



# WOODBURY COUNTY BOARD OF ADJUSTMENT Special Meeting

## Wednesday, September 3, 2025 at 5:00 PM

The Woodbury County Board of Adjustment will hold a special public meeting on **Wednesday, September 3, 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 to conduct business and public hearings. 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: 792 541 884#** during the meeting to listen or comment. It is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems.

### AGENDA

1	CALL TO ORDER
2	ROLL CALL
3	PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM)
4	APPROVAL OF PREVIOUS MEETING MINUTES (ACTION ITEM)
5	ITEM(S) OF ACTION / BUSINESS
»	<p><b>PUBLIC HEARING: CONDITIONAL USE PERMIT APPLICATION (ACTION ITEM): FROM STEVEN SITZMANN (OWNER/APPLICANT) TO OPERATE A BORROW PIT FOR EARTH MATERIALS IN ORDER TO LEVEL THE PROPERTY FOR FUTURE DEVELOPMENT OF A HOME TO BE BUILT ON PARCEL #894608100010, 1546 110th Street, Sioux City, IA 51106/51108 on Parcel #894608100010.</b></p> <p><b>SUMMARY:</b> Steven Sitzmann has applied for a conditional use permit from Woodbury County, Iowa for a borrow pit in order to level the property for future development of a home to be built. The project is classified as a borrow pit for earth materials under Section 3.03.4 of the Woodbury County Zoning Ordinance. The property is located at 1546 110th Street, Sioux City, IA 51106/51108 on Parcel #894608100010, in the Agricultural Estates (AE) Zoning District, within T89N R46W (Concord Township), Section 8, in the R. Jacks Subdivision Lot 2 and a part of Lot 1 of the McBalt Subdivision. The property is 3.99 acres and is situated approximately 1.3 miles east of Sioux City on the south side of 110<sup>th</sup> Street.</p>
6	PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM)
7	STAFF UPDATE (INFORMATION ITEM)
8	BOARD MEMBER COMMENT OR INQUIRY (INFORMATION ITEM)
9	ADJOURN (ACTION ITEM)

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## Minutes - Woodbury County Board of Adjustment – August 4, 2025

The Board of Adjustment meeting convened on the 4<sup>th</sup> of August 2025 at 5:03 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=40BEhvb30Cc>
- 

BA Members Present:	Daniel Hair, Pam Clark, Larry Fillipi
BA Members Absent:	Tom Thiesen, Doyle Turner
County Staff Present:	Dan Priestley, Dawn Norton
Public Present:	Dana Neal (Phone), Slater Ohm, Kevin Heiss

### 1. Call to Order

- **Time:** 5:03 PM
- **Action:** Chair Daniel Hair called the meeting to order, noting the absence of board members Tom Thiesen and Doyle Turner.
- **Details:** The meeting was audio-recorded, and minutes were to be prepared. Attendees were requested to silence cell phones and complete the attendance sheet. Chair Hair reviewed the board's procedures, including handling public hearings, staff reports, applicant presentations, public comments, and board deliberations. He outlined the process for motions, votes, and appeals, emphasizing respectfulness and avoidance of repetitious comments.

### 2. Public Comment on Matters Not on the Agenda

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

### 3. Receipt of New Material

- **Action:**
  - o **Motion:** Pam Clark moved to receive new material submitted prior to the meeting.
  - o **Second:** Larry Fillipi seconded the motion.
  - o **Discussion:** Daniel Priestley noted that the material was a document from Woodbury County Rural Electric Cooperative (REC) regarding regulations for grain bins and electricity, intended for local officials.
  - o **Vote:** Unanimous approval (all present voted "Aye").
- **Outcome:** The motion carried, and the new material was received into the record.

### 4. Approval of Previous Meeting Minutes

- **Agenda Item:** Approval of the minutes from the July 7, 2025, meeting.
- **Action:**
  - o **Motion:** Pam Clark moved to approve the minutes from the previous meeting.
  - o **Second:** Larry Fillipi seconded the motion.
  - o **Discussion:** No further discussion was held.
  - o **Vote:** Unanimous approval (all present voted "Aye").
- **Outcome:** The minutes were approved as presented.

### 5. Public Hearing: Conditional Use Permit Application from Bruce Sorensen (Bruce & Rochelle Sorensen Living Trust)

- **Agenda Item:** Consideration of a conditional use permit (CUP) application from Bruce Sorensen, representing the Bruce & Rochelle Sorensen Living Trust, to operate a borrow pit for earth materials to

remove a hill and construct a driveway for access to the hilltop on Parcel #894531200004, located at 2086 150th Street, Lawton, IA 51030, in the Agricultural Estates (AE) Zoning District.

- **Public Hearing Opened:**
  - **Time:** Approximately 5:05 PM
  - **Action:** Chair Hair opened the public hearing.
- **Staff Report:**
  - **Presenter:** Daniel Priestley, Zoning Coordinator
  - **Details:** Priestley provided a summary of the application, noting that grading and removal had begun but were paused due to zoning requirements. The project was classified as a borrow pit under Section 3.03.4 of the Woodbury County Zoning Ordinance, requiring a CUP in the AE Zoning District. The Zoning Commission reviewed the application on July 28, 2025, and recommended approval with conditions, including submission of a haul route, operational plan (hours and timeline), a Stormwater Pollution Prevention Plan (SWPPP), and Iowa Department of Natural Resources (IDNR) NPDES #2 permit. Priestley highlighted IDNR concerns about exposed soil and erosion, recommending temporary erosion control measures (e.g., straw or seeding) if the project exceeds 14 days. The project aligns with public interest by improving driveway safety and removing a snow trap, benefiting county maintenance.
- **Applicant Presentation:** No applicant or representative was present to speak.
- **Public Comments:** No public comments were received, either in person or via telephone.
- **Public Hearing Closed:**
  - **Motion:** Pam Clark moved to close the public hearing.
  - **Second:** Larry Fillipi seconded the motion.
  - **Discussion:** No further discussion was held.
  - **Vote:** Unanimous approval (all present voted "Aye").
  - **Outcome:** The public hearing was closed.
- **Board Deliberation:**
  - **Discussion:** Priestley explained that the project began under a misunderstanding, as the applicant, a farmer, believed it was exempt under agricultural provisions. The county engineer approved a driveway permit, but the removal of dirt beyond the applicant's farm triggered zoning requirements. The Board of Supervisors amended the ordinance to allow CUPs in AE districts, addressing such scenarios. The board discussed the Zoning Commission's recommended conditions, including an operational plan, SWPPP, NPDES #2 permit, and a one-year permit expiration. Priestley confirmed that staff could enforce grading permit requirements, including erosion control. The board agreed that the project's temporary nature and minimal impact on adjacent properties supported approval with conditions.
- **Decision:**
  - **Motion:** Daniel Hair moved to approve the conditional use permit with the following conditions:
    1. Submission of an operational plan detailing haul routes, hours of operation, dust control, noise mitigation, and a project completion timeline.
    2. Submission of a Stormwater Pollution Prevention Plan (SWPPP) and implementation of erosion control (even if temporary) and site reclamation measures to minimize environmental impact.
    3. Compliance with all county and state regulations for borrow pit operations, including submission of copies of the NPDES #2 permit from the Iowa Department of Natural Resources.
    4. The permit's expiration date will be one year from the date of the chair's signature on the resolution.
    5. The permit will be issued upon receipt of the above-mentioned conditions to the satisfaction of the county.
  - **Second:** Larry Fillipi seconded the motion.
  - **Discussion:** The board confirmed the conditions were reasonable and aligned with zoning ordinance criteria (Section 2.02-9), particularly minimizing adverse effects on adjacent properties and ensuring compliance with state regulations. Priestley noted minimal public input, suggesting community acceptance of the temporary project.
  - **Vote:** Unanimous approval (all present voted "Aye").
- **Outcome:** The conditional use permit was approved with the specified conditions. The permit will be issued upon receipt of the required documents, with the chair's signature setting the one-year expiration date. Staff will coordinate with the applicant and IDNR to ensure compliance.



## 6. Public Hearing: Variance Application from Kevin Heiss (Rent Properties LLC)

- **Agenda Item:** Consideration of a variance application from Kevin Heiss, representing Rent Properties LLC, to consider alternative locations for a 14' x 48' double-sided LED billboard on Parcel #884606100002, seeking to reduce required separations and setbacks from other off-premise signs and zoning districts (AE, NR, SR) to facilitate a conditional use permit request.
- **Public Hearing Opened:**
  - **Time:** Approximately 5:20 PM
  - **Action:** Chair Hair opened the public hearing.
- **Staff Report:**
  - **Presenter:** Daniel Priestley, Zoning Coordinator
  - **Details:** Priestley noted that this variance application followed the tabling of a related CUP application on July 7, 2025, due to public concerns about lighting impacts. The applicant proposed two alternative locations (Location 2 and Location 3) to reduce setbacks from 1,000 feet to a range of 200–1,000 feet for both off-premise signs and AE, NR, and SR zoning districts, moving closer to the General Commercial (GC) Zoning District's 50-foot front yard setback requirement. The property is in a Special Flood Hazard Area (Zone A), but both proposed locations appear outside the floodway, per non-scientific GIS data. The Zoning Commission reviewed the variance as a courtesy on July 28, 2025, reaffirming their prior CUP recommendation. Priestley highlighted that Iowa House File 652 (effective July 1, 2025) lowered the threshold for variances by emphasizing “practical difficulties” over economic hardship. The comprehensive plan supports commercial development along Highway 20, and the variance addresses unique zoning and spacing constraints.
- **Applicant Presentation:**
  - **Presenter:** Kevin Heiss, 204 Buckeye Circle, Lawton, IA 51030, representing Rent Properties LLC
  - **Key Points:** Heiss explained that Location 1 (original site) complied with all setback requirements but was less desirable due to public feedback. Locations 2 and 3 were proposed to address concerns, with Location 2 preferred due to better accessibility (existing road), alignment with other Highway 20 signs, and reduced light impact on nearby residences (1,140 feet from Dana Neal's property vs. 1,070 feet for Location 1). Location 3 was viable but closer to other residences and potential tree issues. The billboard, costing \$360,000–\$400,000, uses modern LED technology with automatic dimming to 4% at night to minimize light pollution. Heiss noted compliance with Iowa DOT's 300-foot spacing requirement and discussions with neighbors, including Jerry Steffen, who supported the project.
  - **Additional Presenter:** Slater Ohm, 527 Sandstone Circle, Merville, IA
  - **Key Points:** Ohm emphasized that Location 2 reduces light impact further and aligns with the commercial corridor's future development. The light study for Location 1 showed minimal impact (0.01 foot-candle at Neal's property), and Location 2's additional distance enhances this. The billboard's V-shaped design ensures visibility from Highway 20 without backlighting.
- **Public Comments:**
  - **Presenter:** Dana Neal, 1774 162nd Street, Lawton, IA 51030 (via telephone)
  - **Comments:** Neal supported Locations 2 or 3, preferring Location 3 but acknowledging Location 2's suitability for the applicant. He appreciated the applicant's efforts to explore alternative locations.
- **Public Hearing Closed:**
  - **Motion:** Pam Clark moved to close the public hearing.
  - **Second:** Larry Fillipi seconded the motion.
  - **Discussion:** Priestley clarified that the motion should specify a location (2 or 3) and include the requested setback range (200–1,000 feet) for clarity in subsequent permits. The board discussed the need to balance applicant flexibility with ordinance compliance.
  - **Vote:** Unanimous approval (all present voted “Aye”).
  - **Outcome:** The public hearing was closed.
- **Board Deliberation:**
  - **Discussion:** The board favored Location 2 due to its accessibility, reduced light impact, and alignment with the commercial corridor. Location 3 was less preferred due to potential tree issues and proximity to the floodway. The board confirmed that the variance aligns with Iowa House File 652's “practical difficulties” standard, addressing zoning and spacing constraints without compromising public safety or neighborhood character. The 200–1,000-foot range was deemed necessary to allow flexibility while meeting the 50-foot GC setback.
- **Decision:**

