

**BOARD OF ADJUSTMENT**  
**ABBREVIATED MEETING MINUTES**  
**May 13, 2025**

A regular meeting of the Board of Adjustment was held at 4:51 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, Bostinelos, Hegarty, Wagner (Virtual), Brockshus and Reynolds. Absent (Excused): Glisar.

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

Bostinelos read the opening statement. Ross and Hegarty stated they were abstaining from Agenda Item 2025-037.

**Agenda Item 2025-037:** Requested conditional use permit pursuant to Municipal Code Section 25.02.130 for the property located at 5700 Outer Drive. (Petitioner: Walt Raider Holdings, LLC).

Madsen presented the requested conditional use permit pursuant to Section 25.02.130 of the Municipal Code to operate a borrow pit on property located at 5700 Outer Drive. Madsen provided a history of the conditional use permit and stated the petitioner, Walt Raider Holdings, LLC, is requesting an extension for borrow operations. Madsen stated the petitioner advised staff that 200,000 cubic yards of dirt has been removed and another 400,000 – 500,000 cubic yards of dirt still needs to be removed within the next 3-5 years.

Representative of the petitioner, Justin Vondrak, 1120 Starview Drive, Hinton, Iowa, stated that construction has slowed down in the area and the petitioner is doing his best to remove the dirt. Vondrak stated that the subcontractor did a good job at mitigating the dust from the borrow last year. Vondrak also stated that development requires dirt, and the petitioner operates the only borrow site in the city. Madsen clarified that the petitioner operates one of two borrow sites in Sioux City.

Theresa Crawford, 1360 Barker Avenue, stated that the former subcontractor was doing a great job of dust control, however, as of late the dust has gotten bad again with the petitioner operating. Crawford expressed concerns with the borrow operating for another 3-5 years and has currently been operating on an expired permit.

The Board of Adjustment discussed letting the borrow operations continue so that it will be completed. They also discussed coming back to review any issues that may arise and make sure they are addressed.

Reynolds (Brockshus) moved to approve Agenda Item 2025-037 with an end date of October 30, 2026, to align with the completion of the updated Grading Ordinance and to review on December 9, 2025. Motion Carried. 4-0-2 (Yes: Bostinelos, Brockshus, Wagner, and Reynolds. No: 0 Abstain: Hegarty and Ross).

**House File 652 – Variance Legislation:**

Madsen provided an update on House File 652 that was signed by Governor Reynolds on April 25, 2025, and will take effect on July 1, 2025. The intent of the bill is to make housing easier in Iowa. The bill removed “unnecessary hardship” from the threshold and replaces with “practical

difficulty.” Madsen stated the bill addressed numerical variances only and does not include use variances. Madsen gave a review of the standards as well as the decisions needed prior to July 1, 2025. The Board of Adjustment agreed to adopt the new interpretations to meet the state code and prefer to keep the site plan and minor modification process the same. Madsen stated that the legislation to increase to the accessory dwelling structure size from 600 square feet to 1,000 square feet was also passed and would likely be incorporated in the new language.

### **Other Business**

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

Staff stated there will be no meeting on May 27, 2025.

**There being no further business, Reynolds motioned, Brockshus seconded, and with a 6-0-0 vote the meeting was adjourned at 5:31 p.m.**

*Submitted by Stefanie Konz*

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*MICHELLE BOSTINELOS, VICE-CHAIR*

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