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6/18/24

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ORDNC ORDINANCE
Recording Fee: \$ 0.00

Patrick F. Gill, Auditor/Recorder, Woodbury County Iowa



Cover Sheet

Type of Document: Ordinance

Preparer Information:
(complete name-address-phone number) Daniel J. Priestley, MPA
Woodbury County Community & Economic Development (Planning & Zoning)
620 Douglas Street, Sixth Floor
Sioux City, IA 51101

Box **Return Document to:**
(complete name-address) Daniel J. Priestley, MPA
Woodbury County Community & Economic Development (Planning & Zoning)
620 Douglas Street, Sixth Floor
Sioux City, IA 51101

Taxpayer Information:
(complete name-address)

Grantor(s): See Page # 2

Grantee(s): See Page # 2

Legal Description: See Page # 3

ORDINANCE NO. 78

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

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

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

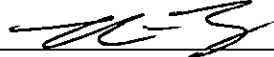
WHEREAS the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

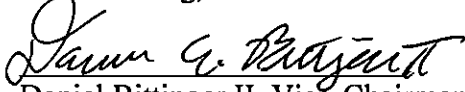
WHEREAS the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

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District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

Dated this 18th day of June, 2024.


THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS


Matthew Ung, Chairman



Daniel Bittinger II, Vice-Chairman

Mark Nelson


Keith Radig


Jeremy Taylor

Attest:


Patrick F. Gill, Woodbury County Auditor

Adoption Timeline:

Date of Public Hearing and First Reading June 11, 2024

Date of Public Hearing and Second Reading June 18, 2024

Date of Public Hearing and Third Reading Waived on June 18, 2024

Date of Adoption June 18, 2024

Published/Effective Date June 27, 2024

ITEM ONE (1)

Property Owner(s): Maxys Family Farm, LLC, 3701 Cheyenne Blvd., Sioux City, IA 51104 and Brian and Bonnie Ivener Trust UTD July 6, 2006, 3701 Cheyenne Blvd., Sioux City, IA 51104.

Petitioner Applicant(s): Dolf Ivener representing Maxys Family Farm, LLC and the Brian and Bonnie Ivener Trust UTD July 6, 2006.

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 **May 29, 2024**, to review and make a recommendation for amendments to the Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa as follows:

Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for a 17.56-acre portion of the property located in the NW 1/4 of the NE 1/4 of Section 5, T87N R47W (Liberty Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #874705200001 and is described as:

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

BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 5; THENCE ALONG THE NORTH LINE OF SAID SECTION 5 N89°34'11"E, 1352.03 FEET TO THE NORTHWEST CORNER OF LOT 1 OF HUSEN ADDITION; THENCE ALONG THE WEST LINE OF SAID LOT 1 S01°15'39"W, 565.25 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE S89°34'29"W, 1355.66 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE ALONG SAID WEST LINE N01°37'45"E, 565.25 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 17.56 ACRES INCLUDING 1.51 ACRE OF ROAD RIGHT OF WAY AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

Sioux City Journal
AFFIDAVIT OF PUBLICATION

Sioux City Journal
 2802 Castles Gate Drive
 Sioux City 51106
 (712) 293-4250

State of New Jersey, County of Hudson, ss:

Hayden Lipsky, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Sioux City Journal, printed and published by Journal Communications, in Sioux City in Woodbury County and issued daily and Sunday and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

Jun. 27, 2024

NOTICE ID: f7UUB1qDNolMMeQPjgE4

PUBLISHER ID: COL-IA-500543

NOTICE NAME: Ordinance_78

Publication Fee: \$68.85

(Signed) Hayden Lipsky

VERIFICATION

State of New Jersey
 County of Hudson

SHANNEA H HOLMES
 NOTARY PUBLIC
 STATE OF NEW JERSEY
 My Commission Expires August 1, 2026

Subscribed in my presence and sworn to before me on this: 07/01/2024

Shanea H Holmes

Notary Public
 Notarized remotely online using communication technology via Proof.

