

## **Minutes - Woodbury County Zoning Commission Meeting July 28, 2014**

The meeting convened on the 28<sup>th</sup> of July, 2014 at 6:01 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, David McWilliams and Grady Marx; Zoning Staff Present: John Pylelo and Peggy Napier. Vonda Anfinson, Stephanie Mohr, Dale B. Smith, Carla Marsh, Alan Flanders, James R. Godbersen, and Jeff Snoozy were present from the public.

**The first agenda item was approval of Commission Minutes of July 2, 2014.**

**Mr. McWilliams made a motion to accept the minutes as read. Mr. Bride seconded the motion; motion carried 5-0.**

**The next agenda item was a Review and Recommendation to the Board of Supervisors Re: Koch Addition, Second Filing – a Minor Subdivision.**

Vonda M. Anfinson has filed a subdivision application and final platting to subdivide 5.00 acres into 2 lots for residential development. The applicant currently resides on Lot 2 of Koch's Addition and wishes to subdivide the lot to allow a family member to construct a single family dwelling within close proximity.

The parent parcel lies in rural Woodbury County approximately 1.5 miles east of Sergeant Bluff on the south side of 220<sup>th</sup> St. in the NE ¼ of Section 04 of Liberty township. The city of Sergeant Bluff has the right to extraterritorial review and subdivision approval.

The parent parcel is zoned AE (Agricultural Estates); not within a special flood hazard area; lies within the Farmer's Drainage District and is served by a drive addressed 1488 220<sup>th</sup> St. Sergeant Bluff.'

As the past use of the parent parcel is residential no CSR value for the parcel is available. CSR values in the area average 59-67. This CSR range is slightly outside of policies allowing subdivision but as the proposed location is already within a residential subdivision and not in agricultural production the policy will not be applicable.

The property is currently zoned AE (Agricultural Estates) and the proposed use; and residential density; permitted. The parent parcel lies within the Farmers Drainage District.

As this location is along a seal coated/graveled roadway right-of-way subdivision approval will require the recording of a paving agreement pursuant to County paving policy.

Requests for comment were made to the following departments or agencies:

Woodbury County Board of Supervisors: No Response Received

Woodbury County Engineer:  
July 28, 2014

Koch Addition – Second Filing

The Secondary Road Department has reviewed the final plat for the above referenced subdivision forwarded with your memo dated July 15, 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 has been reviewed for driveway access and has had a permitted, new driveway installed that meets county sight distance requirements.
- 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.

Iowa Department of Natural Resources: No Response Received

Western Iowa Telephone Company: No Response Received

MidAmerican Energy Company: email response received July 21, 2014. Copy attached.

Woodbury County REC: No Response Received

Siouxland District Health Department: No Response Received

Woodbury County Assessor: No Response Received

Woodbury County Emergency Services: No Response Received

Woodbury County Real Estate Department: Requested a subdivision name change to *Replat of Lot 2 of Kochs Addition – a Minor Subdivision* with proposed lots from parent parcel Lot 2 named *Tract 2A and Tract 2B*.

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

Farmer's Drainage District Trustees: Gary Walters, Roger Rand and Fred Johnson: No Response Received

Renee Fangman, City Clerk of Sergeant Bluff: No Response Received (*Subsequent to the meeting a letter dated July 3<sup>rd</sup> stated no "...objection to proposed subdivision, except to express a concern regarding access for the Salix fire-fighting equipment."*)

For your review find attached:

- Location and parcel information
- Final Platting
- Topographical Platting
- Onsite photos

It was noted the driveway as well as septic system and well were already on the proposed lot. The driveway was substantial for utility vehicles and there is enough room for a single family dwelling. Arrangements will be made for utility turn-around room when the building permit is issued.

**A motion was made by Mr. Marx to close the public hearing; Mr. McWilliams seconded the motion subject to staff recommendations.**

- 1. The County's Real Estate Department recommends the name of the addition be changed to A *Re-plat of Lot 2 of Koch Addition.***
- 2. The County's Real Estate Department recommends the new lots be labeled as Tract 2A and Tract 2B.**
- 3. Each Tract reflects setback lines.**
- 4. Each Tract reflects existing and engineer approved future driveway locations.**
- 5. The Zoning on the final plat reflects the correct zoning designation and be changed from AG to *AE (Agricultural Estates).***
- 6. The Bulk Area Regulations be changed/added to so shown as:**
- 7. BULK REGULATIONS:**
  - a. *Lot Area Minimum 2.0 Net Acres***
  - b. *Front Yard Setback 75'***
  - c. *Side Yard Setback 20'***
  - d. *Rear Yard Set 50'***
  - e. *Accessory Structure Setback 10'***
  - f. **7. Platting Notes make reference to the following:****
  - g. *Tract A and Tract B are located within the Farmers Drainage District.***
  - h. **The spelling of the Owner/Subdivider's name be corrected to: *Anfinson*****

**On the Certification page:**

- 1. The Zoning Commission Certificate be changed to reflect the current Chair's name: *Christine Zellmer-Zant, Chair***
- 2. The Board of Supervisor's Certificate reflect the current Chair's name and signature block:**

