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

Date: 1	D/24/23 w	eekly Agenda Date:	10/31/23			
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 10/23/23 meeting to approve the final plat of Gray First Addition, a minor subdivision to Woodbury County, Iowa. b.Motion to accept and approve Gray First Addition, a minor subdivision to Woodbury County, Iowa.						
	ACTION REC					
Approve Ordinance	Approve Resolu	tion 🖌 🛛 A	pprove Motion 🖌			
Public Hearing	Other: Informati	onal 🗌 🛛 A	ttachments 🖌			

### 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:** Marlis A. Gray, has filed for a one (1) lot minor subdivision on the property identified as Parcel #884209200009 and referenced below. This subdivision is being completed to separate the house location from the abutting ground. This proposal has been properly noticed in the Sioux City Journal legals section on October 10, 2023. The neighbors within 1000 FT have been duly notified via a October 6, 2023 letter about the October 23, 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. However, there is rounding error on the plat that must be corrected prior to recording. This property is located in the Agricultural Preservation (AP) Zoning District and is NOT located in the Special Flood Hazard Area (SFHA). Extraterritorial review is not required by a city as the property is further than two (2) miles from the closest incorporated jurisdiction. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. The Woodbury County Zoning Commission voted 4 – 0 to recommend acceptance and approval of the Gray First Addition subdivision final plat.

Parcel #: 884209200009 Township/Range: T88N R42W (Rock) Section: 9 Quarter: S ½ of the SE ¼ of the NE ¼ and the N ½ of the NE ¼ of the SE ¼ of the NE ¼ Zoning District: Agricultural Preservation Floodplain District: Zone X (Not in Floodplain) Address: 1729 Story Ave., Correctionville, IA 51016

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 10/23/23 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 10/23/23 meeting to approve the final plat of Gray First Addition, a minor subdivision to Woodbury County, Iowa.

b. Motion to accept and approve the Gray First Addition, 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 · <u>dnorton@woodburycountyiowa.gov</u>

### FINAL REPORT – OCTOBER 24, 2023

### GRAY FIRST ADDITION - MINOR SUBDIVISION PROPOSAL

Application Details		<b>Property Details</b>	Property Details		Contents		
Applicant(s)/Owner(s):	Marlis A. Gray	Parcel #:	884209200009		Summary, Location Aerial, Site Plan Excerpt		
Application Type:	Minor Subdivision	Township/Range:	T88N R42W (Rock)		& Recommendation		
Name of Subdivision:	Gray First Addition	Section:	9		Application		
Application Date:	9/29/23	Quarter:	Quarter:     S ½ of the SE ¼ of the NE ¼ and the N ½ of the NE ¼ of the SE ¼ of the NE ¼       Zaming District:     A grigultural Process stion		S ½ of the SE ¼ of the NE ¼ Final Plat / At		Final Plat / Attachments / Review Criteria
Number of Lots:	1				Extraterritorial Review		
Total Acres:	10.02	Zoning District:			Legal Notification		
Extraterritorial Review:	Not Required		Agricultural Preservation		Public and Stakeholder Comments		
Legal Notice Date:	10/10/23	Floodplain District:	Zone X (Not in Floodplain)		Plat Excerpt		
Neighbor(s) Notice Date:	10/6/23	Address:	5		Parcel Report		
Stakeholder(s) Notice	10/2/23		Correctionville, IA 51016		Zoning Map		
Date:					Floodplain Maps		
Zoning Commission Public Hearing Date:	10/23/23	10	8		Elevation Map		
Board of Supervisors	10/31/23	8	34209200009		Soil Map and Report		
Agenda Date:	10/31/23		100 7 100				
Attorney:	Ryan C. Ross						
Surveyor:	Brad M. Beck		A MARTIN				

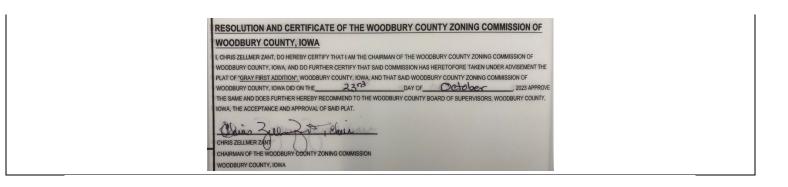
### SUMMARY

Marlis A. Gray, has filed for a one (1) lot minor subdivision on the property identified as Parcel #88420920009 and referenced above. This subdivision is being completed to separate the house location from the abutting ground. This proposal has been properly noticed in the Sioux City Journal legals section on October 10, 2023. The neighbors within 1000 FT have been duly notified via a October 6, 2023 letter about the October 23, 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. However, there is rounding error on the plat that must be corrected prior to recording. This property is located in the Agricultural Preservation (AP) Zoning District and is <u>NOT</u> located in the Special Flood Hazard Area (SFHA). Extraterritorial review is not requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. The Woodbury County Zoning Commission voted 4 - 0 to recommend acceptance and approval of the Gray First Addition subdivision final plat.

# AERIAL VIEW FINAL PLAT EXCERPT

### ZONING COMMISSION RECOMMENDATION

The Woodbury County Zoning Commission voted 4 – 0 to recommend acceptance and approval of the Gray First Addition subdivision final plat.



### Minutes - Woodbury County Zoning Commission Meeting - October 23, 2023

The Zoning Commission (ZC) meeting convened on Monday, 23rd of September, 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. The meeting was also made available via teleconference.

ZC Members Present: County Staff Present: Public Present: Chris Zellmer Zant, Corey Meister, Jeff O'Tool, Barb Parker Dan Priestley, Dawn Norton Leo Jochum, Bev Jochum, Dan Bittinger, Ann Johnston, Daniel Segura, Elizabeth Widman, Emily Segura, Bob Fritzmeier, Roger & Gwen Burnett (?), Russell Petersen, Hope Lynam Chad Swanger

Telephone:

For specific content of this meeting, refer to the recorded video on the Woodbury County Zoning Commission YouTube channel: https://www.youtube.com/watch?v=qNpK3atf1k0

### Call to Order

Chair Chris Zant formally called the meeting to order at 5:08 PM. Tom Bride was absent.

