



# WOODBURY COUNTY BOARD OF ADJUSTMENT

## Monday, July 7, 2025 at 5:00 PM

The Woodbury County Board of Adjustment will hold a public meeting on **Monday, July 7, 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 7<sup>th</sup> 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	<b>CALL TO ORDER</b>
2	<b>ROLL CALL</b>
3	<b>PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM)</b>
4	<b>APPROVAL OF PREVIOUS MEETING MINUTES (ACTION ITEM)</b>
5	<b>ITEM(S) OF ACTION / BUSINESS</b>
»	<b>PUBLIC HEARING: CONDITIONAL USE PERMIT APPLICATION (ACTION ITEM) FOR FIELD FOR COMPETITIVE ATHLETIC (BASEBALL FIELD FOR MORNINGSIDE UNIVERSITY) (PARCEL #884714300005) (ACTION ITEM).</b>  <b>SUMMARY:</b> 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. The property abuts and is located south of Old Highway 141 and east of Buchanan Avenue and north of County Home Road just north of 1600 County Home Road, Sergeant Bluff, IA 51054. Owners/Applicants: Morningside University (Owner), 1501 Morningside Ave., Sioux City, IA 51106. / Jason Reynoldson (Applicant), 3600 Garretson Ave., Sioux City, IA 51106.
»	<b>PUBLIC HEARING: CONDITIONAL USE PERMIT APPLICATION: FROM KEVIN HEISS (APPLICANT) OF RENT PROPERTIES LLC (OWNER) TO CONSTRUCT AND OPERATE AN OFF-PREMISE 14' X 48' LED BILLBOARD (DOUBLE-SIDED) ON PARCEL #884606100002 (ACTION ITEM).</b>  <b>SUMMARY:</b> Kevin Heiss, representing Rent Properties LLC, has submitted a conditional use permit (CUP) application to construct and operate a 14' x 48' LED billboard (double-sided) for off-premise advertising. The property is located in the N 2/3 of the N 1/2 of the NW 1/4, Section 6, Township 88N, Range 46W (Floyd Township), identified as Parcel 884606100002. It is proposed to be situated along the south side of Highway 20 and the east side of Charles Avenue. The property is in the General Commercial (GC) Zoning District, where "off-premise advertising signs (e.g. Billboards)" are classified as a conditional use under Section 3.03.4 and Section 5.02.8 of the Woodbury County Zoning Ordinance, subject to review by the Zoning Commission and approval by the Board of Adjustment. The property abuts and is located south of Highway 20 and east of Charles Avenue which is east of the property addressed at 1605 Charles Avenue, Lawton, IA 51030. Owner/Applicant: Kevin Heiss/Rent Properties, 204 Buckeye Circle, Lawton, IA 51030.

»	<p><b>PUBLIC HEARING: VARIANCE APPLICATION FROM KEVIN MORTON, 108 BIGELOW PARK ROAD, SALIX, IA 51052 FOR A SETBACK REDUCTION REQUEST ON PARCEL #874733376005 (ACTION ITEM).</b></p> <p><b>SUMMARY:</b> Kevin Morton, at 108 Bigelow Park Road, Salix, IA 51052, seeks approval to construct a new garage behind an existing garage that is requested to be set back four (4) feet from the existing garage. The property owner has filed this variance application to seek relief from Section 4.12.5 of the Woodbury County Zoning Ordinance pertaining to "Accessory Buildings" which states "5. Detached accessory structures shall not be located closer to any other accessory or principal building than ten feet" (p. 46). The proposed garage size is approximately 24' x 16' and subject to changes. The property is located on a 0.44 acre lot identified as Parcel #874733376005 and is identified as Lot 5 in Block 1 in the Galland's Lakeview Second Sub-Division in Section 33 in T87N R47W (Liberty Township) and in the Suburban Residential (SR) Zoning District. The property abuts and is located on the south side of Bigelow Park Road and west of 275th Street. Owner/Applicant: Kevin L. Morton, 108 Bigelow Park Rd., Salix, IA 51052.</p>
6	<b>PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM)</b>
7	<b>STAFF UPDATE (INFORMATION ITEM)</b>
8	<b>BOARD MEMBER COMMENT OR INQUIRY (INFORMATION ITEM)</b>
9	<b>ADJOURN (ACTION ITEM)</b>



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## Minutes - Woodbury County Board of Adjustment – June 2, 2025

The Board of Adjustment convened on the 2nd day of June 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.

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### 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/](https://www.woodburycountyiowa.gov/committees/board_of_adjustment/)
  - YouTube Direct Link:
    - o <https://www.youtube.com/watch?v=Ood2zFzS74w>
- 

BA Members Present:

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

County Staff Present:

Dan Priestley, Dawn Norton

Public Present:

Jason Reynoldson, Debra De Forrest, James McCullough, Chad Hofer, Kirby Eli, Jeaneen Eli, Lew Fillipi, Jeanette Frey, Jim Sykes, Vonda Anfinson

### CALL TO ORDER

Chair Daniel Hair called the meeting to order at 5:06 PM.

### ROLL CALL

Chair Hair noted that all members were present except Doyle Turner, who was expected to arrive shortly. The meeting was audio-recorded, and attendees were asked to silence cell phones and sign the attendance sheet. Chair Hair outlined the procedures for the meeting, including public hearing processes, public comment protocols, and the board's deliberation and voting process.

### PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

No public comments were made on matters not listed on the agenda.

### APPROVAL OF MINUTES

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

### PUBLIC HEARING - CONDITIONAL USE PERMIT FOR COMPETITIVE ATHLETIC FIELD (BASEBALL FIELD FOR MORNINGSIDE UNIVERSITY, PARCEL #884714300005) (ACTION ITEM)

Chair Hair opened the public hearing. Dan Priestley presented the staff report, summarizing the application by Jason Reynoldson on behalf of Morningside University to construct and operate a baseball field on Parcel #884714300005 in the Agricultural Preservation (AP) Zoning District. The proposed facility aims to support organized sports, health, wellness, and community engagement, with features like permeable surfaces, native landscaping, and noise/light control to minimize environmental impact. The Zoning Commission reviewed the proposal on May 28, 2025, with a 4-0 vote in favor, noting public concerns about traffic, event scheduling, noise, light disturbance, water usage, and alcohol policies. The proposal meets zoning and site plan requirements but requires Board of Adjustment approval as a conditional use under Section 3.03.4 of the Woodbury County Zoning Ordinance.

### Applicant Presentation

Jason Reynoldson provided an overview, stating the field is primarily for Morningside University's baseball team, with potential use for youth camps and tournaments. The season would span March to April (approximately six weeks), with about 50 games annually, including 15-17 home dates, often as doubleheaders. Games typically last 2-3 hours, with preferred start times around 5:00 PM, ending by 10:00 PM to accommodate student schedules. The initial project excludes lights, but future phases may include them, oriented to minimize impact. Parking is planned on the west and south sides to avoid road parking, and student workers would manage traffic flow. A PA system and walk-up music are planned, with efforts to control noise. Alcohol would be prohibited, with signage and security

enforcement. Team practices would also be done at the field during season and off-season. Double Header start times could be moved to begin earlier. Parking lot would be monitored to prevent alcohol use.

### Public Comments

- **Debra De Forrest:** Expressed concerns about sourcing dirt for the field, suggesting it might come from nearby property, and raised issues about alcohol use and game duration potentially extending past 10:00 PM, citing local baseball games running late.
- **James McCullough:** Noted increased traffic on 141 due to nearby apartments (240-720 additional vehicles daily), emphasizing safety concerns with no turning lanes and high-speed traffic (50-60 mph). Suggested collaboration with the county engineer for traffic solutions.
- **Chad Hofer:** Generally was okay with the project but stressed enforcing a 10:00 PM closure to avoid disturbances, citing a past incident at the nearby county home range. Raised concerns about light spillage into his property and traffic safety, particularly at the 141/Buchanan Avenue intersection due to poor line of sight.

### Public Hearing Closure

The public hearing was closed with a motion by Turner and a second by Clark. Motion carried unanimously (5-0).

### Board Discussion

The board discussed traffic safety, noise, lighting, dust from nearby agricultural trucks, and time restrictions. Key concerns included:

- **Traffic Safety:** The lack of turning lanes on 141 and poor line of sight at intersections, exacerbated by existing apartment traffic and potential game-related traffic (100-200 attendees per game).
- **Noise and Lighting:** Uncertainty about decibel levels and light orientation, with no county ordinance specifying decibel limits in unincorporated areas.
- **Time Restrictions:** Challenges in enforcing a 10:00 PM closure due to variable game lengths.
- **Dust Control:** Dust from trucks on Buchanan Avenue during planting season, impacting air quality and visibility.
- **Construction Timeline:** Morningside aims to start construction to have the field ready for the 2026 spring season.

The board felt insufficient information was available to make a decision, particularly regarding traffic mitigation, noise control, and dust management. They suggested Morningside consult the county engineer for traffic solutions and provide a detailed business plan addressing these concerns.

### Action

- **Motion:** Chair Hair moved to table the conditional use permit application until the next meeting (July 2025) to allow Morningside University to provide clarification on their business plan, including surface water runoff, decibel levels, alcohol policy, dust control, light mitigation, and safe traffic flow to protect public health, welfare, safety, etc.
- **Second:** Pam Clark.
- **Discussion:** None.
- **Vote:** Unanimous in favor (ayes).
- **Outcome:** Motion carried; application tabled. Staff was directed to work with Morningside to address concerns and prepare for a new public hearing in July.

### PUBLIC HEARING - VARIANCE REQUEST - ACCESSORY STRUCTURE PRIOR TO PRINCIPAL STRUCTURE (KIRBY AND JANINE ELI, PARCEL #894214400004) (ACTION ITEM)

Dan Priestley reported a minor error in the letter and legal public notice in the newspaper (incorrect section number: listed as 21, should be 14), but confirmed substantial compliance with notification requirements, as letters were sent to property owners within 500 feet, and the correct parcel number and deed reference were included in both the legal notice and letter which retained context.

Chairman Hair opened the public hearing. Priestley introduced the variance. The applicants, Kirby and Janine Eli, seek to build a 40x60 accessory shed before completing their principal residence on an 11.77-acre parcel in Union Township. They plan to start foundations for both structures simultaneously but prioritize the shed for storing materials and tools during construction, as they will live in a camper on-site. The shed would be enclosed by winter,

with the house construction to follow. Staff recommended approval, citing practical difficulty and the applicants' commitment to building both structures.

### **Applicant Presentation**

Kirby Eli confirmed the plan to build both foundations concurrently, live in a camper, and use the shed for storage during construction. The shed's completion would support their retirement project, and their presence on-site would aid maintenance of adjacent family-owned property.

### **Public Comments**

No public comments were received.

### **Public Hearing Closure**

The public hearing was closed with a motion by Turner and a second by Thiesen. Motion carried unanimously (5-0).

### **Board Discussion**

The board found the request straightforward, noting similar variances approved in the past. The simultaneous foundation work and the applicants' clear plan addressed concerns about ensuring the principal structure's completion. Recent state legislation (House File 652) was noted, which emphasizes practical difficulty over financial hardship, supporting the variance.

### **Action**

- **Motion:** Pam Clark moved to approve the variance, noting substantial compliance with public notice requirements.
- **Second:** Doyle Turner.
- **Discussion:** None.
- **Vote:** Unanimous in favor (ayes).
- **Outcome:** Motion carried; variance approved. The applicants were informed that building permits could be issued, valid for one year with renewal options.

### **ACCESSORY SECOND DWELLINGS - SENATE FILE 592 (INFORMATION ITEM)**

Dan Priestley briefed the board on Senate File 592, signed by Governor Reynolds on May 1, 2025, amending Iowa Code Section 331.301. Key points:

- Counties must allow at least one accessory dwelling unit (ADU) on lots with a single-family residence, subject to state building codes and a size limit of 1,000 square feet or 50% of the primary residence's size, whichever is larger.
- ADUs cannot face stricter regulations than single-family homes regarding setbacks, height, or aesthetics.
- ADU permits must be approved administratively without public hearings, streamlining the process.
- Counties cannot require ADUs to be tied to specific uses (e.g., family or workers), voiding conflicting ordinances.
- Strategic placement of ADUs was advised to facilitate future lot splits and maintain property value, with considerations for wells, septic systems, and driveway access.

The board discussed potential challenges, such as increased driveway density on farm-to-market roads and the need for county engineer input on access safety. No action was required, as this was an information item.

### **VARIANCE LEGISLATION UPDATE (INFORMATION ITEM)**

Dan Priestley updated the board on House File 652, which expands variance authority under Iowa Code Sections 335.15 and 414.12. The legislation shifts focus from economic hardship to practical difficulty, allowing more flexibility for setbacks and dimensional requirements. Applicants must prove the difficulty is unique and not self-created, and the variance must not alter the neighborhood's character. The board noted this aligns with their criteria and supports reasonable development. No action was required.

### **NUCLEAR ENERGY FACILITY DISCUSSION (INFORMATION ITEM)**

Dan Priestley reported on the Zoning Commission's discussions on nuclear energy facilities. The commission is exploring defining nuclear facilities in the zoning ordinance to address permitting proactively, balancing flexibility

with clear definitions. Assistant County Attorney Joshua Widman advised enumerating nuclear facilities separately from general electrical energy generation to strengthen legal defensibility. A proposed 10-mile notification radius for nuclear projects was discussed, compared to the standard 500 feet for most conditional uses. Recent federal executive orders aim to streamline nuclear permitting, and the county is monitoring these developments. Public engagement remains low, but the commission aims to recommend ordinance changes to the Board of Supervisors. No action was required.

#### **BORROW PIT ZONING ORDINANCE TEXT AMENDMENT (INFORMATION ITEM)**

Dan Priestley discussed a proposed amendment to allow conditional use permits for borrow pits in the Agricultural Estates (AE) Zoning District, aligning it with the Agricultural Preservation (AP) District. Currently, borrow pits are prohibited in AE, despite similar land use characteristics. The amendment addresses practical needs for landowners to remove and sell dirt, especially for non-farmers, while ensuring public notification due to impacts like noise and traffic. The Zoning Commission voted 4-0 to recommend the amendment to the Board of Supervisors, with public hearings planned. No action was required.

#### **PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA.**

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

#### **STAFF UPDATE**

Dan Priestley urged the board to monitor upcoming Board of Supervisors' discussions on nuclear facilities and borrow pits, emphasizing ongoing zoning issues and encouraging communication.

#### **BOARD MEMBER COMMENT OR INQUIRY**

Chair Hair invited board member comments or inquiries. None.

#### **MOTION TO ADJOURN**

- **Motion:** Tom Thiesen moved to adjourn.
- **Second:** Doyle Turner.
- **Vote:** Unanimous in favor (ayes).
- **Outcome:** Meeting adjourned at an unspecified time.

The meeting ended at 7:08 PM



# 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

## FOLLOW-UP REPORT – JULY 3, 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:	May 17, 2025 & June 21, 2025
Neighbor(s) Notice Date:	May 15, 2025 & June 19, 2025
Stakeholder(s) Notice Date:	Thursday, May 1, 2025
Zoning Commission Review:	Wednesday, May 28, 2025
Board of Adjustment Public Hearing(s):	June 2, 2025, July 7, 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

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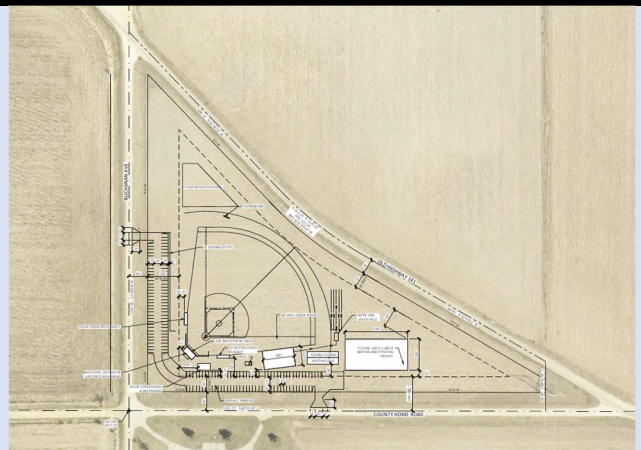
## SUMMARY

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 and June 21, 2025. Neighbors within 500 feet were notified via a May 15, 2025 and June 19, 2025 letter about the Board of Adjustment public hearing on May 2, 2025 and July 7, 2025, respectively. 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. Following the initial Board of Adjustment public hearing, the matter was tabled to this month's meeting for further clarification from Morningside College about numerous items not limited to traffic management and safety, noise control, lighting, time restrictions, dust control, alcohol policy, surface water runoff, construction timeline, and facility use and management. The Board of Adjustment will conduct the follow-up public hearing on July 7, 2025 at 5:00 PM.

## 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:

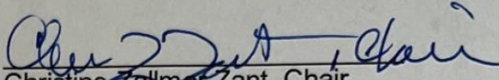
- Traffic increase to the area
  - Traffic management plan
- Event scheduling/time limitations
  - Event hours, night-time limitations (curfew)
- Noise and Light Disturbance
- Water Usage and Impact on Wells
- Intended Use of Property
  - Request for clarity on what kinds of events will be hosted beyond 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/](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





## 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](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 in 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.

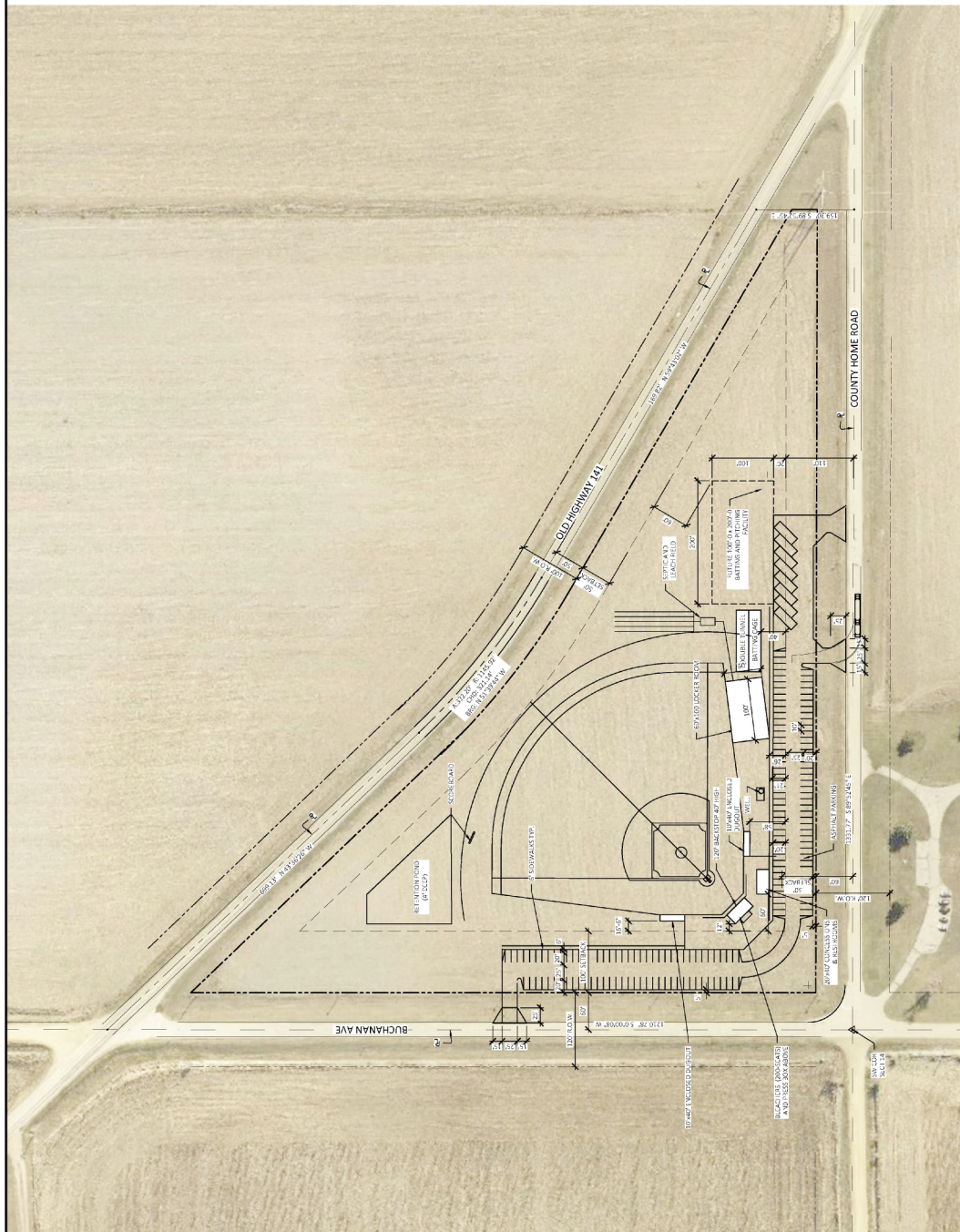
	<p><b>Minimizing Scenic Impact</b> – The field can be integrated into the landscape using natural contours and vegetation buffers to maintain the area's scenic beauty.</p> <p><b>Respecting Historic Sites</b> – If the land has historical significance, the design can incorporate interpretive signage or preserve key elements of the site, ensuring that its heritage remains intact.</p> <p><b>Sustainable Construction</b> – Using eco-friendly materials and minimizing land grading can reduce environmental disruption.</p> <p><b>Noise and Light Management</b> – Shielded lighting and sound barriers can prevent disturbances to nearby properties, ensuring the field does not negatively impact the surroundings.</p> <p><b>Traffic and Infrastructure Planning</b> – Proper access routes and parking facilities can prevent congestion and maintain the orderly development of adjacent properties.</p>
	<p><b>STAFF ANALYSIS:</b></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><b>APPLICANT RESPONSE:</b></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><b>STAFF ANALYSIS:</b></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><b>APPLICANT RESPONSE:</b></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><b>STAFF ANALYSIS:</b></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]







## CONDITIONAL USE PERMIT APPLICATION

<b>Owner Information:</b>  Owner: Morningside University  Address: 1501 Morningside Ave. Sioux City, IA 51106  Phone: 712-274-5116	<b>Applicant Information:</b>  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.					
<b>Property Information:</b> <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><b>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).</b></p> <p><b>A formal pre-application meeting is recommended prior to submitting this application.</b></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>				

<b>Fee:</b> \$300* <b>Case #:</b> <u>7055</u>  <b>Check #:</b> <u>3 CC ending 6257</u>  <b>Receipt #:</b> _____	Date Received <div style="font-size: 2em; font-weight: bold; color: blue;">RECEIVED</div> <div style="color: red; font-weight: bold;">MAY 1 2025</div> <div style="font-size: 0.8em; color: blue;">WOODBURY COUNTY</div>
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### 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

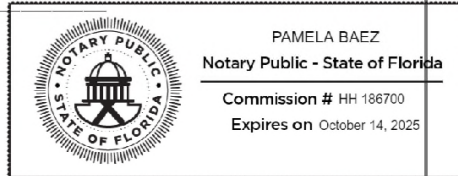
Publication Fee: \$54.28

*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](mailto: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 (field for competitive athletic) 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 Gametown 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. 45). 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

## AFFIDAVIT OF PUBLICATION

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

State of Florida, County of Broward, 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:**

Jun. 21, 2025

NOTICE ID: 5W0N53ECcNtObwLIMsUa

PUBLISHER ID: COL-IA-501948

NOTICE NAME: BoA\_25-7-

7 BOA 3 Hearings MSIDE RTI MortonVAR

Publication Fee: \$67.52

Edmar Corachia

(Signed)



## VERIFICATION

State of Florida  
County of Broward

Subscribed in my presence and sworn to before me on this: 06/25/2025

S Smith

Notary Public

Notarized remotely online using communication technology via Prof.

NOTICE OF PUBLIC HEARING  
BEFORE THE WOODBURY  
COUNTY BOARD OF  
ADJUSTMENT

**ADJUSTMENT**  
The Woodbury Community and Economic Development Fund will hold public hearings on the following items hereafter rescheduled to attend on July 7, 2025 at 10:00 AM or as soon thereafter as the matters at hand arise. Said said items will be presented to the Board of Supervisors' meeting room in the Basement of the Woodbury County Courthouse, 601 S. 1st St., Des Moines, IA 50319. Copies of said items may now be examined at the office of the Woodbury County Community and Economic Development, on the 6th Floor of the Woodbury County Courthouse, 601 S. 1st St. All persons who wish to be heard in response to the matters should appear at the aforesaid hearings in person or call: 712-454-1183 and arrange to be heard. If unable to appear at the meeting to listen or comment. However, it is recommended to attend in person as there is the possibility for technical difficulties. Written comments may be submitted in advance toward your written comments by mail or e-mail to: Woodbury County Community and Economic Development, 6th Floor, Woodbury County Courthouse, 601 S. 1st St., Des Moines, IA 50319; Emails should be sent to Dan Priestley at: dpriestley@woodburycountyiowa.gov and received and received no later than 10:00 AM on Wed, July 2, 2025.

Pursuant to Section 355 of the Code of Iowa, the Woodbury County Board of Adjustment will have a public hearing to consider the following:

Item One (1)

Jason Reynoldson (Applicant) on behalf of Morrisville University (Owner) To construct and operate a baseball stadium (field for competitive athletic) on the property located in T88S40R14W (Woodbury Township) Section 14, T88S40R14W of the SW 1/4 of the SW 1/4 of Section 6847143000000, as located in the Agricultural Preservation (AP) Zoning District. The property is located on the southwest side of Old Highway 14 and east of Susan Avenue, north of County Home Road. 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) Contact: Jason Reynoldson, 3000 Garrison Ave., Sioux City, IA 51109 and Morrisville University (Owner), 1501 Morrisville Ave., Sioux City, IA 51106.

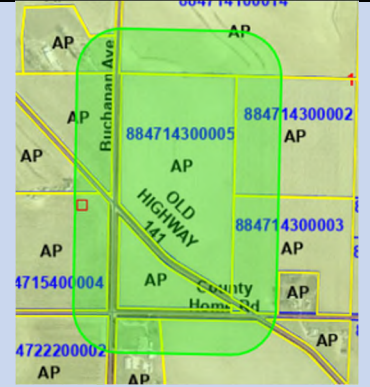
Pursuant to Section 335 of the Code of Laws, the Woodbury County Board of Adjustment will hold a public hearing to consider the Conditional Use Permit application from Kevin Hines (Applicant) for a new 120' x 120' (Owner) LED billboard (double-sided) on the property located in T89N R46E (Floyd Township) in the N 23 of the N 1/2 of the NW 1/4, Section 6 and identified as Parcel 88846510002, and located in the General Commercial (GC) zoning District. The property abuts the south side of Highway 230 and abuts the east side of Charles Avenue. Applicant: Kevin Hines (Owner) (Applicant) 204 Duwayne Circle, Lawton, IA 51203 / Rent Properties LLC (Owner), 204 Buoyette Circle, Lawton, IA 51203.

Pursuant to Section 335 of the Code of Laws, the Woodbury County Board of Adjustment will hold a public hearing on the proposed rezoning application from Kevin Morton at 108 Bigelow Park Road, Salix, IA 51052, who seeks approval to construct a new garage behind an existing garage on the property. The proposed rezoning is as follows:

- (a) lot or lots to be rezoned;
- (b) use or uses to be permitted;
- (c) lot or lots less than the existing garage. The property owner has filed this variance application to seek relief from Section 412.5 of the Code of Laws to allow the proposed rezoning to "Accessory Buildings" which states "3. Detached accessory structures shall not be used for any other purpose than the principal building to which they are attached." (p. 46). The proposed garage size is approximately 24' x 16' and subject to changes. The property is located in the Jordan Park Sub-Division, Parcel #47433376005 and is identified as Lot 5 in Block 1 in the Galland's Lakeview 2000 Sub-Division in Section 33 in 167N 44W 1/2. The property is located on the south side of Bigelow Park Road and west of 273rd Street. Applicant: Kevin Morton, 108 Bigelow Park Rd., Salix, IA 51052. CDD #1407548.

## PROPERTY OWNER(S) NOTIFICATION

Property Owners within 500 Feet:	11
Notification Letter Date:	May 15, 2025, June 19, 2025
Public Hearing Board:	Board of Adjustment
Public Hearing Date:	June 2, 2025, July 7, 2025
Phone Inquiries:	1 (Dale Rush at 1681 County Home Road)
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 Hulbut 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? – Sherriff 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.

## PHONE INQUIRY / COMMENT:

June 24, 2025, 11:02 AM

**Dale L. Rush, 1681 County Home Road, Sioux City, IA 51106**

Dale Rush, expressed several concerns about Morningside College building a ballpark including and not limited to:

- Increased Costs and Inconvenience: The construction takes up farmland and raises area rental costs.
- Environmental and Practical Issues: The project involves significant disruption, such as fencing with windbreaks, which Rush believes won't work and could worsen the situation. He also mentions the difficulty of working with cattle in the area.
- Dust and Health Concerns: The construction and use of the ballpark would generate dust, posing a health issue.



## STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
IOWA DEPARTMENT OF TRANSPORTATION (IDOT):	<p>Only question/clarification would be bus parking on the site development. Buses take up a lot of stalls. – Jessica Felix, 5/1/25.</p> <p><b>Response to Jessica Felix:</b> Jessica: Thanks for pointing that out. The college indicated the following:  <i>“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</i></p> <p>Thanks for the follow up. No concerns. – Jessica Felix, 5/1/25</p>
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 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

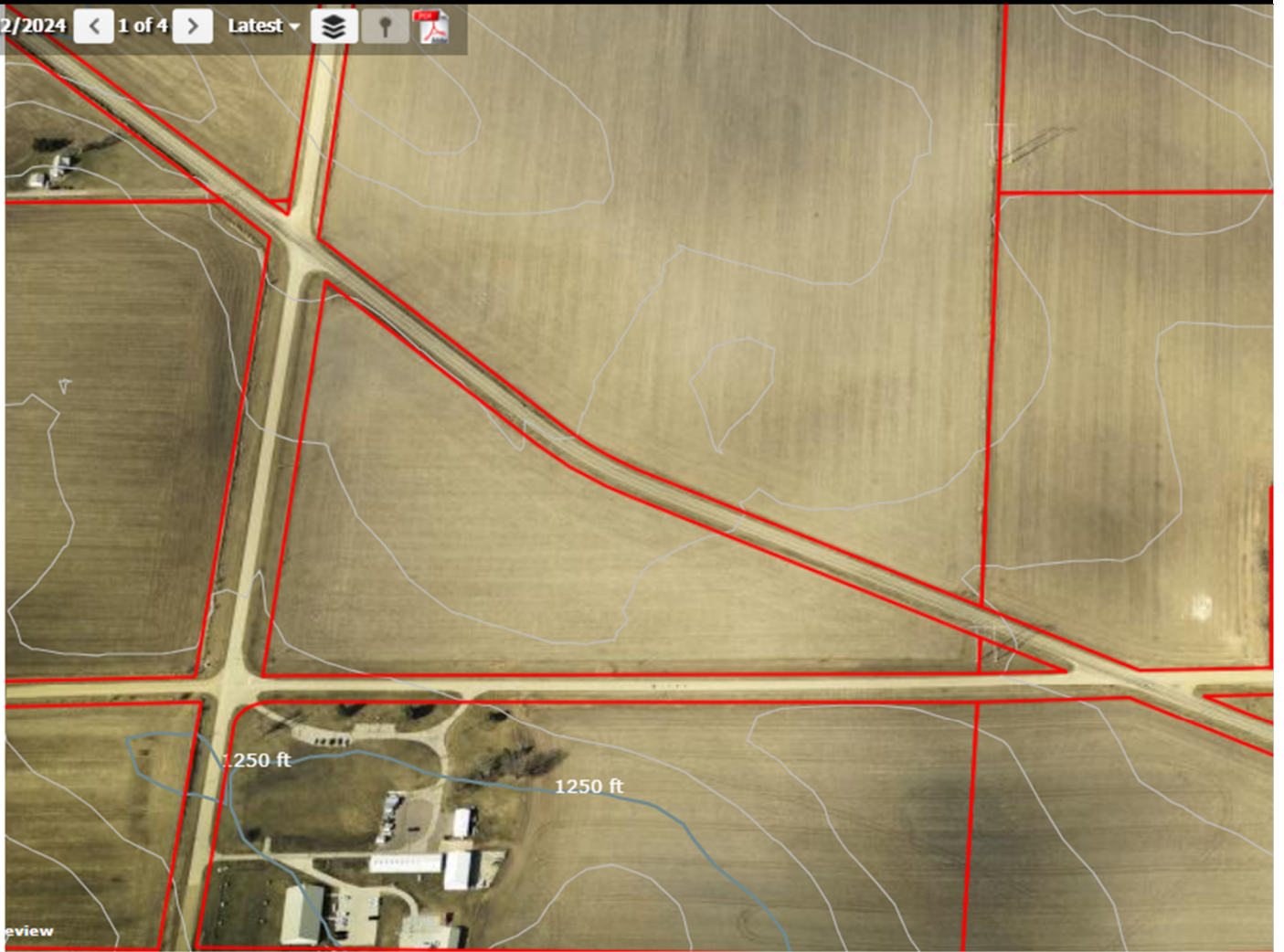
03/12/2024



1 of 4



Latest



review



## 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.

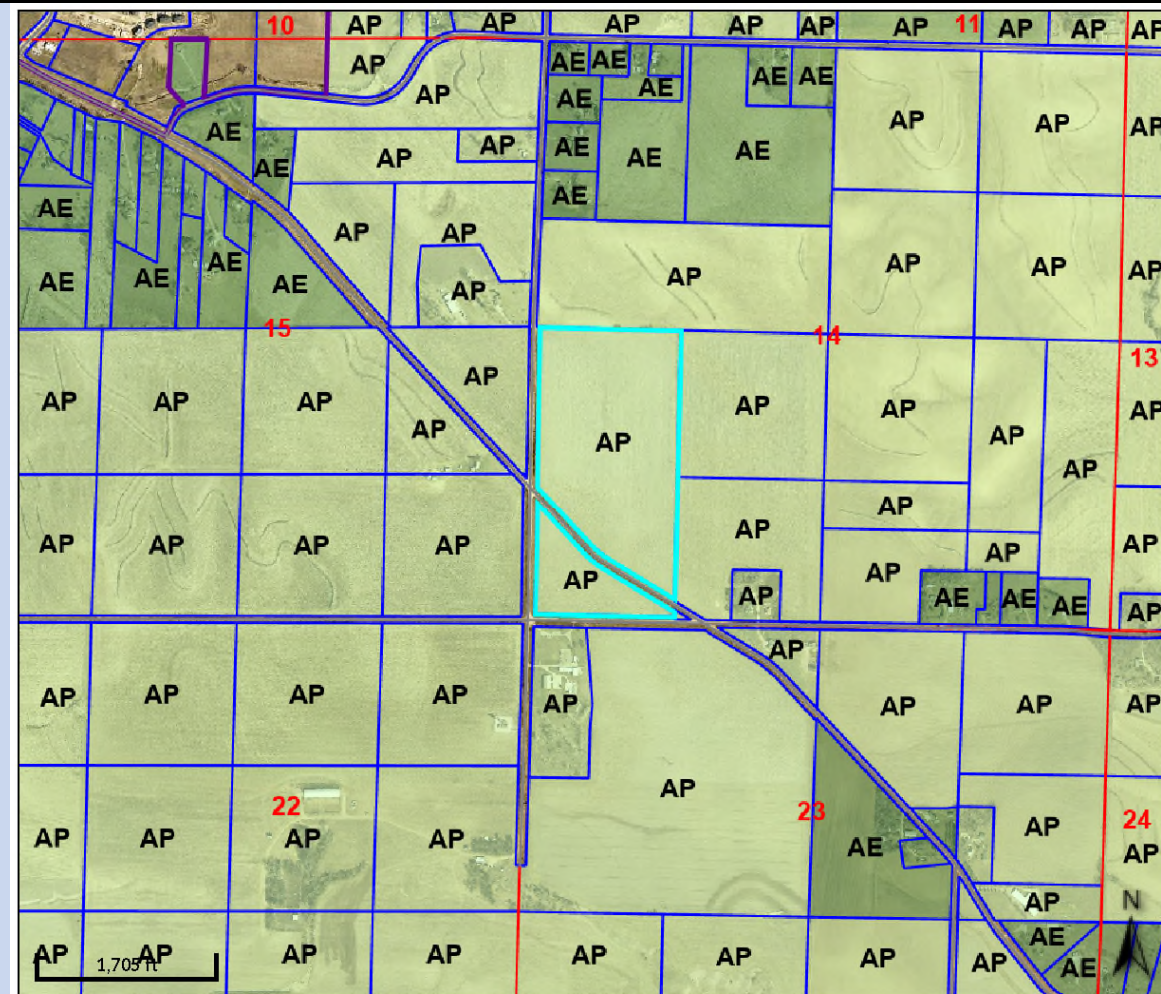
The maps and data available for access at this website are provided "as is" without warranty or any representation of accuracy, timeliness, or completeness. There are no warranties, expressed or implied, as to the appropriate use of the maps and data or the fitness for a particular purpose. The maps 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.

