

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

Date: 4/28/22

Weekly Agenda Date: 5/3/22 4:42

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Daniel Priestley, CED Zoning Co

WORDING FOR AGENDA ITEM:

- a. Public Hearing on a Zoning Ordinance Map Amendment to rezone GIS Parcel #874705200002, owned by the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust, from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District
- b. Conduct and approve the first reading of the Ordinance

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Board of Supervisors will hold a public hearing to discuss a proposed Zoning Ordinance Map Amendment to rezone GIS Parcel 874705200002 from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

Following the public hearing, the Board may defer consideration of the proposal; or reject the proposal; or proceed to adopt an ordinance approving the amendment to the zoning district map.

A 60% majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20% of either, (a) the area of the subject property or (b) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing.

The Board of Supervisors may impose restrictive conditions upon the approval of an amendment to the zoning district map if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

BACKGROUND:

Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust has filed an application for a zoning ordinance map amendment (rezone) on the property known as GIS Parcel #874705200002 from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the purpose of establishing four residential lots through a concurrent minor subdivision application.

This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission public hearing and have been requested to comment. As of April 18, 2022, no comments or inquiries have been received about the proposal. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. A small portion of the property that is not in any buildable area is located in the Special Flood Hazard Area (Zone A – Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, the proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal with the condition that the property owner(s) sign a pavement agreement for any future paving along 220th Street. The Woodbury County Zoning Commission voted 4-0 to recommend approval of this proposal at their April 25, 2022 meeting to the Board of Supervisors with the condition that the property owner(s) sign a pavement agreement with the county.

FINANCIAL IMPACT:

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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:

Open and close the public hearing. (Set Time: 4:42 PM)

Conduct and approve the first reading of the ordinance.

The 2nd and 3rd public hearings and readings of the ordinance have been scheduled for Tuesday, 5/10/22 at 4:42 PM, and Tuesday, 5/17/22 at 4:42 PM, respectively.

ACTION REQUIRED / PROPOSED MOTION:

Open and close the public hearing. (Set Time: 4:42 PM)

Motion to conduct and approve the first reading of the ordinance.



**WOODBURY COUNTY
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyia.gov
Dawn Norton · Sr. Clerk · dnorton@woodburycountyia.gov
Telephone (712) 279-6609 Fax (712) 279-6530

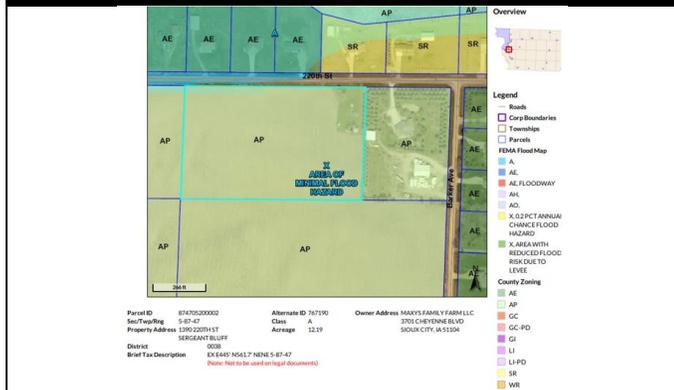
**Maxys Family Farm LLC / Brian and Bonnie Ivener Trust
REZONE FROM AP TO AE ZONING DISTRICT
FINAL REPORT – 4/28/22**

APPLICATION DETAILS	PROPERTY DETAILS	TABLE OF CONTENTS
<p>Applicant(s): Maxys Family Farm LLC / Brian and Bonnie Ivener Trust Application Type: Zoning Ordinance Map Amendment (Rezone) Current Zoning District: Agricultural Preservation (AP) Proposed Zoning District: Agricultural Estates (AE) Total Acres: 10.90 Acres Current Use: Farmland Proposed Use: Residential Corn Suitability Rating(s): 75.51 Pre-application Meeting: Application Date: April 1, 2022 Legal Notice Date: April 13, 2022 Stakeholders' (1000') Letter Date: April 7, 2022 Zoning Commission Public Hearing Date: April 25, 2022 Board of Supervisors Public Hearing Dates: May 3, 2022 at 4:42 PM; May 10 at 4:42 PM; May 17 at 4:42 PM</p>	<p>Parcel(s): 874705200002 Township: T87N R47W (Liberty) Section: 5; Quarter: NE ¼ NE ¼ Zoning District: Agricultural Preservation (AP) Floodplain District: Zone A (Floodplain) Address: 1390 220th St., Sergeant Bluff, IA 51054</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Summary, Recommendation, Aerial & Plat Excerpt <input type="checkbox"/> Application <input type="checkbox"/> Review Criteria <input type="checkbox"/> Legal Notification <input type="checkbox"/> Adjacent Owners' Notification <input type="checkbox"/> Stakeholder Comments <input type="checkbox"/> Supporting Documentation

