



WOODBURY COUNTY BOARD OF ADJUSTMENT

Monday, November 2, 2026 at 5:00 PM

The Woodbury County Board of Adjustment will hold a public meeting on **Monday, November 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	PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM)
4	APPROVAL OF PREVIOUS MEETING(S) MINUTES (ACTION ITEM)
5	ITEM(S) OF ACTION / BUSINESS
	<p>PUBLIC HEARING (ACTION ITEM): CONSIDERATION OF A VARIANCE APPLICATION FROM TRACY & JULIE NELSON FOR RELIEF TO ALLOW A REAR ADDITION TO A LEGAL NONCONFORMING SINGLE-FAMILY DWELLING, CONSTRUCTION OF A NEW DETACHED GARAGE, DECK, SITE GRADING FOR ACCESSIBILITY IMPROVEMENTS, A NEW SEPTIC SYSTEM LOCATION, AND A POOL, INCLUDING RELIEF FROM FRONT YARD SETBACK REQUIREMENTS UNDER SECTIONS 3.04, 4.02.4(A), AND 4.12 OF THE WOODBURY COUNTY ZONING ORDINANCE ON PARCEL #864713300007 AT 3070 CASS AVENUE, SALIX, IOWA 51052.</p> <p>SUMMARY: The Woodbury County Board of Adjustment will hold a public hearing, pursuant to Section 335 of the Code of Iowa, to consider a variance application submitted by the property owners and applicants, Tracy Nelson and Julie Nelson. The application requests variance relief from Section 3.04 (Zoning District Dimensional Standards) of the Woodbury County Zoning Ordinance, and as necessary from Section 4.02.4(A) (Legal Nonconforming Structures) and Section 4.12 (Accessory Buildings), to authorize a rear addition to the existing single-family dwelling, construction of a new detached garage, a deck, site grading for improved accessibility, a new septic system location, and a pool. The existing residential structure is a legal nonconforming building because it lies within the required 100-foot front yard setback of the Agricultural Preservation (AP) Zoning District. The applicants request variance relief as necessary to locate the proposed addition on the rear of the house no closer to the front right-of-way line than the existing dwelling footprint including front deck (approximately 40 to 55 feet from the front lot line/right-of-way, which is located 33 feet from the centerline of Cass Avenue), specifically seeking relief to allow construction of the addition to the legal nonconforming structure at a setback of approximately 65 feet or greater from the front right-of-way line (or such other distance as the Board of Adjustment may determine to be the minimum relief necessary), together with requested relief for the detached garage under Section 3.04 and Section 4.12 which would place the garage behind the front wall of the house but still within the 100 foot setback at approximately 70 feet or more from the right-of-way line. The final location, dimensions, and configuration of the garage remain subject to refinement during the review and public hearing process. The house addition will extend beyond the rear of the existing house, with portions within the front yard setback, and the final location, dimensions, and configuration remain subject to refinement during the review and public hearing process. All proposed structures and additions would encroach into the 100-foot setback but would not be located closer to the right-of-way than the closest point of the existing house. The affected property consists of Parcel No. 864713300007, approximately 2.04 acres, located at 3070 Cass Avenue, Salix, Iowa 51052, in the Agricultural Preservation (AP) Zoning District, within Township 86 North (T86N), Range 47 West (R47W), Section 13, Lakeport Township. The property is also identified as Lot 2 within the Sandhill Estates Second Addition. The property is located east of Interstate 29 along Cass Avenue and is currently used as a single-family residential dwelling. The applicants and owners are Tracy Nelson and Julie Nelson, with mailing/contact address related to 24 Lakeview Lane / 3070 Cass Avenue, Salix, Iowa 51052.</p>

6	PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM)
7	STAFF UPDATE (INFORMATION ITEM)
8	BOARD MEMBER COMMENT OR INQUIRY (INFORMATION ITEM)
9	ADJOURN (ACTION ITEM)

PACKET CONTENTS

PREVIOUS MEETING MINUTES – DRAFT	4
PUBLIC HEARING (ACTION ITEM): CONSIDERATION OF A VARIANCE APPLICATION FROM TRACY & JULIE NELSON FOR RELIEF TO ALLOW A REAR ADDITION TO A LEGAL NONCONFORMING SINGLE-FAMILY DWELLING, CONSTRUCTION OF A NEW DETACHED GARAGE, DECK, SITE GRADING FOR ACCESSIBILITY IMPROVEMENTS, A NEW SEPTIC SYSTEM LOCATION, AND A POOL, INCLUDING RELIEF FROM FRONT YARD SETBACK REQUIREMENTS UNDER SECTIONS 3.04, 4.02.4(A), AND 4.12 OF THE WOODBURY COUNTY ZONING ORDINANCE ON PARCEL #864713300007 AT 3070 CASS AVENUE, SALIX, IOWA 51052.	9

Minutes - Woodbury County Board of Adjustment – October 5, 2026

The Board of Adjustment regular meeting convened on the 5th of October 2026 at 5:20 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 and was recorded.

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:

https://www.woodburycountyiowa.gov/committees/board_of_adjustment/

YouTube Direct Link:

<https://www.youtube.com/watch?v=Vj0CFuF89wQ>

BA Members Present: Daniel Hair (Chair), Pam Clark (Vice-Chair), Tom Thiesen, Doyle Turner (via telephone)

BA Members Absent: Larry Fillipi

County Staff Present: Dan Priestley

Public Present: Sam McGill; Andrew Hardenburger; Steven Sitzmann

1. Call to Order & Roll Call

Time: Approximately 5:20 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 of the filing of the decision with the Planning and Zoning Office 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. Tom Thiesen arrived shortly after the meeting began and was introduced for the record. Doyle Turner participated via telephone.

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 special meeting held on September 9, 2026.

Motion: Pam Clark moved to approve the minutes from the September 9, 2026 meeting.

Second: Tom Thiesen seconded the motion.

Discussion: None.

Vote: 4-0 approval (Hair, Clark, Thiesen, Turner voting “Aye”). Motion carried.

4. Item 5.A: Public Hearing (Action Item) — Northern Natural Gas Company – Replacement of an Existing Natural Gas Pipeline on Four Distinct Parcels (#884729400003, #884732400002, #874705300001, #874705300005) in the Sergeant Bluff Area on Unincorporated Land

Staff Report: Zoning Coordinator Daniel Priestley presented the staff report. The application, submitted by Northern Natural Gas Company through its authorized representative Andrew Hardenburger, Senior Right of Way Agent, requests approval to replace an existing 12-inch natural gas pipeline with a new 12-inch natural gas pipeline (including associated temporary construction activities and subsequent removal of the existing pipeline) on four parcels in the Sergeant Bluff area. The new pipeline will be installed approximately 3 to 4 feet below the surface so that normal agricultural activities may continue; on three parcels the new alignment is offset approximately 25 feet east of the existing line, and on one parcel the alignment is relocated several hundred feet east and/or south at the landowner’s request. All disturbed areas are to be restored upon completion of construction. The affected properties are:

Parcel 884729400003 (approx. 33.26 acres), 7284/7298 Old Lakeport Rd., Sergeant Bluff, IA 51054 (AE Zoning District; portions in Special Flood Hazard Area Zone A); Owner: Gladys M. Rogers, et al. / Rogers Merrill Revocable Trust & Rogers Glennis J. Revocable Trust.

