



BOARD OF ADJUSTMENT MEETING MINUTES

THURSDAY JANUARY 16, 2025

5:30 P.M. – BOONE COUNTY COURTHOUSE, 4TH FLOOR CONFERENCE ROOM
201 STATE ST, BOONE, IA 50036

I. OPEN MEETING AND ROLL CALL

Nate Cottington
Steve Kieffer
Ruth Berglund
Sam Fisher
Holly Kilstrom

ATTENDANCE: Nate Cottington,

ABSENT: Ruth Berglund

ALSO, IN ATTENDANCE: Ryan Risdal, Cindy Anderson, Marnie Overland, Dusty Overland, Lane Overland, John Kenyon, Devon Kenyon, Carla Boekelman, Rich Parker, Clay Kirkpatrick, Sydney Bishop, Todd Alleman, Peter Krumhardt and Barb Krumhardt

II. APPROVAL OF MINUTES:

A. Approval of December 12, 2024

Ruth Berglund moved to approve the minutes

Seconded by Holly Kilstrom

Voice vote—Unanimous

Motion Carried

III. APPROVAL OF AGENDA

Ruth Berglund moved to approve the agenda

Seconded by Nate Cottington

Voice vote—unanimous

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)

Public Hearing opened at 5:32 p.m. by Chairman Sam Fisher

- 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.

Marnie Overland was first to speak. She addressed concerns in regards to year-round commercial use and its compatibility with the Boone County Comprehensive land use plan.

She stated the proposed campground aligned with the Conditional Use outline for agriculture zoning. She stated they had worked diligently to meet and exceed the requirements.

Overland noted their 28-acre property provided significant separation from neighboring properties.

Overland stated their campground was not a mobile park but was designed for short term and seasonal campers with no guarantee of long- term tenants.

Overland noted they had hired a soil engineer to design a septic system to protect local waterways and drinking water.

Overland next discussed fire safety. Overland stated individual fire pits were prohibited at campsites, instead she stated there would be centralized communal fire pits.

Marni Overland stated they had heard and respected the concerns raised by the community. She stated they had worked diligently to meet all requirements.

Chairman Sam Fisher next asked for comments from Director Mike Salati.

Director Salati noted the board members had received a copy of his staff report and a copy of the proposed resolution.

Chairman Sam Fisher next asked for any public comment.

Joe Wallace was first to speak, Wallace is the attorney representing the Risdals and other neighbors.

Wallace questioned which Board of Adjustment members were present.

It was stated Nathan Cottington, Ruth Berglund, Holly Kilstrom and Sam Fisher were all present.

Wallace also questioned whether the public had the ability to see the staff report which Director Mike Salati had put together.

Wallace noted they would like to review and comment on the staff report.

Director Mike Salati noted the staff report was available by request.

Joe Wallace wanted to emphasize all criteria for the conditional use permit had to be met.

He spoke in regards to compatibility “the character of the immediate vicinity” he stated the compatibility had not been demonstrated noting the area surrounding the campground was all residential and not compatible.

Wallace spoke in regards to traffic. He stated the applicant had talked about the campground traffic not being a problem but that they had not provided any analysis or written documentation.

He next addressed parking and loading, stating appropriate screening was a requirement but had not been addressed in the application.

Wallace continued to address standards for approval.

John Kenyon spoke next he stated every neighbor did not agree with the Overlands’ proposal. Kenyon stated the application as submitted ignored the negative impacts and loss being imposed on the land owners.

He stated he believe the proposal was not compatible and did not meet the requirements set forth by Boone County CUP regulations and Boone County’s Comprehensive Plan.

He stated Overlands’ project threatened what they loved about their area.

Kenyon stated he would not have purchased his property if there had been a 40 camper campsite across the road.

Carla Boekelman next read a statement she stated if the Conditional Use Permit were approved it would commercialize the area and open it up to further commercialization. She stated the quality of life for the community would substantially decrease due to the large increase of traffic, dust, noise, loss of privacy and a loss of a sense of safety.