Public Comment on Matters Not on the Agenda None

Approval of Previous Meeting Minutes – September 25, 2023 and October 16, 2023 O'Tool motioned. Second: Meister. Motion carried: 4-0.

### Public Hearing: Back Acre Estates, Second Filing, Minor Subdivision Proposal on Parcel #884702200009

Priestley read the preliminary report and staff recommendation into the record. Chad Swanger, Trustee Terry V. Swanger Trust has filed for a one (1) lot minor subdivision on the property identified as Parcel #88470220009. This subdivision is being completed to separate the house location from the abutting ground. This proposal has been properly noticed in the Sioux City Journal legals section on October 10, 2023. The neighbors within 1000 FT have been duly notified via an October 6, 2023 letter about the October 23, 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 NOT located in the Special Flood Hazard Area (SFHA). The City of Sioux City have accepted and approved the file plat with the approval of Sioux City council resolution No. 2023-0962. Staff recommends that a pavement agreement be signed with Woodbury County as a condition of approval of this final plat. Based on the information received and requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Owner has signed a pavement agreement which will be recorded with the final plat. O'Tool motioned to close public hearing. Second: Meister. Motion carried: 4-0. Motion to recommend acceptance and approval to Board of Supervisors by Meister. Second: Parker. Carried: 4-0. Item will be presented to the Board of Supervisors on October 31, 2023.

### Public Hearing: Grays First Addition, Minor Subdivision Proposal on Parcel #884209200009

Priestley read the preliminary report and staff recommendation into the record. Marlis A. Gray, has filed for a one (1) lot minor subdivision on the property identified as Parcel #884209200009. This subdivision is being completed to separate the house location from the abutting ground. This proposal has been properly noticed in the Sioux City Journal legals section on October 10, 2023. The neighbors within 1000 FT have been duly notified via a October 6, 2023 letter about the October 23, 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 lowa Code closure requirements and found that the lot(s) have adequate access. However, there is a rounding error on the plat that must be corrected prior to recording. Priestley confirmed that the rounding error has been corrected and shared with the County Engineer who concurred. This property is located in the Agricultural Preservation (AP) Zoning District and is NOT located in the special Flood Hazard Area (SFHA). Exterritorial review is not required by a city as the property is further than two (2) miles from the closet incorporated jurisdiction. 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: Meister. Second: O'Tool. Carried: 4-0. Parker inquired about a pavement agreement. Priestley indicated that pavement agreements are required when reference/requested by the County Engineer. Zant asked about the well and septic location and Priestley indicated that the well and septic were on the lot. Motion to recommend acceptance and approval to the Board of Supervisors by Meister. Second: Parker. Carried: 4-0.

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

Priestley summarized the purpose of the public hearing. The Woodbury County Zoning Commission has been directed by the Board of Supervisors on August 8, 2023 to establish/examine a new ordinance as it relates to utility-scale solar systems. The purpose of the public hearing is to receive comments and put together a proposal as a possible ordinance or amendments for

solar energy systems not limited to utility-scale systems, agrisolar or agrivoltaics, and community solar systems, together with the Commission addressing the permitting process for such systems in industrial and/or agricultural areas. The Zoning Commission held their first public hearing at the Moville Area Community Center on September 11, 2023. The second was held in the basement of the Woodbury County Courthouse on September 25, 2023. Both public hearings included constituents who offered comments both in support and opposition to the expansion of utility-scall solar in the Agricultural Preservation (AP) Zoning District. Audio of meetings may be accessed for review by visiting the Woodbury County Zoning Commission "Committee" page on the Woodbury County website at: www.woodburyccountyiowa.gov. The Zoning Commission conducted a work session on October 16, 2023 to discuss the considerations for an ordinance. The audio for this meeting may be obtained by using the following link: https://www.youtube.com/watch?v=1JAj6Xh3cSU or https://tinyourl.com/Zoning101623

Emily Segura (Sioux City) addressed the ZC about the impact of utility-scale solar on area farmland. She discussed the importance of taking care of the land and questioned the disposal and the economics of sending the panels to the dump. Segura recommended for the ZC to read the article "The Dark Side of Solar Power" by Atalay Atasu, Serasu Duran, and Luk N. Van Wassenhove from the Harvard Business Review which discusses a number of topics including the high cost of solar trash and disposal. She offered concerns about the emittance of toxic waste from the decommissioned panels.

Ann Johnston (Salix) addressed the ZC with concerns about slave labor groups in foreign counties such as the Uyghurs in China who are part of the supply chains that make up 95% of the solar panels worldwide. She referenced that much emphasis has been placed on Scott and Linn Counties but not enough on the western counties in Iowa. Johnston indicated that Sioux County is under a moratorium from solar renewables.

Elizabeth Widman (Sergeant Bluff) addressed the ZC indicating that two of the Board of Supervisors voted against putting solar on ag protected land. She asserted this is not a mandate from the board to ensure solar encroaches on ag land. Putting solar on ag land fundamentally changes the ag protected areas and should only be put in industrial zones. MidAmerican's largest lowa project is 800 acres but they stated they do not have immediate plans to locate solar in Woodbury County. Widman indicated that the farming between solar panels is experimental and not done in America. MidAmerica stated that cattle grazing underneath solar panels would not work because they would rub against the panels and knock them down. Grass planted underneath would not help wildlife because fences need to be around these areas to protect the public. Widman questioned Daniel Priestley's comment at the previous work session that if applicants were to apply to the county to establish utility-solar they would have to be forthright in the application. However, at the public meetings it has not been mentioned that the pro-solar speakers have already signed contracts with an outside company, and we should be told who the company is. If you add up the acres in the plat book owned by these individuals in my area, it comes out to 2,600 acres or 4 square miles in comparison to the City of Sergeant Bluff which is only 2.11 square miles. All the remaining cities in Woodbury are less than one square mile. Four square miles is about the size of 1,936 football fields. Widman indicated that contracts are for 30 years. If these are the same, she will be 97 years old before the possibility of decommissioning them back to solar and her family will grow up to not see agriculture land. Widman asserted that utility-solar is not agriculture. Widman referenced a 3,000 acre solar project near Rock Branch that will be near her ground. She stated that agricultural preservation is meant to preserve agriculture. Widman asserted these utility-scale solar facilities belong on industrial land.

