

## **Minutes of Woodbury County Zoning Commission September 24, 2007**

The meeting convened on the 24th of September, 2007 at 6:00 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, Christine Zellmer Zant, David McWilliams, and Arvin Nelson. Dwight Rorholm notified the Office of Planning and Zoning he would not be at the meeting. Present from the zoning staff: John Pylelo and Peggy Napier. Robert Wortman was present from the public.

**The first agenda item was approval of the Zoning Commission minutes of September 10, 2007.**

*Ms. Zellmer Zant made a motion to approve the September 12th, 2007 minutes; Mr. Nelson seconded the motion; Motion carried 3-0*

**The second agenda item was Review of the final plat and recommendation for Bailey's Plat – A Replat of Lot 1 and Part of Lot 2 of Ridgeview II Subdivision – Parcel GIS# 8945 31 200 001**

The Woodbury County Office of Planning and Zoning has received a Subdivision application from property owners Scott G. and Kay E. Semple. The applicants have applied to replat existing Lot 1 and a Portion of Lot 2 consisting of 7.0 acres into two (2) lots. The applicants currently live in the single family dwelling located on existing Lot 1 and wish to develop the southern portion of the Lot for a future single family dwelling residential development. The applicants are considering a dual drive location at the 150<sup>th</sup> St. roadway right of way.

The original Ridgeview II Addition was developed by Stanley D. Shoop and approved in 1980. Lot 2 lying to the East was later replated with a portion of the former Lot 2 being combined with the current Lot1.

The parcel is located in the NW ¼ of the NE ¼ of Section 31, Banner Township abutting the south side of County maintained graveled roadway known as 150<sup>th</sup> St. The subdivision's location lies approximately ½ mile west of the intersection of 150<sup>th</sup> St. and Eastland Avenue. The location is approximately ¾ mile northwest of Lawton and the subdivision may require Lawton City Council approval.

The property's location is zoned AG (Agricultural), the current and intended uses are permitted with no portion of the proposed replat lying within any flood hazard area.

The average crop suitability rating for the parcel is 43.0. The County paving policies are not applicable as at this location 150<sup>th</sup> St. is a paved County maintained roadway. A recorded paving agreement will not be required as a condition for subdivision approval.

At your Commission's meeting of August 27, 2007 you considered the preliminary platting, held the required public hearing and voted to recommend approval of the preliminary platting with the following conditions:

1. Final platting shall refer to Lot 1 as Lot 1-A; and refer to Lot 2 as Lot 1-B.
2. Final platting shall reflect reference to, and an easement agreement be recorded for, an ingress and egress easement to Lot 1-A across the north 80.0 feet of Lot 1-B.
3. A waiver or extraterritorial plat approval by the town of Lawton.

The Board of Supervisors considered your recommendation, reviewed the final platting and now forwards the final platting to your Commission for recommendation. Note the final platting meets the condition outlined in your Commission's recommendation for items 1 and 2 above. On September 19, 2007 the city clerk of Lawton advised the Zoning Office the City of Lawton will waive their right to extraterritorial review. It is anticipated Lawton's waiver will be recorded as an attachment to the final platting. The Zoning Office will monitor this issue.

Lawton's waiver will be an attached item to the Final Plat. It is not added to text on the plat itself.

*Mr. Nelson made a motion to recommend approval of the Final Plat to the Board of Supervisors subject to;*

1. *Final platting shall refer to Lot 1 as Lot 1-A; and refer to Lot 2 as Lot 1-B.*
2. *Final platting shall reflect reference to, and an easement agreement be recorded for, an ingress and egress easement to Lot 1-A across the north 80.0 feet of Lot 1-B.*
3. *A waiver or extraterritorial plat approval by the town of Lawton.*

*The plat will be signed and show it has been recorded.*

*Mr. McWilliams seconded the motion; motion carried 3-0.*

**The third agenda item was Review of the final plat and recommendation for Kaufman Addition subdivision – Parcel GIS #8747 05 300 004.**

The Woodbury County Office of Planning and Zoning has received a Subdivision application from property owners David and Linda Kaufman. The applicants intend to subdivide the current 8.67 acre parcel they purchased in 1989 into three (3) lots. The applicants currently live on the dwelling located on proposed Lot 1 and rent out the dwelling on proposed Lot 2. It is intended proposed Lot 3 will be used for the future construction of a new home for the applicants. No grading is planned other than residential building site excavation on Lot 3.

The parcel is located in part of the SW ¼ of Section 5, Liberty Township abutting the east side of Banner Avenue a County maintained graveled roadway. The location lies south and within two (2) miles of the Sioux City/ Sergeant Bluff metropolitan area. The subdivision may require either or both of Sioux City's or Sergeant Bluff's City Council approval.

The property is zoned AG (Agricultural), the current and intended uses are permitted and no portion of the subdivision lies within any floodplain. The average crop suitability rating for the parcel is 65.0. The County paving policies are applicable as at this location Banner Avenue is an unpaved County maintained roadway. A recorded paving agreement will be required as a condition for subdivision approval.

At you Commission's meeting of June 25, 2007 you considered the preliminary platting, held the required public hearing and voted to recommend approval of the preliminary platting with the following conditions:

1. Paving Agreement be properly prepared and recorded.
2. Verify the design and quality of the septic system for lot 2 and replace the septic system for lot 1 if needed.
3. The final plat for lot 1 and 2 indicates the existing well is associated with both lots.
4. The drive location on the south half of Lot 3 be sited on the final plat as recommended by County Engineer.
5. Review and approval by Sergeant Bluff and/or the Sioux City Council(s) unless they waive said review.
6. Utility easements be prepared and recorded for water lines on Lot 1 and Lot 2.

The final platting reflects the requested plat changes showing the existing well (ITEM 3) and Lot 3's driveway location (ITEM 4). The paving agreement (ITEM 1) and utility easement (ITEM 6) have been prepared by the developer's legal counsel and await signature. The Office of Planning and Zoning will monitor and verify the recording of the documents. The developer's legal council, Robert Rehan, has advised the Zoning Office the City of Sergeant Bluff will waive their right to extraterritorial review (ITEM 5). It is anticipated Sergeant Bluff's waiver will be recorded as an attachment to the final platting. The Zoning Office will monitor this issue. Siouxland District Health will permit and inspect septic system designs and installations referred to in ITEM 2.

The mortgage holder consent and name availability affidavit certifications were inadvertently omitted from the final platting and will be recorded as attachments to the final plat at recording of the documents.

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

There were no citizens present who wished to be heard.

A discussion ensued regarding issues in zoning for adult entertainment.

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

Canceled.

*Chairman Marx asked several parcels be reviewed for a discrepancy in zoning between AP (Agricultural Preservation) or AE (Agricultural Estates).*

*Ms. Zellmer Zant suggested there were Iowa codes already in place that protected farm land from any future development. Zant agreed to locate these codes and make them available to the Zoning Office for future discussion.*

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

Meeting adjourned 6:40 PM

Next meeting on Tuesday, October 9<sup>th</sup> at 6 PM. Future meeting is Monday, October 22<sup>nd</sup>.