

Minutes - Woodbury County Board of Adjustment Meeting April 7, 2008

The meeting convened on the 7th of April, 2008 at 7:05 PM in the Board of Supervisors Meeting Room in the Court House, Sioux City, Iowa. Present were the following Board members: David Scholten, Robert Brouillette, Russell Walker and Brian Crichton; excused absence - Corey Meister. Zoning Director John Pylelo and Clerk Peggy Napier were also in attendance. Present from the public were Ron Earleywine and Ralph Robinson.

Mr. Walker called the meeting to order at 7:05 PM.

Mr. Crichton made a motion for Mr. Walker to chair the evening's meeting. Mr. Brouillette seconded the motion; motion carried 3-0.

The first agenda item was election of 2008 Chairman and Vice Chairman.

Mr. Walker made a motion the election of officers be tabled until all members are present. Mr. Brouillette seconded the motion; motion carried 3-0.

The second agenda item was approval of the September 10th, 2007 meeting.

Minutes of the September 10th, 2007 Board of Adjustment meeting were approved on motion by Mr. Brouillette; the motion was seconded by Mr. Crichton; motion carried 3-0.

The third agenda item was a Rear Setback Variance consideration for Rodney D. and Molly L. Earleywine.

Mr. and Mrs. Earleywine recently purchased a 2.93 acre parcel lying within the SW ¼ of Section 20 of Woodbury Township and wish to construct a single family dwelling within 10' of the parcel's rear (western) property line. The zoning designation of the parcel is AR (Agricultural Residential) and the intended single family dwelling use is permitted. The property does not lie within a flood hazard area. Old Lakeport Road is hard surfaced at this location. The Earleywine parcel is known as GIS #8847 20 300 013 and is addressed 5505 Old Lakeport Road. All structures shown upon the attached aerial are no longer on the parcel.

As the AR zoning designation requires a 50' rear setback for the primary structure the Earleywine's have applied for up to a 40' rear set back variance. The applicants' rear property line is shared with the City of Sioux City. The closest structures on the Sioux City parcel lie approximately 1200' to the northwest and are used as accessory structures associated with the City's operation of the Green Valley Golf Course.

Attached is a site plan showing the location of the Earleywine's proposed structure in relationship to the rear property line. If granted the variance would result in the proposed structure being placed 40' closer to the rear property line than allowed under County ordinances.

Due to the proposed structure's close proximity to the rear property line and further due to the fact that current ordinances require accessory structures to be placed in side or rear yards. Granting of their variance request may limit their options for future accessory structure placement upon the parcel.

Notices of the public hearing were sent to the five (5) adjacent property owners. To date there have been no responses. The Ralph Robinson family visited the Planning and Zoning Office and has no objection to granting the variance.

You are asked to consider approval of the Earleywine's variance request for up to a 40' rear setback variance along the parcel's western property line.

Discussion:

Mr. Pylelo suggested if the proposed ordinances go through the as expected, accessory structures will be allowed as close as 200' from the right-of-way at the front of the parcel. Therefore, where to put an accessory structure will be a non-issue.

Mr. Brouillette made a motion to grant a variance up to 40' of rear setback on the condition clear language is included regarding restrictions of no accessory structures until the language is changed. Mr. Crichton seconded the motion with the condition; motion approved 3-0.

The next agenda item was any citizens wanting to be heard.

Mr. Pylelo used this time to apprise the Board of the progress with the proposed zoning and subdivision ordinances as of April 8, 2008. Included within Mr. Pylelo's comments were:

Pgs. 28-35:

- a. Land Use Summary Table: e.g. What is "electromagnetic;" look at "retail traffic"

Pg. 36:

- a. Dimensional Standards regarding setbacks and width
- b. Renaming Zoning Districts: went over new names and explanation of same
- c. Accessory structures will go from 2' to 10' from the rear or side property line

Pg. 42:

- a. Home Occupation Uses; fine as long as they meet six (6) criterion

Mr. Brouillette made a motion to adjourn; seconded by Mr. Crichton. Motion carried 3-0.

Meeting adjourned 8:05 PM.

The next meeting is scheduled to be Monday, May 5, 2008 at 7:00 PM pending agenda items.