

Minutes - Woodbury County Zoning Commission Meeting October 30, 2006

The meeting convened on the 30th of October, 2006 at 6:05 PM in the Board of Supervisor's meeting room on the first floor of the Court House, Downtown, Sioux City, Iowa. Present were the following Commission members – Chairman Don Groves, Dwight Rorholm, Arvin Nelson (arriving at 6:22), Christine Zellmer Zant and Grady Marx. Zoning Staff Present: John Pylelo and Peggy Napier. Present from the public was Riley Simpson, the County's consultant with Flat Earth Planning. Also present from the public were Mike Knight, Terry and Shirley Brown, manager Mr. Jon Winkel representing Colorado Condominiums, LLC and Brian Mastbergen of Dewild, Grant, Reckert and Associates Company Consulting Engineers.

The first agenda item was approval of October 16, 2006 Commission Minutes.

Mr. Rorholm made a motion to approve the February 27, 2006 meeting minutes subject to the following changes or additions:

- **Ms. Zellmer Zant asked the last line on page 1 which read; “Motion carried 4-1 with Mr. Marx voting against” be changed to read “Motion carried 3-1 with Mr. Marx voting against and Ms. Zellmer Zant abstaining.**
- **Ms. Zellmer Zant wanted to include in the minutes her statement “my personal policy is that if I can not personally validate the contents of the minutes as actual/factual, I choose not to approve or disapprove...therefore abstaining.”**
- **The last paragraph before the italicized paragraphs third from the bottom on page 6 should be changed from “Throughout the evening commission members...” to “Ms Zellmer Zant raised certain policy, administrative...etc..”**
- **Mr. Marx wanted it noted in the minutes for October 16 that he concurred with the questions Zellmer Zant was asking in the above statement.**
- **Ms. Napier noted the second bullet on page 2 was a repeat from page 1 and should be deleted.**
- **Ms. Napier noted the paragraph 12 should read “Mr.” instead of “Dwight” Rorholm.**
- **Ms. Napier paragraph “8” on the 3 and 4 bullets on page 4 should read paragraph “6.”**

Ms. Zellmer Zant and Mr. Marx said the minutes for the 2005 should be in detail pending potential problems and questions in the next 25 years. Mr. Rorholm and Mr. Nelson said minutes were not depositions and should be summaries, not verbatim transcriptions.

The decision was made future minutes should be clearly summaries. Any questions or additions can be voted on and corrected with the next minutes.

Mr. Nelson seconded the motion; motion carried 4-0.

The second agenda item was combined with the fourth with the third agenda item after the following non-agenda discussions:

Per his agreement at the previous meeting, Mr. Pylelo contacted the County's legal department regarding the issues and inquiries listed in the previous minutes. In summary, the Zoning Commission has never had Board approved policies or bylaws to dictate transcription of minutes and what constitutes timeliness presenting them to the commission and their approval. Mr. Pylelo agreed to get copies of the city's policies and also those of comparable county's for the next meeting.

The commission wanted to accelerate the meetings. The next meetings will be November 6, 14 and 27. The December meetings will be December 11 and 18.

The third agenda item was Time Specific 7:00PM; Public Hearing re: Consideration for the Preliminary Plats and Recommendation to Board of Supervisors for Bluff View Addition subdivision to be renamed Dutch View Addition subdivision – Parcel GIS # 8847 29 176 010.

The Woodbury County Office of Planning and Zoning has received a Subdivision application from property owner Colorado Condominiums, LLC represented by manager Mr. Jon Winkel and Brian Mastbergen of Dewild, Grant, Reckert and Associates Company Consulting Engineers. The applicant intends to subdivide the current 8.98 acre parcel into four (4) lots for existing and future residential development.

On October 17, 2006 the Board of Supervisors considered the preliminary plats and now forwards the platting to your Commission for public hearing and recommendation. The Supervisors made specific comment of the potential impact of additional driveways along Old Lakeport Road should this subdivision be approved.

The parcel is located in the SE ¼ of the NE ¼ of Section 29, Woodbury Township abutting the west side of Old Lakeport Road at or near the intersection of Old Lakeport Road and Quail Ridge Road. The property is zoned AG (Agricultural) and not within any floodplain. The average crop suitability rating for the property is 20.0.

Proposed Lot 1, known as 7251 Old Lakeport Road, would contain the existing single family dwelling and an accessory structure. Proposed Lot 2 contains multiple accessory structures which will be removed or demolished. Proposed Lots 3 and 4 have no existing structures other than Lot 3's abandoned building foundation. Subsequent to that there is a cistern between Lots 3 and 4. On the plat it is referred to, but you could easily miss it.