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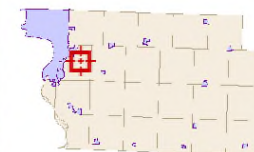
Contact Us

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



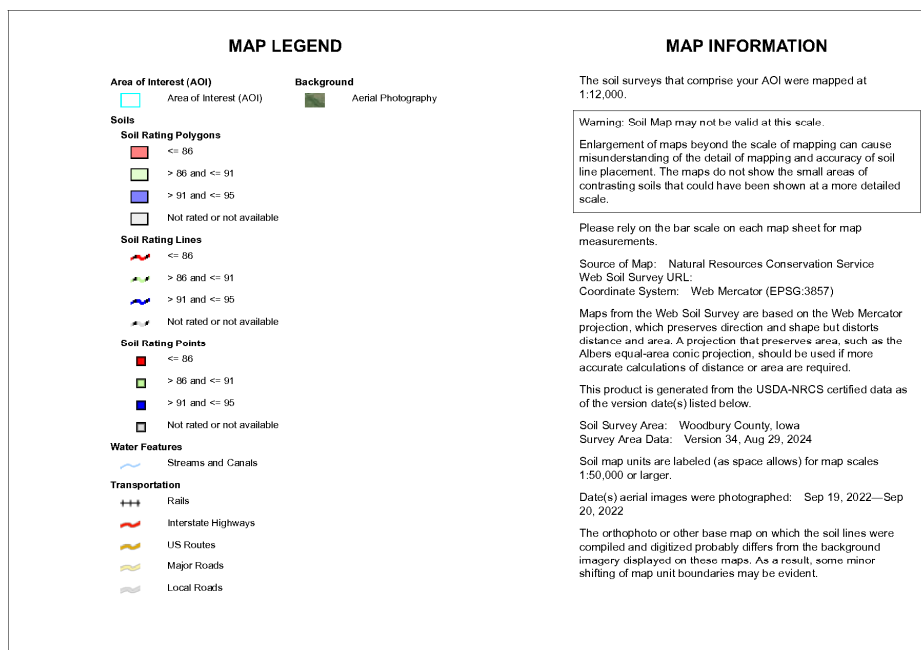
# ELEVATION MAP



# 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%
<b>Totals for Area of Interest</b>			<b>14.6</b>	<b>100.0%</b>

### 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



**Daniel Priestley**

---

**From:** Daniel Priestley  
**Sent:** Tuesday, June 3, 2025 11:28 AM  
**To:** Jason Reynoldson  
**Cc:** Laura Sievers; Daniel Bittinger; Dawn Norton  
**Subject:** Conditional Use Follow Up - Morningside Baseball Field

Jason,

Following the June 2, 2025, Woodbury County Board of Adjustment meeting, we are requesting clarification on several aspects of Morningside University's conditional use permit application for the proposed baseball field on Parcel #884714300005. I know the Board appreciates your presentation but requires additional details to evaluate the application's compliance with zoning requirements and its impact on public health, welfare, and safety. To proceed with a decision at the next meeting on July 7 at 5:00 PM, please provide a comprehensive business plan that is not limited to addressing the following questions:

**1. Traffic Management and Safety:**

- What specific measures will Morningside University implement to manage traffic flow during events, particularly on Buchanan Avenue and Highway 141, to ensure safety for vehicles, pedestrians, bicycles, and equestrian traffic?
- Have you consulted with the County Engineer regarding compliance with existing infrastructure and/or the need for potential infrastructure improvements, such as turning lanes or enhanced signage, to address traffic concerns, including line-of-sight issues at the east and north ends of Highway 141?
- How might the university mitigate the impact of additional traffic from an estimated 100–200 attendees per game, especially in conjunction with existing traffic from nearby housing and agricultural activities?

**2. Noise Control:**

- What is the expected decibel level from the public address system, music, and crowd noise during games, and how will it comply with acceptable noise levels for the surrounding unincorporated area?
- What specific noise mitigation strategies (e.g., sound barriers, volume restrictions) will be implemented to minimize disturbance to nearby residents, particularly those on County Home Road?

**3. Lighting:**

- While the initial project excludes lighting, what are the plans for potential future lighting installation, including the orientation and placement of lights to minimize light pollution for neighboring properties, especially to the east?
- Will vegetative screens or other light mitigation measures (e.g., mature trees) be incorporated to reduce impacts on adjacent residents?

**4. Time Restrictions:**

- How will Morningside University ensure compliance with potentially a 10:00 PM curfew for all game-related activities, including doubleheaders, given potential delays due to weather or extended play?
- What contingency plans are in place to handle games that may run beyond the proposed curfew?

**5. Dust Control:**

- How will the university address dust concerns on Buchanan Avenue, particularly during the spring planting season when heavy truck traffic is prevalent?
- What dust mitigation measures (e.g., paving, gravel treatment, or water application) will be implemented for parking areas and access roads?

**6. Alcohol Policy:**

- Please confirm in writing Morningside University's policy on prohibiting alcohol at the baseball field and detail how this will be enforced (e.g., signage, security measures).

**7. Surface Water Runoff:**

- What measures will be included in the stormwater pollution prevention plan (SWPPP) to manage surface water runoff and prevent puddling or flooding on Buchanan Avenue and surrounding areas?

**8. Construction Timeline:**

- Please provide a detailed construction timeline, including start and completion dates, and confirm whether the field will be ready for the spring 2026 season as planned.

**9. Facility Use and Scheduling:**

- Can you clarify the anticipated schedule for the 15–17 home dates, including doubleheaders, and confirm whether the facility will be used exclusively for baseball or potentially for other events (e.g., camps, youth leagues)?
- How will the university ensure the facility does not remain idle during the off-season, and what measures will be taken to maintain security and upkeep?

Please submit your responses and a detailed business plan addressing these concerns to the Woodbury County Planning and Zoning Office by June 30, 2025, to allow sufficient time for review before the July Board of Adjustment meeting. We encourage collaboration with the County Engineer to address traffic and infrastructure concerns comprehensively.

Thank you for your cooperation. We look forward to your response and working together to ensure this project aligns with community safety and welfare standards.

Respectfully,

-----  
Daniel J. Priestley, MPA  
Woodbury County Zoning Coordinator  
620 Douglas Street #609  
Sioux City, IA 51101

Phone: 712-279-6609  
Fax: 712-279-6530  
Website: [WoodburyCountyIowa.gov](http://WoodburyCountyIowa.gov)

## Daniel Priestley

---

**From:** Jason Reynoldson <reynoldsonj@morningside.edu>  
**Sent:** Wednesday, July 2, 2025 2:44 PM  
**To:** Daniel Priestley  
**Subject:** Re: Morningside University Baseball  
**Attachments:** MORNINGSIDE UNIVERSITY BASEBALL FIELD PROJECT.docx

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Dan,

I have attached the latest version including a section on a Traffic Impact Letter to the IDOT. We are working that letter up now and will be sending it out today or tomorrow. I have also expanded on some areas, providing examples of tree types, lighting types and rules for curfew. I have also included a portion explaining how this will be for Morningside baseball only and why. If you have any questions or have thoughts on something I have not addressed please let me know.

Thanks,

Jason

**Jason Reynoldson**

**Assistant Vice President**

**Facilities and Auxiliary Services**

**Staff Senate**

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**Morningside University**

1501 Morningside Ave. Sioux City, IA 51106

o: 712-274-5116 | m: 402-309-5924 |

[morningside.edu](http://morningside.edu)



*The Morningside University experience cultivates a passion for lifelong learning and a dedication to ethical leadership and civic responsibility.*

On Wed, Jul 2, 2025 at 10:23 AM Daniel Priestley <[dpriestley@woodburycountyiowa.gov](mailto:dpriestley@woodburycountyiowa.gov)> wrote:

Hi Jason,

I just wanted to check in to inquire about the additional application materials?

Thanks,

-----  
Daniel J. Priestley, MPA

Woodbury County Zoning Coordinator

620 Douglas Street #609

Sioux City, IA 51101

Phone: 712-279-6609

Fax: 712-279-6530

Website: [WoodburyCountyIowa.gov](http://WoodburyCountyIowa.gov)

---

**From:** Jason Reynoldson <[reynoldsonj@morningside.edu](mailto:reynoldsonj@morningside.edu)>

**Sent:** Monday, June 30, 2025 1:29 PM

**To:** Daniel Priestley <[dpriestley@woodburycountyiowa.gov](mailto:dpriestley@woodburycountyiowa.gov)>

**Subject:** Fwd: Morningside University Baseball

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Dan,

This is what Laura sent over to me. I will put something together regarding the traffic, and will work with my Architect and Engineering team, and send it over to you by Wednesday.

Jason

**Jason Reynoldson**

**Assistant Vice President**

**Facilities and Auxiliary Services**

**Staff Senate**

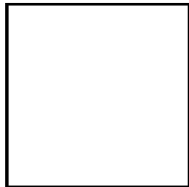
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----- Forwarded message -----

From: **Laura Sievers** <[lsievers@woodburycountyiowa.gov](mailto:lsievers@woodburycountyiowa.gov)>

Date: Thu, Jun 26, 2025 at 3:58 PM

Subject: Re: Morningside University Baseball

To: Jason Reynoldson <[reynoldsonj@morningside.edu](mailto:reynoldsonj@morningside.edu)>

Jason,

A Traffic Impact Analysis (TIA) would be required to determine expected traffic volumes and any necessary road upgrades. These analyses are typically performed by an engineering firm.



The Iowa DOT provides guidance on how to conduct a TIA in the following document:

[download](#)

## Guidelines for Traffic Impact Analysis - Iowa Department of Transportation

3 I. Introduction Assessing operational impacts from a permitted access connection is imperative when managing the primary highway system. Moreover, access management is vital to ensuring that a safe and efficient road system is maintained.

[iowadot.gov](http://iowadot.gov)

The DOT already has traffic data available for Old Highway 141 and Glen Ellen. Based on that data, a turn lane would be required at that location.

At this time, I'm not sure how the intersections near the proposed Morningside baseball field compare to the Glen Ellen/Old Hwy 141 intersection in terms of traffic impact.

Laura Sievers, P.E.

Woodbury County Engineer

759 E. Frontage Road

Moville, IA 51039

Phone: 712-873-3215 or 712-279-6484

Fax: 712-873-3235

Email: [lsievers@woodburycountyiowa.gov](mailto:lsievers@woodburycountyiowa.gov)

---

**From:** Jason Reynoldson <[reynoldsonj@morningside.edu](mailto:reynoldsonj@morningside.edu)>

**Sent:** Tuesday, June 17, 2025 3:16 PM

**To:** Laura Sievers <[lsievers@woodburycountyiowa.gov](mailto:lsievers@woodburycountyiowa.gov)>

**Subject:** Morningside University Baseball

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Good afternoon Laura,

I'm checking in on the information you might have considering traffic for the baseball field. Do you have a resource I can use to determine the question of traffic in the area? Specifically the amount of additional traffic needed for turning lanes and so on.

Thanks,  
Jason

**Jason Reynoldson**

**Assistant Vice President**

**Facilities and Auxiliary Services**

**Staff Senate**

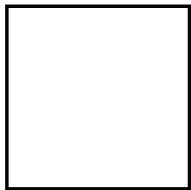
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## **MORNINGSIDE UNIVERSITY BASEBALL FIELD PROJECT**

### **Response to County Board Inquiries on Traffic, Safety, Environmental Controls, and Operational Plans**

**Date:** 6/26/25

**Submitted by:** Morningside University

#### **Traffic Management and Safety**

To ensure safe and efficient traffic flow during events—especially along Buchanan Avenue and Highway 141—Morningside University will implement a multi-tiered approach to traffic control and regional coordination:

- Deploy trained student workers at strategic intersections to assist with the movement of vehicles, pedestrians, cyclists, and equestrian traffic during peak arrival and departure windows.
- Install temporary signage and traffic cones to improve wayfinding and ensure visibility throughout the event perimeter.
- Coordinate with the Woodbury County Engineer to evaluate infrastructure enhancements such as:
  - Dedicated turning lanes
  - Improved roadway signage
  - Line-of-sight adjustments, particularly on the east and north sections of Highway 141
- Implement staggered entry and exit protocols to reduce congestion and promote continuous traffic flow along key access routes.
- Designate gravel overflow parking areas, treated with dust control during peak periods to minimize environmental and visibility impacts.

Additionally, a **Preliminary Traffic Impact Letter (TIL)** is being submitted to the Iowa Department of Transportation (IDOT) to address potential impacts associated with proposed site access to Highway 141. This letter includes:

- Estimated trip generation based on facility use, including weekday practices and weekend tournaments.
- Anticipated peak-hour volumes and traffic distribution.
- Preliminary assessments of access point safety and visibility.
- A formal request for IDOT evaluation to determine whether a full Traffic Impact Study is warranted or if conditions of approval can be addressed through localized mitigation.

Morningside University remains committed to working closely with IDOT and local authorities to ensure that the project meets all roadway safety, circulation, and capacity standards while minimizing impacts on the rural transportation network.

## Noise Control

- The public address system will be limited to 65–70 decibels at the field perimeter, in line with acceptable rural standards in similar venues.
- Sound will be directed inward using directional speakers, with volume controls during non-game periods.
- Tree rows and vegetative berms will be placed along key boundaries—including County Home Road—to absorb and deflect sound away from residential properties. These will include dense, evergreen species such as:
  - **Fir trees**, known for their tall, conical shape and thick foliage, which provide year-round sound buffering.
  - **Spruce trees**, with their dense needle structure and fast growth, are highly effective at absorbing and deflecting sound waves.
  - **Pine trees**, which grow tall and wide with soft, dense needles, offering both visual screening and acoustic dampening.

These species are selected not only for their acoustic benefits, but also for their aesthetic value and year-round coverage, ensuring a natural, effective buffer that aligns with the rural character of the area.

## Lighting

While permanent lighting is not part of the initial construction:

- Future lighting plans include full-cutoff LED fixtures with downward and inward orientation to minimize light trespass. These fixtures are designed to emit no light above the horizontal plane, ensuring focused illumination. Some examples include models like the Konlite VEGA and LYRA series, which offer precision beam control and Dark Sky compliance.
- Fixtures will conform to Dark Sky standards to limit residual light pollution and preserve the rural night environment. Products such as the RAB SLIM17 full-cutoff fixture demonstrate how modern LED technology can meet these standards while maintaining energy efficiency and performance.
- The eastern perimeter will be buffered with mature trees and vegetative screens to further mitigate light exposure for neighboring properties, creating a natural barrier that complements the lighting design

## Time Restrictions and Game Scheduling Protocol

To ensure that all events align with the 10:00 PM curfew and maintain a positive relationship with neighboring residents, the following policies and procedures will be implemented:

## **1. Proactive Game Scheduling**

- Game start times will be strategically planned based on average game duration, with doubleheaders scheduled earlier in the afternoon to allow sufficient buffer time.
- A latest allowable first pitch time will be established—e.g., no new games starting after 7:15 PM—to guarantee completion by curfew.
- Built-in time buffers between games will account for overruns, warm-ups, and brief delays.

## **2. Weather Delay Protocol**

- In the event of weather-related interruptions, a firm suspension policy will apply at or before 10:00 PM. Games will not be resumed or extended beyond this time and will be rescheduled.
- Coaches and officials will be trained to monitor weather and curfew simultaneously, ensuring real-time decision-making aligned with the community agreement.

## **3. Digital Scheduling Tools**

- A centralized event management system will be used to coordinate all field activities and flag scheduling conflicts or potential overruns in real time.
- Public access to the game calendar will ensure transparency, while automated alerts can notify organizers of tight timelines approaching curfew.

## **4. Enforcement and Communication**

- Clear curfew expectations will be included in all team agreements, league rules, and contracts with visiting teams.
- A designated field operations supervisor will monitor the clock and communicate any necessary stop orders, ensuring that curfew compliance is upheld without exception.
- Games that exceed curfew will be halted mid-inning, if necessary, with results and rescheduling addressed per league rules.

## **5. Lighting and Sound Integration**

- Even before permanent lighting is added, temporary lighting—if used—will be on automatic shutoff timers at 10:00 PM to reinforce the hard stop.
- The PA system will also be disabled promptly at curfew, serving as a clear auditory signal that field activity has concluded

## **Dust Control**

Although there are no gravel roads directly surrounding the potential field location there are gravel roads adjacent to the potential site of the baseball field.



- Dust on Buchanan Avenue will be addressed with dust suppressant applications during events, particularly in spring when agricultural traffic is high.
- Parking areas and access roads will be treated with calcium chloride or lignin-based agents, and long-term improvements may include partial paving to reduce particulate spread.

### **Alcohol Policy**

- Morningside University enforces a no-alcohol policy at the baseball field.
- This will be supported by clear signage, event staff monitoring, and regular security patrols.
- Any violations will be addressed with immediate removal and referral to campus disciplinary procedures.

### **Surface Water Runoff**

A comprehensive Storm water Pollution Prevention Plan (SWPPP) will include:

- Grassed swales and bio swales to filter and slow runoff.
- Detention basins for controlled collection of water.
- Permeable surfaces in parking areas to reduce pooling and flooding on Buchanan Avenue and adjacent farmland.

### **Construction Timeline**

- **August 2025:** Site preparation and grading
- **September–December 2025:** Field construction and installation of infrastructure
- **February–March 2026:** Final surfacing, landscaping, and pre-season preparation
- **Target Completion:** March 2026, in time for spring athletic season

### **Facility Use & Scheduling: Respectful, Intentional, Community-First**

This facility is purpose-built to serve as the exclusive home of Morningside University Baseball. As the sole users, the university team will have full access for both practices and competitions, allowing for optimized scheduling, consistent field maintenance, and focused athletic development. By limiting access to external organizations, including local school districts, the university can ensure the playing surface remains in peak condition, thereby preserving the long-term quality and longevity of the venue. This intentional approach safeguards the investment in the facility and reinforces its role as a dedicated, high-performance environment for collegiate-level play.

### **Game Season Use**

- 15–17 Home games annually, including 3–5 carefully spaced doubleheaders.
- Primarily weekend events, easing weekday traffic and neighborhood disruption.

- Moderate activity levels that preserve rural character and minimize strain on local infrastructure.

#### **Year-Round Community Value**

- Youth Clinics & Summer Camps during off-season periods.
- Always held within noise, lighting, and curfew limits.

#### **Off-Hours Stewardship**

- Perimeter security fencing to protect the site during idle periods.
- Campus security monitoring ensures safety around-the-clock.
- Regular maintenance sustains visual appeal and prevents decline.

Together, these policies reinforce our commitment to a well-managed facility that supports the competitive success of Morningside Universities athletics program, while respecting neighborhood peace and maintaining year-round community value. This field will serve as a home base for our baseball team, providing a high-caliber environment essential for player development, collegiate-level competition, and regional recognition. Its design and scheduling framework ensure that the team can train and perform at their highest potential without compromising the quality of life for nearby residents. By balancing performance-focused infrastructure with thoughtful community safeguards, the facility will stand as a model of responsible, purpose-driven athletic development in the region.

We thank the County Board for its consideration and remain committed to partnering in a manner that respects community character, safety, and environmental stewardship.

## Daniel Priestley

---

**From:** Daniel Priestley  
**Sent:** Wednesday, July 2, 2025 4:52 PM  
**To:** Jason Reynoldson  
**Subject:** Re: Morningside University Baseball

Jason,

I appreciate the updates. In response to your question, I recommend providing anything that you believe helps support your application and brings answers the concerns that were raised in the previous meetings.

Respectfully,

-----  
Daniel J. Priestley, MPA  
Woodbury County Zoning Coordinator  
620 Douglas Street #609  
Sioux City, IA 51101

Phone: 712-279-6609  
Fax: 712-279-6530  
Website: WoodburyCountyIowa.gov

---

**From:** Jason Reynoldson <[reynoldsonj@morningside.edu](mailto:reynoldsonj@morningside.edu)>  
**Sent:** Wednesday, July 2, 2025 4:35:30 PM  
**To:** Daniel Priestley <[dpriestley@woodburycountyiowa.gov](mailto:dpriestley@woodburycountyiowa.gov)>  
**Subject:** Re: Morningside University Baseball

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Dan,

The following are some links that I have been using in my research for the potential baseball field.

Here is a link to Q-SYS core DSP, this is a system that allows me to program and control decibel levels to our speaker system, and allows me to put in place time limits ensuring we have curfew controls. [Control without Compromise introducing Q-SYS Control - WISE AV Solution](#).

An example of a directional speaker is in the following link. This is one of many options. [The Technomad Noho C TOUR | Technomad Audio Systems](#)

An example of field lighting that can be directional and adjustable is in the following link. These could also be used as wall packs on buildings to allow footpath lighting. I have also included a cut sheet as an attachment. [SLIM17 Field Adjustable - RAB Lighting](#)

A link to programmable sound systems used in athletic venues that help with curfew rules and noise ordinances. This would allow us to program off times that could not be overridden. It would also allow use to program in decibel ranges. [AthleticSound.com - Professional PA turn-key sound systems. - AS-2CS](#)

I have attached cut sheets for other examples of lighting used in similar venues. The Konlite Vega and Lyra series are mentioned in the previous attachment. I have also attached a cutsheet for the JBL speakers that allow for decibel control.

I have also included a reference to sound exposure and noise pollution I have been using from the Audio Engineering Society.

Laura Sievers sent me a guide sheet to getting a Traffic Impact study completed. I have attached that as well. I am working with Doug Rose at Bacon Creek Design to get this started, he is working directly with McClure Engineering in this process.

I did not, but certainly could include Spruce, Pine and Fir trees as a buffer for light and noise control if you think it is necessary.

I have looked at many different options on lighting and sound control. These are just the ones that stand out to me. If necessary I can go back and grab more resources that I have looked at. Let me know if I should add anything else.

Thanks,

Jason

**Jason Reynoldson**

**Assistant Vice President**

**Facilities and Auxiliary Services**

**Staff Senate**

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**Morningside University**

1501 Morningside Ave. Sioux City, IA 51106

o: 712-274-5116 | m: 402-309-5924 |

[morningside.edu](http://morningside.edu)



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On Wed, Jul 2, 2025 at 3:41 PM Daniel Priestley <[dpriestley@woodburycountyiowa.gov](mailto:dpriestley@woodburycountyiowa.gov)> wrote:

Jason,

The links to the content would be helpful.

Thanks,

---

Daniel J. Priestley, MPA

Woodbury County Zoning Coordinator

620 Douglas Street #609

Sioux City, IA 51101

Phone: 712-279-6609

Fax: 712-279-6530

Website: WoodburyCountyIowa.gov

---

**From:** Jason Reynoldson <[reynoldsonj@morningside.edu](mailto:reynoldsonj@morningside.edu)>

**Sent:** Wednesday, July 2, 2025 3:31 PM

**To:** Daniel Priestley <[dpriestley@woodburycountyiowa.gov](mailto:dpriestley@woodburycountyiowa.gov)>

**Subject:** Re: Morningside University Baseball

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Dan,

The majority of the items you're looking for are links to websites. Would you like the provided link and then a picture? That would be for noise and light. For traffic, the only thing I can do is request a Traffic impact study be done, Morningside, and really no one other than IDOT, can make changes to highways. This would all need to be done through the IDOT and the County Engineers office.

Jason

**Jason Reynoldson**

**Assistant Vice President**

**Facilities and Auxiliary Services**

**Staff Senate**

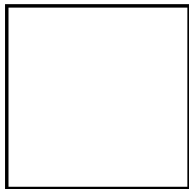
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On Wed, Jul 2, 2025 at 3:10 PM Daniel Priestley <[dpriestley@woodburycountyiowa.gov](mailto:dpriestley@woodburycountyiowa.gov)> wrote:

Jason,

I appreciate the update. Do you have any other supporting documentation as it pertains to traffic, noise (models/specifications), lighting (models/specifications), etc. that could be placed into the record to support your application?

Please know, I will place these materials into the meeting backup materials. You are more than welcome to submit additional information at or before the meeting. However, I am going to need to proceed with the meeting packet and agenda. Any additionally information you wish to provide to get into the packet before publication, please do so before 8:30 AM tomorrow.



As noted, the Board of Adjustment “shall approve, approve with conditions or limitations, or deny the requested conditional use...” (Woodbury County Zoning Ordinance, p. 22). Attached are a copy of the conditional use permit requirements.

Please let me know if you have questions.

Respectfully,

-----

Daniel J. Priestley, MPA

Woodbury County Zoning Coordinator

620 Douglas Street #609

Sioux City, IA 51101

Phone: 712-279-6609

Fax: 712-279-6530

Website: [WoodburyCountyIowa.gov](http://WoodburyCountyIowa.gov)

## REFERENCED HYPERLINKS FROM JASON REYNOLDSON'S JULY 2, 2025 EMAIL ABOVE:

- **Wise Ave Solution**
  - <https://www.avsolution.hk/portfolio/control-without-compromise-introducing-q-sys-control/>
- **Technomad Audio**
  - <https://technomad.com/products/noho/>
- **Rab Lighting**
  - <https://www.rablighting.com/feature/slim17-field-adjustable-wall-pack>
- **Athletic Sound**
  - <https://www.athleticsound.com/products/baseball-softball-fields/as-cs/>

## ATTACHMENTS REFERENCED IN JASON REYNOLDSON'S JULY 2, 2025 EMAIL ABOVE:

- **Technical Council Technical Document – Understanding and managing sound exposure and noise pollution at outdoor events – May 2020**
  - [https://www.aes.org/technical/documents/AESTD1007\\_1\\_20\\_05.pdf](https://www.aes.org/technical/documents/AESTD1007_1_20_05.pdf)
- **Konlite VEGA Premium Series – New-generation LED Stadium Light**
  - [konlite-vega-premium-led-stadium-light-spec](#)
- **Konlite LYRA Series – LED Stadium Light**
  - [https://cdn.shopify.com/s/files/1/0377/8933/5692/files/Konlite\\_Lyra\\_Series\\_Spec.pdf](https://cdn.shopify.com/s/files/1/0377/8933/5692/files/Konlite_Lyra_Series_Spec.pdf)
- **JBL Professional AWC82 Speaker**
  - [https://jblpro.com/zh/site\\_elements/awc82-spec-sheet-6178fae1-254d-44e6-ae13-d7c2f3d115c8](https://jblpro.com/zh/site_elements/awc82-spec-sheet-6178fae1-254d-44e6-ae13-d7c2f3d115c8)
- **RAB Slim17**
  - [https://www.rablighting.com/sites/default/files/downloads/slim17-sell-sheet\\_2.pdf](https://www.rablighting.com/sites/default/files/downloads/slim17-sell-sheet_2.pdf)
- **Guidelines for Traffic Impact Analysis**
  - See subsequent pages or:
  - <https://iowadot.gov/media/3158/download?inline=>

## Guidelines for Traffic Impact Analysis



Prepared By:  
Systems Planning Bureau

January 2024



1

### I. Introduction

Assessing operational impacts from a permitted access connection is imperative when managing the primary highway system. Moreover, access management is vital to ensuring that a safe and efficient road system is maintained. Therefore, the following guidance and requirements have been documented to provide a clear understanding of the operational impacts from moderate to high volume commercial access connections. Although traffic volumes are a key factor, the Iowa Department of Transportation (DOT) may request an impact analysis for lower volume accesses if the highway has been determined, at the sole discretion of the DOT, to be nearing capacity.

The purpose of this document is to establish uniform guidelines for preparing a traffic impact analysis. The DOT requires a traffic impact analysis for all Type "A" and "B" access permits.

### II. Purpose of Traffic Impact Analysis

The purpose of the traffic impact analysis is to identify system and immediate area impacts associated with a proposed development. Identification of impacts and appropriate mitigation measures allows the DOT to assess the existing and future highway system's safety, performance, maintenance, and capacity needs.

The Traffic Impact Analysis guidelines will:

1. Provide information to the applicant on initial information needed and specific traffic impact documentation required.
2. Ensure consistency in the preparation of traffic impact analysis information.
3. Define the acceptable format for the required traffic impact analysis.
4. Create a clear understanding of the impacts resulting from the proposed access to the primary highway system.

### III. Initial Applicant Submittal

When requesting a commercial access to the primary highway system, the requester **must**:

1. Identify the location (primary highway number and orientation) of the proposed access.
2. Identify the proposed land use that will be served by the proposed commercial access.
3. Provide the total leasable square footage of the commercial development (Full Build-out).
4. Characterize vehicle types that will use the entrance. Give the percent of cars, single unit trucks, and combination unit trucks. Include information on directionality and background growth.

This information will be used to estimate the future traffic demands based on the development size and land use. The DOT will use this traffic estimate to evaluate operational concerns.

### IV. Level of Traffic Impact Analysis

Based on traffic volumes, there are two traffic impact analysis levels: Traffic Impact Letter (TIL) or Traffic Impact Study (TIS).

Specific threshold criteria have been defined for each level of traffic impact. Threshold criteria were developed to avoid placing an undue burden on development with moderate traffic impact, while ensuring that large developments with significant impacts are thoroughly evaluated. The district staff will determine the traffic impact analysis level based on preliminary data supplied by the applicant and potential impact on the primary highway system.

TRAFFIC VOLUME AADT (Annual Average Daily Traffic)	TRAFFIC IMPACT LETTER (TIL)	TRAFFIC IMPACT STUDY (TIS)
	Less than or equal to 500 trips	Greater than 500 trips
Peak Hour Volume	Less than or equal to 100 trips	Greater than 100 trips

A TIS may also be required when considered necessary by the DOT due to the nature of the proposed land use

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development and potential impact on the Primary Highway System.

### V. Traffic Impact Analysis Submittal

As a result of the initial information submitted, the district staff will inform the applicant which level of analysis will be required. Therefore, the applicant will be responsible for delivery of acceptable traffic impact documentation. The traffic impact analysis should be authored by an individual or entity demonstrating the capability to analyze mobility, conduct traffic engineering, and produce design elements. Coordination between the analysis and proposed site design is essential. The traffic impact analysis **must** be completed and sealed by a Professional Engineer licensed in the State of Iowa. The applicant, via their professional engineer, will submit the proposed entrance design and the required traffic impact analysis to the appropriate district office. A functional area analysis is required for Traffic Impact Studies.

### VI. Traffic Impact Letter (TIL)

#### A. Purpose of the Traffic Impact Letter

The purpose of a Traffic Impact Letter (TIL) is to give the DOT vital information regarding potential impacts associated with developments along the Primary Highway system.

A traffic impact letter is intended to:

1. Document whether the access request meets the requirements of the TIL process.
2. Analyze location and access connection(s) necessary to minimize traffic impacts.
3. Recommend the need for any improvements to the adjacent and nearby roadway system to maintain a level of service and safety comparable or better than existing conditions.
4. Protect the function of the highway system while providing appropriate and necessary access to the proposed development.

#### B. Traffic Impact Letter Requirements

A traffic impact letter should include, in PDF format, information for the reviewer to understand the operation and impacts of the development, including but not limited to:

1. Study area description.
  - a. Show the study area boundary. A recommendation in determining the study area boundary is to carry the analysis out at least as far as the nearest major intersection(s) or desirably, to points on the system where the influence of the proposed improvement is no longer discernible.
2. A description of the proposed land use.
3. A trip generation table of the proposed development.
  - a. Use equations or rates available in the latest edition of the ITE Trip Generation manual.
    - a. In some scenarios, the ITE Trip Generation manual may not be the best source. In situations where more locally relevant information is available, it may be used, if an explanation as to why the new source is more accurate, is given.
    - b. Iowa DOT has reviewed Wisconsin DOT's *Convenience Store/Gas Station Trip Generation Study* (September 2022) and has deemed this an appropriate alternative for relevant land use types.
4. A turning movement diagram for peak hour and design hour traffic volumes for each access location for both opening and design year.
5. Conclusion.
  - a. Describe the impact of the proposed development on the surrounding area and roadway system.
  - b. Discuss any significant impacts the proposed development might have on the primary highway being accessed (e.g. safety, LOS).

### VII. Traffic Impact Study (TIS)

#### A. Purpose of the Traffic Impact Study

The purpose of a Traffic Impact Study (TIS) is to identify system and immediate area impacts associated with a proposed development accessing the Primary Highway System.

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A traffic impact study is intended to:

1. Document whether the access request meets the requirements of the Traffic Impact Study process.
2. Analyze location, spacing, and design of the access connection(s) necessary to minimize traffic issues.
3. Analyze operational impacts on the highway for both day of opening and the design year. Analysis for peak hour or design hour is required. Analysis for intermediate time frames between the program year and design year may also be required.
4. Recommend the need for any improvements to the adjacent and nearby roadway system to maintain safety, a level of service comparable or better than existing conditions, and to protect the function of the highway system while providing appropriate and necessary access to the proposed development.
5. Assure that the internal traffic circulation of the proposed development is designed to provide safe and efficient access to and from the adjacent roadway system without creating congestion on the primary roadway.
6. Analyze the proposed development to ensure transportation impacts to the traveling public are minimized.

#### B. Traffic Impact Study Format

A traffic impact study should be submitted to the DOT in a PDF format and should follow the outline below. Please note that all assumptions should be noted where made.

1. EXECUTIVE SUMMARY, CONCLUSIONS & RECOMMENDATIONS
2. INTRODUCTION
3. ANALYSIS OF EXISTING CONDITIONS
4. PROPOSED DEVELOPMENT
5. ANALYSIS OF FUTURE CONDITIONS
6. CONCLUSIONS & RECOMMENDATIONS
7. APPENDICES

#### C. Traffic Impact Study Requirements

The traffic impact study **must** incorporate, at a minimum, traffic engineering principles and standards as presented in the Iowa Access Management Manual, Department standards, and National practices. When preparing a traffic impact study within a metropolitan planning area the development of traffic forecasts **must** be coordinated with the Metropolitan Planning Organization staff and the MPO travel demand model.

When preparing a traffic impact study, consider the items listed below and include those that are applicable:

1. Study Area Description
  - a. Show the site location, and include the intersection(s) of the proposed site access drives and any intersections or interchanges impacted.
  - b. Show the study area boundary. A recommendation in determining the study area boundary is to carry the analysis out at least as far as the nearest major intersection(s) or desirably, to points on the system where the influence of the proposed improvement is no longer discernible.
2. Proposed Land Use
  - a. Include an explanation of the proposed land use and how the land use will impact the area including a site plan (preferably engineer civil site plan).
  - b. Identify physical concerns relating to the area, site, and specific access points.
  - c. Identify any critical restrictions due to terrain, adjacent land use, zoning requirements, etc.
3. Forecast Years
  - a. Document and include all phases of development for:
    - i. The opening year (opening day of project)
    - ii. The design year (twenty years after opening day)
4. Analysis Period
  - a. For the opening and design years, analyze site and adjacent road traffic (including turning movements) for:
    - i. Weekday A.M. peak hours
    - ii. Weekday P.M. peak hours
    - iii. Weekday AADT

Weekend generation rates might be required depending on the nature of the proposed land use development (e.g., churches and shopping malls). Contact district staff at the DOT to determine if the proposed land use development would require a weekend traffic analysis.

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#### 5. Data Collection

- a. Include AADT volumes and turning movement counts for current year (or latest year collected by the Iowa DOT), opening year, and design year.
    - i. Include the traffic growth rate and discuss the assumptions used.
    - ii. Discuss traffic characteristics (vehicle mix, % make-up, and any special vehicle requirements).
  - b. Describe site and adjacent roadway and intersection geometries.
  - c. Identify traffic control devices including traffic signals and regulatory signs.
  - d. Include traffic crash data.
    - a. Include traffic modeling results, such as from MPO models, where applicable.
6. Trip Generation
- a. Use equations or rates available in the latest edition of the ITE Trip Generation manual, or, if applicable, rates based on business knowledge or approved alternatives.

#### 7. Trip Distribution and Assignment

- Document separately the distribution and assignment of existing, site, background, and future traffic volumes.
- i. Discuss trip/vehicle make-up and any vehicles that require special routing (e.g., vehicles with special weight, length and/or width restrictions).
  - ii. Discuss trip reduction strategies and pass-by trips.
  - iii. Discuss directional distribution of site-generated traffic.
  - iv. Discuss assignment of non-site related traffic (existing, background and future). Document both existing and committed development, and when appropriate other background planned development traffic. Discuss assignment of total future non-site traffic for the design year.

#### 8. Capacity Analysis

- a. Include LOS analysis results at all intersections for:
  - i. The existing traffic conditions
  - ii. The future traffic conditions without the proposed development in the program and design years
  - iii. The future traffic conditions with the proposed development in the program and design years
  - iv. Capacity Analysis will be completed in accordance with the latest edition of the "Highway Capacity Manual".

#### 9. Traffic Signal Impacts

For existing traffic signals:

- a. Identify the impact on the operations of the existing traffic signals.
- b. Complete an operational/capacity analysis of the intersection using opening day traffic volumes to determine necessary changes to the traffic signals, timing, phasing, etc.
- c. Provide conceptual plan sheets indicating the changes to the existing traffic signals.

For proposed traffic signals:

- a. Complete a Traffic Signal Warrant analysis of the intersection using opening day and design year traffic volumes to determine if the signal warrants are met. Complete a capacity analysis to determine which traffic control provides the best intersection operation.
- b. If traffic signals are proposed, provide Traffic Signal drawings (including the location of traffic signals and signs).
- c. If signals and warrants are satisfied for the design year, but not the opening year, an estimate of when signals will be warranted must be provided.

Analysis of the need for Traffic Signals will be completed in accordance with the latest edition of the "Manual on Uniform Traffic Control Devices".

#### 10. Geometrics

- a. Include acceleration, deceleration and weaving lanes, and traffic control features (number of lanes, lane lengths and widths, alignment, etc.). Include off-system features as related to site plan and access point(s).

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- b. If required, Queuing Analysis must be conducted for all turn lanes and ramp termini under stop and/or signal control within the study area.

