

## **BOARD OF ADJUSTMENT – AGENDA**

May 25, 2023  
Mount Vernon City Hall  
213 1<sup>st</sup> St. NW  
Mount Vernon, IA 52314  
5:30 PM

1. Approval of Agenda.
2. Approval of minutes from March 21, 2023, meeting.
3. Public hearing, discussion, and possible action on an application for Conditional Use Permit allowing installation of a ground-mounted solar system by Rabe Hardware, on behalf of owner Bridge Community Bank at 302 Hwy 1 South in Mount Vernon, Iowa, 52314.
4. Adjournment.

**Mount Vernon  
Board of Adjustment  
Minutes – March 21, 2023**

**Mount Vernon City Hall**

**Meeting was called to order and public hearing opened at 5:30 p.m. by Roch Player. Those in attendance: Board members Roch Player, Terry Elam, and Mark Andresen; City administrator Chris Nosbisch and City Planner Leigh Bradbury, and applicant Dale Beeks.**

**1. Approval of Agenda.**

Motion made by Elam, seconded by Andresen to approve agenda, carried with all in favor.

**2. Approval of minutes from October 27, 2022.**

Motion made by Elam, seconded by Andresen to approve minutes, carried with all in favor.

**3. Public Hearing, discussion and consideration of an Application for Conditional Use to allow installation of a ground-mounted solar system at 1560 First Street, SW in Mount Vernon, Iowa, by owners Dale and Lee Ann Beeks.**

Explanation from City Administrator Chris Nosbisch regarding zoning requirement for alternative energy uses to be reviewed by the Board of Adjustment. Roof-mounted solar panels do not require a Conditional Use Permit as they are considered to become part of the roof structure, whereas ground-mounted systems do require review as an accessory structure with setbacks and potential impacts to neighboring properties. Discussion regarding location of panels at this property. Beeks stated that per the submitted plan, panels will be located in the rear side yard, abutting ag land. Board member Player inquired whether the owner(s) of the adjacent ag land had been approached, Beeks indicated some attempt had been made but health issues had prevented further interaction. Staff member Bradbury has reviewed the required setbacks and indicates the site plan is compliant as submitted.

Motion to approve Conditional Use Permit made by Elam, seconded by Andresen, carried with all in favor.

**4. Meeting adjourned at 5:41 p.m., March 21, 2023.**

Minutes by Leigh Bradbury, City Planner

**Mount Vernon, Iowa  
Application for Conditional Use Permit**

Mount Vernon Zoning Regulation §1309(3) requires the Applicant to provide the following information:

Please type or print legibly

**Applicant**  
Name: Bridge Community Bank  
Address: 302 Hwy 1 S Mount Vernon IA 52314  
Telephone: 563-432-7291 Email: BSteen@Bridge.Bank

**Owner of Property:** \_\_\_\_\_  
(if different from Applicant)

**Property** (the property that the Conditional Use Permit is for)

Address: 302 Hwy 1 S

Legal description:

Stoner Plaza 2<sup>nd</sup>

Year Property Acquired by Owner: 2017 1996

Present Property Zoning Classification: Commercial

Present Use of Property: Bank

**Reason for Conditional Use Permit request:**

To install a 50 module Ground Mounted Solar Array  
83' x 11'

**Description of the nature and operating characteristics of the proposed use:**

---

---

---

---

---

---

---

**Attachments**

Attach any graphic information, including site plans, elevations, other drawings, or other materials determined by the Zoning Administrator to be necessary to describe the proposed use to approving agencies.

**NOTICE:**

**Scope of Board of Adjustment's Approval §1309(6)**

The Board of Adjustment may, at its discretion, apply a Conditional Use Permit to a specific owner or applicant. The Board of Adjustment may establish special site development or operational regulations as a condition for approval of a Conditional Use Permit.

**Lapse and Revocation of Permit §1309(8)**

A Conditional Use Permit shall become void two years after its effective date if the applicant has not carried out development or occupancy during that period, or sooner if so conditioned by the Board of Adjustment.

