



Board of Adjustment

Meeting Minutes Wednesday, March 26, 2025

The Linn County Board of Adjustment meeting was called to order at 6:00 p.m. by Vice-Chair, Sara Alden. The meeting was held in the Jean Oxley Public Service Center Formal Board Room, 935 2nd Street SW, Cedar Rapids, Iowa.

QUORUM DETERMINED:

PRESENT:	Sara Alden, Vice-Chair	2025
	Ron Hoover	2027
	Michael Martin	2029
ABSENT:	Brian Price, Chair	2026
STAFF:	Stephanie Lientz, Planning & Zoning Division Manager	
	Mike Tertinger, Senior Planner	
	Brad Wylam, Planner II	
	Sue Bennett, Recording Secretary	
	Elena Wolford, County Attorney	

See attendance sheet for community sign in

APPROVAL OF MINUTES:

The minutes of the February 26, 2025, Board of Adjustment meeting were approved as submitted.

REGULAR AGENDA:

PC25-0003 CONDITIONAL USE MINOR MODIFICATION EXPANSION OF A UTILITY SUBSTATION

Stephanie Lientz presented the staff report.

The applicant is proposing to expand an existing substation on the 39.59-acre subject property in order to accommodate area upgrades. The remainder of the site would be removed from agricultural production and is proposed to be used as a laydown yard to store equipment for area projects, and for stormwater management. A substation was constructed at this location in 2019, upon Board of Adjustment approval of Conditional Use Permit case JC18-0003. The property is zoned AG (Agricultural).

Per Article IV, Section 107-73, § (6)(b), minor modifications to approved conditional uses are permissible with the approval of the Board of Adjustment after review by the Technical Review Committee. A modification is minor if it has no substantial impact on neighboring properties, the general public, or those intended to use the development.

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A utility substation use is allowed as Conditional Use in the AG (Agricultural) zoning district per Table 107-147-1 in Article VII of the UDC. 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. The use appears to be compatible with surrounding property uses and adequate measures can be taken to minimize any potential adverse impacts on adjoining property.

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

Motion by Martin to recommend approval of case PC25-0003, subject to the conditions of the staff report. Second by Hoover.

Alden	Aye
Price	Absent
Hoover	Aye
Martin	Aye

**PC25-0004
CONDITIONAL USE MINOR MODIFICATION
TEMPORARY LIGHTING AT TUMA SOCCER COMPLEX**

Mike Tertinger presented the staff report.

The applicant is requesting to add temporary lighting to four fields of the Tuma Soccer Complex from April 1 through June 10 and from August 15 through October 31, 2025. The applicant indicated that increased participation in soccer at the complex has led to a need to provide increased practice time, and this proposal would allow additional practices to be held. The applicant is proposing to install 4 temporary lights per field on 4 fields for a total of 16 units. These lights are 23 feet tall, and each has a generator providing power.

The outdoor recreation and entertainment soccer field use has existed at this location since 1995. The property is zoned AG (Agricultural). The outdoor recreation and entertainment soccer field use was a permitted use in the AG zoning district prior to January 1, 2006, when it changed to a conditional use. Per Article V, Section 107-93, § (a) of the Unified Development Code (UDC) staff has determined that the existing soccer field is considered to be a lawful conditional use which may continue indefinitely. Per Article IV, Section 107-73, § (6)(b), minor modifications to approved conditional uses are permissible with the approval of the Board of Adjustment after review by the Technical Review Committee. A modification is minor if it has no substantial impact on neighboring properties, the general public, or those intended to use the development.

A condition of the original case (M-02-95) approving the soccer field use prohibited any lighting on the property except for security lighting; therefore, the proposal for temporary lighting must be considered through the Conditional Use – Minor Modification process.

The outdoor recreation and entertainment soccer field use is allowed as a Conditional Use in the AG (Agricultural) zoning district per Table 107-147-1 in Article VII of UDC. 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. The proposal must meet the parking standards found in Article V, Section 107-93, § (e) of the UDC. The use appears to be compatible with surrounding property uses and adequate measures can be taken to minimize any

potential adverse impacts on adjoining property.

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

Alden asked if there had been any comments from the neighbors. Tertinger replied no.

The Board asked the applicant had any plans to apply for permanent lighting. Corey Shipman, 195 Amy Drive, stated that it was in the works, but was a question of finances.

Motion by Martin to recommend approval of case PC25-0004, subject to the conditions of the staff report. Second by Hoover.

Martin	Aye
Hoover	Aye
Alden	Aye
Price	Absent

**PC25-0002
CONDITIONAL USE FLOODPLAIN
MATSELL BRIDGE REPLACEMENT**

Mike Tertinger presented the staff report.

The applicant is requesting a Conditional Use Floodplain Permit for excavation (approx. 3 acres) within a FEMA designated Floodway area of the Wapsipinicon River at Matsell Park Road. The applicant is proposing to remove the existing 300' x 20' steel beam Matsell bridge, constructed in 1939, and replace it with a wider 300' x 40' rolled steel beam bridge. No changes are proposed to the river channel. The project includes improvements to the bridge approaches, embankments and an increase in bridge deck height by 6-8' from its existing elevation. Once excavation activities and bridge construction are complete, the impacted area will be reseeded.

With excavation occurring within the Floodway, it is important to ensure that the project will not cause a rise in flood heights or velocities by requiring the submittal of an engineer stamped "No-Rise" certificate. The applicant must obtain all relevant permits required by state and federal entities including the Iowa Department of Natural Resources (IDNR) and the Army Corps of Engineers (ACoE). The proposal appears to meet all applicable standards for approval in Article VII, Section 107-144 of the Unified Development Code.

The existing Matsell Road bridge is on the National Register of Historic Places, therefore, a review of this proposed project is also required by the State Historic Preservation Office (SHPO) and Linn County Historic Preservation Commission (HPC) as part of a Section 106 review.

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

Motion by Martin to recommend approval of case PC25-0003, subject to the conditions of the staff report. Second by Hoover.

Alden	Aye
Price	Absent
Hoover	Aye
Martin	Aye

OTHER BUSINESS:

BOARD COMMENTS:

STAFF COMMENTS:

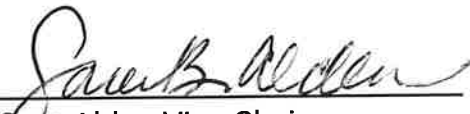
Lientz provided the Board with information regarding the ordinance changes to accessory structures. Hoover stated that he had comments regarding the wording of the ordinance, Lientz stated he could visit the Planning & Development department to discuss them during business hours, as the Board of Adjustment's responsibilities do not include advising on zoning ordinance language. Alden asked if each level of a multi-story structure was counted in the footprint. Lientz stated no, only the footprint is factored in, but there is a height requirement in the residential districts.

PUBLIC COMMENTS:

ADJOURNMENT:

The meeting was adjourned at 6:59 p.m.

Respectfully submitted,


Sara Alden Vice-Chair


Sue Bennett, Recording Secretary