

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

#11b

Date: 10/12/2016

Weekly Agenda Date: 10/18/2016

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: John Pylelo, Planning & Zoning

WORDING FOR AGENDA ITEM:

Public Hearing and Second Reading of Mapping Amendment Ordinance for Property Owner – Jimmie Lee and Renee T. Coyle; and Applicant – The Woodbury County Zoning Commission Re: GIS Parcels # 884723200007 and #884723200008.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

EXECUTIVE SUMMARY:

On September 20, 2016 your Board referred this agenda item to the Zoning Commission for public hearing and recommendation. On September 26th the Commission held said hearing and voted to recommend the approval of the requested rezoning. On October 11th you held a public hearing on this matter. No public hearing testimony was offered. The County Attorney's Office has reviewed the attached ordinance language.

See attached summary.

BACKGROUND:

A copy of the application, mapping, parcel, information and proposed ordinance language is attached.

FINANCIAL IMPACT:

No financial impact as application fees offset administrative and legal publication expense.

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:

Staff supports the Commission's recommendation for the approval of the requested zoning district mapping amendment to AE (Agricultural Estates).

ACTION REQUIRED / PROPOSED MOTION:

- 1.) Hold the required public hearing followed by motion to close the public hearing.
- 2.) A motion to approve the Second Reading of the Ordinance.

Attachment to 10/18/2016 Board of Supervisors Agenda Item(s) Request Form

Public Hearing; Receive Zoning Commission and Staff Recommendation; and First Reading of Zoning District Mapping Amendment Ordinance for Property Owners Jimmie Lee and Renee T. Colyer; Applicant – The Woodbury County Zoning Commission Re: GIS Parcel # 88472320007 and #884723200008.

EXECUTIVE SUMMARY:

On August 22, 2016 the Woodbury County Zoning Commission reviewed with staff an application to rezone from Lynette L. Mennen. If approved the Mennen application would allow additional residential development within rural Woodbury County currently restricted. The Commission's review determined the goals and policies established within the county's comprehensive development plan would be best met if additional parcels within the impacted quarter-quarter of section 23, Woodbury Township were similarly rezoned. Property owners were contacted resulting in this property owner agreeing to be rezoned.

On September 26, 2016 your Board referred this agenda item application to the Zoning Commission for public hearing and recommendation. On September 26th the Commission held said hearing and voted to recommend the approval of the requested zoning map amendment. The County Attorney's Office has reviewed the attached ordinance language.

The two parcels are currently zoned AP (Agricultural Preservation) and the property owner and applicant have applied to have the parcels rezoned to AE (Agricultural Estates). The proposed use would allow the property owner to market property for residential development having the correct zoning for the additional residential density potential to be created. The current AP zoning restricts residential density to two (2) dwellings per quarter- quarter. The proposed AE rezoning allows for unrestricted residential density.

The two parcels represent 33.71 acres containing an undetermined amount of roadway easement. The 33.71 acres lie within the West ½ of the NE ¼ in Section 23, T88N, R47W of the 5th P.M. (Woodbury Township) in the County of Woodbury and State of Iowa. The 33.71 acres are located on the west side of Old Highway 141 north of the intersection of Old Highway 141 and Carroll Avenue and serviced by the driveway addressed 1650 Old Highway 141. The 33.71 acres are the entirety of GIS Parcel #884723200007 and #884723200008.



Rezoning Application & Zoning Ordinance Map Amendment

Owner Information:	Applicant Information:
Owner <u>Jimmie Lee and Renee T. Coyler</u>	Applicant <u>Woodbury County Zoning Commission</u>
Address <u>1650 Old Hwy 141</u> <u>Sergeant Bluff, IA 51054</u>	Address <u>6th Floor Courthouse 620 Douglas St.</u> <u>Sioux City, IA 51101</u>
Phone <u>712/490-8773; e-mail renco2156@aol.com</u>	Phone <u>712/279-6557</u>

Engineer/Surveyor N/A Phone N/A

Property Information:

Property Address or Address Range 1650 Old Hwy 141, Sergeant Bluff, IA 51054 and congruent parcel

Quarter/Quarter W 1/2 NE 1/4 Sec 23 Twnshp/Range 8847 (Woodbury)

Parcel ID # _____ GIS # 884723200007 and 884723200008 Total Acres 31.47 + 2.24=33.71

Current Use Residential and Agriculture Proposed Use Residential and Agriculture

Current Zoning AP (Agricultural Preservation) Proposed Zoning AE (Agricultural Estates)

Average Crop Suitability Rating (submit NRCS Statement) 49.85 CRS2 per Assessor Beacon Website

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 By phone and email communication; 8/22/16 ZC Meeting Staff present J. Pylelo & Renee/Jimmie Coyler; 8/22/16 Zoning Commission & John Pylelo

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.

