

Minutes - Woodbury County Board of Adjustment Meeting August 7, 2017

The meeting convened on the 7th of August, 2017 at 6:00 PM in the Board of Supervisors Meeting Room in the Court House, Sioux City, Iowa. Present were the following Board members: Robert Brouillette, JoAnn Sadler, Katie Colling, Tom Thiesen, and Dwight Rorholm. Staff members John Pylelo and Dawn Norton were also in attendance. Present from the public were: Cyndi and Pat DeRocher, Elizabeth Berning, Polly and Alan Pithan, Reba and Lawayne Downey, Kent Baker, Gene Collins, Matt Berning, Bill Ortner, Dennis Ortner, Larry Feddersen, and Jered Jepsen.

The 1st agenda item is any citizen wishing to be heard on a non-agenda item.

No citizen made comment pertaining to this agenda item.

The 2nd agenda item is the approval of minutes from the Board's March 6, 2017 meeting

Katie Colling made a motion to approve the minutes; JoAnn Sadler seconded the motion; motion carried 5-0.

The 3rd agenda item is a Public Hearing and approval of a conditional use permit application for a Horse Arena and Event Center Complex for property owners Cynthia DeRocher-Anderson and Patrick G. DeRocher within eleven (11) rural Woodbury County parcels in Sections 16, 17 and 21 of Kedron Township.

Your Board is specifically tasked with holding a public hearing on this agenda item. Then to vote on the approval of the conditional use permit application.

BACKGROUND

The applicants wish develop and operate a multi-use event center complex within rural Woodbury County. The development and multiple uses will occur within 11 parcels all owned by the applicants. The location is 2 miles north of Anthon and 0.3 miles west of Hwy 31 right of way. Access to the development can occur from either the north or south along different sections of Wolf Creek Trail. The development will be serviced by an existing drive addressed 1953 Wolf Creek Trail.

The eleven parcels are as follows:

<u>GIS No.</u>	<u>Acres</u>
1) #884321100002	37.25
2) #884321200008	21.86
3) #884316300001	39.40
4) #884316300002	39.00

5) #884316300003	40.00
6) #884316300004	40.00
7) #884316400001	51.50
8) #884317200001	39.00
9) #884317200002	38.00
10)#884317200003	40.00
11)#884317200004	<u>39.03</u>
	425.04 Acres

A portion of the development area is within a Zone A flood hazard area primarily along or near a tributary of the Little Sioux River named Rock Creek. Rock Creek bisects 8 of the 11 parcels within the project area. The applicant has been issued a Woodbury County Floodplain Development Permit to begin a grading plan increasing elevations within a specific area. The goal being to remove from the 100-year flood plain an area where the southern portion of the horse arena and event center structure will be located.

As the applicants reside on one of the eleven parcels the project was initially assessed under the existing zoning and the county's home occupation use ordinances. It was determined it would be impossible all home occupation tests could be consistently met. This fact; and the fact the combination of the existing permitted uses and the requested conditional uses would not be compatible with any single zoning district designation; are the reasons the conditional use permit application is required.

All eleven parcels, and the rural area in general, are zoned AP (Agricultural Preservation). Current uses of the parcels are compliant with the Woodbury County zoning ordinances. Of note is the fact that the private agricultural, timber and livestock uses of the land; and the structures in which these uses occur; are exempt from local ordinances under section 335.2 of the Iowa Code (the agricultural exemption). However, when the uses and structures are offered to the general public a non-agricultural business use is initiated with the protections afforded under Section 335.2 no longer applicable.

The proposed development's centerpiece includes the construction of a 200' by 216' multilevel structure which will include on its main level a horse arena; bleachers; horse stalls; header, calf and striping chutes; a tack room; saddle and prepping area; wash bay; restrooms; office, concession, kitchen and storage areas. The upper level will contain nine (9) residential apartments rental units.

