

Minutes - Woodbury County Zoning Commission Meeting February 28, 2011

The meeting convened on the 28th of February, 2011 at 6:00 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 – Chairman Grady Marx, David McWilliams, Mike Knight, and Arvin Nelson. Christine Zellmer Zant was absent due to previous commitments. Zoning Staff Present: John Pylelo and Peggy Napier. Present from the public were Douglas Mordhorst, Angela Jackson, and Patrick and Estela Ebner.

The first agenda was election of 2011 Chairperson and Vice-Chairperson.

Mr. Grady Marx was unanimously elected Chairperson for 2011.

Mr. David McWilliams was elected Vice-Chairperson for 2011 with three (3) votes; one (1) vote was for Christine Zellmer Zant.

The next agenda item was appointment of 2011 Siouxland Interstate Metropolitan Planning Council (SIMPCO) Commission Representative.

Chairman Marx appointed Ms. Christine Zellmer Zant as Commission Representative to SIMPCO.

The next agenda item was approval of September 27, 2010 Commission Minutes.

Mr. McWilliams made a motion to approve the minutes. Mr. Nelson seconded the motion; motion carried 4-0.

The Next agenda item is a public hearing, and Consideration of Final Platting for the Whiskey Creek Addition – A minor subdivision; GIS Parcel #8946 04 200 009.

The Woodbury County Office of Planning and Zoning has received a minor subdivision application from parcel owner, Angela K. Jackson. The applicant requests the 19+ acre parcel be subdivided into two lots. The parcel's current use is for agricultural production. The applicant intends to retain Lot 1 for agricultural production and future single family dwelling construction. Lot 2 is intended to be sold for single family dwelling construction.

Numerous structures shown in the parcel's aerial photography have been removed by the applicant. Proposed Lot 1 has two existing driveway locations accessing the west side of

Carroll Avenue. Proposed Lot 2 has an existing driveway location accessing the north side of 105th St. Both roads are graveled, county maintained roadways at this location.

The parcel is zoned AE (Agricultural Estates) and is properly zoned for the proposed lot sizes, the potential additional residential density created and the current and proposed uses. There is no impact by existing or proposed flood hazard designations. Woodbury County's paving policy requires a paving agreement related to both Carroll Avenue and 105th St. be required as a condition of any subdivision recommendation of approval.

The twelve (12) property owners within 1000' of the proposed subdivision have been notified by letter of the public hearing. Notices were also sent to each of the following Agencies or Institutions with responses noted.

County Engineer:

*From: Mark J. Nahra, County Engineer
Date: February 14, 2011
Subject: Whiskey Creek Addition Subdivision*

The Secondary Road Department has reviewed the final plat for the above referenced subdivision forwarded with your memo dated February 7th, 2011.

I am offering the following comments for your consideration.

- We checked the closure on the whole subdivision plat and found the error of closure to be 1:458,000. Individual lots closed similarly. The plat exceeds state code requirements for precision.*
- The current driveway locations were in part obscured by snow and drifted snow, so my comments have to be limited based on what I was able to see while on a site last week. Existing Lot 1 accesses appear to meet county requirements for sight distance. The current access on 105th Street for Lot 2 appears to meet current county requirements for sight distance, although I was estimating its location as it was completely covered by drifted snow. No other existing or proposed driveway locations were noted on the plat for Lot 2. Based on my observations, I do not believe that there are any other access locations available for an access to lot 2 due to the hills on both sides of the current entrance being so steep as to limit sight distance at any other location on the frontage. If any other driveways are proposed in the future for this lot, they need to be applied for through the County Engineer's office.*

If there are any more questions or issues that arise later, please contact this office.

DNR: *Received standard letter.*

Qwest: No Response Received

Northwest REC: No Response Received

Siouxland District Health Department: No Response Received.

County Assessor: No Response Received.

Emergency Services: No Response Received.

County Recorder-real estate Dept.: Received notification the subdivision name Whiskey Creek is available for use.

Board of Supervisors: No Response Received.

City Clerk of Salix, Iowa: No Response Received. Response is anticipated.

Enclosed find final platting, topographical platting, parcel information and on-site pictures recently taken. Should your Commission consider subdivision approval it is recommended any final plat approval include the following:

1. That an executed Paving Agreement pursuant to Woodbury County paving policies be recorded.
2. That a permit be required from the County Engineer's office should a driveway be added to Lot 2.

The public hearing was closed with a motion from Mr. McWilliams. Mr. Knight seconded the motion. Motion carried 4-0.

Discussion

Mr. Pylelo informed the commission the DNR and NPDES did not require a permit.

Mr. Patrick Ebner, a neighbor, wondered if there would be enough of a buffer between the two different kinds of farming; one that involved spraying and one that needed to be certified organic.

Ms. Jackson assured the commission overspray issues had been discussed and there was cooperation between the neighbors. Ms. Jackson said both parcels would be farmed organic but only Lot 1 would have a house at this time.

Mr. Nelson made a motion to approve the subdivision subject to the following conditions;

- **An executed Paving Agreement pursuant to Woodbury County paving policies be recorded.**
- **A permit be required from the County Engineer's office should a driveway be added to Lot 2.**

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

The third agenda item was any citizen wanting to be heard.

No citizens present.

Mr. McWilliams made a motion to adjourn. Mr. Nelson seconded the motion; motion carried 4-0.

Meeting adjourned at 7:45 PM. Next meeting will be on May 23rd at 6 PM.