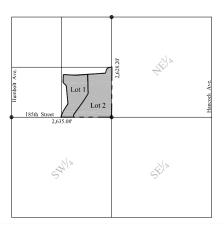
## WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Da	te: <u>8/25/21</u>		Weekly Agen	da Date: <u>O/</u>	/31/21						]
E	LECTED OFFIC	AL / DEPA	RTMENT HEA	D / CITIZEN:	David (	Gleiser, CED	Director				
W	ORDING FOR A	GENDA IT	EM:								
	Approval of F	inal Plat	for the Coz	zy Creek Ad	ddition, a	a Minor S	Subdivision				
				ACTI	ON REQ	UIRED:					
	Approve Ordi	nance $\square$		Approve Res	solution 🗷	2	Approve Mo	tion 🗹			
	Public Hearing	g 🗆		Other: Inforr	mational [	]	Attachments				
											7
	ECUTIVE SUMN IPERVISORS WILL PORT ON SAID PLE ECONSENT OF THE		e Woodbury all approve, der. Approva	County Pla approve witl al shall be in	nning and h condition the form	d Zoning ( ons, or dis of a resol	(P&Z) Commi approve the p lution to be ce	ssion's red blat. The E ertified as	commend Board may part of the	ation and table the final plat	final matte
ВА	ACKGROUND:										
Fret & Jo The proposition of the	di Peterson, owne osed subdivision is are compliant with verified closure of the Commission District and Serview as the propetimony. Upon clos	is of Parcel 8 located in the the zoning of the final plat. n's 8/23/21 piouxland Disterty location ing the heari	38451410006 he Moville Towns ordinance and significations of Mall required legal bublic hearing. Attrict Health regar exceeds 2 miles ng, the Commiss	ave filed an app ship, it is zoned abdivision ordina al notifications w s of 8/25/21, the ding standard s s from any city. (sion subsequen	olication for Agricultural ance. The C vere made a c CED office soil erosion p On 8/23/21, ttly voted un	a two-lot mine Preservation County Engine and all relevar has received practices and the P&Z Cor animously to	or subdivision for (AP) and it is no eer has sited and nt agency stakehc d 2 formal comme well/septic requir mmission held a precommend appr	the purpose t located with approved all olders and pro- nts from Woo ements. The oublic hearing oval of the fir	of building a in a floodplai proposed dri pperty owner odbury Counsubdivision of a point plat as proposed building a plat	new home o in. The propo iveways for a is were notified ty Soil and W does not requirection and re oposed.	n Lot 2. sed lots ccess d of this later uire extreceived
FIN	NANCIAL IMPAC	——— :Т:									
None											
	THERE IS A CO							SUBMITTED	AT LEAST	Γ ONE WEE	K
Ye	s 🗆 No	<b>D</b>									
RE	COMMENDATIO	ON:									
Receiv	e the final st	aff report	t and P&Z (	Commission	n's reco	mmendat	tion from the	ir 8/23/2	1 meeting	g.	
∖pprov	e the plat ar	d author	ize the Cha	ıirman to si	ign the r	esolution					
	TION REQUIRE										
Votion	to receive th	ie final st	taff report a	nd P&Z Co	ommissio	on's reco	mmendation	from the	eir 8/23/2	1 meetin	g.
Motion	to approve t	he Cozv	Creek Add	ition final p	lat and	authorize	the Chairm	an to sigi	n the res	olution.	

Surveyor:	Gregg A. Stroschein, 712-259-0483
Mail To:	325 Howard Road - Moville, IA 51039
County:	Woodbury
Section(s):	14 T: 88N R: 45W
Aliquot Part:	Parts of NW/4
Proprietor(s):	Bret & Jodi Peterson
Danmastad bru	Deat Datamone

# FINAL PLAT OF COZY CREEK ADDITION

A MINOR SUBDIVISION
IN THE NW1/4 OF SECTION 14, T88N, R45W OF THE 5TH P.M.,
AN ADDITION TO WOODBURY COUNTY, IOWA



Vicinity Map

# SCALE: 1"=125'

LEGEND

● SET 5%" REBAR W. CAP P10902

S87°46'34"E

347.98

OWNERS/SUBDIVIDERS: BRET & JODI PETERSON 2827 185TH STREET MOVILLE, IA 51039

ENGINEER & SURVEYOR: SCOTT L. GERNHART, P.E. GREGG A. STROSCHEIN, PLS TRUE ENGINEERING & LAND SURVEYING, LLC 325 HOWARD RD. MOVILLE, 10WA 51039

ZONING: AP, AG PRESERVATION

BUILDING SET BACK LINES: FRONT = 100' REAR = 50' SIDE = 20'

STATISTICAL DATA: TOTAL AREA OF SUBDIVISION = 32.46 ACRES TOTAL RIGHT-OF-WAY = 0.48 ACRES LOTS = 2

NOTES:
ALL BEARINGS AND DISTANCES ARE
MEASURED UNLESS OTHERWISE
INDICATED.

