

MARION COUNTY PLANNING COMMISSION

JANUARY 27, 1994

Record of Proceedings

Items Meeting was opened with a roll call answered by Clark Wiebe,
1&2: Marlin Janzen, Dorman Becker, Eileen Sieger, Terril Eberhard,
and Lewis Unruh. Sherwin Ammeter and W.A. Pierce were
absent. Dean Fincham arrived later. Also present was Herb
Bartel.

Clark Wiebe began with the nomination of Eileen Sieger for
Chairperson. Seconded by Marlin Janzen. Vote was unanimous
in favor, with Eileen Sieger not voting.

Chairman Sieger called the meeting to order and noted an
agenda addition to discuss Planning Commission terms that
are about to expire. Asked for other additions, there were
none.

Item 3: Minutes of the November 18, 1994 Meeting: Chairman Sieger
asked for any additions or corrections. There were none.
Dorman Becker moved to approve the November 18, 1994 minutes
as presented. Seconded by Lewis Unruh. No discussion.
Vote was 6 in favor, 0 opposed. Motion carried.

Item 4: Conditional Use, NE 1.4, 6-22-3, Grosse Construction, (Jack
Grosse): Chairman Sieger introduced the application and

asked for maps showing the location. Mr. Bartel read the publication as published in the Marion County Record on December 29, 1993. He stated the location as south of Peabody on the south side of the highway. He presented the application, survey, and the notice to the Planning Commission. He indicated that the applicant, Jack Grosse, was present. Mr. Bartel then explained the hearing procedure for Mr. Grosse and introduced him to the Planning Commission for his presentation.

Jack Grosse explained he had just purchased Grosse Construction Co. and in the contract he was required to give up the property where it was presently located. This property was then purchased to re-locate the equipment and shop facilities for the business.

Mr. Bartel asked him to describe the property, as to the exact location and current improvements, and to describe what it is being used for now.

Mr. Grosse described the property as 4 acres 1 1/4 miles west of Peabody on Hwy 50 on the south side. There is a roundtop measuring 100 ft x 40 ft. and a machine shed 50 ft x 25 ft. There is no water or electricity at the location at this time.

Terril Eberhard asked about a water well that was at the location.

Mr. Grosse indicated the new highway took it.

Chairman Sieger asked if the new highway would be closer to the property when it is finished.

Mr. Grosse said it would be 40 or 50 ft from the roundtop. The 4 acres is all east and west of the highway.

Mr. Bartel asked if there would still be 4 acres after the highway takes it's right of way.

Mr. Grosse indicated there would be.

Chairman Sieger asked if the 4 acres was already parceled off that way.

Mr. Grosse indicated it had been surveyed, that it was an old farmstead.

Terril Eberhard indicated it was AG.

Herb Bartel asked if any other construction was planned for the sight, either commercial or residential.

Mr. Grosse indicated not right now, although, someday he might like to move there.

Chairman Sieger inquired as to the types of equipment he had.

Mr. Grosse indicated bulldozers, scrapers, etc., earth moving equipment.

Chairman Sieger asked if he had quite a few.

Mr. Grosse replied he had probably a dozen different pieces of equipment.

Clark Wiebe asked about spare parts, tires, etc., that go along with this type of business.

Mr. Grosse indicated there were some.

Chairman Sieger asked where he was moving from.

Mr. Grosse explained he was located at the Tom Grosse home in town in Peabody.

Mr. Bartel explained that the required notification had been sent to the City of Peabody. He confirmed that they had received the notice and had no objection to this application.

Chairman Sieger asked if the Commission had any other questions for the applicant. She then asked Mr. Grosse if he had any more information to present. He indicated he did

not.

Chairman Sieger then asked if there was anyone present who wished to speak regarding this application. John and Elda Mellott were present. Mr. Bartel asked them to indicate where their property was in reference to this application. They indicated they were 3/4 mi. east on the north side of the road. They had no further comments.

Mr. Bartel informed Mr. Grosse that the Commission would hear the next application, have more discussion, and then make a decision as their recommendation.

