



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS  
(SEPTEMBER 19) (WEEK 38 OF 2023)

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

Agenda and Minutes available at:  
[www.woodburycountyiowa.gov](http://www.woodburycountyiowa.gov)

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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held September 19, 2023, 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. Members of the public wishing to speak on an item must follow the participation rules adopted by the Board of Supervisors.

1. Please silence cell phones and other devices while in the Boardroom.
2. The Chair may recognize speakers on agenda items after initial discussion by the Board.
3. Speakers will approach the microphone one at a time and give their name and address before their statement.
4. Speakers will limit their remarks to three minutes on any one item and address their remarks to the Board.
5. At the beginning of 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. The Chair may also request delegates provide statements on behalf of multiple speakers.
6. Any concerns or questions which do not relate to a scheduled item on the agenda will be heard under the item "Citizen Concerns." Please note the Board is legally prohibited from taking action on or engaging in deliberation on concerns not listed on the agenda, and in such cases the Chair will request further discussion take place after properly noticed.
7. Public comment by electronic or telephonic means is prohibited except for a particular agenda item when approved by the Chair 24 hours before a meeting or by a majority of the board during a meeting for a subsequent meeting.

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**AGENDA**

**3:30 p.m.** Closed Session {Iowa Code Section 21.5 (1) (i)}  
**First Floor Boardroom**

**4:30 p.m.** Call Meeting to Order – Pledge of Allegiance to the Flag – Moment of Silence

1. Approval of the agenda Action

**Consent Agenda**

**Items 2 through 7 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.**

2. Approval of the minutes of the September 12, 2023 meeting  
Approval of the minutes of the September 14, 2023 special meeting
3. Approval of claims
4. Human Resources – Melissa Thomas
  - a. Approval of Memorandum of Personnel Transactions
  - b. Authorization to Initiate Hiring Process

5. Deputy Commissioner of Elections – Steve Hofmeyer  
Receive the appointment of Steve Holst as Hornick council member to fill the vacancy left when Julia Byers resigned
6. County Treasurer – Tina Bertrand
  - a. Approve property tax refund request for parcel #894711304024 in the amount of \$814.30
  - b. Approve property tax refund request for parcel #894711156007 in the amount of \$1,100.00
7. Board Administration – Karen James  
Approval of resolution approving petition for suspension of taxes for C.L.

**End Consent Agenda**

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>8. Planning/Zoning – Daniel Priestley           <ol style="list-style-type: none"> <li>a. Receive the final staff report and the Zoning Commission’s recommendation from their 9/11/23 meeting to approve the final plat of the Janet Heck Subdivision, a minor subdivision to Woodbury County, Iowa</li> <li>b. Approval of resolution of the Janet Heck Subdivision, a minor subdivision to Woodbury County, Iowa</li> </ol> </li> <li>9. Planning/ Zoning – Daniel Priestley           <ol style="list-style-type: none"> <li>a. Receive final report-Zoning Commission recommendation to approve rezone from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District on Parcel #884506200006 (Lot 2 Boyle’s Addition) for Richard and Kimberly Luze</li> <li>b. Public hearing on a zoning ordinance map amendment to rezone Parcel #884506200006 from AP to AE</li> <li>c. Approve the first reading of the ordinance – Zoning Ordinance Map Amendment (Rezone)</li> </ol> </li> <li>10. Reports on Committee Meetings</li> <li>11. Citizen Concerns</li> <li>12. Board Concerns</li> </ol> | <p style="text-align: right;">Action</p> <p style="text-align: right;">Action</p> <p style="text-align: right;">Action</p> <p style="text-align: right;">Action</p> <p style="text-align: right;">Action</p> <p style="text-align: right;">Information</p> <p style="text-align: right;">Information</p> <p style="text-align: right;">Information</p> |
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**4:45 p.m.**  
(Set time)

**ADJOURNMENT**

*Subject to Additions/Deletions*

## CALENDAR OF EVENTS

<b>WED., SEP. 20</b>	<b>8:05 a.m.</b>	Woodbury County Information Communication Commission, First Floor Boardroom
	<b>12:00 p.m.</b>	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
<b>THU., SEP. 21</b>	<b>4:30 p.m.</b>	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
<b>FRI., SEP. 22</b>	<b>12:00 p.m.</b>	Siouxland Human Investment Partnership Board Meeting, 2540 Glenn Ave.
<b>MON., SEP. 25</b>	<b>6:00 p.m.</b>	Zoning Commission Meeting, First Floor Boardroom
<b>WED., SEP. 27</b>	<b>2:30 p.m.</b>	Rolling Hills Community Services Region Governance Board Meeting
<b>THU., SEP. 28</b>	<b>10:00 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>1:30 p.m.</b>	SIMPCO Community & Economic Development Meeting Hybrid
<b>MON., OCT. 2</b>	<b>6:00 p.m.</b>	Board of Adjustment meeting, First Floor Boardroom
<b>WED., OCT. 4</b>	<b>4:45 p.m.</b>	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
<b>THU., OCT. 5</b>	<b>12:00 p.m.</b>	SIMPCO Regional Policy & Legislative Affairs Committee, Hybrid
<b>WED., OCT. 11</b>	<b>8:05 a.m.</b>	Woodbury County Information Communication Commission, First Floor Boardroom
	<b>10:00 a.m.</b>	STARComm Board Meeting, The Security Institute, WIT Campus
	<b>12:00 p.m.</b>	District Board of Health Meeting, 1014 Nebraska St. Western Iowa Tourism Region Meeting/Conference, Manning Hausbarn Conference Center
<b>THU., OCT. 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., OCT. 18</b>	<b>12:00 p.m.</b>	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
<b>THU., OCT. 19</b>	<b>10:00 a.m.</b>	StarComm, Security Institute, WIT
	<b>4:30 p.m.</b>	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
<b>FRI., OCT. 29</b>	<b>12:00 p.m.</b>	Siouxland Human Investment Partnership Board Meeting, 2540 Glenn Ave.

**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.*

**SEPTEMBER 12, 2023, THIRTY-SEVENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, September 12, 2023, at 4:00 p.m. Board members present were Nelson, Taylor, Ung, and Radig, Bittinger was absent. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Finance and Budget Director, Joshua Widman, Assistant County Attorney, Melissa Thomas, Human Resources Director, and Michelle Skaff, Deputy Auditor/Clerk to the Board.

Motion by Ung second by Radig to go into closed session per Iowa Code Section 21.5(1)(a). Carried 4-0 on roll-call vote.

Motion by Radig second by Taylor to go out of closed session per Iowa Code Section 21.5(1)(a). Carried 4-0 on roll-call vote.

Motion by Ung second by Radig to approve \$500 for relief. Carried 4-0.

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

1. Motion by Ung second by Taylor to approve the agenda for September 12, 2023. Carried 4-0. Copy filed.

Motion by Taylor second by Radig to approve the following items by consent:

2. To approve minutes of the September 5, 2023 meeting. Copy filed.

3. To approve the claims totaling \$747,318.61. Copy filed.

4. To approve letter to and upon the request of Rocky De Witt regarding his removal from the LEC Authority. Copy filed.

5a. To approve the appointment of Rose MacClure, Assistant County Attorney, County Attorney Dept., effective 09-13-23, \$72,540/year. Job Vacancy posted 9-21-22. Entry Level Salary: \$69,055-\$79,860/year.; the appointment of Nathan Held, Civilian Jailer, County Sheriff Dept., effective 09-25-23, \$23.97/hour. Job Vacancy posted 7-26-23. Entry Level Salary: \$23.97/hour.; the appointment of Cinthia Hernandez, Civilian Jailer, County Sheriff Dept., effective 09-25-23, \$23.97/hour. Job Vacancy Posted 7-12-23. Entry Level Salary: \$23.97/hour.; the appointment of Rebecca Schoep, Civilian Jailer, County Sheriff Dept., effective 09-25-23, \$23.97/hour. Job Vacancy Posted 8-2-23. Entry Level Salary: \$23.97/hour.; and the appointment of Estrella Vazquez, Civilian Jailer, County Sheriff Dept., effective 9-25-23, \$23.97/hour. Job Vacancy Posted 8-2-23. Entry Level Salary: \$23.97/hour. Copy filed.

5b. To approve the renewal for Employee & Family Resources (EFR) as our employee assistance provider. Copy filed.

Carried 4-0.

6. Motion by Radig second by Taylor to allocate \$1,000 (gaming Revenue) and 2 days (16 hours total) of paid time off for the employee United Way contribution campaign. Carried 4-0. Copy filed.

7. Motion by Taylor second by Ung to approve increasing Ron Koch's vacation accrual to 5 weeks and change his title to GIS Analyst effective July 15, 2023. Carried 4-0. Copy filed.

8. An update was given on the Third District Department of Corrections from Maureen Hansen. Copy filed.

9a. Motion by Nelson second by Radig to approve the contract for propane FY 2024 with Johnson Propane. Carried 4-0. Copy filed.

9b. Motion by Radig second by Nelson to receive for signatures a Resolution to Reclassify Area Service B Road. Carried 4-0.

**RESOLUTION TO RECLASSIFY AREA SERVICE B ROAD  
RESOLUTION #13,659**



**WHEREAS**, the Woodbury County Board of Supervisors in accordance with Section 309.57, (Code of Iowa) as amended and Woodbury County Ordinance #17, held a public hearing on October 12, 2021 to consider assigning roads to level B classification, and

**WHEREAS**, Woodbury County, after consultation with the County Engineer, has the authority to specify certain roads within the County as Area Service "B" roads pursuant to Iowa Code Section 309.57, and

**WHEREAS**, road use is under constant scrutiny to assure that the Secondary Road System meets the needs of county residents and landowners, and

**WHEREAS**, said road use has changed as a result of the construction of a new home on the road and a higher level of maintenance is essential to efficient operations and is determined to require Level of Service A to meet the needs for road users,

**NOW THEREFORE, BE IT RESOLVED** by the Woodbury County Board of Supervisors that has determined that the following Area Service B Road is hereby reclassified as Area Service System A Road:

Street	Location
Story Ave	Beginning at 160 <sup>th</sup> St thence north 1600'

Said level A status shall be effective when appropriate signs giving notice of reduced maintenance are removed.

Passed and approved this 12<sup>th</sup> day of September 2023 by the Woodbury County Board of Supervisors.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 9c. Motion by Radig second by Taylor to award the pickup truck quote to Barry Ford for \$53,372.00. Carried 4-0. Copy filed.
- 10. Motion by Taylor second by Ung to approve the purchase of upgraded emergency lights for county pickup trucks with Gaming Funds for \$6,080.00. Carried 4-0. Copy filed.
- 11. Motion by Taylor second by Ung to table until October 10<sup>th</sup> the action item to reduce the standard deduction from \$9,059,000 to \$8,809,000 (\$250,000 reduction) as the Authority is not constructing a maintenance building at the new LEC facility. Carried 4-0. Copy filed.
- 12. An update was given about Summit Carbon Solutions from Kaylee Langrell. Copy filed.  
Motion by Ung second by Nelson to receive material from Ms. Langrell. Carried 4-0. Copy filed.
- 13. Reports on committee meetings were heard.  
Motion by Ung second by Radig to receive letter from LE authority and financial recap. Carried 4-0. Copy filed 1. Copy filed 2.
- 14. Leo Jochum, Salix, addressed the board regarding the new interstate overpass. Deb Main, 1026 Charles, updated the board regarding pipelines.
- 15. Board concerns were heard.

The Board adjourned the regular meeting until September 19, 2023.

Meeting sign in sheet. Copy filed.

**SEPTEMBER 14, 2023, SPECIAL MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors held a joint meeting with the Law Enforcement Authority on Thursday, September 14, 2023 at 4:30 p.m. Board members present were Ung, Nelson, Taylor, and Radig, Bittinger II was not present. Staff members present were Michelle Skaff, Deputy Auditor/Clerk to the Board, Joshua Widman, Assistant County Attorney, James Loomis, County Attorney, and Sheriff Chad Sheehan.

Law Enforcement Authority Committee members present were Ron Wieck, Mark Nelson, and Dan Moore (by phone). Law Enforcement Authority participants were Shane Albrecht, Project Manager, The Baker Group, and Jodie McDougal, Attorney, Fredrickson & Byron, PA (by phone).

The meeting was concurrently called to order.

Motion by Ung second by Taylor to go into closed session per Iowa Code Section 21.5(1)(c). Carried 4-0 on roll call vote.

Motion by Ung second by Taylor to go out of closed session per Iowa Code Section 21.5(1)(c). Carried 4-0 on a roll call vote, Bittinger was not present.

LEC Authority: Motion by Wieck, second by Nelson to go out of closed session per Iowa Code Section 21.5(1)(c). Carried 3-0 on a roll call vote.

The meeting was concurrently adjourned.

# HUMAN RESOURCES DEPARTMENT

## MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: September 19, 2023

**\* 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
Stewart, Maxwell	County Sheriff	9-15-23	Sheriff Deputy			S	Resignation.
Murray, Michael	County Sheriff	9-18-23	P/T Courthouse Safety & Security Officer	\$21.65/hour	0%	T	Transfer from Regular part-time to part-time on-call status.
Williams, Sandra	County Sheriff	9-18-23	P/T Courthouse Safety & Security Officer	\$18.68/hour	0%	T	Transfer from Regular part-time to part-time on-call status.

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

MELISSA THOMAS, HR DIRECTOR:

*Melissa Thomas HR Director*



## Woodbury County Sheriff's Office

LAW ENFORCEMENT CENTER  
P. O. BOX 3715 SIOUX CITY, IOWA 51102

CHAD SHEEHAN, SHERIFF

PHONE: 712.279.6010  
E-MAIL: [csheehan@woodburycountyiowa.gov](mailto:csheehan@woodburycountyiowa.gov)  
FAX: 712.279.6522

September 5, 2023

To the Woodbury County Board of Supervisors & Human Resources Department,

The Woodbury County Sheriff's Office respectfully requests discussion and action on the authorization to place Mike Murray and Sandy Williams on "on-call" status. Effective 9-18-2023 Mike and Sandy will no longer be scheduled for work at the Court House security station but will be available to work if needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Chad Sheehan".

Chad Sheehan, Sheriff

Cc: file

**HUMAN RESOURCES DEPARTMENT  
WOODBURY COUNTY, IOWA**

**DATE: September 19, 2023**

**AUTHORIZATION TO INITIATE HIRING PROCESS**

<b>DEPARTMENT</b>	<b>POSITION</b>	<b>ENTRY LEVEL</b>	<b>APPROVED</b>	<b>DISAPPROVED</b>
County Sheriff	Deputy Sheriff	CWA Deputy Sheriff: \$28.14/hour		

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**Chairman, Board of Supervisors**



## Woodbury County Sheriff's Office

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LAW ENFORCEMENT CENTER  
P. O. BOX 3715 SIOUX CITY, IOWA 51102

Chad Sheehan, SHERIFF

PHONE: 712.279.6010  
E-MAIL: [csheehan@woodburycountyiowa.gov](mailto:csheehan@woodburycountyiowa.gov)  
FAX: 712.279.6522

September 11, 2023

To the Woodbury County Board of Supervisors and Human Resources Department.

The Woodbury County Sheriff's Office respectfully requests discussion and action to hire for the position of Deputy Sheriff, which will be vacated by Deputy Max Stewart's resignation. We request that this be placed on the agenda scheduled for Tuesday, September 19, 2023, Woodbury County Board of Supervisor's meeting.

Thank you.

Sincerely,

Todd Peterson, Captain

**RESOLUTION 2023-13**

**A RESOLUTION MAKING AN APPOINTMENT TO  
FILL A CITY COUNCIL VACANCY**

WHEREAS, Julia Byers submitted her resignation effective July 10, 2023, as a member of the Hornick City Council term of seat ending December 31, 2025; and

WHEREAS, the City Council of the City of Hornick has published notice of their intent to fill this vacancy by appointment during their regular city council meeting on Monday, September 11, 2023; and

WHEREAS, as of September 11, 2023, the City of Hornick has not received a valid petition requesting a special election to fill this vacancy;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Hornick, Iowa, does hereby appoint Steve Holst to fill the vacancy on the Hornick City Council.

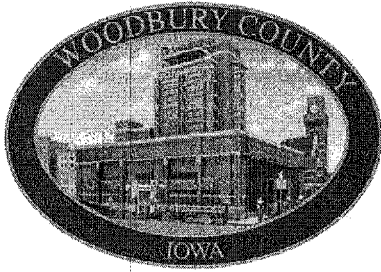
**BE IT FURTHER RESOLVED**, by the City Council of the City of Hornick, Iowa, that Steve Holst shall serve this position until an official is elected and qualified at the next pending election as defined in Section 69.12 of the Code of Iowa.

**PASSED and APPROVED** this 11<sup>TH</sup> day of September, 2023.

**Roll Call Vote -** Ayes: Matthias, Bebee, Johnston, Andresen  
Nays: (none)  
Absent: (none)

By   
\_\_\_\_\_  
Scott Mitchell, Mayor

ATTEST  
  
\_\_\_\_\_  
Lori Teel, City Clerk



**Tina M Bertrand**  
Treasurer of Woodbury County  
Property Tax  
822 Douglas Street Suite 102  
Sioux City, IA 51101  
712-279-6495

Sept 14, 2023

Dear Board of Supervisors,

I am making a request for you to approve the following refunds for customers:

8947 11 304 024 Gregory Walz (4001 Monroe St) \$814.30  
Gregory has requested the refund for five advanced payments, and now qualifies as a 100% disabled veteran. He should not be required to pay any future taxes.

8947 11 156 007 Richard Scott (4127 Monroe St) \$1100.00  
Richard has requested the refund of \$1100.00 for an advanced payment. He also now qualifies as a 100% disabled veteran and should not be required to pay any future taxes.

If you have any questions, please feel free to contact me.

Thank you for your time,

A handwritten signature in cursive script that reads "Janet L. Trimpe".

Janet Trimpe  
Woodbury County Tax Deputy



**WOODBURY COUNTY, IOWA  
BOARD ADMINISTRATION  
MEMORANDUM**

**TO:** Board of Supervisors  
**FROM:** Karen James, Board Administrative Assistant  
**RE:** Consideration of a Petition for a Tax Suspension  
**DATE:** September 14, 2023

Please consider this request for a tax suspension for C.L. If the Board approves this request, the suspension resolution requires the chairman's signature

Thank you.

kmj

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

Date: 9/14/23

Weekly Agenda Date: 9/19/23

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Daniel J. Priestley

**WORDING FOR AGENDA ITEM:**

a.Motion to receive the final staff report and the Zoning Commission's recommendation from their 9/11/23 meeting to approve the final plat of the Janet Heck Subdivision, a minor subdivision to Woodbury County, Iowa.  
b.Motion to accept and approve the Janet Heck Subdivision, a minor subdivision to Woodbury County, Iowa.

