

Vice Chairperson L. R. Petersen called the meeting to order at 7:40 p.m.

On Roll Call: Rita Smith, Debra Johnson, L.R. Petersen, Keith Kruse and Bonny Swart. Colleen Anderson and Robert White absent.

Tammy McKeever, Clay County Zoning Administrator, provided training and handouts. The powers, duties and responsibilities of the zoning commission were discussed. The zoning commission is appointed by the legislative body and has three basic advisory responsibilities. The legislative body must solicit recommendations from the zoning commission, but is not required to follow such recommendations. The three basic responsibilities of the Zoning Commission are: 1) Prepare the comprehensive plan and the zoning ordinances. 2) Give recommendations on proposed changes in zoning or in the comprehensive plan. 3) Review and update planning and zoning documents. The purpose and implementation of planning was discussed. A general guideline for reviewing rezoning requests was handed out. It was agreed that a luncheon training session would be beneficial. We will try to have this with surrounding counties (avoiding planting, harvest and the Clay County Fair). NWIPD will assist.

The land use plan was reviewed. It was determined that each zoning commission member would read the future land use plan and the goals and objective sections and report back at the next meeting.

The committee reviewed the zoning ordinances and determined that the size of signs should be addressed. Ted Kourousis, Northwest Iowa Planning & Development, will research and see what other counties are using and report back at the next meeting.

It was moved by Bonny Swart, seconded by Rita Smith, to require notice be given by ordinary mail to all property owners located within 500 feet by mailing such notice to the last known address of those to be notified by depositing such notice with sufficient postage in the United States mail no less than four (4), nor more than twenty (20) days prior to a public hearing regarding subdivisions. All those present voted aye. Motion carried.

The next item of business was an informal presentation regarding a possible subdivision in the SW ¼, Section 8, Riverton Township. Irl (Pat) Carper is the property owner and was unable to attend the meeting. The Zoning Administrator informed the Board regarding Mr. Carper's possible intentions to create a subdivision of five (5) lots with approximately 200' of frontage and 700' deep. The Board has some concerns regarding a subdivision in the above-mentioned area including driveways off the blacktop, flood plain, and hunting area. Mr. Carper will provide further information at the next meeting.

The Board discussed the retirement party of Jim Vollmer, Board Member of the Clay County Zoning Commission since 1976. A plaque will be awarded to Mr. Vollmer at the next scheduled zoning commission meeting. The Board of Supervisors will be invited along with the Daily Reporter.

Board member, L. R. Petersen, requested the Clay County Zoning Commission be provided with updated zoning maps and that the commission review business use permits to determine how many of the businesses are still in existence.

There being no further business meeting adjourned at 9:10 p.m.

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Debra Johnson - Secretary

Chairperson Colleen Anderson called the meeting to order at 7:30 p.m.

On Roll Call: Colleen Anderson, Rita Smith, Debra Johnson, L.R. Petersen, Robert White and Bonny Swart. Keith Kruse absent.

It was moved by Debra Johnson, seconded by Robert White, to approve the minutes of meeting number 206 on April 2, 2001 and 207 on May 14, 2001. All those present voted aye. Motion carried.

The time having arrived for the public hearing on petition number 09-01 of the final plat submitted by Ruthven Interconnect, Inc. of Ruthven, Iowa of Windavere First Addition, Clay County, Iowa located in the SE ¼ of Section 36, T-97N, R-35W of the 5<sup>th</sup> P.M., Lake Township.

The Zoning Administrator explained the application and reported procedures to date. This meeting is a continuation of May 14, 2001 meeting due to the lack of a quorum. No written objections were received.