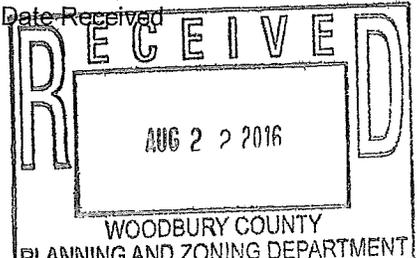
This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.

Owner Jimmie Lee and Renee T. Coyler Applicant David McWilliams, Chairman
 Date 08/22/2016 Date 09/12/2016

Fee: **\$400** Case #: 6134

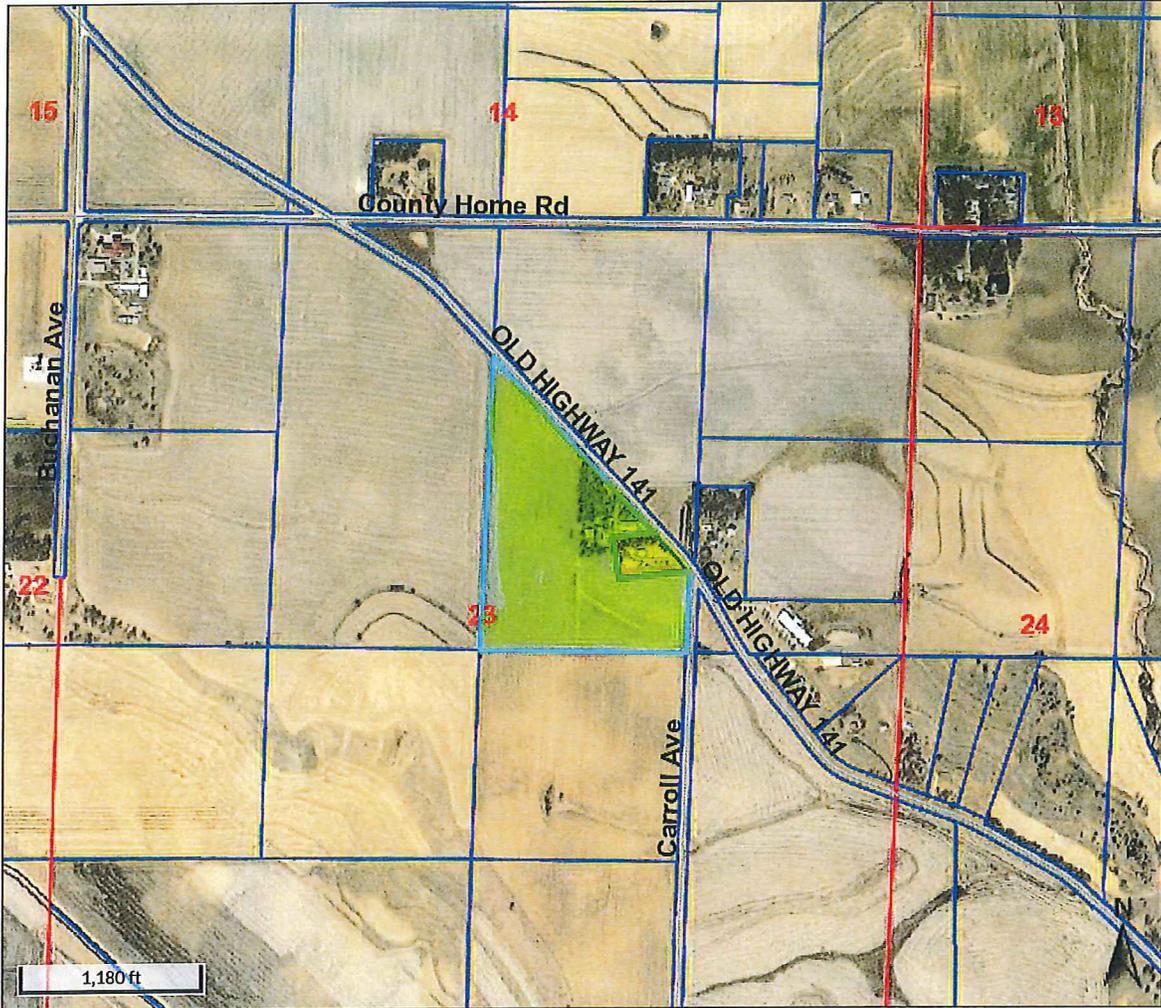
Check #: Fee Waived ZC Application

Receipt #: N/A

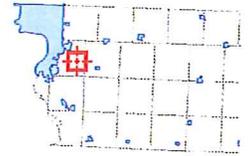




Beacon™ Woodbury County, IA / Sioux City



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Sections
- Residential Sales**
- 2014
- 2015
- 2016
- Parcels

Parcel ID	884723200007	Alternate ID	000000000826382	Owner Address	COLYER JIMMIE LEE
Sec/Twp/Rng	23-88-47	Class	A		COLYER RENEE T
Property Address	1646 OLD HWY 141	Acreage	31.47		1650 OLD HIGHWAY 141
	WOODBURY				SERGEANT BLUFF, IA 51054

District 039 WOODBURY SGT BLUFF LUTON COMM
 Brief Tax Description WOODBURY TOWNSHIP

W 1/2 NE 1/4 LYING S
 W OF RD (EX A TCT CO
 MM SE COR THEC N 504
 .34 FT, NWLY 17.71 F
 T TO POB; THEC NWLY
 190.27 FT, NWLY 121.
 46 FT, SWLY 297.52 F
 T, SWLY 254.48 FT, &
 NELY 470.19 FT) 23
 -88-47

33.71 acres to be rezoned AE

(Note: Not to be used on legal documents)

Date created: 8/22/2016
 Last Data Uploaded: 8/19/2016 10:54:07 PM

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Summary

Parcel ID 884723200007
 Alternate ID 00000000826382
 Property Address 1646 Old Hwy 141
 Woodbury
 Sec/Twp/Rng 23-88-47
 Brief Legal Description WOODBURY TOWNSHIP W 1/2 NE 1/4 LYING S
 W OF RD (EX A TCT COMM SE COR THEC N
 504.34 FT, NWLY 17.71 FT TO POB; THEC
