

LINN COUNTY BOARD OF ADJUSTMENT

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

MINUTES
Wednesday, September 29, 2021

I. QUORUM DETERMINED:

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

PRESENT: Ron Hoover, Chair 12/31/22
Brandy Meisheid, Vice-Chair 12/31/23
Sara Alden 12/31/25
Michael Martin 12/31/24
Margaret Burns 12/31/21

ABSENT:

STAFF: Mike Tertinger, Senior Planner
Desire Irakoze, Planner I
Elena Wolford, Assistant County Attorney
Ryan Sampica, Recording Secretary

See attendance sheet for community sign in.

II. OLD BUSINESS

III. NEW BUSINESS

JC21-0010 Conditional Use Home Occupation Dustin Hankins, Owner

Mike Tertinger presented the staff report.

The applicant is requesting a Conditional Use - Home Occupation Permit for a Crane Service, Septic, and Utility Excavation business. The applicant is proposing to use 1,200 sq. ft. of outdoor space for materials storage and parking two business related vehicles including: a day-cab semi with flatbed trailer, and a service truck with skid loader trailer for carrying a mini excavator. A third vehicle, a crane truck, would be parked on the property should one of the other vehicles be off site. The vehicles require approximately 1,000 sq. ft. of parking space. The remaining 200 sq. ft. will be used for an outdoor pipe storage rack. The property has an existing 1,344 sq. ft. accessory building and the applicant is constructing an additional 6,300 sq. ft. accessory structure, which the applicant has indicated is for personal and property maintenance use only. The applicant has also indicated that 1 non-resident employee will be on site.

A Conditional Home Occupation allows the applicant to use up to 1,200 square feet for the home occupation business on a parcel of this size. A business with more than one commercial vehicle parked/stored outside, or business related equipment or materials stored outside 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. In addition, Linn County has recorded a signed affidavit from the applicant confirming the 7,644 sq. ft. of accessory

structure floor area on the property are for personal and/or agricultural use only. The penalty for violating the conditions of an approved conditional use permit are civil citations up to a maximum of \$750 per day.

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

The applicant declined to give a presentation.

There were no questions from the Board or from the Public.

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 JC21-0010 , and to approve case JC21-0010, Second by Meishied .

Alden	Aye	
Burns	Aye	
Hoover		Aye
Meisheid	Aye	
Martin	Aye	

IV. OTHER BUSINESS

Tertinger introduced Des to the Board.

V. APPROVAL OF MINUTES

The minutes of August 25, 2021 Board of Adjustment meeting were approved as submitted.

VI. ADJOURNMENT

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Ron Hoover, Chair

Ryan Sampica, Recording Secretary