The Office of Planning and zoning has previously received a building permit application for this structure. The application was approved in March 2017 as the applicants stated the structure was solely for personal use. The applicants subsequently determined to primarily use the structure for business uses. Your Commission's CUP review is required due to the fact significant business use of the structure is now planned.

The average unadjusted corn suitability rating (CSR2) for the parcel where structure grading will occur is 63.11.

The application requests the following to be conditionally permitted uses. The uses requested are a mixture of indoor and outdoor uses or activities.

- 1) An event center for rodeo events, clinics, receptions, auctions, exhibitions, meetings; bed and breakfast type lodging and food services. Note: Beer and/or liquor license applications may be considered.
- 2) Parking areas for complex attendees.
- 3) Equestrian trail riding and stable facility rental.
- 4) Retail sales in the areas of camper related groceries, camper related supplies, horse supplies, tack supplies and animal health services.
- 5) Outdoor recreational events including archery, horseshoes, etc.
- 6) Appropriate signage.
- 7) Camp grounds and recreational vehicle park. A portion with utility hookup.

Written notice of this agenda item's public hearing was mailed to the property owners within 500 feet of the eleven (11) DeRocher parcels. A similar notice was mailed to those property owners and occupants of residences who were not on the 500-foot mailing list but owned property adjacent to the project's Wolf Creek Trail roadway access segments.

Attached see a July 31, 2017 e-mail received from Karen Diamond and zoning office response. Mrs. Diamond owns multiple parcels within 500 feet of one or more of the 11 DeRocher parcels included in the project.

>>> "DIAMOND, KAREN" <KAREN.DIAMOND@heska.com> 7/31/2017 1:12 PM >>>
440 Parkwood Blvd
Pleasant Hill, IA 50327
July 31, 2017
Attn: John Pylelo, Director
The Office of Planning and Zoning
6th Floor, Woodbury County Courthouse
620 Douglas Street
Sioux City, IA 51101
Re: Public Hearing for Conditional Use Permit for property owners, Cynthia & Patrick DeRocher
(regarding 11 DeRocher parcels in Section 16, 17 and 21 of Kedron Township)

Dear Mr. Pylelo: I received your notice of an application filed by Cynthia & Patrick DeRocher for a conditional use permit on parcels of land near property that I own with my siblings. I am writing to register my objection to said conditional use permit and my concerns regarding same. As a neighboring landowner, I oppose allowing a commercial event center to be established in an agriculturally zoned area. Rodeo events, receptions, auctions, stable rentals, riding trails, camp grounds, food services and retail sales are all commercial operations best done in areas already reserved or zoned for such activities. The application also indicates beer and/or liquor license applications may be considered as well. The above activities, fueled by beer and wine sales, lends one to be concerned about turning this quiet rural area into a party bar atmosphere. I note that the described development includes a centerpiece construction of a large multilevel structure (with horse area, bleachers, office, concessions, meeting room space). The upper level is planned for 3,600 sf dedicated to nine residential apartment units. I also object to allowing apartments to be developed in this rural agriculturally zoned area. My siblings and I, along with our extended family members, many who reside in the area would be so disappointed to have this beautiful area destroyed by a commercial event center that brings so many negative things to an agriculturally area. I have considered building a residence on our property for my retirement. I don't want to be looking out my picture window and looking at a commercial event center or listening to the noise of a once peaceful area. Allowing this conditional use permit would definitely alter the value of our land. I note the access to this proposed development would be along different sections of Wolf Creek Trail. This is a beautiful, lightly traveled gravel road that crosses Wolf Creek. It is primarily used by farmers and the rural residents living

nearby. This Little Sioux valley has always been home to me and adding this development would destroy everything that has meant so much to me and the family throughout our lives. This proposed development would result in a tremendous increase in traffic and traffic safety concerns for this rural gravel road. As I stated, I am opposed to the above referenced conditional use permit application for numerous reasons and I ask that you deny the permit and not allow a commercial operation that would transform this quiet rural area into a multi-use commercial operation.

