

**DALLAS COUNTY
BOARD OF ADJUSTMENT
MINUTES**

The Dallas County Board of Adjustment was called to order on **April 27th, 2016**, at 4:30 P.M., in the Dallas County Board Conference Room at 902 Court Street in Adel, Iowa, by Chairperson, Marilyn Gliem. Members Karen Smith, Marilyn Gliem, Scott Pope, John Baker, and John Bunz were present. Samuel Larson, Senior Planner, was also in attendance.

Approve Agenda:

Motion by S. Pope **to accept** the agenda as presented. **Seconded** by K. Smith. **Ayes unanimous. Motion carried.**

Approve Minutes of the last meeting of March 8th, 2016:

Motion by J. Baker **to dispense** with the reading of the Minutes of the last meeting of March 8th, 2016, and **approve** them as written. **Seconded** by J. Bunz. **Ayes unanimous. Motion carried.**

Old Business: (None)

New Business:

Item 1: A petition for a Conditional Use Permit to allow a temporary asphalt batch plant for the paving of County Road F-31 east out of Minburn in Dallas County and County Road F-90 west out of De Soto; for a City of Perry Streets Improvement Project for a period of not to exceed 18 months to be placed on Parcel #1128100001 zoned A-2 (Agricultural/Floodplain/ Conservation District) and located in the W1/2 of the NW1/4 of Section 28, T79N, R27W (Adel Township) **for Manatts Inc. / Jeff Steinkamp.**

Jeff Steinkamp: I'm asking for approval on that site location, and on the petition we have a list of jobs that we hope to do from there. Since the word got out that we may be sitting there, the City of Adel contacted me wanting to do work, and I didn't know if it does get accepted, if that changes – in small quantities – if that's a problem.

S. Larson: That would not be a problem, especially since your stating now. It would just be a minor addendum to it that we could administratively approve. I'm guessing this won't significantly lengthen your period?

J. Steinkamp: No. Small projects. I'm not even certain they are going to do it, just if something would come up, I'd hate to run into a problem.

Questions from the Board:

M. Gliem: Has everything been met that needed to for this one?

S. Larson: Yes, unlike the last one there is absolutely nothing within 1,000 feet of this one. This is a former gravel pit. There have been several conditional uses here in the past, I believe it's three previous ones, for batch plants at the same location. It's providing materials for public projects, and no opposition from the public or from staff.

S. Pope: I do have one question, the access out onto 169, is that an existing road?

S. Larson: Yes, it's an existing private lane.

S. Pope: Okay. So they do not need an additional stop sign?

S. Larson: Yes, that's correct.

S. Pope: They would probably have to have one, though, wouldn't they, for the outbound onto 169, or not?

S. Larson: I believe there might be one there.

J. Steinkamp: We do set up signs that say, "Trucks turning."

S. Pope: Okay.

S. Larson: They are subject to all DOT regulations and everything else.

Others to Speak: (None)

Motion by J. Baker to approve Conditional Use Permit to allow a temporary asphalt batch plant for the paving of County Road F-31 east out of Minburn in Dallas County and County Road F-90 west out of De Soto; for a City of Perry Streets Improvement Project for a period of not to exceed 18 months to be placed on Parcel #1128100001 zoned A-2 (Agricultural/Floodplain/ Conservation District) and located in the W1/2 of the NW1/4 of Section 28, T79N, R27W (Adel Township) for Manatts Inc. / Jeff Steinkamp. Seconded by S. Pope. Ayes unanimous. Motion carried.

Item 2: A petition to consider approval of a Conditional Use Permit to allow chickens on Parcel #0811352003, which is Lot 1 of El-Ray Subdivision zoned RE-1 (Suburban Estate District) located in the SW1/4 of the SW1/4 of Section 11, T80N, R26W (Grant Township) for Evan and Emily Blair.

