. The property is located in the Special Flood Hazard Area (Zone A - Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, this proposal meets the appropriate criteria for approval. One of the property owners, Jim Zellmer, was present via the phone but had no comments about the proposal. It is the recommendation of staff to approve this proposal. Motion to close public hearing: Meister. Second: Bride. Motion approved 4-0. A motion was made to recommend approval to the Board of Supervisors for the Al and Barb Concord Place Addition Minor Subdivision: Bride. Second: O'Tool. Motion approved 4-0.

**Public Hearing: Zoning Ordinance Map Amendment (Rezoning) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District Proposal – Joint Revocable Living Trust of Alvin O. Zellmer & Barbara Zellmer**  
Priestley read the preliminary report and staff recommendation into the record. Along with previous minor subdivision application, this proposal is to rezone Parcel #894624100009 from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District with an application for a three-lot subdivision on Parcel #894624100009. The purpose of this application is so the existing house on the proposed Lot 2, which is completely located within the Trust Parcel (#894624100009) can be split from the farm ground and be incorporated with the proposed Lots 1 and 2 in the same AE Zoning District. The use of the land will remain unchanged for the foreseeable future, as the Trust and its immediate successors plan to continue using the Trust property for agricultural purposes, while the house can be sold for residential purposes. No residential development is planned. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were submitted. The property is located in the Special Flood Hazard Area (Zone A - Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, this proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal. Motion to close Public Hearing: O'Tool. Second: Meister. Motion approved 4-0. Motion to recommend the proposed Zoning Ordinance Map Amendment from AP to AE to the Board of Supervisors: O'Tool. Second: Bride. Motion approved 4-0.

**Discussion of Solar Ordinance Provisions**

Priestley facilitated a discussion concerning residential solar systems and utility scale solar systems including some of their differences as it pertains to permitting. He indicated that area communities such as the City of Sioux City administratively issue building permits for residential solar systems as accessory structures/uses to the properties. The current language in the Woodbury County Zoning Ordinance requires a conditional use permit for all solar projects regardless of type. Priestley reminded the Commissioners that in recent years the county has received conditional use permit applications from both residential scale and utility scale projects. A revised ordinance may be required to address future needs depending on the intensity of the projects from residential to utility scale. Several considerations include road use agreements, decommissioning plans, setback requirements, etc. Priestley recommended that the Commission continue this discussion at future meetings and in the meantime, he will continue to research other jurisdictions and their respective policies as it comes to both residential and commercial solar operations.

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

None.

**Commissioner Comment or Inquiry**

Bride brought up State of Iowa legislation – Senate File 2285, pertaining to the incorporated areas' ability to require annexation agreements. Priestley will research.

**Staff Update**

Priestley formally informed the Commission that Director David Gleiser has left the Woodbury County Community & Economic Department.

**Adjourn**

The meeting adjourned at 7:20 PM.



APPLICATION

WOODBURY COUNTY, IOWA  
MINOR SUBDIVISION APPLICATION

Applicant: Joint Revocable Living Trust of Alvin O. Zellmer and Barbara Zellmer

Name of Owner  
Mailing Address: 1348 Dallas Ave. Lawton Iowa 51030-9770  
Street City or Town State and Zip + 4  
Property Address: 1348 Dallas Ave. Lawton Iowa 51030-9770  
Street City or Town State and Zip + 4  
Ph/Cell #: 864-477-8825 E-mail Address: jim@ka0vsl.com

To subdivide land located in the 24 Quarter of Section 24  
Civil Township 89 GIS Parcel # 894624100009  
Name of Subdivision: AL AND BARB CONCORD PLACE ADDITION  
Subdivision Area in Acres 50.424 Number of Lots 3

Attachments:

1. Ten (10) copies of grading plans, if required.
2. Twenty six (26) copies of final plats (Complete per Section 4.01 of the Subdivision Ordinance).
3. An attorney's opinion of the abstract.
4. A Certified abstractor's certificate to include:  
a. Legal description of proposed subdivision.  
b. Plat showing clearly the boundaries of the subdivision.  
c. A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.

Surveyor: Craig Beedle Ph/Cell: 712-253-3328  
Attorney: Ryan Beardshear Ph/Cell: 712-873-3229

I hereby grant permission to the Woodbury County Zoning Staff and elected or appointed officials to conduct on-site inspections.

Owner's Signature: [Signature]  
Zoning Director: [Signature]  
For Office Use Only: Zoning District AP Flood District \_\_\_\_\_ Date No. 6751  
Application Fee \$ 200 CL# 6890  
4 Lots or less (\$200)  
5 Lots or more (\$250 plus \$5 per lot)



WOODBURY COUNTY, IOWA  
MINOR SUBDIVISION APPLICATION

Applicant: Keith H. Zellmer & Pamela J. Zellmer

Name of Owner  
Mailing Address: 1336 Dallas Ave. Lawton Iowa 51030-9770  
Street City or Town State and Zip + 4  
Property Address: 1336 Dallas Ave. Lawton Iowa 51030-9770  
Street City or Town State and Zip + 4  
Ph/Cell #: 712-710-2315 E-mail Address: kzellmer@pobox.com

To subdivide land located in the 24 Quarter of Section 24  
Civil Township 89 GIS Parcel # 894624100006  
Name of Subdivision: AL AND BARB CONCORD PLACE ADDITION  
Subdivision Area in Acres 50.424 Number of Lots 3

Attachments:

1. Ten (10) copies of grading plans, if required.
2. Twenty six (26) copies of final plats (Complete per Section 4.01 of the Subdivision Ordinance).
3. An attorney's opinion of the abstract.
4. A Certified abstractor's certificate to include:  
a. Legal description of proposed subdivision.  
b. Plat showing clearly the boundaries of the subdivision.  
c. A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.

Surveyor: Craig Beedle Ph/Cell: 712-253-3328  
Attorney: Ryan Beardshear Ph/Cell: 712-873-3229

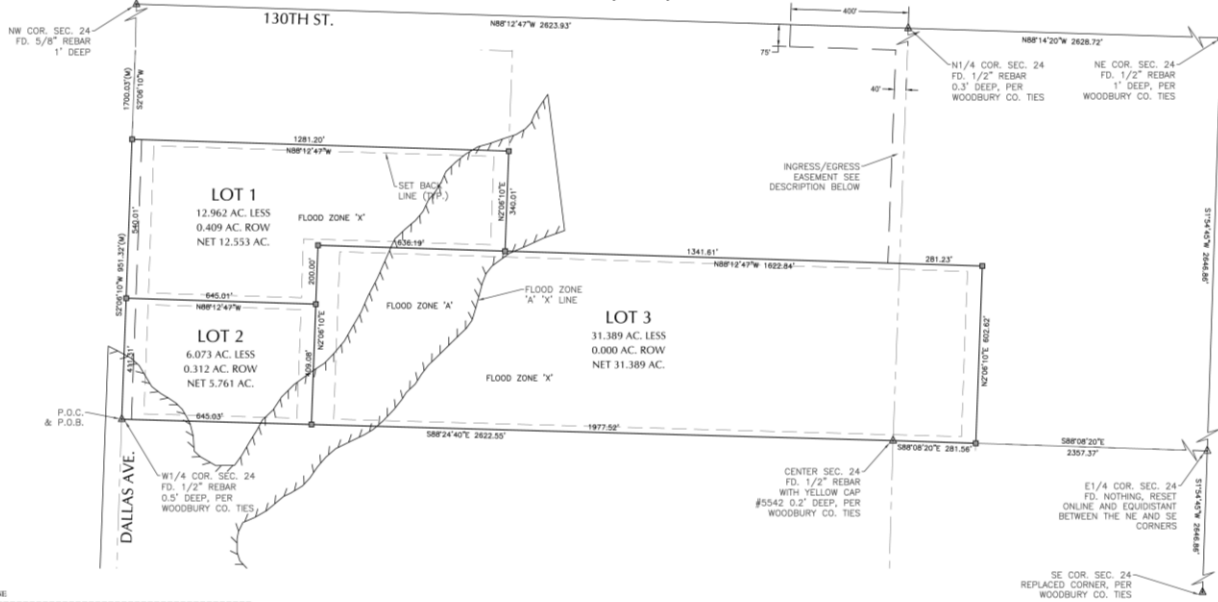
I hereby grant permission to the Woodbury County Zoning Staff and elected or appointed officials to conduct on-site inspections.

Owner's Signature: [Signature]  
Zoning Director: [Signature]  
For Office Use Only: Zoning District AP Flood District \_\_\_\_\_ Date No. 6751  
Application Fee \$ 200 CL# 6890  
4 Lots or less (\$200)  
5 Lots or more (\$250 plus \$5 per lot)



# Minor Subdivision Final Plat AL AND BARB CONCORD PLACE ADDITION

Woodbury County, Iowa



**FLOOD ZONE**

ACCORDING TO NFP REGULAR PROGRAM UNDER FIRM, A SMALL PORTION OF THE SUBDIVISION IS DETERMINED TO BE IN ZONE 'A' OF THE FLOODPLAIN AS SHOWN ON FIRM MAP #19193C0400 D. WITH THE EFFECTIVE DATE OF 9/29/2011

ON JANUARY 21, 2022, THE BASE FLOOD ELEVATION FOR THE FOLLOWING LOTS WAS ESTIMATED TO BE:

- LOT 1: 1167.5 FT., NAVD88
- LOT 2: 1167.5 FT., NAVD88
- LOT 3: 1168.1 FT., NAVD88 (Assumes ingress/egress from 130th Street)

BY KAREN SMITH  
IOWA DNR, FLOODPLAIN MANAGEMENT AND DAM SAFETY SECTION  
WALLACE STATE OFFICE BUILDING  
502 EAST 9th STREET  
DES MOINES, IA 50319

**CURRENT & PROPOSED ZONING**

- AE = AGRICULTURAL ESTATES
- 2 AC EXCLUDING ROW = MINIMUM LOT AREA
- 200' = MINIMUM LOT WIDTH
- 45' = MAXIMUM BUILDING HEIGHT
- 75' = MINIMUM FRONT YARD
- 50' = MINIMUM REAR YARD PRIMARY STRUCTURE
- 10' = MINIMUM REAR YARD ACCESSORY STRUCTURE
- 50' = CORNER SIDE YARD
- 20' = MINIMUM SIDE YARD PRIMARY STRUCTURE
- 10' = MINIMUM SIDE YARD ACCESSORY STRUCTURE

OTHER REGULATIONS MAY APPLY SEE ZONING ORDINANCES FOR DETAILS.

ADDITION CONTAINS A TOTAL OF 50.424 ACRES

LOTS TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.

**BOOK LEGEND**

WOODBURY COUNTY  
SECTION 24, TOWNSHIP 89, RANGE 46  
ADJUTANT PART: N1/2  
PROPRIETOR: JIM ZELLMER, TRUSTEE  
REQUESTOR: JIM ZELLMER  
SURVEYOR: CRAIG BEEDLE  
COMPANY: VEENSTRA & KIMM, INC.  
RETURN TO: CRAIG BEEDLE, 203 SGT. SQ. DR. STE. B  
SERGEANT BLUFF, IA 51054 (712) 943-5055



**LEGEND**

- ▲ SECTION CORNER FOUND (AS NOTED)
- △ SECTION CORNER SET (5/8" IRON PIN W/ YELLOW CAP #17913)
- FOUND MONUMENT (5/8" REBAR OR AS NOTED)
- SET MONUMENT (5/8" IRON PIN W/ YELLOW CAP #17913)
- ◆ SET MONUMENT (P.K. NAIL IN PCC OR ACC)
- (M) MEASURED
- (S) RECORDED
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

I, CRAIG W. BEEDLE, A DULY LICENSED LAND SURVEYOR UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF IOWA, HOLDING CERTIFICATE NO. 17913, DO HEREBY CERTIFY THAT THIS PLAT SHOWS AS AL AND BARB CONCORD PLACE ADDITION TO WOODBURY COUNTY, IOWA, IS A TRUE REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE SAME IS LOCATED UPON AND COMPRISES THE WHOLE OF THE DESCRIBED PROPERTY. I DO HEREBY CERTIFY THAT THERE ARE CONTAINED IN SAID DESCRIPTION THE LOTS AS DESCRIBED IN THE SUBDIVISION PLATTED, THAT THE LOTS ARE OF THE DIMENSIONS, NUMBERS, NAMES, AND LOCATIONS AS SHOWN ON SAID PLAT, AND THAT IRON STAKES OR P.K. NAILS ARE SET AT EACH CORNER OF EVERY LOT OF SAID SUBDIVISION.

CRAIG W. BEEDLE, L.S. #17913 DATED \_\_\_\_\_  
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2023  
NO. OF PAGES COVERED BY THIS CERTIFICATION = \_\_\_\_\_

**OWNER / SUBDIVIDER**

JIM ZELLMER KEITH AND PAMELA  
AD AND BL TRUSTEE ZELLMER  
1348 DALLAS AVE. 1336 DALLAS AVE.  
LAWTON, IA 51030 LAWTON, IA 51030

**SURVEYOR**

CRAIG BEEDLE  
VEENSTRA & KIMM INC  
203 SERGEANT SQUARE DRIVE  
SUITE B  
SERGEANT BLUFF, IA 51054  
712-943-5055



**INGRESS AND EGRESS EASEMENT DESCRIPTION**

Benefitted property: Lot 3 of the Al and Barb Concord Place Addition to Woodbury County, Iowa.

Burdened property: The Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) AND except the South Six Hundred Feet (S 600') of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4), all in Section Twenty-four (24), Township Eighty-nine (89), North, Range Forty-six (46) West of the 5th P.M., Concord Township, Woodbury County, Iowa.

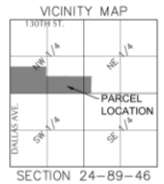
Easement: The right to ingress and egress over a parcel of land described as the North seventy-five feet of the East four hundred feet of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) AND the East forty feet of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) AND except the South Six Hundred Feet (S 600') of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4), all in Section Twenty-four (24), Township Eighty-nine (89), North, Range Forty-six (46) West of the 5th P.M., Concord Township, Woodbury County, Iowa which is the burdened property above described.

**LEGAL DESCRIPTION:**

A PARCEL OF LAND IN THE N1/2 OF SECTION 24, T-89N, R-46W OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA. SAID PARCEL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AND BEGINNING AT THE NW1/4 CORNER OF SAID SECTION 24 THENCE S88°24'40"E (AN ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW1/4 FOR 2622.55 FEET TO THE CENTER OF SECTION 24, THENCE S88°08'20"E ALONG THE SOUTH LINE OF THE NE1/4 FOR 281.56 FEET, THENCE N2°06'10"E FOR 602.62 FEET, THENCE N88°12'47"W FOR 1622.84 FEET, THENCE N2°06'10"E FOR 340.03 FEET, THENCE N88°12'47"W FOR 1281.20 FEET TO THE WEST LINE OF THE NW1/4, THENCE S2°10'10"W ALONG THE WEST LINE OF THE NW 1/4 FOR 951.32 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 50.424 ACRES MORE OR LESS AND IS SUBJECT TO EASEMENTS OF RECORD.



DATE	REVISIONS	SCALE	VERIFY SCALE
		1" = 200'	
		DRAWN: CWB	BAR IS ONE INCH ON ORIGINAL DRAWING.
		CHECKED: MAS	
		APPROVED: CWB	
		DATE: 12 DEC 2021	
		ISSUED FOR:	

**VEENSTRA & KIMM INC.**

**AL AND BARB CONCORD PLACE ADDITION  
WOODBURY, IOWA**

203 Sergeant Square Dr • Suite B • Sergeant Bluff, Iowa 51054-0220  
712-943-5055 • 712-943-5088(FAX) • 877-241-8009(WA7S)

<b>DWG. NO.</b>	1
<b>PROJECT</b>	369613



	<b>shall review the final plat to determine conformance with the design standards of these regulations and with the required form of the plat and related documents; and</b>
	Staff verified that the final plat conforms to the design standards of these regulations, as well as the required form of the final plat.
	<b>shall assure conformance with the goals and objectives of the County's General Plan, the CED staff may make recommendations for conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties.</b>
	Staff attest to the final plat conforming to the goals and objectives of the county plan. Staff does not recommend any specific use conditions for this final plat. Staff recommends approval of the final plat as proposed.

