

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM****#8**Date: 7/01/2020Weekly Agenda Date: 7/07/2020**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** David Gleiser, CED Director**WORDING FOR AGENDA ITEM:**

Application for Zoning Ordinance Map Amendment: Public Hearing and Ordinance 2nd/Final Reading

**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 District Map amendment which would change the zoning district designation for parcel #874614100007 from Agricultural Presentation to Agricultural Estates. Following the public hearing, the Board will conduct the second reading of an ordinance approving the amendment to the zoning district map. A 60 percent 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 percent 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:**

Gayle Dee Weed, owner of Parcel #874614100007 (2206 240th St.) requests to rezone her parcel from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for future residential development use. If approved, the applicant intends to create an 8.98 acre minor subdivision for future residential purposes and the construction of a new home.

This property is located in a quarter-quarter section that already has two residences. Section 3.01 of the Zoning Ordinance states that not more than two residences shall be allowed on any quarter-quarter section (nominally 40 acre) tract; if a property owner wishes to subdivide to create more than two parcels on a quarter-quarter section, concurrently with the platting process the zoning designation should be changed from the AP Zoning District to an appropriate classification.

The Agricultural Estates Zoning District is designed for this type of proposal as its purpose is "to provide for a limited increase in the amount of small acreage development, including a controlled expansion of residential uses in appropriate locations throughout the county.

This property is not located in a floodplain, but is in the 1st rank of the Loess Hills and is adjacent to the Loess Hills Scenic Byway. This issue, along with others were discussed during the Zoning Commission's 6/22/20 public hearing on the request as provided in your backup material. Following the commission's public hearing, they voted (3-0) to recommend approval of the rezone. The commission also approved the plat as proposed. The Board of Supervisors will review the minor subdivision application subsequent to the completion of this rezone request.

**FINANCIAL IMPACT:**

None

**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/close public hearing.

Conduct the second reading of the ordinance.

Waive the third/final reading.

It will be effective upon publication date.

**ACTION REQUIRED / PROPOSED MOTION:**

Open/close public hearing.

Motion to conduct the second reading of the ordinance, and waive the third/final reading.



## 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

### ZONING ORDINANCE MAP AMENDMENT PROPOSAL Agricultural Preservation (AP) to Agricultural Estates (AE) Parcel #874614100007



Parcel ID 874614100007  
Sec/Twp/Rng 14-87-46  
Property Address 2206 240TH ST  
HORNICK