- **Motion:** Larry Fillipi moved to approve the variance for Location 2, reducing the zoning ordinance's required separation of 1,000 feet between off-premise signs to a range of 200–1,000 feet and the required separation of 1,000 feet from AE, NR, and SR zoning districts to a range of 200–1,000 feet, moving closer to the GC Zoning District's minimum 50-foot front yard setback requirement.
- **Second:** Pam Clark seconded the motion.
- **Discussion:** The board streamlined the motion to ensure clarity, focusing on the setback reductions for Location 2. Priestley confirmed that the motion supports subsequent permitting processes (building and floodplain development permits).
- **Vote:** Unanimous approval (all present voted "Aye").
- **Outcome:** The variance was approved for Location 2 with the specified setback reductions, facilitating the CUP application in the next agenda item.

## 7. Public Hearing: Conditional Use Permit Application from Kevin Heiss (Rent Properties LLC)

- **Agenda Item:** Consideration of a conditional use permit (CUP) application from Kevin Heiss, representing Rent Properties LLC, to construct and operate a 14' x 48' double-sided LED billboard for off-premise advertising on Parcel #884606100002, located in the General Commercial (GC) Zoning District along Highway 20 and Charles Avenue.
- **Public Hearing Opened:**
  - **Time:** Approximately 5:35 PM
  - **Action:** Chair Hair opened the public hearing.
- **Staff Report:**
  - **Presenter:** Daniel Priestley, Zoning Coordinator
  - **Details:** Priestley noted that the CUP application follows the variance approval for Location 2. The billboard is a permitted conditional use in the GC Zoning District under Sections 3.03.4 and 5.02.8 of the Woodbury County Zoning Ordinance. The Zoning Commission recommended approval on June 23, 2025, and reaffirmed this on July 28, 2025, acknowledging Locations 2 and 3 as responsive to public input. The variance approval simplifies the CUP decision, as Location 2 meets ordinance standards with adjusted setbacks. The billboard supports economic development along Highway 20, with minimal infrastructure demands and compliance with floodplain regulations.
- **Applicant Presentation:** No additional comments were provided by the applicant, as the variance discussion covered key points.
- **Public Comments:**
  - **Presenter:** Dana Neal, 1774 162nd Street, Lawton, IA 51030 (via telephone)
  - **Comments:** Neal had no further comments, expressing satisfaction with the variance outcome.
- **Public Hearing Closed:**
  - **Motion:** Pam Clark moved to close the public hearing.
  - **Second:** Larry Fillipi seconded the motion.
  - **Discussion:** No further discussion was held.
  - **Vote:** Unanimous approval (all present voted "Aye").
  - **Outcome:** The public hearing was closed.
- **Board Deliberation:**
  - **Discussion:** The board found the CUP straightforward, as the variance approval addressed setback concerns. The billboard's compliance with zoning standards, minimal impact, and public support (from Neal and Steffen) justified approval. Priestley recommended referencing the variance in the motion for clarity.
- **Decision:**
  - **Motion:** Daniel Hair moved to approve the conditional use permit for Location 2, with all expectations from the variance approval.
  - **Second:** Larry Fillipi seconded the motion.
  - **Discussion:** The board confirmed that the CUP aligns with the variance, ensuring compliance with ordinance criteria (Section 2.02-9) and supporting commercial development.
  - **Vote:** Unanimous approval (all present voted "Aye").
- **Outcome:** The conditional use permit was approved for Location 2, contingent on the variance conditions. Staff will process the building and floodplain development permits, with the chair signing the resolution within days.

## 8. Public Comment on Matters Not on the Agenda

- **Action:** Chair Hair opened the floor for additional public comments.

- **Outcome:** No comments were received.

## 9. Staff Update

- **Presenter:** Daniel Priestley
- **Details:**
  - **Nuclear Ordinance Modifications:** Priestley noted that the Board of Supervisors will hold the third reading of nuclear ordinance modifications on August 5, 2025, at 4:30 PM. The changes establish a permitting framework for potential nuclear energy facilities or waste storage sites via a CUP process, with a 10-mile notification radius to enhance public input. No specific project is proposed; the framework ensures readiness for future applications.
  - **Second Dwelling Legislation:** Priestley reported that new state legislation allows a second dwelling on a property without a CUP, subject to a building permit. The dwelling must be 1,000 square feet or 50% of the primary structure's size (whichever is greater) and meet a minimum dimension of 23x23 feet. The county is updating its ordinance to comply with this law.
- **Outcome:** The board acknowledged the updates, with Chair Hair thanking staff for their efforts.

## 10. Board Member Comment or Inquiry

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

## 11. Adjournment

- **Action:**
  - **Motion:** Pam Clark moved to adjourn the meeting.
  - **Second:** Larry Fillipi seconded the motion.
  - **Discussion:** No further discussion was held.
  - **Vote:** Unanimous approval (all present voted "Aye").
- **Outcome:** The meeting was adjourned at approximately 7:00 PM.

## 12. Appendix – Items Received



Woodbury

WOODBURY COUNTY  
RURAL ELECTRIC COOPERATIVE

1495 Humbolt Ave.  
P.O. Box 560  
Moulton, Iowa 51039  
Telephone: (712) 873-3125  
800-489-3125  
Fax: (712) 873-5377

July 22, 2025

Woodbury County Zoning Board  
6th Floor  
Woodbury County Court House  
620 Douglas Ave.  
Sioux City, Iowa 51101

Dear Sir:

When processing a loan for a new grain bin, please advise your customer that they must contact their local electric utility.

The electric cooperative will provide assistance in planning for a safe environment for everyone working and living around grain bins. The State of Iowa requires specific clearances for electric lines around grain bins, with different standards for those filled by portable and permanent augers, conveyors and elevators.

The attachment to this letter shows a drawing of the specific clearances required for both scenarios. If you have any questions concerning the drawings, please contact Woodbury County Rural Electric Cooperative (REC) or the Northwest Iowa Power Cooperative (NIPCO).

According to the Iowa Electric Safety Code found in Iowa Administrative Code Chapter 199 – 25.2(3)b. *An electric utility may refuse to provide electric service to any grain bin built near an existing electric line that does not provide the clearances required by the ANSI C2-2023 "National Electrical Safety Code," Rule 234F. This paragraph applies only to grain bins loaded by portable augers, conveyors or elevators and built after September 9, 1992, or to grain bins loaded by permanently installed augers, conveyors, or elevator systems installed after December 24, 1997. (As adopted by the Iowa Utilities Board)*

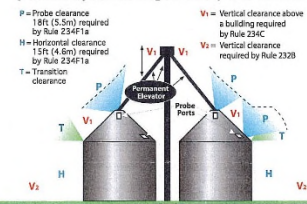
Woodbury County REC and NIPCO are required by the Iowa Utilities Board to provide this annual notice to farmers, farm lenders, grain bin merchants, and city and county zoning officials. If you have any questions concerning clearances regulations, please call Woodbury County REC at (712)873-3125 or NIPCO at (712)546-4141.

Sincerely,

Jason Jasperson  
Director of Member Services

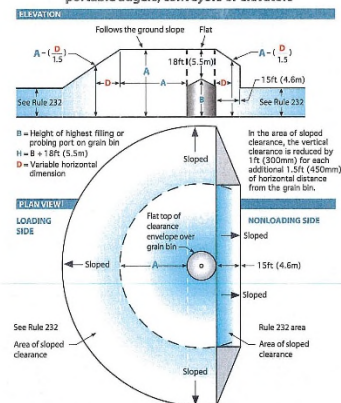
Owned By Those Served

Clearance envelope for grain bins filled by permanently installed augers, conveyors or elevators



From IEEE Std. C2-2023, "National Electrical Safety Code" © Copyright 2023 by IEEE. All rights reserved.