#### 11. Functional Area Analysis

- a. Include a functional area analysis for all public intersections and proposed access connections.
- b. Identify any overlapping functional areas and/or acceptable gaps.

#### 12. Right-of-Way Access

- a. Identify right-of-way, geometric boundaries, and physical conflicts.

#### 13. Crash and Traffic Safety Analysis

- a. Discuss the history/conditions of the existing vs. proposed development and document how the level of safety may change.

#### 14. Design and Mitigation

- a. Identify operational concerns and mitigation measures to ensure safe and efficient operations. If applicable, this should include pedestrian/bicycle danger mitigation.
- b. If needed for clarification, include scaled schematic drawings illustrating alignment, number of lanes, lane widths, signing, and pavement markings. If traffic signal modifications are proposed, also include signal phasing, signal head locations, and lane markings.

#### 15. Conclusion

- a. Describe the impact of the proposed development on the surrounding area and roadway system.
- b. Discuss any significant findings from the applicable items of the Traffic Impact Study Requirements (e.g., safety, LOS).
- c. Engineering judgment must have a basis in the data and analysis, explain the reasoning (all statements must be supported by the data provided in the report).
- d. Describe the type of access permit that is being requested.

#### 16. Recommendation

- a. Discuss recommended changes to the existing roadway system due to the planned development, including benefits or mitigated effects of changes.

## VIII. Glossary of Terms, Abbreviations and Acronyms

**Access** – For the purposes of this these guidelines, an access is any entrance or exit point to a primary highway (Office of Systems Planning, Iowa Department of Transportation).

**Access management** – Measures regulating access to streets, roads, and highways from public roads and private driveways (Iowadot.gov/glossary, accessed 8/6/22).

**Annual Average Daily Traffic (AADT)** – The total volume passing a point or segment of a highway facility in both directions for one year, divided by the number of days in the year (Iowadot.gov/glossary, accessed 8/6/22).

**Capacity** – The maximum number of vehicles (vehicle capacity) or passengers (person capacity) that can pass over a given section of roadway or transit line in one or both directions during a given period of time under prevailing roadway and traffic conditions (Iowadot.gov/glossary, accessed 8/6/22).

**Decision sight distance** – The distance required for a driver to detect an unexpected or otherwise difficult-to-perceive information source or hazard in a roadway environment that may be visually cluttered, recognize the hazard or its threat potential, select an appropriate speed and path, and in initiate and complete the required safety maneuver safely and efficiently. (Iowadot.gov/glossary, accessed 8/6/22).

**Design year** – 20 years following the opening year or year the project is open to traffic (Systems Planning Bureau, Iowa Department of Transportation 2013).

**Development traffic** – Estimated traffic volumes generated by a proposed development (Wisconsin Department of Transportation).

**Directional distribution** – The directional split of traffic during the peak or design hour, commonly expressed as a percentage in the peak and off-peak flow directions (American Association of State Highway Transportation Officials).

**Functional Area** - Includes any area upstream or downstream of an intersection where intersection operation and conflicts significantly influence driver behavior and vehicle operations. The functional area of an intersection is a calculated value based on the intersection's geometrics, posted speed limit, traffic volume, type of traffic control used and perception-reaction-time values determined by the American Association of State Highway and Transportation Officials. (Iowa DOT Access Management Manual)

**Highway Capacity Manual (HCM)** – A manual published by the Transportation Research Board as a means of standardizing the techniques used to evaluate the quality of service provided by various transportation facilities (McRae, Bloomberg and Muldoon).

**Institute of Transportation Engineers (ITE)** – An international educational and scientific association of transportation professionals. ITE facilitates the application of technology and scientific principles to research, planning, functional design, implementation, operation, policy development, and management for all transportation modes (McRae, Bloomberg and Muldoon).

**Intersection sight distance (ISD)** – The unobstructed view of an entire (at-grade) intersection and sufficient lengths of the intersecting highway to permit control of the vehicle to avoid collisions during through and turning movements (Iowadot.gov/glossary, accessed 8/6/22).

**Level of service (LOS)** – A qualitative measure describing operational conditions within a traffic stream, based upon service measures, such as speed and travel time, freedom to maneuver, traffic interruptions, comfort and convenience; LOS A represents completely free flow of traffic allowing traffic to maneuver unimpeded, LOS F represents a complete breakdown in traffic flow resulting in stop and go travel, LOS is typically calculated based upon peak-hour conditions. (Iowadot.gov/glossary, accessed 8/6/22).

**Opening year** – The year the project is scheduled to be open to traffic (Systems Planning Bureau, Iowa Department of Transportation).

**Pass-by trips** – Trips, currently on the roadway system, which make an intermediate stop at a generator (i.e., the development under study) with direct access to the roadway network that is adjacent to the original travel route between

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the origin and primary destination. Pass-by trips do not include trips that divert from their original travel path non-adjacent to the site (i.e., diverted trips) (Wisconsin Department of Transportation 2021).

**Peak hour** – That hour during which the maximum amount of travel occurs. It may be specified as the morning peak hour or the afternoon or evening peak hour (American Association of State Highway Transportation Officials).

**Primary highway** – A road or street designated as a "primary road" in accordance with Iowa Code 306.3(6). This definition includes primary road extensions in cities and primary roads under construction (Systems Planning Bureau, Iowa Department of Transportation).

**Queuing** – A stacking of vehicles waiting to be serviced and/or processed (Systems Planning Bureau, Iowa Department of Transportation).

**Sight distance** – The length of highway visible to the driver (Iowadot.gov/glossary, accessed 8/5/22).

**Stopping sight distance** – The sight distance required to permit drivers to see an obstacle soon enough to stop for it under a defined set of reasonable worst-case conditions, without depending upon speed, gradient, road surface and tire conditions, and assumptions about the perception-reaction time of the driver (Iowadot.gov/glossary, accessed 8/5/22).

**Study area** – A geographic area selected and defined at the outset of engineering or environmental evaluations, which is sufficiently adequate in size to address all pertinent project matters occurring within it (Iowadot.gov/glossary, accessed 8/5/22).

**Traffic impact** – The effect of development traffic on highway operations and safety (Wisconsin Department of Transportation 2021).

**Traffic Impact Analysis (TIA)** – An engineering study that determines the potential impacts the expected traffic of a proposed traffic generator will have on the surrounding roadway network. The study includes a recommendation of roadway improvements that may be necessary to accommodate the additional traffic. A complete analysis includes an estimation of future traffic with and without the proposed generator, analysis of traffic impacts, and recommended roadway improvements which may be necessary to accommodate the expected traffic. (Wisconsin Department of Transportation 2021).

**Traffic Impact Letter (TIL)** – A TIA that requires limited analysis and documentation based on forecasted traffic that is below a defined traffic threshold (Systems Planning Bureau, Iowa Department of Transportation).

**Traffic Impact Study (TIS)** – A TIA that requires more comprehensive analysis and documentation based on forecasted traffic that is above a defined traffic threshold (Systems Planning Bureau, Iowa Department of Transportation).

**Trip distribution** – The allocation of the trips generated by the proposed development between all potential approach and departure routes (Wisconsin Department of Transportation 2021).

**Trip generation** – The estimation of the number of trips generated to and from a site resulting from the land-use activity on that site (Wisconsin Department of Transportation 2021).

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## Works Cited

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McRae, Jay, Loren Bloomberg, and Darren Muldoon. *Best Practices for Traffic Impact Studies*. SPR 614, Oregon Department of Transportation & Federal Highway Administration, 2006. <https://www.oregon.gov/odot/programs/researchdocuments/bestpracticesfortraffic.pdf>

Traffic and Safety Bureau, Iowa Department of Transportation. "Access Management Manual." Iowa Department of Transportation, December 2022. <https://iowadot.gov/traffic/pdfs/MM1359-Access-Management-Manual.pdf>

Systems Planning Bureau, Iowa Department of Transportation. "Traffic Impact Study Definitions." 2013.

Wisconsin Department of Transportation. *Traffic Impact Analysis Guidelines*. Wisconsin Department of Transportation, January 2021. <https://wisconsin.gov/dot/manuals/traffic-ops/manuals-and-standards/tia-guideline.pdf>

## Appendix A - Traffic Impact Letter Template

[Insert Title of Traffic Impact Letter]

Prepared by:

[Insert Preparer's Name]

Prepared for:

[Insert Entity Name]

Submitted to:

Iowa DOT  
[Insert Additional Names]

[Insert Date]

[Insert Engineering Certification Seal]

### 1) INTRODUCTION

### 2) ANALYSIS OF EXISTING CONDITIONS

Provide a text description of current site conditions. Include a description of the site location and the surrounding areas.

### 3) PROPOSED DEVELOPMENT

Provide a text description of the future commercial development. Include proposed land uses and how the development will impact the area.

### 4) ANALYSIS OF FUTURE CONDITIONS

#### • TRIP GENERATION

Utilize the most current edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual (and other acceptable sources as mentioned in TIA guidelines documentation) to estimate daily and peak hour trip volumes originating from and destined to the proposed development. Show trip generation rates for weekday, AM and PM Peak Hour in tables for opening year and design year.

#### • TRIP DISTRIBUTION

In a diagram, show the movement distribution (rounded to the nearest 5) at each intersection and access location within the development area.

### 5) CONCLUSIONS & RECOMMENDATIONS

Summarize existing and future conditions and discuss the proposed development's impacts. Identify any significant impacts and recommend mitigation along with the effectiveness of the mitigation.

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## Appendix B - Traffic Impact Letter Checklist

Following is a checklist based on the guidelines provided by the ITE and the Iowa DOT's Guidelines for Traffic Impact Analysis. The purpose of the checklist is to see whether the preparer has provided all the information that the Iowa DOT requires. It should also be used as a format for the report by the developer to make the process consistent and quick to review.

Name of Project:		Checked By:	
Location:		Prepared By:	
Owner/Developer:		Date:	

Is the report stamped by a licensed professional with expertise in traffic engineering?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

Project Information

1 - INTRODUCTION	Yes	No	N/A
------------------	-----	----	-----

Does this section include:

a) The reason for the traffic impact letter

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

2 - ANALYSIS OF EXISTING CONDITIONS

Does this section include:

a. Location, including MPO if applicable

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

b. Study area boundary

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

3 - PROPOSED DEVELOPMENT

Does this section include:

a. Description of future commercial development and site plan

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

b. Type of proposed land uses

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

c. Proposed impacts to the area

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

4 - ANALYSIS OF FUTURE CONDITIONS

Does this section include:

a) ITE Trip Generation Rates for:

- Opening year
- Design year

Does each analysis year include:

- Land Use
- Land Use Code #
- Land Use Quantity
- Unit of Measurement
- Weekday
- AM Peak Hour with entering and exiting volumes
- PM Peak Hour with entering and exiting volumes

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b) Trip Distribution for AM and PM peak hour traffic for:

- Opening year
- Design year

Does each analysis year include:

- Turning Movement Diagrams

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5 - CONCLUSIONS & RECOMMENDATIONS

- Does this section include:
- a. Summary of the proposed project
  - b. Discussion of development impacts
  - c. Recommendation for mitigation measures

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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## Appendix C - Traffic Impact Study Template

[Insert Title of Traffic Impact Study]

Prepared by:  
[Insert Preparer's Name]

Prepared for:  
[Insert Entity Name]

Submitted to:  
Iowa DOT  
[Insert Additional Names]

[Insert Date]

[Insert Engineering Certification Seal]

### 1) EXECUTIVE SUMMARY, CONCLUSIONS & RECOMMENDATIONS

Provide a description of the development, site location, including MPO if applicable, and study area (including a site map). Briefly describe the purpose of the analysis, principal findings, conclusions, and recommendations.

### 2) INTRODUCTION

### 3) ANALYSIS OF EXISTING CONDITIONS

Provide a text description of current site conditions. Include the existing land use, zoning classification, and a description of the site location and the surrounding areas. Include a text description and graphic showing the existing lane configurations and traffic control devices in the study area.

#### • TRAFFIC DATA

Include a graphic showing the current AADT, AM peak hour, and PM peak hour based on Iowa DOT traffic counts. Raw traffic volumes will not be accepted for use in traffic analysis. Include the % truck traffic on all routes. Identify and justify the annual growth rate to be used for future traffic analysis.

#### • CRASH HISTORY

Provide a description of crash data for the past 10 years. Include a crash data table by intersection.

### 4) PROPOSED DEVELOPMENT

Provide a text description of the future commercial development and detailed site plan. Include proposed land uses, street and driveway improvements for opening year and design year. Identify percent developed at each analysis year.

### 5) ANALYSIS OF FUTURE CONDITIONS

#### • TRIP GENERATION

Utilize the most current edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual (and other acceptable sources as mentioned in TIA guidelines documentation) to estimate daily and peak hour trip volumes originating from and destined to the proposed development. Show trip generation rates for weekday, AM and PM Peak Hour in tables for each analysis year. Each table must identify the land use by ITE code and name, the quantity estimated, the unit of measurement and the number entering and exiting.

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#### • TRIP DISTRIBUTION

The analysis should use available transportation models in conjunction with input from local jurisdictions and current Transportation Plans to estimate traffic distribution patterns. Show trip distribution and assignment on a turning movement diagram as trips (rounded to the nearest 5) at each significant intersection and access within the area of the development.

#### • TURN LANE WARRANTS

Refer to Chapter 6 - Geometric Design of Intersections from the Office of Design's Design Manual to determine turn lane warrants based on peak hour traffic data. Include a turn lane warrant table summarizing when each intersection is expected to warrant turn lanes.

#### • FUNCTIONAL AREA ANALYSIS

Utilize established methodologies from the Iowa DOT Access Management Manual to determine upstream and downstream distances of all proposed and public accesses. Include diagrams of functional area gaps and overlaps.

#### • CAPACITY ANALYSIS

Utilize the established methodologies of the current Highway Capacity Manual to analyze the capacity of all intersections and roadway segments. Perform capacity analysis for AM and PM peak hours for each analysis year. Include a capacity analysis LOS table summarizing the critical movement results for each analysis year. Include the effects of queuing and blocking on intersection operations.

### 6) CONCLUSIONS & RECOMMENDATIONS

Summarize existing and future conditions and discuss the proposed development's impacts. Identify any operational or safety deficiencies and recommend mitigation measures. Summarize how the proposed development complies with all operational and safety standards.

### 7) APPENDICES

Planning Analysis Output

- o Traffic Signal Warrants
- o Traffic Capacity Analysis

Planning Analysis Input

A summary of traffic analysis variable inputs must be provided. Any traffic impact study submitted without an input summary will not be accepted by the Department.

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## Appendix D - Traffic Impact Study Checklist

Following is a checklist based on the guidelines provided by the ITE and the Iowa DOT's Guidelines for Traffic Impact Analysis. The purpose of the checklist is to see whether the preparer has provided all the information that the Iowa DOT requires. It should also be used as a format for the report by the developer to make the process consistent and quick to review.

Name of Project: [ ] Checked By: [ ]  
Location: [ ] Prepared By: [ ]  
Owner/Developer: [ ] Date: [ ]

Is the report stamped by a licensed professional with expertise in traffic engineering? Yes No  
☐ ☐

### Project Information

#### 1 - EXECUTIVE SUMMARY, CONCLUSIONS & RECOMMENDATIONS

Does this section include: Yes No N/A  
a. Description of the development ☐ ☐ ☐  
b. Site location (MPO, if applicable) including detailed site plan ☐ ☐ ☐  
c. Purpose of analysis ☐ ☐ ☐  
d. Principle findings ☐ ☐ ☐  
e. Conclusions and recommendations ☐ ☐ ☐

#### 2 - INTRODUCTION

Does this section include: ☐ ☐ ☐  
a. The reason for the traffic impact study

#### 3 - ANALYSIS OF EXISTING CONDITIONS

Does this section include: ☐ ☐ ☐  
a. Location ☐ ☐ ☐  
b. Study area boundary ☐ ☐ ☐  
c. Existing land use and zoning ☐ ☐ ☐  
d. Map showing all accesses and intersections identified by:  
o Controlled with signals ☐ ☐ ☐  
o Controlled with stop signs ☐ ☐ ☐  
o Uncontrolled ☐ ☐ ☐  
e. Posted speed limit ☐ ☐ ☐  
f. Street Classification and station number ☐ ☐ ☐  
g. Sidewalk(s) ☐ ☐ ☐  
h. Sight Distance ☐ ☐ ☐  
i. Traffic Signals ☐ ☐ ☐  
j. Existing level of service (LOS) ☐ ☐ ☐  
k. Number of Thru Lanes ☐ ☐ ☐  
l. Number of Turning Lanes ☐ ☐ ☐  
m. Medians ☐ ☐ ☐  
n. Traffic Data including:  
o Growth rate ☐ ☐ ☐  
o Current AADT, AM & PM peak hour volumes ☐ ☐ ☐  
o Existing turning movements at intersections ☐ ☐ ☐  
o Truck % on all routes ☐ ☐ ☐  
Has the growth rate assumption been: ☐ ☐ ☐  
- Justified

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- Documented ☐ ☐ ☐  
p. Crash data for past 10 years

#### 4 - PROPOSED DEVELOPMENT

Does this section include: ☐ ☐ ☐  
a. Description of future commercial development ☐ ☐ ☐  
b. Type of proposed land uses ☐ ☐ ☐  
c. Proposed impacts to the area ☐ ☐ ☐  
d. Site plan including all proposed intersections and accesses ☐ ☐ ☐  
e. Phasing plan for:  
o Opening year ☐ ☐ ☐  
o Design year ☐ ☐ ☐  
f. Physical concerns or restrictions identified ☐ ☐ ☐

#### 5 - ANALYSIS OF FUTURE CONDITIONS

Does this section include: ☐ ☐ ☐  
a. ITE Trip Generation Rates for:  
o Opening year ☐ ☐ ☐  
o Design year ☐ ☐ ☐  
Does each analysis year include:  
- Land Use ☐ ☐ ☐  
- Land Use Code # ☐ ☐ ☐  
- Land Use Quantity ☐ ☐ ☐  
- Unit of Measurement ☐ ☐ ☐  
- Weekday ☐ ☐ ☐  
- AM Peak Hour with entering and exiting volumes ☐ ☐ ☐  
- PM Peak Hour with entering and exiting volumes ☐ ☐ ☐  
b. Trip Distribution for AM and PM peak hour traffic for:  
o Opening year ☐ ☐ ☐  
o Design year ☐ ☐ ☐  
Does each analysis year include:  
- Turning Movement Diagrams ☐ ☐ ☐  
- Method used to determine directional distribution ☐ ☐ ☐  
- Site generated turning movements ☐ ☐ ☐  
- Percent mix of vehicles including trucks ☐ ☐ ☐  
- Pass by trip assumptions ☐ ☐ ☐  
- Non-site related traffic ☐ ☐ ☐  
c. Turn lane warrants evaluated for:  
o Storage capacity ☐ ☐ ☐  
o Length ☐ ☐ ☐  
Does each include:  
- Turn lane warrant table ☐ ☐ ☐  
d. Capacity Analysis evaluated for:  
o Level of Service (LOS) for:  
- Opening year ☐ ☐ ☐  
- Design year ☐ ☐ ☐  
o LOS deficiencies identified and document ☐ ☐ ☐  
e. Geometrics evaluated for:  
o Acceleration lanes ☐ ☐ ☐  
o Deceleration lanes ☐ ☐ ☐  
o Weaving lanes ☐ ☐ ☐  
o Queuing analysis ☐ ☐ ☐  
f. Functional Area Analysis ☐ ☐ ☐  
o Upstream Distance for public intersections ☐ ☐ ☐  
o Downstream Distance for public intersections ☐ ☐ ☐

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o Upstream Distance for proposed accesses ☐ ☐ ☐  
o Downstream Distance for proposed accesses ☐ ☐ ☐  
o Gap and overlap diagrams ☐ ☐ ☐  
g. Traffic signal warrants evaluated for:  
o Compliance with MUTCD ☐ ☐ ☐  
h. Sight distance ☐ ☐ ☐  
i. ROW access ☐ ☐ ☐  
o Is dedication of ROW proposed? ☐ ☐ ☐  
o Is the new ROW identified? ☐ ☐ ☐  
o Does the new ROW meet DOT standards? ☐ ☐ ☐  
j. Description of methodologies used in analyses ☐ ☐ ☐

#### 6 - CONCLUSIONS & RECOMMENDATIONS

Does this section include: ☐ ☐ ☐  
a. Summary of the proposed project ☐ ☐ ☐  
b. Discussion of development impacts ☐ ☐ ☐  
c. Identification of all deficiencies and conflicts ☐ ☐ ☐  
d. Recommendation for mitigation measures ☐ ☐ ☐

#### 7 - APPENDICES

Does this section include: ☐ ☐ ☐  
a. Planning level Traffic Signal Warrants ☐ ☐ ☐  
b. Capacity Analysis software reports ☐ ☐ ☐  
c. Traffic Analysis Inputs used in all software programs ☐ ☐ ☐

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## RESOURCES FROM FIRST BOARD OF ADJUSTMENT PUBLIC HEARING – JUNE 2, 2025

### MEETING BACKUP MATERIALS

- [https://www.woodburycountyiowa.gov/files/committees/meetings/2025-06-02\\_packet\\_board\\_of\\_adjustment\\_47939.pdf](https://www.woodburycountyiowa.gov/files/committees/meetings/2025-06-02_packet_board_of_adjustment_47939.pdf)

### MEETING AUDIO

- <https://www.youtube.com/watch?v=Ood2zFzS74w>

### DRAFT MINUTES

- See subsequent pages.

## DRAFT MINUTES

### Minutes - Woodbury County Board of Adjustment – June 2, 2025

The Board of Adjustment convened on the 2nd day of June 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.

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#### 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/](https://www.woodburycountyiowa.gov/committees/board_of_adjustment/)
  - YouTube Direct Link:
    - o <https://www.youtube.com/watch?v=Ood2zFzS74w>
- 

BA Members Present:

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

County Staff Present:

Dan Priestley, Dawn Norton

Public Present:

Jason Reynoldson, Debra De Forrest, James McCullough, Chad Hofer, Kirby Eli, Jeaneen Eli, Lew Fillipi, Jeanette Frey, Jim Sykes, Vonda Anfinson

#### CALL TO ORDER

Chair Daniel Hair called the meeting to order at 5:06 PM.

#### ROLL CALL

Chair Hair noted that all members were present except Doyle Turner, who was expected to arrive shortly. The meeting was audio-recorded, and attendees were asked to silence cell phones and sign the attendance sheet. Chair Hair outlined the procedures for the meeting, including public hearing processes, public comment protocols, and the board's deliberation and voting process.

#### PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

No public comments were made on matters not listed on the agenda.

#### APPROVAL OF MINUTES

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

#### PUBLIC HEARING - CONDITIONAL USE PERMIT FOR COMPETITIVE ATHLETIC FIELD (BASEBALL FIELD FOR MORNINGSIDES UNIVERSITY, PARCEL #884714300005) (ACTION ITEM)

Chair Hair opened the public hearing. Dan Priestley presented the staff report, summarizing the application by Jason Reynoldson on behalf of Morningside University to construct and operate a baseball field on Parcel #884714300005 in the Agricultural Preservation (AP) Zoning District. The proposed facility aims to support organized sports, health, wellness, and community engagement, with features like permeable surfaces, native landscaping, and noise/light control to minimize environmental impact. The Zoning Commission reviewed the proposal on May 28, 2025, with a 4-0 vote in favor, noting public concerns about traffic, event scheduling, noise, light disturbance, water usage, and alcohol policies. The proposal meets zoning and site plan requirements but requires Board of Adjustment approval as a conditional use under Section 3.03.4 of the Woodbury County Zoning Ordinance.

#### Applicant Presentation

Jason Reynoldson provided an overview, stating the field is primarily for Morningside University's baseball team, with potential use for youth camps and tournaments. The season would span March to April (approximately six weeks), with about 50 games annually, including 15-17 home dates, often as doubleheaders. Games typically last 2-3 hours, with preferred start times around 5:00 PM, ending by 10:00 PM to accommodate student schedules. The initial project excludes lights, but future phases may include them, oriented to minimize impact. Parking is planned on the west and south sides to avoid road parking, and student workers would manage traffic flow. A PA system and walk-up music are planned, with efforts to control noise. Alcohol would be prohibited, with signage and security

## DRAFT MINUTES

enforcement. Team practices would also be done at the field during season and off-season. Double Header start times could be moved to begin earlier. Parking lot would be monitored to prevent alcohol use.

### Public Comments

- **Debra De Forrest:** Expressed concerns about sourcing dirt for the field, suggesting it might come from nearby property, and raised issues about alcohol use and game duration potentially extending past 10:00 PM, citing local baseball games running late.
- **James McCullough:** Noted increased traffic on 141 due to nearby apartments (240-720 additional vehicles daily), emphasizing safety concerns with no turning lanes and high-speed traffic (50-60 mph). Suggested collaboration with the county engineer for traffic solutions.
- **Chad Hofer:** Generally was okay with the project but stressed enforcing a 10:00 PM closure to avoid disturbances, citing a past incident at the nearby county home range. Raised concerns about light spillage into his property and traffic safety, particularly at the 141/Buchanan Avenue intersection due to poor line of sight.

### Public Hearing Closure

The public hearing was closed with a motion by Turner and a second by Clark. Motion carried unanimously (5-0).

### Board Discussion

The board discussed traffic safety, noise, lighting, dust from nearby agricultural trucks, and time restrictions. Key concerns included:

- **Traffic Safety:** The lack of turning lanes on 141 and poor line of sight at intersections, exacerbated by existing apartment traffic and potential game-related traffic (100-200 attendees per game).
- **Noise and Lighting:** Uncertainty about decibel levels and light orientation, with no county ordinance specifying decibel limits in unincorporated areas.
- **Time Restrictions:** Challenges in enforcing a 10:00 PM closure due to variable game lengths.
- **Dust Control:** Dust from trucks on Buchanan Avenue during planting season, impacting air quality and visibility.
- **Construction Timeline:** Morningside aims to start construction to have the field ready for the 2026 spring season.

The board felt insufficient information was available to make a decision, particularly regarding traffic mitigation, noise control, and dust management. They suggested Morningside consult the county engineer for traffic solutions and provide a detailed business plan addressing these concerns.

### Action

- **Motion:** Chair Hair moved to table the conditional use permit application until the next meeting (July 2025) to allow Morningside University to provide clarification on their business plan, including surface water runoff, decibel levels, alcohol policy, dust control, light mitigation, and safe traffic flow to protect public health, welfare, safety, etc.
- **Second:** Pam Clark.
- **Discussion:** None.
- **Vote:** Unanimous in favor (ayes).
- **Outcome:** Motion carried; application tabled. Staff was directed to work with Morningside to address concerns and prepare for a new public hearing in July.

### PUBLIC HEARING - VARIANCE REQUEST - ACCESSORY STRUCTURE PRIOR TO PRINCIPAL STRUCTURE (KIRBY AND JANINE ELI, PARCEL #894214400004) (ACTION ITEM)

Dan Priestley reported a minor error in the letter and legal public notice in the newspaper (incorrect section number: listed as 21, should be 14), but confirmed substantial compliance with notification requirements, as letters were sent to property owners within 500 feet, and the correct parcel number and deed reference were included in both the legal notice and letter which retained context.

Chairman Hair opened the public hearing. Priestley introduced the variance. The applicants, Kirby and Janine Eli, seek to build a 40x60 accessory shed before completing their principal residence on an 11.77-acre parcel in Union Township. They plan to start foundations for both structures simultaneously but prioritize the shed for storing materials and tools during construction, as they will live in a camper on-site. The shed would be enclosed by winter,

## DRAFT MINUTES

with the house construction to follow. Staff recommended approval, citing practical difficulty and the applicants' commitment to building both structures.

### **Applicant Presentation**

Kirby Eli confirmed the plan to build both foundations concurrently, live in a camper, and use the shed for storage during construction. The shed's completion would support their retirement project, and their presence on-site would aid maintenance of adjacent family-owned property.

### **Public Comments**

No public comments were received.

### **Public Hearing Closure**

The public hearing was closed with a motion by Turner and a second by Thiesen. Motion carried unanimously (5-0).

### **Board Discussion**

The board found the request straightforward, noting similar variances approved in the past. The simultaneous foundation work and the applicants' clear plan addressed concerns about ensuring the principal structure's completion. Recent state legislation (House File 652) was noted, which emphasizes practical difficulty over financial hardship, supporting the variance.

### **Action**

- **Motion:** Pam Clark moved to approve the variance, noting substantial compliance with public notice requirements.
- **Second:** Doyle Turner.
- **Discussion:** None.
- **Vote:** Unanimous in favor (ayes).
- **Outcome:** Motion carried; variance approved. The applicants were informed that building permits could be issued, valid for one year with renewal options.

### **ACCESSORY SECOND DWELLINGS - SENATE FILE 592 (INFORMATION ITEM)**

Dan Priestley briefed the board on Senate File 592, signed by Governor Reynolds on May 1, 2025, amending Iowa Code Section 331.301. Key points:

- Counties must allow at least one accessory dwelling unit (ADU) on lots with a single-family residence, subject to state building codes and a size limit of 1,000 square feet or 50% of the primary residence's size, whichever is larger.
- ADUs cannot face stricter regulations than single-family homes regarding setbacks, height, or aesthetics.
- ADU permits must be approved administratively without public hearings, streamlining the process.
- Counties cannot require ADUs to be tied to specific uses (e.g., family or workers), voiding conflicting ordinances.
- Strategic placement of ADUs was advised to facilitate future lot splits and maintain property value, with considerations for wells, septic systems, and driveway access.

The board discussed potential challenges, such as increased driveway density on farm-to-market roads and the need for county engineer input on access safety. No action was required, as this was an information item.

### **VARIANCE LEGISLATION UPDATE (INFORMATION ITEM)**

Dan Priestley updated the board on House File 652, which expands variance authority under Iowa Code Sections 335.15 and 414.12. The legislation shifts focus from economic hardship to practical difficulty, allowing more flexibility for setbacks and dimensional requirements. Applicants must prove the difficulty is unique and not self-created, and the variance must not alter the neighborhood's character. The board noted this aligns with their criteria and supports reasonable development. No action was required.

### **NUCLEAR ENERGY FACILITY DISCUSSION (INFORMATION ITEM)**

Dan Priestley reported on the Zoning Commission's discussions on nuclear energy facilities. The commission is exploring defining nuclear facilities in the zoning ordinance to address permitting proactively, balancing flexibility

## DRAFT MINUTES

with clear definitions. Assistant County Attorney Joshua Widman advised enumerating nuclear facilities separately from general electrical energy generation to strengthen legal defensibility. A proposed 10-mile notification radius for nuclear projects was discussed, compared to the standard 500 feet for most conditional uses. Recent federal executive orders aim to streamline nuclear permitting, and the county is monitoring these developments. Public engagement remains low, but the commission aims to recommend ordinance changes to the Board of Supervisors. No action was required.

### **BORROW PIT ZONING ORDINANCE TEXT AMENDMENT (INFORMATION ITEM)**

Dan Priestley discussed a proposed amendment to allow conditional use permits for borrow pits in the Agricultural Estates (AE) Zoning District, aligning it with the Agricultural Preservation (AP) District. Currently, borrow pits are prohibited in AE, despite similar land use characteristics. The amendment addresses practical needs for landowners to remove and sell dirt, especially for non-farmers, while ensuring public notification due to impacts like noise and traffic. The Zoning Commission voted 4-0 to recommend the amendment to the Board of Supervisors, with public hearings planned. No action was required.

### **PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA.**

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

### **STAFF UPDATE**

Dan Priestley urged the board to monitor upcoming Board of Supervisors' discussions on nuclear facilities and borrow pits, emphasizing ongoing zoning issues and encouraging communication.

### **BOARD MEMBER COMMENT OR INQUIRY**

Chair Hair invited board member comments or inquiries. None.

### **MOTION TO ADJOURN**

- **Motion:** Tom Thiesen moved to adjourn.
- **Second:** Doyle Turner.
- **Vote:** Unanimous in favor (ayes).
- **Outcome:** Meeting adjourned at an unspecified time.

The meeting ended at 7:08 PM





# 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

## REPORT – JULY 1, 2025

### APPLICATION DETAILS

Applicant(s)/Owner(s):	Kevin Heiss/Rent Properties LLC
Application Type:	Conditional Use Permit
Zoning District:	General Commercial (GC)
Total Acres:	67.25
Current Use:	Agricultural / Vacant Land
Proposed Use:	Installation of a 14' x 48' LED billboard for off-premise
Pre-application Meeting:	May 22, 2025
Application Date:	May 27, 2025
Legal Notice Date:	June 21, 2025
Neighbor(s) Notice Date:	June 19, 2025
Stakeholder(s) Notice Date:	June 5, 2025
Zoning Commission Review:	June 23, 2025
Board of Adjustment Public Hearing:	July 7, 2025

### PROPERTY DETAILS

Parcel(s):	884606100002
Township/Range:	T88N R46W (Floyd Township)
Section:	6
Quarter:	N 2/3 of the N 1/2 of the NW 1/4
Zoning District:	General Commercial (GC)
Floodplain:	Yes. Zone A
Property Address:	No address

### CONTENTS

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

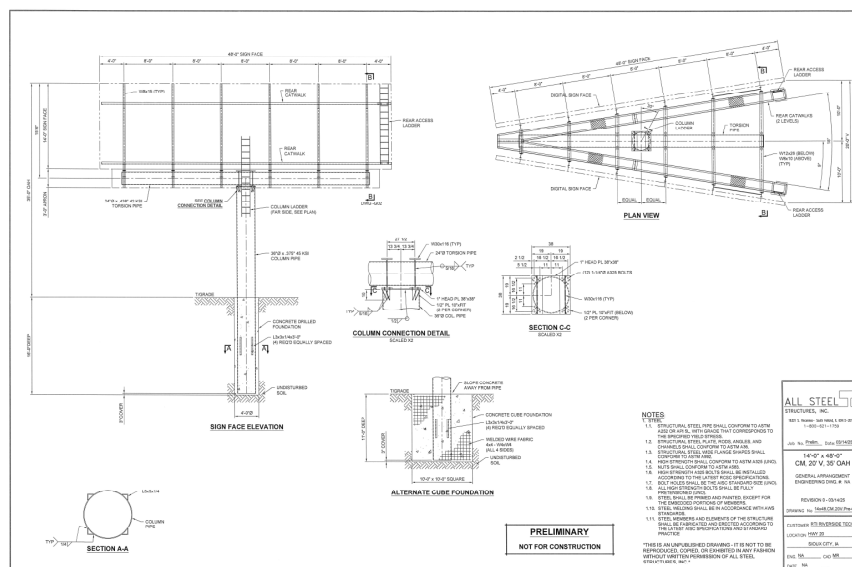
### SUMMARY

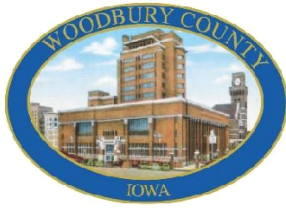
Kevin Heiss, representing Rent Properties LLC, has submitted a conditional use permit (CUP) application to construct and operate a 14' x 48' LED billboard for off-premise advertising. The property is located in the N 2/3 of the N 1/2 of the NW 1/4, Section 6, Township 88N, Range 46W (Floyd Township), identified as Parcel 884606100002. It is proposed to be situated along the south side of Highway 20 and the east side of Charles Avenue. The property is in the General Commercial (GC) Zoning District, where "off-premise advertising signs (e.g. Billboards)" are classified as a conditional use under Section 3.03.4 and Section 5.02.8 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 June 19, 2025 and June 21, 2025. Neighbors within 500 feet were notified via a June 19, 2025 letter about the Board of Adjustment public hearing on July 7, 2025. Relevant stakeholders, including government agencies, utilities, and organizations, have been invited to provide comments. Following their review, on June 23, 2025, the Zoning Commission voted 5-0 to recommend approval. Please refer to the subsequent pages to review their findings and recommendation statement.

### AERIAL MAP



### SITE PLAN EXCERPT





**WOODBURY COUNTY  
ZONING COMMISSION**

WOODBURY COUNTY COURTHOUSE  
620 DOUGLAS STREET  
SIOUX CITY, IA 51101

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

**From:** Christine Zellmer Zant, Chair  
Woodbury County Zoning Commission

**Date:** June 24, 2025

**Subject:** Conditional Use Permit Recommendation for Rent Properties LLC (Kevin Heiss) to construct and operate a 14' x 48' LED billboard for off-premise advertising. The property is located in the N 2/3 of the N 1/2 of the NW 1/4, Section 6, Township 88N, Range 46W (Floyd Township), identified as Parcel 884606100002.

---

Dear Members of the Board of Adjustment,

The Woodbury County Zoning Commission with a 5-0 vote, following a review session conducted on June 23, 2025, recommends approval of the said conditional use permit application, finding it meets zoning ordinance criteria and is appropriate for the GC district. However, we respectfully request the Board of Adjustment consider the following during their July 7, 2025, public hearing:


1. Explore the feasibility of reducing the 1,000-foot separation requirement from other billboards, allowing relocation closer to Highway 20. This could reduce visual impact on nearby residences by adjusting its orientation, benefiting both the applicant and community.
2. Encourage the applicant to continue discussions with residents, particularly Dana Neal, to address light pollution concerns. This may include sharing visualizations of the sign's nighttime impact or demonstrating similar existing signs.