N86°05'11"E

768.36

#### **Boundary Description**

Part of the NW/4 of Section 14, T88N, R45W of the 5th P.M., Woodbury County, Iowa. Said parcel being more particularly described as follows:

Beginning at the SE comer of said NWZ, thence westerly along the south line of the NWZ on an assumed bearing of S90°00000°W (with all subsequent bearings referenced therefrom) for a distance of 13.03.69 feet, thence N83°244°E for a distance of 9.63 feet, thence N25°2379°E for a distance of 74.89 feet, thence N32°0125°E for a distance of 74.80 feet, thence N32°0125°E for a distance of 74.80 feet, thence N32°0125°E for a distance of 83.10 feet, thence N63°104°410°E for a distance of 21.150 feet, thence N63°104°410°E for a distance of 34.79 feet; N86°65'11°E for a distance of 76.8.26 feet; thence N12°155'4°E for a distance of 10.8.46 feet; thence N72°2272°E for a distance of 10.6.36 feet; thence N75°075'90°E for a distance of 10.714 feet to the easterly line of said NWZ, thence S00°28'10°W along said easterly line for a distance of 1329.15 feet to the SE corner of said NWZ, and the Point of Beginning.

Said described parcel of land contains 32.46 acres and is subject to all easements and right-of-ways of record.

#### Certification

1, Gregg A. Stroschein, a duly Licensed Land Surveyor under the laws of the State of Iowa, do hereby certify that there are contained in said description, the lots described in the subdivision as platted; that the lots, blocks, streets and easements are of the dimensions, numbers, names and locations as shown on said plat; and that iron stakes are set at each corner of every lot of said subdivision as indicated hereon.

Gregg A. Stroschein PLS #10902 License renewal date: 12-31-21 of said subdivision as indicated hereon.

Date
Pages covered by seal \_\_\_\_\_

NW¼

14-88-45

½" Rebar w/ Cap #15082

N90°00'00"W

---1,298.69'---



Total · 12.49 Acres
R.O.W. · 0.10 Acres
Net · 12.39 Acres
(SW ¼ NW ٪) 0.01 Acres
(SE ½ NW ٪) 12.48 Acres w/ ROW

S02°09'46"E

\$90°00'00"W

1336.39

59.90'

185th Street

Parcel A
Previously Platted

Roll: 700
Image: 8,001

LOT 2
Total-19.97 Acres
R.O.W. + 0.38 Acres
Net - 19.59 Acres
(NE // NW //) 0.01 Acres
(SE // NW //) 19.96 Acres w/ ROW

Centerline of Roadway (S89°44'09"W) Point of Beginning
SE Cor.
SE¼NW¼

- NE Cor. NW¼ 14-88-45 WPA Monument

SE¼NW¼ 14-88-45 ½" Rebar w/ Cap #15082



## FINAL PLAT **COZY CREEK ADDITION**

A MINOR SUBDIVISION IN THE NW1/4 OF SECTION 14, T88N, R45W OF THE 5TH P.M., AN ADDITION TO WOODBURY COUNTY, IOWA

#### CONSENT OF OWNERS

Bret L. Peterson and Jodi S. Peterson, Husband and Wife, are the Owners of the real estate described in the attached
Surveyor's Certificate, has in the pursuance of the law, caused said described real estate to be surveyed, staked and platted
into lots, outlots and streets, as is particularly shown and set forth in the attached Plat and said Certificate of Gregg
Stroschein, a Licensed Surveyor who surveyed and platted the real estate to be known as Cozy Creek Addition, an addition to
Woodbury County, lowa, and that the same is prepared with the free consent and in accordance with the desires as owners
and proprietors thereof

Bret L. Peterson		Date
Jodi S. Peterson		Date
STATE OF COUN	ITY OF	
This record was acknowledged b and Wife.	efore me on	, 2021 by Bret L. Peterson and Jodi S. Peterson, Husband
Notary Public		
ESOLUTION & CERTIFICATE	OF WOODBURY CO	DUNTY ZONING COMMISSION OF WOODBURY COUNTY
Commission of Woodbury Co Inder advisement the Final Pl County Zoning Commission of	unty, Iowa and do fu at of Cozy Creek Ado of Woodbury County, urther recommend to	m the Chairman of the Woodbury County Zoning urther certify that said commission has heretofore taken diffion, to Woodbury County, lows and that said Woodbury Lowa, did on the
Dated this Day of _	, 20	-
hristine Zellmer-Zant, Chalm Voodbury County Zoning Co	nan Immission of Woodb	ury County, Iowa
BOARD RESOLUTION NO.		<u>.</u>
Resolution accepting and app	proving the Plat of Pe	etersen Addition an addition to Woodbury County, Iowa.
Plat of Cozy Creek Addition to County, Iowa has been recon therefore be, and it is, resolv	o Woodbury County, nmended to the Woo ed by the Woodbury	nd the Woodbury County Board of Supervisors have reviewed and approved the Final Jowa, and whereas approval of the final Plat of Coay Creek Addition to Woodbury odbury County Board of Supervisors by the Planning and Zoning Commission. Now, County Board of Supervisors, that self infan Plat of Coay, Creek Addition to Woodbury ort of this Resolution be, and the same hereby is, accepted and approved.
Dated	, 2021	
ATTEST:		WOODBURY COUNTY BOARD OF SUPERVISORS
Patrick F. Gill, Woodbury Cou Auditor and Recorder	nty	Rocky DeWitt, Chairman
STATE OF IOWA	: : ss	
COUNTY OF WOODBURY	:	
Resolution accepting and app adopted by the Woodbury Co	proving the Final Plat ounty Board of Super	Recorder, do hereby certify that the foregoing is a full, true, and correct copy of a t of Copy Creek Addition to Woodbury County, lowa, which said Resolution was visors on theday of
Dated		rick F. Gill, Woodbury County litor and Recorder
OUNTY ENGINEER'S CERTIFI	CATE	
Mark J. Nahra, P.E., County vere mathematically checked	Engineer for Woodb	oury County, Iowa, do hereby certify that the boundary lines of the plat and lots therein the requirements as provided for in the Subdivision Ordinance and that all dimensions bo Is, tracts, streets, and easements, are shown.
	, 2021	
	_	
Mark N	Jahra, P.E., County E	ngineer for Woodbury County, Iowa

