

Minutes - Woodbury County Board of Adjustment – July 7, 2025

The Board of Adjustment convened on the 7th day of July 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=Zfp8l6UUPus>
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BA Members Present:

Daniel Hair, Doyle Turner, Pam Clark, Tom Thiesen

County Staff Present:

Dan Priestley, Dawn Norton

Public Present:

Jason Reynoldson, Kevin Heiss, Slater Ohm, Kevin Morton, Doug Rush, Sheila Alioth, Jeremy Boatman, Jim Sykes, Adam Boeve, Jenette Frey, Dana Neal (on phone)

1. Call to Order

- Time: 5:00 PM
- Action: Chair Daniel Hair called the meeting to order, noting the absence of board member Larry Fillipi.
- Details: The meeting was audio-recorded, and minutes were to be prepared. Attendees were asked to silence cell phones and complete the attendance sheet. Chair Hair reviewed the board's procedures, including the handling of public hearings, staff reports, applicant presentations, public comments, and board deliberations. He outlined the process for motions, votes, and appeals, emphasizing respectfulness and the avoidance of repetitious comments.

2. Public Comment on Matters Not on the Agenda

- Action: Chair Hair opened the floor for public comments on non-agenda items.
- Outcome: No public comments were received.

3. Approval of Previous Meeting Minutes

- Agenda Item: Approval of the minutes from the June 2, 2025, meeting.
- Action:
 - o Motion: Pam Clark moved to approve the minutes.
 - o Second: Tom Thiesen seconded the motion.
 - o Vote: Unanimous approval (all present voted "I").
- Outcome: The minutes were approved as presented.

4. Public Hearing: Conditional Use Permit Application from Morningside University

- Agenda Item: Consideration of a conditional use permit application from Morningside University to construct and operate a baseball stadium on parcel #88471430000005, located along County Home Road, Buchanan Avenue, and Old Highway 141.
- Public Hearing Opened:
 - o Time: Approximately 5:05 PM
 - o Action: Chair Hair opened the public hearing.
- Staff Report:
 - o Presenter: Dan Priestley, Zoning Coordinator
 - o Details: Priestley noted this was a continuation of the June 2, 2025, public hearing. Public notices complied with requirements. Concerns from the previous meeting included traffic management, infrastructure, noise control, lighting mitigation, parking, dust control, and operational restrictions. Morningside University submitted additional information to address these issues.
- Applicant Presentation:

- Presenter: Jason Reynoldson, Assistant Vice President for Facilities, Morningside University
- Key Points:
 - Traffic Control: Student workers will direct traffic. A traffic impact study was initiated with the Iowa DOT to assess needs for turn lanes or speed limit reductions, in consultation with County Engineer Laura Sievers.
 - Dust Control: The site is surrounded by asphalt and concrete, minimizing dust. Calcium chloride can be applied to adjacent gravel roads if needed.
 - Lighting Mitigation: LED lights with shutters will reduce light pollution to approximately 3% at 20 feet from poles. Wall packs with similar properties will be used for buildings.
 - Noise Control: Sound systems will be programmed to a 55-60 decibel limit, with a 10:00 PM curfew enforced by automatic shutoff.
 - Parking: Parking will be along Buchanan Avenue and County Home Road, with potential overflow on Sheriff's Department property if approved.
 - Other: The facility will use well and septic systems. Snow removal will be managed by Morningside's maintenance team, with roads handled by Woodbury County.
- Public Comments:
 - Doug Rush (1710 County Home Road): Raised concerns about snow drift due to the proposed fence and inquired about sewer/water connections. Reynoldson clarified the use of well and septic systems and snow removal plans.
 - Laura Sievers (County Engineer): Confirmed the traffic study process, noting that Morningside's compliance with DOT requirements would ensure safe access.
- Board Questions and Discussion:
 - Board members asked about the closest residence (approximately 500 feet away), traffic study timeline (not yet finalized), and snow drift impacts. Sievers noted that an open fence would likely not significantly affect snow drift, and county roads would be prioritized for clearing.
- Public Hearing Closed:
 - Motion: Doyle Turner moved to close the public hearing.
 - Second: Pam Clark seconded the motion.
 - Vote: Unanimous approval (all present voted "I").
- Board Deliberation:
 - Key Issues: The lack of a finalized traffic study raised concerns about public safety and potential infrastructure changes (e.g., turn lanes, right-of-way adjustments). The 35-day decision timeline under the zoning ordinance limited options.
 - Options Considered:
 - Approve with conditions tied to the traffic study.
 - Deny with a waiver of the one-year reapplication rule to allow resubmission with the study.
 - Concerns: Approving with conditions risked uncertainty if the study required significant changes. Denying with a waiver was seen as a cleaner approach, allowing Morningside to resubmit with complete information.
- Decision:
 - Motion: Doyle Turner moved to deny the conditional use permit due to the lack of a finalized traffic study ensuring public safety on and around Old Highway 141, while waiving the one-year reapplication rule to allow Morningside College to reapply with new information.
 - Second: Tom Thiesen seconded the motion.
 - Vote: Unanimous approval (all present voted "I").
- Outcome: The permit was denied, but Morningside was permitted to reapply without the one-year restriction.