Evan Blair: My wife wants a chicken coop. My wife said she married me because I was going to live on a farm someday. Nine acres is hardly a farm, but she got that. We're trying to put up a chicken coop because in her head she's got this little farm with a chicken coop, and the barn's all red and white, so I want to put up a chicken coop. I guess that's it.

Questions from the Board:

S. Pope: Samuel, why was this brought before us?

S. Larson: When the RE-1 zoning district was established it was zoned as a Residential Estate district, and it's as small as three acres and generally is in subdivisions. The idea was that since it's a residential district it would not have any livestock except horses without a conditional use permit. So, livestock, cows, goats, chickens, are all listed as a conditional use.

S. Pope: Are they going to be free range running around or always in the coop?

E. Blair: Always in the coop. When we moved there, there was chickens and a turkey and pigeons, and they were just running all over, and I don't like that. I want this to contain them, so they're always contained.

S. Larson: The previous owner had livestock on there prior to rezoning it, so that was grandfathered, but because they are building a new building for it, they have to go through the conditional use process.

M. Gliem: You surely will have a fence so they can go outside.

E. Blair: Absolutely. I'll have an 8 foot tall...

K. Smith: How many are you going to have?

E. Blair: I wouldn't say more than 50. I don't know how many we have now, but we can't keep up with the eggs. We give them to everybody.

S. Larson: Last week at Planning and Zoning Commission, they reviewed this, and they recommended approval but with a condition of total number of fowl not to exceed 50 total. That was their recommendation.

K. Smith: Okay.

S. Larson: There was one comment from a neighbor that he doesn't have any issues with it but doesn't want to see it growing into a large scale operation.

K. Smith: Sure.

E. Blair: We just call it my wife's little hobby farm.

J. Baker: Do you have chickens there now?

E. Blaire: Yes. We added to what was there, and they are all locked up. There was an existing two-stall horse barn, and I put an old door on it and locked them in that and made a pen so they can go outside. Is that okay if I come up there and show you where that's at?

J. Baker: Yes, please.

E. Blaire: (Showing J. Baker on map where it is located.) This right here under my finger is the two-stall existing horse barn, and I fenced this off right now for the chickens.

J. Baker: What's this? An old silo or something?

E. Blaire: Yes, old concrete silo. Eventually someday I want to build a round roof to put back on top of it, wood shingled. It would look pretty nice.

J. Bunz: Samuel, you said the P&Z recommended a 50 limit cap?

S. Larson: That is correct.

J. Bunz: Is that something that if we wanted to really limit to 50 that has to be a part of our resolution?

S. Larson: Correct. Yes, I would state that as part of your findings.

J. Bunz: Okay.

S. Larson: I did prepare some proposed findings here, and that is listed as a condition on here, if you would like to proceed with that.

J. Bunz: Okay.

S. Larson: Another condition is they are currently going through the building permit process, and that is a condition that they must complete the building permit process that they have been working on.

E. Blair: Basically, this all started because I grew up on a farm and never had to pull permits for anything, and I build houses, and we pull permits all the time. I did the chicken coop, and I have another building started out there, and my brother-in-law said we should probably pull building permits for them, and I agreed with him. So now we've been going through the whole process. I started by accident because I didn't grow up that way, but we're going by all the majors now.

S. Larson: Yup.

Others to Speak: (None)

Motion by J. Bunz **to approve Conditional Use Permit to allow chickens** on Parcel #0811352003, which is Lot 1 of El-Ray Subdivision zoned RE-1 (Suburban Estate District) located in the SW1/4 of the SW1/4 of Section 11, T80N, R26W (Grant Township) **for Evan and Emily Blair with the condition that the total fowl on the property does not exceed 50, and the petitioners must complete the building permit process. Seconded** by S. Pope. **Ayes unanimous. Motion carried.**

Motion by S. Pope **to adjourn** the meeting. **Seconded** by K. Smith. **Ayes unanimous. Motion carried.**

Meeting adjourned.

Kate Davies
Planner