

Minutes - Woodbury County Board of Adjustment – April 6, 2026

The Board of Adjustment meeting convened on the 6th Day of April 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/
- YouTube Direct Link:
 - o <https://www.youtube.com/watch?v=B4Q-UqM8H8I>

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

BA Members Absent: None

County Staff Present: Dan Priestley, Dawn Norton

Public Present: Robert Sweatt, Deborah Sweatt, Jaime Thomas, Tracy Kamradt, Brian Mesz, Tom Kimmel, Kendra Kamradt, Shaughn Benson, Kent & Michele Ivener, Bryan Mesz

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 March 2, 2026 meeting.
- **Action:**
 - o **Motion:** Tom Thiesen moved to approve the minutes from the March 2, 2026 meeting.
 - o **Second:** Larry Fillipi seconded the motion.
 - o **Discussion:** No further discussion was held.
 - o **Vote:** Unanimous approval (all present voted "Aye").
- **Outcome:** The minutes were approved as presented.

4. Public Hearing (Action Item): Consideration of a Conditional Use Permit Application – Temporary Borrow Pit (Borrow Site) for Extraction and Supply of Earth Materials for the I-29 / 235th Street (Southbridge) Interchange Project, Including Approximately 400,000 Cubic Yards of Material with Operations Tentatively Scheduled from Spring 2026 through Fall 2027 (and Subject to Changes Throughout the Review Process), on Parcels #874707200001 and #874707200002, Located at or Near 2257 Port Neal Road, Sergeant Bluff, Iowa 51054.

- **Public Hearing Opened:** Chair Hair opened the public hearing.
- **Summary (from Agenda and Packet):** The conditional use permit application, submitted by Peterson Contractors, Inc. (Applicant) on behalf of the property owners Kimmel Family Farms LLC, Kent W. Ivener Living Trust, and Maxys Family Farm LLC, requests approval for a temporary borrow site to extract and supply soil material for the I-29 / 235th Street (Southbridge) Interchange Project. The applicant indicated a

need for approximately 400,000 cubic yards of material, with operations proposed to support construction tentatively scheduled from Spring 2026 through Fall 2027; however, the final volume, duration, and operational details remain subject to modification, conditions, or adjustments as determined through the review process. The affected property consists of Parcels 874707200001 (approximately 38.95 acres) and 874707200002 (approximately 21.27 acres), totaling approximately 60.22 acres, in the General Industrial (GI) Zoning District, Liberty Township (T87N R47W), Section 7 (NE ¼). The property is located west of Port Neal Road and north of 235th Street. The project is classified as a borrow pit for earth materials under Section 3.03.4 of the Woodbury County Zoning Ordinance.

- **Staff Report:** Dan Priestley, Zoning Coordinator, summarized the application, noting the Zoning Commission's review and recommendation for approval at their March 23, 2026 meeting (recommendation letter and draft minutes in the packet), including nine recommended conditions.
- **Applicant Presentation:** Jaime Thomas (Peterson Contractors, Inc., Reinbeck, IA) appeared on behalf of the applicant. He provided a brief overview of the project to haul dirt for the interchange ramps, bridge, and new road. The borrow pit is designed to become a permanent pond after extraction, with surrounding areas remaining farmable. In response to board questions, he confirmed operations would primarily occur in 2026 with completion by the end of 2027 (subject to weather or other factors).
- **Board Questions and Discussion During Presentation:** Board members discussed elevation changes (permanent pond), timeline, and the Zoning Commission's recommended expiration of December 31, 2028 (one year beyond the applicant's anticipated completion). No written comments were received prior to the hearing.
- **Public Comments:** No in-person or telephonic public comments were received.
- **Public Hearing Closed:**
 - **Motion:** Larry Fillipi moved to close the public hearing.
 - **Second:** Doyle Turner 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 to be a straightforward conditional use permit consistent with prior borrow pit approvals and the Zoning Commission's recommendation. The board agreed the nine conditions were reasonable and standard; one additional condition (control of primary noxious weeds) was added.
- **Decision:**
 - **Motion:** Pam Clark moved to approve the conditional use permit application subject to the nine conditions listed in the Zoning Commission's recommendation letter (pages 10 and 11 of the packet), along with the added condition of control of primary noxious weeds.
 - **Second:** Doyle Turner seconded the motion.
 - **Discussion:** No further discussion was held. Priestley noted the permit would be prepared administratively.
 - **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 Robert Sweatt on Behalf of the Property Owners Robert Sweatt and Deborah Sweatt to Seek Relief to Measure the Front Yard Setback from the Front Lot Line (Right-of-Way Line) Along 250th Street on a Legal Nonconforming Lot Instead of the Requirements of a Flag Lot for the Purposes of Building a Single-Family Dwelling (House) and Accessory Building on Parcel #874617300004 at 1911 250th St., Salix, Iowa 51052.