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**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:**

Kevin Heck, executor for Janet K. Heck has filed for a one (1) lot minor subdivision on the property identified as Parcel #874724300005. This subdivision, to be known as Janet Heck Subdivision, is being completed to separate the house location from the farm ground. This agricultural subdivision proposal has been properly noticed in the Sioux City Journal legals section on August 29, 2023. The neighbors within 1000 FT have been duly notified via a August 23, 2023 letter about the September 11, 2023 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 lot(s) have adequate access. This property is located in the Agricultural Preservation (AP) Zoning District and is located in the Special Flood Hazard Area (SFHA) – Zone A. The City of Salix waived their extraterritorial review authority with the approval of Resolution No. 2023-20. The area of the subdivision is less than 5 acres and Base Flood Elevation (BFE) data is not required. The Woodbury County Zoning Commission voted 4-0 to recommend approval of the Janet Heck Subdivision at their Special Meeting held at the Moville Area Community Center on September 11, 2023. Staff also recommends approval.

Parcel #: 874724300005  
Township/Range: T87N R47W (Liberty)  
Section: 24  
Quarter: SE ¼ SW ¼  
Zoning District: Agricultural Preservation  
Floodplain District: Zone A - Area to be subdivided under 5 acres. No BFE required.  
Address: 1739 260th St., Salix, IA 51052

**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:**

Receive the final staff report and P&Z Commission's recommendation from their 9/11/23 meeting.  
Approve the final plat and authorize the Chairman to sign the resolution.

**ACTION REQUIRED / PROPOSED MOTION:**

- a. Motion to receive the final staff report and the Zoning Commission's recommendation from their 9/11/23 meeting to approve the final plat of Janet Heck Subdivision, a minor subdivision to Woodbury County, Iowa.
- b. Motion to accept and approve the Janet Heck Subdivision, a minor subdivision to Woodbury County, Iowa.



# WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT

620 Douglas St. · Sixth Floor · Sioux City, IA 51101 · Phone: 712.279.6609 · Fax: 712.279.6530 · Web: woodburycountyiowa.gov

Daniel J. Priestley, MPA – Zoning Coordinator · dpriestley@woodburycountyiowa.gov

Dawn Norton – Senior Clerk · dnorton@woodburycountyiowa.gov

FINAL REPORT – SEPTEMBER 14, 2023

## JANET HECK SUBDIVISION - MINOR SUBDIVISION PROPOSAL

### Application Details

Applicant(s)/Owner(s):	Janet K. Heck, Kevin Heck (Executor)
Application Type:	Minor Subdivision
Name of Subdivision:	Janet Heck Subdivision
Application Date:	July 17, 2023
Number of Lots:	1
Total Acres:	4
Extraterritorial Review:	Waived by Salix with Resolution No. 2023-20
Legal Notice Date:	August 29, 2023
Neighbor(s) Notice Date:	August 23, 2023
Stakeholder(s) Notice Date:	July 27, 2023
Zoning Commission Public Hearing Date:	August 28, 2023
Board of Supervisors Agenda Date:	September 19, 2023
Attorney:	Ryan Ross, 712-224-7585
Surveyor:	Mike Schulte, 712-790-3489

### Property Details

Parcel #:	874724300005
Township/Range:	T87N R47W (Liberty)
Section:	24
Quarter:	SE ¼ SW ¼
Zoning District:	Agricultural Preservation
Floodplain District:	Zone A - Area to be subdivided under 5 acres. No BFE required.
Address:	1739 260 <sup>th</sup> St., Salix, IA 51052



### Contents

Summary, Application Details, Aerial & Plat Excerpt, Zoning Commission Minutes & Recommendation
Application & Final Plat
Review Criteria & Extraterritorial Review
Legal Notification
Neighbor(s) Notification
Stakeholder(s) Comments
Supporting Documentation

### SUMMARY

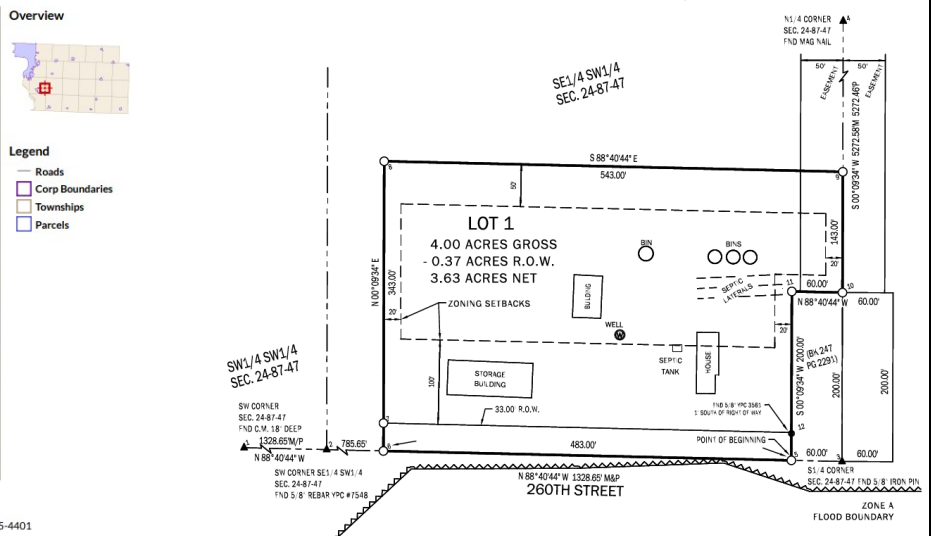
Kevin Heck, executor for Janet K. Heck has filed for a one (1) lot minor subdivision to be known as the Janet Heck Subdivision on the property identified as Parcel #874724300005 and referenced above. This subdivision is being completed to separate the house location from the farm ground. This agricultural subdivision proposal has been properly noticed in the Sioux City Journal legals section on August 29, 2023. The neighbors within 1000 FT have been duly notified via a August 23, 2023 letter about the September 11, 2023 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 lot(s) have adequate access. This property is located in the Agricultural Preservation (AP) Zoning District and is located in the Special Flood Hazard Area (SFHA) – Zone A. The City of Salix waived their extraterritorial review authority with the approval of Resolution No. 2023-20. The area of the subdivision is less than 5 acres and Base Flood Elevation (BFE) data is not required. The Woodbury County Zoning Commission voted 4-0 to recommend approval of the Janet Heck Subdivision at their Special Meeting held at the Merville Area Community Center on September 11, 2023. Staff also recommends approval.

### AERIAL VIEW



Parcel ID	874724300005	Alternate ID	761415	Owner Address	HECK, JANET
Sec/Twp/Rng	24-87-47	Class	AD		608 BENNING DR
Property Address	1739 260TH ST	Acreage	38.77		HOLSTEIN, IA 51025-4401
District	0043				
Brief Tax Description	EX 60' X 200' SE COR SE5W				

### FINAL PLAT EXCERPT



### ZONING COMMISSION RECOMMENDATION & STAFF RECOMMENDATION

The Woodbury County Zoning Commission voted 4-0 to recommend approval of the Janet Heck Subdivision at their Special Meeting held at the Merville Area Community Center on September 11, 2023. Staff also recommends approval.

**Minutes - Woodbury County Zoning Commission Special Meeting – September 11, 2023**

The Zoning Commission (ZC) special meeting convened on the 11<sup>th</sup> of September at 5:00 PM at the Merville Community Center in Merville, Iowa. The meeting was also made available via teleconference.

ZC Members Present: Chris Zant, Corey Meister, Jeff O’Tool, Tom Bride  
County Staff Present: Dan Priestley, Dawn Norton  
Public Present: Angie Heck, Tony Heck, Kim Luze, Rich Luze, Vicki Atwell, Steve Mrla, Leo Jochum, Bev Jochum, Janet Yanak, Tony Yanak, Dennis Ragan, JoAnn Sadler, Zach Hummel, Wally Wagner, John Johnston, Jeremy Taylor, Kevin Heck, Kyle Gates, Eric Nelson, Elizabeth Widman, Rebekah Moerer, Genise Hallowell, Kalyn Heetland, Josh Heetland, Elisabeth Cendejas, Jesus Cendejas, Robert Knaack, Greg Jochum, Brad Jochum, Tom Jochum, Bob Fritzmeier

**Call to Order**

Chair Chris Zant formally called the meeting to order at 5:00 PM. Four Commissioners were present. Commissioner Parker was absent.

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

None

**Approval of Previous Meeting Minutes – July 24, 2023**

O’Tool motioned to approve the minutes from July 24, 2023. Second: Bride. Motion carried: 4-0.

**Formal approval of Zoning Commission Rules of Procedure**

At the July 24, 2023 meeting of the Zoning Commission, the rules of procedure were approved and sent to the Board of Supervisors who voted to approve the rules on August 8, 2023. Motion to formally adopt the rules and authorize the chair to sign the Rules of Procedure by Meister. Second: O’Tool. Motion carried: 4-0.

**Public Hearing: Proposed Janet Heck Subdivision (Parcel #874724300005)**

Priestley read the preliminary report and staff recommendation into the record. Kevin Heck, executor for Janet K. Heck has filed for a one (1) lot minor subdivision on the property identified as Parcel #874724300005. This subdivision is being completed to separate the house location from the farm ground. This agricultural subdivision proposal has been properly noticed in the Sioux City Journal legal section on August 29, 2023. The neighbors within 1000 FT have been duly notified via an August 23, 2023 letter about the September 11, 2023 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 lot(s) have adequate access. This property is located in the Agricultural Preservation (AP) Zoning District and is located in the Special Flood Hazard Area (SFHA) – Zone A. The City of Salix waived their extraterritorial review authority with the approval of Resolution No. 2023-20. The area of the subdivision is less than 5 acres and the Base Flood Elevation (BFE) data is not required. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Motion to close public hearing: O’Tool. Second: Bride. Carried: 4-0. Motion to recommend the approval to the Board of Supervisors as proposed: O’Tool. Second: Meister. Motion carried: 4-0.

**Public Haring: Proposed Zoning Ordinance Map Amendment (Rezone) (Parcel #884506200006)**

Priestley read into record the preliminary report and staff recommendation. Richard and Kimberly Luze (Applicants/ Owners) have filed a Zoning ordinance Map Amendment application with Woodbury County to request their property (Parcel #884506200006) be rezoned from Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District. The applicants are making this request to pursue an eventual split of their parcel to facilitate the ability to add a neighboring single-family dwelling in the future as there are presently two houses located within the existing quarter-quarter section. The split will likely consist of approximately three acres from the existing 18+ acres. This will be initiated at a future date. The neighbors within 1000 FT have been notified via an August 23, 2023 letter about the September 11, 2023 Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. This property is located in the Agricultural Preservation (AP) Zoning District and is not located in the floodplain. This requested zoning change is compliant with the future land use map of Woodbury County’s development plan as this area is designated within the rural residential area. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Staff recommends approval. Priestley has received some phone inquiries regarding future land uses. A Neighboring landowner spoke with concerns of possible subdivisions and increasing density. Priestley stated with Hwy 20 abutting the land, the state

would likely not allow more driveways off Hwy 20. If additional land splits were requested through a subdivision application, there would be public conversations and meetings. Ms. Atwell expressed concerns if a subdivision would go in and how it could affect her cattle farming. Bride stated it would have no impact on what she is currently doing and stated communication between landowners is important. Steve Mrla stated DOT could build a frontage road which would allow more access. Bride discussed how eliminant domain should not be used for private use. Bride motioned to close public hearing. Second: Meister. Carried: 4-0. Motion to recommend the approval to the Board of Supervisors as proposed: Meister. Second: Bride. Motion carried: 4-0.

**Public Hearing: Utility-Scale Solar Systems – Consideration of Solar Ordinances for Recommendation(s) to the Board of Supervisors**

Priestley read into the record the direction by the Woodbury County Board of Supervisors that occurred on August 8, 2023 for Planning and Zoning and the Zoning Commission to establish/examine a new ordinance as it relates to utility-scale solar systems. The purpose of this public hearing is to receive comments from the public about solar energy systems not limited to utility-scale solar systems, agrisolar or agrivoltaics, and community solar systems as the Commission works toward preparing a recommendation for a proposed ordinance or amendments to the Woodbury County Zoning ordinance to address the permitting process for such systems in industrial and/or agricultural areas. The Board of Supervisors have indicated that "if the county was to engage in utility-scale solar, at minimum, the county should consider this only if the following is met":

- A conditional use permit for AP "C" with Planning and Zoning and Board of Adjustment to be able to site-specifically take into consideration the concerns of neighbors, land/sol, and other factors when approving permit.
- A slope of no more than 5% in order to preserve the land and to account for soil erosion, compaction, and future land stewardship.
- A maximum height of no more than 20' for panel structures.
- Of all AP, no more than 49% can be in such a project. In short, 51% must be for agricultural production or no longer considered "AP."
- Utility solar can be no more than 2% of all AP "agricultural preservation," preserving 98% of AP. This equates to approximately 8,540 acres of the 427,000 acres of ag land, ag land constituting 75% of the 570,000 total acres in Woodbury County.
- Current notification for utility-scale solar shall be 1 mile for public comment instead of 500 feet.
- A requirement (or at least strong consideration) that the utility-scale solar project either be on a landowner's property or that the owner of the land be a resident of Woodbury County.

Priestley identified additional comments/resources that were received after the printing of the Zoning Commission agenda packet with backup materials. In particular, resources were received from the Center of Rural Affairs, the Northwest Iowa Power Cooperative (NIPCO), the Woodbury County Rural Electric Cooperative, and the Iowa Land & Liberty Coalition. Additionally, Priestley provided a copy of a map illustrating soil content with less than 5% slopes in comparison with soils with CSR2 ratings greater than 65 and 75. Priestley then offered a summary of potential approaches that could be taken to craft an ordinance including which entity would be in charge of the permitting. Looking at other counties, there is a mix of permitting utility-scale solar based on a conditional use permit via the Zoning Commission and Board of Adjustment in comparison with a standalone home rule ordinance where the Board of Supervisors are the permitting body. Priestley indicated that the following concepts would be up for discussion as an ordinance is considered: Certified Abstractor's Listing – Public Notification Area; Site Plan; Setbacks; Height; Protected Areas; Slope; Landscaping/Buffer/Screening; Fencing/Security; Signage; Lighting; Noise; Outdoor Storage; Utility Plan / Utility Connections / Agreements; Floodplain; Habitat and Natural Resource Considerations; Solar Glare Minimization; Weed Control; Grading Plan; Compliance with applicable laws (local, state, federal); Access; Road Use; Aviation Protection; Maintenance, Repair, or Replacement / Repowering; Waste; Soil Erosion / Sediment Control; Stormwater Management; Administration / Enforcement / Violations; Emergency Management; Timeline; Safety; Abandonment / Cessation of Operations; Decommissioning and Reclamation; Fees; Agrivoltaics / Agrisolar; Community Solar Systems; Concentrating Solar Power; Solar definitions; Etc.

The following paraphrased public comments were offered:

Greg Jochum (Salix) addressed the Commission regarding the differences between CSR1 and CSR2 as well as height.

Brad Jochum (Plymouth County) addressed the Commission regarding out of county ownership.

Tom Jochum (Sgt. Bluff) addressed the Commission regarding the advantages of solar.

Eric Nelson (Moville) addressed the Commission regarding solar as a commercial/industrial entity.

Ron Wood (Salix) addressed the Commission regarding the need for solar power generation for growth.

Elizabeth Widman (Sgt. Bluff) addressed the Commission regarding the stewardship and protection of agricultural land from solar development

Bob Fritzmeier (Sioux City) addressed the Commission regarding how solar installations help soil to rejuvenate and help the wildlife population.

Leo Jochum (Salix) addressed the Commission regarding renewable energy rates, vegetation for screening, capping AP land at 2%, and soil rejuvenation.

Kim Alexander (Smithland) addressed the Commission regarding money as a principal purpose for solar.

Will Dougherty (Urbandale) addressed the Commission on how MidAmerican works with various stakeholders as they pursue solar projects and offered an opportunity to tour the Port Neal solar site.

Ann Johnston (Salix) addressed the Commission with concerns on the impact of the farm ground and keeping the land the way it is.

Wally Kuntz (Merville) addressed the Commission inquiring about the tax income.

Supervisor Jeremy Taylor (Sioux City) addressed the Commission and responded to Mr. Kuntz's inquiry about generation usage tax.

Bride asked Will Dougherty from MidAmerican where the largest project was in Iowa, Dougherty stated Holiday Creek, north of Fort Dodge has an 800-acre, 100 M/Watt project. 8 acres generally produces 1 M/Watt.

Bride asked if there has been any requests to the Iowa Utilities Board for eminent domain for a commercial solar project.

Eric Nelson asked Dougherty about storage of excess power. Dougherty stated it is not an on-demand system. The grid goes where needed first, then to next load center. Port Neal is a on-demand system. Dougherty stated coal system is used as a back up to solar.

Motion to close public hearing: Meister. Second: O'Tool. Carried: 4-0.

Priestley thanked the attendees for their comments and questions. The information gathered will be taken into consideration as a proposal is prepared and possibly recommended by the Zoning Commission that would eventually go to the Board of Supervisors for up to three hearings. The next meeting of the Zoning Commission will be held on Monday, September 25 at 5:00 PM in the basement meeting room of the Woodbury County Courthouse where the Board of Supervisors meet.

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

None.

**Commissioner Comment or Inquiry**

None.

**Staff Update**

Priestley stated that the minor subdivision and rezone that were recommended this evening will be sent to the Board of Supervisors for consideration at future meeting(s).

**Adjourn**

Motion by Bride to adjourn; Second by O'Tool. Carried: 4-0. Adjourned: 6:34 p.m.

