

Minutes - Woodbury County Zoning Commission Meeting October 24, 2011

The meeting convened on the 24th of October, 2011 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 Grady Marx, Christine Zellmer Zant and Arvin Nelson; David McWilliams arrived at 6:15 and Mike Knight had a previous commitment. Zoning Staff Present: John Pylelo and Peggy Napier. From the public Louise Deirtoff and Doug Mordhorst were present.

The first agenda was approval of August 22nd, 2011 Commission Minutes.

Mr. Nelson made a motion to table approval of the minutes until a quorum was present.

Ms. Zellmer Zant seconded the motion; motion carried 3-0.

The next agenda item was a Public Hearing and Recommendation on Final Platting for the Jason Addition – a Minor Subdivision.

The Woodbury County Office of Planning and Zoning received a subdivision application from The Security National Bank of Sioux City, Iowa as Conservator for property owner Janis L. Alexander. The property owner wishes to subdivide an existing 39.707 acre parcel into three (3) lots. If approved the applicant wishes to list and sell proposed Lots 1 and 2 retaining proposed Lot 3 within the conservatorship. No residential development is intended for proposed Lot 3.

The parcel is zoned AP (Agricultural Preservation). Proposed Lots 1 and 2 have existing driveways, single family dwellings, outbuildings, wells, and septic systems.

The number of single family dwellings within a quarter-quarter section (40 acres) does not require re-zoning at this time. However, re-zoning would be required for single family residential development upon proposed Lot 3. No portion of the existing parcel is located within an existing or proposed flood hazard designation or a drainage district. However, a Zone A flood hazard area (100 year floodplain) lies approximately 125' to the west. Adjacent and nearby zoning designations are: AP (Agricultural Preservation). The assessor's record reflects an average CSR of 35.0. Structures, well and septic systems all appear to meet side and rear setbacks from proposed new lot lines.

All three proposed lots abut Jason Ave. a graveled and county maintained roadway requiring the recording of a Paving Agreement meeting county paving policy be a condition of subdivision approval.

The proposed subdivision lies within 2 miles of the town of Smithland. The Smithland Town Council has the right of extraterritorial review and approval under Iowa Code. At this date it is undetermined whether Smithland will review or waive their right of review. Smithland's plat approval, or waive of their approval right should be a condition of subdivision approval.

The seven (7) property owners within 1000' of the proposed rezoning were notified by letter of the public hearing. As of October 17, 2011 no nearby property owners had contacted the Planning and Zoning Office.

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

County Engineer: County Engineer e mailed response at 3 pm today and said his office will not require they move the driveway. There was no better place for the drive.

DNR: No response Received

Western Iowa Telephone: No Response Received

Woodbury County REC: No Response Received

Siouxland District Health Department: No Response Received.

County Assessor: No Response Received

County Emergency Services: No Response Received

County Real Estate Department: Subdivision name is available for use

Board of Supervisors: No Response Received

Holly Faber-Smithland Town Clerk: Planning and Zoning received a call from Ms. Faber saying their city council waived their extraterritorial rights.

Jerry Sindt – Little Sioux Watershed Flood Prevention Program; Woodbury County Conservation District and Division of Soil Conservation: No Response Received

As of October 17, 2011 no nearby property owners had contacted the Planning and Zoning Office. We enclose final platting, topographical platting, parcel information and on-site pictures recently taken.

Staff Recommendation: Subject to public hearing testimony staff recommends a Zoning Commission approval recommendation to the Supervisors conditioned upon:

1. The executing and recording of a Paving Agreement.

2. The existing driveway for lot 1 does not meet current standards for stopping sight distance. The lot and house, when marketed, should disclose that the driveway is allowed as it exists, but that it does not meet current standards. If a future building permit for a new home is issued for this lot, the driveway issue should be addressed prior to approval.

Your Commission is asked to hold a public hearing and provide a recommendation for final plat approval to the Board of Supervisors.

Mr. Nelson made a motion to close the public hearing. Ms. Zellmer Zant seconded the motion; carried 3-0.

A poll was taken and all three commissioners present agreed they would vote to recommend approval of the minor subdivision.

Ms. Zellmer Zant made a motion to recommend approval of the Jason Minor Subdivision subject to the following conditions.

1. **The executing and recording of a Paving Agreement.**
2. **The existing driveway for lot 1 does not meet current standards for stopping sight distance. The lot and house, when marketed, should disclose that the driveway is allowed as it exists, but that it does not meet current standards. If a future building permit for a new home is issued for this lot, the driveway issue should be addressed prior to approval.**

Mr. Nelson seconded the motion; carried 3-0.

The next agenda item was any citizen wishing to be heard from the public.
There were no longer any citizens present.

The next agenda items were updates from the Planning and Zoning Department.

- Mr. Pylelo initiated a discussion of how to handle the information from the private consulting firm hired to re-evaluate the FEMA elevation data in the targeted areas.

The Board of Supervisors wanted to make the information available to the public. Mr. Pylelo acknowledged it would help some but not others; however, the office still did not

know what form the information would take making it difficult to determine how it should be dispersed. Pylelo stated the Board would be making a decision in November.

- Mr. Marx announced two (2) airlines were bidding on a presence in Sioux City. He asked any input be passed on to him to present to the Airport Board of Trustees.

Ms. Zellmer Zant made a motion to adjourn. Mr. Nelson seconded the motion; motion carried 3-0.

Meeting adjourned at 6:33 PM. Next meeting will be on September 26th at 6 PM.