- **Public Hearing Opened:** Chair Hair opened the public hearing.
- **Summary (from Agenda and Packet):** The variance application pertains to the parcel numbered 874617300004, consisting of approximately 1.18 acres (excluding rights-of-way) at 1911 250th St., Salix, Iowa 51052, in Grange Township (T87N R46W), Section 17 (SW ¼ of the SW ¼), in the Agricultural Estates (AE) Zoning District. The property is a legal nonconforming lot situated on a corner lot and lies within the Special Flood Hazard Area (SFHA) – Zone A of the floodplain. The applicants seek to construct a single-family residence and an accessory building (shed). They request relief from Section 4.03.5 of the Woodbury County Zoning Ordinance (flag lot front yard setback measurement) and Section 3.04 (AE Zoning District dimensional standards requiring minimum 2-acre lot area and 200 feet of frontage). The lot is considered a legal nonconforming lot of record under Section 4.02.3. The variance would allow

measurement of the front yard setback from the 250th Street right-of-way rather than from the Dallas Avenue right-of-way.

- **Staff Report:** Dan Priestley, Zoning Coordinator, summarized the application and requested that two new items be received into the record: (1) a statement from Gary Walters (Garrets Drainage District) regarding the planned driveway crossing a lateral of the drainage district, and (2) the April 6, 2026 updated county engineer memo (including attached driveway application) confirming the proposed 250th Street driveway meets current entrance requirements and that the existing Dallas Avenue driveway will be removed.
- **Motion to Receive New Material:**
 - **Motion:** Daniel Hair moved to receive the new material into the record from Gary Walters and an updated review memo from Woodbury County Engineer include an attached driveway application.
 - **Second:** Larry Fillipi seconded the motion.
 - **Vote:** Unanimous approval (all present voted “Aye”).
- **Applicant Presentation:** Robert Sweatt (509 E Street, Sergeant Bluff, IA) appeared on behalf of the owners. He explained the purchase of the lot last year for their forever home and preference for paved 250th Street access (versus gravel Dallas Avenue) due to winter conditions and mud. Construction is planned for this year. He confirmed coordination with Secondary Roads on the driveway location (125 feet from Dallas Avenue edge).
- **Board Questions and Discussion During Presentation:** Board members and staff discussed the corner lot configuration, floodplain (Zone A) requirements (elevation 1 foot above BFE with surveyor certification and 18-foot extension beyond walls), driveway safety clarification (prior removal was at previous owner’s request, not county public safety concern; new location meets minimum standards), and Secondary Roads policies. County Engineer Laura Sievers confirmed the proposed driveway meets requirements and clarified the prior safety note was based on the previous owner’s request. No public comments were received.
- **Public Comments:** No in-person or telephonic public comments were received.
- **Public Hearing Closed:**
 - **Motion:** Pam Clark moved to close the public hearing.
 - **Second:** Larry Fillipi seconded the motion.
 - **Discussion:** No further discussion was held.
 - **Vote:** Unanimous approval (all present voted “Aye”).
 - **Outcome:** The public hearing was closed.
- **Board Deliberation:** The board found the request presented practical difficulties consistent with recent Iowa Code amendments, with the updated county engineer memo resolving driveway concerns. The board emphasized the need for full compliance with all county regulations, particularly floodplain requirements under Section 5.03.
- **Decision:**
 - **Motion:** Larry Fillipi moved to approve the variance request submitted by Robert Sweatt on behalf of the property owners Robert Sweatt and Deborah Sweatt for the property located at Parcel #874617300004 at 1911 250th St., Salix, Iowa 51052 to allow measurement of the front yard setback from the 250th Street right-of-way line instead of the requirements of a flag lot for the purposes of building a single-family dwelling and accessory building as a waiver from the requirements of Section 4.03.5 of the Woodbury County Zoning Ordinance. The approval is subject to the following conditions: The applicant must follow all county zoning regulations regarding the permitting of the house and shed, not limited to Section 5.03 of the floodplain regulations and all other applicable county regulations.
 - **Second:** Doyle Turner seconded the motion.
 - **Discussion:** No further discussion was held.
 - **Vote:** Unanimous approval (all present voted “Aye”).
 - **Outcome:** The variance was approved as requested with conditions. The resolution will be prepared administratively.