Clearance envelope for grain bins filled by portable augers, conveyors or elevators



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# 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

## FINAL REPORT – AUGUST 26, 2025

### APPLICATION DETAILS

Applicant(s)/Owner(s):	Steven Sitzmann
Application Type:	Conditional Use Permit
Zoning District:	Agricultural Estates (AE)
Total Acres:	3.99
Current Use:	Residential
Proposed Use:	Residential
Pre-application Meeting:	7-22-25
Application Date:	July 29, 2025
Legal Notice Date:	August 16, 2025
Neighbor(s) Notice Date:	August 18, 2025
Stakeholder(s) Notice Date:	August 1, 2025
Zoning Commission Review:	August 25, 2025
Board of Adjustment Public Hearing:	September 3, 2025

### PROPERTY DETAILS

Parcel(s):	894608100010
Township/Range:	T89N R46W (Concord)
Section:	8
Subdivision:	R. JACKS SUBDIVISION LOT 2; AND PART OF LOT 1 OF MCBALT SUBDIVISION
Zoning District:	AE
Floodplain:	X (Not in floodplain)
Property Address:	1546 110 <sup>th</sup> Street, Sioux City, IA 51106

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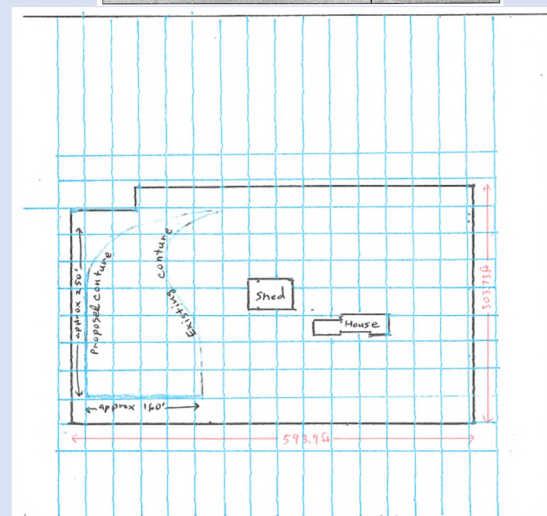
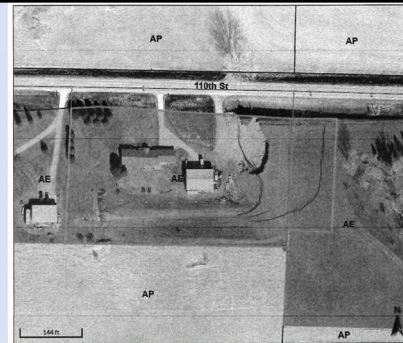
### APPLICATION DESCRIPTION

Steven Sitzmann has applied for a conditional use permit from Woodbury County, Iowa for a borrow pit in order to level the property for future development of a home to be built. The project is classified as a borrow pit for earth materials under Section 3.03.4 of the Woodbury County Zoning Ordinance. The property is located at 1546 110<sup>th</sup> Street, Sioux City, IA 51106 on Parcel #894608100010, in the Agricultural Estates (AE) Zoning District, within T89N R46W (Concord Township), Section 8, in the R. Jacks Subdivision Lot 2 and a part of Lot 1 of the McBalt Subdivision. The property is 3.99 acres and is situated approximately 1.3 miles east of Sioux City on the south side of 110<sup>th</sup> Street. The Woodbury County Zoning Commission voted to recommend approval 5-0 with conditions and presented in the letter from the Commission and minutes enclosed within this packet at their meeting held on August 25, 2025.

### AERIAL MAP

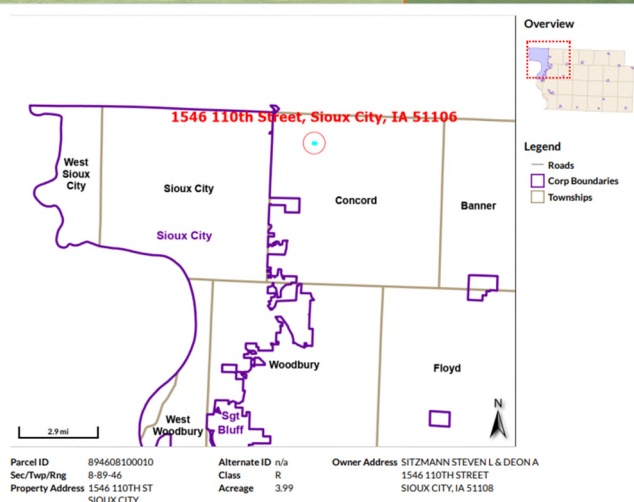


### SITE PLAN EXCERPT

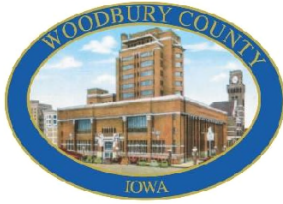


Scale = each square is 40' x 40'

Slope will end with a 30% slope



Parcel ID 894608100010 Alternate ID n/a Owner Address SITZMANN STEVEN L & DEON A  
Sec/Twp/Rng 8-89-46 Class R 1546 110TH STREET  
Property Address 1546 110TH ST SIoux CITY, IA 51108  
Acreage 3.99



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

**Subject:** Zoning Commission Recommendation Borrow Pit Conditional Use Permit

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Dear Board of Adjustment:

This letter is to inform you that the Woodbury County Zoning Commission reviewed the conditional use permit application submitted by Steven Sitzmann to operate a borrow pit for earth materials in order to level the property for future development of a home to be built on Parcel #894608100010, located at 1546 110th Street, Sioux City, IA 51106. The property, situated in the Agricultural Estates (AE) Zoning District within T89N R46W (Concord Township), Section 8, in the R. Jacks Subdivision Lot 2 and a part of Lot 1 of the McBalt Subdivision, spans 3.99 acres and is approximately 1.3 miles east of Sioux City on the south side of 110th Street. The proposed project, classified as a borrow pit for earth materials under Section 3.03.4 of the Woodbury County Zoning Ordinance, aims to enable future residential development. The review occurred at the regular meeting of the Woodbury County Zoning Commission on August 25, 2025.

Following the review, the Zoning Commission voted 5 to 0 to recommend approval of the application. The recommendation includes the following conditions for consideration:

- **Permit Expiration:** The permit shall be temporary and expire one year from the date of issuance. All earth-moving, grading, and reclamation activities must be completed within this timeframe.
- **Erosion and Sediment Control:** The applicant must implement and maintain an effective erosion and sediment control plan. This includes, but is not limited to, the proper installation of silt fencing, erosion blankets, and temporary stabilization measures until the site is permanently vegetated. All measures shall remain in place and be maintained until vegetation is established.
- **Dust and Noise Mitigation:** The applicant must take all reasonable measures to control dust from the operation. This may include watering the site as needed. Noise from machinery and trucks must be kept to a minimum and shall not exceed acceptable levels.
- **Haul Route and Traffic:** The applicant shall use the approved haul route as specified in the operational plan to minimize disturbance to the neighborhood. The hauling of materials shall be conducted during normal business hours to reduce impact on residential areas.



- **Site Restoration:** Upon completion of the excavation, the site shall be stabilized, re-graded, and re-seeded with an appropriate vegetative cover to prevent erosion and blend with the surrounding landscape.

### Submission of an Operational Plan

In addition to the conditions above, the applicant shall submit a detailed operational plan for approval. The plan shall specify:

- **Hours of Operation:** The days and hours during which all borrow pit activities, including equipment operation and material hauling, will occur.
- **Haul Route:** The specific public roads that will be used for the transportation of materials to and from the site.
- **Expiration Date:** The proposed date for the conclusion of all earth-moving and reclamation activities, which shall not exceed one year from the permit's issuance.

### Requirements for Larger Projects

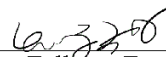
Should the scope of the project change or if the area of grading exceeds one acre, the applicant shall be required to obtain any and all necessary state and federal permits and to provide proof of such to Woodbury County. These regulations are not limited to but shall include:

- **NPDES General Permit No. 2:** The applicant must obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit No. 2, which is required for construction activities that disturb one or more acres of land.
- **Storm Water Pollution Prevention Plan (SWPPP):** The applicant shall prepare and submit a comprehensive SWPPP. The plan must detail the Best Management Practices (BMPs) that will be used on-site to control stormwater runoff and prevent pollutants from leaving the property. This ensures the protection of local water bodies from erosion and sedimentation.

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

8/26/2025 | 09:51 CDT

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

  
 Christine Zellmer Zant, Chair  
 Woodbury County Zoning Commission

## Woodbury County Zoning Commission Meeting Minutes

**Date:** August 25, 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=ZelixZKvpqE>

### Attendees

- **Commissioners Present:** Chris Zellmer Zant – Chair, Tom Bride, Steve Corey, Jeff Hanson, Corey Meister
- **Staff Present:** Dan Priestley – Zoning Coordinator, Dawn Norton – Senior Clerk
- **Supervisor(s) Present:** Kent Carper
- **Public Attendees:** Steve Sitzmann

### Call to Order

The Woodbury County Zoning Commission meeting was called to order by Chair Chris Zellmer Zant at approximately 5:03 PM on August 25, 2025. The Chair noted that the meeting would be audio taped and minutes prepared for all parties. Attendees were asked to turn off cell phones or set them to vibrate and to complete the attendance sheet. The Chair reviewed the Commission's procedures for the meeting, including handling of agenda items, public hearings, staff reports, applicant presentations, public comments (requiring speakers to state name and address at the microphone, avoid repetitious comments, and remain respectful), closing statements, closing of hearings by motion and vote, deliberation, and disclosure of any ex parte communications prior to deliberation.

### Roll Call

Chair Chris Zellmer Zant conducted a roll call, noting that all Commissioners were present: Chris Zellmer Zant, Tom Bride, Steve Corey, Jeff Hanson, and Corey Meister.

### Public Comment on Matters Not on the Agenda

No public comments were received on matters not listed on the agenda, either in person or via phone.

### Approval of Previous Meeting Minutes

The Commission reviewed the minutes from the previous meeting (July 28, 2025). No corrections or additions were noted. Steve Corey made a motion to approve the minutes as presented, which was seconded by Jeff Hanson. The motion passed with all Commissioners voting "aye," except Commissioner Tom Bride, who abstained. (4-0-1)

### Review of Conditional Use Permit Application – Borrow Pit – Steven Sitzmann, Applicant/Owner

**Agenda Item:** Review of a conditional use permit application from Steven Sitzmann (owner/applicant) to operate a borrow pit for earth materials to level the property for future development of a home to be built on Parcel #894608100010.

**Staff Report:** Dan Priestley presented the staff report. The application is for a borrow pit to level the property for future residential development, classified under Section 3.03.4 of the Woodbury County Zoning Ordinance. The project footprint is less than one acre, below DNR thresholds requiring additional permits. The property is 3.99 acres, located at 1546 110th Street, Sioux City, IA 51106/51108, in the Agricultural Estates (AE) Zoning District, within T89N R46W (Concord Township), Section 8, R. Jacks

Subdivision Lot 2 and part of Lot 1 of McBalt Subdivision, approximately 1.3 miles east of Sioux City on the south side of 110th Street. Activity commenced earlier in the year without a permit but was halted; the applicant complied with subsequent proceedings, including ordinance updates approved by the Board of Supervisors allowing borrow pits as a conditional use in AE districts. One neighbor inquired about the process via phone but did not provide further comments after a return call. No other public comments were received prior to the meeting. Staff analysis in the packet included applicant responses, site considerations (e.g., erosion control, fencing, haul route, hours of operation, reseeding/stabilization, permit expiration), and emphasis on ensuring no adverse effects on abutting properties. If the project exceeds one acre, DNR permitting would be required. Staff recommended approval to the Board of Adjustment, incorporating conditions from the analysis (e.g., hours of operation, haul route, erosion control, site restoration, and compliance with larger project requirements if thresholds are met).

