

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



*"Commitment, Vision, Balance"*

**515-382-7245  
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**MINUTES  
STORY COUNTY  
BOARD OF ADJUSTMENT**

**AN AUDIO RECORDING OF THE FULL MEETING MAY BE FOUND IN THE PLANNING AND DEVELOPMENT DEPARTMENT, OR BY VISITING [WWW.STORYCOUNTYIOWA.GOV](http://WWW.STORYCOUNTYIOWA.GOV)**

<b>DATE:</b> June 15, 2016	Steve McGill, Chair	2017
	*Joanna Anderson	2016
<b>CALL TO ORDER:</b> 4:02 PM	Lynn Scarlett, Vice-Chair	2018
<b>PLACE:</b> Public Meeting Room	*Karen Youngberg	2019
Administration Building	Randy Brekke	2020
	*Absent	

**PUBLIC PRESENT:** Scotty Gerber, Dean Biechler, Lari Mesenbrink, Logan Mesenbrink, Caro Lee Kristinson, Kristin Mesenbrink, Larry Mesenbrink, Marty Kelly, Ron Wat, Jerry Sloan, Ron Pehl, Lori Pehl, Michelle Pehl, Margaret Vance, Scott Vance, Jeff Gibbons, Neil Grant, Paul Ginjte.

**STAFF PRESENT:** Jerry Moore, Director; Emily Zandt, Planner; Amelia Schoeneman Planning Intern; Stephanie Jones, Recording Secretary; Deb Schildroth.

**ROLL CALL:** McGill, Anderson, Scarlett, Youngberg, Brekke

**ABSENT:** Anderson, Youngberg

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**APPROVAL OF AGENDA**

**Motion:** Motion to approve Agenda.

**Motion Carried Unanimously (MCU)**

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**APPROVAL OF MINUTES**

**Motion:** Motion to approve May 18, 2016 Minutes

**Motion:** Scarlett

**Second:** Brekke

**MCU**

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**PUBLIC COMMENTS:**

Opened at 4:04 Closed at 4:04

None

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**HEARING ITEMS:**

**CUP3-16 Biechler Bed and Breakfast**

**Staff Member:** Emily Zandt

Emily Zandt presented the Planning and Development Department staff report for the Conditional Use Permit Application, Biechler Bed and Breakfast. Ms. Zandt provided background information about the proposed bed and breakfast and proposed venue. Board members asked various questions of staff.

**APPLICANT COMMENTS:**

Dean Biechler presented his case to the Board and spoke about the proposed bed and breakfast and proposed event venue. Brekke asked Mr. Biechler if he had any issues with the scaled back version that was approved by the Planning and Zoning Commission. Mr. Biechler explained that he and his wife have no concerns with this version. Mr. Biechler stated that they prefer to keep the proposed bed and breakfast and venue on a small scale.

**PUBLIC COMMENTS:**

McGill opened the public hearing at 4:45.

Larry Mesenbrink agrees that the applicant is doing a good job tending to his farm. He said that he is not opposed to the bed and breakfast, but that he is not in favor of the event venue on the property. Mr. Mesenbrink feels it would have a negative impact on his property.

Scott Vance spoke and stated that he is in favor of the proposed bed and breakfast and proposed event venue. Mr. Vance supports what was approved by the Planning and Zoning Commission.

Jolene Mesenbrink stated that she previously lived in the area for several years and that she is concerned about the traffic issues the proposal would create. She is also concerned about the roads flooding in the area with people going to an event center. She is also concerned about the event center creating a possible risk for drunk driving in the area. She feels this is being misrepresented by the applicant and that the concern should be safety issues.

Mr. Biechler spoke again about agritourism and how it's being promoted in the State. He stated that the proposed bed and breakfast will not provide alcohol. They will use caterers and the caterer would be responsible for any serving of alcohol. Mr. Biechler stated that this will not be like a motel where people are in and out every day.

Margaret Vance spoke in regards to her late grandmother's comments about the home making a wonderful bed and breakfast. Ms. Vance is in favor of the proposed bed and breakfast.

Lane Mesenbrink spoke of his concern with traffic problems that the extra vehicles would create. He doesn't feel that the bed and breakfast and proposed venue is appropriate for the A-1 district. He is also concerned about damages to the greenbelt.

Brekke asked Mr. Mesenbrink if his concern is with the version passed by the Planning and Zoning Commission. Mr. Mesenbrink stated that his main concern is the number of vehicles and how often vehicles would be there.

Mr. Biechler spoke again and stated that if there are customers booked in the bed and breakfast that they would not be booking a venue during the same time period. He believes that the venue will be busy 110 days out of the year. He respects the neighborhood and stated that he does live there too.

Jolene Mesenbrink spoke again and said that she really isn't concerned with the Biechler's plans, but the future plans when his son takes over. Also, she has concerns about whether or not the the guests would respect the area.

Mr. Biechler spoke again and stated that his son that plans to come back to live in the area is planning to farm. There is no interest in making this into a large scaled venue.

Christine Mesenbrink said that her family is not against a bed and breakfast, but that they are not in favor of the events venue. Ms. Mesenbrink said that in the past there had been events at the Biechler's, but that they hadn't complained. She also stated that they hadn't complained because they thought they events for the Biechler's family. She said they were aware that there were things going on in the area.

