

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 9/14/23

Weekly Agenda Date: 9/19/23

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Daniel J. Priestley

WORDING FOR AGENDA ITEM:

a.Motion to receive the final staff report and the Zoning Commission's recommendation from their 9/11/23 meeting to approve the final plat of the Janet Heck Subdivision, a minor subdivision to Woodbury County, Iowa.
b.Motion to accept and approve the Janet Heck Subdivision, a minor subdivision to Woodbury County, Iowa.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Supervisors will receive the Woodbury County Planning and Zoning (P&Z) Commission's recommendation and final staff report on said plat and shall approve, approve with conditions, or disapprove the plat. The Board may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat.

BACKGROUND:

Kevin Heck, executor for Janet K. Heck has filed for a one (1) lot minor subdivision on the property identified as Parcel #874724300005. This subdivision, to be known as Janet Heck Subdivision, is being completed to separate the house location from the farm ground. This agricultural subdivision proposal has been properly noticed in the Sioux City Journal legals section on August 29, 2023. The neighbors within 1000 FT have been duly notified via a August 23, 2023 letter about the September 11, 2023 Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lot(s) have adequate access. This property is located in the Agricultural Preservation (AP) Zoning District and is located in the Special Flood Hazard Area (SFHA) – Zone A. The City of Salix waived their extraterritorial review authority with the approval of Resolution No. 2023-20. The area of the subdivision is less than 5 acres and Base Flood Elevation (BFE) data is not required. The Woodbury County Zoning Commission voted 4-0 to recommend approval of the Janet Heck Subdivision at their Special Meeting held at the Moville Area Community Center on September 11, 2023. Staff also recommends approval.

Parcel #: 874724300005
Township/Range: T87N R47W (Liberty)
Section: 24
Quarter: SE ¼ SW ¼
Zoning District: Agricultural Preservation
Floodplain District: Zone A - Area to be subdivided under 5 acres. No BFE required.
Address: 1739 260th St., Salix, IA 51052

FINANCIAL IMPACT:

0

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

Receive the final staff report and P&Z Commission's recommendation from their 9/11/23 meeting.
Approve the final plat and authorize the Chairman to sign the resolution.

ACTION REQUIRED / PROPOSED MOTION:

- a. Motion to receive the final staff report and the Zoning Commission's recommendation from their 9/11/23 meeting to approve the final plat of Janet Heck Subdivision, a minor subdivision to Woodbury County, Iowa.
- b. Motion to accept and approve the Janet Heck Subdivision, a minor subdivision to Woodbury County, Iowa.



WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT

620 Douglas St. · Sixth Floor · Sioux City, IA 51101 · Phone: 712.279.6609 · Fax: 712.279.6530 · Web: woodburycountyiowa.gov

Daniel J. Priestley, MPA – Zoning Coordinator · dpriestley@woodburycountyiowa.gov

Dawn Norton – Senior Clerk · dnorton@woodburycountyiowa.gov

FINAL REPORT – SEPTEMBER 14, 2023

JANET HECK SUBDIVISION - MINOR SUBDIVISION PROPOSAL

Application Details

Applicant(s)/Owner(s):	Janet K. Heck, Kevin Heck (Executor)
Application Type:	Minor Subdivision
Name of Subdivision:	Janet Heck Subdivision
Application Date:	July 17, 2023
Number of Lots:	1
Total Acres:	4
Extraterritorial Review:	Waived by Salix with Resolution No. 2023-20
Legal Notice Date:	August 29, 2023
Neighbor(s) Notice Date:	August 23, 2023
Stakeholder(s) Notice Date:	July 27, 2023
Zoning Commission Public Hearing Date:	August 28, 2023
Board of Supervisors Agenda Date:	September 19, 2023
Attorney:	Ryan Ross, 712-224-7585
Surveyor:	Mike Schulte, 712-790-3489

Property Details

Parcel #:	874724300005
Township/Range:	T87N R47W (Liberty)
Section:	24
Quarter:	SE ¼ SW ¼
Zoning District:	Agricultural Preservation
Floodplain District:	Zone A - Area to be subdivided under 5 acres. No BFE required.
Address:	1739 260 th St., Salix, IA 51052



Contents

Summary, Application Details, Aerial & Plat Excerpt, Zoning Commission Minutes & Recommendation
Application & Final Plat
Review Criteria & Extraterritorial Review
Legal Notification
Neighbor(s) Notification
Stakeholder(s) Comments
Supporting Documentation

SUMMARY

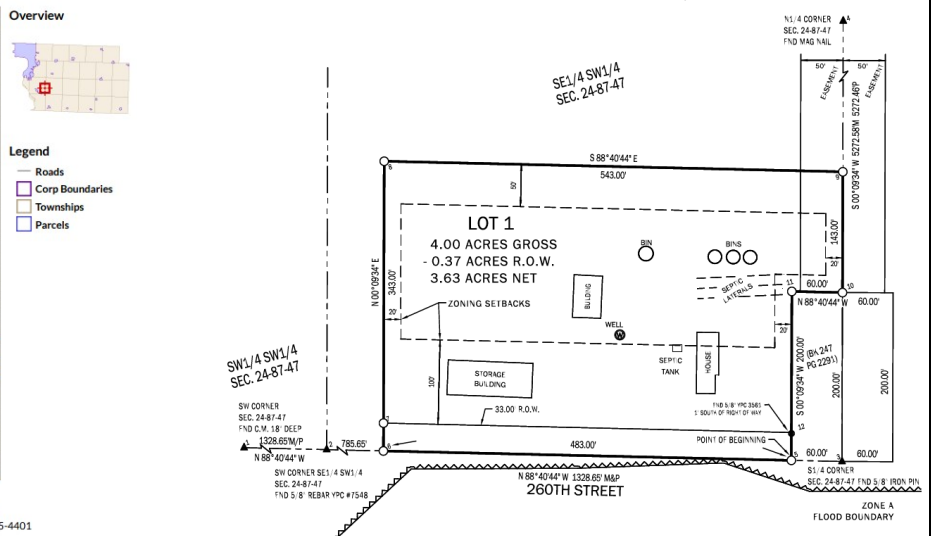
Kevin Heck, executor for Janet K. Heck has filed for a one (1) lot minor subdivision to be known as the Janet Heck Subdivision on the property identified as Parcel #874724300005 and referenced above. This subdivision is being completed to separate the house location from the farm ground. This agricultural subdivision proposal has been properly noticed in the Sioux City Journal legals section on August 29, 2023. The neighbors within 1000 FT have been duly notified via a August 23, 2023 letter about the September 11, 2023 Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lot(s) have adequate access. This property is located in the Agricultural Preservation (AP) Zoning District and is located in the Special Flood Hazard Area (SFHA) – Zone A. The City of Salix waived their extraterritorial review authority with the approval of Resolution No. 2023-20. The area of the subdivision is less than 5 acres and Base Flood Elevation (BFE) data is not required. The Woodbury County Zoning Commission voted 4-0 to recommend approval of the Janet Heck Subdivision at their Special Meeting held at the Merville Area Community Center on September 11, 2023. Staff also recommends approval.

AERIAL VIEW



Parcel ID	874724300005	Alternate ID	761415	Owner Address	HECK, JANET
Sec/Twp/Rng	24-87-47	Class	AD		608 BENNING DR
Property Address	1739 260TH ST	Acreage	38.77		HOLSTEIN, IA 51025-4401
District	0043				
Brief Tax Description	EX 60' X 200' SE COR SE5W				

FINAL PLAT EXCERPT



ZONING COMMISSION RECOMMENDATION & STAFF RECOMMENDATION

The Woodbury County Zoning Commission voted 4-0 to recommend approval of the Janet Heck Subdivision at their Special Meeting held at the Merville Area Community Center on September 11, 2023. Staff also recommends approval.

Minutes - Woodbury County Zoning Commission Special Meeting – September 11, 2023

The Zoning Commission (ZC) special meeting convened on the 11th of September at 5:00 PM at the Merville Community Center in Merville, Iowa. The meeting was also made available via teleconference.

ZC Members Present:	Chris Zant, Corey Meister, Jeff O’Tool, Tom Bride
County Staff Present:	Dan Priestley, Dawn Norton
Public Present:	Angie Heck, Tony Heck, Kim Luze, Rich Luze, Vicki Atwell, Steve Mrla, Leo Jochum, Bev Jochum, Janet Yanak, Tony Yanak, Dennis Ragan, JoAnn Sadler, Zach Hummel, Wally Wagner, John Johnston, Jeremy Taylor, Kevin Heck, Kyle Gates, Eric Nelson, Elizabeth Widman, Rebekah Moerer, Genise Hallowell, Kalyn Heetland, Josh Heetland, Elisabeth Cendejas, Jesus Cendejas, Robert Knaack, Greg Jochum, Brad Jochum, Tom Jochum, Bob Fritzmeier

Call to Order

Chair Chris Zant formally called the meeting to order at 5:00 PM. Four Commissioners were present. Commissioner Parker was absent.

Public Comment on Matters Not on the Agenda

None

Approval of Previous Meeting Minutes – July 24, 2023

O’Tool motioned to approve the minutes from July 24, 2023. Second: Bride. Motion carried: 4-0.