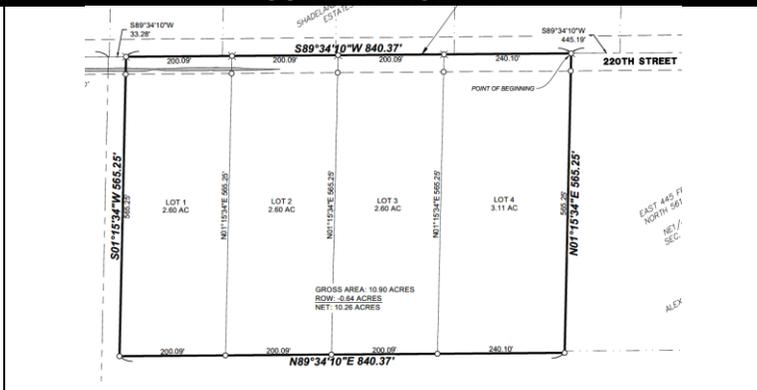
SUMMARY

Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust has filed an application for a zoning ordinance map amendment (rezone) on the property (Parcel #874705200002) as referenced above from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the purpose of establishing four residential lots through a concurrent minor subdivision application. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission public hearing and have been requested to comment. As of April 18, 2022, no comments or inquiries have been received about the proposal. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. A small portion of the property that is not in any buildable area is located in the Special Flood Hazard Area (Zone A – Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, the proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal with the condition that the property owner(s) sign a pavement agreement for any future paving along 220th Street. The Woodbury County Zoning Commission voted 4-0 to recommend approval of this proposal at their April 25, 2022 meeting to the Board of Supervisors with the condition that the property owner(s) sign a pavement agreement with the county.

AERIAL MAP



SURVEY EXCERPT



ZONING COMMISSION & STAFF RECOMMENDATION

The Woodbury County Zoning Commission voted 4-0 to recommend approval of this proposal at their April 25, 2022 meeting to the Board of Supervisors with the condition that the property owner(s) sign a pavement agreement with the county.

Staff recommends approval of this proposal with the condition that the property owner(s) sign a pavement agreement for any future paving along 220th Street.

ZONING COMMISSION DRAFT MINUTES – APRIL 25, 2022

Minutes - Woodbury County Zoning Commission Meeting – April 25, 2022

The Zoning Commission (ZC) meeting convened on the 25th of April at 6:00 PM in the first-floor boardroom in the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Chris Zellmer Zant, Tom Bride, Corey Meister, Jeff O'Tool
County Staff Present: Dan Priestley, Dawn Norton
Public Present: Dolf Ivener, Troy Husen, Jim Zellmer (Phone)

Call to Order

Chair Chris Zellmer Zant formally called the meeting to order at 6:00 PM.

Public Comment on Matters Not on the Agenda

None.

Approval of Minutes

The February 28, 2022 minutes were approved. Motion to approve: Meister. Second: O'Tool. Motion approved 4-0.

Public Hearing: Husen Addition Minor Subdivision Proposal

Priestley read the preliminary report and staff recommendation into the record. Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust has filed an application for a four-lot minor subdivision on the property identified as Parcel #874705200002. The purpose of this proposal is to establish four residential lots. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via a April 7, 2022 letter about the 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 lots have adequate access. The County Engineer also stated that a paving agreement should be applied to this subdivision. Extraterritorial review was waived by the City of Sergeant Bluff with Resolution No. 21-33 on December 14, 2021. A portion of the property is in the Special Flood Hazard Area – Zone A – Floodplain but not in any buildable area. This proposal meets requirements of the Zoning and Subdivision Ordinances. Bride pointed out that the property has a significant Crop Suitability Rating (CSR – 75.51); this area is also located close to the Sergeant Bluff and residential development is already established. Dolf Ivener offered background on the purpose of the project. Troy Husen inquired about the effects of the paving agreement including the costs. Priestley indicated that it is an 80/20 agreement where property owners would pay 40% along their frontage or lineal feet of each lot to the center of the road. If there is any proposal to pave the road in the future, there will likely be public hearings administered by county engineer's office. It is the recommendation of staff to approve this proposal with the condition that the property owner(s) sign a paving agreement for any future paving along 220th Street. Motion to close public hearing: O'Tool. Second: Meister. Motion approved 4-0. Motion to recommend approval of the Husen Addition Minor Subdivision to the Board of Supervisors with the condition property owners sign a paving agreement: O'Tool. Second: Bride. Motion approved 4-0.