McGill stated that the Boards decision has to be made in accordance with the law.

McGill closed the public comments at 5:15.

The Board asked further questions of the staff, specifically about the traffic and also busses. Mr. Biechler stated that the issue with the busses would be in the event that people were bringing in a wedding party bus.

McGill allowed Larry Mesenbrink to speak again. Mr. Mesenbrink stated that he is very concerned with busses on the road as it may affect him moving his farm equipment.

The Board asked various questions before beginning deliberations.

**MOTION:** The Story County Board of Adjustment recommends approval of the Conditional Use Permit as put forth in case CUP03-16, with the conditions recommended by the Story County Planning and Zoning Commission.

**Motion: Brekke**

**Second: Scarlett**

**Voting Aye: Scarlett, McGill, Brekke**

**Voting Nay: None**

**Absent: Anderson, Youngberg**

**Vote: (3-0)**

**CUP02-90.4 Martin Marietta**

**Staff Member: Amelia Schoeneman**

Amelia Schoeneman presented the Planning and Development Department staff report for the Conditional Use Permit Application, Martin Marietta.

**APPLICANT COMMENTS:**

Neal Grant presented the case on behalf of Martin Marietta. Mr. Grant stated he feels that the landscaping requirement has already been met. Mr. Grant stated that the vision triangle issue is that the current owner who is farming the area was not aware of the counties easement and had planted the corn where it had always been planted in the past. Mr. Grant stated that the Dayton entrance is not used by customers. There are a few occasions that customers have entered through this entrance, but they would like to continue to allow customers to enter in off Dayton.

**PUBLIC COMMENTS:**

McGill opened the public hearing at at 6:09.

Marty Kelly stated that he has concerns that this will affect his property. He feels that the mine is a nuisance on his property from the noise and dust. He is questioning why Martin Marietta needs so many acres to build the employee building and parking lot. He is curious to know if there have been a lot of accidents on East Riverside Road with customers going in and out. Mr. Kelly stated he isn't against the proposed building or drop, but is concerned about the large number of acres needed for these items.

Jerry Sloan stated that Martin Marietta has a negative impact on his property. He does not object to the employee building and parking lot. He is not in favor of the new burm proposed. Mr. Sloan is against the new anfro drop and is concerned because it would be close to his property. He feels that Martin Marietta does not need such a large area of land to accomplish what they are proposing at this time. He does not feel the applicant should be allowed to use the lane as an employee entrance. It currently has only 1-2 vehicles a day, but an increase to 200 vehicles a day would be a significant increase of traffic going past his property.

Ron Peal stated that he is not in favor of the road being opened up as it would create a lot more traffic near his property. He wonders why they can't tear down their current building and rebuild. He is also concerned about light pollution already being created at night. There is also a lot of noise pollution from blasting, dumping and crushing. He is not in favor of having these activities closer to his property.

Paul Guardian is concerned with noise and light pollution in the County Estates area. He feels that expansion moving the noise pollution closer to his property is negative.

Norm Marty is concerned with traffic issues. He feels that there would be a big increase in accidents.

Jeff Gibbons is concerned with the Dayton access. He feels that there are safety concerns with increased traffic. He agreed with other comments regarding light pollution at night.

Mr Grant spoke again and confirmed that the request is for a new employee building and an afro drop. He stated that the road is a private lane, but it belongs to Martin Marietta.

McGill asked if they were willing to make modifications that the Board would be willing to table this so that the changes could be made. Mr. Grant stated that he would rather not table. He stated that the customers would not be able to use the drive, and that it would be only for employees.

McGill called a 5 minute recess at 7:11.

Meeting was back in order at 7:23.

McGill announced that the item would be tabled. McGill also suggested that as a good neighbor Martin Marietta should be providing dust control.

**MOTION: Moved to table discussion of Martin Marietta CUP02-90.4 until the July 20, 2016 meeting.**

**Motion:** Scarlett

**Second:** Brekke

**Voting Aye:** Brekke, McGill, Scarlett

**Voting Nay:** None

**Not Voting:** None

**Absent:** Anderson, Youngberg

**OTHER BUSINESS:**

Jerry Moore presented the Center Grove Orchard Emergency Plan to the Board.

Scarlett suggested that Center Grove Orchard contact Emergency Management and be placed on the notification list in the event of severe weather.

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**BOARD/STAFF COMMENTS:**

McGill asked if we have any control over a private drive being opened up to employees. Mr. Moore reported that we can make restrictions, even though it is a private drive. There was discussion between the Board and Staff regarding employee and truck traffic. Mr. Moore asked the Board how much information they would like presented next month. McGill stated that it would be best to take it off the table from where we left off. Scarlett asked if we can put a time limit on public comments and Mr. Moore stated that the Chair should mention at the beginning of the meeting that there would be a time limit on comments.

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**MOTION: Motion to adjourn.**

**Motion:** Scarlett

**Second:** Brekke

**MCU**

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**ADJOURNMENT: 7:51**



**Approval of Minutes**



**Title and Date**