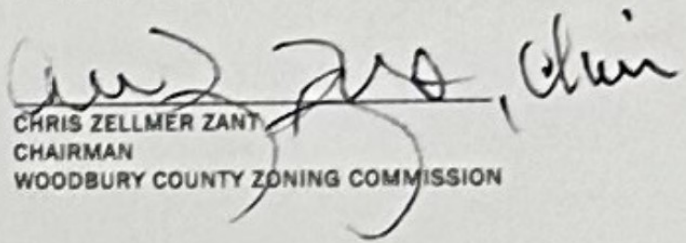


CERTIFICATE OF WOODBURY COUNTY  
ZONING COMMISSION

**\*JANET HECK SUBDIVISION**

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 ~~HECK SUBDIVISION~~ WOODBURY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE 11<sup>th</sup> DAY OF September 2023 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: Sept-11, 2023



CHRIS ZELLMER ZANT  
CHAIRMAN  
WOODBURY COUNTY ZONING COMMISSION



WOODBURY COUNTY, IOWA  
MINOR SUBDIVISION APPLICATION

Applicant: JANET K. HECK KEVIN HECK (EXECUTOR)  
Name of Owner

Mailing Address: 1739 260TH ST SALIX IA 51052  
Street City or Town State and Zip + 4

Property Address: 1739 260TH ST SALIX IA 51052  
Street City or Town State and Zip + 4

Ph/Cell #: 712-490-3079 E-mail Address: KHECK492@gmail.com

To subdivide land located in the SW Quarter of Section 24

Civil Township LIBERTY GIS Parcel # 874724300005

Name of Subdivision: HECK SUBDIVISION

Subdivision Area in Acres 4.0 Number of Lots 1

**Attachments:**

1. Eight (8) copies of grading plans; if required.
2. Eight (8) 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: MIKE SCHULTE Ph/Cell: 712-790-3489  
*MIKE@SCHULTESURVEY.COM*

Attorney: RYAN RASS Ph/Cell: 712-224-7585

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

Owner's Signature: Kevin Heck Exe.

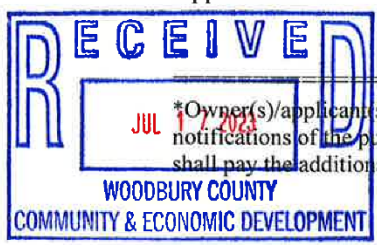
Zoning Director: [Signature]  
*Coordinator*

**For Office Use Only:**

SESW

Zoning District AP Flood District A Date 7-17-23 No. 6909

Application Fee 4 Lots or less (\$300\*+ Additional Fees) \$300-cc ending 8053  
5 Lots or more (\$300\* plus \$5 per lot + Additional Fees) \_\_\_\_\_



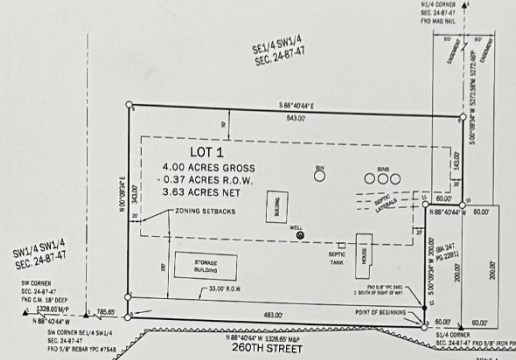
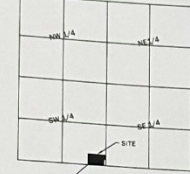
\*Owner(s)/applicant(s) shall pay the additional costs associated with the processing, printing, and the mailing of notifications of the public hearings when the number of mailings required exceeds 30. The owner(s)/applicant(s) shall pay the additional costs of the legal publication notice(s) in newspaper(s) when the fees exceed \$100.00.

INDEX LEGEND

SURVEYORS NAME/RETURN TO: MIKE SCHULTE, SCHULTE SURVEYING, INC. 2003 390TH STREET, WESTSIDE, IA 51487...

FINAL PLAT A MINOR SUBDIVISION PLAT OF JANET HECK SUBDIVISION WOODBURY COUNTY, IOWA

VICINITY MAP SECTION 24-87-47



LEGAL DESCRIPTION

PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 87 NORTH, RANGE 47 WEST OF THE 5TH P.M., WOODBURY COUNTY, IOWA AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 24...

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.

CERTIFICATE OF WOODBURY COUNTY ZONING COMMISSION

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 ADVISORSHIP THE PLAT OF JANET HECK SUBDIVISION, WOODBURY COUNTY, IOWA AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE 11th DAY OF SEPTEMBER, 2023 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.

COUNTY ENGINEER'S CERTIFICATE

I, MARK NAHRA, P.E., THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE BOUNDARY LINES OF SAID PLAT WERE MATHEMATICALLY CHECKED AND CONFORM WITH THE REQUIREMENTS AS PROVIDED FOR IN THE SUBDIVISION ORDINANCE...

BOARD OF SUPERVISORS' RESOLUTION

RESOLUTION ACCEPTING AND APPROVING JANET HECK SUBDIVISION, WOODBURY COUNTY, IOWA. WHEREAS, THE OWNERS AND PROPRIETORS DID ON THE 11th DAY OF SEPTEMBER, 2023, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS JANET HECK SUBDIVISION, WOODBURY COUNTY, IOWA, AND...

SURVEYORS CERTIFICATE

I, MIKE SCHULTE, A SOLE LICENSED LAND SURVEYOR UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF IOWA, HOLDING CERTIFICATE NO. 17979, DO HEREBY CERTIFY THAT THE SUBDIVISION PLAT OF JANET HECK SUBDIVISION, WOODBURY COUNTY, IOWA, IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION...



DEDICATION

THE JANET K. HECK ESTATE IS THE OWNER OF THE REAL ESTATE DESCRIBED IN THE ATTACHED LEGAL DESCRIPTION AND HAS IN PURSUANCE OF LAW CAUSED SAID DESCRIBED REAL ESTATE TO BE SURVEYED, STAKED AND PLATTED INTO LOTS AS IS PARTICULARLY SHOWN AND SET FORTH IN THE ATTACHED PLAT AND SAID CERTIFICATE OF MIKE SCHULTE, P.S., A LICENSED SURVEYOR WHO SURVEYED AND PLATTED THE REAL ESTATE TO BE KNOWN AS JANET HECK SUBDIVISION, AND THAT THE SAME IS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES AS OWNERS AND PROPRIETOR HEREOF.

EXECUTED THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2023

KEVIN HECK, EXECUTOR JANET K. HECK ESTATE

STATE OF IOWA ) SS

COUNTY OF WOODBURY )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2023, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED KEVIN HECK, EXECUTOR JANET K. HECK ESTATE

NOTARY PUBLIC

AUDITOR AND RECORDER'S CERTIFICATE OF RECORDING

STATE OF IOWA ) SS

COUNTY OF WOODBURY )

DOCKET NO. \_\_\_\_\_

FILED FOR RECORD, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2023 AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. RECORDED IN PLAT

ENVELOPE \_\_\_\_\_ INDEXED AND DELIVERED TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA.

DATED: \_\_\_\_\_ 2023

PATRICK F. GILL, WOODBURY COUNTY AUDITOR BY DIANE SWOBDGA PETERSON, DEPUTY

TITLE OPINION

TO: COUNTY AUDITOR AND RECORDER WOODBURY COUNTY, IOWA DEAR S/R/MADAM:

WE HAVE THIS DATE EXAMINED A COMPLETE ABSTRACT TO TITLE, PURSUANT TO IOWA CODE SECTION 354.1(1)(10) TO PROPERTY WHICH INCLUDES IN ITS ENTIRETY, PROPERTY DESCRIBED IN THIS SURVEYOR'S CERTIFICATE ON THE PLAT OF JANET HECK SUBDIVISION, WOODBURY COUNTY, IOWA LAST CERTIFIED BY ENGLISHSON ABSTRACT CO., INC. DATED \_\_\_\_\_ 2023 AT 8:59 A.M. AND FROM SAID ABSTRACT FIND GOODS AND MERCHANTABLE TITLE TO SAID PREMISES VESTED IN THE ESTATE OF JANET K. HECK, SUBJECT TO THE FOLLOWING LIENS, LIMITATIONS AND EXCEPTIONS:

- 1. EASEMENT IN FAVOR OF WOODBURY COUNTY RURAL ELECTRIC CO-OPERATIVE ASSOCIATION, DATED SEPTEMBER 8, 1939 AND FILED ON APRIL 18, 1940 IN MISC. RECORD 146, PAGE 579.
2. CONDEMNATION OF EASEMENT IN FAVOR OF NORTHWEST IOWA POWER CO-OPERATIVE, FILED ON JUNE 6, 1964 IN BOOK 748, PAGE 367.
3. EASEMENT IN FAVOR OF FARMERS DRAINAGE DISTRICT, DATED JULY 14, 1981 AND FILED ON SEPTEMBER 4, 1981 IN ROLL 113, IMAGE 1581.
4. EASEMENT IN FAVOR OF NORTHWEST IOWA POWER CO-OPERATIVE, DATED JANUARY 6, 1982 AND FILED ON JANUARY 19, 1982 IN ROLL 116, IMAGE 1424.
5. EASEMENT IN FAVOR OF NORTHWEST IOWA POWER CO-OPERATIVE, DATED FEBRUARY 1, 1984 AND FILED ON JUNE 3, 1985, IN ROLL 284, IMAGE 1844.

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: \_\_\_\_\_ 2023.

RYAN C. ROSS, ATTORNEY AT LAW

FLOOD BOUNDARY

PROPERTY IS LOCATED WITHIN ZONE A (NO BASE FLOOD ELEVATIONS DETERMINED) MAP NUMBER 1818000000 - EFFECTIVE DATE SEPTEMBER 29, 2011 UNDER 5 ACRES - EXEMPT

UTILITY NOTE

AT THIS TIME, NO ADDITIONAL WOODBURY COUNTY SERVICES ARE PLANNED. ACCESS WILL BE GAINED FROM THE ADJOINING COUNTY ROAD.

ZONING

EXISTING ZONING: AP PROPOSED ZONING: AP (SAME)

2 MILE SET BACK

THE CITY COUNCIL OF SAUX, IOWA, PURSUANT TO AUTHORITY GRANTED IN IOWA CODE SECTION 356.8, WAIVED THE CITY'S REVIEW AND APPROVAL OF THE FINAL PLAT OF THE JANET HECK SUBDIVISION, AS WOULD OTHERWISE BE REQUIRED BY THE CITY'S CODE OF ORDINANCES, WITH THE ADOPTION OF:

RESOLUTION NO. 2023-20 ON THE 12th DAY OF JULY, 2023

AUDITOR'S APPROVAL OF NAME

THE COUNTY AUDITOR HEREBY ACCEPTS AND APPROVES THE NAME JANET HECK SUBDIVISION, WOODBURY COUNTY, IOWA, FOR USE IN WOODBURY COUNTY, IOWA AS REQUIRED BY IOWA CODE SECTION 354.6(2).

DATED: \_\_\_\_\_ 2023

PATRICK F. GILL, WOODBURY COUNTY AUDITOR BY DIANE SWOBDGA PETERSON, DEPUTY

CERTIFICATE OF COUNTY ASSESSOR

I, JULIE CONOLLY, HEREBY CERTIFY THAT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2023, A COPY OF THIS PLAT WAS FILED IN THE WOODBURY COUNTY ASSESSOR'S OFFICE.

DATED: \_\_\_\_\_ 2023

JULIE CONOLLY, WOODBURY COUNTY ASSESSOR

SET BACK REQUIREMENTS

EXISTING ZONING: AP PROPOSED ZONING: AP (SAME) MIN LOT AREA: 2 AC MIN LOT WIDTH: 200 FT FRONT YARD SETBACK: 50 FT SIDE YARD: 20 FT ACCESSORY: 50 FT CORNER SIDE YARD: 50 FT REAR YARD SETBACK: 50 FT ACCESSORY: 50 FT MAXIMUM HEIGHT: 45 FT

BASIS OF BEARING

Table with columns: Point, Azimuth, Distance, Description. Includes bearings for various corners and points.

LEGEND

- SURVEY FOUND SET SECTION CORNER: Triangle, Circle, Square symbols. S/R REAR YPC #17979 (UNLESS NOTED): Circle with dot. WALL: Square with dot. PLATTED DISTANCE: P. MEASURED DISTANCE: M. SECTION LINE: Circle with dot.

OWNER/SUBDIVIDER

JANET K. HECK ESTATE - KEVIN HECK, EXECUTOR

SURVEYOR

MIKE SCHULTE

MINOR SUBDIVISION FINAL PLAT - JANET HECK SUBDIVISION - WOODBURY COUNTY, IOWA - SCHULTE SURVEYING, INC.

**CED STAFF - 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, CED staff:

	<b>shall review a subdivision application for completeness and for approval of a final plat by ensuring it is submitted in accordance with the standards for a subdivision plat per Iowa Code.</b>
	Staff reviewed the subdivision application, deemed it complete, and verified the final plat's conformance to the County's Zoning Ordinance, Subdivision Ordinance, and the Code of Iowa, all as required by law.
	<b>shall accept payment of applicable fees, and distribute copies of the final plat to the Planning &amp; Zoning Commission, the appropriate county departments and public utilities; and</b>
	Staff received the application fee and the account is paid-in-full. Staff also distributed copies of the application, final plat, and other materials to all relevant stakeholders as required.
	<b>shall coordinate with the County Engineer who shall review the final plat to determine conformance with the engineering design standards of these regulations and to verify accuracy of the legal descriptions and survey data; and</b>
	Staff have received written confirmation that the County Engineer has reviewed and determined that the final plat conforms to the engineering and design standards of these regulations, and he has verified the accuracy of the legal descriptions and survey data.
	<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.

**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.



**RESOLUTION NO. 2023-20**

A RESOLUTION WAIVING THE SALIX CITY COUNCIL'S RIGHT TO REVIEW AND APPROVE A MINOR SUBDIVISION TO BE KNOWN AS HECK SUBDIVISION LOCATED OUTSIDE CITY LIMITS IN WOODBURY COUNTY, IOWA

WHEREAS, the owner of property legally described as:

PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 87 NORTH, RANGE 47 WEST OF THE 5TH P.M., WOODBURY COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 24; THENCE NORTH 88°40'44" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88°40'44" WEST ALONG SAID SOUTH LINE, 483.00 FEET; THENCE NORTH 00°09'34" EAST, 343.00 FEET; THENCE SOUTH 88°40'44" EAST, 543.00 FEET TO THE EAST LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 00°09'34" WEST ALONG SAID EAST LINE, 143.00 FEET; THENCE NORTH 88°40'44" WEST, 60.00 FEET; THENCE SOUTH 00°09'34" WEST, 200.00 FEET TO THE POINT OF BEGINNING, CONTAINING 4.00 ACRES, MORE OR LESS, SUBJECT TO ANY AND ALL EASEMENTS APPARENT OR OF RECORD.

in the County of Woodbury and State of Iowa has advised the City of Salix of plans for a Minor Subdivision of the property to be named Heck Subdivision; and

WHEREAS, the property is located in Woodbury County, Iowa within the two-mile radius of the City of Salix, Iowa's incorporated limits; and

WHEREAS, Salix 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 HECK SUBDIVISION to the Woodbury County Planning and Zoning Commission for compliance with Woodbury County, Iowa's subdivision ordinance for rural subdivisions; 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 had adopted an ordinance governing the division of land; and

WHEREAS, the City Council of the City of Salix, 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 Salix is not needed for the proposed development.

NOW, THEREFORE, BE IT RESOLVED that:

1. The City Council of the City of Salix, Iowa, pursuant to authority granted in Iowa Code Section 354.9, hereby waives the City's review and approval the Final Plat of the HECK 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 Salix, Iowa in connection with the HECK ADDITION Minor Subdivision for recording with the Woodbury County Recorder.

Council Member Burkhart introduce the resolution and moved that said resolution be adopted; seconded by Council Member Clayton, and after due consideration thereof by the Council, the Mayor put the question on the motion and, the roll being called, the following name Council Members voted:

	Aye	Nay	Absent	Abstain
Denise Burkhart	x			
Karen Allen	x			
Cindy Van Auken	x			
Emily Clayton	x			
Donnie Nelson				x

PASSED AND APPROVED this 12th day of July 2023.

  
Kevin Nelson, Mayor

Attest:

  
City Clerk

I, Kathy Brouillette, City Clerk, do hereby certify that the foregoing Resolution 2023-20 was duly and properly adopted by the City Council of the City of Salix, Iowa at its regular meeting the 12th day of July, 2023.

  
City Clerk

**LEGAL NOTIFICATION**

Published in the Sioux City Journal's Legal Section on August 29, 2023.

**NOTICE OF PUBLIC HEARINGS REGARDING PROPOSED ZONING ORDINANCE MAP AMENDMENT (ZONE), AND A PROPOSED ZONING ORDINANCE MAP AMENDMENT TO ZONE AGRICULTURAL PRESERVATION (AP) BEFORE THE WOODBURY COUNTY ZONING COMMISSION DURING A SPECIAL MEETING AT THE MOVING CENTER**

The Woodbury County Zoning Commission will have a special meeting and will hold public hearings regarding the proposed zoning ordinance map amendment in detail on September 1, 2023 at 5:00 PM or as soon thereafter as the matter may be considered.

The hearing will be held at the Moving Center, 1015 1st Street, Sioux City, IA 51101. Copies of said items may now be examined at the Planning and Economic Development and Economic Development located on the 8th Floor of the Woodbury County Courthouse, 401 Douglas Street, Sioux City, IA 51101 by any interested person.

All persons who wish to be heard in respect to these matters should appear at the address and call 712-484-1133 and inform the operator of the ID: 618 109 278 during the meeting to listen or comment. However, it is recommended to call 712-484-1133 to discuss any technical difficulties with phone and computer systems.