#### TITLE OPINION

Julie Conolly, County Assessor

TO: COUNTY AUDITOR AND RECORDER

We have examined an abstract of title to the following described real estate, to-wit:

e nave examined an abstract of this for the following essentione real settate, flowit:

Part of the Northweel Quarter (NW) of Section Fources (14), Towashipi, Fighty-eight (88) North, Range Forty-rive (45) West of the Fifth Principal Meridain in the Courty of Woodhury, State of Iowa, described as follows. Beginning at the Southeast (SD: Courter of said Northweet Quarter (NW); thence South Ninety Degrees Zero Minutes Zero Seconds (59 °09 '00' 07) West along the South line of saids Morthweet Quarter (NW) for One Toussand Three Hundred Brity-wise Hundreddists Feet (136.39); thence North Twenty-wise And Thirty-wise Hundreddists Feet (146.39); thence North Twenty-where Degrees Twenty-dree Degrees Twenty-dree Degrees Theory-where Degrees Thirty-woven Seconds (18 \*25' 22' 37)\* Plass if for Seconds (80 \*18' 32' 44") East for Ninety-wise And Thirty Hundreddists Feet (146.39); thence North Three-powers (N 12' 40') East for Two Hundred Thirty-wise Hundreddists Feet (148.39); thence North Five Degrees Twenty-five Seconds (N 12' 40') East for Two Hundred Thirty-wise All 18.39; thence North Five Degrees Forty-Minutes Firsty-wise Degrees Forty-Minutes Firsty-forty-wise Seconds (N 12' 40') East for Two Hundred Thirty-wise Hundreddists Feet (18.39); thence North Five Degrees Forty-Minutes Firsty-forty-wise Seconds (N 12' 40') East for Two Hundred Thirty-wise Hundreddists Feet (18.39); thence North Five Degrees Forty-Minutes Firsty-forty-wise Seconds (N 12' 40') East for Two Hundred Thirty-wise Hundreddists Feet (18.39); thence North Five Degrees Forty-Minutes Firsty-forty-wise Seconds (N 12' 40') East for Two Hundreddists Feet (18.49); thence North Five Degrees Forty-Minutes Firsty-forty-wise Seconds (N 12' 40') East for Two Hundreddists Feet (18.49); thence North Five Degrees Forty-Minutes Firsty-forty-wise Seconds (N 12' 40') East for Two Hundreddists Feet (18.49); thence North Five Degrees Forty-Minutes Firsty-forty-wise Seconds (N 12' 40') East for Two Hundreddists Feet (18.49); thence North Five Seconds (N 12' 40') East fo Minutes Nineteen Seconds (\$ 0° 28' 19") West along said East line for One Thousand Three Hundred Twenty-nine and Fifteen Hundredths Feet (1,329.15') to the point of beginning. Containing Thirty-two and Forty-six Acres (32.46 Å) including county right-of-way and Thirty-one and Ninety-eight Hundredths Acres (31.98 A) excluding said right-of-way Subject to and together with any and all easements.

NOTE: The South line of said Northwest Quarter (NW%) is assumed to bear South Ninety Degrees Zero Minutes Zero Seconds (S 90° 00' 00") West.

This abstract begins appropriately on the tenth day of September, 1869, and concludes with Entry 66 in Volume I last certified the \_\_\_\_

As of the date of the last certification, and subject to the exceptions set out below, we find that the abstract shows marketable title, in fee simple and free from material objections, to be vested in Bret Peterson and Jodi S. Peterson, husband and wife, as joint tenants.

- 1. Entry 9 in Volume I of the abstract shows an Easement for Public Highway granted to Woodbury County, Iowa, dated September 19, 1949. Said Easement covers approximately 0.149 acres exclusive of the present established road. Said Easement was filed September 27, 1949, Land Deed Record 605, Page 120.

  Entry 40 discloses Recolutions Number 6323 and 6333 of the Woodbury County Board of Supervisors which were recorded on May 12, 1977, on Roll 62, Images 2118 through 2121. These resolutions govern the use of certain lands within Woodbury County, Iowa, which may be within boundaries designated as Plood Hazard Areas.

  Entry 41 shows a Notice of Filing 505 ind and Water Geoservation District.

  Charty 41 shows Resolution No. 10455 displied by the Woodbury County, Iowa, Board of Supervisors dated July 29, 2008, and recorded August 29, 2008, on Roll 699, Image 7213 which healthes, among other things, new comprehensive zoning ordinances establishing zoning regulations for the unincorporated area of Woodbury County, Iowa, The property which resolutions. They offer this experiment of the Woodbury County of the Property which the specific and the particular specification was not referred to the Woodbury County (Administrator's and Property and the particular specification was not referred to the Woodbury County (Administrator's Administrator's and Property and the particular specification is the particular specification was not referred to the Woodbury County (Administrator's Administrator's and Property and Administrator's and Property was the Property and the Property of the Property
- is subject to these regulations, and your memora use or use property may recursoes or years resonance.