Formal approval of Zoning Commission Rules of Procedure

At the July 24, 2023 meeting of the Zoning Commission, the rules of procedure were approved and sent to the Board of Supervisors who voted to approve the rules on August 8, 2023. Motion to formally adopt the rules and authorize the chair to sign the Rules of Procedure by Meister. Second: O’Tool. Motion carried: 4-0.

Public Hearing: Proposed Janet Heck Subdivision (Parcel #874724300005)

Priestley read the preliminary report and staff recommendation into the record. Kevin Heck, executor for Janet K. Heck has filed for a one (1) lot minor subdivision on the property identified as Parcel #874724300005. This subdivision is being completed to separate the house location from the farm ground. This agricultural subdivision proposal has been properly noticed in the Sioux City Journal legal section on August 29, 2023. The neighbors within 1000 FT have been duly notified via an August 23, 2023 letter about the September 11, 2023 Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lot(s) have adequate access. This property is located in the Agricultural Preservation (AP) Zoning District and is located in the Special Flood Hazard Area (SFHA) – Zone A. The City of Salix waived their extraterritorial review authority with the approval of Resolution No. 2023-20. The area of the subdivision is less than 5 acres and the Base Flood Elevation (BFE) data is not required. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Motion to close public hearing: O’Tool. Second: Bride. Carried: 4-0. Motion to recommend the approval to the Board of Supervisors as proposed: O’Tool. Second: Meister. Motion carried: 4-0.

Public Haring: Proposed Zoning Ordinance Map Amendment (Rezone) (Parcel #884506200006)

Priestley read into record the preliminary report and staff recommendation. Richard and Kimberly Luze (Applicants/ Owners) have filed a Zoning ordinance Map Amendment application with Woodbury County to request their property (Parcel #884506200006) be rezoned from Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District. The applicants are making this request to pursue an eventual split of their parcel to facilitate the ability to add a neighboring single-family dwelling in the future as there are presently two houses located within the existing quarter-quarter section. The split will likely consist of approximately three acres from the existing 18+ acres. This will be initiated at a future date. The neighbors within 1000 FT have been notified via an August 23, 2023 letter about the September 11, 2023 Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. This property is located in the Agricultural Preservation (AP) Zoning District and is not located in the floodplain. This requested zoning change is compliant with the future land use map of Woodbury County’s development plan as this area is designated within the rural residential area. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Staff recommends approval. Priestley has received some phone inquiries regarding future land uses. A Neighboring landowner spoke with concerns of possible subdivisions and increasing density. Priestley stated with Hwy 20 abutting the land, the state

would likely not allow more driveways off Hwy 20. If additional land splits were requested through a subdivision application, there would be public conversations and meetings. Ms. Atwell expressed concerns if a subdivision would go in and how it could affect her cattle farming. Bride stated it would have no impact on what she is currently doing and stated communication between landowners is important. Steve Mrla stated DOT could build a frontage road which would allow more access. Bride discussed how eliminant domain should not be used for private use. Bride motioned to close public hearing. Second: Meister. Carried: 4-0. Motion to recommend the approval to the Board of Supervisors as proposed: Meister. Second: Bride. Motion carried: 4-0.

Public Hearing: Utility-Scale Solar Systems – Consideration of Solar Ordinances for Recommendation(s) to the Board of Supervisors

Priestley read into the record the direction by the Woodbury County Board of Supervisors that occurred on August 8, 2023 for Planning and Zoning and the Zoning Commission to establish/examine a new ordinance as it relates to utility-scale solar systems. The purpose of this public hearing is to receive comments from the public about solar energy systems not limited to utility-scale solar systems, agrisolar or agrivoltaics, and community solar systems as the Commission works toward preparing a recommendation for a proposed ordinance or amendments to the Woodbury County Zoning ordinance to address the permitting process for such systems in industrial and/or agricultural areas. The Board of Supervisors have indicated that "if the county was to engage in utility-scale solar, at minimum, the county should consider this only if the following is met":

- A conditional use permit for AP "C" with Planning and Zoning and Board of Adjustment to be able to site-specifically take into consideration the concerns of neighbors, land/sol, and other factors when approving permit.
- A slope of no more than 5% in order to preserve the land and to account for soil erosion, compaction, and future land stewardship.
- A maximum height of no more than 20' for panel structures.
- Of all AP, no more than 49% can be in such a project. In short, 51% must be for agricultural production or no longer considered "AP."
- Utility solar can be no more than 2% of all AP "agricultural preservation," preserving 98% of AP. This equates to approximately 8,540 acres of the 427,000 acres of ag land, ag land constituting 75% of the 570,000 total acres in Woodbury County.
- Current notification for utility-scale solar shall be 1 mile for public comment instead of 500 feet.
- A requirement (or at least strong consideration) that the utility-scale solar project either be on a landowner's property or that the owner of the land be a resident of Woodbury County.

Priestley identified additional comments/resources that were received after the printing of the Zoning Commission agenda packet with backup materials. In particular, resources were received from the Center of Rural Affairs, the Northwest Iowa Power Cooperative (NIPCO), the Woodbury County Rural Electric Cooperative, and the Iowa Land & Liberty Coalition. Additionally, Priestley provided a copy of a map illustrating soil content with less than 5% slopes in comparison with soils with CSR2 ratings greater than 65 and 75. Priestley then offered a summary of potential approaches that could be taken to craft an ordinance including which entity would be in charge of the permitting. Looking at other counties, there is a mix of permitting utility-scale solar based on a conditional use permit via the Zoning Commission and Board of Adjustment in comparison with a standalone home rule ordinance where the Board of Supervisors are the permitting body. Priestley indicated that the following concepts would be up for discussion as an ordinance is considered: Certified Abstractor's Listing – Public Notification Area; Site Plan; Setbacks; Height; Protected Areas; Slope; Landscaping/Buffer/Screening; Fencing/Security; Signage; Lighting; Noise; Outdoor Storage; Utility Plan / Utility Connections / Agreements; Floodplain; Habitat and Natural Resource Considerations; Solar Glare Minimization; Weed Control; Grading Plan; Compliance with applicable laws (local, state, federal); Access; Road Use; Aviation Protection; Maintenance, Repair, or Replacement / Repowering; Waste; Soil Erosion / Sediment Control; Stormwater Management; Administration / Enforcement / Violations; Emergency Management; Timeline; Safety; Abandonment / Cessation of Operations; Decommissioning and Reclamation; Fees; Agrivoltaics / Agrisolar; Community Solar Systems; Concentrating Solar Power; Solar definitions; Etc.

The following paraphrased public comments were offered:

Greg Jochum (Salix) addressed the Commission regarding the differences between CSR1 and CSR2 as well as height.

Brad Jochum (Plymouth County) addressed the Commission regarding out of county ownership.

Tom Jochum (Sgt. Bluff) addressed the Commission regarding the advantages of solar.

Eric Nelson (Moville) addressed the Commission regarding solar as a commercial/industrial entity.

Ron Wood (Salix) addressed the Commission regarding the need for solar power generation for growth.

Elizabeth Widman (Sgt. Bluff) addressed the Commission regarding the stewardship and protection of agricultural land from solar development

Bob Fritzmeier (Sioux City) addressed the Commission regarding how solar installations help soil to rejuvenate and help the wildlife population.

Leo Jochum (Salix) addressed the Commission regarding renewable energy rates, vegetation for screening, capping AP land at 2%, and soil rejuvenation.

Kim Alexander (Smithland) addressed the Commission regarding money as a principal purpose for solar.

Will Dougherty (Urbandale) addressed the Commission on how MidAmerican works with various stakeholders as they pursue solar projects and offered an opportunity to tour the Port Neal solar site.

Ann Johnston (Salix) addressed the Commission with concerns on the impact of the farm ground and keeping the land the way it is.

Wally Kuntz (Merville) addressed the Commission inquiring about the tax income.

Supervisor Jeremy Taylor (Sioux City) addressed the Commission and responded to Mr. Kuntz's inquiry about generation usage tax.

Bride asked Will Dougherty from MidAmerican where the largest project was in Iowa, Dougherty stated Holiday Creek, north of Fort Dodge has an 800-acre, 100 M/Watt project. 8 acres generally produces 1 M/Watt.

Bride asked if there has been any requests to the Iowa Utilities Board for eminent domain for a commercial solar project.

Eric Nelson asked Dougherty about storage of excess power. Dougherty stated it is not an on-demand system. The grid goes where needed first, then to next load center. Port Neal is a on-demand system. Dougherty stated coal system is used as a back up to solar.

Motion to close public hearing: Meister. Second: O'Tool. Carried: 4-0.

Priestley thanked the attendees for their comments and questions. The information gathered will be taken into consideration as a proposal is prepared and possibly recommended by the Zoning Commission that would eventually go to the Board of Supervisors for up to three hearings. The next meeting of the Zoning Commission will be held on Monday, September 25 at 5:00 PM in the basement meeting room of the Woodbury County Courthouse where the Board of Supervisors meet.

Public Comment on Matters Not on the Agenda

None.

Commissioner Comment or Inquiry

None.

