

BOARD OF ADJUSTMENT
ABBREVIATED MEETING MINUTES
March 11, 2025

A regular meeting of the Board of Adjustment was held at 4:30 p.m. on this date in the City Council Chambers located on 5th Floor, City Hall, 405 - 6th Street, Sioux City, Iowa. The following members were present on call of the roll: Ross, Glisar, Hegarty, Wagner, Brockshus and Reynolds. Absent (Excused): Bostinelos.

The following staff members were also present: Marty Dougherty, Economic and Community Development Director; Chris Madsen, Senior Planner; Wade Schuldt, Planner; Gabriel Fordjour, Planner; Gordon Phair, City Engineer; Steven Postolka, Assistant City Attorney; and Gabby Menard, Administrative Assistant.

Glisar read the opening statement. Ross and Hegarty stated they were abstaining from Agenda Item 2025-021.

Agenda Item 2025-021: Requested conditional use permit pursuant to Municipal Code Section 25.02.130 on property commonly known as 3001 and 4001 Outer Drive (formerly 3330 and 3350 Smith River Road). (Petitioner: Barcon Inc.).

Madsen presented the requested conditional use permit pursuant to Section 25.02.130 of the Municipal Code to operate a borrow pit on property commonly known as 3001 and 4001 Outer Drive (formerly 3330 and 3350 Smith River Road). Madsen stated that on March 22, 2011, the Board of Adjustment approved a two-year conditional use permit for operation of a borrow permit at this property. Several extensions were approved since then with the last one due to expire on March 12, 2025. The City Engineering Department is requesting a one-year extension as staff is currently working on rewriting the grading ordinance and proposing significant changes to the provisions of grading permits and borrow operations. Madsen also stated that grading activities have occurred east of the approved conditional use permit and grading permit to remove terraces.

Jeff Hanson, McClure Engineering, 613 Pearl Street, representing petitioner Barcon Inc, stated that the property is known as the Diamond Willow Concept Plan area and the continuation would support the approved Concept Plan. Hanson also stated that the grading east of the site was to remove terraces and support the agricultural use of the property. The terraces were flattened, and no dirt left the site.

Wagner asked why the grading permit is set to expire in October, and not align with the conditional use permit. Phair stated that the City was waiting for a performance bond, and once that was received the grading permit was issued in October of 2024 and will expire in October of 2025.

Wagner asked how far along the new grading ordinance is from being completed. Phair stated that the new grading ordinance is complete, and a meeting will be held with contractors before beginning the approval process for the revisions.

Reynolds (Wagner) moved to approve Agenda Item 2025-021 with an end date of October, 2026. Motion Carried. 4-0-2 (Yes: Glisar, Brockshus, Wagner, and Reynolds. No: 0 Abstain: Hegarty and Ross)

Other Business

A. House File 415/Senate Study Bill 1185

Madsen gave an overview of the proposed legislation that would impact the review of variances. The legislation would remove the “hardship” criteria and use “practical difficulty” as the threshold for approving variances. Madsen stated Staff will continue to monitor the legislation and update the Board as needed.

B. Other items brought forward by the Board and/or staff.

There being no further business, Wagner motioned, Ross seconded, and with a 6-0-0 vote the meeting was adjourned at 5:01 p.m.

Submitted by Chris Madsen

ANDREW GILSAR, CHAIR

*MARTIN J. DOUGHERTY, ECONOMIC &
COMMUNITY DEVELOPMENT DIRECTOR*