The developer has provided the following information requested by the Zoning Commission at their November 13, 2000 meeting of the preliminary plat. 1) The complete legal description of the property to be platted. 2) An attorney's opinion of the abstract covering the property to be included in the final plat shall be submitted in duplicate showing all taxes due shall have been previously paid and that there are not outstanding liens or encumbrances on the property. The names of record titleholders and any other information that might otherwise affect the title of lots in the proposed subdivision shall be shown. The opinion shall be written by an attorney admitted to the place of law in the State of Iowa. 3) Acreage of the land to be subdivided. The sub divider has agreed to adhere to the following recommendations of the Clay County Engineer: 1) Driveway permits will be required from Clay County Engineer's Office. This will need to be conveyed to purchasers of the proposed lots and written on the final plat. 2) According to the preliminary plat the County will be receiving an additional 10' feet of right-of-way. This will need to be written into the legal description. 3) The maximum entrances will be one per lot. No horseshoe driveways will be allowed. This includes lot 1 (Fox Hill). No entrances will be allowed on 330<sup>th</sup> Avenue.

Steve Trimble, 1607 Rolling Street, Ruthven, and Don Hemphill, 215 Grand Avenue, Spencer, IA 51301, representatives for Ruthven Interconnect, Inc. were present to explain the application. There will be six lots for single-family dwellings and one lot will be utilized for condominium type housing. No lots have been sold to date. Each homeowner would be responsible for their lawn – no homeowner's association. No interior streets are planned.

Roger Clark, Clay County Engineer, submitted the following letters per the Zoning Commission request.

June 4, 2001

To: Ms. Tammy McKeever  
Clay County Zoning Administrator  
Administration Building  
300 West 4<sup>th</sup> Street, Suite 6  
Spencer, IA 51301

Clay County Zoning Commission

Clay County Board of Supervisors

From: Clay County Engineer

Subject: Change in recommendation of the plat of Windavere First Addition, Clay County, Iowa as per the Clay County Zoning Ordinance final plat procedures.

My letter of May 14, 2001 required that the sanitary sewer crossing of 335<sup>th</sup> Avenue be bored under the roadway. Since the contract for placing of the sewer has already been let with the sewer crossing of 335<sup>th</sup> Avenue to be an open cut, I have agreed to allow an open cut of 335<sup>th</sup> Avenue for the placement of the sanitary sewer.

Very truly yours,

R. K. Clark, P. E.  
Clay County Engineer

RKC:djf

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June 4, 2001

Ms. Tammy McKeever  
Clay County Zoning Administrator  
300 West 4<sup>th</sup> Street Suite 6  
Spencer, IA 51301

Dear Ms. McKeever:

Some of the surface drainage at the Windavere Subdivision flows to a culvert under the blacktop and onto Lot 6 of Block C of Sumner Beach Subdivision. It appears that the water would then flow onto Lot 5 of Block C, Sumner Beach before reaching Lost Island Lake. Lot 5 is owned by James and Judith Donahue and Lot 6 is owned by Doris Jean Brodale.

As the Windavere Subdivision is developed, additional surface runoff can be expected to flow toward the lake. To reduce the negative effects on the Donahue and Brodale properties, I would recommend that the following steps be taken:

- 1) The existing culvert under the blacktop should be extended to outlet into the lake.
- 2) The west ditch of the blacktop should be maintained so as to collect the surface runoff and direct it to the culvert. Filling of this ditch to enable mowing of grass to the edge of the road should not be allowed.
- 3) The location and construction of driveways should be done so as to direct the surface water into the road ditch rather than onto the blacktop where it will flow onto the properties to the east.

Very truly yours,

R. K. Clark, P.E.  
Clay County Engineer

RKC:LFR:djf

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The recommendations made by Roger Clark, Clay County Engineer would be the responsibility of the developer per Tammy McKeever, Clay County Zoning Administrator. Ruthven Interconnect Representative, Don Hemphill felt the drainage recommendations would be the responsibility of Clay County.