Parcel 884732400002 (approx. 35.20 acres), near 7374 Old Lakeport Rd., Sergeant Bluff, IA 51054 (AP Zoning District); Owner: Jack Cook Farms Inc.

Parcel 874705300001 (approx. 38.75 acres), 2230 Banner Ave., Sergeant Bluff, IA 51054 (AP Zoning District); Owner: Sharon M. Krogh Life Estate; Brenda M. Godfredson; Amiee M. Krogh.

Parcel 874705300005 (approx. 37.50 acres), adjacent agricultural tract (AP Zoning District); Owner: Sharon M. Krogh Life Estate; Brenda M. Godfredson; Amiee M. Krogh.

The project is classified as a conditional use for a pipeline under Section 3.03.4 of the Woodbury County Zoning Ordinance. The Zoning Commission reviewed the application at its September 28, 2026 meeting and recommended approval by a 4-0 vote (one abstention due to conflict of interest). Staff noted the application is a standardized conditional use, involves coordination with federal, state, and local entities (including the City of Sergeant Bluff), and received minimal public input. Staff left final conditions and timeline to the Board’s discretion.

Applicant Presentation: Sam McGill, Project Manager for Northern Natural Gas Company (Omaha, Nebraska), addressed the Board. He explained that the existing pipeline is in a Class 2 location and must be upgraded to Class 3 due to development in the Sergeant Bluff area, requiring increased wall thickness for safety. Construction is targeted to begin in February 2027 to accommodate nearby industrial development south of Dogwood Trail. Substantial completion (gas flowing) is projected for June 15, 2027, with 100% completion required by February 28, 2028. Mr. McGill requested an 18-month timeline for flexibility but indicated

that 24 months from the Chair's signature would be sufficient, particularly if the resolution is signed within the next couple of weeks. He noted additional contingencies involving environmental permits and Union Pacific requirements.

Board Discussion: Board members discussed the project timeline in light of federal/state requirements, weather, contractor availability, and prior practice (typically 1–2 years). Members expressed support for a 24-month expiration from the Chair's signature to provide adequate flexibility. Staff recommended including language requiring compliance with all federal, state, and local regulations. No public comments were received in opposition or support beyond the applicant's presentation. Doyle Turner indicated the request appeared straightforward/boilerplate.

Public Hearing Closure:

Motion: Pam Clark moved to close the public hearing.

Second: Tom Thiesen seconded the motion.

Discussion: None.

Vote: 4-0 approval (Hair, Clark, Thiesen, Turner voting "Aye"). Public hearing closed.

Board Deliberation & Action: The Board found the request consistent with prior conditional uses. Members supported approval as presented, subject to compliance with all applicable federal, state, and local regulations, with a 24-month completion timeline commencing on the date of the Chair's signature of the resolution.

Formal Motion: Pam Clark moved to approve the Northern Natural Gas Company's permit application for the replacement of an existing 12-inch natural gas pipeline as laid out in the staff report and application materials, subject to compliance with any and all federal, state, and local regulations, and with the project to be completed no later than two years from the date the Chairman signs the resolution.

Second: Tom Thiesen.

Vote: 4-0 approval (Hair, Clark, Thiesen, Turner voting "Aye"). Motion carried.

5. Item 5.B: Public Hearing (Action Item) — Borrow Pit for Earth Materials from Steven Sitzmann (Owner/Applicant) on Parcel #894608100010 (1546 110th Street, Sioux City, IA 51108)

Staff Report: Zoning Coordinator Daniel Priestley presented the staff report. Steven Sitzmann (Owner/Applicant) requests renewal of the previously approved conditional use permit (Resolution No. BA 452, adopted September 3, 2025) for a borrow pit for the extraction and removal of earth materials to level a sloped hill on the approximately 3.99-acre property at 1546 110th Street, Sioux City, IA 51108 (AE Zoning District; Concord Township, T89N R46W, Section 8, R. Jacks Subdivision Lot 2 and part of Lot 1 of the McBatt Subdivision). The purpose is to facilitate future development of a single-family dwelling, including associated site preparation, grading, and restoration. The prior one-year permit expired without full completion due to contractor scheduling and weather challenges. The applicant approached staff prior to expiration seeking solutions. Staff noted the application is essentially identical to the prior approval, received no neighbor comments, and recommended consideration of a longer (e.g., two-year) timeline given the practical

difficulties of weather and contractors. Staff directed the Board's attention to page 96 of the packet containing the prior Resolution BA 452 and its conditions.

Applicant Presentation: Steven Sitzmann addressed the Board. He stated the project is approximately 75% complete, with material pushed up and ready for hauling; remaining work includes final grading and restoration. Weather in the prior year significantly delayed progress. He confirmed the same contractor is lined up and requested additional time, stating two years would be sufficient and expressing hope that a further renewal would not be necessary.

Board Discussion: Board members noted the prior approval and the practical difficulties of weather and contractor availability. Doyle Turner suggested simply renewing the prior resolution with updated dates. Staff confirmed the Board could reference Resolution BA 452 and modify only the timeline provision (originally one year from the Chair's signature). Staff read the five conditions from the prior resolution into the record for clarity: (1) one-year permit timeline from Chair's signature (to be modified); (2) return the property to a reasonable state upon completion, including final grading to match adjacent properties and re-spreading topsoil for vegetation; (3) control erosion, sediment runoff, and weeds (silt fencing, hay bales, or other appropriate measures) and establish vegetation as needed; (4) notify Planning and Zoning of any haul-route changes one business day in advance with route, destination, and timing details; and (5) subject to all applicable state and federal regulations, including Iowa DNR NPDES Permit No. 2 and a stormwater pollution prevention plan if disturbance exceeds one acre (noting the site has generally remained under one acre). Members supported a two-year timeline from the Chair's signature.

Public Hearing Closure:

Motion: Tom Thiesen moved to close the public hearing.

Second: Pam Clark seconded the motion.

Discussion: None.

Vote: 4-0 approval (Hair, Clark, Thiesen, Turner voting "Aye"). Public hearing closed.

Board Deliberation & Action: The Board viewed the request as a straightforward renewal of the prior approval, with the sole substantive change being an extended timeline to account for practical difficulties beyond the applicant's control.

Formal Motion: Pam Clark moved to approve the request to complete a borrow pit according to Resolution BA 452 with all points the same, with the exception of a two-year permit timeline dated from the time of the Chairman's signature on the resolution.

Second: Tom Thiesen

Vote: 4-0 approval (Hair, Clark, Thiesen, Turner voting "Aye"). Motion carried.

Staff noted coordination with the applicant would occur in the following days regarding signature and logistics.

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

Daniel Priestley provided an informational update. The data-center discussion continues under the existing moratorium. The next town hall focused on the unincorporated area is scheduled for November 9, 2026, in Salix. The Zoning Commission added a town hall in Correctionville on January 18, 2027, at 7:00 PM. Staff noted strong public interest demonstrated by turnout at the Merville session and representation from across the county. Meetings are being scheduled with awareness of harvest season priorities.

