



WOODBURY COUNTY BOARD OF ADJUSTMENT

Monday, June 2, 2025 at 5:00 PM

The Woodbury County Board of Adjustment will hold a public meeting on **Monday, June 2, 2025 at 5:00 PM** in the Board of Supervisors' meeting room in the Basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA. Please use the 7th St. entrance. Public access to the conversation of the meeting will also be made available during the meeting by telephone. Persons wanting to participate in the public meeting may attend in person or call: **(712) 454-1133** and enter the **Conference ID: 742 346 123#** during the meeting to listen or comment. It is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems.

AGENDA

1	CALL TO ORDER
2	ROLL CALL
3	PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM)
4	APPROVAL OF PREVIOUS MEETING MINUTES (ACTION ITEM)
5	ITEM(S) OF ACTION / BUSINESS
»	PUBLIC HEARING: CONDITIONAL USE PERMIT (ACTION ITEM) FOR FIELD FOR COMPETITIVE ATHLETIC (BASEBALL FIELD FOR MORNINGSIDE UNIVERSITY) (PARCEL #884714300005). SUMMARY: Jason Reynoldson (Applicant) on behalf of Morningside University (Owner) has submitted a conditional use permit application to construct and operate a baseball stadium (field for competitive athletic) on the property identified as Parcel #884714300005. The facility will provide a dedicated space for organized sports, supporting health and wellness, community spirit, and opportunities for youth and adult leagues. The project's design will minimize environmental impact, incorporating features such as permeable surfaces, native landscaping, and noise/light control strategies. The development will also attract visitors, promote local businesses, and provide a gathering space for events, fostering economic growth and social interaction. The property is in the Agricultural Preservation (AP) Zoning District, where "fields for competitive athletic" are a conditional use under Section 3.03.4 of the Woodbury County Zoning Ordinance, subject to review by the Zoning Commission and approval by the Board of Adjustment. The property is located in T88N R47W (Woodbury Township), Section 14. SW ¼ of the SW ¼. Owners/Applicants: Morningside University (Owner), 1501 Morningside Ave., Sioux City, IA 51106. / Jason Reynoldson (Applicant), 3600 Garretson Ave., Sioux City, IA 51106.
»	PUBLIC HEARING: VARIANCE REQUEST TO BUILD A SHED PRIOR TO FINISHING A PRINCIPAL STRUCTURE (SINGLE-FAMILY DWELLING) (PARCEL #894214400004) SUMMARY: Kirby and Jeaneen Eli (Applicants/Owners) have submitted a variance request to build an approximately 40' x 60' accessory shed prior to finishing a principal structure (single-family dwelling). Although they plan to start building (foundations) of both structures at the same time, they would focus on finishing the shed first. Section 4.12.2 of the Woodbury County Zoning Ordinance requires that "no accessory building shall be constructed upon a lot until the construction of the principal building has commenced..." (p. 45). The property owners have filed this variance application to request relief from the requirement that the principal structure (house) must be built before the accessory structure (shed). The property is located on a 11.77 acre tract that has been recently split from Parcel #894214400004 as a consequence of the Quit Claim Deed filed as Document Number: 2025-04352 in the Woodbury County Recorder's office. The property is located in T89N R42W (Union Township), Section 21, in the SW 1/4 of the SE 1/4. Owners/Applicants: Kirby Eli and Jeaneen Eli, 25273 Corwin Ct., Sioux City, IA 51108.

»	ACCESSORY SECOND DWELLINGS SENATE FILE 592 (INFORMATION ITEM). SUMMARY: Senate File 592 was signed by Governor Reynolds on May 1, 2025, amends Iowa Code Section 331.301 to mandate that counties allow at least one accessory dwelling unit (ADU) on lots with single-family residences, subject to state building codes and size limits of 1,000 square feet or 50% of the primary residence's size. The law prohibits counties from imposing stricter regulations on ADUs than on single-family homes, including restrictions on placement, appearance, parking, occupancy, or utilities, unless specific conditions apply. It requires streamlined permitting processes and voids conflicting county ordinances, while allowing more permissive local policies to encourage ADU development.
»	VARIANCE LEGISLATION (INFORMATION ITEM). SUMMARY: House File 652 was signed by Governor Reynolds on April 25, 2025, introducing new provisions to Iowa Code Sections 335.15 that govern the variance process for county zoning regulations. The new subsection grants the Board of Adjustment authority to approve variances from certain zoning ordinance limitations, such as minimum lot size and setbacks, if strict enforcement would cause practical difficulties for a property owner. To grant a variance, the Board must ensure that the request meets specific conditions, including not being contrary to the public interest, demonstrating unique practical difficulties, and preserving the spirit of the zoning ordinance.
»	UPDATE ON NUCLEAR ENERGY FACILITIES DISCUSSION. (INFORMATION ITEM).
»	UPDATE ON ZONING COMMISSION RECOMMENDATION TO BOARD OF SUPERVISORS ON BORROW PIT FOR EARTHEN MATERIALS IN THE AGRICULTURAL ESTATES (AE) ZONING DISTRICT - ZONING ORDINANCE TEXT AMENDMENT. (INFORMATION ITEM).
6	PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM)
7	STAFF UPDATE (INFORMATION ITEM)
8	BOARD MEMBER COMMENT OR INQUIRY (INFORMATION ITEM)
9	ADJOURN (ACTION ITEM)

PACKET CONTENTS

PREVIOUS MEETING MINUTES – DRAFT	4
PUBLIC HEARING: CONDITIONAL USE PERMIT (ACTION ITEM) FOR FIELD FOR COMPETITIVE ATHLETIC (BASEBALL FIELD FOR MORNINGSIDE UNIVERSITY) (PARCEL #884714300005).	7
PUBLIC HEARING: VARIANCE REQUEST TO BUILD A SHED PRIOR TO FINISHING A PRINCIPAL STRUCTURE (SINGLE-FAMILY DWELLING) (PARCEL #894214400004).	37
ACCESSORY SECOND DWELLINGS SENATE FILE 592 (INFORMATION ITEM).	63
VARIANCE LEGISLATION (INFORMATION ITEM).	71

Minutes - Woodbury County Board of Adjustment – March 3, 2025

The Board of Adjustment special meeting convened on the 3rd day of March, 2025 at 5:00 PM in the Board of Supervisors' meeting room in the Basement of the Woodbury County Courthouse. The meeting was also made available for public access via teleconference.

Meeting Audio:

For specific content of this meeting, refer to the recorded video on the Woodbury County Board of Adjustment "Committee Page" on the Woodbury County website:

- County Website Link:
 - o https://www.woodburycountyiowa.gov/committees/board_of_adjustment/
 - YouTube Direct Link:
 - o <https://www.youtube.com/watch?v=bUMGjcFqPSk>
-

BA Members Present:

Daniel Hair, Doyle Turner, Pam Clark, Tom Thiesen, Larry Fillipi

County Staff Present:

Dan Priestley

Public Present:

Steven Curtis (via teleconference)

CALL TO ORDER

Chair Daniel Hair called the meeting to order at 5:00 PM on March 3, 2025, noting that all five board members were present.

ROLL CALL

Chair Hair confirmed the presence of all five board members—Daniel Hair, Doyle Turner, Larry Fillipi, Tom Thiesen, and Pam Clark.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Chair Hair opened the floor for public comments on matters not on the agenda. He inquired if there were any comments, including from those on the phone. Dan Priestley noted that Steve Curtis was present via phone/Teams but had no comments unrelated to the agenda. No public comments were received.

APPROVAL OF MINUTES

The minutes of the February 3, 2025, meeting were approved. Motion by Clark, second by Turner. Motion carried unanimously (5-0).

APPROVAL AND ADOPTION OF RULES OF PROCEDURE FOR THE WOODBURY COUNTY BOARD OF ADJUSTMENT (ACTION ITEM)

Chair Hair introduced the approval and adoption of the Rules of Procedure for the Woodbury County Board of Adjustment. He asked Dan Priestley if a public hearing was required, to which Priestley responded that no hearings were scheduled or required, as the agenda involved actions and information only. Priestley explained that on February 11, 2025, the Woodbury County Board of Supervisors approved the proposed rules, adjusting the meeting time to 5:00 PM and confirming the location as the courthouse basement. He noted the Supervisors' adoption was from their perspective, and the Board of Adjustment was now in the position to formally adopt the rules via motion and second. Once approved, the Chairperson would sign the document, and it would be placed in the auditor's office as the official procedure. Priestley displayed the revised Section 2, specifying meetings on the first Monday of each month at 5:00 PM in the Board of Supervisors meeting room.

Chair Hair called for a motion.

- **Motion:** Pam Clark moved to accept the adoption of the rules with the changes.
- **Second:** Tom Thiesen seconded the motion.
- **Discussion:** No further discussion occurred.
- **Vote:** All five members voted in favor (Daniel Hair, Doyle Turner, Larry Fillipi, Tom Thiesen, Pam Clark), with no opposition. The motion carried 5-0.

Following the vote, Chair Hair signed multiple copies of the document on the spot, dating them March 3, 2025. Priestley attested the documents.

UPDATE ON NUCLEAR ENERGY FACILITIES DISCUSSION (INFORMATION ITEM)

Chair Hair introduced the informational update on nuclear energy facilities, and confirmed with Dan Priestley that a guest speaker was present. Priestley introduced Steve Curtis, via teleconference, noting the Zoning Commission's ongoing work on nuclear energy. He referenced discussions with the county attorney's office, interpreting existing ordinances that enumerate electrical energy generation (excluding wind) in industrial zones and prohibit it in agricultural zones. Additional language on chemical materials in general industrial areas suggested a potential path for nuclear energy permitting, but the county attorney recommended specific enumeration of nuclear energy. Priestley anticipated a Zoning Commission public hearing later in March to refine this. He highlighted Curtis's recent presentation to the Commission and emphasized the importance of briefing the Board of Adjustment, a quasi-judicial body evaluating permit applications, on nuclear energy developments, despite their lack of direct policy-voting authority. He invited Curtis to provide a background and overview of the nuclear industry's potential.

Steve Curtis's Presentation:

Curtis, with a Master's Degree in Health Physics and 38 years in Las Vegas (15 with the Department of Energy), outlined his experience in nuclear testing, emergency response, and development work. Now in Minnesota, he initiates education on nuclear energy with a few colleagues nationwide. He noted rising interest in nuclear power over the past six months, aiming to clarify misconceptions about "slightly used nuclear fuel" (often called waste) as an energy asset. He described light water reactors (like Iowa's two), explaining uranium enrichment (from 0.7% to 3-4% U-235), fuel assembly, and the fission process yielding 50 million times more energy per atom than coal combustion. After 3-5 years, spent fuel comprises 3% fission products, 1% U-235, 1% minor actinides (e.g., plutonium), and 95% unchanged U-238. This fuel is cooled in water pools for 3-4 years, then air-cooled in dry cask storage, where it remains due to federal inaction on repositories for 45 years.

Curtis proposed using fast reactors to fission U-238, converting it to plutonium-239, yielding 30 times more energy than original use. He cited Iowa's two reactors with spent fuel as a resource for 500 years of state power, plus the U.S.'s 90,000 metric tons equating to 270 years of national power. He highlighted the Nuclear Navy's success with long-lasting reactors and Idaho's safe storage of decommissioned units. Addressing misconceptions, he asserted commercial nuclear power's unmatched safety record, with no injuries from normal operations globally, distinguishing Chernobyl (an outlier) from U.S. designs. He suggested Iowa leverage the \$50 billion Nuclear Waste Fund (with \$25-30 billion needed) to transition fast reactor technology to private enterprise, potentially creating a clean energy hub. Curtis offered to answer questions and return for further discussions.

Questions and Discussion:

- **Daniel Hair:** Asked about the fate of spent fuel after fast reactor use. Curtis explained that fission products decay significantly within 100-300 years (versus a million-year legal requirement), becoming manageable and potentially mineable for rare earth metals after 50-60 years, requiring only concrete shielding.
- **Doyle Turner:** Inquired about repository appearance. Curtis described interim storage facilities (32 acres each, totaling two sites for 90,000 metric tons), mirroring current reactor site setups, with NRC-approved designs facing legal resistance from Texas and New Mexico.
- **Doyle Turner:** Asked about buffer zones. Curtis clarified the 32-acre sites include buffers, citing Connecticut Yankee's compact storage (222 ft x 80 ft) as evidence of minimal space needs.
- **Daniel Hair:** Raised terrorism concerns. Curtis noted reactors' robust containment could withstand plane crashes (e.g., 9/11 terrorists bypassed nearby reactors), arguing the fuel's form and protection make it an unlikely target.
- **Dan Priestley:** Asked how a nuclear project could fit industrially and assure the public. Curtis recommended emphasizing benefits (cheap, clean energy) over risks, citing nuclear's safety (no commercial operation injuries) versus car accidents (40,000 deaths/year). He critiqued Chernobyl's design flaws and media bias, advocating education to shift perceptions and suggesting private-state partnerships.

Curtis concluded, offering ongoing support. Chairperson Hair thanked him, and no further board questions emerged.

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA.

Chairperson Hair reopened public comment on non-agenda matters. No comments.

STAFF UPDATE

Dan Priestley provided a staff update, reiterating the Zoning Commission's nuclear energy review and upcoming public hearings. He noted increased attendance at the prior week's meeting. Referencing wind and solar debates,

he highlighted agricultural preservation concerns versus nuclear's smaller footprint (32 acres vs. thousands). He encouraged board engagement with the Commission's work, anticipating ordinance specifics on nuclear energy with county attorney input. Priestley emphasized evaluating risks and benefits (echoing Curtis), preparing for public questions (e.g., Chernobyl), and understanding historical context to assess project fit. He foresaw a 20-year or shorter timeline, driven by technology (e.g., long-distance call cost reductions) and rising energy demand from devices, urging members to stay informed.

BOARD MEMBER COMMENT OR INQUIRY

Chair Hair invited board member comments or inquiries. None.

MOTION TO ADJOURN

Chair Hair called for a motion to adjourn.

- **Motion:** Tom Thiesen moved to adjourn.
- **Second:** Larry Fillipi seconded the motion.
- **Vote:** All five members voted in favor (Daniel Hair, Doyle Turner, Larry Fillipi, Tom Thiesen, Pam Clark), with no opposition. The motion carried 5-0.

The meeting ended at 6:15 PM



WOODBURY COUNTY PLANNING & ZONING

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Daniel J. Priestley, MPA – Zoning Coordinator
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Dawn Norton – Senior Clerk
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FINAL REPORT – MAY 29, 2025

BASEBALL STADIUM (FIELD FOR COMPETITIVE ATHLETIC) – CONDITIONAL USE PERMIT PROPOSAL

APPLICATION DETAILS

Applicant(s)/Owner(s):	Jason Reynoldson (Applicant) / Morningside University
Application Type:	Conditional Use Permit
Zoning District:	Agricultural Preservation (AP)
Total Acres:	13.4
Current Use:	Agricultural, Farm
Proposed Use:	Baseball Stadium
Pre-application Meeting:	March 14, 2025
Application Date:	April 29, 2025
Legal Notice Date:	Saturday, May 17, 2025
Neighbor(s) Notice Date:	Thursday, May 15, 2025
Stakeholder(s) Notice Date:	Thursday, May 1, 2025
Zoning Commission Review:	Wednesday, May 28, 2025
Board of Adjustment Public Hearing:	Monday, June 2, 2025

PROPERTY DETAILS

Parcel(s):	884714300005
Township/Range:	T88N R47W (Woodbury)
Section:	14
Quarter:	SW ¼ of the SW ¼
Zoning District:	Agricultural Preservation (AP)
Floodplain:	Zone X (Not in Floodplain)
Property Address:	TBD

CONTENTS

Summary	
Aerial Map / Site Plan Excerpt	
Review Requirements	
Review Criteria	
Application Materials	
Legal Notification	
Public Comments	
Stakeholder Comments	
Supporting Information	

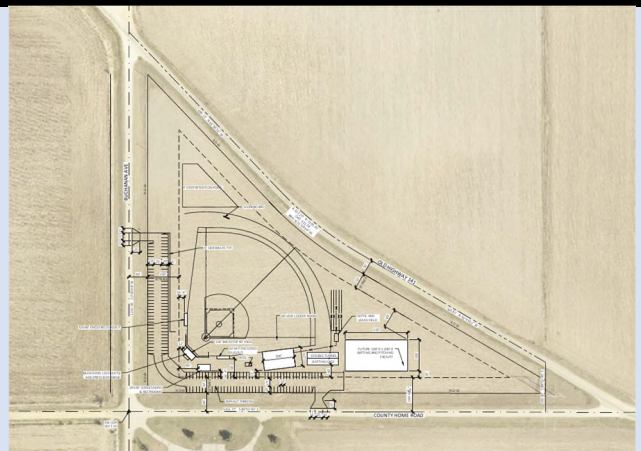
SUMMARY

Jason Reynoldson (Applicant) on behalf of Morningside University (Owner) has submitted a conditional use permit application to construct and operate a baseball stadium (field for competitive athletic) on the property identified as Parcel #884714300005 and referenced above. The facility will provide a dedicated space for organized sports, supporting health and wellness, community spirit, and opportunities for youth and adult leagues. The project's design will minimize environmental impact, incorporating features such as permeable surfaces, native landscaping, and noise/light control strategies. The development will also attract visitors, promote local businesses, and provide a gathering space for events, fostering economic growth and social interaction. The property is in the Agricultural Preservation (AP) Zoning District, where "fields for competitive athletic" are a conditional use under Section 3.03.4 of the Woodbury County Zoning Ordinance, subject to review by the Zoning Commission and approval by the Board of Adjustment. The proposal was advertised in the Sioux City Journal's legal section on May 17, 2025. Neighbors within 500 feet were notified via a May 15, 2025 letter about the Board of Adjustment public hearing on May 2, 2025. Relevant stakeholders, including government agencies, utilities, and organizations, have been invited to provide comments. Based on the information provided this proposal can meet the zoning ordinance regulations. The Zoning Commission reviewed the application at their May 28, 2025 meeting and recommended approval following public testimony on a 4-0 vote. Several members of the public addressed the Commission and brought up topics not limited to traffic, event scheduling/time limitations, noise and light disturbance, water usage and well impact, intended property use, alcohol use, etc. The Commission recommends the proposal and states that these concepts should be considered for potential conditions. See enclosed Zoning Commission recommendation letter and draft meeting minutes.

AERIAL MAP



SITE PLAN EXCERPT





**WOODBURY COUNTY
ZONING COMMISSION**

WOODBURY COUNTY COURTHOUSE
620 DOUGLAS STREET
SIOUX CITY, IA 51101

Woodbury County Board of Adjustment
620 Douglas Street
Sioux City, Iowa 51101

RE: Recommendation: *Conditional Use Permit – Morningside University's application to construct and operate a baseball stadium (field for competitive athletic) on the property identified as Parcel #884714300005*

PROPERTY DETAILS:

Parcel(s): 884714300005
Township/Range: T88N R47W (Woodbury)
Section: 14
Quarter: SW ¼ of the SW ¼
Zoning District: Agricultural Preservation (AP)
Floodplain: Zone X (Not in Floodplain)
Property Address: TBD

Dear Board of Adjustment:

This letter is to inform you that the Woodbury County Zoning Commission reviewed the conditional use permit application from Morningside University to construct and operate a baseball stadium (field for competitive athletic) on the property identified as Parcel #884714300005 at the special meeting of the Woodbury County Zoning Commission on May 28, 2025.

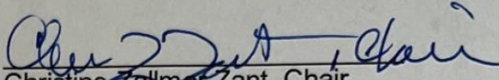
At the meeting, several members of the public addressed the Commission with concerns about the following themes which should be considered by the Board of Adjustment for potential conditions:

- Traffic increase to the area
 - Traffic management plan
- Event scheduling/time limitations
 - Event hours, night-time limitations (curfew)
- Noise and Light Disturbance
- Water Usage and Impact on Wells
- Intended Use of Property
 - Request for clarity on what kinds of events will be hosted beyond baseball (e.g., concerts, other sports).
 - Concern over whether the field could evolve into a multipurpose event space.
- Alcohol Use
 - A direct question about whether alcohol would be served or allowed at the facility.

The Zoning Commission voted 4-0 to recommend approval of this proposal to the Woodbury County Board of Adjustment.

Please refer to the draft copy of the Zoning Commission minutes for details about the Commission's recommendation.

Dated this 29 day of May, 2025.