Sincerely,

Karen E Diamond

Also attached are emails sent to Mr. Pylelo from Jon Diamond and Janette Diamond.
(See attachments)

Written notice requesting comment was also mailed to the following jurisdictions, departments or agencies. Response status is provided.

- A. Woodbury County Board of Supervisors – No response received.
- B. Clerk of Kedron Township – No response received.
- C. Ruth Groth Anthon Town Clerk – Mayor Pithan sent an email saying he approved (attached)
- D. Anthon Iowa Fire Chief – No response received.
- E. Mark Nahra, P.E., Woodbury County Engineer – Response attached.
- F. Gary Brown, Woodbury County Emergency Services – No response received.
- G. Rebecca Socknat, Woodbury County Emergency Management – No response received.
- H. Iowa Department of Natural Resources – No response received.
- I. Ron Brandt, Siouxland District Health Department - Michelle Clausen Rosendahl response below:

>>> Michelle Clausen-Rosendahl <mclausen@siouxlanddistricthealth.org> 8/7/2017 8:47 AM >>>

Hi John,

I had hoped to attend the public hearing tonight for this permit, but will not be able to. I wanted to comment that while Siouxland District Health does not have any opposition to the granting of this permit, we want to make sure to note that the proposed use of this property will require several permits through our office. In addition to the well (which will likely be permitted through the DNR) and the septic, the operation of any kind of hotel/motel (including a bed and breakfast) and any kind of food and beverage operation (including concessions, groceries, food and beverage services) must meet the Iowa Code requirements and would be permitted through this office. I encourage the developers to contact us early in the design process and we can provide them with the requirements prior to any construction taking place.

Thank you,

Michelle

***Please note my email has changed

mclausen@siouxlanddistricthealth.org<mailto:mclausen@siouxlanddistricthealth.org> ***

Michelle Clausen Rosendahl, MPH, REHS

Director of Environmental Health

Siouxland District Health Department

1014 Nebraska St Sioux City IA 51105

Ph: 712-279-6119 | Fax: 712-255-2604

- J. Rick Schneider, Woodbury County Conservation Service – No response received.
- K. Woodbury County Sheriff David Drew – No response received.
- L. Woodbury County Rural Electric Coop – No response received.
- M. Western Iowa Telephone Company (WIATEL) – No response received.

Find attached the following documentation exhibits to assist in your review:

Exhibit:

- A. Woodbury Township TAM Mapping showing location
- B. The CUP application including
 - 1. Applicants' narrative
 - 2. Response to Section 2.02:9.E standards
 - 3. Structure Isometric View Drawing, Plan view Roof, Main Floor Plan, Apartment Layout and Individual Apartment Layout
 - 4. Close-up Aerial of GIS Parcel #884321200008 with overlay information showing Arena/Event Center and Parking Areas
- C. Pictometry Aerial with pre-grading plan elevation contours
- D. Aerial of impacted sections and adjacent sections in Kedron Township.
- E. Aerial of Northern Parcels included with parcel numbers
- F. Aerial of Southern Parcels included with parcel numbers
- G. Aerial of Northern Parcels included with zoning district information
- H. Aerial of Southern Parcels included with zoning district information
- I. Aerial close-up of parcel proposed for structure placement (Parcel #884321200008).
- J. Aerial close-up of parcel proposed for structure placement (Parcel #884321200008) showing 100-year flood plain area shaded blue.
- K. Soil Summary information and average unadjusted CSR2 rating of 63.11
- L. On site photographs
- M. Aerial Mapping showing both north and south Wolf Creek Trail roadway access segments, their distances and number of impacted residences.

Zoning Commission Recommendation

On July 24, 2017, the Woodbury County Zoning Commission met to assess the application in meeting the standards within ordinance section 2.02:9-F. See the attached letter from the Commission Chairperson providing the details of the approval recommendation of the Commission. Your Board should note the Commission's recommendation comes with specific suggestions on the placement of signage so as to direct traffic to the north most intersection of State Hwy 31 and Wolf Creek Trail.

