

Marion County Planning Commission & Board of Zoning Appeals
Record of Proceedings
September 28, 2023

**Members
(Present)**

Dwight Flaming
Tammy Ware
Brad Gorsuch
Anita Seacat
Tracey Roberts
William Kroupa
Keith Jost
Michael Woelk
Derek Belton

**Members
(Absent)**

Chase Gann
Delbert Lowe, member elect

**Staff
(Present)**

Sharon Omstead Secretary
Russ Ewy, Planning Consultant
Nina Carr, Recording Secretary

1. **Call to Order-** Belton, called the meeting to order at 6:59 p.m. with nine members and three staff present, Gann and Lowe absent.
2. **Approval of Minutes-** Flaming made a motion to approve the July 27, 2023, Record of Proceedings as presented. Gorsuch seconded and the motion carried (9-0).
3. **Installation of New Member-** Delbert Lowe absent.
4. **CORE Communities Presentation-** Dawn Smith Community Liaison explains how this program gets families out of poverty. This program is not a handout, but rather a program that gives families the tools they need to get out of poverty. It's a process, but it is working. Families enrolled in the program commit to a 20-week course and are paired with a local mentor. It is estimated that each person in poverty costs taxpayers about \$55,000 per person each year. There have been multiple CORE Families who have journeyed completely out of poverty. If anyone is interested in volunteering or donating, they can go to <http://ycmcorecommunity.org> and select Marion County.

Belton closed the Planning Commission meeting and opened as the Board of Zoning Appeals.

5. **Case No. BZA-23-01 Application for a Special Exception, filed by Eriel and Mischelle Mitre to replace a non-conforming mobile home with a new singlewide mobile home at 20 Prairie Lane, Marion, Kansas, located in the Marion County Lake Lot Residential District.** Omstead reported that legal notice was made and property owner notification letters were mailed on September 8, 2023. The Mitre's presented their case and answered questions for the board. Belton opened the floor for public comment. Eileen Siger ~ Served on the Board for a long time, when these regulations were formed. At that time, they were trying to rid the county of singlewide mobile homes because they were typically in disrepair, and the properties were unkept, etc. At that time, every existing single-wide was grandfathered. Please consider what precedence you are setting moving forward. Some of the parameters in deciding the case will be used for future cases. Stay true to your conformity. Omstead notes she received one complaint in opposition to the singlewide, but they didn't want to submit written comment and did not attend the meeting. Belton closed the floor to public comment. Mischelle and Eriel explained how the existing trailer is in bad shape. There is extensive water damage and they are having electrical issues. We are unable to get insurance for it. Seacat stated she tried to do the same thing and she was told no. I wanted to put a trailer on our property to stay in while we built a house and Brad, and I were told no we could not do that. Belton redirected the conversation to the case being heard tonight. Gorsuch ~ You bought a property in disrepair? Mitre~ no, it was my father's and we inherited it. Flaming~ are you living in it now? Mitre~ yes. Gorsuch ~ asked how the board could allow a singlewide? Omstead~ Article 21 allows the Board to consider the replacement of a non-conforming mobile home with a newer

September 28, 2023

and/or larger manufactured home as a Special Exception. Ewy ~ explains that even as a special exception, the singlewide would have to conform with Residential Design Manufactured Home Code - a pitched roof and permeant foundation, etc. Omstead ~ the home being considered is an 18-foot x 80-foot, HUD certified manufactured home and meets codes. Mischelle ~ the cost difference between a singlewide and doublewide is about \$30,00.00. The cost is mainly coming from the move of one-piece verses moving two pieces. The existing mobile home will be demolished and removed. There was discussion amongst the board as to whether a singlewide manufactured home should be allowed or not. Ewy asked what Marion County is doing to provide affordable housing? Belton ~ on a permanent foundation, the new structure will be improving the property. Roberts ~ asked if there would be a basement? Mischelle ~ No. Russ ~ we just approved a shipping container to be used as living quarters. Omstead ~ we are trying to keep people in Marion County, not everyone can afford a stick-built home. Gorsuch ~ mobile homes will not hold value like a stick-built home. Omstead ~ gives Staff Report. Flaming made a motion to approve Case No. BZA-23-01, a special exception filed by Eriel and Mischelle Mitre for the placement of a new singlewide manufactured home at 20 Prairie Lane, Marion, Kansas in the "LL" Marion County Lake Lot Residential District with the following condition: Adherence to the Marion County, Kansas Manufactured Home Code, specifically Section 116 - Residential-Design Manufactured Home Siting Standards. Ware seconded. Motion passed 7 to 2 with Gorsuch and Seacat opposing.

Belton closed the Board of Zoning Appeals meeting and opened as the Planning Commission.

6. **Discussion pertaining to the development of Cryptocurrency Mining Regulations.** Omstead stated the Commission has directed the Planning Commission to develop regulations pertaining to Cryptocurrency Mining. The main issues emerging are fire dangers and excessive noise. Ewy ~ It has already been kicked out of Harvey County. Woelk suggested limiting the size/scale. Omstead ~ how does the board want to proceed? Is there interest in allowing, prohibiting, or allowing with conditions? The board needs more information. Belton ~ directed Staff to draft a white paper on the subject.
7. **Off-Agenda Items.** Omstead noted that we need to do an annual Comprehensive Plan Update for 2023. Roberts has been getting a lot of phone calls regarding a possible new wind farm trying to come into Marion County. Roberts requested minutes from all the meetings where wind development was discussed, and regulations pertaining to wind energy development. Omstead will get Roberts a contact phone number for anyone that has questions, a copy of Article 27 regulations and a link to the meeting minutes. There is a company acquiring leases and word is they are trying to expand an existing wind facility, other than that no information is known by the Zoning Department. Belton ~ we will address once we have something in front of us when a Conditional Use Permit is applied for.
8. **Adjournment-** Gorsuch made a motion to adjourn, Ware seconded, motion carried (9-0). Meeting adjourned at 8:55 pm.

PASSED and APPROVED (Date) Feb. 22, 2024


Derek Belton, Chair

Dwight Flaming, Vice Chair

ATTEST: 
Sharon Omstead, Secretary