**Conclusion**

The Zoning Commission believes the proposed billboard aligns with the county's zoning objectives and supports commercial development along Highway 20. We appreciate the applicant's efforts to comply with regulations and engage with the community. We defer to the Board of Adjustment's authority to make the final determination, with the above considerations to ensure a balanced outcome.

Please refer to the Zoning Commission meeting minutes for additional details. We are available to provide further clarification as needed.

**Respectfully submitted,**



Christine Zellmer/Zant, Chair  
Woodbury County Zoning Commission

Dated this 24 day of June, 2025

## Woodbury County Zoning Commission Meeting Minutes

**Date:** June 23, 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/](https://www.woodburycountyiowa.gov/committees/zoning_commission/)
- YouTube Direct Link:
  - o <https://www.youtube.com/watch?v=a5z4GlaHc2o>

### Attendees

- **Commissioners Present:** Chris Zellmer Zant – Chair, Tom Bride – Vice Chair, Steve Corey, Jeff Hanson, Corey Meister
- **Staff Present:** Dan Priestley – Zoning Coordinator, Dawn Norton – Senior Clerk
- **Supervisor(s) Present:** Kent Carper
- **Public Attendees:** Kevin Heiss, Slater Ohm, Dana Neal (via phone), Lynn Drees (via phone)

### Call to Order

Chair Chris Zellmer Zant called the meeting to order at 5:00 p.m. The Chair reviewed the meeting procedures, including the audiotaping of the meeting, the preparation of minutes, the request for cell phones to be turned off or set to vibrate, and the requirement for attendees to complete the attendance sheet. The Chair also outlined the public hearing procedures, including staff reports, applicant presentations, public comments (limited to three minutes per speaker), and the closure of hearings by motion and vote.

### Roll Call

All the commissioners were present.

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

The Chair inquired if there were any public comments on matters not on the agenda. Seeing and hearing none, the meeting proceeded.

### Approval of Minutes from Previous Meeting: May 28, 2025 (Special Meeting) (Action Item)

The Chair asked for any corrections or comments regarding the minutes from the previous meeting on May 28, 2025. Hearing none, a motion was entertained.

- **Motion:** To approve the minutes from the last meeting of May 28, 2025.
- **Moved by:** Tom Bride
- **Seconded by:** Corey Meister
- **Vote:** All in favor said "Aye." One commissioner (Jeff Hanson) abstained due to absence from the previous meeting.
- **Action:** The minutes of the previous meeting were approved.

## 5. Items of Business

### a. Public Hearing and Action Item: Consideration of Nuclear Energy Facilities and Nuclear Waste Storage in the Woodbury County Zoning Ordinance (Action Item)

The public hearing was opened with Dan Priestley explaining that this discussion was a continuation from previous months (dating back to August/September 2024) regarding the inclusion of nuclear energy facilities, nuclear waste storage, and related uses in the Woodbury County Zoning Ordinance. He highlighted the complexity of the issue, noting the heavy involvement of federal (Nuclear Regulatory Commission - NRC) and state regulations.

Priestley explained that the existing Woodbury County Zoning Ordinance's land use summary table includes "electrical energy generation, not including wind," which could be interpreted to include nuclear facilities as a conditional use. However, the standard 500-foot public notification distance for conditional use permits was deemed insufficient for nuclear facilities. The current proposal extends this notification zone to 10 miles for any conditional use permit process related to nuclear energy or waste storage. This proposal utilizes the existing zoning ordinance infrastructure, requiring review by both the Zoning Commission and the Board of Adjustment.

Priestley clarified that the Board of Supervisors initiated this process to receive a recommendation from the Zoning Commission, with the Supervisors ultimately having up to three public hearings on any final proposal. He noted that public input had been collected over several meetings, and while not as extensive as for wind or solar energy, both support and opposition comments had been received.

Priestley presented a "Nuclear Energy Public Comments 2014-2025" document, summarizing past comments, and requested it be received into the public record.

- **Motion:** To receive the "Nuclear Energy Public Comments 2014-2025" document into the public record.
- **Moved by:** Tom Bride
- **Seconded by:** Jeff Hanson
- **Vote:** All in favor said "Aye."
- **Action:** The document was received into the public record.

Priestley then summarized key public comments:

- **Support:** Mayor Bob Scott (Sioux City), Kyle Gates (Secondary Roads), Mayor Ken Bauer (Correctionville), and Craig Levine and Rick Plathe (Northwest Iowa Building and Construction Trade Council).
- **Opposition:** Jerry Holder (concerns regarding waste risk and potential malfunctions), Janet Kruger (opposing nuclear activities, urging prohibition without public approval).
- **Other Comments:** Wendy Hess (9/11 Dispatch Center readiness, staff training, emergency exercises, budget increases), Mark Nara (former County Engineer, regarding infrastructure impact and NRC alignment), Patty Riesberg (clarified NRC's regulatory role). Brian Bergeon from the NRC had also provided details on their independent regulatory and licensing process in a previous packet.

Priestley reiterated that the local conditional use permit process allows for scrutiny and engagement with other levels of government, similar to telecommunication towers. He emphasized that the proposed ordinance amendment specifically defines "nuclear energy facilities" and "nuclear waste storage" and adds them to the land use summary table **only in the general industrial zoning district**. The 10-mile notification radius is a key added feature.

The Chair then opened the floor for public comments on this item.

- **Public Comment:** No one present in the room wished to comment.
- **Public Comment (via phone):** Lynn Drees (phone) from Danbury stated, "no comment." No other callers wished to comment.

The Chair then invited comments from the commissioners.

- Dan Priestley clarified that this process is proactive, and no specific nuclear project has been proposed or approached staff/county. The purpose is to determine if it should be a permitted use in the ordinance.
- Commissioner Tom Bride reiterated that the current ordinance covers electrical energy generation, but the proposed language provides more detail as recommended by the County Attorney's office.
- Dan Priestley explained that the County Attorney felt the previous language wasn't specific enough and that clearer definitions would prevent interpretation issues if an application were submitted. He also stressed the importance of the 10-mile notification over the standard 500 feet to avoid potential problems. He noted that the costs of extensive notifications for a 10-mile radius would be passed on to the applicant, aligning with the county's zoning fee schedule to prevent massive county expenses for wider-scale conditional uses.
- Commissioner Jeff Hanson emphasized that defining nuclear energy clarifies the language and expands the notification distance, which are important considerations.
- Dan Priestley reinforced that a conditional use permit is a "maybe" permit, not a "yes," allowing full scrutiny and public engagement in the process. He noted the difficulty of discussing hypotheticals without a specific project but stressed the importance of having a clear framework in the ordinance for potential future proposals.

The Chair inquired about the next steps. Dan Priestley explained that the commission could close the public hearing and then make a recommendation to the Board of Supervisors or continue the discussion. If a recommendation is sent, the Board of Supervisors would then consider scheduling up to three public hearings, which often draw more public engagement.

- **Motion:** To close the public hearing.
- **Moved by:** Jeff Hanson
- **Seconded by:** Corey Meister
- **Vote:** All in favor said "Aye."
- **Action:** The public hearing was closed.

Commissioner Jeff Hanson commented that this was the 12th time the issue had been heard at various levels.

- **Motion:** To recommend to the Board of Supervisors to move forward with the language as presented in draft pages 11, 12, 13, and 14 of the packet, which specifically defines nuclear energy facilities and nuclear waste storage.
- **Moved by:** Jeff Hanson
- **Seconded by:** Steve Corey

Discussion on the motion:

- Supervisor Kent Carper asked if specific locations were picked out. Dan Priestley clarified that the proposed ordinance would only allow these uses in **general industrial areas**, typically south of the airport and west of Interstate 29, not in agricultural or residential zones.
- Dan Priestley added that the Board of Supervisors has the prerogative to adjust the language during their three public hearings, as the Zoning Commission's output is a recommendation.
- Commissioner Tom Bride clarified that the motion is not targeting new areas but is clarifying language, notification, and conditions for existing general industrial zones. He reiterated that the 10-mile notification is a significant improvement over 500 feet.
- Dan Priestley further clarified that both nuclear energy facilities and nuclear waste storage would be distinct, classified as conditional uses, and subject to the 10-mile notification apparatus.
- **Vote:** All in favor said "Aye." (Unanimous)
- **Action:** The commission voted unanimously to recommend to the Board of Supervisors to move forward with the proposed language for nuclear energy facilities and nuclear waste storage in the Woodbury County Zoning Ordinance.

#### **b. Public Hearing and Action Item: Consideration of Zoning Ordinance Text Amendments for Accessory Dwelling Units to Comply with Iowa's Senate File 592 (Action Item)**

The public hearing was opened with Dan Priestley stating this was a housekeeping item to bring the county ordinance into compliance with Iowa Senate File 592. This state law, signed by Governor Kim Reynolds on May 1st, mandates that counties allow at least one accessory dwelling unit (ADU) on the same lot as a single-family residence, subject to specific conditions, and prohibits certain restrictive regulations.

Priestley explained that the state standard sets a minimum threshold of 1,000 square feet or 50% of the size of the existing dwelling, whichever is greater. While the state code allows counties flexibility to permit larger ADUs, the current proposal strictly follows the state's minimums. He noted that other jurisdictions (counties and cities) would also be grappling with the implications of this new law, particularly concerning wells and septic. He mentioned that the 23-foot minimum dimension for a dwelling would still apply for building permits.

Priestley stated that the staff's recommendation is to simply react to the state standard and keep the minimums, allowing for future re-evaluation if demand necessitates larger ADUs. He stressed that the county has a duty to make its ordinance compatible with state law.

The Chair then opened the floor for public comments on this item.

- **Public Comment:** No one present in the room wished to comment.
- **Public Comment (via phone):** No one wished to comment.

The Chair then invited comments from the commissioners.

- **Motion:** To close the public hearing.
- **Moved by:** Tom Bride
- **Seconded by:** Jeff Hanson
- **Vote:** All in favor said "Aye."
- **Action:** The public hearing was closed.

Commissioner Tom Bride commented that there is no alternative but to align with state code. He agreed with Dan Priestley that there is no immediate reason to allow larger structures beyond the state's minimums (1,000 sq ft or 50% of the existing dwelling). He viewed it as a housekeeping issue, with potential future reviews if needs arise. Other commissioners agreed.

- **Motion:** To recommend to the Board of Supervisors the approval of the zoning ordinance text amendments for accessory dwelling units in compliance with Senate File 592, as outlined in the draft on pages 48 and 49 of the packet.
- **Moved by:** Tom Bride
- **Seconded by:** Corey Meister
- **Vote:** All in favor said "Aye." (Unanimous)



- **Action:** The commission voted unanimously to recommend to the Board of Supervisors the approval of the zoning ordinance text amendments for ADUs, aligning with Senate File 592.

#### **c. Review of a Conditional Use Permit Application: Kevin Heiss (Applicant) / Rent Properties, LLC (Owner) for an Off-Premise LED Billboard (Action Item)**

Dan Priestley clarified that this was a review session, not a public hearing, which would take place at the Board of Adjustment meeting on July 7th at 5:00 p.m. The Zoning Commission's duty was to review the criteria, evaluate the application, and hear from the applicant and potentially the public.

Kevin Heiss, representing Rent Properties LLC, submitted a conditional use permit application to construct and operate a 14-foot by 48-foot LED billboard for off-premise advertising. The property is located in the north two-thirds of the north half of the northwest quarter, Section 6, Floyd Township, situated along the south side of Highway 20 and east of Charles Avenue, within the General Commercial zoning district. Off-premise advertising signs are classified as a conditional use in this district.

Priestley noted that the property includes a floodplain, and the applicants are aware of the need for a floodplain development permit and building permit. He confirmed that initial data suggests the sign would not be in the floodway, which was a concern for the Iowa DNR. He reiterated that the county does not regulate content but evaluates the billboard itself, which is a two-sided, V-shaped LED billboard. The application addresses criteria such as appropriate zoning, compatibility with development plans, and potential adverse effects.

The Chair invited the applicant to speak.

- **Kevin Heiss (Applicant):** Stated the intent is for advertising, including for his own nearby businesses. They are working with SRA Group for construction and have ensured the operation will be well-maintained. He believes the location is suitable for a highly trafficked commercial area along Highway 20. Heiss confirmed they had consulted with Dan Priestley multiple times to ensure compliance with the process.

Commissioners' questions for the applicant:

- **Distance to Residents:** Kevin Heiss stated there are no residents within 1,000 feet, and nearby properties are commercial. Dan Priestley confirmed the presence of mixed districts in the area, with some residential properties further up the hill (Boatman's and Amick's on 162nd Street) that could be about 1,000 feet away. The ordinance specifically regulates distance from AE (Agricultural Estates) districts, where housing is expected, but not AP (Agricultural Preservation).
- **Lighting and Brightness:** Heiss stated it's a 21-millimeter LED product, which is extremely bright during the day to overcome the sun but dims at night like a "television night mode." He confirmed the back side of the V-shaped sign would be black and not emit light towards residential areas. He emphasized they chose Daktronics, a reputable company, to ensure proper design and operation.
- **DOT Requirements:** Heiss confirmed compliance with DOT requirements, which require 300 feet between signs, whereas Woodbury County's current ordinance requires 1,000 feet. This 1,000-foot county requirement makes placement challenging. Heiss and Priestley described a "chasing the result" scenario with DOT, where each wanted the other's approval first, but dialogue has been good.
- **Setbacks:** Heiss confirmed the sign is set back significantly from Highway 20 and Charles Avenue, likely in the middle of his field, approximately 150 feet from the Charles Avenue right-of-way line.
- **Letter of Support:** Dan Priestley presented a letter from Jerry and Vernell Steffan, neighbors at 1528 Jewel, stating they had "no issues with this request." He identified their property as directly abutting the applicant's property.
  - **Motion:** To receive the letter from Jerry and Vernell Stefan into the record.
  - **Moved by:** Tom Bride
  - **Seconded by:** Corey Meister
  - **Vote:** All in favor said "Aye."
  - **Action:** The letter was received into the record.

#### **Public Comment (via phone): Dana Neal (162nd Street):**

- Expressed concern that his home is within 1,000 feet of the proposed sign, despite measurements. His home is also 45 feet higher than the road. He worried the sign, which will be 25-30 feet off the ground, would shine directly into his windows.
- He stated he and his family built their home on their family farm for a country living experience, avoiding city nuisances like streetlights. He noted that he can see an existing billboard a mile away from his deck at night.
- He feared the double-sided 14x48 billboard would significantly impact his home's value and privacy, similar to how LED lights light up a building on a hill nearby.

- He asked if another location farther from homes could be considered.

Response to Dana Neal's comments:

- Kevin Heiss acknowledged the difficulty of finding locations due to the 1,000-foot separation requirement from other billboards, stating "we're in the middle of the rock." He emphasized the V-shape design focuses light on the road, with the back side being black to prevent light spill.
- Commissioner Corey Meister asked if the entire 67-acre parcel belonged to Heiss, which he confirmed, except for where Hobart's is located.
- Chair Chris Zellmer Zant noted a previous billboard existed near Steffan's property. Heiss confirmed it still exists and is in use, but their new sign cannot be placed there due to the 1,000-foot separation rule from other signs across the road.
- Kevin Heiss reiterated that the sign's design is specifically angled to face east and westbound traffic on Highway 20, minimizing light towards other directions. He confirmed there would be no additional security lighting.
- Dana Neal clarified his property location relative to the sign. He expressed concern about the entire "area lit up" at night. He requested to see the proposed sign in person and for the opinions of the Boatman's and Amick's (other residents on 162nd Street) to be considered.
- Kevin Heiss agreed to have a conversation with Dana Neal to explore design adjustments to help mitigate concerns. He expressed a desire to work with the community.
- Heiss explained that if a variance were granted to reduce the 1,000-foot separation from other signs, they could move the billboard closer to Highway 20. This would also benefit residents by lowering the sign and changing its angle relative to their homes.

Discussion on a potential variance:

- Commissioner Tom Bride asked if a variance could be requested to relocate the sign to a better position to minimize impact on residents.
- Dan Priestley explained that while a variance is a possibility, recent changes to Iowa Code emphasize "practical difficulty" over "economic hardship." He cautioned against speculation on the Board of Adjustment's decision and stated staff generally avoid recommending variances due to their uncertain outcome.
- Kevin Heiss stated their primary goal was approval of the current location and that they would consider a variance later if needed but wanted conceptual approval first due to cost.
- Dan Priestley clarified that the Zoning Commission makes a recommendation, and the application will proceed to the Board of Adjustment regardless. He suggested a potential contingency for approval contingent on a variance, but again, stressed caution.
- Priestley also asked if the LED signs could be timed to dim or shut off at certain hours (e.g., midnight to 5 AM) to mitigate light pollution. Heiss replied that most digital signs are on 24/7 due to advertising sales, and dimming is already built in for nighttime, but completely shutting off or further dimming would make them ineffective.
- Commissioner Bride suggested that the applicant try to address the neighbors' concerns between now and the Board of Adjustment meeting on July 7th, perhaps by showing them existing similar signs or providing a visualization of the light impact. Heiss agreed to reach out to Dana Neal and share information.
- Dan Priestley confirmed that letters were sent to properties within the 500-foot threshold (as per the certified abstract listing).
- Heiss mentioned similar V-shaped LED signs at Hamilton and Casey's, by the Arena, and on I-29 near Outback, and at Third and Wesley Parkway as examples of what the proposed sign would look like. He also confirmed height restrictions are in place (not 35 feet, more like 18 feet off the ground).

Final comments from commissioners before motion:

- Commissioner Jeff Hanson stated he had no issue with the proposed location and thought other lit billboards in the area were more impactful. He would prefer the sign to be moved further north (closer to Highway 20) to protect future commercial development potential, as its current south placement pushes potential development further into residential areas. He agreed that moving it north would benefit adjacent landowners.
- Kevin Heiss reiterated their desire to work with the community and do things "right."
- **Motion:** To make a recommendation to the Board of Adjustment to consider the conditional use permit application for an off-premise billboard (14 ft x 48 ft), partially identified on the agenda, with a recommendation for approval.
- **Moved by:** Jeff Hanson
- **Seconded by:** Corey Meister

Discussion on the motion:

- Dan Priestley clarified that the recommendation was for approval.

- Commissioner Tom Bride suggested that the letter reflecting the commission's recommendation for approval should also include a discussion point for the Board of Adjustment to consider the possibility of a variance to address neighbor concerns, and the discussion regarding the benefits of moving the sign closer to Highway 20. Dan Priestley confirmed the letter would reflect the recommendation, touch on themes/concerns, and direct the Board of Adjustment to the minutes.
- **Vote:** All in favor said "Aye." (Unanimous)
- **Action:** The commission voted unanimously to recommend approval of the conditional use permit application for the billboard to the Board of Adjustment, with concerns noted for their consideration regarding potential variances and optimal placement. This item will be continued at the Board of Adjustment meeting on July 7th at 5:00 p.m.

#### **Public Comment on Matters Not on the Agenda**

The Chair inquired if there were any public comments on matters not on the agenda. Seeing and hearing none, the meeting proceeded.

#### **Staff Update**

Dan Priestley provided the following updates:

- **Morningside University Conditional Use Permit Ballpark Proposal:** The Board of Adjustment tabled this proposal at their last meeting for further consideration on July 7th. Public comments from the Zoning Commission and three property owners were reiterated at the Board of Adjustment, focusing on traffic, sound, and lighting issues. Jason Reynoldson, representing Morningside University, met with Priestley and the County Engineer to discuss traffic flow, including potential turning lanes and infrastructure improvements if traffic increases. They are awaiting information from Laura Sievers. Morningside University is expected to return on July 7th with further clarity on addressing these concerns.
- **Board of Supervisors Updates:**
  - **Borrow Pit:** The Board of Supervisors will hold their second public hearing on the borrow pit on June 24<sup>th</sup> and the third and final one on July 1st.
  - **New Cooperative Rezone:** They will have their third and final reading on this rezone on June 24th

#### **Commissioners' Comments or Inquiries**

The Chair asked if there were any comments or inquiries from the commissioners. Hearing none, the meeting moved to adjournment.

#### **Adjournment**

- **Motion:** To adjourn the meeting.
- **Moved by:** Corey Meister
- **Seconded by:** Jeff Hanson
- **Vote:** All in favor said "Aye."
- **Action:** The meeting was adjourned at 6:44 PM.

#### **APPENDIX – RECEIVED INTO THE RECORD**

Please see the content received into the record on the subsequent pages.

## NUCLEAR ENERGY PUBLIC COMMENTS 2024 to 2025

The comments on the proposed nuclear energy zoning ordinance amendments in unincorporated Woodbury County reflect a range of perspectives, concerns, and recommendations, summarized by key themes:

1. **Support for Nuclear Energy (7 comments):**
  - o Bob Scott (July 29, 2024; Dec 4, 2024; Jan 3, 2025) strongly supports a small nuclear plant, citing economic benefits, job creation, rate stability, and minimal risks compared to renewables. He also supports wind and solar but questions zoning laws for solar farms on annexed land.
  - o Kyle Gates (Jan 16, 2025) endorses nuclear energy, emphasizing safety of modern reactors, economic growth, grid resilience, and innovative uses like waste heat for industry.
  - o Ken Bauer (Feb 6, 2025) supports nuclear for its reliability and efficiency, drawing on his Port Neal experience, and criticizes wind/solar as less viable without subsidies.
  - o Craig Levine (Mar 14, 2025) and Rick Plathe (Apr 1, 2025), representing Northwest Iowa Building Trades, advocate rezoning industrial land for nuclear, highlighting job creation, low-carbon benefits, and sustainable energy.
2. **Opposition to Nuclear Energy (2 comments):**
  - o Jerry Holder (Aug 6, 2024) opposes nuclear facilities due to risks from waste and malfunctions.
  - o Janet Krueger (Mar 24, 2025) strongly opposes nuclear activities, including waste disposal, and urges zoning ordinances to prohibit them without public approval.
3. **Concerns and Considerations (5 comments):**
  - o Wendi Hess (Aug 7, 2024) raises concerns about the 911 Dispatch Center's readiness, noting needs for staff training, emergency exercises, and budget increases.
  - o Mark Nabra (July 26, 2025) suggests heavy industrial zoning for nuclear facilities, highlights infrastructure and environmental impacts (traffic, water, waste), and stresses alignment with NRC regulations.
  - o Christopher Madsen (Mar 6, 2025) notes the addition of nuclear waste storage to the proposal, requesting research on storage processes and IDNR involvement.
  - o Craig Anderson (May 2, 2025) expresses skepticism about nuclear energy, prioritizing agricultural land preservation and questioning its viability without subsidies.
  - o Casey Meinen (July 26, 2024) simply forwarded the proposal to management, offering no opinion.
4. **Regulatory and Technical Clarifications (2 comments):**
  - o Patty Riesberg (Mar 20, 2025) clarifies that the NRC regulates nuclear power and waste, with Iowa HHS coordinating on other materials; Iowa DNR has no role.

industrial use, away from residential zones, to minimize public exposure to potential risks.

- **Impact Assessment:** He notes potential impacts on infrastructure, such as increased traffic during construction and operation, which could strain county roads. Environmental impacts, including water usage and waste storage, need thorough evaluation.
- **Regulatory Framework:** Nabra emphasizes that nuclear facilities are primarily regulated by the Nuclear Regulatory Commission (NRC), and local regulations should align with federal standards to avoid conflicts. He suggests the county focus on zoning and land use controls.

6. **December 4, 2024 – Bob Scott**
  - o **Summary:** Bob Scott reiterates his support for a small nuclear plant near the Neal power plants, citing investment benefits and long-term rate stability. He believes the risks of low-level nuclear plants are outweighed by these benefits. Additionally, he asks whether county zoning laws regarding solar farms would apply to annexed city land, indicating a broader interest in land use regulations.
7. **January 3, 2025 – Bob Scott**
  - o **Summary:** Bob Scott again expresses support for a small nuclear plant in Woodbury County.
8. **January 6, 2025 – Diane Swoboda Peterson**
  - o **Summary:** Diane Swoboda Peterson, Woodbury County Real Estate/Recorder Deputy, provides no comments on the nuclear energy proposal.
9. **January 16, 2025 – Kyle Gates**
  - o **Summary:** Kyle Gates strongly supports nuclear energy in Woodbury County, stating he would feel safe with a modern reactor nearby. He suggests considerations including setbacks for security, land restoration after decommissioning, co-location with industries to utilize waste heat (e.g., fertilizer production), grid resilience through distributed power sources, and economic development potential due to lower-cost electricity.
10. **February 6, 2025 – Ken Bauer**
  - o **Summary:** Ken Bauer, Mayor of Correctionville, supports nuclear energy, arguing it would be beneficial for the county. Drawing on his 26 years of experience at Port Neal, he considers nuclear plants second only to coal-fired plants in reliability. He criticizes wind and solar energy as less economical and reliant on tax incentives, praising nuclear for its efficiency and minimal landscape impact.
11. **March 6, 2025 – Christopher Madsen**
  - o **Summary:** Christopher Madsen, Senior Planner for Sioux City, notes that the proposal now includes nuclear waste storage, which was not previously mentioned. He requests research on the process for establishing a storage facility

- o Bryan Bergeon (May 5, 2025) details the NRC's independent regulatory role, licensing process, and oversight of nuclear materials and waste, noting Iowa's Agreement State status.

5. **No Opinion (1 comment):**
  - o Diane Swoboda Peterson (Jan 6, 2025) provides no comments on the proposal.

### Key Issues:

- **Economic and Environmental Impacts:** Supporters emphasize jobs, growth, and clean energy; opponents and skeptics highlight risks (waste, malfunctions) and farmland loss.
- **Zoning and Land Use:** Suggestions include heavy industrial zoning, setbacks, and public input for zoning changes.
- **Regulation:** NRC's primary role is emphasized, with local zoning and federal alignment recommended.
- **Infrastructure and Preparedness:** Concerns include traffic, water use, and emergency response readiness (e.g., 911 Dispatch).

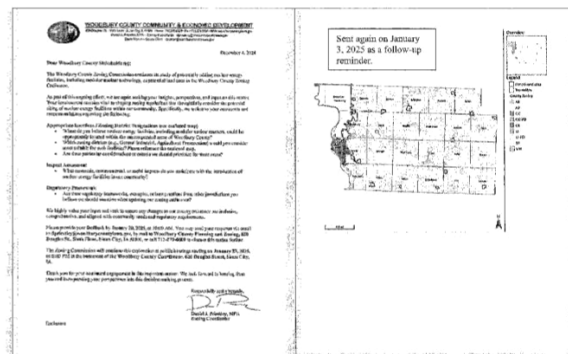
### Summaries of Comments by Date and Name

1. **July 26, 2024 – Casey Meinen**
  - o **Summary:** Casey forwarded the content to management officials.
2. **July 29, 2024 – Bob Scott**
  - o **Summary:** Bob Scott supports the construction of a nuclear plant south of town, citing its potential to boost the local economy due to construction activity. He also supports wind energy and solar farms. Scott notes that nuclear plants are highly regulated, suggesting minimal local regulatory burden.
3. **August 6, 2024 – Jerry Holder**
  - o **Summary:** Jerry Holder opposes any nuclear facilities in Woodbury County, citing the catastrophic risks associated with nuclear waste and malfunctions.
4. **August 7, 2024 – Wendi Hess**
  - o **Summary:** Wendi Hess, Communications Center Director, expresses concerns about the impact of a nuclear facility on the 911 Dispatch Center. She highlights the need for additional staff training and participation in emergency exercises, which would require increased budgetary allocations for overtime and training funds. She is unsure if specific certifications would be required for staff.
5. **July 26, 2025 – Mark Nabra**
  - o **Summary:** Mark Nabra, Woodbury County Engineer, provides preliminary thoughts on nuclear energy, reserving the right to add further comments later. His responses to Daniel Priestley's July 26, 2024 email are as follows:
    - **Appropriate Locations / Zoning District Designation(s):** Nabra suggests that nuclear facilities should be located in areas zoned for heavy
12. **March 20, 2025 – Patty Riesberg**
  - o **Summary:** Patty Riesberg, Bureau Chief for the Bureau of Radiological Health with Iowa HHS, clarifies the regulatory framework for nuclear energy and waste storage. She states that the Nuclear Regulatory Commission (NRC) regulates all commercial nuclear power and spent nuclear fuel in the U.S. through licensing, inspections, and enforcement. Iowa HHS coordinates with the NRC on other radioactive materials, but the Iowa DNR has no regulatory role in nuclear power plants or waste storage. She advises close coordination with the NRC for compliance.
13. **March 24, 2025 – Janet Krueger**
  - o **Summary:** Janet Krueger, along with Randy Krueger, strongly opposes nuclear-related activities, including waste disposal, in Woodbury County. They advocate for zoning ordinances to expressly prohibit such activities, requiring public input for any future proposals. They emphasize preventing nuclear activities unless explicitly approved through zoning changes.
14. **March 14, 2025 (Submitted April 1, 2025) – Craig Levine**
  - o **Summary:** Craig Levine, President of Northwest Iowa Building Trades, in a letter co-signed by multiple union representatives, supports rezoning industrial land to allow nuclear energy production, including small modular reactors. He highlights nuclear energy's reliability, low-carbon benefits, and potential to drive economic growth, create jobs, and support sustainable energy. The letter emphasizes aligning with forward-thinking policies and advocates for safe, responsible integration of nuclear facilities.
15. **April 1, 2025 – Rick Plathe**
  - o **Summary:** Rick Plathe, Business Manager of IBEW Local 231, submits a letter of support from Northwest Iowa Building Trades (authored by Craig Levine) endorsing the rezoning of industrial land for nuclear energy. He offers to address any questions or concerns, reinforcing the unions' collective support for the initiative.
16. **May 2, 2025 – Craig Anderson**
  - o **Summary:**
    - **Appropriate Locations / Zoning District Designation(s):** Implies nuclear facilities should avoid prime farmland, prioritizing agricultural land preservation.
    - **Impact Assessment:** Expresses concern about losing prime farmland, advocating for Iowa's land use to favor agriculture.
    - **Regulatory Framework:** Should focus on agriculture. Does not address specific regulations, focusing on land use policy.

- **Additional Comments:** Skeptical of nuclear energy's desirability, suggesting public opposition and questioning its viability without tax incentives. Advocates for agricultural land use balance.

17. May 5, 2025 – Bryan Bergeon

- **Summary:** Bryan Bergeon, Acting Region III Government Liaison Officer for the NRC, provides a detailed explanation of the NRC's role as a regulator of civilian nuclear materials, emphasizing its independence and focus on public health, safety, and security. He outlines the NRC's regulatory mission covering reactors, materials, and waste, and the complex, multiyear licensing process governed by federal laws and 10 CFR regulations. Bergeon clarifies that the NRC does not advocate for nuclear energy (unlike the Department of Energy) and regulates waste storage, including low-level and high-level waste. He notes Iowa's status as an Agreement State for certain nuclear materials and advises prospective applicants to engage with the NRC's licensing process.



**PUBLIC COMMENTS**

From: Wendy Hiss  
Sent: Wednesday, August 7, 2024 9:22 AM  
To: Daniel Priestley  
Subject: RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

Follow Up Flag: Follow Up  
Flag Status: Flagged

Dan, in regards to the 911 Dispatch Center, having this type of facility in our response area would potentially create a need for additional training for our staff members along with participating in regular exercises and training related to potential emergencies at the facility. For us that would become a budgetary item needing to add training funds to our annual budget for overtime, etc related to the additional training activity that would be necessary. I am not sure if there are any specific certifications that would be required by our staff.

Thanks,  
Wendy

Wendy Hiss  
Communications Center Director/Accreditation Manager  
Woodbury County Communications  
PO Box 442  
Stacy City, IA 51302  
Office: 712-279-6202  
whiss@woodbury-county.org

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Woodbury Co. Planning & Zoning  
I Would like to Say NO  
to Any Nuclear Facilities  
in Woodbury County Nuclear Waste  
And Plutonium Can be Chastable

Thank You  
Dany Hiss  
105 S. Street  
Stacy City IA 51302

From: Bob Scott  
Sent: Monday, July 29, 2024 9:44 AM  
To: Daniel Priestley  
Subject: RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

I am all for a nuclear plant in the area south of town. I am also for wind energy and solar farms. The construction of a nuclear plant would be a boon to our local economy. Nuclear plants are so highly regulated that we should not have to do much locally.

From: Mark Meisen  
Sent: Friday, July 26, 2024 4:11 PM  
To: Daniel Priestley  
Subject: RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

Follow Up Flag: Follow Up  
Flag Status: Request

Dr. H.

I gave this some thought, but realize the opportunity to add to these comments at a later date. See my preliminary thoughts at 11:01.

Mark A. Meisen, P.E.  
Woodbury County Engineer  
788 E. Prairie Road  
Harris, IA 51009  
Phone: 712-475-3215 or 712-279-6444  
Fax: 712-475-3208  
Email: mmeisen@woodburycountyiowa.gov

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From: Daniel Priestley <dpriest@woodburycountyiowa.gov>  
Sent: Friday, July 26, 2024 12:15 AM  
To: Wendy Hiss <whiss@woodburycountyiowa.gov>  
Subject: Comments Requested Nuclear Energy in Woodbury County, Iowa

Dear Woodbury County Stakeholders:

The Woodbury County Zoning Ordinance has been updated to explore the addition of nuclear energy including nuclear reactor technology as a potential land use in the Woodbury County Zoning Ordinance.

Currently, we are requesting your insights, perspective, and input on this matter. Your participation will play a crucial role in shaping the future zoning regulations that will govern the potential siting of nuclear energy plants in our community. Specifically, we are seeking your comments and recommendations regarding the following aspects:

- Appropriate Locations / Zoning District Designations:**
  - Where do you believe nuclear energy facilities, including modular nuclear reactors, could be appropriately sited within the unincorporated areas of Woodbury County? (Note: The General Ordinance zoning map is the basis for future facilities with the exception of zoning such a facility to be located within a city's two mile (2) preferred area. Community residents desiring to locate their own power generation should be able to expand into the area where their own is located to their own site jurisdiction limits. When we lived in Tipton, IA, we had a community with its own electric generation capacity. I don't feel the county ordinance should interfere with community efforts to be energy self-sufficient.
- Additional Considerations:**
  - Which zoning districts do you think would be most suitable for accommodating nuclear energy facilities (General Ordinance, Agricultural, Residential, etc.)? (Please include comments on any additional zoning actions or ordinances needed to be adopted.)
  - Are there any specific considerations or criteria we should prioritize in these areas? (On-site security should be a priority for these facilities to nuclear power generation. I am not sure what this looks like as an all-time safety, but feel it should be noted as a consideration.)
  - Are there any other considerations or criteria we should prioritize in these areas? (On-site security should be a priority for these facilities to nuclear power generation. I am not sure what this looks like as an all-time safety, but feel it should be noted as a consideration.)
- Impact Assessments:**
  - What potential impacts (economic, environmental, social) do you foresee with the construction of nuclear energy facilities in our community? (Note: Energy, nuclear energy for county residents and our city residents. I don't see a downside to allowing nuclear in zoning within the county. I think public participation of the safety of such plants will be a huge issue for such as seeking to develop nuclear power generation.)
- Regulatory Frameworks:**
  - Are there any existing regulatory frameworks or best practices from other jurisdictions that you believe we should consider when updating our zoning ordinance to include nuclear energy? (Expanding upon the scope of the zoning and its jurisdiction needs, the county should require a bond agreement to assess restoration of energy needs damaged by nuclear plant construction. The bond agreement to assess restoration of energy needs damaged by nuclear plant construction to assure taxpayers don't take holding the bag for energy plant construction.)

From: Meisen, Cary M (American) <Cary.Meisen@midamericann.com>  
Sent: Friday, July 26, 2024 10:33 AM  
To: Daniel Priestley  
Subject: RE: [INTERNET] Comments Requested Nuclear Energy in Woodbury County, Iowa

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Dan,

I have forwarded this to company Management for their input.

Have a great weekend.

Cary Meisen  
Lead, Electric Distribution Engineering  
Cary.Meisen@midamericann.com  
Phone (712-233-4834)  
MIDAMERICAN  
ENERGY COMPANY

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From: Rob Scott  
Sent: Wednesday, December 4, 2024 4:04 PM  
To: Daniel Priestley  
Subject: RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

Follow Up Flag: Follow up  
Flag Status: Flagged

I am speaking for myself but I am in favor of a small nuclear plant in the area around Neal power plants. I think the investment and the long-term effect on rates is worth the risk for those low level-type plants. And I have a question I've annexed into the city zoning laws regarding solar farms cannot apply to land in the city can they?

From: Rob Scott  
Sent: Friday, January 5, 2025 10:47 AM  
To: Daniel Priestley  
Subject: RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

Follow Up Flag: Follow up  
Flag Status: Flagged

Not that the county will care what my opinion is but I would be supportive of a small nuclear plant.

From: Diane Swoboda Peterson  
Sent: Monday, January 6, 2025 5:12 AM  
To: Daniel Priestley  
Subject: RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

Follow Up Flag: Follow up  
Flag Status: Flagged

No comments

Diane Swoboda Peterson  
Woodbury County Board of Supervisors/Recorder/County  
920 Douglas Street/Room 109  
Sioux City, Iowa 51101  
(712) 274-0229

From: Kyle Grise  
Sent: Thursday, January 16, 2025 3:03 PM  
To: Daniel Priestley  
Subject: RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

I fully support Nuclear Energy in Woodbury County and would feel quite safe with a modern reactor next door.