Boekelman stated at campsites there would be smoke and partying she compared this to having a low income housing complex living next door. She stated their property values would decrease.

Barb Krumhardt urged the board members to think of all the neighbors who opposed the request, stating they wanted to keep the valley as it was.

Ryan Risdal stated he would not have purchased 39 acres of recreational land had the camp ground been established prior to them purchasing the land.

Chairman Sam Fisher asked for any further comments.

Marnie Overland wanted to comment on some of the things which had been noted. She stated in their permit they had an engineered septic design.

She stated in the document presented by the lawyer it stated they had 16 acres when they actually had 28 acres.

Overland also noted the Madrid Fire Department had come to Sugar Valley. She stated they had responded and had saved multiple acres of grass because they were able to respond in a very timely manner.

Joe Wallace next responded to some of Overland's comments. He discussed the total number of acres owned by the Overland's stating them owning 28 acres was probably accurate. He stated the proposal for the campground was not spread over the 28 acres.

Wallace noted there were other campgrounds approved in the past but he stated all that mattered now was the zoning and the goals of the zoning.

Public hearing closed by Chairman Sam Fisher.

Sam Fisher noted the main purpose of the Comprehensive Plan was to balance competing private interests. He stated the Comprehensive Plan was to promote economic development.

Chairman Sam Fisher stated he too lived on gravel and lived in a valley which dead ended in a gravel pit. He stated he was 200' from a campground and noted his property values had continued to soar. He stated he had built 7 new houses in the valley and had no problem marketing them.

He stated they had 5 articles before them and that Mr. Wallace had addressed each one of them. Fisher believed Wallace had worked very hard to come up with reasons not to approve the request. He stated they did not have any legal reasons not to approve the request.

Holly Kilstrom stated she had serious concerns. She questioned whether the Madrid Fire Chief had actually gone out to the site.

Marnie Overland stated the chief had the designs and had beacon where he could see the lay of the land but that he had not physically been on the property.

Kilstrom stated her family had farmed the property for 40 years. She stated she had serious concerns with the Madrid Fire Department being able to get back there. She stated if they could not get back there was no other access.

She was also concerned with road conditions for people not from around the area. She was concerned with people coming down there with trailers, 5th wheels and RVs.

She stated everyone there did not want the campground and that there were legitimate concerns.

Ruth Berglund noted she too lived on a gravel road with a church camp ¼ mile from her home. She stated from both directions there were hills coming in she stated the county had put up signage and graded the road. She stated everything had been good and that the camp was an asset to the community. She also noted property values had gone up.

Nathan Cottington stated from the facts put before him he thinks the campground fits. He stated he didn't like it but honestly believed it fits.

Holly Kilstrom stated she knew there was a huge need for it.

Ruth Berglund stated they had gone through the same thing in her area. She stated nobody wanted the church camp. Berglund stated it had been better than they all thought it would be.

Holly Kilstrom questioned the basement of the home serving as a shelter.

Marnie Overland stated that was true.

Holly Kilstrom questioned how many square feet the basement was.

It was noted the basement was approximately 12' x 16'.

Kilstrom stated the shelter was not big enough to hold 40 people.

Marnie Overland stated campgrounds were not required to have shelters but that they were offering it as an additional service.

Further discussion was held on the proposed campground.

Sam Fisher moved to approve Application for Conditional Use Permit # 2024-CON-009 submitted by Marni and Dusty Overland.

Seconded by Ruth Berglund

Nathan Cottingham—yes

Sam Fisher—yes

Ruth Berglund—yes

Holly Kilstrom—no

Motion Carried

VII. UNFINISHED BUSINESS

A. None

VIII. NEW BUSINESS

A. None

IX. DIRECTOR'S REPORT (PLANNING AND DEVELOPMENT DEPARTMENT)

A. None

X. ADJOURNMENT

Ruth Berglund moved to adjourn

Seconded by Holly Kilstrom

Voice vote Unanimous

Motion Carried

Respectfully submitted

Wanda Cox

5:30 P.M. –VIA ELECTRONIC TELEPHONE CONFERENCE

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