



BOARD OF ADJUSTMENT MEETING MINUTES

NOVEMBER 14, 2019

5:30 P.M. – BOONE COUNTY COURTHOUSE, 1ST FLOOR CONFERENCE ROOM
201 STATE STREET, BOONE

PLEASE ENTER THROUGH THE EAST DOOR

I. OPEN MEETING AND ROLL CALL

Amy Yoakum
Dennis Lynch
Steve Kieffer
Ruth Berglund
Sam Fisher

ATTENDANCE: Sam Fisher, Steve Kieffer, and Ruth Berglund

ABSENT: Amy Yoakum and Dennis Lynch

ALSO IN ATTENDANCE: Lori & Marlo Messenbrink and Kurt Phillips

II. APPROVAL OF MINUTES:

October 10, 2019 and October 24, 2019

Steve Kieffer moved to approve the minutes as written

Seconded by Ruth Berglund

Ruth Berglund—yes
Sam Fisher—yes
Steve Kieffer—yes

Motion Carried

III. APPROVAL OF AGENDA:

IV. DISCLOSE CONFLICT OF INTEREST AND EX-PARTE COMMUNICATION

A. None

V. CITIZENS COMMENTS ON ITEMS NOT ON THE AGENDA (ADDITIONS TO AGENDA)

A. None

VI. OPEN PUBLIC HEARING(S) AND CONSIDERATION OF APPLICATION(S)

A. Petition for Variance # 2019-007 submitted by MDM Properties 1215 LLC.
MDM Properties is requesting relief from section 4.15 Bulk Regulations Table of the Boone County Zoning Ordinance which requires an 85' front yard setback for an accessory structure

in the C-1 (General Commercial) District. MDM properties are requesting a 40' front yard setback to allow for the installation of a solar array 45' from their east property line.

Chairman Sam Fisher asked for any staff comments.

Director Michael Salati noted the variance being requested was applicable to accessory structures. Salati noted accessory structures were generally to be located behind the building or at least set back as far as the buildings. He noted if this were a principle use it could be closer... as they were only required to have a 25' front yard setback.

Chairman Sam Fisher asked the board members if they had any further questions.

Director Salati questioned whether the array was mainly being constructed to reduce their current power consumption. Salati questioned how much the array would accomplish.

Marlo Messenbrink stated this was just to be the first stage and that it would be tying into the larger first constructed building. Messenbrink noted the array should cut the power consumption in half.

Messenbrink noted the second phase would generate half the power usage of the south building.

He noted that half of the electricity should be generated on site.

Director Salati next questioned Messenbrink in regards to why he could not move the array.

Messenbrink noted if he were to move the array to the south side of the pond he would need to increase the gauge of wire being used and if there were any future expansion he would plan to build in that area.

Steve Kieffer noted that if they had to increase the gauge of the wire the cost increase would be quite substantial.

Messenbrink stated it would be costly, and approximately another \$5,000.

Further discussion was held on reasons as to why the solar array could not be moved.

Staff questioned whether an additional variance would be required for the second phase.

Messenbrink stated the second phase would be tucked behind the south building and would not require a variance.

Chairman Sam Fisher questioned what the payback on solar was.

Messenbrink estimated approximately 4 to 5 years.

Steve Kieffer noted he had been told it was approximately a 30 month payback on a residential use.

Chairman Sam Fisher asked for a motion to close the public hearing

Steve Kieffer moved to close the public hearing

Ruth Berglund seconded

Sam Fisher—yes
Steve Kieffer—yes
Ruth Berglund—yes

Chairman Sam Fisher next asked for a motion.

Steve Kieffer moved to approve Petition for Variance # 2019-007 submitted by MDM Properties 1215 LLC. MDM Properties is requesting relief from section 4.15 Bulk Regulations Table of the Boone County Zoning Ordinance which requires an 85' front yard setback for an accessory structure in the C-1 (General Commercial) District. MDM properties are requesting a 40' front yard setback to allow for the installation of a solar array 45' from their east property line.

Seconded by Ruth Berglund

Ruth Berglund—yes
Steve Kieffer—yes
Sam Fisher—yes

Motion Carried

- I. UNFINISHED BUSINESS**
 - A. None
- II. NEW BUSINESS**
 - A. None
- III. DIRECTOR'S REPORT (PLANNING AND DEVELOPMENT DEPARTMENT)**
- IV. ADJOURNMENT**

Respectfully submitted

Wanda Cox