Items that come to mind:

- Safe storage for permanent security
- Returning land to previous state after future decommissioning
- Possible collocation with industries for use of low cost nuclear waste heat (fertilizer production for example)
- Grid resilience/redundancy via distributed locations near and often providing baseload power
- If a lower cost power fuel is obtainable, there is a potential for economic development

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From: Ian Bauer - ijbauer57@hotmail.com  
Sent: Thursday, February 6, 2025 10:41 PM  
To: Daniel Priestley  
Subject: Nuclear energy in Woodbury county.

Follow Up Flag: Follow up  
Flag Status: Flagged

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I believe nuclear energy would be very beneficial to our county. I worked at port nual for 26 years. I believe coal-fired plants are second only to nuclear plants. The wind mills and solar only makes bread crumbs when the sun doesn't shine. The wind doesn't always blow and the sun doesn't always shine (especially at night). I believe it would be more economical than either and the landscape wouldn't be cluttered with old wind mills or solar panels. Ken linear, mayor of Grinnell, Iowa.

From: Christopher Muehlen  
Sent: Thursday, March 6, 2025 3:09 PM  
To: Daniel Priestley  
Subject: RE: Nuclear Energy Public Hearing Notice - March 24, 2025: Nuclear Energy and Waste Storage Ordinance Amendments - Your Input Needed

Follow Up Flag: Follow up  
Flag Status: Flagged

Good afternoon Dan,  
It appears this has been updated to include nuclear waste storage which was not in the last email notice. Have you done any research on the process needed for a storage facility and other entities that would review (such as IDNR)?  
If so would you send that over for us to look at?

Thanked

Chris R. Hobbins, AICP, CPM  
Senior Planner  
City of Sioux City  
Phone: 712.279.3241  
Email: cmhobbins@sioux-city.org  
405 5th Street, Box 447  
Sioux City, IA 51103

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Daniel Priestley

From: Reising, Patty (HHS) <patty.reising@hhs.iowa.gov>  
Sent: Thursday, March 20, 2025 1:09 PM  
To: Daniel Priestley  
Subject: Requestion of Nuclear Energy and Storage

Follow Up Flag: Follow up  
Flag Status: Flagged

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Daniel,

Good afternoon. I am the Bureau Chief for the Bureau of Radiological Health with Iowa HHS. I received your inquiry below, forwarded from one of my team members, Stuart Jordan. I've included a response below to your question stated in the second paragraph. If you have any further questions, please feel free to reach out to me. Thank you.

Question: One of the questions I received from a stakeholder is how does the State of Iowa, including the Iowa DNR regulate both nuclear power plants, and the storage of nuclear waste?

All commercial nuclear power in the United States, which includes spent nuclear fuel, is regulated by the Nuclear Regulatory Commission (NRC) through a combination of regulatory requirements, licensing, inspections and enforcement activities.

Considerations for nuclear energy facilities and nuclear waste storage should involve close coordination with the NRC to ensure regulatory compliance. Iowa HHS works closely with NRC to regulate all other radioactive materials in the state of Iowa.

Iowa DNR does not play a regulatory role for nuclear power plants or the storage of waste.

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Daniel Priestley

From: Janet Krueger <jkrueger@sioux-city.org>  
Sent: Monday, March 24, 2025 12:47 PM  
To: Daniel Priestley  
Subject: Comments for public hearing on nuclear zoning

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Re: Public hearing on zoning for nuclear-related items - comments

Mr. Priestley,

We believe ALL levels of zoning in Woodbury County should EXPLICITLY PROHIBIT any nuclear-related activities (including nuclear waste disposal). That way, if any entity wants to perform nuclear-related activities in the county, they would need to propose zoning changes that allow the public to weigh in on a particular usage. We do NOT want nuclear-related activities to "slip in" before they are expressly prohibited in our zoning ordinances.

Sincerely,

Janet Krueger  
Randy Krueger  
4302 Bradford Lane  
Sioux City, IA 51106

Sent from my iPhone

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**Daniel Priestley**

**From:** Rick Plathe <rplathe@ibew231.com>  
**Sent:** Tuesday, April 2, 2025 10:27 AM  
**To:** Daniel Priestley  
**Subject:** Support Letter Northwest Iowa Building Trades  
**Attachments:** NWBA Building Trades Zoning Letter.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Dear

Please see the attached letter of support from all Unions affiliated with Northwest Iowa Building Trades for the rezoning of industrial land in Woodbury County to add Nuclear language. Please reach out to me if you have any questions or concerns.

Thank you  
Rick Plathe

Business Manager  
IBEW Local 231  
5001 Harbor Drive  
Sioux City, IA 51111  
(712) 256-8138

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**Craig Levine** President  
712-262-3100 clevine@ibew231.com  
**Spencer Yockey** Vice President  
712-284-4385 spencer@ioca234.org  
**Jose Montes** Recording Secretary  
712-420-7680 jmontes@iowaca21.com

**Craig Levine - President**  
PO Box 1051  
Sioux City, IA, 51101  
clevine@ibew231.com  
(712) 262-3100

March 14, 2025

**Dan Priestley**  
Zoning Coordinator  
Office of Community & Economic Development  
6230 Douglas St. Floor 6  
Sioux City, IA 51101

Dear Sioux City Zoning Commission,

I hope this letter finds you well. I am writing to show our support for an important initiative in our community – the rezoning of industrial space to allow for nuclear energy production. As energy demands continue to rise and the need for a cleaner, more sustainable source of power becomes increasingly urgent, it is essential that we explore all viable options for securing our energy future. Nuclear energy, with its proven track record of providing reliable, low-carbon electricity, is a critical component of this transition.

Currently, many industrial areas are underutilized, and repurposing these spaces for nuclear energy production, including small modular reactors, presents an opportunity to drive economic growth, create jobs, and contribute to a greener energy portfolio in Woodbury County. By rezoning these areas, we can ensure that nuclear energy can be integrated into our community in a safe, environmentally responsible manner.

The benefits of nuclear energy extend far beyond just providing a reliable energy source. It can help us reduce our carbon footprint and mitigate the impacts of climate change, all while strengthening local economies through job creation, technological innovation, and new infrastructure development. Furthermore, by supporting this initiative, we would be aligning ourselves with forward-thinking policies that prioritize sustainable energy solutions for future generations.

We believe that our organization's influence and commitment to [community/environmental issues/sustainable growth/innovation] would be a powerful voice in advocating for this rezoning

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initiative. With your support, we can help ensure that the benefits of nuclear energy are realized while addressing our community's needs for economic development, energy security, and environmental responsibility.

I kindly ask for you to record our endorsement of this effort and would be happy to discuss the details further at your convenience. Together, we can take meaningful steps toward a cleaner, more sustainable energy future for our community.

Thank you for your time and consideration. I look forward to the possibility of working together to make this initiative a reality.

Sincerely,  
Craig Levine - President, Northwest Iowa Building Trades

Rick Plathe - Business Manager, IBEW Local 231

Jose Montes - Business Representative, Iron Workers Local 21

John Hanson - Business Manager, Heat and Frost Insulators Local 39

Dean Braden - Organizer, Plumber and Steamfitters UA Local 33

Spencer Yockey - Business Representative, Operating Engineers Local 234

Terry Victor - Business Representative, SMART Local 3

Bob Briley - Business Manager, Bricklayers Local 3

Tom Dye - Vice President, Boilermakers Local 83

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**Daniel Priestley**

**From:** Craig Levine <clevine@ibew231.com>  
**Sent:** Friday, May 2, 2025 2:14 PM  
**To:** Daniel Priestley  
**Subject:** Re: Comments Requested Nuclear Energy Facilities and Nuclear Waste Storage

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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From: Daniel Priestley <dpriest@woodburycountyiowa.gov>

Sent: Friday, May 2, 2025 11:09 PM

To: Daniel Priestley <dpriest@woodburycountyiowa.gov>

Subject: Comments Requested Nuclear Energy Facilities and Nuclear Waste Storage

Dear Woodbury County Stakeholders,  
The Woodbury County Zoning Commission is continuing its review of nuclear energy facilities and nuclear waste storage, considering the potential addition of these uses to the Woodbury County Zoning Ordinance as conditional uses, specifically in areas zoned as General Industrial (G1) (see map below). The next public hearing will be on Wednesday, May 28 at 6:00 PM in the basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa.

We value your continued input as we evaluate nuclear energy facilities and nuclear waste storage (see draft definition below). To help us better understand your perspectives and concerns, we kindly request your feedback by responding to the following questions on or before Friday, May 23, 2025 before 10:00 AM CDT.

1. What specific concerns, if any, do you have regarding the safety of nuclear energy facilities or nuclear waste storage in the unincorporated areas of Woodbury County, and how do you believe those concerns could be addressed through the ordinance, use process? While I believe the nuclear energy and nuclear waste facilities are safe when built to high standards, it is a very serious situation. It is very much "to not let my backyard be a mine." I am not sure that the fact, as it is, is a good idea. I have the expertise or experience or the ability to be involved that makes the conditions that satisfy all the safety concerns.

2. What potential impacts, positive or negative, do you foresee on surrounding agricultural, residential, or commercial areas if nuclear facilities and nuclear waste storage are permitted in the G1 Zoning District? The positive impacts are economic, it will provide clean energy and jobs. The negative, the use seems to be the neighbor. Safety issues are high on the list of negatives. Even in the G1 district, I think most of the agricultural, residential, and commercial neighbors would rather have something else. The thought of a nuclear energy mishap would have a negative effect on residential and commercial enterprises.

3. How do you view the balance between energy solutions and preserving Woodbury County's agricultural and environmental priorities? Are there specific safeguards you would recommend to

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June 19, 2025

Jerry & Vernell Steffen  
Co-Trustees of Steffen Revocable Trust  
1528 Jewell Ave.  
Merville, IA 51039

Daniel Priestley, MPA  
Woodbury County Zoning Coordinator  
620 Douglas Street #609  
Sioux City, IA 51101

RE: 2025 Conditional Use Permit Request for Parcel #884606100002.  
For Rent Properties, LLC, Applicant: Kevin Heiss.

Dear Mr. Priestley:

We have reviewed the Conditional Use Permit Application. Jerry & Vernell Steffen Trust has no issues with this request.

Thanks for the Notice.

  
JERRY E. STEFFEN, PE



## EXECUTIVE SUMMARY

### Overview

The applicant seeks a Conditional Use Permit (CUP) for an LED billboard in the General Commercial (GC) Zoning District along Highway 20, Woodbury County. The proposal can comply with the Woodbury County Zoning Ordinance and Comprehensive Plan, by meeting the six criteria and two additional considerations for conditional use approval.

### Criteria Analysis

1. **Authorization in Zoning District:** The billboard is a permitted conditional use in the GC Zoning District, adhering to spacing (1,000 feet from other billboards and AE zones), setback, and structural standards.
2. **Harmony with Ordinance and General Plan:** The billboard aligns with the county's commercial development goals along Highway 20, supporting economic growth and maintaining land use compatibility.
3. **Adverse Effects:** The billboard, set back from the highway and 1,000 feet from other billboards/AE zones, poses minimal impact on traffic, parking, utilities, or neighborhood character. Minimal electrical service is required, and LED lighting glare mitigation is recommended.
4. **Compatibility with Neighborhood:** The two-sided billboard's design and placement match the commercial corridor's character, with a standard 14' x 48' size and no interference with adjacent properties or future development. Floodplain requirements will be met through administrative processes.
5. **Public Facilities and Services:** The billboard requires only minimal electrical service, and no water, sewer, or public access, ensuring adequate infrastructure support.
6. **Natural, Scenic, or Historic Features:** The cleared parcel has no significant features, and minimal ground disturbance ensures limited environmental impact. Floodplain compliance can be addressed administratively.

### Additional Considerations

1. **Public Interest:** The billboard supports local business advertising, enhancing economic activity along Highway 20 without detracting from neighborhood welfare.
2. **Minimizing Adverse Effects:** The site plan includes setbacks, spacing, and minimal landscape disturbance reduce impacts. Additional screening is unnecessary due to the commercial context, though lighting glare should be considered.

### Additional Notes

The ordinance does not prohibit V-shaped or multi-faced billboards, consistent with other sign regulations. Conditions on billboard design could be addressed during the CUP process.

### Recommendation

Contingent upon information obtained and carefully evaluated from the public following the Board of Adjustment public hearing, the application appears that it could be approved. The proposal appears to align with zoning requirements and could be construed to support public interest through advertising economic benefits.

## 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:

The proposed conditional use is the installation and operation of a 14-foot by 48-foot off-premise, double-sided LED billboard. The structure will be used for digital advertising visible from Highway 20, providing marketing opportunities for local businesses and services. The billboard will be constructed to meet county ordinance requirements, including setback and spacing standards, and will utilize minimal power with downward-facing LED lighting to reduce glare and light pollution. The sign will be programmed for appropriate content display duration as per county guidelines and located on privately owned commercial-zoned land.

### 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



### 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 LED board is an authorized conditional use in the General Commercial (GC) Zoning District, as per the Woodbury County Zoning Ordinance. This parcel is zoned GC, and the proposed billboard conforms to the standards and permitted conditional uses within this zoning classification and certain commercial districts. This parcel is located on Highway 20 and adjacent to other parcels with an existing billboard across the road. The application follows the required spacing standards, setbacks, and structure regulations as seen in county ordinance. We plan to stay 1000ft from the original billboard as well as 1000ft from the AE zone that is to the Northwest of the property.

#### STAFF ANALYSIS:

The Woodbury County Zoning Ordinance (Sec. 5.02.8) permits off-premise signs, such as billboards, as conditional uses in the GC Zoning District, subject to specific standards. The applicant's assertion that the billboard meets spacing (1,000 feet from other billboards and AE zones), setbacks, and structural requirements aligns with ordinance standards as the site plan appears to include these distances. The site plan appears to indicate that the billboard maintained 1,000-foot spacing from other billboards and AE zones.

### 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:

This project aligns with the county's future land use goals by placing signage along a major highway corridor, which supports local economic development while preserving compatibility with land use. This parcel is currently zoned General Commercial (GC), and the proposed use aligns with its current zoning designation and intended commercial development along Highway 20.

#### STAFF ANALYSIS:

The Woodbury County General Plan encourages commercial development along major corridors like Highway 20 to foster economic growth while preserving land use compatibility. The GC Zoning District is intended for commercial activities, and the proposed billboard aligns with this purpose by providing advertising opportunities that support local businesses. The site's location along Highway 20, a high-traffic corridor, is consistent with the plan's emphasis on visible commercial development. The applicant's response adequately demonstrates harmony with the ordinance and general plan, as the use complements the commercial character of the area without conflicting with land use objectives.

([https://www.woodburycountyiowa.gov/files/community\\_economic\\_development/woodbury\\_county\\_comprehensive\\_plan\\_2040\\_89417.pdf](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:**

The billboard is setback over 280 feet from the highway and more than 1,000 feet from any other billboard or AE-zoned lot, as shown in the attached site plan. Its placement makes sure that visibility, traffic safety, and neighborhood character are not negatively impacted. There will be no parking, public access, or utilities required on-site beyond minimal electrical service for the LED lighting, further minimizing disruption to the surrounding properties.

**STAFF ANALYSIS:**

The site plan appears to confirm the billboard's setback from Highway 20, which exceeds the setback requirement of 50 FT from the right-of-way line. The 1,000-foot spacing from other billboards and AE zones complies with ordinance standards, reducing visual clutter and potential land use conflicts. The lack of parking or public access eliminates concerns about traffic or parking impacts. The minimal electrical service requirement poses little strain on utility infrastructure. The billboard's placement in a commercially zoned area with existing billboards nearby suggests it will not alter the neighborhood's character. The LED lighting should include measures to reduce or avoid glare, but the applicant's response indicates no significant adverse effects, satisfying this criterion.

**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:**

The parcel is around other large agricultural and commercial parcels, including an existing billboard to the east. The design, scale, and orientation of the sign match the existing conditions. Its placement maintains visual and operational consistency with surrounding development and does not hurt future use or development of adjacent land.

**STAFF ANALYSIS:**

The parcel is in a commercially zoned area along Highway 20, adjacent to agricultural and commercial properties. The presence of an existing billboard nearby supports the applicant's claim that the proposed billboard is consistent with the area's visual and operational character. The 14' x 48' size is standard for off-premise signs and does not appear disproportionate to the surroundings. The billboard's placement avoids encroachment on adjacent properties, and its minimal footprint ensures no interference with future development. The response demonstrates compatibility with the neighborhood, meeting this criterion. The property is within the floodplain but the applicant can satisfy the floodplain requirements through the administrative process by not placing the sign within the floodway and following the floodplain development permitting process through the county zoning department.

**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:**

The billboard will require no water, sewer, or public access. Minimal electrical service for LED lighting will be installed per code and utility provider standards. As such, existing infrastructure is more than adequate for the proposed use.

**STAFF ANALYSIS:**

The proposed use has negligible demands on public infrastructure, requiring only electrical service for LED lighting. The applicant's commitment to install this service per code ensures compliance with utility standards. The absence of water, sewer, or access needs eliminates concerns about infrastructure capacity. There appears to be no physical constraints that would prevent electrical service installation. This criterion is clearly satisfied, as existing facilities are more than adequate for the minimal requirements.

**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:**

There are no historic, scenic, or environmentally sensitive features located on this parcel. The sign has been placed with ample spacing from nearby lots and with minimal disturbance to the natural landscape. The site is cleared, owned by the applicant, and does not encroach on any floodplain, protected area, or sensitive habitat.

**STAFF ANALYSIS:**

The parcel is a cleared, commercially zoned lot with no apparent natural, scenic, or historic features. The applicant's assertion that the site avoids protected areas, or sensitive habitats is plausible, given its location in a developed commercial corridor. As noted, the property is within the floodplain but the applicant can satisfy the floodplain requirements through the administrative process by not placing the sign within the floodway and following the floodplain development permitting process through the county zoning department. The minimal ground disturbance required for billboard installation supports the claim of limited environmental impact.



**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).**

**STAFF ANALYSIS:**

The proposed billboard serves the public interest by providing advertising space for local businesses, which supports economic activity along Highway 20. Its location in a commercial corridor enhances visibility for commercial services, contributing to the community's economic welfare. The minimal infrastructure demands and compliance with zoning standards ensure it does not detract from the neighborhood's welfare. While not a critical public facility, the billboard's economic benefits align with the ordinance's intent to foster commercial development, satisfying this consideration.

**OTHER CONSIDERATION 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).**

**STAFF ANALYSIS:**

The site plan demonstrates efforts to minimize adverse effects through setback from Highway 20 and 1,000-foot spacing from other billboards and AE zones, reducing visual and safety impacts. The applicant's commitment to minimal landscape disturbance and compliance with electrical codes further mitigates effects. Given the commercial context and existing billboards, additional screening may not be necessary. Overall, the design and placement sufficiently minimizes adverse effects, meeting this consideration. The Board should consider questioning potential glare or lighting issues.

**OVERALL ANALYSIS:**

The CUP application for the LED billboard can meet compliance with the Woodbury County Zoning Ordinance's criteria and considerations. The proposed use is authorized in the GC Zoning District, aligns with the general plan's commercial development goals, and likely poses minimal adverse effects on traffic, utilities, or neighborhood character. The billboard's design and placement strive for compatibility with the commercial corridor, and its minimal infrastructure needs are easily met by existing services. The billboard contributes to economic welfare by supporting local advertising. Additionally, after seeking counsel with the county attorney office, it was agreed that the ordinance does not prohibit v-shaped or multiple faced billboards. The shape or number of faces of a billboard could be something that could be addressed in the course of the conditional use process (i.e. a specific condition could potentially be placed in the CUP related to those items). Counsel also noted that the other regulations in the ordinance pertaining to signs, e.g. ground signs, do not specify the number of faces and those often are front and back. Thus, the interpretation for billboards would be consistent with the way the ordinance has been applied to other types of signs.

Recommendation: Contingent upon information obtained and carefully evaluated from the public following the Board of Adjustment public hearing, the application appears that it could be approved. The proposal appears to align with zoning requirements and could be construed to support public interest through advertising economic benefits.

## 8. Standards for off-premise advertising signs.

- A. Standards for off-premise advertising signs (e.g. billboards) are set forth in the following table:

	Allowed?	Required Separation	Maximum Size	Required Setbacks	Maximum Height
AP	No	N/A	N/A	N/A	N/A
AE					
NR					
SR					
GC	Conditional Use approved by Board of Adjustment	1000 ft. between off-premise signs; 1000 ft. from AE, NR, SR zones	500 sq. ft. + 1 addl. sq.ft. per 1' addl. separa- tion up to 672 sq.ft.	Zoning district setbacks	35 ft.
HC					
LI	No	N/A	N/A	N/A	N/A
GI					

- B. No off-premise advertising signs shall be located within 660 feet of the nearest right-of-way line or in a location visible from the nearest right-of-way line of U.S. Highway 75 between its intersection with U.S. Highway 20 and the Plymouth County line.

**Excerpt from Section 5.02.8 of the Woodbury County Zoning Ordinance.**



WOODBURY COUNTY COMMUNITY AND ECONOMIC DEVELOPMENT

Zoning Ordinance  
Section 2.02(9)

Page 1 of 6

## CONDITIONAL USE PERMIT APPLICATION

<b>Owner Information:</b> Owner <u>Rent Properties</u> Address <u>204 Buckeye Circle, Lawton, Iowa</u> Phone <u>712-490-9981</u>	<b>Applicant Information:</b> Applicant <u>Kevin Heiss</u> Address <u>204 Buckeye Circle, Lawton, IA</u> Phone <u>712-898-6001</u>
We, the undersigned, hereby apply to the Woodbury County Board of Adjustment for permission to: <div style="text-align: center;"><u>Kevin Heiss</u></div>	
<b>Property Information:</b> Property Address or Address Range _____ Quarter/Quarter <u>N 2/3 N 1/2 NW 1/4</u> Sec <u>6</u> Twtnshp/Range <u>T88N R46W</u> Parcel ID # <u>88406100002</u> GIS # <u>812535</u> Total Acres <u>67.25</u> Current Use <u>Agricultural / Vacant Land</u> Proposed Use <u>Installation of a 14'x48' LED billboard for off-premise advertising</u> Current Zoning <u>GC</u>	
<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 <u>May 22, 2025</u> Staff present <u>Dan Priestley</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 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> <p>Owner _____ Applicant _____          Date _____ Date _____</p>	
<b>Fee:</b> <u>\$300*</u> <b>Case #:</b> <u>7068</u> <b>Check #:</b> <u>2389</u> <b>Receipt #:</b> _____	Date Received <div style="font-size: 2em; font-weight: bold; color: blue;">RECEIVED</div> <div style="color: red; font-weight: bold;">JUN - 3 2025</div> <div style="color: blue; font-weight: bold;">WOODBURY COUNTY PLANNING &amp; ZONING</div> <div style="text-align: right; font-style: italic;">           Revised            June 4, 2025            Updated            Responses         </div>

Date Received WOODBURY COUNTY COMMUNITY AND ECONOMIC DEVELOPMENT  
Zoning Ordinance Section 2.02(9) Page 1 of 6 CONDITIONAL USE PERMIT APPLICATION

**Owner Information:** Owner \_\_\_\_\_ Rent Properties \_\_\_\_\_

Address \_\_\_\_\_ 204 Buckeye Circle, Lawton, Iowa \_\_\_\_\_

Phone \_\_\_\_\_ 712-490-9981 \_\_\_\_\_

**Applicant Information:** Applicant \_\_\_\_\_ Kevin Heiss \_\_\_\_\_

Address \_\_\_\_\_ 204 Buckeye Circle, Lawton, IA \_\_\_\_\_

Phone \_\_\_\_\_ 712-490-9981 \_\_\_\_\_

**Property Information:** Property Address or Address

Range \_\_\_\_\_

Quarter/Quarter \_\_\_\_\_ N 2/3 N 1/2 NW 1/4 \_\_\_\_\_ Sec \_\_\_\_\_ 6 \_\_\_\_\_ Twnshp/Range \_\_\_\_\_ T88N R46W \_\_\_\_\_

Parcel ID # \_\_\_\_\_ 88406100002 \_\_\_\_\_ GIS # \_\_\_\_\_ 812535 \_\_\_\_\_ Total Acres \_\_\_\_\_ 67.25 \_\_\_\_\_

Current Use \_\_\_\_\_ Agricultural / Vacant Land \_\_\_\_\_ Proposed Use \_\_\_\_\_ Installation of a 14'x48' LED billboard for off-premise advertising \_\_\_\_\_

Current Zoning \_\_\_\_\_ GC \_\_\_\_\_

We, the undersigned, hereby apply to the Woodbury County Board of Adjustment for permission to:

\_\_\_\_ Construct a free standing off-premise biliboard on the (address), in accordance with he woodbury county zoning ordinance section 2.02(9) \_\_\_\_\_

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). A formal pre-application meeting is recommended prior to submitting this application.

Pre-app mtg. date \_\_\_\_\_ May 22, 2025 \_\_\_\_\_

Staff present \_\_\_\_\_ Daniel Priestley \_\_\_\_\_

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. This Conditional Use Permit Application is subject to and shall be required, as a condition of



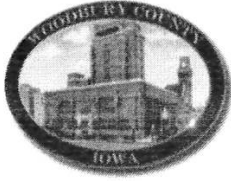
final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.

Owner Rent Properties Date 5/29/2025  
Applicant Kevin Heiss Date 5/29/2025

Fee: \$300\* Case #: \_\_\_\_\_ Check #: \_\_\_\_\_ Receipt #: \_\_\_\_\_

#### COMMUNITY AND ECONOMIC DEVELOPMENT FEE SCHEDULE BUILDING PERMITS FEE

New Dwelling .....	\$250	New Dwelling with Attached/Detached Garage under 300 sq. ft. ....	\$300	New Dwelling with Attached/Detached Garage over 300 sq. ft. ....	\$500
Accessory Structure under 300 sq. ft. ....	\$50	Accessory Structure over 300 sq. ft. ....	\$250	Commercial/Industrial Building (0-10,000 sq. ft.) .....	\$500
Commercial/Industrial Building over 10,000 sq. ft. – (\$50 for each additional 1,000 sq. ft. over 10,000).....	\$500+	SUBDIVISIONS FEE Final Plat for Minor Subdivision 4 Lots or Less.....	\$300*	Final Plat for Minor Subdivision more than 4 Lots (\$5 for each additional lot). \$300+*	
Preliminary Plat for Major Subdivision 4 Lots or Less.....	\$350*	Preliminary Plat for Major Subdivision more than 4 Lots (\$5 for each additional lot) .....	\$350+*	Final Plat for Major Subdivision 4 Lots or Less .....	\$350*
Final Plat for Major Subdivision More than 4 Lots (\$5 for each additional lot) .....	\$350+*	OTHER LAND USE PERMITS FEE Conditional Use Permit .....	\$300*	Floodplain Development Permit .....	\$110
Grading Permit .....	\$0	Sign Permit .....	\$50	Fence .....	\$50
TELECOMMUNICATION TOWERS FEE Tower Development Permit .....	\$500*	ADMINISTRATIVE REQUESTS/ACTIONS FEE Zoning Ordinance Amendment (text or map) .....	\$400*	Planned Development .....	\$400*
Variance .....	\$300*	Appeal of Administrator's Decision .....	\$300*	Research and Staff Investigation Time (\$40.00 per hour – minimum charge 2 hours)	
Photocopies (\$0.50 per page) .....	*ADDITIONAL FEES				



WOODBURY COUNTY COMMUNITY AND ECONOMIC DEVELOPMENT

Zoning Ordinance  
Section 2.02(9)  
Page 1 of 6

# CONDITIONAL USE PERMIT APPLICATION

<b>Owner Information:</b> Owner <u>Rent Properties</u> Address <u>204 Buckeye Circle, Lawton, Iowa</u> Phone <u>712-490-9981</u>	<b>Applicant Information:</b> Applicant <u>Kevin Heiss</u> Address <u>204 Buckeye Circle, Lawton, IA</u> Phone <u>712-898-6001</u>
We, the undersigned, hereby apply to the Woodbury County Board of Adjustment for permission to: <div style="text-align: center;"><u>Kevin Heiss</u></div>	
<b>Property Information:</b> Property Address or Address Range _____ Quarter/Quarter <u>N 2/3 N 1/2 NW 1/4</u> Sec <u>6</u> Twnshp/Range <u>T88N R46W</u> Parcel ID # <u>88406100002</u> GIS # <u>812535</u> Total Acres <u>67.25</u> Current Use <u>Agricultural / Vacant Land</u> Proposed Use <u>Installation of a 14'x48' LED billboard for off-premise advertising</u> Current Zoning <u>GC</u>	
<p><b>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).</b></p> <p><b>A formal pre-application meeting is recommended prior to submitting this application.</b></p> Pre-app mtg. date <u>May 22, 2025</u> Staff present _____	
<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> Owner _____ Applicant _____ Date _____ Date _____	
<b>Fee:</b> <u>\$300*</u> <div style="text-align: center;">2389</div> <b>Case #:</b> <u>7068</u> Check #: _____ Receipt #: _____	Date Received _____ Revised - June 4, 2025



PER SECTION 2.02(9)(C )(2) (d) PROVIDE A SPECIFIC DESCRIPTION OF THE PROPOSED CONDITIONAL USE:

The proposed conditional use is the installation and operation of a 14-foot by 48-foot off-premise, double-sided LED billboard. The structure will be used for digital advertising visible from Highway 20, providing marketing opportunities for local businesses and services. The billboard will be constructed to meet county ordinance requirements, including setback and spacing standards, and will utilize minimal power with downward-facing LED lighting to reduce glare and light pollution. The sign will be programmed for appropriate content display duration as per county guidelines and located on privately owned commercial-zoned land.

PER SECTION 2.02(9) (C )(2)(e) PROVIDE A MAP DRAWN TO SCALE, SHOWING THE SUBJECT PROPERTY, ALL STRUCTURES AND OTHER IMPROVEMENTS, WITH THE PROPOSED CONDITIONAL USE IDENTIFIED PER STRUCTURE OR IMPROVEMENT . PROVIDE BY ATTACHMENT.

PER SECTION 2.02(9) (C )(2)(e) PROVIDE A STATEMENT IN RESPONSE TO EACH OF SIX BELOW CRITEREA AND STANDARDS FOR APPROVAL OF CONDITIONAL USES AS LISTED IN SECTION 2.02(9)F OF THE ORDINANCES. (Tab at the end of each line to continue)

- (a) Provide a statement to why you feel 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.

- The LED board is an authorized conditional use in the General Commercial (GC) Zoning District, as per the Woodbury County Zoning Ordinance. This parcel is zoned GC, and the proposed billboard conforms to the standards and permitted conditional uses within this zoning classification and certain commercial districts. This parcel is located on Highway 20 and adjacent to other parcels with an existing billboard across the road. The application follows the required spacing standards, setbacks, and structure regulations as seen in county ordinance. We plan to stay 1000ft from the original billboard as well as 1000ft from the AE zone that is to the Northwest of the property.

- (b) Provide a statement to why 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.

-- This project aligns with the county's future land use goals by placing signage along a major highway corridor, which supports local economic development while preserving compatibility with land use. This parcel is currently zoned General Commercial (GC), and the proposed use aligns with its current zoning designation and intended commercial development along Highway 20. (Tab at the end of each line to continue)

- (c) Provide a statement to why 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.

- The billboard is setback over 280 feet from the highway and more than 1,000 feet from any other billboard or AE-zoned lot, as shown in the attached site plan. Its placement makes sure that visibility, traffic safety, and neighborhood character are not negatively impacted. There will be no parking, public access, or utilities required on-site beyond minimal electrical service for the LED lighting, further minimizing disruption to the surrounding properties.

(Tab at the end of each line to continue)

- (d) Provide a statement to why 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.

- The parcel is around other large agricultural and commercial parcels, including an existing billboard to the east. The design, scale, and orientation of the sign match the existing conditions. Its placement maintains visual and operational consistency with surrounding development and does not hurt future use or development of adjacent land. (Tab at the end of each line to continue)

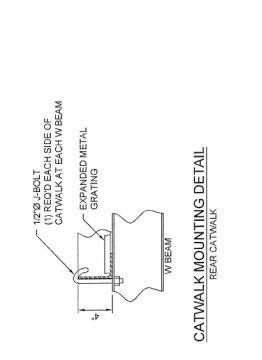
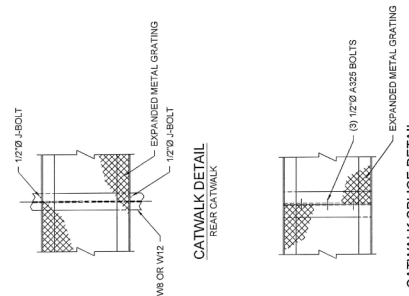
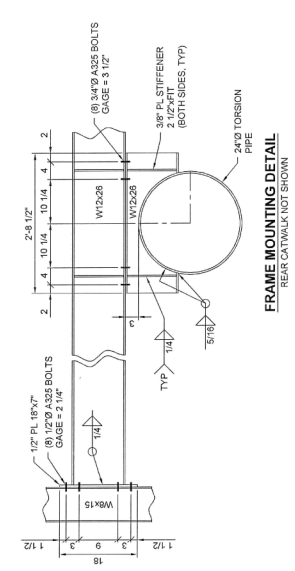
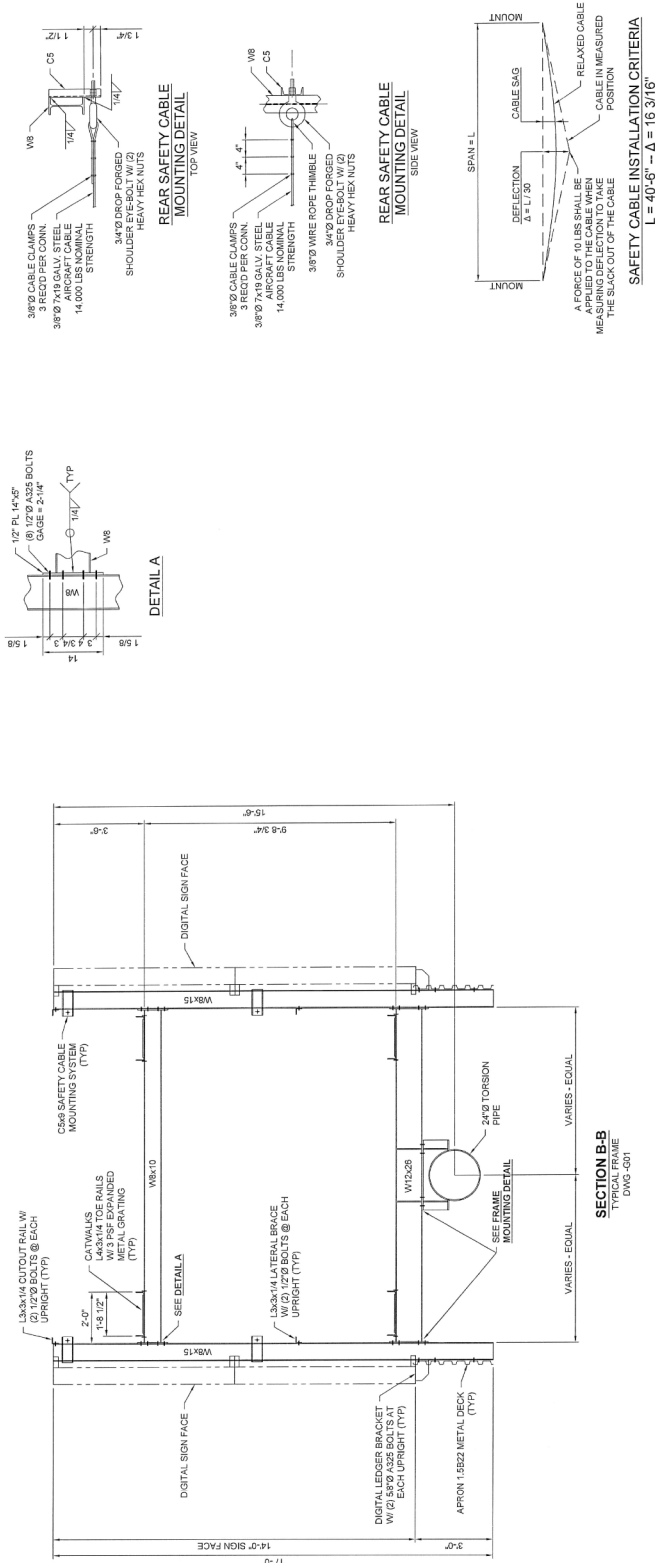
- (e) Provide a statement to why essential public facilities and services will adequately serve the proposed use or development.
- The billboard will require no water, sewer, or public access. Minimal electrical service for LED lighting will be installed per code and utility provider standards. As such, existing infrastructure is more than adequate for the proposed use. (Tab at the end of each line to continue)
- (f) Provide a statement to why 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.
- There are no historic, scenic, or environmentally sensitive features located on this parcel. The sign has been placed with ample spacing from nearby lots and with minimal disturbance to the natural landscape. The site is cleared, owned by the applicant, and does not encroach on any floodplain, protected area, or sensitive habitat. (Tab at the end of each line to continue)