Public Hearing: Zoning Ordinance Map Amendment (Rezone) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District Proposal – Maxys Family Farm LLC/Brian and Bonnie Ivener Trust

Priestley read the preliminary report and staff recommendation into the record. Concurrently with the previous minor subdivision application, this proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 10.90-acres located in the NE ¼ of the NE ¼ of Section 5, T87N R47W (Liberty Township), Woodbury County, parcel #874705200002, for the purpose of establishing four residential lots. The neighbors within 1000 FT have been duly notified via a April 7, 2022 letter about the Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were received. A portion of the property is in the Special Flood Hazard Area – Zone A – Floodplain but not in any buildable area. Based on the information received, staff recommends approval of this proposal with the condition that the property owner(s) sign a paving agreement for any future paving along 220th Street. Motion to close public hearing: O'Tool. Second: Meisner. Motion approved 4-0. A motion was made to recommend approval to the Board of Supervisors for the request as proposed to Agricultural Estates with the condition that the owner(s) sign a paving agreement: O'Tool. Second: Bride. Motion approved 4-0.

Public Hearing: Al and Barb Concord Place Addition Minor Subdivision Proposal

Priestley read the preliminary report and staff recommendation into the record. The Joint Revocable Living Trust of Alvin O. Zellmer and Keith H. Zellmer and Pamela J. Zellmer have filed an application for a three-lot minor subdivision on Parcel #894824100006 and #894824100009. The purpose of this application is so the existing house on the proposed Lot 2, which is completely located within the Trust Parcel (#894824100009) can be split from the farm ground and be incorporated with the proposed Lots 1 and 2 in the same AE Zoning District. The use of the land will remain unchanged for the foreseeable future, as the Trust and its immediate successors plan to continue using the Trust property for agricultural purposes, while the house can be sold for residential purposes. No residential development is planned. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were submitted. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. Priestley noted that the county engineer initially had concerns about a proposed easement and its access to

a suitable driveway. However, the issue was resolved with a revised easement. Extraterritorial review is not required as the property is located greater than 2 miles from an incorporated area. The property is located in the Special Flood Hazard Area (Zone A - Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, this proposal meets the appropriate criteria for approval. One of the property owners, Jim Zellmer, was present via the phone but had no comments about the proposal. It is the recommendation of staff to approve this proposal. Motion to close public hearing: Meister. Second: Bride. Motion approved 4-0. A motion was made to recommend approval to the Board of Supervisors for the Al and Barb Concord Place Addition Minor Subdivision: Bride. Second: O'Tool. Motion approved 4-0.

Public Hearing: Zoning Ordinance Map Amendment (Rezone) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District Proposal – Joint Revocable Living Trust of Alvin O. Zellmer & Barbara Zellmer

Priestley read the preliminary report and staff recommendation into the record. Along with previous minor subdivision application, this proposal is to rezone Parcel #894824100009 from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District with an application for a three-lot subdivision on Parcel #894824100009.

The purpose of this application is so the existing house on the proposed Lot 2, which is completely located within the Trust Parcel (#894824100009) can be split from the farm ground and be incorporated with the proposed Lots 1 and 2 in the same AE Zoning District. The use of the land will remain unchanged for the foreseeable future, as the Trust and its immediate successors plan to continue using the Trust property for agricultural purposes, while the house can be sold for residential purposes. No residential development is planned. This proposal has been properly noticed in the Sioux City Journal Legals Section on April 13, 2022. The neighbors within 1000 FT have been duly notified via an April 7, 2022 letter about the April 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No comments of opposition were submitted. The property is located in the Special Flood Hazard Area (Zone A - Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, this proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal. Motion to close Public Hearing: O'Tool. Second: Meister. Motion approved 4-0. Motion to recommend the proposed Zoning Ordinance Map Amendment from AP to AE to the Board of Supervisors: O'Tool. Second: Bride. Motion approved 4-0.

Discussion of Solar Ordinance Provisions

Priestley facilitated a discussion concerning residential solar systems and utility scale solar systems including some of their differences as it pertains to permitting. He indicated that area communities such as the City of Sioux City administratively issue building permits for residential solar systems as accessory structures/uses to the properties. The current language in the Woodbury County Zoning Ordinance requires a conditional use permit for all solar projects regardless of type. Priestley reminded the Commissioners that in recent years the county has received conditional use permit applications from both residential scale and utility scale projects. A revised ordinance may be required to address future needs depending on the intensity of the projects from residential to utility scale. Several considerations include road use agreements, decommissioning plans, setback requirements, etc. Priestley recommended that the Commission continue this discussion at future meetings and in the meantime, he will continue to research other jurisdictions and their respective policies as it comes to both residential and commercial solar operations.

