Jones County Land Use Rm 113 Courthouse, 500 W Main St. Anamosa, Iowa 52205 Phone: 319-462-2282 Fax: 319-462-5815 Email: landuse@jonescountyiowa.gov Website: www.jonescountyiowa.gov

.



| Application from: | Barner Storage LLC., owner Motion Media Inc., applicant | | | |
|---|---|--|--|--|
| For property located/Brief legal description: | Lot 3 Barner's 1 st Addition Section 35 of Cass Township | | | |
| Parcel number: | 05-36-328-003 | | | |
| Parcel size: | 2.59 acres | | | |
| Proposal: | To allow rebuilding an existing non-conforming off- premise freestanding sign that is within 1,000 feet of another off-premise sign. | | | |
| Current Zoning District: | C-2 Highway Commercial District | | | |
| Applicable Ordinance Provisions: | Article XX Sign Requirements Section 3. – General Provisions for Sign Regulations C. Sign regulations by district 4. C-2 Commercial District b. Freestanding signs | | | |
| Date application received: | November 28, 2023 | | | |
| Applicable fee: | \$250 paid on November 28, 2023 | | | |
| Notice published: (Article XXV-Section 5) | Week of December 4, 2023 (13-14 days notice provided; 7-20 days required) | | | |
| Adjacent property owners notified by certified mail: (Article XXV-Section 5) | November 30, 2023 | | | |
| Report mailed to Board of Adjustment: (Article XXV-Section 7) | December 14, 2023 | | | |
| Report mailed to Applicant: (Article XXV-Section 7) | December 14, 2023 | | | |

Written Report of the Jones County Land Use Administrator

See pages 2, 3 and 4 for report.

Page 2: Owners: Barner Storage LLC. Applicant: Motion Media Inc. Property Location: Lot 3 Barner's 1st Addition Board of Adjustment meeting: <u>December 19, 2023 at 4:00 p.m.</u>

ډ

Report of the Jones County Land Use Administrator

| | (Article XXV-Section 7) |
|-----------|---|
| | Jones County Engineer – Derek Snead |
| Comments: | Consideration should be made to the distraction billboards cause. The bright lights, movement, or dynamic images easily draw drivers' attention and gaze, even when they do not mean to take their eyes off the road. Once they are looking at the billboard, a motorist must switch from thinking about driving to thinking about the advertisement. With the closing of the Old Dubuque Street intersection to the south of these billboards, more traffic will now be using the Circle Drive intersection. Taking drivers attention away from the roadway through this corridor is a safety concern from our office. |
| | Jones County District Soil Conservationist – Addie Manternach |
| Comments: | After reviewing this Variance application, I do not see any major concerns/impacts of the proposed billboard rebuild with regard to impacts on natural resources. From the point of view of the Jones Soil & Water Conservation District, the expansion should have no significant negative effects on the soil and water resources of this area. However, if there will be any land disturbing activities as part of this proposed project, the landowner is advised to take precautions to control soil erosion and sediment runoff from the construction site. During any construction where earthmoving occurs or existing land cover is disturbed, there is the potential for increased soil erosion from wind and rain. Runoff from heavy rain events during construction is likely to wash soil and other loose material into nearby water bodies, impairing the water quality and degrading aquatic habitat. The Jones Soil & Water Conservation District advises putting a construction site erosion control plan in place prior to starting any land disturbing activity. The plan should include the installation of practices such as silt fence and mulching to prevent on-site soil erosion and also address sediment leaving the property. |
| | Jones County Sanitarian – Paula Hart |
| Comments: | No Comments from this department as no septic or well needed for signage. |
| | Flood Plain Manager – Brenda Leonard |
| Comments: | This parcel is not in a flood plain. |
| | Jones County Conservation Board - Brad Mormann |
| Comments: | No comments received. |
| | 911 Coordinator – Gary Schwab |
| Comments: | In review of the above stated application the Jones County 911 office finds that there are no conflicts, pursuant to Chapter 3, Uniform Rural Address System to Title IV Streets, Roads Public Ways and Transportation, as part of the Jones County Code of Ordinances. |
| | Iowa DOT – Brent Christian |
| Comments: | Please note this sign will also require a state Outdoor Advertising Sign Permit since the sign will be visible to a state highway. I am sure Motion Media is aware of this as they have many billboards in Iowa, but I will reach out to them to get the ball rolling with the state permit. |

