

Minutes - Woodbury County Zoning Commission Meeting November 27, 2006

The meeting convened on the 27th of November, 2006 at 6:10 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, Arvin Nelson, Christine Zellmer Zant, Grady Marx, and Dwight Rorholm. Zoning Staff Present: John Pylelo and Peggy Napier. Present from the public was Riley Simpson, the County's consultant with Flat Earth Planning and Rob Marqusee, the Rural Economic Development Director.

The first agenda item was approval of November 6th, 2006 Commission Minutes.

Mr. Nelson made a motion to approve the November 6th, 2006 meeting minutes; Mr. Marx seconded the motion; motion carried 4-0.

The second agenda was a presentation by Mr. Rob Marqusee, Woodbury County Rural Economic Development Director Re: The Concept of Conservation Communities.

Mr. Marqusee presented a concept that promotes preservation of farm land. It was based around the idea of designing a subdivision as a community farm with land existing specifically for farming. Organic farming would give the subdivision tax abatements for five (5) years and would prevent living close to sprayed chemical pesticides.

Ways to use such a plan other than farming were also discussed.

Mr. Pylelo agreed to research similar plans in neighboring counties for the next Zoning Commission meeting.

The third agenda item was Consideration of the Final Plats and Recommendation to Board of Supervisors for Dutch View Addition subdivision.

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, Rechert 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.

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. Proposed Lots 3 and 4 have no existing structures other than Lot 3's abandoned building foundation.

The applicants intended use of all proposed lots is permitted within this Zoning District. As Old Lakeport Road is 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.

At your meeting of November 6th, 2006 you voted to recommend approval of the preliminary plats subject to the following changes or conditions:

1. That building zones be shown on the final plats; and
2. An increase of the building zone set back for Lot 2's southern property line from 20, to 100'
3. That certain accessory structures on lots 1 through 4 be legally razed, burned, removed, disposed of and/or filled.

The final plat reflects the changes in items 1 and 2 referred to above.

In addition Commissioner Marx requested consideration be given to a separation of the proposed adjacent drives for lots 2 and 3 and the developer has agreed to separate those drives. The County Engineer has reviewed and has no objections. This driveway change is shown on the final plats.

The following government or agency notice developments have occurred since your November 6th, 2006 meeting. The City Attorney for Sioux City has advised his City's staff that Sioux City has no statutory authority to require their city's approval of this subdivision as the corporate boundaries of Sergeant Bluff are closer in proximity.

At this date the City of Sergeant Bluff's final position has not been obtained in writing. Thus it is unknown whether they will require their counsel's approval. Discussion continues to take place between the developer and City of Sergeant Bluff representatives. It is expected Sergeant Bluff will require Council approval.

On November 21st, 2006 the Board of Supervisors approved the preliminary plats with your conditions, considered the final plats and now forwards the final plats to your Commission for review and recommendation.

A question was raised about monitoring the demolition/razing of the remaining buildings. Mr. Pylelo suggested allowing the developer to record the final plat but no deeds get recorded on sale until the buildings are removed. Mr. Rorholm agreed with the condition.

Mr. Marx made a motion to approve the final plat with the condition as Mr. Pylelo stated; Mr. Rorholm seconded the motion. Motion carried 4-0.

The fourth agenda item is the Work Session Re: Woodbury County Zoning/Subdivision Ordinances and Mapping

The commission and Mr. Simpson began with reviewing the subdivisions and their zoning in the townships of Banner and Concord.

There was extensive discussion regarding changing some of the subdivisions from AG (agricultural) to AR (agricultural residential). It was decided; in the interest of being able to move forward, in issues such as this a vote would be taken among the commission.

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

Meeting adjourned 9:10 PM

Next meetings are December 11 and 18.