

Minutes - Woodbury County Board of Adjustment Meeting August 06, 2007

The meeting convened on the 6th of August, 2007 at 7:04 PM in the Board of Supervisors Meeting Room in the Court House, Sioux City, Iowa. Present were the following Board members: Chairperson Willard B. McNaughton, Robert Brouillette, Corey Meister, Russell Walker, and Brian Crichton. Zoning Administrator John Pylelo and Peggy Napier were also in attendance. Present from the public were Floyd Baklund, Mary Baklund, and Riley Simpson. The Chairman informed those present the meeting was being audio taped.

The first agenda item was approval of the previous meetings.

Minutes of the July 2, 2007 Board of Adjustment meeting were approved on motion by Mr. Brouillette subject to the following change;

On page 3, paragraph 3, the sentence be changed from “...a guyed tower to an un-guyed...,” to “...a guyed tower versus an un-guyed...”;

The motion was seconded by Mr. Meister; motion carried 4-0.

The second agenda item is a Variance consideration for Floyd L. and Mary K. Baklund.

Mr. and Mrs. Baklund reside at 1358 Buchanan Avenue, Sioux City, and wish to construct a 30’ by 40’ accessory structure for personal usage within their front yard. The variance is required as the proposed placement of the structure violates in part regulation 7(C) of Woodbury County Zoning ordinances which states... “*no accessory building shall be erected in any required yard other than a rear and side yard.*”

This parcel is located in the SE ¼ of Section 20, Concord Township (GIS # 8946 20 400 007) consisting of 10.3 net acres zoned AG (Agricultural). The parcel is also known as Lot 1 of County Sunshine Addition; a 10 lot rural residential subdivision developed in 2001 by Doyle and Virginia L. Smith. The Baklunds purchased Lot 1 in 2002. Buchanan Avenue is gravel, county maintained roadway at this location. This parcel lies on the East side of Buchanan Avenue and is approximately 0.4 miles north of the intersection of 140th St. and Buchanan Avenue. The parcel is the location of the Baklund residence which is a single family, single story, frame dwelling constructed in 2002 with existing septic and well servicing the residential dwelling. There are no other structures upon the parcel.

The proposed accessory structure will be a 30’ by 40’ wood framed, vinyl sided, asphalt shingled building with 9’ sidewalls. The proposed structure type and stated use is permitted within this

zoning district. The closest portion of the proposed structure will be 275'+ from County roadway right-of-way along Buchanan Avenue.

The following measurements from ordinances and the Baklund's site plan may be of value in analyzing the application:

Set back requirement from ROW for primary structure	100'
Set back requirement from lot lines for accessory structure	2'
Distance of existing Primary structure from ROW	300'+
Distance of set back of the proposed accessory structure from ROW	275'+
Distance of ROW from Centerline	33'
Height of proposed structure's sidewalls	9'0"
Proposed structures over all height	6 by 12 pitch
Distance of proposed structure from southern (a side) property line	150'
Dimensions of Parcel	661' W by 732' D

The Baklunds have submitted the attached site plan showing the location of the proposed structure in relationship to the ROW and existing structures. The Baklund's site plan represents that should the variance be granted it would result in the proposed accessory structure being placed up to 50' closer to the ROW than the current primary structure. This fact should be confirmed at the hearing. The proposed location for the accessory structure would meet all set back requirements for this zoning district.

Notices were sent to the eleven (11) property owners within 500' of the parcel. To date there have been no responses.

You are asked to consider approval of the Baklund's request to place an accessory structure within their front yard.

Discussion:

The proposed intended use for the accessory structure is personal storage with possibly a work bench.

A discussion ensued with consideration of other future uses and provisions made for such uses. A decision was made to increase the sidewalls to accommodate storage of a recreational vehicle.

A motion was made by Mr. Brouillette to approve the variation subject to the following conditions:

- **The accessory structure cannot be closer than 200' from Buchanan Avenue ROW**
- **The sidewall height of the accessory structure can be up to 12'.**

Mr. Crichton seconded the motion; motion carried 4-0.

The next agenda item was apprising the Board of Adjustment on ordinance language for their feedback.

Mr. Simpson facilitated the Board's review of the ordinance language. A discussion ensued regarding:

- Where the original ordinance came from prohibiting the use of the front yard for accessory structures
- A concise explanation of AG exemption
- Covenants between property owners and the county
- Tables: explanation; questions regarding placement of adult entertainment businesses

Copies of the tables and the most current draft of the ordinances were distributed to the Board.

**The next agenda item was any citizens wanting to be heard.
Public was no longer present.**

Mr. Meister made a motion to adjourn; seconded by Mr. Walker. Motion carried.

Meeting adjourned 8:32 PM.

The next meeting is scheduled to be Monday, September 10, 2007 at 7 PM pending agenda items.