Page 3: Owners: Barner Storage LLC. Applicant: Motion Media Inc. Property Location: Lot 3 Barner's 1st Addition Board of Adjustment meeting: <u>December 19, 2023 at 4:00 p.m.</u>

| | Variance Checklist – Three-part Standard | | | |
|---|--|--|--|--|
| The site cannot yield a reasonable return if used only as zoned. Deprived beneficial use of land. | | | | |
| | The hardship is due to unique circumstances and not to the general conditions in the neighborhood. | | | |
| | The proposal will not substantially alter the character of the locality. (size of parcel, character, intensity of use, height, etc.) | | | |

| Minimal | Impact which the application will have on the overall land use plan in Jones County (Article XXV-Section 7) | | | | |
|---|--|--|--|--|--|
| | : The 2023 Comprehensive Land Use Plan describes the tools that manage land | | | | |
| use such as the | zoning and subdivision ordinance. | | | | |
| Minimal Impact which the application would have on surrounding property: (Article XX Section 7) | | | | | |
| Comments: This variance is for the most northern sign on this parcel. In addition, there are two additional billboard signs on this parcel. The second billboard is approximately 300 feet from the sign requesting the variance. The third sign is approximately 602 feet from the sign requesting | | | | | |
| the variance. The length of this parcel is approximately 813 feet in length. There are generally commercial and residential uses in the area. This sign is less than 1,000 feet from the city limits of | | | | | |
| Anamosa. Generally, a billboard has more effect on motorists along Hwy 151. | | | | | |

| Review by the Board of Adjustment (Article XXV Section 8.) | |
|--|--|
| Options to the Board of Adjustment: | |
| □ Approve the application in full. | |
| □ Approve the application subject to modifications or conditions. | |
| □ Table the application and to request review by the Board of Supervisors. | |
| Deny the application (provide reasoning for denial). | |

Page 4: Owners: Barner Storage LLC. Applicant: Motion Media Inc. Property Location: Lot 3 Barner's 1st Addition Board of Adjustment meeting: December 19, 2023, at 4:00 p.m.

Comments: The application does indicate that the current sign is 288 sq. ft. It does not indicate whether changing the billboard to the single pole steel structure will change the height of the billboard. The application states it is for vinyl wrap billboard. Keep in mind, the C-2 Highway Commercial District does allow for digital and video signs which are prohibited in the Agricultural, Residential and C-1 Commercial Districts.

negting

Whitney Amos Jones County Land Use Administrator

12/14/23

| Jones County Land Use Rm 113 Courthouse, 500 W Main St. Anamosa, Iowa 52205 Phone: 319-462-2282 Fax: 319-462-5815 Email: <u>landuse@jonescountyjowa.gov</u> Website: <u>www.jonescountyjowa.gov</u> | | unty Zoning nce Application |
|--|--|--------------------------------|
| For Office line Only | V 641 A44 | |
| For Office Use Only | | |
| Approved Denied | Date: | |
| Comments: | | _ |
| Signature of Jones County Land Use | Administrator | |
| The Board of Adjustment will review the | proposal and deny or approve. | |
| Fee: \$250.00 (non-refundable) payable to Jones County | | NES CO. ANDT |
| Date Application Filed: 11/28/23 | | 04 20 AM11704 |
| Name on property: BARWER STORAGE LL | Information | |
| Address to receive mail: | Cr | Apartment/Unit |
| Address to receive mail: | State: | Zip Code: 52205 |
| Phone: () E-mail Ad | Idress: | |
| Applican | t Information | |
| Name: (If different from above.) | A INC | |
| House Number & Street: 18691 270 +3 St | 7 | Apartment/Unit |
| Address to receive mail: | State: | Zip Code: |
| Phone: (319) 470 6261 E-mail Ad | email documents | edia billboards.com |
| 1 | nformation | |
| Township (ASS Section 36 Zoning District: Commercian C-2 | Property Address Prace IP 05 County Parcel ID, if known: 0536 | 36328003 32,0007 |
| Please attach the following to this application: 1.A description of the nature of the proposal. 2.A legal description of the real estate upon which the proposal. 3.A statement of the intended use. 4.A "sketch" map or aerial photo of the proposed site develops. 5. The disruption expected to be incurred on the area's press 6. Methods to be implemented to lessen the severity of the s | opment noting the proposed parcel lines a ent setting. | and building locations. |

VARIANCE

The five-member Board of Adjustment appointed by the County Board of Supervisors decides variances to the county's zoning ordinance. The decisions of the Board of Adjustment must comply with the provisions of the county ordinance as it is written. The Board of Adjustment's duty is not to compromise for a property owner's convenience but rather to apply appropriate legal standards to a specific fact situation. A variance may only be granted if the landowner proves that an unnecessary hardship will result if the zoning regulations are enforced as stated in the ordinance. Variances are intended to be an infrequent remedy where an ordinance imposes a unique and substantial burden.