Comments:

Pat DeRocher spoke. He stated they have used the area for horse related activities since 2007, this is their home and want to keep it a family friendly environment. Inclement weather has caused problems with events, an indoor facility would prevent that. The facility could be used for receptions and parties, as well as kids summer camps, horse clinics and other horse events. Lodging will be available for these types of events and is not intended for long term rentals. Mr. DeRocher stated their motivation for the new event center/arena is not to make a profit, but to give back to the community and have a place for people to enjoy horse related activities. Alcohol may be sold/consumed on the premises, but it will not be a bar atmosphere. He realizes there are issues such as dust control and water run-off, and has spoken with surveyors, engineers and Siouxland District Health already about some of the possible issues.

Bill and Dennis Ortner, nearby land owners, spoke about concerns with water run-off from the north coming too fast. They already have concerns with it and worry this development

could cause more flooding. They would like to have the bends in the river straightened but the government won't approve it. Also, they can see a possible problem with traffic during harvest season.

Pat DeRocher stated he has put dams on the property himself, but the water upstream is a problem.

Dwight Rorholm questioned if the Corp. of Engineers has been involved. Drainage needs to be looked at. Raising elevation may help, and assessment/study may be needed.

Lawayne Downey is also a nearby land owner. He is concerned about dust and speed. Mrs. Downey added it is a dangerous corner.

Al Pithan, nearby land owner and mayor of Anthon, said this development would be good for economic development. The city has lost several businesses and it's hard to compete with Sioux City.

Matt Berning stated he has a family of 6, feels this project would be good for his kids. Having an indoor, quality event area would be a plus.

JoAnn Sadler made a motion to close the public hearing; Dwight Rorholm seconded. Motion passed 5-0.

Your Commission is tasked with reviewing the Conditional Use Permit application. The ordinances allow your Board can approve; approve with conditions or deny the application.

Discussion

Katie Collings asked Pat DeRocher about alcohol sales. Mr. DeRocher explained that at the beginning of this process John Pylelo brought up the issue of sales of alcohol, possibly to help with expenses. He and his wife reluctantly agreed that if they didn't sell it, it would be brought in anyway.

Bob Brouillette asked if a liquor license would be needed. Dwight Rorholm said at his church, receptions allow beer sales, but events need to be managed with a plan in case things get out of control.

Bob Brouillette asked clarification of the intention for alcohol sales. Mr. DeRocher said sales would only be during scheduled events. John Pylelo added if a liquor license was approved with an expiration, they would not have to come back to the Board of Adjustment when renewing.

Bob Brouillette went over the key concerns of the conditional use permit, dust control, water run-off and traffic issues.

John Pylelo stated a north side entrance would be best, and a planned small convenience store on premises will reduce some traffic.

Dwight Rorholm would like signage to direct traffic north. John Pylelo stated Hwy 31 is a State highway and there's no guarantee signage will be placed there. Bob Brouillette added GPS will direct most traffic, along with signs. Dwight suggested Iowa DOT be contacted.

Tom Thiesen asked for clarification on the duration of stays in the apartments. Pat DeRocher answered they are just for guests attending events and not intended for permanent housing.

Bob Brouillette asked about plan for dust control. Mr. DeRocher stated he has already contacted and received a contract for control solution for approximately 3/10 of a mile.

Katie Collings brought up speed and traffic concerns during harvest. John Pylelo said the engineer would have to measure violators by complaints and traffic volume, then take that to the Board of Supervisors. Dwight asked what the current speed limit was, John Pylelo answered 55 mph.

Dwight Rorholm stated care should be taken when changing the streams to control run-off without Corp of Engineers involvement.

Mr. Roholm asked about water availability, water quality, and septic systems for RVs. Pat DeRocher said they will provide water and electricity, but no RV dumping facilities.

Dwight brought up issues that will need to be addressed; fire suppression, emergency access, animal rentals. He sees a lot of positives in the project.

