

## **Board of Zoning Appeals Staff Report**

### **Applicant**

Lloyd Klassen  
2460 Hwy K-15  
Hillsboro, KS 67063

### **Application**

Application number ZP05.071. Applicant has requested a variance to construct a fourteen (14) feet wide manufactured home as a secondary residence in an "A" Agricultural Zone District. Applicant has also requested a variance from the permanent foundation requirement; a continuous, permanent masonry foundation or masonry curtain wall.

### **Project Description**

Mr. Klassen owns approximately one-hundred and sixty (160) acres in the southwest quarter of Section 4, Township 19 South, Range 2 East. This property is located four miles north of the City of Hillsboro.

The proposed project will consist of the construction of a secondary residence. Residence will be used to accommodate employee housing.

A construction application has been received.

### **Planning Issues**

The Public Hearing Notice and Adjacent Property Owner Notification was completed in accordance with the Marion County Zoning Regulations and Kansas State Statutes. No public comments have been received as of October 14, 2005.

The Marion County Zoning Regulations provide that the following conditions must be met in order to grant a variance:

- 1) The variance requested arises from such condition, which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by and action or actions of the property owner(s) or the applicant.
- 2) The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.

- 3) The strict application of the provisions of the Marion County Zoning Regulations of which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application.
- 4) The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.
- 5) That granting the variance will not be opposed to the general spirit and intent of the Marion County Zoning Regulations. The purpose of the variance is to provide relief where normal adherence to the regulations is not possible.

**Staff Recommendation**

Approve a variance from Section 21-110 of the Marion County Zoning Regulations to allow for the construction of a fourteen (14) feet manufactured home in an "A" Agricultural Zone District. Recommend only as a secondary residence only for the purpose of housing employees. (REASON: Variance approval is consistent with approval of similar previous applications)

*350 Dairy Operation  
 35 A farmed 1986 14 x 50 ft  
 Owns trailer now - in  
 hillside, now it's  
 farm.  
 Future plans to  
 replace trailer  
 to double units  
 Needs to purchase  
 housing  
 10yr  
 Plan to replace  
 in foundation because  
 of cost.*