  Office for details regarding institutions upon development. Depression of the property of the property
- parried counter to Farm Credit Services of America,
- , 2021, and filed April

dated April 29, 2019, 7. Entry 65 shows a Mor	rigage, Assignment of Rents, and filed April 29, 2019 on I rigage given by Bret L. Peter #2021-04807; consideration	Roll 764, Image son and Jodi Pet	1537; considerson, husba	eration \$245,000.00. This nd and wife, to The Securi	s Mortgage cor ity National Ba	stitutes a first and with the stitutes and with the stitutes a first and with the stitutes and with the	alid lien upon the owa, dated April 5,
Dated, 20	121						
By: Jay P. Phipps							
AUDITOR AND RECORDER'S CERTIF	FICATE OF RECORDING						
	:						
	: 55						
Docket No:							
Filed for record, thisd County Auditor of Woodbury Count	ay of ty, Iowa.	, 2020, at	o'clock	,M. recorded in Plat Erwelop	pe	_, indexed and delivere	d to the
Dated	, 2021						
			attached Sub	division Plat as required b	oy Iowa Code s	ection 354.6(2).	
Dated	, 2021						
	F. Gill, Auditor and Recorder ne Swoboda Peterson, Deput	ty	inty, lowa				
, Tina M. Bertrand, Treasurer of free from certified taxes and co	of Woodbury County, Iowa, o	do hereby certify	y that the lar	d described in the attach	ed and forego	ing Surveyor's Certi	ficate is
Dated	_, 2021						
	Bertrand, Treasurer Woodb	ury County, Iowa	9				
L, Julie Conolly, hereby certify			20		- th- C		
s, same contains, nereby certify	mac on the day o		20 a C	apy or this plat was filed i	n are county A	ssessors onice.	
Dated:							



## WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT

#### 620 DOUGLAS STREET - SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyiowa.gov

Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov

Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov

Telephone (712) 279-6609 Fax (712) 279-6530

## COZY CREEK ADDITION FINAL REPORT – 8/24/21

#### **APPLICATION DETAILS**

Applicant(s): Bret & Jodi Peterson
Application Type: Minor Subdivision
Subdivision Name: Cozy Creek Addition
Application Date: July 30, 2021
Subdivision Area: 32.46 Acres (2 Lots)
Legal Notice Date: August 13, 2021

Stakeholders (1000') Letter Date: August 9, 2021 Zoning Commission Public Hearing Date:

August 23, 2021 at 6:00 PM

## PROPERTY DETAILS

Parcel(s): 884514100006 Township: T88N R45W (Moville) Section/Quarter: 14, NW 1/4

**Zoning District:** Agricultural Preservation (AP) **Floodplain District:** Zone X (Not in the

Floodplain)

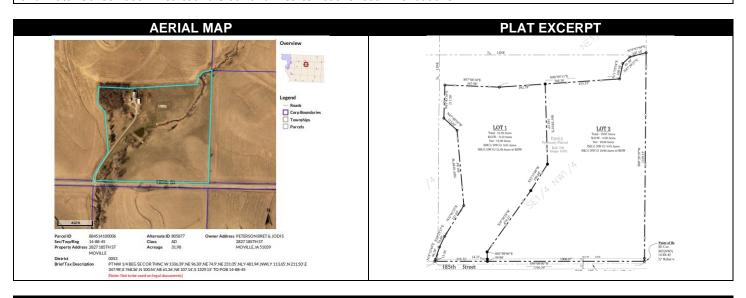
Address: 2827 185th St., Moville, IA 51039

#### **TABLE OF CONTENTS**

- □ Summary, Recommendation, Aerial & Plat Excerpt
- □ Review Criteria
- □ Extraterritorial Review
- □ Legal Notification
- □ Adjacent Owners' Notification
- □ Stakeholder Comments
  □ Supporting Documentation
- $\ \ \Box \ \ \textbf{Supporting Documentation}$
- □ Application□ Final Plat

## **SUMMARY**

Bret & Jodi Peterson have filed an application for a two-lot minor subdivision on the property (Parcel #884514100006) as referenced above for the purpose of building a new home on Lot 2. This proposal has been properly noticed in the Sioux City Journal Legals Section on August 13, 2021. The neighbors within 1000 FT have been duly notified via an August 9, 2021 letter about the August 23, 2021 Zoning Commission public hearing. No written comments have been received as of August 19, 2021. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and been requested to comment. Significant comments included those from the Woodbury County Soil and Water Conservation District who stated that the developers are encouraged to use erosion control best practices for any construction activity. Siouxland District Health also commented about access to the well. The land surveyor Scott Gernhart has stated on August 13, 2021 that the well and septic assets are contained on Lot 1. The Woodbury County Engineer found the proposal in compliance with lowa Code closure requirements and found the access to both lots as acceptable for site distance. Extraterritorial review was not required as this property location exceeds 2 miles from an incorporated area. This property is not located in the 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. The Zoning Commission voted unanimously (5-0) to recommend approval of the final plat to the Board of Supervisors at their meeting on August 23, 2021. The Commission recommends that the property owners should follow the Woodbury County Soil and Water Conservation District and Siouxland District Heath's recommendations.