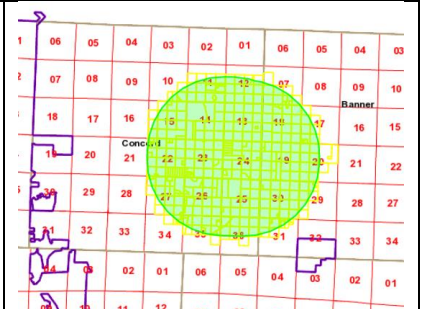
**ZONING COMMISSION - REVIEW CRITERIA (SUBDIVISION ORDINANCE)**

The County's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements, the Planning and Zoning Commission:

	<b>shall conduct a public hearing on a final plat for a minor subdivision. Notice of the date, time and location of the hearing will be mailed to the owners of all property within 1,000 feet for the subject property not less than four nor more than twenty days prior to the date of the hearing; and</b>
	Staff have ensured that the legal requirements have been met for publicly noticing this public hearing, all as required by law. Staff have also ensured the notice requirement for adjacent landowners within 1000 FT have also been met.
	<b>shall review the final plat and the staff reports and other information presented to determine whether the plat conforms to the ordinances, general plan and other policies of the county; and</b>
	Staff have compiled, reviewed, and analyzed all relevant materials to determine whether the plat conforms to the ordinances, general plan, and other policies of the County, or not. Staff provided this information in a "Staff Report" format and made them available to the Commission well in advance of the required public hearing. The Commission also held a public hearing to review, analyze, and discuss the final plat and other relevant information.
	<b>may recommend specific conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties; and</b>
	Staff does not recommend any specific conditions for this final plat. However, specific conditions (if any) may be recommended by the Commission.
	<b>shall forward a report of its finding and a recommendation to the Board of Supervisors. The recommendation shall be in the form of a resolution to be certified as part of the final plat materials. A copy of the report and the resolution shall also be forwarded to the property owner, the subdivider and the land surveyor for the subdivision.</b>
	During its required public hearing on the final plat, the Board of Supervisors will receive the final staff report and the Commission's recommendation on said plat and shall approve, approve with conditions, or disapprove the plat. The Supervisors may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat. Staff will coordinate with the subdivider and land surveyor to ensure all copies and recordings are submitted and received, all as required by law.

**EXTRATERRITORIAL REVIEW**

This property is further than two (2) miles from a corporate boundary and extraterritorial review is not required under Iowa Code, Section 354.9.







**REVIEW MEMO - WOODBURY COUNTY ENGINEER – MARK NAHRA, PE**



**Woodbury County Secondary Roads Department**

759 E. Frontage Road • Merville, Iowa 51039  
Telephone (712) 279-6484 • (712) 873-3213 • Fax (712) 873-3235

COUNTY ENGINEER  
Mark J. Nahra, P.E.  
mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
Benjamin T. Kusler, E.I.T.  
bkusler@sioux-city.org

SECRETARY  
Tish Brice  
tbrace@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator  
From: Mark J. Nahra, County Engineer  
Date: April 5, 2022  
Subject: Al and Barb Concord Place Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced subdivision application forwarded with your memo dated April 1, 2022.

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. Existing driveways for lots 1 and 2 meet current sight distance requirements and can continue to serve these lots.
- Right now, it appears as if a driveway near the south line of lot 2 serves the agricultural ground. Based on field measurements, I would suggest that this second driveway near the south line of lot 2 should be used to provide an easement for access to lot 3. A driveway cannot be located at the proposed easement off 130<sup>th</sup> Street shown on the east side of the property. The location does not have adequate sight distance to allow a driveway. There are two other driveways serving the ag ground off 130<sup>th</sup> Street, but neither of these driveways meet current sight distance requirements but would be allowed to be used as they are existing and have been in place for some time.
- I have no other concerns or issues with this minor subdivision application.

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

Cc: File

Please review the subsequent emails to the right for clarification concerning County Engineer Nahra’s concerns about access.

**Following changes, the pre-existing field entrance will be used for access to the easement/lot.**

From: Mark Nahra  
Sent: Tuesday, April 19, 2022 9:07 AM  
To: Craig Beedle; Daniel Priestley; Ryan Beardshear  
Cc: Jim Zellmer  
Subject: RE: Zellmer - EASEMENT  
Follow Up Flag: Follow up  
Flag Status: Flagged

Received the plat. Looks acceptable to me.

Mark Nahra  
Woodbury County Engineer  
sent from my Android device

From: Craig Beedle <cbeedle@v-k.net>  
Sent: Tuesday, April 19, 2022 8:10:41 AM  
To: Daniel Priestley <dpriestley@woodburycountyiowa.gov>; Mark Nahra <mnahra@woodburycountyiowa.gov>; Ryan Beardshear <ryan.beardshear@movillelawoffice.com>  
Cc: Jim Zellmer <jim@ka0vsl.com>  
Subject: RE: Zellmer - EASEMENT

**CAUTION: This email originated from OUTSIDE of the organization. Please verify the sender and use caution if the message contains any attachments, links, or requests for information as this person may NOT be who they claim. If you are asked for your username and password, please call WKCC and DO NOT ENTER any data.**  
Final Plat updated as requested.

Craig Beedle LS.  
Veenstra & Kimm, Inc.

From: Daniel Priestley <dpriestley@woodburycountyiowa.gov>  
Sent: Monday, April 18, 2022 4:27 PM  
To: Mark Nahra <mnahra@woodburycountyiowa.gov>; Ryan Beardshear <ryan.beardshear@movillelawoffice.com>  
Cc: Craig Beedle <cbeedle@v-k.net>; Jim Zellmer <jim@ka0vsl.com>  
Subject: RE: Zellmer - EASEMENT

Ryan and Craig:

Please update final plat in terms of the easement as per County Engineer Nahra's comments (see below). Please email an updated digital copy to me as soon as possible so I may provide it to the Zoning Commission members for the Monday, April 25 meeting. Please let me know if you have questions.

Respectfully,

-----  
Daniel Priestley, Zoning Coordinator  
Community & Economic Development  
Woodbury County Courthouse  
500 Douglas Street, 9<sup>th</sup> Floor, Sioux City, IA 51101  
Office: (712) 279-6009 Fax: (712) 279-6530  
Email: [dpriestley@woodburycountyiowa.gov](mailto:dpriestley@woodburycountyiowa.gov)  
Web: [www.WoodburyCountyIOWA.gov](http://www.WoodburyCountyIOWA.gov)

\*\*\*\*\*IMPORTANT NOTICE\*\*\*\*\*  
This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named therein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, please notify me immediately at (712) 279-6009 and permanently delete the original and any copy of any e-mail and any printout thereof.

From: Mark Nahra <mnahra@woodburycountyiowa.gov>  
Sent: Monday, April 18, 2022 2:50 PM  
To: Ryan Beardshear <ryan.beardshear@movillelawoffice.com>  
Cc: Daniel Priestley <dpriestley@woodburycountyiowa.gov>; Craig Beedle <cbeedle@v-k.net>; Jim Zellmer <jim@ka0vsl.com>  
Subject: Re: Zellmer - EASEMENT

Ryan,

We checked the easement. It meets the goal for access to the new lot. We noted that the "west" notation in line 2 should be "east" however to reach the easement on the east line of the parcel.

Mark Nahra  
Woodbury County Engineer  
sent from my Android device

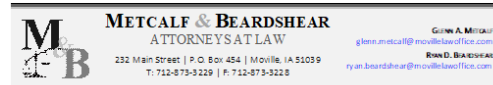
From: Ryan Beardshear <ryan.beardshear@movillelawoffice.com>  
Sent: Monday, April 11, 2022 4:26:10 PM  
To: Mark Nahra <mnahra@woodburycountyiowa.gov>  
Cc: Daniel Priestley <dpriestley@woodburycountyiowa.gov>; Craig Beedle <cbeedle@v-k.net>; Jim Zellmer <jim@ka0vsl.com>  
Subject: RE: Zellmer - EASEMENT

**CAUTION: This email originated from OUTSIDE of the organization. Please verify the sender and use caution if the message contains any attachments, links, or requests for information as this person may NOT be who they claim. If you are asked for your username and password, please call WKCC and DO NOT ENTER any data.**  
Mark,

I'm trying this again. The [mnahra@sioux-city.org](mailto:mnahra@sioux-city.org) email address I tried the first time was bounced back to me. Please see the below message and the attached document.

Thanks,

**RYAN D. BEARDSHEAR**  
Attorney, Metcalf & Beardshear



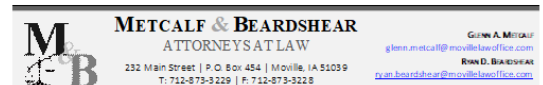
From: Ryan Beardshear  
Sent: Monday, April 11, 2022 4:22 PM  
To: [mnahra@sioux-city.org](mailto:mnahra@sioux-city.org)  
Cc: Daniel Priestley <dpriestley@woodburycountyiowa.gov>; Craig Beedle <cbeedle@v-k.net>; Jim Zellmer <jim@ka0vsl.com>  
Subject: Zellmer - EASEMENT

Mark,

Would the revised legal description in the attached easement for the Al & Barb Concord Addition minor subdivision meet the county's requirements?

Thanks,

**RYAN D. BEARDSHEAR**  
Attorney, Metcalf & Beardshear



# PARCEL REPORT - 89462410006

## Summary

Parcel ID 89462410006  
 Alternate ID 878074  
 Property Address 1336 DALLAS AVE  
 SIOUX CITY IA 51106  
 Sec/Twp/Rng 24-89-46  
 Brief Tax Description S3407 N20407 W1281.18 NW1/4  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 155-1200 (3/23/1985)  
 Gross Acres 9.74  
 Net Acres 9.74  
 Adjusted CSR Pts 494.57  
 Zoning AE-AGRICULTURAL ESTATES  
 District 0025 CONCORD/LAWTON-BRONSON  
 School District LAWTON BRONSON  
 Neighborhood N/A



## Owner

Deed Holder  
 Zellmer Keith H & Pamela J  
 1336 Dallas Avenue  
 Lawton IA 51030-9770

## Contract Holder

Mailing Address  
 Zellmer Keith H & Pamela J  
 1336 Dallas Avenue  
 Lawton IA 51030-9770

## Land

Lot Area 9.74 Acres: 424,274 SF

## Residential Dwellings

Residential Dwelling  
 Occupancy Single-Family / Owner Occupied  
 Style 1 1/2 Story Frame  
 Architectural Style N/A  
 Year Built 1950  
 Condition Below Normal  
 Roof Asphalt / Gable  
 Flooring  
 Foundation Conc  
 Exterior Material WOOD  
 Interior Material Dblt  
 Brick or Stone Veneer  
 Total Gross Living Area 1,863 SF  
 Main Area Square Feet 655  
 Attic Type None  
 Number of Rooms 0 above; 0 below  
 Number of Bedrooms 0 above; 0 below  
 Basement Area Type Full  
 Basement Area 1,096  
 Basement Finished Area  
 Plumbing 1 Base Plumbing (Full);  
 Appliances  
 Central Air Yes  
 Heat Yes  
 Fireplaces  
 Porches 15 Frame Enclosed (176 SF); 15 Frame Open (112 SF);  
 Decks Wood Deck-Med (55 SF)  
 Additions 1 1/2 Story Frame (480 SF) (480 Blomt SF);  
 Garages

## Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Bin - Wire Grain Storage	CRBB	12	10	1950	1

## Valuation

Classification	2022	2021	2020	2019	2018
	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture
+ Assessed Land Value	\$12,500	\$12,500	\$11,840	\$11,840	\$17,230
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$109,210	\$109,210	\$99,750	\$99,750	\$87,780
= Gross Assessed Value	\$121,710	\$121,710	\$111,590	\$111,590	\$105,010
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$121,710	\$121,710	\$111,590	\$111,590	\$105,010

## Sioux City Special Assessments and Fees

[Click here to view special assessment information for this parcel.](#)

## Woodbury County Tax Credit Applications

[Apply for Homestead, Military or Business Property Tax Credits](#)

## Photos



## Sketches



No data available for the following modules: Commercial Buildings, Sales, Permits, Sioux City Tax Credit Applications.

# PARCEL REPORT - 89462410009

## Summary

Parcel ID 89462410009  
 Alternate ID 878075  
 Property Address 1348 DALLAS AVE  
 LAWTON IA 51030  
 Sec/Twp/Rng 24-89-46  
 Brief Tax Description S6027 W2904' N1/2 24-89-46  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 155-1188 (3/23/1985)  
 Gross Acres 39.56  
 Net Acres 2346.77  
 Zoning AP-AGRICULTURAL PRESERVATION  
 District 0025 CONCORD/LAWTON-BRONSON  
 School District LAWTON BRONSON  
 Neighborhood N/A



## Owner

Deed Holder  
 Zellmer Alvin O & Barbara L  
 J Rev Living Trust  
 1348 Dallas Ave  
 Lawton IA 51030-9770

## Contract Holder

Mailing Address  
 Zellmer Alvin O & Barbara L  
 J Rev Living Trust  
 1348 Dallas Ave  
 Lawton IA 51030-9770

## Land

Lot Area 39.56 Acres: 1,723,234 SF

## Residential Dwellings

Residential Dwelling  
 Occupancy Single-Family / Owner Occupied  
 Style 1 Story Frame  
 Architectural Style N/A  
 Year Built 1920  
 Condition Normal  
 Roof Asphalt / Gable  
 Flooring  
 Foundation Conc  
 Exterior Material WOOD  
 Interior Material Plc  
 Brick or Stone Veneer  
 Total Gross Living Area 1,040 SF  
 Main Area Square Feet 782  
 Attic Type 3/4 Finished; 351 SF  
 Number of Rooms 0 above; 0 below  
 Number of Bedrooms 0 above; 0 below  
 Basement Area Type 1/2  
 Basement Area 390  
 Basement Finished Area  
 Plumbing 1 Base Plumbing (Full);  
 Appliances 1 Dishwasher;  
 Central Air Yes  
 Heat Yes  
 Fireplaces  
 Porches 15 Frame Enclosed (260 SF);  
 Decks  
 Additions 1 Story Frame (260 SF);  
 Garages

## Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Shed - Loafing	CATTLE SHED	30	60	1952	1
0	Bin - Grain Storage (Bushe)		0	0	1960	2
0	Bin - Grain Storage (Bushe)		0	0	1960	1
0	Bin - Grain Storage (Bushe)		30	18	1979	1

## Valuation

Classification	2022	2021	2020	2019	2018
	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture
+ Assessed Land Value	\$59,410	\$59,410	\$56,160	\$56,160	\$81,740
+ Assessed Building Value	\$5,130	\$5,660	\$5,170	\$5,170	\$7,130
+ Assessed Dwelling Value	\$68,550	\$68,550	\$62,090	\$62,090	\$54,650
= Gross Assessed Value	\$133,090	\$133,620	\$123,420	\$123,420	\$143,520
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$133,090	\$133,620	\$123,420	\$123,420	\$143,520

## Sioux City Special Assessments and Fees

[Click here to view special assessment information for this parcel.](#)

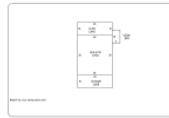
## Woodbury County Tax Credit Applications

[Apply for Homestead, Military or Business Property Tax Credits](#)

## Photos



## Sketches



No data available for the following modules: Commercial Buildings, Yard Extras, Sales, Permits, Sioux City Tax Credit Applications.