Also in attendance were Jim Donahue, 3274 335<sup>th</sup> Avenue, Ruthven, Iowa, adjoining property owner and Ron Brockmeyer 3266 335<sup>th</sup> Avenue, Ruthven, Iowa, Real Estate Agent. Donahue's concerns involved the water drainage from the proposed subdivision. Donahue felt the subdivision would cause his driveway to be washed out when precipitation was received. He questioned whether state and federal permits had been obtained. Don Hemphill explained that permits from the Corp of Engineers were not required. That agency permits for wetland activity and this is not considered a wetland. All Department of Natural Resource permits are being obtained per Steve Trimble. Tammy McKeever stated that she had checked with the Assistant County Attorney, Mike Houchins, and he could find no requirements that wetland permits had to be obtained before the County approves a plat. He believes this is a separate matter that the developer would have to deal with at the State and Federal levels of government.

It was moved by Robert White seconded by Bonny Swart to recommend to the Board of Supervisors that the final plat submitted by Ruthven Interconnect, Inc. of Ruthven, Iowa of Windavere First Addition, Clay County, Iowa located in the SE ¼ of Section 36, T-97N, R-35W of the 5<sup>th</sup> P.M., Lake Township be approved. Discussion followed. It was moved by L. R. Petersen and seconded by Bonny Swart to amend the main motion by adding subject to clarifying the drainage issues. Following discussion all those present voted aye in favor of the amendment. Motion carried. There being no further debate on the main motion all those present voted aye. Motion carried.

The next item of business was an informal presentation regarding a possible subdivision in the SW ¼, Section 8, Riverton Township. Irl (Pat) Carper is the property owner. Mr. Carper intends to create a subdivision of five (5) lots with approximately 200' of frontage and 700' deep. Mr. Carper had requested feedback of items that may be of concern to the Zoning Commission. The Board has some concerns regarding a subdivision in the above-mentioned area including driveways off the blacktop, high water table and public hunting ground adjacent to the property. Mr. Carper will check with the Department of Natural Resources regarding a subdivision in close proximity to a public hunting ground.

The review of the land use plan was tabled until the next meeting due to time restraints.

The last item of business was review of the zoning ordinance in regards to the size of signs. Ted Kourousis of Northwest Iowa Planning & Development was present to address this issue. Mr. Kourousis provided the Commission with examples from three different entities demonstrating very strict regulations to very liberal regulations. Each member will review the examples and be prepared to discuss the issue at the next meeting.

There being no further business, it was moved by Robert White, seconded by Rita Smith, to adjourn at 9:30 p.m. All those present voted aye. Meeting adjourned.

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Debra Johnson - Secretary

Chairperson Colleen Anderson called the meeting to order at 7:05 p.m.

On Roll Call: Colleen Anderson, Rita Smith, Debra Johnson, L.R. Petersen, Keith Kruse and Bonny Swart. Robert White absent.

It was moved by Debra Johnson, seconded by L.R. Petersen, to approve the minutes of meeting number 208 on June 6, 2001. All those present voted aye. Motion carried.

The time having arrived for the public hearing on petition number 28-01 of Jerry Crabtree, 215 7<sup>th</sup> Street Southwest, Spencer, IA 51301 for a special exception use permit for a single family non-farm dwelling in the Northeast ¼ of the Southwest ¼, Section 13, Township Ninety-six (96) North Range Thirty-seven (37) West, of the 5<sup>th</sup> P.M., Riverton Township, Clay County, Iowa. Debra Johnson, adjacent property owner, removed herself from consideration of the request to eliminate any possible conflict of interest.

The Zoning Administrator explained the application and reported procedures to date. All property owners within 500 feet of the exterior limits of the above-described property were notified and a notice was published in the Daily Reporter on August 16, 2001. No written objections were received. This property is zoned A-1 Agricultural. Single-family non-farm dwellings are permitted in A-1 Agricultural as a special use. This petition meets all the bulk regulations including the soil classification.

Jerry Crabtree, 215 7<sup>th</sup> Street Southwest, Spencer, IA 51301, was present to explain the application. He will be installing city water, rural electric, and an on-site septic system. This property is not in the flood plain.

