

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

Date: May 11 , 2017

Weekly Agenda Date: May16,2017

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: John Pylelo-Planning and Zoning

WORDING FOR AGENDA ITEM:

Public Hearing and Second Reading of Zoning Ordinance No. 44 Re: A Zoning Ordinance Mapping Amendment for Lot 1 of R.J. Addition.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Rodney D. and Jodi P. Lieber have filed an application requesting a change in zoning of their lot from LI-PD (Light Industrial - Planned Development) to LI (Light Industrial). The location is approximately 0.4 miles west of the intersection of 120th St. and Eastland Avenue within a portion of the NE 1/4 of the NW 1/4 of Section 18, Banner Township.

The Lieber Family operates construction and excavation businesses known as Lieber Construction and Bridgeport Materials at this location.

BACKGROUND:

In March 2017 the Board of Supervisors approved the R.J. Addition subdivision. Under recommendation of staff and the Zoning Commission the Supervisors required the Liebers change Lot 1's zoning to the LI (Light Industrial) zoning district designation. The re-zoning is required to limit the use of the parcel for primarily agricultural and light industrial uses.

On April 24, 2017 the Zoning Commission held a public hearing and voted to recommended approval of the change in zoning to LI (Light Industrial). Staff concurs with the Commission recommendation as it removes permitting a non-compatible residential use on the 5.90 acre lot.

On May 9, 2017 your Board voted to approve the first reading of Ordinance No. 44.

Provided by attachment find the following:

- 1. Location and Parcel information
- 2. Copy of proposed Ordinance No. 44

FINANCIAL IMPACT:

None. Application fees cover administration and legal publication costs.

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:

To hold a Public Hearing followed by a motion to close the hearing.

A motion to approve the second reading of the zoning ordinance mapping amendment to re-zone Lot 1 of R.J. Addition to LI (Light Industrial).

ACTION REQUIRED / PROPOSED MOTION:

Hold the Public Hearing followed by a motion to close the hearing.

A motion for approval of the Second Reading of Zoning Ordinance No. 44 Re: A Zoning Ordinance Mapping Amendment for re-zoning Lot 1 of R.J. Addition to LI (Light Industrial).

T89N - R45W OF 5TH P M

BANNER

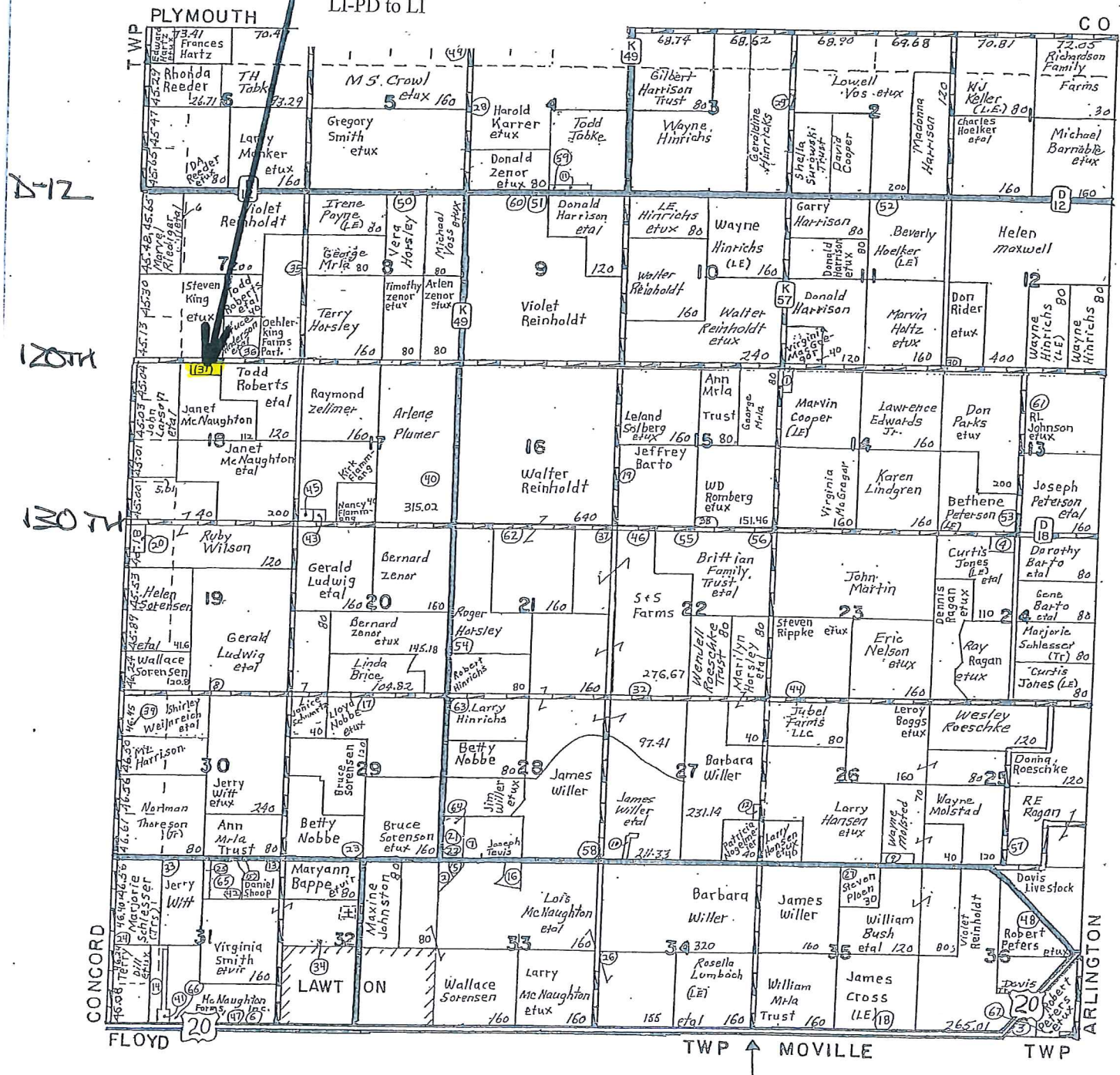
- 1. Sec.14 David Cooper,etux-9.
- 2. Sec.33 Thomas Thiesen,etux;
- 3. Sec.36 Brian Berkenpos,etux;
- 4. Sec.24 Donald Lee,etux-10
- 5. Sec.33 Joel Stillwell,etux
- 6. Sec.31 Bradley Pedersen,et
- 7. Sec.28 Thomas Thiesen,etux;
- 8. Sec.36 Tracy Countryman,et
- 9. Sec.25 Thane Mosier,etux
- 10. Sec.27 Larry Riemschnei
- 11. Sec.4 Phillip Greg,etux-4,2

