

NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF ADJUSTMENT



WOODBURY COUNTY BOARD OF ADJUSTMENT

Monday, February 2, 2026 at 5:00 PM

The Woodbury County Board of Adjustment will hold a public meeting on **Monday, February 2, 2026 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 7th St. entrance. Public access to the conversation of the meeting will also be made available during the meeting by telephone. Persons wanting to participate in the public meeting may attend in person or call: **(712) 454-1133** and enter the **Conference ID: 742 346 123#** during the meeting to listen or comment. It is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems.

AGENDA

| | |
|----|--|
| 1 | CALL TO ORDER |
| 2 | ROLL CALL |
| 3 | ELECTION OF CHAIR OF THE BOARD OF ADJUSTMENT FOR 2026 (ACTION ITEM) |
| 4 | ELECTION OF VICE-CHAIR OF THE BOARD OF ADJUSTMENT FOR 2026 (ACTION ITEM) |
| 5 | PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM) |
| 6 | APPROVAL OF PREVIOUS MEETING(S) MINUTES (ACTION ITEM) |
| 7 | ITEM(S) OF ACTION / BUSINESS |
| » | <p>PUBLIC HEARING (ACTION ITEM): CONSIDERATION OF A VARIANCE APPLICATION FROM KEVIN ALONS FOR PROPERTY OWNED BY KEVIN AND NGU ALONS FOR A REDUCTION OF CORNER SIDE YARD AND/OR FRONT YARD SETBACKS AND RELIEF FROM ACCESSORY BUILDING PLACEMENT AND HEIGHT REQUIREMENTS ON PARCEL #874733377004. THE PROPERTY ADDRESS IS 140 GALLAND ST., SALIX, IA 51052.</p> <p>SUMMARY: The variance application, filed by Kevin and Ngu Alons, requests approval to construct a two-story accessory building (approximately 24' x 30', roughly 28' high and subject to change) with vehicle storage on the main floor and a wood shop above. The applicant seeks relief from Section 3.04 (Zoning District Dimensional Standards) of the Woodbury County Zoning Ordinance to reduce the Suburban Residential (SR) District's 15-foot corner side yard and/or 25-foot front yard setbacks, and from Sections 4.12.3 and 4.12.4 (Accessory Buildings) related to placing an accessory structure in front of the principal structure and height limitations when the accessory structure may exceed the principal structure's height. The proposed building may be located within the corner side and/or front yard setbacks and potentially up to or on the southwest lot line or right-of-way line. The parcel is Lot 4 of Galland's Lakeview Second Sub-Division (Parcel #874733377004), a 0.54-acre lot in Section 33, T87N R47W (Liberty Township), located on the east side of Galland Street and the northwest side of 275th Street in the Suburban Residential (SR) Zoning District. The applicant asserts that the lot's triangular shape, existing house, garage and driveway locations, septic and well placement, and unusually large right-of-way areas uniquely constrain building placement and justify the requested variances. Owner/Applicant: Kevin and Ngu Alons, 140 Galland St., Salix, IA 51052.</p> |
| 8 | PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM) |
| 9 | STAFF UPDATE (INFORMATION ITEM) |
| 10 | BOARD MEMBER COMMENT OR INQUIRY (INFORMATION ITEM) |
| 11 | ADJOURN (ACTION ITEM) |

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Minutes - Woodbury County Board of Adjustment – October 6, 2025

The Board of Adjustment meeting convened on the 6th of October 2025 at 5:00 PM in the Board of Supervisors' meeting room in the Basement of the Woodbury County Courthouse. The meeting was also made available for public access via teleconference.

Meeting Audio:

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

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

BA Members Present: Daniel Hair, Pam Clark, Larry Fillipi, Tom Thiesen

BA Members Absent: Doyle Turner

County Staff Present: Dan Priestley, Dawn Norton

Public Present: Brian Struve

1. Call to Order & Roll Call

- **Time:** 5:00 PM
- **Action:** Chair Daniel Hair called the meeting to order, confirming that all Board of Adjustment members were present.
- **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 (within 30 days to a court of record), emphasizing respectfulness, avoidance of repetitious or irrelevant comments, and the need to disclose any ex parte communications prior to deliberations. No ex parte communications were reported.

2. Public Comment on Matters Not on the Agenda

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

3. Approval of Previous Meeting Minutes

- **Agenda Item:** Approval of the minutes from the September 3, 2025, special meeting.
- **Action:**
 - o **Motion:** Pam Clark moved to approve the minutes from the previous meeting.
 - o **Second:** Tom Thiesen 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.

4. Public Hearing (Action Item): Consideration of a Variance Application from the Kaylea A. Struve Revocable Living Trust (Kaylea Struve) who requests a reduction of the required setback in Section 3.04 of the Woodbury County Zoning Ordinance from 100 ft to 90 ft (a 10 ft reduction) or to a greater or lesser reduction as necessary to accommodate the project (within a range of 1 to 15 ft) on Parcel #884502400003. The property address is 1661 Hancock Ave., Moville, IA 51039.

- **Summary (from Agenda and Packet):** The variance application, filed by Kaylea A. Struve Revocable Living Trust, seeks approval to construct a new addition to the north side of the existing house that aligns with the existing front façade, requesting a reduction of the required setback in Section 3.04 of the Woodbury County Zoning Ordinance from 100 ft to 90 ft (a 10 ft reduction) or to a greater or lesser reduction as necessary to accommodate the project (within a range of 1 to 15 ft, likely under 10 ft). The property owner has filed this variance application to seek relief from Section 3.04 of the Woodbury County Zoning Ordinance pertaining to "Zoning District Dimensional Standards" which requires a minimum front yard setback of 100 feet in the Agricultural Preservation (AP) Zoning District. The proposed addition size is approximately 16' x 28' and subject to changes. The property is located on a 5.47 acre lot identified as

Parcel #884502400003 and is located in Section 2 in T88N R45W (Moville Township) and in the Agricultural Preservation (AP) Zoning District. The property is located about 1.5 miles southeast of Moville on the west side of Hancock Ave. Owner/Applicant: Kaylea A. Struve Revocable Living Trust, 800 Paige Pl., Moville, IA 51039.

- **Public Hearing Opened:** Chair Hair opened the public hearing.
- **Staff Report:** Dan Priestley, Zoning Coordinator.
 - **Details:** Priestley summarized the application, explaining the request for a setback reduction from 100 feet to 90 feet (or within 1-15 feet) to allow a home addition that aligns with the existing structure. He noted the project aims to modernize the home and that the 100-foot setback is problematic due to the existing house's position (built historically before the ordinance). Using Beacon GIS for demonstration, Priestley showed the property's layout relative to Hancock Avenue, highlighting a wider-than-typical right-of-way (about 40 feet instead of 33 feet), which results in the house being at approximately 93-94 feet from the road. The requested range provides flexibility to square the addition with the existing façade without significant constraint. Priestley emphasized that this is a reasonable request given the widened right-of-way and rural setting, aligning with variance criteria under recent Iowa Code amendments focusing on practical difficulties. No written concerns were received; staff recommended approval, as the request satisfies criteria for no public impacts, hardship due to pre-ordinance constraints, and minimal relief needed. He suggested a motion worded as on page 6 of the packet for flexibility.
- **Applicant Presentation:** Brian Struve, 800 Paige Pl., Moville, IA (representing the applicant).
 - **Details:** Struve explained that the addition would not encroach closer to the road than the existing house; it would align evenly with the current façade. The proposed addition is 16 feet by 28 feet on the north side. He confirmed working with builders to ensure feasibility.
- **Board Questions and Discussion During Presentation:** Priestley added that the request is straightforward, far from aggressive setbacks (e.g., not within 20 feet), and the 1-15 foot range provides practical flexibility for alignment. He noted it fits "practical difficulty" criteria, is not contrary to public interest, and does not amend the ordinance de facto. The board discussed motion wording, confirming flexibility up to 15 feet (e.g., reducing to 85-90 feet) based on the site plan. No other questions were raised.
- **Public Comments:** No public comments were received, either in person or via telephone. Priestley entered into the record a verbal inquiry from neighbor Darlow Janssen, who asked about the project and confirmed it was not near property lines; no opposition was expressed.
- **Public Hearing Closed:**
 - **Motion:** Tom Thiesen 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 discussed the application's straightforward nature, noting it as one of the easiest variances in recent memory, exemplifying the board's purpose for such minor, practical relief. No concerns were raised about public interest, hardship, or precedent.
- **Decision:**
 - **Motion:** Pam Clark moved to approve the variance application by Kaylea A. Struve Revocable Living Trust for Parcel #884502400003 at 1661 Hancock Ave., Moville, IA, reducing the front yard setback from 100 feet to 90 feet or minimally within 1-15 feet under Section 3.04.
 - **Second:** Larry Fillipi seconded the motion.
 - **Discussion:** No further discussion was held; Priestley noted post-approval paperwork would take a few days, including coordination with the chair for signature, after which building permits could proceed.
 - **Vote:** Unanimous approval (all present voted "Aye").
- **Outcome:** The variance was approved as requested. The permit will be issued upon administrative resolution preparation; staff will coordinate with the applicant,