 NWLY 190.27 FT, NWLY 121.46 FT, SWLY
 297.52 FT, SWLY 254.48 FT, & NELY 470.19 FT)
 23-88-47
 (Note: Not to be used on legal documents)
 Document(s) COD: 702-854 (2/18/2009)
 Gross Acres 31.47
 Net Acres 31.47
 Exempt Acres 0.00
 CSR 1469.38
 Class A - Agriculture; AD - Unknown
 Tax District 039 WOODBURY SGT BLUFF LUTON COMM
 School District SGT BLUFF LUTON



Owner

Primary Owner
 (Deed Holder)
 Colyer Jimmie Lee
 Colyer Renee T
 1650 Old Highway 141
 Sergeant Bluff, IA 51054

Secondary Owner

Land

Lot Area 31.47 Acres; 1,370,833 SF

Residential Dwellings

Residential Dwelling
 Occupancy Single-Family / Owner Occupied
 Style None
 Architectural Style N/A
 Year Built 1900
 Condition Very Poor
 Grade what's this? 6+10
 Roof None
 Flooring None
 Foundation None
 Exterior Material LtfmConc/Vinyl
 Interior Material None
 Brick or Stone Veneer
 Total Gross Living Area 0 SF
 Attic Type None;
 Number of Rooms 0 above; 0 below
 Number of Bedrooms 0 above; 0 below
 Basement Area Type None
 Basement Area 0
 Basement Finished Area
 Plumbing
 Appliances
 Central Air No
 Heat No
 Fireplaces
 Porches
 Decks
 Additions
 Garages 216 SF - Det Frame (Built 1900);

Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Swine Finish and Farrow (Old Style)	HOG HOUSE	20	32	1950	1
0	Machine or Utility Building	GP SHED	16	40	1965	1
0	Lean-To	LEAN TO	14	40	1966	1
0	Bin - Wire Grain Storage	WIRE CRIB 2 EA	12	11	1966	2
0	Barn - Pole	CATTLE SHED	24	48	1977	1
0	Steel Utility Building	MACHINE SHED	24	24	1982	1
0	Steel Utility Building	MACHINE SHED	50	100	1989	1

