

BOONE COUNTY ZONING COMMISSION MINUTES
MONDAY AUGUST 26, 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, Adam Ostert, Wayde Burkhart, Nathan Cottingham, Mark Hansen, Eric Crosman, Jan Danilson, and Julie Hinman

Absent: Kay Rice

Others Present: Kris Kline, Emilie McCoy, Joseph Gish, Shannon Jensen-Gish, Cathy Blair, Tom Blair, Laura Wifler, Mike Wifler, Eldon Hutcheson, Joni Miller, Terill Share, Sherry Musgrove, Erin Ollendike, Chuck & Gayle Stotts, Ylonda & Mark Gallahan, Andy Hull, Logan Hull, Loren Hull, Mary & Denny Coleman, Troy Wilson, Marcia Godfrey, Bill Reed, Ezra Walker, Jim Hartman, Tracy Busch, Marty Busch, Joe Busch and Cory Busch

II. APPROVAL OF MINUTES

A. July 29, 2024 minutes

Nathan Cottingham moved to approve the minutes as written

Seconded by Eileen Westrum

Jan Danilson—yes
Nathan Cottingham—yes
Wayde Burkhart—yes
Eric Crosman—yes
Eileen Westrum—yes
Mark Hansen—yes
Julie Hinmann—yes
Adam Ostert—yes

Motion Carried

III. APPROVAL OF AGENDA

Chairman Eric Crosman discussed the agenda, he suggested the agenda items be re-arranged so that the Wifler Conditional Use Permit be the second item on the agenda

due to the fact that most of the people in attendance were present for this public hearing.

Wayde Burkart moved to re-arrange the order of the agenda to allow the Wifler request be heard second

Seconded by Julie Hinmann

Jan Danilson—yes
Nathan Cottington—yes
Wayde Burkhart—yes
Eric Crosman—yes
Eileen Westrum—yes
Mark Hansen—yes
Adam Ostert—yes
Julie Hinmann—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. Application for Conditional Use Permit # 2024-CON-005 submitted by Emily McCoy on behalf of Boone County. Boone County is requesting a Conditional Use Permit to allow for the construction of a 225' public safety radio communications tower to be located at 610 H Ave, Ogden, Ia 50212. (Recommendation to Board of Adjustment)

Public hearing opened at 5:41 by Chairman Eric Crosman

Emily McCoy was present to speak in regards to the request. McCoy discussed the public safety radio communications tower and it's proposed location.

Director Mike Salati noted the Zoning Commission's action was to make a recommendation to the Board of Adjustment.

Chairman Eric Crosman next asked for public comment.

Mary Coleman questioned the tower's range.

Discussion was held on the tower and the range state wide. It was noted the tower was a digital radio system.

Public Hearing closed at 5:45

Mark Hansen moved to recommend Board of Adjustment approval of Application for Conditional Use Permit # 2024-CON-005 to allow for the construction of a 225' public safety radio communications tower to be located at 610 H Ave, Ogden, Ia 50212

Seconded by Nathan Cottington

Julie Hinmann—yes
Jan Danilson—yes
Wayde Burkhart—yes
Nathan Cottington—yes
Adam Ostert—yes
Eileen Westrum—yes
Mark Hansen—yes
Eric Crosman—yes

Motion Carried

- B.** Application for Conditional Use Permit # 2024-CON-006 submitted by Joni Miller. Mr. Miller is requesting a Conditional Use Permit to allow for the construction of portable storage buildings to be located at 2415 Boone St, Boone, Ia 50036. (Recommendation to Board of Adjustment)

Chairman Eric Crosman opened the public hearing and asked for comments from the applicant.

Joni Miller was present to discuss the request.

Chairman Eric Crosman next asked for comments from the planning staff.

Director Mike Salati noted the original application included plans for a new building which would be located on the south side of the property. He noted Joni was currently planning to utilize an existing building on the north side of the property. Salati also noted the conditional use was for the fabrication of the storage buildings.

Eileen Westrum questioned whether someone lived on the property.

Joni Miller stated he did.

Crosman next asked for any comments from the public.

Sherry Musgrove questioned whether there would be semis going down the road.

Miller stated there would be some.

Musgrove questioned who would be responsible if a semi knocked over a mailbox. She also questioned dust control.

Chairman Crosman noted the trucking company would be responsible for any damages they may make.

Public hearing closed by Eric Crosman at 7:30 p.m.

Crosman next asked for a closing statement from the applicant.