5. Public Comment on Matters Not on the Agenda

- **Action:** Chair Hair opened the floor for additional public comments.
- **Outcome:** No comments were received.

6. Staff Update

- **Presenter:** Dan Priestley, Zoning Coordinator.
- **Details:** Priestley provided a brief update on new Iowa legislation affecting elected and appointed officials, requiring training on the Sunshine Law (public meetings, notifications, and board interactions) for new members within approximately 90 days of taking office. Existing members (including reappointments) are grandfathered but encouraged to participate. Training is free, 1.5-2 hours, and covers curriculum from institutions like Iowa State; Priestley is exploring internal delivery options. Failure to complete could result in fines. He distributed information from the Iowa Public Information Board and requested it be received into the record. Additionally, he noted the Board of Supervisors' upcoming public hearings at 4:30 PM on accessory dwelling units and public service garages (starting October 7, 2025, over three weeks). The county is in the open application stage for board positions, with ads in local papers.
- **Action on Distributed Information:**
 - **Motion:** Tom Thiesen moved to receive the Iowa Public Information Board document into the record.
 - **Second:** Pam Clark seconded the motion.
 - **Discussion:** No further discussion was held.
 - **Vote:** Unanimous approval (all present voted "Aye").
 - **See appendix.**
- **Board Inquiry:** No questions were raised.

7. Board Member Comment or Inquiry

- **Details:** No board member comments or inquiries were made.

8. 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 5:18 PM.

Appendix – Received Material. See subsequent pages.



502 East 9th Street
Des Moines, Iowa 50319
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Erika Eckley, JD
Executive Director
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Advisory Opinion 25AO:0008

DATE: July 1, 2025

SUBJECT: Training requirements for newly elected and appointed officials as mandated by H.F. 706

This opinion concerns training requirements for newly elected and appointed officials as mandated by H.F. 706. Advisory opinions may be adopted by the board pursuant to Iowa Code section 23.6(3) and Rule 497-1.2(2): “[t]he board may on its own motion issue opinions without receiving a formal request.” IPIB’s jurisdiction is limited to the application of Iowa Code chapters 21, 22, and 23, and rules in Iowa Administrative Code chapter 497. Advice in a Board opinion, if followed, constitutes a defense to a subsequent complaint based on the same facts and circumstances.

H.F. 706 took effect on July 1, 2025. It created a requirement that all newly elected and appointed officials of a government body attend training on Iowa’s Sunshine laws, codified in Iowa Code chapters 21 and 22. The government body must retain a certificate verifying completion for the elected and appointed officials. The legislation also allows third-party providers to conduct this training after receiving approval of the training by the IPIB. The following is guidance to assist in the implementation of H.F. 706.

NEWLY ELECTED AND APPOINTED OFFICIALS TRAINING REQUIREMENTS

Under H.F. 706 who is required to participate in the open meetings and public records training?

All public officials, newly elected or appointed after July 1, 2025, who are a member of a governmental body. Re-election or re-appointment to the position does not trigger the requirement to attend training. Individuals who were elected or appointed prior to July 1, 2025, are, however, encouraged to take training to stay up to date and better ensure compliance with Iowa’s Sunshine laws, but there is no requirement under H.F. 706 to do so.

Does this include appointed members of boards and commissions?

Yes, if these appointed members are part of a governmental body as defined in Iowa Code § 21.2, then they must receive training.

What if I am elected to another position or appointed to a different Board?

Completing the required training as a member of a governmental body satisfies the training requirements with regard to service on a committee or subcommittee of the governmental body and or on any other governmental body. If moving to a different government body, an individual should request a copy of their training certificate and provide it to the new and/or additional governmental body to maintain for proof of compliance.

Board Members

Joan Corbin • E. J. Giovannetti • Barry Lindahl • Catherine Lucas
Luke Martz • Joel McCrea • Monica McHugh • Jackie Schmillen • vacant

Is there a specific training required?

The training must be at least one hour, but should not be more than two hours. The Iowa Public Information Board (IPIB) will provide training free of charge. The IPIB will conduct quarterly, online trainings for newly elected and appointed officials. The IPIB may develop additional in person and online training resources to meet the needs of public officials. The IPIB will also review and approve training materials from third-party resources. A list of approved training providers will be provided on IPIB's website.

When must the training be completed?

All newly elected or appointed officials must complete an approved training within 90 days of 1. taking the initial oath of office; 2. assuming the responsibilities, if the member is not required to take an oath of office; or 3. after being elected to the office.

How will I document that I have completed the training?

All approved training providers, including IPIB, must provide a certificate of completion. The government body is responsible for maintaining this documentation and must provide it for inspection, upon request. The entity providing the training is responsible for maintaining a record of individuals who have attended the training. For instance, if IPIB provided the training, IPIB will keep a record of the individuals who attended the training.

What if the certificate is lost or never received?

The entity providing the training will provide a replacement certificate upon verification the individual completed the training program.

What if I don't complete the training?

If an individual who is required to complete the training fails to do so, the individual has 60 days to complete the training upon notice of the deficiency. If the individual does not complete the training, then a fine can be assessed. The fines are outlined in Iowa Code § 21.6(3) and range from \$500 for a violation up to \$12,500 if the violation is determined to be knowing and intentional. The fact that a public official has not completed the training requirement will not nullify any actions taken by the government body.

TRAINING APPROVAL REQUIREMENTS**I want to conduct training, what must be included in the training to be approved by IPIB?**

The training must require at least one hour to complete (but not more than two hours) and include information on the following information vital to understanding requirements under Iowa Code chapters 21 and 22 as outlined below. IPIB will provide a copy of its training materials.

Iowa Code Chapter 21

- What are government bodies subject to Chapters 21. (Iowa Code § 21.2(1))
- What is a meeting, including defining deliberation and action? (Iowa Code § 21.2(2))
- Open meetings, public rights and government body permissions (Iowa Code §§ 21.3(1); 21.4(1)(b); 21.7)
- What is notice and the requirements for effecting notice? (Iowa Code § 21.4)
- Electronic meetings (Iowa Code § 21.8)
- Requirements for agendas and minutes under chapter 21 and legal precedent? (Iowa Code §§ 21.3(2); 21.4(2);
- What is a closed session? (Iowa Code § 21.5)
- Procedure for going into closed session and statutory reasons allowed? (Iowa Code § 21.5)
- Procedure during closed session, legal requirements, and actions as a result of closed session? (Iowa Code §§ 21.5(2)-(5))
- Penalties and enforcement for violations (Iowa Code § 21.6)

Iowa Code Chapter 22

- Who is subject to Chapter 22 (public records)? (Iowa Code § 22.1(1))
- What is a record, including discussion of public versus private and the content of the record (Iowa Code § 22.1(3); *Linder v. Eckard; Kirkwood Institute v. Sand*)
- What is a lawful custodian and how to handle the records request (Iowa Code § 22.1(2))
- Who may request public records and how (Iowa Code §§ 22.2; 22.4)
- Time frame for responding to a records request and precedent on “unreasonable delay” Iowa Code § 22.8; *see also Horsfield Materials. v. City of Dyersville; Belin v. Reynolds*
- Costs allowed, small requests, estimates of costs, and pre-payment of estimated costs (Iowa Code § 22.3)
- Costs for legal review for redaction and confidentiality. (Iowa Code § 22.3(2))
- Redaction and confidential records, including commonly relied upon provisions, and any required balancing tests or factors (Iowa Code § 22.7 and various judicial precedents, such as *Mitchell v. City of Cedar Rapids*)
- Settlements by government bodies (Iowa Code § 22.13)
- Enforcement (Iowa Code § 22.10)

What must be included on the certificate provided to the public official completing the training?