# SOIL REPORT - 894624100006

## Summary

Parcel ID	894624100006
Gross Acres	9.74
ROW Acres	0.00
Gross Taxable Acres	9.74
Exempt Acres	0.00
Net Taxable Acres	9.74 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	53.32 (519.37 CSR2 Points / 9.74 Gross Taxable Acres)

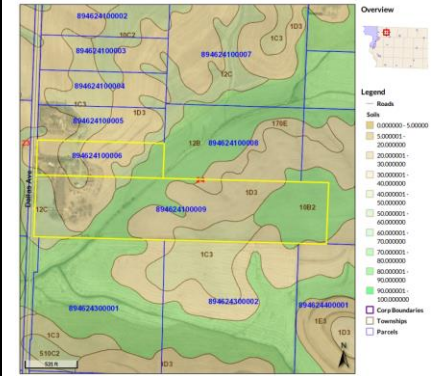
Aglamd Active Config 2017 CSR2

## Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	7.42	55.79	413.93	413.93
Non-Crop	2.32	45.45	105.44	80.64
<b>Total</b>	<b>9.74</b>		<b>519.37</b>	<b>494.57</b>

## Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12B	NAPIER SILT LOAM, 2 TO 5 PERCENT SLOPES	93.00	1.52	141.36	141.36
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	1.05	93.45	93.45
100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	0.92	53.36	53.36
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	3.93	125.76	125.76
Non-Crop	12B	NAPIER SILT LOAM, 2 TO 5 PERCENT SLOPES	93.00	0.06	5.58	2.83
Non-Crop	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	0.10	8.90	4.61
Non-Crop	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	0.84	48.72	31.94
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	1.32	42.24	41.26
<b>Total</b>				<b>9.74</b>	<b>519.37</b>	<b>494.57</b>



# SOIL REPORT - 894624100009

## Summary

Parcel ID	894624100009
Gross Acres	39.56
ROW Acres	0.00
Gross Taxable Acres	39.56
Exempt Acres	0.00
Net Taxable Acres	39.56 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	61.79 (2444.39 CSR2 Points / 39.56 Gross Taxable Acres)

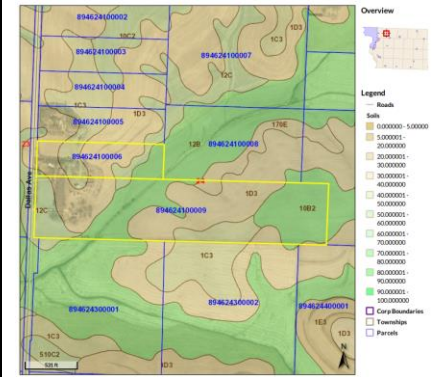
Aglamd Active Config 2017 CSR2

## Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	33.48	63.44	2,124.00	2,124.00
Non-Crop	6.08	52.70	320.39	222.77
<b>Total</b>	<b>39.56</b>		<b>2,444.39</b>	<b>2,346.77</b>

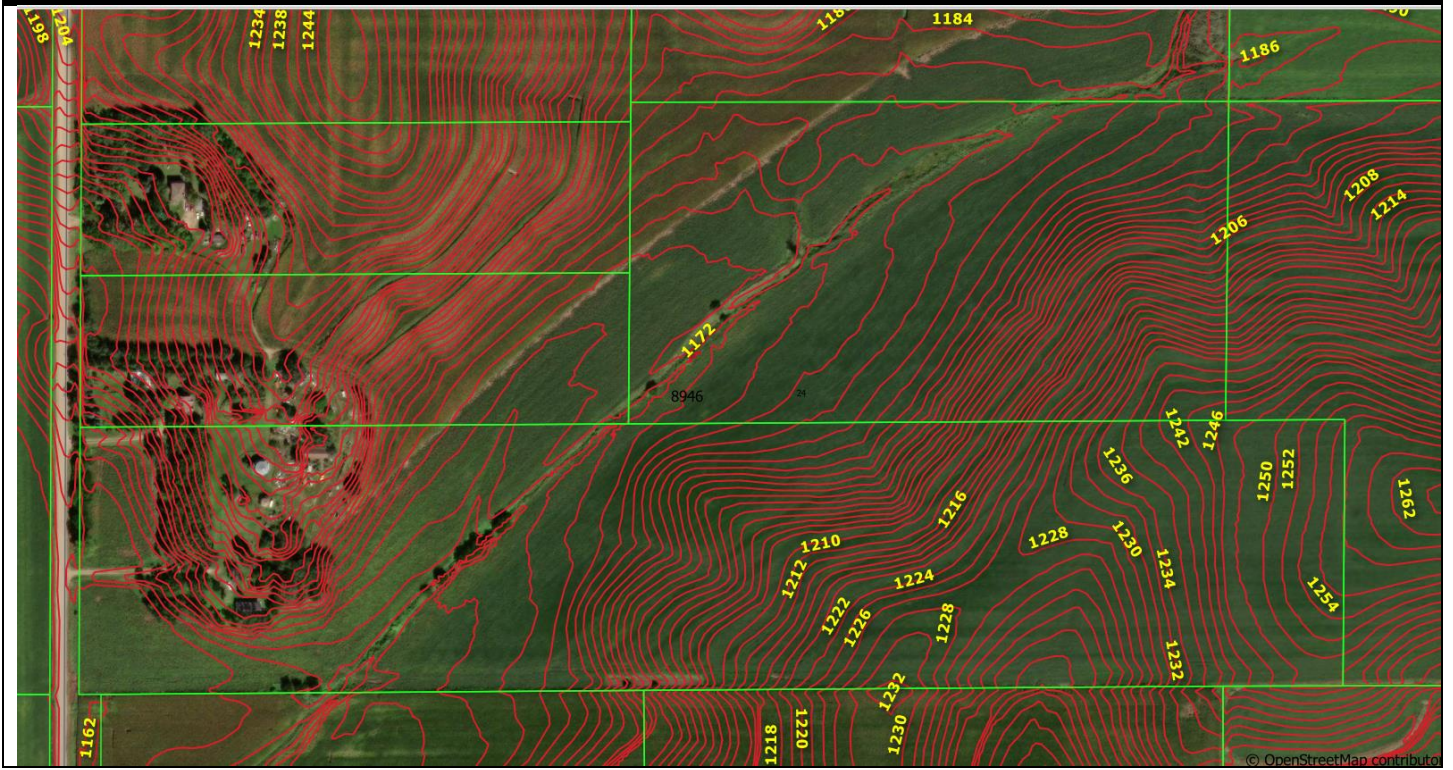
## Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12B	NAPIER SILT LOAM, 2 TO 5 PERCENT SLOPES	93.00	5.78	537.54	537.54
100% Value	10B2	MONONA SILT LOAM, 2 TO 5 PERCENT SLOPES, MODERATELY ERODED	91.00	7.73	703.43	703.43
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	2.60	231.40	231.40
100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	3.04	176.32	176.32
100% Value	170E	NAPIER-CASTANA SILT LOAMS, 9 TO 20 PERCENT SLOPES	57.00	0.67	38.19	38.19
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	13.66	437.12	437.12
Non-Crop	12B	NAPIER SILT LOAM, 2 TO 5 PERCENT SLOPES	93.00	0.94	87.42	44.29
Non-Crop	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	1.01	89.89	46.54
Non-Crop	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	0.42	24.36	15.97
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	3.71	118.72	115.97
<b>Total</b>				<b>39.56</b>	<b>2,444.39</b>	<b>2,346.77</b>





# ELEVATION





1/21/2022

JAMES ZELLMER  
C/O CRAIG BEEDLE  
VEENSTRA & KIMM, INC.  
203 SERGEANT SQUARE DRIVE  
SUITE B  
SERGEANT BLUFF, IA 51054

Project Description: Base Flood Elevation for 3 Lots (Unnamed Tributary to Big Whiskey Creek)

Project Latitude / Longitude Location(s): Buildings and Associated Fill 42.5120/-96.2321; Woodbury County

*Iowa DNR Project ID Number: 2021-1864*

Dear Craig Beedle:

This is in reference to your request for determination of the "100-year" flood elevation (a.k.a. the base flood elevation, or BFE) for the Lots identified on on the back of this letter. The Flood Insurance Rate Map (FIRM) for Woodbury County shows a portion of this property as being in the Special Flood Hazard Area (SFHA).

Based on the information available, we estimate the current existing condition 100-year flood elevation for the three lots to be:

- Lot 1 1167.5 ft., NAVD88
- Lot 2 1167.5 ft., NAVD88
- Lot 3 1188.1 ft., NAVD88 (Assumes ingress/egress from 130<sup>th</sup> Street)

You may download additional copies, or verify the Iowa DNR Flood Plain and Dam Safety Section (Department) official response document(s) for this project at the Iowa DNR Flood Plain PERMT website using the tracking number above. (PERMT Website Address: <https://programs.iowadnr.gov/permt/>)

Please contact me by phone at 515-443-9196 or by email at [Karen.Smith@dnr.iowa.gov](mailto:Karen.Smith@dnr.iowa.gov) with any questions.

Sincerely,

Digitally signed by Karen Smith, P.E., CFM  
DN: cn=Karen Smith, P.E., CFM, o=Iowa  
Department of Natural Resources,  
ou=Floodplain Management and Dam Safety,  
email=karen.smith@dnr.iowa.gov, c=US  
Date: 2022.01.21 05:12:54-06'00'

Karen Smith  
Flood Plain Management and Dam Safety Section

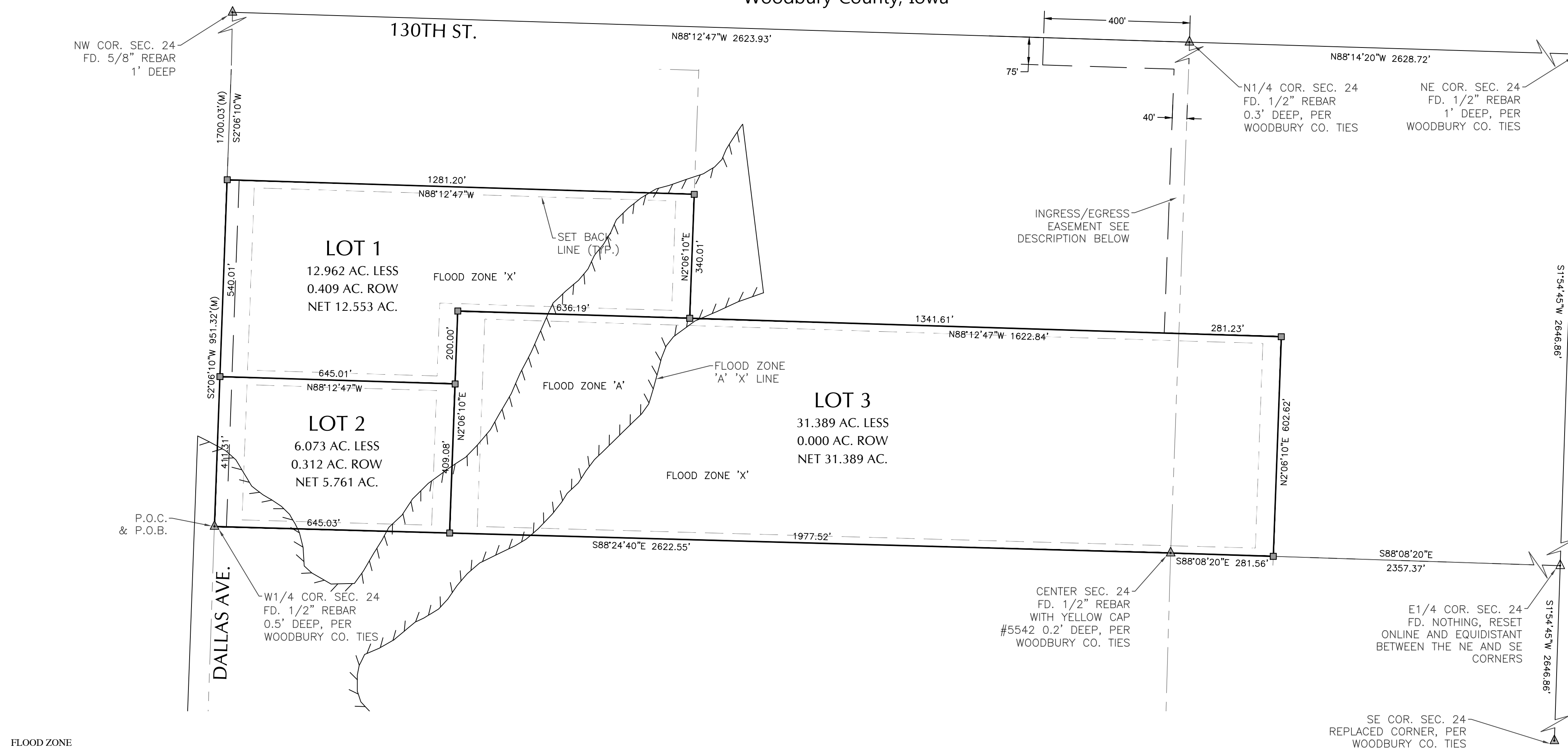
CC: James Zellmer; 1330 Dallas Avenue, Lawton, IA, 51030, [jim@ka0vsl.com](mailto:jim@ka0vsl.com)





# Minor Subdivision Final Plat AL AND BARB CONCORD PLACE ADDITION

Woodbury County, Iowa



**FLOOD ZONE**

ACCORDING TO NFIP REGULAR PROGRAM UNDER FIRM, A SMALL PORTION OF THE SUBDIVISION IS DETERMINED TO BE IN ZONE 'A' OF THE FLOODPLAIN AS SHOWN ON FIRM MAP #19193C0400 D. WITH THE EFFECTIVE DATE OF 9/29/2011

ON JANUARY 21, 2022, THE BASE FLOOD ELEVATION FOR THE FOLLOWING LOTS WAS ESTIMATED TO BE

- LOT 1: 1167.5 FT., NAVD88
- LOT 2: 1167.5 FT., NAVD88
- LOT 3: 1188.1 FT., NAVD88 (Assumes ingress/egress from 130th Street)

BY KAREN SMITH  
IOWA DNR, FLOODPLAIN MANAGEMENT AND DAM SAFETY SECTION  
WALLACE STATE OFFICE BUILDING  
502 EAST 9TH STREET  
DES MOINES, IA 50319

**CURRENT & PROPOSED ZONING**

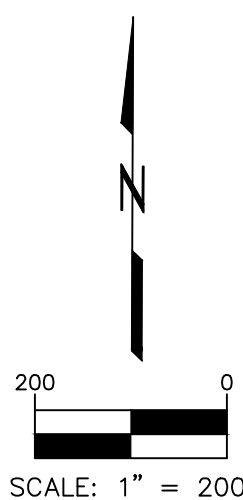
- AE - AGRICULTURAL ESTATES
- 2 AC. EXCLUDING ROW = MINIMUM LOT AREA
- 200' = MINIMUM LOT WIDTH
- 45' = MAXIMUM BUILDING HEIGHT
- 75' = MINIMUM FRONT YARD
- 50' = MINIMUM REAR YARD PRIMARY STRUCTURE
- 10' = MINIMUM REAR YARD ACCESSORY STRUCTURE
- 50' = CORNER SIDE YARD
- 20' = MINIMUM SIDE YARD PRIMARY STRUCTURE
- 10' = MINIMUM SIDE YARD ACCESSORY STRUCTURE

OTHER REGULATIONS MAY APPLY SEE ZONING ORDINANCES FOR DETAILS.

ADDITION CONTAINS A TOTAL OF 50.424 ACRES

LOTS TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.

<b>INDEX LEGEND</b>	
COUNTY:	WOODBURY
LOCATION:	SECTION 24, TOWNSHIP 89, RANGE 46
ALIQUOT PART:	N1/2
PROPRIETOR:	JIM ZELLMER, TRUSTEE
REQUESTOR:	JIM ZELLMER
SURVEYOR:	CRAIG BEEDLE
COMPANY:	VEENSTRA & KIMM, INC.
RETURN TO:	CRAIG BEEDLE, 203 SGT. SQ. DR. STE. B SERGEANT BLUFF, IA 51054 (712) 943-5055



**LEGEND**

- ▲ SECTION CORNER FOUND (AS NOTED)
- △ SECTION CORNER SET (5/8" IRON PIN W/ YELLOW CAP #17913)
- FOUND MONUMENT (5/8" REBAR OR AS NOTED)
- SET MONUMENT (5/8" IRON PIN W/ YELLOW CAP #17913)
- ◆ SET MONUMENT (P.K. NAIL IN PCC OR ACC)
- (M) MEASURED
- (R) RECORDED
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

**OWNER / SUBDIVIDER**

JIM ZELLMER KEITH AND PAMELA  
AO AND BL TRUSTEE ZELLMER  
1348 DALLAS AVE. 1336 DALLAS AVE.  
LAWTON, IA 51030 LAWTON, IA 51030

**SURVEYOR**

CRAIG BEEDLE  
VEENSTRA & KIMM INC  
203 SERGEANT SQUARE DRIVE  
SUITE B  
SERGEANT BLUFF, IA 51054  
712-943-5055

I, CRAIG W. BEEDLE, A DULY LICENSED LAND SURVEYOR UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF IOWA, HOLDING CERTIFICATE NO. 17913, DO HEREBY CERTIFY THAT THIS PLAT KNOW AS AL AND BARB CONCORD PLACE ADDITION, TO WOODBURY COUNTY, IOWA, IS A TRUE REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE SAME IS LOCATED UPON AND COMPRISES THE WHOLE OF THE DESCRIBED PROPERTY. I DO HEREBY CERTIFY THAT THERE ARE CONTAINED IN SAID DESCRIPTION THE LOTS AS DESCRIBED IN THE SUBDIVISION PLATED; THAT THE LOTS ARE OF THE DIMENSIONS, NUMBERS, NAMES, AND LOCATIONS AS SHOWN ON SAID PLAT, AND THAT IRON STAKES OR P.K. NAILS ARE SET AT EACH CORNER OF EVERY LOT OF SAID SUBDIVISION.