5. Public Hearing: Conditional Use Permit Application from Rent Properties

- Agenda Item: Consideration of a conditional use permit application from Rent Properties (Kevin Heiss) to construct and operate a 14x48 LED billboard for off-premise advertising on parcel #88461000000002, along Highway 20 east of Charles Avenue.

- Public Hearing Opened:
 - Action: Chair Hair opened the public hearing.
- Staff Report:
 - Presenter: Dan Priestley
 - Details: The billboard is proposed in a general commercial zoning district, where off-premise signs require a conditional use permit. The application complies with setback requirements (1,000 feet from other billboards and agricultural estates zoning districts). The Zoning Commission recommended exploring reduced setback requirements.
- Applicant Presentation:
 - Presenters: Kevin Heiss and Slater Ohm
 - Key Points:
 - The billboard is a V-shaped LED sign, facing Highway 20, with no lighting on the back.
 - A lighting study confirmed minimal light leakage (0.01 foot-candle at Dana Neal's property, over 1,000 feet away).
 - Moving the billboard 200 feet north would reduce light impact further but requires a variance due to setback rules.
 - The applicants prefer approval at the current location but are open to seeking a variance to move it north or across the creek.
 - Action:
 - Motion: Doyle Turner moved to receive the lighting study into the record. (See appendix)
 - Second: Pam Clark seconded the motion.
 - Vote: Unanimous approval (all present voted "I").
- Public Comments:
 - Dana Neal (on phone, 1774 162nd Street): Expressed concerns about light impacting his elevated home, suggesting the study's ground-level readings may not reflect his experience. Preferred moving the billboard north or across the creek.
 - Jeremy Boatman (1762 162nd Street): Echoed lighting concerns, noting his home's proximity and patio use. Suggested moving the billboard across the creek to affect fewer residences.
- Board Questions and Discussion:
 - The board explored moving the billboard north (requiring a variance) or across the creek.
 - Concerns were raised about due process if the location changed significantly, as notified neighbors might differ.
 - The board considered tabling the decision to allow a variance application for alternative locations within the same parcel.
- Public Hearing Closed:
 - Motion: Pam Clark moved to close the public hearing.
 - Second: Doyle Turner seconded the motion.
 - Vote: Unanimous approval (all present voted "I").
- Board Deliberation:
 - Key Issues: Balancing applicant compliance with neighbor concerns about lighting. The potential variance for a northern or eastern location was appealing but required further process.
 - Options Considered:
 - Approve as presented.
 - Table to allow a variance application for alternative locations.
 - Deny with a reset for a new location.
 - Decision Rationale: Tabling was chosen to maintain due process while addressing neighbor concerns, allowing time for a variance application without jeopardizing the applicant's timeline excessively.
- Decision:
 - Motion: Doyle Turner moved to table the application to explore different locations within the parcel.
 - Second: Pam Clark seconded the motion.

- Vote: Unanimous approval (all present voted "I").
 - Outcome: The application was tabled, with the applicant encouraged to file a variance application.
6. Public Hearing: Variance Application from Kevin Morton
- Agenda Item: Consideration of a variance application from Kevin Morton (108 Bigalow Park Road, Salix) to reduce the required 10-foot setback between structures to 4 feet for a garage on parcel #874733376005.
 - Public Hearing Opened:
 - Action: Chair Hair opened the public hearing.
 - Staff Report:
 - Presenter: Dan Priestley
 - Details: The variance would allow a functional garage with a pass-through driveway, maintaining compliance with well, septic, and property line requirements. A neighbor's letter of support was included. Staff recommended approval based on practical difficulty and recent legislation.
 - Applicant Presentation:
 - Presenter: Kevin Morton
 - Key Points:
 - The garage would provide storage for a motorcycle, four-wheeler, and lawnmower, currently kept outside.
 - A surveyor confirmed the garage would be approximately 5 feet 9 inches from the property line, exceeding the 3-foot side yard setback.
 - The 4-foot setback allows for a larger garage, enhancing property value and access.
 - Public Comments: None received. A neighbor's letter of support was noted.
 - Board Questions and Discussion:
 - The board clarified the garage's access via a pass-through driveway and confirmed no structural issues with the existing house.
 - Public Hearing Closed:
 - Motion: Pam Clark moved to close the public hearing.
 - Second: Doyle Turner seconded the motion.
 - Vote: Unanimous approval (all present voted "I").
 - Board Deliberation:
 - The application was deemed straightforward, meeting all criteria with no opposition.
 - Decision:
 - Motion: Pam Clark moved to approve the variance to reduce the setback from 10 feet to 4 feet for the construction of the proposed garage.
 - Second: Doyle Turner seconded the motion.
 - Vote: Unanimous approval (all present voted "I").
 - Outcome: The variance was approved as presented.
7. Public Comment on Matters Not on the Agenda
- Action: Chair Hair opened the floor for additional public comments.
 - Outcome: No comments were received.
8. Staff Update
- Presenter: Dan Priestley
 - Details: No updates were provided, with Priestley noting he would communicate any developments via email.