## **ZONING COMMISSION RECOMMENDATION AND STAFF RECOMMENDATION**

The Zoning Commission voted unanimously (5-0) to recommend approval of the final plat to the Board of Supervisors at their meeting on August 23, 2021. The Commission recommends that the property owners should follow the Woodbury County Soil and Water Conservation District and Siouxland District Heath's recommendations.

#### **ZONING COMMISSION CERTIFICATE**

#### RESOLUTION & CERTIFICATE OF WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY

I, Christine Zellmer-Zant do hereby certify that I am the Chairman of the Woodbury County Zoning Commission of Woodbury County, Iowa and of further certify that said commission has heretofore taken under advisement the Final Plat of Cozy Creek Addition, to Woodbury County, Iowa and that said Woodbury County Zoning Commission of Woodbury County, Iowa, did on the Day of D County, Iowa, the acceptance and approval of said plat.

Dated this 23 Day of August, 2021.

Commission of Woodbury County, Iowa Woodbury County Zo

#### **ZONING COMMISSION DRAFT MINUTES - AUGUST 23, 2021**

#### Minutes - Woodbury County Zoning Commission Meeting - August 23, 2021

The Zoning Commission (ZC) meeting convened on the 23th of August 2021 at 6:00 PM in the first-floor board room of the Woodbury County Courthouse. The meeting was also made available via teleconference

ZC Members Present Chris Zellmer Zant, Tom Bride, Barb Parker, Corey Meister, Jeffrey

O'Tool

County Staff Present: Dan Priestley, Dawn Norton

Public Present: Martha Boyle, Scott Gernhart, Paul Rippke, Jeff Priestley, Poch Espina

Phone Present: Gene Collins

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

Public Comment on Matters Not on the Agenda

#### Approval of Minutes

Bride requested for a correction to the 7/28/21 minutes under the "Public Hearing – Davis Subdivision Proposal" section. For clarification, he asked for the minutes to reference the current floodplain map as the old map to remove confusion with the proposed draft map. The revised sentence states "Bride indicated that the current/old floodplain map at that location does not accurately reflect the area." Motion to approve minutes as corrected: Parker. Second: O'Tool. Vote: 5-0.

#### Public Hearing: Shever Addition Minor Subdivision Proposal - Nathan A. Shever

Prestley read the preliminary report and staff recommendation into the record. Nathan A. Shever has submitted a Minor Subdivision application to establish a one lot, 6.75-acre, minor subdivision on Parcel #884305200002 to separate the house from the farm. This property is in the Agricultural Preservation (AP) Zoning District and is not located in the floodplain. The parcel is located on Government Lot 1 of Section 5, T88N R 43W (Kedron Township). Martha Boyle, representing the applicant on sale of property, confirmed an easement will be given for the well. Motion to close public hearing: Meister. Second: Parker. Vote 5-0. A motion was made to recommend approval of the Shever Addition based on the three criteria: 1) to adopt the County Engineer's comments for an essement access maintenance agreement; 2) to have an easement for the access to and maintenance of the well and appurtenances located on the farm ground; 3) to follow Siouxland District Heath's permitting requirements for the installation of a new on-site septic system: O'Tool. Second: Bride. Vote: 5-0.

Public Hearing: Cozy Creek Addition Minor Subdivision Proposal – Bret & Jodi Peterson
Priestley read the preliminary report and staff recommendation into the record. Bret and Jodi Peterson have submitted a Minor
Subdivision application to establish a two lot (Lot 1: 12.49 acres; Lot 2: 19.07 acres) minor subdivision on Parcel #884514100006
to facilitate the construction of a new home on the proposed Lot 2. This property is located in the Agricultural Preservation (AP)
Zoning District and is not located in the floodplain. The parcel is located in the NW ¼ of Section 14, T88N R45W (Moville
Township). Surveyor Scott Germhart of True Engineering expolained that the winers will sell Lot 1 and build a new house on Lot
2 along with a new well and septic system. Motion to close public hearing: Parker. Second: O'Tool. Vote 5-0. In consideration
that the property owners follow the Woodbury County Soil and Water Conservation District's recommendation of erosion control
practices and Siouxland District Health's recommendation about easement access if there were a shared well, a motion was made
to recommend approval of the Cozy Creek Addition: Parker. Second: Meister. Vote: 5-0.

## Public Hearing: Steve And Michelle Bleil Addition - Creasey Farms Limited Partnership

Public Hearing: Steve And Michelle Bleil Addition – Creasey Farms Limited Partnership
Priestley read the preliminary report and staff recommendation into the record. Creasey Farms Limited Partnership has submitted
a Minor Subdivision application to establish a one lot, 3.32-acre, minor subdivision on Parcel #894410200002 to separate the
house from the farm. This property is located in the Agricultural Preservation (AP) Zoning District and is not located in the
floodplain. The parcel is located in the NE ¼ of Section 10, T89N R44W (Arlington Township). The applicants' attorney, Gene
Collins stated that the split is result of a long-term agreement to sell the property. Motion to close public hearing: O'Tool. Second:
Parker. Vote 5-0. Priestley added that he received a phone call asking if the split was being requested for a hog confinement.
Priestley explained that he informed the property owner that permitting for animal confinements is a separate process from the
subdivision application. He explained that the master matrix building permit is used for confinements with over 1000 animal units.
However, building permits are not required under the AG Exemption rules for operations below the master matrix threshold.
However, property owners must comply with state regulations administrated through the lowe DNR. It was also noted that a
confinement may be placed on a subdivided property if the property owner is AG Exemption and meets state guidelines. Meister
pointed out that on page 33 of the preliminary report packet, the deed holder on the parcel report should be Creasey Farms Ltd
Partnership, Parcel #894410200002. A motion was made to recommend approval of the Steve and Michelle Bleil Addition: Bride.