Staff Recommendation

John Pylelo listed the following recommendations;

- 1) Recorded easement for crossing nearby landowner's property.
- 2) All county, state and federal permits be obtained and maintained.
- 3) Dust control plan.
- 4) Monitor speed and traffic.
- 5) Implement and maintain a drainage plan.

Mr. Pylelo noted that a Floodplain Development Plan will state flow rate, could not increase from current rate. Dwight Rorholm added according to FEMA Drainage law, a property owner must accept water drainage, but can't do grading to change.

Bob Brouillette would like to see a retention plan, easement recorded, permits obtained and followed, and dust control. He asked Pat DeRocher if a retention pond could hold and release water at a reasonable rate.

Bill and Dennis Ortner stated they would be ok with the DeRocher's run-off plan, but would like protection from other possible owners. John Pylelo stated new owners would need a permit.

Mr. Rorholm questioned occupancy restrictions. Mr. Pylelo answered there are no County ordinances dealing with occupancy limits or fire codes. That would be a State issue.

Bob Brouillette asked about the plan for parking. John answered that there needs to be further assessment in regards to parking, loading, handicap parking since these items may affect drainage.

Motion by Dwight Rorholm to approve Condition Use Permit; seconded by Katie Collings. Motion passed 5-0 with the following conditions:

- 1) Easement be obtained from neighboring property owner for use of land crossing. Easement must be recorded.
- 2) A dust control plan must be drafted and utilized.
- 3) A drainage assessment by a certified professional be conducted with recommendations.
- 4) All local, state and federal permits be obtained and maintained.

- 5) Place signage, where allowed, directing traffic to north entrance. Also, proactively market preferred entrance.

The fourth agenda item is any citizen wishing to be heard.

None heard.

The fifth agenda item is any Board comment or inquiry.

None heard.

Katie Collings made a motion to adjourn. Mrs. Sadler seconded the motion; motion carried 5-0. Meeting adjourned at 7:35 pm.

Next meeting is tentatively scheduled for Monday, September 11, 2017 at 6 PM.

Attachments

To: John Pylelo, Woodbury County Planning and Zoning Administrator
From: Mark J. Nahra, County Engineer
Date: August 4, 2017
Subject: DeRocher Conditional Use Permit

The Secondary Road Department has reviewed the information provided for the above referenced conditional use permit application forwarded with your memo dated July 21, 2017.

I am offering the following comments for your consideration.

Wolf Creek Trail is a gravel road that loops off of Iowa Highway 31 with two intersections with the highway. The north intersection with Highway 31 is the closest to the proposed facility. No houses lie between Highway 31 and the DeRocher property from the north intersection. Four houses lie between the south intersection with Highway 31 and the DeRocher property.

In regard to access to the property, I recommend that all signing directing visitors to the event center be placed at the north intersection to minimize traffic past the other residences along Wolf Creek Trail. Should traffic not follow the signed route, it may be necessary to provide dust control for the other residences. Such dust control should be provided by the event center operators at no cost to the county or the neighbors.

All event center signing must be placed outside the county right of way. No signing within the right of way, permanent or temporary is allowed.

Dust control may be required to maintain safety on the north leg of Wolf Creek Trail. I recommend that we not require dust control on the road at this time, but would like to reserve the ability to require the event center owner to spray a dust palliative after we are able to observe the impact of event traffic on the roadway. No figures on expected attendance at the event center have been provided and it is reasonable to expect that traffic may grow in future years as the event center use increases. Until we see a problem, I don't feel it is necessary to require dust control, but I would like to see the conditional use permit allow the flexibility to request dust palliative application should traffic volume grow to levels that make it necessary.

The existing driveway may be used for access to the property. If additional driveway accesses are needed, the landowner should contact our department for a review of any proposed access location.

The event center location is on a roadway that is appropriate for agricultural and related uses. I do not have concerns with the proposed location from a roadway adequacy perspective.

