

**STORY COUNTY
PLANNING AND ZONING**
STORY COUNTY ADMINISTRATION
900 6TH STREET
NEVADA, IOWA 50201-2087

515-382-7245

**MINUTES
STORY COUNTY
BOARD OF ADJUSTMENT**

DATE: February 5, 2014	David Miller, Chair	2015
	Stephen McGill, Vice Chair	2012
CALL TO ORDER: 6:00 p.m.	Victoria Feilmeyer	2014
PLACE: Public Meeting Room, 2 nd Floor	Lynn Scarlett	2013
Administration Building	Vacant	2016
	(*) Absent	

ADJOURNMENT: 6:54 PM

PUBLIC PRESENT: Jose Leanos, Michelle Gallantine, Qian Wang

STAFF PRESENT: Leanne Harter, Planning and Development Director; Ryan Newstrom, Planner; Kristin Cook, Recording Secretary

APPROVAL OF AGENDA (MCU)

APPROVAL OF MINUTES (MCU)

December 4, 2013

PUBLIC COMMENTS: Opened 6:03 p.m. – Closed 6:03 p.m.

NONE

OLD BUSINESS:

None

NEW BUSINESS:

7. I CUP09-13 ROLLING HILLS CONDITIONAL USE PERMIT

Applicant: Jose Leanos

Nature of Request: Conditional Use Permit to allow campsites on lots 4, 5, 6 and 7 in the RMH zoning district.

Staff Member: Ryan Newstrom

Parcel Number(s): 1522150105, 1522125103

STAFF PRESENTATION:

Mr. Ryan Newstrom reviewed the proposed nature of the Conditional Use Permit request. Mr. Newstrom reviewed the Standards for Approval relative to conditional use permits and the application's adherence to said standards. Mr. Newstrom discussed surrounding land uses and future land use designation. Mr. Newstrom reviewed supplemental criteria regarding Commercial Campgrounds and Travel Trailer Parks.

Mr. Newstrom cited all pertinent Inter-agency comments made by affected County Departments.

Mr. Newstrom reviewed notifications in regards to the Board of Adjustment meeting.

Mr. Newstrom outlined the Commission recommendation.

On Monday, January 6, 2014, the Story County Planning and Zoning Commission recommended the following to the Board of Adjustment:

MOTION: The Story County Planning and Zoning Commission recommend conditional approval of the Conditional Use Permit, as put forth in case CUP09-13, to the Story County Board of Adjustment, and directs staff to place the case on the February 4, 2014 Board of Adjustment agenda. (MCU)

CONDITIONS:

- 1) E-911 addresses shall be obtained for each lot prior to the issuance of the Conditional Use Permit.***
- 2) Conditional Use Permit shall expire a maximum of 2 years from the Board of Supervisors' approval date.***

Mr. Newstrom reviewed staff recommended Conditions of approval:

- A. *Before being presented to the Board of Adjustment, an application for a Conditional Use Permit shall be referred to the Planning and Zoning Commission for recommendation. When presented to the Commission, the application shall be accompanied by a report from the planning staff setting forth findings concerning the application's conformance to this Chapter, and any recommendations for requirements or conditions to be imposed on the proposed development by the Board of Adjustment.*

Conditions:

- 1. Limit the number of lots to the four existing lots on the mobile home park (lots 4, 5, 6, and 7). Additional lots may be added through a modification when adequate access drives and screening plans are provided to the vacant area to the north of the mobile home park.*

****** After the Commission meeting it came to the attention of staff that E911 address markers are not required for individual camping areas therefore staff recommends removing the following condition.

- 1. E-911 addresses shall be obtained for each lot prior to the issuance of the Conditional Use Permit.*

Mr. Newstrom presented the Board with four (4) alternatives:

1. The Story County Board of Adjustment approves the conditional use permit request, as put forth in case CUP09-13.
2. The Story County Board of Adjustment approves the conditional use permit request, as put forth in case CUP09-13, with conditions.
3. The Story County Board of Adjustment denies the conditional use permit request, as put forth in case CUP09-13.
4. The Story County Board of Adjustment remands the conditional use permit request, as put forth in case CUP09-13, back to the applicant for additional information and further consideration.

BOARD COMMENTS:

Mr. David Miller asked for clarification regarding the location of the lots and the staff recommended condition. Mr. Newstrom indicated the applicable lots via site map and explained reasoning for the recommended buffer.

Access to the campground was discussed.

Ms. Lynn Scarlett asked whether an additional noise buffer should be recommended to the south. Mr. Newstrom stated that an additional buffer is not required.

Conditions of approval were discussed.

APPLICANT COMMENTS:

Michelle Gallentine

Ms. Gallentine asked for questions from the Board. Ms. Gallentine stated that the northern portion would be used for a walking path and possibly a gazebo or picnic tables.

Ms. Victoria Feilmeyer asked for clarification regarding the number of lots. Ms. Gallentine explained that four lots would be used for eight campsites only.

PUBLIC COMMENTS:

None

FINDINGS OF FACT

MOTION: Move to adopt the Findings of Fact in the Staff Report prepared for and presented to the Story County Zoning Board of Adjustment.

VOTE: (Feilmeyer/Scarlett) (4-0)

Motion: Feilmeyer

Second: Scarlett

Voting Aye: Miller, Scarlett, McGill, Feilmeyer

Voting Nay: None

Not Voting: None

Absent: None

DECISION

MOTION: Move to adopt the Decision regarding the development criteria in the Staff Report, prepared for and presented to the Story County Zoning Board of Adjustment.

