

MARION COUNTY PLANNING COMMISSION

MAY MEETING, MAY 28, 1992

Record of Proceedings

The meeting was called to order by Chairman Sherwin Ammeter at 7:30 P.M.

Roll call was dispensed with as all Planning Commission members were present. Secretary Herb Bartel and Consultant David Yearout were present. Marion County Commissioners Charles DeForest and Leon Suderman, Marion County Appraiser Max Hayen, and Matt Newhouse, Marion County Record were also present.

Chairman Ammeter asked for additions or deletions to the May 23, 1992 minutes, there were none. There was a motion by Dorman Becker to approve the May 23, 1992 minutes as presented. Motion seconded, vote was unanimous, motion approved. Minutes accepted.

Chairman Ammeter moved to Agenda Item #4 - Review of Zoning Regulation Base Maps. Herb Bartel introduced sets of township maps that will let the Commission see how each section is divided with respect to ownership. Mr. Hayen also provided a guide sheet to help relate 40 acres in different configurations. This will help in setting boundaries for the agricultural districts. Mr. Hayen also provided printouts of all parcels that are not classified as agricultural, township by township. There were three, one for each district. These maps and aids were reviewed by the Commission.

Chairman Ammeter addressed Agenda Item #5, establishing boundaries for the districts in the ordinance. He stated that the Commission needs discussion on how it wants to apply the boundaries. Mr. Bartel gave a demonstration using the Flood Plain District. Marion County does not have an approved Federal flood insurance program. If adopted, this district will go to the District Engineer for acceptance and when accepted will provide a base for a flood insurance program. People wanting to take loans from a Federal agency on flood plain property can then do so. Also application could be made for Federal flood assistance. This is not possible now. Mr. Bartel would like the Commission to consider the series of flood plain maps along with the zoning maps. Marion County does have a Flood Plain District and maps. Mr. Yearout pointed out that these flood plain maps were provided by the Federal government, and even though they are fourteen years old, they are the most recent that have been made available to Marion County. Updating these maps should not be required at this time. Eileen Sieger asked if the watershed ponds that have been built since the flood plain maps were drawn would alter the maps. Mr. Yearout indicated that the Commission should see that breach areas below watershed dams are covered by the ordinance. This will keep housing from going in below these dams. He pointed out that this protects everyone. No permit would be issued on a project that was being considered in a breach area of a watershed dam. Mr. Yearout indicated that Butler County has incorporated this in their zoning ordinances. The Flood Plain Ordinance has already been sent to the Division of Water Resources and the Engineer will get to look at it. His approval is required before there is final action by the Board of County Commissioners or before it becomes effective.

Mr. Bartel pointed out that the boundaries for the agricultural districts are easy, being set at 40 acres. Ten acres is required for rural residential. Most of the small parcels are smaller than 10 acres. How does the Commission want to handle these small parcels? If a person owns a 2 acre parcel that is zoned agricultural, he could not expand his house without getting a zoning change. Mr. Yearout pointed out that the ordinance provided for an appeal process. How will these small parcels fit into the districts? What is the land use plan? Also, the Commission needs to give the industrial/commercial parcels within these districts special consideration. Mr. Yearout suggested to the Commission that they:

1. need to determine what the acreage breaks are going to be
2. decide whether to determine what each parcels' use is and zone it accordingly initially, or blanket zone agricultural parcels and deal with adjustments as they come up

Mr. Yearout suggested that looking at the smaller parcels and zoning them properly now will minimize the number of non-conforming lots. Mr. Bartel indicated that cemeteries are currently agricultural with a non-conforming use. Also, there are some agricultural tracts that are not 40 acres. The Commission needs to address these situations. Mr. Bartel indicated that if the Commission would recommend zoning each of these smaller properties as they are currently used, it would not create any more non-conforming properties than it would have to. He could then have special situations available for the next meeting, a step in preparing for public hearing. He would be able to identify non-agricultural, non-residential, such as commercial and

industrial properties. He could possible have these broken up into communities, one for each Commission District.

W.M. Pierce motioned to ask Mr. Yearout and Mr. Bartel to proceed with zoning designations that would be consistent with the use of the property at this time based on what is required by the zoning regulations. Also in his motion was the cancellation of the June meeting. Second by Terril Eberhard. There was no discussion. Vote was 9 in favor, 0 opposed. Motion carried unanimously.

There were no off-agenda items. Mr. Ammeter suggested that the next set of maps be made available to the public. Ads could be placed with the newspapers to inform the public. Also that Commission members be available if Mr. Yearout and Mr. Bartel have a problem in their area.

Dean Fincham made a motion to adjourn the meeting, Terril Eberhard seconded, vote was unanimous. Meeting adjourned.