

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



"Commitment, Vision, Balance"

515-382-7245

**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

DATE: December 16, 2020	*Steve McGill, Chair (Zoom)	2022
	Matthew Neubauer, Vice Chair (Zoom)	2021
	Kelli Excell (Zoom)	2023
	Nathan Hovick (Zoom)	2024
	Elara Jondle (Zoom)	2024

CALL TO ORDER: 4:00 PM *Absent
PLACE: Zoom Meeting Originating
From Administration Building

Special Note: Due to recommendations to social distance in order to help slow the spread of the COVID-19 virus, the capacity of our meeting room is significantly limited. Therefore, public access to the meeting will be provided via Zoom.

PUBLIC PRESENT BY CONFERENCE CALL:

STAFF PRESENT: Amelia Schoeneman, Planning and Development Interim Director (Zoom); Marcus Amman, Planner (Zoom); Stephanie Jones, Recording Secretary (Zoom)

ROLL CALL: McGill, Neubauer, Excell, Hovick, Jondle

ABSENT: McGill

APPROVAL OF AGENDA (MCU)

APPROVAL OF MINUTES

Motion by Excell, Second by Jondle to approve the November 18, 2020 minutes. (MCU)

APPROVAL OF WRITTEN FINDINGS OF FACT

VAR03-20 Shircliff

Motion by Excell, Second by Jondle to approve the Findings of Fact. (MCU)

OTHER BUSINESS:

Election of Officers

Motion by Hovick, Second by Jondle for McGill to serve as Chair. (MCU)

Motion by Hovick, Second by Jondle for Neubauer to serve as Vice-Chair. (MCU)

Approval of 2021 Board of Adjustment meeting schedule (MCU)

PUBLIC COMMENTS:

None

HEARINGS:

CUP05-08.1 Single Action Shooting Society

Amelia Schoeneman stated that there is a new law that took away the county's home rule and the Planning and Zoning Commission has the power to enforce shooting ranges. Instead of the Planning and Zoning Commission recommending approval to the Board of Adjustment, they took action to approve the shooting range. The County Attorney recommended that the Board of Adjustment take action as well to issue the Conditional Use Permit.

Marcus Amman presented the staff report and provided a summary stating that the Single Action Shooting Society is proposing a new use to take place at their existing range. The proposed use is for firearms instruction and education provided by Iowa American Rescue (IAR). This request is for the instruction of firearm usage for approximately 10 classes between April and September annually with 12 students per class. Classes would occur over the weekend. To permit the request, the conditions originally placed on the Single Action Shooting Society's conditional use permit are proposed to be modified.

Amman stated that the modification to the existing Conditional Use Permit Application to allow firearm education and training, including modifying 4 existing conditions and adding one new condition.

Amman stated that public notices were mailed to adjacent property owners within ¼ mile of the proposed site on November 23, 2020, and summarized the comments received from the public and from the Planning and Zoning Commission at their December 2, 2020 meeting.

Neubauer asked for clarification about the timeframe that shooting is allowed. Amman stated that educational classes are Saturday and Sunday and that the applicant could further clarify that.

Josh Bennett stated that trainings are on the weekends.

John Dooley stated that he feels a location for training is a good idea and would be helpful for gun owners to obtain safety training. Last summer there were only four shoots and they are usually finished by around 2:00PM. Dooley stated the amount of lead deposited is low compared to a public range.

MOTION: The Story County Board of Adjustment approves the Conditional Use Permit for the Single Action Shooting Society's proposed new use of firearms training to be completed by Iowa American Rescue at the existing gun club, as put forth in case CUP05-08.1, with the following conditions:

- 1. Waive the condition that the CUP shall be reviewed biennially by staff for compliance with the conditions and a report be drafted to the Board of Adjustment.**
- 2. The applicant shall be required to maintain a continuous log of users of the site, requiring registration of time and date entering and exiting the site and the log shall be presented to the Code Enforcement Officer at time of biennial review.**

3. Hours of operation are from March 1 through November 30, Saturday and Sunday only, and shooting is only permitted from 0800 until one half hour prior to sunset as determined by the National Weather Service, with no more than one monthly shoot on a weekday. (Modification)
4. No more than seventy (70) shooters are permitted on site other than a single annual two-day shoot.
5. Continue to maintain the gate, fencing, and signage around the site, as well as the requirement that the gate be kept locked at all times while the range is not in use.
6. A firearms specialist or range safety officer is required to be on-site during the hours of operation.
7. The sale of items by vendors is prohibited on site.
8. A zoning permit is required for the construction of any structures on site.
9. The range is limited to use by members of the S.A.S.S. and/or guests while accompanied by a member of the S.A.S.S., and students and instructors of firearms related training and educational activities as approved by the property owner. (Modification)
10. Waive the condition that only firearms permitted under the rules of the S.A.S.S. shall be used at the range, and the only ammunition permitted to be used shall be low velocity ammunition.
11. All parking is to be contained on the site and outside the right-of-way of 670th Avenue.
12. No mounted shooting is permitted.
13. Any changes to items associated with the Conditional Use Permit when located in the designated floodplain will require the submittal of a Floodplain Development Permit application.
14. All props and items associated with the Conditional Use Permit shall be anchored or an evacuation plan outlining removal of all such items be submitted to the Story County Planning and Zoning Department.
15. The applicant will have the lead mitigation reviewed or inspected every 5 years to determine if mitigation is needed such as for pH, through screening and raking or other removal measures.

Motion by: Hovick

Second by: Excell

Voting Aye: Hovick, Excell, Neubauer, Jondle

Voting Nay: None

Absent: McGill

Vote: (4-0)

BOARD/STAFF COMMENTS:

Staff: Schoeneman provided an update for the Perkins Bed and Breakfast update that after the Findings of Fact were approved the neighbors are seeking judicial review and a declaratory judgment that the Findings of Fact were not sufficient and that the case should have instead have been reheard. The permanent P&D Director should be hired by the end of the year and interviews have been completed for a second intern were completed.

Board: Hovick asked if in person meetings are being considered. Schoeneman stated there is a limited capacity of 10 people that can be present in the boardroom at one time. Additional tables could be set up for the board so spread out, but it has been easier to maintain distance requirements using Zoom, which is also what the Board of Supervisors have been doing.

Currently one member of staff has been sitting in the board room in case a member of the public or a board member wanted to be present.

ADJOURNMENT: 4:29 PM


Approval of Minutes

Chair 3-17-2021
Title and Date