Rezoning For:

Rodney D. and Jodi P. Lieber
 Parent Parcel GIS #894518100008
 2030 120th St, Lawton, IA 51030
 Lot 1 R.J. Addition
 LI-PD to LI

- 23. Sec.29 Marlene Nitzschke
- 24. Sec.31 Mark Davies,etux-5,5
- 25. Sec.31 Scott Semple,etux-5
- 26. Sec.34 Lois McNaughton-5
- 27. Sec.35 Lee Lander,etux-10
- 28. Sec.4 Fred Davis,etux-2,58
- 29. Sec.3 M. J. Beavers,etux-10
- 30. Sec.12 Roger Forch-5,5
- 31. Sec.18 Rodney Lieber,etux-8
- 32. Sec.22 Arlan Kolker,etux-1,13
- 33. Sec.31 Marvin Roethler,etux
- 34. Sec.32 City of Lawton-7,26
- 35. Sec.7 B. A. Anderson,etux-5,0
- 36. Sec.7 R. M. Anderson,etux-5,0
- 37. Sec.21 Jon Zook,etux
- 38. Sec.15 Paul Roberts,etux-8,54
- 39. Sec.30 Charles Hammock-5
- 40. Sec.17 Dav, Swanger-4,98
- 41. Sec.31 Lawton Airport,Inc.-7,98
- 42. Sec.31 Marvin Harrison,etux
- 43. Sec.17 Kirk Flammang,etux
- 44. Sec.23 Steven Rippke,etux-2

- 45. Sec.17 David Law,etux
- 46. Sec.22 Kent Zimmerman,etux-2,2
- 47. Sec.31 Stanley Chartier,etux-11,57
- 48. Sec.36 Hans Nelson,etux-5,06
- 49. Sec.5 Sheila Gerke-13,16
- 50. Sec.8 Robert Weatherly,etux-3,0
- 51. Sec.9 Walter Reinholdt,etux-2,43
- 52. Sec.11 Charles Hoelker,etal-10,09
- 53. Sec.13 Kenneth Petersen,etux
- 54. Sec.21 Roger Horsley,etux
- 55. Sec.22 Marty Anfinson,etux
- 56. Sec.22 Stephen Riser
- 57. Sec.25 David Brosamie,etux
- 58. Sec.28 Curtis Blaukenburg,etux
- 59. Sec.4 Cindy Fink-2,0
- 60. Sec.9 Gary Heath-2,27
- 61. Sec.13 William Destigher,etux-9,28
- 62. Sec.21 Bradley Rohde,etux-2,54
- 63. Sec.28 Richard Scott,etux-5,0
- 64. Sec.28 Beverly Hoelker-5,33
- 65. Sec.31 Mark Lofton,etux-6,10
- 66. Sec.3 Curtis McNaughton,etux-5,0