Christine Zellmer Zant, Chair
Woodbury County Zoning Commission

Woodbury County Zoning Commission Special Meeting Minutes

Date: May 28, 2025

Time: 5:00 PM

Location: Board of Supervisors' Meeting Room, Basement, Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA

MEETING AUDIO:

For specific content of this meeting, refer to the recorded video on the Woodbury County Zoning Commission "Committee Page" on the Woodbury County website:

- County Website Link:
 - o https://www.woodburycountyiowa.gov/committees/zoning_commission/
- YouTube Direct Link:
 - o <https://www.youtube.com/watch?v=HoUh4IVeBol>

Attendees

- **Commissioners Present:** Chris Zellmer Zant - Chair, Tom Bride – Vice Chair, Corey Meister, Steve Corey
- **Commissioner Absent:** Jeff Hanson
- **Staff Present:** Dan Priestley - Zoning Coordinator, Dawn Norton – Senior Clerk
- **Public Attendees:** Alan Fagan (Land Surveyor), Jason Reynoldson (Morningside University), Steven Sitzmann, Debbie De Forrest, Chad Hofer, Jim McCullough, Frank Huseman, Dale Drees, Lynn Drees, Adam Boeve

Call to Order

Chair Chris Zellmer Zant called the meeting to order at 5:00 PM on May 28, 2025, noting that the meeting would be audio-recorded and minutes prepared. Attendees were asked to silence cell phones and complete the attendance sheet. Zellmer Zant outlined the commission's procedures, emphasizing public hearing protocols, including staff reports, public comments limited to three minutes, and the process for closing hearings and deliberating motions. She noted that ex-parte communications must be disclosed before deliberations.

Roll Call

Zellmer Zant conducted a roll call, confirming the presence of all commissioners except Jeff Hanson. The record reflected a quorum.

Public Comment on Matters Not on the Agenda (Information Item)

Zellmer Zant opened the floor for public comments on non-agenda items. No comments were received.

Approval of Minutes from Previous Meeting: March 24, 2025 (Action Item)

Zellmer Zant presented the minutes from the March 24, 2025, meeting for approval.

- **Motion:** Commissioner Corey moved to approve the minutes.
- **Second:** Commissioner Meister seconded the motion.
- **Vote:** Unanimous approval (4-0, all present saying "aye").
- **Outcome:** The minutes were approved.

5. Items of Business

a. Public Hearing: Proposed Washburn Addition Minor Subdivision, Parcel #894635200009 (Michael W. and Janine J. Washburn) (Action Item)

Staff Presentation (Dan Priestley):

Priestley introduced the proposal for a three-lot minor subdivision on parcel #894635200009, owned by Michael W. and Janine J. Washburn, to divide 8.088 acres into Lot 1 (3.56 acres), Lot 2 (2.5 acres), and Lot 3 (2.03 acres). The property, located in the Agricultural Estates (AE) Zoning District, facilitates potential housing development. The proposal complied with Iowa Code closure requirements, as confirmed by County Engineer Laura Sievers, who outlined access criteria for the lots. The City of Lawton approved the final plat, and all stakeholders were notified with no objections received. Priestley recommended approval to the Board of Supervisors.

- **Public Comments:**
 - o Alan Fagan (Surveyor) clarified that the septic system for Lot 2 is self-contained, Lot 3 is to be sold to the adjacent western property owner with no building planned, and Lot 1 is for sale. No further questions were raised.
- **Motion to Close:** Commissioner Bride moved to close the public hearing.
- **Second:** Commissioner Corey seconded.

- **Vote:** Unanimous (4-0).

Deliberation and Motion:

No further discussion occurred.

- **Motion:** Commissioner Corey moved to recommend approval of the Washburn Addition minor subdivision to the Board of Supervisors.
- **Second:** Commissioner Bride seconded.
- **Vote:** Unanimous (4-0, all saying “aye”).
- **Outcome:** The commission approved recommending the Washburn Addition minor subdivision to the Board of Supervisors.

b. Public Hearing: Proposed Zoning Ordinance Map Amendment (Rezone) from Agricultural Preservation (AP) to General Industrial (GI), Parcel #864629351012 (New Cooperative, Inc.) (Action Item)

Staff Presentation (Dan Priestley):

Priestley presented New Cooperative, Inc.’s application to rezone parcel #864629351012 from AP to GI, located near the city limits of Sloan, adjacent to their existing GI-zoned grain facility. The rezoning would enable a temporary grain storage facility with a 1.7-million-bushel corn capacity, aligning with county land use guidelines for grain terminals in GI zones. The proposal was advertised in the Sioux City Journal on May 13, 2025, and neighbors were notified by letter on May 12, 2025, with no direct objections received. Stakeholders, including government agencies, were notified, and the proposal met zoning ordinance criteria. Priestley recommended approval, pending public testimony.

- **Public Comments:**
 - Frank Huseman from New Cooperative confirmed the facility is for temporary grain storage located just outside Sloan’s city limits. No other public comments were received.
- **Motion to Close:** Commissioner Meister moved to close the public hearing.
- **Second:** Commissioner Corey seconded.
- **Vote:** Unanimous (4-0, all saying “aye”).

Deliberation and Motion:

No further discussion occurred.

- **Motion:** Commissioner Bride moved to recommend approval of the rezoning from AP to GI for parcel #864629351012 to the Board of Supervisors.
- **Second:** Commissioner Meister seconded.
- **Vote:** Unanimous (4-0, all saying “aye”).
- **Outcome:** The commission approved recommending the rezoning to the Board of Supervisors.

c. Public Hearing: Consideration of Borrow Pit for Earthen Material in Agricultural Estates (AE) Zoning District, Zoning Ordinance Text Amendment (Action Item)

Staff Presentation (Dan Priestley):

Priestley explained the Board of Supervisors’ April 29, 2025, directive to amend the zoning ordinance to allow borrow pits as a conditional use in the AE Zoning District, currently prohibited under Section 3.03(4). The amendment, proposed under Section 2.02(9), would enable case-by-case reviews by the Zoning Commission and Board of Adjustment, addressing environmental, traffic, and neighborhood impacts. The change aims to promote equity, as borrow pits are permitted in AP zones, and support agricultural safety and infrastructure. Priestley provided background on the 2008 ordinance, noting AE districts’ higher housing density raised concerns about borrow pits’ compatibility. He highlighted the broad definition of “borrow pit,” which lacks size thresholds, complicating enforcement. Conditional use permits would allow scrutiny of temporary projects, ensuring public input and mitigation measures (e.g., dust control, stormwater plans). Priestley referenced agricultural exemptions allowing farmers to move dirt without permits, contrasting with economic borrow activities requiring permits.

- **Public Comments:**
 - Steve Sitzman (Sioux City) described a personal experience where a contractor removed a hill on his property without a permit, later requiring a grading permit. He supported borrow pits for development, citing Sioux City’s need to expand outward.
 - Alan Fagan suggested the county purchase right-of-way for road projects, remove dirt, and sell it back, avoiding borrow pit classification. Priestley noted this could be explored but emphasized private property triggers conditional use review.
- **Motion to Close:** Commissioner Corey moved to close the public hearing.
- **Second:** Commissioner Bride seconded.

- **Vote:** Unanimous (4-0, all saying “aye”).

Deliberation:

Commissioners discussed the lack of a clear borrow pit size definition, with Bride noting the 2008 prohibition in AE aimed to protect residential areas. Meister supported conditional use permits for case-by-case evaluation, addressing neighbor concerns. Priestley emphasized notification requirements and mitigation conditions (e.g., dust control, haul routes) via Board of Adjustment resolutions. The commission agreed one public hearing was sufficient, given the Board of Supervisors’ three additional hearings.

Motion:

- **Motion:** Commissioner Bride) moved to recommend including borrow pits for earthen materials as a conditional use in the AE Zoning District, subject to scrutiny via the conditional use process.
- **Second:** Commissioner Corey seconded.
- **Vote:** Unanimous (4-0, all saying “aye”).
Outcome: The commission approved recommending the ordinance amendment to the Board of Supervisors, with staff and the chair drafting a letter to the board.

d. Review of Conditional Use Permit: Competitive Athletic Baseball Field, Morningside University, Parcel #884714300005 (Action Item)

Note: The commission unanimously approved reordering the agenda to address this item before the nuclear energy discussion, via a motion and second (4-0 vote).

Staff Presentation (Dan Priestley):

Priestley clarified this was a review session, not a public hearing, to assess the completeness of Morningside University’s conditional use permit application for a baseball stadium on parcel #884714300005 in the AP Zoning District, where such uses are eligible. Jason Reynoldson, representing Morningside, proposed a facility to support organized sports, health, wellness, and community events, with minimal environmental impact through permeable surfaces, native landscaping, and noise/light controls. The project aims to attract visitors, boost local businesses, and foster social interaction. Priestley requested an updated staff analysis be entered into the record, correcting inaccuracies in the packet. He noted the proposal aligns with the county’s comprehensive plan but emphasized the need for public input at the Board of Adjustment’s public hearing on June 2, 2025.

Motion to Accept Updated Staff Analysis:

- **Motion:** Commissioner Bride moved to accept the updated staff analysis into the record.
- **Second:** Commissioner Meister seconded.
- **Vote:** Unanimous (4-0, all saying “aye”).
Outcome: The updated analysis was accepted. The updated analysis is available in the appendix.

Comments (Review Session):

- **Jason Reynoldson (Morningside University):** Estimated 50 games annually, mostly afternoon games in March, with rare night games (one per season potentially past 10 PM). Parking is planned for the southeast corner, with traffic directed to minimize impact. The field’s orientation (south/west) reduces light impact on neighbors. The remaining 54-56 acres are for agricultural programs.
- **Chad Hofer (nearby property owner):** Expressed concerns about night game time restrictions, water usage affecting neighbors’ wells, and septic system proximity. Noted the property was initially for agricultural use, not a baseball field, and raised traffic concerns on County Road 141.
- **Commissioner Comments:** Meister highlighted potential non-college use (e.g., high school teams), suggesting Board of Adjustment conditions. Corey emphasized addressing traffic and event scope.
- **Jim McCullough (nearby property owner):** Questioned why Morningside wasn’t using Sioux City Explorers’ field, citing underuse. Reynoldson explained failed negotiations with the Explorers’ owners.
- **Debbie De Forrest (nearby property owner):** Raised concerns about noise and asked about lighting strategies, and other events being allowed at stadium.

Deliberation and Motion:

The commission found the application complete and sufficient for Board of Adjustment review, noting public concerns (traffic, time restrictions, event scope) to be addressed in a letter from Chair Zellmer Zant.

- **Motion:** Commissioner Corey moved to recommend forwarding the application to the Board of Adjustment, based on the application’s criteria.
- **Second:** Commissioner Bride seconded.

- **Vote:** Unanimous (4-0, all saying “aye”).
Outcome: The commission approved forwarding the application, with a letter reflecting public concerns.

e. Public Hearing: Consideration of Nuclear Energy Facilities and Nuclear Waste Storage in Zoning Ordinance (Action Item)

Staff Presentation (Dan Priestley):

Priestley outlined the ongoing discussion, initiated by the Board of Supervisors in 2024, to include “nuclear energy facilities” and “nuclear waste storage” as land use options in the zoning ordinance, likely as conditional uses in the General Industrial (GI) Zoning District. The hearing addressed nuclear energy generation, modular systems, and related technologies. Assistant County Attorney Joshua Widman memos emphasized defining these terms explicitly to avoid legal challenges, as the current “electrical energy generation” category could lead to interpretation disputes with a 500-foot notification radius. Priestley proposed a 10-mile notification zone for nuclear uses. He consulted the Nuclear Regulatory Commission (NRC) via Brian Bergeon, who detailed NRC’s regulatory role, licensing requirements, and federal oversight of reactors, materials, and waste (per Title 10, Code of Federal Regulations). The NRC’s process involves rigorous safety and business model reviews, complementing local conditional use scrutiny. Recent executive orders (May 2025) by the President aim to streamline NRC processes, targeting 400 gigawatts of nuclear capacity by 2050. Priestley suggested drafting ordinance language with Widman’s guidance for further review.

- **Public Comments:**
 - **Lynn Drees (resident):** Supported clarifying nuclear uses, favoring a 10-mile or larger notification radius due to long-term risks (e.g., waste seepage). Expressed concern about rezoning agricultural land to industrial, which Priestley countered with protections against spot zoning via the 2040 Comprehensive Plan and future land use map.
 - **Alan Fagan (Sioux City):** Opposed nuclear facilities, citing federal oversight failures, flood risks in industrial areas, and long-term storage uncertainties (300 vs. 10,000 years). Questioned the need for nuclear in densely populated Woodbury County versus sparsely populated states.
- **Public Hearing Closed:** The public hearing was closed and the commission transitioned to deliberation.

Deliberation:

Commissioners discussed the NRC’s timeline (unclear but multi-year), driven by AI and data center energy demands. Corey noted small modular reactors’ potential (e.g., powering Las Vegas). The commission agreed more public input was needed, given increased participation. Priestley suggested enumerating nuclear terms in the land use summary table with a 10-mile notification radius, prohibiting them elsewhere, and relying on federal compliance.

Motion:

- **Motion:** Commissioner Coery moved to continue the discussion for one month to draft ordinance language with Joshua Widman for further public review.
- **Second:** Commissioner Meister seconded.
- **Vote:** Unanimous (4-0, all saying “aye”).
Outcome: The commission approved continuing the discussion, with staff to prepare draft language.

f. Accessory Second Dwelling, Senate File 592 (Information Item)

Staff Presentation (Dan Priestley):

Priestley discussed Senate File 592, signed May 1, 2025, amending Iowa Code Section 331.301 to mandate counties allow accessory dwelling units (ADUs) on single-family lots, either attached or detached, with minimal restrictions (e.g., setbacks, 50% size ratio, 1,000 sq ft minimum). Previously, ADUs required conditional use permits for relatives or workers. The law limits county restrictions, potentially requiring ordinance amendments to remove prohibitions. Priestley foresaw issues with lot splits, septic systems, and real estate market impacts, suggesting strategic placement to facilitate future subdivisions. He planned to consult Joshua Widman on compliance.

Discussion:

Commissioners raised concerns about setback enforcement (e.g., 10 feet between houses) and lot split challenges. Priestley noted ADUs could lead to unpermitted rentals or tax burdens, impacting property values. The commission anticipated ordinance updates to align with state law.

g. Variance Legislation (Information Item)

Staff Presentation (Dan Priestley):

Priestley outlined changes to variance criteria at the Board of Adjustment, shifting from economic hardship to practical

difficulty for setbacks, lot sizes, and measurements (not use variances, which are barred). He cited a successful variance case involving a two-acre lot with a creek, where a reduced setback was approved after stakeholder input. The new criteria aim to make variances more flexible while maintaining oversight.

Discussion:

No questions or comments were raised.

Public Comment on Matters Not on the Agenda

No additional comments were received.

Staff Update

Priestley reiterated plans to work with Joshua Widman and the Board of Supervisors to amend the zoning ordinance in response to Senate File 592 and variance legislation, potentially by striking restrictive language. He suggested a streamlined amendment process to comply with state law.

Commissioners' Comments or Inquiries

No comments were recorded.

Adjournment

- **Motion:** Commissioner Meister moved to adjourn.
 - **Second:** Commissioner Corey seconded.
 - **Vote:** Unanimous (4-0, all saying "aye").
- Outcome:** The meeting adjourned at 7:30 PM

APPENDIX – RECEIVED INTO THE RECORD

ZONING ORDINANCE CRITERIA FOR BOARD APPROVAL																																																																																	
<p>Conditional Use Permit is determined by a review of the following criteria by the Zoning Commission (ZC) and Board of Adjustment (BOA). The ZC makes a recommendation to the BOA which will decide following a public hearing before the Board.</p>																																																																																	
<p>APPLICANT'S DESCRIPTION OF THE PROPOSED CONDITIONAL USE:</p> <p>Transforming Agricultural Land into a Thriving Community: The Future Baseball Field Project</p> <p>The proposed baseball field is an excellent opportunity to bring a high-quality recreational facility to the community while respecting the agricultural character of the land. The project is not just about constructing a field—it's about fostering engagement, promoting sustainable development, and contributing to the local economy.</p> <p>Why This Project Works:</p> <ul style="list-style-type: none"> Strategic Use of Land: While zoned under Agricultural Preservation (AP), the field is ideal as a conditional use under Woodbury County's zoning ordinance. The owner has the potential to develop the land into a community asset. Enhancing Community Recreation: A dedicated space for sports and recreation promotes health and wellness, builds community spirit, and provides opportunities for youth and adults alike to come together. Economic & Social Benefits: The facility will attract visitors, promote local businesses, and provide opportunities for events, fostering economic growth and social interaction. Sustainable & Responsible Development: Thoughtful planning will minimize environmental impact, integrating features like permeable surfaces, storm water management, and thoughtful landscaping. <p>Commitment to Compatibility & Preservation:</p> <ul style="list-style-type: none"> Minimal Impact on the Land: The project will be designed to complement surrounding agricultural land, preserving open spaces and ensuring minimal interference with adjacent properties. Traffic & Infrastructure Planning: Proper road access, parking solutions, and traffic management strategies will be implemented to control traffic while maintaining standards for future use. Environmental Stewardship: Incorporate eco-friendly practices and maintain scenic integrity to ensure the area's natural beauty remains unobscured. Public Access & Accessibility: Essential facilities—such as restrooms, concessions, a network of services access, and waste management—will ensure smooth operations while serving community needs. <p>The baseball field is more than just a sports field; it's a space for growth, community connection, and responsible development. By balancing recreational aspirations with zoning requirements, we are ensuring that this project will be a positive addition to the local landscape while staying true to agricultural preservation values.</p> <p>Current Permit Applications: Baseball Field Development</p> <p>We are actively working with Woodbury County, along with the local planning and engineering firms, to ensure all necessary permits are in place. The following table outlines the current status of the project's various components:</p> <table border="1"> <thead> <tr> <th>Component</th> <th>AP</th> <th>AP</th> <th>AP</th> <th>AP</th> <th>AP</th> <th>AP</th> <th>AP</th> <th>AP</th> <th>AP</th> </tr> </thead> <tbody> <tr> <td>1. Zoning Approval</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> </tr> <tr> <td>2. Environmental Review</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> </tr> <tr> <td>3. Traffic & Infrastructure Planning</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> </tr> <tr> <td>4. Environmental Stewardship</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> <td>AP</td> </tr> <tr> <td>5. 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The project is not just about constructing a field—it's about fostering engagement, promoting sustainable development, and contributing to the local economy. <p>CRITERIA 2: 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 (Woodbury County Zoning Ordinance, Sec. 2.02-9).</p> <p>APPLICANT RESPONSE:</p> <ul style="list-style-type: none"> The project is currently zoned as Agricultural Preservation (AP). According to Section 4 of the Zoning Ordinance of Woodbury County, Agricultural Preservation (AP) is a conditional use. 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STAFF ANALYSIS:	
<p>The Land Use Summary Table (Section 3.03-4) of the Woodbury County Zoning Ordinance includes the Agricultural Preservation (AP) Zoning District as a conditional use. The project is currently pending review by the Zoning Commission and approval by the Board of Adjustment.</p>	
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ZONING ORDINANCE CRITERIA FOR BOARD APPROVAL

Conditional Use Permits are determined by a review of the following criteria by the Zoning Commission (ZC) and Board of Adjustment (BOA). The ZC makes a recommendation to the BOA which will decide following a public hearing before the Board.

APPLICANT'S DESCRIPTION OF THE PROPOSED CONDITIONAL USE:

Transforming Agricultural Land into a Thriving Community Hub: The Future Baseball Field Project

The proposed baseball field is an exciting opportunity to bring a high-quality recreational facility to the community while respecting the agricultural character of the land. This project is not just about constructing a field—it's about fostering engagement, promoting sustainable development, and contributing to the local economy.

Why This Project Works

- **Strategic Use of Land:** While zoned under Agricultural Preservation (AP), the field qualifies as a conditional use per Woodbury County's zoning ordinance. This ensures that the project aligns with established land-use regulations.
- **Enhancing Community Recreation:** A dedicated space for organized sports supports health and wellness, builds community spirit, and provides opportunities for youth and adult leagues to thrive.
- **Economic & Social Benefits:** The facility will attract visitors, promote local businesses, and provide a gathering space for events, fostering economic growth and social interaction.
- **Sustainable & Responsible Development:** Thoughtful planning will minimize environmental impact, integrating features like permeable surfaces for storm water management, native landscaping, and noise/light control strategies.

Commitment to Compatibility & Preservation

- **Minimal Disruption:** The project will be designed to complement surrounding agricultural land, preserving open space and ensuring minimal interference with adjacent properties.
- **Traffic & Infrastructure Planning:** Proper road access, parking solutions, and traffic management strategies will keep congestion under control while maintaining a seamless flow for visitors.
- **Environmental Stewardship:** Incorporating eco-friendly practices and maintaining scenic integrity ensure that the area's natural beauty remains untouched.
- **Public Interest & Accessibility:** Essential facilities—such as restrooms, concessions, emergency services access, and waste management—will ensure smooth operation while serving community needs.

This baseball field is more than just a sports venue for Morningside University, it's a vision for progress, community connection, and responsible development. By balancing recreational opportunities with zoning compliance, environmental integrity, and thoughtful planning, this project will serve as a positive addition to the local landscape while staying true to agricultural preservation values.