Yard Extras

#1 - (1) HOUSE Quantity=0.00, Units=Square Feet, Height=0, Built 1900

Sales

Date	Seller	Buyer	Recording	NUTC	Type	Multi Parcel	Amount
2/16/2009	COLYER MINNIE LORENA,% MINNIE LORENA COLYER ESTATE	COLYER JIMMIE LEE & RENEE T	702/854	Fulfillment of prior year contract	Deed		\$0.00
1/16/2009	COLYER EDWARD F SR & MINNIE L	COLYER JIMMIE LEE & RENEE T	701/6449	No consideration	Deed		\$0.00

Date	Seller	Buyer	Recording	NUTC	Type	Multi Parcel	Amount
6/24/2004	COLYER EDWARD F & MINNIE L	COLYER JIMMIE LEE & RENEE T	648/1147	NO CONSIDERATION	Contract		\$0.00

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

Valuation

	2016	2015	2014	2013	2012
Classification	Agriculture / Ag Dwelling	Agricultural	Agricultural	Agricultural	Agricultural
+ Assessed Land Value	\$66,560	\$66,560	\$66,560	\$91,100	\$59,870
+ Assessed Building Value	\$12,560	\$12,560	\$16,960	\$16,960	\$13,240
+ Assessed Dwelling Value	\$4,110	\$4,110	\$3,840	\$3,840	\$6,340
+ Exempt Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$83,230	\$83,230	\$87,360	\$111,900	\$79,450
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$83,230	\$83,230	\$87,360	\$111,900	\$79,450

Treasurer Link

[Click here to view tax information for this parcel](#)

Iowa Land Records

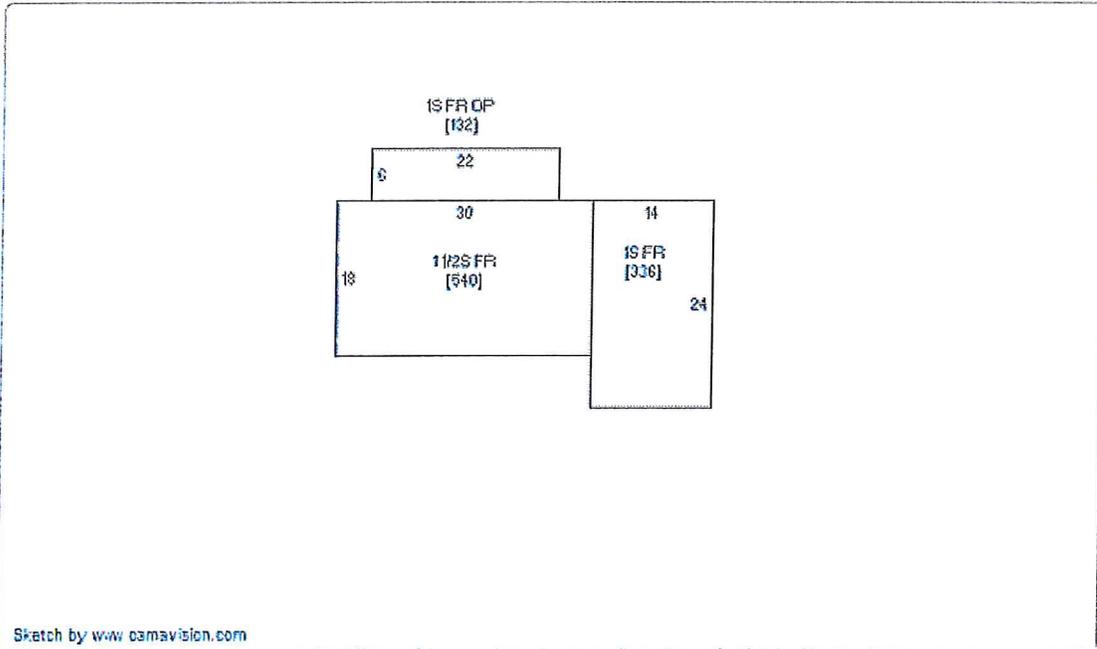
Book-Page: 702-854 (2/18/2009)