The certificate must include the following information: 1. The public official’s name; 2. The government body on which the public official serves; 3. The training program attended and the name of the provider; 4. The date the training was completed.

How can I get my training approved by IPIB?

To be approved by IPIB, the requestor must provide the materials to be presented to the public officials in the format it will be provided. For instance, if the training will be a live presentation, a copy of the powerpoint and/or handouts to be used would be provided. Similarly, if the training is a recorded video, access to the video recording and accompanying documents would be provided.

In addition to providing the training materials, the requestor must provide the following information to IPIB:

1. The person or persons who are expected to conduct the training and their qualifications or the qualifications of the entity providing the training.
2. Documentation on where in the program each of the required components listed above are included. This could be by slide number, time stamp, etc.
3. Statement verifying the program will be at least one hour, but not more than two hours in length.
4. Statement verifying program participants will receive a certificate of completion, the provider will maintain a record of all participants who have completed the approved training, and the provider will verify and reissue lost or missing certificates.
5. Information on how public officials can register and any costs to participants.

All information should be submitted directly to IPIB at ipib@iowa.gov with an email heading stating “Public Officials Training Submission.” If any components requested are not submitted, IPIB will notify the requestor, but will not review the information provided.

Approval of training materials will be subject to formal Board approval.

IPIB also reserves the right to revoke approval if a provider fails to meet any of the components required for approval.

IPIB also reserves the right to modify this guidance and requirements as needed.

BY DIRECTION AND VOTE OF THE BOARD:

Joan Corbin
E.J. Giovannetti
Barry Lindahl
Catherine Lucas
Luke Martz
Joel McCrea
Monica McHugh
Jackie Schmillen

SUBMITTED BY:

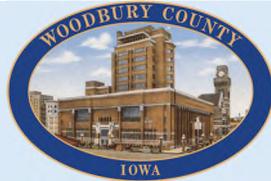
Erika Eckley
Executive Director
Iowa Public Information Board

ISSUED ON:

July 1, 2025

Pursuant to Iowa Administrative Rule 497-1.3(3), a person who has received a board opinion may, within 30 days after the issuance of the opinion, request modification or reconsideration of the opinion. A request for modification or reconsideration shall be deemed denied unless the board acts upon the request within 60 days of receipt of the request. The IPIB may take up modification or reconsideration of an advisory opinion on its own motion within 30 days after the issuance of an opinion.

Pursuant to Iowa Administrative Rule 497-1.3(5), a person who has received a board opinion or advice may petition for a declaratory order pursuant to Iowa Code section 17A.9. The IPIB may refuse to issue a declaratory order to a person who has previously received a board opinion on the same question, unless the requestor demonstrates a significant change in circumstances from those in the board opinion.



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

Owner/Applicant(s): Kevin and Ngu Alons / Kevin Alons
Application Type: Variance
Zoning District: Suburban Residential (SR)
Total Acres: 0.54
Current Use: Residential
Proposed Use: Residential Shed
Pre-application Meeting: December 16, 2025
Application Date: January 5, 2026
Stakeholders Notification Date: January 13, 2026
Legal Notice Date: January 22, 2026
Neighbors' (500') Letter Date: January 16, 2026
Board of Adjustment Public Hearing Date: February 2, 2026

PROPERTY DETAILS

Parcel(s): 874733377004
Township: T87N R47W (Liberty)
Section: 33
Subdivision: Galland's Lakeview Second-Subdivision, Lot 4
Zoning District: SR
Floodplain District: Zone X (Not in floodplain)
Address: 140 Galland St., Salix, IA 51052.
Description: Lot Four (4) in Block Two (2), Galland's Lakeview Second Sub-Division, in the County of Woodbury and State of Iowa. Sec 33-87-47

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VARIANCE APPLICATION DESCRIPTION

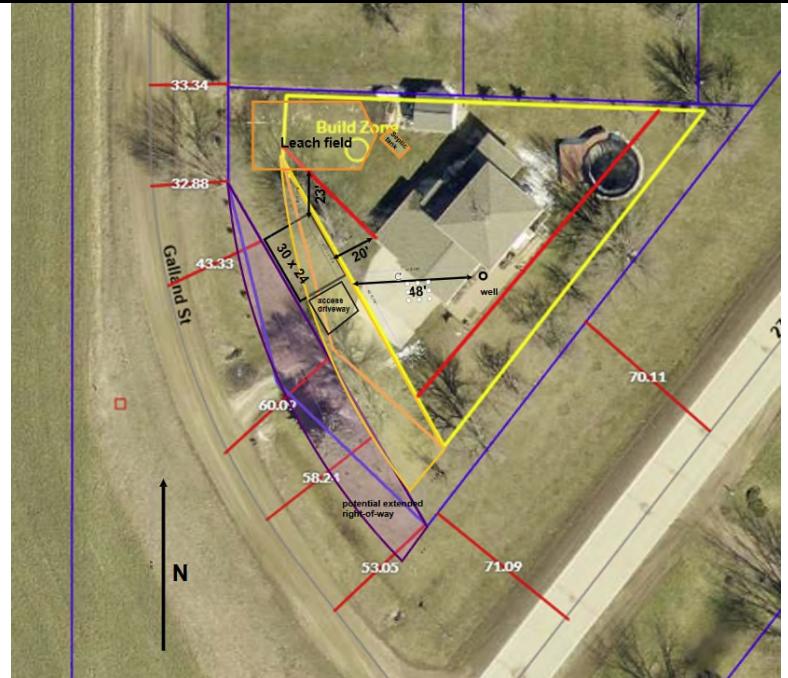
Pursuant to Section 335 of the Code of Iowa, the Woodbury County Board of Adjustment will hold a public hearing to consider a variance application from Kevin Alons for property owned by Kevin and Ngu Alons at 140 Galland St., Salix, IA 51052. The applicant seeks approval to construct a two-story accessory building (approximately 24' x 30', roughly 28' high and subject to change) within the corner side yard setback and/or front yard setback, potentially up to or on the southwest lot line or the right-of-way line, with vehicle storage on the main floor and a wood shop above. Relief is requested from Section 3.04 (Zoning District Dimensional Standards) of the Woodbury County Zoning Ordinance to reduce the Suburban Residential (SR) District's 15-foot corner side yard and/or 25-foot front yard setbacks, and from Sections 4.12.3 and 4.12.4 (Accessory Buildings) governing accessory structure placement in front of the principal structure and height limitations when the accessory structure could exceed the principal structure's height. The parcel is Lot 4 of Galland's Lakeview Second Sub-Division (Parcel #874733377004), a 0.54-acre lot in Section 33, T87N R47W (Liberty Township), located on the east side of Galland Street and the northwest side of 275th Street and in the Suburban Residential (SR) Zoning District. The applicant contends the lot's triangular shape, the existing house, garage and driveway locations, septic and well placement, and unusually large right-of-way areas uniquely constrain building placement and justify the requested variances. Applicant/Owner(s): Kevin and Ngu Alons, 140 Galland St., Salix, IA 51052.

LOCATION MAP



Parcel ID: 874733377004
 Sec/Twp/Rng: 33-87-47
 Property Address: 140 GALLAND ST
 SALIX
 District: 0043
 Brief Tax Description: GALLANDS SUB DIV PART GOVT LOT3 NO 2 33-87-47 LOT4 BLK2
 (Note: Not to be used on legal documents.)