ORDINANCE NO. 78
A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE
WHEREAS the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder; and
WHEREAS the Woodbury County Board of Supervisors has received a report in regard to amending the said Ordinance from the Woodbury County Zoning Commission which held a public hearing on the amendment, as set 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 had 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 18th day of June, 2024.
THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS
 Matthew Ling, Chairman
 Danie Bittinger II, Vice-Chairman
 Keith Dodge
 Jeremy Taylor
 Attest:
 Patrick F. Gil, Woodbury County Auditor
Adoption Timeline:
 Date of Public Hearing and First Reading: June 11, 2024
 Date of Public Hearing and Second Reading: June 18, 2024
 Date of Public Hearing and Third Reading: Waived on June 18, 2024
 Date of Adoption: June 18, 2024
 Published/Effective Date: June 27, 2024
ITEM ONE (1)
 Property Owner(s): Maryo Family Farm, LLC, 3701 Cheyenne Blvd., Sioux City, IA 51104 and Brian and Bonnie Ivener Trust LTD July 8, 2006, 3701 Cheyenne Blvd., Sioux City, IA 51104.
 Petitioner Applicant(s): Dall Ivener representing Maryo Family Farm, LLC and the Brian and Bonnie Ivener Trust LTD July 8, 2006.
 Pursuant to Section 232.4 of the Woodbury County Zoning Ordinance, and in accordance with Section 395 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on **May 26, 2024**, to review and make a recommendation for amendments to the Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa as follows:
 Amendment to remove from the Agricultural Preservation (AP) Zoning District to the Agricultural Estate (AE) Zoning District for a 17.59-acre portion of the property located in the NW 1/4 of the NE 1/4 of Section 5, 137N R47W (Liberty Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #674705200E01 and is described as:
 A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 47 WEST OF THE 5TH P.M. CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 5; THENCE ALONG THE NORTH LINE OF SAID SECTION 5 NORTH 11°E, 1353.03 FEET TO THE NORTHWEST CORNER OF LOT 1 OF HUBEN ADDITION; THENCE ALONG THE WEST LINE OF SAID LOT 1, S01°15'39"W, 565.25 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE S89°34'29"W, 1355.66 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE ALONG SAID WEST LINE, N01°37'42"E, 565.25 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 17.56 ACRES INCLUDING 1.51 ACRE OF ROAD RIGHT OF WAY AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
 COL-IA-500543

Sioux City Journal
2802 Castles Gate Drive
Sioux City 51106
(712) 293-4250

State of Pennsylvania, County of Lancaster, ss:

Casey Allen, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Sioux City Journal, printed and published by Journal Communications, in Sioux City in Woodbury County and issued daily and Sunday and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

Jun. 6, 2024

NOTICE ID: Dgfv4PE5z8dWAoXWuaDV

PUBLISHER ID: COL-IA-500429

NOTICE NAME: BoS-Ivener-Rezone

Publication Fee: \$59.58

Casey Allen

(Signed)

VERIFICATION

State of Pennsylvania
County of Lancaster

Commonwealth of Pennsylvania - Notary Seal
Nicole Burkholder, Notary Public
Lancaster County
My commission expires March 30, 2027
Commission Number 1342120

Subscribed in my presence and sworn to before me on this: 06/11/2024

Nicole Burkholder

Notary Public

Notarized remotely online using communication technology via Proof.

NOTICE REGARDING PUBLIC HEARINGS BEFORE THE WOODBURY COUNTY BOARD OF SUPERVISORS FOR A ZONING ORDINANCE MAP AMENDMENT (REZONE)

The Woodbury County Board of Supervisors will hold public hearings on the following item of business, hereafter described in detail, on Tuesday, June 11, 2024 at 4:40 PM, Tuesday, June 18, 2024 at 4:40 PM and Tuesday, June 25, 2024 at 4:40 PM or as soon as possible thereafter as the matter may be considered. Pursuant to Iowa Code Section 331.302, the second and third public hearings may be waived by the Board of Supervisors.