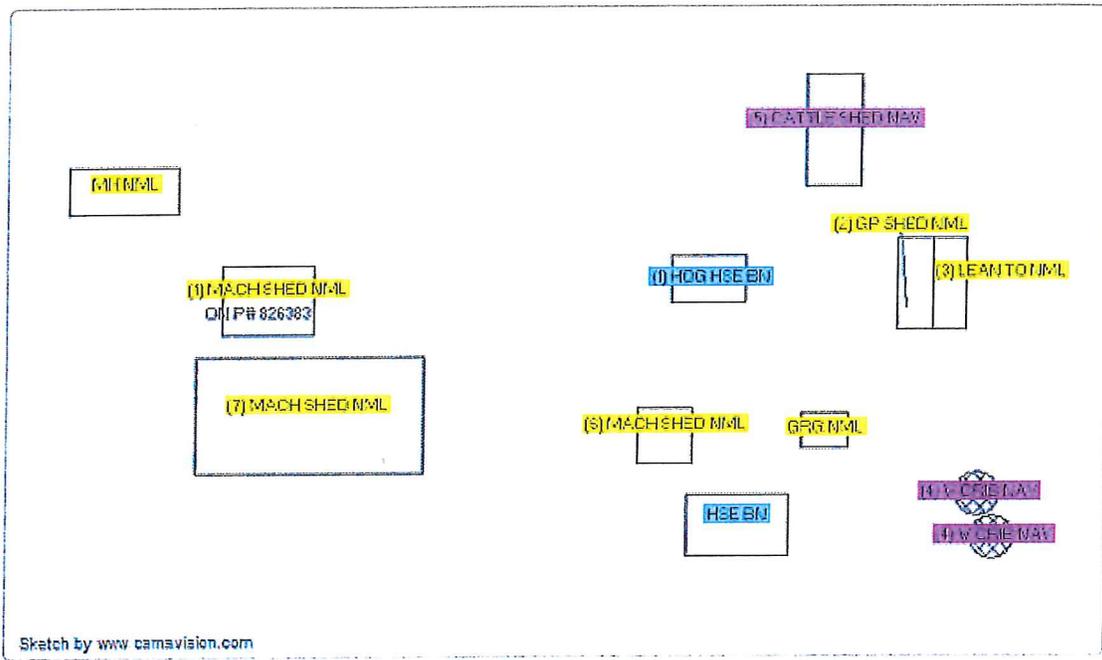
Data for Woodbury County between Beacon and Iowa Land Records is available on the Iowa Land Records site beginning in 1994. For records prior to 1994, contact the County Recorder or Customer Support at www.IowaLandRecords.org.

Photos



Sketches





No data available for the following modules: Owner, Commercial Buildings, Permits, Valuation (Sioux City).

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Beacon™ Woodbury County, IA / Sioux City

Summary

Parcel ID 884723200008
 Alternate ID 000000000826383
 Property Address 1650 Old Hwy 141
 Woodbury
 Sec/Twp/Rng 23-88-47
 Brief Legal Description WOODBURY TOWNSHIP A TCT COM SE COR
 W 1/2 NE 1/4 THEC N 504.34 FT, NWLY 17.71 F
 T TO POB; THEC NWLY 190.27 FT, NWLY 121.
 46 FT, SWLY 297.52 FT, SELY 254.48 FT, & NELY
 470.19 FT W 1/2 NE 1/4 23-88-47
 (Note: Not to be used on legal documents)
 Document(s) DED: 566-1812 (12/9/2002)
 Gross Acres 2.24
 Net Acres 2.00
 Exempt Acres 0.24
 CSR N/A
 Class R - Residential
 Tax District 039 WOODBURY SGT BLUFF LUTON COMM
 School District SGT BLUFF LUTON



Owner

Primary Owner (Deed Holder) Colyer Jimmie L Colyer Renee T 1650 Old Hwy 141 Sergeant Bluff, IA 51054-0000	Secondary Owner
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Land

Lot Area 2.00 Acres; 87,120 SF

Residential Dwellings

Residential Dwelling

Occupancy Single-Family / Owner Occupied

Style Mfd Home (Double)

Architectural Style N/A

Year Built 1994

Condition Above Normal

Grade what's this? 4+10

Roof Asph / Gable

Flooring L/C

Foundation Poured Conc

Exterior Material Vinyl

Interior Material Plas

Brick or Stone Veneer

Total Gross Living Area 1,344 SF

Attic Type None;

