

## Minutes - Woodbury County Board of Adjustment – March 2, 2026

The Board of Adjustment meeting convened on the 2nd of March 2026 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/](https://www.woodburycountyiowa.gov/committees/board_of_adjustment/)
- YouTube Direct Link:
  - o <https://www.youtube.com/watch?v=ve-hqI MAEr0>

---

**BA Members Present:** Daniel Hair, Pam Clark, Larry Fillipi, Tom Thiesen, Doyle Turner (via Phone)

**BA Members Absent:** None

**County Staff Present:** Dan Priestley, Dawn Norton

**Public Present:** Darloe Janssen, Corey Parry, Sierra Parry, Jon Wahlberg, Patrick Weaver, Terri Weaver, Scott Watts

### 1. Call to Order & Roll Call

- **Time:** 5:01 PM
- **Action:** Chair Daniel Hair called the meeting to order and conducted roll call.
- **Details:** The meeting was audio-recorded, and minutes were to be prepared. Attendees were requested to silence cell phones or set them to vibrate and complete the attendance sheet. Chair Hair reviewed the board's procedures for the meeting, including handling housekeeping items, public hearings, staff reports, applicant presentations, public comments, board deliberations, motions, votes, and appeals (within 30 days to a court of record). He emphasized 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 (including via telephone).

### 3. Approval of Previous Meeting Minutes

- **Agenda Item:** Approval of the minutes from the February 2, 2026 meeting.
- **Action:**
  - o **Motion:** Pam Clark moved to approve the minutes from the February 2, 2026 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 Conditional Use Permit Application from the City of Merville for a Water System Improvement Project, Including Construction of a Water Treatment Plant, a 400,000-Gallon Water Storage Tower Approximately 70 Feet Above Grade (and Subject to Changes Throughout the Review Process), and Two New Wells on Parcel #894432400024.

- **Public Hearing Opened:** Chair Hair opened the public hearing.
- **Summary (from Agenda and Packet):** The conditional use permit application, filed by Carleigh Noel, Development Services Coordinator, on behalf of the City of Merville, seeks approval for a public use on city-owned property to support a water system improvement project, including construction of a water treatment plant, a water storage tower of approximately 400,000 gallons and subject to changes with an approximate height of 70 feet above grade and subject to changes throughout the review process, and two new wells. The affected property consists of Lots 3, 4, 5, and 6 in Merville Heights Addition, an addition to Woodbury County, Iowa, identified as the combined Parcel #894432400024. The approximately 8-acre property is

located in the Agricultural Estates (AE) Zoning District in Arlington Township (T89N R44W), Section 32, and lies about 1,500 feet south of the City of Merville, on the north side of 160th Street, south of Highway 20, and west of Humboldt Avenue. The owner and applicant is the City of Merville, located at 21 Main Street, P.O. Box 420, Merville, IA 51039, with contact information for Carleigh Noel at 1725 Storm Lake Avenue North, Storm Lake, IA 50588.

- **Staff Report:** Dan Priestley, Zoning Coordinator, summarized the application, noting the property's zoning lot combination into an 8-acre parcel. He referenced the Woodbury County Zoning Commission's recommendation from their February 23, 2026 meeting (pages 8-9 of the packet), signed by Chair Chris Zellmer Zant, emphasizing that the applicant must obtain all necessary federal, state, and local permits prior to construction (including but not limited to grading and right-of-way permits from Woodbury County, if applicable); recommending security fencing as shown on the site plan and maintained for the life of the facility; and suggesting a setback disclaimer regarding the platted 100-foot setbacks from 2004 versus the current AE District 75-foot setbacks. Priestley noted the Zoning Commission meeting had limited public attendance, with Amanda Goodenow of ISG presenting on behalf of the city. No written comments were received prior to the hearing.
- **Applicant Presentation:** Amanda Goodenow (via telephone), representing the City of Merville. Goodenow explained the project involves installing two new wells in the Dakota Aquifer (approximately 300 feet deep), a water tower, and a water treatment plant to replace existing facilities within city limits. The site was selected for its elevation (reducing tower height for cost savings) and good water quality. She addressed the setback issue, noting written permission from the majority lot owner to use the 75-foot setback instead of the platted 100 feet, as the 200-foot chemical setback circles (required by Iowa Code for no-spray zones) fit perfectly within the site at 75 feet; a 100-foot setback would encroach on adjacent farmland, requiring a no-spray agreement. She confirmed test wells were conducted a year and a half ago, and the Iowa DNR construction permit is pending, with extensive test pumping to monitor surrounding wells within 1-2 miles.
- **Board Questions and Discussion During Presentation:** Board members sought clarification on the distance to nearby structures (approximately 400 feet to the east lot), aquifer details (Dakota Aquifer is confined, fed by long-term percolation, not affected by drought), and DNR oversight (construction permit allows drilling, but water use permit requires no impact on surrounding wells; worst-case could require deeper aquifer). Doyle Turner commented on Dakota Sandstone yields, noting no anticipated water shortages.