# SITE PLAN & SEPARATION DISTANCES







**PRELIMINARY**  
**NOT FOR CONSTRUCTION**

**ALL STEEL STRUCTURES, INC.**  
1831 S. Worcester - Suite 100, L. 6810-207  
1-800-521-1759

Job No. Prhm Date 03/14/25

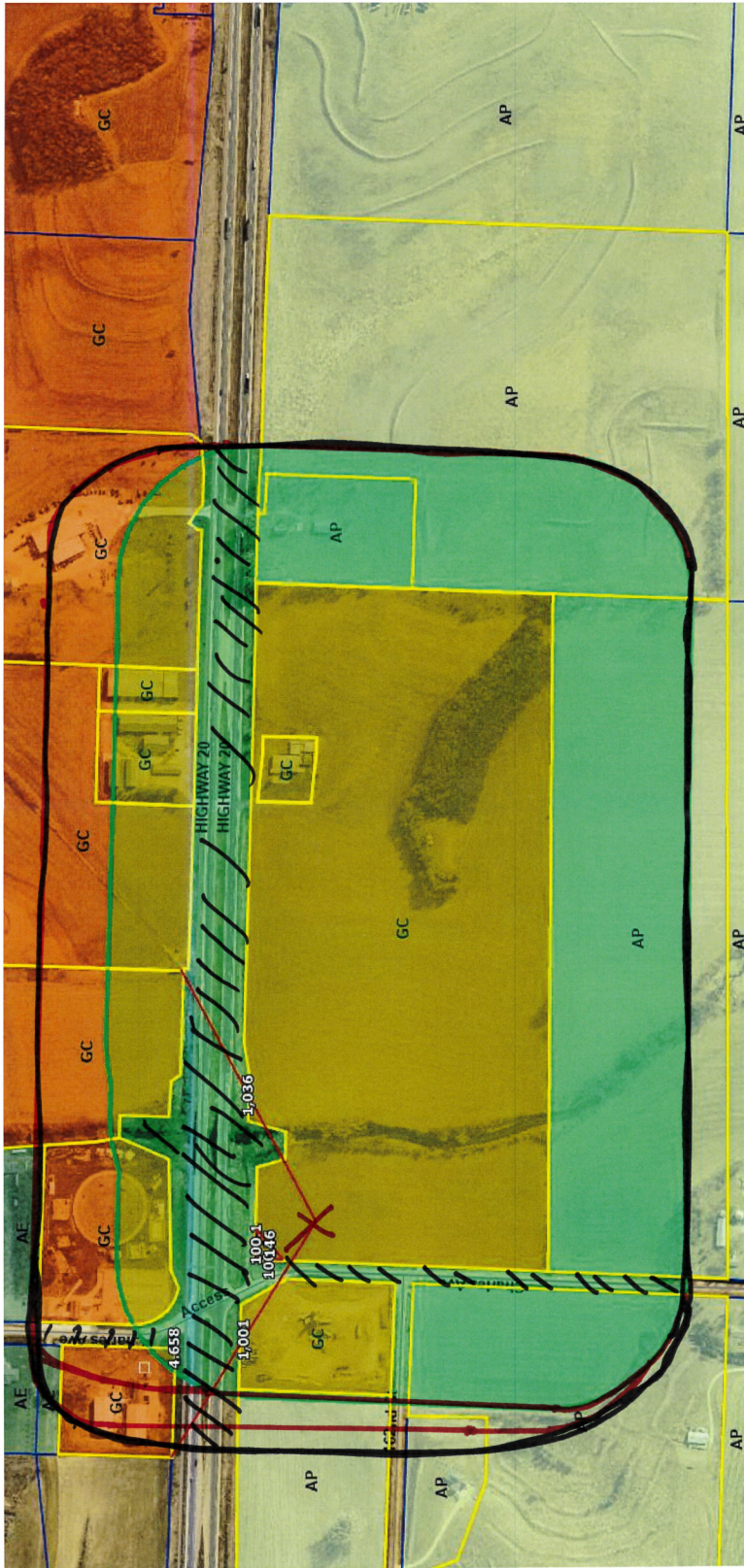
**14'-0" x 48'-0"**  
**CM, 20" V, 35" OAH**  
GENERAL ARRANGEMENT  
ENGINEERING DWG. # NA

REVISION 0 - 03/14/25  
DRAWING No. 14x48 CM 20" V 35" OAH

CUSTOMER RTI RIVERSIDE TECH.  
LOCATION HWY 20  
SIOUX CITY, IA

ENC. 1A CAD MR  
DATE NA







# BUILDING PERMIT APPLICATION

Docusign Envelope ID: 27CEF833-3066-483D-8830-60218C43087A

RECEIVED  
Received by:



## WOODBURY COUNTY, IOWA APPLICATION FOR BUILDING PERMIT

JUN - 3 2025

WOODBURY COUNTY  
PLANNING & ZONING

<b>For Office Use:</b>		<b>Case No.</b> <u>7069</u>	
Zoning District <u>GC</u>	Date Approved _____	Denied _____	By _____
Floodplain District _____	Map # _____	Fee _____	Ck/Rct # _____
GIS # <u>884606 100002</u>	Mail _____	Pick up _____	

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

Landowner's name: Rent Properties LLC Phone: 712-898-6001

Mailing Address: 204 Buckeye Circle City: Lawton Zip: \_\_\_\_\_

Structure will be built at (address): No assigned number - Parcel located along Highway 20, Lawton, IA 51030

Occupied by: N/A

Quarter/quarter N 2/3 N 1/2 NW Section 6 Civil Township T88N Floyd

or

Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Name of Contractor: Kevin Heiss Phone: 712-898-6001

Address of Contractor: 204 Buckeye Circle, Lawton Iowa

Anticipated start date of construction: (month/day/year): 7/1/2025

Type of structure: 14' x 48' LED Billboard Will this be used for business purposes? Yes

Structure's Value: \$400,000 Size of parcel in acres: 67.25

Remarks: Structure will be used for off-premise advertising. Installed with lighting and electrical service, setback over 180 ft from Highway 20 and over 1,000 ft from adjacent billboard per zoning compliance

### PLEASE READ CAREFULLY.

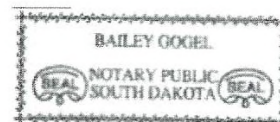
I, the undersigned, hereby understand and state that the land and building listed herein SHALL NOT BE OCCUPIED OR USED in whole or in part for any purpose whatsoever until the structure has been completed and reported as such to the County Office of Planning and Zoning; and to do so constitutes a violation 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 Kevin Heiss

This \_\_\_\_\_ day of 5/27, 20 25.

Bailey Gogel

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.

## NOTICE TO APPLICANTS

Before returning the application for a building permit, please:

- Contact Siouxland District Health Department regarding sewage system and well regulations and permits. Phone: (712) 279-6119 | 1014 Nebraska St., Sioux City, IA.
- Determine your zoning designation by visiting: [www.woodburycountyiowa.gov](http://www.woodburycountyiowa.gov) → Real Estate Map → Search by Name, Address, or Parcel Number → Click map → Scroll to "County Zoning."

For help, contact Community & Economic Development at (712) 279-6609.

### Locating Road Right-of-Way:

- Call the Woodbury County Engineer's Office at (712) 279-6484 (Sioux City) or (712) 873-3215 (other areas).
- Show right-of-way width from the center of the road toward your property on your site plan.
- Setbacks are in addition to the right-of-way width.

The right-of-way is NOT the road's center, edge, or fence line. It may vary by parcel.

### Important:

- Contact the Engineer for driveway/entrance info.
- You are responsible for correct boundary/right-of-way location.
- Submit a site plan with dimensions (including height).
- No construction may begin until a permit is approved and paid for.
- Verbal approvals are not valid.

---

## WOODBURY COUNTY, IOWA – APPLICATION FOR BUILDING PERMIT

### (For Office Use Only)

Case No: \_\_\_\_\_ Zoning District: \_\_\_\_\_ | Date: \_\_\_\_\_ | Approved/Denied: \_\_\_\_\_

Floodplain District: \_\_\_\_\_ | Map #: \_\_\_\_\_ | Fee: \_\_\_\_\_ | Check/Receipt #: \_\_\_\_\_

GIS #: \_\_\_\_\_ | Delivery: Mail \_\_\_\_\_ Pick-up \_\_\_\_\_

### Applicant Info:

Landowner Name: \_\_\_\_\_ RENT Properties LLC \_\_\_\_\_ | Phone: \_\_712-490-9981\_\_

Mailing Address: 204 Buckeye Circle | City: Lawton, IA | Zip: 51030  
Site Address: No assigned number – Parcel located along Highway 20, Lawton, IA 51030  
Occupied By: N/A  
Quarter/Quarter: N 2/3 N 1/2 NW | Section: 6 | Township: T88N  
Subdivision: \_\_\_\_\_ | Block: \_\_\_\_\_ | Lot(s): \_\_\_\_\_  
Contractor: Kevin Heiss | Phone: 712-490-9981  
Contractor Address: 204 Buckeye Circle  
Start Date (MM/DD/YYYY): 08/01/2025

Type of Structure: 14' x 48' LED Billboard

Used for business? Yes x / No \_\_\_\_\_


Structure Value: \$ 65,000 | Parcel Size (acres): 67.25

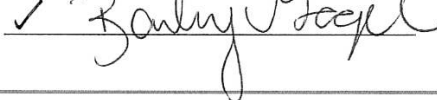
Remarks: Structure will be used for off-premise advertising. Installed with lighting and electrical service, setback over 180 ft from Highway 20 and over 1,000 ft from adjacent billboard per zoning compliance

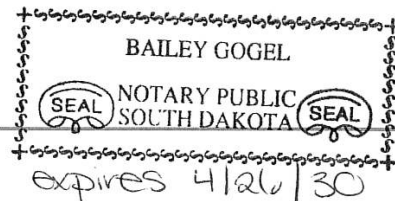
**Declaration:**

I understand the land/building shall NOT be occupied/used until completed and reported to the Planning & Zoning office. I affirm the application content is true and accurate.

Signature: Kevin Heiss 

Date: 5/27/2025 

Notary Signature: 



**PERMIT EXPIRATION NOTICE:**

Permit becomes null and void if construction does not begin within 120 days or is not completed within one year of approval.

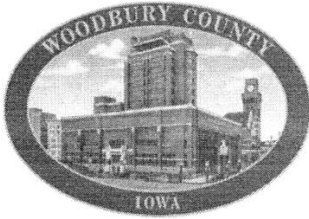
**SITE PLAN INSTRUCTIONS**

Include the following in your drawing (not to scale required):

- North arrow
- Adjacent road name
- County Right-of-Way (typically 33')
- Field entrances/driveways

# FLOODPLAIN DEVELOPMENT PERMIT APPLICATION

Docusign Envelope ID: 27CEF833-3066-483D-8830-60218C43087A



## WOODBURY COUNTY Floodplain Development Permit Application

Date: 5/30/25

TO THE ADMINISTRATOR: The undersigned hereby makes application for a Permit to develop in a flood plain. The work to be performed, including flood protection works, is as described below and in attachments hereto. The undersigned agrees that all such work shall be done in accordance with the requirements of the Woodbury County Flood Plain Management Ordinance and with all other applicable county ordinances and the laws and regulations of the State of Iowa.

<u>Rent Properties</u> (Owner or Agent) <u>204 Buckeye Circle, Lawton, Iowa</u> (Address) Telephone # <u>712-490-9981</u>	<u>Kevin Heiss</u> (Builder) <u>204 Buckeye Circle, Lawton, Iowa</u> (Address) Telephone # <u>712-490-9981</u>
---	--

1. Location: N 2/3 N 1/2 NW 1/4, Section 6, Township T88N Range: R46W

Street Address: N/A

GIS # 812535 884606100002 Floyd GC

2. Type of Development: Billboard

Filling            Grading            Excavation            Routine Maintenance           

Minor Improvement            Substantial Improvement            New Construction   x  

3. Description of Development: Installation of a 14'x48' LED off-premises advertising sign (billboard) on a  
monopole foundation. The structure will be built on a cleared lot and installed with necessary electrical hookups.

4. Premises: Size of site: 14 ft. x 48 ft. Area of Site: 675 for each sign faces will be install sq. ft.  
Estimated cost: \$401,000

Principal Use: Commercial – Off-premise advertising (LED Billboard)

Accessory Uses (Storage, parking, etc.): Underground electrical service, access for maintenance, lighting system

5. Addition or modification to non-conforming use? Yes        No   x   Assessed value of structure \$ 400,000

6. Is property located in a designated Floodway (FW District)? Yes        No   x  

IF ANSWERED YES, CERTIFICATION MUST BE PROVIDED PRIOR TO THE ISSUANCE OF A PERMIT TO DEVELOP, THAT THE PROPOSED DEVELOPMENT WILL RESULT IN NO INCREASE IN THE 100 YEAR (BASE) FLOOD ELEVATION.

7. Property located in a designated Floodway District (FW), Floodway Fringe (FF) General Flood Plain District (FP), Shallow Flooding District (SF), or Dam Failure Inundation District (DI)?

Yes        No   x   If so, indicate which one:           

a. Elevation of the 100 year (Base) flood (identify source if other than FIRM):           

b. Elevation of the proposed development site (natural ground):            MSL/NGVD

c. Required elevation/flood-proofing level for lowest floor:            MSL/NGVD

- d. Proposed elevation/flood-proofing level for lowest floor (including basement): \_\_\_\_\_ MSL/NGVD  
 e. Other flood plain information (identify and describe source) \_\_\_\_\_  
 \_\_\_\_\_

THIS PERMIT IS ISSUED WITH THE CONDITION THAT THE LOWEST FLOOR (INCLUDING BASEMENT) OF ANY NEW OR SUBSTANTIALLY IMPROVED RESIDENTIAL BUILDING WILL BE ELEVATED AT LEAST 1.0 FOOT ABOVE THE 100 YR. (BASE) FLOOD ELEVATION. IF THE PROPOSED DEVELOPMENT IS A NON-RESIDENTIAL BUILDING, THIS PERMIT IS ISSUED WITH THE CONDITION THAT THE LOWEST FLOOR (INCLUDING BASEMENT) OF A NEW OR SUBSTANTIALLY IMPROVED NON- RESIDENTIAL BUILDING WILL BE ELEVATED OR FLOOD-PROOFED TO AT LEAST 1.0 FOOT ABOVE THE 100 YR. (BASE) FLOOD ELEVATION.

**8. Other permits required?**

Iowa Department of Natural Resources: Yes \_\_\_\_\_ No x If yes, permit # \_\_\_\_\_  
 Date Received: \_\_\_\_\_

Corps of Engineers: Yes \_\_\_\_\_ No x If yes, permit # \_\_\_\_\_  
 Date Received: \_\_\_\_\_

Other: \_\_\_\_\_

All provisions of the County of Woodbury Flood Plain Management Ordinance (Ordinance # : \_\_\_\_\_)  
 shall be complied with.

THIS PERMIT IS ISSUED WITH THE CONDITION THAT THE DEVELOPER/OWNER WILL PROVIDE CERTIFICATION BY A REGISTERED ENGINEER, ARCHITECT, OR LAND SURVEYOR OF THE "AS-BUILT" LOWEST FLOOR (INCLUDING BASEMENT) ELEVATION OF ANY NEW OR SUBSTANTIALLY IMPROVED BUILDING COVERED BY THIS PERMIT.

Plans and Specifications Approved this \_\_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_.

Kevin Heiss  
 \_\_\_\_\_  
 (Signature of Developer/Owner) (Authorizing Official)

Cc: Water Resources Section  
 Iowa Department of Natural Resources  
 Wallace State Office Building  
 East 9<sup>th</sup> and Grand  
 Des Moines, IA 50319

6/2/2025  
 Date: \_\_\_\_\_

*For Office Use Only*

FPDP #: <u>7067 F</u> Fee: \$ 110 Approved: _____ Denied: _____ Check #: <u>2388</u> Receipt #: _____ Map Panel #: <u>230E</u> SFHA: _____	Received <b>RECEIVED</b>  JUN - 3 2025  WOODBURY COUNTY PLANNING & ZONING
---	---





11/20/2023

RENT PROPERTIES LLC  
C/O BRYAN MESZ  
MORTON BUILDINGS  
1620 140TH ST  
SIOUX CITY, IA 51106

Project Description: BFE Request for Parcel 884606100002. Applicant would like to place building on right (west) side of bank.; (Big Whisky Creek)

Project Latitude / Longitude Location(s): Buildings and Associated Fill 42.4727/-96.2517; Woodbury County  
*Iowa DNR Project ID Number: 2023-1789*

Dear Bryan Mesz:

This is in reference to your request for determination of the "100-year" flood elevation (a.k.a. the base flood elevation, or BFE) for the existing structure / property identified on your application. The Flood Insurance Rate Map (FIRM) for Woodbury County shows a portion of this property as being in the Special Flood Hazard Area (SFHA).

Based on the information available, we have estimated the current existing condition 100-year flood elevation, NAVD88 at the location referenced above (See Figure 1). You may download additional copies, or verify the Iowa DNR Flood Plain and Dam Safety Section (Department) official response document(s) for this project at the Iowa DNR Flood Plain PERMT website using the tracking number above. (PERMT Website Address: <https://programs.iowadnr.gov/permt/>)

Please be aware when planning future construction that elevating beyond the required 1 foot above the BFE will not only reduce flood risk, but might also result in lower flood insurance rates.

Please contact me by phone at 515-393-1891 or by email at [Meesha.Legg@dnr.iowa.gov](mailto:Meesha.Legg@dnr.iowa.gov) with any questions.

Sincerely,

Meesha Legg

Digitally signed by  
Meesha Legg  
Date: 2023.11.20  
16:18:03 -06'00'

Meesha Legg

Flood Plain Management and Dam Safety Section

CC: Kevin Heiss; Rent Properties LLC, 204 Buckeye Cr, Lawton, IA, 51030, [kevinh@1rti.com](mailto:kevinh@1rti.com)  
Dan Priestley; 620 Douglas Street, Floor 6, Sioux City, IA, 51101, [dpriestley@woodburycountyiowa.gov](mailto:dpriestley@woodburycountyiowa.gov)

Attachments

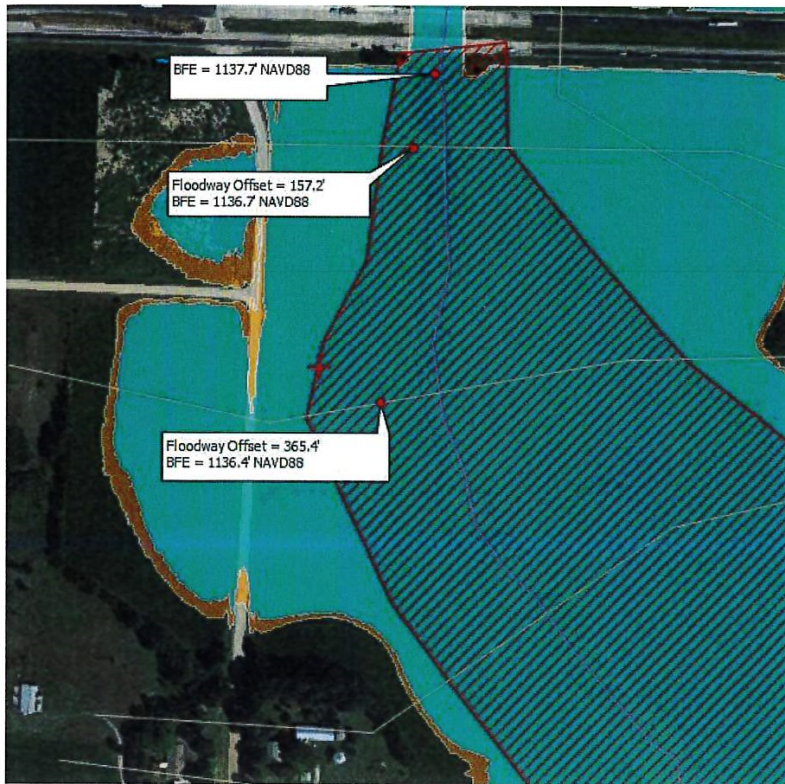


Figure 1. Visual floodway approximation. The offsets on the right (west) bank of Big Whisky Creek are labeled from the HECRAS model cross-sections and are measured from the center of the stream.



## Nick Heiss

---

**From:** Slater Ohm  
**Sent:** Thursday, May 29, 2025 1:52 PM  
**To:** Nick Heiss  
**Subject:** FW: Floodway Determination for Parcel 884606100002  
**Attachments:** 2023-1789\_FPBFEletter.pdf

We will need to submit with rest of the forms.

### Slater Ohm | Director Business Development

Phone: 712-253-4800 | Fax: 866.812.5370  
[www.1RTI.com](http://www.1RTI.com) | [Sohm@1rti.com](mailto:Sohm@1rti.com)

---

**From:** Conn, Jason <jason.conn@dnr.iowa.gov>  
**Sent:** Wednesday, April 30, 2025 3:02 PM  
**To:** Slater Ohm <Sohm@1RTI.com>; Daniel Priestley <dpriestley@woodburycountyiowa.gov>  
**Subject:** Floodway Determination for Parcel 884606100002

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Slater and Dan,

I spoke with Meesha Legg regarding a prior project for Parcel 884606100002. During our conversation I noted the DNR calculated the Base Flood Elevation and determined the width of the floodway for this property in 2023. Meesha reviewed the information from this prior project (2023-1789) and determined it is still valid. I've attached the letter Meesha issued to the applicant in 2023.

Please note the 2nd page of the attachment includes a map that illustrates the floodway of Big Whiskey Cr. The floodway is that area within the blue shading w/ the red cross-hatching. You'll note the floodway offset from the top of the bank and the Base (i.e. 100-yr) Flood Elevation are listed on the map.

You will need to work with Dan Priestley at the Woodbury County Zoning Office to receive a local floodplain development permit. During our conversation you noted the bottom of the sign will be ~20ft above ground level. The sign itself will not be an issue since it'll be located well above the ground. However, the support posts must not be placed within the floodway as determined by Meesha.

Please don't hesitate to contact me if you have any questions or concerns.

Thank you,

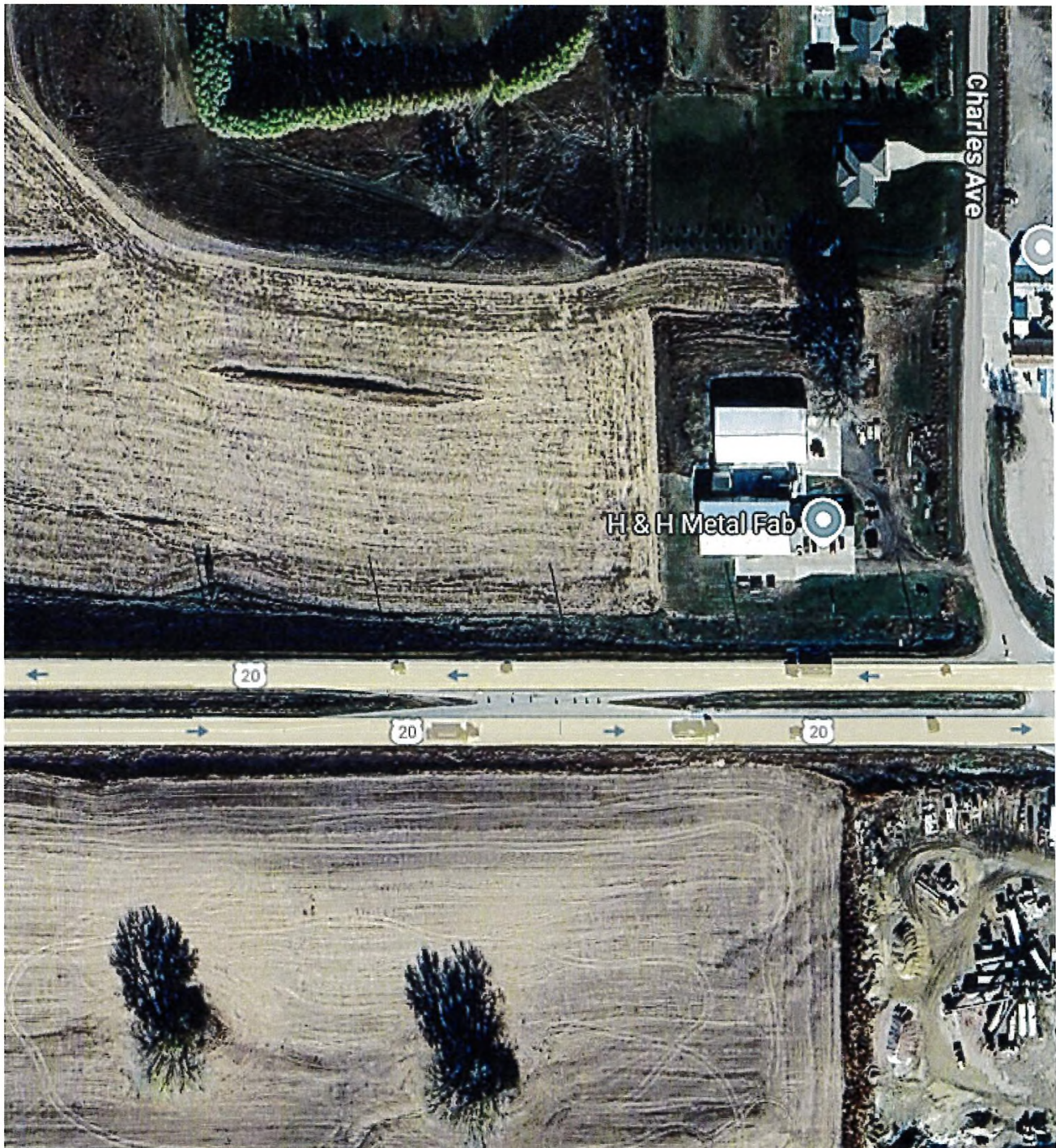
Jason Conn, CFM  
NFIP State Coordinator  
Floodplain Community Assistance Program  
Department of Natural Resources



Nick Heiss

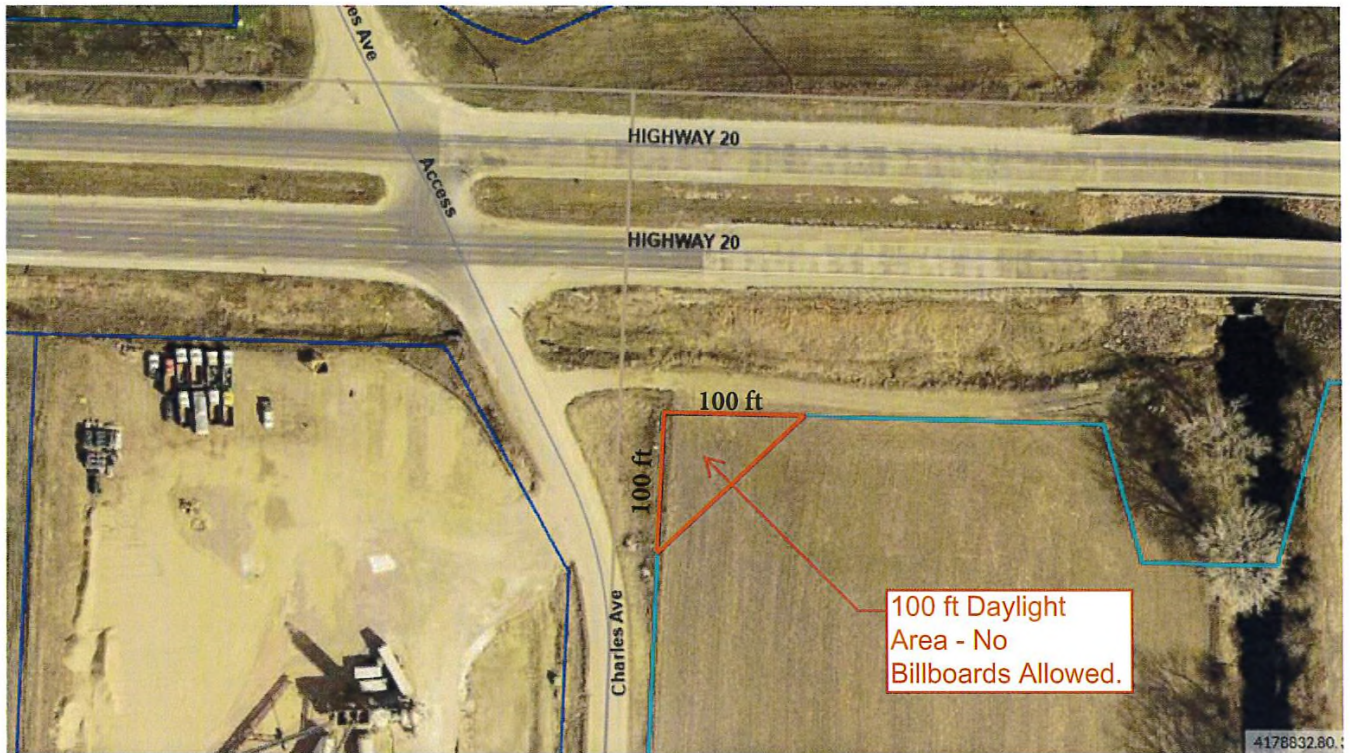
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**From:** Slater Ohm  
**Sent:** Thursday, May 29, 2025 2:03 PM  
**To:** Nick Heiss  
**Subject:** Hwy 20 c parcel photos





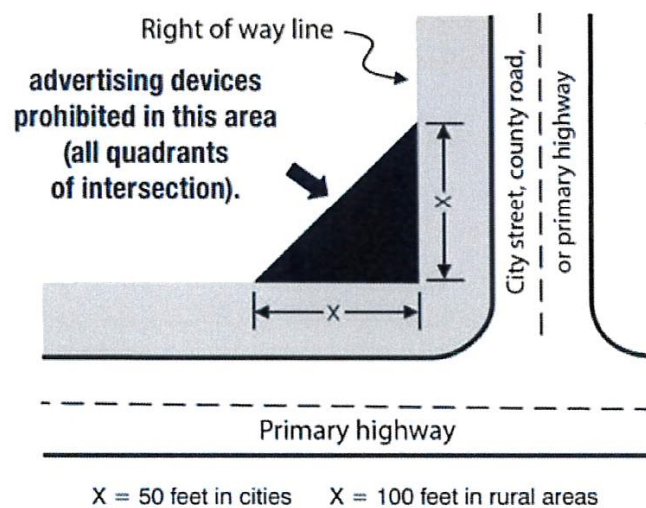




Alternate ID812535  
Class A  
Acreage 67.25

Owner Address RENT PROPERTIES LLC  
204 BUCKEYE CIR  
LAWTON, IA 51030

**Figure 3**  
**Sight distance at intersections**  
**(daylight area)**





# 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 Broward, 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:

Jun. 21, 2025

NOTICE ID: 5W0N53ECcNtObwLIMsUa

PUBLISHER ID: COL-IA-501948

NOTICE NAME: BoA\_25-7-

7\_BOA\_3\_Hearings\_MSIDE\_RTI\_MortonVAR

Publication Fee: \$67.52

*Edmar Corachia*

(signed) \_\_\_\_\_



### VERIFICATION

State of Florida  
County of Broward

Subscribed in my presence and sworn to before me on this: 06/25/2025

*S. Smith*

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 July 7, 2025 at 2:00 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 712-454-1153 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@woodburycountyiowa.gov](mailto:dpriestley@woodburycountyiowa.gov). Only signed comments will be considered and should be received no later than 10:00 AM on Wed, July 2, 2025.

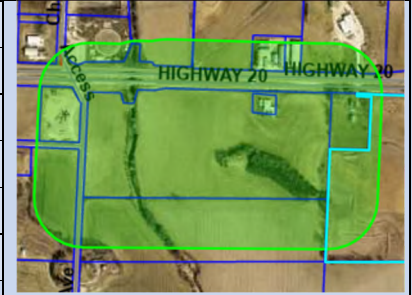
Item One (1)  
Pursuant to Section 335 of the Code of Iowa, the Woodbury County Board of Adjustment will hold a public hearing to consider the Conditional Use Permit application from Jason Reynoldson (Applicant) on behalf of Morningside University (Owner) to construct and operate a baseball stadium (field for competitive athletics) on the property located in T88N R47W (Woodbury Township), Section 14, in the SW 1/4 of the SW 1/4 and identified as Parcel #68471400005, and located in the Agricultural Preservation (AP) Zoning District. The property is located on the southwest side of Old Highway 141 and is east of Buchanan Avenue and north of County Home Road. 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), 3000 Gambleton 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 Code of Iowa, the Woodbury County Board of Adjustment will hold a public hearing to consider the Conditional Use Permit application from Kevin Heiss (Applicant) of Rent Properties LLC (Owner) to construct and operate an off-premise 14 x 40 LED billboard (double-sided) on the property located in T88N R46W (Floyd Township) in the N 2/3 of the N 1/2 of the NW 1/4, Section 6 and identified as Parcel #68402610002, and located in the General Commercial (GC) Zoning District. The property abuts the south side of Highway 20 and abuts the east side of Charles Avenue. Applicant(s) Owner(s): Kevin Heiss (Applicant), 204 Dueskeye Circle, Lawton, IA 51153 / Rent Properties LLC (Owner), 204 Dueskeye Circle, Lawton, IA 51153.

Item Three (3)  
Pursuant to Section 335 of the Code of Iowa, the Woodbury County Board of Adjustment will hold a public hearing to consider a variance application from Kevin Morton, at 108 Bigelow Park Road, Salix, IA 51052, who seeks approval to construct a new garage behind an existing garage that will be set back four (4) feet or less from the existing garage. The property owner has filed this variance application to seek relief from Section 4.12.5 of the Woodbury County Zoning Ordinance pertaining to "Accessory Buildings" which states "5. Detached accessory structures shall not be located closer to any other accessory or principal building than ten feet" (p. 46). The proposed garage size is approximately 24' x 16' and subject to changes. The property is located on a C-44 zone and identified as Parcel #674733376005 and is identified as Lot 5 in Block 1 in the Galland's Lakeview Second Sub-Division in Section 33 in T87N R47W (Liberty Township). The property is located on the south side of Bigelow Park Road and west of 275th Street. Owner/Applicant: Kevin Morton, 108 Bigelow Park Rd., Salix, IA 51052. CCR: IA-507548.

## PROPERTY OWNER(S) NOTIFICATION

Property Owners within 500 Feet:	15
Notification Letter Date:	June 19, 2025
Public Hearing Board:	Board of Adjustment
Public Hearing Date:	July 7, 2025 at 5:00 PM
Phone Inquiries:	1 (Jerry Steffan)
Written Inquiries/Comments:	1 (Jerry & Vernell Steffan)
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
Rent Properties, LLC	204 Buckeye Circle	Lawton	IA	51030		No written comments.
Strachan Realty Company, LLC	1820 Hwy 20	Lawton	IA	51030		No written comments.
Jerry E. Steffen & Vernell D. Steffen, Co-Trustees and their successors in Trust under the Jerry and Vernell Steffen Revocable Trust dated 9-3-2008	1528 Jewel Ave	Moville	IA	51039		SEE LETTER BELOW
George F. Seubert & Mary Jane Seubert, as Trustees of the George E. and Mary Jane Seubert Revocable Trust dated 7-31-2023	2087 210th Street	Bronson	IA	51007-8021		No written comments.
Charles Claude Neal, Life Estate interest with remainder to Everett Dean Neal and an undivided 1/2 interest to Everett Dean Neal and an undivided 1/2 interest to Lois Jeanette Deringer, Trustee of the Lois Jeanette Deringer Revocable Trust, under Agreement dated March 28, 2005	1637 Charles Ave	Lawton	IA	51030-9727		No written comments.
AVE-PLP Properties, LLC, a Kansas limited liability company	58668 190th Street	Pacific Junction	IA	51561		No written comments.
Todd Shumansky & Tara Shumansky, husband and wife, as joint tenants with full rights of survivorship	1275 Buchanan Ave	Sioux City	IA	51108		No written comments.
RJ Tide Construction, Inc., an Iowa corporation	1821 Hwy 20	Lawton	IA	51030		No written comments.
H & H Real Estate, LLC, an Iowa limited liability company	1624 180th Street	Sioux City	IA	51106		No written comments.
Michael Pagan & Terri Pagan, husband and wife, as joint tenants with full rights of survivorship	1589 Charles Ave	Lawton	IA	51030		No written comments.
Midwest Auto Properties, LLC, an Iowa limited liability company	1901 Hwy 20	Lawton	IA	51030		No written comments.
Brian D. Peterson, a married person	1739 Charles Ave	Lawton	IA	51030		No written comments.
An undivided 1/2 interest to Everett Dean Neal & an undivided 1/2 interest to Lois Jeanette Deringer, Trustee of the Lois Jeanette Deringer Revocable Trust, under Agreement dated March 28, 2005	1637 Charles Ave	Lawton	IA	51030-9727		No written comments.
Dana D. Neal & Kimberly A. Neal, husband and wife, as joint tenants with full rights of survivorship	1774 162nd Street	Lawton	IA	51030		No written comments.
Rent Properties, LLC	204 Buckeye Circle	Lawton	IA	51030		No written 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.
LONGLINES:	No comments.
LUMEN:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	No comments.



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 Conditional Use Permit application. NIPCO has no issues with this request. – Jeff Zettel, 6/5/25.
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 application. – Neil Stockfleth, 6/5/25.
WOODBURY COUNTY TREASURER:	No comments.

June 19, 2025

Jerry & Vernell Steffen  
Co-Trustees of Steffen Revocable Trust  
1528 Jewell Ave.  
Menville, IA 51039

Daniel Priestley, MPA  
Woodbury County Zoning Coordinator  
620 Douglas Street #609  
Sioux City, IA 51101

RE: 2025 Conditional Use Permit Request for Parcel #884606100002.  
For Rent Properties, LLC, Applicant: Kevin Heiss.

Dear Mr. Priestley:

We have reviewed the Conditional Use Permit Application. Jerry & Vernell Steffen Trust has no issues with this request.

