



**STORY COUNTY  
PLANNING AND DEVELOPMENT  
STORY COUNTY ADMINISTRATION  
900 6<sup>TH</sup> 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](http://WWW.STORYCOUNTYIOWA.GOV)**

<b>DATE:</b> March 17, 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:** None

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

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

**ABSENT:** Neubauer, Hovick

**APPROVAL OF AGENDA (MCU)**

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**APPROVAL OF MINUTES**

**Motion by Jondle, Second by Excell to approve the December 16, 2020 minutes. (MCU)**

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**APPROVAL OF WRITTEN FINDINGS OF FACT**

**CUP05-08.1 Single Action Shooting Society**

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

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**PUBLIC COMMENTS:**

None

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**OTHER BUSINESS:**

## Board of Adjustment Rules of Procedure

Amelia Schoeneman stated that she thought it would be helpful to review the rules of procedure yearly as a refresher and provided a brief summary of the most common questions that often come up from board members.

- Appeals – Director's Decisions can be appealed to the Board of Adjustment.
- Variances and CUP's – If the board does not agree with the staff recommendation of findings of fact, the board can amend and adopt its own.
- Exceptions to the terms of the code of ordinances – will talk about the possibility of creating additional exceptions later in the meeting as an alternative to a variance.
- Voting – three members have to vote unanimously in order to pass an item.
- Ex-parte Contacts – If anyone makes contact with a board member about an agenda item they should be directed to contact Planning and Development staff. After staff receives the comments they will then notify the entire board. This ensures that everyone receives the same information so that the outcome of the case is not affected by discussing only with a board member.
- Conflict of Interest – Abstain if the member believes there is a conflict due to a financial nature, family member, or has ties to the outcome. If a member believes there may be a conflict, let staff know ahead of time so that staff can contact County Attorney if necessary to determine if there is a conflict.
- Continuances - McGill asked for clarification for the new members. Schoeneman stated if an item is tabled until the next meeting that typically it would be due to the board requesting additional information about a case.
- Hearings – Should be orderly. Comments should be directed to the board. It's ok to limit the amount of time for comments, as well as asking that members of the public do not repeat comments. After the public hearing can be closed after comments are heard so that additional comments by members of the public cannot be made.

## Notification Requirements for Conditional Use and Variance Standards

Schoeneman stated that typically requests to change the code go to the Planning and Zoning Commission, but since amendments are being made to each chapter she felt it was important to bring the changes being proposed to the Conditional Use Permit chapter to the board for their insight. Schoeneman went through the Conditional Use Permit Table and summarized changes. The Planning and Zoning Commission recommended that consideration be given to increasing the notification distance for uses that are considered noisy. Currently notices are sent to ¼ miles and most counties only notify within 500 feet. Staff thinks if a noise study could be required for a use, then the notification distance could be broadened if impacted by a certain noise level following .

- Private, non-commercial aircraft landing fields – Staff feels a required noise study and notification sent to those above a decibel level above 65, or within one mile. McGill felt those requirements would be reasonable and asked if above a decibel level of 65 is standard. Schoeneman stated it is an FAA standard and would impact quality of life. Excell asked how long a private landing strip is and about requirements being from where the landing strip begins. Schoeneman stated with current requirements it would require notifications to all property owners within ¼ mile of anywhere the property is located. Excell asked what type of aircraft could be included as far as planes or helicopters. Schoeneman stated it would include both. McGill stated he supports using the 65 decibel. Jondle asked if ¼ mile would be sufficient due to varying flight patterns. Schoeneman stated she would like to reach out to the Ames Airport to determine if the ¼ mile or the sound study findings would be greater.
- Private gun clubs, skeet, shooting ranges – Noise study could be required, or notification distance could be increased. McGill felt increasing notification to one mile would be reasonable.

- Indoor recreational facilities - Schoeneman stated that currently there is not a definition. Staff believes it could permit a gym, basketball, indoor golf or other similar facility and asked the Board if location should be limited due to traffic that could be generated from this type of use. Jondle asked if there is a definition for whether the gyms would be private or public. Schoeneman stated a definition could be created and typically would be commercial. There have been requests in the past and typically fit under a home business permit, so the number of trips are limited to 10 per day. If over 10 trips a day a conditional use permit would be required.
- Conditional use permits for salvage yards, mineral extractions and construction and demolition landfills – Due to noise impacts (crushing of vehicles or rock) increasing the notification distance to one mile may be beneficial.
- Concrete and asphalt plants – Due to odor impacts increasing the notification distance to one mile may be beneficial.
- Drag Strips – A noise study could be required with an increased notification distance similar to an aircraft field.  
Excell asked how much increasing notifications would impact staff time and postage cost. Schoeneman stated that consideration is being given to transitioning to post cards instead of letters to reduce postage costs. There has also been thought given to placing signage on properties for CUPs and Variances rather than only for Rezoning.
- Kennels - Existing setback requirement of 200' from residential property lines and notification is ¼ mile. The board felt that was appropriate.
- Commercial Wind Energy Conversion Systems and Towers -Visual impacts are the main complaints received. Currently supplemental standards say that the proposed tower will not unreasonably interfere with the view from any publicly owned or managed areas or major view corridors. Major view corridors are not currently defined. Excell asked what the current notification range is. Schoeneman stated ¼ mile. Jondle stated that there is one within 1/3 mile from her house and she felt increasing the notification to ½ mile may be more appropriate, and the board agreed. Excell stated that an assessor will say towers do not affect the value of homes, but that in her opinion they do affect the salability of homes.
- Variances - Given the difficulty of meeting the standards of a variance, some cities are moving towards defining certain exceptions that are allowed to meet a lesser standard that staff can offer to applicants as a better chance of approval vs a variance. McGill asked if the request would still go to the Board of Adjustment. Schoeneman stated yes it would still be taken to the board but just knowing in advance there are defined exceptions that have a good chance of being approved due to practical difficulties may assist staff working with the applicant on their request. Jondle felt it seems reasonable, but it seems like many variances are generally approved. McGill asked if having exceptions would cut down on the amount of staff time working with the applicant prior to taking to the Board of Adjustment. Schoeneman stated it would cut down on staff time by eliminating some time going back and forth with possible options.

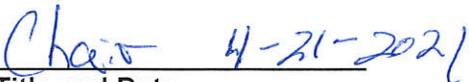
**BOARD/STAFF COMMENTS:**

**Staff:** Schoeneman stated that the new Planner, Andrea Wagner, is starting on April 12, 2021.

**Board:** None

**ADJOURNMENT:** 4:48 PM

  
Approval of Minutes

  
Title and Date