Current Permit Applications – Baseball Field Development

We are actively working with Bacon Creek Design, with Doug Rose leading the architectural efforts for the project. As part of the permitting process:

- The Notice of Intent has been initiated and will be published in the Sioux City Journal on May 6, 2025.
- A topographical survey is currently underway to support the Storm Water Pollution Prevention Plan (SWPPP).
- Upon completion, Doug Rose will submit the SWPPP plan along with the General Permit No. 2 application to the Department of Natural Resources (DNR), ensuring compliance with required environmental regulations.
- Coordination with the County Engineer's Office has been conducted to approve driveway access to the property. Discussions with Laura Seivers and Jacob Gilreath have confirmed alignment with county requirements.
- The application for a rural address has been submitted, and the associated fee has been paid.
- A Building Permit has been filed in advance to streamline the development process.

These steps ensure compliance with zoning and regulatory standards while facilitating a smooth progression of the project.

MAP DRAWN TO SCALE, SHOWING THE SUBJECT PROPERTY, ALL STRUCTURES AND OTHER IMPROVEMENTS, WITH THE PROPOSED CONDITIONAL USE IDENTIFIED PER STRUCTURE OF IMPROVEMENT, PROVIDED BY ATTACHMENT

[See attached plans](#)

CRITERIA 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 conditions or standards described as part of that authorization have been or will be satisfied (Woodbury County Zoning Ordinance, Sec. 2.02-9).

APPLICANT RESPONSE:

- The parcel in question is currently zoned as Agricultural Preservation (AP). According to Section 4 of the Zoning Ordinance of Woodbury County, titled "Institutional Uses," fields designated for competition are included as a conditional use. Additionally, the ordinance specifies the required conditions and standards, which have been reviewed and deemed to be satisfied.

Institutional uses								
Cemeteries, mausoleums and columbaria	C	C	C	C	--	--	--	--
Community facilities								
Activity/social service centers								
Community centers	ok	ok	ok	ok	ok	--	--	--
Day camp, recreation	ok	ok	ok	C	C	--	--	--
Fields for competitive athletic	C	C	C	C	--	--	--	--
Libraries and museums	C	C	C	C	ok	--	--	--
Parks and public open space	ok	ok	ok	ok	--	--	--	--

STAFF ANALYSIS:

The Land Use Summary Table (Section 3.03.4) of the Woodbury County Zoning Ordinance includes the Agricultural Preservation (AP) Zoning District as a location authorized for a conditional use pending review by the Zoning Commission and approval by the Board of Adjustment.

CRITERIA 2: 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 (Woodbury County Zoning Ordinance, Sec. 2.02-9).
APPLICANT RESPONSE:

Community Recreation: Providing space for organized sports and recreational activities aligns with fostering community engagement, physical well-being, and healthy lifestyles, which may be goals outlined in the general plan.

Efficient Land Use: The development of a baseball field could utilize land that might not be viable for intensive agricultural use, while still maintaining open space, which can be in harmony with preservation objectives.

Economic and Social Benefits: By creating a venue for local sports events, the field may attract visitors and generate economic activity, supporting the broader objectives of community development.

Compatibility with Existing Land Use: If designed thoughtfully, the baseball field could complement surrounding areas and maintain an aesthetic that aligns with AP zoning, minimizing disruption and enhancing the area's value.

Promoting Environmental Stewardship: Sustainable design practices, such as using eco-friendly materials or preserving adjacent natural habitats, could align the development with environmental goals of the general plan.

STAFF ANALYSIS:

The proposed baseball field appears to be compatible with the Woodbury County Zoning Ordinance and Comprehensive Plan 2040, as it can adhere to zoning regulations and conditional use standards. It corresponds with the ordinance by promoting community welfare and orderly development, and it supports the Comprehensive Plan's goals by enhancing recreational facilities, supporting economic growth, and ensuring compatible land use. Following the Zoning Commission review session, some neighbors offered concerns that are reflected in the minutes and Zoning Commission audio that could be considered for potential conditions. These themes are not limited to traffic, event scheduling/time limitations, noise and light disturbance, water usage and well impact, intended property use, alcohol use, etc.

(https://www.woodburycountyiowa.gov/files/community_economic_development/woodbury_county_comprehensive_plan_2040_89417.pdf)

CRITERIA 3: 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 (Woodbury County Zoning Ordinance, Sec. 2.02-9).
APPLICANT RESPONSE:

Environmental Impact Assessment: Conduct a thorough study to identify potential impacts on soil, water, and local ecosystems. This helps in designing measures to mitigate harm.

Community Engagement: Involve local residents and stakeholders early in the planning process. Their input can help address concerns about noise, traffic, and other disruptions.

Sustainable Design: Incorporate eco-friendly practices, such as using permeable materials for parking lots to reduce water runoff and planting native vegetation to support biodiversity.

Traffic Management: Develop a plan to handle increased traffic, including adequate parking and safe access routes, to minimize disruption to the surrounding area.

Noise and Light Control: Use sound barriers and strategically placed lighting to reduce noise and light pollution, ensuring minimal disturbance to nearby residents and wildlife.

Preservation of Agricultural Land: If possible, design the field to occupy the least productive agricultural areas, preserving prime farmland for cultivation.

Monitoring and Maintenance: Establish ongoing monitoring to address any unforeseen issues and maintain the field in an environmentally responsible manner.

STAFF ANALYSIS:

The proposed project is considered compatible with the surrounding area, based on the provided site plan and information. However, it is anticipated that the facility's events may generate increased activity in the neighborhood, including traffic, parking, and usage. To mitigate potential impacts, it is expected that the college will take responsibility for being a considerate neighbor and work to minimize conflicts that could affect public health, safety, and welfare. Following the Zoning Commission review session, some neighbors offered concerns that are reflected

in the minutes and Zoning Commission audio that could be considered for potential conditions. These themes are not limited to traffic, event scheduling/time limitations, noise and light disturbance, water usage and well impact, intended property use, alcohol use, etc.

CRITERIA 4: 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 (Woodbury County Zoning Ordinance, Sec. 2.02-9).

APPLICANT RESPONSE:

Preservation of Agricultural Character: The design of the baseball field can incorporate elements that align with the agricultural nature of the area, such as maintaining open green spaces or using native plants for landscaping.

Traffic and Access Management: Proper planning for parking and access routes can prevent congestion and ensure smooth traffic flow, reducing the impact on neighboring properties.

Noise and Light Control: Implementing measures like sound barriers and shielded lighting can prevent disturbances to nearby residents and wildlife, maintaining the area's tranquility.

Community Benefits: A baseball field can provide recreational opportunities and foster community engagement, which may be seen as an enhancement rather than a detriment to the area's development.

Environmental Considerations: Ensuring that the field's construction and maintenance do not harm local ecosystems or water resources can help preserve the natural environment.

Monitoring and Compliance: Regular monitoring to ensure adherence to permit conditions can address any unforeseen issues and maintain harmony with the surrounding properties.

STAFF ANALYSIS:

It is expected that there will be an increase of activity on this site and traffic in the area during events. It should be expected that the college be mindful of the neighborhood and do what they can to mitigate any conflicts including those that could potential impact neighbors. Following the Zoning Commission review session, some neighbors offered concerns that are reflected in the minutes and Zoning Commission audio that could be considered for potential conditions. These themes are not limited to traffic, event scheduling/time limitations, noise and light disturbance, water usage and well impact, intended property use, alcohol use, etc.

CRITERIA 5: Essential public facilities and services will adequately serve the proposed use or development (Woodbury County Zoning Ordinance, Sec. 2.02-9).

APPLICANT RESPONSE:

Road Access & Transportation – Well-maintained roads and highways ensure safe and efficient access for players, spectators, and staff. Public transportation options, if available, can further support accessibility.

Water Supply & Drainage – Adequate water supply for irrigation, restrooms, and concessions is crucial. Proper drainage systems prevent flooding and maintain field conditions.

Electricity & Lighting – Reliable electrical infrastructure supports field lighting, scoreboards, and other operational needs, ensuring usability during evening games.

Emergency Services – Nearby fire stations, police presence, and medical facilities ensure safety and rapid response in case of emergencies.

Waste Management – Regular trash collection and recycling services help maintain cleanliness and environmental sustainability.

Parking Facilities – Well-planned parking areas accommodate visitors while minimizing traffic congestion in surrounding areas
Restroom & Sanitation Facilities – Public restrooms and sanitation stations ensure hygiene and comfort for attendees.

Storm water Management – Systems to control runoff and prevent erosion help protect surrounding agricultural land and natural resources.

STAFF ANALYSIS:

The property owner(s) will need to work out the details with impacted stakeholders.

CRITERIA 6: 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 (Woodbury County Zoning Ordinance, Sec. 2.02-9).

APPLICANT RESPONSE:

Preserving Natural Features – The field can be designed to avoid disrupting existing trees, wetlands, or other ecological areas. Landscaping with native plants can help maintain biodiversity.

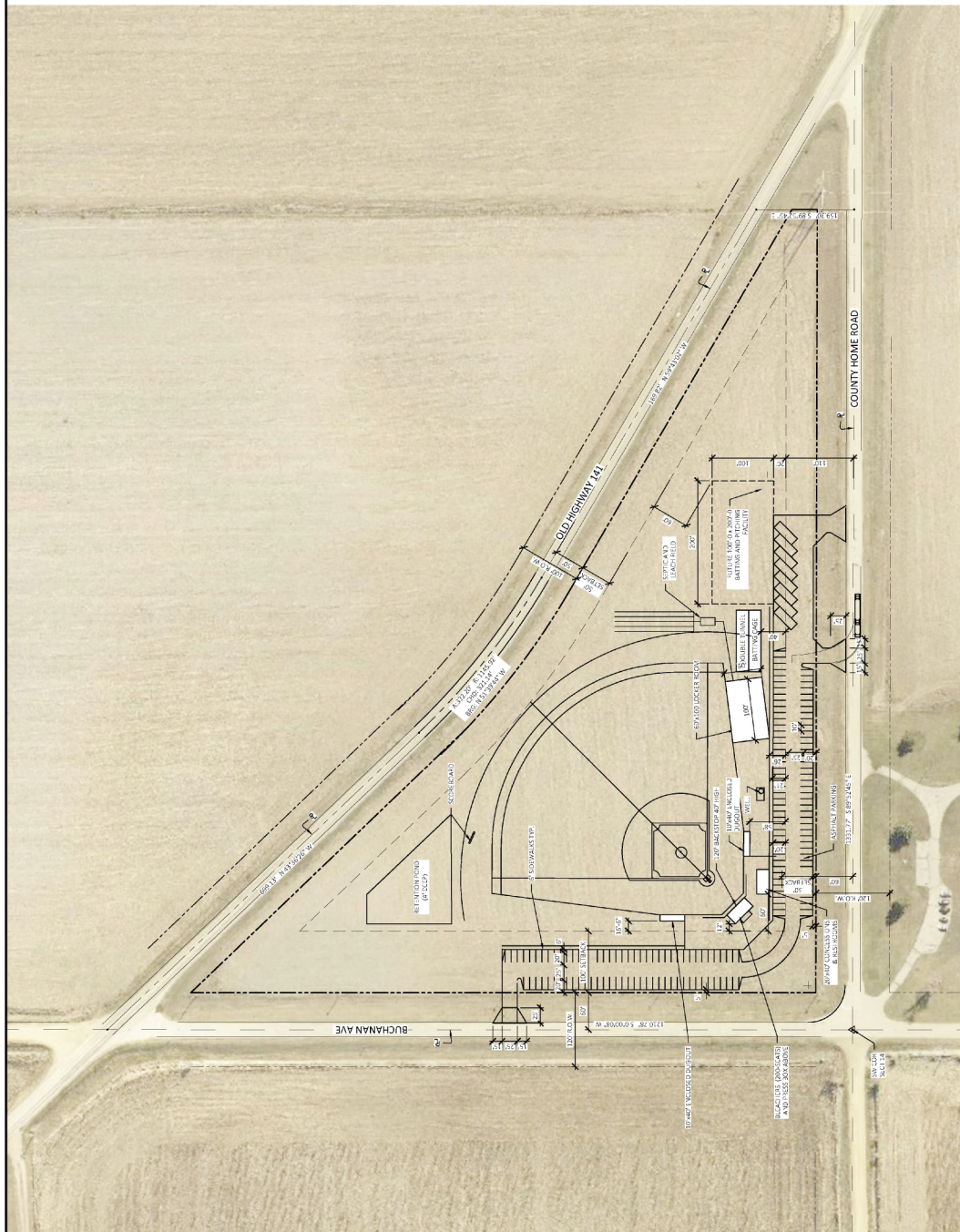
	<p>Minimizing Scenic Impact – The field can be integrated into the landscape using natural contours and vegetation buffers to maintain the area's scenic beauty.</p> <p>Respecting Historic Sites – If the land has historical significance, the design can incorporate interpretive signage or preserve key elements of the site, ensuring that its heritage remains intact.</p> <p>Sustainable Construction – Using eco-friendly materials and minimizing land grading can reduce environmental disruption.</p> <p>Noise and Light Management – Shielded lighting and sound barriers can prevent disturbances to nearby properties, ensuring the field does not negatively impact the surroundings.</p> <p>Traffic and Infrastructure Planning – Proper access routes and parking facilities can prevent congestion and maintain the orderly development of adjacent properties.</p>
	<p>STAFF ANALYSIS:</p> <p>There does not appear to be any significant impact determined. Following the Zoning Commission review session, some neighbors offered concerns that are reflected in the minutes and Zoning Commission audio that could be considered for potential conditions. These themes are not limited to traffic, event scheduling/time limitations, noise and light disturbance, water usage and well impact, intended property use, alcohol use, etc.</p>

OTHER CONSIDERATION 1: 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 (Woodbury County Zoning Ordinance, Sec. 2.02-9).

	<p>APPLICANT RESPONSE:</p> <p>A baseball field on land zoned for Agricultural Preservation (AP) can serve the public interest and contribute to community welfare by providing a space for recreational activities, fostering engagement through youth and adult leagues, and supporting educational programs that promote teamwork and discipline. If designed responsibly, the field can coexist with agricultural activities, ensuring balanced land use while maintaining environmental integrity. Additionally, the facility can generate economic benefits by attracting visitors for tournaments, supporting local businesses, and strengthening tourism. Beyond the economic and educational advantages, access to outdoor recreational spaces enhances public health by encouraging physical activity and social interaction. To align with AP zoning regulations, securing a conditional use permit or zoning amendment would be essential to demonstrate that the project supports the broader well-being of the community without compromising agricultural preservation goals.</p>
	<p>STAFF ANALYSIS:</p> <p>This proposed conditional use can be construed as an economic development feature that supports education and quality of life.</p>

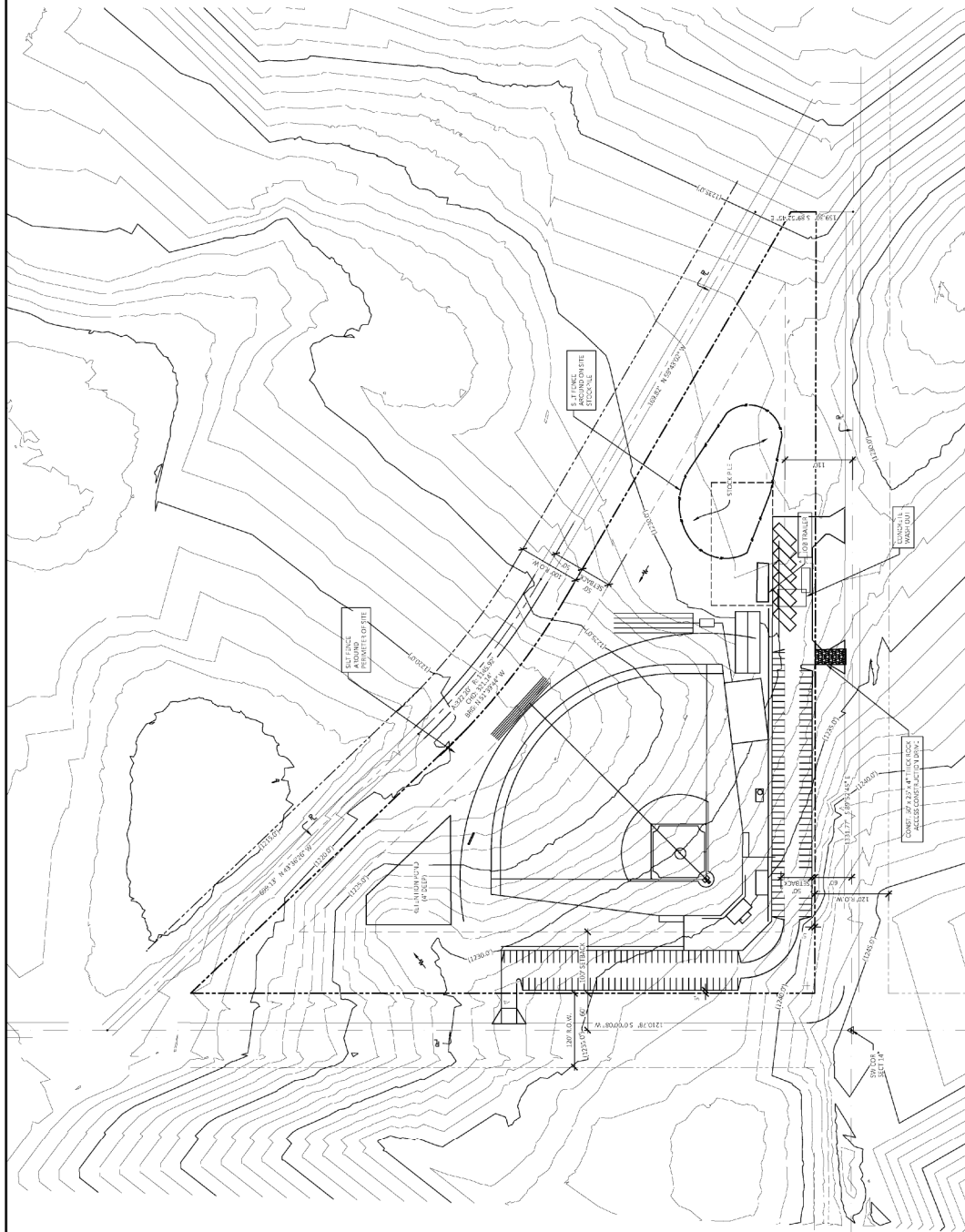
OTHER CONSIDRATION 2: All possible efforts, including building and site design, landscaping and screening have been undertaken to minimize any adverse effects of the proposed use or development (Woodbury County Zoning Ordinance, Sec. 2.02-9).

	<p>APPLICANT RESPONSE:</p> <p>We are committed to ensuring that the proposed baseball field is developed with minimal impact on the surrounding environment and community. Every possible effort has and will be taken to thoughtfully design the site, including architectural considerations, landscaping strategies, and screening elements that harmonize with the existing land use. The building design prioritizes sustainability and compatibility with the Agricultural Preservation (AP) zoning, ensuring that structures blend seamlessly into the landscape while maintaining functionality. Additionally, site planning will be meticulously executed to address factors such as traffic flow, storm water management, and noise reduction, reinforcing our dedication to responsible development. To further mitigate any potential adverse effects, comprehensive landscaping and screening measures have been incorporated to preserve visual aesthetics, reduce disruption to neighboring properties, and maintain the rural character of the area. Through these proactive steps, we aim to create a facility that serves the public interest while respecting and enhancing the integrity of the surrounding environment.</p>
	<p>STAFF ANALYSIS:</p> <p>This organization can live up to the commitment as expected through the conditional use permit process to responsibly construct and operate a facility that is compliant with the zoning regulations and is mindful of the neighborhood. Some conditions to mitigate any potential adverse impacts could be considered.</p>

[illegible]

N 
PROPOSED SITE MAP
SCALE: 1" = 80'-0"

[illegible]



SWPPP PLAN
SCALE: 1" = 80'-0"

[illegible]



CONDITIONAL USE PERMIT APPLICATION

Owner Information: Owner: Morningside University Address: 1501 Morningside Ave. Sioux City, IA 51106 Phone: 712-274-5116	Applicant Information: Application Jason Reynoldson Address 3600 Garretson Ave. Sioux City, IA 51106 Phone: 712-274-5113				
We, the undersigned, hereby apply to the Woodbury County Board of Adjustment for permission to: Build a baseball stadium for the Morningside University baseball team.					
Property Information: <u>SNSN</u> Property Address or Address Range: Woodbury Township W ½ of SW ¼ OF 14-88-47 (EX ROAD ROW) Quarter/Quarter: Sec: 14 Township/Range: 88-47 Parcel ID # 8847143000005 GIS # Total Acres: 13.4 Current Use: Agricultural, Farm Proposed Use: Baseball Stadium Current Zoning: Agricultural Preservation					
<p>The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(9)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).</p> <p>A formal pre-application meeting is recommended prior to submitting this application.</p> <p>Pre-app mtg. date: 03/14/2025 Staff present: Dan Priestly</p>					
<p>The undersigned is/are the owners(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Community and Economic Development staff, Zoning Commission and Board of Adjustment members to conduct site visits and photograph the subject property.</p> <p>This Conditional Use Permit Application is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.</p> <table style="width: 100%;"> <tr> <td style="width: 50%;"> Owner: <u>Jeannette M. King</u> </td> <td style="width: 50%;"> Applicant: <u>[Signature]</u> </td> </tr> <tr> <td> Date: <u>4/29/25</u> </td> <td> Date: <u>4/29/25</u> </td> </tr> </table>		Owner: <u>Jeannette M. King</u>	Applicant: <u>[Signature]</u>	Date: <u>4/29/25</u>	Date: <u>4/29/25</u>
Owner: <u>Jeannette M. King</u>	Applicant: <u>[Signature]</u>				
Date: <u>4/29/25</u>	Date: <u>4/29/25</u>				

Fee: \$300* Case #: 7055
 Check #: 3 CC ending 6257
 Receipt #: _____

Date Received
RECEIVED

MAY 1 2025

WOODBURY COUNTY
 COMMUNITY AND ECONOMIC DEVELOPMENT

Criteria 1: Conditional Use Permit

The parcel in question is currently zoned as Agricultural Preservation (AP). According to Section 4 of the Zoning Ordinance of Woodbury County, titled "Institutional Uses," fields designated for competition are included as a conditional use. Additionally, the ordinance specifies the required conditions and standards, which have been reviewed and deemed to be satisfied

Institutional uses									
	Cemeteries, mausoleums and columbaria	C	C	C	C	--	--	--	--
	Community facilities								
	Activity/social service centers								
	Community centers	ok	ok	ok	ok	ok	--	--	--
	Day camp, recreation	ok	ok	ok	C	C	--	--	--
	Fields for competitive athletic	C	C	C	C	--	--	--	--
	Libraries and museums	C	C	C	C	ok	--	--	--
	Parks and public open space	ok	ok	ok	ok	--	--	--	--

Criteria 2: 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.