D-12

120th

130th

CONCORD

FLOYD

TWP ↑ MOVILLE

TWP

ARLINGTON



Rezoning Application & Zoning Ordinance Map Amendment

Owner Information:	Applicant Information:
Owner <u>Rodney D. Lieber and Jodi P. Lieber</u>	Applicant <u>Rodney D. Lieber and Jodi P. Lieber</u>
Address <u>310 North Derby Lane, #380</u> <u>North Sioux City, SD 57049</u>	Address <u>310 North Derby Lane, #380</u> <u>North Sioux City, SD 57049</u>
Phone <u>(712) 251-8332</u>	Phone <u>(712) 251-8332</u>

Engineer/Surveyor Alan Fagan Phone (712) 539-1471

Property Information:

Property Address or Address Range 2030 120th Street, Lawton, Iowa 51030

Quarter/Quarter NE 1/4 NW 1/4 Sec 18 Twnshp/Range 89

Parcel ID # _____ GIS # 894518100008 Total Acres 4.35

Current Use light industrial Proposed Use light industrial

Current Zoning LI-PD Proposed Zoning LI

Average Crop Suitability Rating (submit NRCS Statement) _____

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 MARCH 2017 Staff present [Signature]

The undersigned is/are the owners(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and 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.

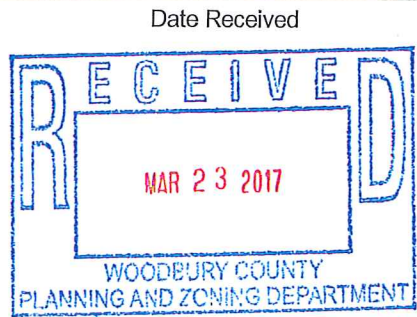
Owner [Signature] Applicant [Signature]

