

Minutes - Woodbury County Zoning Commission Meeting April 22, 2019

The Zoning Commission (ZC) meeting convened on the 22nd of April 2019 at 6:00 p.m. in the Board of Supervisors' Meeting Room Number 104 in the County Courthouse, 620 Douglas Street, Sioux City, Iowa.

ZC Members Present: Chris Zellmer Zant, Barb Parker, Tom Bride, Bruce Garbe
Staff Present: Dan Priestley, Dawn Norton
Public Present: Dale & Sheila Gernhart, Scott Gernhart, Julie Shebek, Beth Hickey, Anne Cook, Zeb Cook

Zellmer Zant called the meeting to order at 6:00 p.m.

No citizens present for non-agenda items.

Parker motioned to approve minutes from the March 25, 2019 meeting; Bride second. Motion carried 4-0.

Hillside Acres Addition minor subdivision proposal was discussed. Dale & Sheila Gernhart request to subdivide 49.45 acres of parcel #8847 21 301 001. Extraterritorial review by the City of Sioux City was approved; adjacent property owners and relevant stakeholders were notified; notice published in the Sioux City Journal. Priestley read Mark Nahra's 04/22/19 response into the record addressing driveway access, erosion control and boundary line error; a memo from WC Soil & Water Conservation District from 04/28/2015 regarding proposed borrow pit and erosion concerns; and an email dated 11/27/18 from Nahra regarding flag lot easement and erosion control.

Staff recommends approval with Nahra's recommendations to correct the boundary line error, replace the plastic section with culvert pipe and band, and erosion control methods.

Scott Gerhart from True Engineering stated lot 3 currently has access easement. No utilities on lots 2 & 3, no current plans for development. Erosion concerns would be addressed if/when home were built on lot 2 or 3. Current culvert was meant to be temporary and will need to be removed and replaced since the previous borrow permit was not approved.

Bride motioned to approve the subdivision with the understanding that utility widths are adequate and boundary description be corrected. Erosion control should be implemented upon proposed development of lot 2. Removal and replacement of plastic pipe would also need to be reviewed and approved by County Engineer's office. Parker seconded; carried 4-0.

Menard East Addition proposal was introduced. Jane Hickey requests to subdivide 16.33 acres into three lots, parcel #8847 34 300 010. Extraterritorial review was adopted by Sergeant Bluff, notice published, adjacent property owners notified along with relevant stakeholders. Nahra stated in memo Secondary Roads will need to be contacted when driveways for lots 2 & 3 are requested, and Farmer's Drainage District contacted for drainage.

Staff analysis emphasizes with the property being zone AP, only 2 residences are allowed per quarter. With one existing home, only one more would be allowed. If future development of a 3rd residence was planned, a rezone would need to be approved. Staff would recommend approval of subdivision with the following:

- Potential owners of 3rd residence apply for a rezone from AP to AE.
- Owners of lots 2 & 3 request driveway approval from Secondary Roads.
- Owners of lots 2 & 3 contact Farmers Drainage District for drainage structure sizing.

Motion by Parker to approve with no provisions other than future development requirements. Garbe seconded; Carried 4-0.

Tower development Conditional Use Permit request from First American Site Acquisition/USCOC was introduced. A 275' tower is proposed to be built on parcel #8646 29 351 011. Notice published in Sioux City Journal, stakeholders and adjacent property owners notified. There will be a public hearing for this request at the Board of Adjustment meeting. The parcel is in a floodplain. Bill Cappuccio from DNR states base must be 1' above BFE, tower doesn't need to be elevated. Nahra states driveway is acceptable. An application has been received for snow removal to access tower, along with a driveway application.

Applicant response and staff analysis reviewed. Staff supports proposal to be recommended to Board of Adjustment with Bill Cappuccio's requirements. All local, state and federal requirements must be met.

Criteria reviewed and approved:

- #1 – Motion by Bride; seconded by Parker. Carried 4-0
- #2 – Motion by Parker; seconded by Bride. Carried 4-0
- #3 – Motion by Garbe; seconded by Parker. Carried 4-0
- #4 – Motion by Parker; seconded by Garbe. Carried 4-0
- #5 – Motion by Bride; seconded by Garbe. Carried 4-0
- #6 – Motion by Parker; seconded by Bride. Carried 4-0

Julie Shebek from USCOC stated base will be concrete pad with outdoor cabinets. Pad will be elevated.

Motion to forward to Board of Adjustment by Bride; seconded by Parker. Carried 4-0.

No citizens wishing to be heard.

Bride noted WC County is currently not in compliance with State regulations concerning towers. The language in the ordinance is not compatible with State law. It can be addressed in a later time by amending the zoning ordinance.

Garbe motioned to adjourn; Bride seconded. Carried 4-0. Meeting adjourned 7:30 p.m.