SITE PLAN EXCERPT



STAFF RECOMMENDATION

The application has merits under the updated Iowa Code § 335.15(4), which should guide the Board's decision. The applicant's emphasis on practical difficulties from unique physical features (triangular shape, oversized right-of-ways, pre-existing elements) enables beneficial use of the property for an accessory structure, without self-creation or neighborhood disruption. While the ordinance's "economic hardship" criterion is not ideally met (lacking financial impact evidence), the new law's focus on "practical difficulties" and substantial justice fits well, as literal enforcement would hinder reasonable residential enhancements. The minimal public impacts (limited visibility, no congestion/safety issues) ensure it's not contrary to public interest, observing the ordinance's spirit (e.g., setbacks in Section 3.04, Accessory Buildings in Section 4.12). Based on the site plan, the proposal appears optimal and non-intrusive. Approval is warranted. Denial risks inconsistency with state law's intent to provide relief for dimensional constraints in specific cases such as this one.



OFFICE OF PLANNING AND ZONING WOODBURY COUNTY

Zoning Ordinance
Section 2.02(8)
Page 1 of 3

Variance Application

| | | | |
|---|---|---------------------------|-----------------|
| Owner Information: | | Applicant Information: | |
| Owner | Kevin Alons | Applicant | Kevin Alons |
| Address | 140 Galland St | Address | 140 Galland St |
| | Salix, IA 51052 | | Salix, IA 51052 |
| Phone | [REDACTED] | Phone | [REDACTED] |
| Engineer/Surveyor _____ | | Phone _____ | |
| Property Information: | | | |
| Property Address 140 Galland St Salix 51052 | | | |
| Quarter/Quarter | Sec 33 | Twnshp/Range Liberty | |
| Parcel ID # 874733377004 | GIS # 874733377004 | Total Acres .62 acres .54 | |
| Current Use Residential | Proposed Use Residential | .54 acres | |
| Current Zoning SR | | | |
| <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 Dec. 16, 2025 Staff present Dan Pirsthuy</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> | | | |
| Owner | Applicant | | |
| Date 5 JAN 2026 | Date 5 JAN 2026 | | |
| Fee: \$300 | Case #: 7138 | | |
| Check #: 6106 | Date Received Revised 1/5/26 Received | | |
| Receipt #: _____ | | | |

General

Our primary residence is located at 140 Galland St, which has been a wonderful place to live and we thoroughly enjoy the location close to civilization with great access, plenty of room for our family, and our garden. I have a need for additional storage and personal work space (non-commercial usage) and have struggled to find a location on the remaining space of our small acreage, which is unusually challenging due to its triangle shape, a right-of-way on both the south/west and east sides of the property that is deemed “excessive” by the Woodbury County Engineering department and the location of the existing structures (the house, the garage and the driveway off of Galland St).

The drawing shows the one location that can be suitable for my desired 24x30 building, if I can obtain a variance for an easement allowing the structure to be built up to the property line (which ends up being approximately 15' inside where the right-of-way would normally be located). This location would be entirely within the 25' buffer that is normally required without a variance, but would only be 10' into what this buffer area would be if the right-of-way was located where it customary is defined.

I do intend to pursue getting the right-of-way repositioned with the Woodbury County Engineering department, and have already had multiple conversations with Kyle in the office and have coordinated to pursue this change in the spring (after the spring thaw), but this will likely happen after this variance is already processed (hopefully approved).

This easement request is asking for the following specific relief from the following code sections:

3.04 & Suburban Residential (SR) front, side yard, and corner side yard setbacks to allow the setbacks to be reduced to the lot line. The arguments for this are represented through this application.

4.12.3 – which states that “no accessory structure shall be constructed closer to the front lot line than the front edge of the principal structure or two times the required front yard setback, whichever distance is shorter, except that free-standing on-premise advertising signs may be placed within the front yard setback subject to the setback requirements in subsection 5.02-7.”

The reason for this relief are explained by the fact that the address of 140 Galland St (which is the gravel road on the W/SW side of the property) is not the actual “front” of the property (of which there are only 3 sides). The “front” of the house is clearly the door and face facing the east road (Hiway 275).

4.12.4 – which states that “no detached accessory building or structure shall exceed the height of the principal building or structure.” My goal is for the building to have vehicle storage/work area on the main floor, with a wood shop on the second floor. This would give a building height that exceeds the house by ~ 3', and the reason this is necessary is due to the very low 3/12 pitch that was used on the house (when it was originally constructed). Given the local recommendation to use a steeper pitch for a roof in this area, I ask for relief to construct a building with the internal dimensions that I need while also using standard and best practice design for all aspects of the building.

[Existing house height = 25', note the house has a large TV antenna on the top of the roof which is technically 4' higher but not included in this calculation]

Building details

Building Dimensions = 24' x 30' x 28' [height] (2 stories with 4/12 pitch roof)

Construction = stick built, insulated garage, concrete slab floor with frost footings, 18x8 garage door with single walk-in door and windows on both levels.

Variance Form details:

Section F. (1) (a)

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

The proposed building structure will only be visible to one or two neighbor's property and even though the location is proposed to be up to the right-of-way line, this line is at least 20 feet farther from the normal customary distance of 33 feet from the center of the adjacent gravel road (per the Woodbury County engineers office)

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

The proposed building site, size, location will have impact on traffic flow outside of my property and will not affect any traffic on my property.

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

The building will have absolutely impact on public health or safety as it does not impede access to my property or any other property access, it also does not impede access to the existing house or any living quarters on the property.

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

The proposed project will have absolutely no impact on public services or facilities, it will be located in a location that will not interfere or complicate any public service or facility.

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

The proposed structure will only be visible from a couple properties and will have no impact on sight lines, usage or value of any nearby property. Given that the location on our property is adjacent to a gravel road and an open field, the proposed location is optimal to avoid any potential affects on neighboring property.

Section F. (1) (b)

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

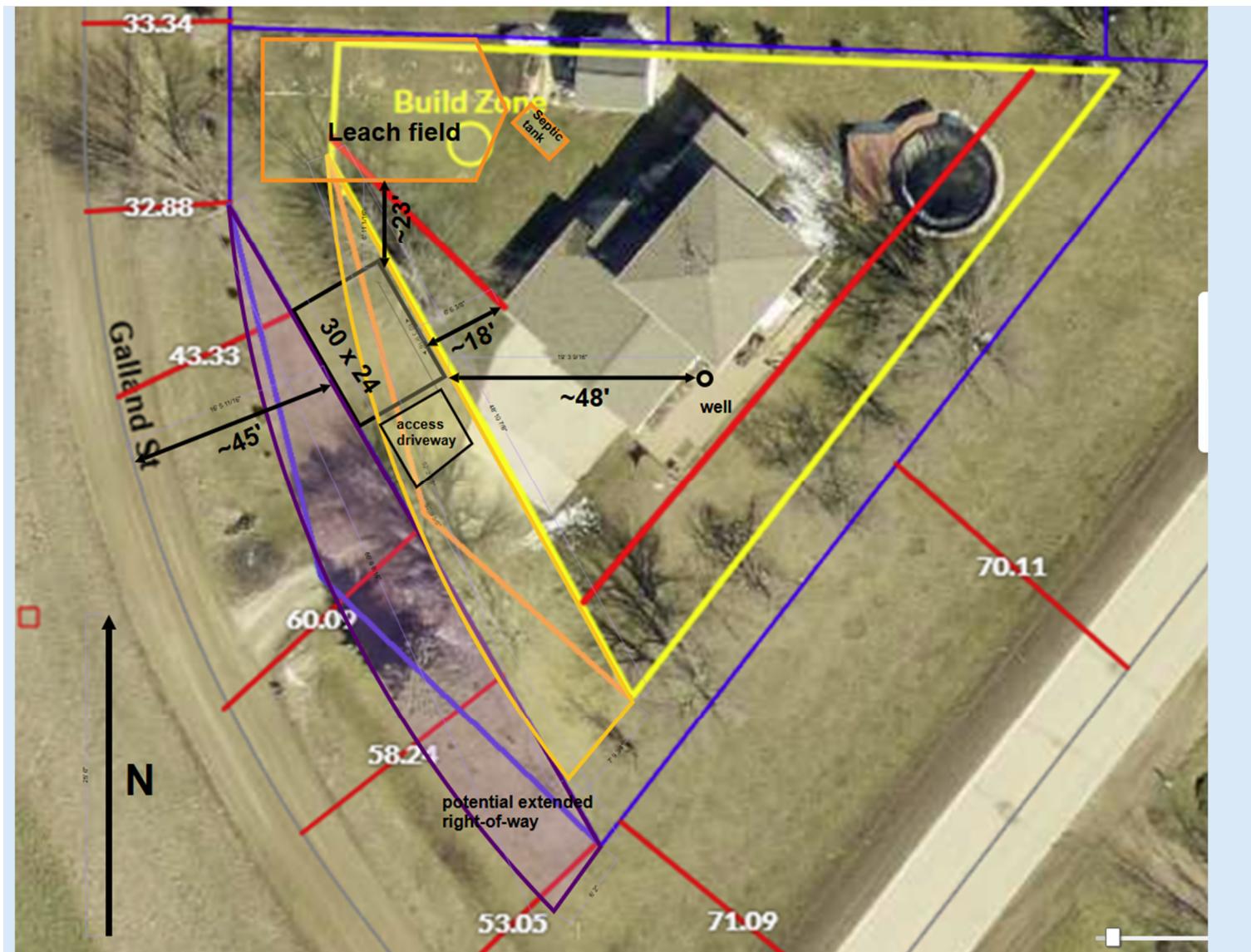
I have a need for a moderately sized shop/building at my residence that can only be constructed at the proposed location due to considerations such as existing structure (house/garage) location, the unusual triangle shape of the property, right-of-way lines (that are excessively large due to the curve of the gravel road and unusual shape of the property), the location of the driveway and where the "front" of the property is on Hiway 275.