Said hearings shall be held at the Woodbury County Courthouse, 600 Douglas Street, Sioux City, Iowa, in the Board of Supervisors' meeting room in the basement of the courthouse. Persons wanting to participate in the public hearings may attend in person during the meetings to comment.

Copies of said item may now be examined in the Woodbury County Auditor's office in said Courthouse by any interested persons. You may forward your written comments by mail or email to Woodbury County Community and Economic Development, 6th Floor, Woodbury County Courthouse, 600 Douglas St., Sioux City, IA 51101. Emails should be sent to Daniel Priestley at: d.priestley@woodburycountyia.gov. Only signed comments will be considered and should be received no later than 10:00 AM on Tue., June 18, 2024.

All persons who wish to be heard in respect to this matter should appear to participate in the aforesaid hearing.

Item One (1)

Zoning Ordinance Map Amendment (Rezone) Pursuant to Section 335 of the Code of Iowa, the Woodbury County Board of Supervisors will hold a public hearing to consider the application for a zoning ordinance map amendment (rezone) to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County Iowa by Doll Ivener representing Maxys Family Farm, LLC and the Brian and Bonnie Ivener Trust UTD July 6, 2006.

The proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for a 17.56-acre portion of the property located in the NW 1/4 of the NE 1/4 of Section 5, 187N R47W (Liberty Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #674705200001 and is described as:

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

BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 5, THENCE ALONG THE NORTH LINE OF SAID SECTION 5 N89°34'11"E, 1352.03 FEET TO THE NORTHWEST CORNER OF LOT 1 OF HUGEN ADDITION, THENCE ALONG THE WEST LINE OF SAID LOT 1 S21°15'38"W, 565.25 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, THENCE S89°34'28"W, 1355.66 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER, THENCE ALONG SAID WEST LINE N01°07'45"E, 565.25 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 17.56 ACRES INCLUDING 1.51 ACRE OF ROAD RIGHT OF WAY AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

Property Owners: Maxys Family Farm, LLC, 3701 Cheyenne Blvd., Sioux City, IA 51104 and Brian and Bonnie Ivener Trust UTD July 6, 2006, 3701 Cheyenne Blvd., Sioux City, IA 51104. Petitioner/Applicant(s): Doll Ivener representing Maxys Family Farm, LLC and the Brian and Bonnie Ivener Trust UTD July 6, 2006. COL-IA-500429

Sioux City Journal
AFFIDAVIT OF PUBLICATION

Sioux City Journal
2802 Castles Gate Drive
Sioux City 51106
(712) 293-4250

State of Pennsylvania, County of Lancaster, ss:

Nichole Seitz, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Sioux City Journal, printed and published by Journal Communications, in Sioux City in Woodbury County and issued daily and Sunday and that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

May. 14, 2024

NOTICE ID: 3pHeKg03rMbdFDpoxHR0

PUBLISHER ID: COL-IA-500365

NOTICE NAME: ZC-5-29-24

Publication Fee: \$82.09

Nichole Seitz

(Signed)

VERIFICATION

State of Pennsylvania
County of Lancaster

Commonwealth of Pennsylvania - Notary Seal
Nicole Burkholder, Notary Public
Lancaster County
My commission expires March 30, 2027
Commission Number 1342120

Subscribed in my presence and sworn to before me on this: 05/15/2024

Nicole Burkholder

Notary Public

Notarized remotely online using communication technology via Proof.