CRAIG W. BEEDLE, L.S. #17913 DATED \_\_\_\_\_

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2023  
NO. OF PAGES COVERED BY THIS CERTIFICATION = \_\_\_\_\_



**INGRESS AND EGRESS EASEMENT DESCRIPTION:**

Benefited property: Lot 3 of the Al and Barb Concord Place Addition to Woodbury County, Iowa.

Burdened property: The Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) AND except the South Six Hundred Feet (S 600'), the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4), all in Section Twenty-four (24), Township Eighty-nine (89) North, Range Forty-six (46) West of the 5th P.M., Concord Township, Woodbury County, Iowa.

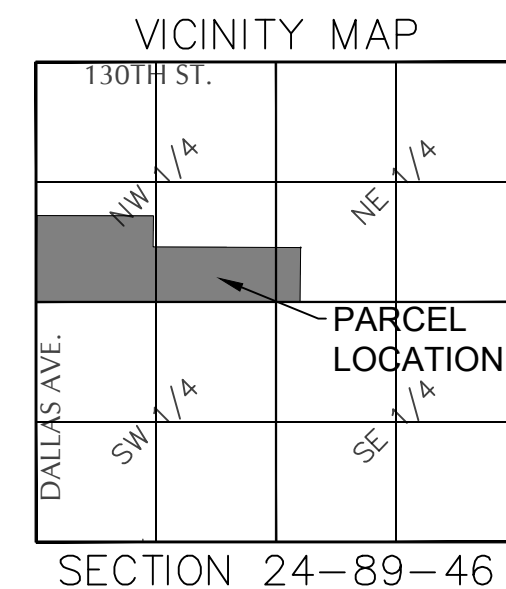
Easement: The right to ingress and egress over a parcel of land described as the North seventy-five feet of the East four hundred feet of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4); AND the East forty feet of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4); AND except the South Six Hundred Feet (S 600'), the East forty feet of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4), all in Section Twenty-four (24), Township Eighty-nine (89) North, Range Forty-six (46) West of the 5th P.M., Concord Township, Woodbury County, Iowa which is the burdened property above described.

**LEGAL DESCRIPTION:**

A PARCEL OF LAND IN THE N1/2 OF SECTION 24, T-89N, R-46W OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA. SAID PARCEL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AND BEGINNING AT THE W1/4 CORNER OF SAID SECTION 24 THENCE S88°24'40"E (AN ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW1/4 FOR 2622.55 FEET TO THE CENTER OF SECTION 24; THENCE S88°08'20"E ALONG THE SOUTH LINE OF THE NE1/4 FOR 281.56 FEET; THENCE N2°06'10"E FOR 602.62 FEET; THENCE N88°12'47"W FOR 1622.84 FEET; THENCE N2°06'10"E FOR 340.01 FEET; THENCE N88°12'47"W FOR 1281.20 FEET TO THE WEST LINE OF THE NW1/4; THENCE S2°16'10"W ALONG THE WEST LINE OF THE NW 1/4 FOR 951.32 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 50.424 ACRES MORE OR LESS AND IS SUBJECT TO EASEMENTS OF RECORD.



DATE	REVISIONS	SCALE	VERIFY SCALE
		1" = 200'	BAR IS ONE INCH ON ORIGINAL DRAWING.
		DRAWN CWB	0 1"
		CHECKED MAS	IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.
		APPROVED CWB	
		DATE 12 DEC 2021	
		ISSUED FOR	



**AL AND BARB CONCORD PLACE ADDITION  
WOODBURY, IOWA**

203 Sergeant Square Dr • Suite B • Sergeant Bluff, Iowa 51054-0220  
712-943-5055 • 712-943-5088(FAX) • 877-241-8009(WATS)

<b>DWG. NO.</b>	1
<b>PROJECT</b>	365613





**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 5/5/22 Weekly Agenda Date: 5/10/22

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Dan Priestley, CED Zoning Coordinator

**WORDING FOR AGENDA ITEM:**

- a. Motion to receive the Zoning Commission's recommendation from their 4/25/22 meeting to approve the final plat of the Husen Addition, a Minor Subdivision.
- b. Motion to approve the Husen Addition Minor Subdivision plat with the condition that the property owner(s) sign a pavement agreement with the county and authorize the Chairman to sign the resolution.

**ACTION REQUIRED:**

- |  |  |  |
|--|--|--|
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input checked="" type="checkbox"/> | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input type="checkbox"/>    | Other: Informational <input type="checkbox"/>          | Attachments <input checked="" type="checkbox"/>    |

**EXECUTIVE SUMMARY:**

The Supervisors will receive the Woodbury County Planning and Zoning (P&Z) Commission's recommendation and final staff report on said plat and shall approve, approve with conditions, or disapprove the plat. The Board may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat.

**BACKGROUND:**

Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust has filed for a four-lot minor subdivision on the property as referenced above. The purpose is to establish four residential lots. This subdivision proposal is being presented concurrently with a Zoning Ordinance Map Amendment (Rezone) from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District. Both proposals have been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. Extraterritorial review, as required by Iowa Code 354.9, was waived by the City of Sergeant Bluff with the adoption of Resolution No. 21-33 on December 14, 2021. A small portion of the property that is not in any buildable area is located in the Special Flood Hazard Area (Zone A – Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal with the condition that the property owner sign a pavement agreement for any future paving along 220th Street. The Woodbury County Zoning Commission voted 4-0 at their April 25, 2022 meeting to recommend approval of this minor subdivision request with the condition that the property owners sign a pavement agreement with the county for any future paving along 220th Street.

**FINANCIAL IMPACT:**

None

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Receive the final staff report and P&Z Commission's recommendation from their 4/25/22 meeting.

Approve the plat with the condition that the property owner sign a pavement agreement with the county and authorize the Chairman to sign the resolution.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive the final staff report and P&Z Commission's recommendation from their 4/25/22 meeting.

Motion to approve the Husen Addition final plat with the condition that the property owner sign a pavement agreement with the county and authorize the Chairman to sign the resolution.



**WOODBURY COUNTY  
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

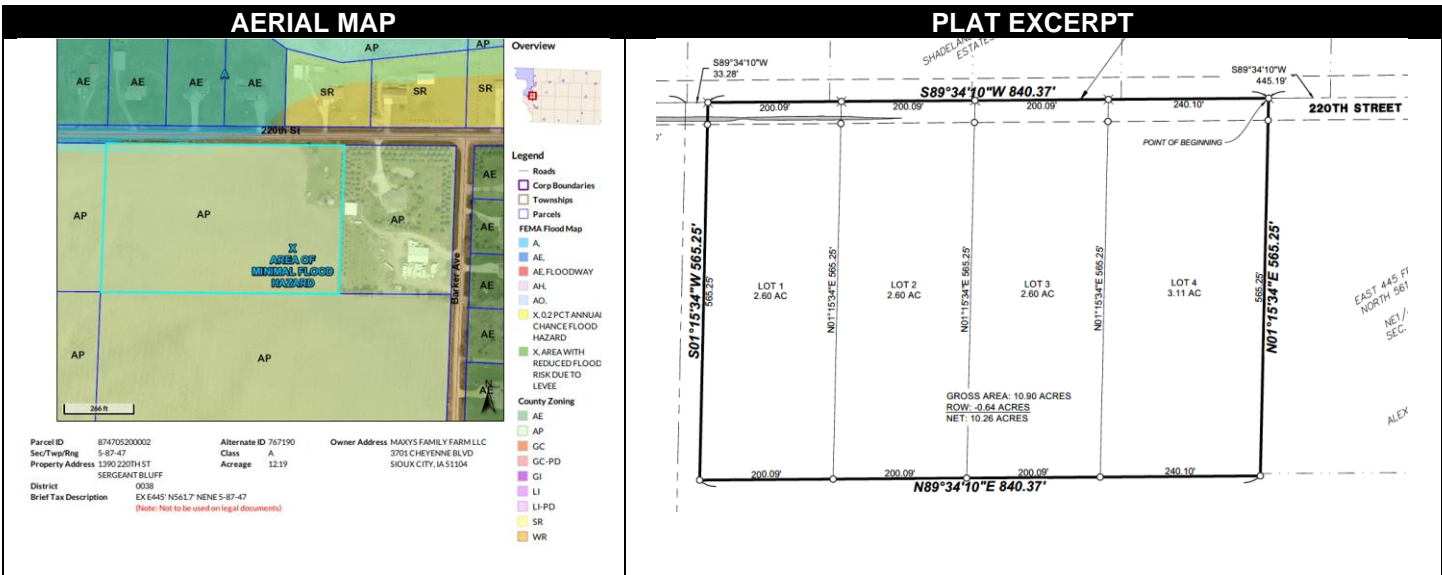
Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov  
Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov  
Telephone (712) 279-6609 Fax (712) 279-6530

**HUSEN ADDITION MINOR SUBDIVISION PROPOSAL  
FINAL REPORT – 5/5/22**

APPLICATION DETAILS	PROPERTY DETAILS	TABLE OF CONTENTS
<b>Owner(s):</b> Maxys Family Farm LLC / Brian and Bonnie Ivener Trust <b>Application Type:</b> Minor Subdivision <b>Subdivision Name:</b> Husen Addition <b>Application Date:</b> April 1, 2022 <b>Subdivision Area:</b> 10.90 Acres (4 Lots) <b>Legal Notice Date:</b> April 13, 2022 <b>Stakeholders (1000') Letter Date:</b> April 7, 2022 <b>Zoning Commission Public Hearing Date:</b> April 25, 2022 <b>Board of Supervisors Review Date:</b> May 10, 2022	<b>Parcel(s):</b> 874705200002 <b>Township:</b> T87N R47W (Liberty) <b>Section:</b> 5; <b>Quarter:</b> NE ¼ NE ¼ <b>Zoning District:</b> Agricultural Preservation (AP) <b>Floodplain District:</b> Zone A (Floodplain) <b>Address:</b> 1390 220 <sup>th</sup> St., Sergeant Bluff, IA 51054	<input type="checkbox"/> Summary, Aerial & Plat Excerpt, Recommendations <input type="checkbox"/> Zoning Commission Resolution <input type="checkbox"/> Zoning Commission Draft Minutes (April 25, 2022) <input type="checkbox"/> Application <input type="checkbox"/> Final Plat <input type="checkbox"/> Review Criteria <input type="checkbox"/> Extraterritorial Review <input type="checkbox"/> Legal Notification <input type="checkbox"/> Adjacent Owners' Notification <input type="checkbox"/> Stakeholder Comments <input type="checkbox"/> Supporting Documentation

**SUMMARY**

Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust has filed for a four-lot minor subdivision on the property as referenced above. The purpose is to establish four residential lots. This subdivision proposal is being presented concurrently with a Zoning Ordinance Map Amendment (Rezone) from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District. Both proposals have been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. Extraterritorial review, as required by Iowa Code 354.9, was waived by the City of Sergeant Bluff with the adoption of Resolution No. 21-33 on December 14, 2021. A small portion of the property that is not in any buildable area is located in the Special Flood Hazard Area (Zone A – Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal with the condition that the property owner sign a pavement agreement for any future paving along 220<sup>th</sup> Street. The Woodbury County Zoning Commission voted 4-0 at their April 25, 2022 meeting to recommend approval of this minor subdivision request with the condition that the property owners sign a pavement agreement with the county for any future paving along 220<sup>th</sup> Street.



**ZONING COMMISSION & STAFF RECOMMENDATION**

The Woodbury County Zoning Commission voted 4-0 at their April 25, 2022 meeting to recommend approval of this minor subdivision request with the condition that the property owners sign a pavement agreement with the county for any future paving along 220<sup>th</sup> Street.

Staff recommends approval of this minor subdivision proposal as it meets the requirements of the zoning and subdivision ordinance. Staff recommends a pavement agreement as a condition for approval.

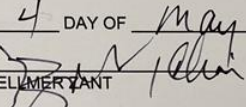


## ZONING COMMISSION RESOLUTION

### RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA

I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVISEMENT THE PLAT OF HUSEN ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE 25<sup>th</sup> DAY OF April, 2022 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

DATED THIS 4 DAY OF May, 2022.

  
CHRISTINE ZELLMER ZANT  
CHAIRMAN  
WOODBURY COUNTY ZONING COMMISSION OF  
WOODBURY COUNTY, IOWA

## ZONING COMMISSION DRAFT MINUTES – APRIL 25, 2022

### Minutes - Woodbury County Zoning Commission Meeting – April 25, 2022

The Zoning Commission (ZC) meeting convened on the 25th of April at 8:00 PM in the first-floor boardroom in the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Chris Zellmer Zant, Tom Bride, Corey Meister, Jeff O'Tool  
County Staff Present: Dan Priestley, Dawn Norton  
Public Present: Dolf Ivener, Troy Husen, Jim Zellmer (Phone)

#### Call to Order

Chair Chris Zellmer Zant formally called the meeting to order at 8:00 PM.

#### Public Comment on Matters Not on the Agenda

None.

#### Approval of Minutes

The February 28, 2022 minutes were approved. Motion to approve: Meister. Second: O'Tool. Motion approved 4-0.

#### Public Hearing: Husen Addition Minor Subdivision Proposal

Priestley read the preliminary report and staff recommendation into the record. Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust has filed an application for a four-lot minor subdivision on the property identified as Parcel #874705200002. The purpose of this proposal is to establish four residential lots. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via a April 7, 2022 letter about the Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. The County Engineer also stated that a paving agreement should be applied to this subdivision. Extraterritorial review was waived by the City of Sergeant Bluff with Resolution No. 21-33 on December 14, 2021. A portion of the property is in the Special Flood Hazard Area – Zone A – Floodplain but not in any buildable area. This proposal meets requirements of the Zoning and Subdivision Ordinances. Bride pointed out that the property has a significant Crop Suitability Rating (CSR – 75.51); this area is also located close to the Sergeant Bluff and residential development is already established. Dolf Ivener offered background on the purpose of the project. Troy Husen inquired about the effects of the pavement agreement including the costs. Priestley indicated that it is an 80/20 agreement where property owners would pay 40% along their frontage or lineal feet of each lot to the center of the road. If there is any proposal to pave the road in the future, there will likely be public hearings administered by county engineer's office. It is the recommendation of staff to approve this proposal with the condition that the property owner(s) sign a pavement agreement for any future paving along 220<sup>th</sup> Street. Motion to close public hearing: O'Tool. Second: Meister. Motion approved 4-0. Motion to recommend approval of the Husen Addition Minor Subdivision to the Board of Supervisors with the condition property owners sign a paving agreement: O'Tool. Second: Bride. Motion approved 4-0.

#### Public Hearing: Zoning Ordinance Map Amendment (Rezone) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District Proposal – Maxys Family Farm LLC/Brian and Bonnie Ivener Trust

Priestley read the preliminary report and staff recommendation into the record. Concurrently with the previous minor subdivision application, this proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 10.90-acres located in the NE ¼ of the NE ¼ of Section 5, T87N R47W (Liberty Township), Woodbury County, parcel #874705200002, for the purpose of establishing four residential lots. The neighbors within 1000 FT have been duly notified via a April 7, 2022 letter about the Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were received. A portion of the property is in the Special Flood Hazard Area – Zone A – Floodplain but not in any buildable area. Based on the information received, staff recommends approval of this proposal with the condition that the property owner(s) sign a paving agreement for any future paving along 220<sup>th</sup> Street. Motion to close public hearing: O'Tool. Second: Meisner. Motion approved 4-0. A motion was made to recommend approval to the Board of Supervisors for the request as proposed to Agricultural Estates with the condition that the owner(s) sign a paving agreement: O'Tool. Second: Bride. Motion approved 4-0.