(ii) Explain below who the property has unique physical constraints that result in its inability to be used without the granting of the variance.

The triangle lot shape, excessively sized right-of-way(s) on both the gravel and Hiway-275, the septic field location, the well location and the doors, windows and “front” of the house all create the situation where the proposed location for the desired shed is the only suitable location.

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

The house garage (except the 3rd stall) and leaching field locations were established before we purchased this residence over 30 years ago. As previously explained, the unusual shape and other unique limitations of this property very much limit the suitable locations for an additional structure to the proposed location (which the owners have absolutely no control over).





WOODBURY COUNTY, IOWA
APPLICATION FOR BUILDING PERMIT

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

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

Landowner's name: Kevin Alons Phone: 712.389.7016

Mailing Address: 140 Galland St City: Salix Zip: Salix

Structure will be built at (address): 140 Galland St

Occupied by: Kevin Alons

Quarter/quarter _____ Section _____ Civil Township _____
 or

Subdivision Gallands Block 2 Lot(s) 4

Name of Contractor: Self Phone: 712.389.7016

Address of Contractor: 140 Galland St, Salix, IA 51052

Anticipated start date of construction: (month/day/year): 6/2026

Type of structure: wood building on slab Will this be used for business purposes? No

Structure's Value: \$18,000 Size of parcel in acres: .62 acres

Remarks: Variance is also being requested due to excessive right-of-way and odd dimensions

PLEASE READ CAREFULLY.

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

Signature _____

This 26th day of December, 20 25.

Notary Public in and for Woodbury County, Iowa

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

SECTIONS OF ORDINANCE PERTAINING TO VARIANCE REQUEST

Sections 3.04, 4.12.3 and 4.12.4

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. OVERBURDEN 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 building structure will only be visible to one or two neighbor's property and even though the location is proposed to be up to the right-of-way line, this line is at least 20 feet farther from the normal customary distance of 33 feet from the center of the adjacent gravel road (per the Woodbury County engineers office)
- 2. Explain below why granting the variance will not substantially increase congestion of people, buildings or traffic:**
 - The proposed building site, size, location will have impact on traffic flow outside of my property and will not affect any traffic on my property.
- 3. Explain below why granting the variance will not endanger public health or safety:**
 - The building will have absolutely impact on public health or safety as it does not impede access to my property or any other property access, it also does not impede access to the existing house or any living quarters on the property.
- 4. Explain below why granting the variance will not overburden public facilities or services:**
 - The proposed project will have absolutely no impact on public services or facilities, it will be located in a location that will not interfere or complicate any public service or facility.
- 5. Explain below why granting the variance will not impair the enjoyment, use or value of nearby property:**
 - The proposed structure will only be visible from a couple properties and will have no impact on sight lines, usage or value of any nearby property. Given that the location on our property is adjacent to a gravel road and an open field, the proposed location is optimal to avoid any potential affects on neighboring property.

Staff Analysis:

This criterion requires the Board to determine that the variance will not adversely impact nearby properties, substantially increase congestion, endanger public health or safety, overburden public facilities or services, or impair the enjoyment, use, or value of nearby property. The applicant's responses address each subpoint directly, emphasizing minimal visibility and impact due to the property's location adjacent to a gravel road and open field.

- **Adverse Impact on Nearby Properties:** The applicant states the structure will be visible to only one or two neighbors and is positioned up to the right-of-way line, which is at least 20 feet farther from the customary 33-foot distance from the road center (per county engineer). This suggests limited visual or physical intrusion, especially given the rural setting.
- **Substantial Increase in Congestion of People, Buildings, or Traffic:** The applicant asserts no impact on traffic flow outside or on the property, noting the building's size, site, and location do not affect external or internal circulation. This is reasonable for a personal shop/building on a residential lot, unlikely to generate additional activity beyond typical accessory use.
- **Endangerment to Public Health or Safety:** The response claims no impediment to property access, including the existing house, and no effect on other properties. Without details indicating risks (e.g., sight lines for traffic or emergency access), this aligns with the criterion, particularly in a low-density spot.
- **Overburden on Public Facilities or Services:** The applicant states no interference with or complication of public services/facilities. A single accessory structure on private property typically imposes no additional burden, supporting compliance.
- **Impairment to Enjoyment, Use, or Value of Nearby Property:** Visibility is limited to a few properties, with no impact on sight lines, usage, or value, optimized by placement near the road and field. This minimizes aesthetic or functional disruption, meeting the intent.

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 for 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 HARSHSHIP 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:**
 - I have a need for a moderately sized shop/building at my residence that can only be constructed at the proposed location due to considerations such as existing structure (house/garage) location, the unusual triangle shape of the property, right-of-way lines (that are excessively large due to the curve of the gravel road and unusual shape of the property), the location of the driveway and where the "front" of the property is on Hiway

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

- The triangle lot shape, excessively sized right-of-way(s) on both the gravel and Hiway-275, the septic field location, the well location and the doors, windows and "front" of the house all create the situation where the proposed location for the desired shed is the only suitable location.

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

- The house garage (except the 3rd stall) and leaching field locations were established before we purchased this residence over 30 years ago. As previously explained, the unusual shape and other unique limitations of this property very much limit the suitable locations for an additional structure to the proposed location (which the owners have absolutely no control over).

Staff Analysis:

The ordinance requires findings that the property cannot yield a reasonable return without the variance, has unique physical constraints preventing compliance, and the hardship is not owner-created. Notably, it specifies that increased financial return or reduced costs alone are insufficient. However, the new Iowa Code § 335.15(4) relaxes this for dimensional variances, focusing on "practical difficulties" in achieving a beneficial use (e.g., constructing an allowed accessory structure like a shop) due to special conditions, rather than strict economic deprivation. The applicant's responses frame the issue as practical constraints rather than financial loss, which better aligns with the updated state standard.