Also in attendance were Dr. Tom Johnson, Red Crib Farms, 2125 360<sup>th</sup> Street, Spencer, IA 51301, and Robert & Becky Ginger, 610 11<sup>th</sup> Avenue Southwest, Spencer, IA 51301, adjoining property owners. Dr. Johnson voiced concern regarding the placement of Mr. Crabtree's on-site septic system, commercial development to the South, and driveway access to his property. Dr. Johnson had been told that at some point he would be able to put in a driveway access to his property. He would hope that the building of Mr. Crabtree's home would not hinder his access. Robert & Becky Ginger voiced concern regarding the construction of a home on this property. They were told that there would never be any development on that property and that is one of the reasons they purchased their home. There was discussion on the Highway 71 bypass.

Following all discussion, it was moved by Bonny Swart, seconded by Rita Smith to recommend to the Board of Adjustment that the special use application of Jerry Crabtree, 215 7<sup>th</sup> Street Southwest, Spencer, IA 51301 for a single family non-farm dwelling in the Northeast ¼ of the Southwest ¼, Section 13, Township Ninety-six (96) North Range Thirty-seven (37) West, of the 5<sup>th</sup> P.M., Riverton Township, Clay County, Iowa, be approved, subject to the on-site septic system remaining 50' from the South adjoining lot line. All those present voted aye. Motion carried.

The time having arrived for the public hearing on petition number 26-01 of Robert & Robin Andrews, 108 North Harrison, Everly, IA 51338 for a special exception use permit for a single family non-farm dwelling in the Southeast ¼ of Section 8, Township Ninety-six (96) North

Range Thirty-eight (38) West, of the 5<sup>th</sup> P.M., Lone Tree Township, Clay County, Iowa, containing approximately 21.451 acres.

The Zoning Administrator explained the application and reported procedures to date. All property owners within 500 feet of the exterior limits of the above-described property were notified and a notice was published in the Daily Reporter on August 16, 2001. No written objections were received. There were no verbal objections. This property is zoned A-1 Agricultural. Single-family non-farm dwellings are permitted in A-1 Agricultural as a special use. The applicants will be requesting a variance from the Board of Adjustment on soil types. According to topographical maps this property has not been cropped in over 50 years.

Robert & Robin Andrews, 108 North Harrison, Everly, IA 51338, were present to explain the application. They will be installing rural water, rural electric, and an on-site septic system. This property is not in the flood plain. It was noted that the applicants, Robert & Robin Andrews have no objection to normal legal farming activity that will occur around their dwelling.

Following all discussion, it was moved by L. R. Petersen, seconded by Bonny Swart to recommend to the Board of Adjustment that the special use application of Robert & Robin Andrews, 108 North Harrison, Everly, IA 51338 for a single family non-farm dwelling in the Southeast  $\frac{1}{4}$  of Section 8, Township Ninety-six (96) North Range Thirty-eight (38) West, of the 5<sup>th</sup> P.M., Lone Tree Township, Clay County, Iowa, containing approximately 21.451 acres be approved, subject to the approval of the variance by the Board of Adjustment. All those present voted aye. Motion carried.

There being no further business, it was moved by L. R. Petersen, seconded by Rita Smith, to adjourn at 7:50 p.m. All those present voted aye. Meeting adjourned.

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Debra Johnson - Secretary

Chairperson Colleen Anderson called the meeting to order at 7:00 p.m.

On Roll Call: Colleen Anderson, Robert White, Rita Smith, Debra Johnson, L.R. Petersen, Keith Kruse and Bonny Swart. None absent.

It was moved by L.R. Petersen, seconded by Keith Kruse, to approve the minutes of meeting number 209 on August 27, 2001. All those present voted aye. Motion carried.

The time having arrived for the public hearing on petition number 30-01 of Janice Donaldson & Ellen Studer, 4215 290<sup>th</sup> Avenue, Dickens, IA 51333-7518 for a special use permit for a dog kennel in the Northeast ¼, Northeast ¼, Section Nineteen (19), Township Ninety-five (95) North, Range Thirty-five (35) West, of the 5<sup>th</sup> P.M., Logan Township, Clay County, Iowa.