Alternate ID 749970  
Class AD  
Acreage 15.77

Owner Address MATHIESON GAYLED  
2206 240TH ST  
HORNICK IA 51026-8031

District 0027

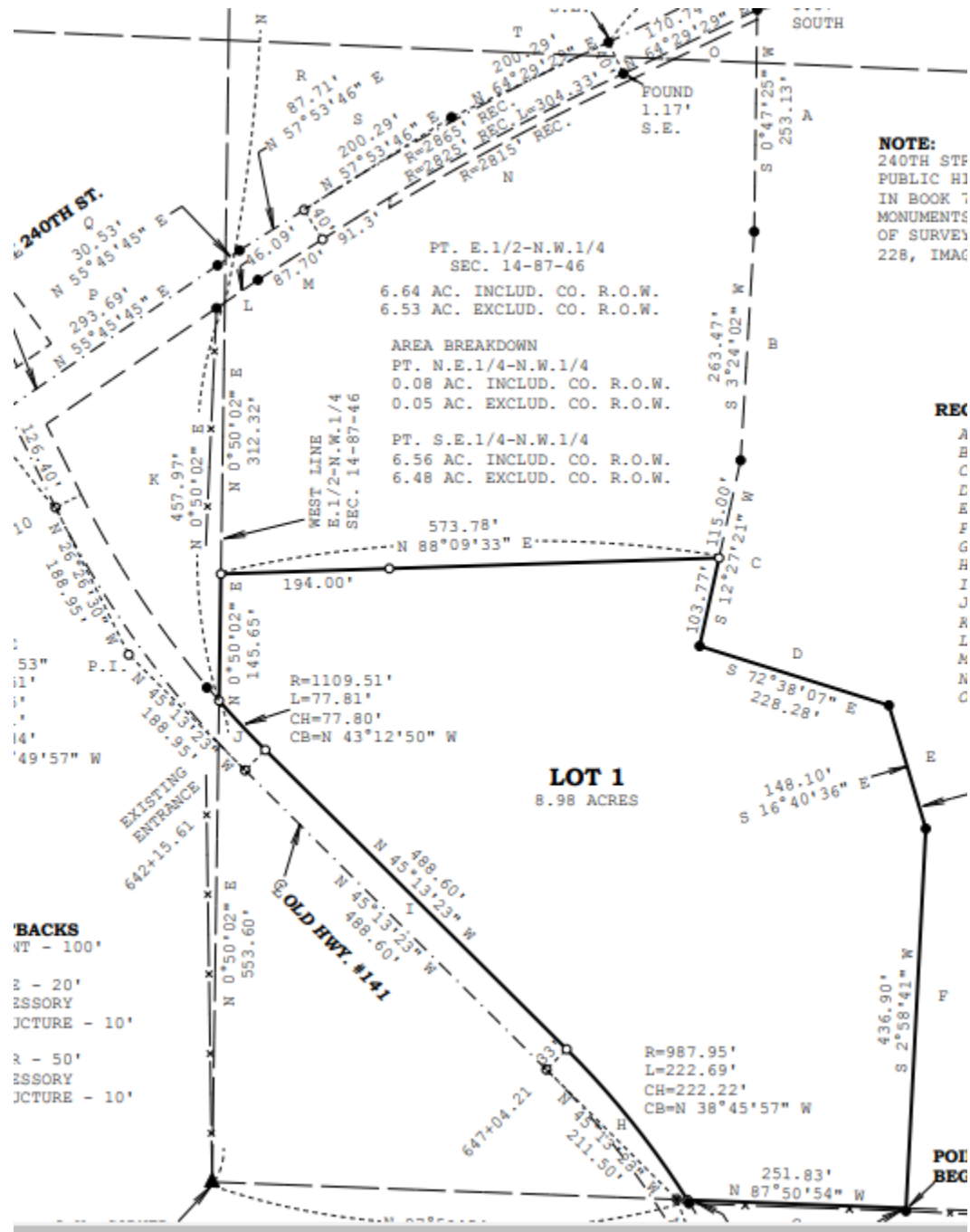
Brief Tax Description E1/2 NW1/4 LYING S OF RD EX 2 AC S OF RD SENW & EX A TCT BEING 13 94.40 FT ON EX 471.65 FT ON S NW 1/4 14-87-46

(Note: Not to be used on legal documents)

#### FACTS OF THE CASE

Gayle Dee Weed, owner of Parcel #874614100007 located in the E ½ of the NW ¼ of Section 14, T87N R46W (Grange Township) requests for the Woodbury County Zoning Commission to review and the Board of Supervisors to approve her request to rezone her property from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District. This proposal is being presented concurrently with a Minor Subdivision request as the applicant plans to build a new home on a newly created 8.98 acre lot. Section 3.01 of the Woodbury County Zoning Ordinance requires that a rezone process be executed before a third residence shall be added to any quarter-quarter section. This property is not located in a floodplain.

This proposed Zoning Ordinance Map Amendment (Rezone) from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District is requested and being presented concurrently by the property owner(s) as part of a minor subdivision procedure to create one (1) residential lot for the purpose of constructing a new home.



## LEGAL NOTIFICATION

Published in the Sioux City Journal Legals Section on July 12, 2020.

