



BOARD OF ADJUSTMENT MEETING MINUTES

NOVEMBER 9, 2017

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: Amy Yoakum, Steve Kieffer, Dennis Lynch, and Ruth Berglund

ABSENT: SAM FISHER

ALSO IN ATTENDANCE: Sadie Thatcher, Zebedee Thatcher, Julie Dorr, Scott Dorr, Julie Gorman, Jim Turbis, Paul Boeckmen, and Anne Ahrens

II. APPROVAL OF MINUTES:

February 21, 2017

Lynch Moved, Berglund seconded to approve the minutes as submitted. Motion was carried Unanimous.

III. APPROVAL OF AGENDA:

Yoakum moved to approve the agenda, seconded by Lynch, motion was carried unanimously.

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. Case No. 2017-137 Dustin & Julie Gorman Application for Conditional Use Permit to allow for an Airbnb to be located at 1403 Oriole Rd, Boone, Ia 50036.

Director Salati spoke in regards to the request for the Air BNB. Salati noted the request had originally been heard by the Zoning Commission in September at which time the commission had tabled the request so that further information could be gathered on the location of the accessory building.

Salati noted the accessory Air BNB was actually 11.8 feet from the Gorman's property line which had been confirmed by Dave Anthony.

Salati also noted the Zoning commission had concerns as to whether or not a sprinkler system would be required.

Director Salati stated he had been in contact with the Boone Fire Chief Justin Adams. Adams in turn contacted the state Fire Marshall's Office and it had been determined a sprinkler would not be required.

Julie Dorr was first to speak in regards to the request. She stated the Air BNB was a separate lodging unit which was located approximately 50' to 60' from her home.

She stated she believed this was opening themselves up for trouble. She stated she did not feel country living included living next to a lodging unit. She also noted the unit could lodge up to eight people.

Julie Dorr questioned whether the unit would de-value her property. She stated they would not choose to live next door to a lodging unit.

Dorr also expressed concerns with Gorman's animals wandering onto their property excessively.

Julie Dorr noted they had moved to their home over twenty six years ago. She stated the reason they had moved there was due to the peace and quiet.

Dorr also questioned what would be next would the Gorman's expand their Air BNB or start another business in an area which was not commercially zoned.

Dennis Lynch questioned the location of the Dorr's property.

Director Mike Salati spoke in regards to the aerial maps included in the member's packets. He stated the property lines indicated on the map were not correct at all. He again noted the corner of the building was 11.8 ft from the property line.

Dennis Lynch questioned whether there would be a need for a variance as the existing building did not meet today's setback requirements.

Director Salati stated a variance would not be required noting that he as Director could grant a variance himself based upon existing buildings within 200 feet. Salati noted the building to the west was already closer than the Air BNB.

Julie Gorman was next to speak in regards to the request. Gorman stated the Air BNB was very safe and that they were able to pick and chose who they would allow to stay on their property.

Gorman stated they had 4 boys and would not allow anyone they believed to be unsafe to stay in the Air BNB.

Gorman noted the planned to save the income from the Air BNB and put the money towards building a new home. Gorman stated a new home would definitely help increase the Dorr's property value.

Gorman stated they had originally built the Air BNB for their own use. She stated they had planned to live in the accessory structure during the construction of their new home.

Julie Gorman also noted they had planned to put up a new fence which was much stronger than the prior fence they had, which she believed would stop any further animal issues.

Gorman discussed the concept of Air BNB's and how they worked stating they were all over the world and allowed for a rating system for both the property owner and prospective renters.

She stated they had met several nice families and that they themselves used Air BNB's when traveling.

Acting Chairman Steve Kieffer asked for any closing statements.

Director Salati noted the Zoning Commission had made a recommendation which included restricting the permit to one year at which time the request would be reviewed.

Public hearing closed by Steve Kieffer at 5:46 p.m.

Discussion was held on the Air BNB and zoning requirements.

Director Salati stated the Air BNB would require a conditional use permit in the A-1 (Agriculture Conservation) District.

Dennis Lynch moved to recommend approval of application # 2017-137 submitted by Dustin & Julie Gorman for a conditional use permit to allow for the Air BNB to be located at 1403 Oriole Rd, Boone, Ia with the following condition:

1. That the Conditional Use Permit be issued for one year and that the permit be reviewed by the Board of Adjustment prior to the expiration.

Seconded by Ruth Berglund

Dennis Lynch—yes
Amy Yoakum—yes
Ruth Berglund—yes
Steve Kieffer—yes

Motion Carried

- B. Case No. 2017-146 Sadie & Zebedee Thatcher Application for Conditional Use Permit to allow for a campground to be located at 1173 237th St, Boone, Ia 50036.

Zebedee Thatcher was first to speak in regards to the request. Thatcher stated the property formerly owned by Don Wilcox had been previously used as a private campground.

Thatcher stated they had purchased the property approximately 4 years ago and had shared the property with their family members and friends.

Thatcher noted in the last year they had workers from the pipeline staying at the campground.

Thatcher also noted they had opened the campground up to the public. He stated people loved the fact that the campground was out of the way and quiet.

Thatcher stated they were wishing to add a few more sites to the existing campground with a maximum capacity of ten campers and eight tents maximum.

Vice Chairman Steve Kieffer next asked for comments from director Mike Salati.

Director Salati spoke in regard to the possible need for dust control, he stated the fire chief did not have an issue with the campgrounds.

Ann Ahrens questioned who had concerns with dust control. Ahrens stated she enjoyed the camp ground. She did however have some concerns with the campers trespassing onto her property.

She stated someone had cut her fence and her animals had gotten out.

Further discussion was held on Ahrens concerns on trespassing.

Dennis Lynch questioned whether they could require no trespassing signs be required.

Director Salati stated that could be a condition on the permit.

Public Hearing closed by Vice Chairman Steve Kieffer at 6:01 p.m.

Kieffer next asked for any comments from the Board of Adjustment.

The members agreed signage should be included as a condition on the permit.

Director Salati noted an event center was not allowed in the A-1 (Agriculture Conservation) District.

Dennis Lynch moved to approve application # 2017-146 application for Conditional Use Permit submitted by Sadie and Zebedee Thatcher to allow for a campground to be located at 1173 237th St, Boone, Ia with the following conditions:

1. A minimum of 3 no trespassing signs to be posted on each corner of the property boundary and one in the middle or every hundred feet.

Amy Yoakum wanted to verify the event center was not included as a part of the Conditional Use Permit as stated by Director Mike Salati.

Seconded by Ruth Berglund

Amy Yoakum—yes
Steve Kieffer—yes
Ruth Berglund—yes
Dennis Lynch—yes

Motion Carried

VII. UNFINISHED BUSINESS

A. None

VIII. NEW BUSINESS

A. None

IX. REPORT OF ZONING ADMINISTRATOR AND DIRECTOR OF PLANNING

Director's Report (Planning and Development Department) - None

X. ADJOURNMENT

The meeting was adjourned at 6:10 pm.

Respectfully submitted,

Wanda Cox
Secretary