- **Property Cannot Yield Reasonable Return Without Variance (Ordinance Point 6):** The applicant describes a need for a "moderately sized shop/building" that can only be sited as proposed due to existing structures, triangular lot shape, oversized right-of-ways (from road curve and Highway 275), driveway location, and property orientation. While not claiming financial "return" implies the property cannot be beneficially used for an allowed accessory purpose without relief. Under the ordinance's strict economic lens, this may fall short, as no evidence of lost value or return is provided. However, under the new Iowa Code, it meets the "practical difficulties" threshold, as the variance enables a standard residential benefit (storage/shop) hindered by site specifics.
- **Unique Physical Constraints Preventing Compliance (Ordinance Point 7):** The response highlights the triangular lot, excessive right-of-ways, septic field, well, and house orientation/windows/doors as creating the only viable location. These are inherent to the property (e.g., shape and infrastructure placement), not common, supporting uniqueness. This complies well with both the ordinance and new Code, which require "special conditions" unique to the site.
- **Hardship Not Result of Owner's Actions (Ordinance Point 8):** The applicant notes the house, garage (mostly), and leaching field predate their 30+ year ownership, with the lot shape and limitations beyond their control. No self-creation is evident, satisfying this point under both standards.

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:

This criterion ensures no variance establishes a prohibited use, acts as a de facto amendment (commonly recurring), exceeds minimum relief, or violates floodplain rules without specific factors.

- **No Establishment of Prohibited Use (Ordinance Point 9):** The proposal is for a shop/building, an accessory structure typically allowed in rural/residential districts (e.g., AP/AE/NR/SR per ordinance). No evidence suggests prohibition, so this is met.
- **Not Commonly Recurring (De Facto Amendment) (Ordinance Point 10):** The applicant's constraints (triangular lot, curved road right-of-way, pre-existing infrastructure) are site-specific, not a pattern that would undermine the ordinance (e.g., routine setback waivers). Compliance is evident.
- **No More Than Minimum Relief Needed (Ordinance Point 11):** The request is for placement up to the right-of-way, described as the only suitable spot.
- **Floodplain Provisions (Ordinance Point 12):** Inapplicable, this is satisfied; otherwise, Section 5.03 factors would apply.

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:

Anjana Bhadoriya, 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:

Jan. 22, 2026

NOTICE ID: oljoKs4lulwePKC4Wuto
PUBLISHER ID: COL-IA-502724
NOTICE NAME: BA_2-2-26_VARA
Publication Fee: \$48.99

Anjana Bhadoriya

(Signed) _____

VERIFICATION

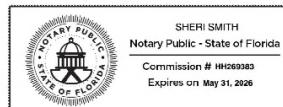
State of Florida
County of Broward

Subscribed in my presence and sworn to before me on this: 01/23/2026

S. Smith

Notary Public

Notarized remotely online using communication technology via Proof.



**NOTICE OF PUBLIC HEARING
BEFORE THE WOODBURY
COUNTY BOARD OF
ADJUSTMENT REGARDING A
VARIANCE REQUEST**

The Woodbury County Board of Adjustment will hold a public hearing on the following item hereafter described in detail on February 2, 2026 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 hearing in person or call: 712-454-1133 and enter the Conference ID: 742 346 1234 during the meeting to listen or comment. However, it is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems. You may forward your written comments by mail or email to: Woodbury County Community and Economic Development, 6th Floor, Woodbury County Courthouse, 620 Douglas St., Sioux City, IA 51101; Emails should be sent to Daniel Priestley at: danielpriestley@woodburycountyiowa.gov. Only signed comments will be considered and should be received no later than 10:00 AM on Wednesday, January 28, 2026.

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 a variance application from Kevin Alons for the property owned by Kevin and Ngu Alons at 140 Galland St., Salix, IA 51052. The applicant seeks approval to construct a two-story accessory building (approximately 24' x 30', roughly 28' high and subject to changes) within the corner side yard setback and/or front yard setback, potentially up to or on the southwest lot line or the right-of-way line, with vehicle storage on the main floor and a wood shop above. Relief is requested from Section 3.14 (Zoning District Dimensional Standards) of the Woodbury County Zoning Ordinance to reduce the Suburban Residential (SR) District's 15-foot corner side yard and/or 25-foot front yard setbacks, and from Sections 4.12.3 and 4.12.4 (Accessory Buildings), governing accessory structure placement in front of the principal structure and height limitations when the accessory structure could exceed the principal structure's height. The parcel is Lot 4 of Galland's Lakewood Second Sub-Division (Parcel 4874733377004), a 0.54-acre lot in Section 33, T87N R47W (Liberty Township), located on the east side of Galland Street and the northwest side of 27th Street and in the Suburban Residential (SR) Zoning District. The applicant asserts the lot's triangular shape, the existing house, garage and driveway locations, septic and well placement, and unusually large right-of-way areas uniquely constrain building placement and justify the requested variances. Applicant/Owner(s): Kevin and Ngu Alons, 140 Galland St., Salix, IA 51052. COL-IA-502724

PROPERTY OWNER(S) NOTIFICATION

| | |
|----------------------------------|------------------------------------|
| Property Owners within 500 Feet: | 39 |
| Notification Letter Date: | January 16, 2026 |
| Public Hearing Board: | Board of Adjustment |
| Public Hearing Date: | February 2, 2026 |
| Phone Inquiries: | 0 |
| Written Inquiries: | 1. See Written Statement(s) Below. |

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 |
|--|-----------------------|-------|----|------------|
| Robert Eugene Dandurand | 101 Jay Street | Salix | IA | 51052 |
| Mark R. Larkin and Lori A. Larkin | 104 Bigelow Park Road | Salix | IA | 51052 |
| Rene McDermott | 104 Jay Street | Salix | IA | 51052 |
| Richard E. Dandurand, II and Alyssa E. Dandurand | 105 Jay Street | Salix | IA | 51052 |
| Kevin L. Morton | 108 Bigelow Park Road | Salix | IA | 51052 |
| Robert Pederson and Suzanne Mason-Pederson | 108 Jay Street | Salix | IA | 51052 |
| Michelle Leisey | 112 Bigelow Park Road | Salix | IA | 51052 |
| George E. Dandurand and Joann E. Dandurand | 113 Jay Street | Salix | IA | 51052 |
| Justin Oehm and Sara L. Bresnahan | 114 Bigelow Park Road | Salix | IA | 51052 |
| Gehling Consulting, LLC | 115 Bigelow Park Road | Salix | IA | 51052 |
| Alan R. J. Mast | 116 Bigelow Park Road | Salix | IA | 51052 |
| Tyler J. Hubert | 121 Burdick Street | Salix | IA | 51052 |
| Daniel B. Goodwin and Susan Goodwin | 125 Burdick Street | Salix | IA | 51052-8132 |
| Ryan D. Waite and Michelle Ann Waite | 126 Nimrod Street | Salix | IA | 51052 |
| Michael Duane Porter, Trustee | 129 Burdick Street | Salix | IA | 51052 |
| Ryan Willis and Lisa Willis | 131 Nimrod Street | Salix | IA | 51052 |
| Lynn M. Towne | 133 Burdick Street | Salix | IA | 51052-8079 |
| Larry J. Schopp and B. Jeanne Schopp | 134 Nimrod Street | Salix | IA | 51052-8048 |
| Christopher J. Case and Julie M. Case | 137 Nimrod Street | Salix | IA | 51052 |
| Cassandra Lichtenberg and Donald Lichtenberg | 138 Nimrod Street | Salix | IA | 51052 |
| Kevin D. Alons and Ngu Alons | 140 Galland Street | Salix | IA | 51052-8101 |
| Robert B. Ankerstjerne | 1401 275th Street | Salix | IA | 51052-8025 |
| Robin Thompson and Jeremiah Thompson | 1402 280th Street | Salix | IA | 51052-8026 |
| Donavan B. Thompson and Jennifer J. Thompson | 141 Burdick Street | Salix | IA | 51052 |
| Lance R. Larson | 141 Nimrod Street | Salix | IA | 51052 |
| Kerry A. Abel and Judy K. Abel | 1410 275th Street | Salix | IA | 51052-8026 |
| Amber Pomranky | 1415 280th Street | Salix | IA | 51052 |
| William P. Walker and Penny A. Walker | 1417 280th Street | Salix | IA | 51052-2084 |
| Jerry B. Gengler and Joan M. Gengler | 1419 280th Street | Salix | IA | 51052 |
| Jean L. Sathre and Steven L. Sathre | 142 Nimrod Street | Salix | IA | 51052 |

