

**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: August 14, 2014	*David Miller, Chair	2015
	Stephen McGill, Vice Chair	2017
CALL TO ORDER: 6:00 p.m.	Victoria Feilmeyer	2014
PLACE: Public Meeting Room, 2 nd Floor Administration Building	Lynn Scarlett	2018
	Vacant	2016
	(* Absent	

ADJOURNMENT: 6:6 PM

PUBLIC PRESENT: David Fincham, Ardis Fincham, Al Brooks, David R.

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

APPROVAL OF AGENDA (MCU)

APPROVAL OF MINUTES (MCU)

August 14, 2014

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

None

HEARING ITEMS:

CUP09-14 IOWA STATE UNIVERSITY CONDITIONAL USE PERMIT

Applicant: Al Brooks

Nature of Request: Conditional Use Permit to construct a Commercial Wind Energy Conversion System (C-WECS)

Staff Member: Ryan Newstrom

Parcel Number: 0301300400

STAFF PRESENTATION:

Mr. Ryan Newstrom reviewed the proposed Conditional Use Permit as submitted. Mr. Newstrom reviewed the proposed location and current zoning.

Mr. Newstrom reviewed the standards of approval, dates legal notifications were published, and dates surrounding property owners were notified via USPS mailing.

Mr. Newstrom reviewed the Planning and Zoning Commission motion as follows:

Motion: The Story County Planning and Zoning Commission recommend conditional approval of the Conditional Use Permit, as put forth in case CUP09-14, to the Story County Board of Adjustment and directs staff to place the case on the November 5, 2014 Board of Adjustment agenda. (MCU)

Conditions: All vehicular parking associated with the construction, operation, or maintenance of the C-WECS shall take place on site and shall not at any time take place in the public right-of-way.

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

1. The Story County Board of Adjustment approves the Conditional Use Permit as put forth in case CUP09-14.
2. The Story County Board of Adjustment approves the Conditional Use Permit as put forth in case CUP09-14 with conditions.
3. The Story County Board of Adjustment denies the Conditional Use Permit as put forth in case CUP09-14.
4. The Story County Board of Adjustment tables the Conditional Use Permit as put forth in case CUP09-14, back to the applicant for further review and/or modifications.

BOARD COMMENTS:

None

APPLICANT 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) (3-0)

Motion: Feilmeyer

Second: Scarlett

Voting Aye: McGill, Scarlett, Feilmeyer

Voting Nay: None

Not Voting: None

Absent: Miller

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: (Feilmeyer/Scarlett) (3-0)

Motion: Feilmeyer

Second: Scarlett

Voting Aye: Feilmeyer, McGill, Scarlett

Voting Nay: None

Not Voting: None

Absent: Miller

ORDER

MOTION: Move to approve the Conditional Use Permit as proposed by the applicant in Case No. CUP09-14, 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.

CONDITIONS:

1. All vehicular parking associated with the construction, operation, or maintenance of the C-WECS shall take place on site and shall not at any time take place in the public right-of-way.

VOTE: (Scarlett/Feilmeyer) (3-0)

Motion: Scarlett
Second: Feilmeyer
Voting Aye: Scarlett, Feilmeyer, McGill
Voting Nay: None
Not Voting: None
Absent: Miller

WHEREFORE, it is ordered that the application for a Conditional Use Permit (Case Number CUP09-14) Al Brooks, ISU 3616 Administrative Services Building, Ames, Iowa 50011-3616, for the property located in the Southeast Quarter of the Southwest Quarter of Section 1, T85N, R22W (Warren Township), (Parcel Identification Number 03-01-300-400), for a Conditional Use Permit for a C-WECS, in the A-1, Agricultural 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. All vehicular parking associated with the construction, operation, or maintenance of the C-WECS shall take place on site and shall not at any time take place in the public right-of-way.

OTHER BUSINESS:

Adopt Meeting Schedule for Calendar Year 2015

MOTION: Move to adopt the Meeting Schedule for Calendar Year 2015 as presented to the Board of Adjustment. (MCU)

VOTE: (Scarlett/Feilmeyer) (3-0)

Motion: Scarlett
Second: Feilmeyer

Review and Consideration of Changes to Story County Board of Adjustment Rules of Procedure

MOTION: Move to approved changes to the Story County Board of Adjustment Rules of Procedure as presented to the Story County Board of Adjustment. (MCU)

VOTE: (Feilmeyer/Scarlett) (3-0)

Motion: Feilmeyer
Second: Scarlett
Voting Aye: McGill, Scarlett, Feilmeyer
Voting Nay: None
Not Voting: None
Absent: Miller

Election of Officers for Calendar Year 2015

MOTION: Move to appoint David Miller as Chair of the Board of Adjustment for calendar year 2015.

VOTE: (Scarlett/Feilmeyer) (3-0)

Motion: Scarlett
Second: Feilmeyer
Voting Aye: Scarlett, Feilmeyer, McGill
Voting Nay: None
Not Voting: None
Absent: Miller

MOTION: Move to appoint Steve McGill as Vice-Chair for calendar year 2015.

VOTE: (*Feilmeyer/Scarlett*) (3-0)

Motion: Scarlett

Second: Feilmeyer

Voting Aye: Feilmeyer, McGill, Scarlett,

Voting Nay: None

Not Voting: None

Absent: Miller

COMMENTS

STAFF

Insignificant Modifications to CUP's

1. CUP03-13 Optimum Wind 1
2. CUP07-13 Optimum Wind 2
3. CUP08-13 Optimum Wind 3
4. CUP08-14 Verizon Wireless

Mr. Charlie Dissell provided an updated to the noted Conditional Use Permits.

BOARD

None

ADJOURNMENT: 6:26 PM

Approval of Minutes

Title and Date