Mr. Miller stated he would not have a problem with getting some dust control on the road if it was an issue.

Discussion was held on the road and the traffic.

Nathan Cottington noted there would only be a few semis a year dropping off materials.

Eileen Westrum questioned whether they would be selling buildings at the sight.

Mr. Miller stated they would be built onsite and sold at a different location.

Director Mike Salati noted the Conditional Use would not permit any outside storage or display because the property was R-1 (Rural Residential) zoned.

Further discussion was held on the application.

Public Hearing closed by Chairman Crosman at 7:30 p.m.

Chairman Eric Crosman questioned how many sheds needed to be completed before a load was sent out.

Joni Miller stated most of the time they could not put more than two sheds on one trailer.

Adam Ostert questioned whether there was a sufficient water supply for firefighting procedures.

Director Salati noted he did not have any information but noted the application had been referred to the fire chief.

Chairman Crosman asked for a motion.

Adam Ostert moved to recommend Board of Adjustment approval of Application for Conditional Use Permit # 2024-CON-006 submitted by Joni Miller.

Seconded by Mark Hansen

Julie Hinman—yes

Jan Danilson—yes

Nathan Cottington—yes

Wayde Burkhart—yes

Adam Ostert—yes

Eileen Westrum—yes

Eric Crosman—yes

Motion carried

- C. Application for Conditional Use Permit # 2024-CON-007 submitted by Mike Wifler. Mr. Wifler is requesting a Conditional Use permit to allow for a camp ground consisting of five or six one bedroom cabins and one two bedroom cabin to be located at 1296 166th Dr, Boone, Ia 50036. (Recommendation to the Board of Adjustment)

Public hearing opened at 5:47 p.m. by Chairman Eric Crosman

Mike Wifler was first to speak. Mr Wifler stated they planned to bring a landscape hotel / micro resort to Boone County. He stated this was something new to central Iowa and new to the state. Wifler believed this would create a lot of value for Boone County.

Wifler discussed the preliminary site plan and phase one of the project which consisted of seven cottages. He stated the one-bedroom cottages were 500 sq ft and had a bedroom and a kitchen.

Chairman Crosman next asked for comments from the Planning Staff.

Director Mike Salati recommended the applicant touch base with fire chief Justin Adams for approval of the access drive. Salati also stated he had received comments from the County Engineer Johnathan Bullock. Bullock was not concerned with the traffic or number of vehicles proposed.

Wayde Burkhart next brought up septic systems.

Director Mike Salati stated each cabin would have a private septic system.

Chairman Eric Crosman next asked for public comment.

Yolanda Gallahan was next to speak she stated the proposal was not for a camp ground but for a housing development. She stated she was totally opposed to the housing development.

Tracy Busch was next to speak. Busch discussed the location of the cabins and stated this area was their hunting grounds and that they had a cemetery in the area. He stated they were opposed to the request 110%.

Joe Busch asked if there would be park ranger onsite. He was concerned with guns and under age drinking at the proposed campground.

Marcia Godfrey questioned the total number of cabins planned. Godfrey too stated she was against the request.

Many other surrounding property owners were present to speak against the request.

Public Hearing closed by Chairman Eric Crosman.

The applicant, Mike Wifler next discussed the proposal and tried to answer many of the surrounding property owners concerns.

Further discussion was held on the proposed resort.

Chairman Eric Crosman asked for a closing statement from the planning staff.

Director Salati noted the action before the Zoning Commission was for a recommendation to the Board of Adjustment.

Chairman Eric Crosman asked for any comments from the Zoning Commission members.

The Zoning Commission members discussed the proposal.

Adam Ostert moved to recommend Board of Adjustment approval of Conditional Use Permit # 2024-CON-007 to allow for eleven cabins with no more than 20% of the cabins being two-bedroom.

Nate Cottington questioned increasing setbacks or requiring fencing.

Eileen Westrum recommended having the area where the cabins were fenced.

Wayde Burkhart seconded the motion

Chairman Eric Crosman questioned what type of fencing would be required.

Director Mike Salati noted the commission members could recommend what they felt was appropriate.

Chairman Crossman next questioned where security cameras would be placed.

It was stated there would be a camera outside of each cabin.

Crosman stated no trespassing signs could be posted every 50 feet. He stated fencing would not be economical.

Further discussion was held on the proposal.

Eileen Westrum withdrew her recommendation for fencing.

Wayde Burkhart moved to end discussion

Voice vote, all in favor.