#### Public Hearing: Al and Barb Concord Place Addition Minor Subdivision Proposal

Priestley read the preliminary report and staff recommendation into the record. The Joint Revocable Living Trust of Alvin O. Zellmer and Keith H. Zellmer and Pamela J. Zellmer have filed an application for a three-lot minor subdivision on Parcel #894624100006 and #894624100009. The purpose of this application is so the existing house on the proposed Lot 2, which is completely located within the Trust Parcel (#894624100009) can be split from the farm ground and be incorporated with the proposed Lots 1 and 2 in the same AE Zoning District. The use of the land will remain unchanged for the foreseeable future, as the Trust and its immediate successors plan to continue using the Trust property for agricultural purposes, while the house can be sold for residential purposes. No residential development is planned. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were submitted. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. Priestley noted that the county engineer initially had concerns about a proposed easement and its access to

a suitable driveway. However, the issue was resolved with a revised easement. Extraterritorial review is not required as the property is located greater than 2 miles from an incorporated area. The property is located in the Special Flood Hazard Area (Zone A - Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, this proposal meets the appropriate criteria for approval. One of the property owners, Jim Zellmer, was present via the phone but had no comments about the proposal. It is the recommendation of staff to approve this proposal. Motion to close public hearing: Meister. Second: Bride. Motion approved 4-0. A motion was made to recommend approval to the Board of Supervisors for the Al and Barb Concord Place Addition Minor Subdivision: Bride. Second: O'Tool. Motion approved 4-0.

**Public Hearing: Zoning Ordinance Map Amendment (Rezone) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District Proposal – Joint Revocable Living Trust of Alvin O. Zellmer & Barbara Zellmer**

Priestley read the preliminary report and staff recommendation into the record. Along with previous minor subdivision application, this proposal is to rezone Parcel #894824100009 from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District with an application for a three-lot subdivision on Parcel #894624100009. The purpose of this application is so the existing house on the proposed Lot 2, which is completely located within the Trust Parcel (#894624100009) can be split from the farm ground and be incorporated with the proposed Lots 1 and 2 in the same AE Zoning District. The use of the land will remain unchanged for the foreseeable future, as the Trust and its immediate successors plan to continue using the Trust property for agricultural purposes, while the house can be sold for residential purposes. No residential development is planned. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were submitted. The property is located in the Special Flood Hazard Area (Zone A - Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, this proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal. Motion to close Public Hearing: O'Tool. Second: Meister. Motion approved 4-0. Motion to recommend the proposed Zoning Ordinance Map Amendment from AP to AE to the Board of Supervisors: O'Tool. Second: Bride. Motion approved 4-0.

**Discussion of Solar Ordinance Provisions**

Priestley facilitated a discussion concerning residential solar systems and utility scale solar systems including some of their differences as it pertains to permitting. He indicated that area communities such as the City of Sioux City administratively issue building permits for residential solar systems as accessory structures/uses to the properties. The current language in the Woodbury County Zoning Ordinance requires a conditional use permit for all solar projects regardless of type. Priestley reminded the Commissioners that in recent years the county has received conditional use permit applications from both residential scale and utility scale projects. A revised ordinance may be required to address future needs depending on the intensity of the projects from residential to utility scale. Several considerations include road use agreements, decommissioning plans, setback requirements, etc. Priestley recommended that the Commission continue this discussion at future meetings and in the meantime, he will continue to research other jurisdictions and their respective policies as it comes to both residential and commercial solar operations.

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

None.

**Commissioner Comment or Inquiry**

Bride brought up State of Iowa legislation – Senate File 2285, pertaining to the incorporated areas' ability to require annexation agreements. Priestley will research.

**Staff Update**

Priestley formally informed the Commission that Director David Gleiser has left the Woodbury County Community & Economic Department.

**Adjourn**

The meeting adjourned at 7:20 PM.



### Rezoning Application & Zoning Ordinance Map Amendment

<b>Owner Information:</b>	<b>Applicant Information:</b>
Owner <u>Maxys Family Farm LLC</u>	Applicant <u>Dolf Ivener</u>
Address <u>3701 Cheyenne Blvd</u>	Address <u>3400 Talbot Rd</u>
<u>Sioux City, IA 51104</u>	<u>Sioux City, IA 51103</u>
Phone <u>712-251-9967</u>	Phone <u>712-251-9967</u>

Engineer/Surveyor Justin Jensen Phone 515-450-9199

**Property Information:**

Property Address or Address Range 1390 220th st Sergeant Bluff, IA 51054 proposed legal desc. attached

Quarter/Quarter NE 1/4 NE 1/4 Sec 5 Twship/Range 87-47

Parcel ID # 874705200002 or GIS # \_\_\_\_\_ Total Acres 10.9

Current Use AGRICULTURE Proposed Use RESIDENTIAL

Current Zoning AP Proposed Zoning AE

Average Crop Suitability Rating (submit NRCS Statement) 75.51

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).

A formal pre-application meeting is recommended prior to submitting this application.

Pre-app mtg. date 12/21 Staff present [Signature]

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.

This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.

Owner Maxys Family Farm LLC Bonnie Ivener Applicant Dolf Ivener

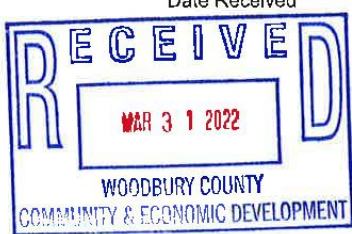
Date 3/18/22 Brian Ivener Date 3/18/22

Family Trust

Fee: \$400 Case #: 6152

Check #: 1374

Receipt #: \_\_\_\_\_



WOODBURY COUNTY, IOWA  
MINOR SUBDIVISION APPLICATION

Applicant: Dolf Ivener Name of Owner

Mailing Address: 3400 Talbot Rd Sioux City, IA 51103  
Street City or Town State and Zip + 4

Property Address: 1390 220th st Sergeant Bluff, IA 51054  
Street City or Town State and Zip + 4

Ph/Cell #: 712-251-9967 E-mail Address: dolfivener@gmail.com

To subdivide land located in the NE Quarter of Section 5

Civil Township 87-47 GIS Parcel # 874705200002

Name of Subdivision: HUSEN ADDITION

Subdivision Area in Acres 10.9 Number of Lots 4

**Attachments:**

1. Ten (10) copies of grading plans; if required.
2. Ten (10) copies of final plats (Complete per Section 4.01 of the Subdivision Ordinance)
3. An attorney's opinion of the abstract.
4. A Certified abstractor's certificate to include:
  - a. Legal description of proposed subdivision.
  - b. Plat showing clearly the boundaries of the subdivision.
  - c. A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.

Surveyor: Justin Jensen Ph/Cell: 515-450-9199

Attorney: Ryan Ross Ph/Cell: 712-259-3563

I hereby grant permission to the Woodbury County Zoning Staff and elected or appointed officials to conduct on-site inspections.

Owner's Signature: *Maxy Farm ll Paul*  
*Bonnie Ivener*  
*Family Trust*

Zoning Director: *RS*

**For Office Use Only:**

Zoning District AP Flood District X-214 Date \_\_\_\_\_ No. 6753

Application Fee \_\_\_\_\_ 4 Lots or less (\$200) CL# ~~1374~~ 1375

5 Lots or more (\$250 plus \$5 per lot) \_\_\_\_\_







617 Plaza Street, Ste 201  
Sioux City, Iowa 51101  
712.224.4610  
fax. 515.576.4255

**SURVEYOR'S CERTIFICATE**  
I, JUSTIN S. JENSEN, A DULY LICENSED LAND SURVEYOR UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF IOWA, HOLDING CERTIFICATE NO. 22874, DO HEREBY CERTIFY THAT THE SUBDIVISION PLAT OF HUSEN ADDITION, WOODBURY COUNTY, IOWA, IS A TRUE REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECTION SUPERVISION, AND THAT THE SAME IS LOCATED UPON AND COMPRISES THE WHOLE OF THE ATTACHED DESCRIBED PROPERTY.

I DO HEREBY CERTIFY THAT THERE ARE CONTAINED IN SAID DESCRIPTION THE LOTS AND STREETS DESCRIBED IN THE ADDITION PLATTED, THAT THE SAME ARE THE DIMENSIONS, NUMBERS, NAMES AND LOCATIONS AS SHOWN ON SAID PLAT AND THAT WERE DRIVE AT EACH CORNER OF EVERY LOT AND TRACT EXCEPT AS NOTED ON SAID PLAT.

DATED AT \_\_\_\_\_  
JUSTIN S. JENSEN  
IOWA NO. 22874  
LICENSE RENEWAL DATE: DECEMBER 31, 2022



**HUSEN ADDITION  
FINAL PLAT**

WOODBURY COUNTY  
2022000059  
02/22/2022

WITNESSES:  
ENGINEER DRAWN BY  
C. CARLETON  
SURVEYOR CREW CHIEF  
J. JENSEN

BOOKING NO. SHEET NO.  
FP-01 01/02

# HUSEN ADDITION WOODBURY COUNTY, IOWA FINAL PLAT

**INDEX LEGEND**

CITY: SERGEANT BLUFF
COUNTY: WOODBURY
TAX: SECTION 18, 19N, 16W
ALGQUOT PART: NE1/4 NE1/4
PROPRIETOR: MAXYS FAMILY FARM LLC
REQUESTED BY: DOLF IVENER
SURVEYOR: JUSTIN JENSEN
COMPANY: MCCLURE
RETURN TO: JUSTIN JENSEN 705 1ST AVENUE NORTH FORT DOUGLASS, IOWA 50501 / 515-576-7185

**BASIS OF BEARINGS**  
IOWA REGIONAL COORDINATE SYSTEM - ZONE 4

**NOTICE:**  
THE CITY COUNCIL OF SERGEANT BLUFF, IOWA, PURSUANT TO AUTHORITY GRANTED IN IOWA CODE SECTION 354.9, WAIVED THE CITY'S REVIEW AND APPROVAL OF THE FINAL PLAT OF THE HUSEN ADDITION MINOR SUBDIVISION, AS WOULD OTHERWISE BE REQUIRED BY THE CITY'S CODE OF ORDINANCES, WITH THE ADOPTION OF RESOLUTION NO. 21-33 ON THE 14TH DAY OF DECEMBER, 2021.

**TITLE OPINION**  
WE HAVE THIS DATE EXAMINED A COMPLETE ABSTRACT TO TITLE, PURSUANT TO IOWA CODE SECTION 354.11(1)(C) TO PROPERTY WHICH INCLUDES IN ITS ENTIRETY, PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE ON THE PLAT OF: HUSEN SUBDIVISION, WOODBURY COUNTY, IOWA LAST CERTIFIED BY ENGLISON ABSTRACT CO., INC., DATED 2022 AT 8:59 A.M. AND FROM SAID ABSTRACT FIND GOOD AND MERCHANTABLE TITLE TO SAID PREMISES VESTED IN MAXYS FAMILY FARM, LLC, AN IOWA LIMITED LIABILITY COMPANY AND BRIAN AND BONNIE IVENER TRUST LTD JULY 6, 2008 SUBJECT TO THE FOLLOWING LIENS, LIMITATIONS AND EXCEPTIONS:

1. ALL CERTIFIED REAL ESTATE TAXES AND SPECIAL ASSESSMENTS DUE AND PAYABLE HAVE BEEN PAID. REAL ESTATE TAXES AND SPECIAL ASSESSMENTS NOT CERTIFIED ARE A LIEN IN AN UNDETERMINED AMOUNT.  
DATED: \_\_\_\_\_, 2022.

RYAN C. ROSS  
ATTORNEY AT LAW

**FLOOD PLAIN**

ON JANUARY 26TH, 2022, THE 100-YEAR FLOOD ELEVATION OF 1085.17' ALONG THE NORTHWEST SIDE OF THE PROPERTY WAS DETERMINED BY:

KAREN SMITH  
IOWA DNR, FLOOD PLAIN MANAGEMENT AND DAM SAFETY SECTION  
WALLACE STATE OFFICE BUILDING  
502 EAST 8TH STREET  
DES MOINES, IA 50319

**TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESSMENTS**

I, TINA BERTRAND, TREASURER OF WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE LAND DESCRIBED IN THE ATTACHED AND FOREGOING SURVEYOR'S CERTIFICATE IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.  
DATED: \_\_\_\_\_, 2022.

TINA BERTRAND, TREASURER WOODBURY COUNTY, IOWA

**AUDITOR'S APPROVAL OF SUBDIVISION NAME**

THE COUNTY AUDITOR HEREBY ACCEPTS AND APPROVES THE NAME OR TITLE OF THE ATTACHED SUBDIVISION PLAT AS REQUIRED BY IOWA CODE SECTION 354.6(2).  
DATED: \_\_\_\_\_, 2022.

PATRICK F. GILL, AUDITOR AND RECORDER, WOODBURY COUNTY, IOWA  
BY: DIANE SWOBDOD PETERSON, DEPUTY

**COUNTY ENGINEER'S CERTIFICATE**

I, MARK J. NAHRA, P.E., COUNTY ENGINEER FOR WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE BOUNDARY LINES OF THE PLAT AND LOTS THEREIN WERE MATHEMATICALLY CHECKED AND CONFORM WITH THE REQUIREMENTS AS PROVIDED FOR IN THE SUBDIVISION ORDINANCE AND THAT ALL DIMENSIONS BOTH LINEAR AND ANGULAR NECESSARY FOR THE LOCATION OF LOTS, TRACTS, STREETS, AND EASEMENTS, ARE SHOWN.  
DATED: \_\_\_\_\_, 2022.

MARK NAHRA, P.E., COUNTY ENGINEER FOR WOODBURY COUNTY, IOWA

**RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA.**

I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVICEMENT THE PLAT OF HUSEN ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 APPROVE THE SAME, AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.  
DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

CHRISTINE ZELLMER ZANT  
CHAIRMAN  
WOODBURY COUNTY ZONING COMMISSION OF  
WOODBURY COUNTY, IOWA

**BOARD OF SUPERVISORS RESOLUTION.**

RESOLUTION ACCEPTING AND APPROVING HUSEN ADDITION, WOODBURY COUNTY, IOWA.  
WHEREAS, THE OWNER AND PROPRIETORS DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS HUSEN ADDITION, WOODBURY COUNTY, IOWA, AND  
WHEREAS, IT APPEARS THAT SAID PLAT CONFORMS WITH ALL OF THE PROVISIONS OF THE CODE OF THE STATE OF IOWA AND ORDINANCES OF WOODBURY COUNTY, IOWA, WITH REFERENCE TO THE PLUNG OF SAME, AND  
WHEREAS, THE ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT, AND  
WHEREAS, THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT.  
NOW THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, THAT THE PLAT OF HUSEN ADDITION, WOODBURY COUNTY, IOWA BE, AND THE SAME BE HEREBY ACCEPTED AND APPROVED, AND THE CHAIRMAN AND SECRETARY OF THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, ARE HEREBY DIRECTED TO FURNISH TO THE OWNERS AND PROPRIETORS A CERTIFIED COPY OF THIS RESOLUTION AS REQUIRED BY LAW.  
PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

KEITH RADIG  
CHAIRMAN  
BOARD OF SUPERVISORS  
WOODBURY COUNTY, IOWA

ATTEST:  
PATRICK F. GILL  
SECRETARY

**DEDICATION:**  
MAXYS FAMILY FARM, LLC, AN IOWA LIMITED LIABILITY COMPANY IS AN OWNER OF THE REAL ESTATE DESCRIBED IN THE ATTACHED SURVEYOR'S CERTIFICATE AND HAS IN THE PURSUANCE OF LAW, CAUSED SAID DESCRIBED REAL ESTATE TO BE SURVEYED, STAKED AND PLATTED INTO LOTS AND STREETS, AS IS PARTICULARLY SHOWN AND SET FORTH IN THE ATTACHED PLAT AND SAID CERTIFICATE OF JUSTIN S. JENSEN, PLS, LICENSED SURVEYOR WHO SURVEYED AND PLATTED THE REAL ESTATE TO BE KNOWN AS HUSEN SUBDIVISION, AND THAT THE SAME IS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES AS OWNER AND PROPRIETOR THEREOF.  
EXECUTED AT \_\_\_\_\_, IOWA THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

BY: \_\_\_\_\_  
DOLF IVENER, MEMBER

STATE OF IOWA : SS.  
COUNTY OF WOODBURY :

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED DOLF A. IVENER, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN OR AFFIRMED DID SAY THAT THAT PERSON IS A MEMBER OF SAID MAXYS FAMILY FARM, LLC, AN IOWA LIMITED LIABILITY COMPANY, THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF THE SAID MAXYS FAMILY FARM, LLC, AN IOWA LIMITED LIABILITY COMPANY, BY AUTHORITY OF ITS MEMBERS AND THE SAID DOLF A. IVENER, MEMBER, KNOWN AND ACKNOWLEDGED THE EXECUTION OF SAID INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF SAID MAXYS FAMILY FARM, LLC, AN IOWA LIMITED LIABILITY COMPANY BY IT VOLUNTARILY EXECUTED.