Elizabeth Cindy Haase (Salix) addressed the ZC offering concerns about the radiation caused by solar panels. She indicated that the electronic magnetic sensitivity causing, headaches, dizziness, nausea, cancer risk has been reported by people who reside close to solar systems.

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

Zant commented there have been great comments from both sides, wants verification on some facts, Commission will work on collecting and reviewing more information. O'Tool appreciates feedback, good to hear all sides.

### No Public Comment on Matters Not on the Agenda

### **Commissioner Comment of Inquiry**

Due to harvest, O'Tool suggested waiting until regular November 27th meeting instead of scheduling a work session, all present commissioners agreed.

### Staff Update

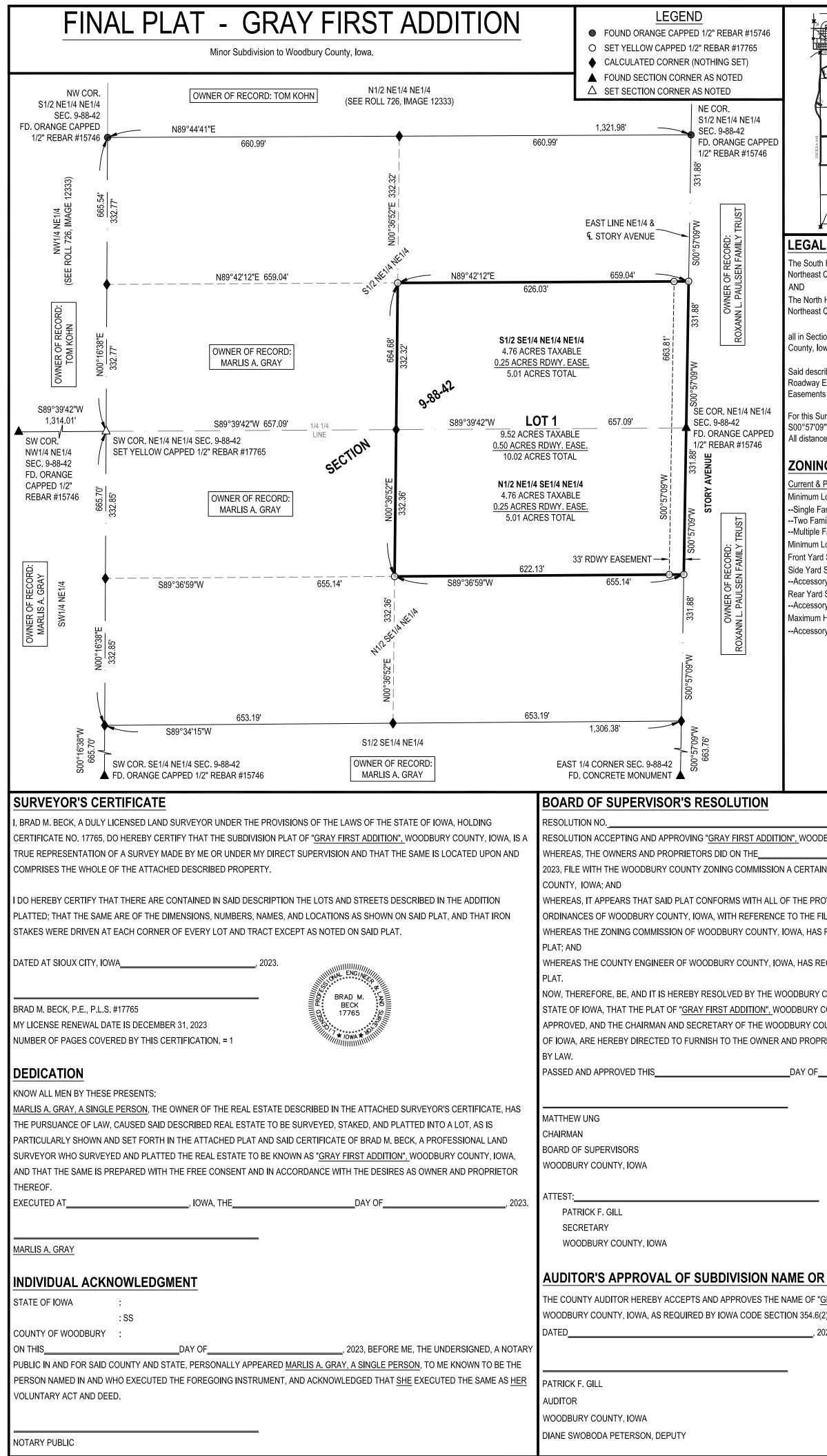
Priestley noted subdivisions recommended tonight will be presented to the Board of Supervisors on Oct 31, 2023. Woodbury County Community and Economic Development will be hosting the COZO conference in May of 2024.

### Adjourn

Motion to adjourn: Meister. Second: O'Tool. Carried: 4-0.