| | | | | | |
|---|--------------------------|------------|----|----------------|--------------|
| Steven M. Petersen and Kathleen M. Petersen | 145 Burdick Street | Salix | IA | 51052- 8132 | No comments. |
| Clint M. Lamb and Emily S. Lamb | 145 Nimrod Street | Salix | IA | 51052 | No comments. |
| Gaylen Lee Baker and Peggy Rose Baker | 146 Nimrod Street | Salix | IA | 51052- 8108 | No comments. |
| Logan Ernst | 149 Nimrod Street | Salix | IA | 51052 | No comments. |
| Scott D. Limoges and Patricia Ruth Limoges | 150 Nimrod Street | Salix | IA | 51052- 8108 | No comments. |
| John L. Nelson and Jeri J. Nelson | 153 Nimrod Street | Salix | IA | 51052- 8109 | No comments. |
| Daniel J. Hartley and Sally E. Hartley | 154 Nimrod Street | Salix | IA | 51052 | No comments. |
| Lane M. Jorgensen and Lucinda L. Jorgensen and Leonard and Patricia J. Jorgensen as Trustees of the Joint Revocable Trust of Leonard D. Jorgensen and Patricia J. Jorgensen | 2354 Port Neal Road | Sgt. Bluff | IA | 51054 | No comments. |
| Estate of Neva J. Bean, Thomas Bean, as Executor | 8356 Hunter Brook St. | Las Vegas | NV | 8913- 68269 | No comments. |

Daniel Priestley

From: delgehling@gmail.com on behalf of Delbert Gehling <delitedg@gmail.com>
Sent: Thursday, January 22, 2026 1:22 PM
To: Daniel Priestley
Subject: Board of Adjustment Regarding Variance Request

CAUTION: This email originated from **OUTSIDE** of the organization. Please verify the sender and use caution if the message contains any attachments, links, or requests for information as this person may NOT be who they claim. **If you are asked for your username and password, please call WCICC and DO NOT ENTER any data.**

I received notice of Kevin Alons 140 Galland St. Salix, Iowa 51052 request for a variance request.

At this time I would be opposed to the variance. The county has zoning dimensional standards and they should be followed. If a variance is granted for every reason for everyone, there is no reason to have any zoning regulation. My vote is No.

Del Gehling
124 Nimrod Street
Salix, Iowa 51052
712-389-5621

STAKEHOLDER COMMENTS

| | |
|---|---|
| 911 COMMUNICATIONS CENTER: | No comments. |
| CITY OF SALIX | We have no comments to add. Thank you for sharing this information with Salix! – City Clerk's Office, 1/15/26. |
| 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 the parcel is outside our service territory; we have no comment. – Casey Meinen, 1/13/26. |
| 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 the variance application from Kevin Alons. NIPCO has no issues with this variance. – Jeff Zettel, 1/14/26. |
| 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 request. – Neil Stockfleth, 1/13/26. |
| WOODBURY COUNTY TREASURER: | No comments. |

Woodbury County, IA / Sioux City

Summary

| | |
|-----------------------|---|
| Parcel ID | 874733377004 |
| Alternate ID | 765435 |
| Property Address | 140 GALLAND ST SALIX IA 51052 |
| Sec/Twp/Rng | 33-87-47 |
| Brief Tax Description | GALLANDS SUB DIV PART GOVT LOT3 NO 2 33-87-47 LOT4 BLK2 <i>(Note: Not to be used on legal documents)</i> |
| Deed Book/Page | 332-1736 (8/9/1995) |
| Gross Acres | 0.54 |
| Net Acres | 0.54 |
| Adjusted CSR Pts | 0 |
| Zoning | SR - SUBURBAN RESIDENTIAL |
| District | 0043 LIBERTY/WESTWOOD |
| School District | WESTWOOD COMM |
| Neighborhood | N/A |



Owner

Deed Holder
ALONS KEVIN D & NGU
140 GALLAND ST
SALIX IA 51052-8101
Contract Holder
Mailing Address
ALONS KEVIN D & NGU
140 GALLAND ST
SALIX IA 51052-8101

Land

| Lot Dimensions | Regular Lot: x | Front | Rear | Side 1 | Side 2 |
|----------------|----------------|--------|------|--------|--------|
| Front Footage | | | | | |
| Main Lot | | 210.00 | 0.00 | 223.23 | 225.55 |
| 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 0.54 Acres; 23,561 SF

Residential Dwellings

| | |
|-------------------------|--|
| Residential Dwelling | |
| Occupancy | Single-Family / Owner Occupied |
| Style | 2 Story Frame |
| Architectural Style | N/A |
| Year Built | 1930 |
| Condition | Very Good |
| Roof | Asph / Hip |
| Flooring | |
| Foundation | C Blk |
| Exterior Material | Vinyl |
| Interior Material | Drwl |
| Brick or Stone Veneer | |
| Total Gross Living Area | 1,904 SF |
| Main Area Square Feet | 780 |
| Attic Type | Nonc; |
| Number of Rooms | 7 above; 0 below |
| Number of Bedrooms | 3 above; 0 below |
| Basement Area Type | Full |
| Basement Area | 780 |
| Basement Finished Area | |
| Plumbing | 1 Standard Bath - 3 Fl; 1 Toilet Room (1/2 Bat; |
| Appliances | |
| Central Air | Yes |
| Heat | Yes |
| Fireplaces | |
| Porches | 1S Frame Enclosed (160 SF); |
| Decks | Concrete Patio (630 SF); Wood Deck (176 SF); |
| Additions | 1 Story Frame (132 SF); 1 Story Frame (212 SF); |
| Garages | 884 SF - Att Frame (Built 1974); |

Yard Extras

#1 - (1) Shed W12.00 x L16.00 192 SF, Frame Shed, Low Pricing, Built 2009

Sales

| Date | Seller | Buyer | Recording | Sale Condition - NUTC | Type | Multi Parcel | Amount |
|----------|--------|-------|-----------|--------------------------------|------|--------------|-------------|
| 8/9/1995 | | | 332/1736 | NORMAL ARMS-LENGTH TRANSACTION | Deed | | \$65,000.00 |

Permits

| Permit# | Date | Description | Amount |
|---------|------------|-------------|--------|
| 5202 | 08/10/2009 | Addition | 12,000 |

Valuation

| | 2025 | 2024 | 2023 | 2022 | 2021 |
|---------------------------|-------------|-------------|-------------|-------------|-------------|
| Classification | Residential | Residential | Residential | Residential | Residential |
| + Assessed Land Value | \$37,320 | \$37,320 | \$37,320 | \$37,320 | \$37,320 |
| + Assessed Building Value | \$0 | \$0 | \$0 | \$0 | \$0 |
| + Assessed Dwelling Value | \$212,620 | \$182,920 | \$182,920 | \$133,730 | \$133,730 |
| = Gross Assessed Value | \$249,940 | \$220,240 | \$220,240 | \$171,050 | \$171,050 |
| - Exempt Value | \$0 | \$0 | \$0 | \$0 | \$0 |
| = Net Assessed Value | \$249,940 | \$220,240 | \$220,240 | \$171,050 | \$171,050 |