VOTE: (McGill/Scarlett) (4-0)

Motion: McGill

Second: Scarlett

Voting Aye: Feilmeyer, Scarlett, McGill, Miller

Voting Nay: None

Not Voting: None

Absent: None

ORDER

MOTION: Move to approve the Conditional Use Permit as proposed by the applicant in Case No. CUP09-13, as discussed by the Zoning Board of Adjustment and in the Staff Report prepared for and presented to the Story County Zoning

Board of Adjustment finding that all applicable standards of approval will be satisfied upon the conditions listed below.

- 1. Limit the number of camping sites to be eight sites to the four existing lots on the mobile home park (lots 4, 5, 6, and 7). Additional lots may be added through a modification when adequate access drives and screening plans are provided to the vacant area to the north of the mobile home park.***

VOTE: (McGill/Scarlett) (4-0)

Motion: McGill

Second: Scarlett

Voting Aye: Scarlett, Feilmeyer, McGill, Miller

Voting Nay: None

Not Voting: None

Absent: None

WHEREFORE, it is ordered that the application for a Conditional Use Permit (Case Number CUP09-13) Jose Leanos, 603 SW Kenyon St, Des Moines, IA 50315, for the property located in the Northeast Quarter of the Northwest Quarter of Section 2, T82N, R22W (Indian Creek Township), 31100 653rd Ave (Parcel Identification Number 15-22-150-105, 15-22-125-103), for a Conditional Use Permit for an Commercial Campground in addition to the existing Rolling Hills Mobile Home Park, in the RMH, Residential Manufactured Housing Zoning District, is hereby approved as evidenced by the Board's findings that all standards of approval will be met upon the conditions listed below.

1. Limit the number of camping sites to be eight sites on the four existing lots on the mobile home park (lots 4, 5, 6, and 7). Additional lots may be added through a modification when adequate access drives and screening plans are provided to the vacant area to the north of the mobile home park.

OTHER BUSINESS:

CUP03-12 CHAMNESS TECHNOLOGIES; CONDITIONAL USE PERMIT ANNUAL REVIEW

Applicant: Chamness Technologies

Approved Nature of Request: Conditional Use Permit for a yard and wood waste disposal site within the A-1, Agricultural district

Staff Member: Ryan Newstrom

Parcel Number(s): 0928200225

STAFF PRESENTATION:

Mr. Newstrom gave an overview of the current Conditional Use Permit as well as all approved conditions. Mr. Newstrom stated that all applicable conditions have been met.

Mr. Newstrom provided three alternatives for the Board of Adjustment to consider:

- 1. Accept the annual report for CUP03-12 and direct staff to schedule a 2014 annual review with the applicant.*
- 2. Direct staff to discontinue annual reviews for CUP03-12 and recommend this Conditional Use Permit be part of Code Enforcement periodic evaluations. Code Enforcement will then report back to the Board of Adjustment on any reported violations of the Conditional Use Permit.*
- 3. Other alternatives as proposed by the Board of Adjustment.*

BOARD COMMENTS:

Mr. Miller stated he is in support of alternative #2 and cited reasons for such.

APPLICANT COMMENTS:

Mr. Qian Wang

Mr. Wang gave an overview of the first Free Day on site.

PUBLIC COMMENTS:

FINDINGS OF FACT

MOTION: Direct staff to discontinue annual reviews for CUP03-12 and recommend this Conditional Use Permit be part of Code Enforcement periodic evaluations. Code Enforcement will then report back to the Board of Adjustment on any reported violations of the Conditional Use Permit.

VOTE: (McGill/Scarlett) (4-0)

Motion: McGill

Second: Scarlett

Voting Aye: Miller, Scarlett, McGill, Feilmeyer

Voting Nay: None

Not Voting: None

Absent: None

Discussion of CUP submittals was discussed. Board members decided to discontinue annual submittals from the applicant from this date forward.

CUP09-07 BLACK'S HERITAGE FARM; CONDITIONAL USE PERMIT ANNUAL REVIEW

Applicant: Norine Black

Approved Nature of Request: Conditional Use Permit to expand a current retail farm operation by growing more crops and more varieties of crops, extending the length of the growing season by building high tunnels and building a commercial kitchen to process fruits and vegetables.

Staff Member: Ryan Newstrom

Parcel Number(s): 0933200320, 0933400400, 0933400300, 0927100105, 0927100150, 0928200225, 0933400200, 0933400105, 0927300405, 0927300100, 0927300220

STAFF PRESENTATION:

Mr. Newstrom gave an overview of the current Conditional Use Permit as well as all approved conditions. Mr. Newstrom stated that all applicable conditions have been met.

Mr. Newstrom cited additional additions to said Conditional Use Permit including adaptive reuse of existing buildings for overnight stays, kitchen, and commercial campgrounds.

The Board of Adjustment may consider the following alternatives:

1. Accept the annual report for CUP 09-07 and direct staff to schedule a 2014 annual review with the applicant.
2. Direct staff to discontinue annual reviews for CUP09-07 and recommend this Conditional Use Permit be part of Code Enforcement periodic evaluations. Code Enforcement will then report back to the Board of Adjustment on any reported violations of the Conditional Use Permit.
3. Other alternatives as proposed by the Board of Adjustment.

BOARD COMMENTS:

Mr. Miller stated he feels an annual review is needed.

APPLICANT COMMENTS:

None

PUBLIC COMMENTS:

None

FINDINGS OF FACT

MOTION: Accept the annual report for CUP 09-07 and direct staff to schedule a 2014 annual review with the applicant.

VOTE: (McGill/Feilmeyer) (4-0)

Motion: McGill

Second: Feilmeyer

Voting Aye: Miller, Scarlett, McGill, Feilmeyer

Voting Nay: None

Not Voting: None

Absent: None

STAFF COMMENTS:

None

BOARD COMMENTS:

None

ADJOURNMENT: 6:54 PM

Approval of Minutes

Title and Date