Applicant: MARLIS A. OKAY	WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT
Name of Owner	
Mailing Address: 1023 MASON AVENUE, PIERSON, IOWA 51048 Street City or Town	State and Zip + 4
Property Address: 1729 STORY AVENUE, CORRECTIONVILLE, H	
Street City or Town	State and Zip + 4
Ph/Cell #: 712-251-5040 E-mail Address: JLGRAYTRUCKIN	
To subdivide land located in the <u>NE</u> Quarter of Section 9	**************************************
Civil Township88 NORTHGIS Parcel #8842092000	
Name of Subdivision: GRAY FIRST ADDITION	
Name of Subdivision:	
Subdivision Area in AcresNumber of Lots	
<ol> <li>Eight (8) copies of grading plans; if required.</li> <li>Eight (8) copies of final plats (Complete per Section 4.01 of the Subc</li> <li>An attorney's opinion of the abstract.</li> <li>A Certified abstractor's certificate to include:         <ul> <li>Legal description of proposed subdivision.</li> </ul> </li> </ol>	tivision Ordinance).
<ul> <li>b. Plat showing clearly the boundaries of the subdivision.</li> <li>c. A list of names, mailing addresses (including the ZIP + 4), an property owners within 1000'.</li> </ul>	nd legal descriptions of all
Surveyor: BRAD M. BECK, P.E., P.L.S. #17765 Ph/Cell: 712-2	25-9025
Attorney: RYAN C. ROSS Ph/Cell: 712-2	
hereby grant permission to the Woodbury County Zoning Staff and elected conduct on-site inspections.	or appointed officials to
For Office Use Only:	=======================================
Zoning District AP Flood District X Date 9-29-23	No. 6939
Application Fee 4 Lots or less (\$300) Additional Fe	#300 ck#1006

24



	INDEX LEGEND Location: Section: 9-88-42 - NE1/4	
	Requestor: Josh Gray	
6 5 160TH ST 2 100TH ST 220 130 170TH ST 220 170TH ST 200 170TH ST 200 100TH ST 20	Proprietor: Marlis A. Gray Surveyor: Brad M. Beck, P.E., P.L.S. #17765	
	Surveyor Company: Beck Engineering, Inc.	
	110 East Indian Street, Cherokee, Iowa 51012 Return To: info@beck-engineering.net - (712)-225-9025	
1900H ST 1900H ST 1900H ST 1900H ST 1900H ST 20 21 22 23 24		BECK ENGINEERING, INC.
	$ \begin{array}{c} 0 & 75 & 150 \\ \hline 1 & \hline$	DET
2004000 100000 100000 10000 10000 10000 10000 10000 10000 10000	BEI PROJECT #: S23075	
33 34 35 433,34 22014/J		Civil Engineering - Land Surveying Landscape Architecture
_ DESCRIPTION OF LOT 1:	S9-T88N-R42W CLOSEST CITY: CUSHING (2.1 MILES) AND CORRECTIONVILLE (2.6 MILES) COUNTY ENGINEER'S CERTIFICATE	Landscape Architecture
Half of the Southeast Quarter of the Northeast Quarter of the	I, MARK NAHRA, P.E. COUNTY ENGINEER FOR WOODBURY COUNTY, IOWA, DO HEREBY CERTIF	FY THAT THE BOUNDARY LINES OF THE
Quarter,	PLAT AND LOTS THEREIN WERE MATHEMATICALLY CHECKED AND CONFORM WITH THE REQU	
Half of the Northeast Quarter of the Southeast Quarter of the Quarter,	SUBDIVISION ORDINANCE, THAT ALL DIMENSIONS, BOTH LINEAR AND ANGULAR NECESSARY F STREETS, ALLEYS AND EASEMENTS ARE SHOWN.	FOR THE LOCATION OF LOTS, TRACTS,
on 9, Township 88 North, Range 42 West of the 5th P.M., Woo	odbury	
wa.	MARK NAHRA, P.E.	
ribed Lot 1 contains a total of 10.02 Acres, inclusive of a Public Easement of 0.50 Acres. Said Lot 1 is also subject to any and	all other	
s be they of Record or not.	WOODBURY COUNTY, IOWA	
urvey the East line of the NE1/4 of said Section 9 is assumed to "W (Iowa Regional Coordinate System Zone 4 Sioux City-Iowa		
es measured using the U.S. Survey Foot.		DF, 2023,
G DISTRICT DIMENSIONAL STANDAR	<b>DS:</b> A COPY OF THIS PLAT WAS FILED IN THE WOODBURY COUNTY ASSESSOR'S OFFICE.	
<u>Proposed Zoning</u> : AP _ot Area:	DATED, 2023.	
amily nily 2 acres		
Family ∟ot Width: 200 ft	JULIE CONOLLY	
l Setback: 100 ft Setback: 20 ft	ASSESSOR	
ry Structures:10 ft Setback: 50 ft	WOODBURY COUNTY, IOWA	
ry Structures:10 ft Height: 45 ft	<b>RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY</b>	ZONING COMMISSION OF
ry Structures:45 ft	WOODBURY COUNTY, IOWA	
	I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY	
	WOODBURY COUNTY, IOWA, AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERET PLAT OF "GRAY FIRST ADDITION", WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY CO	
	WOODBURY COUNTY, IOWA DID ON THE DAY OF	
	THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD O IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.	JF SUPERVISORS, WOODBURY COUNTY,
	CHRIS ZELLMER ZANT	
	CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION	
	WOODBURY COUNTY, IOWA	
BURY COUNTY, IOWA. DAY OF	AUDITOR AND RECORDER CERTIFICATE OF RECORDING	
N PLAT DESIGNATED AS " <u>GRAY FIRST ADDITION", WOOD</u>		
OVISIONS OF THE CODE OF THE STATE OF IOWA AND	STATE OF IOWA :	
ILING OF SAME; AND	: SS	
RECOMMENDED THE ACCEPTANCE AND APPROVAL OF	SAID COUNTY OF WOODBURY :	
ECOMMENDED THE ACCEPTANCE AND APPROVAL OF SA	١D	
COUNTY BOARD OF SUPERVISORS, WOODBURY COUNT	DOCKET NO:	
COUNTY, IOWA BE, AND THE SAME IS HEREBY ACCEPTE		
DUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, RIETOR A CERTIFIED COPY OF THIS RESOLUTION AS RE	FILED FOR RECORD, THISDAT OF, 2	2023 ATO'CLOCKM.
, 2023.	RECORDED IN PLAT ENVELOPE, INDEXED AND DELIVERED	) TO THE COUNTY AUDITOR OF WOODBURY
	COUNTY, IOWA.	
	DATED, 2023.	
	PATRICK F. GILL	
	AUDITOR AND RECORDER	
	WOODBURY COUNTY, IOWA	
	BY: DIANE SWOBODA PETERSON, DEPUTY	
	TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESS	MENTS
<u>R TITLE</u> GRAY FIRST ADDITION", WOODBURY COUNTY, IOWA, FO	I, TINA BERTRAND, TREASURER OF WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT TH	HE LAND DESCRIBED IN THE ATTACHED
2).	AND FOREGOING SURVEYOR'S CERTIFICATE IS FREE FROM CERTIFIED TAXES AND CERTIFIED	) SPECIAL ASSESSMENTS.
023.	DATED, 2023.	
	TINA BERTRAND	
	TREASURER	
	WOODBURY COUNTY, IOWA	