8. Board Member Comment or Inquiry

Details: Vice-Chair Pam Clark reported attending a wind-farm informational meeting in Marcus approximately two weeks earlier. Approximately 25 people attended, including supervisors and representatives from Chicago and MidAmerican Energy. Participants were able to enter the base of a turbine (approximately 500 feet tall) and observe upward; the turbines were described as very quiet (background noise limited to rustling corn leaves). An elevator/platform system is used for maintenance rather than climbing. The group also viewed a nearby substation; green protective measures on equipment were explained as deterrents against rodents chewing wires despite multiple layers of fencing. Clark found the meeting informative and noted the operators' willingness to answer questions.

No other board member comments or inquiries were received.

9. Adjournment

Action:

Motion: Tom Thiesen moved to adjourn the meeting.

Second: Pam Clark seconded the motion.

Vote: Unanimous approval (all present voted "Aye").

Outcome: The meeting was adjourned.

VARIANCE REPORT

Nelson – Addition & Detached Garage

Contents

Application Information	2
Property Details	2
Legal Description	2
Purpose of Variance Application	2
Aerial / Site Plan Map	3
Requirements for Variances	5
Review Criteria 1: (Section 2.02.8F1[A])	5
Review Criteria 2: (Section 2.02.8F1[B])	5
Review Criteria 3: (Section 2.02.8F2-5).....	5
Staff Recommendation	6
Board of Adjustment Action	6
Legal Notification	8
Comments from Owners of Real Property Lying within 500 feet from the Subject Property	10
Stakeholder Comments	10
Appendix	12
Application	12
Parcel Report(s).....	17
Zoning Map.....	19
Floodplain Map	20
Elevation Map	21
Soil / CSR Report.....	22
Site Plan	24

Application Information

Application Date: September 23, 2026

Applicant(s)/Owner(s): Tracy Nelson and Julie Nelson (Parcel title interest with Jason Dewald)

Number of Lots: 1

Total Acres: 2.04

Pre-Application Meeting: September 2026 (Staff: Dan Priestley)

Legal Notice Date: October 22, 2026

Stakeholder(s) Notice Date: October 16, 2026

Neighbor Notification Letter: October 16, 2026

Board of Adjustment Public Hearing: November 2, 2026, 5:00 PM

Property Details

Parcel(s): 864713300007

Township: T86N (Lakeport Township)

Range: R47W

Section: 13

Zoning District: Agricultural Preservation (AP)

Floodplain District: Area of Minimal Flood Hazard (Zone X); nearby 0.2% Annual Chance Flood Hazard

Property Address: 3070 CASS AVE, SALIX, IA 51052

Current Use: Single-Family Residence

Proposed Use: Single-Family Residence (with addition and detached garage)

Legal Description

Lot 2, Sandhill Estates, Second Addition, Woodbury County, Iowa (Section 13, Township 86 North, Range 47 West).

Purpose of Variance Application

The Woodbury County Board of Adjustment will hold a public hearing, pursuant to Section 335 of the Code of Iowa, to consider a variance application submitted by the property owners and applicants, Tracy Nelson and Julie Nelson (with title interest shared with Jason Dewald). The application requests variance relief from Section 3.04 (Zoning District Dimensional Standards) of the Woodbury County Zoning Ordinance, and as necessary from Section 4.02.4(A) (Legal Nonconforming Structures) and Section 4.12 (Accessory Buildings), to authorize a rear addition to the existing single-family dwelling, construction of a new detached garage, a deck, site grading for improved accessibility, a new septic system location, and a pool. The existing residential structure is a legal nonconforming building because it lies within the required 100-foot front yard setback of the Agricultural Preservation (AP) Zoning District. The applicants request variance relief as necessary to locate the proposed addition on the rear of the house no closer to the front right-of-way line than the existing dwelling footprint (approximately 40 to 55 feet from the front lot line/right-of-way, which is located 33 feet from the centerline of Cass Avenue), specifically seeking relief to allow construction of the addition at a setback of approximately 70 feet or greater from the front right-of-way line (or such other distance as the Board of Adjustment may determine to be the minimum relief necessary), together with requested relief for the detached garage under Section 4.12 which would place the garage behind the front wall of the house but still within the 100 foot setback at approximately 70 foot or more from the right-of-way line. The house addition will extend beyond the rear of the existing house, with portions within the front yard setback, and the final location, dimensions, and configuration remain subject to refinement during the review and public hearing process. All proposed structures and additions would encroach into the 100-foot setback but would not be located closer to

the right-of-way than the closest point of the existing house. The affected property consists of Parcel No. 864713300007, approximately 2.04 acres, located at 3070 Cass Avenue, Salix, Iowa 51052, in the Agricultural Preservation (AP) Zoning District, within Township 86 North (T86N), Range 47 West (R47W), Section 13, Lakeport Township. The property is located east of Interstate 29 along Cass Avenue and is currently used as a single-family residential dwelling. The applicants and owners are Tracy Nelson and Julie Nelson, with mailing/contact address related to 24 Lakeview Lane / 3070 Cass Avenue, Salix, Iowa 51052.