Second: Meister. Vote: 5-0.

## Public Comment on Matters Not on the Agenda

None

Priestley offered updates about the adoption of the proposed draft floodplain maps. Woodbury County officially received notice from the Federal Emergency Management Agency (FEMA) in a letter dated August 12, 2021 that the proposed flood designations have been published in the Federal Register on June 29, 2021 and have/will be published in the Sergeant Bluff Advocate, the Sioux City Journal, and the Record on or about August 19, 2021 and August 28, 2021. A notice will also be published on the FEMA website at https://www.floodmaps.fema.gov/fhm/BFE\_Status/bfe\_main.asp. There will be a 90-day appeals process following the second publication date. Property owners who disagree may provide scientific or technical data

to challenge the maps. It is anticipated that public meetings will be held in the near future with representatives from the lowa Department of Natural Resources present.

Priestley offered updates on the consideration of the floodplain development ordinance. He also offered updates on the 2040 Comprehensive Plan survey. As of August 19, 2021, over 400 surveys have been received and processed by SIMPCO. Preliminary data was shared to the Comprehensive Plan Steering Committee meeting on the same date. Priestley also noted that staff and representatives from SIMPCO worked at a booth at the Woodbury County Fair to encourage fairgoers to complete the survey.

Priestley indicated that the Iowa State Extension will put on training for planning and zoning officials on October 6<sup>th</sup> at the Fireside in Anthon, IA. An email will be sent to commissioners and board members asking them to register.

Priestley offered updates about future Zoning Commission public meetings following the expiration of Governor Reynolds' COVID proclamation in June of 2021. All public meetings must follow lows Code and the meetings must be held in-person with the commissioners present to constitute a quorum.

#### Commissioner Comment or Inquiry

Bride inquired about Iowa Department of Transportation's (IDOT) annexation of the borrow site just east of the US Highway 20/75 interchange. Priestley indicated that staff received a letter announcing a postponement of the public meeting that was previously scheduled. The delay is due to surveying issues. Priestley will update the commission when more information is available.

O'Tool inquired about the closure of the plat as referenced on the County Engineer's review memo. The County Engineer is required to check to see if final plat conforms to lows Code 355.8 to ensure that the boundary lines of the subdivision are properly measured and include no errors in closure.

#### Adiourn

Motion to adjourn: Bride. Second: Meister. Motion passed: 5-0. Meeting adjourned at 6:47 PM.

## **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 lowa 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, and have no additional recommendations or requirements as it relates to the proposed final plat. Staff recommends approval of the final plat as proposed.

## **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 in advance of the required public hearing.

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. The Commission recommends that the property owners should follow the Woodbury County Soil and Water Conservation District and Siouxland District Heath's recommendations.

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.

#### **EXTRATERRITORIAL REVIEW**

This property is <u>not</u> within two (2) miles of a corporate boundary and does not require extraterritorial review under Iowa Code, Section 354.9.



## LEGAL NOTIFICATION

Published in the Sioux City Journal's Legals Section on Friday, August 13, 2021.

NOTICE OF THREE (3) PUBLIC HEARINGS REGARDING MINOR SUBDIVISION PROPALS WOODBURY COUNTY ZONING COMMISSION The Woodbury County Zoning Commission will hold public hearings on the following item(s) hereafter described in detail on August 23, 2021 at 6:00 PM or as soon thereafter as the matter may be considered. Said hearings will be held in the Board of Supervisors Meeting Room, Number 104, County Courthouse, 620

Douglas Streets, Sioux City, lowa. Copies of said items may now be examined at the office of the Woodbury County. Community and Economic Development, on the 6th Floor of said courthouse by any interested persons. All persons who wish to be heard in respect to this matter should appear at the afforesaid hearing in person or call: 712-454-1133 and enter the Conference ID: 516 721 135# during the meeting to listen or comment.

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Red (2)

Red (3)

Red (3)

Red (4)

REPORTORY OF THE TWO (2) PHOPOSED MINOR SUBDIVISION: To be Known as Cozy Creek Addition – a minor subdivision in a 32.46-acre portion of the NW 4 of Section 14, T88N R45W (Moville Township), on Parcel #884514100006. The parent parcel is located 2.9 miles south of Moville. The property is zoned Agricultural Preservation (AP) and is not located in the floodplain. Applicants: Bret and Jody Peterson, Property Address, 2827 185th St., Moville 18 54730

Peterson, Property Address, 2827 185th Moville, IA 51039.
Item Three (3)
PROPOSED MINOR SUBDIVISION: To known as Sleve & Michelle Bleil Addition minor subdivision in a 3.32-acre portlor the NE ¼ of Section 10, T89N R4 (Arlington Township), on Par #894410200002. The parent percel is local about 3.7 miles northeast of Moville about 3.7 miles northeast of Moville about 3.7 miles outhwest of Kingsley, property is zoned Adricultural Description.

PROPERTY OWNER(S) NOTIFICATION - 1000'



The <u>six (6)</u> property owners within 1,000 FT; and listed within the certified abstractor's affidavit; were notified by a <u>August 9, 2021</u> letter of the public hearing before the Woodbury County Zoning Commission on <u>August 23, 2021</u> <u>at 6:00 PM</u>.