Public Comment on Matters Not on the Agenda

None.

Commissioner Comment or Inquiry

Bride bought up State of Iowa legislation – Senate File 2285, pertaining to the incorporated areas' ability to require annexation agreements. Priestley will research.

Staff Update

Priestley formally informed the Commission that Director David Gleiser has left the Woodbury County Community & Economic Department.

Adjourn

The meeting adjourned at 7:20 PM.



Rezoning Application & Zoning Ordinance Map Amendment

Owner Information:	Applicant Information:
Owner <u>Maxys Family Farm LLC</u>	Applicant <u>Dolf Ivener</u>
Address <u>3701 Cheyenne Blvd</u> <u>Sioux City, IA 51104</u>	Address <u>3400 Talbot Rd</u> <u>Sioux City, IA 51103</u>
Phone <u>712-251-9967</u>	Phone <u>712-251-9967</u>

Engineer/Surveyor Justin Jensen Phone 515-450-9199

Property Information:

Property Address 1390 220th st Sergeant Bluff, IA 51054 proposed legal desc. attached
or Address Range _____

Quarter/Quarter NE 1/4 NE 1/4 Sec 5 Twnshp/Range 87-47

Parcel ID # 874705200002 or GIS # _____ Total Acres 10.9

Current Use AGRICULTURE Proposed Use RESIDENTIAL

Current Zoning AP Proposed Zoning AE

Average Crop Suitability Rating (submit NRCS Statement) 75.51

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).

A formal pre-application meeting is recommended prior to submitting this application.

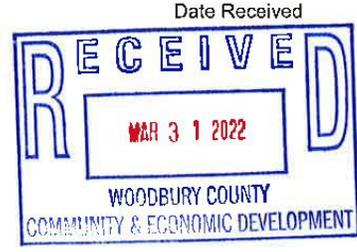
Pre-app mtg. date 12/21 Staff present [Signature]

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.

This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.

Owner Maxys Family Farm LLC Applicant Dolf Ivener
Date 3/18/22 Brian Ivener Date 3/18/22
Family Trust

Fee: \$400 Case #: 6152
Check #: 1374
Receipt #: _____



ORDINANCE NO. __

**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

WHEREAS the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder, and

WHEREAS the Woodbury County Board of Supervisors has received a report in respect to amending the said Ordinance from the Woodbury County Zoning Commission which held a public hearing on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and

WHEREAS the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

WHEREAS the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

NOW THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

Dated this ____ day of _____ 2022.

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS

Keith Radig, Chairman

Jeremy Taylor, Vice Chairman

Rocky De Witt

Matthew Ung

Justin Wright

Attest:

Patrick F. Gill, Woodbury County Auditor

Adoption Timeline: Public Hearing and 1st Reading: Public Hearing and 2nd Reading: Public Hearing and 3rd Reading: Adopted: Effective:
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ITEM ONE (1)

Property Owner(s): Maxys Family Farm LLC, 3701 Cheyenne Blvd, Sioux City, IA 51104 and Brian & Bonnie Ivener Trust, 3701 Cheyenne Blvd, Sioux City, IA 51104

Petitioner Applicant: Maxys Family Farm LLC, 3701 Cheyenne Blvd, Sioux City, IA 51104 and Brian & Bonnie Ivener Trust, 3701 Cheyenne Blvd, Sioux City, IA 51104

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, April 25, 2022, to review and make a recommendation for amendments to the Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa as follows:

Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 10.90-acres located in the NE ¼ of the NE ¼ of Section 5, T87N R47W (Liberty Township) in the County of Woodbury and State of Iowa. The property is located on a portion of Parcel #874705200002 and is described as

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 87 NORTH, RANGE 47 WEST OF THE 5TH P.M., CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