Number of Rooms 7 above; 0 below

Number of Bedrooms 3 above; 0 below

Basement Area Type None

Basement Area 0

Basement Finished Area

Plumbing 2 Base Plumbing (Full ;

Appliances 1 Dishwasher;

Central Air Yes

Heat Yes

Fireplaces

Porches

Decks Wood Deck-Med (100 SF);

Additions

Garages

Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Steel Utility Building	MACHINE SHED	30	40	1994	1

Sales

Date	Seller	Buyer	Recording	NUTC	Type	Multi Parcel	Amount
12/6/2002	COLYER EDWARD & MINNIE	COLYER JIMMIE & RENEE	566/1812	SALE OF PORTION OF PROPERTY (SPLIT)	Deed		\$2,500.00

+

Valuation

	2016	2015	2014	2013	2012
Classification	Residential	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$27,820	\$27,820	\$26,000	\$26,000	\$26,000
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$62,490	\$62,490	\$58,400	\$58,400	\$58,400
+ Exempt Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$90,310	\$90,310	\$84,400	\$84,400	\$84,400

	2016	2015	2014	2013	2012
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$90,310	\$90,310	\$84,400	\$84,400	\$84,400

Treasurer Link

[Click here to view tax information for this parcel](#)

Iowa Land Records

Book-Page: 566-1812 (12/9/2002)

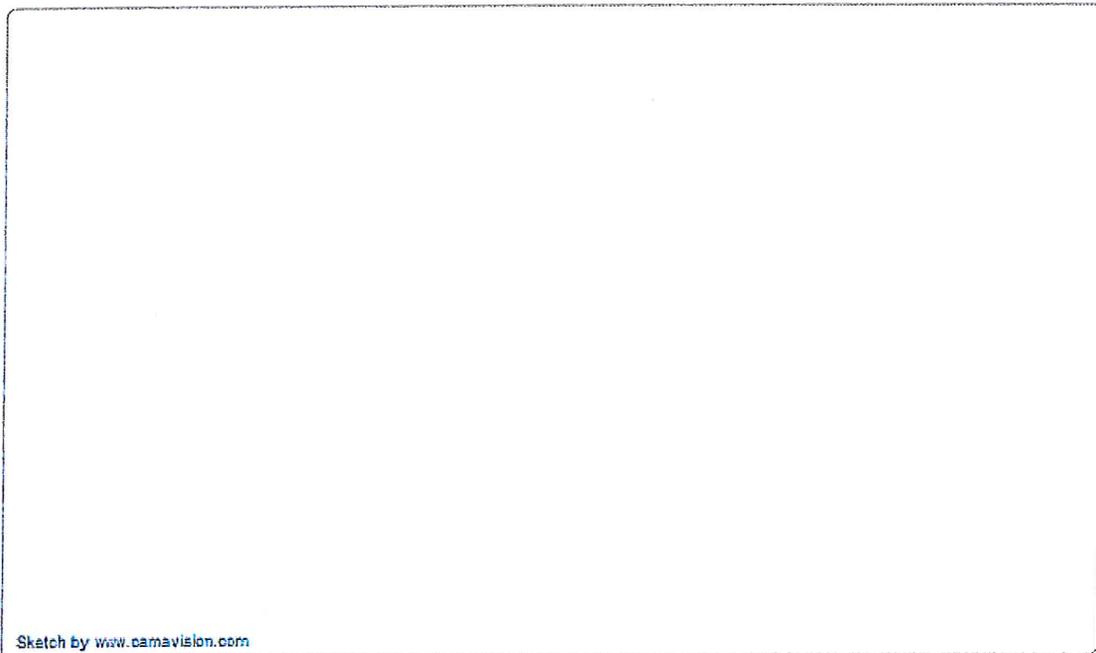
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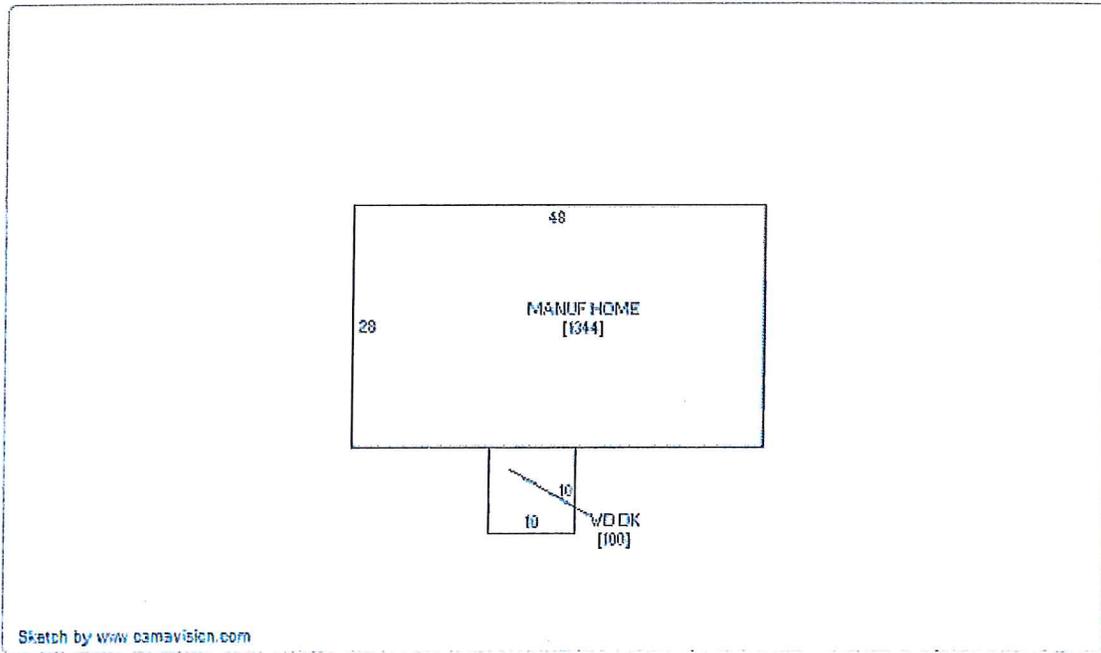
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Photos



