

Minutes - Woodbury County Board of Adjustment – August 3, 2026

The Board of Adjustment meeting convened on the 3rd of August 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=cLv5FGD7FW0>
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BA Members Present: Daniel Hair, Pam Clark, Larry Fillipi, Tom Thiesen, Doyle Turner

BA Members Absent: None

County Staff Present: Dan Priestley, Dawn Norton

Public Present: Jason Meihost, Andrew Glover, Randee Glover, David Munro, Thomas Schroeder, Debra Schroeder

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

- **Action:** Consideration of the minutes from the Board of Adjustment meeting held on June 22, 2026.
- **Motion:** Pam Clark moved to accept the minutes from the June 22, 2026 meeting as distributed.
- **Second:** Tom Thiesen seconded the motion.
- **Discussion:** None.
- **Vote:** 5-0 Unanimous approval (Hair, Clark, Thiesen, Fillipi, Turner voting "Aye"). *Motion carried.*

4. Item 4.A: Public Hearing (Action Item) — Consideration of a Conditional Use Permit Application from Croell, Inc. for a Temporary Portable Concrete Batch Plant on Parcel #894435100005 (1536 Ida Avenue, Merville, IA)

- **Staff Report:** Zoning Coordinator Daniel Priestley presented the staff report. Croell, Inc. (Paving Division), on behalf of property owner Countryman James D. Revocable Trust, requested a Conditional Use Permit (CUP) to establish and operate a temporary portable concrete batch plant (Rex Model S portable unit, aggregate stockpiles, silos, cement storage pigs) to support the Iowa DOT Highway 20 reconstruction project. The subject property is a 36.30-acre parcel located at 1536 Ida Avenue, Merville, in the Agricultural Preservation (AP) Zoning District (Arlington Township, Section 35). All equipment will be removed and the site restored upon project completion. The Woodbury County Zoning Commission reviewed the proposal on July 27, 2026, and recommended approval (5-0). Staff highlighted key operational conditions: an expiration date of December 31, 2028 (or project completion), site restoration requirements, and compliance with County Engineer requirements regarding driveway access/extension permits, new culvert installation, and dust control on Ida Avenue.

- **Applicant Presentation:** Jason Meihost, representing Croell, Inc. (New Hampton, IA), addressed the board. He explained that setting up the portable batch plant at this location offers a safe setup utilizing existing project traffic controls to keep batch truck traffic off main public thoroughfares as much as possible. The operational timeline includes setting up and paving from late August through October 2026, returning during the same August–October window in 2027, followed by cleanup and total site removal before December 31, 2028. The plant will occupy approximately 3 to 5 acres of the parcel. Croell, Inc. has applied for secondary road driveway permits, will install a new culvert per county guidelines, apply gravel surfacing to control mud and dust, and maintain Ida Avenue out to Highway 20. Regarding site restoration, the property owner currently uses the site for parking/storage rather than active farming; per the lease agreement, Croell will remove aggregate surfacing for owner reuse, replace topsoil, prep, and seed the ground back to grass or owner specification.
- **Board Discussion:** The board inquired about driveway layout, access, surfacing, and weed control. Meihost clarified that they will utilize the south driveway (south of an unnamed drainage creek) which is wide enough for two-way truck traffic. Director Fillipi emphasized the importance of controlling primary noxious weeds around the perimeter during operation.
- **Public Hearing Closure:**
 - **Motion:** Pam Clark moved to close the public hearing.
 - **Second:** Doyle Turner seconded the motion.
 - **Vote:** **Approved 5-0.** *Public hearing closed.*
- **Board Deliberation & Action:** Board members noted that temporary batch plants are standard, necessary support facilities for major highway paving projects like Highway 20. The board agreed with including staff conditions and adding an explicit requirement for noxious weed control.
- **Formal Motion:** Pam Clark moved to approve the Conditional Use Permit for Croell, Inc. to operate a temporary portable concrete batch plant on Parcel #894435100005 subject to staff recommendations with an expiration date of December 31, 2028, or upon completion of the Highway 20 project, whichever comes first, with the added condition that the operator maintain effective primary noxious weed control on the property.
- **Second:** Larry Fillipi.
- **Vote:** **5-0** Unanimous approval (Hair, Clark, Thiesen, Fillipi, Turner voting "Aye"). *Motion carried.*

Item 4.B: Public Hearing (Action Item) — Consideration of a Variance Application from Andrew Alan Glover for Relief from Section 3.04 and Section 4.02.4A on Parcel #884517400006 (1871 Grundy Avenue, Merville, IA)