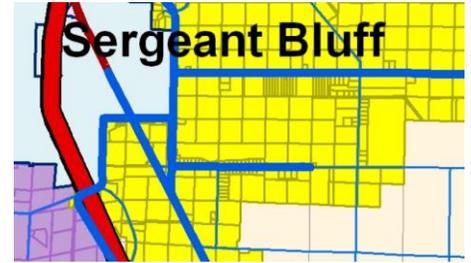
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 5; THENCE ALONG THE NORTH LINE OF SAID SECTION 5 S89°34'10"W, 445.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S89°34'10"W, 840.37 FEET; THENCE DEPARTING SAID NORTH LINE S01°15'34"W, 565.25 FEET; THENCE N89°34'10"E, 840.37 FEET TO THE WEST LINE OF THE EAST 445 FEET OF THE NORTHEAST 1/4 OF SAID SECTION 5; THENCE ALONG SAID WEST LINE N01°15'34"E, 565.25 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 10.90 ACRES INCLUDING 0.63 ACRE OF ROAD RIGHT OF WAY AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

EVALUATION CRITERIA

The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

Conformance with the goals and objectives set forth in the approved general development plan for Woodbury County including the future land use map.

The 2005 Future Land Use Map shows this area as Rural Residential. The parcel is currently zoned Agricultural Preservation (AP) and the request is to change to Agricultural Estates (AE). The request conforms to the goals and objectives of the general development plan as it relates to the following land use goals:



- **Residential Goal 5.1:** Encourage non-farm residential development to locate near cities or on existing hard surfaced roadways, particularly in areas that can be served by urban services such as public water and sewer systems.
- **Residential Goal 5.2:** Encourage residential development to locate in areas with suitable accessibility, soils, and terrain.
- **Land Use Goal 1.2:** Adopt development regulations that promote efficient, stable land uses with minimum conflicts and provision of public infrastructure.
- **Land Use Goal 1.3:** Encourage development near cities by discouraging leap-frog development outside municipalities.

Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.

There are no conflicts with the policies and plans of other agencies.

Consideration of the Corn Suitability (CSR) of the property.

The CSR2 rating for this property includes ratings of 75.51. The agricultural goal of the Woodbury County General Plan is to protect prime farmland as determined by a high corn suitability rating (e.g. over 65 CSR) from conversion to other land uses.

Summary

Parcel ID	874705200002
Gross Acres	12.19
ROW Acres	0.00
Gross Taxable Acres	12.19
Exempt Acres	0.00
Net Taxable Acres	12.19 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	75.51 (920.44 CSR2 Points / 12.19 Gross Taxable Acres)

Agriculture Active Corridor 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	11.38	75.51	859.32	859.32
Non-Crop	0.81	75.46	61.12	34.47
Total	12.19		920.44	893.79

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	2549	MODALE SOILS, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	76.00	9.99	759.24	759.24
100% Value	137	HANHIE SILT LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	1.39	100.08	100.08
Non-Crop	3549	MODALE SOILS, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	76.00	0.70	53.20	29.89
Non-Crop	137	HANHIE SILT LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	0.11	7.92	4.58
Total				12.19	920.44	893.79

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: 874705200002 Alternate ID: 767190 Owner Address: MAXY'S FAMILY FARM LLC

Seq/Twp/Rng: 5-87-47 Class: A 3701 CHEYENNE BLVD

Property Address: 1390 220TH ST Acreage: 12.19 SERGEANT BLUFF SIOUX CITY, IA 51104

District: 0038

Bret Tax Description: EX E445' N561.7' NENE 5-87-47

John Schumacher and Kristi Schumacher	2250 Barker Ave.	Sgt. Bluff	IA	51054	No comments.
Paul J. Snyder and Peggy L. Snyder	2254 Barker Ave.	Sgt. Bluff	IA	51054	No comments.
Pamela A. Smith and Randy S. Smith	2260 Barker Ave.	Sgt. Bluff	IA	51054	No comments.
Robert F. Schultz and Debra L. Schultz	7380 Lakeport Rd.	Sgt. Bluff	IA	51054	No comments.
Trent J. Stulich and Julie T. Stulich	7384 Lakeport Rd.	Sgt. Bluff	IA	51054	No comments.
Joseph J. Hardy	7390 Lakeport Rd.	Sgt. Bluff	IA	51054	No comments.
Raymond A. Jackson and Jennifer A. Jackson	1359 220th St.	Sgt. Bluff	IA	51054	No comments.
Michael Kilburn and Stacy Kilburn	1361 220th St.	Sgt. Bluff	IA	51054	No comments.
Jacob A. Goodin and Sheli H. Goodin	1369 220th St.	Sgt. Bluff	IA	51054	No comments.
Josey L. Bales	1371 220th St.	Sgt. Bluff	IA	51054	No comments.
Scott A. Barto and Rachelle D. Barto	1379 220th St.	Sgt. Bluff	IA	51054	No comments.
Levi D. Montagne and Kelsey J. Montange	1383 220th St.	Sgt. Bluff	IA	51054	No comments.
Patrick Demara and Shelly Demara	1389 220th St.	Sgt. Bluff	IA	51054	No comments.
Troy M. Bowman and Danya R. Bowman	1391 220th St.	Sgt. Bluff	IA	51054	No comments.
Gary Kaiser and Stacy Kaiser	1395 220th St.	Sgt. Bluff	IA	51054	No comments.
Gary Lundeen	1401 220th St.	Sgt. Bluff	IA	51054	No comments.
Paul A. Jensen and Stacy L. Jensen	1409 220th St.	Sgt. Bluff	IA	51054	No comments.
Jack Cook Farms, Inc.	7374 Old Lakeport Rd.	Sgt. Bluff	IA	51054	No comments.