As of August 24, 2021, the Community and Development office has received:

- 0 Phone Inquiries
- 0 Written Comments

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.

Property Owner(s)	Mailing Address	Comments
Bret & Jody Peterson	2827 185th St., Moville IA 51039	No comments.
Thomas L. Morgan & Lynn M. Morgan	2695 170th St., Moville IA 51039	No comments.
Neil Rippke; Diane Meier; Dale Rippke; Bryon Rippke;		No comments.
David Rippke	830 Meadow Dr., Moville IA 51039	
Joshua E. Meyer & Megan R. Meyer	2863 185th St., Moville IA 51039	No comments.
Paul R. Rippke and Carolyn Rippke	1849 Humbolt Ave., Moville IA 51039	No comments.
Steven Rippke and Lisa Rippke	827 Meadow Dr, Moville IA 51039	No comments.

STAKEHOLDER COMMENTS	
911 COMMUNICATIONS CENTER:	No concerns here. – Glenn Sedivy, 8/5/21
CENTURYLINK:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
LONGLINES:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have reviewed the attached minor subdivision proposal for MEC electric - there are not conflicts. – Casey Meinen, 8/5/21.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No conflicts for MEC "gas" either. – Tyler Ahlquist, 8/5/21.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	NIPCO has no issues with this subdivision. We do not have any infrastructure in that area. – Jeff
	Zettel, 8/11/21.
NUSTAR PIPELINE:	Nustar does not have any pipes in that area. – Domingo Torres, 8/19/21.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	Please be aware that if there is a shared well on this subdivision, whomever the owns the well, it needs to be located on their property or obtain an easement. The well can be shared between parcels without an easement but may be in the best interest of homeowners to have an easement drawn up. – Ivy Bremer, 8/10/21.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY ENGINEER:	See "Review Memo" below.
WOODBURY COUNTY RECORDER:	No comments.

WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	Woodbury Co REC has no Comments or Concerns. – Kent Amundson, 8/9/21.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no significant comments on this proposed subdivision. The developers are strongly
	encouraged to implement erosion control best management practices during any earth moving and
	construction activities. Silt fences, temporary ground cover, and permanent seeding following
	construction are suggested practices. These practices will help to keep sediment out of the nearby
	stream and pond. – Neil Stockfleth, 8/9/21.
WOODBURY COUNTY TREASURER:	There is \$2,606.00 owed for the 2020 assessment year payable Sept 2021 and March 2022
	(\$1,303.00 for each half). – Kim Koepke, 8/1/21.

## REVIEW MEMO - WOODBURY COUNTY ENGINEER - MARK NAHRA, PE



#### Woodbury County Secondary Roads Department

759 E. Frontage Road • Moville, Iowa 51039 Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-323

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

Dan Priestley, Woodbury County Zoning Coordinator
David Gleiser, Woodbury County Community and Economic Development Director

Mark J. Nahra, County Engineer From:

Date: August 6, 2021

Subject: Cozy Creek Addition - a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced subdivision forwarded with your memo dated August 5, 2021.

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 proposed driveway has been approved, permitted, and constructed for lot 2. Sight distance is acceptable. The existing driveway for lot 1 is also acceptable.
- 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.

## **PARCEL REPORT**

## Summary

Sec/Twp/Rng

Parcel ID 884514100006 Alternate ID 805877 Property Address 2827 185TH ST

MOVILLE IA 51039

Tax Description

347.98;E 768.36;N 100.54;NE 61.36;NE 107.14;S 1329.15' TO POB 14-88-45 (Note: Not to be used on legal documents)

Deed Book/Page 702-3321 (2/25/2009)

Gross Acres 31.98 Net Acres 31.98 Adjusted CSR Pts 1705.86

AP - AGRICULTURAL PRESERVATION Zoning

District 0053 MOVILLE/WD-C School District WOODBURY CENTRAL

Neighborhood N/A



#### Owner

Deed Holder Peterson Bret & Jodi S 2827 185th St Moville IA 51039

Contract Holder

Mailing Address Peterson Bret & Jodi S 2827 185th St Moville IA 51039

#### Land

Lot Area 31.98 Acres; 1,393,049 SF

#### Residential Dwellings

Residential Dwelling Occupancy Style Architectural Style Year Built Condition Roof Flooring Single-Family / Owner Occupied 2 Story Frame N/A 1900 Above Normal Mtl / Hip Flooring
Foundation
Exterior Material
Interior Feet
Attic Type
Number of Rooms
Number of Redrooms
Basement Area
Basement Area
Basement Finished Area
Plumbing
Appliances
Central Air
Heat
Fireplaces
Porches
Decks
Additions
Garages C Blk Stl Plas / Drwl 1,856 SF 768

None; 6 above; 1 below 4 above; 0 below Full 768

1 Base Plumbing (Full; 1 Three Quarter Bath;

No Yes

1S Frame Open (512 SF); 1 Story Frame (320 SF);

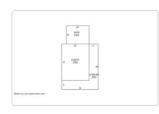
## **Photos**

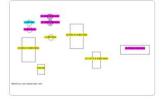






#### Sketches





## Agricultural Buildings

						<b>≣</b> Columns ∨
Plot#	Туре	Description	Width	Length	Year Built	<b>Building Count</b>
0	Bin - Wire Grain Storage		12	11	1970	2
0	Bin - Grain Storage (Bushel)		0	0	1972	1
0	Bin - Grain Storage (Bushel)		0	0	1972	1
0	Bin - Grain Storage (Bushel)		0	0	1972	1
0	Barn - Pole		30	96	1977	1
0	Steel Utility Building		44	80	1979	1
0	Barn - Pole		27	54	1998	1
	Steel Utility Building		40	60	2019	1