- **Staff Report:** Daniel Priestley presented the staff report. Property owner Andrew Alan Glover requested variance relief to rebuild and enlarge a storm-damaged porch structure on the west (rear) side of his single-family dwelling at 1871 Grundy Avenue, Merville (AP Zoning District, 2.5 acres). The storm on May 16, 2026 damaged the existing porch. The existing house is a legal nonconforming structure situated entirely within the 100-foot front yard setback (~46 ft from the front right-of-way line). Under Section 4.02.4A, expansion of a nonconforming structure is prohibited if it increases nonconformity without a variance. The proposed addition extends ~20 feet to the west (rear, away from Grundy Ave) within the rear portion of the setback, remaining 75 feet or more from the front right-of-way line. The expansion will enclose a basement access and an existing private well head. Staff reviewed consultations with Siouxland District Health (Ivy Bremer); while enclosing well heads is generally discouraged due to maintenance access risks, there is no direct regulatory prohibition in county ordinance. Staff recommended approval subject to an explicit disclaimer and assumption-of-risk condition relieving the county of liability and placing all risk/costs of well maintenance or replacement on the property owner.
- **Applicant Presentation:** Andrew Alan Glover (1871 Grundy Ave) addressed the board. He explained that the private well was hand-dug in 1917, is lined with concrete culvert rings ~4 feet deep, and is capped with a heavy iron grate (manhole-style cover). The well will remain accessible under a 12-foot high roof within a post-frame, three-season utility space featuring dirt/gravel floor (eventual concrete grade) and a roll-up door on the north side for garden tractor access. Glover acknowledged that due to the well's 110-year age, any major pump failure would necessitate drilling a new well rather than repairing the old one, and expressed full willingness to abandon the well and drill a new one if necessary. Enclosing the area under a roof is intended to prevent recurring winter pipe freezing.
- **Public Hearing Closure:**
 - **Motion:** Larry Fillipi moved to close the public hearing.
 - **Second:** Pam Clark seconded the motion.
 - **Vote:** **Approved 5-0.** *Public hearing closed.*

- **Board Deliberation & Action:** The board concurred that the applicant's plan was reasonable, minimal relief necessary to recover from storm damage, and that the hold-harmless condition protects the county.
- **Formal Motion:** Larry Fillipi moved to approve the variance application for Andrew Alan Glover (Parcel #884517400006) at 1871 Grundy Avenue, Moville, IA, granting relief from Section 3.04 and Section 4.02.4A of the Woodbury County Zoning Ordinance to authorize the reconstruction and expansion of the storm-damaged rear porch structure, including the enclosure of the basement access and private well access, extending 20 feet or more to the west within the rear portion of the 100-foot front yard setback at a distance of 75 feet or more from the Grundy Avenue right-of-way line, subject to the condition to be included in the official resolution: ***Well Enclosure Assumption of Risk:** Property owner encloses the private well entirely at their own risk. Approval does not imply health department or engineering endorsement, nor does it guarantee future maintenance access. The owner assumes all responsibility for potential complications, including the cost of drilling a new well if repairs become impossible. Woodbury County assumes no liability for issues arising from this enclosure.*
- **Second:** Doyle Turner.
- **Vote:** 5-0 Unanimous approval (Hair, Clark, Thiesen, Fillipi, Turner voting "Aye"). *Motion carried.*

Item 4.C: Public Hearing (Action Item) — Consideration of a Variance Application from David and Megan Munro for Relief from Section 4.12.3 and Section 3.04 on Parcel #894429100010 (2750 140th Street, Moville, IA)

- **Staff Report:** Daniel Priestley presented the staff report regarding a variance request submitted by David and Megan Munro for Parcel #894429100010 (2.01 acres located at 2750 140th Street, Moville, AP Zoning District). The applicants seek to construct a 12'x20' accessory shed (personal storage and private chicken coop) closer to the front lot line than the front edge of the principal dwelling (violating Section 4.12.3) and within the 100-foot front yard setback at approximately 45 feet from the front property line and 105 feet from the roadway centerline (violating Section 3.04). Staff explained that the parcel possesses unique severe physical constraints, including a narrow triangular shape, a 60-foot right-of-way easement along 140th Street/Hwy 140, and 500-year/Zone A floodplain hazards covering the rear southern portion. Placement in front of the house is the only feasible non-floodplain location. A previous shed in the same location blew over during a recent severe storm.
- **Applicant Presentation:** Dave Monroe (2750 140th St) explained that their previous shed was destroyed by storm winds/tornado activity. He seeks to rebuild a matching pole-barn style structure in essentially the same footprint to house his lawnmower and chickens. He confirmed the shed location will not obstruct vehicular sightlines when exiting the driveway.
- **Public Hearing Closure:**
 - **Motion:** Pam Clark moved to close the public hearing.
 - **Second:** Doyle Turner seconded the motion.
 - **Vote:** Approved 5-0. *Public hearing closed.*
- **Board Deliberation & Action:** Board members noted that triangular lot geometry and environmental constraints justify variance relief.
- **Formal Motion:** Pam Clark moved to approve the variance request as presented for David and Megan Munro (Parcel #894429100010) by allowing the accessory structure to be built in front of the principal structure (relief from Section 4.12.3) and reducing the front yard setback from 100 feet to 45 feet from the front property line (relief from Section 3.04).
- **Second:** Larry Fillipi.
- **Vote:** 5-0 Unanimous approval (Hair, Clark, Thiesen, Fillipi, Turner voting "Aye"). *Motion carried.*