There appears to be more than enough area off the road to provide parking without any parking on the road or within the right of way. No parking or storage of equipment or trailers will be allowed within the county right of way.

I have no other concerns or issues with this conditional use application.

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

Cc: File

>>> <jad3034@aol.com> 8/2/2017 11:12 AM >>>
Dear Mr Pylelo,

I recieved your notice of the application by Cynthia and Patrick DeRocher. I am writing to register my objection to this conditional use permit. As an adjacent land owner, I oppose the proposed commercial uses for these AP zoned parcels. The proposed uses listed in your letter are not compatible with an agriculturally zoned area. Access to the proposed development would be along Wolf Creek Trail, a lightly traveled gravel surface road. The large increase in traffic will bring dust and safety issues to a rural road not designed for high volumes of traffic.

Your letter also mentions the possibility of alcohol sales. Alcohol sales, combined with the other proposed uses in this proposal, could significantly and negatively transform this quiet rural area of Woodbury County.

I am also concerned that the proposal seems to be very open ended in terms of uses allowed. There is no mention of any uses that are not allowed or maximum number of occupants or vehicles per day.

In summary, I am opposed to this conditional use permit for many reasons and ask that you deny the application.

Sincerely,

Jon Diamond
3034 Randy Ln
Farmers Branch TX 75234

325 Christie Lane
Pleasant Hill, IA 50327
July 31, 2017

Attn: John Pylelo, Director
The Office of Planning and Zoning
6th Floor, Woodbury County Courthouse
620 Douglas Street
Sioux City, IA 51101

Re: Public Hearing for Conditional Use Permit for property owners, Cynthia & Patrick DeRocher
(regarding 11 DeRocher parcels in Section 16, 17 and 21 of Kedron Township)

Dear Mr. Pylelo:

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As a neighboring landowner, I oppose allowing a commercial event center to be established in an agriculturally zoned area. Rodeo events, receptions, auctions, stable rentals, riding trails, camp grounds, food services and retail sales are all commercial operations best done in areas already reserved or zoned for such activities. The application also indicates beer and/or liquor license applications may be considered as well. The above activities, fueled by beer and wine sales, lends one to be concerned about turning this quiet rural area into a party bar atmosphere.

I note that the described development includes a centerpiece construction of a large multilevel structure (with horse area, bleachers, office, concessions, meeting room space). The upper level is planned for 3,600 sf dedicated to nine residential apartment units. I also object to allowing apartments to be developed in this rural agriculturally zoned area.

My siblings and I, along with our extended family members, enjoy quiet walks on our land and treasure the rural atmosphere and beauty of the Loess Hills. We have long considered building a residence on our property, to enjoy the quiet solitude offered by rural Woodbury County. Allowing this conditional use permit would definitely alter the inherent value of our land to us.

I note the access to this proposed development would be along different sections of Wolf Creek Trail. This is a beautiful, lightly traveled gravel road that crosses Wolf Creek. It is primarily used by farmers and the rural residents living nearby. This proposed development would result in a tremendous increase in traffic, dust concerns, and traffic safety concerns for this rural gravel road.

In summary, I am opposed to the above referenced conditional use permit application for numerous reasons and I ask that you deny the permit and not allow a commercial operation that would transform this quiet rural area into a multi-use commercial operation.

Sincerely, Janette K. Diamond

>>> "DIAMOND, KAREN" <KAREN.DIAMOND@heska.com> 7/31/2017 1:12 PM >>>

440 Parkwood Blvd
Pleasant Hill, IA 50327
July 31, 2017

Attn: John Pylelo, Director
The Office of Planning and Zoning
6th Floor, Woodbury County Courthouse
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Sioux City, IA 51101

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I note the access to this proposed development would be along different sections of Wolf Creek Trail. This is a beautiful, lightly traveled gravel road that crosses Wolf Creek. It is primarily used by farmers and the rural residents living nearby. This Little Sioux valley has always been home to me and adding this development would destroy everything that has meant so much to me and the family throughout our lives. This proposed development would result in a tremendous increase in traffic and traffic safety concerns for this rural gravel road.

