

BOONE COUNTY ZONING COMMISSION MINUTES
MONDAY MARCH 25, 2024
5:30 P.M. – BOONE COUNTY COURTHOUSE

I. OPEN MEETING AND ROLL CALL

Eileen Westrum	Wayde Burkhart	Eric Crosman
Kay Rice	Nathan Cottingham	Jan Danilson
Adam Ostert	Mark Hansen	Julie Hinman

Meeting was called to Order at 5:31 p.m. by Chairman Eric Crosman

Present: Eileen Westrum, Kay Rice, Wayde Burkhart, Nathan Cottingham, Mark Hansen, Eric Crosman, Jan Danilson and Julie Hinman

Absent: Adam Ostert

Others Present: John Kruckenberg, Glen Coblentz, Mike Yoder, Jeremy Yoder, and Hal Thompson

II. APPROVAL OF MINUTES

A. March 4, 2024 minutes

Kay Rice moved to approve the minutes as written

Seconded by Julie Hinman

Jan Danilson—yes
Eric Crosman—yes
Julie Hinman—yes
Nathan Cottingham—yes
Kay Rice—yes
Mark Hansen—yes
Wayde Burkhart—yes
Eileen Westrum—yes

Motion Carried

III. APPROVAL OF AGENDA

Eileen Westrum moved to approve the agenda

Seconded by Kay Rice

Jan Danilson—yes
Eric Crosman—yes

Julie Hinman—yes
Nathan Cottingham—yes
Kay Rice—yes
Eric Crosman—yes
Wayde Burkhart—yes
Mark Hansen—yes

Motion Carried

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. Conditional Use Permit # 2024-CON-001 submitted by Glen Coblentz. Mr. Coblentz is requesting a Conditional Use permit to allow for the building & display of portable storage buildings to be located at 1128 T Ave, Boone, Ia 50036

Glen Coblentz was present to explain his request. Coblentz stated he was requesting a Conditional Use Permit to allow for the staging and display of storage buildings on his property, he was hoping to display between 12 to 15 buildings along the road.

Director Mike Salati was next to speak. He stated this was a new process to Boone County. He stated Coblentz wanted to build a shop on his site. Salati noted the code generally separated the uses stating the house site would generally be in one zoning district and a business use in another. Salati noted Coblentz wanted to have his business and display on site. He noted that the zoning for part of the property could be changed or that a limited business could be allowed for a home occupation or a home based business.

Salati discussed the Conditional Use Permit stating a Conditional Use permit was for a use which is not other specified in the Zoning Ordinance. He noted the manufacturing of the portable storage buildings was not addressed somehow in our Ordinance.

He noted the mixed use of having the residential and business use in one zoning district could be allowed with a Conditional Use Permit. Noting the Board of Adjustment could recommend any conditions that would be advisable for the permit.

Salati also noted he had received comments from the public.

Wayde Burkhart questioned setbacks for the property.

Director Mike Salati noted setbacks were for structures being built onsite stating his building would be required to meet setbacks however the parking and display of certain items would not be subject to setbacks unless required by the conditional use permit.

Further discussion was held on setbacks.

Chairman Eric Crosman next asked for any public comment

John Kruckenberg was next to speak, he stated he lived directly across the road from Coblentz. He stated they were not concerned with the building and making of the structures but that his concern was with the display of the buildings.

Kruckenberg stated there was a place that did this back in his home area noting buildings were constructed onsite but the property did not look like a residential home because they had 100 buildings on the property. He did not want to look across the road and see something like this.

Chairman Crosman next asked for any further comment from the applicant.

Coblentz again stated he was only asking to display 12 to 15 buildings and that he wanted to very considerate of Mr. Kruckenberg.

Chairman Crosman asked for any further comments from the Planning Director, Mike Salati.

Salati noted the Zoning Commission would be making a recommendation onto the Board of Adjustment.

Nathan Cottingham stated their action would be for a Conditional Use and not for a change in zoning. He also noted they could put stipulations on the permit such as maximum number of displays.

Salati noted the Zoning Commission could recommend any appropriate conditions.

Public hearing closed by Chairman Eric Crosman.

Chairman Crosman next asked for comments from the Zoning Commission.

Eileen Westrum questioned if this would be similar to the business north of Ogden which displayed approximately a dozen buildings.

Chairman Crosman noted it would be similar but also stated they did not manufacture the buildings onsite.

Kay Rice questioned signage and lighting.

Glen Coblentz stated any signage or lighting would follow the Zoning Ordinance. Coblentz stated there would be no additional lighting and that the only signage would be for the business location.