**Applicant Comments:** Steven Sitzmann addressed the Commission, explaining his intention to split the property. He owns about 5 acres and purchased an additional 3 acres from a neighbor to meet the minimum for division (at least 2 acres per lot). He has a large house but no longer has children at home, so he plans to build a smaller house on one portion, split the property, and sell the existing house. This would comply with state rules allowing a second house, but he prefers splitting for separate ownership. He confirmed the borrow pit is to level the site for this purpose.

**Public Comments:** No public comments were made, either in person or via phone.

**Commission Discussion:** Commissioners found the application straightforward. One Commissioner asked for clarification on the intent to build another house, which the applicant addressed. No further questions or comments were raised.

**Motion and Vote:** Tom Bride moved to recommend approval of the conditional use permit to the Board of Adjustment, including all staff comments and conditions as presented in the packet (e.g., hours of operation, haul route, erosion control, silt fencing, site restoration/reseeding/stabilization, permit expiration, and compliance with DNR requirements if the project exceeds one acre). Steve Corey seconded the motion. After clarification that the motion encompassed the staff analysis (to be highlighted in the recommendation letter to the Board of Adjustment), the motion passed unanimously with all Commissioners voting "aye." (5-0)

**Additional Discussion:** Dan Priestley noted that the recommendation would be forwarded to the Board of Adjustment for a public hearing at their special meeting on Wednesday, September 3, 2025, at 5:00 PM (shifted due to the Labor Day holiday).

**Action Taken:** The Commission voted to recommend approval of the conditional use permit to the Board of Adjustment with the specified conditions.

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

No additional public comments were received on matters not listed on the agenda, either in person or via phone.

#### **Staff Update**

Dan Priestley provided the following updates:

- **Grain Bin Notification:** Priestley presented a formalized letter from the Woodbury Rural Electric Cooperative regarding grain bins for inclusion in the record, emphasizing its importance for the Commission's awareness. **Motion and Vote:** Jeff Hanson moved to receive the letter from REC regarding grain bins into the record. Corey Meister seconded the motion. The motion passed unanimously with all Commissioners voting "aye." (5-0)

- **LED Billboard Update:** Priestley noted that the LED billboard application (previously reviewed) was approved by the Board of Adjustment at alternative location #2 (in the corner), including a variance and conditional use permit. The permit has been issued, and the project is proceeding. He presented Iowa DOT comments (from Kevin Heiss exchange) not included in the prior packet grid, requesting they be



entered into the record to document official DOT input. **Motion and Vote:** Jeff Hanson moved to receive the Iowa DOT comments regarding the billboard on Hwy. 20 from Kevin Heiss into the record. Steve Corey seconded the motion. The motion passed unanimously with all Commissioners voting "aye." (5-0)

• **Board of Supervisors Directive on Public Service Garages:** Priestley presented the Board of Supervisors' agenda request document (sponsored by Supervisors Biddinger and Nelson) for their August 26, 2025, meeting, directing the Zoning Commission to study adding public service garages (e.g., for police, fire, emergency, county engineer facilities) as a conditional use in the Agricultural Preservation (AP) District. Currently prohibited in the land use summary table, this would avoid rezoning to Limited Industrial (LI), which conflicts with the Woodbury County Comprehensive Plan (lacking support for industrial districts abutting cities/communities) and could lead to legal challenges. Many existing secondary road sites predate ordinances and abut residential areas, making rezoning inappropriate. Conditional use would allow scrutiny, public hearings, city input, and compatibility analysis without permanent industrial zoning consequences (e.g., if government use ends). Priestley noted county needs for facilities (e.g., near Sloan, Salix, Sergeant Bluff) and infrastructure support (road maintenance, snow removal). A public hearing is expected next month if the directive passes.

• **Accessory Dwelling Units (ADUs):** Priestley discussed the need to retool the recent ADU ordinance amendment for compliance with Iowa Code while ensuring consistency. The current language adopts state code, requiring building code enforcement for ADUs (unlike principal structures), creating inconsistencies. He recommended specifying dimensions (e.g., maximum 1,000 sq ft or 50% of principal, with flexibility to exceed per state minimums) for clarity, avoiding resolutions for variances. This aligns with principal dwelling treatment, as the county lacks a robust building code department. Priestley attended a statewide zoning officials meeting on ADU legislation (pushed by advocacy groups), noting potential model ordinances more suited to cities. He suggested a public hearing to fix this, plus housekeeping updates: removing outdated telecommunication tower language (e.g., forced collocation, conflicting with Iowa Code 8C) and correcting notification distance references (linked to wrong code sections since ordinance inception).

• **Other:** A minor subdivision application was submitted early and will be on next month's agenda. No motions were required for the directive, ADU, or other updates; they were informational, with public hearings anticipated for September.

**Action Taken:** The Commission voted to receive the grain bin letter and Iowa DOT comments into the record.

#### **Commissioner Comment or Inquiry**

No Commissioners offered additional comments or inquiries.

#### **Adjournment**

Corey Meister moved to adjourn the meeting, seconded by Steve Corey. No discussion occurred. The motion passed unanimously with all Commissioners voting "aye." (5-0) The meeting adjourned at approximately 5:30 PM.

#### **Appendix**

See received items on the subsequent pages.



Woodbury

WOODBURY COUNTY  
RURAL ELECTRIC COOPERATIVE

1495 Humbolt Ave.  
P.O. Box 566  
Moville, Iowa 51039  
Telephone: (712) 873-3125  
800-468-3125  
Fax: (712) 873-5377

July 22, 2025

Woodbury County Zoning Board  
6th Floor  
Woodbury County Court House  
620 Douglas Ave.  
Sioux City, Iowa 51101

Dear Sir:

When processing a loan for a new grain bin, please advise your customer that they must contact their local electric utility.

The electric cooperative will provide assistance in planning for a safe environment for everyone working and living around grain bins. The State of Iowa requires specific clearances for electric lines around grain bins, with different standards for those filled by portable and permanent augers, conveyors and elevators.

The attachment to this letter shows a drawing of the specific clearances required for both scenarios. If you have any questions concerning the drawings, please contact Woodbury County Rural Electric Cooperative (REC) or the Northwest Iowa Power Cooperative (NIPCO).

According to the Iowa Electric Safety Code found in Iowa Administrative Code Chapter 199 – 25.2(3)b. *An electric utility may refuse to provide electric service to any grain bin built near an existing electric line that does not provide the clearances required by the ANSI C2-2023 "National Electrical Safety Code," Rule 234F. This paragraph applies only to grain bins loaded by portable augers, conveyors or elevators and built after September 9, 1992, or to grain bins loaded by permanently installed augers, conveyors, or elevator systems installed after December 24, 1997. (As adopted by the Iowa Utilities Board)*

Woodbury County REC and NIPCO are required by the Iowa Utilities Board to provide this annual notice to farmers, farm lenders, grain bin merchants, and city and county zoning officials. If you have any questions concerning clearances regulations, please call Woodbury County REC at (712)873-3125 or NIPCO at (712)546-4141.

Sincerely,

Jason Jasperson  
Director of Member Services

Owned By Those Served

### Clearance envelope for grain bins filled by permanently installed augers, conveyors or elevators

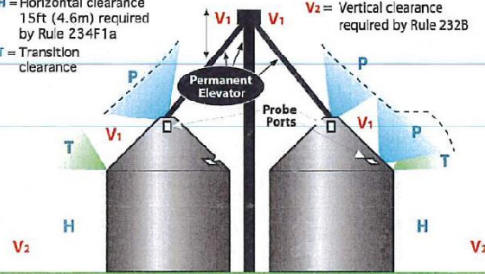
P = Probe clearance  
18ft (5.5m) required by Rule 234F1a

H = Horizontal clearance  
15ft (4.6m) required by Rule 234F1a

T = Transition clearance

V<sub>1</sub> = Vertical clearance above a building required by Rule 234C

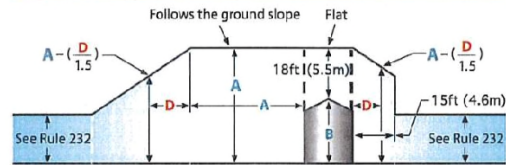
V<sub>2</sub> = Vertical clearance required by Rule 232B



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### Clearance envelope for grain bins filled by portable augers, conveyors or elevators

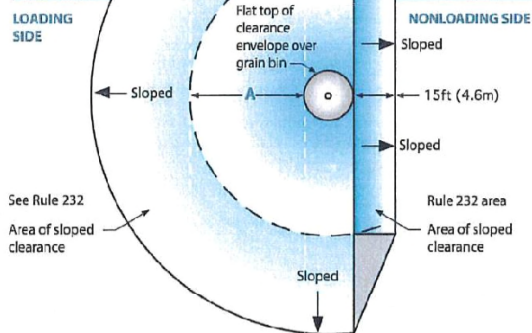
#### ELEVATION



B = Height of highest filling or probing port on grain bin  
H = B + 18ft (5.5m)  
D = Variable horizontal dimension

In the area of sloped clearance, the vertical clearance is reduced by 1ft (300mm) for each additional 1.5ft (450mm) of horizontal distance from the grain bin.

#### PLAN VIEW



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Receive into the record the comments received regarding the LED Billboard application on Parcel #884606100002 that should have been a part of the July 28, 2025 packet. In particular the comments from the IDOT, NIPCO, and WCSWCD. The follow-up conversations between the applicant and IDOT were already in the record.

STAKEHOLDER COMMENTS – VARIANCE AND CONDITIONAL USE	
911 COMMUNICATIONS CENTER:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
IOWA DEPARTMENT OF TRANSPORTATION (IDOT):	The DOT is aware of the interest from Kevin Heiss to construct a 14' x 48' LED billboard. Mr. Heiss has been advised that a DOT permit will be required before the construction begins and that local approvals are necessary, either before or after the DOT approval is granted. Note that the DOT has 300' spacing between billboards that are facing the same direction. Questions pertaining to specific DOT requirements can be directed to Brent Christian at the Ames office – 515-239-1673. – Jessica Felix, 7/21/25. (See follow up discussions below between Slater Ohm and Brent Christian)
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 proposed zoning variance for MEC electric, and we have no conflicts. The requestor should be made aware that any requested relocation or extension of distribution facilities will be subject to a customer contribution. – Casey Meinen, 7/17/25.
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 Conditional Use Permit application. NIPCO has no issues with this request. – Jeff Zettel, 6/5/25 & 7/18/25.
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 & 7/17/25.
WOODBURY COUNTY TREASURER:	No comments.