NOTARY PUBLIC IN AND FOR SAID STATE

**DEDICATION:**  
THE BRIAN AND BONNIE IVENER TRUST LTD JULY 6, 2008, IS AN OWNER OF THE REAL ESTATE DESCRIBED IN THE ATTACHED SURVEYOR'S CERTIFICATE AND HAS IN THE PURSUANCE OF LAW, CAUSED SAID DESCRIBED REAL ESTATE TO BE SURVEYED, STAKED AND PLATTED INTO LOTS AND STREETS, AS IS PARTICULARLY SHOWN AS SET FORTH IN THE ATTACHED PLAT AND SAID CERTIFICATE OF JUSTIN S. JENSEN, PLS, A LICENSED SURVEYOR WHO SURVEYED AND PLATTED THE REAL ESTATE TO BE KNOWN AS HUSEN SUBDIVISION, AND THAT THE SAME IS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES AS OWNER AND PROPRIETOR THEREOF.  
EXECUTED AT \_\_\_\_\_, IOWA THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

BY: \_\_\_\_\_  
BRIAN IVENER, TRUSTEES

BY: \_\_\_\_\_  
BONNIE IVENER, TRUSTEES

STATE OF \_\_\_\_\_ : SS.  
COUNTY OF \_\_\_\_\_ :

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE OF \_\_\_\_\_, PERSONALLY APPEARED BRIAN IVENER AND BONNIE IVENER, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN DID SAY THAT THE PERSON IS THE TRUSTEES OF THE BRIAN AND BONNIE IVENER TRUST LTD JULY 6, 2008, THE TRUSTEES EXECUTING THE FOREGOING INSTRUMENT, AS THAT THEY AS THAT TRUSTEES ACKNOWLEDGED EXECUTION OF THE INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF THE TRUST BY IT AND BY THE TRUSTEES VOLUNTARILY EXECUTED.

NOTARY PUBLIC IN AND FOR SAID STATE

**AUDITOR AND RECORDER'S CERTIFICATE OF RECORDING**

STATE OF IOWA :  
COUNTY OF WOODBURY : SS

DOCKET NO: \_\_\_\_\_

FILED FOR RECORD, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. RECORDED IN PLAT ENVELOPE \_\_\_\_\_ INDEXED AND DELIVERED TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA.  
DATED \_\_\_\_\_, 2022

PATRICK F. GILL, AUDITOR AND RECORDER, WOODBURY COUNTY, IOWA  
BY: DIANE SWOBDOD PETERSON, DEPUTY

**CERTIFICATE OF COUNTY ASSESSOR:**

I, JULIE CONOLLY, DO HEREBY CERTIFY THAT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, A COPY OF THIS PLAT WAS FILED IN THE WOODBURY COUNTY ASSESSOR'S OFFICE.  
DATED \_\_\_\_\_

JULIE CONOLLY  
WOODBURY COUNTY ASSESSOR

Drawings Path: I:\2022\000059\000\01\Drawings\Survey\2022000059\SalArmy\_PLOT DATE: 04/14/2022 10:00 AM. PLOTTED BY: CONNOR CARLETON





	<b>shall review the final plat to determine conformance with the design standards of these regulations and with the required form of the plat and related documents; and</b>
	Staff verified that the final plat conforms to the design standards of these regulations, as well as the required form of the final plat.
	<b>shall assure conformance with the goals and objectives of the County's General Plan, the CED staff may make recommendations for conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties.</b>
	Staff attest to the final plat conforming to the goals and objectives of the county plan. Staff recommends approval of the final plat based on the following:  Staff recommends that a pavement agreement (see enclosed) be recorded as a condition for the approval of the final plat.

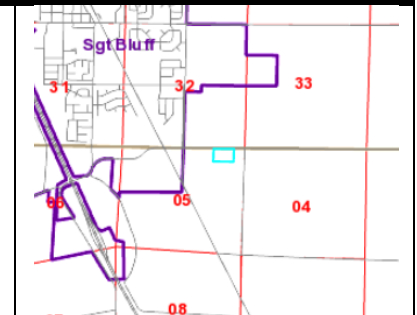
**ZONING COMMISSION - REVIEW CRITERIA (SUBDIVISION ORDINANCE)**

**The County's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements, the Planning and Zoning Commission:**

	<b>shall conduct a public hearing on a final plat for a minor subdivision. Notice of the date, time and location of the hearing will be mailed to the owners of all property within 1,000 feet for the subject property not less than four nor more than twenty days prior to the date of the hearing; and</b>
	Staff have ensured that the legal requirements have been met for publicly noticing this public hearing, all as required by law. Staff have also ensured the notice requirement for adjacent landowners within 1000 FT have also been met.
	<b>shall review the final plat and the staff reports and other information presented to determine whether the plat conforms to the ordinances, general plan and other policies of the county; and</b>
	Staff have compiled, reviewed, and analyzed all relevant materials to determine whether the plat conforms to the ordinances, general plan, and other policies of the County, or not. Staff provided this information in a "Staff Report" format and made them available to the Commission well in advance of the required public hearing. The Commission also held a public hearing to review, analyze, and discuss the final plat and other relevant information.
	<b>may recommend specific conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties; and</b>
	Staff recommends that a pavement agreement (see enclosed) be recorded as a condition for the approval of the final plat.
	<b>shall forward a report of its finding and a recommendation to the Board of Supervisors. The recommendation shall be in the form of a resolution to be certified as part of the final plat materials. A copy of the report and the resolution shall also be forwarded to the property owner, the subdivider and the land surveyor for the subdivision.</b>
	During its required public hearing on the final plat, the Board of Supervisors will receive the final staff report and the Commission's recommendation on said plat and shall approve, approve with conditions, or disapprove the plat. The Supervisors may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat. Staff will coordinate with the subdivider and land surveyor to ensure all copies and recordings are submitted and received, all as required by law.

**EXTRATERRITORIAL REVIEW**

This property is within two (2) miles of the Sergeant Bluff corporate boundary and requires extraterritorial review under Iowa Code, Section 354.9. On December 14, 2021, 2022, the City of Sergeant Bluff City Council adopted and approved Resolution No. 21-33 waiving their right to review the Husen Addition.



**RESOLUTION NO. 21-33**

**A RESOLUTION WAIVING THE SERGEANT BLUFF CITY COUNCIL'S RIGHT TO REVIEW AND APPROVE A MINOR SUBDIVISION TO BE KNOWN AS HUSEN ADDITION LOCATED OUTSIDE CITY LIMITS IN WOODBURY COUNTY, IOWA**

WHEREAS, the owner of property legally described as the NE ¼ of the NE ¼ except the East 445 feet of the North 561.7. feet, all in section 5, township 87 North, Range 47, West of the 5th P.M. in the County of Woodbury and the State of Iowa has advised the City of Sergeant Bluff of plans for a Minor Subdivision of the property to be named HUSEN ADDITION; and

WHEREAS, the property is located in Liberty Township, Woodbury County, Iowa within the two mile radius of the City of Sergeant Bluff, Iowa's incorporated limits; and

WHEREAS, Sergeant Bluff has established by ordinance pursuant to Iowa Code section 354.9 jurisdiction to govern the division of land within a two mile radius of the City's corporate limits; and

WHEREAS, the property owner will be completing a subdivision review including submitting the Final Plat of HUSEN ADDITION to the Woodbury County Planning and Zoning Commission for compliance with Woodbury County, Iowa's subdivision ordinance for rural subdivisions; and

WHEREAS, the City Council of the City of Sergeant Bluff, Iowa acknowledges that the storm sewer, water, and sanitary sewer utilities requirements for the subdivision are not connected to services of the City nor are required for the development of the subdivision; and

WHEREAS, the City Council further acknowledges the proposed subdivision's close proximity to existing Woodbury County residential development and is satisfied that the proposed subdivision is compatible with the similar division and use of property within the adjacent residential lots along 220<sup>th</sup> Street; and

WHEREAS, Iowa Code section 354.9 authorizes the City to waive by resolution its right to review and approve a subdivision within a two mile radius of the City's boundaries if the property is in unincorporated area of Woodbury County which has adopted an ordinance governing the division of land; and

WHEREAS, the City Council of the City of Sergeant Bluff, Iowa has considered the proposed minor subdivision for the legally described area above and is satisfied that a minor subdivision review and approval by the City of Sergeant Bluff is not needed for the proposed development.

**NOW, THEREFORE, BE IT RESOLVED that:**

1. The City Council of the City of Sergeant Bluff, Iowa, pursuant to authority granted in Iowa Code section 354.9, hereby waives the City's review and approval the Final Plat of the HUSEN ADDITION Minor Subdivision as would otherwise be required by the City's Code of Ordinances.

2. The Mayor is authorized to sign a Certified Resolution on behalf of the City of Sergeant Bluff, Iowa in connection with the HUSEN ADDITION Minor Subdivision for recording with the Woodbury County Recorder.

Council Member Jim Linafelter introduced the resolution and moved that said resolution be adopted; seconded by Council Member Bill Gaukel and after due consideration thereof by the Council, the Mayor put the question on the motion and, the roll being called, the following named Council Members voted:

	Aye	Nay	Absent	Abstain
Hanson	Y			
Gaukel	Y			
Johnson	Y			
Clark	Y			
Linafelter	Y			

PASSED AND APPROVED this 14<sup>th</sup> day of December 2021.

  
\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

I, Danny Christoffers, City Clerk, do hereby certify that the foregoing Resolution 21-33 was duly and properly adopted by the City Council of the City of Sergeant Bluff, Iowa at its regular meeting the 14th day of December 2021.

  
\_\_\_\_\_  
CITY CLERK



<b>NATURAL RESOURCES CONSERVATION SERVICES (NRCS):</b>	No comments.
<b>NORTHERN NATURAL GAS:</b>	No comments.
<b>NORTHWEST IOWA POWER COOPERATIVE (NIPCO):</b>	Have reviewed this zoning request, NIPCO has no facilities at or adjacent to this location. NIPCO has no issues with this request. – Jeff Zettel, 4/7/22.
<b>NUSTAR PIPELINE:</b>	No comments.
<b>SIOUXLAND DISTRICT HEALTH DEPARTMENT:</b>	No comments.
<b>WIATEL:</b>	No comments.
<b>WOODBURY COUNTY ASSESSOR:</b>	No comments.
<b>WOODBURY COUNTY CONSERVATION:</b>	No comments.
<b>WOODBURY COUNTY EMERGENCY MANAGEMENT:</b>	I have no concerns or comments. – Rebecca Socknat, 4/4/22.
<b>WOODBURY COUNTY EMERGENCY SERVICES:</b>	No comments.
<b>WOODBURY COUNTY ENGINEER:</b>	<b>SEE REVIEW MEMO BELOW</b>
<b>WOODBURY COUNTY RECORDER:</b>	No issues. – Diane Swoboda Peterson, 4/4/22.
<b>WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):</b>	No concerns or comments. – Kent Amundson, 4/4/22.
<b>WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:</b>	The WCSWCD has no comments regarding this subdivision proposal. – Neil Stockfleth, 4/4/22.
<b>WOODBURY COUNTY TREASURER:</b>	The taxes for this parcel are current. – Kimberlee Koepke, 4/1/22.



## Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039  
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER  
Mark J. Nahra, P.E.  
mnhara@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
Benjamin T. Kusler, E.I.T.  
bkusler@sioux-city.org

SECRETARY  
Tish Brice  
tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator

From: Mark J. Nahra, County Engineer

Date: March 28, 2022

Subject: Husen Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced subdivision application forwarded with your memo dated March 16, 2022.

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. Driveways will be able to be located along all four lot frontages. The road has very good sight distance in each direction in front of the subdivision.
- A paving agreement should be applied to this subdivision. Other subdivisions bordering 220<sup>th</sup> Street have implemented paving agreements at the time they were established. Now that the subdivisions north and east of the Husen Subdivision have been filled, the county is planning to place a permanent paved surface on the road in FY 2024, the cost of which will be shared by current lot owners on the road. Owners of the lots in this new subdivision should pay their proportionate share of the project cost as well.
- I have no other concerns or issues with this minor subdivision application.

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

Cc: File



# PARCEL REPORT

## Summary

**Parcel ID** 874705200002  
**Alternate ID** 767190  
**Property Address** 1390 220TH ST  
 SERGEANT BLUFF IA 51054  
**Sec/Twp/Rng** 5-87-47  
**Brief Tax Description** EX E445' N561.7' NENE 5-87-47  
(Note: Not to be used on legal documents)  
**Deed Book/Page** 2021-06042-15/6/2021  
**Gross Acres** 12.19  
**Net Acres** 12.19  
**Adjusted CSR Pts** 893.79  
**Zoning** AP - AGRICULTURAL PRESERVATION  
**District** 0038 LIBERTY/5B/L  
**School District** SGT BLUFF LUTON  
**Neighborhood** N/A

## Owner

<b>Deed Holder</b> Maxys Family Farm LLC 3701 Cheyenne Blvd Sioux City IA 51104	<b>Contract Holder</b>	<b>Mailing Address</b> Michael Or Gina Bernstein 8 Crestwood Dr Saint Louis MO 63105
<b>Inverer Brian &amp; Bonnie Trust</b> 3701 Cheyenne Blvd Sioux City IA 51104		

## Land

**Lot Area** 12.19 Acres; 530,996 SF

## Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Bin - Wire Grain Storage		12	14	1967	1
0	Bin - Grain Storage (Bushel)		0	0	1977	1

## Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
2/5/2021	IVENER MAX & FRANCYS FAMILY TRUST	MAXYS FAMILY FARM LLC	2021-06042	No consideration	Deed		\$0.00
2/5/2021	IVENER MAX & FRANCYS FAMILY TRUST	MAXY FAMILY FARM LLC	2021-03169	NO LONGER USED (formerly Sale of two of more seperately assessed parcels)	Deed	Y	\$0.00

[Show](#) There are other parcels involved in one or more of the above sales:

## Valuation

Classification	2022	2021	2020	2019	2018
Assessed Land Value	\$22,880	\$22,880	\$21,630	\$21,630	\$31,130
Assessed Building Value	\$920	\$920	\$840	\$840	\$1,160
Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0
Gross Assessed Value	\$23,800	\$23,800	\$22,470	\$22,470	\$32,290
Exempt Value	\$0	\$0	\$0	\$0	\$0
Net Assessed Value	\$23,800	\$23,800	\$22,470	\$22,470	\$32,290

# SOIL REPORT

## Summary

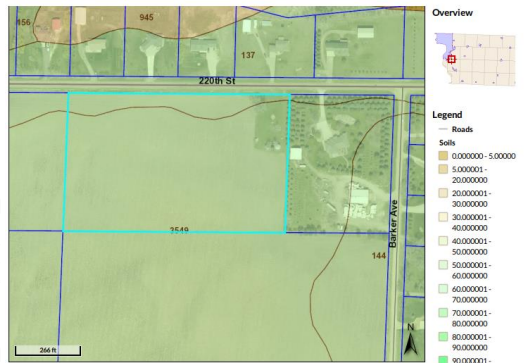
**Parcel ID** 874705200002  
**Gross Acres** 12.19  
**ROW Acres** 0.00  
**Gross Taxable Acres** 12.19  
**Exempt Acres** 0.00  
**Net Taxable Acres** 12.19 (Gross Taxable Acres - Exempt Land)  
**Average Unadjusted CSR2** 75.51 (920.44 CSR2 Points / 12.19 Gross Taxable Acres)  
**Agland Active Config** 2017 CSR2

## Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	11.38	75.51	859.32	859.32
Non-Crop	0.81	75.46	61.12	34.47
<b>Total</b>	<b>12.19</b>		<b>920.44</b>	<b>893.79</b>

## Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	3249	MODALE SOILS, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	76.00	9.99	759.24	759.24
100% Value	137	HAYNIE SILT LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	1.39	100.08	100.08
Non-Crop	3249	MODALE SOILS, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	76.00	0.70	53.20	29.89
Non-Crop	137	HAYNIE SILT LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	0.11	7.92	4.58
<b>Total</b>				<b>12.19</b>	<b>920.44</b>	<b>893.79</b>



**Parcel ID** 874705200002 **Alternate ID** 767190 **Owner Address** MAXYS FAMILY FARM LLC  
**Sec/Twp/Rng** 5-87-47 **Class** A **Property Address** 1390 220TH ST 3701 CHEYENNE BLVD  
**Property Address** SERGEANT BLUFF **Acres** 12.19 **SIoux CITY, IA 51104**  
**District** 0038  
**Brief Tax Description** EX E445' N561.7' NENE 5-87-47



ELEVATION





1/26/2022

DOLF IVENER  
C/O JUSTIN JENSEN  
MCCLURE ENGINEERING CO  
705 1ST AVE N  
FORT DODGE, IA 50501

Project Description: Base Flood Elevation Request for Future Development of Parcel 87470500002 (Farmer's Ditch )

Project Latitude / Longitude Location(s): Buildings and Associated Fill 42.3854/-96.3366; Woodbury County

Iowa DNR Project ID Number: 2021-2356

Dear Justin Jensen:

This letter is in response to your request for a base flood elevation for the above referenced location.

