

Minutes - Woodbury County Zoning Commission Meeting November 28, 2005

The meeting convened on the 28th of November, 2005 at 7:00 PM in the Board of Supervisors Meeting Room in the Court House, Sioux City, Iowa. Present were the following Commission members – Chairman Don Groves, Dwight Rorholm and Grady Marx; Absent – Commissioners Larry Tobin and Arvin Nelson.; Zoning Staff Present: John Pylelo. The public in attendance were Lynette Androy, Robert Wortman and Wayne Struble.

The first agenda item was approval of the previous Commission meeting’s minutes of October 24, 2005.

Mr. Rorholm made a motion take agenda items out of order postponing the October 24th minute review until later in the meeting due to a change he wished to discuss. Mr. Marx seconded the motion; carried. Chairman Groves tabled the minutes until later in the meeting.

The next agenda item was the review and recommendation of Final Plats for the Replat of Part of Lot 2 Ridgeview II Addition Subdivision.

In 1981 your Commission recommended approval of the final plat of Stanley Shoop’s request to subdivide 75 acres known as the Ridgeview II addition subdivision into 4 Lots. At that time Lot 2 of the subdivision consisted of approximately 58 acres. Subsequently Lots 1 and 2 used their one time reconfiguration allowance when a portion of Lot 2 was reconfigured and included in Lot 1.

Mr. Marvin Harrison, the current owner of Lot 2, now wishes to replat 31.79 acres of Lot 2’s approximate 56 remaining acres into 3 lots to be known as Harrison Replat of Lot 2 Ridgeview II Addition subdivision. Each of the three lots will front the south side of 150th St.

At your October 24, 2005 meeting your Commission recommended approval of the Preliminary Plats subject to:

1. A modification of the verbiage on lower right corner of preliminary plat from “Each lot to be *provided* with an approved well and septic system;” to “Each lot will be *required* to have an approved private well and septic system.
2. The Harrison replat title be changed from “Harrison Replat of Lot 2 Ridgeview II Addition Subdivision” to “Harrison Replat of Part of Lot 2 of Ridgeview II Addition Subdivision”.

The Final Plats reflect the aforementioned conditions. No additional comments have been received from agencies notified.

At their meeting of November 8, the Board of Supervisors approved the Preliminary Plats with the recommended conditions; considered the Final Plats for Harrison Replat of Lot 2 of Ridgeview II Addition Subdivision and referred said Final Plats to your Commission for review and recommendation.

Surveyor Robert Wortman represented the developer, addressed the Commission and answered inquiries. Discussion of the subdivision ensued between Commission members. Commissioners noted the final plats reflected each of the changes previously requested by the Commission.

Mr. Rorholm made a motion to recommend approval of the final plats to the Board of Supervisors with no conditions; seconded by Mr. Marx; motion carried.

The next agenda item was the review and recommendation of Final Plats for Whitehorn Addition Subdivision – Parcels #823126, #823110, #823140 & part of #823155.

The Woodbury County Office of Planning and Zoning received a Subdivision application from Lynette Androy in her capacity as Executor of the Martha M. Jacobson Estate. The Jacobson Estate intends to subdivide six (6) lots totaling 77.185 acres. The property is located in the NW ¼, Section 14, Woodbury Township approximately 2 miles east of Sioux City abutting the south side of 180th St.

At your October 24, 2005 meeting your Commission recommended approval of the Preliminary Plats subject to:

1. Under “Notes” on the final plat reference be made to the Mid-American transmission line easement and give book and page number in Woodbury County Courthouse records. This utility easement may require building and planting restrictions.
2. The dimensions of the 150 foot easement clearly identify the distances from the quarter section line east to the edge of the utility easement and west to the utility easement.
3. The Commission would request the County Engineer look at the entrances to lots 5 and 6 in regard to the joint entrance that is shown. The Commission would ask the County Engineer consider two separate driveways rather than one joint driveway for lots 5 and 6. The final determination of shared or separate driveways should be made by the County Engineer.