You will have an opportunity to present information to the Board of Adjustment regarding your request for a variance. To maintain impartiality and avoid a possible conflict of interest, do not speak to any member of the Board of Adjustment about your application except at the hearing. Do not direct any written communication about your application to a member of the Board of Adjustment unless you also file a copy with the Land Use Office. Your failure to observe these rules may invalidate your application.

Any landowner, or other person, aggrieved by a decision rendered under the Jones County Zoning Ordinance by the Board of Adjustment may file a petition with the District Court within thirty (30) days after the decision has been issued by the Board of Adjustment.

| A variance is requested because of the following reason: |
|---|
| Proposal does not qualify as a Permitted Use in the zoning district in which it is located. |
| Proposal does not qualify as a Special Permitted Use in the zoning district in which it is located. |
| Proposal does not meet the lot area, or setback requirements, in the zoning district in which it is located. |
| D Other SPACINO BETWEEN BILLBOARDE |
| Would this proposal qualify as a permitted or special permitted use if the property were located in a different zoning district? Example: If your proposal is not permitted in the existing agricultural zoning district, it might be a permitted use in the residential zoning district. |
| Yes If so, in which zoning district would your proposal qualify as a permitted, or special permitted use? |
| No This meets the ZONING DISTIZIET ORDINATE |
| I believe the Jones County Board of Adjustment should grant a variance for this proposal, and that the proposal qualifies for a variance because of the unnecessary hardship imposed by the requirements of the Jones County Zoning Ordinance, as noted below: |
| 1. <u>Reasonable Return</u> – The land in question cannot yield a reasonable return if it is used only for a purpose allowed in the zoning district in which it is located. Lack of a "reasonable return" may be shown by proof that the owner has been deprived of all beneficial use of his land. All beneficial use is said to have been lost when the land is not suitable for any use permitted by the zoning ordinance in zoning district in which it is located. |
| 2. Unique Circumstances – The plight of the owner is due to unique circumstances and not the general conditions in the neighborhood. Problems common to several properties do not constitute "unique circumstances" (i.e. severe slope affecting numerous neighboring properties). |
| 3. Self-created - An unnecessary hardship must not have been self-created. When property is purchased, the new owner |
| assumes any liability created by the previous landowner. A. <u>Essential character</u> – Use to be authorized by the variance will not alter the essential character of the locality. The Board of Adjustment cannot grant a variance if the proposed use will have detrimental effects on surrounding properties. |
| The Jones County Zoning Ordinance is available on-line at www.jonescountyiowa.gov/land use. |
| The undersigned applicant certifies under oath and under the penalties of perjury that the foregoing information is true and correct. |
| Applicant Signature Date |

Owner Signature (if different than above)

<u>//-27-23</u> Date

Jones County, IA

Summary

| Parcel ID | 0536328003 |
|------------------------------|---|
| Property Address | N/A |
| Sec/Twp/Rng | 36-85-04 |
| Brief Tax Description | 36 85 04 BARNERS 1ST ADD LOT 3 |
| | (Note: Not to be used on legal documents) |
| Deed Book/Page | |
| Contract Book/Page | |
| Gross Acres | 2.59 |
| Net Acres | 2.59 |
| Class | R - Residential |
| | (Note: This is for tax purposes only. Not to be used for zoning.) |
| District | CASAN · CASS TWP/ANAMOSA SCH |
| School District | ANAMOSA SCHOOL |

Owner

Deed Holder Barner Storage LLC 211W Main St Anamosa IA 52205 Contract Holder Mailing Address Barner Storage LLC 211W Main St Anamosa IA 52205

Land

Lot Area 2.59 Acres ;112,820 SF

Sales

| | | | | | | Multi | |
|-----------|-----------------------|---------------------|-----------|-----------------------|------|--------|--------------|
| Date | Seller | Buyer | Recording | Sale Condition - NUTC | Туре | Parcel | Amount |
| 5/23/2017 | PARHAM, JILL A | BARNER STORAGE, LLC | 2017-1595 | Normal | Deed | Y | \$111,000.00 |
| 5/23/2017 | PARHAM, JOHN W ESTATE | BARNER STORAGE, LLC | 2017-1596 | Normal | Deed | Y | \$0.00 |