The applicant's intended use of all proposed lots is permitted within this Zoning District. As Old Lakeport Road is a paved County maintained roadway no paving agreement is required as a condition for subdivision approval. The proposed subdivision is within 2 miles of the corporate limits of the city of Sioux City and the City of Sergeant Bluff and thus may require Sioux City and Sergeant Bluff City Council approval.

Notification was sent to the 94 property owners within 1000' of the proposed subdivision. When we had sent out your packets we had one response from Mr. Gary Clifford of 104 Quail Ridge Road. Mr. Clifford is the adjacent property owner to the north of proposed Lot 4 and he asked of the required side set back of structures from proposed Lot 4's north property line. Mr. Clifford is interested in maintaining what he considers to be an adequate separation distances between his residence and any proposed structures on Lot 4. Mr. Clifford indicated he may be in attendance at the hearing. He is not in attendance.

Notices were also sent to each of the following Agencies or Institutions with responses noted.

NRCS: No response Received

County Engineer: Mr. Roger Milligan has reviewed pre-preliminary platting and orally indicated the drives at the location shown on the preliminary plat are acceptable. Subsequent to that, Dick Storm, the County Engineer, has provided an email stating he has no issues with the proposed driveway entrances.

DNR: Response letter received regarding NPDES #2 permit requirement. A copy was sent to Mr. Mastbergen who responded advising the proposed subdivision will not disturb more than 1 acre of area during the life of the project and thus the permitting would not be required.

Longlines: No Response Received

MidAmerica Energy: No Response Received

Siouxland District Health Department: Our office had concerns regarding the drain field on the existing residence on the proposed Lot 1 and whether that was entirely enclosed in the area to be known as Lot 1. Siouxland District Health responded saying they had no information regarding the septic system or the drain fields on that property.

County Assessor: No Response Received

Emergency Services: No Response Received

Real Estate Department: Dean Neal responded indicating the proposed name on the Preliminary Plat of *Bluff View Addition* subdivision is not available due to an existing subdivision name conflict. The applicant wishes to submit the alternative name of *Dutch View Addition* subdivision which is acceptable. The name change should be a condition of any preliminary plat approval.

Board of Supervisors: Note is made of the Board's previous driveway comments. They are negated by the County Engineer's statement.

Woodbury Soil Conservation District: No Response Received

City of Sioux City: Brent Nelson, Senior Planner for the city of Sioux City responded by telephone advising Sioux City, due to Sergeant Bluff's closer proximity, will not exercise the right of approving this subdivision.

Farmers Drainage District Trustees: No Response Received

Soil and Water Conservation District: No Response Received

City of Sergeant Bluff: They have no comment and will not require dual approval of this subdivision.

Mr. Kevin Brewer who lives south of the proposed Dutch View subdivision sent a letter to the Office of Planning and Zoning itemizing his concerns. Copies were given to the Commission members before Mr. Brewer approached the commission. His questions were;

1. The actual plan for the removal and disposition of the current buildings on "Proposed Lot 2."
2. The Actual location to property line, easement and etc. that the new buildings/homes will be placed.
3. What are the plans for drainage/runoff?

Mr. Brewer's questions were discussed by the commission and resolutions added as conditions to the motion.

This was the end of Mr. Pylelo's dialogue.

Mr. Rorholm made a motion the Dutch View Addition Subdivision Preliminary Plat be approved subject to the following conditions:

- 1. The structures on proposed Lot 2 will be demolished by any legal means.**
- 2. The potential evaluation and filling or removal of certain foundation and wellheads.**
- 3. Building lines be shown on the final plat.**

4. Map rescaling.

5. Zoning.

Motion seconded by Mr. Marx. Motion carried.

The fourth Agenda item was combining of agenda item #2 and 4 of the work session regarding the drafting of zoning ordinances and mapping for Woodbury County related to the County's 2005 General Development Plan.

Mr. Simpson began his review of zoned areas for the future zoning map with Concord Township. A discussion ensued with several of the subdivisions, but the commission was generally in agreement with the changes.

The fifth Agenda item was comments from the public.

Mr. Mike Knight approached the commission with comments on the structure of the meetings and his observations about what the public wanted.

Mr. Knight suggested placing all of the minutes that have followed since the adoption of the 2005 General Development Plan on the county website along with the meeting schedules.

Mr. Marx made a motion to add the minutes to the Planning and Zoning page of the County website; Ms. Zellmer Zant seconded the motion; motion carried.

Mr. Rorholm made a motion to adjourn; seconded by Mr. Marx; motion carried.

Meeting adjourned 9:10 PM