The Final Plats reflect the aforementioned conditions. The County Engineer has determined individual drives for lots 5 and 6 are feasible and the final plats reflect the driveway positioning.

Note: The applicant will also be required to execute and record a Paving Agreement pursuant to County policy for approval of subdivisions abutting unpaved County maintained roadways.

No additional comments have been received from agencies notified.

At their meeting of November 8, the Board of Supervisors approved the Preliminary Plats with the recommended conditions; considered the Final Plats for Whitehorn Addition Subdivision and referred said Final Plats to your Commission for review and recommendation.

The developer, the Martha M. Jacobson Estate, was represented by Executor Lynette Androy who addressed the Commission and answered inquiries. Discussion of the subdivision ensued with the Commission members noting the final plats reflected each of the changes previously requested by the Commission.

Mr. Rorholm made a motion to recommend approval of the final plats to the Board of Supervisors with the condition an approved paving agreement be executed and recorded; seconded by Mr. Marx; motion carried.

The next agenda item was approval of the Commission meeting's minutes of October 24, 2005 tabled previously in this meeting.

Mr. Rorholm made a motion the minutes be approved subject to the deletion of the last sentence on page two (2) and substitution of the following: *"This utility easement may require certain building and planting restrictions which may supersede County regulations."*; seconded by Mr. Marx; carried.

Mr. Rorholm then made a comment regarding a mapping suggestion he felt may be of value. His inquiry related to preparation of mapping which would include overlaying the cities of Sioux City and Sergeant's Bluff's future land use maps on Woodbury County's recently approved future land use mapping. Discussion ensued between Commission members and the Zoning Administrator with the determination that such a map overlay would be valuable but more so with the new Zoning District mapping to be approved.

The next Agenda item was an update on the 2005 General Development Plan.

Mr. Marx asked if legal research could be performed in the area of subdivision covenants. Specifically if the County can require subdivision to adopt covenants and if violated can the county enforce the violation? The Zoning administrator informed the Commission that the issue was not favorably received when briefly discussed at the Board of Supervisor's meeting of November 22, 2005 during discussion on the adoption of the 2005 General Development Plan.

Mr. Pylelo discussed several items with Commission members including the following:

- Discussion continued with commentary being made that if the County wishes to require and enforce certain issues; issues which are ordinarily left to developers or homeowners associations to decide; then the County should adopt ordinances dealing with those issues. Discussion continued with no final determination being made.
- Extended discussion on ordinance issues was held between members including:
 - The agricultural exemptions issue and information obtained by Mr. Pylelo at the ISAC Fall School during a COZO presentation on the issue.
 - Review of the bulk regulation and zoning district usage forms Mr. Simpson previously provided for completion by Commission members. It was felt the forms could be revised to be better coordinated with the proposed zoning districts shown on the recently adopted Future Land Use Map. Mr. Pylelo was asked to discuss the issue with Mr. Simpson.
- Mr. Pylelo stated he wished to maintain momentum during December in the process of drafting zoning and subdivision ordinances. He indicated it did not appear a regular December Commission meeting would be held as there were no agenda items anticipated. Commissioners determined an ordinance work meet is to be held on Thursday, December 15th from 6:00 to 9:00 PM in the 6th floor conference room (room 610) of the Planning and Zoning Office within the Woodbury County Courthouse. Mr. Pylelo stated an evening meal would be provided. The meeting will be conducted by County consultant, Riley Simpson with the Zoning Administrator and the consultant determining an agenda.
- Mr. Pylelo advised the Commissioners Mr. Tobin's term expires on December 31, 2005 and he has not expressed interest in Supervisor consideration for reappointment. Discussion ensued on applications received to date; the timing of the addition of a new member and the election of 2006 Zoning Commission positions. Mr. Pylelo will contact the Board of Supervisor's Chairman to determine when the vacancy is expected to be filled.

Chairman Groves advised the Commissioners he will be out of town for the last week of December and all of January and February 2006.

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

Meeting adjourned 7:58 PM