

Minutes - Woodbury County Zoning Commission Meeting February 24, 2014

The meeting convened on the 24th of February, 2014 at 6:00 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 – Christine Zellmer Zant, Tom Bride, Bruce Garbe and David McWilliams. Grady Marx was out of town. Zoning Staff Present: John Pylelo and Peggy Napier. From the public were Robert Wortman, Marvin Harrison and Mark Lofton.

The first agenda item was approval of Commission Minutes of January 27, 2014.

Mr. McWilliams made a motion to accept the minutes as read. Mr. Bride seconded the motion; motion carried 3-0 with Mr. Garbe abstaining.

The next agenda item was a Public Hearing and Recommendation Re: Final Plat for Valley Subdivision of Lot 1 of Harrison Replat of Lot 2 of Ridgeview II Subdivision.

The Woodbury County Office of Planning and Zoning has received a subdivision application from Marvin D. Harrison. The applicant wishes to split an existing 16.62 acre parcel into two (2) Lots. Mr. Harrison would continue to reside in the dwelling currently located on proposed Lot A-1. Proposed Lot B-1 would be sold to Mr. Mark Lofton the adjacent parcel owner to the east. Mr. Lofton does not wish to combine proposed Lot B-1 with his adjacent parcel thus requiring a minor subdivision procedure. The Corn Suitability Rating (CSR) for the parent parcel is 47.40 and within the policy standards allowing subdivision.

The subdivision's location lies in rural Woodbury County on the south side of 150th St approximately 2,300' northwest of Lawton within the NW ¼ of the NE ¼ of Section 31 of Banner Township. The closest intersection is 1800' to the east at 150th St. and Eastland Ave. The drive serving the parcel is addressed 2052 150th St., Lawton. The roadway at this location is also referred to as Correctionville Rd.

This property is currently zoned AE (Agricultural Estates) and within the current and proposed uses permitted within this zoning district designation. The existing parcel is not impacted by any flood hazard area or drainage district. The corn suitability rating (CSR) for the parent parcel is 47.40 and within standards for subdivision approval. The parent parcel abuts a hard surfaced and county maintained roadway. As hard surfacing exists no Paving Agreement is required for approval of the subdivision.

The eleven (11) property owners within 1000' of the proposed subdivision were notified by letter of the public hearing. As of February 24, 2014 no property owner within 1000' has contacted the Planning and Zoning Office offering comment. Notices requesting comment were also sent to each of the following agencies or institutions with responses as of January 23, 2014 noted.

County Engineer:

To: John Pylelo, Woodbury County Planning and Zoning Administrator
From: Mark J. Nahra, County Engineer
Date: February 20, 2014

Subject: Valley Subdivision of Lot 1 of Harrison Replat of a Part Lot 2 of Ridgeview II Subdivision

The Secondary Road Department has reviewed the final plat for the above referenced subdivision forwarded with your memo dated February 13, 2014.

I am offering the following comments for your consideration.

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for each lot as required by Section 355.8 of the Code of Iowa.
- I reviewed the parcel for access issues. The proposed lot B-1 has adequate sight distance along its frontage to allow the placement of a driveway, but the interior of the lot is crossed by a waterway of sufficient size that it requires a box culvert under the county road. When a driveway is constructed to service this lot, the private crossing needs to be adequately sized so it does not back up water onto the county right of way or over the road. When, at some future date, an entrance to Lot B-1 is needed, the secondary road department will need to be contacted for a driveway permit.
- I have no other concerns or issues with this subdivision.

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

Department of Natural Resources: The standard NPDES correspondence was received February 18, 2014 and has been provided the applicant.

Western Iowa Telephone Company: No Response Received

MidAmerican Energy Company: No Response Received

Siouxland District Health Department: No Response Received.

County Assessor: No Response Received

County Emergency Services: No Response Received

County Real Estate Department: Subdivision name is available for use

Board of Supervisors: No Response Received

Northern Natural Gas Company: No Comment Received

Woodbury County Soil and Water Conservation Service Attn: Jerry Sindt: No Response Received

Staff Recommendation: Subject to public hearing testimony the Office of Planning and Zoning intends to make the following staff recommendations at your meeting.

Approval of the final platting subject to the following conditions:

1. Corrections of spelling errors. In four places on the plat the word Harrison is incorrectly spelled Harrision.
2. As the Town of Lawton has waived its right to extraterritorial review that there be a substitution on the platting of the town's subdivision "approval" language with the appropriate "waiver" language.

For your Board's review find attached:

- Location and parcel information
- Platting referred to as Preliminary Platting
- Onsite photos

Mr. Loften said although the land he is buying will remain in agricultural production, he may at some point want to build a house for one of his children. He will deal with an access road at that time.

Mr. Bride noted the house is 19 years old. He asked how far the drain field was from the house.

Mr. Loftem said the drainfield is 55' east and south of the house.

Mr. Pylelo said the drainfield needs to be all on his property or provide easement on the neighboring property.

Mr. McWilliams made a motion to close the public meeting. Mr. Bride seconded the motion; motion carried 4-0.

Staff Recommendations:

1. Correct spelling of Harrison's name in four places
2. As the Town of Lawton has waived its right to extraterritorial review that there be a substitution on the platting of the town's subdivision "approval" language with the appropriate "waiver" language
3. When, at some future date, an entrance to Lot B-1 is needed, the secondary road department will need to be contacted for a driveway permit.

Mr. Bride made a motion to recommend approval subject to the above three (3) conditions:

- 1. Correct spelling of Harrison's name in four places**
- 2. As the Town of Lawton has waived its right to extraterritorial review that there be a substitution on the platting of the town's subdivision "approval" language with the**

appropriate “waiver” language

3. **When, at some future date, an entrance to Lot B-1 is needed, the secondary road department will need to be contacted for a driveway permit.**

Bruce Garbe seconded the motion; motion carried 3-0.

Mr. McWilliams abstained due to a conflict of interest.

The next agenda item is an update of developments RE: Amendment of Zoning Ordinance to Add Language Related to the Master Building Permit Concept and Procedures.

Regarding the second change; the attorney recommended taking it off the table from the Zoning Commission and giving it to the Board of Adjustment for a decision.

All seven (7) variances were approved by the Board of Adjustment at a special meeting on February 17, 2014.

The Zoning Commission will still address issues that pertain to their services as they come up.

Ms. Zellmer Zant reviewed the discussion from the previous meeting and reminded the commission no decisions will be made until Grady Marx is present at the meeting.

Mr. Pylelo said the comp plans and ordinances should be reviewed on general purposes in the next 2-3 years.

Next Agenda Item was Any Citizen wishing to be heard.

There were no citizens waiting to be heard.

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

Meeting adjourned at 8:25 PM. Next meeting is scheduled for 6 PM, March 24, 2014.