### TITLE OPINION

, 2023

County Auditor and Recorder Woodbury County, Iowa

Dear Sir/Madam:

We have this date examined a complete abstract to Title, pursuant to Iowa Code Section 354.11(1)(c) to property which includes in its entirety, property described in the surveyor's certificate on the plat of: Gray First Addition to Woodbury County, Iowa last certified by Engleson Abstract Co., Inc., dated \_\_\_\_\_\_, 2023 at 8:59 a.m. and from said abstract find good and merchantable title to said premises vested in Marlis A. Gray, subject to the following, liens, limitations and exceptions:

- 1. A Mortgage in favor of United Bank of Iowa, dated August 12, 2021, filed August 12, 2021, and recorded in Inst. #2021-11237.
- An Assignment of Rents in favor of United Bank of Iowa, dated August 6, 2021, filed August 18, 2021, and recorded in Inst. #2021-11492.
- 3. 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.

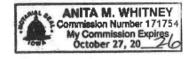
Ryan C. Ross ATTORNEY AT LAW STATEMENT BY MORTGAGE HOLDER: The undersigned, United Bank of Iowa, the present owner and holder of the mortgage recorded as Instrument #2021-11237, and the assignment of rents recorded as Instrument #2021-11492 states that the Plat of Gray First Addition to Woodbury County, Iowa is prepared with United Bank of Iowa's consent and in accordance with its desire. By signing this Plat, the mortgagee consents to the subdivision. This statement is made in accordance with Iowa Code Section 354.11(2).

STATEMENT BY MORTGAGE HOLDER - TO BE RECORDED AS AN ATTACHMENT TO THE FINAL PLAT

United Bank of Iowa

Its: President & CEO

On this 21st day of September, 2023, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Daniel Dotzler, the President and CEO of United Bank of Iowa, and who executed the foregoing instrument on behalf of United Bank of Iowa.



. Whi

Notary Public

	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 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 depart- ments 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 te final plat conforms to the engineering and design standar 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.
ONI	
	NG COMMISSION - REVIEW CRITERIA (SUBDIVISION ORDINANCE)
ie C	NG COMMISSION - REVIEW CRITERIA (SUBDIVISION ORDINANCE) ounty's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements anning and Zoning Commission:
ne C	ounty's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements
he C	county's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements anning 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 a
1e C	Sounty's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements anning 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 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
he C	Sounty's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements anning 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 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
ie C	Sounty's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements anning 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 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 hear.

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.

### EXTRATERRITORIAL REVIEW

Extraterritorial review is not required under Iowa Code 354.9 as the location of the subdivision exceeds two miles of a city.

Published in the Sioux City Journal's Legal Section on October 10, 2023.

# \*\*\* Proof of Publication \*\*\*

STATE OF IOWA COUNTY OF WOODBURY

The undersigned, of said County, being duly sworn, on oath states the undersigned is an employee of the Sioux City Journal printed and published by Journal Communications, in Sioux City in said County and issued daily and Sunday

Woodbury County Community & Economic Development

620 DOUGLAS ST, 6TH FLOOR - DAN PRIESTLEY SIOUX CITY IA 51101

ORDER NUMBER 66191

Subscribed and sworn before me in Sioux City, in said County,

this 10 day of OCTUBER .2023

Danine Glascock Notary Public

In and for Woodbury County.

Section: Legal Category: 015 Attorneys & Legals PUBLISHED ON: 10/10/2023

> TOTAL AD COST: FILED ON:

72.96 10/10/2023

NOTICE OF PUBLIC HEARINGS BEFORE THE WOODBURY COUNTY ZONING COMMISSION NOTICE OF PUBLIC HEARINGS BEFORE THE WOODBURY COUNTY ZONING COMMISSION The Woodbury County Zoning Commission will hold public hearings on the following Items hereafter described in detail on October 23, 2023 at 5:00 PM or as soon thereafter as the matters may be considered. Said hearings will be held in the Board of Supervisors' meeting room in the basement of the Woodbury County Counthouse, 620 Douglas Street, Sloux City, Iowa. Copies of said Items may now be examined at the office of the Woodbury County Counnunity and Economic Development, on the 6th Floor of said courthouse by any interested persons. All persons who wish to be heard in respect to these matters should appear at the aforesaid hearings in person or call: 712-454-1133 and enter the Conference ID: 633 086 537# 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. Item One (1) Item One (1)

Item One (1) PROPOSED MINOR SUBDIVISION: To be known as Back Acre Estates, Second Filing, a one-lot minor subdivision in a 6.47-acre portion of Secino 2, T88N R47W (Woodbury Township) on Government Lot 5 on Parcei #88470220009. The parent parcel is about 1 mile east of Sioux City and about 4.3 miles west of Lawton. The property is located in the Agricultural Preservation (AP) Zoning District. Owner/Applicant: Chad Swanger, Trustee Terry V. Swanger Trust, 1656 162nd St., Lawton, IA 51030. Item Two (2) Item Two (2)