Community Recreation: Providing space for organized sports and recreational activities aligns with fostering community engagement, physical well-being, and healthy lifestyles, which may be goals outlined in the general plan.

Efficient Land Use: The development of a baseball field could utilize land that might not be viable for intensive agricultural use, while still maintaining open space, which can be in harmony with preservation objectives.

Economic and Social Benefits: By creating a venue for local sports events, the field may attract visitors and generate economic activity, supporting the broader objectives of community development.

Compatibility with Existing Land Use: If designed thoughtfully, the baseball field could complement surrounding areas and maintain an aesthetic that aligns with AP zoning, minimizing disruption and enhancing the area's value.

Promoting Environmental Stewardship: Sustainable design practices, such as using eco-friendly materials or preserving adjacent natural habitats, could align the development with environmental goals of the general plan.

Criteria 3: The proposed use and development will not have a substantial of 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.

Environmental Impact Assessment: Conduct a thorough study to identify potential impacts on soil, water, and local ecosystems. This helps in designing measures to mitigate harm.

Community Engagement: Involve local residents and stakeholders early in the planning process. Their input can help address concerns about noise, traffic, and other disruptions

Sustainable Design: Incorporate eco-friendly practices, such as using permeable materials for parking lots to reduce water runoff and planting native vegetation to support biodiversity.

Traffic Management: Develop a plan to handle increased traffic, including adequate parking and safe access routes, to minimize disruption to the surrounding area.

Noise and Light Control: Use sound barriers and strategically placed lighting to reduce noise and light pollution, ensuring minimal disturbance to nearby residents and wildlife.

Preservation of Agricultural Land: If possible, design the field to occupy the least productive agricultural areas, preserving prime farmland for cultivation.

Monitoring and Maintenance: Establish ongoing monitoring to address any unforeseen issues and maintain the field in an environmentally responsible manner.

Criteria 4: The proposed use and development will be compatible with the immediate neighborhood and will not interfere with the development and improvement of the surrounding property.

Preservation of Agricultural Character: The design of the baseball field can incorporate elements that align with the agricultural nature of the area, such as maintaining open green spaces or using native plants for landscaping.

Traffic and Access Management: Proper planning for parking and access routes can prevent congestion and ensure smooth traffic flow, reducing the impact on neighboring properties.

Noise and Light Control: Implementing measures like sound barriers and shielded lighting can prevent disturbances to nearby residents and wildlife, maintaining the area's tranquility.

Community Benefits: A baseball field can provide recreational opportunities and foster community engagement, which may be seen as an enhancement rather than a detriment to the area's development.

Environmental Considerations: Ensuring that the field's construction and maintenance do not harm local ecosystems or water resources can help preserve the natural environment.

Monitoring and Compliance: Regular monitoring to ensure adherence to permit conditions can address any unforeseen issues and maintain harmony with the surrounding properties.

Criteria 5: Essential public facilities and services will adequately serve the proposed use or development.

Road Access & Transportation – Well-maintained roads and highways ensure safe and efficient access for players, spectators, and staff. Public transportation options, if available, can further support accessibility.

Water Supply & Drainage – Adequate water supply for irrigation, restrooms, and concessions is crucial. Proper drainage systems prevent flooding and maintain field conditions

Electricity & Lighting – Reliable electrical infrastructure supports field lighting, scoreboards, and other operational needs, ensuring usability during evening games.

Emergency Services – Nearby fire stations, police presence, and medical facilities ensure safety and rapid response in case of emergencies.

Waste Management – Regular trash collection and recycling services help maintain cleanliness and environmental sustainability.

Parking Facilities – Well-planned parking areas accommodate visitors while minimizing traffic congestion in surrounding areas

Restroom & Sanitation Facilities – Public restrooms and sanitation stations ensure hygiene and comfort for attendees.

Storm water Management – Systems to control runoff and prevent erosion help protect surrounding agricultural land and natural resources.

Criteria 6: 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.

Preserving Natural Features – The field can be designed to avoid disrupting existing trees, wetlands, or other ecological areas. Landscaping with native plants can help maintain biodiversity.

Minimizing Scenic Impact – The field can be integrated into the landscape using natural contours and vegetation buffers to maintain the area's scenic beauty.

Respecting Historic Sites – If the land has historical significance, the design can incorporate interpretive signage or preserve key elements of the site, ensuring that its heritage remains intact.

Sustainable Construction – Using eco-friendly materials and minimizing land grading can reduce environmental disruption.

Noise and Light Management – Shielded lighting and sound barriers can prevent disturbances to nearby properties, ensuring the field does not negatively impact the surroundings.

Traffic and Infrastructure Planning – Proper access routes and parking facilities can prevent congestion and maintain the orderly development of adjacent properties.

Consideration 1: A baseball field on land zoned for Agricultural Preservation (AP) can serve the public interest and contribute to community welfare by providing a space for recreational activities, fostering engagement through youth and adult leagues, and supporting educational programs that promote teamwork and discipline. If designed responsibly, the field can coexist with agricultural activities, ensuring balanced land use while maintaining environmental integrity. Additionally, the facility can generate economic benefits by attracting visitors for tournaments, supporting local businesses, and strengthening tourism. Beyond the economic and educational advantages, access to outdoor recreational spaces enhances public health by encouraging physical activity and social interaction. To align with AP zoning regulations, securing a **conditional use permit** or zoning amendment would be essential to demonstrate that the project supports the broader well-being of the community without compromising agricultural preservation goals.

Consideration 2: We are committed to ensuring that the proposed baseball field is developed with minimal impact on the surrounding environment and community. Every possible effort has and will be taken to thoughtfully design the site, including architectural considerations, landscaping strategies, and screening elements that harmonize with the existing land use. The building design prioritizes sustainability and compatibility with the Agricultural Preservation (AP) zoning, ensuring that structures blend seamlessly into the landscape while maintaining functionality. Additionally, site planning will be meticulously executed to address factors such as traffic flow, storm water management, and noise reduction, reinforcing our dedication to responsible development. To further mitigate any potential adverse effects, comprehensive landscaping and screening measures have been incorporated to preserve visual aesthetics, reduce disruption to neighboring properties, and maintain the rural character of the area. Through these proactive steps, we aim to create a facility that serves the public interest while respecting and enhancing the integrity of the surrounding environment.

Transforming Agricultural Land into a Thriving Community Hub: The Future Baseball Field Project

The proposed baseball field is an exciting opportunity to bring a high-quality recreational facility to the community while respecting the agricultural character of the land. This project is not just about constructing a field—it's about fostering engagement, promoting sustainable development, and contributing to the local economy.

Why This Project Works

- **Strategic Use of Land:** While zoned under Agricultural Preservation (AP), the field qualifies as a conditional use per Woodbury County's zoning ordinance. This ensures that the project aligns with established land-use regulations.
- **Enhancing Community Recreation:** A dedicated space for organized sports supports health and wellness, builds community spirit, and provides opportunities for youth and adult leagues to thrive.
- **Economic & Social Benefits:** The facility will attract visitors, promote local businesses, and provide a gathering space for events, fostering economic growth and social interaction.
- **Sustainable & Responsible Development:** Thoughtful planning will minimize environmental impact, integrating features like permeable surfaces for storm water management, native landscaping, and noise/light control strategies.

Commitment to Compatibility & Preservation

- **Minimal Disruption:** The project will be designed to complement surrounding agricultural land, preserving open space and ensuring minimal interference with adjacent properties.
- **Traffic & Infrastructure Planning:** Proper road access, parking solutions, and traffic management strategies will keep congestion under control while maintaining a seamless flow for visitors.
- **Environmental Stewardship:** Incorporating eco-friendly practices and maintaining scenic integrity ensure that the area's natural beauty remains untouched.
- **Public Interest & Accessibility:** Essential facilities—such as restrooms, concessions, emergency services access, and waste management—will ensure smooth operation while serving community needs.

This baseball field is more than just a sports venue for Morningside University, it's a vision for progress, community connection, and responsible development. By balancing recreational opportunities with zoning compliance, environmental integrity, and thoughtful planning, this project will serve as a positive addition to the local landscape while staying true to agricultural preservation values.

Current Permit Applications – Baseball Field Development

We are actively working with Bacon Creek Design, with Doug Rose leading the architectural efforts for the project. As part of the permitting process:

- The Notice of Intent has been initiated and will be published in the Sioux City Journal on May 6, 2025.
- A topographical survey is currently underway to support the Storm Water Pollution Prevention Plan (SWPPP).
- Upon completion, Doug Rose will submit the SWPPP plan along with the General Permit No. 2 application to the Department of Natural Resources (DNR), ensuring compliance with required environmental regulations.
- Coordination with the County Engineer's Office has been conducted to approve driveway access to the property. Discussions with Laura Seivers and Jacob Gilreath have confirmed alignment with county requirements.
- The application for a rural address has been submitted, and the associated fee has been paid.
- A Building Permit has been filed in advance to streamline the development process.

These steps ensure compliance with zoning and regulatory standards while facilitating a smooth progression of the project.

LEGAL NOTIFICATION FOR BOARD OF ADJUSTMENT PUBLIC HEARING

Sioux City Journal AFFIDAVIT OF PUBLICATION

Sioux City Journal
2802 Castles Gate Drive
Sioux City 51106
(712) 293-4250

State of Florida, County of Orange, ss:

Edmar Corachia, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Sioux City Journal, printed and published by Journal Communications, in Sioux City in Woodbury County and issued daily and Sunday and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:
May. 17, 2025

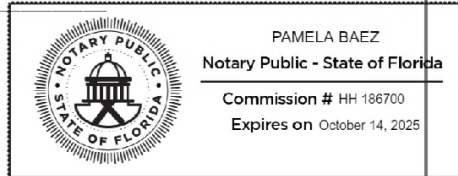
NOTICE ID: iNcoXOonFq2so0y0z097
PUBLISHER ID: COL-IA-501816
NOTICE NAME: BOA-2025-6-2-25
Publication Fee: \$54.28

Edmar Corachia

(Signed)

VERIFICATION

State of Florida
County of Orange



Subscribed in my presence and sworn to before me on this: 05/20/2025

Notary Public
Notarized remotely online using communication technology via Proof.

NOTICE OF PUBLIC HEARINGS BEFORE THE WOODBURY COUNTY BOARD OF ADJUSTMENT

The Woodbury County Board of Adjustment will hold public hearings on the following items hereafter described in detail on June 2, 2025 at 6:00 PM or as soon thereafter as the matters may be considered. Said hearings will be held in the Board of Supervisors' meeting room in the Basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa. Copies of said items may now be examined at the office of the Woodbury County Community and Economic Development, on the 6th Floor of said courthouse by any interested persons. All persons who wish to be heard in respect to the matters should appear at the aforesaid hearings in person or call 712-454-1133 and enter the Conference ID: 742 346 123# during the meeting to listen or comment. However, it is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems. You may forward your written comments by mail or email to: Woodbury County Community and Economic Development, 6th Floor, Woodbury County Courthouse, 620 Douglas St., Sioux City, IA 51101; Email should be sent to Daniel Priestley at: dpriestley@woodburycountyowa.gov. Only signed comments will be considered and should be received no later than 10:00 AM on Fri., May 30, 2025.

Item One (1)

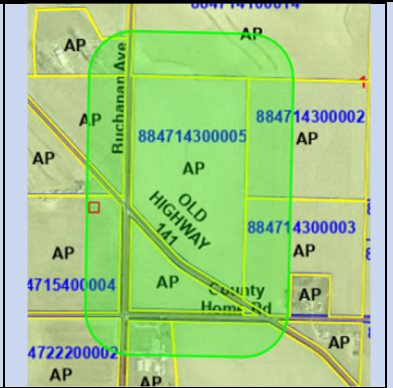
Pursuant to Section 335 of the Code of Iowa, the Woodbury County Board of Adjustment will hold a public hearing to consider the Conditional Use Permit application from Jason Reynolds (Applicant) on behalf of Morningside University (Owner) to construct and operate a baseball stadium (hereinafter referred to as the "stadium") on the property located in T86N R47W, Section 14, in the SW 1/4 of the SW 1/4 and identified as Parcel #884714300005, and located in the Agricultural Preservation (AP) Zoning District. The proposed facility will provide a dedicated space for organized sports, supporting health and wellness, community spirit, and opportunities for youth and adult leagues. Applicant(s)/Owner(s): Jason Reynolds (Applicant), 3600 Gamelson Ave., Sioux City, IA 51106 and Morningside University (Owner), 1501 Morningside Ave., Sioux City, IA 51106.

Item Two (2)

Pursuant to Section 335 of the Iowa Code, the Woodbury County Board of Adjustment will hold a public hearing to consider a variance application submitted by Kirby and Jeanneen Eli. The applicants seek permission to construct an accessory shed, approximately 40' x 60' (dimensions may vary), prior to completing a principal structure (single-family dwelling) on their property. The applicants intend to begin foundation work for both structures concurrently but prioritize completing the shed first. Section 4.12.2 of the Woodbury County Zoning Ordinance states, "No accessory building shall be constructed upon a lot until the construction of the principal building has commenced..." (p. 46). The variance request seeks relief from this requirement. The property, a 11.77-acre lot, recently divided from Parcel #8242-4400004 via Quit Claim Deed (Document #2025-04352, filed May 8, 2025, Woodbury County Recorder's Office), is located in T86N R42W (Union Township), Section 21, SW 1/4 of the SE 1/4 and is in the Agricultural Preservation (AP) Zoning District. Property Owners/Applicants: Kirby Eli and Jeanneen Eli, 25273 Corwin Ct., Sioux City, IA 51106. COL-IA-501816

PROPERTY OWNER(S) NOTIFICATION

Property Owners within 500 Feet:	11
Notification Letter Date:	May 15, 2025
Public Hearing Board:	Board of Adjustment
Public Hearing Date:	June 2, 2025
Phone Inquiries:	0
Written Inquiries:	1
The names of the property owners are listed below.	
When more comments are received after the printing of this packet, they will be provided at the meeting.	



PROPERTY OWNER(S)	MAILING ADDRESS	COMMENTS			
Morningside University	PO Box 67 #1170 Morningside County Farm	Storm Lake	IA	50588	No comments.
Lindberg Heritage Farms, LLC	3021 Quail Court	Oklahoma City	OK	73120-5706	No comments.
Chad A. Hofer and Candace E. Hofer	1631 County Home Road	Sioux City	IA	51106-6933	No comments.
LeAnn Hurlbut, Trustee of the LeAnn Hurlbut Revocable Trust	604 E. Fenton Street	Marcus	IA	51035-7170	No comments.
Kathy Ann Cole and Albert William Cole, Jr., as Trustees under the Kathy Ann Cole 2006 Revocable Trust	5064 Cherrywood Drive	Des Moines	IA	50265-5457	No comments.
Troy S. DeForrest and Debra J. DeForrest	1861 Buchanan Avenue	Sioux City	IA	51106	No comments.
Peterson Farms, LTD	6490 Mickelson Street	Sioux City	IA	51106	No comments.
Brian D. Peterson and Anita S. Peterson	1739 Charles Avenue	Lawton	IA	51030	No comments.
Woodbury County	620 Douglas Street	Sioux City	IA	51101	I did see the previous email and spoke to our administrative team. They brought up the idea of planting a row of evergreens (along County Home road on the south side of the road) as a visual barrier from our training center/garages. There may also be an opportunity to enter and agreement to allow them some overflow parking if they pay for the trees to be planted. What are your thoughts? – Sheriff Chad Sheehan, 5/14/25.
South Woodbury, LLC	600 Stevens Pointe Drive, Suite 350	Dakota Dunes	SD	57049	No comments.
Tyler Meekma and Kristina L. Meekma	1644 County Home Road	Sioux City	IA	51106	No comments.

STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
IOWA DEPARTMENT OF TRANSPORTATION (IDOT):	Only question/clarification would be bus parking on the site development. Buses take up a lot of stalls. – Jessica Felix, 5/1/25. Response to Jessica Felix: Jessica: Thanks for pointing that out. The college indicated the following: “The southeast side of the parking lot off of County Home Rd or 190th is designated for bus parking. I thought we had that in there but it looks like it's just a large blank area at this point. I can have the drawing redone to reflect it if needed.” – from Jason Reynoldson, 5/1/25 Thanks for the follow up. No concerns. – Jessica Felix, 5/1/25
LOESS HILLS NATIONAL SCENIC BYWAY:	No comments.
LOESS HILLS PROGRAM:	No comments.
LONGLINES:	No comments.
LUMEN:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have reviewed the attached conditional use permit application for MEC electric distribution, and we have no conflicts. The requestor should be made aware that we do have facilities located adjacent to the property and any requested relocation or extension of our facilities is subject to a customer contribution. Have a great weekend! – Casey Meinen, 5/1/25.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No comments.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments.
NORTHERN NATURAL GAS:	No comments.

NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this zoning request. NIPCO has no issues with this request. Thanks. – Jeff Zettel, 5/12/25
NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	Please be aware that I spoke with a contact for this site; I had informed them that the proposed septic system would need to be permitted publicly through the IDNR. – Ivy Bremer, 5/5/25.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	No comments.
WOODBURY COUNTY RECORDER:	No comments. – Diane Swoboda Peterson, 5/1/25.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments regarding this proposal. – Neil Stockfleth, 5/7/25.
WOODBURY COUNTY TREASURER:	No comments.

PICTOMETRY



Woodbury County, IA / Sioux City

Summary

Parcel ID 884714300005
Alternate ID
Property Address N/A
Sec/Twp/Rng 14-88-47
Brief Tax Description WOODBURY TOWNSHIP W 1/2 OF SW 1/4 OF 14-88-47 (EX ROAD ROW)
(Note: Not to be used on legal documents)
Deed Book/Page 2022-13318 (10/27/2022)
Gross Acres 72.37
Net Acres 72.37
Zoning AP - AGRICULTURAL PRESERVATION
District 0039 WOODBURY/SB/L
School District SGT BLUFF LUTON
Neighborhood N/A

Owner

Deed Holder
 MORNINGSIDE UNIVERSITY
[PO BOX 67](#)
 #1170 MORNINGSIDE-COUNTY FARM
 STORM LAKE IA 50588
Contract Holder
Mailing Address
 #1170 MORNINGSIDE-COUNTY FARM
 PO BOX 67
 STORM LAKE IA 50588

Land

Lot Area 72.37 Acres ;3,152,437 SF

Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
4/28/2022	WOODBURY COUNTY	MORNINGSIDE UNIVERSITY	2022-13318	No consideration	Deed		\$0.00

Valuation

	2025	2024	2023	2022
Classification	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$246,270	\$208,790	\$208,790	\$167,020
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$246,270	\$208,790	\$208,790	\$167,020
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$246,270	\$208,790	\$208,790	\$167,020

Sioux City Special Assessments and Fees

[Click here to view special assessment information for this parcel.](#)

Woodbury County Tax Credit Applications

Apply for Homestead or Military Tax Credit

No data available for the following modules: Residential Dwellings, Commercial Buildings, Agricultural Buildings, Yard Extras, Permits, Sioux City Tax Credit Applications, Sioux City Board of Review Petition, Photos, Sketches.

