

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

I. OPEN MEETING AND ROLL CALL

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

Present: Eileen Westrum, Adam Ostert, Wayde Burkhart, Nathan Cottington, Mark Hansen, Eric Crosman and Jan Danilson

Absent: Kay Rice and Julie Hinman

Others Present: Roger Plath, Dusty Overland, Marnie Overland, Avery Overland, Lane Overland, Cody Overland, Ryan Risdal, Jodi Smith, Cindy Anderson, Tim Anderson, Devon Kenyon, Melissa Hilsabeck, Kendall Hilsabeck, Greg Hilsabeck, Clay Kirkpatrick, Cade Kirkpatrick, Todd Alleman, Craig Kirkpatrick, David Bruene, Derek St.John, David McKinney, John Kenyon, Sam Peters, Darin Miller, Titus Martin, Barbara Krumhardt, Peter Krumhardt and John Kent

II. APPROVAL OF MINUTES

A. August 26, 2024 minutes

Eileen Westrum moved to approve the minutes as written

Seconded by Nathan Cottington

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

Motion Carried

III. APPROVAL OF AGENDA

Jan Danilson moved to approve the agenda

Seconded by Adam Ostert

Jan Danilson—yes
Nathan Cottington—yes
Wayde Burkhart—yes
Eric Crosman—yes
Eileen Westrum—yes
Mark Hansen—yes
Adam Ostert—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-009 submitted by Marni and Dusty Overland. The Overland's are requesting a Conditional Use Permit to allow for campground to be located at 1447 285th Ln. (Recommendation to Board of Adjustment)

Marnie Overland was first to speak about the proposed RV campground and its compatibility with the community.

She stated the 28-acre property would feature two phases. Phase one would provide up to 20 RV hookups with an additional 20 hookups planned for phase two. Overland stated all hookups would be nestled into the wooded area to preserve the natural landscape.

Overland stated the camp ground was surrounded by agricultural fields, wooded areas and county owned land. Overland stated the closest home was 800 ft away and the second was 1000 ft away.

Overland next discussed concerns with traffic. She discussed prior road usage while Portable Pro operated out 1880 Opal Lane. She stated during the constant traffic Boone County maintained road safety.

Overland stated the campground would create significantly less traffic, as their goal was to attract long term tenants.

Overland also stated she had spoken with the Boone County Engineer in regards to access roads and turnarounds which would be suitable for RVs and emergency vehicles.

Overland noted they would enforce quiet hours from 10:00 p.m. to 7:00 a.m. She noted no fireworks or large gatherings were permitted. No wood burning fire pits were to be allowed. She stated they would also restrict certain pet breeds to ensure safety. She stated these measures would help to create a safe environment for guests and neighbors.

Overland next spoke about property values and community impact. She discussed a similar campground in Boone County on 166th Dr with approximately 30 camp sites. She stated the campground had not negatively affected nearby property values.

Director Mike Salati was next to speak. Salati noted he had received several emailed comments as well as a petition from the neighbors. Salati noted the action before the board was a recommendation onto the Board of Adjustment.

Chairman Eric Crosman next asked for public comment.

Tim Anderson was first to speak. Anderson discussed Opal Ln. he stated the road was typically in terrible condition. He was concerned with trash blowing from the campsites also the lowering of his property values.

Anderson asked the board members if they would like to have 40 campers in their backyard.

Anderson stated the county did not maintain the road. Anderson noted Dusty Overland had complained about the condition of the road many times.

Carla Boekelman spoke next. She stated they had lived in the area for 25 years. She stated Portable Pro traffic really damaged the road and it was not pleasant and they did not like it.

She was concerned with losing her privacy and safety. She did not want to lose the nice quiet peaceful place that they had lived in for 25 years. She stated there would be noise with campers.

Sam Peters was concerned with an influx of uncommitted neighbors who were not connected to the land. Peters was concerned with additional traffic as he and his family like to walk on the roads when the weather is nice. He too was concerned with home value. He questioned whether a campground nearby would add value to a home. He questioned how having a campground would enhance the natural beauty of the Des Moines river area.

Barbara Krumhardt stated she saw all the cars that go down the road and back out of the valley, she noted there was a lot of traffic. She stated the land was zoned agricultural for a reason and she did not want to see the land rezoned to something that all of the neighbors did not want.

Pete Krumhardt stated he had lived in the area for 45 years. He was concerned most with the traffic. He stated when Portable Pro was operating the road was destroyed in one day.

He was also concerned with the water supply. He stated the campground was a bad idea and would create too much traffic and too much noise. He stated they liked the peace and quiet that they had for the past 45 years. (except when Portable Pro was there)

Ryan Risdal was next to speak. He discussed the petition which had been submitted.

He spoke in regards to the Boone Comprehensive Plan, the 2040 plan which emphasized the importance of preserving Ag land and promoting responsible land use practices that support the counties rural character and long term sustainability. He stated the plan specifically highlighted the need to protect the ag areas from incompatible development that could disrupt local farming activities degrade the environment and negatively affect the community.

He stated the proposed temporary housing of construction workers, RV campground did not align with the counties core principals. Risdal further discussed the petition.

Clay Kirkpatrick also spoke. Kirkpatrick was concerned with public safety.

Richard Parker was next to speak. He was concerned with possible fires noting the Madrid Fire department was a volunteer department.

Cade Kirkpatrick was next to speak. He spoke in regards to trespassers.

Derek St John stated he had bought his property to hunt and enjoy nature. He stated he currently had trespassing and people's dogs running through his property. He stated his biggest concern was the land values. He also questioned how they would keep the campers from crossing property boundaries.

John Kenyon was next to speak he noted he too had trail cameras and had trespassers. He was concerned with people they didn't know living in campers so close to them. His main concern was the safety of his children.

