



**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: April 18, 2018	Steve McGill	2017
	*Lynn Scarlett	2018
CALL TO ORDER: 4:00 PM	Karen Youngberg	2019
PLACE: Public Meeting Room	Randy Brekke	2019
Administration Building	*Absent	

PUBLIC PRESENT:

STAFF PRESENT: Jerry Moore, Director; Emily Zandt, Planner, Amelia Schoeneman, Planner, Stephanie Jones, Recording Secretary and Debra Schildroth, Director of External Operations and County Services

ROLL CALL: McGill, Scarlett, Youngberg, Bruns, Brekke

ABSENT: Scarlett

APPROVAL OF AGENDA (MCU)

APPROVAL OF MARCH 21, 2018 MINUTES Motion Carried Unanimously (MCU)

PUBLIC COMMENTS: None

HEARINGS

CUP02-18 B-17 BOMBER MEMORIAL

Jerry Moore presented the staff report and gave an overview of the proposed request for a Conditional Use Permit to allow a B-17 Bomber Crash Site Memorial to be located on the property at 67066 295th Street, Maxwell, IA. The Planning and Zoning Commission recommended approval of the Conditional Use Permit with conditions at the April 4, 2018 meeting.

Youngberg asked if the CUP would be passed onto the next property owner and Moore stated that it would be. Brekke asked if the stone is already in place. Moore stated that it is in place. Youngberg asked who is responsible for maintenance. McGill stated that the applicant should speak first and possibly some of the questions would be answered.

Steve Gast gave a presentation and summarized the path that the bomber was taking when it crashed due to a winter storm. Mr. Gast stated that the commemorative rock was placed on the site with the 10 perished crewmembers listed on a plaque.

Brekke asked about the parking and the handicapped accessibility. Mr. Gast stated that typically handicapped accessible means that the space is large enough to meet size requirements necessary for a ramp to be extended to get out of vehicles. McGill asked about upkeep and Mr. Gast stated that the American Legion Post will provide maintenance and the easement will remain as long as the monument exists. Board of Adjustment members asked additional questions about the required handicapped accessible sign. Brekke stated that if a sign is posted and does not state there is a fine listed that a fine could not be given if someone who was not disabled parked there. Moore stated that the ordinance does not specifically require the sign to identify the fine amount, however, there does need to be a handicapped sign posted according to ADA regulations.

MOTION: The Story County Board of Adjustment recommends approval of the Conditional Use Permit as put forth in case CUP 02-18 with the above stated conditions, for a B-17 Bomber Crash Site Memorial, with the following conditions:

- 1. Provide a copy of the written, recorded ingress/egress easement that allows the general public to use the access and driveway to access the memorial and parking area prior to opening the memorial for general public use.**
- 2. Contact Planning and Development staff for an on-site inspection of the proposed parking area prior to opening the memorial for public use.**

Motion: Youngberg

Second: Brekke

Voting Aye: McGill, Brekke, Youngberg

Voting Nay: None

Not Voting: None

Absent: Scarlett

Vote: (3-0)

CUP03-18 ONE HEART EQUESTRIAN THERAPY

Emily Zandt presented the staff report and stated that this request is for One Heart Equestrian Therapy, a 501(c)3 nonprofit organization, to use the existing equestrian facility as a permanent location for its equestrian therapy human services use. There are no plans at this time to modify the site. Planning and Development staff recommend approval of the Conditional Use Permit submitted by One Heart Equestrian Therapy with conditions. Zandt stated that at their April 4, 2018 meeting, the Story County Planning and Zoning Commission recommended approval of the Conditional Use Permit with conditions.

Youngberg asked about the dwelling and what it will be used for. Zandt stated that it would be used for caretakers to provide onsite care to the horses. Youngberg asked if the area has been

well maintained. Zandt stated that staff has not been inside the buildings and that the applicant would provide information on the condition. Kris Lager, executive director of One Heart spoke and stated that the buildings have been inspected and there are no repairs that are needed at this time. Ms. Lager described the facility as being turn key for the organization.

MOTION: The Story County Board of Adjustment approves the Conditional Use Permit for One Heart Equestrian Therapy as put forth in case CUP03-18, with conditions.