Item 4.D: Public Hearing (Action Item) — Consideration of a Variance Application from Thomas A. and Debra S. Schroeder for Relief from Section 3.04 and Section 4.02.4A on Parcel #884704152004 (6500 6th Avenue, Sioux City, IA)

- **Staff Report:** Daniel Priestley presented the staff report. Thomas A. and Debra S. Schroeder requested front yard setback relief for Parcel #884704152004 (3.64 acres, 6500 6th Avenue, Agricultural Estates AE Zoning District, Woodbury Township). The applicants propose constructing an ~846 sq ft L-shaped wooden deck attached to the side and rear of their single-family home. The house was built in 1900 prior to zoning adoption and sits entirely within the required 75-foot front setback, rendering it legal nonconforming under Section 4.02. The nearest corner of the proposed side deck will sit 29.17 feet from the front lot line right-of-way. Priestley noted that the City of Sioux City was consulted due to corporate boundary proximity; Sioux City Planning (Chris Matson) confirmed no issues and noted a voluntary annexation agreement is on file for

future utility extensions. The County Engineer submitted review comments concerning gravel road dust and proximity to a horizontal roadway curve.

- **Applicant Presentation:** Thomas Schroeder (6500 6th Avenue) explained that the main entrance to their 1900 home is on the east side where an old deck is deteriorating. They wish to construct the new L-shaped deck along the south side to overlook their property and rebuild the entry deck simultaneously. Regarding roadway curve risks, Schroeder noted a vehicle leaving the road would impact the house before reaching the deck. The board discussed gravel road dust mitigation, with Director Turner recommending calcium chloride application (Marks Distribution, ~\$1.70/ft) as an effective annual dust suppressant.
- **Public Hearing Closure:**
 - **Motion:** Doyle Turner moved to close the public hearing.
 - **Second:** Larry Fillipi seconded the motion.
 - **Vote:** Approved 5-0. *Public hearing closed.*
- **Board Deliberation & Action:** The board agreed the request was standard and practical, incorporating the County Engineer's advisories into the resolution.
- **Formal Motion:** Pam Clark moved that the Board of Adjustment approve the variance requested by Thomas A. and Debra S. Schroeder for relief from Section 3.04 and Section 4.02.4A of the Woodbury County Zoning Ordinance to permit construction of the proposed L-shaped wooden deck on the side and rear of their home with the nearest corner situated approximately 29.17 feet from the front lot line right-of-way, and that the County Engineer's concerns (owner responsibility for dust control and assumption of risk regarding horizontal curve traffic) be incorporated directly into the official resolution.
- **Second:** Doyle Turner.
- **Vote: 5-0** Unanimous approval (Hair, Clark, Thiesen, Fillipi, Turner voting "Aye"). *Motion carried.*

Item 4.E: Official Posting of Board of Adjustment Agendas Location(s) (Action Item)

- **Staff Report:** Daniel Priestley reported on compliance measures under House File 2490 regarding official physical and digital posting locations for public meeting notices and agendas. To ensure 24/7 public visibility, the county established dual physical posting locations in addition to the official website.
- **Formal Motion:** Pam Clark moved to approve the designation of the doors with glass windows at the former Douglas Street public entrance (current emergency exit) as an official posting location for Board of Adjustment agendas and notices, to continue designating the bulletin board inside the north entrance of the Woodbury County Courthouse for that same purpose, and to reaffirm woodburycountyiowa.gov as the county's primary internet presence for such postings in compliance with House File 2490.
- **Second:** Doyle Turner.
- **Vote: 5-0** Unanimous approval (Hair, Clark, Thiesen, Fillipi, Turner voting "Aye"). *Motion carried.*

Item 4.F: Information Item — Zoning Commission Permitting Review for Industrial Data Centers

- **Staff Overview:** Daniel Priestley provided an informational briefing regarding the Board of Supervisors' directive for the Zoning Commission to review permitting procedures for industrial data centers in unincorporated Woodbury County following a county-wide moratorium. The Zoning Commission has scheduled three public town hall listening sessions, beginning Monday, August 31, 2026, at 7:00 PM in Sloan, IA, to gather grassroots public feedback from unincorporated landowners. Priestley discussed the technical scope of data centers (interconnected computer/server facilities, cryptocurrency history, power/water/noise impacts), historical precedent from county utility zoning reviews (industrial solar, wind, nuclear), the importance of clear ordinance definitions and predictability, local government federalism, and the dynamics of municipal annexation.
- **Outcome:** *Information item only; no formal board action required.*

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

Daniel Priestley reported that due to the Labor Day holiday on Monday, September 7, 2026, the regular September meeting date requires rescheduling. Following a poll of board members, the board established

Wednesday, September 9, 2026 as the next regular meeting date (confirming a quorum).

7. Board Member Comment or Inquiry

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

9. Adjournment

- **Action:**
 - **Motion:** Doyle Turner moved to adjourn the meeting.
 - **Second:** Larr Fillipi second.
 - **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.