Jan Danilson—no

Mark Hansen—no

Nathan Cottington—no

Wayde Burkhart—yes

Eileen Westrum—no

Adam Ostert—yes

Eric Crosman—yes

Julie Hinman—no

Motion Failed

Mark Hansen moved to deny the request.

Seconded by Eileen Westrum

Julie Hinman—yes

Jan Danilson—yes

Mark Hansen—yes

Nathan Cottington—yes

Wayde Burkhart—no

Eileen Westrum—yes

Adam Ostert—no

Eric Crosman—no

Motion Carried

- D.** Petition for Rezoning # 2024-004 submitted by Casey's General Store. Casey's is wishing to rezone approximately 3.89 acres of land from A-1 (Agriculture Conservation) to C-1 (General Commercial) to allow for the construction of a gas station and convenience store. (Recommendation to the Board of Supervisors)

Erin Ollendike of Civil Design Advantage was present to speak in regards to the request for rezoning. Ollendike explained the request.

Chairman Eric Crosman next asked for comments from Director Mike Salati.

Salati noted the rezoning was for just a portion of the parcel. Salati noted the area was planned for commercial / industrial development, noting Redeker's was just to the south of the proposed location.

Chairman Eric Crosman next asked for any public comments.

Craig of AgReliant questioned whether they would widen Hwy 17 to add a turning lane into the property. He noted it was a high traffic area.

Erin Ollendike noted there was no plan at this time to do a turn lane. She stated she did not know if the DOT would require that.

Crosman next asked for any closing statement from the applicant.

Ollendike had no further comments.

Chairman Crosman asked for any rebuttal or closing statement from the planning staff.

Director Mike Salati had no further comments.

Public hearing closed by Chairman Eric Crosman

Crosman next asked for any deliberation.

Wayde Burkhart questioned whether the new store would be like the Casey's near the Boone racetrack or whether it would be like the new convenience store which was built in Perry with the diesel lanes for semi's.

Ollendike noted the store would be similar to the store in Perry.

Discussion was held on the possible need for a turn lane.

Crosman next asked for a motion

Wayde Burkhart moved to recommend Board of Supervisor's approval of Petition for Rezoning # 2024-004 submitted by Casey's General Store.

Seconded by Adam Ostert

Nathan Cottington—yes
Adam Ostert—yes
Eileen Westrum—yes
Wayde Burkhart—yes
Mark Hansen—yes
Julie Hinman—yes
Jan Danilson—yes
Eric Crosman—yes

Motion Carried

VII. CONSIDERATION OF SUBDIVISION PLAT APPLICATIONS

A. Valley Ridge Estates Plat 1 (Jerid Shyrock) recommendation to the Board of Supervisors

Jerid Shyrock was first to speak. He stated he and his brothers wanted to divide the property so that they could build their forever homes. He stated he had worked with Director Mike Salati. He also noted he had spoken with Xenia, Northern Natural gas and Alliant energy.

Jeff Gaddis stated he had drawn up the preliminary plat. He noted this was within the two-mile limit of Woodward. He noted Woodward did not anticipate in expanding into the area.

Gaddis discussed the terrain he stated the land was of minimal value when it came to agricultural status.

Nathan Cottington question how much of the land was ag ground.

Jerid Shyrock stated about 8 ½ to 9 acres of ag land out of the 20 acres.

Further discussion was held on the proposed plat.

Director Mike Salati noted the property was zoned A-1 (Agriculture Conservation) and that the density was limited to four (4) non-farm residences per quarter section. He stated further development would be limited unless the property were rezoned which would fit into the future land use plan.

Eileen Westrum moved to recommend Board of Supervisor approval of Valley Ridge Estates Plat 1.

Seconded by Wayde Burkhart

Jan Danilson—yes
Mark Hansen—no

Nathan Cottington—yes
Wayde Burkhart—yes
Adam Ostert—yes
Eileen Westrum—yes
Julie Hinman—yes
Eric Crosman—yes

Motion Carried

VIII. UNFINISHED BUSINESS

A. None

IX. NEW BUSINESS

B. Director's Report (Planning and Development Department)
None

X. REPORT OF ZONING ADMINISTRATOR AND DIRECTOR OF PLANNING

C. None

XI. ADJOURNMENT

a. Jan Danilson moved to adjourn

Seconded by Hinma

Kay Rice—yes
Mark Hansen—yes
Eileen Westrum—yes
Nathan Cottington—yes
Jan Danilson—yes
Eric Crosman—yes

Motion Carried

Respectfully submitted,

Wanda Cox, Secretary