



Board of Adjustment

Meeting Minutes Wednesday, February 26, 2025

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

QUORUM DETERMINED:

PRESENT: Brian Price, Chair 2026
Sara Alden 2025
Ron Hoover 2027

ABSENT: Michael Martin 2024

STAFF: Stephanie Lientz, Planning & Zoning Division Manager
Brad Wylam, Planner II
Sue Bennett, Recording Secretary

See attendance sheet for community sign in

ELECTION OF OFFICERS

Nomination for Brian Price to continue as Chairperson made by Hoover, seconded by Alden.

Price	Aye
Alden	Aye
Hoover	Aye
Martin	Absent

Nomination for Sara Alden for Vice-Chairperson made by Hoover, seconded by Price.

Alden	Aye
Hoover	Aye
Price	Aye
Martin	Absent

APPROVAL OF MINUTES:

The minutes of the October 30, 2024, Board of Adjustment meeting were approved as submitted.

**REGULAR AGENDA:
PC25-0001
CONDITIONAL USE CAMPGROUND**

Brad Wylam presented the staff report.

The applicant is proposing to continue operating a private campground on the subject property from April 1 to October 31 annually, with a maximum of 17 total campsites; the campground use had been allowed via Temporary Use Permit from 2009 to 2024. After the 2008 floods, all but one of the cabins on the subject property were demolished, and the campground use was established to allow a 1:1 replacement of cabins with a campsite. After discussions with the Iowa Department of Natural Resources in 2023 regarding this continued use in the floodway, it was determined that the use could only continue with an approved Conditional Use Permit. A private campground is an allowed use in the AG (Agricultural) zoning district.

The property is currently zoned REC-AG (Seasonal Cabin and Recreation Areas Overlay District - Agricultural); per the Linn County Unified Development Code (UDC) a cabin area may be converted to another use only if the REC overlay district is removed. Therefore, a rezoning case (PR25-0001) to rezone the property to AG is running concurrently with this Conditional Use Permit case and must be completed prior to operation of the campground. The property has a land use designation of AA (Agricultural Area) and CNRA (Critical Natural Resource Area).

The applicant indicates traffic is primarily generated Friday through Sunday each week, although many RVs/campers remain in place on the site throughout much of each season. The one seasonal cabin remaining on the subject property will continue to be governed by REC overlay regulations per a condition of approval of the Conditional Use Permit.

The proposed private campground use is allowed with a Conditional Use Permit in the AG (Agricultural) zoning district. Per Article VII, Sec. 107-143§(d)(3) of the Linn County UDC, the REC overlay must be removed in order to convert the use to a campground use. The proposal appears to meet all of the standards for approval for Conditional Use Permits in Article IV, Section 107-73, § (4) as well as the standards for private campground uses in Article VI, Section 107-115, § (n) of the UDC

Development standards in Article IV, Section 107-115, of the UDC also appear to be met, including requirements for a major site plan. Additional requirements in Article V, Section 107-93 of the UDC regarding parking appear to be met.

The subject property contains significant floodplain and is identified as being within the Floodway overlay district; floodplain overlay district standards found in Article VII, Section 107-144 must also be met.

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

Motion by Hoover to recommend approval of case PC25-0001, subject to the conditions of the staff report. Second by Alden.

Alden	Aye
Price	Aye
Hoover	Aye
Martin	Absent

PV25-0001
VARIANCE - MINIMUM FRONTAGE

Brad Wylam presented the staff report.

The applicant is requesting a variance from the minimum road frontage requirement of 50 feet found in Article V, Section 107-91 § (e) of the Linn County Unified Development Code (UDC). The applicant ultimately may propose subdivision of the subject property into 2 lots, depending on the result of this variance request. One of the lots that would be created in a potential subdivision would only have road frontage of 24.99 feet along the south side of the lot. The applicant currently utilizes an access easement to enter the southern portion of the subject property. The property is zoned USR (Urban Services Residential).

Per Article V, Section 107-91 § (e) of the UDC, no newly created lots shall abut less than 50 feet on a street, road, or private lane. A Variance may only be granted upon a finding that the ordinance, as applied to this property, results in an unnecessary hardship and amounts to a practical confiscation of the property.

Staff recommends denial of the variance request as an unnecessary hardship has not been demonstrated. There are no circumstances unique to the property that would cause unnecessary hardship to complying with the 50-foot minimum road frontage for any newly created lots.

Tracy Montgomery, 715 Selzer Road, Fairfax, stating that she has a rare condition which necessitates her being near her family for assistance. If the family must build an accessory building on the current lot, she believes that, when she passes, it will cause undue strain on the family to have to maintain that building, and that it might be harder for them to sell the property, if they choose to, with two dwellings on the property.

Price asked staff for clarification on the nature of the Variance. Wylam responded that it is a request for relief from the required road frontage of 50'.

Ray Mosbeck spoke in favor of the Variance. He stated that the separate drive is acceptable to him.

The Board discussed the case briefly.

Motion by Alden to recommend approval of case PV25-0001, as developed by the Board of Adjustment. Second by Hoover.

Martin	Absent
Hoover	Aye
Alden	Aye
Price	Aye

OTHER BUSINESS:

BOARD COMMENTS:

STAFF COMMENTS:

PUBLIC COMMENTS:

ADJOURNMENT:

The meeting was adjourned at 6:35 p.m.

Respectfully submitted,



Brian Price, Chair



Sue Bennett, Recording Secretary