Staff Update

Priestley stated that the minor subdivision and rezone that were recommended this evening will be sent to the Board of Supervisors for consideration at future meeting(s).

Adjourn

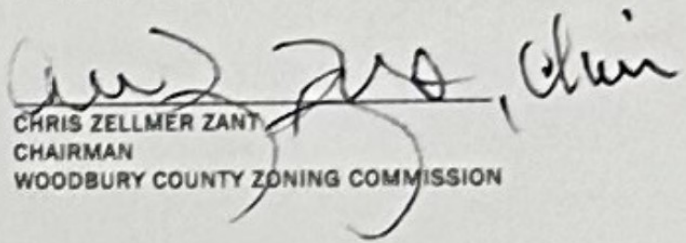
Motion by Bride to adjourn; Second by O'Tool. Carried: 4-0. Adjourned: 6:34 p.m.

CERTIFICATE OF WOODBURY COUNTY
ZONING COMMISSION

***JANET HECK SUBDIVISION**

I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVISEMENT THE PLAT OF ~~HECK SUBDIVISION~~, WOODBURY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE 11th DAY OF September 2023 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

DATED: Sept-11, 2023



CHRIS ZELLMER ZANT
CHAIRMAN
WOODBURY COUNTY ZONING COMMISSION

WOODBURY COUNTY, IOWA
MINOR SUBDIVISION APPLICATION

Applicant: JANET K. HECK KEVIN HECK (EXECUTOR)
Name of Owner

Mailing Address: 1739 260TH ST SALIX IA 51652
Street City or Town State and Zip + 4

Property Address: 1739 260TH ST SALIX IA 51652
Street City or Town State and Zip + 4

Ph/Cell #: 712-490-3079 E-mail Address: KHECK492@gmail.com

To subdivide land located in the SW Quarter of Section 24

Civil Township LIBERTY GIS Parcel # 874724300005

Name of Subdivision: HECK SUBDIVISION

Subdivision Area in Acres 4.0 Number of Lots 1

Attachments:

1. Eight (8) copies of grading plans; if required.
2. Eight (8) copies of final plats (Complete per Section 4.01 of the Subdivision Ordinance).
3. An attorney's opinion of the abstract.
4. A Certified abstractor's certificate to include:
 - a. Legal description of proposed subdivision.
 - b. Plat showing clearly the boundaries of the subdivision.
 - c. A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.

Surveyor: MIKE SCHULTE Ph/Cell: 712-790-3489
MIKE@SCHULTE SURVEY.COM

Attorney: RYAN RASS Ph/Cell: 712-224-7585

I hereby grant permission to the Woodbury County Zoning Staff and elected or appointed officials to conduct on-site inspections.

Owner's Signature: Kevin Heck Exe.

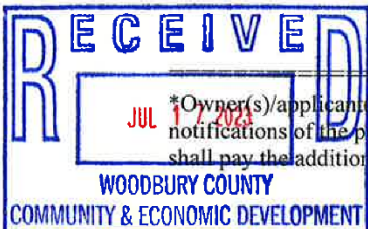
Zoning Director: [Signature]
Coordinator

For Office Use Only:

SESW

Zoning District AP Flood District A Date 7-17-23 No. 6909

Application Fee 4 Lots or less (\$300*+ Additional Fees) \$300 - cc ending 8053
5 Lots or more (\$300* plus \$5 per lot + Additional Fees) _____



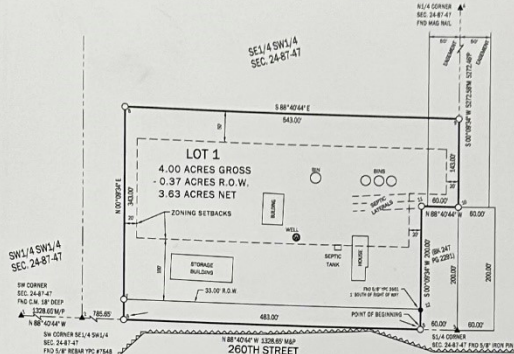
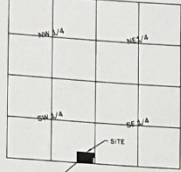
*Owner(s)/applicant(s) shall pay the additional costs associated with the processing, printing, and the mailing of notifications of the public hearings when the number of mailings required exceeds 30. The owner(s)/applicant(s) shall pay the additional costs of the legal publication notice(s) in newspaper(s) when the fees exceed \$100.00.

INDEX LEGEND

SURVEYORS NAME/RETURN TO: MIKE SCHULTE, SCHULTE SURVEYING, INC. 2003 390TH STREET, WESTSIDE, IA 51487

FINAL PLAT A MINOR SUBDIVISION PLAT OF JANET HECK SUBDIVISION WOODBURY COUNTY, IOWA

VICINITY MAP SECTION 24-87-47



LEGAL DESCRIPTION

PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 87 NORTH, RANGE 47 WEST OF THE 5TH P.M., WOODBURY COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESSMENTS

I, TINA BERTRAND, TREASURER OF WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE LAND DESCRIBED IN THE ATTACHED AND FOREGOING SURVEYOR'S CERTIFICATE IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

CERTIFICATE OF WOODBURY COUNTY ZONING COMMISSION

I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVISORSHIP THE PLAT OF JANET HECK SUBDIVISION, WOODBURY COUNTY, IOWA AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE 11th DAY OF SEPTEMBER, 2023 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

COUNTY ENGINEER'S CERTIFICATE

I, MARK NAHRA, P. E., THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE BOUNDARY LINES OF SAID PLAT WERE MATHEMATICALLY CHECKED AND CONFORM WITH THE REQUIREMENTS AS PROVIDED FOR IN THE SUBDIVISION ORDINANCE, THAT ALL DIMENSIONS BOTH LINEAL AND ANGULAR NECESSARY FOR THE LOCATION OF LOTS, TRACTS, STREETS, AND EASEMENTS ARE SHOWN, AND THAT IMPROVEMENTS MEET ACCEPTED ENGINEERING DESIGN PRACTICE AND WERE CONSTRUCTED IN CONFORMANCE WITH THE WOODBURY COUNTY SUBDIVISION ORDINANCE FOR THE UNINCORPORATED AREA OF WOODBURY COUNTY, IOWA.

BOARD OF SUPERVISORS' RESOLUTION RESOLUTION NO.

RESOLUTION ACCEPTING AND APPROVING JANET HECK SUBDIVISION, WOODBURY COUNTY, IOWA. WHEREAS, THE OWNERS AND PROPRIETORS DO ON THE _____ DAY OF _____, 2023, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS JANET HECK SUBDIVISION, WOODBURY COUNTY, IOWA; AND WHEREAS, THE ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT; AND WHEREAS, THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT;

PASSED AND APPROVED THIS _____ DAY OF _____, 2023. MATTHEW UNG, CHAIRMAN, BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA. ATTEST: PATRICK F. GILL, SECRETARY

SURVEYOR'S CERTIFICATE

I, MIKE SCHULTE, A SOLE LICENSED LAND SURVEYOR UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF IOWA, HOLDING CERTIFICATE NO. 17979, DO HEREBY CERTIFY THAT THE SUBDIVISION PLAT OF JANET HECK SUBDIVISION, WOODBURY COUNTY, IOWA, IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE SAME IS LOCATED SAID DESCRIPTION THE LOTS AS DESCRIBED IN THE SUBDIVISION PLATED, THAT THE LOTS ARE OF THE DIMENSION, NUMBER, NAME, AND LOCATION AS SHOWN ON SAID PLAT, AND THAT 5/8" REBAR WERE SET AND FOUND AT EACH CORNER OF EVERY LOT OF SAID SUBDIVISION.



DEDICATION

THE JANET K. HECK ESTATE IS THE OWNER OF THE REAL ESTATE DESCRIBED IN THE ATTACHED LEGAL DESCRIPTION AND HAS IN PURSUANCE OF LAW CAUSED SAID DESCRIBED REAL ESTATE TO BE SURVEYED, STAKED AND PLATED INTO LOTS AS IS PARTICULARLY SHOWN AND SET FORTH IN THE ATTACHED PLAT AND SAID CERTIFICATE OF MIKE SCHULTE, P.E., A LICENSED SURVEYOR WHO SURVEYED AND PLATED THE REAL ESTATE TO BE KNOWN AS JANET HECK SUBDIVISION, AND THAT THE SAME IS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES AS OWNERS AND PROPRIETOR HEREOF.

EXECUTED THE _____ DAY OF _____, 2023.

KEVIN HECK, EXECUTOR JANET K. HECK ESTATE

STATE OF IOWA } SS

COUNTY OF WOODBURY } SS

ON THIS _____ DAY OF _____, 2023, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED KEVIN HECK, EXECUTOR JANET K. HECK ESTATE

NOTARY PUBLIC

AUDITOR AND RECORDER'S CERTIFICATE OF RECORDING

STATE OF IOWA } SS

COUNTY OF WOODBURY } SS

DOCKET NO. _____

FILED FOR RECORD, THIS _____ DAY OF _____, 2023 AT _____ O'CLOCK _____ M. RECORDED IN PLAT

ENVELOPE _____ INDEXED AND DELIVERED TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA.