## Sales

							:= Coldiniis
Date	Seller	Buyer	Recording	Sale Condition - NUTC	Туре	Multi Parcel	Amount
2/25/2009	FOSTER HERBERT	PETERSON BRET & JODI S	702/3321	Split or division	Deed		\$140,000.00

#### Valuation

					<b>:</b> Columns ∨
	2021	2020	2019	2018	2017
Classification	Ag Dwelling / Agriculture				
+ Assessed Land Value	\$43,180	\$40,820	\$40,820	\$59,420	\$59,420
+ Assessed Building Value	\$24,570	\$22,430	\$7,530	\$10,400	\$10,400
+ Assessed Dwelling Value	\$103,210	\$90,160	\$90,160	\$81,570	\$81,570
= Gross Assessed Value	\$170,960	\$153,410	\$138,510	\$151,390	\$151,390
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$170,960	\$153,410	\$138,510	\$151,390	\$151,390

## **SOIL REPORT**

#### Summary

 Parcel ID
 884514100006

 Gross Acres
 31,98

 ROW Acres
 0,00

 Gross Taxable Acres
 31,98

 Exempt Acres
 0,00

 Net Taxable Acres
 31,98

 Average Unadjusted CSR2
 66.14
 (

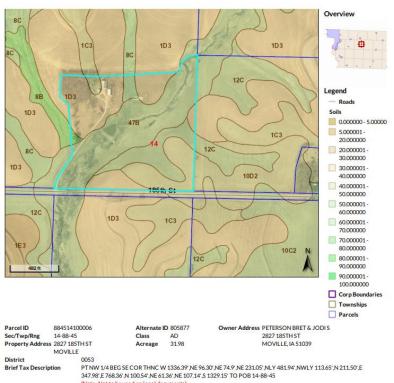
(Gross Taxable Acres - Exempt Land) (2115.08 CSR2 Points / 31.98 Gross Taxable Acres)

#### **Sub Parcel Summary**

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	15.73	67.28	1,058.33	1,058.33
Non-Crop	16.25	65.03	1,056.75	647.53
Total	31.98		2,115.08	1,705.86

#### Soil Summary

Description	SMS	Soil Name		Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
			CSR2			
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	4.06	361.34	361.34
100% Value	8C	JUDSON SILTY CLAY LOAM, 5 TO 9 PERCENT SLOPES	86.00	0.21	18.06	18.06
100% Value	47B	NAPIER-RAWLES COMPLEX, 2 TO 5 PERCENT SLOPES	85.00	3.73	317.05	317.05
100% Value	10D2	MONONA SILT LOAM, 9 TO 14 PERCENT SLOPES, MODERATELY ERODED	60.00	4.09	245.40	245.40
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	3.64	116.48	116.48
Non-Crop	8B	JUDSON SILTY CLAY LOAM, 2 TO 5 PERCENT SLOPES	92.00	0.21	19.32	9.84
Non-Crop	8C	JUDSON SILTY CLAY LOAM, 5 TO 9 PERCENT SLOPES	86.00	0.47	40.42	21.29
Non-Crop	47B	NAPIER-RAWLES COMPLEX, 2 TO 5 PERCENT SLOPES	85.00	9.19	781.15	413.92
Non-Crop	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	0.45	26.10	17.11
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	5.93	189.76	185.37
Total				31.98	2,115.08	1,705.86





# WOODBURY COUNTY, IOWA MINOR SUBDIVISION APPLICATION

Applicant: Bret & Jod: Peterson						
Name of Owner						
Mailing Address: 2827 185454 Moville IA 51039 Street City or Town State and Zip + 4						
Property Address: 2827 1854 St. Mos; //e IA 5/039 Street City or Town State and Zip + 4						
Ph/Cell#: (112) 870-2036 E-mail Address: moville @ wietel. net						
To subdivide land located in the NW Quarter of Section 14						
Civil Township 88 N R45W GIS Parcel # 884514 10 000 6						
Name of Subdivision: Cozy Creek Add: tion						
Name of Subdivision: Cozy Creek Add: 1:00  Subdivision Area in Acres 32,46 Number of Lots Z						
Attachments:						
1. Ten (10) copies of grading plans; if required.						
2. Twenty six (26) copies of final plats (Complete per Section 4.01 of the Subdivision Ordinance).						
3. An attorney's opinion of the abstract.						
<ul> <li>4. A Certified abstractor's certificate to include:</li> <li>a. Legal description of proposed subdivision.</li> <li>b. Plat showing clearly the boundaries of the subdivision.</li> <li>c. A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.</li> </ul>						
Surveyor: True Engineering & Land Surveying Ph/Cell: 712 870-9789						
Attorney: Jay Phipps Ph/Cell: 712 873-3210						
I hereby grant permission to the Woodbury County Zoning Staff and elected or appointed officials to conduct on-site inspections.						
Owner's Signature: Du Pere 1817						
For Office Use Only:						
100						
Application Fee 4 Lots or less (\$200) \$\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \						
5 Lots or more (\$250 plus \$5 per lot)						