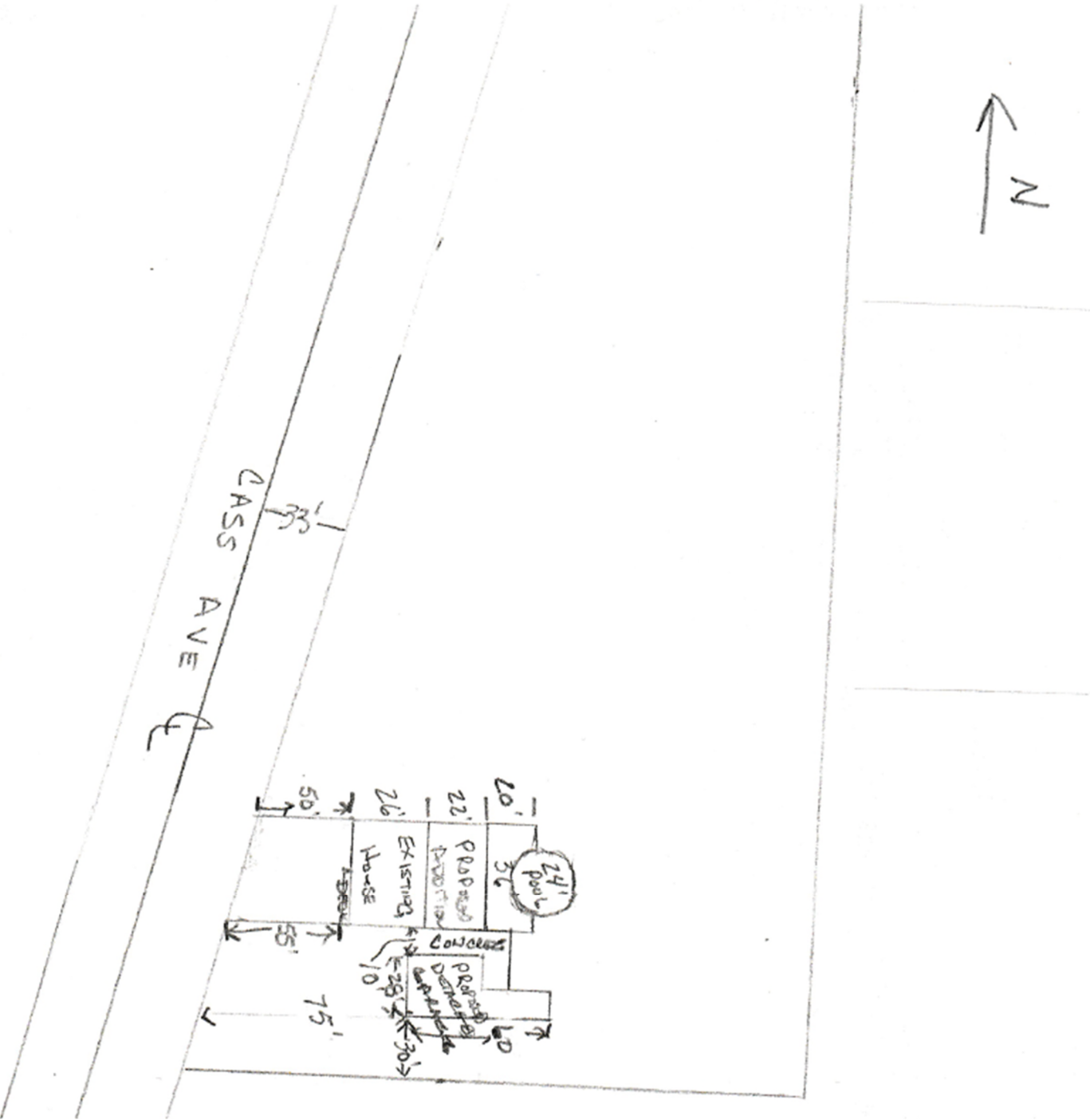
Aerial / Site Plan Map

Pictometry



03/23/2026

Pictometry view (03/23/2026) – Parcel 864713300007, 3070 Cass Ave



Applicant Site Plan – Proposed addition to house, detached garage, deck, new septic, pool



Requirements for Variances

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 that it:

- **ADVERSELY IMPACTS NEARBY PROPERTIES;**
- **SUBSTANTIALLY INCREASES CONGESTION OF PEOPLE, BUILDINGS OR TRAFFIC;**
- **ENDANGERS PUBLIC HEALTH OR SAFETY;**
- **OVERBURDENS PUBLIC FACILITIES OR SERVICES OR;**
- **IMPAIRS THE ENJOYMENT, USE OR VALUE OF NEARBY PROPERTY.**

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:

- **THE PROPERTY CANNOT YIELD A REASONABLE RETURN IF USED IN COMPLIANCE WITH THE REQUIREMENTS OF THIS TITLE;**
- **THE PROPERTY HAS UNIQUE PHYSICAL CONSTRAINTS THAT RESULT IN ITS INABILITY TO BE USED IN COMPLIANCE WITH THE REQUIREMENTS OF THIS TITLE; AND**
- **THE HARDSHIP IS NOT A RESULT OF ACTIONS BY THE OWNER.**

Review Criteria 3: (Section 2.02.8F2-5)

The ordinance also states that no variance shall be granted:

- **WHICH WOULD PERMIT THE ESTABLISHMENT OF A USE WITHIN A GIVEN DISTRICT WHICH IS PROHIBITED THEREIN;**
- **WHICH IS SO COMMONLY RECURRING THAT IT IS A DE FACTO AMENDMENT OF THIS ORDINANCE; AND**
- **THAT IS MORE THAN THE MINIMUM RELIEF NEEDED.**

- **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 Recommendation

Staff recommends approval. The application demonstrates unique physical constraints associated with the existing older (circa 1950) modest dwelling, its placement on the lot, and the inherited setback/dimensional constraints that make strict compliance with all AP District dimensional standards impractical while allowing reasonable improvement of the property for continued single-family residential use. The proposed addition (to the rear/side of the existing house), detached garage, and related improvements are represented as not increasing proximity to the road right-of-way beyond the existing pattern and as observing accessory setbacks where applicable. The request appears to meet the variance criteria under Section 2.02.8F.

Motion for Consideration:

"I move that the Woodbury County Board of Adjustment approve the variance requested by Tracy and Julie Nelson for the property located at 3070 Cass Avenue, Parcel 864713300007, granting relief from Section 3.04, and as necessary Sections 4.02.4(A) and 4.12 of the Woodbury County Zoning Ordinance.

This approval authorizes construction of a rear addition to the existing legal nonconforming dwelling, a detached garage, a deck, grading for accessibility, a relocated septic system, and a pool, all within the required 100-foot front yard setback of the AP District, subject to the following maximum setback reductions:

- *No new structure or addition shall be located closer than 40 feet from the front right-of-way line, which is the closest existing point of the current dwelling footprint including the front deck.*
- *The rear addition may be constructed at any distance between 40 feet and 65 feet or more from the front right-of-way, provided it does not extend closer than the existing dwelling.*
- *The detached garage may be placed no closer than 70 feet from the front right-of-way, located behind the front wall of the house, with final dimensions and configuration permitted to adjust during permitting so long as the minimum 70-foot setback is maintained.*
- *All other proposed structures and improvements (deck, grading, septic system, pool) may encroach into the 100-foot setback so long as none are located closer than 40 feet from the right-of-way.*

This motion authorizes the minimum relief necessary while allowing reasonable refinement of placement and design, provided no structure encroaches beyond the established 40-foot minimum setback and all other applicable ordinance provisions are satisfied."

Board of Adjustment Action

Hearing required. After receiving the report of the planning and zoning commission, the Board of Adjustment shall conduct a public hearing on the variance request in accordance with subsection 2.02-1. B.

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. The public hearing is scheduled for Monday, November 2, 2026 at 5:00 PM.

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) as a basis for its action.

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.

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.

Legal Notification

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 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:
Oct. 22, 2026

NOTICE ID: 6cYuboBBNT2yEivL8zqk
PUBLISHER ID: COL-IA-503813
NOTICE NAME: BA_11-2-26
Publication Fee: \$76.79

Anjana Bhadoriya

(Signed)

VERIFICATION

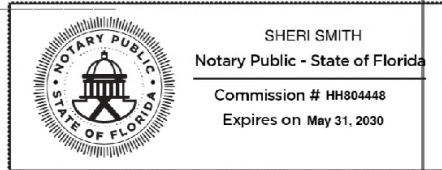
State of Florida
County of Broward

Subscribed in my presence and sworn to before me on this: 10/23/2026

S. Smith

Notary Public

Notarized remotely online using communication technology via Proof.