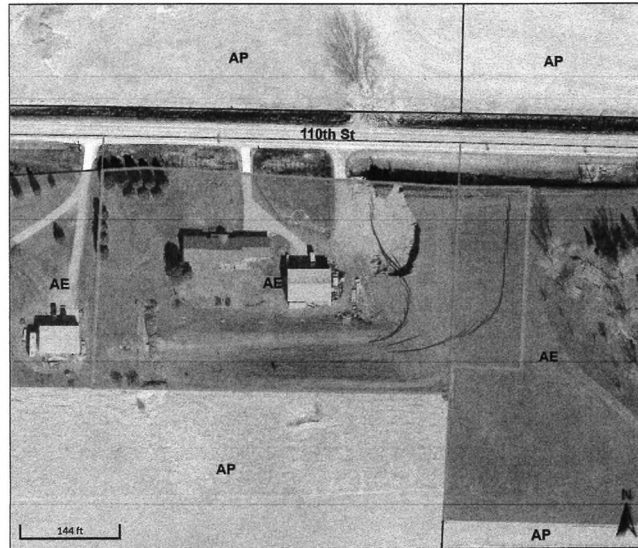
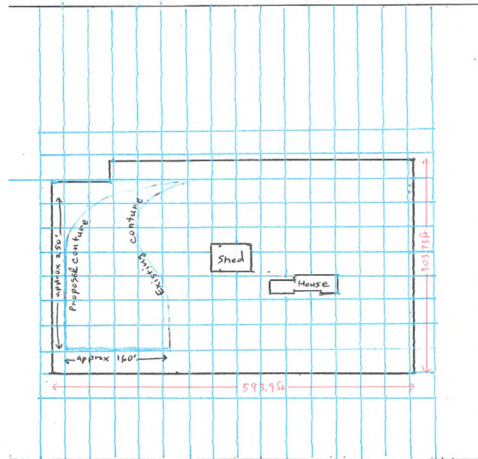
## ZONING ORDINANCE CRITERIA FOR BOARD APPROVAL

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:

Removing of existing part of a hill for a future home to be built.

### MAP DRAWN TO SCALE, SHOWING THE SUBJECT PROPERTY, ALL STRUCTURES AND OTHER IMPROVEMENTS, WITH THE PROPOSED CONDITIONAL USE IDENTIFIED PER STRUCTURE OF IMPROVEMENT, PROVID 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 slope of the existing hill is being moved back and the run off will remain the same but allow for the future structure.

#### STAFF ANALYSIS:

The applicant's response focuses on the practical aspects of the project, noting that the slope of the existing hill will be moved back while maintaining the same runoff, allowing for future structure development. Based on the classification of the project as a borrow pit for earth materials under Section 3.03.4, and recent amendments to the Woodbury County Zoning Ordinance, borrow pits are now explicitly allowed for consideration as a conditional use in the Agricultural Estates (AE) Zoning District. Overall, the application complies with this criterion.

### 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 is a rural housing area and will allow for an additional home to be built in the future.

#### STAFF ANALYSIS:

The applicant states that the area is rural housing and the project will enable an additional home to be built in the future. This response adequately demonstrates harmony with the ordinance's intent, which emphasizes preserving agricultural and rural character while allowing compatible residential development in the AE District. The general plan for Woodbury County promotes orderly rural growth. By leveling the property for a single-family home, the borrow pit supports these goals without introducing intensive commercial or industrial elements. The temporary nature of the borrow pit (for site preparation) ensures it aligns with standards for minimal land disturbance. Compliance is evident, as the project contributes to housing objectives in a rural context without conflicting with agricultural as per the AE District.

([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:**

Bringing this area to a usable spot for future development will only improve the looks of the residential area. When dirt is removed the area will again be seeded & silt fencing placed to improve the looks.

**STAFF ANALYSIS:**

The applicant's response highlights that the project will improve the residential area's appearance, with dirt removal followed by seeding and silt fencing. This addresses potential adverse effects by emphasizing erosion control and aesthetic enhancement. The neighborhood is Agricultural Estates, and the 3.99-acre site is unlikely to generate significant traffic or parking issues, as the borrow pit is temporary and for personal use. Utilities are not impacted, as the response notes existing services. Public health and safety are supported by the controlled earth-moving, with no evidence of hazards like dust or noise beyond typical construction. The response complies well, demonstrating proactive measures to avoid undue effects, though monitoring during operations would ensure ongoing welfare protection.

**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:**

It will then have easy access and can be landscaped and developed into a building site comparative to neighboring properties.

**STAFF ANALYSIS:**

The applicant explains that the project will provide easy access, landscaping, and a building site comparable to neighboring properties. This directly supports compatibility, as the AE District encourages rural estate development, and the leveled site will blend with adjacent homes and subdivisions (e.g., R. Jacks and McBalt Subdivisions). Operations will be limited to earth removal and restoration, avoiding long-term disruption. The response effectively shows the project enhances rather than hinders neighborhood development, achieving compliance through its focus on integration with existing rural residential patterns.

**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:**

There is rural electric, telephone, and cable running in the front of the property that serves all area homes.

**STAFF ANALYSIS:**

The applicant confirms that rural electric, telephone, and cable services run along the front of the property, serving all area homes. This indicates adequate infrastructure for the temporary borrow pit and future home, with no need for expansions. In a rural AE District setting, 1.3 miles east of Sioux City, essential services like roads (110th Street access) and utilities are sufficient for low-impact activities. No additional demands on emergency services or water/sewer are anticipated, as the project is non-intensive. The response fully complies, demonstrating that existing facilities meet the needs without strain.

**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:**

By moving the existing sloped area back to a point where the run off remains the same but leaves a large, flat area for development can only enhance the looks of the neighborhood.

**STAFF ANALYSIS:**

The applicant asserts that moving the sloped area will enhance neighborhood aesthetics while keeping runoff the same, creating a flat development area. This minimizes adverse effects on natural features, as the hill modification is targeted and followed by seeding to prevent erosion. The property lacks identified scenic or historic significance (e.g., no listed features in county records), and adjacent areas are similar rural lots. By preserving overall topography and runoff patterns, the project avoids unnecessary impacts. Compliance is adequate, with the response emphasizing improvement over degradation, though conditions for vegetation restoration could further safeguard natural elements.

**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 overall application implies necessity for property utilization. The borrow pit enables leveling of a sloped 3.99-acre site, facilitating future residential development in a rural housing area. This contributes to community welfare by increasing usable land for housing, aligning with public interest in orderly rural growth amid housing needs. The location—near Sioux City in Concord Township—is desirable for estate-style homes, enhancing neighborhood value without public costs. While not a public facility, it supports general welfare through improved land use and aesthetics, making it desirable under this lens.

**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:**

Inferences from other criteria (e.g., silt fencing, seeding, and maintained runoff) show efforts to minimize effects. Site design focuses on targeted slope adjustment for flat building space, with post-removal landscaping to restore vegetation. Screening via natural features or fencing could be implied in the rural setting, though not detailed. Adverse effects like erosion or visual disruption are addressed proactively, demonstrating reasonable efforts. To fully align, approval could include conditions for ongoing monitoring, but the application indicates sufficient minimization strategies.

**OVERALL ANALYSIS:**

The application demonstrates merits as a temporary, site-specific activity enabling future residential development in the AE Zoning District. Recent ordinance amendments confirm borrow pits as allowable to be considered as conditional uses in the AE Zoning District. The applicant's responses, while sometimes indirect, collectively show compliance with Section 2.02-9 criteria by emphasizing minimal impacts, aesthetic improvements, and compatibility with rural housing. Strengths include proactive erosion control and utility adequacy, with no evident conflicts to public welfare or natural features. Potential weaknesses, such as limited detail on operational timelines or exact earth volumes, could be mitigated through conditions (e.g., time limits, restoration bonds). The project aligns with the ordinance's intent for balanced rural growth, contributing positively to the neighborhood with minimal to temporary burden.

The following conditions could be considered for approval:

- **Permit Expiration:** The permit shall be temporary and expire one year from the date of issuance. All earth-moving, grading, and reclamation activities must be completed within this timeframe.
- **Erosion and Sediment Control:** The applicant must implement and maintain an effective erosion and sediment control plan. This includes, but is not limited to, the proper installation of silt fencing, erosion blankets, and temporary stabilization measures until the site is permanently vegetated. All measures shall remain in place and be maintained until vegetation is established.
- **Dust and Noise Mitigation:** The applicant must take all reasonable measures to control dust from the operation. This may include watering the site as needed. Noise from machinery and trucks must be kept to a minimum and shall not exceed acceptable levels.
- **Haul Route and Traffic:** The applicant shall use the approved haul route as specified in the operational plan to minimize disturbance to the neighborhood. The hauling of materials shall be conducted during normal business hours to reduce impact on residential areas.
- **Site Restoration:** Upon completion of the excavation, the site shall be stabilized, re-graded, and re-seeded with an appropriate vegetative cover to prevent erosion and blend with the surrounding landscape.

**Submission of an Operational Plan**

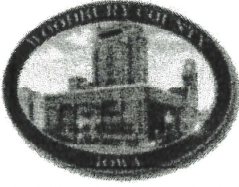
In addition to the conditions above, the applicant shall submit a detailed operational plan for approval. The plan shall specify:

- **Hours of Operation:** The days and hours during which all borrow pit activities, including equipment operation and material hauling, will occur.
- **Haul Route:** The specific public roads that will be used for the transportation of materials to and from the site.
- **Expiration Date:** The proposed date for the conclusion of all earth-moving and reclamation activities, which shall not exceed one year from the permit's issuance.

**Requirements for Larger Projects**

Should the scope of the project change or if the area of grading **exceeds one acre**, the applicant shall be required to obtain any and all necessary state and federal permits and to provide proof of such to Woodbury County. These regulations are not limited to but shall include:

- **NPDES General Permit No. 2:** The applicant must obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit No. 2, which is required for construction activities that disturb one or more acres of land.
- **Storm Water Pollution Prevention Plan (SWPPP):** The applicant shall prepare and submit a comprehensive SWPPP. The plan must detail the Best Management Practices (BMPs) that will be used on-site to control stormwater runoff and prevent pollutants from leaving the property. This ensures the protection of local water bodies from erosion and sedimentation.