**Item One (1) ZONING ORDINANCE MAP AMENDMENT (ZONE)**

**PROPOSED MINOR SUBDIVISION:** To be known as Janet Heck Subdivision, a one-lot minor subdivision in a 4.0-acre portion of Section 33, Township 33N, Range 10E, in the SE 1/4 of the SW 1/4 of Parcel #874724930005. The property is approximately 1.3 miles northeast of Salix in the Special Flood Hazard Area (SFHA) - Zone A. (Elevation: 1739 26th St, Salix, IA 51052)

**Item Two (2) ZONING ORDINANCE MAP AMENDMENT**

Presented to Section 339, Code of Iowa, the Woodbury County Zoning Commission will hold a public hearing to consider the proposed zoning ordinance map amendment (rezoning) to the Woodbury County Zoning Ordinance and/or Map for the lots by Robert Lucas of Woodbury County. The proposed amendment is to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District, (2), Boyle's Addition, Woodbury County, Iowa, Section 6, T88N, R18W, (Municipal Parcel #84562620006) and is described as: Lot Two (2), Boyle's Addition, Woodbury County, Iowa. (Map Applicant: Robert F. Lucas and Kimberly K. Lucas, 2480 Hwy 20, Lawton, IA 51030)

**Item Three (3) SOLAR ENERGY SYSTEMS ORDINANCE AMENDING THE TEXT OF THE ZONING ORDINANCE AND THE ZONING ORDINANCE TO AMEND PORTIONS OF THE TABLE OF CONTENTS; SECTION 3.03.4 ENTITLED: "LAND USE SUMMARY TABLE"; SECTION 3.03.5 ENTITLED: "DISTRICT PORTIONS OF SECTION 6.02 DISTRICT DEFINITIONS; AND THE REVISIONS TO THE PROPOSALS TO ADD SOLAR ENERGY SYSTEMS UTILITY AND AGRICULTURAL PRESERVATION ZONING DISTRICT AND ADD A NEW SECTION TO THE ZONING ORDINANCE TO REGULATE SOLAR ENERGY SYSTEMS; SCALE: SOLAR ENERGY SYSTEMS; AGRICULTURAL PRESERVATION ZONING DISTRICT; AND COMMUNITY SQUARES; AND COMMUNITY SQUARES.**

**PROPERTY OWNER(S) NOTIFICATION**

Total Property Owners within 1000 FT via Certified Abstractor's Listing:	6
Notification Letter Date:	August 23, 2023
Public Hearing Board:	Zoning Commission
Public Hearing Date:	September 11, 2023
Phone Inquiries:	1
Written Inquiries:	0
The names of the property owners are listed below.	
When more comments are received after the printing of this packet, they will be provided at the meeting.	

**MAP**



Property Owner(s)	Mailing Address				Comments
Estate of Janet Heck	608 Benning Dr.	Holstein	IA	51025	No comments
The Betty Jean Kelly Trust	7066 Reed St.	Arvada	CO	80003	No comments
Northwest Iowa Power Cooperative	PO Box 240	Le Mars	IA	51031	No comments
James J. Yanak and Janet M. Yanak	1719 260th St.	Salix	IA	51052	No comments
Edwin D. Hale and John A. Hale	PO Box 67	Storm Lake	IA	50588	No comments
Edward J. O'Meara, Michael J. O'Meara, Ardis A. O'Meara Pineo	4137 Amherst Ave.	Dallas	TX	75225	No comments

**STAKEHOLDER COMMENTS**

911 COMMUNICATIONS CENTER:	No comments
FIBERCOMM:	No comments
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments
IOWA DEPARTMENT OF TRANSPORTATION (IDOT):	No comments
LOESS HILLS NATIONAL SCENIC BYWAY:	No comments
LOESS HILLS PROGRAM:	No comments
LONGLINES:	No comments
LUMEN:	No comments
MAGELLAN PIPELINE:	No comments
MIDAMERICAN ENERGY COMPANY (Electrical Division):	MEC electric has no conflicts with this item. – Casey Meinen, 7/28/23.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No conflicts for MEC “Gas” on this item. – Tyler Ahlquist, 7/28/23.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments
NORTHERN NATURAL GAS:	No comments

**NORTHWEST IOWA POWER COOPERATIVE (NIPCO):** Received the attached proposal in the mail on 8/14/2023. Have reviewed the location of this zoning proposal change. NIPCO has a 69kV transmission line running along the south boundary of this property. As long as the property owners, tenants, renters do not place anything under or around the transmission line within 50ft of the centerline, NIPCO has no objections to this request. – Jayme Huber, 8/16/23.

**WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT**  
401 Douglas St., 8th Floor, Suite 104, Sioux City, IA 51101 • Phone: 712.233.8888 • Fax: 712.233.8888 • Mailing: 401 Douglas St., 8th Floor, Suite 104, Sioux City, IA 51101 • Email: ceo@woodburycounty.org

Northwest Iowa Power Cooperative  
PO Box 240  
Le Mars, IA 51031

DATE: August 11, 2023  
TO: Property Owners Within 1000 Feet  
FROM: Sarah Frittsler, MPA, Zoning Coordinator  
RE: Janet Heck Subdivision, Minor Subdivision Proposal  
SIS Parcel #874724930005

This notice is to advise you that Kevin Heck, executor for Janet K. Heck has filed a **one lot minor subdivision application** with Woodbury County.

The proposed subdivision is to be known as Janet Heck Subdivision, a one-lot minor subdivision in a 4.0-acre portion of Section 33, Township 33N, Range 10E, in the SE 1/4 of the SW 1/4 of the 906 50 acre tracts #874724930005. The property is approximately 1.3 miles northeast of Salix. The property is located in the Agricultural Preservation (AP) Zoning District and in the Special Flood Hazard Area (SFHA) - Zone A. (Owner: Janet K. Heck, Kevin Heck (Executor), 1739 260th St, Salix, IA 51052).

If you have questions about the application, you may call the Woodbury County Community and Economic Development office at 712.233.8888.

The Zoning Commission public hearing on the Minor Subdivision application will be held on **Monday, August 28, 2023** during their meeting which begins at 6:00 PM in the Board of Supervisors' Meeting Room, Number 104, Woodbury County Courthouse, 401 Douglas Street, Sioux City, IA. Please enter through the 7th Street entrance. Security procedures are in place when entering the building. Persons wanting to participate in the public hearing may attend in person or call 712-484-1133 and enter the Conference ID: 618 211 1566 to listen or comment. It is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems.

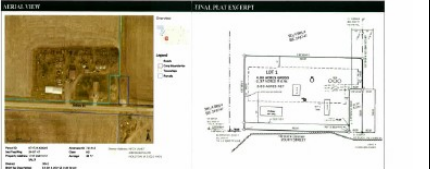
You may forward your written comments by mail or email to Woodbury County Community and Economic Development, 8th Floor, Woodbury County Courthouse, 401 Douglas St., Sioux City, IA 51101. Emails should be sent to [ceo@woodburycounty.org](mailto:ceo@woodburycounty.org). Only signed comments will be considered and should be received no later than: **10:00 AM on Friday, August 25, 2023.**

See aerial mapping and plat excerpt on the next page.

**RECEIVED**

AUG 14 2023

NIPCO  
LE MAR, IA



NUSTAR PIPELINE:	No issues from NuStar. – Matt McGee, 7/28/23.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments
WIATEL:	No comments
WOODBURY COUNTY ASSESSOR:	No comments
WOODBURY COUNTY CONSERVATION:	No comments
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments
WOODBURY COUNTY EMERGENCY SERVICES:	No comments
WOODBURY COUNTY ENGINEER:	<b>SEE REVIEW MEMO BELOW</b>
WOODBURY COUNTY RECORDER:	I have no comments. – Diane Swoboda Peterson, 8/7/23.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments regarding this proposal. – Neil Stockfleth, 7/31/23.



## 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. Nagra, P.E.

mnagra@woodburycountyiowa.gov

**ASSISTANT TO THE COUNTY ENGINEER**

Benjamin T. Kusler, E.I.T.

bkusler@woodburycountyiowa.gov

**SECRETARY**

Tish Brice

tbrice@woodburycountyiowa.gov

To: Dan Priestley, Woodbury County Zoning Coordinator

From: Mark J. Nagra, County Engineer

Date: August 17, 2023

Subject: Janet Heck Subdivision – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced subdivision forwarded with your memo dated July 27, 2023.

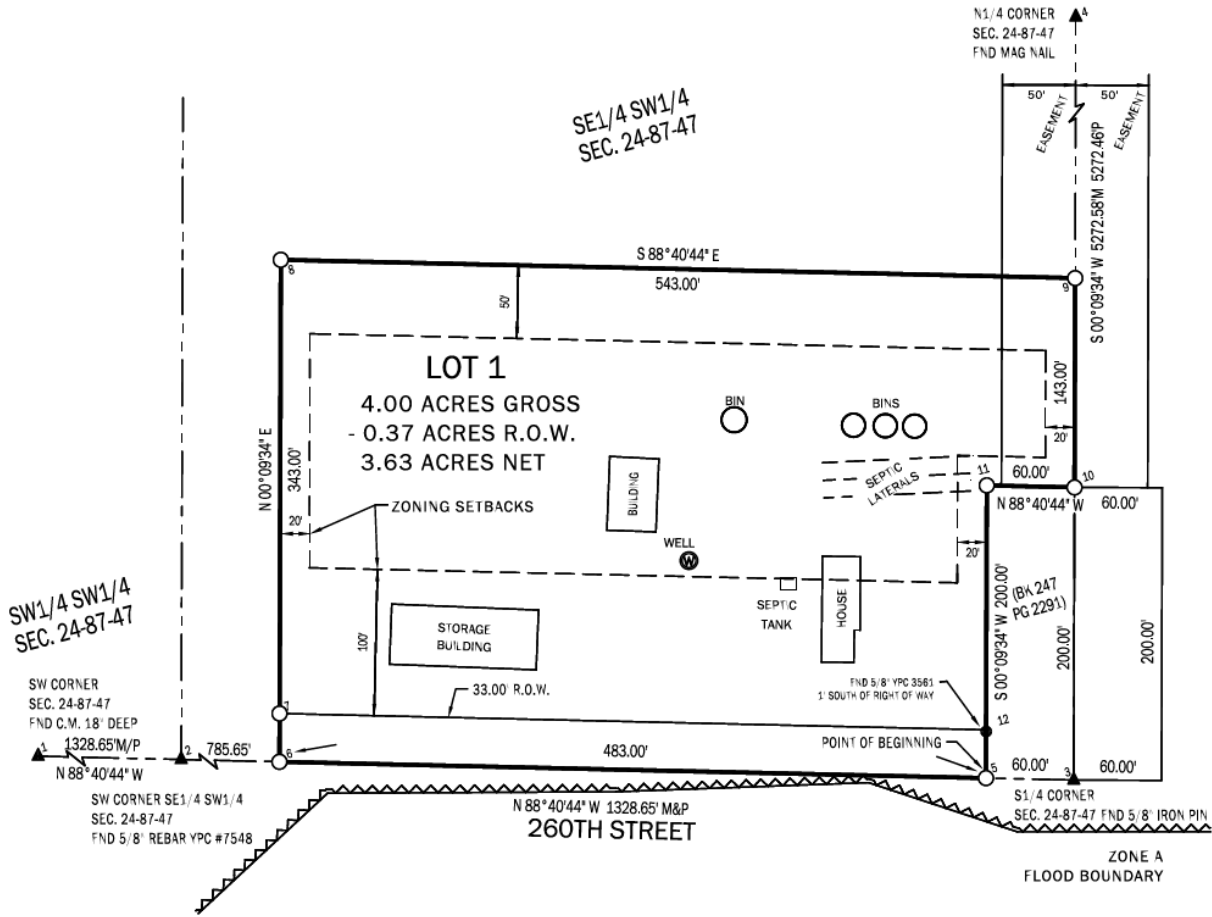
I am offering the following comments for your consideration.

- 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. The existing driveways meet current standards and may continue to be used to access lot 1. If a new driveway is needed to access the remaining farm property, a driveway permit will need to be filed with my department. Since the property borders on a Farmer's Drainage District lateral, permission from the drainage district must also be sought prior to construction.
- 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

PLAT MAP EXCERPT





# Woodbury County, IA / Sioux City

## Summary

**Parcel ID** 874724300005  
**Alternate ID** 761415  
**Property Address** 1739 260TH ST  
 SALIX IA 51052  
**Sec/Twp/Rng** 24-87-47  
**Brief Tax Description** EX 60' X 200' SE COR SESW  
 (Note: Not to be used on legal documents)  
**Deed Book/Page** [2022-10472 \(8/25/2022\)](#)  
**Gross Acres** 38.77  
**Net Acres** 38.77  
**Adjusted CSR Pts** 2900.44  
**Zoning** AP - AGRICULTURAL PRESERVATION  
**District** 0043 LIBERTY/WESTWOOD  
**School District** WESTWOOD COMM  
**Neighborhood** N/A



## Owner

**Deed Holder**  
[HECK JANET](#)  
[608 BENNING DR](#)  
 HOLSTEIN IA 51025-4401  
**Contract Holder**  
**Mailing Address**  
 HECK JANET  
 608 BENNING DR  
 HOLSTEIN IA 51025-4401

## Land

**Lot Area** 38.77 Acres;1,688,821 SF

## Residential Dwellings

**Residential Dwelling**  
**Occupancy** Single-Family / Owner Occupied  
**Style** 1 Story Frame  
**Architectural Style** N/A  
**Year Built** 1955  
**Condition** Above Normal  
**Roof** Asph / Gable  
**Flooring**  
**Foundation** Conc  
**Exterior Material** WOOD  
**Interior Material** Drwl  
**Brick or Stone Veneer**  
**Total Gross Living Area** 1,300 SF  
**Main Area Square Feet** 1300  
**Attic Type** None;  
**Number of Rooms** 0 above; 0 below  
**Number of Bedrooms** 0 above; 0 below  
**Basement Area Type** Full  
**Basement Area** 1,300  
**Basement Finished Area**  
**Plumbing** 1 Standard Bath - 3 Fi;  
**Appliances**  
**Central Air** Yes  
**Heat** Yes  
**Fireplaces**  
**Porches**  
**Decks**  
**Additions**  
**Garages** 484 SF - Att Frame (Built 1955);

## Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Crib		34	50	1950	1
0	Steel Utility Building		40	100	1968	1
0	Bin - Grain Storage (Bushel)		0	0	1971	2
0	Bin - Grain Storage (Bushel)		0	0	1973	2

**Sales**

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
8/23/2022	HECK RONALD	HECK JANET	2022-10472	No consideration	Deed		\$0.00

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

**Valuation**

Classification	2023	2022	2021	2020	2019
	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture
+ Assessed Land Value	\$95,160	\$73,920	\$73,920	\$69,410	\$69,410
+ Assessed Building Value	\$10,660	\$6,260	\$6,260	\$5,730	\$5,730
+ Assessed Dwelling Value	\$154,250	\$127,530	\$127,530	\$113,860	\$113,860
= <b>Gross Assessed Value</b>	<b>\$260,070</b>	<b>\$207,710</b>	<b>\$207,710</b>	<b>\$189,000</b>	<b>\$189,000</b>
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= <b>Net Assessed Value</b>	<b>\$260,070</b>	<b>\$207,710</b>	<b>\$207,710</b>	<b>\$189,000</b>	<b>\$189,000</b>

**Sioux City Special Assessments and Fees**

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

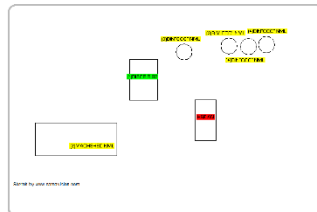
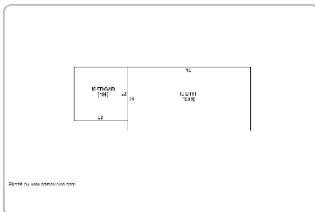
**Woodbury County Tax Credit Applications**

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

**Photos**



**Sketches**

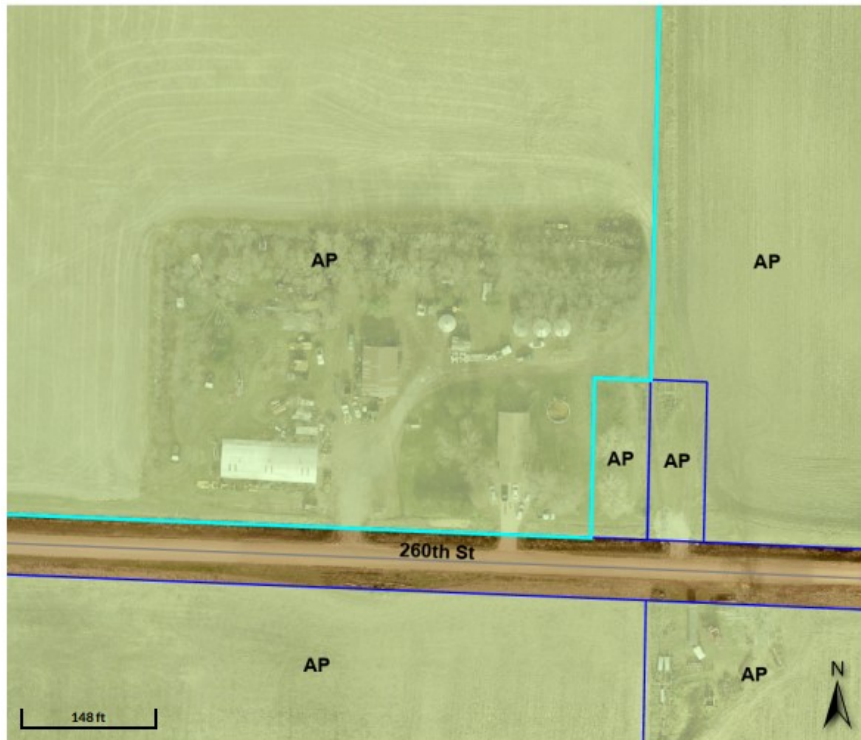


No data available for the following modules: Commercial Buildings, Yard Extras, Permits, Sioux City Tax Credit Applications, Sioux City Board of Review Petition.



