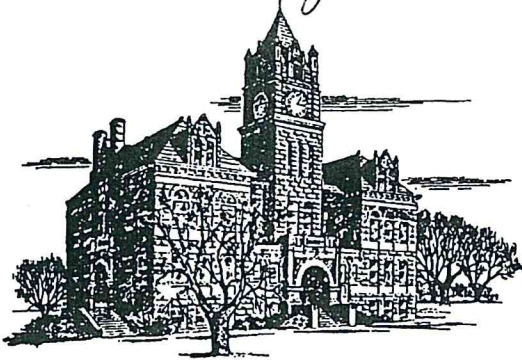


Mary Avery



MARION COUNTY COURTHOUSE

January 23, 2006

MARION COUNTY, KANSAS  
**OFFICE OF THE COUNTY CLERK**

P.O. BOX 219  
MARION, KANSAS 66861  
620-382-2185

CAROLA A. MAGGARD, CLERK  
COUNTY ELECTION OFFICER

COUNTY COMMISSIONERS  
BOB HEIN  
DANIEL HOLUB  
RANDY DALLKE

Marion County Planning Commission  
Board of Zoning Appeals  
Marion County, Kansas

RE: Proposed Changes to Zoning Regulations

The Board of County Commissioners position on desired changes to zoning regulations is as follows:

A. Minimum acreage for rural home sites be set at 3 acres county wide, providing this acreage allows sufficient area for water well and lagoon/septic tank separation distances.

(1) Rational:

(a) Proposed 5-acre minimum for new home sites as compared to 3-acre minimum for previous home sites has no justification other than to encourage building on pre-existing home sites. If 3 acres are acceptable for previous home sites, there is no reason 3 acres should not be acceptable county wide.

B. Concerning the 1 home site per 40 acres or 16 home sites per section issue, the Commission desires the latter.

(1) Rational:

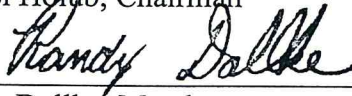
(a) With 1 per 40, you would have to have 16 odd shaped lots to preclude easement problems for access to the four middle lots, if the section was divided into 16 equal plots.

(b) The 1 per 40 option limits the ability to take advantage of available wasteland. Thus 1 per 40 would actually use up farmland or would be precluded through LESA requirements building home sites at all.

(c) If 16 sites per section are permissible in certain areas there can be no justification for not using this standard county wide.

- C. There needs to be a grandfather clause included to permit lot splits on plots that existed with less than 40 acres, prior to zoning taking affect.
- D. The Commission concurs with the rest of the proposed changes.
- E. The Commission also understands that the Comprehensive Plan will also need to be modified to stay in-line with proposed zoning regulations. The modifications required are considered minor and not having any detrimental effect on the overall Comprehensive Plan.

  
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Daniel Holub, Chairman

  
\_\_\_\_\_  
Randy Dallke, Member

  
\_\_\_\_\_  
Bob Hein, Member