PROPOSED ZONING ORDINANCE MAP  
AMENDMENT (REZONE): Proposal to  
rezone from the Agricultural Preservation

(AP) Zoning District to the Agricultural  
Estates (AE) Zoning District on Parcel  
#874614100007 located in the E 1/2 of the  
NW 1/4 of Section 14, T87N R46W (Grange  
Township) adjacent to Old Highway 141 and  
240th Street about four miles southeast of  
Bronson. Applicant: Gayle Weed, 2206 240th  
Street, Hornick, IA 51026.

## PROPERTY'S OWNER NOTICE – 1000 FT



The 10 property owners within 1,000'; and listed within the certified abstractor's affidavit; were notified by a July 12, 2020 letter of the public hearing.

As of June 18, 2020 the Community & Economic Development office had not received written comment from any property owner owning property within 1,000'. There was one (1) phone inquiry asking about the purpose of the rezone and subdivision.

When more comments are received after the printing of this packet, they will be provided at the meeting.

## STAKEHOLDER COMMENTS:

CENTURYLINK:	I reviewed the area and CenturyLink does not have facilities. It is also outside of a CenturyLink wire center that we provide service to. We do not have any objection to the rezoning for a new subdivision. Any questions please let me know. – Sean Hostetter, 6/3/20.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
LOESS HILLS NATIONAL SCENIC BYWAY	Thanks for sending this along to us. I've been reviewing the maps and it looks like the property is in the Luton Special Landscape Area (SLA). Since it is only for one house, it seems like the disturbance would be minimal. I will work on preparing a letter with our potential concerns, but we wouldn't be staunchly in support or opposition of this project. In my letter, I'll also include contact information for Graham McGaffin with The Nature Conservancy, who can speak more to the SLAs and the Loess Hills in that area if the Supervisors or Zoning Committee would like additional information. Thanks for including us! Becca Castle – 6/19/20.
LOGLINES:	No comments.
MAGELLAN PIPELINE:	Magellan Pipeline has no issues with this. Magellan is not in section 14 of Grange twp. We are at least 5 miles west with our closest pipeline so we are good. – Steven Eddy, 6/4/20.
MIDAMERICAN ENERGY COMPANY:	No comments.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	Northern Natural Gas Company has no easements in that area – Tom Hudson, 6/3/20.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	NIPCO has reviewed this property. We do not currently have any transmission lines or substation in or adjacent to this property. We are okay with this activity. – Jayme Huber, 6/10/20
NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments and not opposed, was just curious about where it was going to be built as I know the Loess Hills Scenic Byway promotes the viewshed and that is the hills. If houses are built on top it takes away from. I have no objections to this, I will run by my board on Thursday but don't think they will want to comment either. Thanks for checking back. – Dan Heissel, 6/17/20.



	Do you know where they plan on building this second residential unit on the property??? – Dan Heissel, 6/3/20. I don't know what county policy or my Boards is on building on the hilltops for the Loess Hills. Noticed it was along 141 and know we have a lot of easements we monitor and I know the Scenic Byway did some work. I would have to look at and research before I would comment on something. Still trying to learn everything that is done in Woodbury. – Dan Heissel, 6/3/20.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments. – Gary Brown, 6/8/20.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY ENGINEER:	No comments.
WOODBURY COUNTY RECORDER:	No comments.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):	The WCSWCD has no direct comments on this proposal. We would like to note however, that this parcel is in the first rank of Loess Hills, adjacent to the Loess Hills Scenic By-Way and therefore development should be carefully considered for its impact on the viewscape of the Loess Hills, particularly from the roads adjacent to the property. – Neil Stockfleth, 6/3/20.

### **ZONING ORDINANCE EVALUATION CRITERIA FOR BOARD APPROVAL**

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:

#### **CRITERIA 1:**

Conformance with the goals and objectives set forth in the approved General Development Plan for Woodbury County including the Future Land Use Map.