Nathan Cottingham next discussed the 12 to 15 buildings on display and wondered how many buildings would be ready to ship. He wanted to get a number of how many buildings would be on the property at any given time stating they would all be visible.

Coblentz stated he did not expect to have any more than 10 additional buildings and only when delivery was delayed due to weather.

Further discussion was held on traffic and the display of the buildings.

Mark Hansen asked what the max sized building and the max height.

Coblentz stated the maximum height was 12' 8" and that the largest building was 15' x 44' he noted that they currently didn't have a trailer to accommodate that size of shed at this point.

Nathan Cottingham questioned if the customers were primarily retail sales or if most of the buildings were sold off site.

Coblentz stated they had planned to have an additional display lot

Crosman questioned whether Coblentz would farm the site.

Coblentz stated he may raise a few cattle to butcher but would not be farming.

Discussion was held on the number of employees it was stated they planned to have a total 3 employees.

Kay Rice stated she did understand the neighbors concerns and that she wouldn't want her view to be marred. She stated they didn't live in the county with the intention of a business popping up across the road.

Eric Crosman questioned Coblentz's time line.

Coblentz stated if the permit were approved he would like to start in April by clearing out the old buildings and concrete and start building the new shop in May or June.

Jan Danilson questioned how long the Conditional Use Permit would last.

Director Mike Salati noted the permit would not expire unless it were to be a condition of the permit.

Wayde Burkhart questioned reviewing the permit down the road, at a certain time period.

Director Salati noted that could be a recommendation of the permit.

Eileen Westrum stated it would be to the neighbors advantage to have a nice clean small business there instead of the run down place that it was.

Further discussion was held on businesses in the area.

Nathan Cottingham wanted to be sure they put a limit on the total inventory.

Further discussion was held on the display of buildings.

Nathan Cottingham moved to recommend Board of Adjustment approval of Conditional Use Permit # 2024 CON-001 submitted by Glen Coblentz to allow for the building & display of portable storage buildings to be located at 1128 T Ave, Boone, Ia 50036 with the following conditions:

1. Four buildings to be displayed along T Ave up to 10 units to be displayed on the south property line and up to 12 units in inventory stored to the rear of the property.

Seconded by Eileen Westrum

Jan Danilson—yes
Eric Crosman—yes
Julie Hinman—yes
Nathan Cottingham—yes
Kay Rice—yes
Mark Hansen—yes
Wayde Burkhart—yes
Eileen Westrum—yes

Motion Carried

- B. Conditional Use Permit # 2024-CON-003 submitted by Garrett Williams on behalf of Metro Waste Authority. Metro Waste Authority is requesting a Conditional Use permit to allow for an access point and scale facility for the landfill.

Dan Bachowski of HDR was present to speak in regards to the request. He stated they were redoing the access to the landfill. He stated the current access to the landfill was in Greene County and that they wanted to move the access to along 335th St. He stated the current scale was failing as well and the current scale house did not have adequate shelter and they were planning to put in a new scale house.

Eric Crosman next asked for comments from Director Mike Salati.

Salati discussed the proposed site plan. He noted that in the last 10 years the landfill had been taken over by the Metro Waste Authority. He stated this was not a landfill necessary operation on the parcel but that it was classified as a waste transfer and hauling operation which is allowed in the A-1 (Agriculture Conservation) District with a Conditional Use Permit.

Chairman Crosman next asked for public comment of which there was none.

Crosman next asked for any closing statement from the applicant.

Katie Kinley and Andrew Phillips were also online.

Crosman next asked for any closing statement from the Planning staff.

Director Salati noted the County Engineer recommended Metro Waste Authority contact the Boone County Engineer in regards to a road use agreement for that section of the county highway.

Dan Bachowski noted he had been in contact with County Engineer Jonathan Bullock whom was tailoring the road use agreement.

Public hearing closed by Eric Crosman, Crosman next asked for comments from the Zoning Commission.

Wayde Burkhart questioned whether the scale house would be fully operational with water and restrooms which were ADA compliant.

Bachowski indicated that was correct and that they would run electrical.

Further discussion was held on the scale house and the traffic on 335th St.

- C. Nathan Cottington moved to recommend Board of Adjustment approval of Conditional Use Permit # 2024-CON-003 submitted by Garrett Williams on behalf of Metro Waste Authority to allow for an access point and scale facility for the landfill.

With the following Condition

1. That a road use agreement be signed with the County Engineer

Seconded by Kay Rice

Eileen Westrum—yes

Kay Rice—yes

Wayde Burkhart—yes

Nathan Cottington—yes

Mark Hansen—yes

Eric Crosman—yes

Jan Danilson—yes

Julie Hinman—yes

Motion Carried

- D. Conditional Use Permit # 2024-CON-002 submitted by Carole Voss. Ms. Voss is requesting a Conditional Use permit to allow for self -service storage and outdoor storage of trailers, RVs and boats

Jesse Voss was first to speak in regards to the request. He stated they were wishing to utilize the area behind their existing business. They planned to have storage for RVs and boats, just a large gravel parking lot enclosed with a fence. He stated in the future they may build some indoor storage as well.

