

Minutes - Woodbury County Zoning Commission Meeting September 22, 2014

The meeting convened on the 22nd of September, 2014 at 6:07 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 – Tom Bride, Bruce Garbe, David McWilliams, Grady Marx and Christine Zelmer Zant. Zoning Staff Present: John Pylelo and Peggy Napier. No public representative was present.

The first agenda item was approval of Commission Minutes of August 25, 2014.

Mr. McWilliams made a motion to accept the minutes as read. Mr. Bride seconded the motion; motion carried 4-0.

The next agenda item was a Recommendation to the Woodbury County Board of Adjustment on a conditional use permit (CUP) application for the Glenn Jones Revocable Trust.

On September 9, 2014, the Glenn Jones Revocable Trust filed a conditional use permit application with the Planning and Zoning Office. The Trust currently owns two parcels comprising the entirety of the SW ¼ of the SW ¼ of Section 32 in Grant Township. Both existing parcels have a dwelling located on the respective parcels. Glen Jones and his spouse live in one of the dwellings addressed 2780 Jasper Ave., Oto. The other dwelling is addressed 2776 Jasper Ave. with this dwelling having history as the residence of a family member.

For estate and financial planning purposes the Trust wishes to reconfigure congruent portions of the two existing parcels into a single parcel which would contain both the dwellings and the multiple outbuildings. Woodbury County zoning ordinances limit a parcel to one single family dwelling unless the second dwelling qualifies as an *accessory second dwelling*. If the accessory second dwelling permitting is approved by the Board of Adjustment it would result in a postponement of a potential minor subdivision procedure. If accessory second dwelling status was approved it would also give the trust the capability of selling farm ground while retaining the dwellings.

The parcel reconfiguration will result in:

- A 4.49 gross acre parcel with two dwellings, outbuildings, water well and septic system; and
- A 31.51 gross acre parcel used in agricultural production.

The zoning district designation is AP (Agricultural Preservation) with current and proposed uses and the existing residential density permitted. No new driveway locations or residential development is planned. The applicant anticipates the farm ground parcel could be offered for sale.

The conditional use permitting process includes a public hearing be held by the Woodbury County Board of Adjustment. Woodbury County Zoning ordinances require your Commission review the Conditional Use Permit application and report its findings with recommendation to the Board of Adjustment. Your review is limited to a determination if each of the below seven standards found within zoning ordinance subsection 2.02-9.F can be met.

(1) The conditional use requested is authorized as a conditional use in the zoning district within which the property is located and that any specific condition or standards described as part of that authorization have been or will be satisfied.

a) The proposed use and development will be in harmony with the general purpose and intent of this ordinance and the goals, objectives and standards of the general plan.

b) The proposed use and development will not have substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other factors affecting the public health, safety and general welfare.

c) The proposed use and development will be located, designed, constructed and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property.

d) Essential public facilities and services will adequately serve the proposed use of development.

e) The proposed use or development will not result in unnecessary adverse effects upon any significant natural, scenic or historic features of the subject property or adjacent properties.

(2) Other considerations. In its review of conditional use requests, the Board of Adjustment shall consider whether, and to what extent:

a) The proposed use or development, at the particular location is necessary or desirable to provide a service or facility that is in the public interest or will contribute to the general welfare of the neighborhood or community.

b) All possible efforts, including building and site design, landscaping and screening have been undertaken to minimize any adverse effects of the proposed use or development.

Find enclosed the following:

1. Parcel Location Mapping

2. Assessor's Information for both existing parcels
3. Aerial of Existing Parcel Configuration (high and low level)
4. Aerial of Proposed Parcel Reconfiguration
5. A copy of the CUP application including the applicant's response to each of the criteria above referenced criteria
6. Plat of Survey dated August 7, 2014 representing the reconfigured 390' by 497' parcel
7. Applicant's drawing showing location of structures, well and septic in relationship to reconfigured parcel lines.
8. Site Photographs

Mr. Pylelo suggested discussing the issues prior to giving the Staff Recommendation.

Discussion:

Questions were asked regarding each parcel and its owner.

- Who owned the manufactured home
- Did the trust own the remainder of the parcels
- When might that need to be signed over to another owner
- How do the parcels qualify as Ag Exempt

Chairperson Zellmer Zant went through all of the two (2) conditions and sub-conditions. The commissioners were polled and the test was passed on all of the conditions.

STAFF RECOMMENDATION

The Planning and Zoning Staff has reviewed the CUP application and finds each of the above standards are or can be met. Staff supports a favorable recommendation by your Commission to the Board of Adjustment that each of the seven (7) above referenced standards within ordinance sub-section 2.02-9.F are or can be met.

The commission unanimously voted to recommend approval.

A motion was made by Mr. McWilliams to recommend approval.

The motion was seconded by Mr. Marx; motion carried 5-0.

Mr. Pylelo said he would draft a letter for Ms. Zant to sign and take to BA chair next Monday.

A question was raised regarding the exact ownership of the parcels. Mr. Pylelo agreed to check into it and bring the results to the next meeting.

Next Agenda Item was Any Citizen wishing to be heard.

There were no citizens waiting to be heard.

Mr. McWilliams and Mr. Bride asked about the outcome of Mr. Fauth's county gravel road and state Hwy 20. Mr. Pylelo said he would invite County Engineer Mark Nahra to the next meeting where the commission could discuss Secondary Road's regulations with him.

Mr. Bride made a motion to adjourn. Mr. McWilliams seconded the motion; motion carried 5-0.

Meeting adjourned at 6:43 PM. Next meeting is scheduled for 6 PM, October 27, 2014.