The Zoning Administrator explained the application and reported procedures to date. All property owners within 500 feet of the exterior limits of the above-described property were notified and a notice was published in the Daily Reporter on September 12, 2001. No written objections were received. This property is zoned A-1 Agricultural. Dog kennels are permitted in A-1 Agricultural as a special use. This petition meets all the bulk regulations. Ms. Donaldson and Ms. Studer currently house seven (7) dogs. The use presently made of the property would fall within the zoning code definition of a dog kennel. That definition is as follows:

*“An establishment where small animals are boarded for compensation or any premises where four (4) or more dogs, six (6) months old or older are kept.”*

Janice Donaldson & Ellen Studer were present to explain their application and provided zoning commission members with a packet of information. Ms. Studer and Ms. Donaldson feel they have performed dutifully as pet owners who have attempted to follow all known laws and regulations regarding responsible pet ownership. Each indicated they were not asking to begin boarding dogs, but to allow their current pets to live out their natural lives on the acreage they have lived for the last three years. Janice Donaldson presented a comparison with existing commercial kennels in Clay County. Ms. Studer and Ms. Donaldson submitted 16 hours of tape to address the issue of noise. Several adjustments have been made since a May 28<sup>th</sup> complaint from Brett Smith, renter of the home to the North. The petitioners also submitted references and letters of support to the Zoning Commission.

Also in attendance were Bob Rusk, 3965 280<sup>th</sup> Avenue, Dickens, IA 51333, Brett Smith, 4185 290<sup>th</sup> Avenue, Dickens, IA 51333, Clayton Rusk, 3775 300<sup>th</sup> Avenue, Dickens, IA 51333, Kieth Burkhart, 3060 490<sup>th</sup> Street, Webb, IA, 51366, Clay Burkhart, Sioux Rapids, IA 50585, Beverly Donaldson, 4830 300<sup>th</sup> Avenue, Webb, IA 51366, David & Anita Donaldson, 214 8<sup>th</sup> Street SE, Spencer, IA 51301.

Kieth Burkhart, property owner to the northeast is opposed to the petition because of his horses pastured near the petitioner's home. Mr. Burkhart has made a living from his horses and is concerned for two reasons. 1) When dogs bark, horses do not eat. 2) If the petitioner's dogs were to get loose, the dogs could run his horses through fences.

Clayton Rusk, homeowner to the North, stated he was opposed to the petition.

Brett Smith, renter of the home to the North, opposes the petition because of the noise. Mr. Smith did state that since his May 28<sup>th</sup> 2001 complaint to his neighbors that the noise has improved. Brett also indicated he was not opposed to the petitioners keeping their current dogs but did not want to see anymore.

Beverly, David & Anita Donaldson gave testimony regarding the petitioner's ability to care for seven (7) dogs, the money they have spent on the pets, and the deep affection the petitioner's have for their dogs.

Following all discussion, it was moved by Keith Kruse, seconded by Debbie Johnson to recommend to the Board of Adjustment that the special use application of Janice Donaldson & Ellen Studer, 4215 290<sup>th</sup> Avenue, Dickens, IA 51333-7518 for a special use permit for a dog kennel in the Northeast ¼, Northeast ¼, Section Nineteen (19), Township Ninety-five (95) North, Range Thirty-five (35) West, of the 5<sup>th</sup> P.M., Logan Township, Clay County, Iowa be approved, subject to the following conditions:

- 1) The petitioner's will not begin boarding dogs, but will be allowed to have their current pets (listed in the packet of information) to live out their natural lives on the acreage.
- 2) Once natural attrition has taken place and they have only three dogs left, the special use permit will be revoked.

All those present voted aye. Motion carried.

The next item of business was an informal presentation regarding a possible subdivision in the W 1/2, Section 13, Riverton Township. Don Seltz, 1509 12<sup>th</sup> Avenue North, Fort Dodge, IA 50501, was present to explain his intentions to possibly create a subdivision on the above-mentioned property. The Board indicated for utility purposes it may be in his interest to have the property annexed into the city. Mr. Seltz will keep the Board updated of future plans.