6. Public Hearing (Action Item): Consideration of a Variance Application from Tracy C. Kamradt and Jason M. Kamradt for an Accessory Building (Shed) to Be Built Closer to the Front Lot Line (Right-of-Way Line) and in Front of the Principal Structure (House) in the Agricultural Estates (AE) Zoning District on Parcel #864712300007 at 3007 Cass Avenue, Salix, Iowa.

- **Public Hearing Opened:** Chair Hair opened the public hearing.

- **Summary (from Agenda and Packet):** The variance application pertains to the parcel numbered 864712300007 (5.81 acres) at 3007 Cass Avenue, Salix, Iowa 51052, in Lakeport Township (T86N R47W), Section 12 (SE ¼ of the SW ¼, Government Lot 1 and Lot A of Sand Hill Lake), in the AE Zoning District. The applicants seek to construct an accessory building (shed) measuring approximately 40' x 30' x 12'4" (subject to adjustments). They request relief from Section 4.12.3 (prohibiting accessory structures closer to the front lot line than the front edge of the principal dwelling or twice the required front yard setback) and Section 3.04 (AE minimum 75-foot front yard setback). The proposal places the shed closer to the front lot line than the principal dwelling at a setback of 20 feet or less. A substantial portion of the property lies within Special Flood Hazard Area (Flood Zone AE), constraining buildable area.
- **Staff Report:** Dan Priestley, Zoning Coordinator, summarized the application, noting the floodplain constraints (Zone AE and Zone X/500-year) and county engineer comments on snow drifting and right-of-way proximity.
- **Applicant Presentation:** Brian Mesz (1620 140th St., Sioux City, IA), speaking on behalf of the applicants Tracy C. Kamradt and Jason M. Kamradt (3007 Cass Avenue, Salix, IA), presented a sketch and two photographs (received into the record) showing the proposed location in the yellow (Zone X) area to avoid the blue (Zone AE) floodplain. He noted the building grade is approximately 9 feet below the road, with mature trees providing windbreak, and offered flexibility to adjust within the yellow zone. Tracy Kamradt confirmed the location and constraints.
 - **Motion:** Larry Flippi moved to receive the sketch from Brian Mesz into the record.
 - **Second:** Doyle Turner seconded the motion.
 - **Vote:** Unanimous approval (all present voted "Aye").
 - **Motion:** Doyle Turner moved to receive the photographs from Brian Mesz into the record.
 - **Second:** Tom Thiesen seconded the motion.
 - **Vote:** Unanimous approval (all present voted "Aye").
- **Board Questions and Discussion During Presentation:** Extensive discussion occurred with County Engineer Laura Sievers regarding snow drifting, right-of-way proximity, and safety/maintenance concerns. Board members and staff reviewed practical difficulties due to the floodplain constraining buildable area, Beacon mapping limitations (not a survey), and the need for a site plan demonstrating the structure is out of Zone AE. The board considered a 20-foot setback, stay-out-of-floodplain requirement, and build-at-own-risk disclaimer. No public comments were received.
- **Public Hearing Closed:**
 - **Motion:** Doyle Turner moved to close the public hearing.
 - **Second:** Larry Fillipi seconded the motion.
 - **Vote:** Unanimous approval (all present voted "Aye").
 - **Outcome:** The public hearing was closed.
- **Board Deliberation:** The board found practical difficulties due to floodplain constraints (unique lot characteristics limiting placement options) and determined the request met the variance criteria under recent Iowa Code amendments. A 20-foot setback from the right-of-way, requirement to stay out of the AE floodplain, and a build-at-own-risk disclaimer were deemed appropriate, with the burden on the applicant to provide a site plan confirming location. Pam Clark stepped out of the meeting during deliberation.
- **Pam Clark** announced she is departing the meeting.
- **Decision:**
 - **Motion:** Daniel Hair moved to approve the variance request submitted by Tracy C. Kamradt and Jason M. Kamradt for the property located at Parcel #864712300007 at 3007 Cass Avenue, Salix, Iowa to allow the accessory building (shed) to be built in front of the principal structure (house) and within and up to 20 feet of the county right-of-way line out of the AE floodplain, with the disclaimer that this building will be built at the owner's own risk and must stay out of the AE floodplain, as a waiver from the requirements of Sections 4.12.3 and 3.04 of the Woodbury County Zoning Ordinance.
 - **Second:** Doyle Turner seconded the motion.
 - **Discussion:** No further discussion was held.
 - **Vote:** Approved 4-0 (Pam Clark not present).
 - **Outcome:** The variance was approved as requested with conditions. The resolution will be prepared administratively.