Date 3-22-17 Date 3-22-17

Fee: **\$400** Case #: 6195

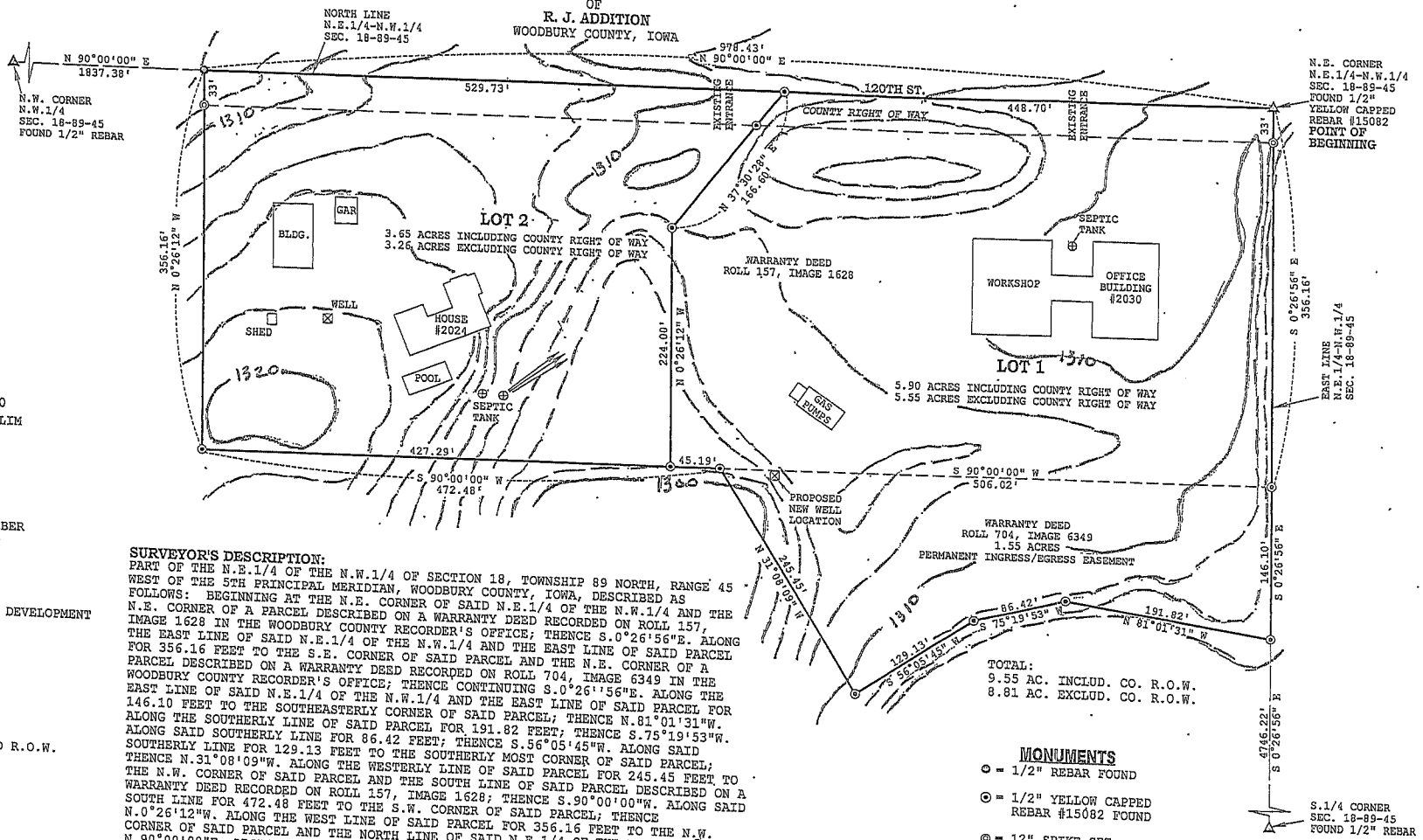
Check #: _____

Receipt #: _____



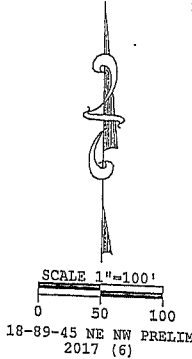
PRELIMINARY SKETCH
A MINOR SUBDIVISION PLAT

OF
R. J. ADDITION
WOODBURY COUNTY, IOWA



N 90°00'00" E
1837.38'
N.W. CORNER
N.E.1/4
SEC. 18-89-45
FOUND 1/2" REBAR

N.E. CORNER
N.E.1/4-N.W.1/4
SEC. 18-89-45
FOUND 1/2"
YELLOW CAPPED
REBAR #15082
POINT OF
BEGINNING



OWNERS/SUBDIVIDERS:
RODNEY D. LIEBER & JODI P. LIEBER
LUKE J. GRIGG & KARLA R. GRIGG

SURVEYOR:
ALAN L. FAGAN

ZONING:
LI-PD LIGHT INDUSTRIAL PLANNED DEVELOPMENT
AP AG PRESERVATION

BUILDING SETBACKS:
LI PD
FRONT YARD - 50 FEET
REAR YARD - 50 FEET
SIDE YARD - 10 FEET

AP AG PRESERVATION
FRONT YARD - 100 FEET FROM ROAD R.O.W.
REAR YARD - 50 FEET
SIDE YARD - 20 FEET

SURVEYOR'S DESCRIPTION:
PART OF THE N.E.1/4 OF THE N.W.1/4 OF SECTION 18, TOWNSHIP 89 NORTH, RANGE 45 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE N.E. CORNER OF SAID N.E.1/4 OF THE N.W.1/4 AND THE N.E. CORNER OF A PARCEL DESCRIBED ON A WARRANTY DEED RECORDED ON ROLL 157, IMAGE 1628 IN THE WOODBURY COUNTY RECORDER'S OFFICE; THENCE S.0°26'56"E. ALONG THE EAST LINE OF SAID N.E.1/4 OF THE N.W.1/4 AND THE EAST LINE OF SAID PARCEL FOR 356.16 FEET TO THE S.E. CORNER OF SAID PARCEL AND THE N.E. CORNER OF A PARCEL DESCRIBED ON A WARRANTY DEED RECORDED ON ROLL 704, IMAGE 6349 IN THE WOODBURY COUNTY RECORDER'S OFFICE; THENCE CONTINUING S.0°26'56"E. ALONG THE EAST LINE OF SAID N.E.1/4 OF THE N.W.1/4 AND THE EAST LINE OF SAID PARCEL FOR 146.10 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL; THENCE N.81°01'31"W. ALONG THE SOUTHERLY LINE OF SAID PARCEL FOR 191.82 FEET; THENCE N.81°01'31"W. ALONG SAID SOUTHERLY LINE FOR 86.42 FEET; THENCE S.56°05'45"W. ALONG SAID SOUTHERLY LINE FOR 129.13 FEET TO THE SOUTHERLY MOST CORNER OF SAID PARCEL; THENCE N.31°08'09"W. ALONG THE WESTERLY LINE OF SAID PARCEL FOR 245.45 FEET TO THE N.W. CORNER OF SAID PARCEL AND THE SOUTH LINE OF SAID PARCEL DESCRIBED ON A WARRANTY DEED RECORDED ON ROLL 157, IMAGE 1628; THENCE S.90°00'00"W. ALONG SAID SOUTH LINE FOR 472.48 FEET TO THE S.W. CORNER OF SAID PARCEL; THENCE N.0°26'12"W. ALONG THE WEST LINE OF SAID PARCEL FOR 356.16 FEET TO THE N.W. CORNER OF SAID PARCEL AND THE NORTH LINE OF SAID N.E.1/4 OF THE N.W.1/4; THENCE N.90°00'00"E. ALONG SAID NORTH LINE AND THE NORTH LINE OF SAID PARCEL FOR 978.43 FEET TO THE POINT OF BEGINNING. CONTAINING 9.55 ACRES INCLUDING COUNTY RIGHT OF WAY AND 8.81 ACRES EXCLUDING SAID RIGHT OF WAY. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE:
THE NORTH LINE OF SAID N.E.1/4 OF THE N.W.1/4 IS ASSUMED TO BEAR N.90°00'00"E

