



## HASTINGS, GARTIN, & BOETTGER, LLP

ATTORNEYS AT LAW

July 20, 2020

Mayor and City Council of Ames  
515 Clark Ave.  
Ames, Iowa 50010

Re: Zoning Amendment for 27107 Timber Rd., Kelley

Dear Mayor Haila and City Councilpersons,

I am writing to you on behalf of my clients, Ted and Peggy Sterling, who live at 27107 Timber Road, Kelley, Iowa. My clients have lived at 27107 Timber Road for 45 years. In 1986, they subdivided the property to conform to county zoning requirements because the property had two homesteads and was used for commercial purposes.

My clients' property is currently designated as "A-1 Agricultural" by Story County. They are seeking to amend the zoning to "A-R Agricultural-Residential," which would allow them to divide their current subdivision lots into two lots that conform with the county requirements of the amended zoning designation. They met with city staff on June 25, 2020, to discuss the minor subdivision of their property. Based on said discussion and the location of their property within the fringe of the Ames Urban Fringe Plan, they are required to seek your approval for an amendment to the zoning of their property before proceeding with the minor subdivision process with Story County. My clients believe that their request to amend the current zoning should be granted, or at least investigated further, based on several factors.

The first factor is the distance of their property from the City of Ames. It is located approximately 1 mile south of the southern most tip of the Ames Airport and nearly 2 miles south of the general southern edge of the city.

The second factor is the size of the lots proposed. My client's minor subdivision would divide a 4.3-acre parcel into two lots – one lot of 2.49 acres and another of 1.81 acres – whose sizes exceed the minimum lot size of 1 acre required by the county.

The third factor is the recent development of subdivisions in close proximity to their property. Their property is located 1/3 of a mile north of two housing developments – one zoned as "A-R Agricultural Residential" and the other zoned as "R-1 Residential." So the proposed minor subdivision of their property would be in conformity with these developments, which actually have smaller lot sizes than their proposed lot sizes.

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The fourth factor is the historic use of the property by the same family. The current site upon which their home sits had at one time two homes sitting upon it. There was a second home located just north of their current home, which was eventually removed. Additionally, the home my clients currently occupy was previously owned by the parents of Peggy Sterling and has been improved and added on to by my clients.

The final factor is my client's need to build a home that fits their needs. When the original subdivision was platted over 30 years ago, my clients never imagined the need to build a different home to fit their long-term needs. Had they envisioned such a need, they would have created two separate lots upon the current parcel to provide the opportunity to meet such a need.

Based on the aforementioned factors, my clients respectfully request that you grant them the opportunity to amend the zoning of their property with Story County so they may proceed with the minor subdivision. In the alternative, they ask that their request be referred to city staff for a full review and recommendation to you at a later date.

Respectfully,

*/s/ Chad E. Schneider*

Chad E. Schneider  
Attorney & Counselor at Law