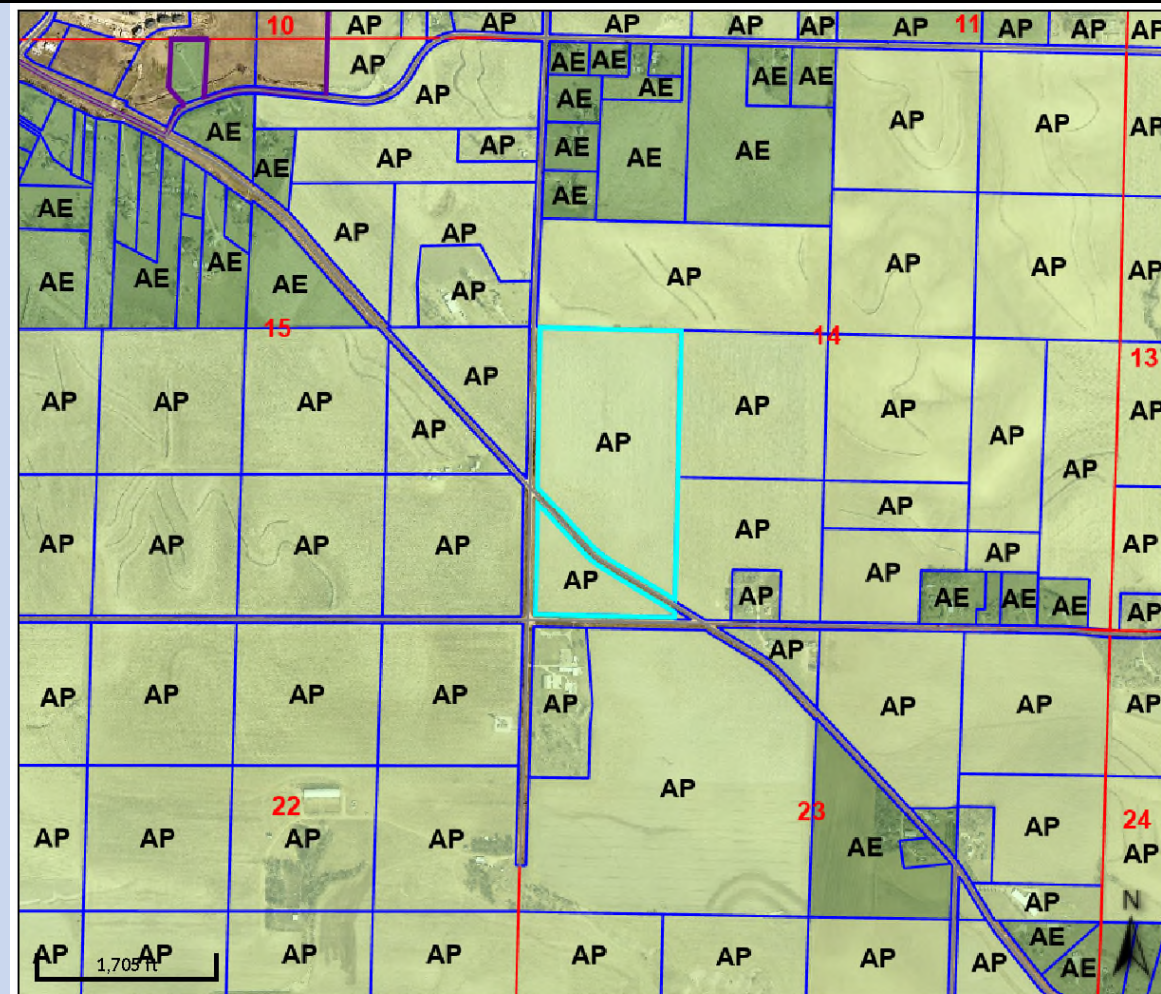
The maps and data available for access at this website are provided "as is" without warranty or any representation of accuracy, timeliness, or completeness. There are no warranties, expressed or implied, as to the appropriate use of the maps and data or the fitness for a particular purpose. The maps and associated data at this website do not represent a survey. No liability is assumed for the accuracy of the data delineated on any map, either expressed or implied.

[User Privacy Policy](#) | [GDPR Privacy Notice](#)
[Last Data Upload: 4/28/2025, 9:24:23 PM](#)

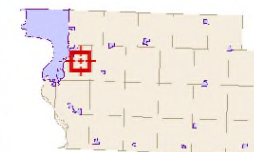
Contact Us

Developed by
 **SCHNEIDER**
 GEOSPATIAL

ZONING MAP



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Sections
- Parcels
- County Zoning
 - AE
 - AP
 - GC
 - GC-PD
 - GI
 - LI
 - LI-PD
 - SR
 - WR

SPECIAL FLOOD HAZARD AREA (SFHA) MAP



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Parcels

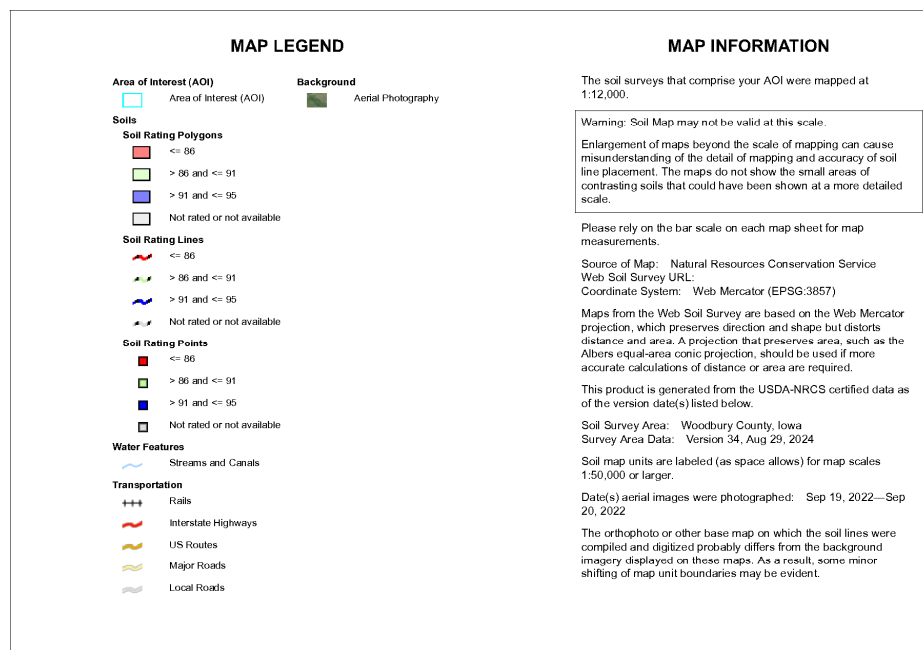
ELEVATION MAP



SOIL REPORT



Iowa Corn Suitability Rating CSR2 (IA)—Woodbury County, Iowa
(894331300012)



USDA Natural Resources Conservation Service

Web Soil Survey National Cooperative Soil Survey

4/29/2025
Page 2 of 3

Iowa Corn Suitability Rating CSR2 (IA)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
10B	Monona silt loam, 2 to 5 percent slopes	95	9.3	63.4%
10B2	Monona silt loam, 2 to 5 percent slopes, eroded	91	0.4	3.0%
10C2	Monona silt loam, 5 to 9 percent slopes, eroded	86	4.9	33.6%
Totals for Area of Interest			14.6	100.0%

Description

This attribute is only applicable to soils in the state of Iowa. Corn suitability ratings (CSR2) provide a relative ranking of all soils mapped in the State of Iowa according to their potential for the intensive production of row crops. The CSR2 is an index that can be used to rate the potential yield of one soil against that of another over a period of time. Considered in the ratings are average weather conditions and frequency of use of the soil for row crops. Ratings range from 100 for soils that have no physical limitations, occur on minimal slopes, and can be continuously row cropped to as low as 5 for soils that are severely limited for the production of row crops.

When the soils are rated, the following assumptions are made: a) adequate management, b) natural weather conditions (no irrigation), c) artificial drainage where required, d) no frequent flooding on the lower lying soils, and e) no land leveling or terracing. The weighted CSR2 for a given field can be modified by the occurrence of sandy spots, local deposits, rock and gravel outcrops, field boundaries, and noncrossable drainageways. Even though predicted average yields will change with time, the CSR2 values are expected to remain relatively constant in relation to one another over time.

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Higher



WOODBURY COUNTY PLANNING & ZONING

620 Douglas Street, Sixth Floor, Sioux City, Iowa 51101

712.279.6609 – 712.279.6530 (Fax)

Daniel J. Priestley, MPA – Zoning Coordinator
dpriestley@woodburycountyiowa.gov

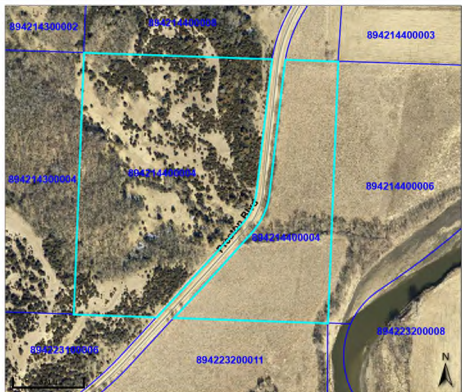
Dawn Norton – Senior Clerk
dnorton@woodburycountyiowa.gov

APPLICATION DETAILS	PROPERTY DETAILS	TABLE OF CONTENTS
Owner/Applicant(s): Kirby & Jeaneen Eli Application Type: Variance Zoning District: Agricultural Preservation (AP) Total Acres: 11.77 Current Use: Agricultural Proposed Use: Primary Residence Pre-application Meeting: April, 2025 Application Date: May 6, 2026 Legal Notice Date: TBD Stakeholders' (500') Letter Date: May 15, 2025 Board of Adjustment Public Hearing Date: June 2, 2025	Parcel(s): 894214400004 Township: T89N R42W (Union) Section: 14 Zoning District: Agricultural Preservation (AP) Floodplain District: Zone X (Non in floodplain) Address: TBD	Property Layout Site Footprint Elevation Zoning Maps Soil Map City Regulations

VARIANCE APPLICATION DESCRIPTION

Pursuant to Section 335 of the Code of Iowa, the Woodbury County Board of Adjustment will hold a public hearing to consider a variance request from Kirby and Jeaneen Eli. The applicants seek approval to build an approximately 40' x 60' accessory shed prior to finishing a principal structure (single-family dwelling). Although they plan to start building (foundations) of both structures at the same time, they would focus on finishing the shed first. Section 4.12.2 of the Woodbury County Zoning Ordinance requires that "no accessory building shall be constructed upon a lot until the construction of the principal building has commenced..." (p. 45). The property owners have filed this variance application to request relief from the requirement that the principal structure (house) must be built before the accessory structure (shed). The property is located on a 11.77 acre tract that has been recently split from Parcel #894214400004 as a consequence of the Quit Claim Deed filed as Document Number: 2025-04352 in the Woodbury County Recorder's office. The property is located in T89N R42W (Union Township), Section 21, in the SW 1/4 of the SE 1/4. Owners/Applicants: Kirby Eli and Jeaneen Eli, 25273 Corwin Ct., Sioux City, IA 51108. Staff recommends approval as this is presented as a practical difficulty for the property owners.

LOCATION MAP

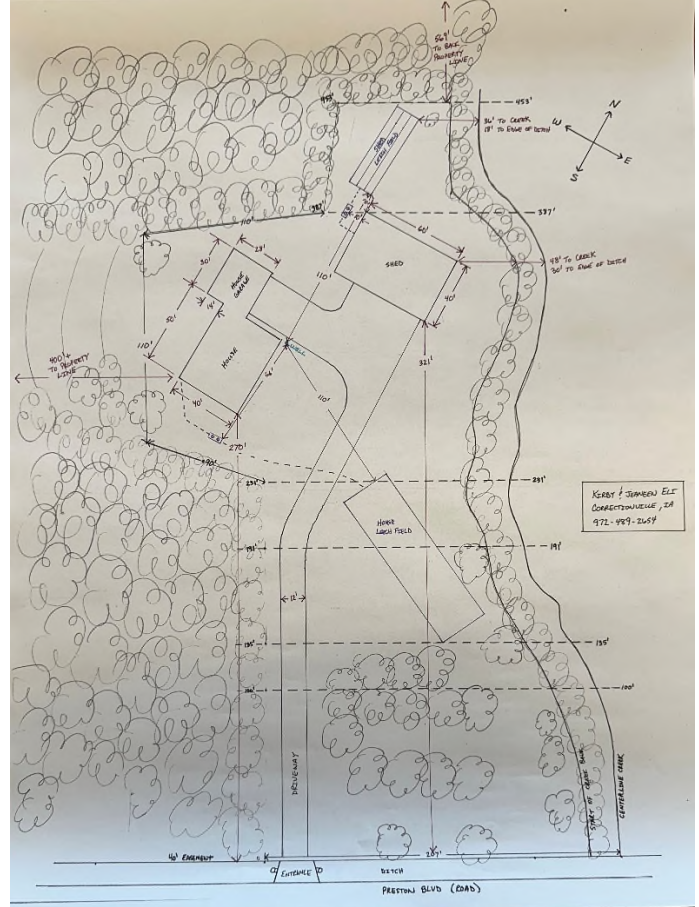


Parcel ID 894214400004 Alternate ID 837435 Owner Address ANFINSON VONDA M
Sec/Twp/Rng 14-89-42 Class A 1488 220TH ST
Property Address SERGEANT BLUFF, IA 51054-8025
District 0019
Brief Tax Description SWSE 14-89-42
(Note: Not to be used on legal documents)

Build Site



SITE PLAN EXCERPT



Owner / Applicant Information:

Kirby & Jeaneen Eli
25273 Corwin Ct.
Sioux City, IA 51108
972-489-2654

May 5, 2025

Proposed Variance Summary:

Kirby & Jeaneen Eli have filed a variance application with the request to build an approximately 40' x 60' shed prior to finishing a principal structure (single-family dwelling). Although they would start building (foundations) of both structures at the same time, they would focus on finishing the shed first. Section 4.12.2 of the Woodbury County Zoning Ordinance requires that "no accessory building shall be constructed upon a lot until the construction of the principal building has commenced..." (p. 45). The property owners have filed this variance to request relief from the requirement that the principal structure (house) must be built before the accessory structure (shed).

Reasoning for the Variance Request:

Kirby & Jeaneen Eli will be the primary contractors of both the primary residence and accessory building. This will be their only residence and would like to focus on the shed, so they have a secure place for their personal belongings, tools and equipment. As stated previously, foundations for both structures would be completed at the same time, but we would focus on the shed build first. We anticipate the shed will take roughly 3 months to complete and then focus on the primary residence.

Kirby & Jeaneen Eli

Handwritten signature in blue ink, appearing to read "Kirby & Jeaneen Eli".



OFFICE OF PLANNING AND ZONING WOODBURY COUNTY

Zoning Ordinance
Section 2.02(8)
Page 1 of 3

Variance Application

Owner Information: Owner <u>Kirby & Jeaneen Eli</u> Address <u>25273 Corwin Ct</u> <u>Sioux City, IA 51108</u> Phone <u>972-489-2654</u>	Applicant Information: Applicant <u>Kirby & Jeaneen Eli</u> Address <u>25273 Corwin Ct.</u> <u>Sioux City, IA 51108</u> Phone <u>972-489-2654</u>
Engineer/Surveyor <u>James C. Sailer, PLS #12090</u> Phone <u>712-548-8118</u>	
Property Information: Property Address or Address Range <u>SE 1/4 Section 14-89-42</u> Quarter/Quarter <u>SWSE</u> Sec <u>14-89-42</u> Twnshp/Range <u>Correctionville, IA</u> <u>Union</u> Parcel ID # <u>894214400004</u> GIS # _____ Total Acres <u>11.77</u> Current Use <u>Ag</u> <u>AP</u> Proposed Use <u>Primary Residence</u> Current Zoning <u>Ag</u>	
<p>The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(8)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).</p> <p>A formal pre-application meeting is recommended prior to submitting this application.</p> <p>Pre-app mtg. date <u>APRIL 25th 2025</u> Staff present <u>Don Proffler</u></p> <p>The undersigned is/are the owners(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and Board of Adjustment members to conduct a site visit and photograph the subject property.</p> <p>This Variance Application is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.</p> <p>Owner <u>KIRBY & JEANEEN ELI</u> Applicant <u>KIRBY & JEANEEN ELI</u> Date <u>5/6/25</u> Date <u>5/6/25</u></p>	
Fee: <u>\$300</u> Case #: <u>7058</u> Check #: <u>828</u> Receipt #: _____	Date Received RECEIVED MAY 9 2025 WOODBURY COUNTY PLANNING & ZONING

Applicant Statement Re: Variance Requirements
Attachment to Woodbury County, Iowa Variance Application
Pursuant to Requirement of Zoning Ordinance Section 2.02:8.F(1) - Pages 19-20
Adopted July 22, 2008; Effective August 01, 2008

In order to grant any variance the Board of Adjustment must determine that granting the variance will not be contrary to the public interest or the general intent and purpose of the ordinances:

(If filling out form online, tab at the end of each line to continue on next line.)

Section F. (1)(a)

- (i) Explain below why granting the variance will not adversely impact nearby properties:

We want to construct a 40' x 60' shed this year before finishing our new home. We would start both projects at the same time (foundations) but would focus on constructing/enclosing/finishing the shed before proceeding with the house. Both structures will be constructed by my wife and I (including others as needed). This shed will be used for storage of building materials for the future home along with personal items, tools and equipment. Construction of the shed will take about 3 months. The shed will be located about 160 feet from Preston Blvd.

- (ii) Explain below why granting the variance will not substantially increase congestion of people, buildings or traffic:

Construction of the shed will take approximately 3 months. During this time, we will be living in a camper on the property. Both of us work remotely and can work from this location due to the internet service available. Our closest neighbor to the north is .8 miles away. To the south, 1.7 miles and to the west, 1.3 miles.

- (iii) Explain below why granting the variance will not endanger public health or safety:

This will be a primary residence with nothing different than if we lived in the city limits. By living here full time, we will be able to take better care of the property, by cleaning up down trees and landscaping. We will also be able to monitor the rest of my mother-in-law's property and take care of any concerns/issues she might be having in a more timely fashion.

- (iv) Explain below why granting the variance will not overburden public facilities or services:

Woodbury county has located the best entrance location and has installed the appropriate culvert per regulations. Electricity will be connected to the shed. We will utilize a private well and septic system onsite.

- (v) Explain below why granting the variance will not impair the enjoyment, use or value of nearby property:

As stated previously, the shed will be set back from the road about 160 feet and will be about a mile from the nearest residences. The shed and house will be newly constructed improvements with a modern look. Dark grey in color with stained wood accents. Both structures will be traditionally framed, board & batten siding and metal roofs.

Section F. (1)(b)

In order to explain why granting the variance is necessary to assure that the owner does not suffer an economic hardship answer the below questions. (Note: Increased financial return or reduced costs to the applicant are not adequate cause for a finding of hardship.) A finding of economic hardship is based upon each of the following questions.

- i) Explain below why the property cannot yield a reasonable return without the granting of the variance:

There are no current safe/secure structures on the property that would provide storage for our personal belongings, tools and equipment during the construction process. Due to the distance from Sioux City, we would also be living on site in a camper during construction. This would allow for better time management during construction when we would need to meet sub-contractors onsite.

- ii) Explain below why the property has unique physical constraints that result in its inability to be used without the granting of the variance:

This property has large elevation changes and is mostly timber. Out of 11.7 acres, roughly 3 acres are open with no timber. The location of the shed will be constructed on the flattest portion of the property and the house will be at a higher location, with more excavation needed.