TOTAL:
9.55 AC. INCLUD. CO. R.O.W.
8.81 AC. EXCLUD. CO. R.O.W.

MONUMENTS
○ = 1/2" REBAR FOUND
⊙ = 1/2" YELLOW CAPPED REBAR #15082 FOUND
⊙ = 12" SPIKE SET

UTILITIES:
POWER - WOODBURY COUNTY R.E.C.
TELEPHONE - WIAWEL
WATER - PRIVATE WELL
SEWER - PRIVATE SEPTIC SYSTEM

RECEIVED
JAN 31 2017
WOODBURY COUNTY
SWING DEPARTMENT

Beacon™ Woodbury County, IA / Sioux City

Summary

Parcel ID 894518100008
 Alternate ID 00000000867086
 Property Address 2024 120th St
 Lawton
 Sec/Twp/Rng 18-89-45
 Brief Legal Description BANNER TOWNSHIP IRREG TCT IN NE NW BEG AT NE COR OF NE NW THNC S 502.26 FT THNC NWLY 191.82 FT, THNC SWLY 86.42 FT, THNC SWLY 129.13 FT, THNC NWLY 245.45 FT, THNC W TO A PT THAT IS 356.16 FT S OF N LINE OF THE NE NW, THNC N 356.16 FT, THNC E 978.43 FT TO POB 18-89-45
 (Note: Not to be used on legal documents)
 Document(s) N/A
 Gross Acres 9.55
 Net Acres 8.81
 Exempt Acres 0.74
 CSR N/A
 Class R - Residential
 Tax District 024 BANNER LAWTON BRONSON COMM
 School District LAWTON BRONSON



Owner

Deed Holder
 Lieber Rodney D & Jodi P
 Lieber
 310 N Derby Ln Unit 380
 North Sioux City SD 57049-7619

Contract Holder

Mailing Address

Land

Lot Area 8.81 Acres ; 383,764 SF

Residential Dwellings

Residential Dwelling
 Occupancy Single-Family / Owner Occupied
 Style 1 Story Frame
 Architectural Style N/A
 Year Built 1985
 Condition Normal
 Grade what's this? 3+10
 Roof Asph / Hip
 Flooring L/C
 Foundation C Blk
 Exterior Material Stl
 Interior Material Drwl
 Brick or Stone Veneer
 Total Gross Living Area 2,310 SF
 Attic Type None;
 Number of Rooms 0 above; 0 below
 Number of Bedrooms 0 above; 0 below
 Basement Area Type Full
 Basement Area 1,780
 Basement Finished Area 920 - Rec. Room (Single); 600 SF - Standard Finish
 Plumbing 2 Base Plumbing (Full); 1 Three Quarter Bath;
 Appliances 1 Range Unit; 1 Dishwasher;
 Central Air Yes
 Heat Yes
 Fireplaces
 Porches 1S Frame Open (104 SF);
 Decks Wood Deck-Med (144 SF);; Wood Deck-Med (462 SF); Concrete Patio-Med (807 SF);
 Additions 1 Story Frame (530 SF);
 Garages 440 SF (20F W x 22F L) - Det Frame (Built 1930);
 868 SF - Att Frame (Built 1985);

Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Steel Utility Building	MACH SHED	28	40	1967	1

Yard Extras

#1 - (1) Swimming Pool 648 SFWSA, Vinyl, Cover=No, Heat=None, Diving Brd=Average, Built 1985

Sales

Date	Seller	Buyer	Recording	NUTC	Type	Multi Parcel	Amount
5/23/1985			157/1628	NORMAL ARMS-LENGTH TRANSACTION	Contract		\$19,250.00