STAKEHOLDER COMMENTS	
911 COMMUNICATIONS CENTER:	No issues here. – Glenn Sedivy, 4/4/22.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
LONGLINES:	No comments.
LUMEN:	<p>Below is a snapshot of Lumen's facility map in the area. Lumen doesn't have facilities adjacent to or within the subject property. Please let me know if you have any questions. – Paul Kingrey, 4/8/22.</p> 
MAGELLAN PIPELINE:	This project should not impact Magellan. – Bryan Ferguson, 4/4/22.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have reviewed the attached proposed minor subdivision for MEC electric: No conflicts – The developer should be aware that any requested extension of electric facilities will be subject to a customer contribution. Let me know if you have any questions or concerns. – Casey Meinen, 4/4/22.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No comments.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this zoning request, NIPCO has no facilities at or adjacent to this location. NIPCO has no issues with this request. – Jeff Zettel, 4/7/22.
NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	I have no concerns or comments. – Rebecca Socknat, 4/4/22.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	I have no issues with the proposed rezone. – Mark Nahra, PE, 4/1/22.
WOODBURY COUNTY RECORDER:	No issues. – Diane Swoboda Peterson, 4/4/22.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No concerns or comments. – Kent Amundson, 4/4/22.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments regarding this subdivision proposal. – Neil Stockfleth, 4/4/22.
WOODBURY COUNTY TREASURER:	The taxes for this parcel are current. – Kimberlee Koepke, 4/1/22.

PARCEL REPORT

Summary

Parcel ID 874705200002
 Alternate ID 767190
 Property Address 1390 220TH ST
 SERGEANT BLUFF IA 51054
 Sec/Twp/Rng 5-87-47
 Brief Tax Description EX E445' N561.7' NENE S-87-47
 (Note: Not to be used on legal documents)
 Deed Book/Page 2021-06042 (5/6/2021)
 Gross Acres 12.19
 Net Acres 12.19
 Adjusted CSR Pts 893.79
 Zoning AP - AGRICULTURAL PRESERVATION
 District 0038 LIBERTY/SB/L
 School District SCTI BLUFF LUTON
 Neighborhood N/A

Owner

Deed Holder
 Mayo Family Farm LLC
 3701 Cheyenne Blvd
 Sioux City IA 51104

Contract Holder

Mailing Address
 Michael Or Gina Bernstein
 8 Crestwood Dr
 Saint Louis MO 63105

Ivener Brian & Bonnie Trust
 3701 Cheyenne Blvd
 Sioux City IA 51104

Land

Lot Area 12.19 Acres; 530,996 SF

Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Bln - Wire Grain Storage		12	14	1967	1
0	Bln - Grain Storage (Bushel)		0	0	1977	1

Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
2/5/2021	IVENER MAX & FRANCYS FAMILY TRUST	MAXYS FAMILY FARM LLC	2021-06042	No consideration	Deed		\$0.00
2/5/2021	IVENER MAX & FRANCYS FAMILY TRUST	MAXY FAMILY FARM LLC	2021-03169	NO LONGER USED (formerly Sale of two of more seperately assessed parcels)	Deed	Y	\$0.00

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

Valuation

	2022	2021	2020	2019	2018
Classification	Agriculture	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$22,880	\$22,880	\$21,630	\$21,630	\$31,130
+ Assessed Building Value	\$920	\$920	\$840	\$840	\$1,160
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$23,800	\$23,800	\$22,470	\$22,470	\$32,290
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$23,800	\$23,800	\$22,470	\$22,470	\$32,290

SOIL REPORT

Summary

Parcel ID 874705200002
 Gross Acres 12.19
 ROW Acres 0.00
 Gross Taxable Acres 12.19
 Exempt Acres 0.00
 Net Taxable Acres 12.19 (Gross Taxable Acres - Exempt Land)
 Average Unadjusted CSR2 75.51 (920.44 CSR2 Points / 12.19 Gross Taxable Acres)

