

# Staff Report

## Story County Planning and Zoning Commission

**Date of Meeting:**  
August 6, 2012

REZ02-12: Carson Zoning Map Amendment Request

**APPLICANT:** Lance Carson

**STAFF PROJECT MANAGER:** Ryan Newstrom, County Planner





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## Property Information

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**PROPERTY OWNER**

Lance Carson

**GENERAL PROPERTY LOCATION**

Part of the Southwest Quarter of the Southeast Quarter of Section 24, Palestine Township  
615 E. 1st Street, Huxley.

**PARCEL IDENTIFICATION NUMBERS**

13-24-400-305

**SIZE OF AREA**

9.76 Acres

**CURRENT ZONING**

R-1 Residential

**PROPOSED ZONING**

A-R Agricultural Residential

**CURRENT LAND USE**

The site is assessed as a residential use as it contains a single-family dwelling.

**LAND USE FRAMEWORK MAP DESIGNATION**

The subject property is designated as "CPA Tier Three" on the County Development Plan

**CITIES WITHIN TWO MILES**

Huxley

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## Background

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**Description of Proposed Amendment**

The proposed amendment request is to amend the property from the R-1 Residential to the A-R, Agricultural-Residential Zoning District. This will also the current use of the property to remain as well as support the use of the property for two horses.



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## Analysis

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According to Section 15.20.B of the Story County Land Development Regulations, Standards for Approval, all Petitions to Rezone shall satisfy the following standards for such requested action to be approved:

***The proposed rezoning shall conform to the Story County Development Plan.***

**Analysis:**

The subject property is designated as Cooperative Planning Area, Tier Three on the County Development Plan. In CPA Tier Three, proposals are given high preference based on the land being within ¼ of a mile from a city. This parcel is adjacent to the city limits of the City of Huxley. Further, the proposal is to rezone the land to a lower intensity (R-1 Residential to A-R Agricultural-Residential). Either zone is consistent the County Development Plan designation.

***The proposed rezoning shall conform to the Statement of Intent for the proposed district and district requirements.***

**Analysis:**

The proposal is to rezone the land to accommodate horses on the property. This conforms to the Statement of Intent for the Agricultural-Residential district which is “designed to provide for low density, single-family detached dwellings with limited activities interrelated with agricultural uses.” Additionally, horse stables are an explicitly stated permitted use in the A-R Agricultural Residential Zoning District.

***The proposed rezoning shall be compatible with surrounding land uses and development patterns.***

**Analysis:**

This triangular-shaped parcel is surrounded on two sides by agricultural crop-land and one side by a residential subdivision within the City of Huxley. The proposed purpose of the rezoning is to allow two horses on the property for personal use by the property owner. This would seemingly provide a transition between the residential area to the south and the agricultural uses to the west and north.

***The proposed rezoning shall protect environmental resources. Rezoning of parcels containing more than fifty (50) percent of the gross acreage as lands identified with areas designated Natural Resource Areas on the Story County Development Plan shall not be approved unless such requested action results in a district designation more restrictive than the current designation, the R-C Residential Conservation Design (Overlay) District is applied to the property, or conditions protecting the identified areas are attached to the rezoning request. (Ordinance No. 184)***

**Analysis:**

There are no Natural Resource Areas on the property. The addition of a couple of horses on the property would not seem to place an undue burden on the environmental resources of the subject property or surrounding properties. The applicant has stated that he intends to plant trees throughout the property to protect the animals that would also help prevent runoff from the property to surrounding areas. Further, Story County Conservation has voiced no concerns with the proposal.



*In areas where the Petition to Rezone requests a change from A-1, District or A-2 District to another district, lands scoring 173 or above for SA and 267 or above for total LESA score, as determined by a Land Evaluation Site Assessment (LESA) as adopted for Story County, shall not be approved.*

**Analysis:**

This criterion is not applicable.

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## Commentary

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The following comments are part of the official record of the proposed Carson Zoning Map Amendment, Case No. REZ02-12. If the Commission finds it necessary, conditions of approval may be formulated based off these comments.

**Comments from the Interagency Review Team**

The proposal underwent the usual Interagency Review. No comments or concerns from any department were provided.

**Floodplain Management Program Comments**

The property is not located in a Special Flood Hazard Area as defined by FEMA.