+

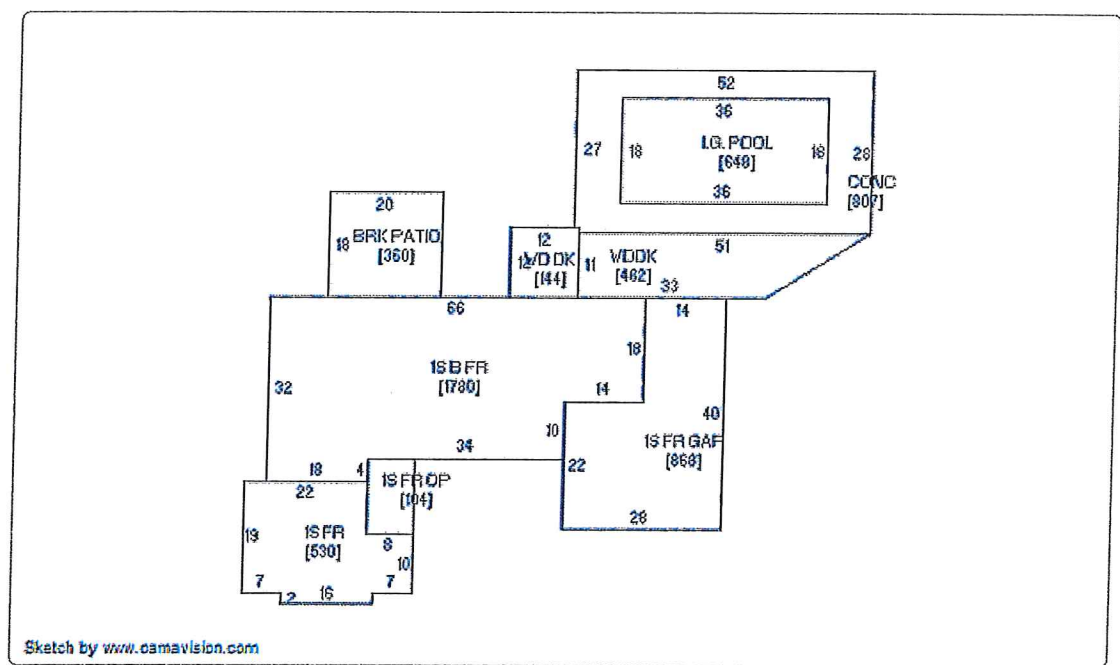
Valuation

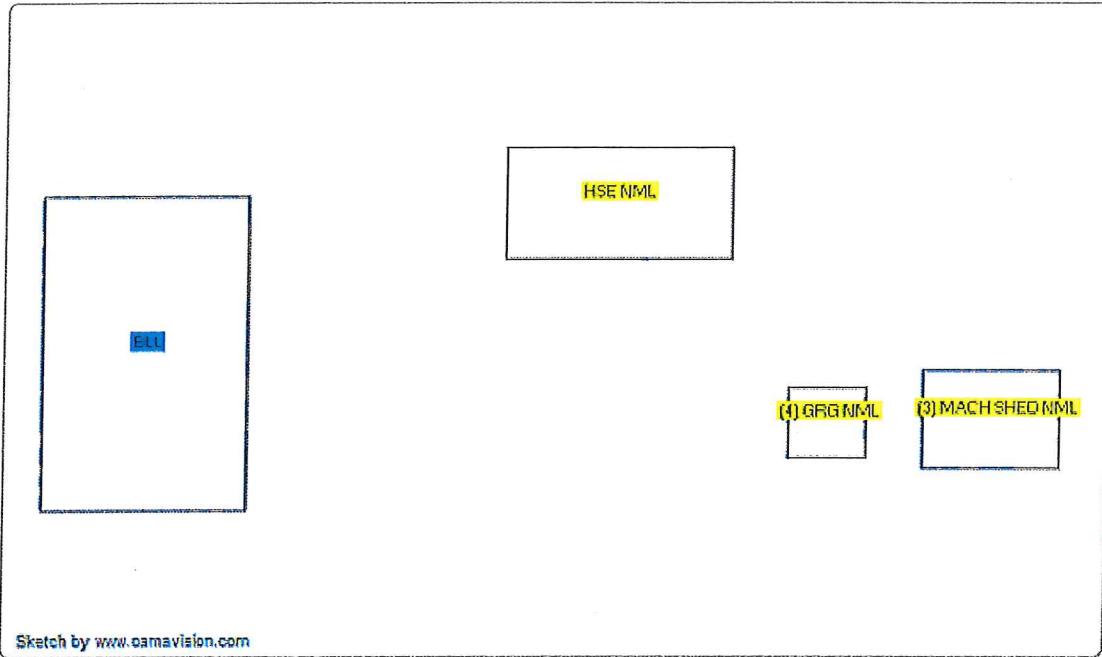
	2017	2016	2015	2014	2013
Classification	Residential	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$28,890	\$28,890	\$28,890	\$27,000	\$27,000
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$279,360	\$265,390	\$265,390	\$248,030	\$248,030
+ Exempt Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$308,250	\$294,280	\$294,280	\$275,030	\$275,030
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$308,250	\$294,280	\$294,280	\$275,030	\$275,030

Photos



Sketches





No data available for the following modules: Commercial Buildings, Permits, 2017 Valuation (Sioux City), Valuation History (Sioux City), Iowa Land Records.

