

MARION COUNTY PLANNING COMMISSION

NOVEMBER 17, 1994

RECORD OF PROCEEDINGS

Item 1: Chairwoman Sieger called the meeting to order at 7:30 p.m.

Item 2: Roll call was answered by Clark Wiebe, Marlin Janzen, Dorman Becker, Dean Fincham, Terry Eberhard, Sherwin Ammeter, Eileen Sieger. Herb Bartel was also present.

Item 3: Chairwoman Sieger explained the circumstances of the October meeting. There was not a quorum so no decisions were made. There were not any official minutes. The commission would go back to the September minutes. Chairwomen Sieger asked if there were any additions or corrections to September 22, 1994 minutes. There were none. Marlin made the motion to approve the September minutes as stands. Dorman seconded. Favor 7. Opposed 0. Motion carries.

Item 4: Dale Ade application for rezoning from Ag. to RR. and variance from 10 acres to approx. 2.5.

Chairwomen Sieger explained to the applicant that there are two parts to this application.

Herb Bartel stated that this application was properly published in the Hillsboro Star Journal, October 26, 1994. He stated that this property is located in Logan township, approximately 1 mile from the McPherson County line, on the south side of Roxbury. The house sits about 300 feet from the road. The farmstead has lots of trees with agriculture buildings and fields on both sides of the lane.

Mr. Ade Explained that this was his parents property who are elderly and who no longer live on the property. Mr. Ade and his two sisters would like to sell the farmstead but not the farmland they own around the homestead. The property has a natural boundary around approximately 2 acres. Ade is willing to sell more acreage if a buyer would want more. There is a nice home located on the property, but has been vacant for a few months. Ade would like to keep the corral, but would be flexible if the buyer would want the corral.

Chairwoman Sieger explained that the commission can only make a recommendation on the rezoning.

Clark stated that the commission would need precise measurements of the amount of property that Mr. Ade wants to sell to obtain a variance. He stated the commission would not be willing to make a decision on a flexible variance.

Herb commented that the commission needs actual dimensions and measurements.

Clark stated that the commission should go ahead with the rezoning and table or reapply for the variance when Mr. Ade has a buyer and knows the amount of property he intends to sell for sure.

Chairwomen Sieger asked if there was anything further to discuss.

Mr. Ade said there was not.

Item 5: Herbert Richerts application for rezoning from Ag. to SR.

Tom Murphy represented Mr. Richert on this application.

Herb Bartel stated that this application was properly published in the Hillsboro Star Journal, October 26, 1994.

The property is located south of 256 highway, one mile east of Hillsboro. Herb also stated that the City of Hillsboro was notified on this application and they presented no comment or recommendation.

The rezoning is on 6.65 acres. Murphy wants to buy two acres from Mr. Richert if the rezoning is approved to build a home and in order for Mr. Richert to sell the 2 acres it has to be rezoned.

Carl Friesen introduced himself and commented that he used to own 36 acres of this land and before he sold the property to Mr. Richert he had restrictions drawn into the contract about no wild or large domestic animals on the property. He wanted to know who would enforce this restriction.

Herb stated it would be up to the individuals and the commission could not enforce it. Herb also

stated that this area is under Hillsboro subdivision regulations.

Murphy stated that this property has rural water and a septic tank.

Chairwoman Sieger asked if there were any further comments or question. There were none.

Item 6: Dennis Schmidt application for a variance from 10 to 5.2 acres.

Herb Bartel stated that this application was properly published in the Hillsboro Star Journal, October 26, 1994. Herb also stated that this is a sanitary code variance and the planning commission is acting as a Board of Appeals.

The property is located on the west side of Goessel.

Chairwoman Sieger referred to the regulations on the matter of a lagoon and read it to everyone.

Mr. Schmidt stated that he has purchased extra land and would like to build a new lagoon, moving it farther from the house than the one they use now.

Marlin asked if there would be any problems in granting this application.

Herb stated that there would not be, but Herb cannot do it himself administratively.

There were no further questions on this matter and the board decided to act on it immediately.

Clark made the motion to grant the variance.

Dean seconded. Favor 7. Opposed 0. Motion carries.

Next was Shields application to rezone from Ag to RR. It was item 5 on the October agenda. Shields originally applied for rezoning from Ag to SR, but decided to change to RR.

Chairwoman Sieger reviewed the information obtained from the October meeting. Herb stated that this application was properly published in the Hillsboro Star Journal, October 27, 1994.

Herb stated that this issue is ready for recommendation.

Clark asked for a final measurement.

Shields stated it is 230'x380' or 2 acres.

Clark made the motion to recommend rezoning from Ag. to RR.

Dorman seconded. Favor 7. Opposed 0. Motion carries.

Marlin made the motion to grant the variance from 10 to 2 acres because of the natural boundaries.

Sherwin seconded. Favor 7. Opposed 0. Motion carries.

Mabel Jensen application was discussed next. Rezoning from Ag. to RR.

Herb stated that this application was properly published in the Hillsboro Star Journal, September 28, 1994.

The variance is from 10 to 4.36 acres.

The house on this property is vacant and the owner would like to sell the homestead. The property has a meets and bounds description. The house has been remodeled and includes a barn and hay shed.

Marlin made the motion to recommend a rezoning from Ag to RR on the grounds that it stays with the character of the area surrounding this property.

Sherwin seconded. Favor 7. Opposed 0.

Variance from 10 to 4.36 acres.

Dorman made the motion to grant a variance from 10 to 4.36 acres.

Terry seconded. Favor 7. Opposed 0. Motion carries on rezoning and variance.

Ade application.

Terry made the motion to table this until the January meeting.

Marlin seconded. Favor 7. Opposed 0. Motion carries.

Richert application.

Rezoning from AG to SR.



After much discussion Chairwoman Sieger asked for a decision on whether or not to recommend this application.

Terry made the motion to recommend rezoning from Ag to SR on the basis that it stays in character of the neighborhood and is similar to surrounding existing lots.

Dean seconded. Favor 6. Opposed 0. 1 abstention.

Chairwoman Sieger asked if the commission agreed not have a December meeting. The next meeting was decided for January 26, 1994.

Chairwoman Sieger brought to the commission attention that several members three year terms were coming to an end. She asked if Sherwin wanted to be a member for another three years.

Sherwin said probably. Also Dormans terms was through. Dorman stated that maybe he would stay for another three years.

Eileen also brought to the members attention that she had talked with Charles Deforest about needing one more commission member. Deforest promised to look into the matter.

After open discussion on the 911 Enhance and the tavern operating by Burns , Dean made the motion to adjourn. Terry seconded. Favor 7. Opposed 0. Motion carries.

Meeting adjourned at 9:40 p.m.

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Eileen Sieger, Chairwoman

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Kathy Swan, Secretary