**Comments from the General Public**

Legal Notices were published in the Ames Tribune, Nevada Journal, and Tri-County Times on July 26, regarding the subject hearing on the request. Notification letters were mailed to surrounding property owners on July 25, regarding the subject hearing on the request. No public commentary was received or recorded at the time this report was published.

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## Conditions of Approval

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**Section 15.20: Procedure for Amending the Official Zoning Map**

D. As a part of an ordinance authorizing an amendment, supplement or change in a district, or from one district to another district, the Board of Supervisors may impose conditions on a property owner, heirs and assigns, which are in addition to existing regulations if the additional conditions have been agreed to in writing by the property owner before the required public hearing or any adjournment of the hearing regarding the third consideration of the application. (Ordinance No. 184)

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## Alternatives

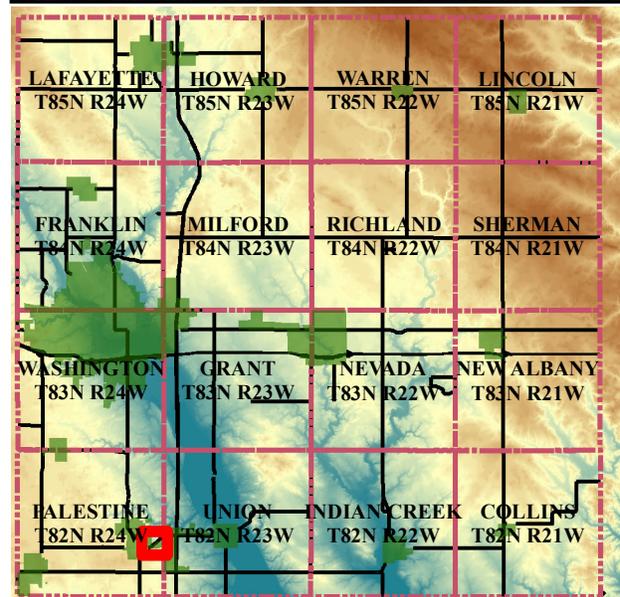
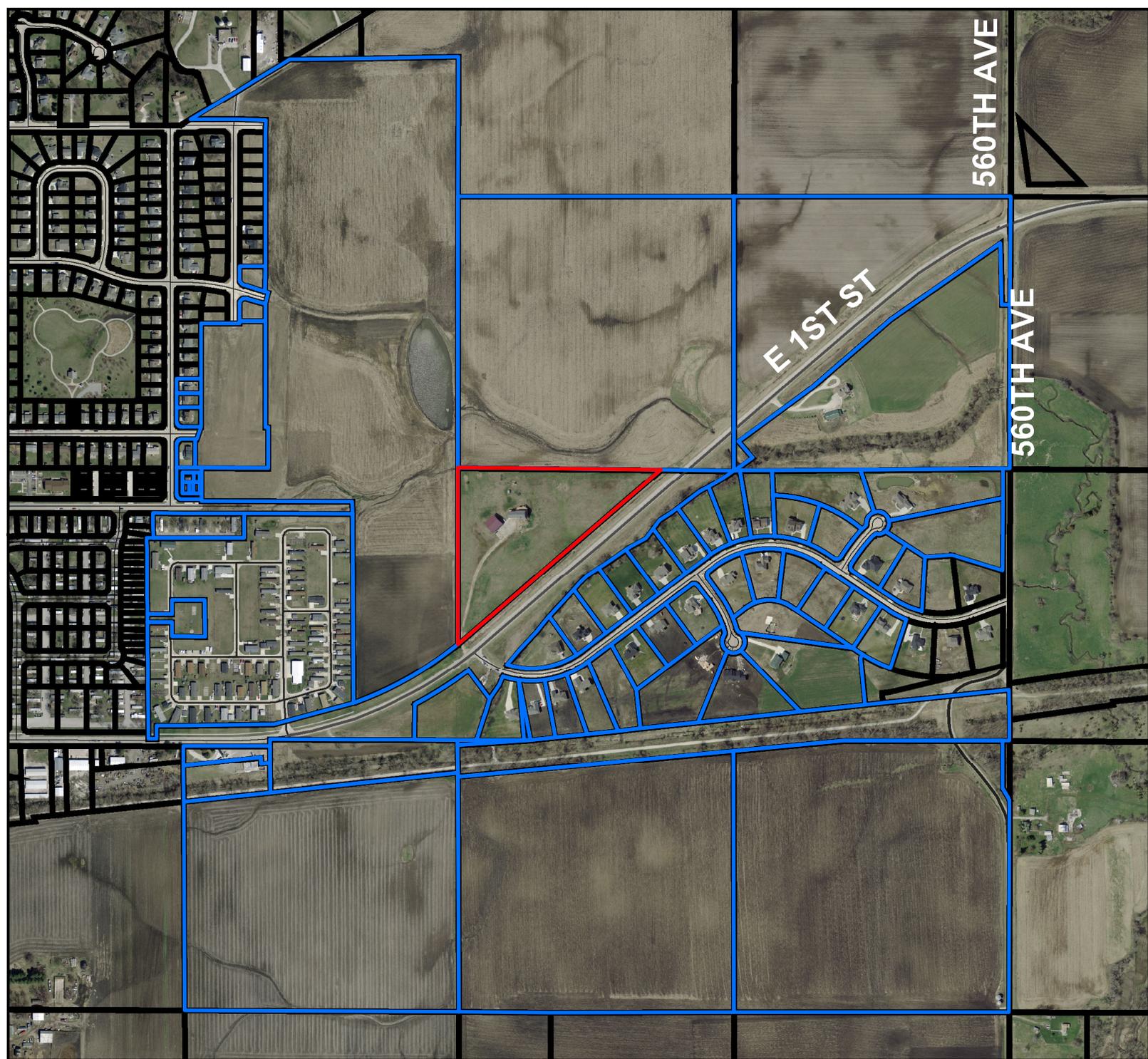
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The Story County Planning and Zoning Commission may consider four alternatives. These alternatives are:

1. The Story County Planning and Zoning Commission recommends approval of the Official Zoning Map Amendment, as put forth in case REZ02-12, to the Story County Board of Supervisors, and directs staff to follow Story County Ordinance Number 1 when scheduling first, second, and third considerations by the Board of Supervisors and place on the schedule for the Board for September 4, 2012.



2. The Story County Planning and Zoning Commission recommends conditional approval of the Official Zoning Map Amendment, as put forth in case REZ02-12, to the Story County Board of Supervisors, directs staff to follow Story County Ordinance Number 1 when scheduling first, second, and third considerations by the Board of Supervisors and place on the schedule for the Board for September 4, 2012.
3. The Story County Planning and Zoning Commission recommends denial of the Official Zoning Map Amendment, as put forth in case REZ02-12, to the Story County Board of Supervisors, directs staff to follow Story County Ordinance Number 1 when scheduling first, second, and third considerations by the Board of Supervisors and place on the schedule for the Board for September 4, 2012.
4. The Story County Planning and Zoning Commission tables the Official Zoning Map Amendment, as put forth in case REZ02-12, back to the applicant and/or staff for further review and/or modifications, furthermore requiring that seventeen (17) copies of any new item to be reviewed be submitted no less than twenty-one (21) days before the desired Planning and Zoning Commission meeting.



**REZ02-12  
Carson Rezoning Request**



Map created on  
7/25/2012  
by the  
Story County  
Planning and Development  
Department.



**Legend**

- Subject Property
- Surrounding Properties



**DISCLAIMER:**  
Story County's digital cadastral data is a representation of recorded plats and surveys for use within the Geographical Information System for the purpose of data access and analysis. These and other digital data do not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership or use.

REZ02-12

# FORM D - Development Application



**Type of Request** Please indicate the type of application(s) submitted by checking the box preceding the appropriate request.

### BOARD OF ADJUSTMENT

- Appeal of Director's Decision
- Conditional Use Permit
- Conditional Use Permit Modification
- Floodplain Variance
- Variance

### BOARD OF SUPERVISORS

- Agricultural Subdivision Plat
- CDP Amendment
- LDR Text Amendment
- Major Subdivision—Preliminary and Final
- Minor Subdivision
- Official Zoning Map Amendment
- R-C Overlay District Initial
- Right-of-Way (ROW) Vacation
- RMH Site Development Plan
- Road Renaming
- Waiver Request
- Zoning Permit—Commercial and Industrial

### ADMINISTRATIVE (STAFF)

- Agricultural Exemption\*
- Conditional Use Permit Modification
- E911 Address
- Floodplain Permit\*
- Home Business Permit\*
- Property Research
- Sign Permit Application
- Zoning Permit—Non-commercial

\*See Form E on reverse.