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>Steven Sitzmann</u> Address <u>1546 - 110th St</u> <u>Sioux City, IA 51108</u> Phone <u>712-259-5414</u>	<b>Applicant Information:</b> Applicant <u>Steven Sitzmann</u> Address <u>1546 - 110th St</u> <u>Sioux City, IA 51108</u> Phone <u>712-259-5414</u>				
We, the undersigned, hereby apply to the Woodbury County Board of Adjustment for permission to: <u>borrow pit in order to level the property</u>					
<b>Property Information:</b> Property Address or Address Range <u>1546 - 110th St, Sioux City, IA 51108</u> Quarter/Quarter _____ Sec <u>8</u> Twnshp/Range <u>Concord T89N R46W</u> Parcel ID # <u>894608100010</u> GIS # _____ Total Acres <u>3.99</u> Current Use <u>Residential</u> Proposed Use <u>Residential</u> Current Zoning <u>AE</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> Pre-app mtg. date <u>7-22-25</u> Staff present <u>Dan Priestley</u>					
<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>[Signature]</u></td> <td style="width: 50%;">Applicant <u>[Signature]</u></td> </tr> <tr> <td>Date <u>7-29-25</u></td> <td>Date <u>7-29-25</u></td> </tr> </table>		Owner <u>[Signature]</u>	Applicant <u>[Signature]</u>	Date <u>7-29-25</u>	Date <u>7-29-25</u>
Owner <u>[Signature]</u>	Applicant <u>[Signature]</u>				
Date <u>7-29-25</u>	Date <u>7-29-25</u>				
Fee: <b>\$300*</b> Case #: <u>7095</u> Check #: <u>11819</u> Receipt #: _____	<div style="border: 1px solid black; padding: 10px; margin: 0 auto; width: 150px;"> <b>RECEIVED</b>          Date Received  <b>JUL 29 2025</b>  <b>WOODBURY COUNTY</b>  <b>PLANNING &amp; ZONING</b> </div>				



PER SECTION 2.02(9)(C )(2 (d) PROVIDE A SPECIFIC DESCRIPTION OF THE PROPOSED CONDITIONAL USE: (Tab at the end of each line to continue)

Removing of existing part of a hill for a future home to be built.

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 CRITERIA 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 slope of the existing hill is being moved back and the run off will remain the same but allow for the future structure

- (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. (Tab at the end of each line to continue)

This is a rural housing area and will allow for an additional home to be built in the future

- (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. (Tab at the end of each line to continue)

Bringing this area to a usable spot for future development will only improve the looks of the residential area. When dirt is removed the area will again be seeded + silt fencing placed to improve the looks.

- (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. (Tab at the end of each line to continue)

It will then have easy access and can be landscaped and developed into a building site comparative to neighboring properties

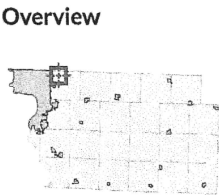
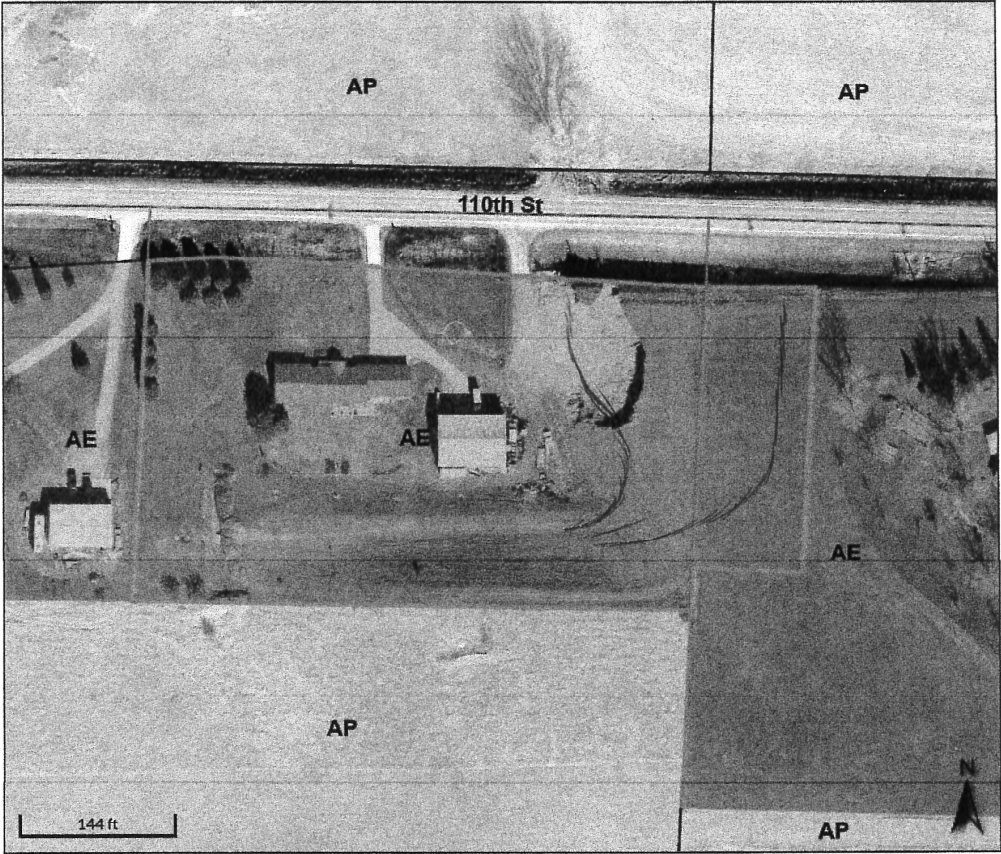
- (e) Provide a statement to why essential public facilities and services will adequately serve the proposed use or development. (Tab at the end of each line to continue)

There is rural electric, telephone, and cable running in the front of the property that serves all area homes

- (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. (Tab at the end of each line to continue)

By moving the existing sloped area back to a point where the runoff remains the same but leaves a large, flat area for development can only enhance the looks of the neighborhood

SITE PLAN & SEPARATION DISTANCES

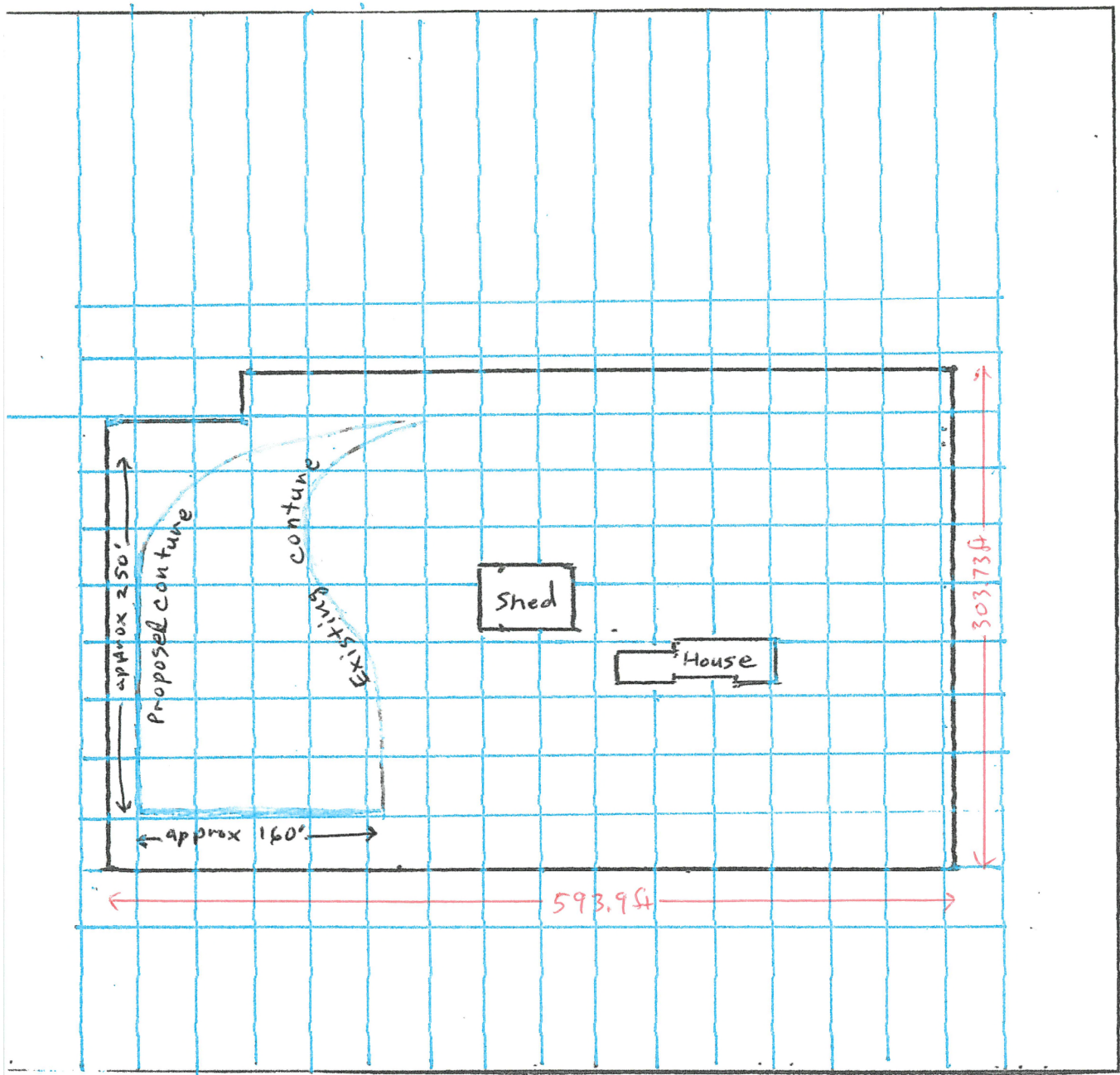


- Legend**
- Roads
  - Corp Boundaries
  - Townships
  - Lots
  - Parcels
  - County Zoning
    - AE
    - AP
    - GC
    - GC-PD
    - GI
    - LI
    - LI-PD
    - SR
    - WR

Parcel ID	894608100010	Alternate ID	n/a	Owner Address	SITZMANN STEVEN L & DEON A
Sec/Twp/Rng	8-89-46	Class	R		1546 110TH STREET
Property Address	1546 110TH ST	Acreage	3.99		SIOUX CITY, IA 51108
	SIOUX CITY				
District	0025				
Brief Tax Description	CONCORD TOWNSHIP R JACKS SUBDIV LOT 2; AND PT OF LOT 1 OF MCBALT SUBDIV DESCRIBED AS BEG AT NW COR OF LOT 1 THNC E 97.40 FT, THNC S 314.15 FT, THNC W 97.40 FT, THNC N 314.27 FT TO POB ALL IN N 1/2 OF 8-89-46				
	(Note: Not to be used on legal documents)				