NOTICE OF PUBLIC HEARING BEFORE THE WOODBURY COUNTY BOARD OF ADJUSTMENT

The Woodbury County Board of Adjustment will hold a public hearing on the following item, hereafter described in detail, on Monday, November 2, 2026, at 5:00 PM or as soon thereafter as the matter may be considered during the public meeting. 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 reviewed at the office of the Woodbury County Community and Economic Development on the 6th floor of the courthouse by any interested persons. All persons who wish to be heard in respect to the matter should appear at the proposed hearing in person or call 712-544-1133 and enter the Conference ID: 742 346 1259 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 Proctor at dproctor@woodburycountyia.gov. City signed comments will be considered and should be received no later than 10:00 AM on Friday, October 30, 2026.

Item One (1)
The Woodbury County Board of Adjustment will hold a public hearing, pursuant to Section 335 of the Code of Iowa, to consider a variance application submitted by the property owners and applicants, Tracy Nelson and Julie Nelson. The application requests variance relief from Section 3.34 (Zoning District (Dimensional Standards)) of the Woodbury County Zoning Ordinance, and as necessary from Section 4.02.4(A) (Legal Nonconforming Structure) and Section 4.12 (Accessory Buildings), to authorize a new addition to the existing single-family dwelling, construction of a new detached garage, a deck, site grading for improved accessibility, a new septic system location, and a pool. The existing residential structure is a legal nonconforming building because it lies within the required 100-foot front yard setback of the Agricultural Preservation (AP) Zoning District. The applicants request variance relief as necessary to locate the proposed addition on the rear of the house no closer to the front right-of-way line than the existing dwelling footprint including front deck (approximately 70 to 75 feet from the front lot right-of-way, which is located 85 feet from the centerline of Cass Avenue, specifically seeking relief to allow construction of the addition to the legal nonconforming structure at a setback of approximately no less or greater from the front right-of-way line or such other distance as the Board of Adjustment may determine to be the minimum relief necessary), together with requested relief for the detached garage under Section 3.04 and Section 4.12 which would place the garage behind the front wall of the house but still within the 100-foot setback at approximately 70 feet or more from the right-of-way line. The final location, dimensions, and configuration of the garage remain subject to refinement during the review and public hearing process. The house addition will extend beyond the rear of the existing house, with portions within the front yard setback, and the final location, dimensions, and configuration remain subject to refinement during the review and public hearing process. All proposed structures and additions would encroach into the 100-foot setback but would not be located closer to the right-of-way than the closest point of the existing house. The affected property consists of Parcel No. 84471330007, approximately 2.44 acres, located at 3810 Cass Avenue, Sioux City, Iowa 51102, in the Agricultural Preservation (AP) Zoning District, within Township 36 North, Range 47 West (24th), Section 15, Lakeland Township. The property is also identified as Lot 2 within the Sandhill Estates Second Addition. The property is located east of Interstate 29 along Cass Avenue and is currently used as a single-family residential dwelling. The applicants and owners are Tracy Nelson and Julie Nelson, with mailing addresses related to 24 Laurens Lane, 5070 Cass Avenue, Sioux City, Iowa 51102.

The preliminary agenda for the Woodbury County Board of Adjustment meeting, scheduled for Monday, November 2, 2026, at 5:00

PM will be posted on the Woodbury County website on the Board of Adjustment committees page at least 24 hours prior to the meeting. To access it, visit www.woodburycountyia.gov, navigate to the "Committees" section, and select "Board of Adjustment" (listed under the Iowa Code category). The direct link is https://www.woodburycountyia.gov/committees/board_of_adjustment/. For inquiries, call 712-279-6609 or email dpriestley@woodbury-countyia.gov.
CCL-IA-503813

Comments from Owners of Real Property Lying within 500 feet from the Subject Property

The following parties were identified by Engleson Abstract Co. as titleholders / contract purchasers of real estate lying within 500 feet of Lot 2, Sandhill Estates, Second Addition (subject property):

Description	Titleholders	Address
Lot 2 (Subject)	Jason Dewald / Tracy Nelson	3070 Cass Ave, Salix, IA 51052-8078
Lot 1, Sandhill Estates 2nd Addn	Aaron D. Lee	3062 Cass Ave, Salix, IA 51052
Lot 5, Sandhill Estates	Patterson Family Trust	666 Grand Ave, Suite 2000, Des Moines, IA 50309
Lot A Sand Hill Lake	John Parkinson, III, Real Estate Trust	199 Orlando Manor, Wintersville, OH 43953
Part Gov't Lots 2 & 3 & Lot B Sand Hill Lake	The Dale P. and Jean L. Gutenkauf Family Limited Partnership	33316 155th Street, Onaka, SD 57466

Comments received from notified owners: Unknown / none recorded in the materials provided at the time of this report. (Any comments received prior to or at the hearing will be presented to the Board.)

Stakeholder Comments

911 COMMUNICATIONS CENTER: No comments.

FIBERCOMM: No comments.

IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR): No comments.

IOWA DEPARTMENT OF TRANSPORTATION (IDOT): No comments.

LOESS HILLS NATIONAL SCENIC BYWAY: No comments.

LOESS HILLS PROGRAM: No comments.

LOGLINES: No comments.

LUMEN: No comments.

MAGELLAN PIPELINE: No comments.

MIDAMERICAN ENERGY COMPANY (Electrical Division): I have reviewed the referenced variance application on behalf of MEC Electric Distribution. We have no comments regarding the request, as the parcel is located outside of our electric service territory. Please let me know if you have any questions. – Casey Meinen, 10/16/26.

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 this variance application from Tracy & Julie Nelson. NIPCO has no issues with this application. – Jeff Zettel, 10/16/26.

NUSTAR PIPELINE: No comments.

SIOUXLAND DISTRICT HEALTH DEPARTMENT: Please have them reach out to our department regarding the septic system. – Ivy Bremer, 10/16/26.

WIATEL: No comments.

WINNEBAGO TRIBE: No comments.

WOODBURY COUNTY ASSESSOR: No comments.

WOODBURY COUNTY CONSERVATION: No comments.

WOODBURY COUNTY EMERGENCY MANAGEMENT: No comments.

WOODBURY COUNTY EMERGENCY SERVICES: No comments.

WOODBURY COUNTY ENGINEER: No comments.

WOODBURY COUNTY RECORDER: No comments.

WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC): No comments.

WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT: The WCSWCD has no comments regarding this request. – Neil Stockfleth, 10/19/26.

WOODBURY COUNTY TREASURER: No comments.