The Board may revoke a Conditional Use Permit should the operation of the use subject to such permit violate the conditions under which the permit was granted.

**Return this Application with the attachments to the Zoning Administrator.**

  
Owner's signature

Date 3/23/23

This Application must be signed by the Owner of the Property if the Owner is different from the Applicant.

# Bridge Community Bank

Bob Stein  
302 Hwy 1 S  
Mount Vernon IA 52314  
563-432-7291

## Legend

302 IA-1

Bridge Community Bank



METER & PV DISCONNECT

50 module array

← 50 →

← 20 →

Hwy 1

Vingill Ave

302 IA-1



**STAFF REPORT**  
**BOARD OF ADJUSTMENT**  
**Prepared by:** Leigh Bradbury, City Planner  
**Date:** 05/25/23

**AGENDA ITEM:** Application for Conditional Use at 302 Hwy 1 South

**GENERAL INFORMATION:**

**Applicant:** Bridge Community Bank

**Requested Action:** Conditional Use Permit for installation of ground-mounted solar

**Zoning:** General Commercial (GC)

**Zoning Overlay:** US Hwy 30 Corridor Master Plan

**ZONING INFORMATION:**

- Base zoning for this parcel is *General Commercial (GC)*.
- Conditional Uses approved for this district include *Alternative Energy Production*, subject to approval by the Board of Adjustment.
- By definition, this property is a double frontage lot, with Virgil Avenue to the east and Hwy 1 on the west.
- This parcel is located within the US Highway 30 Overlay District.

**FRONT YARD SETBACK:** The following regulations for front yard setback are specific to this property and are listed from least to most restrictive:

- The front yard setback in GC is 25'. This applies to the eastern and western lot lines for this property.
- No accessory building may be located between the front building line of the principal building and the front property line". (*CH165.702 F(b) Supplemental Site Development Regulations*)

The front lot line of a double frontage lot is defined as being on the "more minor street", which places the front yard and entry for this property on Virgil Avenue.

*Note: The street address for this property was established as 302 Hwy 1 S and building frontage was established so as to face Hwy 1. This does not, however, nullify the application of this section of code.*

### **US HIGHWAY30 DESIGN GUIDELINES:**

This parcel has additional zoning requirements because it is located within the US Highway 30 Overlay District, which was adopted by City Council as an ordinance in September, 2021. Ch165.509 requires that:

*“subsequent improvements, amendments or changes to previously approved site plans go through the application process with consideration to the overlay design guidelines.”*

The intent of this process is to:

*“provide **building and site design guidelines** ...to promote growth while protecting the general welfare and values of the community through established architectural standards, site design guidelines, **and permitted uses.**”*

### **EFFECT ON ADJACENT PROPERTIES / GENERAL PUBLIC:**

Adjacent properties which may potentially be impacted by this application include Sleep Inn & Suites to the southeast, Mount Vernon Family Dentistry (currently under construction) to the south, and Hotz Insurance to the southwest.

There is potential for brief periods of glare to affect roadway traffic heading northeast on Virgil Avenue.

### **OTHER CONSIDERATIONS - LANDSCAPE SCREENING / BUFFER:**

CH165 Zoning Regulations, Section 800 Landscaping and Screening Regulations:

*“provide additional guidance on the development of sites...designed to improve the appearance of the community; buffer potentially incompatible land uses from one another; and conserve the value of properties within the City of Mount Vernon.”*

There are landscape design requirements established within the US Hwy 30 overlay master plan for landscaping.

### **STAFF RECOMMENDATION:**

Staff recommendation is for denial of the application due to the proposed location; or approval with the following conditions / requirements:

- 1) Relocation of the ground-mount system to the south and west of the original proposal, effectively moving it out of the front yard setback.
- 2) Landscape screening elements to be added south and east of the installation, based on the US Hwy 30 Overlay design standards.