

Minutes - Woodbury County Zoning Commission Meeting – June 27, 2022

The Zoning Commission (ZC) meeting convened on the 27th of June at 6:00 PM for in the first-floor boardroom in the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Chris Zant, Corey Meister, Jeff O'Tool, Barb Parker
County Staff Present: Dan Priestley, Dawn Norton
Public Present: Mark Williams, Dan Kriener

Call to Order

Chair Chris Zellmer Zant formally called the meeting to order at 6:00 PM.

Public Comment on Matters Not on the Agenda

None.

Approval of Previous Meeting Minutes – May 23, 2022 and June 1, 2022

O'Tool motioned. Second: Parker 4-0.

Public Hearing: Williams Third Strike, First Addition Minor Subdivision Proposal

Priestley read the preliminary report and staff recommendation into the record. Lee Marc Williams has filed for a one-lot minor subdivision on the property identified as Parcel #894602300004 and located in the SW ¼ of the SW ¼ in T89N R46W (Concord Township), Section 2, in the Agricultural Preservation (AP) Zoning District. The purpose is to split the house from the parcel and retain the remaining portion of the property for agricultural uses. The proposal has been properly noticed in the Sioux City Journal Legals Section on June 10, 2022. The neighbors within 1000 FT have been duly notified via a June 10, 2022 letter about the June 27, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access with a shared driveway. Extraterritorial review, as required by Iowa Code 354.9, was not required as this property is further than two (2) miles from an incorporated jurisdiction. The property is not located in the floodplain. The proposed lot contains the septic system and the well is located on the abutting lot to the west where an easement agreement for access and maintenance will be required. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the minimum requirements for approval. It is the recommendation of staff to approve this proposal with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property. Motion to close public hearing: Parker. Second: Meister. Motion approved 4-0. Motion to recommend approval of the Williams Third Strike, First Addition, Minor Subdivision to the Board of Supervisors with the condition that an easement agreement be recorded for the continued access, use and maintenance of the well servicing Lot 1 from abutting property by Meister. Second: Parker. Motion approved 4-0.

Information/Discussion: “Conditional Use Permit Process” – Woodbury County Zoning Ordinance

Priestley offered an overview of the conditional use process including the importance or research and detail as it pertains to the staff recommendation and Zoning Commission recommendation to the Board of Adjustment to insure all criteria is met before being presented to Board of Adjustment. Each conditional use application is different. Although there may be some past precedence, each case needs to be analyzed separately and be associated with the conditional use criteria as referenced in the ordinance. The conditional use criteria is what would be reviewed if a conditional use is ever challenged in district court.

Public Comment on Matters Not on the Agenda

None.

Commissioner Comment or Inquiry

Parker asked about shed/houses being built in the county. Priestley stated they go through the regular building permit process for approval as would a house. The minimum structure dimension for a single-family dwelling must be 23' x 23'. Woodbury County does not have building codes. However, Iowa Code must be followed for electrical. Shed/houses must have plumbing and be set up for human habitation. As with any single-family dwelling, except for Ag Exempt property, the house must be in front of any accessory structure. Thus, accessory structures must be even with or behind the dwelling's front wall relative to the front property line, unless a distance of double the set back can be achieved.

Staff Update

Priestley addressed zoning issues with vendors setting up temporary sales along the RAGBAI route. There are no provisions in the ordinance to allow temporary sales of alcohol or other items. Private property owners may offer items for free will donations. Alcohol sales would require review by the Zoning Commission and approval by the Board of Adjustment in the General Commercial (GC) Zoning District.

Adjourn

Motion by Parker. Second: Meister. 4-0. The meeting adjourned at 6:30 PM.