Item Two (2) PROPOSED MINOR SUBDIVISION: To be known as Gray First Addition, a one-lot minor subdivision in a 10.02-acre portion of Section 9, T88N FA2W (Rock Township) in the 5 ½ of the SE ¼ of the NE ¼ and the N ½ of the NE ¼ of the SE ¼ of the NE ¼ on Parcel #884702200003. The parent parcel is around 12.2 miles southeast of Correctionville and 2.1 miles southwest of Cushing. The property is located in the Agricultural Preservation (AP) Zoning District. Owner/Applicant: Marils A. Gray, 1729 Story Ave., Correctionville, IA 51016. Item Three (3)

Item Three (3) PROPOSED UTILITY-SCALE SOLAR ENERGY SYSTEMS ZONING ORDINANCE AMEND-MENT: A proposal to amend the Woodbury County Zoning Ordinance to include provisions for the permitting of utility-scale solar energy systems in the unincorporated areas of Woodbury County in the General Industrial (GI), Limited Industrial (LI), and Agricultural Preservation (AP) Zoning Dis-tricts. In addition, the concept of a utility-scale energy systems overall district will be considered. The proposed regulations provide uniform and comprehensive stand-ards for the installation and use of Utility-Scale Solar Energy Systems (US-SES) including and not limited to agrisolar and outility and preservations, solar support structure, inverter/transformers, energy storage technol-ogles, wing, and other equipment necessary for the generation, storage and delivery of electricity. The intent of these regulations is to community welfare while allowing develop ment of utility, coalment, and industrial purposes. Item Three (3)





# Woodbury County Secondary Roads Department

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

COUNTY ENGINEER Mark J. Nahra, P.E. mnahra@sioux-city.org ASSISTANT TO THE COUNTY ENGINEER Benjamin T. Kusler, E.I.T. bkusler@sioux-city.org SECRETARY Tish Brice tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator

From: Mark J. Nahra, County Engineer

Date: October 19, 2023

Subject: Gray First Addition - a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced subdivision application forwarded with your memo dated October 2, 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. There is an error on the plat, however. The west line of Lot 1 shows two fractional parts of quarter-quarter-quarter sections as having line lengths of 332.36 feet and 332.62 feet respectively. The line call for the full length of the west line of the lot is shown at 664.57 feet. There appears to be a rounding error that should be addressed before the plat is recorded.
- I reviewed the parcel for access. The two of the existing driveways serving the house lot meet sight distance requirements may continue to be used. There is a field entrance serving the new Lot 1 north of the house that does not meet requirements for sight distance. It was likely in place prior to the changes in design stopping sight distance and may remain in place but may not be improved or widened. It would be preferable to the department to relocate the driveway to a location with adequate sight distance.

Access to the remaining acreage is already in place for the south half of the quarterquarter-quarter section. There is no access for the north remainder. Should a driveway be needed for access, the owner will need to contact my department for a driveway permit.

- 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

The concerns in this memo have been addressed. See email exchange between Mark Nahra and Daniel Priestley on the next page.

# Daniel Priestley

From:	Mark Nahra
Sent:	Monday, October 23, 2023 11:25 AM
To:	Daniel Priestley
Subject:	RE: Correction to Gray First Addition

Dan,

The correction looks good to me. Thank you.

Mark J. Nahra, P.E. Woodbury County Engineer 759 E. Frontage Road Moville, IA 51039 Phone: 712-279-6484 712-873-3215 email: mnahra@woodburycountyiowa.gov

From: Daniel Priestley <dpriestley@woodburycountyiowa.gov> Sent: Friday, October 20, 2023 8:33 AM To: Mark Nahra <mnahra@woodburycountyiowa.gov> Subject: Correction to Gray First Addition

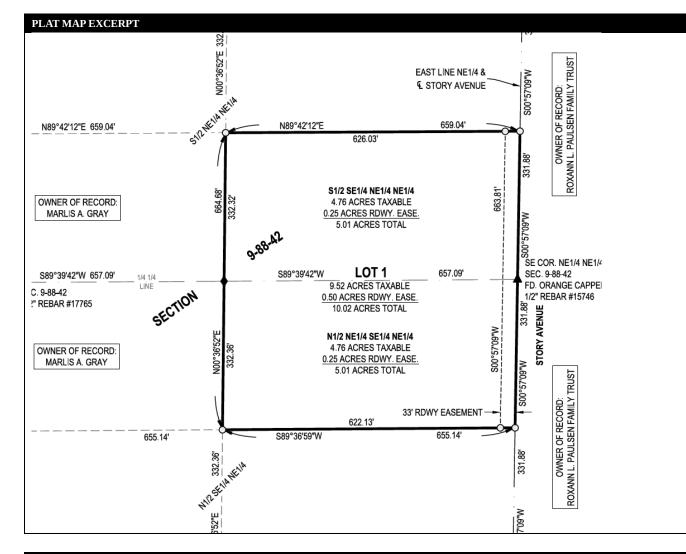
Mark, Attached is the correction to the Gray First Addition subdivision plat as referenced in your review memo.

Thanks,

Daniel J. Priestley, MPA - Zoning Coordinator Woodbury County Community & Economic Development 820 Douglas Street, 8<sup>th</sup> Floor Sioux City, IA 51101 Office: (712) 279-8609 Fax: (712) 279-8530 Email: <u>dpriestley@woodburycountyiowa.gov</u> Web: www.WoodburyCountyCED.com

### 

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named therein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, please notify me immediately at: (712) 279-6609 and permanently delete the original and any copy of any e-mail and any printout there of.