There being no further business, it was moved by Bonny Swart, seconded by Keith Kruse, to adjourn at 8:20 p.m. All those present voted aye. Meeting adjourned.

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Debra Johnson - Secretary

Chairperson Colleen Anderson called the meeting to order at 7:00 p.m.

On Roll Call: Colleen Anderson, Robert White, Debra Johnson, Keith Kruse and Bonny Swart. Rita Smith and L.R. Petersen absent.

It was moved by Bonny Swart, seconded by Robert White, to approve the minutes of meeting number 210 on September 17, 2001. All those present voted aye. Motion carried.

The time having arrived for the public hearing on petition number 31-01 of Paul Sieh, 101 West 18<sup>th</sup> Street, Spencer, IA 51301 for a special use permit for an expansion of existing gravel operation in the Northwest ¼, Southeast ¼, Section Twenty-four (24), Township Ninety-Six (96) North, Range Thirty-six (36) West, of the 5<sup>th</sup> P.M., Sioux Township, Clay County, Iowa.

The Zoning Administrator explained the application and reported procedures to date. All property owners within 500 feet of the exterior limits of the above-described property were notified and a notice was published in the Daily Reporter on December 12, 2001. No written objections were received. This property is zoned A-1 Agricultural. Sand and gravel pits are permitted in A-1 Agricultural as a special use. This petition meets all the bulk regulations including the soil type of WmB (Wadena Loam), which has a planting suitability of three (3).

Paul Sieh was present to explain his application. Mr. Sieh is the option purchaser of the property. He would continue to farm the above-described property and expand as necessary. Also in attendance were owner of the property, Phyllis Krukow, 3665 280<sup>th</sup> Avenue, Dickens, IA 51333, and Phil Kohrs, her son-in-law.

Following all discussion, it was moved by Robert White, seconded by Bonny Swart to recommend to the Board of Adjustment that the special use application of Paul Sieh, 101 West 18<sup>th</sup> Street, Spencer, IA 51301 for an expansion of existing gravel operation in the Northwest ¼, Southeast ¼, Section Twenty-four (24), Township Ninety-Six (96) North, Range Thirty-six (36) West, of the 5<sup>th</sup> P.M., Sioux Township, Clay County, Iowa, be approved.

The time having arrived for the public hearing on petition number 32-01 of the City of Spencer, 418 2<sup>nd</sup> Avenue West, Spencer, Iowa, for a change in zoning from A-1 Agricultural classification to I-1 Light Industrial and for a special use permit to use the property for the repair and servicing of aircraft, the assembly and repackaging of previously produced products and their wholesale distribution in the Northeast ¼ of Section Three (3), Township Ninety-six (96) North, Range Thirty-seven (37) West, of the 5<sup>th</sup> P.M., Riverton Township, Clay County, Iowa.

The Zoning Administrator explained the application and reported procedures to date. All property owners within 500 feet of the exterior limits of the above-described property were notified and a notice was published in the Daily Reporter on December 12, 2001. The following written comment was received and read.

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December 14, 2001

Dear Tammy,

As per our conversation here are some of the things I feel should be considered before changing the airport zoning from Agriculture to Light Industrial. I feel these topics relating to safety should be expressed to the Federal Aviation Administration (FAA) in the form of a specific plan for their awareness and approval. Failure to do so could result in anything from a simple reprimand to fines and possible legal action taken against parties involved if the FAA was not informed and an accident were to occur between ground vehicle and an aircraft. A specific plan detailing the movement of ground vehicles on the airport ramp area submitted and approved by the FAA would greatly enhance the safety of ground movement at the airport.

For ground vehicles making deliveries I would suggest that they get off loaded in the parking area with material handling equipment or enter the airport ramp area using the gate adjacent the South facing hangers.