Appendix Application



OFFICE OF PLANNING AND ZONING WOODBURY COUNTY

Zoning Ordinance
Section 2.02(8)
Page 1 of 3

Variance Application

Owner Information: Owner <u>TRACY + JULIE NELSON</u> Address <u>24 LAKEVIEW LN</u> <u>SALIX IA 51052</u> Phone <u>[REDACTED]</u>	Applicant Information: Applicant <u>TRACY NELSON</u> Address <u>24 LAKEVIEW LN</u> <u>SALIX IA 51052</u> Phone <u>[REDACTED]</u>
Engineer/Surveyor _____ Phone _____	
Property Information: Property Address or Address Range <u>3070 CASS AVE. SALIX IA 51052</u> Quarter/Quarter _____ Sec <u>13</u> Twnshp/Range <u>LAKEPORT</u> Parcel ID # _____ GIS # <u>864713300007</u> Total Acres <u>2.04 +/-</u> Current Use <u>SINGLE FAMILY RESIDENCE</u> Proposed Use <u>SINGLE FAMILY RESIDENCE</u> Current Zoning <u>AP</u>	
<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 <u>Sept, 2026</u> Staff present <u>Don Priestley</u></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 <u>TRACY + JULIE NELSON</u> Date <u>9-22-2026</u>	Applicant <u>[Signature]</u> Date <u>9-22-2024</u>
Fee: \$300 Case #: <u>7223</u> Check #: <u>5998</u> Receipt #: _____	



Daniel Priestley

From: Tracy Nelson <trnelson00.tn@gmail.com>
Sent: Thursday, October 15, 2026 1:29 PM
To: Daniel Priestley
Subject: 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.**

Subject: Request for Variance-3070 Cass Avenue, Salix, IA (Parcel 864713300007)

Dear Members of the Woodbury County Board of Adjustment:

My name is Tracy Nelson. My wife Julie Nelson and I are the property owners and applicants for the property located at 3070 Cass Avenue, Salix, Iowa 51052 (Parcel No. 864713300007). We are writing to respectfully request variance relief from Section 3.04 (Zoning District Dimensional Standards) of the Woodbury County Zoning Ordinance, and as necessary from Section 4.02.4(A) (Legal Nonconforming Structures) and Section 4.12 (Accessory Buildings).

We are seeking this variance to authorize an addition to the rear of an existing single-family dwelling, construction of a new detached garage, a deck, site grading for improved accessibility, a new septic system location, and a pool within the 100 FT setback area for the Agricultural Preservation (AP) Zoning District's front yard setback.

The existing residential structure is a legal nonconforming building because it lies within the required 100-foot front yard setback of the Agricultural Preservation (AP) Zoning District. We request variance relief as necessary to locate the proposed addition on the rear of the house no closer to the front right-of-way line than the existing dwelling footprint, including the front deck (approximately 40 to 55 feet from the front lot line/right-of-way, which is located 33 feet from the centerline of Cass Avenue). Specifically, we are seeking relief to allow construction of the addition on the legal nonconforming structure at a setback of approximately 65 feet or greater from the front right-of-way line (or such other distance as the Board of Adjustment may determine to be the minimum relief necessary). We also request related relief for the detached garage under Section 3.04 and Section 4.12, which would place the garage behind the front wall of the house but still within the 100-foot setback at approximately 70 feet or more from the right-of-way line (Distances are subject to changes).

The house addition will extend to the rear of the existing house, with portions remaining within the front yard setback. The final location, dimensions, and configuration remain subject to refinement during the review and public hearing process. All proposed structures and additions would encroach into the 100-foot setback but will not be located closer to the right-of-way than the closest point of the existing house.

The property consists of approximately 2.04 acres in the Agricultural Preservation (AP) Zoning District within Township 86 North (T86N), Range 47 West (R47W), Section 13, Lakeport Township. It is located west of Interstate 29 along Cass Avenue and is currently used as a single-family residential dwelling. Our mailing and contact address is related to 24 Lakeview Lane / 3070 Cass Avenue, Salix, Iowa 51052.

We appreciate the Board's consideration of this request and are available to answer any questions or provide additional information. Thank you for your time and attention.

Sincerely,
Tracy Nelson
(on behalf of Tracy Nelson and Julie Nelson)
3070 Cass Avenue
Salix, Iowa 51052

--

Tracy Nelson

Section F. (1)(a)

- (I) The addition of the house will be added to the back side of the house, giving the curbside view no significant change. There will also be a garage added to the south end of the house that will not change the curbside view, due to there being a garage and/or shed there in the past. The addition does not affect the neighbors to the north due to the house sitting on the south end of the property. The neighbors to the south end of the property will not be affected due to the garage will be detached from the house and will be within the setbacks for a detached garage.
- (II) The use of this property will be as a single-family residence. The dwelling is located on a dead-end rural road. Access to the property will not be changed, as the driveway will remain in the same location as it has always been.
- (III) The property is in a rural area and located on a dead-end road. Traffic is limited due to the dead-end road. None of the additional features will be located closer to the road right-of-way.
- (IV) The public facilities and services will not be affected because all the services will remain as they are and used as they are currently located and intended.
- (V) The additions made to this property will only increase property value not only for the proposed property address but also for the surrounding properties. None of the surrounding properties will be affected because access to and from the property will remain the same.

Section F. (1)(b)

- (i) Due to the age of the house and size of the house, updating will be required to maintain and/or add to the value of the property. The variance will allow for greater returns and add value not only to this property, but to surrounding properties. The addition to the existing

house will be a lesser cost than removing the existing house and constructing an entire new house. Cost effectiveness and budget constraints are factors considered in applying for this variance.

- (ii) The addition to this existing house will allow easier access in and out of the house due to the addition of backfill dirt around the house to allow construction without steps going in and out of the house. The area around the house will be lifted with fill to allow for a more handicap accessible house due owner age and family needs.
- (iii) This is not a hardship brought on by owners since we just purchased this property and setback constraints are not known or disclosed prior to the sale. We are inheriting the zoning issues because of the purchase.

Parcel Report(s)

Woodbury County, IA / Sioux City

Summary

Parcel ID 864713300007
Alternate ID 705813
Property Address 3070 CASS AVE
SALIX IA 51052
Sec/Twp/Rng 13-86-47
Brief Tax Description SANDHILL ESTATES 2ND ADDITION LOT 2 13-86-47
(Note: Not to be used on legal documents)
Deed Book/Page 2022-10520 (8/26/2022)
Gross Acres 2.04
Net Acres 2.04
Adjusted CSR Pts 0
Zoning AP - AGRICULTURAL PRESERVATION
District 0042 LAKEPORT/WESTWOOD
School District WESTWOOD COMM
Neighborhood N/A



2008 photo

Owner

Deed Holder
DEWALD JASON
3070 CASS AVE
SALIX IA 51052-8078
Contract Holder
Mailing Address
DEWALD JASON
3070 CASS AVE
SALIX IA 51052-8078

Land

Lot Area 2.04 Acres ; 88,862 SF

Residential Dwellings

Residential Dwelling
Occupancy Single-Family / Owner Occupied
Style 1 Story Frame
Architectural Style N/A
Year Built 1950
Condition Excellent
Roof Mt/I / Gable
Flooring
Foundation C Blk
Exterior Material Vinyl
Interior Material Plas
Brick or Stone Veneer
Total Gross Living Area 832 SF
Main Area Square Feet 832
Attic Type None;
Number of Rooms 0 above; 0 below
Number of Bedrooms 0 above; 0 below
Basement Area Type Full
Basement Area 832
Basement Finished Area
Plumbing 1 Standard Bath - 3 Fi;
Appliances
Central Air No
Heat Yes
Fireplaces
Porches
Decks Wood Deck (264 SF);
Additions
Garages 240 SF - Det Frame (Built 1900);

Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
	Shed		12	20	2015	1
	Shed		10	16	2024	1

Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
8/11/2022	FROELICH FRANK J	DEWALD JASON	2022-10519	Fulfillment of prior year contract	Deed		\$62,500.00
7/27/2022	EMGE JOHN J ESTATE	DEWALD JASON	2022-10520	Fulfillment of prior year contract	Deed		\$62,500.00
4/27/2022	DEWALD JILL	DEWALD JASON	2022-05634	Quit Claim Deed	Deed		\$0.00
4/27/2022	DEWALD JILL	DEWALD JASON	2022-05364	Quit Claim Deed	Deed		\$0.00
10/14/2008	FROELICH FRANK & JOHN & BETTY, EMGE	DEWALD JASON & JILL	700/3547	NORMAL ARMS-LENGTH TRANSACTION	Contract		\$125,000.00
1/10/2008	FROELICH FRANK	FROELICH FRANK & JOHN & BETTY EMGE	695/9187	NO CONSIDERATION	Deed		\$0.00

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

Valuation

	2026	2025	2024	2023	2022
Classification	Residential	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$61,200	\$61,200	\$40,800	\$40,800	\$40,800
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$140,900	\$140,900	\$128,290	\$128,290	\$96,430
= Gross Assessed Value	\$202,100	\$202,100	\$169,090	\$169,090	\$137,230
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$202,100	\$202,100	\$169,090	\$169,090	\$137,230

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

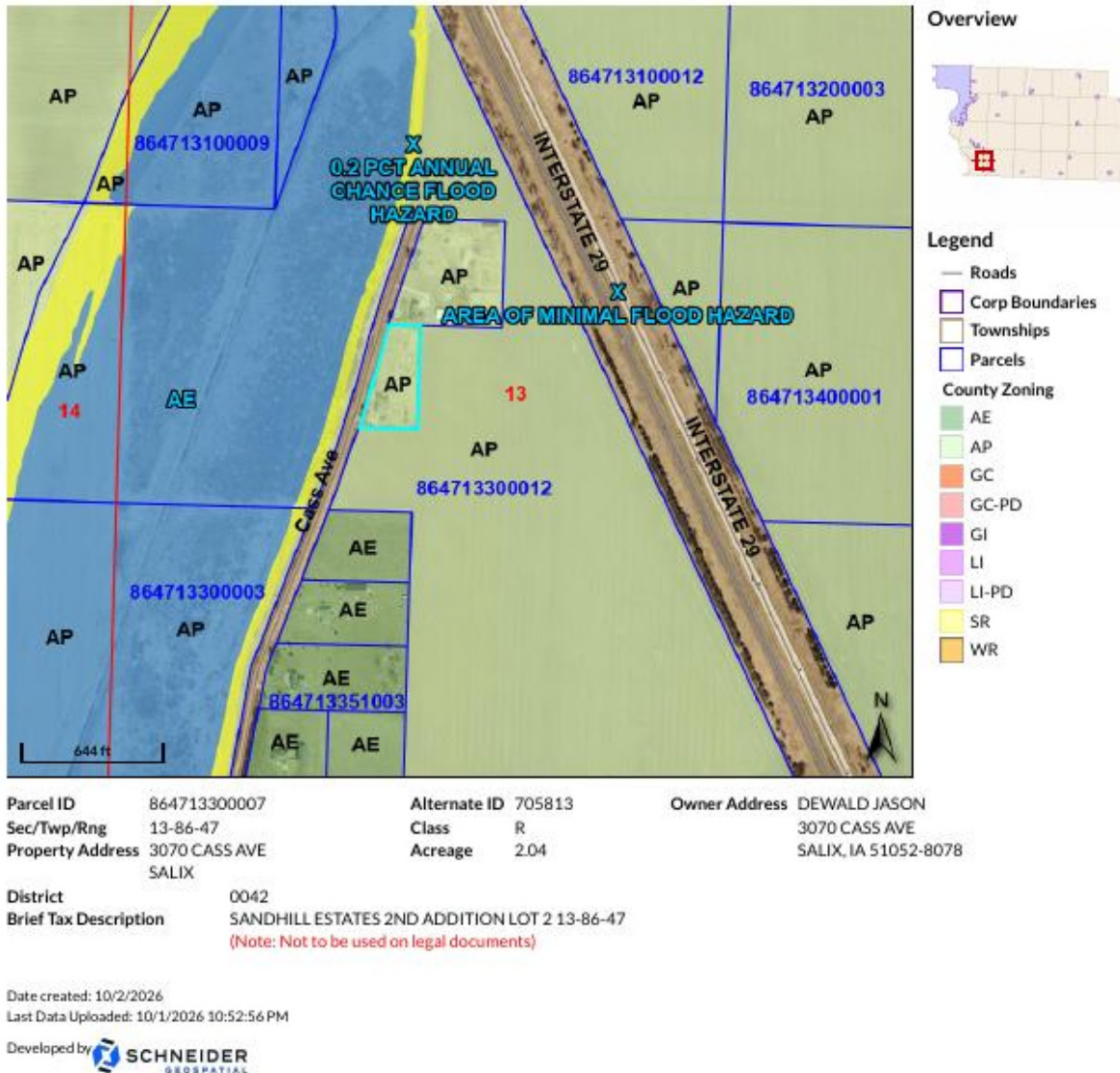
Photos



Sketches

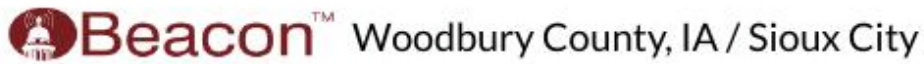
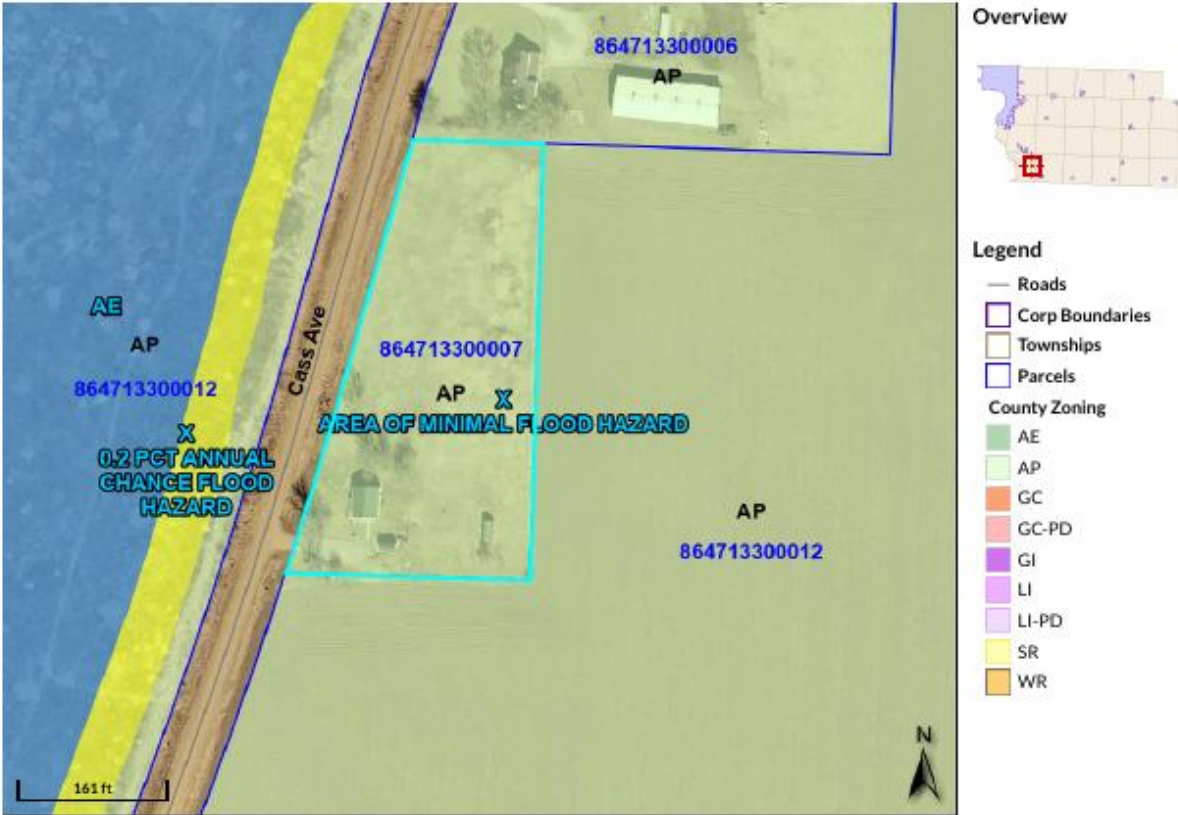
Zoning Map