Date created: 7/18/2025  
Last Data Uploaded: 7/17/2025 10:01:45 PM

Developed by  SCHNEIDER  
GEOSPATIAL

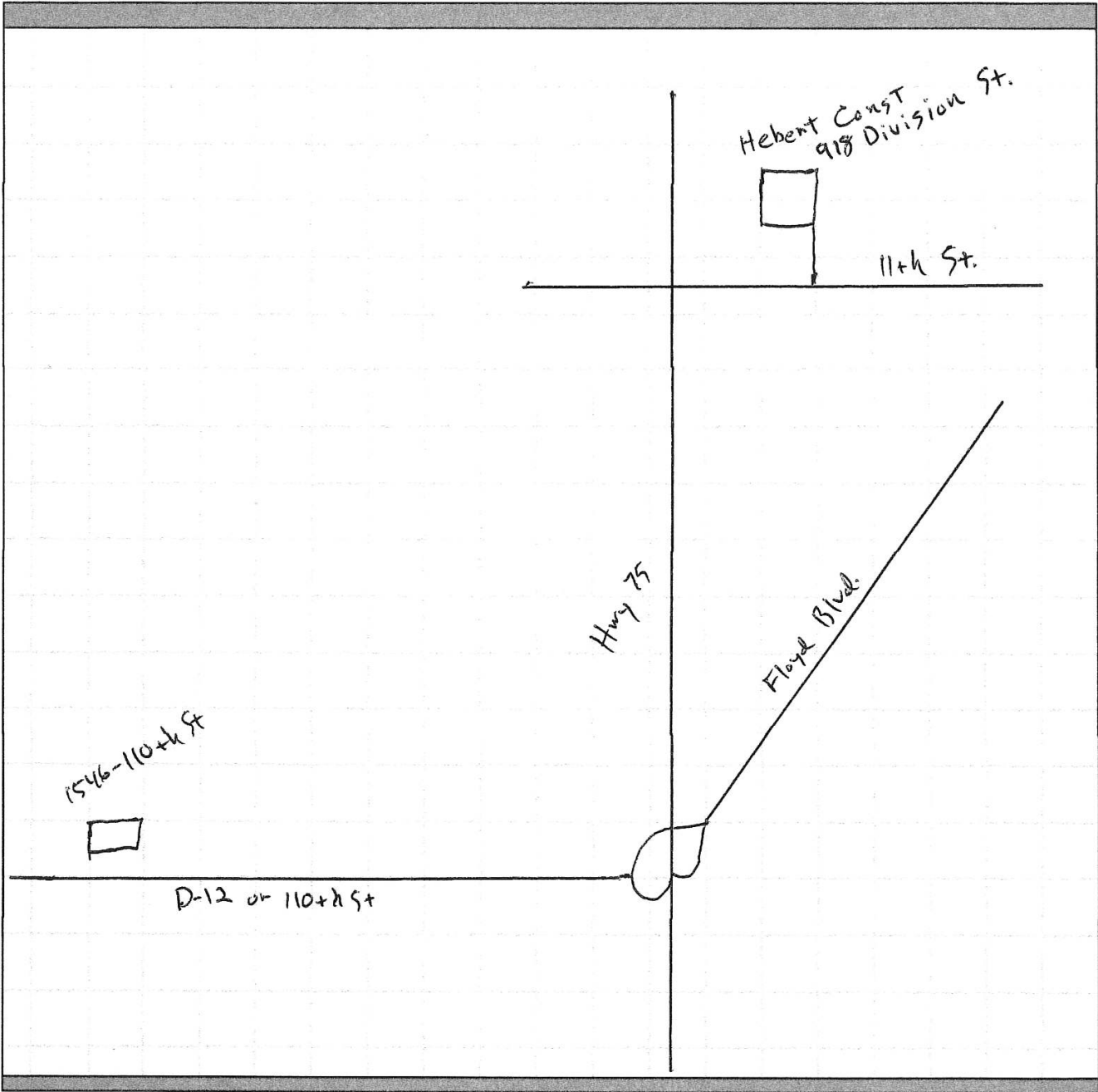


Scale = each square is 40' x 40'

Slope will end with a 30% slope



HAUL ROUTE



Project:	Date:	By:
----------	-------	-----

Notes:



Milwaukee, WI: 877-377-0011  
McFarland, WI: 877-578-9472  
South Sioux City, NE: 402-412-2371  
[www.hotwaterproducts.com](http://www.hotwaterproducts.com)  
[www.amsteamproducts.com](http://www.amsteamproducts.com)

**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:

Ankit Sachdeva, 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:**  
 Aug. 16, 2025

**NOTICE ID:** okVcAM2TospU2YRJbZgD  
**PUBLISHER ID:** COL-IA-502153  
**NOTICE NAME:** BA\_Special\_Meeting\_9-3-25  
**Publication Fee:** \$38.40

*Ankit Sachdeva*

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

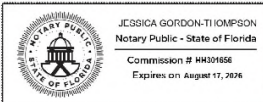
**VERIFICATION**

State of Florida  
 County of Orange

Subscribed in my presence and sworn to before me on this: 08/19/2025

*J. Ra*

Notary Public  
 Notarized remotely online using communication technology via Proof.



**NOTICE OF PUBLIC HEARING  
 BEFORE THE WOODBURY  
 COUNTY BOARD OF  
 ADJUSTMENT DURING A  
 SPECIAL MEETING CONCERNING  
 A BORROW PIT FOR EARTH  
 MATERIALS**

The Woodbury County Board of Adjustment will hold a public hearing during a special meeting on the following item hereafter described in detail on Wednesday, September 3, 2025 at 5:00 PM or as soon thereafter as the matter may be considered. Said hearing 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 item 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 matter should appear at the aforesaid hearings in person or call: 712-454-1133 and enter the Conference ID: 792 541 884# during the meeting to listen or comment. However, it is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems. You may forward your written comments by mail or email to: Woodbury County Community and Economic Development, 6th Floor, Woodbury County Courthouse, 620 Douglas St., Sioux City, IA 51101; Emails should be sent to Daniel Priestley at: dpriestley@woodburycountyia.gov. Only signed comments will be considered and should be received no later than 10:00 AM on Wed., August 27, 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 Steven Sitzmann who has applied for a borrow pit in order to level the property for future development of a home to be built. The project is classified as a borrow pit for earth materials under Section 3.03.4 of the Woodbury County Zoning Ordinance. The property is located at 1546 110th Street, Sioux City, IA 51108 or 51106 on Parcel #694608100010, in the Agricultural Estates (AE) Zoning District, within T89N R46W (Concord Township), Section 8, in the R. Jacks Subdivision Lot 2 and a part of Lot 1 of the McBait Subdivision. The property is 3.99 acres and is situated approximately 1.3 miles east of Sioux City on the south side of 110th Street. COL-IA-502153

## PROPERTY OWNER(S) NOTIFICATION

Property Owners within 500 Feet:	9
Notification Letter Date:	August 18, 2025
Public Hearing Board:	Board of Adjustment
Public Hearing Date:	September 3, 2025
Phone Inquiries:	1 (Mary Mahon)
Written Inquiries:	0
The names of the property owners are listed below.	
When more comments are received after the printing of this packet, they will be provided at the meeting.	



PROPERTY OWNER(S)	MAILING ADDRESS					COMMENTS
Mark E. Williams & Lori A. Williams	1902 110th St.	Sioux City	IA	51108		No comments.
Fred T. Davis, Jr. & Jeannette L. Davis	1534 110th St.	Sioux City	IA	51108		No comments.
Rodney F. Sitzmann & Kathy L. Sitzmann	1544 110th St.	Sioux City	IA	51108		No comments.
MAI Welding Supply LTD	3090 510th St.	Le Mars	IA	51031		No comments.
Steven L. Sitzmann & Deon A. Sitzmann	1546 110th St.	Sioux City	IA	51108		No comments.
Gary F. Fitch & Lisa A. Fitch	1556 110th St.	Sioux City	IA	51108		No comments.
Scott McCallum & Teresa McCallum	1558 110th St.	Sioux City	IA	51108		No comments.
Mary Mahon	1560 110th St.	Sioux City	IA	51108		Left voicemail inquiring. Returned call and left voicemail.
Sally J. McMahon	1550 110th St.	Sioux City	IA	51108		No comments.

## STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No comments.
CITY OF SIOUX CITY:	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 proposed conditional use permit for MEC electric and we have, no conflicts. – Casey Meinen, 8/1/25
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 Conditional Use Permit. NIPCO has no issues with this request. – Jeff Zettel, 8/7/25.
NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WINNEBAGO TRIBE:	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 SHERIFF:	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments regarding this request. – Neil Stockfleth, 8/4/25.
WOODBURY COUNTY TREASURER:	No comments.



# PICTOMETRY



Woodbury County, IA / Sioux City

Summary

Parcel ID 894608100010  
Alternate ID  
Property Address 1546-110TH ST  
Address  
City/Township/School District  
Brief Description  
Tax Description  
Deed Book/Page  
Deed Date  
Net Acres  
Zoning  
School District  
Neighborhood

1546-110TH ST  
SIoux CITY IA 51106  
CONCORD TOWNSHIP R JACKS SUBDIV LOT 2 AND PT OF LOT 1 OF MC BALT SUBDIV DESCRIBED AS  
BEG AT NW COR OF LOT 1, THNC E 97.40 FT, THNC S 81.415 FT, THNC W 97.40 FT, THNC N 31.427 FT  
TO POB ALL IN N 1/2 OF 8-89-46  
(Note: Not to be used on legal documents)  
2024-10795 (11/7/2024)  
AE - AGRICULTURAL ESTATES  
0025 CONCORD/LAWTON-BRONSON  
LAWTON BRONSON  
N/A

Owner

Deed Holder  
SIoux CITY IA 51108  
Contract Holder  
SIoux CITY IA 51108  
Mailing Address  
SIoux CITY IA 51108

Land

Lot Area 3.99 Acres 173,804 SF

Residential Dwellings

Single-Family / Owner Occupied  
Style  
Architectural Style  
Condition  
Roof  
Flooring  
Foundation  
Exterior Material  
Brick or Stone Veneer  
Total Gross Living Area  
Main Area Square Feet  
Attic Type  
Number of Rooms  
Basement Area Type  
Basement Area  
Plumbing  
Appliances  
Central Air  
Heat  
Fireplaces  
Porches  
Decks  
Additions  
Garages

Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Steel Utility Building	MACH-SHEED	45	60	1996	1

Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
11/6/2024	MCIMATION SALLY J	SITZMANN STEVE L & SITZMANN DEON A	2024-10795	Split or division	Deed		\$4,000.00

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

Valuation

Classification	2025	2024
Assessed Land Value	\$66,000	Residential
Assessed Building Value	\$0	\$41,250
Assessed Total Value	\$66,000	\$87,250
Grass Assessment Value	\$469,800	\$485,250
Exempt Value	\$0	\$0
Net Assessed Value	\$469,800	\$485,250

Sioux City Special Assessments and Fees

Click here to view special assessments information for this parcel.