WELL AND SEPTIC LOCATIONS



# Woodbury County, IA / Sioux City

### Summary

Parcel ID	884209200009
Alternate D	775007
Property Address	1729 STORY AVE
	CORRECT ONVILLE A 51016
Sec/Twp/Rng	9-88-42
Brief Tax Description	ROCK TOWNSHIP 5 1/2 OF NE NE & N 1/2 OF NE SE NE 9-88-42
	(Note: Not to be used on legal documents)
Deed Book/Page	2023-02000 (3/9/2023)
Gross Acres	24.25
Net Acres	24.25
Adjusted CSR Pts	1342.64
Zoning	AP AGR CULTURAL PRESERVATION
District	0017 ROCK/RIVER VALLEY
Schoo District	R VER VALLEY CO
Neighborhood	N/A



### Owner

Deed Holder <u>GRAY MARLISA</u> <u>1729 STORY AVE</u> CORRECTIONVILLE IA 51016 Contract Holder Mailing Address GRAY MARLISA 1729 STORY AVE CORRECTIONVILLE IA 51016

### Land

Lot Area 24.25 Acres ; 1,056,330 SF

### **Residentia** Dwellings

### Residential Dwelling

Residentia Dwelling	
Occupancy	Single Family / Owner Occupied
Style	1 Story Frame
Architectura Style	N/A
Year Built	1976
Condition	Above Norma
Roof	Mt / Gable
Fooring	
Foundation	CBk
Exterior Materia	Vinyl
Interior Materia	Drw
Brick or Stone Veneer	
Tota Gross Living Area	1,244 SF
Main Area Square Feet	1244
Attic Type	None;
Number of Rooms	0 above; 0 below
Number of Bedrooms	0 above; 0 below
Basement Area Type	Full
Basement Area	1,244
<b>Basement Finished Area</b>	
Pumbing	1 Standard Bath - 3 Fi; 1 Shower Stall Bath - 3;
Appliances	
Centra Air	No
Heat	Yes
Fireplaces	
Porches	
Decks	
Additions	
Garages	624 SF - Att Frame (Built 1976);

### Agricultural Buildings

Pot #	Туре	Description	Width	Length	Year Built	Building Count
0	Bin-Grain Storage (Bushel)	BIN "STORMOR"	0	0	1972	1
0	Bin-Grain Storage (Bushel)	BIN "CCC"	0	0	1972	1
0	Confinement - Hog	FARROW HSE	30	80	1979	1
0	Bin-Grain Storage (Bushel)	BN	0	0	1972	1
	Shed - Hay		0	0	2011	1
	Shed		0	0	2011	2

### Sales

Date	•	Seller	Buyer	Recording	Sale Condition – NUTC	Туре	Multi Parce	Amount
3/3/	2023	GRAY WILLIAM T	GRAY MARLYS A	2023-02000	No consideration	Deed		\$0.00

### Valuation

	2023	2022	2021	2020	2019
Classification	Ag Dwelling / Agricuture	Ag Dwelling / Agricuture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture
+ Assessed Land Value	\$44,640	\$34,000	\$34,000	\$32,130	\$32,130
+ Assessed Building Value	\$10,980	\$6,940	\$6,940	\$6,320	\$6,320
+ Assessed Dwelling Value	\$148,620	\$110,570	\$109,340	\$98,410	\$98,410
<ul> <li>Gross Assessed Value</li> </ul>	\$204,240	\$151,510	\$150,280	\$136,860	\$136,860
<ul> <li>Exempt Value</li> </ul>	\$0	\$0	\$0	\$0	\$0
<ul> <li>Net Assessed Value</li> </ul>	\$204,240	\$151,510	\$150,280	\$136,860	\$136,860

### Sioux City Special Assessments and Fees

Click here to view special assessment information for this parcel.

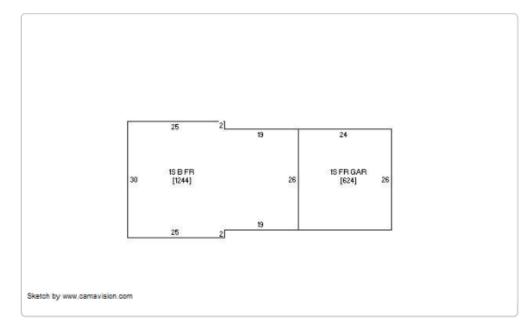
### Woodbury County Tax Credit Applications

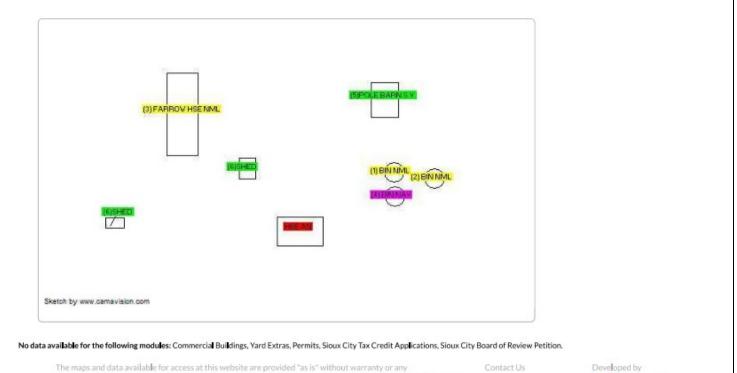
Apply for Homestead, Military or Business Property Tax Credits