**Public Comments:** Darloe Janssen, 4620 Grant St., Sioux City, IA 51108, expressed concerns about well depth, potential impact on surrounding wells (including his property east of the site and a neighbor's feedlots across the road), lack of notification for the neighbor, and drought effects on local water levels; his well is 208 feet deep in the Sand and Gravel aquifer. Jon Wahlberg (via telephone), 2758 160th St., Merville, IA, claimed first rights to the aquifer (his 100-foot well since 1973-1976), questioned the 200-foot spray setback (confirmed as fully on city property), and noted his well is in the Sand and Gravel aquifer. Goodenow responded that impacts are unlikely due to different aquifers, but DNR will monitor and deny permits if concerns arise; notifications may occur during DNR processing.
- **Public Hearing Closed:**
  - **Motion:** Larry Fillipi
  - moved to close the public hearing.
  - **Second:** Pam Clark seconded the motion.
  - **Discussion:** No further discussion was held.
  - **Vote:** Unanimous approval (all present voted "Aye").
  - **Outcome:** The public hearing was closed.
- **Board Deliberation:** The board found the project aligns with county regulations, with water concerns under DNR jurisdiction. Priestley noted multi-tier permitting (e.g., floodplain development for water mains) and recommended incorporating Zoning Commission conditions. The board received water main plans into the record (motion by Pam Clark, second by Larry Fillipi, unanimous "Aye"). (The plans are on file with the Planning and Zoning Office)
- **Decision:**
  - **Motion:** Pam Clark moved to approve the conditional use permit application with the following conditions: The applicant must obtain all other necessary federal, state, and local permits prior to construction, including but not limited to grading and right-of-way permits from Woodbury County, if applicable, and provide copies to the Woodbury County Planning and Zoning Office; the security fencing shown on the site plan shall be installed and maintained for the life of the facility; include

the reference disclaimer within any resolution regarding the zoning ordinance setback requirements and make expectations clear to the City of Merville with a letter of explanation and resolution.

- 
- **Second:** Tom Thiesen seconded the motion.
- **Discussion:** No further discussion was held. Priestley noted a resolution would be prepared administratively, with a letter from the chair clarifying expectations.
- **Vote:** Unanimous approval (all present voted “Aye”).
- **Outcome:** The conditional use permit was approved as requested with conditions. The resolution will be prepared administratively.

**5. Public Hearing (Action Item): Consideration of a Variance Application from Corey and Sierra Parry Who Seek Relief from Section 4.12.2 of the Woodbury County Zoning Ordinance, Which Prohibits Construction of an Accessory Building Until Construction of the Principal Building Has Commenced on Parcel #894420476011. The Property Address is 1370 Highway 140, Merville, IA 51039.**