DATED: _____, 2023

PATRICK F. GILL, WOODBURY COUNTY AUDITOR

BY: DIANE SWOBDGA PETERSON, DEPUTY

TITLE OPINION

TO: COUNTY AUDITOR AND RECORDER

WOODBURY COUNTY, IOWA

DEAR S/R/MADAM:

WE HAVE THIS DATE EXAMINED A COMPLETE ABSTRACT TO TITLE, PURSUANT TO IOWA CODE SECTION 354.1(1)(10) TO PROPERTY WHICH INCLUDES IN ITS ENTIRETY, PROPERTY DESCRIBED IN THIS SURVEYOR'S CERTIFICATE ON THE PLAT OF JANET HECK SUBDIVISION, WOODBURY COUNTY, IOWA LAST CERTIFIED BY ENGLISHSON ABSTRACT CO., INC., DATED _____, 2023 AT 8:09 A.M. AND FROM SAID ABSTRACT FIND GOODS AND MERCHANTABLE TITLE TO SAID PREMISES VESTED IN THE ESTATE OF JANET K. HECK, SUBJECT TO THE FOLLOWING LIENS, LIMITATIONS AND EXCEPTIONS:

- 1. EASEMENT IN FAVOR OF WOODBURY COUNTY RURAL ELECTRIC CO-OPERATIVE ASSOCIATION, DATED SEPTEMBER 8, 1939 AND FILED ON APRIL 18, 1940 IN MISC. RECORD 146, PAGE 579.
2. CONDEMNATION OF EASEMENT IN FAVOR OF NORTHWEST IOWA POWER CO-OPERATIVE, FILED ON JUNE 6, 1964 IN BOOK 748, PAGE 387.
3. EASEMENT IN FAVOR OF FARMERS DRAINAGE DISTRICT, DATED JULY 14, 1981 AND FILED ON SEPTEMBER 4, 1981 IN ROLL 113, IMAGE 1581.
4. EASEMENT IN FAVOR OF NORTHWEST IOWA POWER CO-OPERATIVE, DATED JANUARY 6, 1982 AND FILED ON JANUARY 19, 1982 IN ROLL 116, IMAGE 1424.
5. EASEMENT IN FAVOR OF NORTHWEST IOWA POWER CO-OPERATIVE, DATED FEBRUARY 1, 1984 AND FILED ON JUNE 3, 1985, IN ROLL 284, IMAGE 1844.

ALL CERTIFIED REAL ESTATE TAXES AND SPECIAL ASSESSMENTS DUE AND PAYABLE HAVE BEEN PAID. REAL ESTATE TAXES AND SPECIAL ASSESSMENTS NOT CERTIFIED ARE A LIEN IN AN UNDETERMINED AMOUNT.

DATED: _____, 2023.

RYAN C. ROSS, ATTORNEY AT LAW

FLOOD BOUNDARY

PROPERTY IS LOCATED WITHIN ZONE A (NO BASE FLOOD ELEVATIONS DETERMINED) MAP NUMBER 181800000 - EFFECTIVE DATE SEPTEMBER 29, 2011 UNDER 5 ACRES - EXEMPT

UTILITY NOTE

AT THIS TIME, NO ADDITIONAL WOODBURY COUNTY SERVICES ARE PLANNED. ACCESS WILL BE GAINED FROM THE ADJOINING COUNTY ROAD.

ZONING

EXISTING ZONING: AP
PROPOSED ZONING: AP (SAME)

2 MILE SET BACK

THE CITY COUNCIL OF SAUX, IOWA, PURSUANT TO AUTHORITY GRANTED IN IOWA CODE SECTION 356.6, WAIVED THE CITY'S REVIEW AND APPROVAL OF THE FINAL PLAT OF THE JANET HECK SUBDIVISION, AS WOULD OTHERWISE BE REQUIRED BY THE CITY'S CODE OF ORDINANCES, WITH THE ADOPTION OF RESOLUTION NO. 2023-20 ON THE 12th DAY OF JULY, 2023.

AUDITOR'S APPROVAL OF NAME

THE COUNTY AUDITOR HEREBY ACCEPTS AND APPROVES THE NAME OF JANET HECK SUBDIVISION, WOODBURY COUNTY, IOWA, FOR USE IN WOODBURY COUNTY, IOWA AS REQUIRED BY IOWA CODE SECTION 354.6(2).

DATED: _____, 2023. PATRICK F. GILL, WOODBURY COUNTY AUDITOR

BY: DIANE SWOBDGA PETERSON, DEPUTY

CERTIFICATE OF COUNTY ASSESSOR

I, JULIE CONOLLY, HEREBY CERTIFY THAT ON THE _____ DAY OF _____, 2023, A COPY OF THIS PLAT WAS FILED IN THE WOODBURY COUNTY ASSESSOR'S OFFICE.

DATED: _____, 2023. JULIE CONOLLY, WOODBURY COUNTY ASSESSOR

SET BACK REQUIREMENTS

EXISTING ZONING: AP
PROPOSED ZONING: AP (SAME)
MIN LOT AREA: 2 AC
MIN LOT WIDTH: 200 FT
FRONT YARD SETBACK: 50 FT
SIDE YARD: 20 FT
ACCESSORY: 10 FT
CORNER SIDE YARD: 50 FT
REAR YARD SETBACK: 50 FT
ACCESSORY: 10 FT
MAXIMUM HEIGHT: 45 FT

BASIS OF BEARING

Table with columns: Point, Azimuth, Distance, Description. Includes bearings for various points and calculations.

LEGEND

FOUND SET: SURVEY (triangle), SECTION CORNER (square), S/R REBAR P/C #17979 (circle), (UNLESS NOTED), WALL, PLATTED DISTANCE (P), MEASURED DISTANCE (M), SECTION LINE (dashed line), WELL (circle with cross).

OWNER/SUBDIVIDER

JANET K. HECK ESTATE - KEVIN HECK, EXECUTOR

SURVEYOR

MIKE SCHULTE

MINOR SUBDIVISION FINAL PLAT - JANET HECK SUBDIVISION - WOODBURY COUNTY, IOWA - SCHULTE SURVEYING, INC.

CED STAFF - REVIEW CRITERIA (SUBDIVISION ORDINANCE)

The County's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements, CED staff:

	shall review a subdivision application for completeness and for approval of a final plat by ensuring it is submitted in accordance with the standards for a subdivision plat per Iowa Code.
	Staff reviewed the subdivision application, deemed it complete, and verified the final plat's conformance to the County's Zoning Ordinance, Subdivision Ordinance, and the Code of Iowa, all as required by law.
	shall accept payment of applicable fees, and distribute copies of the final plat to the Planning & Zoning Commission, the appropriate county departments and public utilities; and
	Staff received the application fee and the account is paid-in-full. Staff also distributed copies of the application, final plat, and other materials to all relevant stakeholders as required.
	shall coordinate with the County Engineer who shall review the final plat to determine conformance with the engineering design standards of these regulations and to verify accuracy of the legal descriptions and survey data; and
	Staff have received written confirmation that the County Engineer has reviewed and determined that the final plat conforms to the engineering and design standards of these regulations, and he has verified the accuracy of the legal descriptions and survey data.
	shall review the final plat to determine conformance with the design standards of these regulations and with the required form of the plat and related documents; and
	Staff verified that the final plat conforms to the design standards of these regulations, as well as the required form of the final plat.
	shall assure conformance with the goals and objectives of the County's General Plan, the CED staff may make recommendations for conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties.
	Staff attest to the final plat conforming to the goals and objectives of the county plan. Staff recommends approval of the final plat.

ZONING COMMISSION - REVIEW CRITERIA (SUBDIVISION ORDINANCE)

The County's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements, the Planning and Zoning Commission:

	shall conduct a public hearing on a final plat for a minor subdivision. Notice of the date, time and location of the hearing will be mailed to the owners of all property within 1,000 feet for the subject property not less than four nor more than twenty days prior to the date of the hearing; and
	Staff have ensured that the legal requirements have been met for publicly noticing this public hearing, all as required by law. Staff have also ensured the notice requirement for adjacent landowners within 1000 FT have also been met.
	shall review the final plat and the staff reports and other information presented to determine whether the plat conforms to the ordinances, general plan and other policies of the county; and
	Staff have compiled, reviewed, and analyzed all relevant materials to determine whether the plat conforms to the ordinances, general plan, and other policies of the County, or not. Staff provided this information in a "Staff Report" format and made them available to the Commission well in advance of the required public hearing. The Commission also held a public hearing to review, analyze, and discuss the final plat and other relevant information.
	may recommend specific conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties; and
	Staff does not recommend any specific conditions for this final plat. However, specific conditions (if any) may be recommended by the Commission.
	shall forward a report of its finding and a recommendation to the Board of Supervisors. The recommendation shall be in the form of a resolution to be certified as part of the final plat materials. A copy of the report and the resolution shall also be forwarded to the property owner, the subdivider and the land surveyor for the subdivision.
	During its required public hearing on the final plat, the Board of Supervisors will receive the final staff report and the Commission's recommendation on said plat and shall approve, approve with conditions, or disapprove the plat. The Supervisors may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat. Staff will coordinate with the subdivider and land surveyor to ensure all copies and recordings are submitted and received, all as required by law.

