

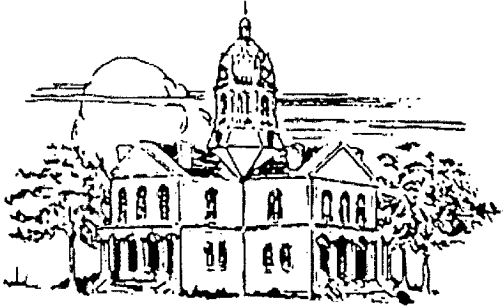


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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA



Courthouse at Winterset
Madison County, Iowa
Built in 1876 of native limestone.

Prepared by
Return to
Madison County
Office of Zoning and Environmental Health
CJ. (Jeff) Nicholl, Environmental Health & Zoning Administrator

SPECIAL USE AND VARIANCE

PERMIT NO: 043-16

DATE: 05-03-16

After a properly held Public Hearing on May 3, 2016, the Madison County Board of Adjustment has granted an amendment to Special Use Permits 2398 & 072-03 to add and include additional land on the following described real estate:

Parcel E 10.62A Section 11 Lincoln Township, T75N R28W.

The specific terms of the previously issued permits does not change and this permit falls under the same conditions and restrictions

A Special Use permit is granted as required in the Zoning Ordinance under Section 14 E (4) for Moto Cross, Figure 8 and other motorized race tracks with the original terms and conditions in effect.

C.J. Nicholl, Environmental Health & Zoning Administrator
Secretary to the Madison County Board of Adjustment

MADISON COUNTY BOARD OF ADJUSTMENT

Application of SUP Amendment by
AMW Holdings/Riverside Raceway
Date: 05-03-16

DECISION

On May 3, 2016 at 7:00 p.m., pursuant to the rules of procedure of the Madison County Board of Adjustment, a public hearing was held and conducted on the Application for Amendment to previously issued Special Use Permits 2398 & 072-03 to add additional land. At the hearing the Board of Adjustment, reviewed the completed application form(s), relevant provisions of the Madison County Ordinances, all documents constituting the record from the Zoning Administrator, documents received from the Applicant, heard the statements, remarks and comments by the Zoning Administrator, the Applicants, AMW Holdings LLC/Riverside Raceway, as well as statements, remarks and comments by others in attendance. After all information has been received and all interest parties heard by the Board of Adjustment, the hearing was closed pursuant to the rules of procedure of the Board of Adjustment.

Following the close of the hearing a motion was made by RANDAL to approve/deny the Application. The motion to approve/deny the Application was seconded by Randy.

A roll call vote was conducted on the motion to approve/deny the Application for Appeal with the following votes:

	Approve	Deny
Randy Gambal	<u>YES</u>	_____
Fred Howell	<u>YES</u>	_____
Randall Johnson	<u>YES</u>	_____
Carrie Larson	<u>YES</u>	_____
Mary Terry	<u>Absent</u>	_____

The motion to approve/deny the Application for Appeal was passed.

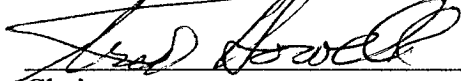
Accordingly, the "Board of Adjustment Findings of Fact and Legal Principles Upon Which the Board Acts" has been approved as written and approved and adopted by the Board of Adjustment.

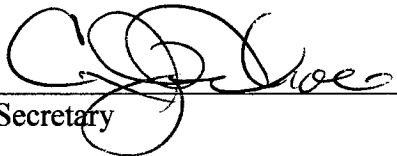
DECISION:

As the Application for Amendment was passed, the application is approved.

Dated this 3rd day of May 2016

Acknowledged as to Accuracy:


Chair


Secretary

Original Filed with the Secretary of the Board of Adjustment on May 3rd, 2016.

Written Notification of Decision sent to:

Amw Holdings, L.L.C.
PO Box 12
Booneville, IA 50038

MADISON COUNTY IOWA BOARD OF ADJUSTMENT

FINDINGS OF FACT:

This matter pertains to the application for amendment to add additional land to Special Use Permits 2398 & 072-03 requested by AMW Holdings LLC/Riverside Raceway filed by Anthony Wenck March 15, 2016.

FINDINGS OF FACT

After having heard the evidence, inspected the records and files, and after careful consideration of all of the information that has been presented, and for the factual reasons set forth in the Staff Report of Jeff Nicholl, Madison County Environmental Health and Zoning Administrator, which are incorporated by this reference herein, the Madison County Board of Adjustment makes the following Findings of Fact and Conclusions:

General Information

1. The Madison County Board of Adjustment has jurisdiction in this matter.
2. Notice of the date, time, place and nature of the hearing was timely given to all parties.
3. The owners of record are AMW Holdings LLC/Riverside Raceway with a P.O. Box 12 Booneville Iowa 50038.
4. The subject property is located in sections 11 & 14 of Lincoln Township.
5. The area is developed with a motocross track permitted by previously issued special use permits.
6. The area requested to be added to the existing permits is 10.62A acres and is zoned "A" Agricultural.

Background

1. Special Use Permit 2398 for a motocross track was issued August 29, 2000
2. Special Use Permit 072-03 to amend Special Use Permit 2398 to add additional land was issued May 7, 2003.
3. The motocross track has been in operation since the issuance of Special Use Permit 2398.

This Application

1. The applicant requests to add an additional 10.62A to the existing permits for an additional race/practice area to be used in conjunction with the current race/practice area and no other changes to the previously issued permits has been requested or approved.
 2. A hearing was held on the Petitioner's request on May 3, 2016 in front of the Madison County Board of Adjustment.
 3. Applicants were represented by Anthony Wenck who addressed the Board
-

May 3, 2016 Hearing:

CONCLUSION

Based upon the evidence and testimony presented to the Madison County Board of Adjustment, the Applicant, AMW Holdings LLC/Riverside Raceway represented by Anthony Wenck, has demonstrated that the area requested to be added to the existing Special Use Permits meets the requirements and stipulations of the previously issued permits and the Madison County Zoning Ordinance.

THEREFORE, the Madison County Board of Adjustment makes the following decision:

The conditions for granting the amendment of the previously issued Special Use Permits 2398 & 072-03 have been met, and by a vote of 4 in favor, with 0 opposed, the petitioner's amendment is approved.

DECISION

**MOTION TO APPROVE THE REQUEST ON THE AMENDMENT TO ADD
ADDITIONAL LAND TO EXISTING SPECIAL USE PERMITS 2398 & 072-03 AT
PROPERTY DESCRIBED AS PARCEL E 10.62A IN SECTION 11 OF LINCOLN
TOWNSHIP, MADISON COUNTY IOWA.**

Moved by RANDAL Seconded by RANDY to approve the amendment.

Vote: Motion passed by roll call vote (summary: Yes=~~5~~ No=0)
Yes: Fred Howell, Carrie Larson, Randal Johnson, Randy Gamble
No: None
Absent: Mary Terry
Abstain: None

The motion to approve the amendment was passed, the application for amendment is approved.

Dated this 3rd day of May, 2016

Acknowledged as to Accuracy:

Fred Howell
Fred Howell, Chair

Randal Johnson
Randal Johnson

Mary Terry

Carrie Larson
Carrie Larson

Randy Gamble
Randy Gamble

[Signature]
Secretary to the Board of Adjustment

Original Filed with the Secretary of the Board of Adjustment on May 3rd, 2016.

Written Notification of Decision sent to:

AMW Holdings/Riverside Raceway
P.O. Box 12
Boonville, Iowa 50038