[User Privacy Policy](#) [GDPR Privacy Notice](#)  
 Last Data Upload: 7/26/2023, 6:59:33 PM

# ZONING MAP



## Overview

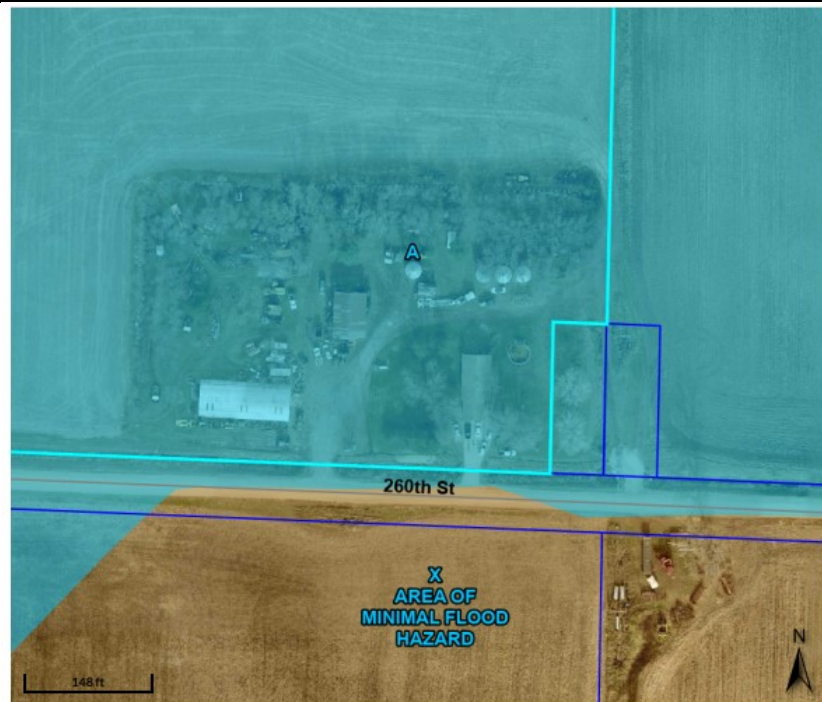


## Legend

- Roads
- Corp Boundaries
- Townships
- Parcels
- County Zoning**
- AE
- AP
- GC
- GC-PD
- GI
- LI
- LI-PD
- SR
- WR

Parcel ID	874724300005	Alternate ID	761415	Owner Address	HECK JANET
Sec/Twp/Rng	24-87-47	Class	AD		608 BENNING DR
Property Address	1739 260TH ST	Acreege	38.77		HOLSTEIN, IA 51025-4401
	SALIX				
District	0043				
Brief Tax Description	EX 60' X 200' SE COR SESW				
	<i>(Note: Not to be used on legal documents)</i>				

# EFFECTIVE FLOODPLAIN MAP



## Overview



## Legend

- Roads
- Corp Boundaries
- Townships
- Parcels
- FEMA Flood Map**
- A,
- AE,
- AE, FLOODWAY
- AH,
- AO,
- X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- X, AREA WITH REDUCED FLOOD RISK DUE TO LEVEE

Parcel ID	874724300005	Alternate ID	761415	Owner Address	HECK JANET
Sec/Twp/Rng	24-87-47	Class	AD		608 BENNING DR
Property Address	1739 260TH ST	Acreege	38.77		HOLSTEIN, IA 51025-4401
	SALIX				
District	0043				
Brief Tax Description	EX 60' X 200' SE COR SESW				
	<i>(Note: Not to be used on legal documents)</i>				



# DRAFT FLOODPLAIN MAP

1739 260th Street, Salix, IA, USA

IOWA  
FLOOD  
MAPS



Satellite

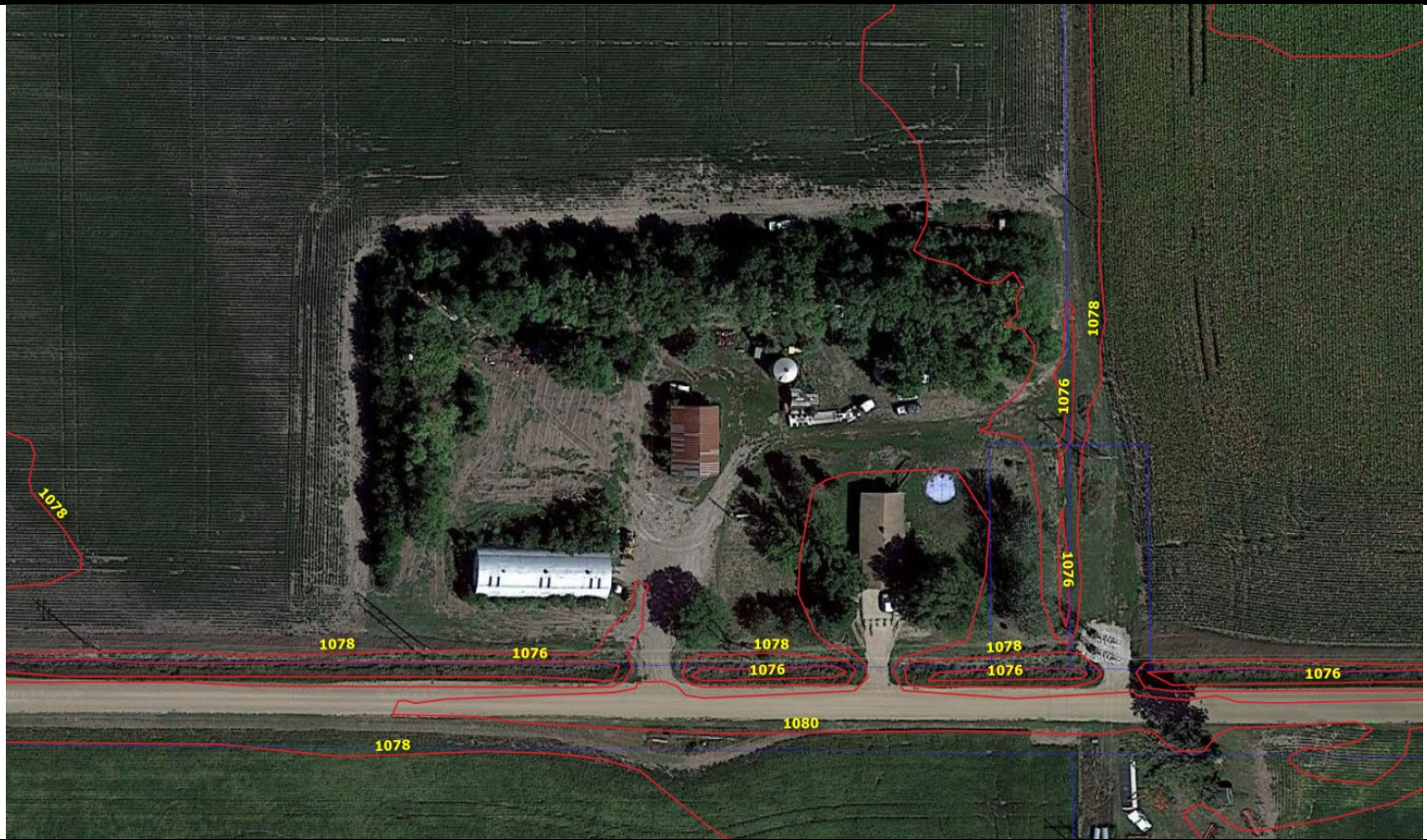
th St    260th St    260th St    260th St    260th St    260th St    260th St    260th St

## MAP DESCRIPTION

- A-1 PCT ANNUAL CHANCE FLOOD HAZARD
- AE - 1 PCT ANNUAL CHANCE FLOOD HAZARD
- AE - FLOODWAY
- AO, RIVERINE
- AH, RIVERINE
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD, RIVERINE
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD, PROTECTED BY LEVEE
- X AREA OF SPECIAL CONSIDERATION, RIVERINE
- X AREA OF SPECIAL CONSIDERATION, PROTECTED BY LEVEE
- D. AN AREA OF UNDETERMINED BUT POSSIBLE FLOOD HAZARDS

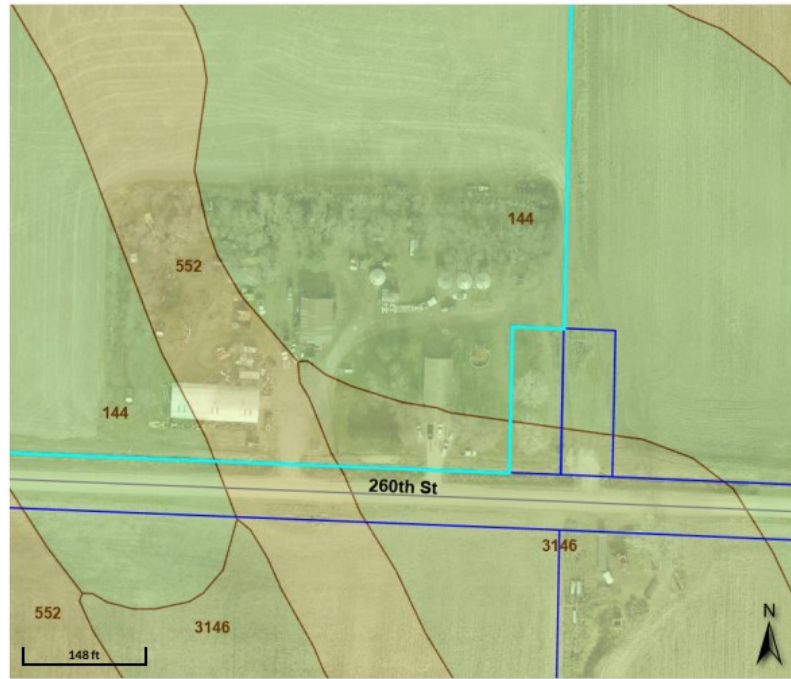
Woodbury

# ELEVATION MAP





**SOIL MAP**



**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** 874724300005      **Alternate ID** 761415      **Owner Address** HECK JANET  
**Sec/Twp/Rng** 24-87-47      **Class** AD      608 BENNING DR  
**Property Address** 1739 260TH ST      **Acres** 38.77      HOLSTEIN, IA 51025-4401  
SALIX

**District** 0043  
**Brief Tax Description** EX 60' X 200' SE COR SESW  
*(Note: Not to be used on legal documents)*

**SOIL REPORT**

**Summary**

**Parcel ID** 874724300005  
**Gross Acres** 38.77  
**ROW Acres** 0.00  
**Gross Taxable Acres** 38.77  
**Exempt Acres** 0.00  
**Net Taxable Acres** 38.77      *(Gross Taxable Acres - Exempt Land)*  
**Average Unadjusted CSR2** 78.11      *(3028.5 CSR2 Points / 38.77 Gross Taxable Acres)*

*Agland Active Config*      2017 CSR2

**Sub Parcel Summary**

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	35.38	77.74	2,750.36	2,750.36
Non-Crop	3.39	82.05	278.14	150.08
<b>Total</b>	<b>38.77</b>		<b>3,028.50</b>	<b>2,900.44</b>

**Soil Summary**

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	144	BLAKE SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	91.00	14.62	1,330.42	1,330.42
100% Value	3549	MODALE SOILS, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	76.00	4.93	374.68	374.68
100% Value	3146	ONAWA-ALBATON COMPLEX, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	0.08	5.76	5.76
100% Value	552	OWEGO SILTY CLAY, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	66.00	15.75	1,039.50	1,039.50
Non-Crop	144	BLAKE SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	91.00	2.08	189.28	96.93
Non-Crop	3146	ONAWA-ALBATON COMPLEX, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	0.40	28.80	16.66
Non-Crop	552	OWEGO SILTY CLAY, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	66.00	0.91	60.06	36.49
<b>Total</b>				<b>38.77</b>	<b>3,028.50</b>	<b>2,900.44</b>



8/29/2023

KEVIN HECK (EXECUTER)  
C/O MIKE SCHULTE  
2003 390TH STREET  
WESTSIDE, IA 51467

Project Description: BFE request for parcels 874724300002 and 874724300005 with a separate BFE given for the farmhouse at 1739 260<sup>th</sup> St. (Farmer's Ditch)

Project Latitude / Longitude Location(s): Buildings and Associated Fill 42.3305/-96.2625; Woodbury County

*Iowa DNR Project ID Number: 2023-1078*

Dear MIKE SCHULTE:

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 existing structure / property identified on your application. 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 have estimated the current existing condition 100-year flood elevation, NAVD88 at the location referenced above (See Figure 1). 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 be aware when planning future construction that elevating beyond the required 1 foot above the BFE will not only reduce flood risk, but might also result in lower flood insurance rates.

Please contact me by phone at 515-393-1891 or by email at [Meesha.Legg@dnr.iowa.gov](mailto:Meesha.Legg@dnr.iowa.gov) with any questions.

Sincerely,

Meesha Legg

Digitally signed by  
Meesha Legg  
Date: 2023.08.29  
11:41:56 -05'00'

Meesha Legg

Flood Plain Management and Dam Safety Section

CC: KEVIN HECK (EXECUTER); 1739 260TH STREET, SALIX, IA, 51052, [KHECK492@GMAIL.COM](mailto:KHECK492@GMAIL.COM)  
Dan Priestley; 620 Douglas St Fl 6, Sioux City, IA, 51101-1247, [dpriestley@woodburycountyiowa.gov](mailto:dpriestley@woodburycountyiowa.gov)

Attachment



Figure 1. BFEs (NAVD88) for the parcels 874724300002 and 874724300005 with a separate BFE given for the farmhouse. The BFE is given at the most upstream point for each area. Each area is highlighted in a different color.

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

Date: 9/14/23

Weekly Agenda Date: 9/19/23 4:45

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

**WORDING FOR AGENDA ITEM:**

a. Receive final report-Zoning Commission recommendation to approve Rezone from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District on Parcel #884506200006 (Lot 2 Boyle's Addition) for Richard & Kimberly Luze. b. Conduct Public Hearing on the Zoning Ordinance Map Amendment (Rezone) from AP to AE. c. Approve the 1st Reading of the Ordinance (Rezone)

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The Board of Supervisors will hold a public hearing at 4:45 PM to discuss a proposed Zoning Ordinance Map Amendment to rezone Richard & Kimberly Luze's 18.53-acre property located on Parcel #884506200006, Lot 2 of Boyle's Addition, Section 6 (Moville Township) 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:**

Richard and Kimberly Luze (Applicants/Owners) have filed a Zoning Ordinance Map Amendment application with Woodbury County to request for their property (Parcel #884506200006) to be rezoned from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District. The applicants are making this request to pursue an eventual split of their parcel to facilitate the ability to add a neighboring single-family dwelling in the future as there are presently two houses located within the existing quarter-quarter section. The split will likely consist of approximately three acres from the existing 18+ acres. This will be initiated at a future date. The neighbors within 1000 FT have been notified via a August 23, 2023 letter about the September 11, 2023 Zoning Commission public hearing and were informed about the three scheduled public hearings before the Board of Supervisors. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. This property is located in the Agricultural Preservation (AP) Zoning District and is not located in the floodplain. This requested zoning change is compliant with the future land use map of Woodbury County's development plan as this area is designed within the rural residential area. Following a public hearing, the Woodbury County Zoning Commission voted 4-0 to recommend approval of the Zoning Ordinance Map Amendment (rezone) change from Agricultural Preservation (AP) to Agricultural Estates (AE) at their special meeting held at the Moville Area Community Center on September 11, 2023.

Parcel #:884506200006  
Township/Range: T88N R45W (Moville)  
Section: 6  
Subdivision: Boyle's Addition  
Lot: 2  
Acres: 18.53  
Zoning District: Agricultural Preservation  
Floodplain District: X (Not in Floodplain)  
Legal Description: Lot Two (2), Boyle's Addition, Woodbury County, Iowa  
Address: 2480 Hwy 20, Lawton, IA 51030



**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?**

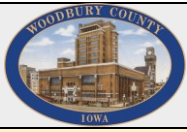
Yes  No

**RECOMMENDATION:**

Receive final report and Zoning Commission recommendation from their 9/11/23 meeting.  
Open and close the public hearing. (Set Time: 4:45 PM)  
Conduct and approve the first reading of the Zoning Ordinance Map Amendment (Rezone).  
The 2nd and 3rd public hearings and readings of the ordinance have been scheduled for Tuesday, 9/26/23 at 4:45 PM, and Tuesday, 10/3/22 at 4:45 PM, respectively.

**ACTION REQUIRED / PROPOSED MOTION:**

- a. Receive final report-Zoning Commission recommendation to approve Rezone from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District on Parcel #884506200006 (Lot 2 Boyle's Addition) for Richard & Kimberly Luze.
- b. Conduct Public Hearing on a Zoning Ordinance Map Amendment to rezone Parcel #884506200006 from AP to AE. (Set Time: 4:45 PM)
- c. Motion to Approve the 1st Reading of the Ordinance - Zoning Ordinance Map Amendment (Rezone).



# WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT

620 Douglas St. · Sixth Floor · Sioux City, IA 51101 · Phone: 712.279.6609 · Fax: 712.279.6530 · Web: woodburycountyiowa.gov

Daniel J. Priestley, MPA – Zoning Coordinator · dpriestley@woodburycountyiowa.gov

Dawn Norton – Senior Clerk · dnorton@woodburycountyiowa.gov

FINAL REPORT – SEPTEMBER 14, 2023

## ZONING ORDINANCE MAP AMENDMENT PROPOSAL (REZONE PARCEL #884506200006 to AE)

### Application Details

### Property Details

### Contents

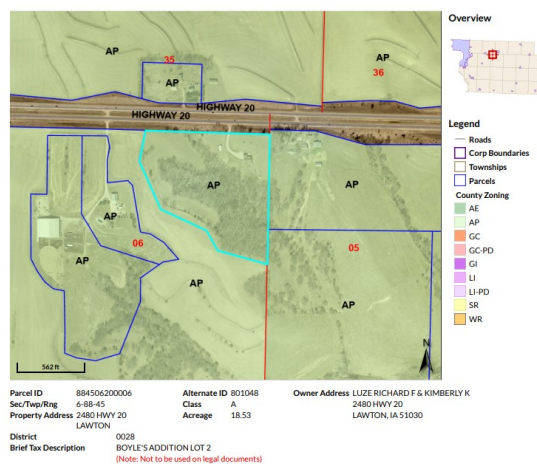
Applicant(s)/Owner(s):	Richard & Kimberly Luze	Parcel #:	884506200006		Application Details, Summary, Aerial, Future Land Use, and Zoning Commission Recommendation & Minutes
Application Type:	Zoning Ordinance Map Amendment	Township/Range:	T88N R45W (Moville)		Application
Current Zoning District:	Agricultural Preservation	Section:	6		
Requested Zoning District:	Agricultural Estates	Subdivision:	Boyle's Addition		Ordinance
Current Use:	Residential	Lot:	2		
Proposed Use:	Residential	Acres:	18.53		Review Criteria
Average CSR Rating:	NRCS Document Included	Zoning District:	Agricultural Preservation		
Engineer/Surveyor:	Alan Fagan (712-539-1471)	Floodplain District:	X (Not in Floodplain)		Legal Notification
Pre-application Meeting:	July 25, 2023	Legal Description:	Lot Two (2), Boyle's Addition, Woodbury County, Iowa		
Application Date:	August 1, 2023	Address:	2480 Hwy 20, Lawton, IA 51030		Stakeholder(s) Comments and Neighbor(s) Notification
Stakeholder Notification:	August 4, 2023				
Neighbors' Notification:	August 23, 2023				Supporting Documentation
Legal Publication:	August 29, 2023				
Zoning Commission Public Hearing:	September 11, 2023				
Board of Supervisors Public Hearings:	September 19, 26, and October 3 at 4:45 PM				

### SUMMARY

Richard and Kimberly Luze (Applicants/Owners) have filed a Zoning Ordinance Map Amendment application with Woodbury County to request for their property (Parcel #884506200006) to be rezoned from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District. The applicants are making this request to pursue an eventual split of their parcel to facilitate the ability to add a neighboring single-family dwelling in the future as there are presently two houses located within the existing quarter-quarter section. The split will likely consist of approximately three acres from the existing 18+ acres. This will be initiated at a future date. The neighbors within 1000 FT have been notified via a August 23, 2023 letter about the September 11, 2023 Zoning Commission public hearing and the three scheduled Board of Supervisors public hearings. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. This property is located in the Agricultural Preservation (AP) Zoning District and is not located in the floodplain. This requested zoning change is compliant with the future land use map of Woodbury County's development plan as this area is designed within the rural residential area. Following a public hearing, the Woodbury County Zoning Commission voted 4-0 to recommend approval of the Zoning Ordinance Map Amendment (rezone) change from Agricultural Preservation (AP) to Agricultural Estates (AE) at their special meeting held at the Moville Area Community Center on September 11, 2023

### AERIAL VIEW

### FUTURE LAND USE MAP EXCERPT (Rural Residential – Yellow)



### ZONING COMMISSION RECOMMENDATION AND STAFF RECOMMENDATION

Following a public hearing, the Woodbury County Zoning Commission voted 4-0 to recommend approval of the Zoning Ordinance Map Amendment (rezone) change from Agricultural Preservation (AP) to Agricultural Estates (AE) at their special meeting held at the Moville Area Community Center on September 11, 2023. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Staff also recommends approval.