RESOLUTION NO. 2023-20

A RESOLUTION WAIVING THE SALIX CITY COUNCIL'S RIGHT TO REVIEW AND APPROVE A MINOR SUBDIVISION TO BE KNOWN AS HECK SUBDIVISION LOCATED OUTSIDE CITY LIMITS IN WOODBURY COUNTY, IOWA

WHEREAS, the owner of property legally described as:

PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 87 NORTH, RANGE 47 WEST OF THE 5TH P.M., WOODBURY COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 24; THENCE NORTH 88°40'44" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88°40'44" WEST ALONG SAID SOUTH LINE, 483.00 FEET; THENCE NORTH 00°09'34" EAST, 343.00 FEET; THENCE SOUTH 88°40'44" EAST, 543.00 FEET TO THE EAST LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 00°09'34" WEST ALONG SAID EAST LINE, 143.00 FEET; THENCE NORTH 88°40'44" WEST, 60.00 FEET; THENCE SOUTH 00°09'34" WEST, 200.00 FEET TO THE POINT OF BEGINNING, CONTAINING 4.00 ACRES, MORE OR LESS, SUBJECT TO ANY AND ALL EASEMENTS APPARENT OR OF RECORD.

in the County of Woodbury and State of Iowa has advised the City of Salix of plans for a Minor Subdivision of the property to be named Heck Subdivision; and

WHEREAS, the property is located in Woodbury County, Iowa within the two-mile radius of the City of Salix, Iowa's incorporated limits; and

WHEREAS, Salix has established by ordinance pursuant to Iowa Code Section 354.9 jurisdiction to govern the division of land within a two-mile radius of the City's corporate limits; and

WHEREAS, the property owner will be completing a subdivision review including submitting the Final Plat of HECK SUBDIVISION to the Woodbury County Planning and Zoning Commission for compliance with Woodbury County, Iowa's subdivision ordinance for rural subdivisions; and

WHEREAS, Iowa Code Section 354.9 authorizes the City to waive by resolution its right to review and approve a subdivision within a two-mile radius of the City's boundaries if the property is in unincorporated area of Woodbury County which had adopted an ordinance governing the division of land; and

WHEREAS, the City Council of the City of Salix, Iowa has considered the proposed minor subdivision for the legally described area above and is satisfied that a minor subdivision review and approval by the City of Salix is not needed for the proposed development.

NOW, THEREFORE, BE IT RESOLVED that:

1. The City Council of the City of Salix, Iowa, pursuant to authority granted in Iowa Code Section 354.9, hereby waives the City's review and approval the Final Plat of the HECK ADDITION Minor Subdivision as would otherwise be required by the City's Code of Ordinances.

2. The Mayor is authorized to sign a Certified Resolution on behalf of the City of Salix, Iowa in connection with the HECK ADDITION Minor Subdivision for recording with the Woodbury County Recorder.

Council Member Burkhart introduce the resolution and moved that said resolution be adopted; seconded by Council Member Clayton, and after due consideration thereof by the Council, the Mayor put the question on the motion and, the roll being called, the following name Council Members voted:

	Aye	Nay	Absent	Abstain
Denise Burkhart	x			
Karen Allen	x			
Cindy Van Auken	x			
Emily Clayton	x			
Donnie Nelson				x

PASSED AND APPROVED this 12th day of July 2023.


Kevin Nelson, Mayor

Attest:


City Clerk

I, Kathy Brouillette, City Clerk, do hereby certify that the foregoing Resolution 2023-20 was duly and properly adopted by the City Council of the City of Salix, Iowa at its regular meeting the 12th day of July, 2023.


City Clerk

LEGAL NOTIFICATION

Published in the Sioux City Journal's Legal Section on August 29, 2023.

NOTICE OF PUBLIC HEARINGS REGARDING PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE), AND A PROPOSED ZONING ORDINANCE MAP AMENDMENT TO ZONE AGRICULTURAL PRESERVATION (AP) BEFORE THE WOODBURY COUNTY ZONING COMMISSION DURING A SPECIAL MEETING AT THE MOVING CENTER

The Woodbury County Zoning Commission will have a special meeting and will hold public hearings regarding the proposed zoning ordinance map amendment in detail on Monday, September 11, 2023 at 5:00 PM or as soon thereafter as the matter may be considered.

The hearing will be held at the Moving Center, 1000 Douglas Street, Sioux City, IA 51101. Copies of said items may now be examined at the Planning and Economic Development and Economic Development located on the 8th Floor of the Woodbury County Courthouse, 603 Douglas Street, Sioux City, IA 51101 by any interested person.

All persons who wish to be heard in respect to these matters should appear at the address above and file their written comments with the Commission Secretary at the address above on or before the date of the meeting. However, it is recommended that technical difficulties with phone and computer systems.

Item One (1) ZONING ORDINANCE MAP AMENDMENT (REZONE)

MINOR SUBDIVISION: To be known as Janet Heck Subdivision, a one-lot minor subdivision in a 4.0-acre portion of Section 33, Township 35N, Range 10E, in the SE 1/4 of the SW 1/4 of Parcel #87424930005. The property is approximately 1.3 miles northeast of Salix, in the Special Flood Hazard Area (SFHA) - Zone A. (Excavator, 1739 26th St, Salix, IA 51052)

Item Two (2) ZONING ORDINANCE MAP AMENDMENT (REZONE)

Present to Section 33, Township 35N, Range 10E, in the SE 1/4 of the SW 1/4 of Parcel #87424930005. The property is approximately 1.3 miles northeast of Salix, in the Special Flood Hazard Area (SFHA) - Zone A. (Excavator, 1739 26th St, Salix, IA 51052)

Item Three (3) ZONING ORDINANCE MAP AMENDMENT (REZONE)

Present to Section 33, Township 35N, Range 10E, in the SE 1/4 of the SW 1/4 of Parcel #87424930005. The property is approximately 1.3 miles northeast of Salix, in the Special Flood Hazard Area (SFHA) - Zone A. (Excavator, 1739 26th St, Salix, IA 51052)

SUMMARY OF PROPOSED ZONING ORDINANCE MAP AMENDMENTS: AN ORDINANCE AMENDING THE TEXT OF THE ZONING ORDINANCE TO ADD A ZONING DISTRICT TO AMEND PARAGRAPHS OF THE TABLE OF CONTENTS; SECTION 3.03.4 ENTITLED: "LAND USE SUMMARY TABLE"; SECTION 3.03.5 ENTITLED: "ZONING DISTRICT DEFINITIONS"; AND THE REVISIONS TO THE ZONING ORDINANCE TO ADD PARAGRAPHS TO ADD SOLAR ENERGY SYSTEMS UTILITY AND AGRICULTURAL PRESERVATION ZONING DISTRICT AND ADD A NEW SECTION TO THE ZONING ORDINANCE TO REGULATE SOLAR ENERGY SYSTEMS. SOLAR ENERGY SYSTEMS, AGRICULTURAL PRESERVATION, AND COMMUNITY SQUARES AGRICULTURE.

PROPERTY OWNER(S) NOTIFICATION

Total Property Owners within 1000 FT via Certified Abstractor's Listing:	6
Notification Letter Date:	August 23, 2023
Public Hearing Board:	Zoning Commission
Public Hearing Date:	September 11, 2023
Phone Inquiries:	1
Written Inquiries:	0
The names of the property owners are listed below.	
When more comments are received after the printing of this packet, they will be provided at the meeting.	

MAP



Property Owner(s)	Mailing Address				Comments
Estate of Janet Heck	608 Benning Dr.	Holstein	IA	51025	No comments
The Betty Jean Kelly Trust	7066 Reed St.	Arvada	CO	80003	No comments
Northwest Iowa Power Cooperative	PO Box 240	Le Mars	IA	51031	No comments
James J. Yanak and Janet M. Yanak	1719 260th St.	Salix	IA	51052	No comments
Edwin D. Hale and John A. Hale	PO Box 67	Storm Lake	IA	50588	No comments
Edward J. O'Meara, Michael J. O'Meara, Ardis A. O'Meara Pineo	4137 Amherst Ave.	Dallas	TX	75225	No comments

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
LONGLINES:	No comments
LUMEN:	No comments
MAGELLAN PIPELINE:	No comments
MIDAMERICAN ENERGY COMPANY (Electrical Division):	MEC electric has no conflicts with this item. – Casey Meinen, 7/28/23.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No conflicts for MEC “Gas” on this item. – Tyler Ahlquist, 7/28/23.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments
NORTHERN NATURAL GAS:	No comments
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Received the attached proposal in the mail on 8/14/2023. Have reviewed the location of this zoning proposal change. NIPCO has a 69kV transmission line running along the south boundary of this property. As long as the property owners, tenants, renters do not place anything under or around the transmission line within 50ft of the centerline, NIPCO has no objections to this request. – Jayme Huber, 8/16/23.

WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT
 603 Douglas St., 8th Floor, Suite 100, Sioux City, IA 51101 • Phone: 712.231.6888 • Fax: 712.231.6888 • woodburycounty@woodburycountyia.gov
 Mayor's Office: 712.231.6888 • mayor@woodburycountyia.gov
 Board of Supervisors: 712.231.6888 • board@woodburycountyia.gov
 Board of Health: 712.231.6888 • board@woodburycountyia.gov

Northwest Iowa Power Cooperative
 PO Box 240
 Le Mars, IA 51031

RECEIVED
 AUG 14 2023
 NIPCO
 LE MARS, IA

DATE: August 11, 2023
 TO: Property Owners Within 1000 Feet
 FROM: Sarah Frisvold, MPA, Zoning Coordinator
 RE: Janet Heck Subdivision, Minor Subdivision Proposal
 SDC Parcel #87424930005

This notice is to advise you that Kevin Heck, executor for Janet K. Heck has filed a **final plat** minor subdivision application with Woodbury County.

The proposed subdivision is to be known as Janet Heck Subdivision, a one-lot minor subdivision in a 4.0-acre portion of Section 33, Township 35N, Range 10E (Utility) Township in the SE 1/4 of the SW 1/4 of the 300 50 acre tracts #87424930005. The property is approximately 1.3 miles northeast of Salix. The property is located in the Agricultural Preservation (AP) Zoning District and in the Special Flood Hazard Area (SFHA) - Zone A. (Excavator, 1739 26th St, Salix, IA 51052).

If you have questions about the application, you may call the Woodbury County Community and Economic Development office at 712.231.6888.

The Zoning Commission public hearing on the Minor Subdivision application will be held on **Monday, August 28, 2023** during their meeting which begins at 6:00 PM in the Board of Supervisors' Meeting Room, Number 104, Woodbury County Courthouse, 603 Douglas Street, Sioux City, IA. Please enter through the 7th Street entrance. Security procedures are in place when entering the building. Persons wanting to participate in the public hearing may attend in person or call 712.484-1133 and enter the Conference ID: 458 731 1586 to listen or comment. 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, 8th Floor, Woodbury County Courthouse, 603 Douglas St., Sioux City, IA 51101. E-mails should be sent to Sarah.Frisvold@woodburycountyia.gov. Only signed comments will be considered and should be received no later than: 10:00 AM on Friday, August 25, 2023.

See aerial mapping and plat excerpt on the next page.



NUSTAR PIPELINE:	No issues from NuStar. – Matt McGee, 7/28/23.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments
WIATEL:	No comments
WOODBURY COUNTY ASSESSOR:	No comments
WOODBURY COUNTY CONSERVATION:	No comments
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments
WOODBURY COUNTY EMERGENCY SERVICES:	No comments
WOODBURY COUNTY ENGINEER:	SEE REVIEW MEMO BELOW
WOODBURY COUNTY RECORDER:	I have no comments. – Diane Swoboda Peterson, 8/7/23.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments regarding this proposal. – Neil Stockfleth, 7/31/23.



Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER

Mark J. Nagra, P.E.

mnagra@woodburycountyiowa.gov

ASSISTANT TO THE COUNTY ENGINEER

Benjamin T. Kusler, E.I.T.

bkusler@woodburycountyiowa.gov

SECRETARY

Tish Brice

tbrice@woodburycountyiowa.gov

To: Dan Priestley, Woodbury County Zoning Coordinator

From: Mark J. Nagra, County Engineer

Date: August 17, 2023

Subject: Janet Heck Subdivision – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced subdivision forwarded with your memo dated July 27, 2023.

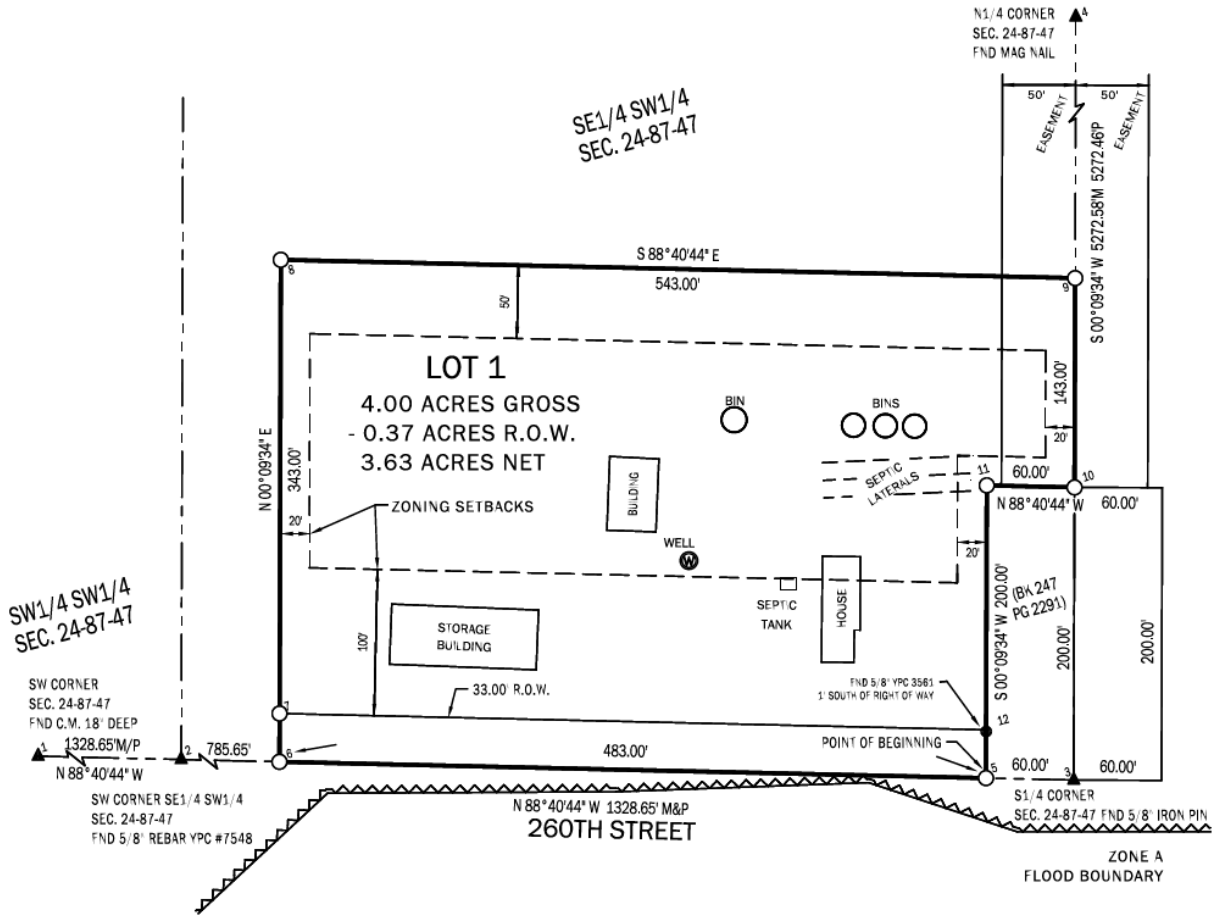
I am offering the following comments for your consideration.

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for each lot as required by Section 355.8 of the Code of Iowa.
- I reviewed the parcel for access. The existing driveways meet current standards and may continue to be used to access lot 1. If a new driveway is needed to access the remaining farm property, a driveway permit will need to be filed with my department. Since the property borders on a Farmer's Drainage District lateral, permission from the drainage district must also be sought prior to construction.
- I have no other concerns or issues with this minor subdivision application.

If there are any more questions or issues that arise later, please contact this office.

Cc: File

PLAT MAP EXCERPT



Woodbury County, IA / Sioux City

Summary

Parcel ID 874724300005
 Alternate ID 761415
 Property Address 1739 260TH ST
 SALIX IA 51052
 Sec/Twp/Rng 24-87-47
 Brief Tax Description EX 60' X 200' SE COR SESW
 (Note: Not to be used on legal documents)
 Deed Book/Page [2022-10472 \(8/25/2022\)](#)
 Gross Acres 38.77
 Net Acres 38.77
 Adjusted CSR Pts 2900.44
 Zoning AP - AGRICULTURAL PRESERVATION
 District 0043 LIBERTY/WESTWOOD
 School District WESTWOOD COMM
 Neighborhood N/A



Owner

Deed Holder
[HECK JANET](#)
[608 BENNING DR](#)
 HOLSTEIN IA 51025-4401
 Contract Holder
 Mailing Address
 HECK JANET
 608 BENNING DR
 HOLSTEIN IA 51025-4401

Land

Lot Area 38.77 Acres;1,688,821 SF

Residential Dwellings

Residential Dwelling
 Occupancy Single-Family / Owner Occupied
 Style 1 Story Frame
 Architectural Style N/A
 Year Built 1955
 Condition Above Normal
 Roof Asph / Gable
 Flooring
 Foundation Conc
 Exterior Material WOOD
 Interior Material Drwl
 Brick or Stone Veneer
 Total Gross Living Area 1,300 SF
 Main Area Square Feet 1300
 Attic Type None;
 Number of Rooms 0 above; 0 below
 Number of Bedrooms 0 above; 0 below
 Basement Area Type Full
 Basement Area 1,300
 Basement Finished Area
 Plumbing 1 Standard Bath - 3 Fi;
 Appliances
 Central Air Yes
 Heat Yes
 Fireplaces
 Porches
 Decks
 Additions
 Garages 484 SF - Att Frame (Built 1955);

Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Crib		34	50	1950	1
0	Steel Utility Building		40	100	1968	1
0	Bin - Grain Storage (Bushel)		0	0	1971	2
0	Bin - Grain Storage (Bushel)		0	0	1973	2

Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
8/23/2022	HECK RONALD	HECK JANET	2022-10472	No consideration	Deed		\$0.00

[Show](#) There are other parcels involved in one or more of the above sales:

Valuation

Classification	2023	2022	2021	2020	2019
	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture
+ Assessed Land Value	\$95,160	\$73,920	\$73,920	\$69,410	\$69,410
+ Assessed Building Value	\$10,660	\$6,260	\$6,260	\$5,730	\$5,730
+ Assessed Dwelling Value	\$154,250	\$127,530	\$127,530	\$113,860	\$113,860
= Gross Assessed Value	\$260,070	\$207,710	\$207,710	\$189,000	\$189,000
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$260,070	\$207,710	\$207,710	\$189,000	\$189,000

Sioux City Special Assessments and Fees

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

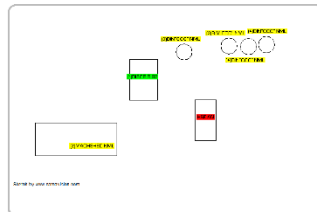
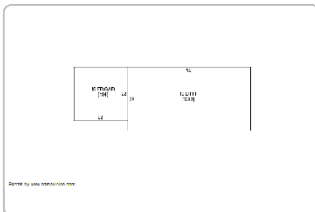
Woodbury County Tax Credit Applications

[Apply for Homestead, Military or Business Property Tax Credits](#)

Photos



Sketches

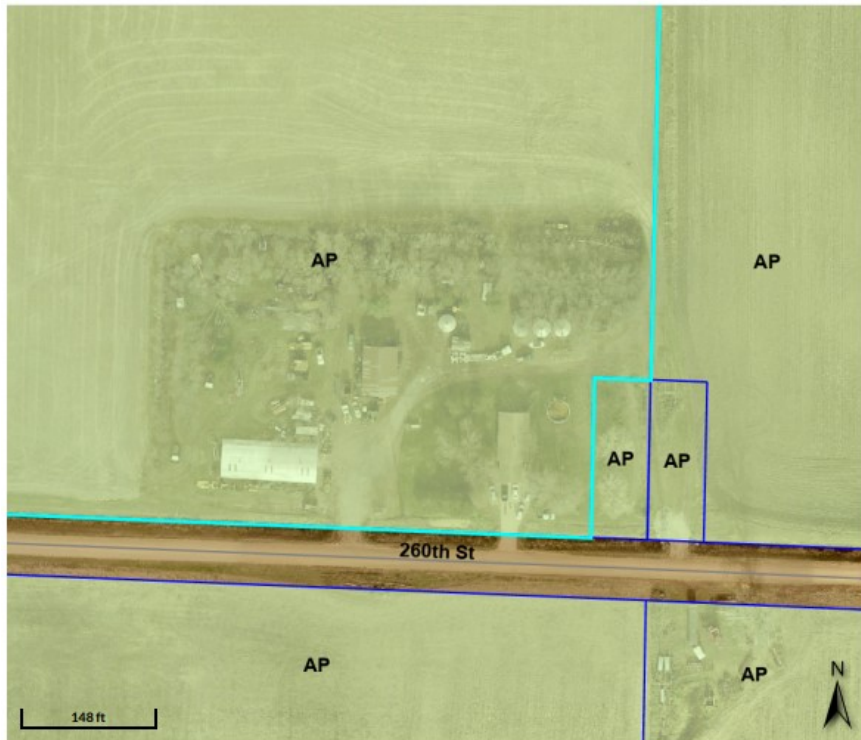


No data available for the following modules: Commercial Buildings, Yard Extras, Permits, Sioux City Tax Credit Applications, Sioux City Board of Review Petition.



[User Privacy Policy](#) [GDPR Privacy Notice](#)
 Last Data Upload: 7/26/2023, 6:59:33 PM

ZONING MAP



Overview

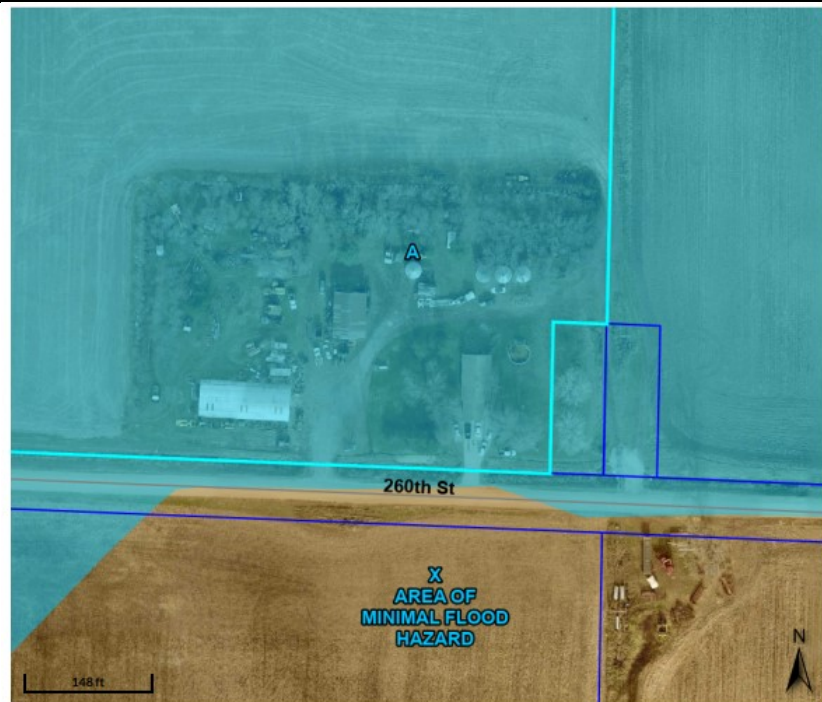


Legend

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

Parcel ID	874724300005	Alternate ID	761415	Owner Address	HECK JANET
Sec/Twp/Rng	24-87-47	Class	AD		608 BENNING DR
Property Address	1739 260TH ST	Acreege	38.77		HOLSTEIN, IA 51025-4401
	SALIX				
District	0043				
Brief Tax Description	EX 60' X 200' SE COR SESW				
	(Note: Not to be used on legal documents)				

EFFECTIVE FLOODPLAIN MAP



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Parcels
- FEMA Flood Map**
- A,
- AE,
- AE, FLOODWAY
- AH,
- AO,
- X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- X, AREA WITH REDUCED FLOOD RISK DUE TO LEVEE

Parcel ID	874724300005	Alternate ID	761415	Owner Address	HECK JANET
Sec/Twp/Rng	24-87-47	Class	AD		608 BENNING DR
Property Address	1739 260TH ST	Acreege	38.77		HOLSTEIN, IA 51025-4401
	SALIX				
District	0043				
Brief Tax Description	EX 60' X 200' SE COR SESW				
	(Note: Not to be used on legal documents)				

