

Minutes of Woodbury County Zoning Commission September 12, 2007

The meeting convened on the 12th of September, 2007 at 5:40 PM in the Board of Supervisor's meeting room on the first floor of the court house, Sioux City, Iowa. Present were the following Commission members – Chairman Grady Marx, Dwight Rorholm, Christine Zellmer Zant, David McWilliams; Arvin Nelson arrived at 6:20 PM; Zoning Staff Present: John Pylelo and Peggy Napier. Riley Simpson, consultant for Flat Earth Planning, was in attendance. He was later joined by Brad Hopp.

The first agenda item was approval of the Zoning Commission minutes of August 27, 2007.

Mr. Rorholm made a motion to approve the August 27th, 2007 minutes subject to the following changes;

- *Change “McBride” to “Bride” in two (2) places on page 4.*
- *Change “...member of Loess Hills Alliance and assisted with development of portion of 2003 Comprehensive Plan that related to the Loess Hills” next to Tom Bride’s name, to “Rural landowner and farmer.”*
- *Mr. Redmond emailed Mr. Pylelo to ask “...member of Loess Hills Alliance and assisted with development of portion of 2003 Comprehensive Plan that related to the Loess Hills” be changed to “Chair of the Iowa Chapter of the Sierra Club’s Loess Hills campaign and Chair of the local Northwest Iowa Sierra Club.”*
- *Listen to tape and ascertain who made comment regarding a “Mission Statement.”*
 - *Tom Bride’s exact comment was “Maybe a good suggestion here is to develop a mission statement or goal to preserve these areas that individuals want to preserve...Not regulate what an individual can’t do, but cultivate a way to create more conservation easements that are willing agreements between (unclear) Alliance and other groups which preserve these...*

(Ms. Zellmer Zant interjected) “Are you saying that if someone comes in with a housing development (you think) that we should point out that this is a fragile area and that you would encourage that it be protected, but at the same time it’s your property – you have the right to make the decision.”

Bride went on to give a possible scenario as an example.

- *Mr. McWilliams asked who made comments about someone living on Jackson and telling a neighbor what to do with their yard. Ms. Napier said she would listen to the tape to clarify.*

- *Mr. Ellis said (paraphrased) he wouldn't impose his will on others with land. He wouldn't ask Planning and Zoning for an ordinance so everyone on 3700 Jackson St. would quit mowing their lawns because it contributes to global warming.*

Mr. Nelson seconded the motion subject to the changes; Motion carried 4-0

Mr. Pylelo wished to make a few follow-up comments to the commission;

- Mr. Steve Flewelling contacted the office of Planning and Zoning again to reinforce his desire to not change the zoning on his property. A small discussion ensued noting Mr. Flewelling has been the only property owner to object so strenuously.
- There appear to be upcoming problems regarding noise coming from a kennel in rural Woodbury County.

Chairman Marx wished to make a comment regarding a letter received by the Planning and Zoning office that made negative comments about special interest groups. Marx felt adamant about keeping special interest groups separate from Planning and Zoning issues.

Mr. Simpson and Mr. Pylelo commented everyone has a right to be heard in a public hearing.

Chairman Marx said he felt several comments made regarding ex-parte' communication at the last meeting were unjustly directed at him. He said he intends to become more educated about issues that arise in the meetings and about his part as chairman.

Mr. Pylelo said the BOS (Board of Supervisors) have been discussing all board and commission members becoming more educated on issues they deal with consistently.

Chairman Marx said, according to his lawyer, if he talks to landowners the information from that talk needs to be brought to the commission. He went on to say any opinion formed from a conversation he should be able to bring to the commission.

Mr. Rorholm said it's important not to put yourself in situations that challenge impartiality.

Mr. Simpson said the key is to inform the commission of everything. Mr. McWilliams agreed with Simpson.

Ms. Zellmer Zant emphasized it is still important to visit sites and research in order to form an opinion for the public meeting. If the landowner is at the meeting, information you bring to the meeting can be confirmed and verified.

Ms. Zellmer Zant made a motion to recess for 5 minutes. Mr. Rorholm seconded the motion. Chairman Marx called a recess at 7:15 PM. The meeting reconvened at 7:25 PM.

The second agenda item was Any Citizen wishing to be heard before the Commission.

Brad Hopp came into the Board room while the commission was discussing item #4. Mr. Pylelo and Mr. Simpson interrupted a discussion to hear Mr. Hopp's comments on the possibility of a home occupation on Hwy 20.

A discussion ensued regarding current and future home occupation regulations and how they will differ when the ordinances for the new Development Plan are adopted. The commission also recommended Hopp speak with Rob Marqusee, Woodbury County Director of Rural Economic Development, about his plans for a new business in the county.

The third agenda item was a Work Session Re: Woodbury County Zoning/Subdivision Ordinances and Zoning District Mapping.

Mr. Simpson facilitated review of changes/corrections made in ordinances from page 11.

- Question arose regarding refunding fees. A decision was made to remove it.
- It was decided a "Caution Statement" could be used to appeal decisions made by the Board of Adjustment. Any construction or cost incurred during the period subject to appeal is at the risk of the applicant.

The commission finished with Article 2 and began Article 3. Discussions ensued regarding NR (Non-agricultural Residential) zoning, restrictive covenants, an ordinance for towers, and making wind-generated electricity a conditional use in all zoning districts.

Ms. Zellmer Zant made a motion to adjourn; seconded by; Mr. McWilliams; approved.

Meeting adjourned 8:45 PM

Next meeting on Monday, September 24th at 6 PM. Future meetings are tentatively Tuesday, October 9th, and Monday, October 22nd.