Thanks for the Notice.

  
JERRY E. STEFFEN, PE



## Woodbury County, IA / Sioux City

Parcel ID 884606100002  
 Alternate ID 812535  
 Property Address N/A  
 Sec/Twp/Rng 6-88-46  
 Brief (EX PT TO STATE)N2/3 N1/2 NW & EX A TCT BEG 517.76' W OF & 210.8' S NW1/4 & PT OF BEG;THE C S193.60' THEC W180' THEC N193.60' THEC  
 Tax Description E180' TO PT OF BEG  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 2023-04881 (6/2/2023)  
 Gross Acres 67.25  
 Exempt Acres 2.70  
 Net Acres 64.55  
 Adjusted CSR Pts 4607.85  
 Zoning GC - GENERAL COMMERCIAL  
 District 0026 FLOYD/LAWTON-BRONSON  
 School District LAWTON BRONSON  
 Neighborhood N/A

### Owner

Deed Holder  
[RENT PROPERTIES LLC](#)  
[204 BUCKEYE CIR](#)  
 LAWTON IA 51030  
 Contract Holder  
 Mailing Address  
 RENT PROPERTIES LLC  
 204 BUCKEYE CIR  
 LAWTON IA 51030

### Land

Lot Area 67.25 Acres ;2,929,410 SF

### Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Barn - Pole	CATTLE SHED	16	32	1987	1

### Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
6/1/2023	KUHLMANN THERESA M REVOCABLE TRUST	RENT PROPERTIES LLC	2023-04881	Normal	Deed	Y	\$1,375,000.00
6/29/2020	KUHLMANN THERESA M & MICHAEL D	KUHLMANN THERESA M & MICHAEL D REVOCABLE TRUST	2020-08094	No consideration	Deed		\$0.00

☐ Show There are other parcels involved in one or more of the above sales:

### Permits

Permit #	Date	Description	Amount
4517	09/28/2004	Misc	0

### Valuation

	2025	2024	2023	2022	2021	2020
Classi cation	Agriculture	Agriculture	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$181,260	\$154,370	\$154,370	\$119,920	\$119,920	\$112,870
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$181,260	\$154,370	\$154,370	\$119,920	\$119,920	\$112,870
- Exempt Value	(\$4,140)	(\$3,510)	(\$3,510)	(\$2,910)	(\$2,910)	(\$2,580)
= Net Assessed Value	\$177,120	\$150,860	\$150,860	\$117,010	\$117,010	\$110,290

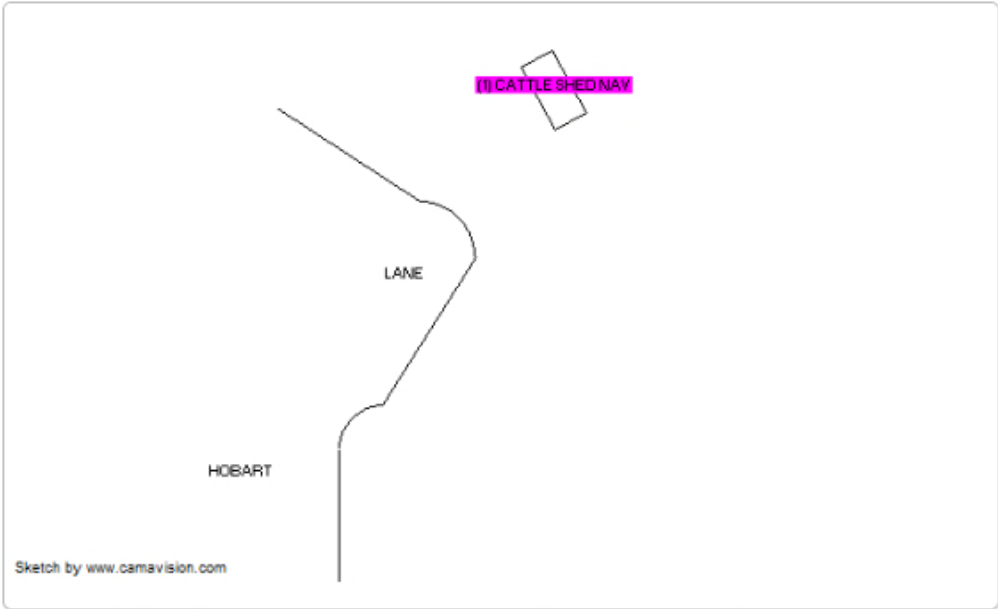
Sioux City Special Assessments and Fees

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

Woodbury County Tax Credit Applications

Apply for Homestead or Military Tax Credit

Sketches



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

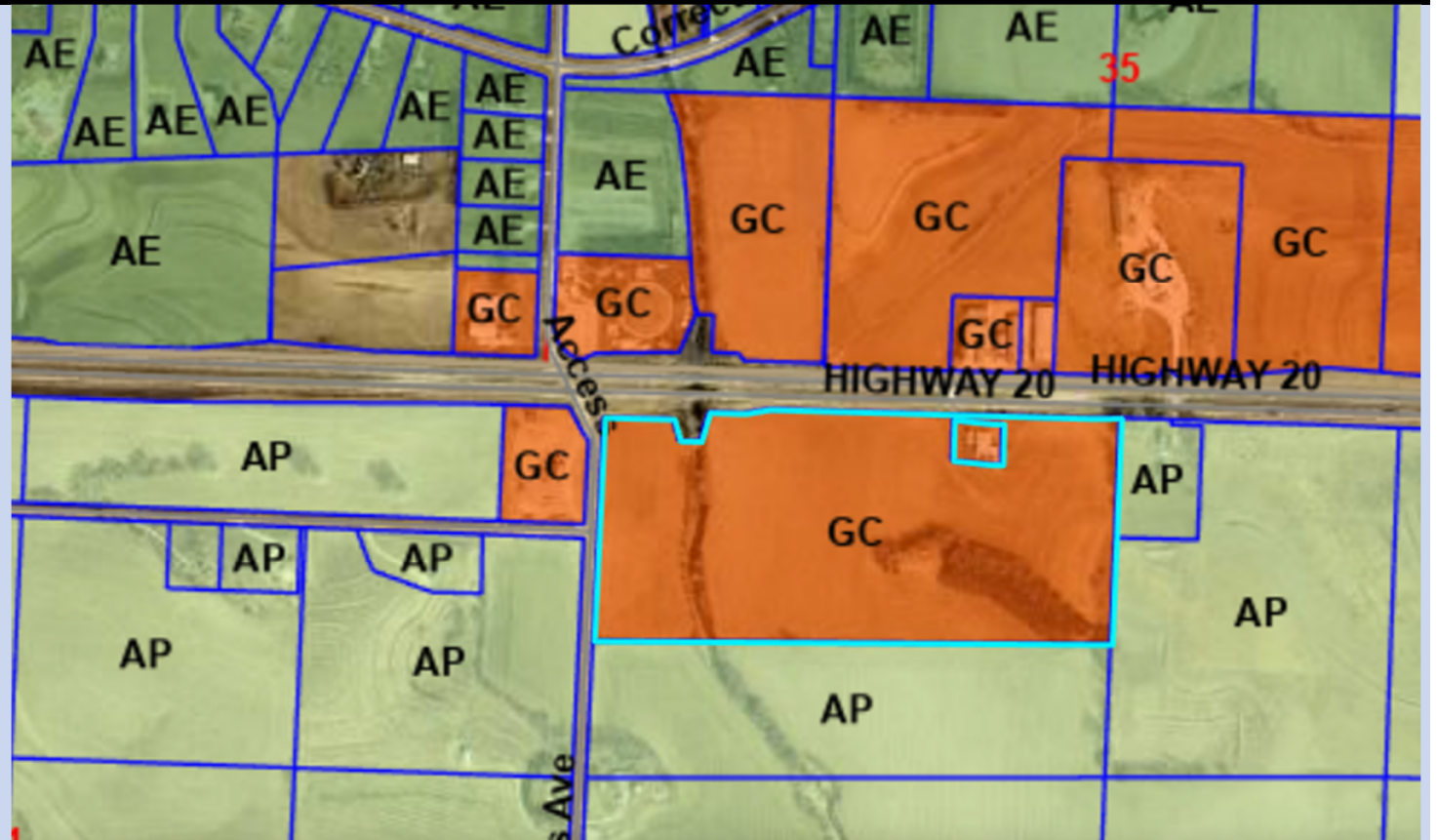
The maps and data available for access at this website are provided "as is" without warranty or any representation of accuracy, timeliness, or completeness. There are no warranties, expressed or implied, as to the appropriate use of the maps and data or the fitness for a particular purpose. The maps 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](#)  
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Contact Us

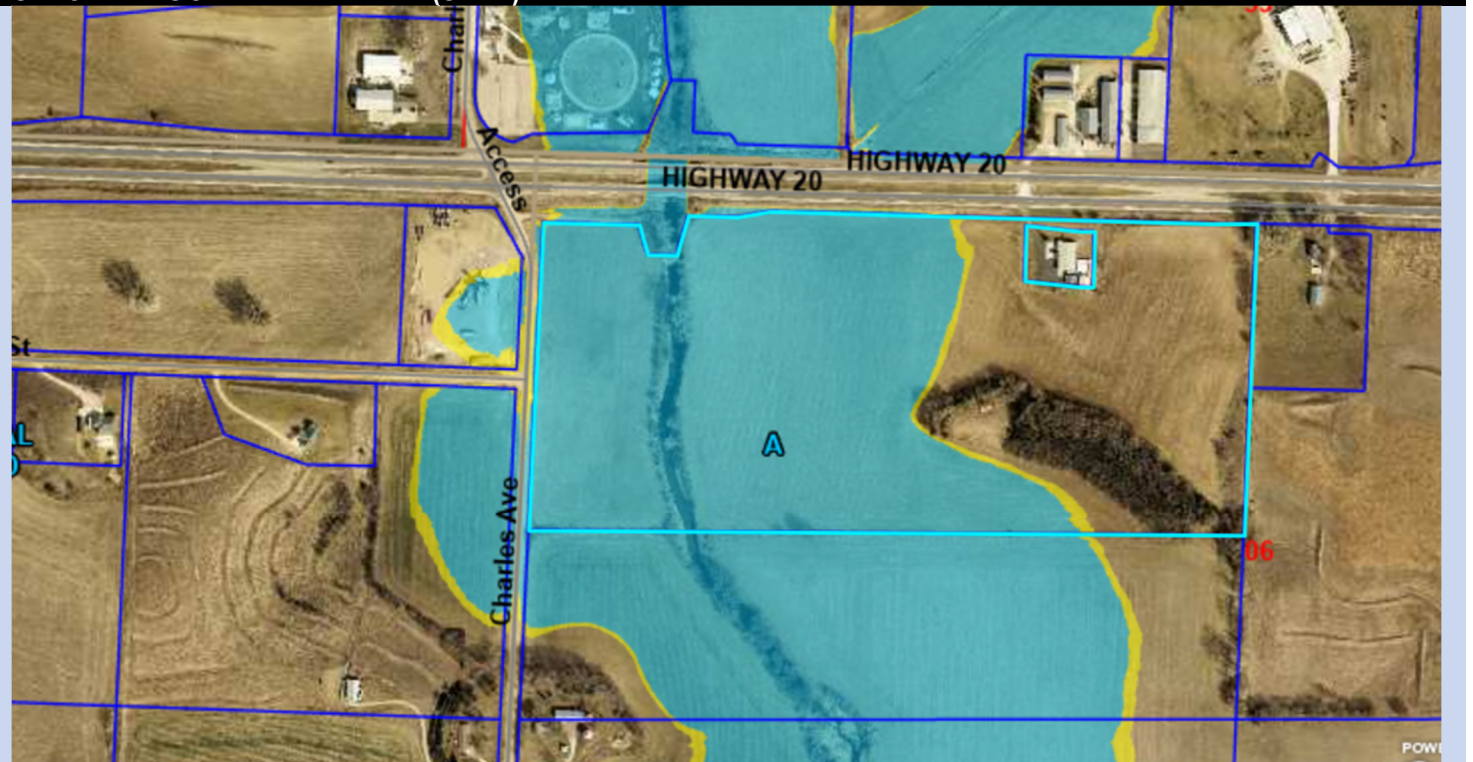




## ZONING MAP



## SPECIAL FLOOD HAZARD AREA (SFHA) MAP

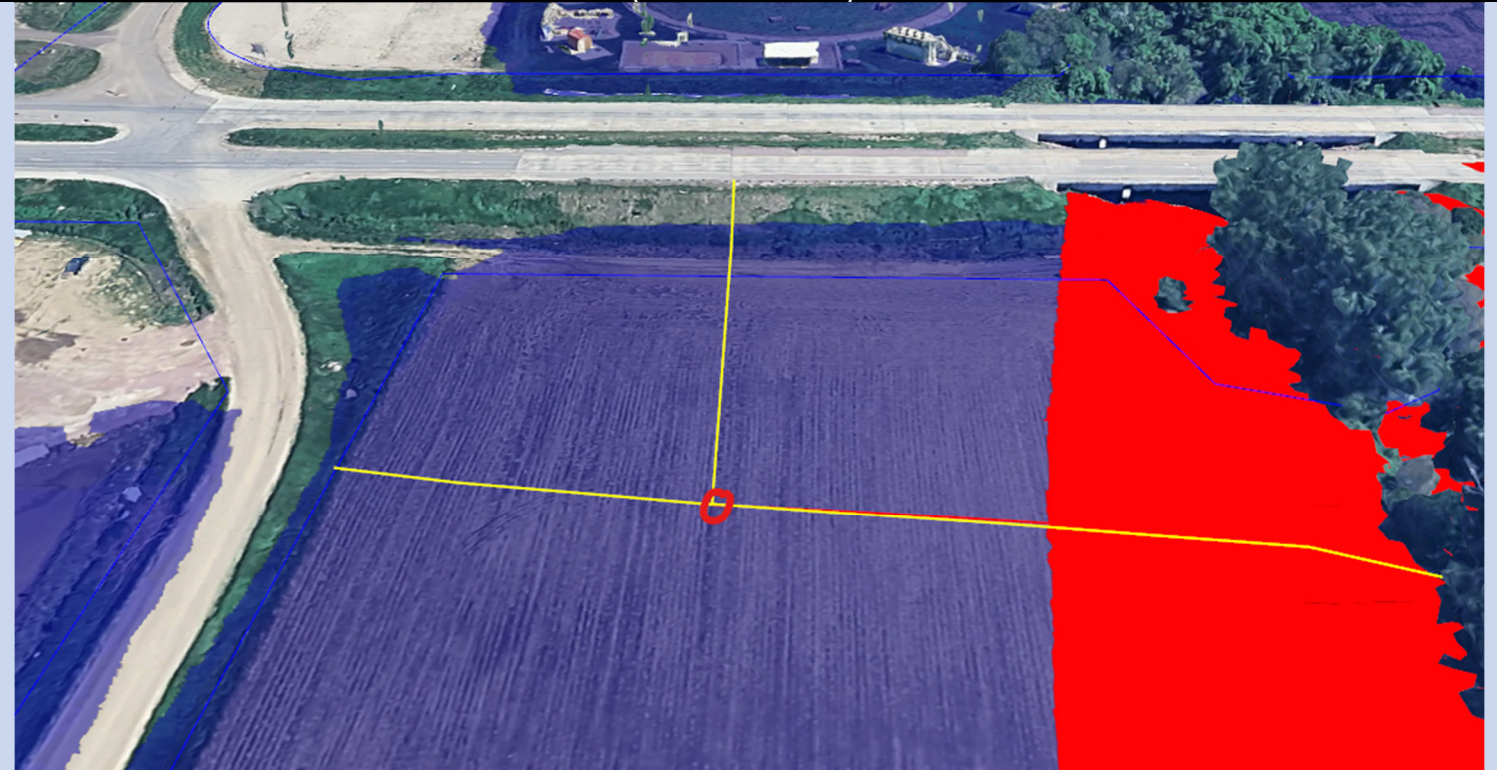




## ESTIMATED FLOODWAY MAP



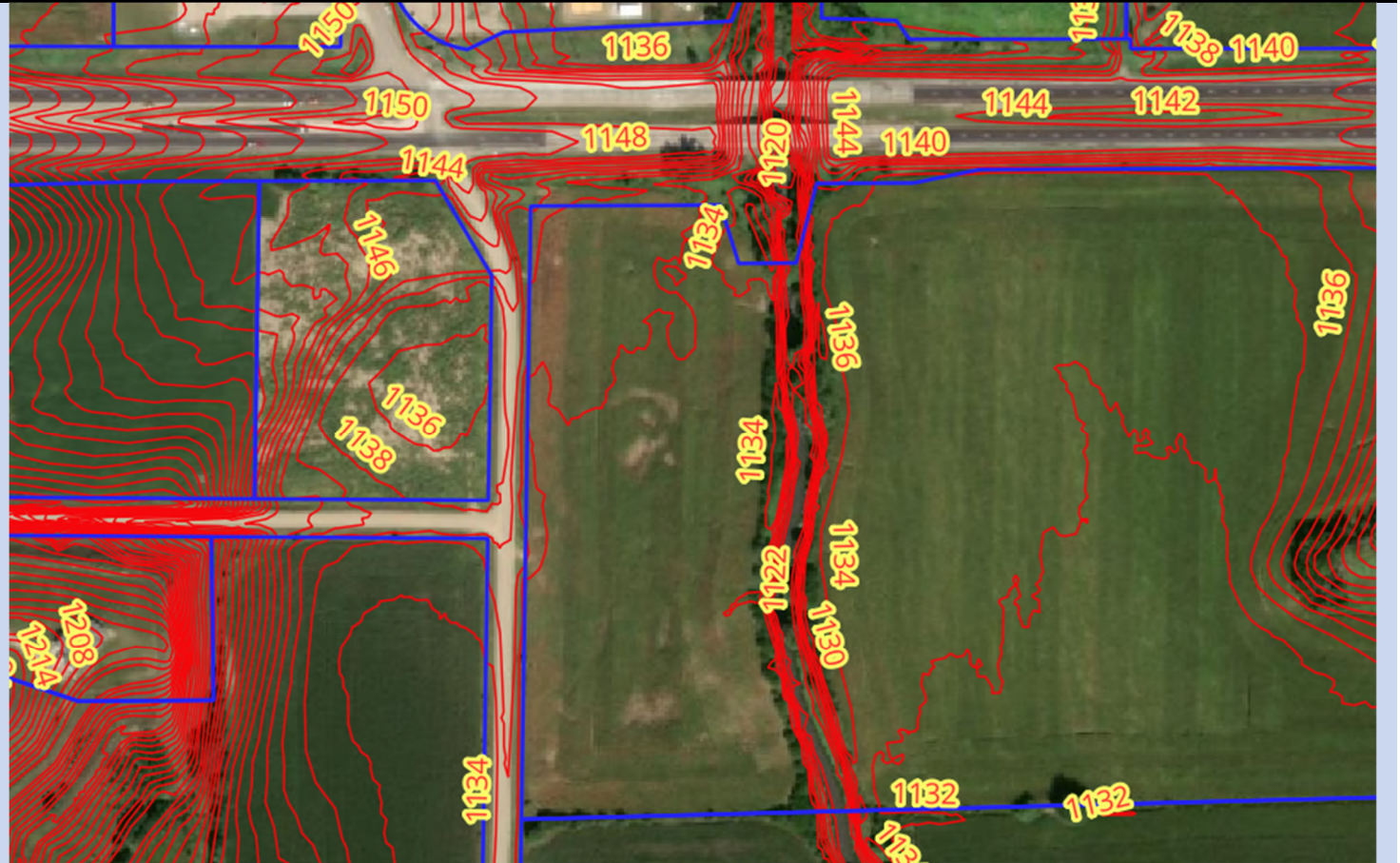
## LOCATION MAPPING RELATIVE TO FLOODWAY (NOT SCIENTIFIC)



The image above is not scientific nor intended to represent a survey or exact location. Only provided for general informational purposes relative to the general floodway location.



## ELEVATION MAP



## SOIL MAP AND REPORT



## Summary

Parcel ID	884606100002
Gross Acres	67.25
ROW Acres	0.00
Gross Taxable Acres	67.25
Exempt Acres	2.70
Net Taxable Acres	64.55 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	73.30 (4929.34 CSR2 Points / 67.25 Gross Taxable Acres)

Agland Active Config 2025

## Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	59.53	73.96	4,402.67	4,402.67
Non-Crop	5.02	70.89	355.86	212.22
Forest Reserve	2.70	63.26	170.81	110.25
<b>Total</b>	<b>67.25</b>		<b>4,929.34</b>	<b>4,725.14</b>

## Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	510B	Monona silt loam, terrace, 2 to 5 percent slopes	95.00	0.04	3.80	3.80
100% Value	12B	Napier silt loam, 2 to 5 percent slopes	93.00	0.59	54.87	54.87
100% Value	510B2	Monona silt loam, terrace, 2 to 5 percent slopes, eroded	92.00	2.97	273.24	273.24
100% Value	12C	Napier silt loam, 5 to 9 percent slopes	89.00	5.70	507.30	507.30
100% Value	510C2	Monona silt loam, terrace, 5 to 9 percent slopes, eroded	88.00	4.40	387.20	387.20
100% Value	670	Rawles silt loam, 0 to 2 percent slopes, occasionally floode	82.00	34.26	2,809.32	2,809.32
100% Value	701	Wilsey silt loam, 0 to 2 percent slopes, occasionally floode	79.00	0.60	47.40	47.40
100% Value	700D2	Monona silty clay loam, terrace, 9 to 14 percent slopes, ero	62.00	0.56	34.72	34.72
100% Value	1D3	Ida silt loam, 9 to 14 percent slopes, severely eroded	32.00	6.96	222.72	222.72
100% Value	1E3	Ida silt loam, 14 to 20 percent slopes, severely eroded	18.00	3.45	62.10	62.10
Non-Crop	12C	Napier silt loam, 5 to 9 percent slopes	89.00	0.04	3.56	1.91
Non-Crop	510C2	Monona silt loam, terrace, 5 to 9 percent slopes, eroded	88.00	0.13	11.44	6.18
Non-Crop	670	Rawles silt loam, 0 to 2 percent slopes, occasionally floode	82.00	2.39	195.98	109.44
Non-Crop	700D2	Monona silty clay loam, terrace, 9 to 14 percent slopes, ero	62.00	2.28	141.36	91.18
Non-Crop	1D3	Ida silt loam, 9 to 14 percent slopes, severely eroded	32.00	0.02	0.64	0.63
Non-Crop	1E3	Ida silt loam, 14 to 20 percent slopes, severely eroded	18.00	0.16	2.88	2.88
Forest Reserve	12C	Napier silt loam, 5 to 9 percent slopes	89.00	0.03	2.67	1.85
Forest Reserve	510C2	Monona silt loam, terrace, 5 to 9 percent slopes, eroded	88.00	0.10	8.80	4.75
Forest Reserve	700D2	Monona silty clay loam, terrace, 9 to 14 percent slopes, ero	62.00	2.57	159.34	103.65
<b>Total</b>				<b>67.25</b>	<b>4,929.34</b>	<b>4,725.14</b>





# 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
<b>Owner/Applicant(s):</b> Kevin L. Morton <b>Application Type:</b> Variance <b>Zoning District:</b> Suburban Residential (SR) <b>Total Acres:</b> 0.44 <b>Current Use:</b> Residential <b>Proposed Use:</b> Residential Additional Garage <b>Pre-application Meeting:</b> May, 2025 <b>Application Date:</b> June 16, 2025 <b>Stakeholders Notification Date:</b> June 16, 2025 <b>Legal Notice Date:</b> June 21, 2025 <b>Neighbors' (500') Letter Date:</b> June 19, 2025 <b>Board of Adjustment Public Hearing Date:</b> July 7, 2025	<b>Parcel(s):</b> 874733376005 <b>Township:</b> T87N R47W (Liberty Township) <b>Section:</b> 33 <b>Zoning District:</b> Suburban Residential (SR) <b>Floodplain District:</b> X – Not in floodplain <b>Address:</b> 108 Bigelow Park Road, Salix, IA 51052	<b>Property Layout</b> <b>Site Footprint</b> <b>Elevation</b> <b>Zoning Maps</b> <b>Soil Map</b> <b>City Regulations</b>

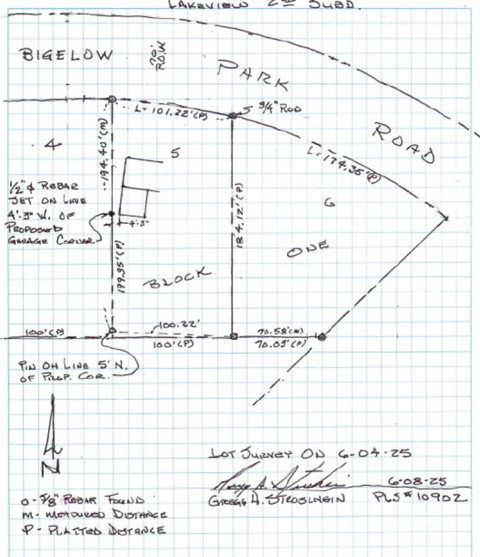
## VARIANCE APPLICATION DESCRIPTION

Pursuant to Section 335 of the Code of Iowa, the Woodbury County Board of Adjustment will hold a public hearing to consider a variance application from Kevin Morton, at 108 Bigelow Park Road, Salix, IA 51052, who seeks approval to construct a new garage behind an existing garage that is requested to be set back four (4) feet from the existing garage. The property owner has filed this variance application to seek relief from Section 4.12.5 of the Woodbury County Zoning Ordinance pertaining to "Accessory Buildings" which states "5. Detached accessory structures shall not be located closer to any other accessory or principal building than ten feet" (p. 46). The proposed garage size is approximately 24' x 16' and subject to changes. The property is located on a 0.44 acre lot identified as Parcel #874733376005 and is identified as Lot 5 in Block 1 in the Galland's Lakeview Second Sub-Division in Section 33 in T87N R47W (Liberty Township) and in the Suburban Residential (SR) Zoning District. The property is located on the south side of Bigelow Park Road and west of 275th Street. Owner/Applicant: Kevin L. Morton, 108 Bigelow Park Rd., Salix, IA 51052.

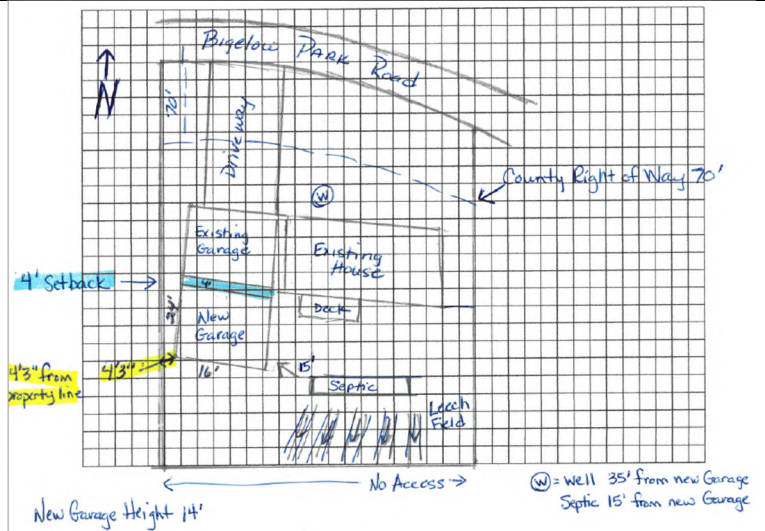
## LOCATION MAP



CLIENT: KEVIN MORTON  
PROJECT: VARIANCE  
SUBJECT: SURETY OF LOTS 5 OF BLOCK 1, GALLAND'S LAKEVIEW 2ND SUBD.  
JOB NO: 25-104  
DATE: 6-08-25  
PAGE: 02



## SITE PLAN EXCERPT



## EXECUTIVE SUMMARY

**Overview:** Kevin Morton has applied for a variance to construct a new garage with a reduced setback from an existing structure due to unique site constraints related to a recently installed septic system.

### Key Findings:

**Public Interest (Review Criteria 1):** The applicant has adequately demonstrated that granting the variance will not be contrary to the public interest. The proposed garage's location behind the existing structure, similar height, and access through the existing garage will prevent adverse impacts on neighboring properties, avoid increased congestion or traffic, and pose no threat to public health or safety. Furthermore, it will not overburden public facilities or impair the enjoyment, use, or value of nearby properties.

**Economic Hardship/Practical Difficulties (Review Criteria 2):** The applicant has successfully established a case of "practical difficulties," aligning with the updated Iowa Code. The necessity of a new septic system, installed in 2022, has created unique physical constraints on the property, limiting the available space for constructing a garage that meets the existing 10-foot setback. Without the 4-foot variance, only a smaller shed, not a functional garage of the desired size (24'x16'), could be built. This limitation affects the beneficial use of the property and its potential resale value as a multi-car garage property. Crucially, this hardship is not self-created but rather a consequence of a required and properly sited infrastructure improvement.

**Other Variance Requirements (Review Criteria 3):** The proposed garage is a permitted accessory use within the Suburban Residential district. The unique circumstances surrounding the septic system suggest this is not a commonly recurring issue that would constitute a de facto ordinance amendment. The requested 4-foot setback appears to be the minimum relief necessary to accommodate a functional garage given the site constraints. There is no indication that flood plain management requirements are applicable.

**Conclusion:** The variance application submitted by Kevin Morton for 108 Bigelow Park Road demonstrates substantial merit. The applicant has provided compelling evidence of "practical difficulties" arising from unique physical constraints (new septic system location) that prevent the beneficial use of the property in strict compliance with the zoning ordinance. Granting the variance for a 4-foot setback would enable the construction of a much-needed garage without causing demonstrable negative impacts on the public interest or surrounding properties. The application aligns well with the spirit and intent of the updated Iowa Code, which emphasizes providing relief where literal enforcement creates practical difficulties for property owners seeking to make beneficial use of their land. Therefore, based on the analysis, the variance request is well-justified.





## OFFICE OF PLANNING AND ZONING WOODBURY COUNTY

Zoning Ordinance  
Section 2.02(8)  
Page 1 of 3

## Variance Application

<b>Owner Information:</b> Owner <u>Kevin Morton</u> Address <u>108 Bigelow Park Road</u> <u>Salix</u> Phone <u>712-253-8815</u>	<b>Applicant Information:</b> Applicant <u>Kevin Morton</u> Address <u>108 Bigelow Park Road</u> <u>Salix</u> Phone <u>712-253-8815</u>				
Engineer/Surveyor <u>Gregg Stroschein</u> Phone <u>712-259-0483</u>					
<b>Property Information:</b> Property Address or Address Range <u>108 Bigelow Park Road Salix, IA</u> Quarter/Quarter _____ Sec <u>33</u> Twtnshp/Range <u>87-47</u> Parcel ID # <u>874733376005</u> GIS # _____ Total Acres <u>.44</u> Current Use <u>Homeowners residence</u> Proposed Use <u>Additional Garage</u> Current Zoning <u>SR</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>May 2025</u> Staff present <u>Dan Priestley</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> <table style="width: 100%;"> <tr> <td style="width: 50%;">Owner <u>Kevin Morton</u></td> <td style="width: 50%;">Applicant <u>Kevin Morton</u></td> </tr> <tr> <td>Date <u>6-16-2025</u></td> <td>Date <u>6-16-2025</u></td> </tr> </table>		Owner <u>Kevin Morton</u>	Applicant <u>Kevin Morton</u>	Date <u>6-16-2025</u>	Date <u>6-16-2025</u>
Owner <u>Kevin Morton</u>	Applicant <u>Kevin Morton</u>				
Date <u>6-16-2025</u>	Date <u>6-16-2025</u>				
<b>Fee: \$300</b> <b>Case #:</b> _____  Check #: _____ Receipt #: _____	Date Received _____				

**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:

The proposed location of new garage will be behind the existing garage. It will not impact any neighbors view of the road, the lake or any part of their property. It will be built within the ordinance guidelines along the property line. It will be built the same height or less than the existing garage and will also be accessed through the existing garage. No additional driveway or access will be necessary.

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

The new garage will be built directly behind existing garage therefore no new driveway or access will be necessary as the access will only be from the existing garage. The new garage will not cause any additional traffic or congestion of any kind. The garage will only be used by the owner of the property to store his motorcycle, four-wheeler, lawnmower, tools, etc.

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

The proposed garage with 4' setback will only be used for storage of motorcycle, four-wheeler, lawnmower, snowblower, etc. It is located on private property and will not cause any danger to public health or safety.

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

The new garage with a 4' setback will not be accessible to the public as it will be located on private property behind the existing garage. No public services will be necessary to maintain the garage.

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

The new garage with a 4' setback will not impair the neighbors property as it will be the same height or less than the existing garage and it will not impair the neighbors view of anything they currently have for a view.

The garage will be used for storage only so no additional noise, smells or any disruptions will occur with the neighbors. It will be located within the guidelines of the ordinance from the neighbors property so will not affect their current property value.

**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:**

In order to build a single car size garage (24x16) the 4' setback is necessary due to the new septic system that was installed in 2022. The space to build this garage is limited by said septic and west property line. If we were to build according to the required 10' setback we could only build a shed and not a garage.

By adding a garage size building the resale value of the home will also become favorable as a 3 car garage property.

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

Due to the location of new septic installed in 2022 we cannot build any further back than the proposed location.

With a 4' setback we can build a 24x16 garage and still remain 15' from septic and 4' 3" from west property line.

Without the variance a single car garage cannot be added to the property. The backyard is also restricted to access on the East side of the house with permission of the East neighbor. There is no access from back (south) side of property. We also cannot drive on backyard south of septic system as the leech field is located there. The new garage would allow us to access the yard from the west side of the yard with no disruption or permission needed.

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

When the new septic system was installed in 2022 it was necessary to install it closer to the home but within the guidelines of the health department. When old septic system was removed it was strongly advised by the contractor to install new septic where it now resides. The new system also has a leech field that covers most all of the backyard that cannot be driven over so there is no access on south side of property.

A 4' setback will allow a 24x16 garage to be built perfectly in the space allowed without encroaching on neighbors property or being too close to the new septic system.





FRONTIER  
CONSULTANTS,  
INC.  
410 E. Jefferson St.  
Elk Point, SD 57025

CLIENT: KEVIN MORTON

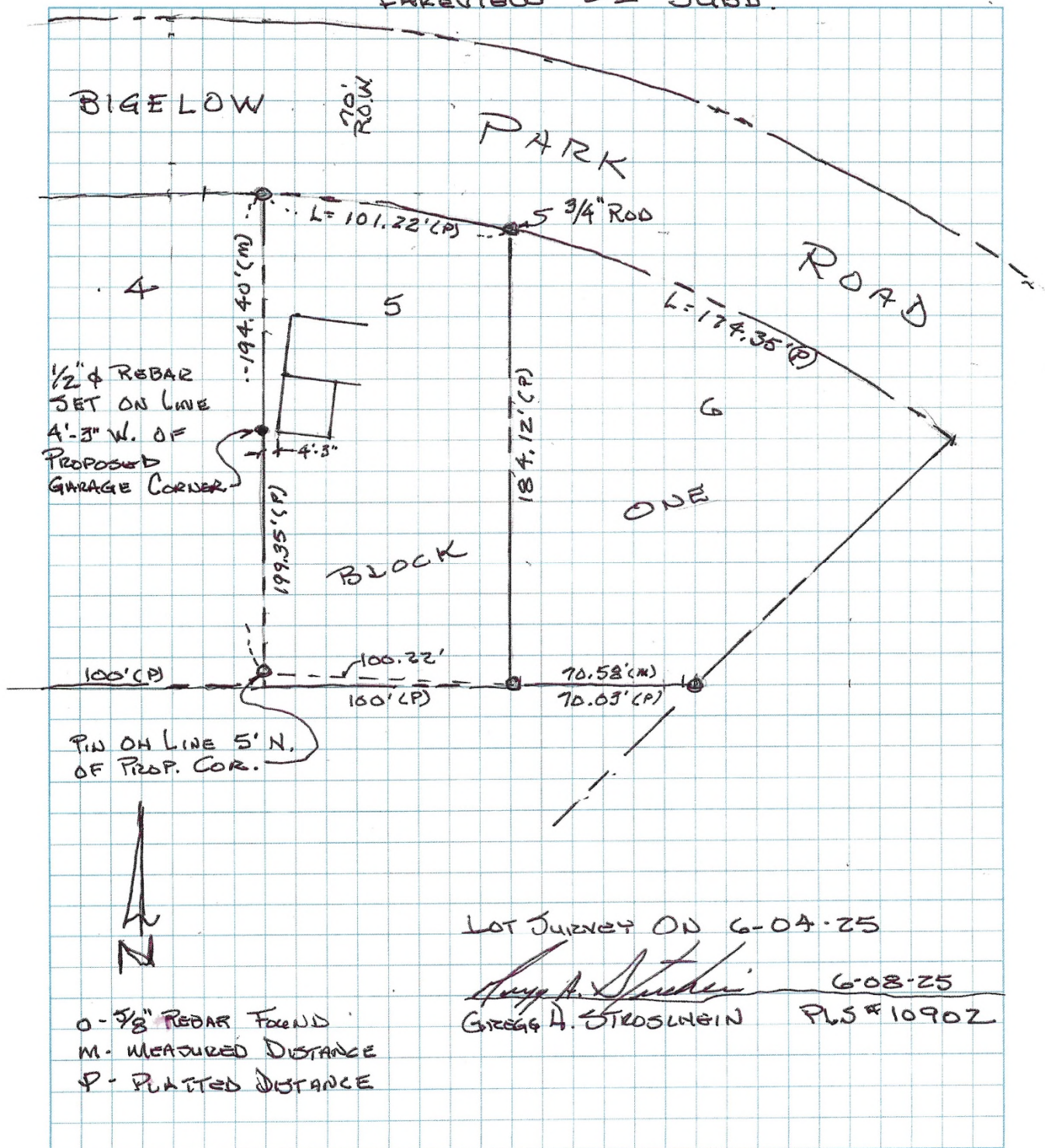
PROJECT:

JOB NO.: 25-104

DATE: 6-08-25

PAGE OF

SURVEY OF LOT 5 OF  
BLOCK 1, GALLANDS  
LAKEVIEW 2<sup>ND</sup> SUBD.