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.

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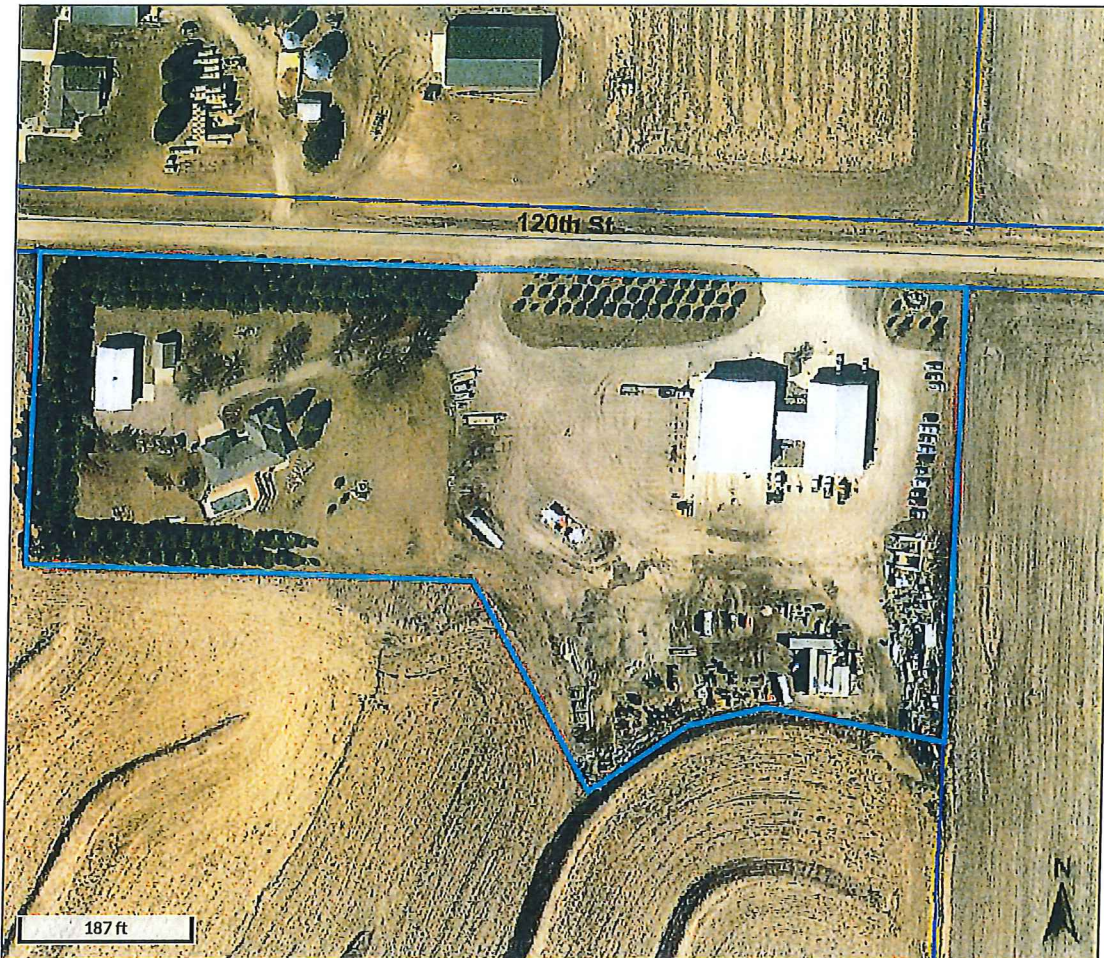

Schneider
Developed by
The Schneider
Corporation

Overview



Legend

- Roads
- Corp Boundaries
- Townships
- County Residential Sales
- 2014
- 2015
- 2016
- Sioux City Residential Sales
- Parcels



Parcel ID	894518100008	Alternate ID	867086	Owner Address	LIEBER RODNEY D & JODI P
Sec/Twp/Rng	18-89-45	Class	R		LIEBER
Property Address	2024 120TH ST	Acreeage	8.81		310 N DERBY LN UNIT 380
	LAWTON				NORTH SIOUX CITY SD 57049-7619

District BNLB
 Brief Tax Description BANNER TOWNSHIP IRREG TCT IN NENW BEG AT NE COR OF NE 1/4 THNC S 502.26'THNC NWLY 191.82'THNC SWLY 86.42'THNC SWLY 129.13'THNC NWLY 245.45'THNC W TO A PT THAT IS 356.16'THNC E 978.43'TO POB 18-89-45

(Note: Not to be used on legal documents)

Date created: 4/6/2017
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**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

ORDINANCE NO. 44

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 reports in respect to amending said Ordinance from the Woodbury County Zoning Commission which held hearings on said amendments; all as by law provided. Which amendments are attached hereto marked items One (1), Two (2), and Three (3) 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 amendments, 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 hereby resolved by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning is amended as shown on said attached items One (1) and Two (2) and Three (3).