**Minutes - Woodbury County Zoning Commission Special Meeting – September 11, 2023**

The Zoning Commission (ZC) special meeting convened on the 11<sup>th</sup> of September at 5:00 PM at the Merville Community Center in Merville, Iowa. The meeting was also made available via teleconference.

ZC Members Present:	Chris Zant, Corey Meister, Jeff O'Tool, Tom Bride
County Staff Present:	Dan Priestley, Dawn Norton
Public Present:	Angie Heck, Tony Heck, Kim Luze, Rich Luze, Vicki Atwell, Steve Mrla, Leo Jochum, Bev Jochum, Janet Yanak, Tony Yanak, Dennis Ragan, JoAnn Sadler, Zach Hummel, Wally Wagner, John Johnston, Jeremy Taylor, Kevin Heck, Kyle Gates, Eric Nelson, Elizabeth Widman, Rebekah Moerer, Genise Hallowell, Kalyon Heetland, Josh Heetland, Elisabeth Cendejas, Jesus Cendejas, Robert Knaack, Greg Jochum, Brad Jochum, Tom Jochum, Bob Fritzmeier

**Call to Order**

Chair Chris Zant formally called the meeting to order at 5:00 PM. Four Commissioners were present. Commissioner Parker was absent.

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

None

**Approval of Previous Meeting Minutes – July 24, 2023**

O'Tool motioned to approve the minutes from July 24, 2023. Second: Bride. Motion carried: 4-0.

**Formal approval of Zoning Commission Rules of Procedure**

At the July 24, 2023 meeting of the Zoning Commission, the rules of procedure were approved and sent to the Board of Supervisors who voted to approve the rules on August 8, 2023. Motion to formally adopt the rules and authorize the chair to sign the Rules of Procedure by Meister. Second: O'Tool. Motion carried: 4-0.

**Public Hearing: Proposed Janet Heck Subdivision (Parcel #874724300005)**

Priestley read the preliminary report and staff recommendation into the record. Kevin Heck, executor for Janet K. Heck has filed for a one (1) lot minor subdivision on the property identified as Parcel #8747243000005. This subdivision is being completed to separate the house location from the farm ground. This agricultural subdivision proposal has been properly noticed in the Sioux City Journal legals section on August 29, 2023. The neighbors within 1000 FT have been duly notified via an August 23, 2023 letter about the September 11, 2023 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 lot(s) have adequate access. This property is located in the Agricultural Preservation (AP) Zoning District and is located in the Special Flood Hazard Area (SFHA) – Zone A. The City of Salix waived their extraterritorial review authority with the approval of Resolution No. 2023-20. The area of the subdivision is less than 5 acres and the Base Flood Elevation (BFE) data is not required. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Motion to close public hearing: O'Tool. Second: Bride. Carried: 4-0. Motion to recommend the approval to the Board of Supervisors as proposed: O'Tool. Second: Meister. Motion carried: 4-0.

**Public Haring: Proposed Zoning Ordinance Map Amendment (Rezoning) (Parcel #884506200006)**

Priestley read into record the preliminary report and staff recommendation. Richard and Kimberly Luze (Applicants/ Owners) have filed a Zoning ordinance Map Amendment application with Woodbury County to request their property (Parcel #884506200006) be rezoned from Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District. The applicants are making this request to pursue an eventual split of their parcel to facilitate the ability to add a neighboring single-family dwelling in the future as there are presently two houses located within the existing quarter-quarter section. The split will likely consist of approximately three acres from the existing 18+ acres. This will be initiated at a future date. The neighbors within 1000 FT have been notified via an August 23, 2023 letter about the September 11, 2023 Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. This property is located in the Agricultural Preservation (AP) Zoning District and is not located in the floodplain. This requested zoning change is compliant with the future land use map of Woodbury County's development plan as this area is designated within the rural residential area. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Staff recommends approval. Priestley has received some phone inquiries regarding future land uses. A Neighboring landowner spoke with concerns of possible subdivisions and increasing density. Priestley stated with Hwy 20 abutting the land, the state

would likely not allow more driveways off Hwy 20. If additional land splits were requested through a subdivision application, there would be public conversations and meetings. Ms. Atwell expressed concerns if a subdivision would go in and how it could affect her cattle farming. Bride stated it would have no impact on what she is currently doing and stated communication between landowners is important. Steve Mrla stated DOT could build a frontage road which would allow more access. Bride discussed how eliminant domain should not be used for private use. Bride motioned to close public hearing. Second: Meister. Carried: 4-0. Motion to recommend the approval to the Board of Supervisors as proposed: Meister. Second: Bride. Motion carried: 4-0.

**Public Hearing: Utility-Scale Solar Systems – Consideration of Solar Ordinances for Recommendation(s) to the Board of Supervisors**

Priestley read into the record the direction by the Woodbury County Board of Supervisors that occurred on August 8, 2023 for Planning and Zoning and the Zoning Commission to establish/examine a new ordinance as it relates to utility-scale solar systems. The purpose of this public hearing is to receive comments from the public about solar energy systems not limited to utility-scale solar systems, agrisolar or agrivoltaics, and community solar systems as the Commission works toward preparing a recommendation for a proposed ordinance or amendments to the Woodbury County Zoning ordinance to address the permitting process for such systems in industrial and/or agricultural areas. The Board of Supervisors have indicated that “if the county was to engage in utility-scale solar, at minimum, the county should consider this only if the following is met”:

- A conditional use permit for AP “C” with Planning and Zoning and Board of Adjustment to be able to site-specifically take into consideration the concerns of neighbors, land/sol, and other factors when approving permit.
- A slope of no more than 5% in order to preserve the land and to account for soil erosion, compaction, and future land stewardship.
- A maximum height of no more than 20’ for panel structures.
- Of all AP, no more than 49% can be in such a project. In short, 51% must be for agricultural production or no longer considered “AP.”
- Utility solar can be no more than 2% of all AP “agricultural preservation,” preserving 98% of AP. This equates to approximately 8,540 acres of the 427,000 acres of ag land, ag land constituting 75% of the 570,000 total acres in Woodbury County.
- Current notification for utility-scale solar shall be 1 mile for public comment instead of 500 feet.
- A requirement (or at least strong consideration) that the utility-scale solar project either be on a landowner’s property or that the owner of the land be a resident of Woodbury County.

Priestley identified additional comments/resources that were received after the printing of the Zoning Commission agenda packet with backup materials. In particular, resources were received from the Center of Rural Affairs, the Northwest Iowa Power Cooperative (NIPCO), the Woodbury County Rural Electric Cooperative, and the Iowa Land & Liberty Coalition. Additionally, Priestley provided a copy of a map illustrating soil content with less than 5% slopes in comparison with soils with CSR2 ratings greater than 65 and 75. Priestley then offered a summary of potential approaches that could be taken to craft an ordinance including which entity would be in charge of the permitting. Looking at other counties, there is a mix of permitting utility-scale solar based on a conditional use permit via the Zoning Commission and Board of Adjustment in comparison with a standalone home rule ordinance where the Board of Supervisors are the permitting body. Priestley indicated that the following concepts would be up for discussion as an ordinance is considered: Certified Abstractor’s Listing – Public Notification Area; Site Plan; Setbacks; Height; Protected Areas; Slope; Landscaping/Buffer/Screening; Fencing/Security; Signage; Lighting; Noise; Outdoor Storage; Utility Plan / Utility Connections / Agreements; Floodplain; Habitat and Natural Resource Considerations; Solar Glare Minimization; Weed Control; Grading Plan; Compliance with applicable laws (local, state, federal); Access; Road Use; Aviation Protection; Maintenance, Repair, or Replacement / Repowering; Waste; Soil Erosion / Sediment Control; Stormwater Management; Administration / Enforcement / Violations; Emergency Management; Timeline; Safety; Abandonment / Cessation of Operations; Decommissioning and Reclamation; Fees; Agrivoltaics / Agrisolar; Community Solar Systems; Concentrating Solar Power; Solar definitions; Etc.

The following paraphrased public comments were offered:

Greg Jochum (Salix) addressed the Commission regarding the differences between CSR1 and CSR2 as well as height.

Brad Jochum (Plymouth County) addressed the Commission regarding out of county ownership.

Tom Jochum (Sgt. Bluff) addressed the Commission regarding the advantages of solar.

Eric Nelson (Moville) addressed the Commission regarding solar as a commercial/industrial entity.

Ron Wood (Salix) addressed the Commission regarding the need for solar power generation for growth.

Elizabeth Widman (Sgt. Bluff) addressed the Commission regarding the stewardship and protection of agricultural land from solar development

Bob Fritzmeier (Sioux City) addressed the Commission regarding how solar installations help soil to rejuvenate and help the wildlife population.

Leo Jochum (Salix) addressed the Commission regarding renewable energy rates, vegetation for screening, capping AP land at 2%, and soil rejuvenation.

Kim Alexander (Smithland) addressed the Commission regarding money as a principal purpose for solar.

Will Dougherty (Urbandale) addressed the Commission on how MidAmerican works with various stakeholders as they pursue solar projects and offered an opportunity to tour the Port Neal solar site.

Ann Johnston (Salix) addressed the Commission with concerns on the impact of the farm ground and keeping the land the way it is.

Wally Kuntz (Motive) addressed the Commission inquiring about the tax income.

Supervisor Jeremy Taylor (Sioux City) addressed the Commission and responded to Mr. Kuntz's inquiry about generation usage tax.

Bride asked Will Dougherty from MidAmerican where the largest project was in Iowa, Dougherty stated Holiday Creek, north of Fort Dodge has an 800-acre, 100 M/Watt project. 8 acres generally produces 1 M/Watt.

Bride asked if there has been any requests to the Iowa Utilities Board for eminent domain for a commercial solar project.

Eric Nelson asked Dougherty about storage of excess power. Dougherty stated it is not an on-demand system. The grid goes where needed first, then to next load center. Port Neal is a on-demand system. Dougherty stated coal system is used as a back up to solar.

Motion to close public hearing: Meister. Second: O'Tool. Carried: 4-0.

Priestley thanked the attendees for their comments and questions. The information gathered will be taken into consideration as a proposal is prepared and possibly recommended by the Zoning Commission that would eventually go to the Board of Supervisors for up to three hearings. The next meeting of the Zoning Commission will be held on Monday, September 25 at 5:00 PM in the basement meeting room of the Woodbury County Courthouse where the Board of Supervisors meet.

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

None.

**Commissioner Comment or Inquiry**

None.

**Staff Update**

Priestley stated that the minor subdivision and rezone that were recommended this evening will be sent to the Board of Supervisors for consideration at future meeting(s).

**Adjourn**

Motion by Bride to adjourn; Second by O'Tool. Carried: 4-0. Adjourned: 6:34 p.m.





### Rezoning Application & Zoning Ordinance Map Amendment

<b>Owner Information:</b> Owner <u>Richard + Kimberly K. Luze</u> Address <u>2480 Hwy 20</u> <u>Lawton IA 51030</u> Phone <u>712-899-0024 712-560-5107</u>	<b>Applicant Information:</b> Applicant <u>Richard + Kimberly Luze</u> Address <u>2480 Hwy 20</u> <u>Lawton IA 51030</u> Phone <u>712 899-0024 712-560-5107</u>
--	---

Engineer/Surveyor Al Fagan Phone 712 938-2228 <sup>cell</sup> 712 539-1411

**Property Information:**  
 Property Address or Address Range 2480 Highway 20, Lawton, IA 51030  
 Quarter/Quarter Lot 2 Boyle Addition Sec 6 Twship/Range 88 45 ~~48~~ 44  
 Parcel ID # 884506200006 or GIS # NEW AP 2750-Map-X Total Acres 18.53  
 Current Use Residential Proposed Use Residential Mobile  
 Current Zoning Agricultural Preservation Proposed Zoning Agricultural Estates  
 Average Crop Suitability Rating (submit NRCS Statement) See attached

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 7/25/2023 Staff present Dan Priestly

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 Kimberly K Luze Applicant Kimberly K Luze  
 Date 8/1/2023 Date 8/1/2023

Fee: \$400 Case #: 6914  
 Check #: 5636  
 Receipt #: \_\_\_\_\_

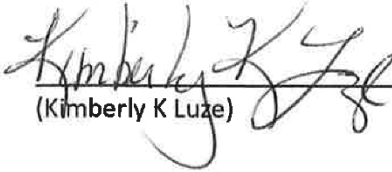
*Woodbury Co Treasurers*



We, the owners of 2480 Highway 20, Lawton, IA, would like to amend the zoning of said property from Agricultural Preservation to Agricultural Estates. This would permit us to pursue a split of the current parcel/property. We would like to separate our current residence and approximately 3 acres from the remainder 15+ acres of the property for an additional residence to be built on in the future.

  
\_\_\_\_\_  
(Richard F Luze)

8/1/2023  
(Date)

  
\_\_\_\_\_  
(Kimberly K Luze)

8/1/2023  
(Date)

**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 \_\_\_\_\_, 2023.

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

\_\_\_\_\_  
**Matthew Ung, Chairman**

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

\_\_\_\_\_  
**Daniel Bittinger II**

\_\_\_\_\_  
**Mark Nelson**

\_\_\_\_\_  
**Keith Radig**

Attest:

\_\_\_\_\_  
Patrick 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(s): Richard F. Luze and Kimberly K. Luze, 2480 Hwy 20, Lawton, IA 51030.  
Property Address, 2480 Hwy 20, Lawton, IA 51030.

Petitioner Applicant(s): Richard F. Luze and Kimberly K. Luze, 2480 Hwy 20, Lawton, IA 51030.

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 **September 11, 2023**, 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 18.526-acres located on Lot Two (2), Boyle's Addition, Woodbury County, Iowa, Section 6, T88N R45W (Moville Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #884506200006 and is described as:

Lot Two (2), Boyle's Addition, Woodbury County, Iowa

**EVALUATION CRITERIA**

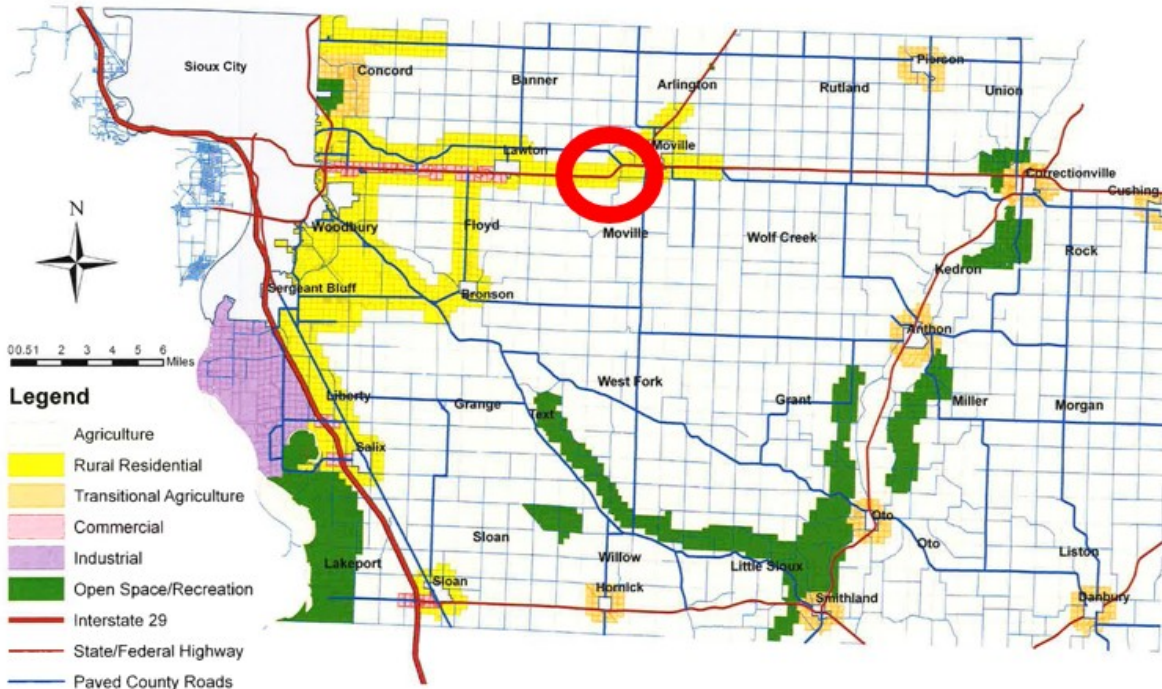
The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

**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.

### Future Land Use Map



### Planning for 2025

### The Woodbury County General Development Plan

Adopted November 22, 2005

EFFECTIVE PLAN (ABOVE)

*Future Land Use*

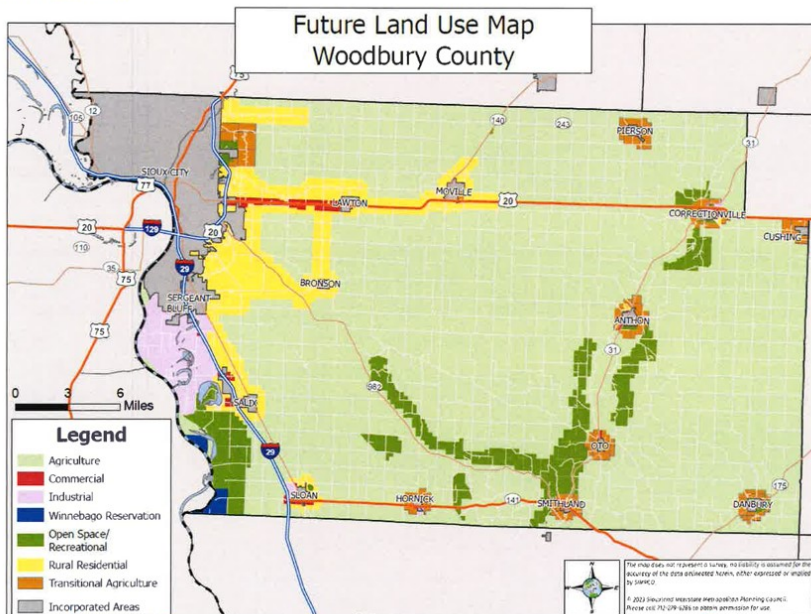


Figure 7.4 Future land use map

DRAFT PLAN FOR 2040 (ABOVE - NOT ADOPTED)

**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.**

**Iowa Corn Suitability Rating CSR2 (IA)**

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
1C3	Ida silt loam, 5 to 9 percent slopes, severely eroded	58	0.2	1.2%
1D3	Ida silt loam, 9 to 14 percent slopes, severely eroded	32	1.2	6.3%
1E3	Ida silt loam, 14 to 20 percent slopes, severely eroded	18	9.8	51.1%
1F3	Ida silt loam, 20 to 30 percent slopes, severely eroded	8	3.9	20.1%
12C	Napier silt loam, 5 to 9 percent slopes	89	3.8	19.6%
100C2	Monona silt clay loam, 5 to 9 percent slopes, eroded	85	0.4	1.9%
<b>Totals for Area of Interest</b>			<b>19.2</b>	<b>100.0%</b>



**Compatibility with adjacent land uses.**

The rezone to AE is compatible with the area residential uses. The AE Zoning District retains much of the land use characteristics that are offered in the AP Zoning District. The major difference between the two is that AE allows for more than two houses in a quarter-quarter section. An additional house in the area on AG land should not adversely impact the neighboring properties.