##### **Staff Analysis:**

The development plan and its land use goal adopted in 2005 is the basis for the zoning ordinance which has mechanisms in place including rezone procedure that “promote[s] efficient, stable land uses with minimum conflict...”. According to Section 3.01 of the Woodbury County Zoning Ordinance, “not more than two residences shall be allowed on any quarter-quarter section (nominally 40 acre) tract; if a property owner wishes to subdivide to create more than two parcels on a quarter-quarter section, concurrently with the platting process the zoning designation should be changed from the AP Zoning District to an appropriate classification” (p. 24). The AE Zoning District is designed for this type of proposal as its purpose is “to provide for a limited increase in the amount of small acreage development, including a controlled expansion of residential uses in appropriate locations throughout the county” (Section 3.01.2, p. 24).

#### **CRITERIA 2:**

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

##### **Staff Analysis:**

As noted by the WCSWCD, “this parcel is in the first rank of Loess Hills, adjacent to the Loess Hills Scenic By-Way and therefore development should be carefully considered for its impact on the viewscape of the Loess Hills, particularly from the roads adjacent to the property.” Becca Castle, Coordinator of the Loess Hills Scenic By-Way stated that the property is located in the Luton Special Landscape Area (SLA) and since this proposals is for a one house, the disturbance would be minimal to the Loess Hills. Graham McGaffin, Associate Director of Conservation & Loess Hills Programs of the Nature Conservancy, in a June 19 phone conversation, indicated that there are no restrictions in the SLA. However, their organization’s role is to minimize adverse impact to the Loess Hills. They work with landowners through conservation easements, deed restrictions, and development planning. McGaffin suggested that building closer to the road would lessen the impact on the Loess Hills.

#### **CRITERIA 3:**

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

##### **Staff Analysis:**

40.26 CSR2 Rating. See attached soil report.

#### **CRITERIA 4:**

Compatibility with adjacent land uses.

**Staff Analysis:**

The proposal does facilitate adequate room to build one residential house on the 8.98 acre lot proposed for the subdivision including the ability to meet the Zoning District Dimensional Standards.

**CRITERIA 5:**

Compatibility with other physical and economic factors affecting or affected by the proposed rezoning.

**Staff Analysis:**

As previously noted, this property is located within the Loess Hills. This proposed one lot subdivision is being established for a new home. The proposed 8.98 acres contains enough room to adequately support the Zoning District Dimensional Standards as required by the county.

**CRITERIA 6:**

Any other relevant factors.

**Staff Analysis:**

This rezone request comports with the required procedures as enumerated in the Woodbury County Zoning Ordinance.

**STAFF RECOMMENDATION**

The staff recommends for the Zoning Commission to recommend approval to the Board of Supervisors.

**ZONING COMMISSION RECOMMENDATION**

At their Monday, June 22, 2020 meeting, the Woodbury County Zoning Commission voted to recommend approval of the rezone of Parcel #874614100007 from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE): Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 15.77 acres located in the E ½ of the NW ¼ in Section 14, T87N, R46W (Grange Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel # 874614100007.

