

UNAPPROVED MINUTES
North Sioux City Planning Commission
August 28, 2019

The regular meeting of the North Sioux City Planning Commission was called to order by Streeter at 4:02 p.m.

Commission members present were: Holbrook, Linden, Olson, Mitchell and Streeter. Also in attendance were Building Inspector Gary Roan, City Administer Ted Cherry and Finance Assistant Jennifer Roupe.

Motion by Olson second by Mitchell to approve the agenda as presented. All members present voted aye.

Motion by Olson, second by Linden to approve the August 14, 2019 minutes as presented. All members present voted aye.

New Business:

Conditional Use Hearing – Non Traditional Business in an R-1 – Sioux City Fence – 207 Lakeview Drive

Streeter opened the hearing at 4:03 p.m.

Cherry updated members of the conditions associated with this request. Ingress/Egress, off street parking, trash picked up, clean area. If approved number of complains, streets must be clean, and number of trucks allowed would need recorded. If a time frame is not listed the conditional use would stay with the business and not be transferable.

Cherry shared information he had received from different communications about the issue. Bill Wilson, 208 Lakeview, no issue with the business. John Binkley 590 Lakeshore Dr, no issue with the business, but does not see traffic. Nathan Sandage 618 Lakeview Dr, concern is kids playing in the street with truck traffic and property value being affected.

Sheri Jones of 298 Lakeshore shared that she was not aware there was a business at the residence until within the last year, no noise, no traffic, nothing negative spoke in favor of the request, she questioned that KOA is a business and butts up to the property in question.

Mitch DeHarty, 207 Lakeview Dr, was not aware of the business there for 3 months after moving there, minimal truck residue, no noted truck traffic, he is in favor of the business.

Chuck Craig 600 Lakeview Dr, very little activity, if any residue left from trucks he has seen them clean it up, privacy fence has been put up and landscaped, very little traffic and no noise.

Tami Voegeli 619 Lakeview Dr, asked about the process of the Conditional Use Request, Cherry answered her question with the process, letters sent out, and was posted on property, in the paper, and at 2 locations. She also inquired if the business is currently running, Cherry

informed that it was. She has concerns with kids playing and truck traffic and value of homes. Cherry informed that the County assessor is in charge of assessments of property. Any new building would need to go through the process of acquiring a building permit.

Lesla Cropley 721 Lakeshore Dr., she is questioning if the property is 25% residential, 25% storage and 50%/25% business how does that work out for taxes is it a business or a residential property. Since this business has been ran since 2013 how do we, the City respond to accident that might happen.

Doug Berg, 604 Lakeview Dr, no problems or concerns in 8 years. Question was brought up about the north end of the road has a service road sign and at the south end of the road there is a no truck sign, what is the difference due to the fact there is no weight limits posted. Doug informed the member that his yards butts up against the KOA and he notices at least 14 RV's that would weigh 38,000 and 40,000 lbs. each. Streeter asked if he was concerned about the semi traffic and Doug replied no he has only seen 2 semi's one for himself and one for another person.

Richard Headid 605 Lakeview Dr his concern is if this is approved how they are going to keep other business out of residential, specifically auto body shops. Cherry stated that a new business would have to go through a Conditional Use permit process.

Berg stated that property values have increased over the years and the concern with property values may not be warranted. He agreed with Headid about other businesses being located.

Tony Carpenter 205 Parkside, stated that if you are a business you are a business and if you are residential you're residential. He stated the street acts more like a cul-de-sac and traffic though residential is not good for the local residents and children.

Scott Greer, 207 Lakeview Pl, been in business since 2013 with no issues. Regarding truck traffic the total has been 8 since the beginning of the year. They keep everything clean and picked up, and are respectful of the neighborhood in regards to traffic. Holbrook asked if they had checked with the City before they opened the business. Scott responded with yes and they were awarded NSC Business of the month 2014.

Casey Greer spoke on behalf of being home all day and seeing the other truck traffic like delivered home furniture. Casey referenced that the KOA is zoned R-2 and they run a business in the same neighborhood.

Mitchell brought up the fact of the business expanding. S. Greer stated that he does not plan on being at this location forever and would like to move but needs time to grow the business. Scott asked if the permit was issued, it could be reviewed on a yearly basis to be reevaluated.