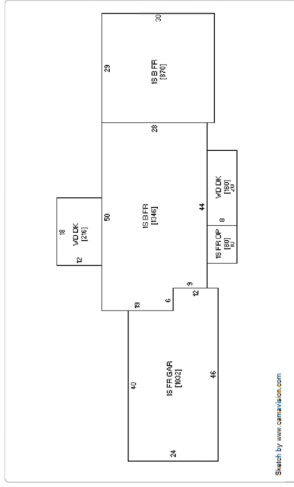
Woodbury County Tax Credit Applications

Apply for Homestead or Military Tax Credit

Photos



Sketches

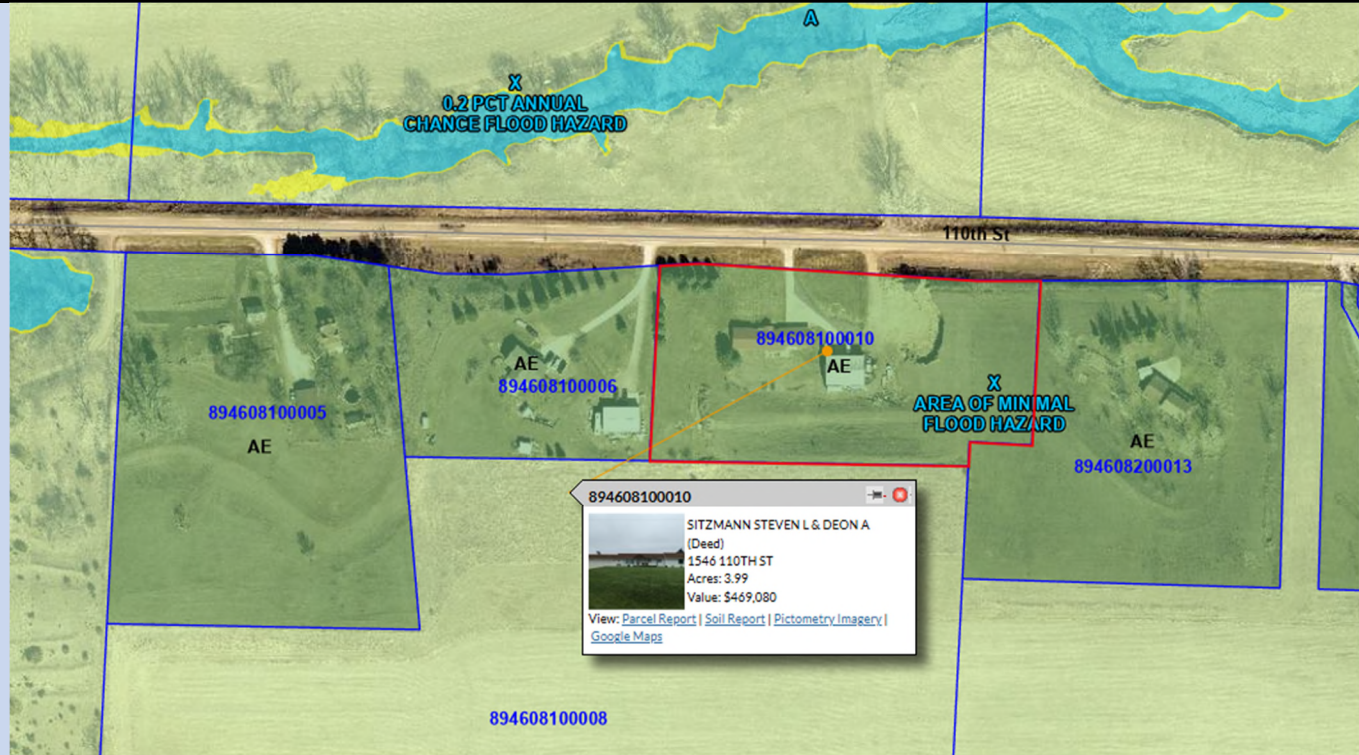


No data available for the following modules: Commercial Buildings, Yard Extras, Rentals, Sioux City Tax Credit Applications, Sioux City Board of Review Petition, Contact Us, Developer by SCHNEIDER

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## ZONING MAP



## SPECIAL FLOOD HAZARD AREA (SFHA) MAP

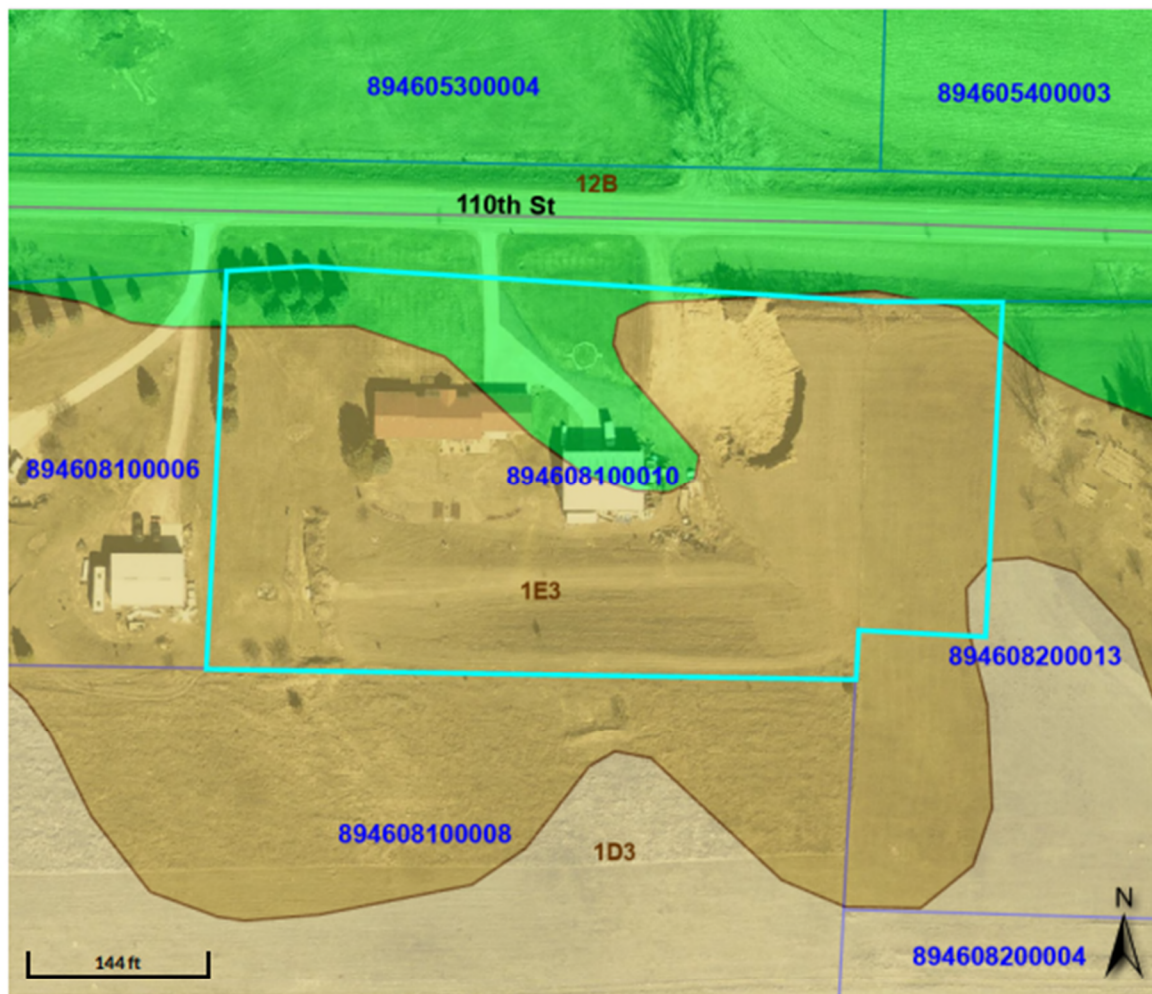
Not in the floodplain.

## ELEVATION MAP

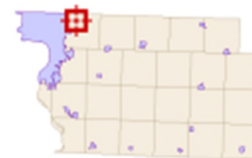




# SOIL MAP



## Overview



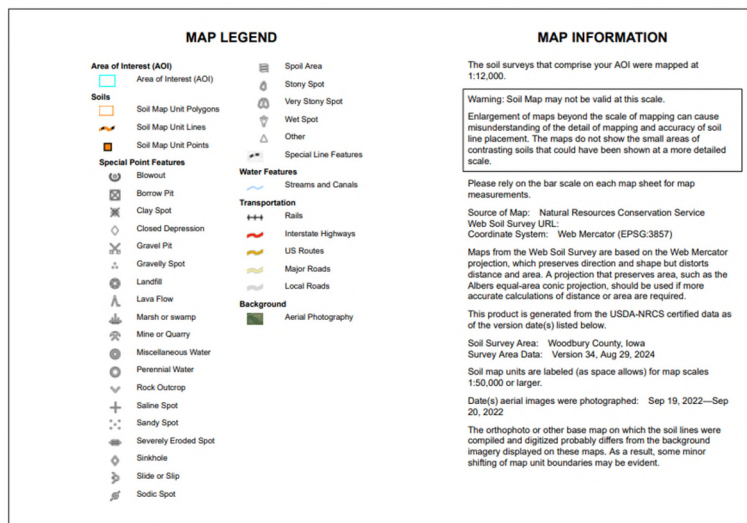
## Legend

- 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
- Parcels

<b>Parcel ID</b>	894608100010	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	SITZMANN STEVEN L & DEONA
<b>Sec/Twp/Rng</b>	8-89-46	<b>Class</b>	R		1546 110TH STREET
<b>Property Address</b>	1546 110TH ST	<b>Acreage</b>	3.99		SIOUX CITY, IA 51108
	SIOUX CITY				
<b>District</b>	0025				
<b>Brief Tax Description</b>	CONCORD TOWNSHIP R JACKS SUBDIV LOT 2; AND PT OF LOT 1 OF MCBALT SUBDIV DESCRIBED AS BEG AT NW COR OF LOT 1 THNC E 97.40 FT, THNC S 314.15 FT, THNC W 97.40 FT, THNC N 314.27 FT TO POB ALL IN N 1/2 OF 8-89-46				
	(Note: Not to be used on legal documents)				



Soil Map—Woodbury County, Iowa



Soil Map—Woodbury County, Iowa

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1D3	Ida silt loam, 9 to 14 percent slopes, severely eroded	0.0	0.4%
1E3	Ida silt loam, 14 to 20 percent slopes, severely eroded	3.6	80.9%
12B	Napier silt loam, 2 to 5 percent slopes	0.8	18.7%
<b>Totals for Area of Interest</b>		<b>4.4</b>	<b>100.0%</b>