As I stated, I am opposed to the above referenced conditional use permit application for numerous reasons and I ask that you deny the permit and not allow a commercial operation that would transform this quiet rural area into a multi-use commercial operation.

Sincerely,

Karen E Diamond



Woodbury County Planning & Zoning

620 DOUGLAS ST • SIXTH FLOOR • SIOUX CITY, IA 51101

John Pylelo - Planning & Zoning Director • jpylelo@woodburycountyiowa.gov

Peggy Napier - Clerk II • pnapier@woodburycountyiowa.gov

Telephone (712) 279-6557 • Fax (712) 279-6530

Robert Brouillette, Chairman
Woodbury County Board of Adjustment

Re: Section 2.02:9.E Review with Recommendation to the Board of Adjustment for a
Conditional Use Permit for Applicants Cynthia Anderson-DeRocher & Patrick G DeRocher for Rodeo Arena
and Event Center Complex

Dear Chairman Brouillette:

Pursuant to Woodbury County zoning ordinance subsection 2.02-9.E the County's Zoning Commission met on the June 24, and reviewed the above referenced conditional use permit application. The application, site plan and related documents were reviewed as they relate to the Staging and Operation of Rodeo Arena and Event Center Complex within eleven (11) rural Woodbury County Parcels in Section 16, 17 and 21 of Kedron Township.

By this communication the Woodbury County Zoning Commission advises the County's Board of Adjustment of its findings that the application meets, or can meet, each of the below listed standards established within County zoning ordinance subsection 2.02-9.F. Those standards and our Commission's findings are as follows:

Excerpt from County Zoning Ordinance 2.02-9.(F):

Requirements for conditional uses.

- (1) *Standards. In order to grant a conditional use, the Board of Adjustment must determine that:*
 - (a) *The conditional use requested is authorized as a conditional use in the zoning district within which the property is located and that any specific conditions or standards described as part of that authorization have been or will be satisfied.*
 - (b) *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.*
 - (c) *The proposed use and development will not have a 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.*
 - (d) *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.

- (e) Essential public facilities and services will adequately serve the proposed use or development.*
- (f) 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.*

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

- (2) 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.*
 - (a) 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.*
 - (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.*

CONCLUSION AND RECOMMENDATION: The Woodbury County Zoning Commission finds that all standards of the county's zoning ordinance within subsection 2.02-9.F are or can be met for the conditional use applied for. Accordingly, the Zoning Commission recommends the applicant's conditional use permit be approved providing conditions being placed upon the permit to remove or mitigate any adverse impact, which your Board believes the public record supports.

The Zoning Commission recommends any permit approval for this project specifically consider including the following:

1. That the applicant make every effort to place signage within State Hwy 31 right of way to direct traffic to the proposed site via the northern intersection of State Hwy 31 and Wolf Creek Trail. Using this northern segment of Wolf Creek Trail will direct traffic along a shorter graveled roadway distance and reduce impacted Wolf Creek Trail residence drives to zero. The southern Wolf Creek Trail roadway segment has four (4) residences that would be impacted by traffic.

Sincerely,



Christine Zellmer-Zant, Chairperson
Woodbury County, Iowa Zoning Commission

From: Allan Pithan <pithanfm@longlines.com>
To: <jpylelo@woodburycountyiowa.gov>
Date: 8/7/2017 9:57 AM
Subject: DeRocher Project

Mr. John Pylelo

Office of Planning and Zoning

Concerning proposed DeRocher Project:

As a adjoining landowner and Mayor of Anthon I urge you to vote yes on the DeRocher Project.

Economic development for our area is always a priority for our community. Comments that I have heard from area residents have all been very positive.

Please vote to approve.

Sincerely,

Allan Pithan

Landowner

Mayor of Anthon