DRAFT FLOODPLAIN MAP

1739 260th Street, Salix, IA, USA

IOWA
FLOOD
MAPS



Satellite

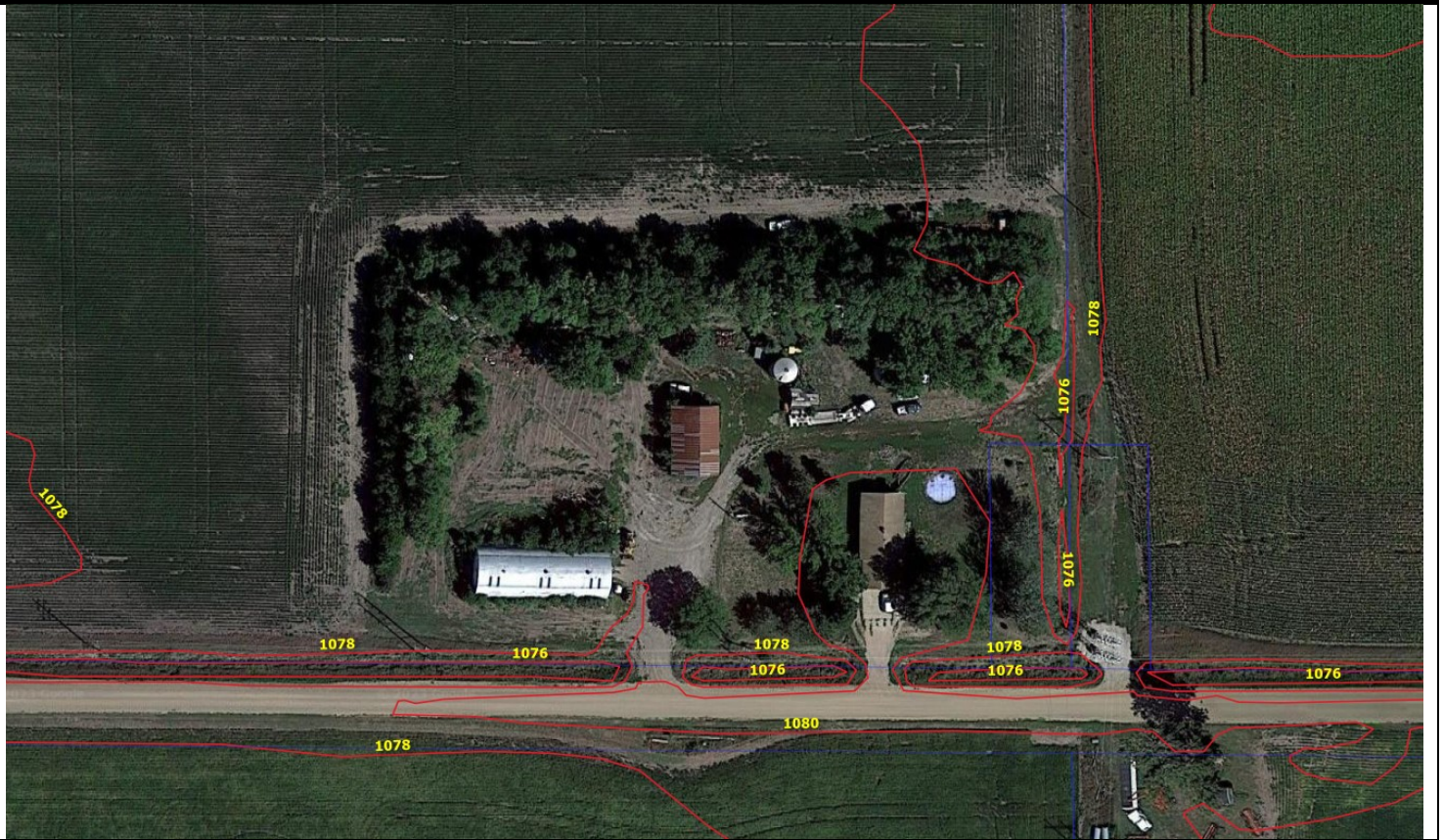
th St 260th St 260th St 260th St 260th St 260th St 260th St 260th St

MAP DESCRIPTION

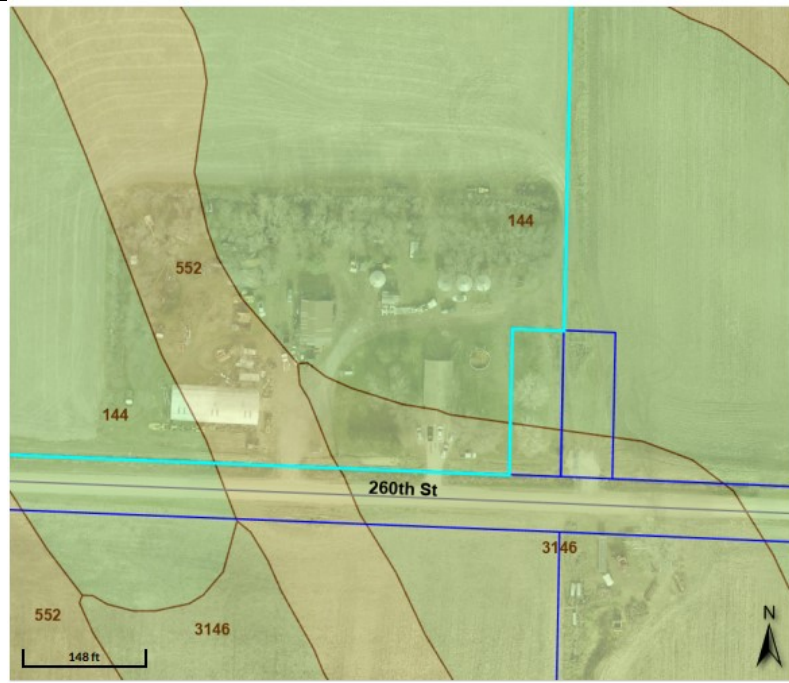
- A-1 PCT ANNUAL CHANCE FLOOD HAZARD
- AE - 1 PCT ANNUAL CHANCE FLOOD HAZARD
- AE - FLOODWAY
- AO, RIVERINE
- AH, RIVERINE
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD, RIVERINE
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD, PROTECTED BY LEVEE
- X AREA OF SPECIAL CONSIDERATION, RIVERINE
- X AREA OF SPECIAL CONSIDERATION, PROTECTED BY LEVEE
- D. AN AREA OF UNDETERMINED BUT POSSIBLE FLOOD HAZARDS

Woodbury

ELEVATION MAP



SOIL MAP



Overview



Legend

- Roads
- Soils**
 - 0.000000 - 5.000000
 - 5.000001 - 20.000000
 - 20.000001 - 30.000000
 - 30.000001 - 40.000000
 - 40.000001 - 50.000000
 - 50.000001 - 60.000000
 - 60.000001 - 70.000000
 - 70.000001 - 80.000000
 - 80.000001 - 90.000000
 - 90.000001 - 100.000000
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels

Parcel ID	874724300005	Alternate ID	761415	Owner Address	HECK JANET
Sec/Twp/Rng	24-87-47	Class	AD		608 BENNING DR
Property Address	1739 260TH ST	Acres	38.77		HOLSTEIN, IA 51025-4401
	SALIX				
District	0043				
Brief Tax Description	EX 60' X 200' SE COR SESW				
	<i>(Note: Not to be used on legal documents)</i>				

SOIL REPORT

Summary

Parcel ID	874724300005
Gross Acres	38.77
ROW Acres	0.00
Gross Taxable Acres	38.77
Exempt Acres	0.00
Net Taxable Acres	38.77 <i>(Gross Taxable Acres - Exempt Land)</i>
Average Unadjusted CSR2	78.11 <i>(3028.5 CSR2 Points / 38.77 Gross Taxable Acres)</i>

Agland Active Config 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	35.38	77.74	2,750.36	2,750.36
Non-Crop	3.39	82.05	278.14	150.08
Total	38.77		3,028.50	2,900.44

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	144	BLAKE SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	91.00	14.62	1,330.42	1,330.42
100% Value	3549	MODALE SOILS, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	76.00	4.93	374.68	374.68
100% Value	3146	ONAWA-ALBATON COMPLEX, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	0.08	5.76	5.76
100% Value	552	OWEGO SILTY CLAY, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	66.00	15.75	1,039.50	1,039.50
Non-Crop	144	BLAKE SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	91.00	2.08	189.28	96.93
Non-Crop	3146	ONAWA-ALBATON COMPLEX, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	0.40	28.80	16.66
Non-Crop	552	OWEGO SILTY CLAY, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	66.00	0.91	60.06	36.49
Total				38.77	3,028.50	2,900.44



8/29/2023

KEVIN HECK (EXECUTER)
C/O MIKE SCHULTE
2003 390TH STREET
WESTSIDE, IA 51467

Project Description: BFE request for parcels 874724300002 and 874724300005 with a separate BFE given for the farmhouse at 1739 260th St. (Farmer's Ditch)

Project Latitude / Longitude Location(s): Buildings and Associated Fill 42.3305/-96.2625; Woodbury County

Iowa DNR Project ID Number: 2023-1078

Dear MIKE SCHULTE:

This is in reference to your request for determination of the "100-year" flood elevation (a.k.a. the base flood elevation, or BFE) for the existing structure / property identified on your application. The Flood Insurance Rate Map (FIRM) for Woodbury County shows a portion of this property as being in the Special Flood Hazard Area (SFHA).

Based on the information available, we have estimated the current existing condition 100-year flood elevation, NAVD88 at the location referenced above (See Figure 1). You may download additional copies, or verify the Iowa DNR Flood Plain and Dam Safety Section (Department) official response document(s) for this project at the Iowa DNR Flood Plain PERMT website using the tracking number above. (PERMT Website Address: <https://programs.iowadnr.gov/permt/>)

Please be aware when planning future construction that elevating beyond the required 1 foot above the BFE will not only reduce flood risk, but might also result in lower flood insurance rates.

Please contact me by phone at 515-393-1891 or by email at Meesha.Legg@dnr.iowa.gov with any questions.

Sincerely,

Meesha Legg

Digitally signed by
Meesha Legg
Date: 2023.08.29
11:41:56 -05'00'

Meesha Legg

Flood Plain Management and Dam Safety Section

CC: KEVIN HECK (EXECUTER); 1739 260TH STREET, SALIX, IA, 51052, KHECK492@GMAIL.COM
Dan Priestley; 620 Douglas St Fl 6, Sioux City, IA, 51101-1247, dpriestley@woodburycountyiowa.gov

Attachment



Figure 1. BFEs (NAVD88) for the parcels 874724300002 and 874724300005 with a separate BFE given for the farmhouse. The BFE is given at the most upstream point for each area. Each area is highlighted in a different color.