Motion by Mitchell second by Holbrook to close the hearing at 4:39 pm. All members present voted aye.

Motion by Mitchell second by Holbrook to approve a 1-year Conditional Use Permit request Holbrook aye, Mitchell aye, Linden aye, Streeter aye, Olson nay – Conditional use approved for 1 year. City Hall would keep track of all complaints or concerns.

Conditional Use Hearing – Church in Heavy Industrial – ARK United Methodist Church
Streeter opened the hearing at 4:44 p.m.

Cherry explained that some ordinances will be brought forward with requests for changes to accommodate businesses. Olson asked why a conditional use is needed. Cherry informed him that due to issue with Greer's that we are following through with new business with the current zoning.

Motion by Linden second by Holbrook to close the hearing at 4:49 pm.
All members present voted aye.

Motion by Olson second by Mitchell to approve a 1-year Conditional Use Permit. All members present voted aye.

Variance Hearing – Front Yard Set Back – Nick Roth – 904 Lakeshore Circle
Streeter opened the hearing at 4:50 p.m.

Cherry explained the required lakeside front yard setback is currently 30 ft. and the request is for 15 ft. Randy Cottingham 71 Cott's Dr asked which set back was being requested. Nick Roth explained that his lot has recently been approved and platted. Due the scenario of the property the closest part of the home would be 127 ft. from the lot line. With the lot frontage being a little over 400 ft., there is no impact on adjacent homes or any other homes on the lake.

Cherry reiterated that the accretion land that is platted with the lot does count as the lot line. Streeter asked about the water line and if Roth knew where the line was when the property was purchased. Roth stated he did, but still feels as though the property is unique and the variance should be granted.

Lesa Cropley 721 Lakeshore Dr. handed a map with highlighted homes showing impacts on properties with the previous flooding. Cropley feels by giving the variance other properties would be affected, and that no hardship has been shown. Cropley feels that no one should build past the high-bank mark. Nick stated he is not building at elevation below any other homes. Lesa does not want anyone to put themselves at risk for flooding by building past the high bank mark.

Motion by Mitchell second by Linden to close the hearing at 5:09 pm.
All members present voted aye.

Motion by Olson second by Holbrook to deny the Variance request.
Holbrook aye,

Mitchell aye,
Linden nay,
Olson aye,

Variance Hearing – Garage Larger than 1000 sq. feet – Jeff Rabbitt 203 Melrose Ave
Streeter opened the hearing at 5:14 p.m.

Cherry informed member that the request is for 1200 ft. garage. Jeff Rabbitt 203 Melrose Ave. requesting 200 sq. feet larger than 1000 sq. feet to make it a decent size garage and he owns the land. The house peek is well over 20 ft. the reason for the height on garage is due to a hill and a 3 ft. knee wall will need to be built. Jim Wennblom who owns a lot adjacent to 203 Melrose Ave. suggested we change the zoning/ordinance to allow a garage over 1000 sq. ft. Lesa Cropley 721 Lakeshore Dr. Lesa thinks the garage size 1000 sq. ft. ordinance needs to be changed. Lesa is in favor of the request. Tony Carpenter 205 Parkside Ave brought to attention that when he built his garage he was not questioned about size but the City did tell him that could not go over 15 feet. Tony feels the ordinance needs to be changed also. Tony is in favor of the request. Rich Headid 605 Lakeview Dr. Rich is in favor of this request.

Motion by Linden second by Mitchell to close the hearing at 5:28 pm. All members present voted aye.

Motion by Mitchell second by Linden to deny the variance request.

Holbrook aye,
Mitchell aye,
Linden aye,
Olson nay,

Variance Hearing – Roof Peek greater than 15 ft – Jeff Rabbitt 203 Melrose Ave
Streeter opened the hearing at 5:51 p.m.

Motion by Olson second by Holbrook to close the hearing at 5:33 pm. All members present voted aye.

Motion by Olson second by Holbrook to deny the variance request. All members present voted aye.

Other Business: 3 Fences: 935 Campbell St, 9 Bancroft Ct, 630 Lakeshore Dr / Garage: 902 Harvest Bend / Remodel: 918 Harvest Bend / New Home: 630 Lakeshore Dr

Motion by Olson, second by Mitchell to adjourn at 5:35 p.m. All members present voted aye.

Dated this August 28, 2019
Jennifer Roupe
Finance Assistant