**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. In the event of a lot split, the property owner must prepare an easement to share the same driveway as the Iowa DOT will likely not grant a new driveway. This matter will be addressed at the time of any future split.

**Any other relevant factors.**

None.

**ZONING COMMISSION LEGAL NOTIFICATION**

Published in the Sioux City Journal's Legal Section on August 29, 2023 for the Zoning Commission Public Hearing.

**NOTICE OF PUBLIC HEARINGS REGARDING A PROPOSED MINOR SUBDIVISION, A PROPOSED ZONING AMENDMENT (REZONE), AND A PROPOSED ZONING ORDINANCE MAP AMENDMENT TO BE FORWARDED TO THE ZONING COMMISSION BEFORE THE WOODBURY COUNTY ZONING COMMISSION AT THE MOULDER AREA COMMUNITY CENTER.**

The Woodbury County Zoning Commission will hold public hearings on the following items: Subdivision 5103 PM in the second and third public hearings on September 20, 2023 at 4:45 PM and 5:30 PM respectively at the Moulder Area Community Center as the minutes may be considered.

Said hearings will be held at the Moulder Area Community Center, 620 Douglas Street, Sioux City, Iowa, in the Board of Supervisors' meeting room in the basement of the courthouse. Persons wanting to participate in the public hearings may attend in person during the meetings to comment.

Copies of said item may be examined in the Woodbury County Auditor's office in the said Courthouse during the normal business hours from 8:00 AM to 4:00 PM and 5:30 PM by any interested persons.

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

**Item One (1):**  
**ZONING ORDINANCE MAP AMENDMENT (REZONE)**

Pursuant to Section 435 of the Code of Iowa, the Woodbury County Board of Supervisors will hold public hearings on Tuesday, September 19, 2023 at 4:45 PM, Tuesday, September 26, 2023 at 4:45 PM and Tuesday, October 3, 2023 at 4:45 PM or as soon as possible thereafter as the matter may be considered. Pursuant to Iowa Code Section 331.302, the second and third public hearings may be waived by the Board of Supervisors.

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

Copies of said item may be examined in the Woodbury County Auditor's office in the said Courthouse during the normal business hours from 8:00 AM to 4:00 PM and 5:30 PM by any interested persons.

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

**Item Two (2):**  
**ZONING ORDINANCE MAP AMENDMENT (REZONE)**

Pursuant to Section 435 of the Code of Iowa, the Woodbury County Zoning Commission will hold public hearings on the following items: Subdivision 5103 PM in the second and third public hearings on September 20, 2023 at 4:45 PM and 5:30 PM respectively at the Moulder Area Community Center as the minutes may be considered.

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

**Item Three (3):**  
**SOLAR ENERGY SYSTEMS**

**SUMMARY OF PROPOSED ZONING ORDINANCE AMENDING THE TEXT OF THE ZONING ORDINANCE TO ADD A ZONING DISTRICT TO AMEND PORTIONS OF THE TABLE OF CONTENTS, SECTION 3.02.4 OF ALLOWED USES IN EACH ZONING DISTRICT, PORTIONS OF SECTION 6.02 NUMBERING OF DEFINITIONS AND PAGE NUMBERS, THE PROVISIONS TO ADD SOLAR ENERGY SYSTEMS TO THE ZONING ORDINANCE TO REGULATE SOLAR ENERGY SYSTEMS, AGRISOLAR AGRIVOLTAICS, AND COMMUNITY SOLAR SYSTEMS.**

The proposed amendment is to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 18.526-acres located on Lot Two (2), Section 6, T88N R45W (Moyale Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #8845020006 and is described as: Lot Two (2), Boyle's Addition, Woodbury County, Iowa.

Owner(s)/Applicant(s): Richard F. Luze and Kimberly K. Luze, 2480 Hwy 20, Lantown, IA 51030.

**ZONING COMMISSION LEGAL NOTIFICATION**

Published in the Sioux City Journal's Legal Section on September 14, 2023 for the Board of Supervisors' Public Hearings.

**NOTICE REGARDING PUBLIC HEARINGS FOR A ZONING ORDINANCE MAP AMENDMENT (REZONE) TO BE FORWARDED TO THE BOARD OF SUPERVISORS.**

The Woodbury County Board of Supervisors will hold public hearings on the following items: Subdivision 5103 PM in the second and third public hearings on September 20, 2023 at 4:45 PM and 5:30 PM respectively at the Moulder Area Community Center as the minutes may be considered.

Said hearings will be held at the Moulder Area Community Center, 620 Douglas Street, Sioux City, Iowa, in the Board of Supervisors' meeting room in the basement of the courthouse. Persons wanting to participate in the public hearings may attend in person during the meetings to comment.

Copies of said item may be examined in the Woodbury County Auditor's office in the said Courthouse during the normal business hours from 8:00 AM to 4:00 PM and 5:30 PM by any interested persons.

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Copies of said item may be examined in the Woodbury County Auditor's office in the said Courthouse during the normal business hours from 8:00 AM to 4:00 PM and 5:30 PM by any interested persons.

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Owner(s)/Applicant(s): Richard F. Luze and Kimberly K. Luze, 2480 Hwy 20, Lantown, IA 51030.

**PROPERTY OWNER(S) NOTIFICATION** **MAP**

Total Property Owners within 1000 FT via Certified Abstractor's Listing:	8
Notification Letter Date:	August 23, 2023
Public Hearing Board:	Zoning Commission
Public Hearing Date:	September 11, 2023 (Zoning Commission)
Phone Inquiries:	3
Written Inquiries:	1
Board of Supervisors Public Hearing Dates:	September 19, 26, and October 3 all at 4:45 PM
Board of Supervisors Legal Notification Publish Date:	September 14, 2023
The names of the property owners are listed below.	
When more comments are received after the printing of this packet, they will be provided at the meeting.	



Property Owner(s)	Mailing Address				Written Comments
Richard F. Luze & Kimberly K. Luze	2480 Hwy 20	Lawton	IA	51030	No comments.
Steve Mrla	1540 Dallas Ave.	Lawton	IA	51030	No comments.
Brian L. Berkenpas & Lisa Marling-George	2470 Hwy 20	Lawton	IA	51030	No comments.
BrianLisa, LLC	2470 Hwy 20	Lawton	IA	51030	No comments.
Trustee of the Vicki J. Atwell Revocable Living Trust	2514 Hwy 20	Lawton	IA	51030	<b>SEE COMMENT BELOW.</b>
Violet M. Reinholdt	2605 Glen Ellen Road	Sioux City	IA	51106-7124	No comments.
Life Estate to Trustee of the James R. Cross Revocable Trust	1371 Grundy Ave.	Moville	IA	51039	No comments.
Bradley H. Hopp & Megan L. Hopp	2475 Hwy 20	Lawton	IA	51030	No comments.

**Daniel Priestley**

**From:** Vicki Atwell <atwellvicki@gmail.com>  
**Sent:** Tuesday, August 22, 2023 11:27 AM  
**To:** Daniel Priestley  
**Subject:** subject letter on rezoning

**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 WCICC and DO NOT ENTER any data.**

Dear Sir, I sure hope you get this because I am not a computer expert. Not sure on how to get it signed either.

Just want to let you know that I have questions about why it has to be rezoned if they are just wanting to take the small parcel for themselves and I imagine sell the larger piece. Can't it stay AP?

I guess I have some concerns about it being turned into a housing development. I know you said for that to happen a lot of things have to be done.

You also said I could still use my farm as I have been. That will be good.

Thank you for your help and patience.

Sincerely,

Vicki Atwell

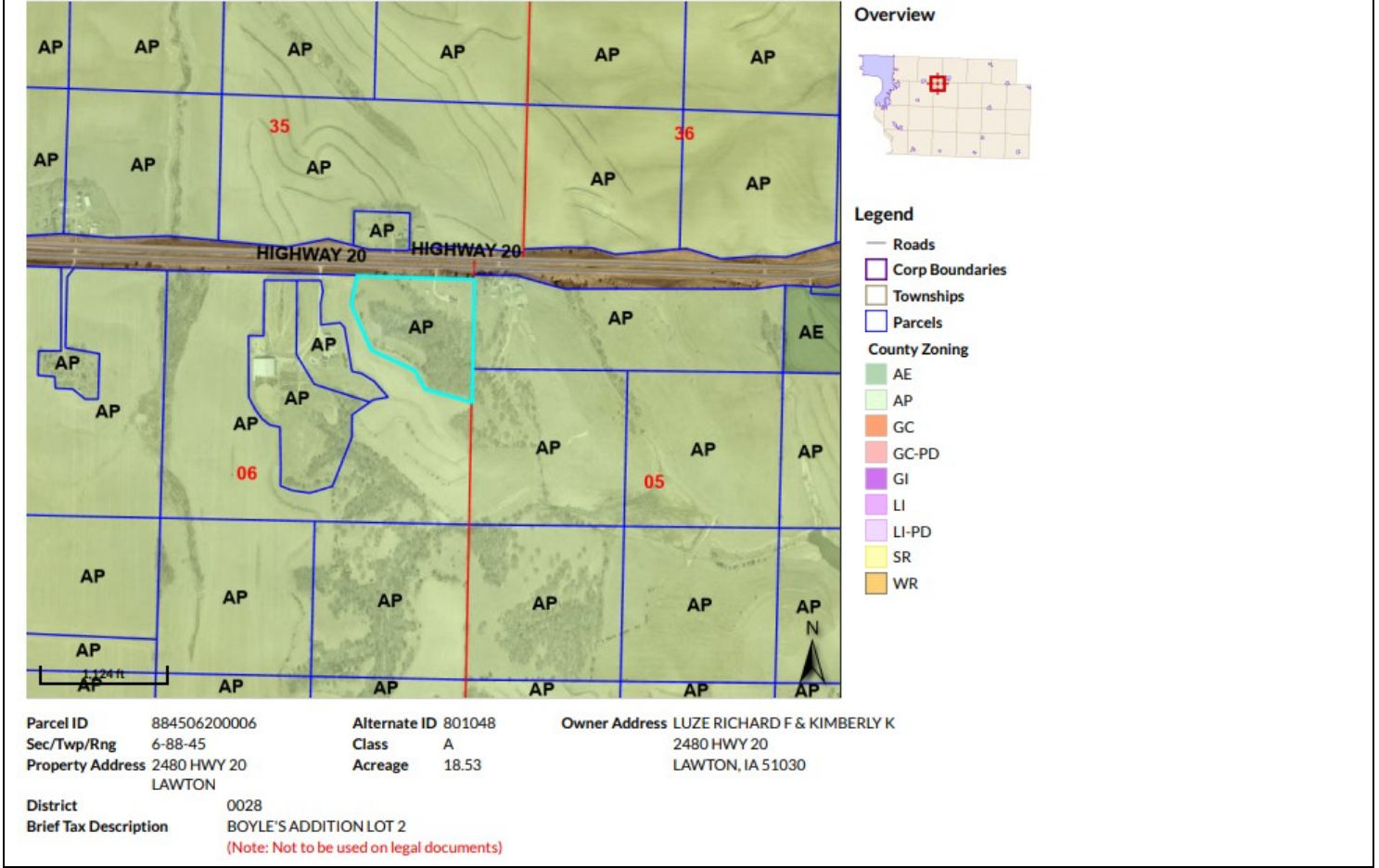
**STAKEHOLDER COMMENTS**

911 COMMUNICATIONS CENTER:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
IOWA DEPARTMENT OF TRANSPORTATION (IDOT):	No comments.
LOESS HILLS NATIONAL SCENIC BYWAY:	No comments.
LOESS HILLS PROGRAM:	No comments.
LONGLINES:	No comments.
LUMEN:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have reviewed the proposed rezoning for MEC electric, and we have no conflicts. – Casey Meinen, 8/8/23.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No conflicts for MEC “Gas”. – Tyler Ahlquist, 8/7/23.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this zoning request. NIPCO has no issues with this request. – Jeff Zettel, 8/7/23.

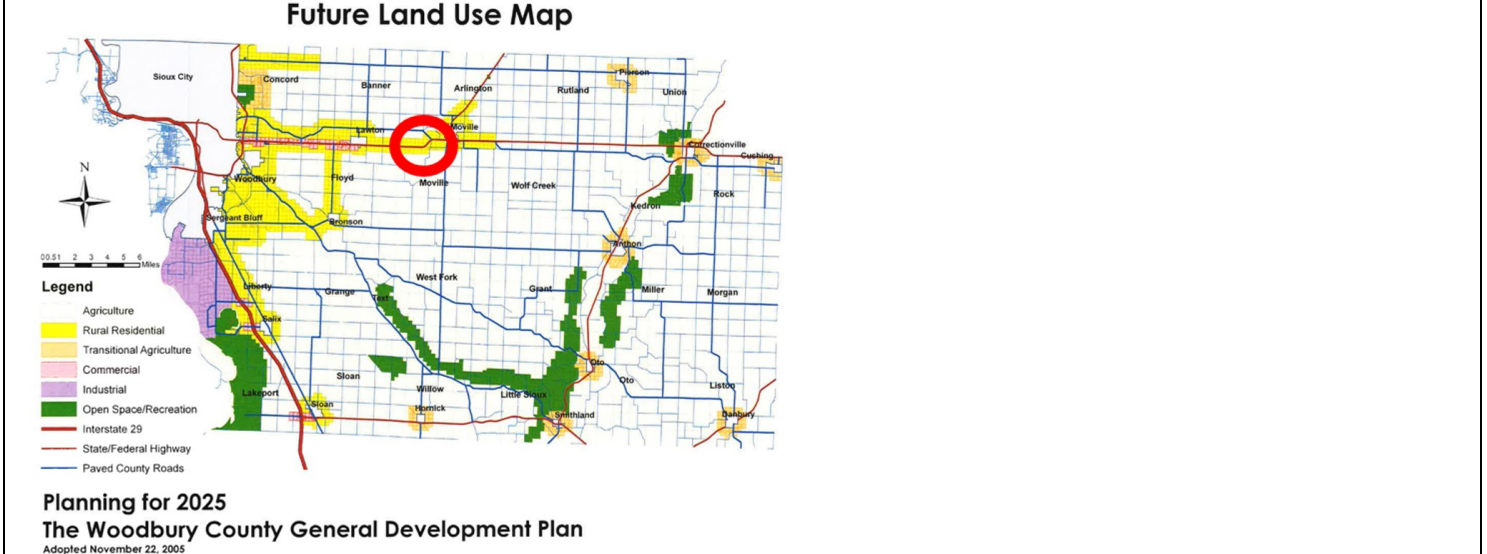


NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	No comments.
WOODBURY COUNTY RECORDER:	I have no comments. – Diane Swoboda Peterson, 8/7/23.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments regarding this rezoning proposal. – Neil Stockfleth, 8/4/23.