Item 5: Conditional Use, Part NE 1/4 NE 1/4, 3-20-2, Dalke Construction, (Bill Dalke): Chairman Sieger introduced this application. Herb Bartel read the legal publication as published in the Marion County Record on January 5, 1994. He explained the application was for a Conditional Use for a construction yard and residence, and that the applicant was present. He also described the property as being east of Hillsboro at the first mile road on the old highway, turn south and go 1/8 mi, located on the west side. He indicated there was a large metal building and that the property was formerly owned by Gary Helmer. He then asked Mr. Dalke to make his presentation.

Mr. Bill Dalke indicated he has to go down city streets to

his present location and he would like to get away from doing that. He had a chance to buy this building and felt it would better suit his needs. It is larger than his present building, being 52 ft x 96 ft, allowing more room for equipment. His son, Warren, and grandson now operate the business. He indicated it was a 4 acre site with a double row of trees that almost hide the building. He would like to build a home on the site some day.

Mr. Bartel located the property on the maps.

Chairman Sieger asked about the building.

Mr. Dalke there was only one building on the 4 acre site.

A Planning Commission member asked if the adjoining lots were platted.

Mr. Bartel indicated they were all meads and bounds.

There was discussion on the surrounding properties, homes, and buildings.

Mr. Bartel indicated the required notification had been sent to the City of Hillsboro and that they had no recommendation either way.

A Planning Commission asked if the conditional use would cover construction of a home or would it have to be changed to RR at that time.

Mr. Bartel indicated it would not have to be re-zoned if the construction of a home was included in the action. The Commission is free to act on either part.

Mr. Wiebe asked Mr. Dalke if he was planning on moving stockpiles of dirt, sand, and rock to the new location.

Mr. Dalke indicated there would be some rock up front and trees on the site would hide any other materials stored. Warren indicated they planned to put some bins up front to store nice rock.

Chairman Sieger asked if these types of materials were stored at their present location.

Mr. Dalke said a big truck brings in materials to be hauled out with their smaller trucks. The trees should cover the piles, except to the east.

Chairman Sieger inquired if the adjoining property owners had been notified.

Mr. Bartel indicated they had, with the only call he received

being from a Savings and Loan that holds mortgages in the area and wanted to be briefed on the application. He explained that the Savings and Loan was notified because of their interest in the surrounding homes.

A Planning Commission member asked about a proposed residence, where would it be placed and would it help screen some of the construction operation. He wanted to know how serious Mr. Dalke was about building a residence on this property.

Mr. Dalke replied it may not be in the first year, but that it is natural to want to live close to the business.

Chairman Sieger asked if they were pretty sure they would build. Warren Dalke indicated yes.

Clark Wiebe indicated he would be abstaining from any action on this application as he was an adjoining landowner. He would be speaking as a landowner as his property is across the road from Mr. Dalke's property. He said Mr. Dalke stockpiles a fair amount of dirt and rock. The surrounding area is residential and he would like to protect his property value. If the residential area extends east he does not want to be hindered by a construction site that is offensive to homes, present or future, on the east side. Regarding the stockpiles, he would ask the Commission to put stipulations

on the application, if recommended, for fencing/screening from the east side. There is natural screening from the north and west.

Mr. Bill Dalke said he wants to plant trees on the east side. He needs to locate underground cables and wiring before he can do that.

Mr. Wiebe indicated there was also rural water lines. He said he would still like to see a stipulation as to screening until said trees reach a point that they will serve as such.

Chairman Sieger asked for other questions or comments.

Mr. Eberhard asked how many residences were in the area.

Herb Bartel indicated 6, but other lots are plotted.

Mr. Fincham asked if those lots were in meads and bounds.

Mr. Bartel said they were all in separate parcels but those parcels have meads and bounds descriptions.

Mr. Wiebe explained that the lots were already laid out prior to Hillsboro's territorial zoning. They are not subdivided. Carl Friesen has property in the area.

Chairman Sieger asked Mr. Dalke how many trucks he had. Mr. Dalke said 3 or 4, a backhoe, a crawler tractor, and a loader. Warren Dalke indicated there were never less than 10 pieces, most are kept in the shed. Warren also said that he would like for people to be able to see the decorative rock piles. If he can display them, people might see something they would like to have.

Chairman Sieger asked what the Dalke's did with the rock.

Bill Dalke indicated it was used in landscaping, and the dirt that was there came from basements they had dug and other dirt work. Warren Dalke indicated there was not much dirt, mostly rock on site.

