

Minutes - Woodbury County Zoning Commission Meeting October 26, 2015

The meeting convened on the 22nd of June, 2015 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 – Tom Bride, Bruce Garbe, David McWilliams, Barbara Parker and Christine Zelmer Zant. Zoning Staff Present: John Pylelo and Peggy Napier. Present from the public were Leslie Zyzda Martin and Marilyn Zyzda.

The 1st agenda item is any citizen not on the agenda wishing to be heard.

The Planning and Zoning Office is not aware of any person intending to be present to be heard on a non-agenda matter.

The next agenda item is the approval of minutes from the Commission's September 28, 2015 meeting.

Mr. McWilliams found page three (3) of the minutes was missing. Mr. Pylelo found the original page and Ms. Napier made copies for each commissioner.

Mr. McWilliams made a motion to approve the September 28 minutes. Mrs. Parker seconded the motion; motion passed 5-0.

The next agenda Item is a Public Hearing and Recommendation to the Board of Supervisors Re: The Final Plat for ZM Addition - a Minor Subdivision; GIS Parcel #8847 29 127 001.

Application Background, Location and Zoning

The Marilyn B. Zyzda Revocable Trust has filed a subdivision application and final platting for a rural Woodbury County parcel. The applicants intend to subdivide 13.814 acres into two (2) lots. Marilyn Zyzda currently resides on the parent parcel within the existing single family dwelling. The Zyzda family's intent is for the existing dwelling to be located upon proposed Lot1. Proposed Lot 2 is intended for additional single family dwelling construction for a family member.

The parent parcel lies within rural Woodbury County adjacent to the City of Sioux City eastern corporate limits. The closest intersection is at the parent parcel's western boundary and is Old Lakeport and South Ridge Roads. Location mapping can be found on the final platting. The location is within a portion of the NE ¼ of the NW ¼ of Section 29, Woodbury Township.

The parent parcel is zoned AE (Agricultural Estates); is not located within a special flood hazard area; and does not lie within any drainage district. The parcel is serviced by a drive addressed 5710 Old Lakeport Rd. The current and proposed use of the parent parcel and its structures are classified as legal conforming uses within the AE zoning district designation and Woodbury

County zoning ordinances. Existing and proposed single family dwelling construction meets allowable residential density.

CSR

As primary use of the parent parcel is residential with no CSR value available. The only congruent parcel with CSR data lies across Lakeport Rd. ROW and has an Average Adjusted CSR2 value at 34.73. This value is well below the threshold where county policy discourages subdivision platting approval.

Paving Agreement

The location of the platted lots is along hard surfaced roadway ROW. No Paving Agreement is required.

Extraterritorial Review

The city of Sioux City has exercised its right to extraterritorial review. On October 5, 2015 the Sioux City Council approved the subdivision's final platting.

Utilities

Well and septic systems service the existing dwelling on Lot 1. Both systems are entirely located within Lot 1.

Property Owner Notice

The thirty-three (33) property owners within 1000'; and listed within the certified abstractor's affidavit; were notified by letter of the public hearing. As of October 21, 2015 the Planning and Zoning office had not received comment from any property owner owning property within 1,000'.

Agency Comment

The following departments or agencies were provided copies of the platting and asked to make comment. Responses noted are as of October 21, 2015:

MidAmerican Energy Company: No response Received

Longlines: No Response Received

Woodbury County Soil and Water Conservation District: No Response Received.

Iowa Department of Natural Resources: No Response Received.

Siouxland District Health Department: No response Received

Woodbury County Assessor: No response Received

Woodbury County Board of Supervisors: No response Received

Woodbury County Department of Emergency Services: No response Received

Woodbury County Engineer:

To: John Pylelo, Woodbury County Planning and Zoning Administrator
From: Mark J. Nahra, County Engineer
Date: October 26, 2015
Subject: ZM Addition – A minor subdivision

The Secondary Road Department has reviewed the final plat for the above referenced subdivision forwarded with your memo dated October 5, 2015.

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. Lot 1 is served by an existing driveway. Lot 2 has on location where a driveway can be installed and it is correctly identified on the plat. While the location has been approved based on current sight distance requirements, the lot owner will still need to get a permit from the county at such time as the lot is developed.
- 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.

Woodbury County Recorder-Real Estate Department: The subdivision name has been reserved and is available for use.

Lisa McCardle - City Clerk, City of Sioux City: No response Received

Brent Nelson – Sr. Planner City of Sioux City: No Response Received

There were no comments from the public.

Mr. McWilliams made a motion to close the public hearing. Mr. Garbe seconded the motion; motion carried 5-0.

Discussion:

Ms. Zellmer Zant asked about the wording of the Title Opinion written by Attorney Robert Rehan. Mr. Pylelo explained opinions can vary because they are referring to county ordinances. Pylelo gave examples referring to Rehan's Title Opinion.

There was no further discussion.

Staff Recommendation:

Subject to public hearing testimony the staff recommendation supports a final plat approval recommendation by your Commission conditioned upon:

- 1) The subdivision's final platting be approved by the city of Sioux City pursuant to the city's extra-territorial right of review or, in the alternative, the city's waiver said review right.

Attachments

Attached find the following for your review:

- Location and Parcel Information
- Final Platting
- Topographical Contour Mapping
- Aerial Photography
- Onsite Photographs

Mr. McWilliams made a motion to approve ZM Addition subdivision. Mr. Bride seconded the motion; motion carried 5-0.

Your next agenda item is hearing any citizen wishing to be heard.

The Planning and Zoning Office is not aware of any person intending to be present to be heard on a non-agenda matter.

The meeting was adjourned at 6:25 PM by Mr. Garbe; seconded by Mr. McWilliams and carried 5-0.

Next meeting will be 6:00 PM Monday, November 23, 2015.