NOTICE OF PUBLIC HEARINGS BEFORE A SPECIAL MEETING OF THE WOODBURY COUNTY ZONING COMMISSION

The Woodbury County Zoning Commission will have a special meeting and will hold public hearings on the following items hereafter described in detail on May 28, 2024 at 8:00 PM or as soon thereafter as the matters may be considered. Said public hearings will be held in the Board of Supervisors' meeting room in the basement of the Woodbury County Courthouse, 603 Douglas Street, Sioux City, Iowa. Copies of said items may not 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 these matters should appear at the aforesaid public hearings in person or call: 712-456-1133 and enter the Conference ID: 345 621 5194 during the meeting to listen or comment. However, it is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems. You may forward your written comments by mail or email to: Woodbury County Community and Economic Development, 6th Floor, Woodbury County Courthouse, 603 Douglas St., Sioux City, IA 51101. Emails should be sent to Daniel Priestley at: dpriestley@woodburycountyia.gov. Only signed comments will be considered and should be received no later than 10:00 AM on Wed. May 28, 2024.

Item One (1)
MINOR SUBDIVISION
PROPOSED MINOR SUBDIVISION: To be known as Thompson Farm Addition, Woodbury County, Iowa. A one (1) lot minor subdivision in a 2.24-acre portion of T88N R46W (Floyd Township) in Section 21 in the NW 1/4 of the NE 1/4 on Parcel #66662100002. The property is approximately 1.1 miles north of the City of Bronson. The property is located in the Agricultural Preservation (AP) Zoning District and is on the south side of 190th Street. Property Owners/Applicants: Mark W & Mary J Thompson Joint Revocable Trust, 1995 Eastland Ave., Bronson, IA 51007-0106 / Mark W Thompson, 1995 Eastland Ave., Bronson, IA 51007-0106.

Item Two (2)
Zoning Ordinance Map Amendment (Rezoning)
Rezoning to Section 355 of the Code of Iowa, the Woodbury County Zoning Commission will hold a public hearing to consider the application for a zoning ordinance map amendment rezoning to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County Iowa by Duff Ivener representing Mays Family Farm, LLC and the Brian and Bonnie Ivener Trust UTD July 6, 2008.

The proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for a 17.96-acre portion of the property located in the NW 1/4 of the NE 1/4 of Section 5, T87N R47W (Liberty Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #67470500001 and is described as:

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

BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 5, THENCE ALONG THE NORTH LINE OF SAID SECTION 5 N89°34'11"E, 1852.00 FEET TO THE NORTH-WEST CORNER OF LOT 1 OF HESLEN ADDITION; THENCE ALONG THE WEST LINE OF SAID LOT 1 S01°15'38"W, 365.25 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE S89°34'29"W, 1355.66 FEET TO THE WEST LINE OF SAID NORTH-EAST QUARTER; THENCE ALONG SAID WEST LINE N01°37'45"E, 565.25 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 17.96 ACRES INCLUDING 1.51 ACRE OF ROAD RIGHT OF WAY AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

Property Owners: Mays Family Farm, LLC, 3707 Cheyenne Blvd., Sioux City, IA 51104 and Brian and Bonnie Ivener Trust UTD July 6, 2008, 3701 Cheyenne Blvd., Sioux City, IA 51104. Petitioner/Applicants: Duff Ivener representing Mays Family Farm, LLC and the Brian and Bonnie Ivener Trust UTD July 6, 2008. Item Three (3)

MINOR SUBDIVISION

PROPOSED MINOR SUBDIVISION: To be known as, *Husen 2nd Addition*, Woodbury County, Iowa, a seven (7) lot minor subdivision including one (1) outlet in a 17.56-acre portion of T87N R47W (Liberty Township) in Section 5 in the NW 1/4 of the NE 1/4 on Parcel #874705200001. The property abuts the corporate line with Sergeant Bluff as it abuts the east side of Old Lakeport Road and abuts the south side of 220th Street. The property is located in the Agricultural Preservation (AP) Zoning District and is located within the Special Flood Hazard Area (SFHA) - Zone A. Applicant(s)/Property Owner(s): Darl Ivener representing / Mays Family Farm LLC & Brian & Bonnie Ivener Trust, 8400 Talbot Rd., Sioux City, IA 51103.

OCL-IA-500365