

LINN COUNTY BOARD OF ADJUSTMENT

MINUTES

Wednesday, June 24, 2020

I. QUORUM DETERMINED:

The Linn County Board of Adjustment meeting was called to order at 6:30 p.m. by Vice-Chair, Ron Hoover. The meeting was held electronically, via GoToMeeting

PRESENT: Ron Hoover, Vice-Chair 12/31/22
Michael Martin 12/31/24
Dave Machacek 12/31/20

ABSENT:

STAFF: Les Beck, Director
Elena Wolford, Assistant County Attorney
Charlie Nichols, Planning & Zoning Division Manager
Stephanie Lientz, Senior Planner
Rachael Schaefer, Planning & Development Intern
Jessica Black, Recording Secretary

See attendance sheet for community sign in.

Special Statement: As a result of the ongoing COVID-19 pandemic, this meeting was held electronically. All county buildings have been closed to the public until further notice.

II. ELECTION OF CHAIR

Machacek nominated Hoover for Chairperson and Martin for Vice Chairperson for the remainder of 2020. Hoover seconded, all members present voted aye.

III. OLD BUSINESS

IV. NEW BUSINESS

**JC20-0010 Charlie Nichols Steven Batcheler , Owner Conditional Use - Agronomy Center
Linn Cooperative Oil Company, Applicant**

The applicant is proposing the construction and operation of an agricultural chemical and fuel storage and distribution facility on the subject property. Materials to be stored on site include: anhydrous ammonia, dry fertilizer, liquid nitrogen, agricultural chemicals, liquid propane, diesel fuel, and gas/gasohol. The site plan shows four phases of expansion of the operation on the site: the first phase includes an office, shop, chemical and anhydrous storage; the second phase includes a fertilizer plant, fuel plant, and a liquid propane plant; phase three includes a wash bay and cold storage; and phase four includes another office and warehouse structure.

Agricultural chemicals, fertilizer, liquid propane, and other related fuels or anhydrous ammonia storage and distribution is an allowed use in the AG (Agricultural) zoning district with a Conditional Use Permit. It appears that the proposal meets all of the standards for approval for Conditional Use Permits in Article IV, Section 107-73, § (4) of the Linn County Unified Development Code (UDC). The proposal also appears to meet the

standards for agricultural chemical/fuel storage and distribution in Article VI, Section 107-115 § (g) of the UDC. Additional state and county permits required for this use shall be obtained prior to commencing operation on the site. Burnett Station Road must be hard surfaced from the facility entrance to Highway 13.

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

Machacek expressed concerns about the amount of high speed traffic on Highway 13. He wondered if the proposal included any acceleration lanes for semis transporting product to and from the site.

Nichols said Linn County Secondary Roads has been working with the applicant and Iowa Department of Transportation to ensure road configuration meets applicable standards.

Ron Woeste, applicant, General Manager of Linn Cooperative Oil Company, stated he was confident acceleration lanes were not necessary, as there are two lanes on both sides of Highway 13.

Jack Kintzle, 3314 Standlea Rd, wondered how much of the road would be hard surfaced by the applicant. Nichols stated the entire length of the property. Kintzle asked if the road would be widened at the time of hard-surfacing. Nichols said no.

Motion by Machacek to accept the Findings of Fact, Conclusions of Law, and Decision & Order as reflected in the staff report for the Conditional Use case JC20-0010 , and to approve case JC20-0010 . Second by Martin.

Hoover		Aye
Machacek	Aye	
Martin	Aye	

V. OTHER BUSINESS

VI. BOARD COMMENTS

VII. STAFF COMMENTS

Beck briefly explained HF2512, recently enacted legislation signed into law by Governor Reynolds, effective June 1, 2020. The bill requires entire memberships of county Planning & Zoning Commissions and zoning Boards of Adjustment to be made up of residents who live in the unincorporated areas of the county. Due to the recent changes, Palmer and Grace are no longer able to serve on the Board. Beck explained that the HF2512 bill also prohibits counties from requiring Agricultural Exemption Applications. The application can be requested, but not required. He said Linn County would continue to encourage customers to submit information about their agricultural operation to assist staff in making a determination.

VIII. PUBLIC COMMENTS

IX. APPROVAL OF MINUTES

The minutes of May 27, 2020 Board of Adjustment meeting were approved as submitted.

VII. ADJOURNMENT

The meeting was adjourned at 7:08 p.m.

Respectfully submitted,

Ron Hoover, Chair

Jessie Black, Recording Secretary