Based on the information available, we estimate the current existing condition 100-year flood elevation to be 1085.1 ft., NAVD88 at the location referenced above and as shown on the back of this letter.

You may download additional copies, or verify the Iowa DNR Flood Plain and Dam Safety Section (Department) official response document(s) for this project at the Iowa DNR Flood Plain PERMT website using the tracking number above. (PERMT Website Address: <https://programs.iowadnr.gov/perm/>).

Please note if the natural ground is at or below the elevation of 1085.1 ft., NAVD88 an Iowa DNR floodplain permit will be required. You can apply for the floodplain permit at the PERMT website as referenced above.

The applicant is responsible for complying with all other local, state, and federal statutes, ordinances, rules, and permit requirements applicable to the construction, operation, and maintenance of the approved works. Approval through the Corps of Engineers Section 404 Permit Program may be required for this project.

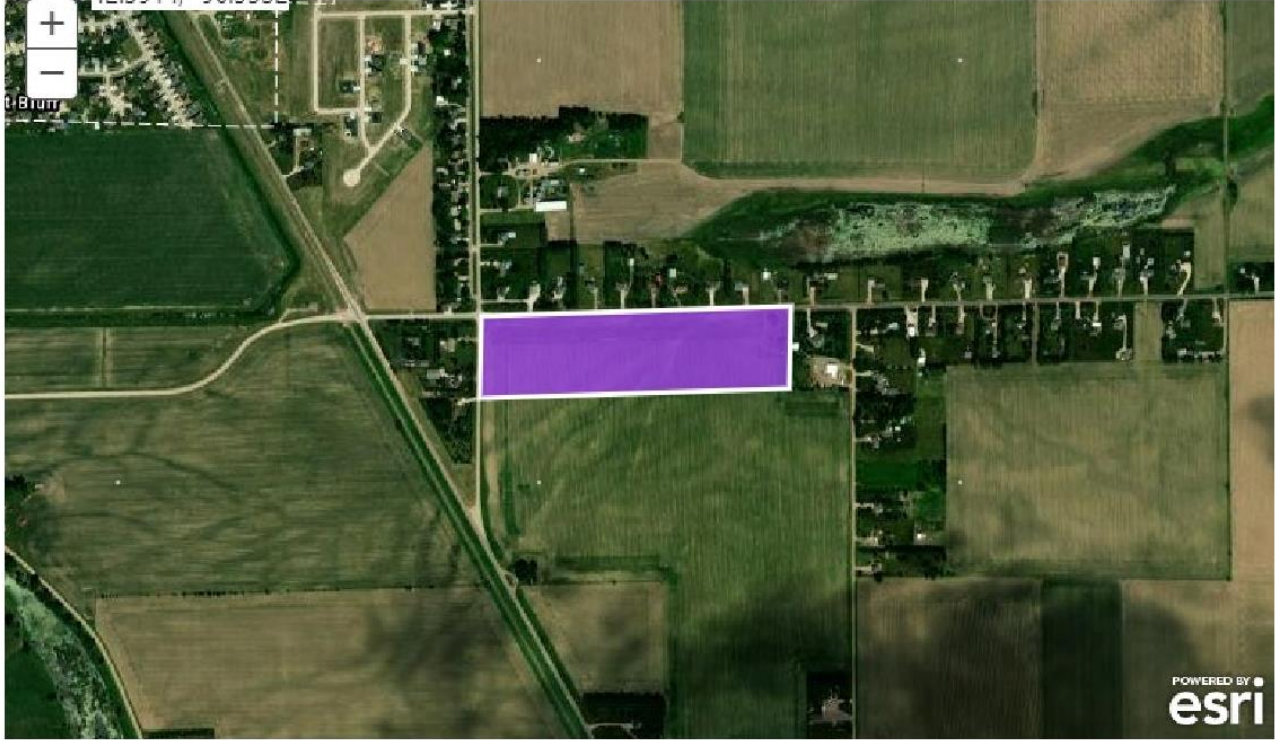
Please contact me by phone at 515-443-9196 or by email at Karen.Smith@dnr.iowa.gov with any questions.

Sincerely,

Digitally signed by Karen Smith, P.E., CFM  
DN: cn=Karen Smith, P.E., CFM, o=Iowa  
Department of Natural Resources,  
ou=Floodplain Management and Dam Safety,  
email=karen.smith@dnr.iowa.gov, c=US  
Date: 2022.01.26 12:46:52 -06'00'

Karen Smith  
Iowa DNR, Flood Plain Management and Dam Safety Section

CC: Dolf Ivener; 3701 Cheyenne Blvd, sergeant Bluff, IA, 51104, dolfivener@gmail.com  
Woodbury County: David Gleiser, 620 Douglas St Fl 6, Sioux City, IA, 51101-1247,  
dgleiser@woodburycountyiowa.gov, 712-279-6609



Current scale = 1:18,055.95

**AGREEMENT TO IMPOSE COVENANT  
BASED UPON LINEAL LOT FRONTAGE**

The undersigned, *Brian Ivener, Trustee of the Brian & Bonnie Ivener Trust UTD July 6, 2006 and the Maxys Family Farm LLC*, the owner(s) of the real estate known as Husen Addition Subdivision, an Addition to Woodbury County, Iowa, and legally described as follows:

Lots One (1), Two (2), Three (3), and Four (4) of Husen Addition Subdivision of Part of Section Five (5), Township Eight-Eight (87) North, Range Forty-Seven (47), West of the Fifth Principal Meridian, in the County of Woodbury and the State of Iowa, a/k/a see legal described in Exhibit "A" attached hereto and by this reference made a part hereof.

In consideration of the approval of the Plat of Husen Addition Subdivision we agree as follows:

1. To impose a recorded covenant on *220<sup>th</sup> Street* agreeing to an assessment on said Lots in event *220<sup>th</sup> Street* is hard surfaced and graded for that purpose (the Improvement).
2. At the time of the Improvement, the then owners, their successors, and assigns shall be assessed collectively a maximum of eighty percent (80%) of the total actual cost of the Improvement to the centerline of *220<sup>th</sup> Street*. The centerline to be fifty percent (50%) of the total Improvement of said roadways, therefore, the effective collective assessment against the Lots in *Husen Addition* Subdivision will be a maximum of forty percent (40%) of the total actual cost of the improvements abutting said lots.
3. The collective assessment shall be individually prorated to each of the Lots on the basis of the number of lineal feet on which each Lot abuts said roadway(s) and the respective Lot owners shall have the responsibility for the assessment only on the lot(s) within the Subdivision he/she or it may own.
4. In the event that statutes or ordinances existing at the time of the Improvements results in an overall lower assessment against the Lots in *Husen Addition* Subdivision, then the lower amount shall be assessed against said lots.
5. This Agreement to Impose Covenant shall be binding upon the respective successors, heirs, administrators, executors and assigns of the parties.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Maxys Family Farm, LLC,

\_\_\_\_\_  
*Dolf Ivener, Member*

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Brian and Bonnie Ivener Trust UTD July 6, 2006

\_\_\_\_\_  
*Brian Ivener, Trustee*

On this \_\_\_ day of \_\_\_\_\_ A.D. 2022, before me, the undersigned Notary Public, personally appeared to me known **Dolf Ivener, Member Maxys Family Farm LLC** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Dolf Ivener as Member of Maxys Family Farm LLC** executed the same as a voluntary act and deed.

\_\_\_\_\_  
Public in and for said County

Notary

Seal or stamp above

On this \_\_\_ day of \_\_\_\_\_ A.D. 2022, before me, the undersigned Notary Public, personally appeared to me known **Brian Ivener, Trustee of the Brian & Bonnie Ivener Trust UTD July 6, 2006** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Brian Ivener, Trustee of the Brian & Bonnie Ivener Trust UTD July 6, 2006** executed the same as a voluntary act and deed.

\_\_\_\_\_  
Public in and for said County

Notary

Seal or stamp above

EXHIBIT A

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 87 NORTH, RANGE 47 WEST OF THE 5TH P.M., CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 5; THENCE ALONG THE NORTH LINE OF SAID SECTION 5 S89°34'10"W, 445.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S89°34'10"W, 840.37 FEET; THENCE DEPARTING SAID NORTH LINE S01°15'34"W, 565.25 FEET; THENCE N89°34'10"E, 840.37 FEET TO THE WEST LINE OF THE EAST 445 FEET OF THE NE ¼ OF SAID SECTION 5; THENCE ALONG SAID WEST LINE N01°15'34"E, 565.25 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 10.90 ACRES INCLUDING 0.63 ACRE OF ROAD RIGHT OF WAY AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.



INDEX LEGEND
CITY: SERGEANT BLUFF
COUNTY: WOODBURY
TRS: SECTION 5, T87N, R47W
ALQUOT PART: NE1/4 NE1/4
PROPRIETOR: MAXY'S FAMILY FARM LLC
REQUESTED BY: DOLF IVENER
SURVEYOR: JUSTIN JENSEN
COMPANY: MCCLURE
RETURN TO: JUSTIN JENSEN 705 1ST AVENUE NORTH FORT DODGE, IOWA 50501 / 515-576-7155

# HUSEN ADDITION WOODBURY COUNTY, IOWA FINAL PLAT

## BASIS OF BEARINGS

IOWA REGIONAL COORDINATE SYSTEM - ZONE 4

## NOTICE:

THE CITY COUNCIL OF SERGEANT BLUFF, IOWA, PURSUANT TO AUTHORITY GRANTED IN IOWA CODE SECTION 354.9, WAIVED THE CITY'S REVIEW AND APPROVAL OF THE FINAL PLAT OF THE HUSEN ADDITION MINOR SUBDIVISION, AS WOULD OTHERWISE BE REQUIRED BY THE CITY'S CODE OF ORDINANCES, WITH THE ADOPTION OF RESOLUTION NO. 21-33 ON THE 14TH DAY OF DECEMBER, 2021.

## TITLE OPINION

WE HAVE THIS DATE EXAMINED A COMPLETE ABSTRACT TO TITLE, PURSUANT TO IOWA CODE SECTION 354.11(1)(C) TO PROPERTY WHICH INCLUDES IN ITS ENTIRETY, PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE ON THE PLAT OF: HUSEN SUBDIVISION, WOODBURY COUNTY, IOWA LAST CERTIFIED BY ENGLESON ABSTRACT CO., INC., DATED \_\_\_\_\_, 2022 AT 8:59 A.M. AND FROM SAID ABSTRACT FIND GOOD AND MERCHANTABLE TITLE TO SAID PREMISES VESTED IN MAXYS FAMILY FARM, LLC, AN IOWA LIMITED LIABILITY COMPANY AND BRIAN AND BONNIE IVENER TRUST UTD JULY 6, 2006 SUBJECT TO THE FOLLOWING, LIENS, LIMITATIONS AND EXCEPTIONS:

1. ALL CERTIFIED REAL ESTATE TAXES AND SPECIAL ASSESSMENTS DUE AND PAYABLE HAVE BEEN PAID. REAL ESTATE TAXES AND SPECIAL ASSESSMENTS NOT CERTIFIED ARE A LIEN IN AN UNDETERMINED AMOUNT.

DATED: \_\_\_\_\_, 2022.

\_\_\_\_\_  
RYAN C. ROSS  
ATTORNEY AT LAW

## FLOOD PLAIN

ON JANUARY 26TH, 2022, THE 100-YEAR FLOOD ELEVATION OF 1085.10' ALONG THE NORTHWEST SIDE OF THE PROPERTY WAS DETERMINED BY:

KAREN SMITH  
IOWA DNR, FLOOD PLAIN MANAGEMENT AND DAM SAFETY SECTION  
WALLACE STATE OFFICE BUILDING  
502 EAST 9TH STREET  
DES MOINES, IA 50319

## TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESSMENTS

I, TINA BERTRAND, TREASURER OF WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE LAND DESCRIBED IN THE ATTACHED AND FOREGOING SURVEYOR'S CERTIFICATE IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

DATED \_\_\_\_\_, 2022.

\_\_\_\_\_  
TINA BERTRAND, TREASURER WOODBURY COUNTY, IOWA  
**AUDITOR'S APPROVAL OF SUBDIVISION NAME**

THE COUNTY AUDITOR HEREBY ACCEPTS AND APPROVES THE NAME OR TITLE OF THE ATTACHED SUBDIVISION PLAT AS REQUIRED BY IOWA CODE SECTION 354.6(2).

DATED \_\_\_\_\_, 2022.

\_\_\_\_\_  
PATRICK F. GILL, AUDITOR AND RECORDER, WOODBURY COUNTY, IOWA  
BY: DIANE SWOBODA PETERSON, DEPUTY

## COUNTY ENGINEER'S CERTIFICATE

I, MARK J. NAHRA, P.E., COUNTY ENGINEER FOR WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE BOUNDARY LINES OF THE PLAT AND LOTS THEREIN WERE MATHEMATICALLY CHECKED AND CONFORM WITH THE REQUIREMENTS AS PROVIDED FOR IN THE SUBDIVISION ORDINANCE AND THAT ALL DIMENSIONS BOTH LINEAR AND ANGULAR NECESSARY FOR THE LOCATION OF LOTS, TRACTS, STREETS, AND EASEMENTS, ARE SHOWN.

DATED \_\_\_\_\_, 2022.

\_\_\_\_\_  
MARK NAHRA, P.E., COUNTY ENGINEER FOR WOODBURY COUNTY, IOWA

## RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA:

I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVISEMENT THE PLAT OF HUSEN ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
CHRISTINE ZELLMER ZANT  
CHAIRMAN  
WOODBURY COUNTY ZONING COMMISSION OF  
WOODBURY COUNTY, IOWA

## BOARD OF SUPERVISORS RESOLUTION.

RESOLUTION ACCEPTING AND APPROVING HUSEN ADDITION, WOODBURY COUNTY, IOWA.