GENERAL INFORMATION TO BE COMPLETED

E911 Address: 615 E 1<sup>ST</sup> ST Parcel Number (PIN): 13-24-400-305

Type of Structure/Use: \_\_\_\_\_ Dimensions: \_\_\_\_\_ Height: \_\_\_\_\_

Applicant/Property Owner: Carson (Last Name) Lance (First Name)

615 E 1ST ST (Address) Huxley (City) IA (State) 50124 (Zip)

515-231-6550 (Phone) 41carson@gmail.com (Email)

Contractor Information: \_\_\_\_\_ (Last Name) \_\_\_\_\_ (First Name)

\_\_\_\_\_  
(Address) (City) (State) (Zip)

\_\_\_\_\_  
(Phone) (Email)

## SITE PLAN REQUIREMENTS

Applicants must SUBMIT A SITE PLAN for the following types of applications: Zoning Permits, Floodplain Permits, E911 Address, Agricultural Exemption Request, and Sign Permits showing the following:

**SETBACK DISTANCES FROM ALL EXISTING AND PROPOSED STRUCTURES (INCLUDING SIGNS) MUST BE SHOWN, MEASURED AT A RIGHT ANGLE FROM LOT LINES.**

- |   |  |
|---|--|
| Indicate the front of the principal building.   | Dimensions of all lot lines.   |
| Location and size of existing and proposed signs (if permitted).                            | All roads and private lanes abutting the property.   |
| Location, size, height and use of all existing and proposed buildings                       | Landscaping: location, type and size of plant materials  |
| Parking lots, driveways and loading areas: signage/markings, parking stalls including total | Wells/waste treatment systems: location and type.  |
| Any other information determined need by Planning and Development staff.                    | Drainage patterns: method/area for disposal of surface runoff with calculations of design. Identify erosion and siltation control. |
|   | Outside lighting: location, height and type of existing and proposed.  |

For SIGN PERMITS, please include a SKETCH/DRAWING for the sign(s) demonstrating proposed sign and support structure; location, dimensions and height of all existing external signs on the structure. (if applicable); dimensions of and location on the surface to which the sign will be attached.

**CERTIFICATION** I/we certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owners\*\* of the property. Pursuant to said authority, I hereby permit County officials to enter upon the property for the purpose of inspection, and, if necessary, for posting a public notice on the property.

SIGNATURE [Signature] DATE 6-20-12

\*\*If signature is not the owner of the property, a written statement from the owner of record stating the applicant signing this form may act on his/her behalf must be submitted.

# Carson Rezoning

615 E. 1<sup>st</sup> ST.

Property ID 13-24-400-305

Huxley, IA 50124

Story County

The following information is to support my request for re\*classification of the above mentioned property/parcel from residential to residential-agricultural.

The intent of this request for re-classification is to obtain and place horses on the property for the sole purpose of recreation and entertainment of the homeowners and their family. This is only after proper fencing and facilities are completed. This re-classification will not cause any disruption in the surrounding properties or occupants. The objective is to maintain continuity of and conformity to surrounding properties, which are agricultural.

In addition, re-classification to residential-agricultural zoning will also maintain the integrity of the property as one parcel, single-home owner, and prevent any subdividing in the event of a sale of the property. All adjacent properties to this parcel of land are classified as agriculture and are currently crops.

Immediately connected properties are not residential, therefore there will be no resultant disruption in the state of attached properties would occur and would have no impact or negative consequences to the property.

Currently the entire parcel is fenced with 6ft chain link fence. Additional fencing would be installed to properly contain any horses or animals that will be placed on the property

Only a portion, approximately one third, of property is planned to be utilized for purpose of space for animal use, with intention of maintaining integrity of remaining property.

Proper fencing will be intact prior to the purchase and presence of any animal  
No unsafe animal will occupy the property, no undue alarm or harm to person who would approach any animal that may occupy the property

Request for re-classification, will not cause any disruption to the soil and will not interfere with drainage or normal runoff which occurs. Furthermore, for the purpose of protection for animals, trees will be planted on the parcel, thus contributing to the environment and the appearance of the property.