7. Public Hearing (Action Item): Consideration of a Variance Application from Shaughn M. Benson and Shawna M. Benson for an Accessory Building/Machine Shed to Be Built Closer to the Front Lot Line (Right-of-Way Line) with Reduced Front Yard Setback and in Front of the Principal Structure (House) in the

Agricultural Preservation (AP) Zoning District on Parcel #894313300001 at 1248 Lenox Ave., Pierson, Iowa 51048.

- **Public Hearing Opened:** Chair Hair opened the public hearing.
- **Summary (from Agenda and Packet):** The variance application pertains to the parcel numbered 894313300001 (11.85 acres) at 1248 Lenox Ave., Pierson, Iowa 51048, in Rutland Township (T89N R43W, SW ¼ of the SW ¼ and NW ¼ of the SW ¼), in the Agricultural Preservation (AP) Zoning District. The applicants seek to construct an accessory building/machine shed measuring 40' x 80' x 28' total height (subject to adjustments). They request relief from Section 4.12.3 (prohibiting accessory structures closer to the front lot line than the front edge of the principal dwelling or twice the required front yard setback) and Section 3.04 (AP minimum 100-foot front yard setback). The proposal places the shed closer to the front lot line than the house at a setback of 50 feet or less. Property constraints include rolling hills/elevation changes, wooded grove, septic/leach field, existing buildings, and creeks.
- **Staff Report:** Dan Priestley, Zoning Coordinator, summarized the application, noting topography, family accessibility needs, and county engineer comments.
- **Applicant Presentation:** Shaughn M. Benson (1248 Lenox Ave., Pierson, IA) appeared on behalf of the owners. He explained the need for the shed east of the house for accessibility (straight shot, avoiding hills and creeks) and proposed a loop driveway within the property for better vehicle access (no changes to Lenox Avenue approaches). He noted the rezoning from agricultural to AP and provided flexibility with “50 feet or less.”
- **Board Questions and Discussion During Presentation:** Board members reviewed the site constraints, driveway loop, and front lot line definition (Lenox Avenue as the servicing road). No public comments were received.
- **Public Hearing Closed:**
 - **Motion:** Doyle Turner moved to close the public hearing.
 - **Second:** Larry Fillipi seconded the motion.
 - **Vote:** Approved 4-0 (Pam Clark not present).
 - **Outcome:** The public hearing was closed.
- **Board Deliberation:** The board found the request to be a textbook variance due to practical difficulties from topography and family accessibility needs (not self-created), with no impact on rural character or public safety. The layout fits the property naturally.
- **Decision:**
 - **Motion:** Doyle Turner moved to approve the variance request submitted by Shaughn M. Benson and Shawna M. Benson for the property located at Parcel #894313300001 at 1248 Lenox Ave., Pierson, Iowa 51048 to allow the accessory building/machine shed to be built in front of the principal structure and up to 50 feet from the right-of-way line as a waiver from the requirements of Sections 4.12.3 and 3.04 of the Woodbury County Zoning Ordinance.
 - **Second:** Tom Thiesen seconded the motion.
 - **Discussion:** No further discussion was held.
 - **Vote:** Approved 4-0 (Pam Clark not present).
 - **Outcome:** The variance was approved as requested with conditions. The resolution will be prepared administratively.

8. Public Comment on Matters Not on the Agenda

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

9. Staff Update

- **Presenter:** Dan Priestley, Zoning Coordinator.
- **Details:** Priestley announced that the Iowa Public Information Board has granted approval for him (via the Planning and Zoning Office) to provide the required training on public meetings and information laws (Iowa Code Chapters 21 and 22) for elected and appointed officials. He noted the application process, curriculum review, and that Woodbury County is now a listed provider (pending website update). Current board members are grandfathered, but training is recommended. Future sessions (approximately 1.5 hours) may be scheduled in conjunction with board meetings, with invitations extended to other local jurisdictions at no cost. No action was taken.

