

Minutes of Zoning Commission Meeting held October 12, 2023

Unapproved minutes

**Call to Order.**

The meeting was called to order at 8:02 a.m. in the EOC at the Court House. Commission members present were, Dean Tjaden, Ben Rottinghaus, and Pam-Erbe-Lines and Guy Carpenter. Also present was Jen Solomon Zoning Administrative Assistant, Jeff Sherman Zoning Administrator.

**Approval of Agenda.**

A motion to approve the agenda as was made by Guy Carpenter and seconded by Pam Erbe-Lines. The motion was unanimously approved.

**Approval of Minutes.**

The chair asked if there was a motion for the August 23, 2022 & June 13, 2023 minutes. A motion to approve the minutes from the August 23, 2022 & June 13, 2023 meeting was made by Guy Carpenter and seconded by Ben Rottinghaus. The motion was unanimously approved. Minutes from the July 12, 2023 were in question due to have an illegal meeting and should or should not approve those minutes Pam Erbe-Lines asked if the board should discuss this with the County Attorney on those minutes, Chairman Tjaden asked for a motion to ask County Attorney to ask about approving minutes on an illegal meeting. A motion to ask County Attorney about July 12, 2023 minutes was made by Pam Erbe-Line seconded by Ben Rottinghaus. The motion was unanimously approved.

**Open Public Hearing:** County Staff Presentation of Case: A request by Double Double U, LLC has filed an application with the Floyd County Zoning Commission for rezoning 1.25 acres from AG to I-1 located adjacent to 1923 Rotary Park Rd for the purpose of putting up a storage building in the PARC 'H' SE ¼ SE ¼ Section 36, Township 96North, Range 16 West of the 5<sup>th</sup> P.M., St Charles Township, Floyd County, Iowa.

**Public Comment pertaining to rezone.**

Nick Hopp was on a conference call representing Double Double U, LLC to explained that he wanted to expand south for an additional storage building, he has had a survey done and the land in his name once approval from the board to have this rezoned. Gordon Bogey asked about the ground where the storage building are going to be he said that was prime land in Floyd County and we shouldn't put up storage units on this we have enough in the county. Jeff Sherman Zoning Administrator did ask Nick Hopp what the CSR was for the land Nick did state that the land had a CSR of 52 to 56, not prime farm ground.

**Public Hearing was closed and action was taken:**

**Motion was made to approve the application from Double Double U, LLC for rezoning from AG to I1 by Guy Carpenter and Seconded by Ben Rottinghaus.**

**Roll call vote was taken with all commissioners voting Aye.**

**Commission Comments:** Chairman Dean Tjaden will present the Zoning Boards recommendation for the rezoning application for Double Double U, LLC to the Board of Supervisors meeting on October 16, 2023 at 9:15 am in the supervisors boardroom.

**Presentation on Comprehensive Plan section & Ordinance concerning Wind Turbines:**

Zoning Board Commission had come to a condenses to table Comprehensive Plan & Ordinance revision until decision from Board of Supervisors to hire NIACOG to help with updates to Comprehensive Plan and Zoning Ordinance. Jeff Sherman explained to the Zoning Board that this was not budgeted for this year to do an update to the Comprehensive Plan and Zoning Ordinance.

**Presentation of Iowa's Sunshine Meeting Law:** Chairman Tjaden did ask Jen Solomon to present Iowa Sunshine Law; Jen Solomon did go over something key points on the PowerPoint that was given to the Zoning Board per email sent on October 2, 2023 and copies provided to them at the meeting. Some questions where brought up and Chairman Tjaden asked if we can get some clarification on this and asked Board of Supervisor Mark Kuhn he said that he wasn't discussing this that would need to be brought up by County Attorney and Chairman Tjaden did say that this presentation was brought by the supervisors, and Supervisor Kuhn spoke and said the reason why was due to the illegal meeting on July 12, 2023. No further discussion of Iowa Sunshine Law was discussed.

**Staff Updates:** Jeff and Jen said no updates

**Adjournment.** At 9:11 AM