

Minutes of the Marion County Board of Adjustments
May 16, 2023

The Marion County Board of Adjustments met at 3014 E. Main St., Knoxville, Marion County Office Building on May 16, 2023 at 5p.m.

Attendees of the meeting were Jan Szlachetka, Dale Miler, Danielle Huffine, Loren Van Wyk and Michael Kacmarynski.

Public present were John Finarty, Alan Callendar, Shawn Miller, Peter and Kim DeSocio.

Poffenbarger called for nominations for chairperson. Szlachetka made a motion for Huffine and Miller seconded the motion. A roll call vote was taken, all ayes. Huffine will become chairperson for the upcoming year.

Szlachetka	yes
Miller	yes
Huffine	yes
Kacmarynski	yes
Van Wyk	yes

Huffine called for nominations for vice chairperson. Huffine made a motion for Miller and Szlachetka seconded the motion. A roll call vote was taken, all aye. Miller will be the vice chairperson.

Szlachetka	yes
Miller	yes
Huffine	yes
Kacmarynski	yes
Van Wyk	yes

Chairperson Huffine called for a motion to approve the minutes from December 20, 2022. Miller made a motion to approve and Kacmarynski seconded the motion. A roll call vote was taken.

Szlachetka	yes
Miller	yes
Huffine	yes
Kacmarynski	yes
Van Wyk	yes

Poffenbarger presented Petition 904 for public hearing— Agriland FS at 1166 Quaker Dr., Knoxville is looking to replace and relocate the current anhydrous tanks to Parcel 0685202000.

Legal description is: Parcel D of the West $\frac{3}{4}$ of all that part of the North 528 feet of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying North and West of the centerline of Iowa Highway 14 in Section 35, Township 75 North, Range 20 West of the 5th P.M. in Marion County, Iowa. (Parcel 0685202000).

Mr. and Mrs. De Socio were present with concerns on the existing lighting and any proposed lighting. Poffenbarger explained that the current lighting is not part of the petition, and that discussion should happen after the meeting with Mr. Miller.

Mr. Miller explained that the current tanks need to be updated and the current parcel is too congested. For safety and traffic flow Parcel 0685202000 is better suited for the upgrade.

Chairperson Huffine called for a motion to approve closing the public hearing for Petition 904. Kacmarynski made a motion to approve, and Miller seconded the motion. A roll call vote was taken.

Szlachetka	yes
Miller	yes
Huffine	yes
Kacmarynski	yes
Van Wyk	yes

The BOA took action to review Petition 904 and apply the elements of a Special Use Permit.

Poffenbarger explained the parcel is zoned M-1; Light Industrial. For the proposed use 55.27 Industrial Zoning requires a Special Use Permit only after the principal elements of SUP are considered.

- That the proposed location, design, construction and operation of the particular use adequately safe-guards the health, safety and general welfare of persons residing or working in adjoining or surrounding property;

Poffenbarger explained the impact to the neighboring properties will not differ much from the current location. The setbacks are slightly lessened from existing homes but still meet the requirements.

Emergency action plans as required by IDALS meet the requirements for Marion County.

- That such use shall not impair an adequate supply of light and air to surrounding property;

The De Socio's again want the lighting to be addressed which Miller assures them will be done. There is a requirement for lighting for security reasons.

The BOA feel this element can be addressed and met.

- That such use shall not unduly increase congestion in the streets or public danger of fire and safety;

Poffenbarger explains no access to Hwy 14 will be allowed and Quaker Drive currently services Agriland and there are no homes in the area. Switching to the other side of the road should not add undue congestion.

The relocation of the tanks will help the flow and be a safer location for Agriland.

This element requirement is satisfactory.

- That such use shall not diminish or impair established property values in adjoining or surrounding property; and

The zoning is not change and the BOA feels the relocation shall not effect neighborhood property values.

- That such uses shall be in accord with the intent, purpose and spirit of the Zoning Ordinance and the Comprehensive Land Use Plan of the County.

Poffenbarger explains the last element has been met. The property is zoned M-1; Light Industrial which is adequate. The Land Use Plan matches with Industrial.

Chairperson Huffine called for a motion on Petition 904. Szlachetka made a motion to approve, and Van Wyk seconded the motion. A roll call vote was taken.

Szlachetka	yes
Miller	yes
Huffine	yes
Kacmarynski	yes
Van Wyk	yes

Huffine called for a motion to adjourn. Kacmarynski made the motion and Miller seconded the motion. All ayes, meeting adjourned.

Minutes by: Melissa Poffenbarger