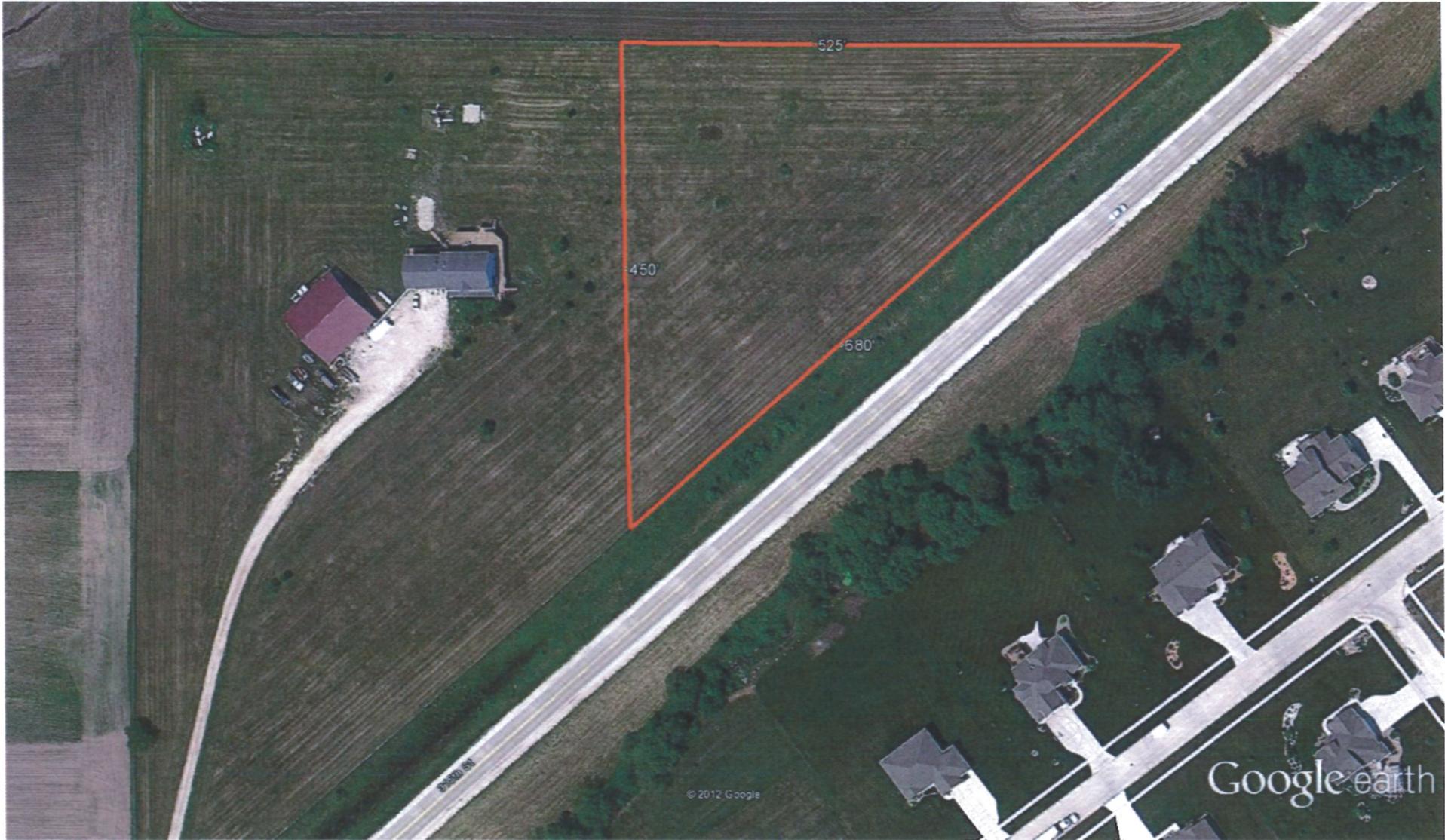
The available space will provide for adequate grazing without destroying the land or environment; proper facilities, including water and electric, will be available to the proposed section of the property for the animals.

At this time the property does not contain any livestock/animals due to the current classification of the property as residential. In reading the legal descriptions of land classification, property zoned as residential does not allow for the presence of animals/livestock and therefore this request to re-classify

this parcel is not to maintain the presence of animals/livestock but to be able to obtain and house animals/livestock.

The previous owner had the property rezoned for the purpose of sub-dividing; this is not an option or feasible do to the nature of the property being a triangle and is not the intent or desire of myself, the current owner of the property.

This request is for the purpose of recreation, potential addition of horses, privately owned by occupants of the property, and not for purpose of boarding other people's horses.



Google earth

feet  
meters