There are other parcels involved in one or more of the above sales:

| re other parcels involved in one or more of the ab |
|--|
| Recording: 2017-1595 - Parcel: 0536276001 |
| Recording: 2017-1595 - Parcel: 0536276002 |
| Recording: 2017-1595 - Parcel: 0536327001 |
| Recording: 2017-1595 - Parcel: 0536328001 |
| Recording: 2017-1595 - Parcel: 0536328002 |
| Recording: 2017-1596 - Parcel: 0536276001 |
| Recording: 2017-1596 - Parcel: 0536276002 |
| Recording: 2017-1596 - Parcel: 0536327001 |
| Recording: 2017-1596 - Parcel: 0536328001 |
| Recording: 2017-1596 - Parcel: 0536328002 |
| |

Valuation

| | | 2023 | 2022 | 2021 | 2020 | 2019 |
|---------|--------------------|------------------|-------------|-------------|-------------|-------------|
| Classi | ification | Residential | Residential | Residential | Residential | Residential |
| + Asses | sed Land Value | \$40,160 | \$36,680 | \$36,680 | \$36,680 | \$36,680 |
| + Asses | sed Building Value | \$0 | \$O | \$O | \$0 | \$0 |
| + Asses | sed Dwelling Value | \$0 | \$O | \$0 | \$0 | \$0 |
| = Gross | Assessed Value | \$40,16 0 | \$36,680 | \$36,680 | \$36,680 | \$36,680 |
| - Exem | pt Value | \$0 | \$0 | \$0 | \$0 | \$0 |
| ≂ Net A | ssessed Value | \$40,160 | \$36,680 | \$36,680 | \$36,680 | \$36,680 |

Taxation

| | | 2022 Pay 2023-2024 | 2021 Pay 2022-2023 | 2020 Pay 2021-2022 | 2019 Pay 2020-2021 |
|---|---------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| + | Taxable Land Value | \$ 2 0,046 | \$1 9,855 | \$20,691 | \$20,201 |
| + | Taxable Building Value | \$O | \$O | \$0 | \$0 |
| + | Taxable Dwelling Value | \$0 | \$O | \$0 | \$0 |
| = | Gross Taxable Value | \$20,046 | \$19,855 | \$20,691 | \$20,201 |
| - | Military Exemption | \$0 | \$O | \$O | \$0 |
| - | Net Taxable Value | \$20,046 | \$19,855 | \$20,691 | \$20,201 |
| × | Levy Rate (per \$1000 of value) | 27.08242 | 2 6 .31760 | 2 6 .83131 | 26.66865 |
| | | | | | |

Beacon - Jones County, IA - Parcel Report: 0536328003

| | | 2022 Pay 2023-2024 | 2021 Pay 2022-2023 | 2020 Pay 2021-2022 | 2019 Pay 2020-2021 |
|---|------------------------------|-------------------------|-----------------------|---------------------------------|-----------------------|
| = 0 | Gross Taxes Due | \$542.89 | \$522.54 | \$555.17 | \$538.73 |
| - A | lg Land Credit | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| - Family Farm Credit | | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Homestead Credit | | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Disabled and Senior Citizens Credit | | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Business Property Credit | | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| = Net Taxes Due | | \$542.00 | \$522.00 | \$556.00 | \$538.00 |
| Tax His | story | | | | |
| Year | Due Date | Amount | Paid | Date Paid | Receipt |
| 2022 | March 2024 September 2023 | \$271 \$271 | No Yes | 9/29/2023 | 921058 |
| 2021 | March 2023 September 2022 | \$26 1 \$261 | Yes Yes | 9/28/2022 9/28/2022 | 821171 |
| 2020 | March 2022 September 2021 | \$278 \$2 7 8 | Yes Yes | 3/1 4 /2022 9/28/2021 | 721252 |
| 2019 | March 2021 September 2020 | \$26 9 \$269 | Yes Yes | 9/22/2020 9/22/2020 | 621378 |

Homestead Tax Credit and Exemption

Apply Online for the Homestead Tax Credit and Exemption

Military Tax Exemption Application

It is required to have your DD214 recorded in Jones County to qualify for the Military Tax Exemption. Apply online for the Iowa Military Tax Credit