- 1. All proposed onsite events shall be directly related to the mission of One Heart Equestrian Therapy.**
- 2. An application for zoning permits for all structures on site shall be submitted following purchase of the property and prior to occupancy.**

Motion: Brekke

Second: Youngberg

Ayes: Brekke, Youngberg, McGill

Nays: None

Not Voting: None

Absent: Scarlett

Vote: (3-0)

CUP04-18 and VAR01-18 MANATTS TEMPORARY ASPHALT AND CONCRETE PLANTS

Amelia Schoeneman presented the staff report and gave an overview of the request for a Conditional Use Permit to allow a temporary asphalt plant for a hot-mix asphalt resurfacing project on Highway 17 in Boone and Hamilton Counties and a temporary concrete plant for two projects on Interstate 35, including the reconstruction of northbound lanes from approximately 280th to 260th in Story County and the construction of the I-35/Highway 30 interchange. The Iowa Department of Transportation has contracted with Manatts, Inc. on the three projects. The concrete plant will be used to complete paving work on 530th south of the Research Park for Story County. The asphalt plant will operate from May until August of 2018. The concrete plant will operate from July until August of 2018 to complete the northbound lane reconstruction project and in October of 2018 for the interchange project. It will be used in the interim of these projects for the Story County project. The height of the concrete plant's silo exceeds the 40-foot maximum permitted height in the A-1 District by approximately eight feet—the applicant has submitted a variance request to permit the height for the Board's consideration. At their April 4, 2018, meeting the Planning and Zoning Commission recommended approval of the Conditional Use Permit with conditions. Planning and Development staff recommend approval of the variance.

MOTION: The Story County Board of Adjustment approves the Conditional Use Permit for the Manatts Temporary Asphalt and Concrete Plant as put forth in case CUP04-18, with conditions, and approves the variance request for 8-foot, 9 and 5/16-inch variance to the maximum height permitted in the A-1 Agricultural District by Table 86-2 as put forth in case VAR01-18, as submitted with the following conditions with the exception of number 5, which is not required by the City of Ames.

- 1. The variance for the 48-foot concrete silo height shall be approved prior to the concrete plant's installation and operation if the 40-foot height requirement is not met.**

2. The Conditional Use Permit will expire on December 31, 2018 and the plants will be required to be removed. If an extension of the use is requested, an application for a separate Conditional Use Permit or modification to the requested Conditional Use Permit (CUP04-18) will be required.
3. The gravel pad shall be allowed to remain on site for up to one year following the expiration of the conditional use permit, at which point the area must be restored to its original condition if no additional Conditional Use Permit applications have been submitted.
4. The approved haul routes and agreements with property owners (if private property will be used for truck haul routes associated with the projects) shall be submitted to Story County Planning and Development and the County Engineer.
5. A driveway permit from the City of Ames shall be required prior to the installation of a new driveway on the site.
6. The applicant shall submit a flood evacuation plan to be reviewed by the County's Floodplain Manager and Emergency Management Director as part of the floodplain development permit.
7. Permits from the Iowa DNR, Iowa DOT, or other applicable entities shall be required if water is pumped from the pond or Skunk River.
8. An office trailer shown on the site plan will be required to be setback 50-feet from the property line.
9. The applicant shall water the site and the roadway to prevent excess dust as needed.
10. The Planning and Development Department shall complete an inspection after the equipment is installed and before operations begin.

Motion: Youngberg

Second: Brekke

Ayes: McGill, Brekke, Youngberg

Nays: None

Not Voting: None

Absent: Scarlett

Vote: (3-0)

CUP05-18 PCI BORROW PIT

Amelia Schoeneman presented the staff report and gave an overview of the request for a Conditional Use Permit for a borrow pit to furnish fill material to reconstruct 2.6 miles of the I-35 northbound lanes (from approximately 280th to 260th in Story County). The borrow pit is proposed to be approximately five acres in size and 12 to 15 feet in depth. Approximately 75,000 cubic yards of fill will be extracted from the borrow pit for the reconstruction project. Extraction of fill material will tentatively be completed by November of 2018 and the borrow pit will be restored to a private fishing pond. A modification to the conditional use permit will be required for any additional plants or other uses. The Planning and Zoning Commission recommended approval of the conditional use permit with conditions at their April 4, 2018, meeting.