- **Public Hearing Opened:** Chair Hair opened the public hearing.
- **Summary (from Agenda and Packet):** The variance application, filed by Corey and Sierra Parry, seeks approval to construct an approximately 50' x 80' shed (subject to potential changes) before completing their principal structure, a single-family dwelling, on their property located at Lot Eleven (11), Block Two (2) 'Wood River Development, Woodbury County, Iowa' Parcel #894420476011, consisting of 2.49 acres in the Agricultural Estates (AE) Zoning District in Arlington Township (T89N R44W), Section 20, Northeast Quarter of the Southeast Quarter, situated more than 0.5 miles north of Merville just south of where Humboldt Avenue meets Highway 140, on the southeast side of Highway 140 and the west side of Humboldt Avenue. Although foundations for both the house and shed would begin at the same time, the applicants intend to prioritize and finish the shed first, seeking relief from Section 4.12.2 of the Woodbury County Zoning Ordinance (page 45), which prohibits construction of an accessory building until construction of the principal building has commenced. The owners and applicants are Corey and Sierra Parry, residing at 731 Florence Avenue, Sioux City, IA 51109. No written comments were received.
- **Staff Report:** Dan Priestley, Zoning Coordinator, summarized the application, noting the core issue is sequencing construction due to practical difficulties. He referenced the variance questionnaire (page 47 of the packet) and past precedents for similar requests. Staff views the application as having merit under the practical difficulty standard from recent Iowa Code amendments. Priestley noted driveway access concerns with the Iowa DOT are for building permit stage, not the variance.
- **Applicant Presentation:** Corey Parry, 731 Florence Avenue, Sioux City, IA 51109 (Applicant). Parry explained that septic, plumbing, electrical rough-in, and slab foundations for both structures would commence simultaneously; they would then prioritize framing and enclosing the shed (estimated 3 months or less) to store materials, tools, and allow on-site living in a camper (plugged in via outlet, with a basic bathroom in the shed). Focus would shift to the house immediately after, with framing by applicants and other work by contractors. The entire project is anticipated within 1 year, aligned with construction loan requirements, starting ideally by May 1, 2026. He confirmed structures meet or exceed subdivision covenants and AE setbacks (house at 100 feet from highway, shed behind). Driveway uses existing access; DOT permit for residential change is in process, potentially requiring new culvert.
- **Board Questions and Discussion During Presentation:** Board members clarified timeline (shed 3 months max, total project 1 year; materials for shed first, but house materials soon after for shared equipment rental), good faith assurances (precedent for timelines; discussion on 1-2 years for flexibility with Mother Nature/contractors), and positioning (house closer to highway, both within buildable area per survey). Priestley noted building permits require 180 days to commence and 1 year to complete (renewable), with staff monitoring; variance focuses on sequencing, not driveway.
- **Public Comments:** No in-person or telephonic public comments were received.
- **Public Hearing Closed:**
  - **Motion:** Tom Thiesen moved to close the public hearing.
  - **Second:** Pam Clark seconded the motion.
  - **Discussion:** No further discussion was held.
  - **Vote:** Unanimous approval (all present voted “Aye”).
  - **Outcome:** The public hearing was closed.
- **Board Deliberation:** The board found the request aligns with precedents, citing practical difficulties in sequencing for on-site efficiency. A 2-year timeline for house completion was deemed reasonable for flexibility, with staff monitoring via permits and updates.
- **Decision:**

- **Motion:** Larry Fillipi moved to approve the variance request submitted by Corey and Sierra Parry for the property located at Parcel #894420476011, Lot 11 Wood River Development in Section 20, Township 89N Range 44W Arlington Township zoned Agricultural Estates (AE) to allow construction and completion of an approximately (subject to change) 50' x 80' accessory building (shed) prior to completion of the principal structure (single-family dwelling) as a waiver from the requirements of Section 4.12.2 of the Woodbury County Zoning Ordinance. The approval is subject to the following conditions: The principal dwelling (house) shall be completed within two years from the date of this approval; the shed shall comply with all applicable setbacks, dimensional standards, and building permit requirements in the AE Zoning District.
- **Second:** Tom Thiesen 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 with conditions. The resolution will be prepared administratively.

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

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

#### 7. Staff Update

- **Presenter:** Dan Priestley, Zoning Coordinator.
- **Details:** Priestley updated the board on recent Iowa legislation requiring training on public meetings and information laws for elected and appointed officials. He had prepared an internal course but initially learned counties cannot self-train; however, after seeing Linn and Scott Counties reinstated as providers, he submitted an application for approval as a trainer. Pending approval (optimistic), he plans to hold a 1.5-hour session, possibly replacing Iowa State training this year. Current members are grandfathered, but training is still recommended. Upcoming meetings may include more items as spring/summer approaches. No action was taken.

#### 8. Board Member Comment or Inquiry

- **Details:** No comments or inquiries were received.

#### 9. 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 6:09 PM.

#### 10. Appendix

- **Received materials:** On file with the Woodbury County Planning and Zoning Office.