### Photos



### Sketches



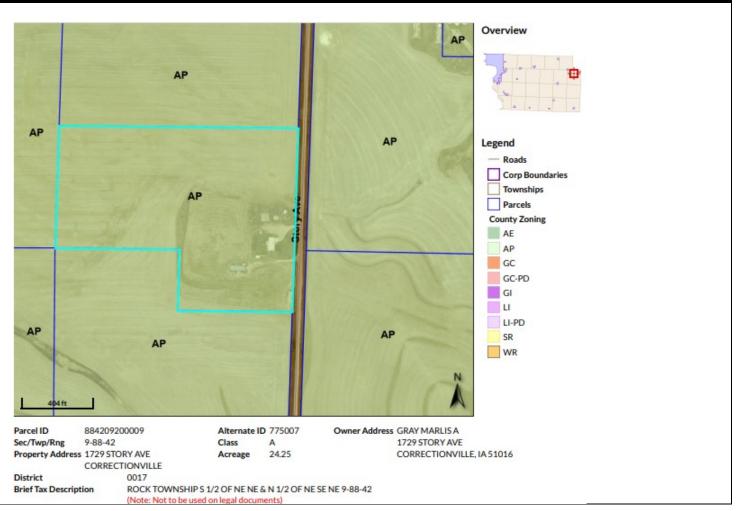


Schneider

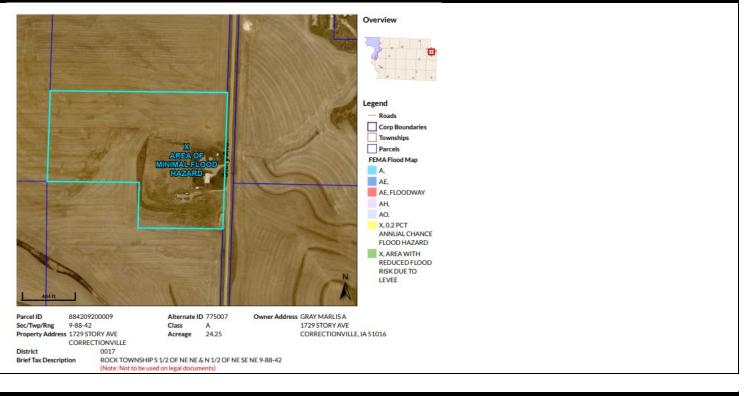
The maps and data available for access at this website are provided "as is" without warranty or any representation of accuracy, timeliness, or completeness. There are no warranties, expressed or implied, as to the appropriate use of the maps and data or the fitness for a particular purpose. The maps and associated data at this website do not represent a survey. No liability is assumed for the accuracy of the data delineated on any map, either expressed or implied.

User Privacy Policy | GDPR Privacy Notice Last Data Upload: 9/29/2023, 7:10:32 PM

### ZONING MAP



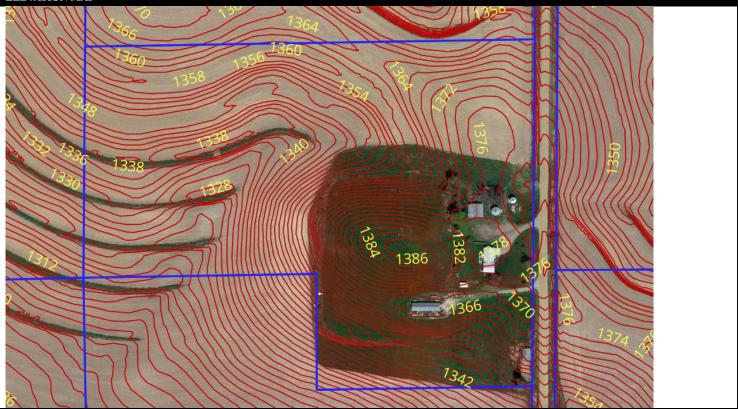
### EFFECTIVE FLOODPLAIN MAP

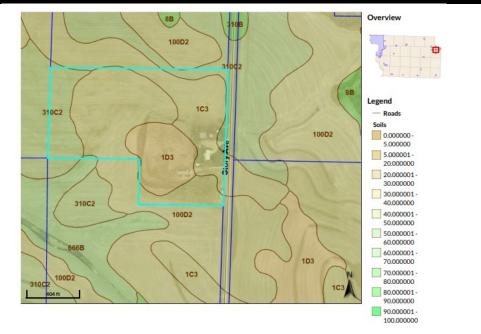


## DRAFT FLOODPLAIN MAP



### ELEVATION MAP





### SOIL REPORT

### Summary

Parcel ID Gross Acres ROW Acres Gross Taxable Acres Exempt Acres Net Taxable Acres Average Unadjusted CSR2	24.25 0.00 24.25 0.00 24.25 58.32	) (Gross Taxable Acres - Exempt Land) (1414.2 CSR2 Points / 24.25 Gross Taxable Acres)
--	--	--

Agland Active Config

### Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	20.54	58.54	1,202.50	1,202.50
Non-Crop	3.71	57.06	211.70	140.14
Total	24.25		1,414.20	1,342.64

### Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	666B	SMITHLAND-DANBURY-JUDSON COMPLEX, 2 TO 5 PERCENT SLOPES	88.00	0.05	4.40	4.40
100% Value	310C2	GALVA SILTY CLAY LOAM, 5 TO 9 PERCENT SLOPES, MODERATELY ERO	84.00	3.76	315.84	315.84
100% Value	100D2	MONONA SILTY CLAY LOAM, 9 TO 14 PERCENT SLOPES, MODERATELY E	60.00	8.87	532.20	532.20
100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	3.79	219.82	219.82
100% Value	1D3	DA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	4.07	130.24	130.24
Non-Crop	310C2	GALVA SILTY CLAY LOAM, 5 TO 9 PERCENT SLOPES, MODERATELY ERO	84.00	0.22	18.48	9.85
Non-Crop	100D2	MONONA SILTY CLAY LOAM, 9 TO 14 PERCENT SLOPES, MODERATELY E	60.00	1.12	67.20	43.16
Non-Crop	1C3	DA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	1.93	111.94	73.38
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.44	14.08	13.75
Total				24.25	1,414.20	1,342.64

The maps and data available for access at this website are provided "as is" without warranty or any The maps and data available for access at this website are provided "as is" without warfanty of any representation of accuracy, timeliness, or completeness. There are no warranties, expressed or implied, as to the appropriate use of the maps and data or the fitness for a particular purpose. The maps and associated data at this website do not represent a survey. No liability is assumed for the accuracy of the data delineated on any map, either expressed or implied.

| <u>User Privacy Policy</u> | <u>GDPR Privacy Notice</u> Last Data Upload: 9/29/2023, 7:10:32 PM

Contact Us