Sketches





No data available for the following modules: Owner, Commercial Buildings, Yard Extras, Permits, Valuation (Sioux City).

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

ORDINANCE NO. _____

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) and Two (2)**, 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 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

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 25th day of October, 2016.

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS:

BY: _____
Larry Clausen

BY: _____
Mark Monson

BY: _____
Jaclyn Smith

BY: _____
Jeremy Taylor

BY: _____
Matthew A. Ung

ATTESTED TO

BY: _____
Patrick F. Gill, Auditor

Adoption Timeline
October 11, 2016: Public Hearing and 1st Reading
October 18, 2016: Public Hearing and 2nd Reading
October 25, 2016: Public Hearing, 3rd Reading and Ordinance Adoption

ITEM ONE (1)

Property Owner: Lynette Mennen, 2057 South Shore Blvd., Montgomery, Texas
77356.

Petitioner Applicant: Kyle and Tami Mullenix, 5928 Four Seasons Drive, Sioux City,
Iowa 51106

Pursuant to Section 335 of the Code of Iowa, 2016, the Woodbury County Board of Supervisors held a public hearing on October 11, 2016 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:

Commencing at the Southeast corner of said West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of said Section 23; thence North $0^{\circ}16'14''$ East along the East line of said West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ for 504.29 feet to the centerline of Old Highway No. 141 and the point of beginning; thence Northwesterly along said centerline for 208.20 feet on a 1685.17 foot radius curve, concave Southwesterly, having a long chord of 208.07 feet, bearing North $41^{\circ}26'33''$ West; thence North $44^{\circ}58'55''$ West along said centerline for 490.80 feet; thence North $88^{\circ}14'21''$ East for 376.97 feet; thence North $80^{\circ}14'55''$ East for 111.99 feet to said East line of the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$; thence South $0^{\circ}16'14''$ West along said East line for 553.69 feet to the point of beginning.

Said described parcel contains 2.833 acres, more or less, which includes 0.504 acres in roadway easement.

ITEM TWO (2)

Property Owner : Jimmie Lee and Renee T. Colyer, 1650 Old Hwy 141, Sergeant Bluff, IA 51054

Petitioner Applicant: The Woodbury Count Zoning Commission, 6th Floor Courthouse, 620 Douglas Street, Sioux City, IA 51101

Pursuant to Section 335 of the Code of Iowa, 2016, the Woodbury County Board of Supervisors held a public hearing on October 11, 2016 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 $\frac{1}{4}$ lying South and West of Highway #141 in Section 23, Township 88, North, Range Forty Seven, West of the Fifth Principal Meridian, in the County of Woodbury and State of Iowa.