ALL THAT PART OF THE EAST HALF (E½) OF THE NORTHWEST QUARTER (NW¼) OF SECTION FOURTEEN (14), TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SIX (46) WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA,. DESCRIBED AS COMMENCING AT THE NORTH QUARTER (N¼) CORNER OF SECTION 14-87-46, THENCE SOUTH 00°31'20" WEST 1231.52 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY FENCE OF PUBLIC ROAD, THENCE NORTH 85°02'00" WEST 135.05 FEET, THENCE NORTH 83°39'00" WEST 304.90 FEET, THENCE SOUTH 79°48'20" WEST ALONG THE LONG CHORD OF CURVE, CONCAVE SOUTHERLY, A DISTANCE OF 241.20 FEET TO AN INTERSECTION WITH EXISTING NORTH-SOUTH FENCE, BEING THE POINT OF BEGINNING, THENCE ALONG SAID EXISTING FENCE SOUTH 00°40'25" WEST 256.90 FEET, THENCE SOUTH 02°27'10" WEST 264.20 FEET, THENCE SOUTH 11°32'10" WEST 218.80 FEET, THENCE SOUTH 73°35'00" EAST 228.85 FEET, THENCE SOUTH 17°34'30" EAST 148.55 FEET, THENCE SOUTH 02°03'20" WEST 442.00 FEET TO THE INTERSECTION WITH EXISTING EAST-WEST FENCE, THENCE NORTH 88°19'05" WEST ALONG SAID FENCE 245.55 FEET TO AN INTERSECTION WITH NORTHEASTERLY RIGHT-OF-WAY OF PUBLIC ROAD, (FORMER IOWA PRIMARY #141), THENCE NORTH 41°55'00" WEST ALONG SAID RIGHT-OF-WAY LINE 311.75 FEET, THENCE NORTH 46°02'00" WEST 407.50 FEET, THENCE NORTH 44°28'20" WEST 97.40 FEET TO AN INTERSECTION WITH EXISTING NORTH-SOUTH FENCE, THENCE NORTH 00°31'10" EAST ALONG SAID FENCE 438.40 FEET TO AN INTERSECTION WITH SOUTHERLY RIGHT-OF-WAY FENCE OF PUBLIC ROAD, THENCE ALONG SAID RIGHT-OF-WAY FENCE NORTH 54°58'50" EAST 58.80 FEET, THENCE NORTH 57°06'50" EAST 84.20 FEET THENCE ALONG THE LONG CHORD OF CURVE, CONCAVE SOUTHERLY, NORTH 60°22'35" EAST 398.80 FEET, THENCE NORTH 63°38'20" EAST 173.25 FEET TO THE POINT OF BEGINNING.

Property Owner and Applicant – Gayle Weed, 2206 240<sup>th</sup> Street, Hornick, IA 51026-8031.

PARCEL REPORT



Summary

Parcel ID: 87461410007  
Assessor's ID: 2206 240TH ST  
Property Address: HOIRNICKIA S1026  
Sec/Twp/Range: 14-87-46  
Brief Tax Description: 1/4 NW 1/4 LINGS OF RD EX 2 AC S OF RD SENW 6 EXA TCT BEING 13 94 40 FT ONE X 471 65 FT ONE X 14 87 46  
Deed Book/Page: 267 1240 (8/6/1992)  
Gross Acres: 15.77  
Adjusted CSR Pts: 327.31  
Class: A - Agriculture, AD - Ag Dwelling  
District: 1400  
School District: LA MOTTON-BRONSON  
Neighborhood: N/A  
Main Area-Square Feet: N/A

Owner

Deed Holder: 2206 240TH ST  
Mailing Address: 2206 240TH ST  
Contract Holder: HOIRNICKIA S1026-8031

Land

Lot Area: 15.77 Acres, 686,941 SF

Residential Dwellings

Residential Dwelling  
Occupancy: Single Family / Owner Occupied  
Style: 1 Story Frame  
Architectural Style: 1936  
Condition: Above Normal  
Roof: Asphalt / Gable  
Flooring: Concrete  
Exterior Material: Vinyl  
Interior Material: Plin / Dowl  
Brick or Stone Veneer: 848 SF  
Total Living Area: 314 Finished, 281 SF  
Attic Type: 5 above; 0 below  
Number of Rooms: 2 above; 0 below  
Number of Bathrooms: 2 above; 0 below  
Basement of Full Type: 624  
Basement Finished Area: 624  
Plumbing: 1 Sink, 1 Base Plumbing (Full);  
Sewer: No  
Central Air: No  
Heat: Yes  
Fireplaces: 15 Frame Enclosed (1482 SF);  
Stoves: 1 Free Standing (1485 SF);  
Decks: 1 Deck Area (1485 SF);  
Additions: 1 Story Frame (224 SF);  
Garages: 624  
Main Area-Square Feet: 624

Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Swine Finish and Farrow (Old Style)	HOG HOUSE	14	16	1920	1
0	Crb	GRANARY	8	16	1920	1
0	Machine or Utility Building	IMP SHED	24	28	1920	1
0	Swine Finish and Farrow (Old Style)	HOG SHED	20	48	1920	1
0	Steel Utility Building	MACHINE SHED	30	40	1994	1
	Barn - Pole		16	20	2018	1
	Steel Utility Building		20	20	2000	1

Valuation

Classification	2020	2019	2018	2017
Assessed Land Value	\$12,600	\$12,600	\$18,270	\$18,270
Assessed Building Value	\$2,990	\$2,990	\$5,470	\$5,470
Assessed Dwelling Value	\$86,580	\$86,580	\$68,510	\$68,510
Gross Assessed Value	\$102,190	\$102,190	\$92,350	\$92,350
Exempt Value	\$0	\$0	\$0	\$0
Net Assessed Value	\$102,190	\$102,190	\$92,350	\$92,350

TOPOGRAPHY







## Summary

Parcel ID	874614100007
Gross Acres	15.77
ROW Acres	0.00
Gross Taxable Acres	15.77
Exempt Acres	0.00
Net Taxable Acres	15.77
Average Unadjusted CSR2	40.26
	(Gross Taxable Acres - Exempt Land)
	(634.85 CSR2 Points / 15.77 Gross Taxable Acres)

Agland Active Config

2017 CSR2

## Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	10.70	35.64	381.35	381.35
Non-Crop	5.07	50.00	253.50	145.96
Total	15.77		634.85	527.31

## Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	2.37	210.93	210.93
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	0.21	17.22	17.22
100% Value	3E	CASTANA SILT LOAM, 14 TO 20 PERCENT SLOPES	42.00	2.32	97.44	97.44
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.39	12.48	12.48
100% Value	1F3	IDA SILT LOAM, 20 TO 30 PERCENT SLOPES, SEVERELY ERODED	8.00	5.41	43.28	43.28
Non-Crop	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	1.34	119.26	61.75
Non-Crop	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	1.32	108.24	58.42
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.28	8.96	8.75
Non-Crop	1F3	IDA SILT LOAM, 20 TO 30 PERCENT SLOPES, SEVERELY ERODED	8.00	2.13	17.04	17.04
Total				15.77	634.85	527.31



## 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

**Rezoning Application &  
Zoning Ordinance Map Amendment**

<b>Owner Information:</b>		<b>Applicant Information:</b>	
Owner	<u>Gayle Weed (Mathison)</u>	Applicant	
Address	<u>2206 240th St</u> <u>Hornick IA 51026</u>	Address	
Phone	<u>712 820 6730</u>	Phone	

Engineer/Surveyor <u>AL Fagen</u>	Phone <u>712 539 1471</u>
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<b>Property Information:</b>	
Property Address or Address Range <u>2206 240th St Hornick IA 51026</u>	<u>AP-AE</u>
Quarter/Quarter	Sec <u>14</u> Township/Range <u>87-46</u>
Parcel ID # <u>874614100007</u>	or GIS # _____ Total Acres <u>15.27</u>
Current Use <u>AP</u>	Proposed Use <u>AE</u>
Current Zoning _____	Proposed Zoning _____
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 \_\_\_\_\_ Staff present \_\_\_\_\_

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 <u>Gayle Weed</u>	Applicant _____
Date <u>6-3-20</u>	Date _____

Fee: <b>\$400</b> Case #: <u>6566</u>	Date Received <div style="border: 2px solid blue; padding: 5px; text-align: center; color: blue; font-weight: bold; font-size: 1.2em;">RECEIVED</div> <div style="text-align: center; color: red; font-weight: bold; margin: 5px 0;">JUN - 3 2020</div> <div style="text-align: center; color: blue; font-weight: bold; font-size: 0.8em;">WOODBURY COUNTY COMMUNITY &amp; ECONOMIC DEVELOPMENT</div>
Check #: <u>3648</u>	
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 Zoning Commission has received a report in respect to amending said Ordinance from the Woodbury County Zoning Commission which held hearings 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 \_\_\_\_\_ 2020.**

**THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS:**

\_\_\_\_\_  
Matthew A. Ung, Chairman

\_\_\_\_\_  
Keith Radig, Vice Chairman

\_\_\_\_\_  
Rocky De Witt

\_\_\_\_\_  
Marty Pottebaum

**ATTEST**

\_\_\_\_\_  
Patrick F. Gill, Auditor

**Adoption Timeline:**

Public Hearing and 1st Reading: June 30, 2020

Public Hearing and 2nd Reading:

Public Hearing and 3rd Reading:

Adopted:

## ITEM ONE (1)

Property Owner: Gayle Weed, 2206 240th Street, Hornick, IA 51026-8031.

Petitioner Applicant: Gayle Weed, 2206 240th Street, Hornick, IA 51026-8031.

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, June 22, 2020, to review and make recommendation for an amendment to 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 15.77 acres located in the E ½ of the NW ¼ in Section 14, T87N, R46W (Grange Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #874614100007.

ALL THAT PART OF THE EAST HALF (E½) OF THE NORTHWEST QUARTER (NW¼) OF SECTION FOURTEEN (14), TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SIX (46) WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA,, DESCRIBED AS COMMENCING AT THE NORTH QUARTER (N¼) CORNER OF SECTION 14-87-46, THENCE SOUTH 00°31'20" WEST 1231.52 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY FENCE OF PUBLIC ROAD, THENCE NORTH 85°02'00" WEST 135.05 FEET, THENCE NORTH 83°39'00" WEST 304.90 FEET, THENCE SOUTH 79°48'20" WEST ALONG THE LONG CHORD OF CURVE, CONCAVE SOUTHERLY, A DISTANCE OF 241.20 FEET TO AN INTERSECTION WITH EXISTING NORTH-SOUTH FENCE, BEING THE POINT OF BEGINNING, THENCE ALONG SAID EXISTING FENCE SOUTH 00°40'25" WEST 256.90 FEET, THENCE SOUTH 02°27'10" WEST 264.20 FEET, THENCE SOUTH 11°32'10" WEST 218.80 FEET, THENCE SOUTH 73°35'00" EAST 228.85 FEET, THENCE SOUTH 17°34'30" EAST 148.55 FEET, THENCE SOUTH 02°03'20" WEST 442.00 FEET TO THE INTERSECTION WITH EXISTING EAST-WEST FENCE, THENCE NORTH 88°19'05" WEST ALONG SAID FENCE 245.55 FEET TO AN INTERSECTION WITH NORTHEASTERLY RIGHT-OF-WAY OF PUBLIC ROAD, (FORMER IOWA PRIMARY #141), THENCE NORTH 41°55'00" WEST ALONG SAID RIGHT-OF-WAY LINE 311.75 FEET, THENCE NORTH 46°02'00" WEST 407.50 FEET, THENCE NORTH 44°28'20" WEST 97.40 FEET TO AN INTERSECTION WITH EXISTING NORTH-SOUTH FENCE, THENCE NORTH 00°31'10" EAST ALONG SAID FENCE 438.40 FEET TO AN INTERSECTION WITH SOUTHERLY RIGHT-OF-WAY FENCE OF PUBLIC ROAD, THENCE ALONG SAID RIGHT-OF-WAY FENCE NORTH 54°58'50" EAST 58.80 FEET, THENCE NORTH 57°06'50" EAST 84.20 FEET THENCE ALONG THE LONG CHORD OF CURVE, CONCAVE SOUTHERLY, NORTH 60°22'35" EAST 398.80 FEET, THENCE NORTH 63°38'20" EAST 173.25 FEET TO THE POINT OF BEGINNING.

Following the public hearing, the Zoning Commission voted unanimously to recommend approval of said request to the Woodbury County Board of Supervisors.