10. Board Member Comment or Inquiry

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

11. Adjournment

- **Action:**
 - **Motion:** Larry Fillipi moved to adjourn the meeting.
 - **Second:** Tom Thiesen 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:**

Daniel Priestley

From: Gary Walters <garywalters5504@gmail.com>
Sent: Tuesday, March 17, 2026 3:44 PM
To: Daniel Priestley
Subject: Sweatt property 1911 250th St

Follow Up Flag: Follow up
Flag Status: Flagged

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.**

Dear Dan,

Thank you for submitting the variance application to me for this property.

My only comment would be relative to the planned driveway/access lane into the new proposed home/garage. The driveway does cross a lateral of the Garretson drainage district. If there are any plans to relocate the existing driveway I would simply suggest that the applicant be aware of the governance restrictions of the drainage district.

Gary Walters
Co-owner of land in sec 18 of Grange twp and trustee of the Farmers Drainage District

Received from zoning staff.



Woodbury County Secondary Roads Department

759 E. Frontage Road · Merville, Iowa 51039

Telephone (712) 279-6484 · (712) 873-3215 · Fax (712) 873-3235

To: Dan Priestley, Woodbury County Zoning Coordinator
From: Laura Sievers, PE, Woodbury County Engineer
Date: April 6, 2026 - UPDATED
Subject: Sweatt Variance

Secondary Roads has reviewed the Sweatt Variance request for the property located at 1911 250th Street, Sergeant Bluff, Iowa 51052. The documents submitted reference a proposed driveway location along 250th Street.

The landowner has worked with Secondary Roads to identify a driveway location that meets current entrance permit requirements. An entrance permit application has been submitted for the proposed driveway on 250th Street. The existing driveway on Dallas Avenue will be removed at the time the new entrance on 250th Street is constructed. Please see the attached driveway application.

Any future modifications to the entrance location or configuration will require submission of a new entrance permit application and must meet all current Secondary Roads standards in effect at the time of application, including required sight distance.

This review is provided for zoning purposes only and does not constitute the final approval of the entrance permit.

Received from county staff.

Woodbury County Entrance Permit

Owner/Applicant Name <i>Robert Sweatt</i>		Address <i>509 East</i>		
Phone Number	Cell Number	City <i>Sgt Bluff</i>	State <i>IA</i>	Zip <i>51054</i>
Email Address				
Applicant Signature <i>x Robert Sweatt</i>				Date
Contractor's Name <i>SMAC</i>		Address		
Phone Number	Cell Number	City	State	Zip
Email Address				
Road Name <i>250th</i>	Section No. <i>17</i>	Township (N) <i>GRANGE</i> <i>87</i>	Range (W) <i>46</i>	
New Residence (Width) <i>54' x 42'</i>	New Field Entrance (Width)	Widening Existing (New width)		
Comments <i>move driveway off Dalys to Arcament on 250th</i>	Metal* Culvert Req. 12 ga. 2-2/3 in by 1/2 in corrugations <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Payment Included <input type="checkbox"/> Yes <input type="checkbox"/> No	

Woodbury County Secondary Roads only

This permit expires on	Sight Distance Left <i>good</i>	Sight Distance Right <i>good</i>	Permit Number
Road Name <i>250th</i>	Section No. <i>17</i>	GPS Coordinates	
Location is approved as requested (circle one) <input checked="" type="radio"/> Yes <input type="radio"/> No		Location is moved to	
Required Culvert Size <i>36" or bigger</i>	Culvert Length <i>54'</i>	Side Slope	Top Width
Remarks <i>Driveway must be removed before moving to new location</i>			

Site Reviewer Signature *Michael* Date *4/2/20*

Woodbury County Engineer Signature *[Signature]* Date *4/2/20*

Acceptance of Work Signature _____ Date _____

Any property owner desiring an access to any county road shall make written application on the prescribed form available through the County Engineers Office. All entrances shall be constructed in a manner to acceptable standards. This permit shall expire one year after date of approval by Woodbury County, if proposed driveway or entrance construction is not completed within that time. Permit fee \$20.

read Payment

*Concrete culverts must meet Iowa DOT specifications.

Received from county staff.



Received from Bryan Mesz



Received from Bryan Mesz