

## **Minutes - Woodbury County Zoning Commission Meeting December 17, 2007**

The meeting convened on the 17<sup>th</sup> of December, 2007 at 6:04 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 –Dwight Rorholm (Acting as Chairman in the absence of the Chairman and Vice-Chairman), Arvin Nelson and David McWilliams; excused absence Grady Marx and Christine Zellmer Zant. Zoning Staff Present: Mr. John Pylelo Director of Planning and Zoning for Woodbury County. Also present were surveyor Mr. Robert Wortman and Attorney Mr. Dan Moore both representing Melvin P. and Robbin Harrison.

**The first agenda item was approval of November 26, 2007 Commission Minutes.**

*Mr. McWilliams made a motion to approve the November 26, 2007 meeting minutes as presented without changes; Mr. Nelson seconded the motion. Motion carried 3-0.*

**The next Agenda item is the Review and Consideration of final platting for Harrison's Replat of Lot 6 and Part of Lot 7A of Harrison's Addition – Parcel GIS # 8946 17 100 001 and # 8946 17 100 008**

The Woodbury County Office of Planning and Zoning has received a subdivision application from property owners Melvin P. and Robin Harrison. Your Commission had previously made a recommendation to the Supervisors to allow the replat of Lot 6 Harrison Addition without implementing County subdivision ordinances. The supervisors in their review of the Commission's recommendation also considered a Woodbury County Attorney opinion which in part stated the Board of Supervisors had no authority to waive the implementation of the subdivision ordinances. The Board of Supervisors voted to require the Harrisons follow Woodbury County subdivision ordinances. The Harrison's then filed an application for subdivision requesting your Commission consider an application to subdivide existing Lot 6 and a portion of Lot 7A of Harrison's addition into four (4) lots.

The Harrison's stated intent is to provide proposed individual Lots 6A and 6C for the respective two dwellings currently located on existing Lot 6. The Harrisons intend to sell proposed Lots 6B and 6D to the current owner of Lots 4 and 5 Harrison Addition. It is the stated intent of the adjacent property owner to leave proposed Lots 6B and 6D in pasture or agricultural production.

The original Harrison subdivision was approved by the Board of Supervisors in 1978 and consisted of 12 lots. Over time the Harrison family has moved onto selected lots a number of single family dwellings. Woodbury County has previously approved single splits of Lot 2 and Lot 7 within the subdivision. The Harrison family also sold certain lots for residential construction or house placement. In some instances the dwelling placements have caused

violations of Woodbury County subdivision and zoning ordinances. The proposed replatting of Lots 6 and 7 will resolve certain of those violations. The existing drive serving a number of the single family dwellings has recently been improved. No additional grading is planned. Numerous utility and access/egress easements will likely be required to be reviewed and if necessary updated.

The parcels are located in a part of Section 17 of Concord Township abutting the west side of Buchanan Avenue which is a County maintained, graveled roadway. The subdivision's location lies approximate ¼ mile south of the intersection of 120<sup>th</sup> St. and Buchanan Avenue. The location lies within two (2) miles of the Sioux City corporate limits requiring subdivision approval by the City Council of Sioux City.

The parcels are 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 29.0. The County's paving policies will require a recorded paving agreement as a condition for subdivision approval.

At your meeting of November 26, 2007 your Commission held the public hearing and made recommendation of plat approval conditioned upon a Paving Agreement be executed and recorded and the final plat show the following:

1. Final plat will not be required to show ingress/egress and utility easement or driveway location to Lot 6-D but Lot 5 will grant legal ingress/egress and utility easement to Lot 6-D or other reasonable means of legal access; and
2. Above item 1 will appear as a Lot 5 notation on final plat; and.
3. Access to Lot 6-C is to be shown through Lot 7-A and entirely through Lot 6A to Lot 6-C.

Each of the above plat conditions are reflected on the enclosed final platting. Sample Paving Agreement language has been provided the applicant's legal counsel.

The Board of Supervisors at their December 11, 2007 meeting considered your preliminary plat recommendation, reviewed the final platting and forwards the final platting to your Commission for recommendation. The Zoning Commission is asked to consider the final platting and forward a recommendation to the Supervisors.

Discussion ensued between Commission members confirming the plat changes required had in fact been made. It was determined the notation of ingress/egress and utility easement or a driveway location to Lot 6-D through Lot 5 notation to grant legal ingress/egress and utility easement to Lot 6-D or other reasonable means of legal access had been made on the final plat. It was also determined access to Lot 6-C is to be shown through Lot 7-A and entirely through Lot 6A to Lot 6-C. Mr. Pylelo confirmed a Paving Agreement was required to be recorded.

***Mr. McWilliams made a motion to recommend approval of the final platting for Harrison's Replat of Lot 6 and Part of Lot 7A of Harrison's Addition subject to the execution and***

*recording of a Paving Agreement meeting the standards of the County's Paving Policy ;  
seconded by Mr. Nelson; motion carried 3-0*

**The next agenda item was any Citizen wishing to be heard before the Commission.**

There were no citizens present wishing to be heard.

**The next two agenda items were:**

**The Work Session Re: Woodbury County Zoning/Subdivision Ordinances and Zoning District Mapping; and general discussion of the Iowa Land Preservation Act.**

Discussion ensued that since all Commissioners were not present and that Mr. Simpson was advised not to attend this meeting by the Director of Planning and due to a lack of full attendance that both referred to agenda items be tabled to the next subsequent meeting.

*Mr. McWilliams made a motion table both agenda items until the Commission next meeting;  
seconded by Mr. Nelson; motion carried 3-0*

*Mr. McWilliams made a motion to adjourn; seconded by Mr. Nelson; motion carried 3-0.*

Meeting adjourned 6:20 PM. Next meeting January 15, 2008, 6:00 PM