



Story County Planning and Development
Administration Building
900 6th Street, Nevada, Iowa 50201

Ph. 515-382-7245 Fax 515-382-7294
www.storycountyiaowa.gov

MEMORANDUM

TO: Story County Board of Adjustment
FROM: Amelia Schoeneman, Planning and Development Director
RE: Written Findings of Fact for CUP08-17 for a Commercial Campground and Travel Trailer Park for 20 permanent cabins and 10 parking spots for RVs
MEETING: June 15, 2022

Background

In December of 2021, the Iowa District Court remanded an appeal of a conditional use permit for a commercial campground and travel trailer park approved by the Board of Adjustment in 2018 back to the Board to adopt written findings of fact relating to the conditional use permit standards for compatibility and roadway congestion as required by section 90.04(1)(A) and section 90.04(2)(C) of the [Story County Code of Ordinances](#). These standards are as follow:

Compatibility. The proposed buildings or use shall be constructed, arranged and operated so as to be compatible with the character of the zoning district and immediate vicinity, and not to interfere with the development and use of adjacent property in accordance with the applicable district regulations. The proposed development shall not be unsightly, obnoxious nor offensive in appearance to abutting or nearby properties.

If the Board of Adjustment concludes that all development criteria will be met by the development, it shall approve the application and plans unless it concludes, based on the information submitted with the official application materials and at the hearing that if completed as proposed there is a strong probability the development will . . . Unduly increase congestion in the roads, or the hazard from fire, flood or similar dangers; or

When originally approved in 2018, written findings of fact were not produced for the conditional use permit. The Board's decision was appealed to court and the court remanded the case, along with another case relating to a bed and breakfast on the same property, back to the Board to produce written findings of fact outlining their rationale and supporting their decision to approve the permits. The Board took action on written findings of fact in September of 2020 for both cases. That action was appealed to court. The court only remanded the case on the commercial campground back to the Board for additional findings. The court found the written findings of fact for the bed and breakfast acceptable.

The original staff report, application, and all written comments received prior to the 2018 hearing, and all other documents provided for that hearing are available on the agenda center for Board's review. The audio from the 2018 hearing is also available in the [Board of Adjustment audio archive](#), dated March 21, 2018, in two parts. The hearing on the conditional use permit begins at the 43 minute, 45 second mark in [part one](#) and continues in [part two](#). The court's decision is also available. Staff has prepared new written findings of fact based on these items that more clearly outline public comments and comments from the applicant and their representatives received at the hearing on the compatibility and traffic



issues that the Board considered in approving the conditional use permit. **The Board of Adjustment is to take action on these findings of fact at the June 15, 2022, meeting.**

PLEASE RECYCLE

