

LINN COUNTY BOARD OF ADJUSTMENT

Jean Oxley Public Service Center
935 2nd Street SW, Cedar Rapids, Iowa

MINUTES

Wednesday, June 26th, 2019

I. QUORUM DETERMINED:

The Linn County Board of Adjustment meeting was called to order at 6:30 p.m. by the Chair, Sabrina Grace. The meeting was held in the Jean Oxley Public Service Center, 935 2nd Street SW, Cedar Rapids, Iowa.

PRESENT:	Sabrina Grace, Chair	12/31/21
	Ron Hoover, Vice-Chair	12/31/22
	Dave Machacek	12/31/20
	Rebecca Palmer	12/31/23

ABSENT: Pat Harstad 12/31/19

STAFF: Charlie Nichols, Planning & Zoning Division Manager
Jessie Black, Recording Secretary

See attendance sheet for community sign in.

II. OLD BUSINESS

III. NEW BUSINESS

JC19-0008	Charlie Nichols	Ben Heath, Owner	Conditional Use Home Occupation; Storage for home building business
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Nichols presented the staff report. The applicant is requesting a Conditional Home Occupation for a home construction business. The applicant proposes to utilize 2,400 square feet of an existing 3,120 square foot accessory structure for storage of construction material, tools and equipment. (The remaining 720 sq. ft. is an upstairs loft area for personal use.) An additional 100 square feet will be used for outdoor storage of business related equipment. The petitioner will have no non-resident employees working on site and no business signage is proposed. Six off street parking spaces will be provided on site, as required by the code. A residential parcel split is currently being proposed for this property in addition to the Conditional Use permit. The parcel with the business on it will remain over 10 acres.

A Conditional Home Occupation allows the applicant to use up to 2,500 square feet for the home occupation business on a parcel of this size. A home occupation with one or more nonresident employees, or that will use part of an accessory structure for the business, requires a Conditional Use Permit for a Home Occupation in the AG (Agricultural) zoning district. The proposal conforms to the standards for approval in Article IV, Section 107-73, § (4) and Article VI, Section 107-113, § (h) of the Linn County Unified Development Code.

Staff recommends approval subject to the conditions of the staff report.

Palmer, referring to a recent similar case, asked if there were any safeguards in place to ensure the property owner could not exceed the limitations of the proposed Conditional Use Home Occupation permit. Nichols explained that Planning & Development staff reviews all Conditional Use cases every five years to verify the applicant is operating as originally approved.

Motion by Palmer to accept the Findings of Fact, Conclusions of Law, and Decision & Order as reflected in the staff report for the Conditional Use Home Occupation JC19-0008, and to approve case JC19-0008, Second by Machacek.

Machacek	Aye
Hoover	Aye
Harstad	Absent
Grace	Aye
Palmer	Aye

IV. OTHER BUSINESS

Nichols reminded the Board members of the in-house training on July 23rd from 5:00 – 7:30 p.m. He asked that all attendees complete the pre-training survey sent out via email prior to July 3rd.

V. APPROVAL OF MINUTES

The minutes of May 29th, 2019 Board of Adjustment meeting were approved as submitted.

VI. ADJOURNMENT

The meeting was adjourned at 6:42 p.m.

Respectfully submitted,


Sabrina Grace, Chair


Jessie Black, Recording Secretary