Beacon™ Woodbury County, IA / Sioux City



Zoning Map – Parcel 864713300007 (AP District) and surrounding area

Floodplain Map



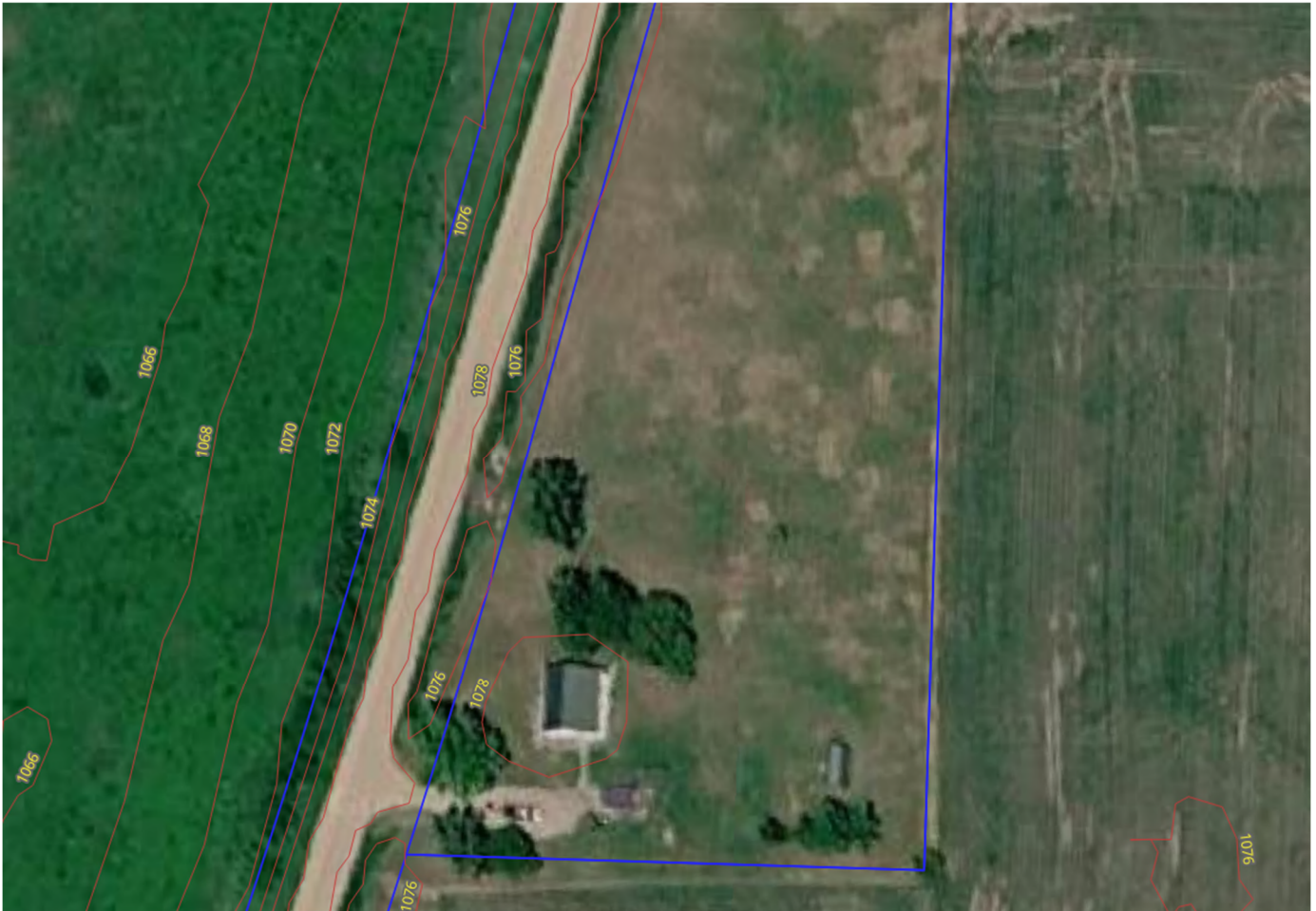
Parcel ID	864713300007	Alternate ID	705813	Owner Address	DEWALD JASON
Sec/Twp/Rng	13-86-47	Class	R		3070 CASS AVE
Property Address	3070 CASS AVE	Acreage	2.04		SALIX, IA 51052-8078
	SALIX				
District	0042				
Brief Tax Description	SANDHILL ESTATES 2ND ADDITION LOT 2 13-86-47				
	(Note: Not to be used on legal documents)				

Date created: 10/2/2026
Last Data Uploaded: 10/1/2026 10:52:56 PM

Developed by SCHNEIDER
GEOSPATIAL

Floodplain Map – Subject property in Area of Minimal Flood Hazard (Zone X)

Elevation Map



Elevation Map with contours – Subject property and vicinity

 BeaconTM Woodbury County, IA / Sioux City



Parcel ID	864713300007	Alternate ID	705813	Owner Address	DEWALD JASON
Sec/Twp/Rng	13-86-47	Class	R		3070 CASS AVE
Property Address	3070 CASS AVE	Acreage	2.04		SALIX, IA 51052-8078
	SALIX				
District	0042				
Brief Tax Description	SANDHILL ESTATES 2ND ADDITION LOT 2 13-86-47				
	(Note: Not to be used on legal documents)				

Date created: 10/2/2026
Last Data Uploaded: 10/1/2026 10:52:56 PM

Developed by  **SCHNEIDER**
GEOSPATIAL

Soil Map – Parcel 864713300007



Iowa Corn Suitability Rating (CSR2) Map – Subject property

