

Minutes of the Marion County Zoning Commission Meeting
July 20, 2021

The Marion County Zoning Commission met in person on June 15, 2021, at 5:30p.m. 3014 East Main St., the Marion County Office Building.

Members present were Alan Terpstra, Sandy Agan, Larry De Zwarte, Sarah Trefth and Keith Davis. Public present were Jake Hughes and Jason Morgan.

The June 15, 2021 minutes were presented for approval. Chairman Terpstra called for a motion for approval. Agan made a motion to approve and Trefth seconded the motion. A roll call vote was taken.

Terpstra	aye
Agan	aye
Davis	aye
Trefth	aye

Petition Div79674- Lloyd R. Becker Subdivision in the SE1/4 of the SE1/4 of 3-75-19 is a two-lot minor subdivision. Poffenbarger explains that upon receipt of the request to split Parcel 0542701000 it was determined that due to the number of parcels already in the tract where the parcel originated a subdivision would be required per 56.03 (40)(A). A plat of subdivision shall be required when a tract is subdivided by repeated divisions into 5 or more parcels.

A rezoning is not required since a portion of the tract is zoned R-2 adjacent to unincorporated Flagler.

Lot one is 3.71 net acres of bare ground and Lot two has the Becker home on it. Environmental Health has no concerns with septic systems, both lots are of adequate size.

The two lots will be sharing a widened access within the right of way and split to separate driveways at the right of way line so no easement is needed.

The area is reclaimed mining ground with little ag productivity.

The request is conforming with the Future Land Use Plan.

With no further discussion Terpstra called for a vote on Lloyd R. Becker Subdivision. Davis made a motion it was within conformance and De Zwarte seconded the motion.

Terpstra	aye
Agan	aye
Davis	aye
Trefth	aye

Poffenbarger will forward to the Marion County Board of Supervisors for the July 27, 2021, meeting.

Petition 80236 – Site plan presented for Cross Roads Gospel Church at 1713 Hwy 5, Knoxville. Jason Morgan, contractor, and church member was present to answer questions. The site plan is for lots 6 and 7 of English Creek Subdivision Plat 1 27-75-19 (Parcel 0601901105).

Poffenbarger goes on to explain the property is zoned R-1; Single Family Residential which does allow for churches with site plan review.

The church is on 2 lots which is a total of 3 acres.

The church will be 40 feet by 100 feet at seat 200 people. The seating capacity would require 40 parking spots so only ADA paved parking is required the rest can remain gravel.

The church will use the south driveway access to English Creek Subdivision for access. Poffenbarger explained this is beneficial for all involved. The church will have a shorter driveway to widen, and the church traffic will not affect the residences in English Creek. Both Marion County and the DOT will require the church to pave the approach within the right of way, this will be 24 feet by 40 feet. The site plan will not move forward to the Board of Supervisors until the design plans have been received from Garden and Associates and approved by the DOT.

The covenants for English Creek Subdivision expired.

Poffenbarger explained that the Zoning office heard from three neighboring property owners. One in favor, one opposed with no reason given to the opposition and one neighbor concerned about what might be able to occupy the church if it were to cease operation. As explained earlier in the meeting the use of the parcel is not changing, it will remain R-1; Single Family Residential so only those uses would be allowed.

Poffenbarger explained the closest house was 320 feet away from the proposed church structure.

The commission asked Morgan about screening and landscaping. He stated at this time there were no plans. The main focus was to get the church up and parking in. The church currently rents a space that is not very inviting.

Hours would be Sunday from 10:30 to 11:30; Wednesday night 5:30 to 7:30; every other Friday from 6:30 to 8:30 and occasional drop in from the cleaning staff or clerical staff.

The church has been directed to work with Environmental Health on the required septic system.

Davis asked about drainage since this is a flat lot. Morgan explained they will be building up the pad for the church and tying into the drainage tiles are in the farm field behind the church so as to not create any type of water issues for neighboring lots.

Any signs will need to comply with Marion County Sign regulations.

With no further discussion Terpstra called for a vote on the site plan for Cross Roads Gospel Church. Agan made a motion it was within conformance and Davis seconded the motion.

Terpstra	aye
Agan	aye
Davis	aye
Treft	aye

Site plan will go on to the BOS when the drive design is finished.

Poffenbarger went on to explain the delay in the review of the changes to the ordinance were Pershing. It is the opinion of the Karla Fultz, Hopkins and Huebner the Board of Supervisors may have to by resolution reinstate zoning in Pershing since it was a BOS the allowed them to be exempt.

Chairman Terpstra has concerns with some of the Renewable Energy Overlay District under the Large-Scale Solar and the removal of mature trees to allow for large scale solar.

Poffenbarger also went on to discuss the foundation requirements again and asked the commission their thoughts. Davis stated if we don't have building codes and don't enforce should it be in there. The zoning ordinance's purpose is not to specify building requirements but land use. Only on dwellings are there building requirements specifics. Poffenbarger feels it should either be taken out or just simply state permanent foundation. With pole barn homes it is too difficult to enforce the current requirements.

Future workshops will be held as the updates are ready.

Terpstra called for a motion to adjourn. Davis made the motion and Treft seconded the motion to adjourn, all ayes.

Minutes by Melissa Poffenbarger