Now therefore, be it hereby resolved by the Woodbury County Board of Supervisors, duly assembled, that the previous zoning district designation shall be repealed upon the effective date of this amendment.

Dated this 23th day of May, 2017

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS:

BY: _____
Rocky De Witt

BY: _____
Marty Pottebaum

BY: _____
Keith Radig

BY: _____
Jeremy Taylor

BY: _____
Matthew A. Ung

ATTESTED TO

BY: _____
Patrick F. Gill, Auditor

Adoption Timeline
May 09, 2017 Public Hearing and 1st Reading
May 16, 2017: 2nd Reading
May 23, 2017: 3rd Reading and Ordinance Adoption

ITEM ONE (1)

Property Owners: Dale Frank and Jean Frank of 1721 180th Street, Sioux City, IA 51106; and Christine Foster of 915 Dubuque Street, Sioux City, IA 51105.

Petitioner Applicants: Dale Frank and Jean Frank of 1721 180th Street, Sioux City, IA 51106; and Christine Foster of 915 Dubuque Street, Sioux City, IA 51105.

Pursuant to Section 335 of the Code of Iowa, 2017, the Woodbury County Board of Supervisors held a public hearing on May 9, 2017 to amend the Woodbury County Zoning Ordinance and/or Mapping for the unincorporated area of Woodbury County, Iowa, as follows:

An amendment to re-zone from the AP (Agricultural Preservation) to the AE (Agricultural Estates) zoning district designation for:

All that part of the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 23, Township 88 North, Range 47 West of the Fifth Principal Meridian, Woodbury County, Iowa, described as follows:

All that part of the Southwest $\frac{1}{4}$ of Section 12, Township 88 North, Range 47 West of the Fifth Principal Meridian, Woodbury County, Iowa, described as follows:

Commencing at the South $\frac{1}{4}$ corner of said Section 12; thence South 90°00'00" West along the South line of said Southwest $\frac{1}{4}$ for 1033.26 feet to the Southeast corner of a parcel described as the West 100 acres of said Southwest $\frac{1}{4}$ and the point of beginning; thence continuing South 90°00'00" West along said South line for 510.00 feet; thence North 0°40'05" East for 1715.09 feet; thence South 89°38'09" East for 509.00 feet to the East line of said West 100 acres; thence South 0°38'08" West along said East line for 1711.84 feet to the point of beginning.

Said described parcel contains 20.041 acres, more or less, which includes 0.386 acres in roadway easement.

ITEM TWO (2)

Property Owners: Luke J. Grigg and Karla R. Grigg, 2024 120th Street, Lawton, IA 51030; and Rodney D. and Jodi P. Lieber, 310 North Derby Lane, Unit #380, North Sioux City, South Dakota 57049

Petitioner Applicants: Luke J. Grigg and Karla R. Grigg, 2024 120th Street, Lawton, IA 51030; and Rodney D. and Jodi P. Lieber, 310 North Derby Lane, Unit #380, North Sioux City, South Dakota 57049

Pursuant to Section 335 of the Code of Iowa, 2017, the Woodbury County Board of Supervisors held a public hearing on May 9, 2017 to amend the Woodbury County Zoning Ordinance and/or Mapping for the unincorporated area of Woodbury County, Iowa, as follows:

An amendment to re-zone from the LI-PD (Light Industrial- Planned Development) to the AP (Agricultural Preservation) Zoning District designation for:

Lot 2 of R.J. Addition, Woodbury County, Iowa

ITEM THREE (3)

Property Owners: Rodney D. and Jodi P. Lieber, 310 North Derby Lane, Unit #380, North Sioux City, South Dakota 57049

Petitioner Applicant: Rodney D. and Jodi P. Lieber, 310 North Derby Lane, Unit #380, North Sioux City, South Dakota 57049

Pursuant to Section 335 of the Code of Iowa, 2017, the Woodbury County Board of Supervisors held a public hearing on May 9, 2017 to amend the Woodbury County Zoning Ordinance and/or Mapping for the unincorporated area of Woodbury County, Iowa, as follows:

An amendment to re-zone from the LI-PD (Light Industrial-Planned Development) and AP (Agricultural Preservation) to the LI (Light Industrial) Zoning District designation for:

Lot 1 of R.J. Addition, Woodbury County, Iowa