

Jones County Board of Adjustment

Meeting Minutes

May 18, 2021 at 4:00 p.m.

Members present:

Cindy Hall, Chairperson
Paul Thomsen
Catherine Davies
Nicole Stecklein
John Hinz

Staff present:

Michele Lubben – Land Use Administrator

Visitors present:

Nick Worth – Cedar Rapids, with owner
Brennen Wilcher – 3315 Westwood Dr. NW, Cedar Rapids, contract owner
Gary and Janet Freese – 19671 Military Rd., Monticello
Missy Henderson – 19689 Military Rd., Monticello
Phil Hanna – 530 Park Dr., Monticello
Annette Smith – 139 N. Gill St., Monticello
Keenya Jensen and Natalie Brown – 19416 Military Rd., Monticello

Introductions of the Board of Adjustment, staff and visitors took place.

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. and Chairperson Cindy Hall called the meeting to order.

Motion by Stecklein seconded by Thomsen to approve the agenda for the meeting. All aye. Motion carried.

Motion by Stecklein seconded by Davies to approve the April 20, 2021 meeting minutes. All aye. Motion carried.

Motion by Thomsen seconded by Stecklein open the public hearing at 4:02 p.m. for contract owner, Brennen J. Wilcher and deed holder, Jason Diers, who have applied for a Special Permitted Use under within the R-Residential District Section D. 5. Recreational uses for property in the SE NW East of the Road in Section 33 of Lovell Township (parcel ID 02-33-100-011) and generally located at 19584 Military Rd., Monticello. More specifically, the request is to allow a commercial, three campsite glamping experience. All aye. Motion carried.

The Land Use Administrator noted that the Board received copies of the application, aerial map, and written report. The contract owner also received a copy of the written report. All adjoining landowner letters were sent and received. No verbal comments were received on the application. One written comment from the Monticello School Foundation was received and Chairperson Cindy Hall read the letter out loud. Pictures were received by a neighbor and forwarded to the Board with their packet by email and regular mail. The red zoning sign was posted one day late.

The contract owner indicated the property was bought on contract and the intention is take 4-5 years to pay for the property. The proposal is for fancy camping which includes a memory foam mattress and other amenities in which they encourage campers to explore the local area, events, parks and Monticello. The contract owner discussed that he did not follow the correct procedures through zoning to start the business. The property is three acres total and Kitty Creek crosses through the property. The Board asked about the water collection system (white tank), personal van with no plates parked at the property, and access to creek. The Board did have some concerns with the Environmental Services recommendation and its concern for potable water. Contract owner discussed the possibility of having a hand pump from Kitty Creek as an option. Bottled water is currently being supplied to clients. The Board discussed insurance and liability of the property. The contract owner is exploring options for insurance.

Board discussed the zoning districts and that Commercial Recreation Uses are allowed within the Agricultural District. All campgrounds in the C-2 Highway or Ag District have wells with running water, dump stations or septic systems. The Board had concerns regarding emergency services accessing the property with the creek and no vehicle would be able to cross to get to an emergency. Concerns for safety and the lack of supervision on site. Last fall only one site was available and there appeared to be some safety concerns and now it is being increased to three campsites. The Board discussed the Flood Plain and the flash flooding that takes place at the location and the options for the contract owner to review the local gages and notify clients of the potential dangers of flash flooding. The parking is a concern, backing out onto the county road which is at a curve. Many times cars are parked on the county road and creates a single lane on the county road around a curve. The contract owner discussed providing bicycles to clients to explore Monticello. The Board discussed maximum capacity with three campsites, up to six people, one port-o-potty available. The Board discussed safety options with severe weather such as severe wind (aka derecho). The contract owner indicated an option of a shipping container to be certified as storm protection. The Board asked if it was possible to invest in drilling a well on the property. The cost could be significant and the option to have city water is not available.

The public reiterated several earlier concerns. In addition, the neighbors moved to the area for the peacefulness and instead found campers are at the site and now deal with concerns for safety, their existing and future value of their property, liability issues, lack of fencing between the school property and this property, partying, noise, drugs and alcohol, lack of trust between the contract owner and neighbors, cleanliness of the area, no supervision on site, safety concerns for property and animals.

Motion by Stecklein seconded by Davies to close the public hearing at 4:46 p.m. All aye. Motion carried.

Discussion by the Board of Adjustment took place. The Board discussed potable water and environmental services concerns, flood plain, zoning district, safety and concerns by the neighbors. The Board admired the contract owner for his entrepreneurship but feel like the correct procedures were not followed when the property was purchased.

Motion by Davies seconded by Stecklein to deny the Special Permitted Use application for contract owner, Brennen J. Wilcher and deed holder, Jason Diers for property in Section 33 of Lovell Township generally located at 19584 Military Rd., Monticello due to the following reasons:

- The property is located within a flood plain.
- The campsites lack on site supervision.
- Water and waste are inadequate on the site and do not meet Environmental Service requirements.
- The Residential zoning district does not permit a commercial recreational use.

Roll call vote:

Hinz - Aye

Thomsen – Aye

Davies – Aye

Stecklein - Aye

Hall - Aye

All aye. Motion carried.

The application is denied. The Land Use Administrator will issue the written decision to the contract owner and deed holder by regular mail.

The Land Use Administrator is requesting that the next month's meeting be moved back one week to Tuesday, June 22, 2021 at 4:00 p.m. The deadline for this meeting will be Wednesday, June 2, 2021.

Motion by Stecklein seconded by Thomsen to adjourn at 5:15 p.m. All aye. Motion carried.