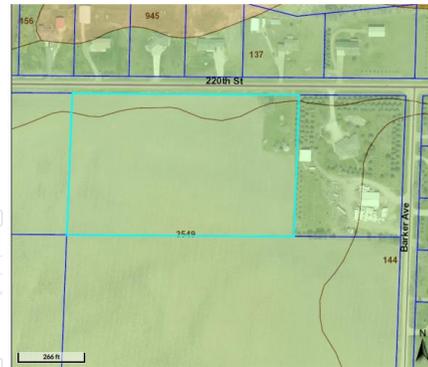
Aglamd Active Config 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	11.38	75.51	859.32	859.32
Non-Crop	0.81	75.46	61.12	34.47
Total	12.19		920.44	893.79

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	3549	MODALE SOILS, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	76.00	9.99	759.24	759.24
100% Value	137	HAYNIE SILT LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	1.39	100.08	100.08
Non-Crop	3549	MODALE SOILS, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	76.00	0.70	53.20	29.89
Non-Crop	137	HAYNIE SILT LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	0.11	7.92	4.38
Total				12.19	920.44	893.79



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

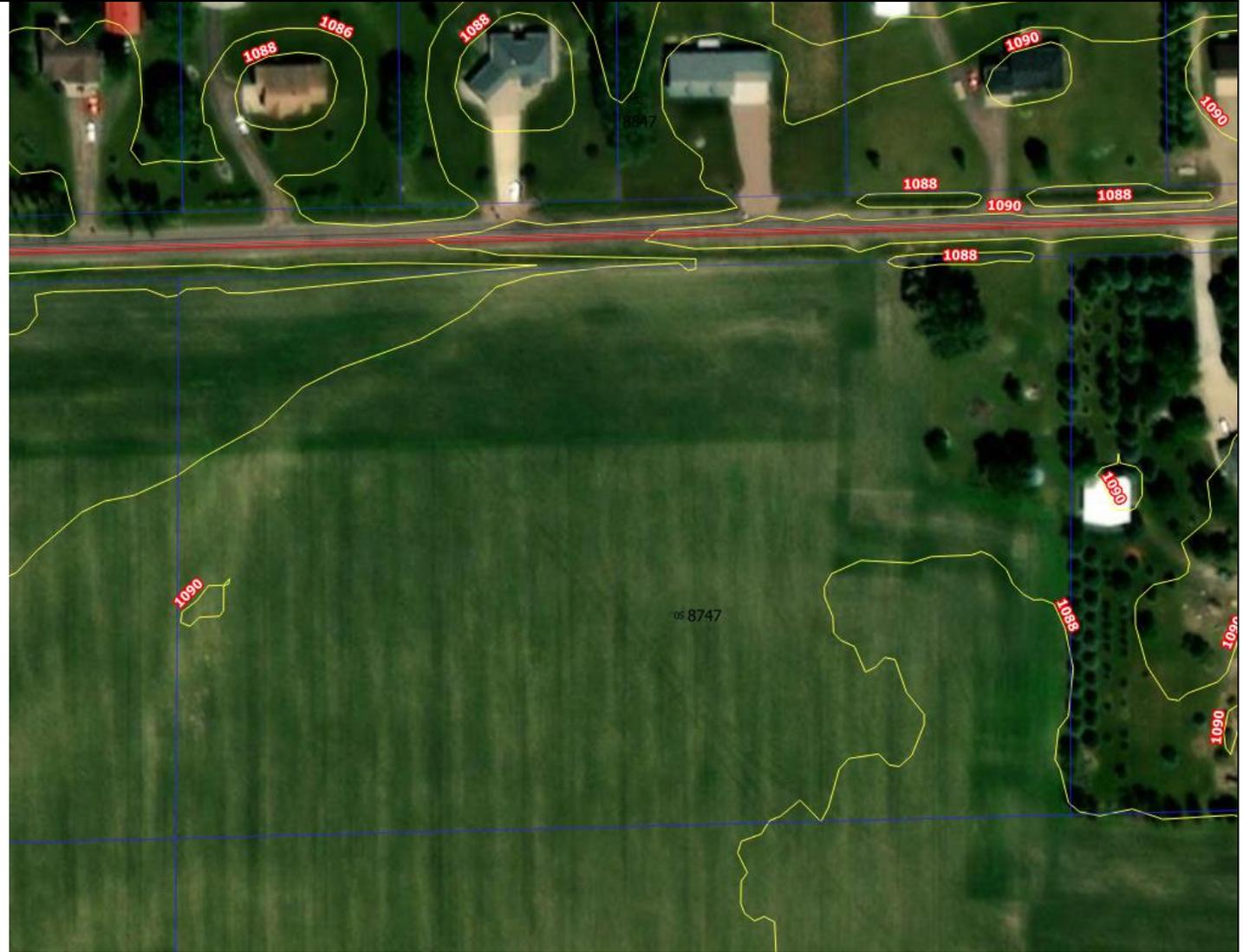
Parcel ID 874705200002
 Sec/Twp/Rng 5-87-47
 Property Address 1390 220TH ST
 SERGEANT BLUFF