Received by:



## WOODBURY COUNTY, IOWA APPLICATION FOR BUILDING PERMIT

**For Office Use:**

Case No. \_\_\_\_\_

Zoning District SR Date Approved \_\_\_\_\_ Denied \_\_\_\_\_ By \_\_\_\_\_  
Floodplain District X Map # \_\_\_\_\_ Fee \_\_\_\_\_ Ck/Rct # \_\_\_\_\_  
GIS # 874733376005 Mail \_\_\_\_\_ Pick up \_\_\_\_\_

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

Landowner's name: Kevin Morton Phone: 712-253-8815

Mailing Address: 108 Bigelow Park Road City: Salix Zip: 51052

Structure will be built at (address): 108 Bigelow Park Road

Occupied by: Kevin Morton

Quarter/quarter \_\_\_\_\_ Section 33 Civil Township 87-47

or

Subdivision Galland's Lakeview 2nd Block 51 Lot(s) 5

Name of Contractor: Midwest Lenz Construction, LLC Phone: 712-389-5798

Address of Contractor: 30204 C70 Hinton IA

Anticipated start date of construction: (month/day/year): August 2025

Type of structure: Single Car Garage Will this be used for business purposes? Storage

Structure's Value: \$20,000 Size of parcel in acres: .44

Remarks: To be built behind existing garage

**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 Kevin Morton

This 16 day of June, 2025.

Lisa A. Harral  
Notary Public in and for Woodbury County, Iowa



**Lisa A. Harral**  
Commission # 758524  
My Commission Expires  
June 1, 2026 *HA*

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.



# SITE PLAN INSTRUCTIONS

Please do not hesitate to call if you have any questions. The site plan can be drawn on the graph below.

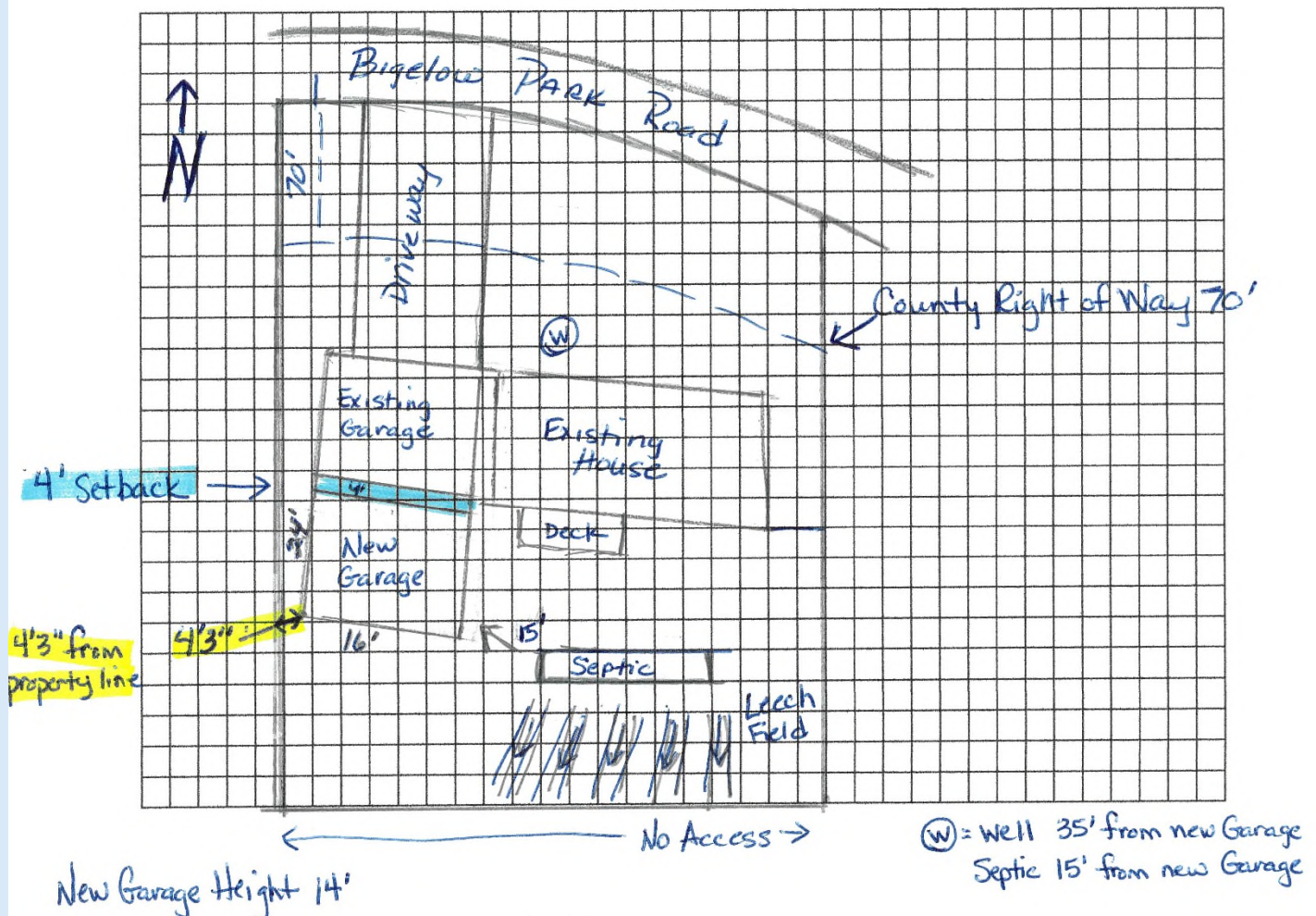
Refer to the setback reference sheet for your zoning district when planning your project.

Following is the list of things we need to see on your site plan, the site plan does not have to be to scale but should include the following:

- Indicate which way is north.
- Show where the road is that goes past the parcel and name it.
- Show the County Right-Of-Way (the distance from the center of the road to the beginning of your lot line. Typically, it is around 33' and ends at your property's fence line.)
- Indicate any field entrances or drives leading into parcel.
- Show any buildings or structures currently on land. Label "Existing" and/or "New"
- Show length, width, and height of new building or addition.
- Indicate septic system and direction leech field flows.
- Show where well is located.
- Indicate with arrowed lines the distance on each side from house to lot line.
- Indicate with arrowed lines the distance on each side from accessory structure to lot line.
- Show there is a minimum of 10' between buildings.

When your Site Plan is complete, please return with completed building permit application and applicable fee. Be sure to sign where indicated before a Notary.

Woodbury County Community & Economic Development  
620 Douglas St., 6<sup>th</sup> Floor  
Sioux City, IA 51101



## SECTIONS OF ORDINANCE PERTAINING TO VARIANCE REQUEST

Section 4.12.5 on page 46

5. Detached accessory structures shall not be located closer to any other accessory or principal building than ten feet.

### 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:

- The proposed location of new garage will be behind the existing garage. It will not impact any neighbors view of the road, the lake or any part of their property. It will be built within the ordinance guidelines along the property line. It will be built the same height or less than the existing garage and will also be accessed through the existing garage. No additional driveway or ass will be necessary.

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

- The new garage will be built directly behind existing garage therefore no new driveway or access will be necessary as the access will only be from the existing garage. The new garage will not cause any additional traffic or congestion of any kind. The garage will only be used by the owner of the property to store his motorcycle, four-wheeler, lawnmower, tools, etc.

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

- The proposed garage with 4' setback will only be used for storage of motorcycle, four-wheeler, lawnmower, snowblower, etc. It is located on private property and will not cause any danger to public health or safety.

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

- The new garage with a 4' setback will not be accessible to the public as it will be located on private property behind the existing garage. No public services will be necessary to maintain the garage.

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

- The new garage with a 4' setback will not impair the neighbors property as it will be the same height or less than the existing garage and it will not impair the neighbors view of anything they currently have for a view. The garage will be used for storage only so no additional noise, smells or any disruptions will occur with the neighbors. It will be located within the guidelines of the ordinance from the neighbors property so will not affect their current property value.

#### Staff Analysis:

1. **Adversely impacts nearby properties:** The applicant states the proposed garage will be behind the existing garage and will not impact neighbors' views of the road, lake, or their property. It will be built within ordinance guidelines along the property line, be of similar or lesser height than the existing garage, and will be accessed through the existing garage, requiring no additional driveway or access. This response adequately addresses the criterion. The new Iowa Code also emphasizes that variances should not be contrary to public interest.
2. **Substantially increases congestion of people, buildings or traffic:** The applicant explains that the new garage will be built directly behind the existing garage, negating the need for a new driveway or access and therefore will not cause additional traffic or congestion. It will be used solely by the owner for storage. This response adequately addresses the criterion.
3. **Endangers public health or safety:** The applicant states the garage will be used for private storage and is located on private property, posing no danger to public health or safety. This response adequately addresses the criterion.
4. **Overburdens public facilities or services:** The applicant notes the new garage will be on private property, inaccessible to the public, and will not require public services for maintenance. This response adequately addresses the criterion.

5. **Impairs the enjoyment, use or value of nearby property:** The applicant asserts the new garage, being of similar or lesser height than the existing one, will not impair neighbors' views, enjoyment, or property value. It will be used for storage only, preventing additional noise, smells, or disruptions. This response adequately addresses the criterion.

## 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:**
- In order to build a single car size garage (24x16) the 4' setback is necessary due to the new septic system that was installed in 2022. The space to build this garage is limited by said septic and west property line. If we were to build according to the required 10' setback we could only build a shed and not a garage. By adding a garage size building the resale value of the home will also become favorable as a 3 car garage property.
7. **Explain below why the property has unique physical constraints that result in its inability to be used without the granting of the variance:**
- Due to the location of new septic installed in 2022 we cannot build any further back than the proposed location. With a 4' setback we can build a 24x16 garage and still remain 15' from septic and 4' 3" from west property line. Without the variance a single car garage cannot be added to the property. The backyard is also restricted to access on the East side of the house with permission of the East neighbor. There is no access from back (south) side of property. We also cannot drive on backyard south of septic system as the leech field is located there. The new garage would allow us to access the yard from the west side of the yard with no disruption or permission needed.
8. **Explain below why the hardship is not a result of actions or decisions by the owner:**
- When the new septic system was installed in 2022 it was necessary to install it closer to the home but within the guidelines of the health department. When old septic system was removed it was strongly advised by the contractor to install new septic where it now resides. The new system also has a leech field that covers most all of the backyard that cannot be driven over so there is no access on south side of property. A 4' setback will allow a 24x16 garage to be built perfectly in the space allowed without encroaching on neighbors property or being too close to the new septic system.

### Staff Analysis:

6. **The property cannot yield a reasonable return if used in compliance with the requirements of this title:** The applicant argues that a 4-foot setback is necessary to build a 24'x16' garage due to the location of a new septic system installed in 2022. Building with the required 10-foot setback would only allow for a shed, not a garage. The applicant also notes that adding a garage-sized building would favorably impact the home's resale value as a "3 car garage property." The recent Iowa Code changes allow for variances when literal enforcement results in "practical difficulties to the property owner in making a beneficial use of the property allowed by the zoning ordinance". The argument for a "reasonable return" in this context appears to align with the concept of beneficial use.
7. **The property has unique physical constraints that result in its inability to be used in compliance with the requirements of this title:** The applicant explains that the 2022 septic system installation limits the buildable area, preventing construction further back. The 4-foot setback allows for a 24'x16' garage while maintaining 15 feet from the septic and 4 feet 3 inches from the west property line. Without the variance, a single-car garage cannot be added. Furthermore, backyard access is restricted by the septic's leach field and limited access on the east side, making western access from a new garage beneficial. This demonstrates unique physical constraints aligning with the "practical difficulties" criteria in the updated Iowa Code.
8. **The hardship is not a result of actions or decisions by the owner:** The applicant states that the new septic system was installed in 2022 at the contractor's strong advisement, closer to the home but within health department guidelines. The leach field also restricts backyard access. This indicates the hardship is a result of necessary improvements to the property (septic system installation) and not self-created by the owner, which is a key consideration in the updated Iowa Code.

**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:**

- 9. Which would permit the establishment of a use within a given district which is prohibited therein:** The proposed use is a garage for storage, which is an accessory use generally permitted in a residential district. This criterion appears to be met.
- 10. Which is so commonly recurring that it is a de facto amendment of this ordinance:** The applicant does not directly address this, but the unique physical constraints presented (new septic system location) suggest this is not a commonly recurring issue.
- 11. That is more than the minimum relief needed:** The applicant's request for a 4-foot setback to accommodate a 24'x16' garage due to the septic system location suggests they are seeking the minimum relief necessary to achieve a beneficial use of their property. The new Iowa Code states that the variance should be "such variance from the terms of the ordinance... as will not be contrary to the public interest... where owing to special conditions a literal enforcement... will result in practical difficulties to the property owner".
- 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):** The property is not within the Special Flood Hazard Area (SFHA – floodplain).

**STAFF CONCLUSION**

Based on the applicant's responses and considering the updated Iowa Code concerning variances, the application has significant merit. The new Iowa Code allows for variances where "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". The applicant has clearly articulated practical difficulties stemming from the necessary installation of a new septic system, which limits the available space for a garage if the strict 10-foot setback is applied.

The applicant has demonstrated that granting the variance for a 4-foot setback would allow for a beneficial use of the property by enabling the construction of a garage, which would otherwise be impossible or severely limited due to the septic system's location. The applicant has also provided sufficient explanations that the proposed garage will not adversely impact nearby properties, increase congestion, endanger public health or safety, overburden public facilities, or impair the enjoyment, use, or value of neighboring properties. Furthermore, the hardship is clearly not self-created, as it stems from a necessary infrastructure upgrade.

The request for a 4-foot setback appears to be the minimum relief needed to achieve the desired beneficial use of the property (a garage) given the unique physical constraints. The application aligns well with the "practical difficulties" and "beneficial use" provisions introduced in the recent Iowa Code changes. Therefore, the variance application appears to be well-supported.



**Sioux City Journal**  
**AFFIDAVIT OF PUBLICATION**

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

State of Florida, County of Broward, 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:**

Jun. 21, 2025

**NOTICE ID:** 5W0N53ECcNtObwLIMsUa

**PUBLISHER ID:** COL-IA-501948

**NOTICE NAME:** BoA\_25-7-

7\_BOA\_3\_Hearings\_MSIDE\_RTI\_MortonVAR

**Publication Fee:** \$67.52

*Edmar Corachia*

(Signed) \_\_\_\_\_



**VERIFICATION**

State of Florida  
 County of Broward

Subscribed in my presence and sworn to before me on this: 06/25/2025

*S. Smith*

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 July 7, 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, 600 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 742 945 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, 600 Douglas St., Sioux City, IA 51101. Emails should be sent to Daniel Priestley at [dnpriestley@woodburycountyowa.gov](mailto:dnpriestley@woodburycountyowa.gov). Only signed comments will be considered and should be received no later than 10:00 AM on Wed., July 2, 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 (Woodbury Township), Section 14, in the SW 1/4 of the SW 1/4 and identified as Parcel #89471430005, and located in the Agricultural Preservation (A7) Zoning District. The property is located on the southwest side of Old Highway 141 and is east of Buchanan Avenue and north of County Home Road. 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), 3000 Gambleton 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 Code of Iowa, the Woodbury County Board of Adjustment will hold a public hearing to consider the Conditional Use Permit application from Kevin Heiss (Applicant) of Rent Properties LLC (Owner) to construct and operate an off-premise 14' x 40' LED billboard (double-sided) on the property located in T88N R46W (Floyd Township) in the N 2/3 of the N 1/2 of the NW 1/4, Section 6 and identified as Parcel #8640610002, and located in the General Commercial (GC) Zoning District. The property abuts the south side of Highway 251 and abuts the east side of Charles Avenue. Applicant(s)/Owner(s): Kevin Heiss (Applicant), 204 Duquesne Circle, Lawton, IA 51030 / Rent Properties LLC (Owner), 204 Duquesne Circle, Lawton, IA 51030.

**Item Three (3)**

Pursuant to Section 335 of the Code of Iowa, the Woodbury County Board of Adjustment will hold a public hearing to consider a variance application from Kevin Morton, at 108 Bigelow Park Road, Salix, IA 51052, who seeks approval to construct a new garage behind an existing garage that will be set back four (4) feet or less from the existing garage. The property owner has filed this variance application to seek relief from Section 4.12.3 of the Woodbury County Zoning Ordinance pertaining to "Accessory Buildings" which states: "Detached accessory structures shall not be located closer to any other accessory or principal building than ten feet" (p. 46). The proposed garage size is approximately 24' x 16' and subject to changes. The property is located on a C-44 and is identified as Parcel #874733276005 and is identified as Lot 5 in Block 1 in the Galland's Lakeview, Second Sub-Division in Section 33 in T87N R47W (Liberty Township). The property is located on the south side of Bigelow Park Road and west of 27th Street. Owner/Applicant: Kevin Morton, 108 Bigelow Park Rd., Salix, IA 51052. CCL-IA-501948



# PROPERTY OWNER(S) NOTIFICATION

Property Owners within 500 Feet:	58
Notification Letter Date:	June 19, 2025
Public Hearing Board:	Board of Adjustment
Public Hearing Date:	July 7, 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
Kevin L. Morton	108 Bigelow Park Road	Salix	IA	51052		No comments
Mark R. Larkin and Lori A. Larkin, husband and wife, as joint tenants with full rights of survivorship	104 Bigelow Park Road	Salix	IA	51052		No comments
Robert Eugene Dandurand, a married person	101 Jay Street	Salix	IA	51052		No comments
Richard E. Dandurand, II and Alyssa E. Dandurand, husband and wife, as joint tenants with full rights of survivorship	105 Jay Street	Salix	IA	51052		No comments
George E. Dandurand and Joann E. Dandurand, husband and wife, as joint tenants with full rights of survivorship	113 Jay Street	Salix	IA	51052		No comments
Alan R. Mast, Jr., a single person	116 Bigelow Park Road	Salix	IA	51052		No comments
Justin Oehm, a single person and Sara L. Bresnahan, a single person	114 Bigelow Park Road	Salix	IA	51052		No comments
Michelle Leisey	112 Bigelow Park Road	Salix	IA	51052		
Estate of Neva Bean, Thomas Bean, as Executor	8356 Hunter Brook Street	Las Vegas	NV	89139-6826		No comments
Robert Pederson and Suzanne Mason-Pederson, a married couple, as joint tenants with right of survivorship	108 Jay Street	Salix	IA	51052		No comments
Rene McDermott	104 Jay Street	Salix	IA	51052		No comments
Kevin D. Alons & Ngu Alons, husband and wife, as joint tenants with full rights of survivorship	140 Gallands Street	Salix	IA	51052-8101		No comments
William C. Haase, Sr. and LuAnn M. Haase, as Trustee of the Joint Revocable Trust of William C. Haase, Sr. and LuAnn M. Haase dated March 23, 2021	119 Bigelow Park Road	Salix	IA	51052		No comments
Delbert J. Gehling and Judy A. Gehling, husband and wife, as joint tenants with full rights of survivorship	115 Bigelow Park Road	Salix	IA	51052-8091		No comments
Aaron Gehling and Emilee Gehling, husband and wife, as joint tenants with full rights of survivorship	111 Bigelow Park Road	Salix	IA	51052		No comments

Kelly Halladay and Michelle Halladay, husband and wife, as joint tenants with full rights of survivorship	107 Bigelow Park Road	Salix	IA	51052	No comments
Jeff M. Mandicino and Sherri Spencer, both single persons, as joint tenants with full rights of survivorship	#12 Lakeview Lane	Salix	IA	51052	No comments
Lakeview Lane, Inc., an Iowa corporation	#7 Lakeview Lane	Salix	IA	51052	No comments
Theresa M. Blackburn and Randy J. McCullough, Co-Trustees of Blackburn and McCullough Trust	#11 Lakeview Lane	Salix	IA	51052	No comments
Jacqueline F. Stanfield	#10 Lakeview Lane	Salix	IA	51052	No comments
Robert C. Birnie and Karel E. Birnie, husband and wife, as joint tenants with full rights of survivorship	#9 Lakeview Lane	Salix	IA	51052	No comments
Wade K. Brown and Sally J. Brown, as Trustees of the Joint Revocable Trust of Wade K. Brown and Sally J. Brown dated December 8, 2023	#8 Lakeview Lane	Salix	IA	51052	No comments
Debra Joane Westbrook	#22 Lakeview Lane	Salix	IA	51052	No comments
Michael C. Norgelas and Regina M. Norgelas, husband and wife, as joint tenants with full right of survivorship	#21 Lakeview Lane	Salix	IA	51052-8106	No comments
Derek D. Stanfield and Heidi J. Stanfield, husband and wife, as joint tenants with full rights of survivorship	#20 Lakeview Lane	Salix	IA	51052	No comments
Allison L. Bader and Aaron M. Bader, wife and husband, as joint tenants with full rights of survivorship	#19 Lakeview Lane	Salix	IA	51052	No comments
Ashley Marie Konz and Logan S. Fischer, single people, as joint tenants with full rights of survivorship	#18 Lakeview Lane	Salix	IA	51052	No comments
Kerry A. Abel and Judy K. Abel, husband and wife, as joint tenants with full rights of survivorship	1410 275th Street	Salix	IA	51052-8026	No comments
Ryan Willis and Lisa Willis, husband and wife, as joint tenants with full rights of survivorship	131 Nimrod Street	Salix	IA	51052	No comments
Christopher J. Case and Julie M. Case, husband and wife, as joint tenants with full rights of survivorship	137 Nimrod Street	Salix	IA	51052	No comments
Lance R. Larson, a single person	141 Nimrod Street	Salix	IA	51052	No comments
Clint M. Lamb and Emily S. Lamb, husband and wife, as joint tenants with full rights of survivorship	145 Nimrod Street	Salix	IA	51052	No comments
Gaylen Lee Baker and Peggy Rose Baker, husband and wife	146 Nimrod Street	Salix	IA	51052-8108	No comments
Jean L. Sathre and Steven L. Sathre, wife and husband, as joint tenants with full rights of survivorship	142 Nimrod Street	Salix	IA	51052	No comments
Cassandra Lichtenberg and Donald Lichtenberg, wife and husband, as joint tenants with full right of survivorship	138 Nimrod Street	Salix	IA	51052	No comments
Larry J. Schopp and B. Jean Schopp, husband and wife, as joint tenants with full rights of survivorship	134 Nimrod Street	Salix	IA	51052	No comments
Ryan D. Waite and Michelle Ann Waite, husband and wife, as joint tenants with full rights of survivorship	126 Nimrod Street	Salix	IA	51052	No comments
Gehling Consulting, LLC	115 Bigelow Park Road	Salix	IA	51052	No comments
Steven M. Petersen and Kathleen M. Petersen, husband and wife, as joint tenants with full right of survivorship	145 Burdick Street	Salix	IA	51052-8132	No comments

Donavan B. Thompson and Jennifer J. Thompson, husband and wife, as joint tenants with full rights of survivorship	141 Burdick Street	Salix	IA	51052	No comments
Lynne M. Town, a single person	133 Burdick Street	Salix	IA	51052	No comments
Michael Duane Porter, as Trustee of the Revocable Living Trust of Michael Duane Porter dated February 10, 2015	129 Burdick Street	Salix	IA	51052	No comments
Daniel B. Goodwin and Susan Goodwin, husband and wife, as joint tenants with full rights of survivorship	125 Burdick Street	Salix	IA	51052	No comments
Tyler J. Hubert aka Tyler Jared Hubert	121 Burdick Street	Salix	IA	51052	No comments
Joe Schwarte and Nowarat Schwarte, husband and wife, as joint tenants with full rights of survivorship	117 Burdick Street	Salix	IA	51052	No comments
Scott A. Van Eldik and Michelle E. Van Eldik, husband and wife, as joint tenants with full rights of survivorship	109 Burdick Street	Salix	IA	51052	No comments
Kevin R. Braun and Deborah K. Braun, husband and wife, as joint tenants with full rights of survivorship	108 Burdick Street	Salix	IA	51052	No comments
Brianna Jean Bates and Conner Steven Bates, husband and wife, a joint tenants with full rights of survivorship	110 Burdick Street	Salix	IA	51052	No comments
David L. Wagner and Heather C. Wagner, husband and wife, as joint tenants with full rights of survivorship	114 Burdick Street	Salix	IA	51052	No comments
Todd Shilling and Machele M. Shilling, husband and wife, as joint tenants with full rights of survivorship	118 Burdick Street	Salix	IA	51052	No comments
FEE: Gerald S. Schneiders and Mary Lue Schneiders, husband and wife, as joint tenants with full rights of survivorship CP: Christopher S. Schneiders and Tammie R. Schneiders, husband and wife, as joint tenants with full rights of survivorship	2607 Nicholas Blvd. #106	Sioux City	IA	51106	No comments
CP: Christopher S. Schneiders and Tammie R. Schneiders, husband and wife, as joint tenants with full rights of survivorship	120 Burdick Street	Salix	IA	51052	No comments
Derek J. DeWitt, a single person	120 Burdick Street	Salix	IA	51052	No comments
Kirk D. Metcalf and Tammy L. Metcalf, husband and wife, as joint tenants with full rights of survivorship	126 Burdick Street	Salix	IA	51052	No comments
Daniel E. Merrill and Lorie M. Merrill, husband and wife, as joint tenants with full rights of survivorship	130 Burdick Street	Salix	IA	51052	No comments
John D. Roche and Susanne M. Roche, as Trustees for the John D. Roche and Susanne M. Roche Revocable Trust that was established on June 29, 2022	138 Burdick Street	Salix	IA	51052	No comments
Robert B. Ankerstjerne	1401 275th Street	Salix	IA	51052-8025	No comments
State of Iowa Property Management Section	800 Lincoln Way	Ames	IA	50010	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.

LONGLINES:	No comments.
LUMEN:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have reviewed the following variance application for MEC electric, and we have no conflicts. Have a great week! – Casey Meinen, 6/16/25.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No comments.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	No comments.
NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	<b>SEE EMAIL AND ASSOCIATED ATTACHMENTS BELOW FROM IVY BREMER, 6/16/25.</b>
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 variance. – Neil Stockfleth, 6/17/25.
WOODBURY COUNTY TREASURER:	No comments.

## Daniel Priestley

**From:** Ivy Bremer  
**Sent:** Monday, June 16, 2025 2:41 PM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested for County Variance Application (Building Setback Reduction between Structures)  
**Attachments:** 108 Bigelow Park Rd.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dan,

We have no issues with the garage as long as it does not affect his current septic system. I understand the homeowner has stated that the current septic system is not affected by the new building. I have provided a copy of the map of the installed septic, which is only used as a guide. If at any point in time, the system is damaged or fails there is not any additional property to install another on-site septic system.

Ivy Bremer  
 Environmental Specialist  
 Siouxland District Health Department  
 1014 Nebraska St Sioux City IA 51105  
 Ph: 712-279-6119 | Fax: 712-255-2604  
[ibrem@siouxlanddistricthealth.org](mailto:ibrem@siouxlanddistricthealth.org)  
 Visit us at: [www.siouxlanddistricthealth.org](http://www.siouxlanddistricthealth.org)





pd \$200 check. Receipt #201057

## Application for Permit to Install, Rebuild or Modify a Private Sewage Treatment System

Name of Owner <u>Kevin Morton</u>		Phone No. <u>712-253-8815</u>
Present Address <u>108 Bigelow Park Rd</u>		Mailing Address <u>Same</u>
Installer _____		Date <u>2-16-22</u>
Email _____		
<b>Legal Description of Installation Site:</b>		
<u>Liberty</u>	Township <u>87</u>	Range <u>47</u> Section <u>33</u>
	City address, if appropriate, or specific location if rural _____	
	Lot Size _____ Dwelling Exists _____ New Construction _____	
If new construction site, give identifying markers _____		
<b>Type of structure to be served by system:</b>		<b>Water supply:</b>
1) Single Residence - Number of Bedrooms <u>4</u>		Public _____ Private <u>Well</u>
2) Duplex or more - Number of Bedrooms _____		Distance of any well within 150 feet of installation site
3) Other: _____		<u>100' to leach field, 280' to tank &amp; 600'</u>
<b>Draw a diagram on reverse side of application sheet showing the following and the distances from each:</b> (1) Lot lines, (2) Existing structures or proposed structure, (3) Driveways or proposed driveways, (4) Proposed tank location, (5) Proposed absorption field location, (6) All wells and septic tank system absorption fields within 150 feet of installation site.		
I certify that, to the best of my knowledge, the proceeding attached information is correct, that all proposed work will be completed in accordance with Chapter 69 of the Iowa Administrative code 567 before the system is placed in operation, and the adequate maintenance procedures will be followed during the life of the system.		
Signature of Owner <u>Kevin Morton</u>		Date <u>2-16-22</u>
Signature of Contractor <u>[Signature]</u>		Date <u>6-30-22</u>
An inspection must be conducted by Siouxland District Health Department prior to covering any part of the system. Contact SDHD at least 24 hours in advance to schedule a final inspection. <b>DO NOT BACKFILL WITHOUT FINAL INSPECTION.</b> The Siouxland District Health Department, by issuance of this permit and performance of related inspections, does not warrant the performance of this waste water disposal system, nor that it be free from defects.		
<b>FOR OFFICE USE ONLY</b>		
Size of Tank <u>1500 concrete</u> Gallons	Lineal feet of Absorption Field <u>208'</u>	Trench Width <u>36"</u>
Alternative System <u>EcoFlo 3.4</u>		
Permit No. <u>22-0035</u>	Date Issued <u>7/5/2022</u>	Approved: <u>[Signature]</u> Siouxland District Health Department
Submit this application to: <b>Siouxland District Health Department</b> 1014 Nebraska Street Sioux City, Iowa 51105 (712) 279-6119		<b>Fee:</b> <b>\$200.00</b> Non-Refundable





# PARCEL REPORT

## Woodbury County, IA / Sioux City

### Summary

Parcel ID 874733376005  
Alternate ID 765286  
Property Address 108 BIGELOW PARK RD  
SAUKA 51052  
Size/Feet/ing 38.80 47  
Brief Tax Description GALLANDS SUB DIV PART GOVT LOTS NO 2 33 47-47 LOTS BLK 1  
(Note: Not to be used on legal documents)  
2019-19968 (12/24/2019)  
Dead Book/Page  
Gross Acres 0.44  
Net Acres 0.44  
Adjusted CSR Pts 0  
Zoning SR - SUBURBAN RESIDENTIAL  
District 0041-BELTOWESTWOOD  
School District WESTWOOD COMM  
Neighborhood NA



### Owner

Deed Holder  
MORTON KEVIN L  
108 BIGELOW PARK RD  
SAUKA 51052  
Contract Holder  
MORTON KEVIN L  
108 BIGELOW PARK RD  
SAUKA 51052

### Land

Lot Dimensions	Regular Lot: x	Front	Rear	Side 1	Side 2
Front Footage		101.22	100.00	177.85	165.00
Main Lot		0.00	0.00	0.00	0.00
Sub Lot 2		0.00	0.00	0.00	0.00
Sub Lot 3		0.00	0.00	0.00	0.00
Sub Lot 4		0.00	0.00	0.00	0.00

Lot Area 0.44 Acres/19,360 SF

### Residential Dwellings

Residential Dwelling  
Occupancy Single Family / Owner Occupied  
Style 1 Story Home  
Architectural Style N/A  
Year Built 1977  
Condition Normal  
Roof Asphalt / Gable  
Flooring  
Foundation C Blk  
Exterior Material Vinyl  
Interior Material Dryl  
Brick or Stone Veneer  
Total Gross Living Area 1,200 SF  
Main Area Square Feet 1,200  
Attic Type None  
Number of Rooms 5 shows: 1 below  
Number of Bedrooms 3 shows: 1 below  
Basement Area Type Full  
Basement Area 1,200  
Basement Finished Area 300 SF - Minimal Finish  
Plumbing 1 Standard Bath - 3 Ft; 1 Shower Stall Bath - 3;  
Appliances  
Central Air Yes  
Heat Yes  
Fireplace 1 Prefab;  
Porches 15 Frame Open (444 SF);  
Decks Wood Deck (361 SF);  
Additions  
Garages 576 SF - Att Frame (Built 1977);

### Sales

Date	Seller	Buyer	Recording	Sale Condition - NJTC	Type	Mu/B Parcel	Amount
12/14/2019	MORTON KEVIN L & JUDY A MORTON	MORTON KEVIN L	2019-19968	No consideration	Deed		\$0.00
7/15/2003	GRIMWOOD W KENT & NANCY L JELLS-GRIMWOOD	MORTON KEVIN L & JUDY A MORTON	606/1240	NORMAL ARMS LENGTH TRANSACTION	Deed		\$120,000.00
3/12/1991			242/420	NORMAL ARMS LENGTH TRANSACTION	Deed		\$65,000.00

### Valuation

Classification	2025	2024	2023	2022	2021	2020
Residential	Residential	Residential	Residential	Residential	Residential	Residential
Assessed Land Value	\$38,510	\$38,510	\$38,510	\$38,510	\$38,510	\$41,230
Assessed Building Value	\$0	\$0	\$0	\$0	\$0	\$0
Assessed Dwelling Value	\$182,540	\$175,140	\$175,140	\$135,160	\$125,160	\$121,510
Gross Assessed Value	\$221,050	\$213,650	\$213,650	\$173,670	\$173,670	\$162,730
Exempt Value	\$0	\$0	\$0	\$0	\$0	\$0
Net Assessed Value	\$221,050	\$213,650	\$213,650	\$173,670	\$173,670	\$162,730

### Sioux City Special Assessments and Fees

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

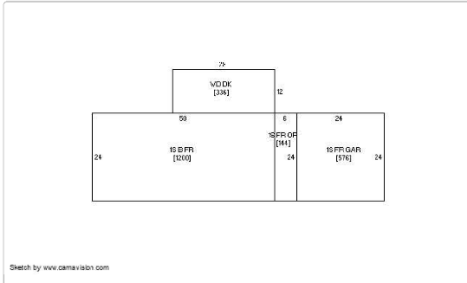
### Woodbury County Tax Credit Applications

[Apply for Homestead or Military Tax Credit](#)

### Photos



### Sketches



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

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## PICTOMETRY IMAGERY



## ELEVATION





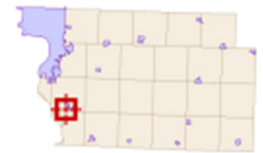




# SOIL MAP



## Overview



## Legend

- Roads
- Soils**
- 0.000000 - 5.000000
- 5.000001 - 20.000000
- 20.000001 - 30.000000
- 30.000001 - 40.000000
- 40.000001 - 50.000000
- 50.000001 - 60.000000
- 60.000001 - 70.000000
- 70.000001 - 80.000000
- 80.000001 - 90.000000
- 90.000001 - 100.000000
- Corp Boundaries
- Townships
- Subdivisions
- Parcels

Parcel ID	874733376005	Alternate ID	765285	Owner Address	MORTON KEVIN L
Sec/Twp/Rng	33-87-47	Class	R		108 BIGELOW PARK RD
Property Address	108 BIGELOW PARK RD	Acreage	0.44		SALIX, IA 51052
	SALIX				
District	0043				
Brief Tax Description	GALLANDS SUB DIV PART GOVT LOT3 NO 2 33-87-47 LOT5 BLK1				
	(Note: Not to be used on legal documents)				

## SPECIAL FLOOD HAZARD AREA (SFHA)

The property is not located within the floodplain.

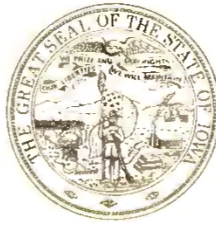


**1. Variances**

- 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:

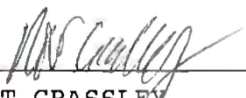
Section 1. Section 335.15, Code 2025, is amended by adding the following new subsection:

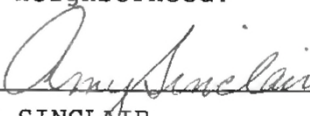
NEW SUBSECTION. 4. To authorize on appeal, in specific cases, such variance from the terms of the ordinance with respect to the area, dimensional, or other numerical limitations as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of 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.



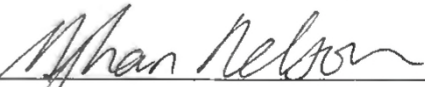
Sec. 2. Section 414.12, Code 2025, is amended by adding the following new subsection:

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.

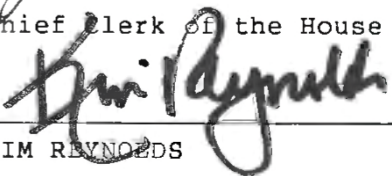
  
PAT GRASSLEY  
Speaker of the House

  
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 25<sup>th</sup>, 2025

  
KIM REYNOLDS  
Governor