9. Board Member Comment or Inquiry

- Outcome: No comments or inquiries were raised by board members.

10. Adjournment

- Action:
 - Motion: Pam Clark moved to adjourn the meeting.
 - Second: Doyle Turner seconded the motion.
 - Vote: Unanimous approval (all present voted "I").
- Outcome: The meeting was adjourned at 7:41 PM

APPENDIX



DAKTRONICS.COM

201 Daktronics Drive PO Box 5128
Brookings, South Dakota 57006-5128
T 800-325-8766 605-692-0200 F 605-697-4700
signagelegislation@daktronics.com

7/7/2025

Re: Lighting Analysis for Daktronics Digital Display

The attached lighting analysis pertains to the digital display manufactured by Daktronics, Inc., and proposed for installation at 42.474223, -96.251723. The following is an explanation of the analysis:

1. Units of Measurement. A foot-candle (or foot-candle, fc, lm/ft², or ft-c) is a measurement of light intensity. One foot-candle is defined as enough light to saturate a one-foot square with one lumen of light. For example, where the display illuminates at 0.01, it has a light intensity of approximately 1% of a single wax candle as viewed from 1 foot away.
2. Assumptions. The accompanying graph depicts illumination levels in foot candles that the display will produce based on nighttime running levels measured at a height of 34 feet. The measurements assume *total darkness* with regards to the surrounding light and an *all-white content* on the display. These assumptions provide for the worst-case scenario, not the more likely application.
3. Practical Application. Typical content runs at 25-35% of the brightness of all-white content, therefore, the actual levels of illumination will nearly always be markedly lower than that shown in the graph.
4. Ambient Light Effects. The presence of ambient light producing elements at night including, but not limited to, roadway and traffic lighting, commercial lighting from nearby commercial properties, the moon, etc., will further diminish the impact of the light output from the display in question.
5. Display Features. The display is equipped so as not to exceed 0.3 foot candles above ambient light as measured from the appropriate distance. This standard is based on the acceptable standards for outdoor illumination from the Illuminating Engineering Society of North America, and has been implemented in the numerous states and municipalities throughout the U.S.
6. Automatic Dimming Technology. The perceived brightness of an electronic message center is dependent on a variety of factors. Ambient light conditions play the largest role in affecting the brightness of the display.

A digital billboard communicates its messages by emitting light. It therefore must not be too dim, since it couldn't be distinguished in sunlight; nor should it be too bright, as the image will be distorted and difficult to read. The sign must adjust its brightness over the course of the day. Today's signs can dim from 100% during a bright sunny afternoon, to around 4% (depending on manufacturer and model) during the darkest night. That means the sign is only 4% (if Billboard) as bright at night as during the daytime. During the course of the day, the sign will periodically adjust its brightness levels to ensure it is operating appropriately.



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This adjustment is possible because of the photocell/light sensor. This display comes equipped with a light sensor, which detects the ambient light level, and adjusts the sign's brightness accordingly. There are up to two hundred fifty-six levels of dimming available.

Please let me know if you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Clites'.

Jennifer Clites
Signage Legislation
(605) 692-0200



DAKTRONICS

DB-14x48

Riverside Technologies Inc

42.474223, -96.251723

Values expressed are specific to Daktronics product only

Date: 7/2/2025

Prepared by: Eric Johnson



-Display at 3% of Maximum Daytime Brightness(6,500)
-Calculations take into account an overall Billboard height of 34'
-Any rise or fall in elevation or physical blockage is not shown in calculations

*Calculations are based on Red, Green, and Blue LEDs (White Content) powered to their maximum potential for nighttime viewing. Values are shown in footcandles (fc).