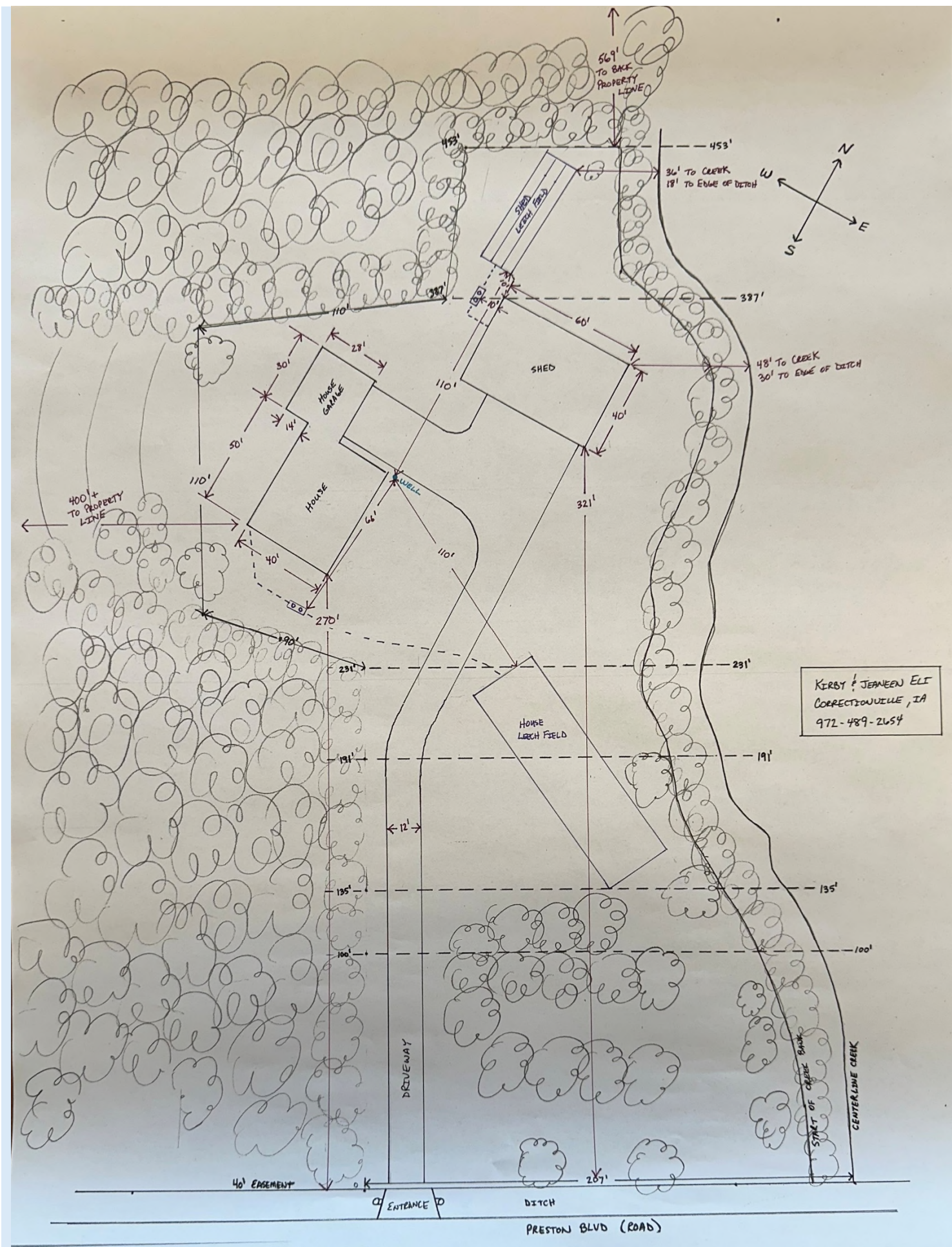
- iii) Explain below why the hardship is not a result of actions or decisions by the owner:

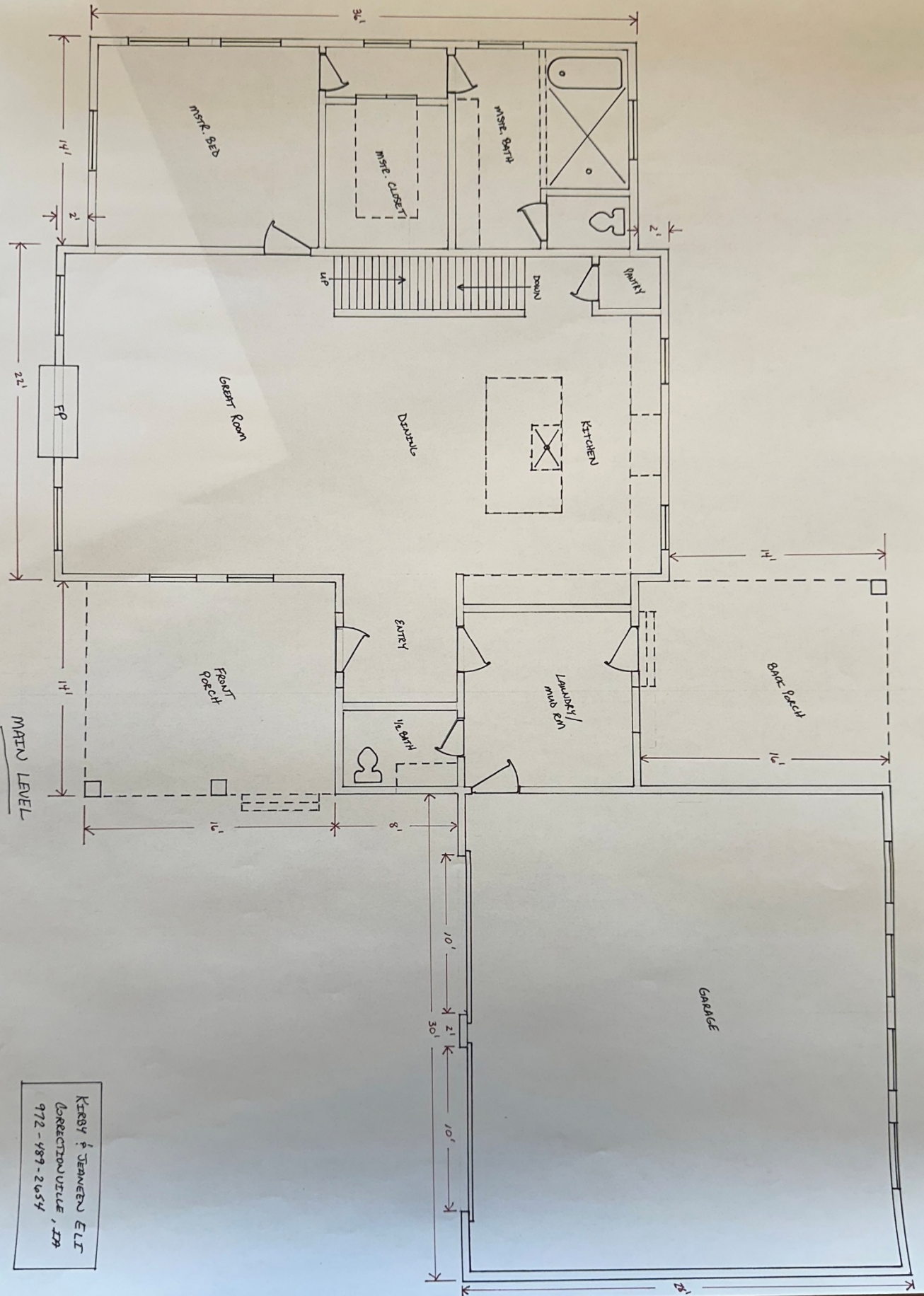
We would be starting both the shed and primary residence at the same time by pouring both foundations at the same time with the same crew. Once the foundations are poured, we would want to frame and enclose the shed first as this would be our safe/secure location for our personal belongings, tools and equipment.

[illegible]

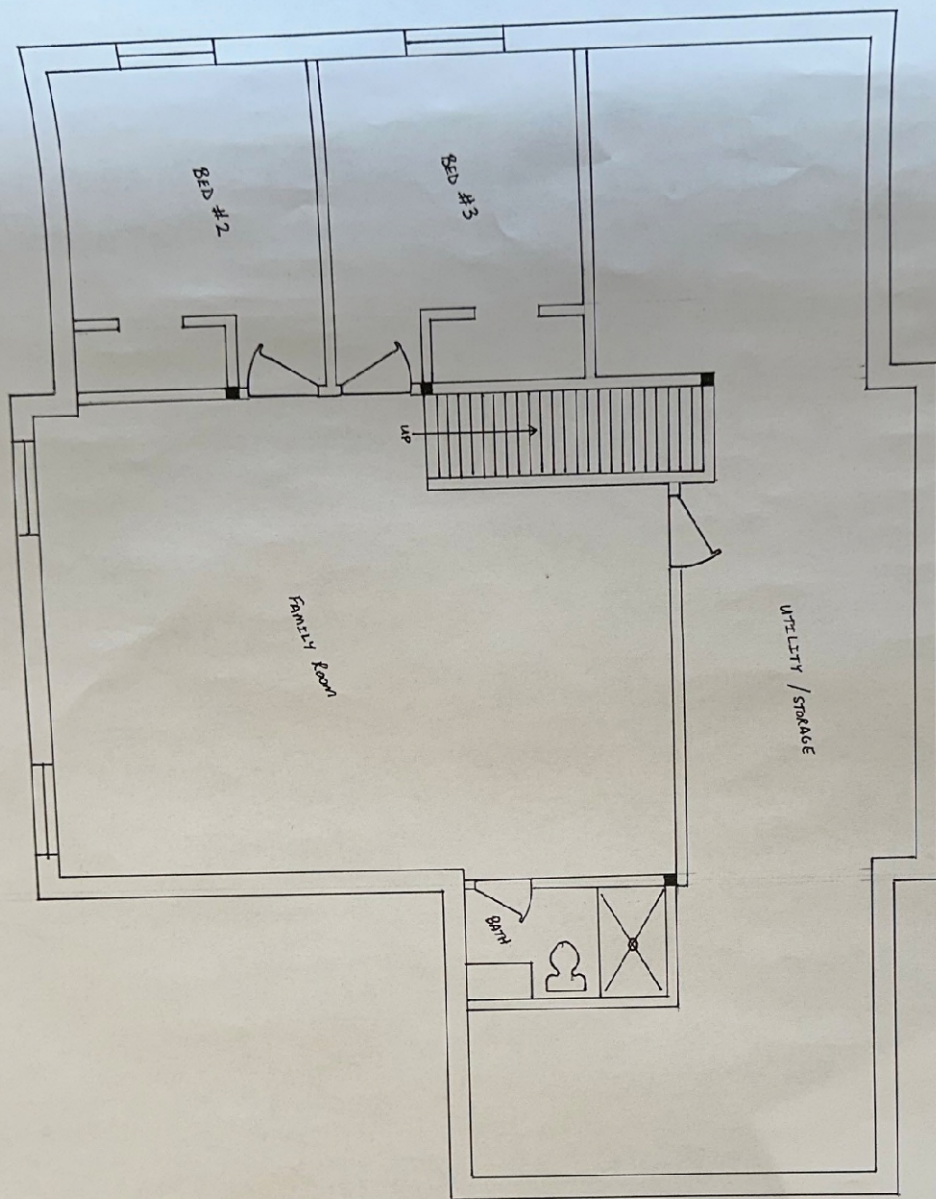
Build Site





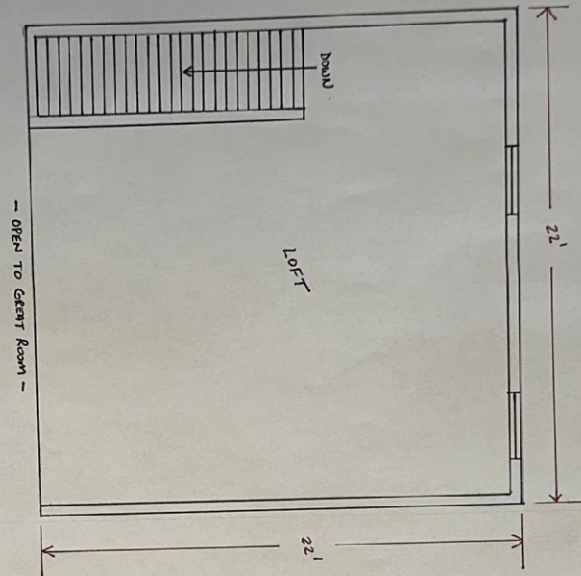


KIRBY & JEANENE ELI
CORRECTION UTILITY, INC.
972-489-2654



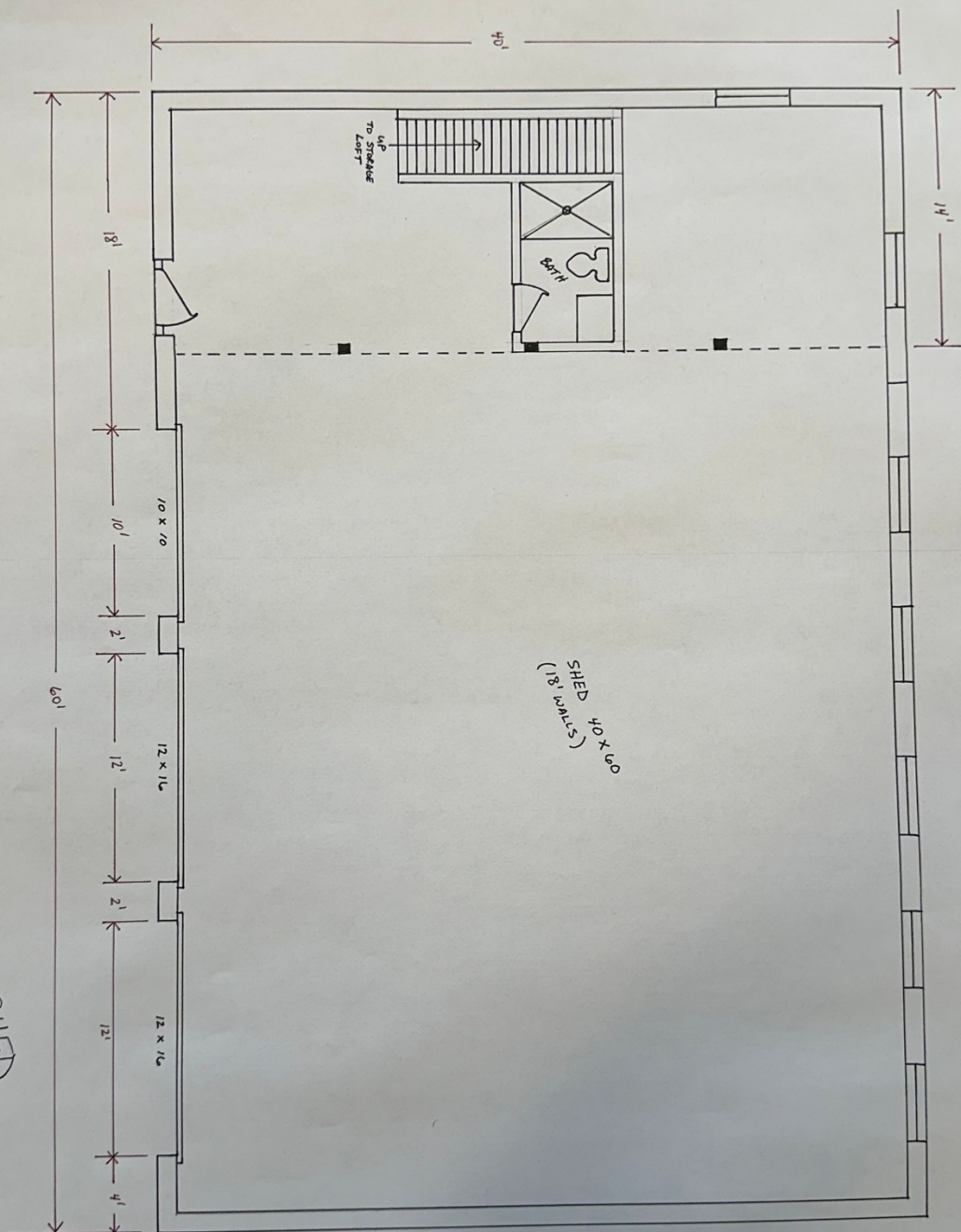
BASEMENT
(FUTURE BOUND)

KIRBY & JOHNSON LLC
CONSTRUCTION, INC.
972-489-2654



LOFT

KIRBY & JENNIFER ELLIOTT
 ARCHITECTS, INC.
 972-489-2634



SHED

KERRY J. JENNEN EIT
 CARROLLTONVILLE, IN
 972-489-2654

SECTIONS OF ORDINANCE PERTAINING TO VARIANCE REQUEST

Section 4.12: Accessory Buildings

1. For the AP, AE, NR and SR zoning districts, side and rear yard setback requirements for accessory buildings are set forth in section 3.04.
2. No accessory building shall be constructed upon a lot until the construction of the principal building has commenced. In no event shall such building be used as a dwelling unless it is a facility designed for human habitation and a certificate of occupancy shall have been issued for such use.

REVIEW CRITERIA 1: (Section 2.02.8F1[A])

In terms of the variance application process, it is the duty of the Board of Adjustment to determine that the *granting of the variance will not be contrary to the public interest or the general intent and purpose of this title in it that it:*

1. ADVERSELY IMPACTS NEARBY PROPERTIES;

2. SUBSTANTIALLY INCREASES CONGESTION OF PEOPLE, BUILDINGS OR TRAFFIC;

3. ENDANGERS PUBLIC HEALTH OR SAFETY;

4. OVERBURDENS PUBLIC FACILITIES OR SERVICES OR;

5. IMPAIRS THE ENJOYMENT, USE OR VALUE OF NEARBY PROPERTY.

Applicant Response:

1. Explain below why granting the variance will not adversely impact nearby properties:

- We want to construct a 40' x 60' shed this spring before finishing our new home. We would start both projects at the same time (foundations) but would focus on constructing/enclosing/finishing the shed before proceeding with the house. Both structures will be constructed by my wife and I (including others as needed). This shed will be used for storage of building materials for the future home along with personal tools and equipment. Construction of the shed will take about 3 months. The shed will be located about 160 feet from Preston Blvd.

2. Explain below why granting the variance will not substantially increase congestion of people, buildings or traffic:

- Construction of the shed will take approximately 3 months. During this time, we will be living in a camper on the property. Both of us work remotely and can work from this location due to the internet service available. Our closest neighbor to the north is .8 miles away. To the south, 1.7 miles and to the west, 1.3 miles.

3. Explain below why granting the variance will not endanger public health or safety:

- This will be a primary residence with nothing different than if we lived in the city limits. By living here full time, we will be able to take proper care of the property, by cleaning up down trees and landscaping. We will also be able to monitor the rest of my mother-in-law's property and take care of any concerns/issues she might be having in a more timing fashion.

4. Explain below why granting the variance will not overburden public facilities or services:

- Woodbury County has located the best entrance location and has installed the appropriate culvert per regulations. Electricity will be connected to the shed. We will utilize a private well and septic system onsite.

5. Explain below why granting the variance will not impair the enjoyment, use or value of nearby property:

- As stated previously, the shed will be set back from the road about 160 feet and will be about a mile from the nearest residences. The shed and house will be newly constructed improvements with a modern look. Dark grey in color with stained wood accents, structures will be traditionally framed, board & batten siding and metal roofs. Both structures will be traditionally framed, board & batten siding and metal roofs.

Staff Analysis:

- **Adverse Impact on Nearby Properties:** The applicant states the shed will be 160 feet from Preston Blvd and about a mile from the nearest residences. Given this significant distance, it is unlikely to adversely affect nearby properties.
- **Congestion of People, Buildings, or Traffic:** The nearest neighbor is 0.8 miles away, with others further, suggesting minimal additional traffic or congestion. Construction activities may temporarily increase vehicle movements, but given the rural setting and short duration, it is unlikely to substantially increase congestion.
- **Public Health or Safety:** The shed is part of a primary residence, and the applicants plan to maintain the property, including cleaning up downed trees and landscaping. Living on-site full-time will allow for timely monitoring and maintenance, reducing potential safety risks. There are no indications of hazards, such as proximity to floodplains or unsafe construction practices, supporting the conclusion that public health and safety are not endangered.
- **Overburdening Public Facilities or Services:** The county has located the best entrance and installed the appropriate culvert per regulations, and the property will use a private well and septic system. This ensures no additional burden on public facilities, aligning with rural development standards.

- **Impairment of Nearby Property Enjoyment, Use, or Value:** Given the distance and aesthetic design, it is unlikely to impair the enjoyment, use, or value of nearby properties.

Conclusion: The applicant's responses adequately address the public interest criteria.

REVIEW CRITERIA 2: (Section 2.02.8F1[B])

The ordinance also states *that granting the variance is necessary to assure that the owner does not suffer an economic hardship. (Note: increased financial return or reduced costs to the applicant are not adequate cause for a finding of a hardship.) A finding of economic hardship must be based on each of the following:*

6. THE PROPERTY CANNOT YIELD A REASONABLE RETURN IF USED IN COMPLIANCE WITH THE REQUIREMENTS OF THIS TITLE;

7. THE PROPERTY HAS UNIQUE PHYSICAL CONSTRAINTS THAT RESULT IN ITS INABILITY TO BE USED IN COMPLIANCE WITH THE REQUIREMENTS OF THIS TITLE; AND

8. THE HARDSHIP IS NOT A RESULT OF ACTIONS BY THE OWNER.

Applicant Response:

6. Explain below why the property cannot yield a reasonable return without the granting of the variance:

- There are no current safe/secure structures on the property that would provide storage for our personal belongings, tools and equipment during the construction process. Due to the distance from Sioux City, we would also be living on site in a camper during construction. This would allow for better time management during construction when we need to meet sub-contractors onsite.