Sioux City Special Assessments and Fees

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

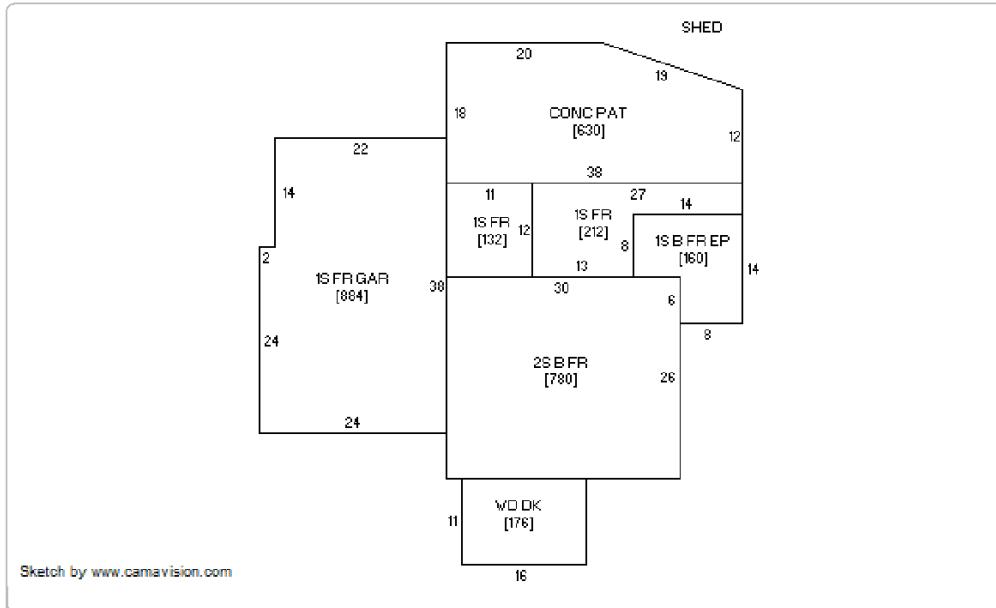
Woodbury County Tax Credit Applications

Apply for Homestead or Military Tax Credit

Photos



Sketches



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

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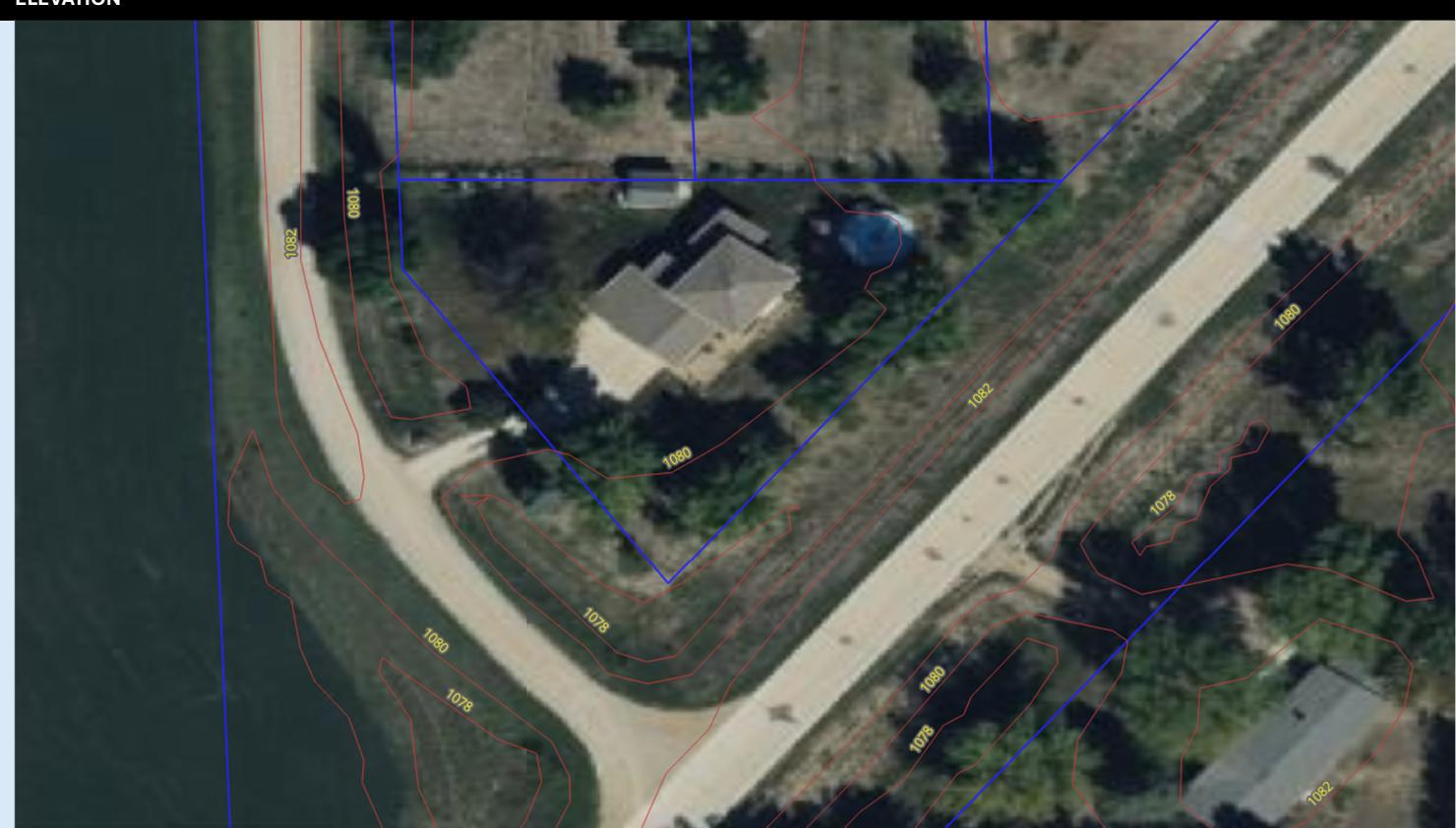
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Developed by
 **SCHNEIDER**
 GEOSPATIAL

PICTOMETRY IMAGERY



ELEVATION



COUNTY ZONING MAP



Overview



Legend

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

| | | | | | |
|-----------------------|---|--------------|--------|---------------|----------------------|
| Parcel ID | 874733377004 | Alternate ID | 765435 | Owner Address | ALONS KEVIN D & NGU |
| Sec/Twp/Rng | 33-87-47 | Class | R | | 140 GALLAND ST |
| Property Address | 140 GALLAND ST SALIX | Acreage | 0.54 | | SALIX, IA 51052-8101 |
| District | 0043 | | | | |
| Brief Tax Description | GALLANDS SUB DIV PART GOVT LOT3 NO 2 33-87-47 LOT4 BLK2 | | | | |
| | (Note: Not to be used on legal documents) | | | | |

SOIL MAP

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



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

Soil Rating Polygons

 = 58

 Not rated or not available

Soil Rating Lines

 = 58

 Not rated or not available

Soil Rating Points

 = 58

 Not rated or not available

Water Features

 Streams and Canals

Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Woodbury County, Iowa
Survey Area Data: Version 35, Sep 9, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 19, 2022—Sep 20, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

12/31/2025
Page 2 of 3

Iowa Corn Suitability Rating CSR2 (IA)

| Map unit symbol | Map unit name | Rating | Acres in AOI | Percent of AOI |
|------------------------------------|---|--------|--------------|----------------|
| 156 | Albaton silty clay, 0 to 2 percent slopes, rarely flooded | 58 | 0.5 | 100.0% |
| Totals for Area of Interest | | | 0.5 | 100.0% |

Description

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

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

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Higher



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12/31/2025
Page 3 of 3

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

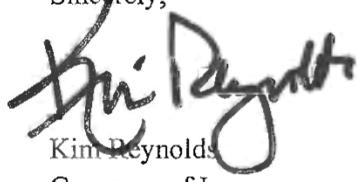
Dear Mr. Secretary,

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.

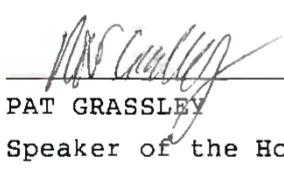
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

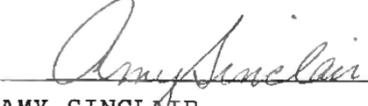
Section 1. Section 335.15, Code 2025, is amended by adding the following new subsection:

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:

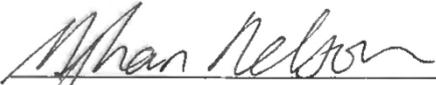
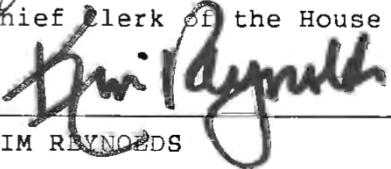
NEW SUBSECTION. 4. To authorize on appeal, in specific cases, such variance from the terms of the ordinance with respect to the area, dimensional, or other numerical limitations as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of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

Approved April 25th, 2025


MEGHAN NELSON
Chief Clerk of the House

KIM REYNOLDS
Governor