**ZONING MAP**



**FUTURE LAND USE MAP**



# Woodbury County, IA / Sioux City

## Summary

**Parcel ID** 884506200006  
**Alternate ID** 801048  
**Property Address** 2480 HWY 20  
 LAWTON IA 51030  
**Sec/Twp/Rng** 6-88-45  
**Brief Tax Description** BOYLE'S ADDITION LOT 2  
 (Note: Not to be used on legal documents)  
**Deed Book/Page** 697-9110 (5/7/2008)  
**Gross Acres** 18.53  
**Exempt Acres** 10.16  
**Net Acres** 8.37  
**Adjusted CSR Pts** 0  
**Zoning** AP - AGRICULTURAL PRESERVATION  
**District** 0028 MOVILLE/LAWTON-BRONSON  
**School District** LAWTON BRONSON  
**Neighborhood** N/A



## Owner

**Deed Holder**  
 LUZE RICHARD F & KIMBERLY K  
 2480 HWY 20  
 LAWTON IA 51030  
**Contract Holder**  
**Mailing Address**  
 LUZE RICHARD F & KIMBERLY K  
 2480 HWY 20  
 LAWTON IA 51030

## Land

**Lot Area** 18.53 Acres;807,167 SF

## Residential Dwellings

**Residential Dwelling**  
**Occupancy** Single-Family / Owner Occupied  
**Style** 1 Story Frame  
**Architectural Style** N/A  
**Year Built** 2009  
**Condition** Normal  
**Roof** Asph / Hip  
**Flooring**  
**Foundation** Conc  
**Exterior Material** HARDBOARD  
**Interior Material** Drwl  
**Brick or Stone Veneer**  
**Total Gross Living Area** 2,261 SF  
**Main Area Square Feet** 2261  
**Attic Type** None;  
**Number of Rooms** 5 above; 3 below  
**Number of Bedrooms** 2 above; 2 below  
**Basement Area Type** Full  
**Basement Area** 2,261  
**Basement Finished Area** 1,750 - Living Qtrs. W/ Walk-out  
**Plumbing** 1 Cust Bath - 3 Fixt; 1 Standard Bath - 3 Fi; 2 Shower Stall Bath -3; 1 Toilet Room (1/2 Bat; 1 Sink; 1 Shower Stall/Tub;  
**Appliances** 1 Range Unit; 1 Dishwasher;  
**Central Air** Yes  
**Heat** FHA - Electric  
**Fireplaces** 1 Gas;  
**Porches** 1S Frame Open (225 SF);  
**Decks** Wood Deck (432 SF); Concrete Patio (432 SF);  
**Additions**  
**Garages** 949 SF - Att Frame (Built 2009);

## Yard Extras

#1 - (1) Shed W14.00 x L24.00 336 SF, Metal Shed, High Pricing, Built 2014

## Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
5/7/2008	BOYLE KENNETH J & KELLY M	LUZE RICHARD F & KIMBERLY K	697/9110	CHANGE IN CLASS - MUST BE DEFINED	Deed		\$70,398.00

**Permits**

Permit #	Date	Description	Amount
5849	06/16/2014	Utility Shed	8,000
5105	09/15/2008	New Dwlg	357,000

**Valuation**

	2023	2022	2021	2020	2019
Classification	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Residential
+ Assessed Land Value	\$14,750	\$11,460	\$11,460	\$10,830	\$78,170
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$585,030	\$441,280	\$441,280	\$383,580	\$347,070
= <b>Gross Assessed Value</b>	<b>\$599,780</b>	<b>\$452,740</b>	<b>\$452,740</b>	<b>\$394,410</b>	<b>\$425,240</b>
- Exempt Value	(\$8,400)	(\$6,980)	(\$6,980)	(\$6,160)	\$0
= <b>Net Assessed Value</b>	<b>\$591,380</b>	<b>\$445,760</b>	<b>\$445,760</b>	<b>\$388,250</b>	<b>\$425,240</b>

**Sioux City Special Assessments and Fees**

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

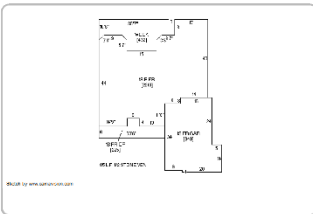
**Woodbury County Tax Credit Applications**

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

**Photos**



**Sketches**



No data available for the following modules: Commercial Buildings, Agricultural Buildings, Sioux City Tax Credit Applications, Sioux City Board of Review Petition.



[User Privacy Policy](#) [GDPR Privacy Notice](#)  
 Last Data Upload: 8/3/2023, 6:42:49 PM



**EFFECTIVE FLOODPLAIN MAP**



**Overview**



**Legend**

- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels
- FEMA Flood Map**
- ▭ A,
- ▭ AE,
- ▭ AE, FLOODWAY
- ▭ AH,
- ▭ AO,
- ▭ X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- ▭ X, AREA WITH REDUCED FLOOD RISK DUE TO LEVEE

<b>Parcel ID</b>	884506200006	<b>Alternate ID</b>	801048	<b>Owner Address</b>	LUZE RICHARD F & KIMBERLY K
<b>Sec/Twp/Rng</b>	6-88-45	<b>Class</b>	A		2480 HWY 20
<b>Property Address</b>	2480 HWY 20	<b>Acres</b>	18.53		LAWTON, IA 51030
	LAWTON				
<b>District</b>	0028				
<b>Brief Tax Description</b>	BOYLE'S ADDITION LOT 2				
	(Note: Not to be used on legal documents)				

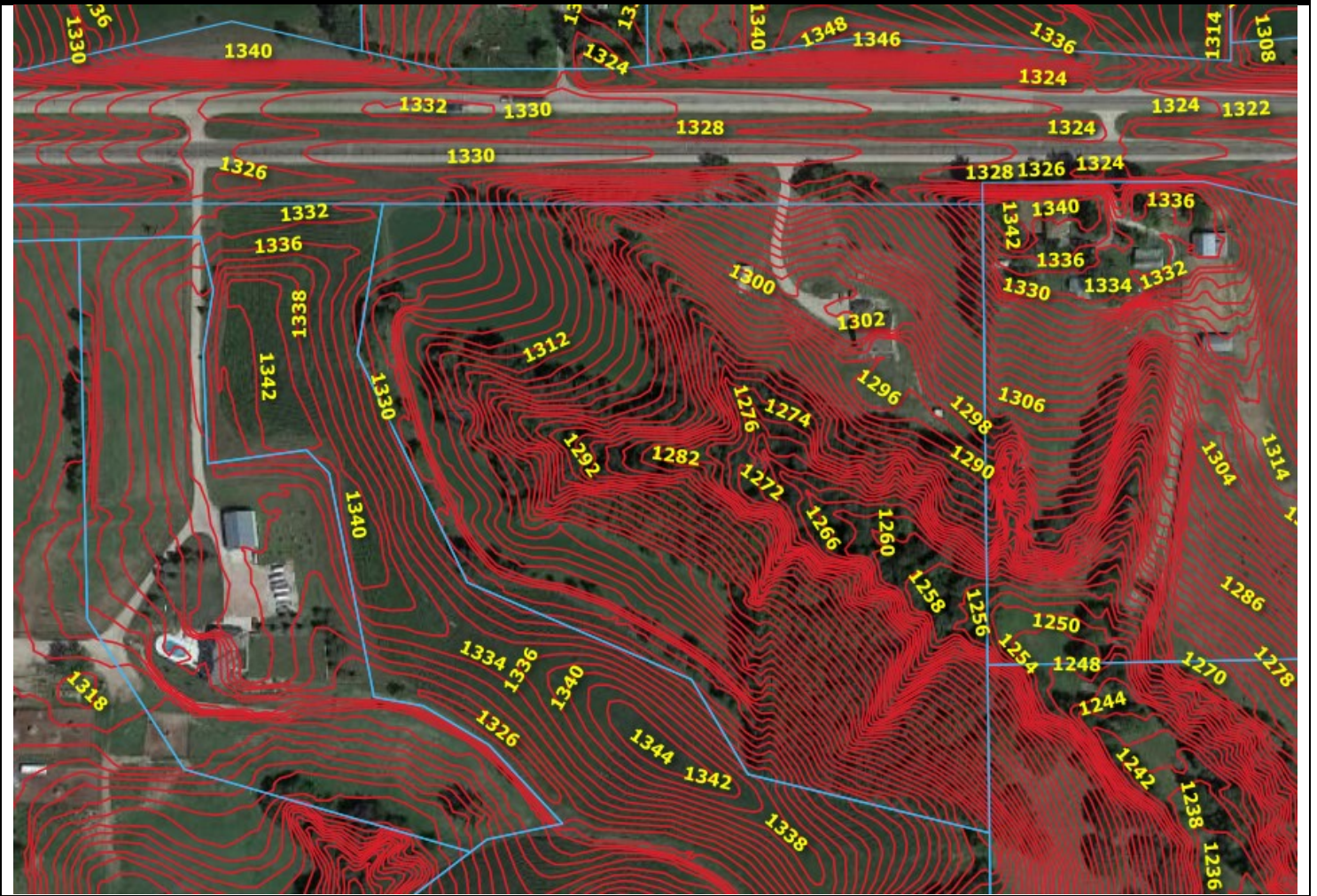
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**DRAFT FLOODPLAIN MAP**



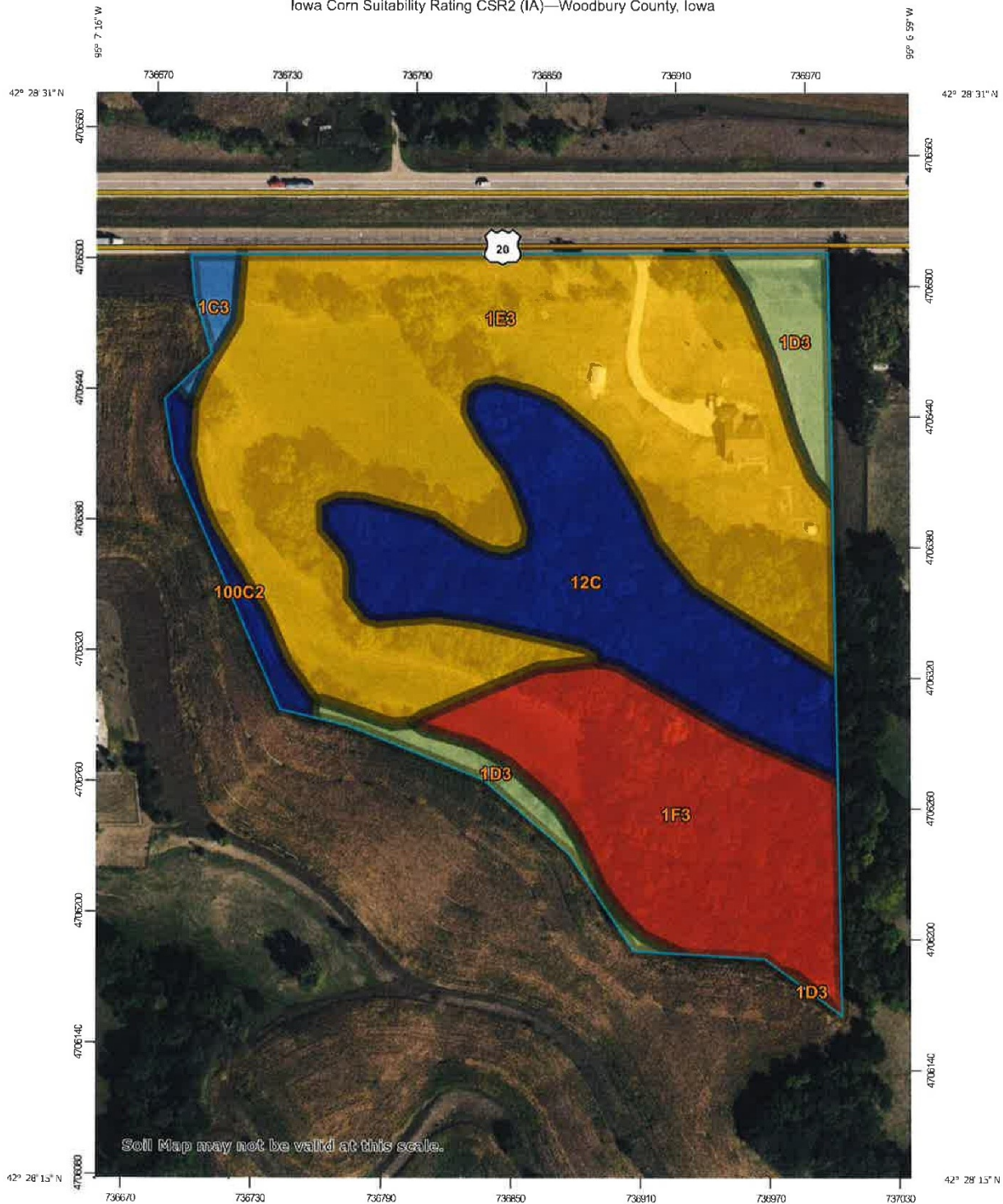


ELEVATION MAP





Iowa Corn Suitability Rating CSR2 (IA)—Woodbury County, Iowa



Map Scale: 1:2,430 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 14N WGS84

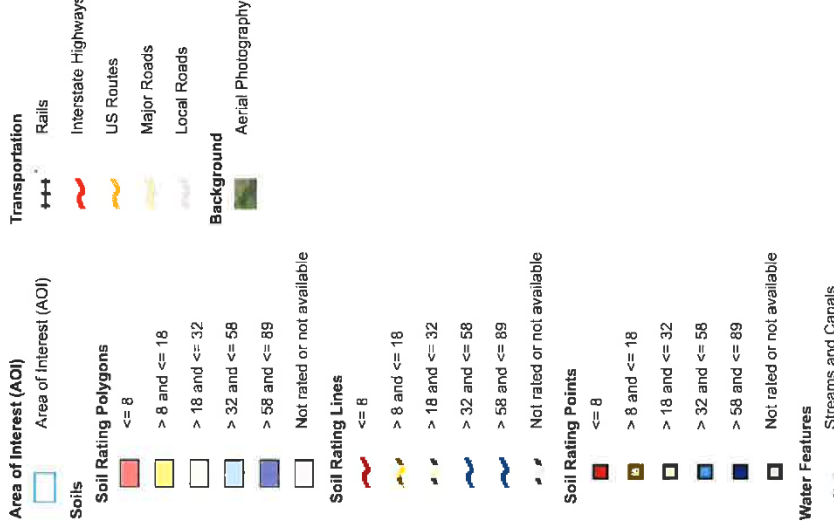


Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

7/25/2023  
Page 1 of 3

## MAP LEGEND



## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

**Warning:** Soil Map may not be valid at this scale.  
 Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Woodbury County, Iowa  
 Survey Area Data: Version 32, Sep 2, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 19, 2022—Sep 20, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Iowa Corn Suitability Rating CSR2 (IA)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
1C3	Ida silt loam, 5 to 9 percent slopes, severely eroded	58	0.2	1.2%
1D3	Ida silt loam, 9 to 14 percent slopes, severely eroded	32	1.2	6.3%
1E3	Ida silt loam, 14 to 20 percent slopes, severely eroded	18	9.8	51.1%
1F3	Ida silt loam, 20 to 30 percent slopes, severely eroded	8	3.9	20.1%
12C	Napier silt loam, 5 to 9 percent slopes	89	3.8	19.6%
100C2	Monona silty clay loam, 5 to 9 percent slopes, eroded	85	0.4	1.9%
<b>Totals for Area of Interest</b>			<b>19.2</b>	<b>100.0%</b>

### Description

This attribute is only applicable to soils in the state of Iowa. Corn suitability ratings (CSR2) provide a relative ranking of all soils mapped in the State of Iowa according to their potential for the intensive production of row crops. The CSR2 is an index that can be used to rate the potential yield of one soil against that of another over a period of time. Considered in the ratings are average weather conditions and frequency of use of the soil for row crops. Ratings range from 100 for soils that have no physical limitations, occur on minimal slopes, and can be continuously row cropped to as low as 5 for soils that are severely limited for the production of row crops.

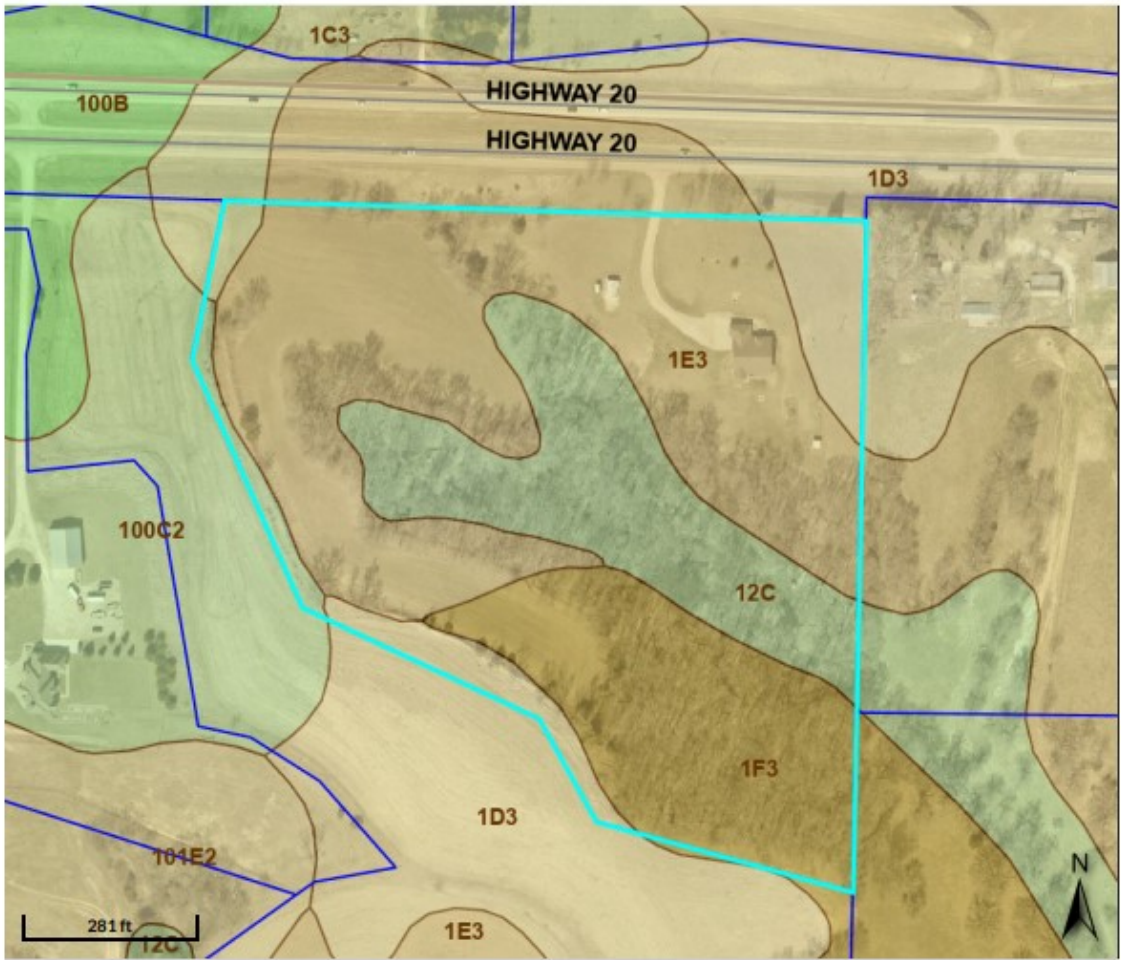
When the soils are rated, the following assumptions are made: a) adequate management, b) natural weather conditions (no irrigation), c) artificial drainage where required, d) no frequent flooding on the lower lying soils, and e) no land leveling or terracing. The weighted CSR2 for a given field can be modified by the occurrence of sandy spots, local deposits, rock and gravel outcrops, field boundaries, and noncrossable drainageways. Even though predicted average yields will change with time, the CSR2 values are expected to remain relatively constant in relation to one another over time.

### Rating Options

*Aggregation Method:* No Aggregation Necessary

*Tie-break Rule:* Higher

SOIL MAP



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
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- Parcels