7. Explain below why the property has unique physical constraints that result in its inability to be used without the granting of the variance:

- This property has large elevation changes and is mostly timber. Out of 11.7 acres, roughly 3 acres are open with no timber. The location of the shed will be constructed on the flattest portion of the property and the house will be at a higher location, with more excavation needed.

8. Explain below why the hardship is not a result of actions or decisions by the owner:

- We would be starting both the shed and primary residence at the same time by pouring both foundations at the same time with the same crew. Once the foundations are poured, we would want to frame and enclose the shed first as this will be our safe/secure location for our personal belongings, tools and equipment.

Staff Analysis:

- **Reasonable Return:** The applicant argues that there are no current safe/secure structures on the property for storing personal belongings, tools, and equipment during construction. Without the variance, they would lack a secure storage solution, which would hinder their ability to manage the construction process efficiently. This could delay the project, increase costs, or force off-site storage, potentially affecting the property's return on investment. The evidence leans toward this being a valid economic hardship, as the inability to store materials securely could impede the development process.
- **Unique Physical Constraints:** The property is described as having large elevation changes and being mostly timber, with only about 3 acres of open land out of 11.7 acres. The shed is planned for the flattest portion, while the house will require more excavation due to its higher location.
- **Hardship Not Self-Created:** The applicant plans to start both the shed and house foundations simultaneously but will prioritize completing the shed first for storage and security during construction. This is a practical decision based on the construction timeline and does not constitute a self-created hardship.

REVIEW CRITERIA 3: (Section 2.02.8F2-5)

The ordinance also states that no variance shall be granted:

9. WHICH WOULD PERMIT THE ESTABLISHMENT OF A USE WITHIN A GIVEN DISTRICT WHICH IS PROHIBITED THEREIN;

10. WHICH IS SO COMMONLY RECURRING THAT IT IS A DE FACTO AMENDMENT OF THIS ORDINANCE; AND

11. THAT IS MORE THAN THE MINIMUM RELIEF NEEDED.

12. TO THE PROVISIONS OF SECTION 5.03 RELATIVE TO FLOOD PLAIN MANAGEMENT REQUIREMENTS UNLESS THE BOARD OF ADJUSTMENT CONSIDERS THE FACTORS LISTED IN SUBSECTION 5.03-9.C (4).

Staff Analysis:

- **Prohibited Uses:** Both principal structures (houses) and accessory structures (sheds) are allowed in the AP Zoning District. There are no issues granting this variance as this is a practical difficult for the property owners in terms of their construction time line.
- **Minimum Relief:** No variance shall be granted that is more than the minimum relief needed. The granting of this variance would meet the minimum relief standard as the property owners have presented a site plan and are committed to completing both the shed and the house.

- **Recurring Variances:** No variance shall be granted that is so commonly recurring as to constitute a de facto amendment. This variance is specific to the property owners' construction needs, so it is not a recurring issue and does not suggest a need for ordinance amendment.
- **Floodplain Considerations:** Not applicable.

STAFF CONCLUSION

The variance application addresses public interest concerns, such as minimal impact on nearby properties and no significant increase in congestion or safety risks, and meets the practical difficulty requirements due to the property owner's building timeline and need for storage facilities during construction.

Sioux City Journal
AFFIDAVIT OF PUBLICATION

Sioux City Journal
 2802 Castles Gate Drive
 Sioux City 51106
 (712) 293-4250

State of Florida, County of Orange, ss:

Edmar Corachia, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Sioux City Journal, printed and published by Journal Communications, in Sioux City in Woodbury County and issued daily and Sunday and that this affidavit is Page 1 of 1 with the full text of the sworn to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:
 May, 17, 2025

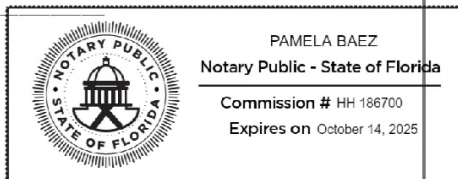
NOTICE ID: iNcoXOonFq2so0y0z097
PUBLISHER ID: COL-IA-501816
NOTICE NAME: BOA-2025-6-2-25
Publication Fee: \$54.28

Edmar Corachia

(signed)

VERIFICATION

State of Florida
 County of Orange



Subscribed in my presence and sworn to before me on this: 05/20/2025

[Signature]

Notary Public
 Notarized remotely online using communication technology via Proof.

**NOTICE OF PUBLIC HEARINGS
 BEFORE THE WOODBURY
 COUNTY BOARD OF
 ADJUSTMENT**

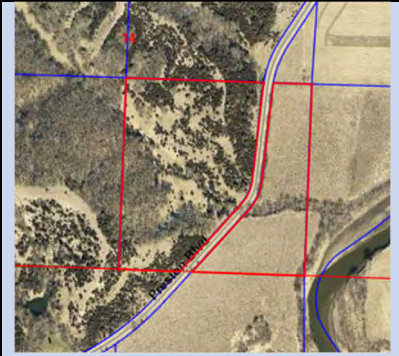
The Woodbury County Board of Adjustment will hold public hearings on the following items hereafter described in detail on June 2, 2025 at 5:00 PM or as soon thereafter as the matters may be considered. Said hearings will be held in the Board of Supervisors' meeting room in the basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa. Copies of said items may now be examined at the office of the Woodbury County Community and Economic Development, on the 6th floor of said courthouse by any interested persons. All persons who wish to be heard in respect to the matters should appear at the aforesaid hearings in person or call 712-454-1133 and enter the Conference ID: 742 346 1234 during the meeting to listen or comment. However, it is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems. You may forward your written comments by mail or email to: Woodbury County Community and Economic Development, 6th Floor, Woodbury County Courthouse, 620 Douglas St., Sioux City, IA 51101. Emails should be sent to Daniel Priestley at dpriestley@woodburycountyia.gov. Only signed comments will be considered and should be received no later than 10:00 AM on Fri, May 30, 2025.

Item One (1)
 Pursuant to Section 335 of the Code of Iowa, the Woodbury County Board of Adjustment will hold a public hearing to consider the Conditional Use Permit application from Jason Reynoldson (Applicant) on behalf of Morningside University (Owner) to construct and operate a baseball stadium (field for competitive athletics) on the property located in T88N R47W, Section 14, in the SW 1/4 of the SW 1/4 and identified as Parcel #88471430005, and located in the Agricultural Preservation (AP) Zoning District. The proposed facility will provide a dedicated space for organized sports, supporting health and wellness, community spirit, and opportunities for youth and adult leagues. Applicant(s)/Owner(s): Jason Reynoldson (Applicant), 3600 Garnett Ave., Sioux City, IA 51106 and Morningside University (Owner), 1501 Morningside Ave., Sioux City, IA 51106.

Item Two (2)
 Pursuant to Section 335 of the Iowa Code, the Woodbury County Board of Adjustment will hold a public hearing to consider a variance application submitted by Kirby and Jeanneen Eli. The applicants seek permission to construct an accessory shed, approximately 40 x 60 (dimensions may vary), prior to completing a principal structure (single-family dwelling) on their property. The applicants intend to begin foundation work for both structures concurrently but prioritize completing the shed first. Section 4.12.2 of the Woodbury County Zoning Ordinance states, "No accessory building shall be constructed upon a lot until the construction of the principal building has commenced." (p. 46). The Variance request seeks relief from this requirement. The property, a 11.77-acre lot recently divided from Parcel #894214400004 via Quit Claim Deed (Document #2025-04362, filed May 6, 2025, Woodbury County Recorder's Office), is located in T89N R42W (Union Township), Section 21, SW 1/4 of the SE 1/4 and is in the Agricultural Preservation (AP) Zoning District. Property Owners/Applicants: Kirby Eli and Jeanneen Eli, 25273 Corwin Ct., Sioux City, IA 51106. COL-IA-501816

PROPERTY OWNER(S) NOTIFICATION

Property Owners within 500 Feet:	4
Notification Letter Date:	May 15, 2025
Public Hearing Board:	Board of Adjustment
Public Hearing Date:	June 2, 2025
Phone Inquiries:	0
Written Inquiries:	0
The names of the property owners are listed below.	
When more comments are received after the printing of this packet, they will be provided at the meeting.	



PROPERTY OWNER(S)	MAILING ADDRESS				COMMENTS
Vonda M. Anfinson	1488 220th St.	Sergeant Bluff	IA	51054-8025	No comments
Darren R. Todd & Stephanie A. Todd, Co-Trustees of the Darren R. & Stephanie A. Todd Joint Revocable Trust dated July 9, 2024	1288 Osceola Ave.	Correctionville	IA	51016	No comments
Audrey J. Sanderson & Lila Jean Byers	414 Fir Street	Correctionville	IA	51016	No comments
Kirk W. Utesch & Craig W. Utesch, Co-Trustees of the Mary Catherine Pansegrau Irrevocable Trust under Agreement dated March 23, 2025	4224 110th Street	Correctionville	IA	51016	No comments

STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
IOWA DEPARTMENT OF TRANSPORTATION (IDOT):	No comments.
LOESS HILLS NATIONAL SCENIC BYWAY:	No comments.
LOESS HILLS PROGRAM:	No comments.
LOGLINES:	No comments.
LUMEN:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have reviewed the attached requested variance for MEC electric, and we have, no conflicts. Have a great week! – Casey Meinen, 5/13/25.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No comments.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this zoning request. NIPCO has no issues with this request. – Jeff Zettel, 5/13/25.
NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	No comments.
WOODBURY COUNTY RECORDER:	No comments.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments regarding this proposal. – Neil Stockfleth, 5/13/25.
WOODBURY COUNTY TREASURER:	No comments.

PARCEL REPORT

Summary

Parcel ID 894214400004
 Alternate ID 837435
 Property Address N/A
 Sec/Twp/Rng 14-89-42
 Brief Tax Description SWSE 14-89-42
 Deed Book/Page [727-445219/21\(2014\)](#)
 Gross Acres 37.88
 Net Acres 37.88
 Adjusted CSR Pts 1483.64
 Zoning AP - AGRICULTURAL PRESERVATION
 District 0019 UNION/RIVER VALLEY
 School District RIVER VALLEY CO
 Neighborhood N/A

Owner

Deed Holder
[ANFINSON VONDA M](#)
[1488 220TH ST](#)
 SERGEANT BLUFF IA 51054-8025
 Contract Holder
 Mailing Address
 ANFINSON VONDA M
 1488 220TH ST
 SERGEANT BLUFF IA 51054-8025

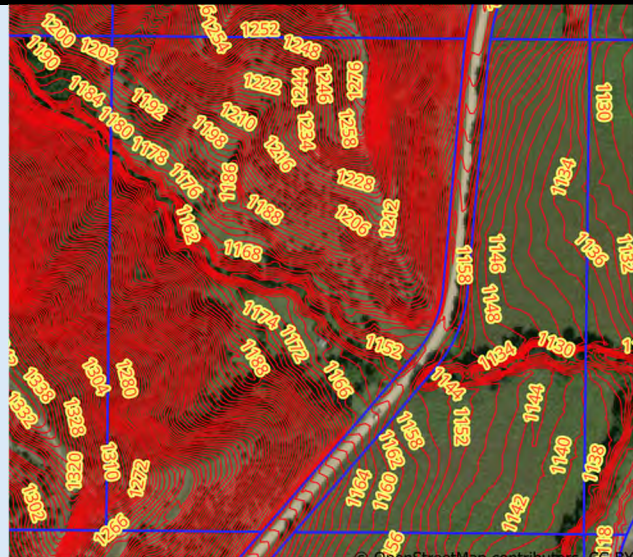
Land

Lot Area 37.88 Acres :1,650,053 SF

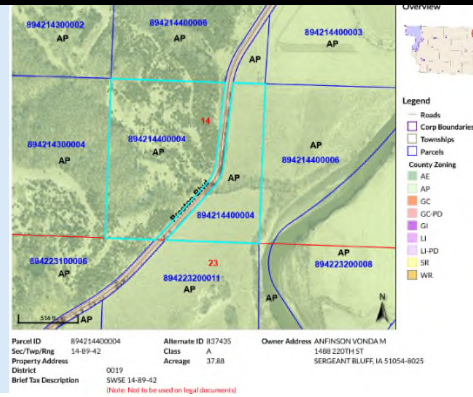
Valuation

	2025	2024	2023	2022	2021	2020
Classi cation	Agriculture	Agriculture	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$57,040	\$48,360	\$48,360	\$37,560	\$37,560	\$35,520
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$57,040	\$48,360	\$48,360	\$37,560	\$37,560	\$35,520
- Exempt Value	\$0	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$57,040	\$48,360	\$48,360	\$37,560	\$37,560	\$35,520

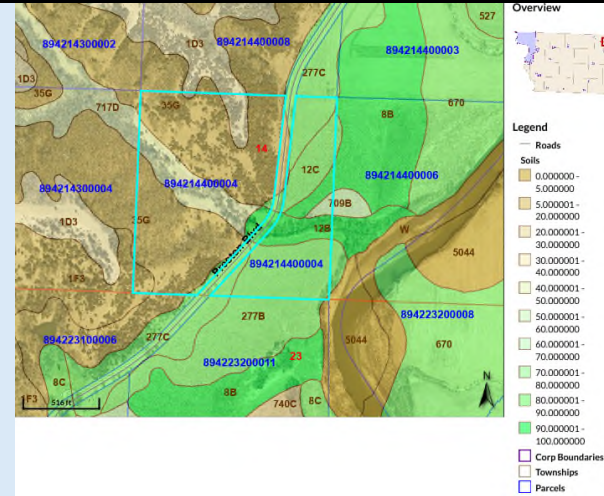
ELEVATION



COUNTY ZONING MAP



SOIL MAP



Summary

Parcel ID	894214400004
Gross Acres	37.88
ROW Acres	0.00
Gross Taxable Acres	37.88
Exempt Acres	0.00
Net Taxable Acres	37.88
Average Unadjusted CSR2	42.02
	(Gross Taxable Acres - Exempt Land)
	(1591.61 CSR2 Points / 37.88 Gross Taxable Acres)

Agland Active Con g 2025

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	11.67	87.90	1,025.74	1,025.74
Non-Crop	26.21	21.59	565.87	462.77
Total	37.88		1,591.61	1,488.51

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12B	Napier silt loam, 2 to 5 percent slopes	93.00	0.81	75.33	75.33
100% Value	8B	Judson silty clay loam, deep loess, 2 to 5 percent slopes	92.00	0.83	76.36	76.36
100% Value	277B	Deloit loam, 2 to 5 percent slopes	90.00	4.83	434.70	434.70
100% Value	12C	Napier silt loam, 5 to 9 percent slopes	89.00	2.46	218.94	218.94
100% Value	277C	Deloit loam, 5 to 9 percent slopes	85.00	2.33	198.05	198.05
100% Value	709B	Fairhaven silt loam, 32 to 40 inches to sand and gravel, 2 t	62.00	0.35	21.70	21.70
100% Value	35G	Liston-Burchard complex, 25 to 40 percent slopes	11.00	0.06	0.66	0.66
Non-Crop	12B	Napier silt loam, 2 to 5 percent slopes	93.00	1.28	119.04	62.69
Non-Crop	277B	Deloit loam, 2 to 5 percent slopes	90.00	0.03	2.70	1.44
Non-Crop	12C	Napier silt loam, 5 to 9 percent slopes	89.00	0.07	6.23	3.35
Non-Crop	277C	Deloit loam, 5 to 9 percent slopes	85.00	0.30	25.50	14.00
Non-Crop	717D	Napier-Gullied land complex, 5 to 14 percent slopes	42.00	3.88	162.96	132.66
Non-Crop	1D3	Ida silt loam, 9 to 14 percent slopes, severely eroded	32.00	1.14	36.48	35.67
Non-Crop	35G	Liston-Burchard complex, 25 to 40 percent slopes	11.00	18.97	208.67	208.67
Non-Crop	1F3	Ida silt loam, 20 to 30 percent slopes, severely eroded	8.00	0.53	4.24	4.24
Non-Crop	5044	Fluvaquents, 0 to 2 percent slopes, frequently ooded	5.00	0.01	0.05	0.05
Total				37.88	1,591.61	1,488.51

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Contact Us

Developed by
SCHNEIDER
 GROUP

SPECIAL FLOOD HAZARD AREA (SFHA)

The property is not located within the floodplain.



WOODBURY COUNTY, IOWA

APPLICATION FOR BUILDING PERMIT

For Office Use:				Case No. _____	
Zoning District _____	Date Approved _____	Denied _____	By _____		
Floodplain District _____	Map # _____	Fee _____	Ck/Rct # _____		
GIS # _____	Mail _____	Pick up _____			

In accordance with the Woodbury County Zoning Ordinance, the undersigned hereby applies for a building permit:

Landowner's name: KIRBY & JEANEEN ELI Phone: 972-489-2654

Mailing Address: 25273 CORWIN CT City: SIoux CITY Zip: 51108

Structure will be built at (address): 1295 PRESTON BLVD, CORRECTIONVILLE, IA

Occupied by: KIRBY & JEANEEN ELI

Quarter/quarter _____ Section 14-89-42 Civil Township CORRECTIONVILLE

or

Subdivision _____ Block _____ Lot(s) _____

Name of Contractor: KIRBY ELI Phone: 972-489-2654

Address of Contractor: 25273 CORWIN CT, SIoux CITY, IA 51108

Anticipated start date of construction: (month/day/year): July 15, 2025

Type of structure: House Will this be used for business purposes? No

Structure's Value: \$150,000 Size of parcel in acres: 11.77

Remarks: _____

PLEASE READ CAREFULLY.

I, the undersigned, hereby understand and state that the land and building listed herein SHALL NOT BE OCCUPIED OR USED in whole or in part for any purpose whatsoever until the structure has been completed and reported as such to the County Office of Planning and Zoning; and to do so constitutes a violation of the Woodbury County Zoning Ordinance subject to misdemeanor charges. I further state that I have read the foregoing application and attachments and know the contents therein, and the facts contained are true and accurate.

Signature 

This 21 day of MAY, 2025

Notary Public in and for Woodbury County, Iowa

AFTER THE APPLICATION HAS BEEN APPROVED AND THE PERMIT ISSUED, THE PERMIT BECOMES NULL AND VOID IF CONSTRUCTION HAS NOT COMMENCED WITHIN 120 DAYS AND IN ANY EVENT ONE YEAR.



WOODBURY COUNTY, IOWA APPLICATION FOR BUILDING PERMIT

For Office Use:				Case No. _____	
Zoning District _____	Date Approved _____	Denied _____	By _____		
Floodplain District _____	Map # _____	Fee _____	Ck/Rct # _____		
GIS # _____	Mail _____		Pick up _____		

In accordance with the Woodbury County Zoning Ordinance, the undersigned hereby applies for a building permit:

Landowner's name: KIRBY & JEANNE ELI Phone: 972-489-2654

Mailing Address: 25273 CORWIN CT City: SIoux CITY Zip: 51108

Structure will be built at (address): 1295 PRESTON BLVD

Occupied by: KIRBY & JEANNE ELI

Quarter/quarter _____ Section 14-89-42 Civil Township CORRECTIONVILLE

or

Subdivision _____ Block _____ Lot(s) _____

Name of Contractor: KIRBY ELI Phone: 972-489-2654

Address of Contractor: 25273 CORWIN CT, SIoux CITY, IA 51108

Anticipated start date of construction: (month/day/year): July 15, 2025

Type of structure: SHOP Will this be used for business purposes? No

Structure's Value: \$ 90,000 Size of parcel in acres: 11.77

Remarks: _____

PLEASE READ CAREFULLY.

I, the undersigned, hereby understand and state that the land and building listed herein SHALL NOT BE OCCUPIED OR USED in whole or in part for any purpose whatsoever until the structure has been completed and reported as such to the County Office of Planning and Zoning; and to do so constitutes a violation of the Woodbury County Zoning Ordinance subject to misdemeanor charges. I further state that I have read the foregoing application and attachments and know the contents therein, and the facts contained are true and accurate.

Signature [Signature]

This 21 day of MAY, 20 25

Notary Public in and for Woodbury County, Iowa

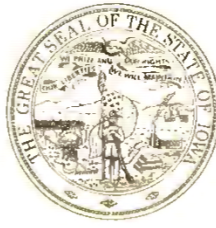
AFTER THE APPLICATION HAS BEEN APPROVED AND THE PERMIT ISSUED, THE PERMIT BECOMES NULL AND VOID IF CONSTRUCTION HAS NOT COMMENCED WITHIN 120 DAYS AND IN ANY EVENT ONE YEAR.