Eileen Westrum questioned where they were located.

Voss noted they were located on the west side of town next to the county line,

Carol Voss noted they were right next to Alliant Energy.

Chairman Crosman next asked for public comment of which there was none.

Chairman Crosman next asked for comments from Planning staff.

Director Salati noted this was a Conditional Use Permit and that the action for tonight was to make a recommendation to the Board of Adjustment.

Nate Cottington questioned the zoning of the property.

It was noted that the property was commercially zoned and that a Conditional Use permit was required for self -service storage in the commercial district.

Chairman Eric Crossman next asked for public comment of which there was none.

Chairman Crosman asked for any closing statement from the applicant.

Chairman Crosman next asked for any closing statement from Director Mike Salati.

Salati had no further comments.

Public hearing closed by Chairman Eric Crosman.

Crosman next asked for any questions or comments from the Zoning Commission members.

Nathan Cottington questioned whether there would be additional lighting or drainage on the property.

Jesse Voss noted they were talking with a civil engineer, he stated there maybe a retention pond on the north side of the property. He noted there was a tile line on the property also which they could tie into.

Salati noted a storm water management plan was required for anything over one acre in size. He stated the plan would have to be approved by the county engineer.

Wayde Burkhart questioned whether there would be fencing.

Jesse Voss stated they were planning to put up a chain link fence which would be around 7ft in height.

Crosman questioned what type of gate access would be there.

Voss stated an automated gate would be installed.

Eileen Westrum moved to recommend Board of Adjustment approval of Conditional Use Permit # 2024-CON-002 submitted by Carole Voss to allow for self -service storage and outdoor storage of trailers, RVs and boats.

Seconded by Jan Danilson

Mark Hansen—yes

Nathan Cottington—yes

Wayde Burkhart—yes

Kay Rice—yes

Eileen Westrum—yes

Eric Crosman—yes

Jan Danilson—yes

Julie Hinman—yes

Motion Carried

VII. CONSIDERATION OF SUBDIVISION PLAT APPLICATION

- A. None

VIII. UNFINISHED BUSINESS

- A. Petition for Rezoning # 2024-003 submitted by Hal Thompson. Mr. Thompson is wishing to rezone approximately 16.43 acres of land from A-1 (Agriculture Conservation) to C-1 (General Commercial) to allow for both commercial and residential uses.

Director Salati noted the Zoning Commission members should have received an e-mail from him with the county engineer’s analyzation of the traffic as requested by the Zoning Commission members.

Eric Crosman stated he believed they should rezone the property after the property was sold. He also noted the property had a high CSR and was good farmable land.

Nathan Cottington stated most of the concern was on the issue of traffic. He said he did not believe they could deny the rezoning based on traffic or they would have to hold back building in Moingona or other housing developments like those onto of the hill. Cottington stated he knew that was a bad intersection.

Crosman again stated he would feel better rezoning the property if he knew what type of commercial use were planned for the location.

Further discussion was held on the proposed rezoning.

Eileen Westrum noted she had missed the last meeting and wondered what the neighbors had to see in regards to the request.

Nathan Cottington stated the neighbors were concerned with the traffic and questions were raised on the intersection on Highway 30.

Mark Hansen moved to recommend approval of Petition for Rezoning # 2024-003 submitted by Hal Thompson to rezone approximately 16.43 acres of land from A-1 (Agriculture Conservation) to C-1 (General Commercial) and R-1 (Rural Residential) to allow for both residential and commercial uses.

Seconded by Kay Rice

- Jan Danilson—yes
- Eric Crosman—no
- Mark Hansen—yes
- Nathan Cottington—yes
- Wayde Burkhart—yes
- Kay Rice—yes
- Eileen Westrum—yes

Motion Carried

IX. NEW BUSINESS

- A. None

X. REPORT OF ZONING ADMINISTRATOR AND DIRECTOR OF PLANNING

- A. Director’s Report (Planning and Development Department)
None

XI. ADJOURNMENT

Eileen Westrum moved to adjourn

Seconded by Kay Rice

Jan Danilson—yes
Eric Crosman—no
Mark Hansen—yes
Nathan Cottingham—yes
Wayde Burkhart—yes
Kay Rice—yes
Eileen Westrum—yes

Motion Carried

Respectfully submitted,

Wanda Cox, Secretary