Alternate ID 767190
 Class A
 Acreage 12.19

Owner Address MAXYS FAMILY FARM LLC
 3701 CHEYENNE BLVD
 SIOUX CITY, IA 51104

District 0038
 Brief Tax Description EX E445' N561.7' NENE S-87-47

ELEVATION



PAVEMENT AGREEMENT

**AGREEMENT TO IMPOSE COVENANT
BASED UPON LINEAL LOT FRONTAGE**

The undersigned, *Brian Ivener, Trustee of the Brian & Bonnie Ivener Trust UTD July 6, 2006* and the *Maxys Family Farm LLC*, the owner(s) of the real estate known as Husen Addition Subdivision, an Addition to Woodbury County, Iowa, and legally described as follows:

Lots One (1), Two (2), Three (3), and Four (4) of Husen Addition Subdivision of Part of Section Five (5), Township Eight-Eight (87) North, Range Forty-Seven (47), West of the Fifth Principal Meridian, in the County of Woodbury and the State of Iowa, a/k/a see legal described in Exhibit "A" attached hereto and by this reference made a part hereof.

In consideration of the approval of the Plat of Husen Addition Subdivision we agree as follows:

1. To impose a recorded covenant on 220th Street agreeing to an assessment on said Lots in event 220th Street is hard surfaced and graded for that purpose (the Improvement).
2. At the time of the Improvement, the then owners, their successors, and assigns shall be assessed collectively a maximum of eighty percent (80%) of the total actual cost of the Improvement to the centerline of 220th Street. The centerline to be fifty percent (50%) of the total Improvement of said roadways, therefore, the effective collective assessment against the Lots in *Husen Addition* Subdivision will be a maximum of forty percent (40%) of the total actual cost of the improvements abutting said lots.
3. The collective assessment shall be individually prorated to each of the Lots on the basis of the number of lineal feet on which each Lot abuts said roadway(s) and the respective Lot owners shall have the responsibility for the assessment only on the lot(s) within the Subdivision he/she or it may own.
4. In the event that statutes or ordinances existing at the time of the Improvements results in an overall lower assessment against the Lots in *Husen Addition* Subdivision, then the lower amount shall be assessed against said lots.
5. This Agreement to Impose Covenant shall be binding upon the respective successors, heirs, administrators, executors and assigns of the parties.

Dated this _____ day of _____, 2022.

Maxys Family Farm, LLC,

Dolf Ivener, Member

Dated this _____ day of _____, 2022.

Brian and Bonnie Ivener Trust UTD July 6, 2006

Brian Ivener, Trustee

On this ____ day of _____ A.D. 2022, before me, the undersigned Notary Public, personally appeared to me known **Dolf Ivener, Member Maxys Family Farm LLC** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Dolf Ivener as Member of Maxys Family Farm LLC** executed the same as a voluntary act and deed.

Public in and for said County Notary
Seal or stamp above

On this ____ day of _____ A.D. 2022, before me, the undersigned Notary Public, personally appeared to me known **Brian Ivener, Trustee of the Brian & Bonnie Ivener Trust UTD July 6, 2006** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Brian Ivener, Trustee of the Brian & Bonnie Ivener Trust UTD July 6, 2006** executed the same as a voluntary act and deed.

Public in and for said County Notary
Seal or stamp above

EXHIBIT A

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 87 NORTH, RANGE 47 WEST OF THE 5TH P.M., CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 5; THENCE ALONG THE NORTH LINE OF SAID SECTION 5 S89°34'10"W, 445.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S89°34'10"W, 840.37 FEET; THENCE DEPARTING SAID NORTH LINE S01°15'34"W, 565.25 FEET; THENCE N89°34'10"E, 840.37 FEET TO THE WEST LINE OF THE EAST 445 FEET OF THE NE ¼ OF SAID SECTION 5; THENCE ALONG SAID WEST LINE N01°15'34"E, 565.25 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 10.90 ACRES INCLUDING 0.63 ACRE OF ROAD RIGHT OF WAY AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.