1. Variances

- A. Authority. The Board of Adjustment shall hear and decide on requests for a variance pursuant to subsection 2.01-5. D subject to the procedures, standards and conditions set out in this subsection and Section 335 of the Iowa Code.
- B. Purpose. A variance is intended to provide necessary relief from the requirements of the zoning provisions of this title that would create unnecessary hardships or practical difficulties.
- C. Filing.
 - (1) Right to seek variance. A request for a zoning variance may be filed by any person aggrieved by a provision of the zoning ordinance that limits their intended use of property.
 - (2) Form of application. An application for a variance shall be submitted to the zoning director and shall include at least the following information:
 - (a) The name and address of the property owner and the applicant;
 - (b) The address, if any, and the legal description of the property;
 - (c) The current zoning district classification;
 - (d) A specific description of the proposed variance including the section of this title from which a variance is requested;
 - (e) A map, drawn to scale, showing the subject property, all structures and other improvements, with the proposed variance identified;
 - (f) Statements in response to the criteria and standards for approval of variances in subsection 2.02-8. F (1) below.
 - (3) Fee. A filing fee, as established by resolution of the Board of Supervisors to defray administrative costs, shall accompany the notice of appeal.
 - (4) A certified abstractor's listing of the names and mailing addresses of all owners of real property lying adjacent to the subject property.
- D. Stay of Proceedings. A request for a variance appeal shall have the effect of a temporary suspension of enforcement of the provisions of these regulations that are the subject of the variance request until the conclusion of the variance process, unless the zoning director certifies that the suspension may cause imminent peril to life or property.
- E. Review and decision-making process.
 - (1) Hearing required. The Board of Adjustment shall conduct a public hearing on the variance request in accordance with subsection 2.02-1. B.
 - (2) Notification. Public notification of the Board of Adjustment hearing on the variance request shall be as required by subsection 2.02-1. B(1). Such notices shall provide information on the time, date and location of the hearing and a brief description of the requested variance.
 - (3) Decision. Within 10 days after the public hearing the Board of Adjustment shall approve, approve with conditions or limitations, or deny the requested variance. The Board of Adjustment shall set forth findings of fact addressing the points enumerated in subsection 2.02-8. F(1) below as a basis for its action.
- F. Requirements for variances:
 - (1) In order to grant a variance, the Board of Adjustment must determine that:
 - (a) Granting the variance will not be contrary to the public interest or the general intent and purpose of this title in that it:
 - (i) Adversely impacts nearby properties;
 - (ii) Substantially increases congestion of people, buildings or traffic;
 - (iii) Endangers public health or safety;

- (iv) Overburdens public facilities or services; or
 - (v) Impairs the enjoyment, use or value of nearby property.
- (b) Granting the variance is necessary to assure that the owner does not suffer an economic hardship. (Note: Increased financial return or reduced costs to the applicant are not adequate cause for a finding of hardship.) A finding of economic hardship must be based on each of the following:
 - (i) The property cannot yield a reasonable return if used in compliance with the requirements of this title;
 - (ii) The property has unique physical constraints that result in its inability to be used in compliance with the requirements of this title; and
 - (iii) The hardship is not a result of actions by the owner.
- (2) No variance shall be granted which would permit the establishment of a use within a given district which is prohibited therein;
- (3) No variance shall be granted which is so commonly recurring that it is a de facto amendment of this ordinance; and
- (4) No variance shall be granted that is more than the minimum relief needed.
- (5) No variance shall be granted to the provisions of Section 5.03 relative to flood plain management requirements unless the Board of Adjustment considers the factors listed in subsection 5.03-9.C (4).
- G. Conditional approval of variances. The Board of Adjustment may, as a condition related to approval of a variance, impose restrictions and safeguards upon the property and the variance granted if it determines the restrictions to be necessary to minimize adverse effects on other property or the public interest. Such conditions shall be set forth in the resolution of the Board of Adjustment granting the variance. Failure to comply with any conditions imposed on a variance approval is a violation of this title.
- H. Appeal of the actions of the Board of Adjustment. Any interested party may appeal a variance decision of the Board of Adjustment in two ways.
 - (1) If the Board of Adjustment approves a variance, the Board of Supervisors pursuant to Section 335.10 of the Iowa Code may remand the matter to the Board of Adjustment for further consideration at any time within 30 days.
 - (2) Any aggrieved party may appeal a decision of the Board of Adjustment within 30 days as provided by Section 335.18 of the Iowa Code. Such an appeal suspends the effect of the action of the Board of Adjustment until the appeal has been resolved. Any construction or cost incurred during the period subject to appeal is at the risk of the applicant.

SEE THE STATE OF IOWA'S CHANGES TO THE VARIANCE REQUIREMENTS BELOW:



STATE OF IOWA
KIM REYNOLDS
GOVERNOR

April 25, 2025

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary,

I hereby transmit:

House File 652, an Act concerning county and city regulation of real property and the powers granted to a board of adjustment.

The above House File is hereby approved on this date.

Sincerely,


Kim Reynolds
Governor of Iowa

cc: Secretary of the Senate
Clerk of the House



House File 652

AN ACT
CONCERNING COUNTY AND CITY REGULATION OF REAL PROPERTY AND THE
POWERS GRANTED TO A BOARD OF ADJUSTMENT.

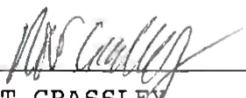
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

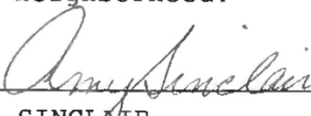
Section 1. Section 335.15, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 4. To authorize on appeal, in specific cases, such variance from the terms of the ordinance with respect to the area, dimensional, or other numerical limitations as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in practical difficulties to the property owner in making a beneficial use of the property allowed by the zoning ordinance, and so that the spirit of the ordinance shall be observed and substantial justice done. Area, dimensional, or other numerical limitations subject to variances include but are not limited to requirements for minimum lot size, setbacks, yard widths, height, bulk, sidewalks, fencing, signage, and off-street parking. To receive the requested area, dimensional, or other numerical variance, the property owner must prove that the practical difficulties faced are unique to the property at issue and not self-created and must also demonstrate that granting the variance will not significantly alter the essential character of the surrounding neighborhood.

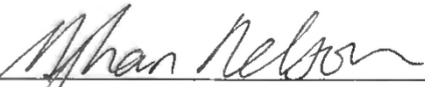
Sec. 2. Section 414.12, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 4. To authorize on appeal, in specific cases, such variance from the terms of the ordinance with respect to the area, dimensional, or other numerical limitations as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in practical difficulties to the property owner in making a beneficial use of the property allowed by the zoning ordinance, and so that the spirit of the ordinance shall be observed and substantial justice done. Area, dimensional, or other numerical limitations subject to variances include but are not limited to requirements for minimum lot size, setbacks, yard widths, height, bulk, sidewalks, fencing, signage, and off-street parking. To receive the requested area, dimensional, or other numerical variance, the property owner must prove that the practical difficulties faced are unique to the property at issue and not self-created and must also demonstrate that granting the variance will not significantly alter the essential character of the surrounding neighborhood.

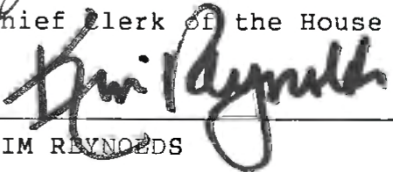

PAT GRASSLEY
Speaker of the House


AMY SINCLAIR
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 652, Ninety-first General Assembly.


MEGHAN NELSON
Chief Clerk of the House

Approved April 25th, 2025


KIM REYNOLDS
Governor



WOODBURY COUNTY PLANNING & ZONING

620 Douglas Street, Sixth Floor, Sioux City, Iowa 51101

712.279.6609 – 712.279.6530 (Fax)

Daniel J. Priestley, MPA – Zoning Coordinator
dpriestley@woodburycountyiowa.gov

Dawn Norton – Senior Clerk
dnorton@woodburycountyiowa.gov

ACCESSORY SECOND DWELLINGS IN IOWA:

Senate File 592, a new Iowa state law approved by Governor Kim Reynolds on May 1, 2025, amends Iowa Code Section 331.301 to regulate accessory dwelling units (ADUs) in counties across the state. This legislation mandates significant changes to county zoning and permitting practices for ADUs, defined as additional residential dwelling units, either attached or detached, on the same lot as a single-family residence.

The legislation is included on the subsequent page.



STATE OF IOWA
KIM REYNOLDS
GOVERNOR

May 1, 2025

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary,

I hereby transmit:

Senate File 592, an Act relating to county and city regulation of accessory dwelling units.

The above Senate File is hereby approved on this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Reynolds", is written over the printed name and title.

Kim Reynolds
Governor of Iowa

cc: Secretary of the Senate
Clerk of the House



Senate File 592

AN ACT

RELATING TO COUNTY AND CITY REGULATION OF ACCESSORY DWELLING
UNITS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 331.301, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 27. *a.* A county shall allow a minimum of one accessory dwelling unit on the same lot as a single family residence in accordance with the following conditions:

- (1) An accessory dwelling unit shall comply with all applicable building regulations as defined in chapter 103A.
- (2) An accessory dwelling unit shall not exceed one thousand square feet or fifty percent of the size of the single family residence, whichever is larger.
- (3) An accessory dwelling unit shall be prohibited or limited only to the extent that a state historic building code restriction, as adopted by a county in accordance with section 103A.43, subsection 3, a deed restriction, or a rule of a common interest community, as defined in section 499C.1, limits or prohibits the construction or use of an accessory dwelling unit. The imposition of an ordinance, motion, resolution, or amendment regulating accessory dwelling units that is more restrictive when applied to a common interest community than when applied to a single family residence is prohibited.
- (4) If a manufactured home as defined in section 435.1, subsection 3, or a mobile home as defined in section 435.1,

subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to section 435.26.

b. Except as otherwise provided in paragraph "a" or by state law, a county shall not impose any of the following limitations or restrictions:

(1) Requirements related to the placement or appearance of an accessory dwelling unit that are more restrictive than those imposed on a single family residence including but not limited to the following: maximum building heights; minimum setback requirements; minimum lot sizes; minimum building frontages; maximum lot coverages; density requirements; and aesthetic or architectural standards or requirements. Additionally, a county shall not require an accessory dwelling unit to match the exterior design, roof pitch, or finishing materials of the single family residence.

(2) Regulations on the use of an accessory dwelling unit as a rental property that are more restrictive than those provided for in subsection 18 of this section and chapter 562A.

(3) A requirement that the lot containing a single family residence and an accessory dwelling unit have additional parking beyond that required for a single family residence or payment of a fee in lieu of providing additional parking.

(4) Restrictions on the occupancy of either the single family residence or the accessory dwelling unit by any of the following manners: requiring the property owner to be a resident; requiring a familial, marital, or employment relationship to exist between the occupants of the single family residence and the occupants of the accessory dwelling unit; or restricting the occupancy of an accessory dwelling unit based on income or age.

(5) The requirement of new or separate utility lines between the accessory dwelling unit and public utility service connections. However, if full utility access that includes a separate metering system for billing purposes cannot be provided to the accessory dwelling unit, then the county can require new or separate utility lines.

(6) Imposition of a different county impact fee structure or

development standard for an accessory dwelling unit than those used for the single family residence on the same lot.

(7) The requirement of improvements or repairs to public streets or sidewalks beyond those imposed on the single family residence on the same lot.

c. A county shall approve an accessory dwelling unit permit application that meets the requirements set forth in paragraph "a" and by state law without discretionary review or hearing and consistent with the time frame assigned to the approval of a single family residence. An accessory dwelling unit permit application shall not have a review timeline or schedule in excess of a county's normal review schedule for a single family residence. If the county denies an accessory dwelling unit permit, the reason for denial shall be provided in writing to the applicant and include any remedy necessary to secure approval.

d. A county ordinance, motion, resolution, or amendment regulating accessory dwelling units in a manner that conflicts with this subsection is void. Nothing in this subsection prohibits a county from adopting an ordinance, motion, resolution, or amendment that is more permissive than the requirements provided in this subsection.

e. For the purposes of this subsection:

(1) "*Accessory dwelling unit*" means an additional residential dwelling unit located on the same lot as a single family residence that is either attached to or detached from the single family residence.

(2) "*Detached*" includes being part of any accessory structure such as a detached garage.

(3) "*Dwelling unit*" means the same as defined in section 562A.6, subsection 3.

(4) "*Single family residence*" means the same as defined in section 562A.6, subsection 15, except to the extent that a single family residence may share utility lines with the accessory dwelling unit if full utility access that includes a separate metering system for billing purposes can be provided to the accessory dwelling unit.

Sec. 2. Section 364.3, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 20. *a.* A city shall allow a minimum of one accessory dwelling unit on the same lot as a single family residence in accordance with the following conditions:

(1) An accessory dwelling unit shall comply with all applicable building regulations as defined in chapter 103A.

(2) An accessory dwelling unit shall not exceed one thousand square feet or fifty percent of the size of the single family residence, whichever is larger.

(3) An accessory dwelling unit shall be prohibited or limited only to the extent that a state historic building code restriction, as adopted by a city in accordance with section 103A.43, subsection 3, a deed restriction, or a rule of a common interest community, as defined in section 499C.1, limits or prohibits the construction or use of an accessory dwelling unit. The imposition of an ordinance, motion, resolution, or amendment regulating accessory dwelling units that is more restrictive when applied to a common interest community than when applied to a single family residence is prohibited.

(4) If a manufactured home as defined in section 435.1, subsection 3, or a mobile home as defined in section 435.1, subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to section 435.26.

b. Except as otherwise provided in paragraph "a" or by state law, a city shall not impose any of the following limitations or restrictions:

(1) Requirements related to the placement or appearance of an accessory dwelling unit that are more restrictive than those imposed on a single family residence including but not limited to the following: maximum building heights; minimum setback requirements; minimum lot sizes; minimum building frontages; maximum lot coverages; density requirements; and aesthetic or architectural standards or requirements. Additionally, a city shall not require an accessory dwelling unit to match the exterior design, roof pitch, or finishing materials of the single family residence.

(2) Regulations on the use of an accessory dwelling unit as a rental property that are more restrictive than those provided

for in subsections 9 and 16 of this section, section 414.1, subsection 1, paragraph "e", and chapter 562A.

(3) A requirement that the lot containing a single family residence and an accessory dwelling unit have additional parking beyond that required for a single-family residence or payment of a fee in lieu of providing additional parking.

(4) Restrictions on the occupancy of either the single family residence or the accessory dwelling unit by any of the following manners: requiring the property owner to be a resident; requiring a familial, marital, or employment relationship to exist between the occupants of the single family residence and the occupants of the accessory dwelling unit; or restricting the occupancy of an accessory dwelling unit based on income or age.

(5) A requirement of new or separate utility lines between the accessory dwelling unit and public utility service connections. However, if full utility access that includes a separate metering system for billing purposes cannot be provided to the accessory dwelling unit, then the city can require new or separate utility lines.

(6) Imposition of a different city impact fee structure or development standard for an accessory dwelling unit than those used for the single family residence on the same lot.

(7) The requirement of improvements or repairs to public streets or sidewalks beyond those imposed on the single family residence on the same lot.

c. A city shall approve an accessory dwelling unit permit application that meets the requirements set forth in paragraph "a" and by state law without discretionary review or hearing and consistent with the time frame assigned to the approval of a single family residence. An accessory dwelling unit permit application shall not have a review timeline or schedule in excess of a city's normal review schedule for a single family residence. If the city denies an accessory dwelling unit permit, the reason for denial shall be provided in writing to the applicant and include any remedy necessary to secure approval.

d. A city ordinance, motion, resolution, or amendment regulating accessory dwelling units in a manner that conflicts

with this subsection is void. Nothing in this subsection prohibits a city from adopting an ordinance, motion, resolution, or amendment that is more permissive than the requirements provided in this subsection.

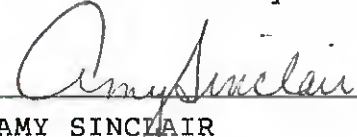
e. For the purposes of this subsection:


(1) "*Accessory dwelling unit*" means an additional residential dwelling unit located on the same lot as a single family residence that is either attached to or detached from the single family residence.

(2) "*Detached*" includes being part of an accessory structure such as a detached garage.

(3) "*Dwelling unit*" means the same as defined in section 562A.6, subsection 3.


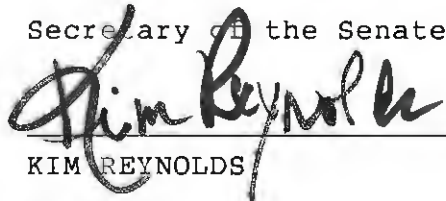
(4) "*Single family residence*" means the same as defined in section 562A.6, subsection 15, except to the extent that a single family residence may share utility lines with the accessory dwelling unit if full utility access that includes a separate metering system for billing purposes can be provided to the accessory dwelling unit.


AMY SINCLAIR
President of the Senate


PAT GRASSLEY
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 592, Ninety-first General Assembly.

Approved , 2025


W. CHARLES SMITHSON
Secretary of the Senate

KIM REYNOLDS
Governor



WOODBURY COUNTY PLANNING & ZONING

620 Douglas Street, Sixth Floor, Sioux City, Iowa 51101

712.279.6609 – 712.279.6530 (Fax)

Daniel J. Priestley, MPA – Zoning Coordinator
dpriestley@woodburycountyiowa.gov

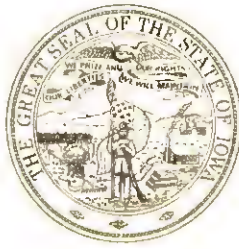
Dawn Norton – Senior Clerk
dnorton@woodburycountyiowa.gov

CHANGES TO VARIANCE PROCEDURES IN IOWA:

On April 25, 2025, Governor Kim Reynolds signed House File 652 (see attached), which amends Iowa Code Sections 335.15 to introduce new provisions governing the variance process for county zoning regulations.

The new subsection, added as Section 335.15(4) for counties, grant the Board of Adjustment the authority to approve variances from area, dimensional, or other numerical limitations in zoning ordinances. These limitations include, but are not limited to, minimum lot size, setbacks, yard widths, height, bulk, sidewalks, fencing, signage, and off-street parking. The intent is to allow flexibility where strict enforcement of an ordinance would cause practical difficulties for a property owner in making beneficial use of their property, as permitted by the zoning ordinance.

The legislation is included on the subsequent page.



STATE OF IOWA
KIM REYNOLDS
GOVERNOR

April 25, 2025

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary,

I hereby transmit:

House File 652, an Act concerning county and city regulation of real property and the powers granted to a board of adjustment.

The above House File is hereby approved on this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Reynolds", written over the printed name.

Kim Reynolds
Governor of Iowa

cc: Secretary of the Senate
Clerk of the House



House File 652

AN ACT

CONCERNING COUNTY AND CITY REGULATION OF REAL PROPERTY AND THE
POWERS GRANTED TO A BOARD OF ADJUSTMENT.

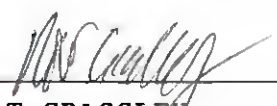
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

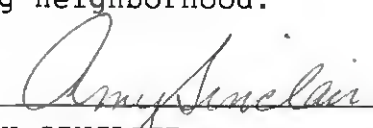
Section 1. Section 335.15, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 4. To authorize on appeal, in specific cases, such variance from the terms of the ordinance with respect to the area, dimensional, or other numerical limitations as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in practical difficulties to the property owner in making a beneficial use of the property allowed by the zoning ordinance, and so that the spirit of the ordinance shall be observed and substantial justice done. Area, dimensional, or other numerical limitations subject to variances include but are not limited to requirements for minimum lot size, setbacks, yard widths, height, bulk, sidewalks, fencing, signage, and off-street parking. To receive the requested area, dimensional, or other numerical variance, the property owner must prove that the practical difficulties faced are unique to the property at issue and not self-created and must also demonstrate that granting the variance will not significantly alter the essential character of the surrounding neighborhood.

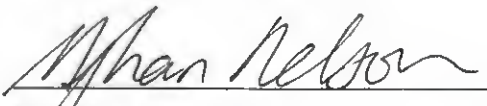
Sec. 2. Section 414.12, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 4. To authorize on appeal, in specific cases, such variance from the terms of the ordinance with respect to the area, dimensional, or other numerical limitations as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in practical difficulties to the property owner in making a beneficial use of the property allowed by the zoning ordinance, and so that the spirit of the ordinance shall be observed and substantial justice done. Area, dimensional, or other numerical limitations subject to variances include but are not limited to requirements for minimum lot size, setbacks, yard widths, height, bulk, sidewalks, fencing, signage, and off-street parking. To receive the requested area, dimensional, or other numerical variance, the property owner must prove that the practical difficulties faced are unique to the property at issue and not self-created and must also demonstrate that granting the variance will not significantly alter the essential character of the surrounding neighborhood.

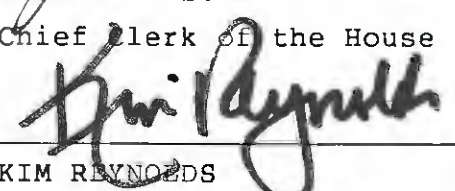

PAT GRASSLEY
Speaker of the House


AMY SINCLAIR
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 652, Ninety-first General Assembly.


MEGHAN NELSON
Chief Clerk of the House

Approved April 25th, 2025


KIM REYNOLDS
Governor