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*George W. Boykin, Chairman*  
*Board of Supervisors*  
*Woodbury County, Iowa*

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*Attest: Patrick F. Gill*  
*Secretary*

- 3. The Certification page contains language reflecting the Sergeant Bluff City Council's approval of the subdivision.**

**4. All references to Koch Addition Second Filing be changed to *A Replat of Lot 2 of Koch Addition***

**5. Execution and Recording of Paving Agreement**

**Mr. Marx made a motion to recommend approval subject to above staff recommendations; Mr. McWilliams seconded the motion; motion carried 5-0.**

**Mr. McWilliams seconded the motion; motion carried 5-0.**

**Next Agenda Item was the Public Hearing and Recommendation upon the Final Platting for Marsh Addition – a minor subdivision.**

Carla A. Marsh has filed a subdivision application and final platting to subdivide 63.53 acres into 3 lots. The 63.53 acres are within a portion or all of five (5) existing parcels. The applicant requests the subdivision in order the existing single family dwelling and outbuildings can be located on a lot independent from pasture and timber ground. The applicant is considering selling the timber ground. The applicant also desires an independent frontage lot for potential future residential development.

The parent parcels lie in rural Woodbury County approximately 2.5 miles east of Smithland on the south side of 330<sup>th</sup> St. in the NE ¼ of Section 32 in Oto Township.

The parent parcels are zoned AP (Agricultural Preservation); are not within any drainage district. Four (4) of the five (5) parent parcels have minor portions impacted by Zone “A” Special Flood Hazard Area (100 year floodplain). However, in each case their flood hazard areas are limited to the creek bed and embankment locations of Parnell Creek.

The existing single family dwelling is proposed to be located on Lot 1 which is currently serviced by a drive addressed 3776 330<sup>th</sup> St., Smithland. The parent parcels have CSR values averaging 30.90 to 43.39 which fall within County policies allowing subdivision.

The existing AE (Agricultural Estates) zoning district designation permits the existing Lot 1 and the potential residential density for Lot 2’s development. Should a building permit application for dwelling construction be received for a third lot the zoning district designation for the subdivision would have to be re-zoned to AE (Agricultural Estates) before permitting could be approved upon the third lot unless the specific location on Lot 3 was in the far south quarter-quarter section.

As this location is along a graveled roadway right-of-way subdivision will require the recording of a paving agreement pursuant to County paving policy.

Requests for comment were made to the following departments or agencies:

Woodbury County Board of Supervisors: No Response Received

Woodbury County Engineer:

July 28, 2014

Marsh Addition – Second Filing

The Secondary Road Department has reviewed the final plat for the above referenced subdivision forwarded with your memo dated July 15, 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 proposed lots for access issues. The proposed lot 3 is served by an existing driveway that has adequate sight distance along its frontage. A proposed site for a driveway for lot 2 was noted on the plat as well. This location has been reviewed. Locations for a driveway for lot 2 are very limited due to high banks and road geometry. When, at some future date, and entrance to Lot 2 is needed, the secondary road department will need to be contacted for a driveway permit. Lot 1 utilized existing driveway accesses.
  
- 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.

Iowa Department of Natural Resources: No Response Received

Western Iowa Telephone Company: No Response Received

MidAmerican Energy Company: No Response Received

Woodbury County REC: No Response Received

Siouxland District Health Department: No Response Received

Woodbury County Assessor: No Response Received

Woodbury County Emergency Services: No Response Received

Woodbury County Real Estate Department: No Response Received

Woodbury County Soil and Water Conservation District n/k/a Woodbury County Soil and Water Conservation Service; To the attention of Jerry Sindt: No Response Received

For your review find attached:

- Location and parcel information
- Final Platting
- Topographical Platting
- Onsite photos

**Staff Recommendations:** 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. The addition of information on the final platting/certification page. A recap will be provided at the meeting.
2. The final platting show the location of the area within Lot 3 designated by FEMA as a *Zone A Special Flood Hazard Area*. This area is *more* commonly referred to as the 100 year flood plain.
3. The recording of a Paving Agreement conforming to County paving policy.

**Your Commission is requested to hold the required public hearing then vote upon a final plat recommendation to the Board of Supervisors.**

Comments made by the Commission:

1. Should lot 2 be developed, sharing a drive with lot 1 would have to be determined by County Engineer.
2. Correction of zoning on lot 1 will be required if someone builds on it.
3. The mailing address for lot 2 is different; 3726 Mapleton Ave.

**Mr. McWilliams made a motion to approve subject to the following conditions;**

1. **Minor changes to certificate page**
2. **Show floodplain on plat**
3. **Correct zoning from AP (Agricultural Preservation) to AE (Agricultural Estates)**
4. **The executing and recording of a Paving Agreement**

**Mr. Garbe seconded the motion; motion carried 5-0.**

**Next Agenda Item was Any Citizen wishing to be heard.**

There were no citizens waiting to be heard.

**Mr. Marx made a motion to adjourn. Mr. Garbe seconded the motion; motion carried 5-0.**

Meeting adjourned at 6:48 PM. Next meeting is scheduled for 6 PM, August 25, 2014.