If trucks are allowed on the ramp area they should be escorted by a ground guide at all times and be limited to the area immediately in front of the hanger complex. Signage of Ramp procedures should be posted at the gate area to inform the truck drivers.

To further enhance safety the airport manager should publish a Notice to Airman (NotamD) cautioning pilots that there are ground vehicle operations around the hanger complex. (The notice is published Nationwide so that pilots planning to fly into Spencer will be aware and alert for traffic vehicle traffic).

I feel that with these procedures in place that industries would be able to coexist with airport operations and that the safety of both ground vehicles and aircraft would be greatly enhanced.

Sincerely,

Bob Peterson

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Kirby Schmidt, City of Spencer, 418 2<sup>nd</sup> Avenue West, Spencer, Iowa, was present to explain the application. Mr. Schmidt offered documentation and commentary to the members of the Clay County Zoning Commission to aid them in their deliberations regarding the City of Spencer's request to rezone the Northeast quarter of Section 3 in Riverton Township from A-1 Agricultural to I-1 Light Industrial. Also in attendance was Leon Rhodus, Spencer Municipal Utilities. The issue of the threat to the public water supply of the City of Spencer if this area was allowed to be developed commercially or industrially was discussed extensively. Currently there are four city wells in Section 3 and three wells located in Section 2, directly east of the tract under consideration. These are shallow wells and are by nature more likely to be affected by surface contamination. In late 1998 a task force was created to undertake the creation of a wellhead protection ordinance. Various entities throughout the community were invited to attend these meetings for their input. As a result, the City Council approved the ordinance in August of 1999. Kirby Schmidt indicated it has always been the desire of the City council and Airport Board of Trustees that the groundwater in this area is protected. To that end, the City would only lease space to those individuals and companies that will not only abide to the County Zoning Ordinance, but also the City's Wellhead Protection Ordinance until such time as the county passes an ordinance that is as restrictive.

It was moved by Keith Kruse seconded by Bonny Swart to recommend to the Board of Supervisors that the petition number 32-01 of the City of Spencer, 418 2<sup>nd</sup> Avenue West, Spencer, Iowa, for a change in zoning from A-1 Agricultural classification to I-1 Light Industrial and for a special use permit to use the property for the repair and servicing of aircraft, the assembly and repackaging of previously produced products and their wholesale distribution in the Northeast ¼ of Section Three (3), Township Ninety-six (96) North, Range Thirty-seven (37) West, of the 5<sup>th</sup> P.M., Riverton Township, Clay County, Iowa be approved. Discussion

followed. It was moved by Bonny Swart and seconded by Robert White to amend the main motion by adding subject to the City only leasing space to those individuals and companies that will not only abide to the County Zoning Ordinance, but also the City's Wellhead Protection Ordinance. Following discussion all those present voted aye in favor of the amendment. Motion carried. There being no further debate on the main motion all those present voted aye. Motion carried.

The next item of business was an informal presentation regarding a possible subdivision in the SW ¼, Section 8, Riverton Township. Irl (Pat) Carper is the property owner. Mr. Carper intends to create a subdivision of five (5) lots with approximately 200' of frontage and 700' deep. Mr. Carper had requested feedback of items that may be of concern to the Zoning Commission. The Board has some concerns regarding a subdivision in the above-mentioned area including driveways off the blacktop, high water table and public hunting ground adjacent to the property.

Tom Neil, Department of Natural Resources, was present to discuss the DNR's position on subdivisions next to public hunting areas. According to Mr. Neil the Department of Natural Resources cannot legally prevent a subdivision from being built next to a public hunting ground, however, they are not in favor of it because of obvious safety issues. Hunting areas interfere with the legitimate use of a home and a home interferes with the legitimate use of the hunting area. It is state law that you cannot shoot within 200 yards of an occupied home.

Due to time constraints the review of the special use ordinance and sign ordinance were tabled to the next meeting.

There being no further business, it was moved by Robert White, seconded by Bonny Swart, to adjourn at 8:10 p.m. All those present voted aye. Meeting adjourned.

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Debra Johnson - Secretary