Chairman Sieger asked for other comments. There were none.

Mr. Bartel explained to the Dalkes that the Planning Commission makes recommendations and the Board of County Commissioners take final action on applications.

Chairman Sieger directed the Commission back to Item 4 and asked for discussion.

A Planning Commission member said he was not opposed to the application but he would like the Commission to consider possible accumulations and a provision for screening.

Chairman Sieger inquired as to what kind of backing do we have to uphold any stipulations. Mr. Bartel replied that any stipulation is a part of the conditional use.

A Planning Commission member indicated he would be in favor of a natural type screening.

A Planning Commission member expressed concerns about spare parts, waste oil barrels, etc.

It was indicated that the property owner might be concerned that screening would hide vandals, etc.

Chairman Sieger asked for a motion. Discussion was on a time frame for screening stipulations. Mr. Bartel suggested a year to provide screening.

A Planning Commission member asked about the dimensions of the property. Mr. Bartel indicated the survey showed 500 ft on the north side and 340 ft on the east side and 350 ft on the west side. All distances are rounded off.

Discussion on hedge row, screening, and storage areas followed.

Clark Wiebe moved to approve the Jack Grosse conditional use with the stipulation that all non-mobile items that

accumulate, whether they be tires, spare parts, or etc, be screened from Highway 50, (i.e., screened area established and then maintained) within two spring seasons of the approval of this conditional use.

Dean Fincham seconded the motion. There followed discussion on wording.

The Planning Commission had a question on screening as to direction.

Terril Eberhard moved to amend Mr. Wiebe's motion to read "natural" screening. Lewis Unruh seconded.

Chairman Sieger called for a vote on the amendment. 7 yes, 0 opposed, motion for amendment carried. She then called for a vote on the original motion as amended, 7 yes, 0 opposed. Motion carried. Chairman then directed the Commission to Item 5: the Dalke application.

Clark Wiebe expressed his concern that the present construction site leaves a lot to be desired. Then followed discussion on the location of the present Dalke construction site. It was mentioned that he accumulates old culverts, concrete, etc.

Mr. Bartel pointed out that the Commission can be specific that the location not be used for storage of demolition

materials..

Dean Fincham asked if Mr. Wiebe's property was to the east.

Discussion followed on what is done with demolition materials currently and stipulations on the application before them. Also discussion on decorative rock, fill dirt, and possibilities for storage on site. The applicant has sold his present location to the City of Hillsboro. Mr. Bartel offered suggestions on stipulations for granting this conditional use. Attention was given to cement bins.

Dorman Becker moved the application for conditional use be approved with the following stipulations:

1. Stock piled materials on the east side of the property are all to be stored within concrete bins
2. Stockpiled dirt and/or fill sand be stockpiled so as to be screened from view and not piled over tree top height
3. That no construction demolition materials be stored on said property, since other sites are provided.

Dean Fincham seconded the motion. Discussion followed.

Lewis Unruh moved to amend the motion with the first stipulation to be changed to: Stockpiled materials in view of the east frontage of the property are all to be stored within concrete bins, and all natural screenings are to be properly maintained. Dean Fincham seconded the motion to

amend. Chairman Sieger read the amendment and asked for a vote. Vote was: 6 Yes, 0 Opposed, with Clark Wiebe abstaining. Motion to amend is carried. Chairman Sieger then asked for a vote on the original motion as amended to approve this application. Vote was: 6 Yes, 0 Opposed, with Clark Wiebe abstaining. Motion carried.

Item 6: Off Agenda Items: Expired terms of members of the Planning Commission. Chairman Sieger addressed the fact that 3 Planning Commission members, who were elected to 2-year terms, need to be asked if they wish to be re-appointed. Marlin Janzen - yes, Lewis Unruh - no, W.A. Pierce - not present, will be asked. Chairman Sieger indicated the Board of County Commissioners will be notified. She then asked for other off agenda items, there were none.

Next meeting is scheduled for February 24, 1994, there are applications to be addressed.

Discussion was held on the Health Department meeting room. Mr. Bartel asked the Planning Commission members to stop and look at the facilities. The meetings could not be changed to the Health Department location until it can be published.

Dean Fincham moved to adjourn. Marlin Janzen seconded. Vote was 7 Yes, 0 Opposed. Motion carried. Meeting adjourned.