Iowa Land Records

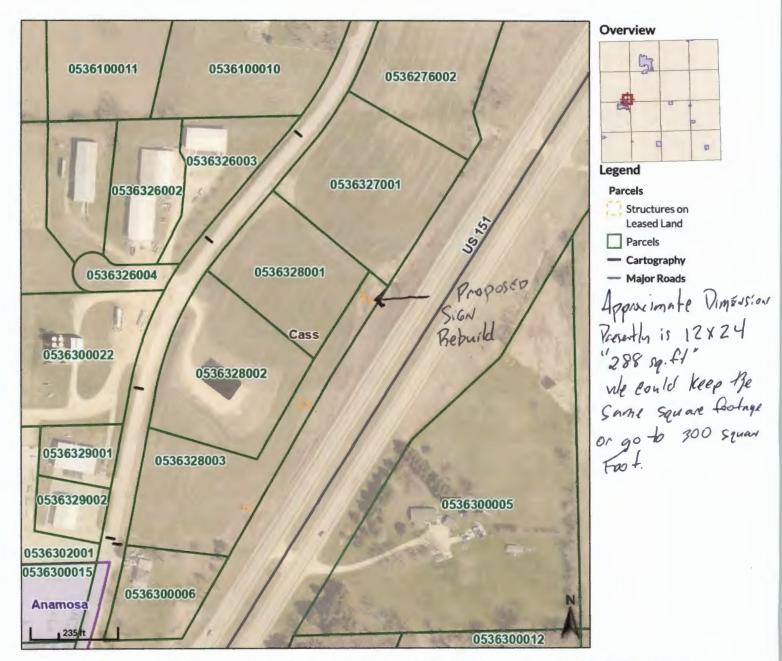
Data for Jones County between Beacon and Iowa Land Records is available on the Iowa Land Records site beginning in 1997. For records prior to 1997, contact the County Recorder or Customer Support at <u>www.lowaLandRecords.org</u>.

No data available for the following modules: Commercial, Yard Extras, Residential Dwelling, Agricultural Buildings, Tax Sale Certificates, Photos, Sketches.

User Privacy Policy GDPR Privacy Notice Last Data Upload: 11/24/2023, 4:19:59 PM



Beacon[™] Jones County, IA



THIS MAP DOES NOT REPRESENT A SURVEY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA DELINEATED HEREIN, EITHER EXPRESSED OR IMPLIED BY JONES COUNTY OR ITS EMPLOYEES. THIS MAP IS COMPILED FROM OFFICIAL RECORDS, INCLUDING PLATS, SURVEYS, RECORDED DEEDS, AND CONTRACTS, AND ONLY CONTAINS INFORMATION REQUIRED FOR LOCAL GOVERNMENT PURPOSES. SEE THE RECORDED DOCUMENTS FOR MORE DETAILED LEGAL INFORMATION.

Date created: 11/27/2023 Last Data Uploaded: 11/24/2023 5:19:59 PM

Developed by Schneider



Motion Media, Inc. PO Box 126 Eldridge IA 52748

Jones County,

27th November 2023

I am Wayne Briggs with Motion Media Inc in Eldridge, Iowa.

Enclosed is a completed variance application. The purpose is to rebuild an existing billboard owned by Barner Storage on the same property owned by Barner Storage LLC. Overhead map of property is also enclosed. There are 3 billboards on the property. The variance applies to the billboard at the North end. We are asking that we have permission to rebuild this sign to a single pole, all steel structure that would have one 300 square foot panel on each side of the sign. Visible to traffic heading north and South. This property is zoned C2. The zoning and the square footage of the proposed sign fits the Jones County ordinance for billboards. The only part of this that we need a variance for is the distance between existing billboards. Jones county's ordinance says 1000 feet between billboards. The closest billboard is the one to the south which is approximately 300 feet which is consistent with the state of lowa's separation rules.

Since this is an existing billboard that is grandfathered in, we thought that maybe Jones county would accept this variance and allow us to build a modern, new, single pole, steel structure in its place. This sign would be for vinyl wraps.

Thank You and we appreciate you considering this and look forward to meeting you in the near future. If you have any questions, please reach out to me at the number or email below. Or you can also reach out to Brett or Bart Barner - owners of the property and sign.

Wayne Briggs - President

Motion Media, Inc. Phone: 319-470-6261 wayne@motionmediabillboards.com