MOTION: The Story County Board of Adjustment approves the Conditional Use Permit for the PCI borrow pit as put forth in case CUP05-18, with condition, with the exception of number 3, which has been satisfied.

1. The Conditional Use Permit will expire on December 31, 2018. If an extension of the use is requested or additional uses are proposed, an application for a separate conditional use permit or modification to the requested conditional use permit (CUP05-18) will be required.
2. The Iowa DOT-approved haul route shall be submitted to Story County Planning and Development and the County Engineer.
3. The submittal of the NPDES permit and archaeological study shall be submitted prior to extraction work occurring.
4. A \$5,000 bond for the cost of the restoration work shall be submitted prior to extraction work occurring.
5. The applicant shall obtain a floodplain permit and submit a flood evacuation plan to be reviewed by the County's Floodplain Manager and Emergency Management Director as part of the floodplain development permit prior to extraction work occurring.
6. The applicant shall water the site and the roadway to prevent excess dust as needed.

Motion: Youngberg

Second: Brekke

Ayes: Brekke, Youngberg, McGill

Nays: None

Not Voting: None

Absent: Scarlett

Vote: (3-0)

CUP04-07.1 STORY WIND, LLC MINOR MODIFICATION

Emily Zandt presented the staff report and stated that the request is for a minor modification to a conditional use permit to allow Story Wind, LLC to install a (non-energized) High Voltage Training Facility at the property located at 18327 720th Avenue, Zearing. This training facility will be for NextEra Energy Resources employees only. The Story Wind Farm was previously permitted through a conditional use permit (CUP04-07) for a Commercial Wind Energy Conversion System (C-WECS) that included the existing collector substation and warehouse/maintenance/office building located on the subject property.

Brekke asked for clarification and the applicant stated that it would be a simulation without being energized.

MOTION: The Story County Board of Adjustment approves the Conditional Use Permit as requested by the applicant, as put forth in case CUP04-07.1.

Motion: Youngberg

Second: Brekke

Ayes: Youngberg, Brekke, McGill

Nays: None

Not Voting: None

Absent: Scarlett

Vote: (3-0)

BOARD/STAFF COMMENTS:

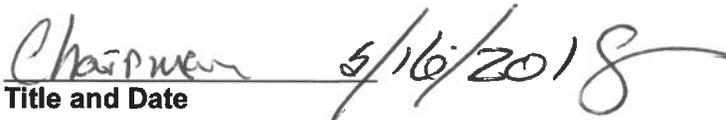
Staff: Moore stated that Steve Bruns submitted his resignation from the Board of Adjustment and the process to obtain a new member might take up to 90 days. Moore asked that if anyone knows they will be absent for a meeting to please let staff know, as three members are needed for quorum. Moore stated that a second subpoena has been submitted for the Perkins Bed and Breakfast CUP. Moore stated that the first YSS request will be heard on May 9th and each appeal will then be heard separately by the court. Youngberg asked if the board would be required to attend and Moore stated he might be asked to attend, but that the board will likely not be asked. Moore provided an update on an upcoming case, Pleasant Grove Church. Brekke asked about the lawsuit and if the property will still be able to be sold and developed. Moore stated that typically the issuance of zoning permits are stayed until a decision is made on the case.

Board: Brekke asked if Bruns gave a reason for resignation. Moore stated that ultimately it did not work out for him with his work schedule. McGill asked if case presentations can be cut back to save time during meetings. Moore stated that staff could consider reducing the verbal portion of the presentations if requested by the chair for cases that are not controversial. Moore also shared that he learned from the attorney's representing the County on the above appeals that its beneficial for the record of a case request for the Board of Adjustment to consider not only the written staff report but the PowerPoint presentation and the verbal report provided by staff at the public meeting prior to making decisions.

ADJOURNMENT: 6:06 PM



Approval of Minutes



Title and Date