

**MILLS COUNTY  
ZONING BOARD OF ADJUSTMENTS**

403 Railroad Avenue  
Glenwood, IA 51534

**MEETING MINUTES**

Meeting Date:	<i>June 21, 2022</i>	Time Called to Order:	<i>6:30 PM</i>
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		Present	Absent
<b>BOARD MEMBERS</b>	Patrick Collins	<b>X</b>	
	Ted Golka	<b>X</b>	
	Cory Leick (Chair)		<b>X</b>
	Jennifer Warren (Vice Chair)	<b>X</b>	
	Heather Jenneman	<b>X</b>	
	Richard Crouch ( <i>Board of Supervisors</i> )	<b>X</b>	
	Holly Jackson ( <i>Zoning Administrator</i> )	<b>X</b>	

**General meeting notes and minutes:**

1. Approve current meeting agenda with changes (removal of CUP 22-020).  
motion to approve, by Collins 2<sup>nd</sup> by Golka Motion carried.
  
2. Approve minutes from previous meeting May 17, 2022.  
Collins motion to approve, 2<sup>nd</sup> by Golka. Motion carried.
  
3. New Business:  
Discussion/Formal Action of Conditional Use Permit **#22-138** for the proposed Commercial use of a Consumer Services, to operate as a gunsmith shop, at the address located at 22748 Glenview Ave, Glenwood in the Glenwood Township in the Agricultural/Residential (AR) Zoning District, legally described as Lot 5 Glenview Acres, Parcel Number 048920050000000 Sec/Twp/Rng 2-72-43.
  - Applicant’s Presentation. Presentation by Applicant, Tom Green. He explained this will be a small operation that will not require a storefront, inventory or advertising. He intends to follow all gun laws.
  - Staff Report Read by Jackson
  - Board Discussion Board discussed what this application meant and what the question is. Confirmed this is not gunsmithing, but more of a gun transfer. Applicant answered that he is not intending to work with people he is not familiar with.
  - Public Comment. One person spoke. Concerns addressed were safety of the neighborhood.
  - Board Action  
Motion to Approve by: Collins

2<sup>nd</sup> by Collins

Passed. Vote 4-0

4. New Business:

Discussion/Formal Action of the Zoning Variance Application **#22-139** for the proposed front yard set-back of 50% (12.5 feet) at the property located at 54841 Glover, in the Oak Township, In the Loess Hills Conservation Development Zoning District (LH), legally described as Lot 23 Woodfield 1<sup>st</sup> Addition Parcel No. 030190062300000 Sec/Twp/Rng 27-73-43.

- Applicant's Presentation by Bryan Yoder. He explained the challenges of the cul-de-sac where the proposed project is located. On the map and pictures, he took, Yoder explained different scenarios that could affect his ability to build.
- Staff Report Read by Jackson
- Board Discussion. Board discussed with each other an applicant pertaining to other setback variances allowed, how this would affect other properties, etc. Board also asked Jackson to show
- Public Comment Written Comment was submitted.
- Board Action  
Motion to Approve by: Golka  
2<sup>nd</sup> by: Collins

5. New Business:

Discussion/Formal Action of the Zoning Conditional Use Permit **#22-140** for the proposed Commercial Use of a Dog Kennel located at the address of 27816 Paddock Ave. Malvern, in the Rawles Township, in the Agricultural/Residential (AR) Zoning District, legally described as SW COR SE ¼ SE ¼ ; Parcel No. 121960010200000 Sec/Twp/Rng 15-71-42.

- Applicant's Presentation by Applicant Tonweya Langille. Mr. Langille explained that he would like to open a small kennel at his home to offer for dogs on his property. Small establishment that will have a heated and cooled building. This is as a secondary use of their existing residence.
- Staff Report read by Jackson
- Board Discussion. Board discussed the performance standards submitted. Disposal of waste requirements were discussed with applicants. Also Amount of animals.
- Public Comment None.
- Board Action

Motion to Approve with the condition they follow all requirements of USDA and DNR for waste disposal by: Collins

2<sup>nd</sup> by: Golka

Motion for approval with the contingency of an approved road maintenance plan with the Mills County Engineer. Hours of operation M-F 6:00 a.m.-6:00 p.m., Saturday 7:00 a.m.- 1:00 p.m. and no hauling on Sundays. by: Golka

2<sup>nd</sup> by: Warren

Approved.

6. New Business:

Discussion/Formal Action on Conditional Use Permit **#22-141** for the proposed Two-Family Residential use on the same site located at 24325 Jasmin Lane., Glenwood in the Center Township in the Agricultural/Residential (AR) Zoning District, legally described as Lot 10 Country View Estates; Parcel No. 074630130000000 Sec/Twp/Rng: 19-72-42.

- Applicant's Presentation by John and Rachel Pierce. The intentions were to allow to have a secondary residence for visiting family, however they unintentionally changed plans and did not know that they needed to note the apartment on their permit application. This is intended to be a building to act as a pool house and a place for visitors to stay.
  - Staff Report ready by Jackson.
  - Board Discussion Board discussed concerns that were brought up. They discussed options with the applicants and Mills County Staff.
  - Public Comment Written comments were received and reviewed. Additionally, nine (9) people spoke with concerns such as:
    - Value of other properties
    - Homes were purchased as Single Family Dwellings
    - Will this set a precedence for future building sites and other homes?
    - Size of homes are larger; thus the existing home should be able to support another person
    - Future use if approved

- Board Action

Motion to Deny by: Collins

2<sup>nd</sup> by Golka

Denied approved.

7. New Business:

Discussion/Formal Action of the Zoning Variance Application **#22-132** for the proposed Miscellaneous Use for a Communication Tower at the property located at the address of 67110 Pease Rd, in the Lyons Township, In the Loess Hills Conservation Development Zoning District (LH), legally described as SW ¼, SE ¼ Parcel No. 131320000000000 Sec/Twp/Rng 26-71-43.

- Applicant's Presentation. Presentation by Applicant Steve Ward of Ward Development. He discussed the distance to other towers and neighbors. Mr. Ward explained the project and reasons for the selected location.
- Staff Report Read by Jackson
- Board Discussion. Board asked questions about the First Net project and government requirements. Also discussed, what services are provided, how the program works, decommissioning towers and connections to emergency management services. Location was also discussed and length of lease. Board discussed various conditions or scenarios to resolve issues brought to their attention.
- Public Comment. Written comment was reviewed. Four people spoke. Concerns are:
  - Proposed location
  - Vacant landowners
  - Proposed height of tower concerns

- Landscape altered
- Issue with Decommissioned towers not being removed
- Losing nature value
- Interference with the scenic byway
- Concern for lower value of surrounding properties
- Board Action
  - Motion to Approve by: Golka 2<sup>nd</sup> by Jenneman
  - Vote 3-1

8. Meeting Adjourned

***END***