Greg Hilsabeck was concerned with road conditions.

Public hearing closed by chairman Eric Crosman at 6:12 p.m.

Chairman Crosman asked for a closing statement from the applicant.

Marnie Overland stated her kids did run on the road. She stated fireworks and campfires were not allowed. She stated they would be active participants at the campground. Overland stated animals would need to be on a leash.

Mark Hansen questioned setbacks he questioned whether you would need to maintain a 200- yard setback from the campers while hunting.

Salati stated he believed that requirement would be applicable.

Chairman Eric Crosman asked how the campground fit in with the other campsites in Boone County.

Salati noted the use was allowed in the A-1 (Agriculture Conservation) District but required a Conditional Use Permit. Director Salati stated we have several other private campgrounds in the county along with several other large day camp facilities which are all agriculturally zoned.

Adam Ostert questioned whether they were long term campsites.

Mark Hansen questioned whether they were year-round.

Marnie Overland stated they were.

Eric Crosman questioned whether staff would be onsite year-round.

Marnie Overland stated there would be.

Wayde Burkhart questioned whether there would be a membership fee.

Dusty Overland stated there would not be a membership fee.

Nathan Cottington discussed the micro hotel which had previously been considered. He stated one of the biggest worries was travel on the gravel road. Cottington stated this also was a concern for the Overland's campground. He noted 40 new housing units would not be allowed on the gravel road. He questioned whether there was an ordinance which limited the number or amount of use on the gravel road.

Director Salati stated this was a totally different use and that this would not be applicable. He noted major subdivisions were not allowed on gravel roads.

Wayde Burkhart stated the road was a farm to market road. He stated it was an interesting concept to put a campground there. He stated he wasn't sure how to handle the request at the time.

Chairman Eric Crosman too stated he wasn't sure how to handle the request. He stated he was torn and felt like Overlands had a right to do what they wanted to do on their land. He was also was considering the traffic. He believed the request met all of the zoning requirements and a recommendation for approval should be forwarded onto the Board of Adjustment.

Wayde Burkhart stated he too had land on which he and his family members hunted. He noted when a barndominium was put up nearby it took away his ability to hunt due to DNR regulations.

Eric Crosman stated the DNR regulations would exist whether a campground or a home were on the property.

Nathan Cottington stated they had voted against the micro hotel due to the traffic on the gravel roads. Cottington questioned how the campground was different.

Eileen Westrum stated the applicants for the micro hotel were really unprepared. She stated Overlands were prepared.

Chairman Crosman also noted Overlands lived nearby.

Jan Danilson stated neighbors mattered. She stated the Overlands were very prepared but questioned how the neighbors didn't know what was going to go in. Danilson stated the road was terrible. She stated the plan the neighbors had for their land was just as important as what the Overlands wanted to do with their land.

Further discussion was held on the proposed campground.

Chairman Eric Crosman next asked for a recommendation of which there was none.

Director Mike Salati stated the members could make a recommendation for approval, denial or make a neutral recommendation.

Wayde Burkhart moved to recommend a neutral recommendation onto the Board of Adjustment.

Seconded by Eileen Westrum

Adam Ostert—no
Eileen Westrum—yes
Mark Hansen—no
Nathan Cottingham—yes
Wayde Burkhart—yes
Jan Danilson—yes
Eric Crosman—no

Motion Carried

Chairman Eric Crosman opened the public hearing at 6:51 p.m.

- B.** Application for Conditional Use Permit # 2024-CON-010 submitted by Titus Martin. Mr. Martin is requesting a Conditional Use Permit to all for the construction and operation of a commercial greenhouse. (Recommendation to Board of Adjustment)

Crosman asked for comments from the applicant.

Titus Martin stated they would like to have a greenhouse where they could grow flowers. He stated it was an agricultural use but because they wanted to have people walk through the greenhouse and buy from them onsite a Conditional Use Permit was required.

Chairman Crosman next asked for comments from the planning staff.

Director Salati noted if this were simply a production greenhouse a conditional use permit would not be required. He stated because Martin wished to have a retail use a conditional use permit would be required.

Chairman Eric Crosman asked for any public comment.

Darin Miller stated he had no issues or problems with the request.

Chairman Eric Crosman asked if Mr. Martin if he had a closing statement. Martin did not.

Crosman next asked for any further comments from Director Mike Salati.

Salati noted the Zoning Commissions action was to make a recommendation onto the Board of Adjustment.

Public hearing closed by Chairman Eric Crosman at 6:56 p.m.

Wayde Burkhart questioned where the parking was located and how big the parking area would be.

Titus Martin stated he had parking for 6 to 11 cars. He stated he could add more. The parking would be to the northwest of the greenhouse.

Nathan Cottingham questioned whether this would just be daytime hours.

Martin stated it would.

Eileen Westrum questioned whether Martin would just be growing flowers or if he would also grow vegetables.

Martin stated there may be some vegetable plants in the spring but mostly he planned to grow flowers.

Mark Hansen moved to recommend Board of Adjustment approval of Conditional Use Permit # 2024-CON-010 submitted by Titus Martin to allow for the construction and operation of a commercial greenhouse.

Seconded by Jan Danilson

Nathan Cottingham—yes

Wayde Burkhart—yes

Adam Ostert—yes

Eileen Westrum—yes

Mark Hansen—yes

Jan Danilson—yes

Eric Crosman

Motion Carried

VII. CONSIDERATION OF SUBDIVISION PLAT APPLICATIONS

A. None

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

Adam Ostert moved to adjourn

Seconded by Eileen Westrum

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

Motion Carried

Respectfully submitted,

Wanda Cox, Secretary