

LINN COUNTY BOARD OF ADJUSTMENT

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

MINUTES
Wednesday, August 25, 2021

I. QUORUM DETERMINED:

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

PRESENT: Brandy Meisheid, Vice-Chair 12/31/23
Michael Martin 12/31/24
Margaret Burns 12/31/21

ABSENT: Ron Hoover, Chair 12/31/22
Sara Alden 12/31/25

STAFF: Elena Wolford, Assistant County Attorney
Mike Tertinger, Senior Planner
Jessie Black, Recording Secretary

See attendance sheet for community sign in.

II. OLD BUSINESS

III. NEW BUSINESS

JC21-0009 Conditional Use Minor Modification Brad Wernimont, K&B Ag Supply, Owner

Mike Tertinger presented the staff report.

The applicant is requesting a minor modification of an existing conditional use permit (case C-10-14) for K&B AG Supply company to construct a 500,000-gallon liquid nitrogen storage tank and for a future 50'x74' building to enclose the fertilizer loading area. The applicant has indicated that the new tank will allow K&B Ag Supply to store more nitrogen on site thereby reducing the intensity of truck traffic during the spring season and more evenly distributing nitrogen sales throughout the year.

The Agricultural chemical, fuel storage and distribution facility use is allowed as a Conditional Use in the AG (Agricultural) zoning district per Table 107-147-1 in Article VII of the Linn County Unified Development Code (UDC). In addition to this local review, the proposed use is subject to state and federal requirements, including maintaining a required minimum separation distance from residential dwellings. As part of the federal requirements for submittal, the applicant may be required to update their existing risk management plan for product containment and material handling. The vegetative screening condition and stormwater management plan from the approved 2014 conditional-use permit (case C-10-14) requires review and modification. 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 UDC.

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

Burns questioned if the containment berm, or containment pool, mentioned by Linn County Emergency Management (EMA), was a recommendation or required as a condition of approval. Tertinger said it was added as a recommendation from EMA.

Matt Starcevich, petitioner, 1511 Amana Road, offered to answer any questions from the Board or Staff.

Motion by Martin to accept the Findings of Fact, Conclusions of Law, and Decision & Order as reflected in the staff report for Conditional Use case JC21-0009, and to approve case JC21-0009, Second by Burns.

Burns	Aye
Meisheid	Aye
Martin	Aye
Alden	Absent
Hoover	Absent

IV. OTHER BUSINESS

V. APPROVAL OF MINUTES

The minutes of July 28, 2021 Board of Adjustment meeting were approved as submitted.

VI. ADJOURNMENT

The meeting was adjourned at 6:51 p.m.

Respectfully submitted,

Ron Hoover, Chair

Jessie Black, Recording Secretary