WHEREAS, THE OWNER AND PROPRIETORS DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022 FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS HUSEN ADDITION, WOODBURY COUNTY, IOWA; AND

WHEREAS, IT APPEARS THAT SAID PLAT CONFORMS WITH ALL OF THE PROVISIONS OF THE CODE OF THE STATE OF IOWA AND ORDINANCES OF WOODBURY COUNTY, IOWA, WITH REFERENCE TO THE FILING OF SAME; AND

WHEREAS, THE ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT; AND

WHEREAS, THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

NOW THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, THAT THE PLAT OF HUSEN ADDITION, WOODBURY COUNTY, IOWA BE, AND THE SAME IS HEREBY ACCEPTED AND APPROVED, AND THE CHAIRMAN AND SECRETARY OF THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, ARE HEREBY DIRECTED TO FURNISH TO THE OWNERS AND PROPRIETORS A CERTIFIED COPY OF THIS RESOLUTION AS REQUIRED BY LAW.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_  
KEITH RADIG  
CHAIRMAN  
BOARD OF SUPERVISORS  
WOODBURY COUNTY, IOWA

ATTEST:

\_\_\_\_\_  
PATRICK F. GILL  
SECRETARY

## DEDICATION:

MAXYS FAMILY FARM, LLC, AN IOWA LIMITED LIABILITY COMPANY IS AN OWNER OF THE REAL ESTATE DESCRIBED IN THE ATTACHED SURVEYOR'S CERTIFICATE AND HAS IN THE PURSUANCE OF LAW, CAUSED SAID DESCRIBED REAL ESTATE TO BE SURVEYED, STAKED AND PLATTED INTO LOTS AND STREETS, AS IS PARTICULARLY SHOWN AND SET FORTH IN THE ATTACHED PLAT AND SAID CERTIFICATE OF JUSTIN S. JENSEN, PLS, A LICENSED SURVEYOR WHO SURVEYED AND PLATTED THE REAL ESTATE TO BE KNOWN AS HUSEN SUBDIVISION, AND THAT THE SAME IS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES AS OWNER AND PROPRIETOR THEREOF.

EXECUTED AT \_\_\_\_\_, IOWA THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

BY: \_\_\_\_\_  
DOLF IVENER, MEMBER

STATE OF IOWA \_\_\_\_\_  
SS.  
COUNTY OF WOODBURY \_\_\_\_\_

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED DOLF A. IVENER, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY (SWORN OR AFFIRMED) DID SAY THAT THAT PERSON IS A MEMBER OF SAID MAXYS FAMILY FARM, LLC, AN IOWA LIMITED LIABILITY COMPANY, THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF THE SAID MAXYS FAMILY FARM, LLC, AN IOWA LIMITED LIABILITY COMPANY, BY AUTHORITY OF ITS MEMBERS AND THE SAID DOLF A. IVENER, MEMBER, ACKNOWLEDGED THE EXECUTION OF SAID INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF SAID MAXYS FAMILY FARM, LLC, AN IOWA LIMITED LIABILITY COMPANY BY IT VOLUNTARILY EXECUTED.

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR SAID STATE

## DEDICATION:

THE BRIAN AND BONNIE IVENER TRUST UTD JULY 6, 2006, IS AN OWNER OF THE REAL ESTATE DESCRIBED IN THE ATTACHED SURVEYOR'S CERTIFICATE AND HAS IN THE PURSUANCE OF LAW, CAUSED SAID DESCRIBED REAL ESTATE DESCRIBED IN THE ATTACHED SURVEYOR'S CERTIFICATE, AND HAS IN THE PURSUANCE OF LAW, CAUSED SAID DESCRIBED REAL ESTATE TO BE SURVEYED, STAKED AND PLATTED INTO LOTS AND STREETS, AS IS PARTICULARLY SHOWN AS SET FORTH IN THE ATTACHED PLAT AND SAID CERTIFICATE OF JUSTIN S. JENSEN, PLS, A LICENSED SURVEYOR WHO SURVEYED AND PLATTED THE REAL ESTATE TO BE KNOWN AS HUSEN SUBDIVISION, AND THAT THE SAME IS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES AS OWNER AND PROPRIETOR THEREOF.

EXECUTED AT \_\_\_\_\_, IOWA THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

BY: \_\_\_\_\_  
BRIAN IVENER, TRUSTEES

BY: \_\_\_\_\_  
BONNIE IVENER, TRUSTEES

STATE OF \_\_\_\_\_  
SS.  
COUNTY OF \_\_\_\_\_

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE OF \_\_\_\_\_, PERSONALLY APPEARED BRIAN IVENER AND BONNIE IVENER, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN DID SAY THAT THE PERSON IS THE TRUSTEES OF THE BRIAN AND BONNIE IVENER TRUST UTD JULY 6, 2006, THE TRUSTEES EXECUTING THE FOREGOING INSTRUMENT, AS THAT THEY AS THAT TRUSTEES ACKNOWLEDGED EXECUTION OF THE INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF THE TRUST BY IT AND BY THE TRUSTEES VOLUNTARILY EXECUTED.

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR SAID STATE

## AUDITOR AND RECORDER'S CERTIFICATE OF RECORDING

STATE OF IOWA :  
: SS  
COUNTY OF WOODBURY :

DOCKET NO: \_\_\_\_\_

FILED FOR RECORD, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. RECORDED IN PLAT ENVELOPE \_\_\_\_\_, INDEXED AND DELIVERED TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA.

DATED \_\_\_\_\_, 2022

\_\_\_\_\_  
PATRICK F. GILL, AUDITOR AND RECORDER, WOODBURY COUNTY, IOWA  
BY: DIANE SWOBODA PETERSON, DEPUTY

## CERTIFICATE OF COUNTY ASSESSOR:

I, JULIE CONOLLY, DO HEREBY CERTIFY THAT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, A COPY OF THIS PLAT WAS FILED IN THE WOODBURY COUNTY ASSESSOR'S OFFICE.

DATED \_\_\_\_\_

\_\_\_\_\_  
JULIE CONOLLY  
WOODBURY COUNTY ASSESSOR



617 Pierce Street, Ste 201  
Sioux City, Iowa 51101  
712-224-4613  
fax 515-576-4235

## SURVEYOR'S CERTIFICATE

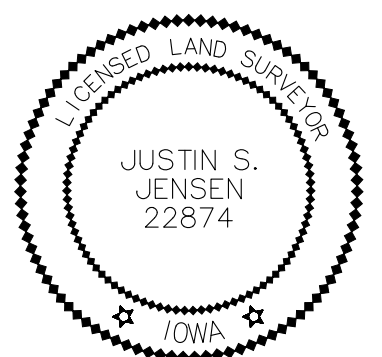
I, JUSTIN S. JENSEN, A DULY LICENSED LAND SURVEYOR UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF IOWA, HOLDING CERTIFICATE NO. 22874, DO HEREBY CERTIFY THAT THE SUBDIVISION PLAT OF HUSEN ADDITION, WOODBURY COUNTY, IOWA, IS A TRUE REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECTION SUPERVISION, AND THAT THE SAME IS LOCATED UPON AND COMPRISES THE WHOLE OF THE ATTACHED DESCRIBED PROPERTY.

I DO HEREBY CERTIFY THAT THERE ARE CONTAINED IN SAID DESCRIPTION THE LOTS AND STREETS DESCRIBED IN THE ADDITION PLATTED; THAT THE SAME ARE THE DIMENSIONS, NUMBERS, NAMES AND LOCATIONS AS SHOWN ON SAID PLAT AND THAT WERE DRIVE AT EACH CORNER OF EVERY LOT AND TRACT EXCEPT AS NOTED ON SAID PLAT.

DATED AT \_\_\_\_\_

\_\_\_\_\_  
JUSTIN S. JENSEN  
IOWA NO. 22874

LICENSE RENEWAL DATE: DECEMBER 31, 2022.



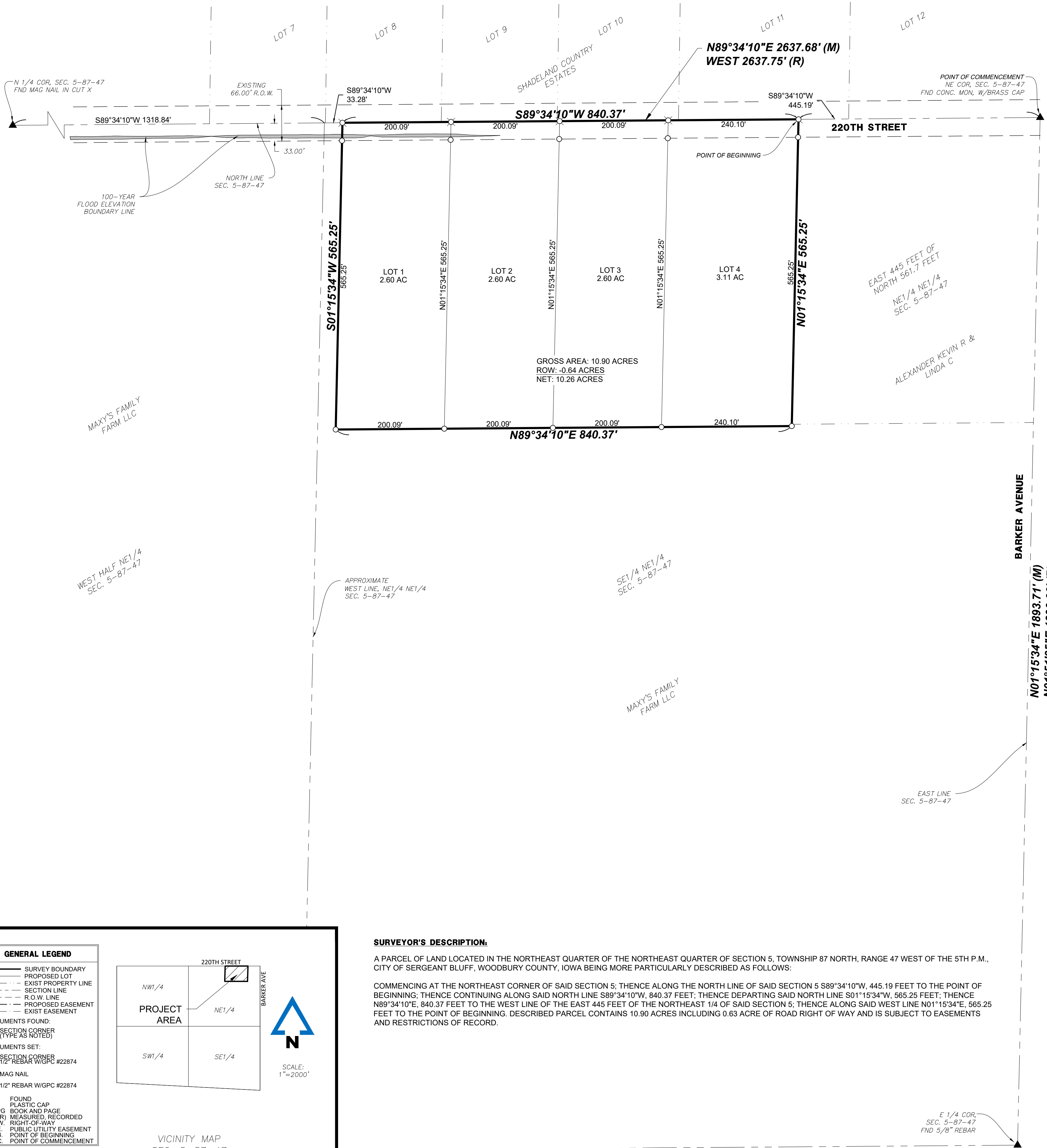
## HUSEN ADDITION FINAL PLAT

WOODBURY COUNTY  
2022000059  
02/22/2022  
REVISIONS

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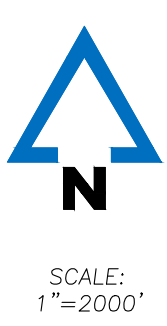
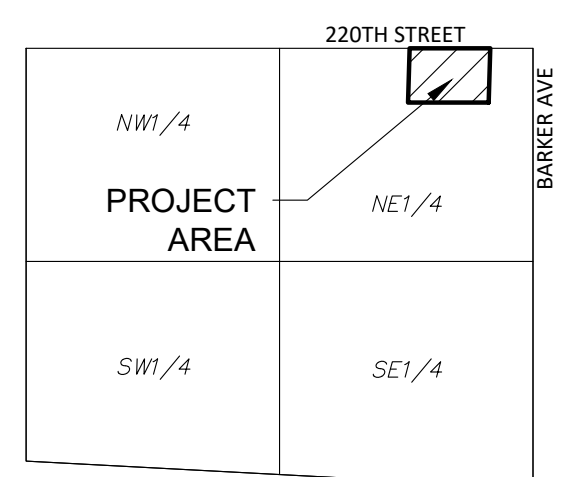
ENGINEER DRAWN BY  
---- C. CARLETON  
SURVEYOR CREW CHIEF  
J. JENSEN J. JENSEN

DRAWING NO. SHEET NO.  
FP-01 01/02



DRAWING PATH: P:\2022\000059-000\06-Drawings\Survey\2022000059-Sub.dwg PLOT DATE: 04/14/2022 10:00 AM PLOTTED BY: CONNOR CARLETON

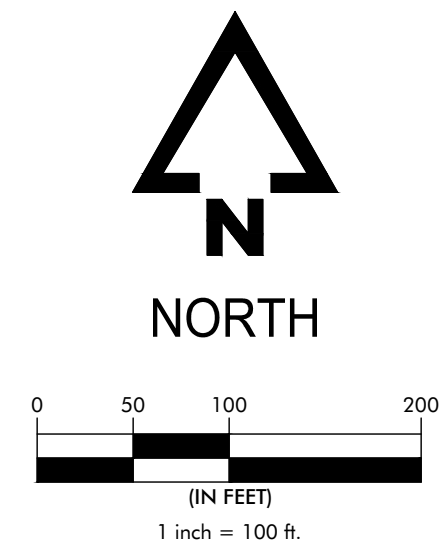
GENERAL LEGEND	
—	SURVEY BOUNDARY
- - - -	PROPOSED LOT
---	EXIST PROPERTY LINE
---	SECTION LINE
---	R.O.W. LINE
---	PROPOSED EASEMENT
---	EXIST EASEMENT
MONUMENTS FOUND:	
▲	SECTION CORNER (TYPE AS NOTED)
MONUMENTS SET:	
△	SECTION CORNER 1/2" REBAR W/GPC #22874
○	MAG NAIL
⊗	1/2" REBAR W/GPC #22874
FND	FOUND
PC	PLASTIC CAP
BK PG	BOOK AND PAGE
(M)	(R) MEASURED, RECORDED
R.O.W.	RIGHT-OF-WAY
P.U.E.	PUBLIC UTILITY EASEMENT
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT



**SURVEYOR'S DESCRIPTION:**

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 87 NORTH, RANGE 47 WEST OF THE 5TH P.M., CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 5; THENCE ALONG THE NORTH LINE OF SAID SECTION 5 S89°34'10"W, 445.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S89°34'10"W, 840.37 FEET; THENCE DEPARTING SAID NORTH LINE S01°15'34"W, 565.25 FEET; THENCE N89°34'10"E, 840.37 FEET TO THE WEST LINE OF THE EAST 445 FEET OF THE NORTHEAST 1/4 OF SAID SECTION 5; THENCE ALONG SAID WEST LINE N01°15'34"E, 565.25 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 10.90 ACRES INCLUDING 0.63 ACRE OF ROAD RIGHT OF WAY AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.



**HUSEN ADDITION FINAL PLAT**

WOODBURY COUNTY  
2022000059  
02/22/2022  
REVISIONS

ENGINEER: J. JENSEN  
DRAWN BY: C. CARLETON

SURVEYOR: J. JENSEN  
CREW CHIEF: J. JENSEN

DRAWING NO.: FP-01  
SHEET NO.: 02/02



**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 05.04.22 Weekly Agenda Date: 05.10.22

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Sheriff Chad Sheehan

**WORDING FOR AGENDA ITEM:**

Approval for the purchase of handguns with electronic sights through the employees payroll deduction.

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The Sheriff's Deputies would like to purchase patrol handguns that they would personally own by using a payroll deduction.

**BACKGROUND:**

The Woodbury County Sheriff's Office has historically had deputies purchase their own duty handguns. With new technology that is now available this would be a one time purchase that the deputies and jailers would pay back to the county.

**FINANCIAL IMPACT:**

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**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Approve and allow the county to allocate the funds needed and then be reimbursed throughout the fiscal year.

**ACTION REQUIRED / PROPOSED MOTION:**

Approve and allow the county to allocate the funds needed and then be reimbursed throughout the fiscal year.