

Minutes of the Marion County Zoning Commission Meeting
May 16, 2023

The Marion County Zoning Commission met in person on May 16, 2023, at 5:30p.m. 3014 East Main St., the Marion County Office Building.

The members present were Leslie Miller, Keith Davis and Sandy Agan. New Commission member Joe Cunningham was in attendance to observe tonight. Joe will be taking the place of Larry De Zwarte who stepped down due to family obligations.

The public members present were Alan Callendar, Fred Agan, George Pilcher and Carolyn Avon.

The March 21, 2023, minutes were presented for approval. Chairman Davis called for a motion for approval. Agan made a motion to approve, and Miller seconded the motion. A roll call vote was taken.

Davis	aye
Miller	aye
Agan	aye

Poffenbarger presented the Land Use Map on the screen of the commercial area around 1265 Hayes Dr., Knoxville. Poffenbarger explained there is no other commercial in the area other than the cell tower which is an essential service that does not require commercial land use. The land use should match the zoning and since the proposal is to rezone 1265 Hayes Dr. back to A-1 the correct thing to do is also update the land use plan to match.

With no questions Davis called for a vote. Miller made the motion to amend the land use plan and Agan seconded the motion. A roll call vote was taken.

Davis	aye
Miller	aye
Agan	aye

Petition 902 – George Pilcher requests to rezone 1265 Hayes Dr., Knoxville and the area described from C-A; Commercial to A-1; Agricultural for the purpose of a single-family residence. Poffenbarger explained that the property was rezoned in 1978 without a defined legal description so the legal description proposed is the most accurate description that can be defined. The lot is 3 gross acres surveyed off in 1993 and at that time the minimum lot size was 1.5 acres. The request conforms with the neighborhood.

The legal used for the 1978 rezoning is: Approximately the south 300 feet of Parcel 2325100500 and shown to the centerline of Hayes Dr. and shown west to Iowa Highway 14 in 12-76-20.

Pilcher is no longer able to operate the commercial business operation and has had no luck selling the property as commercial. He has decided rather than let the property set empty he will convert to a home for his use.

Poffenbarger explained there had been a couple inquiries about the request. Neither were found to be a reason to question the request.

With no further questions and no public comment Davis called for a motion to close the public hearing. Miller made the motion and Agan seconded it. A roll call vote was taken.

Davis	aye
Miller	aye
Agan	aye

Davis asked the commission if there were any further questions before action was taken on Petition 902. With no questions Miller made a motion and Agan seconded the motion.

Davis	aye
Miller	aye
Agan	aye

The Board of Supervisors will take the final action on the rezoning.

Petition 903 – Sanctuary Garden LLC from C-A to A-1 is being proposed by Marion County to comply with the conditional rezoning that took place in 2019. The conditional rezoning stated if the commercial operation were to cease for more than one year it may go back to the original A-1 zoning.

Poffenbarger explained due to circumstances the proposed project never developed and the rezoned area described has remained farm ground.

The C-A zoning is part of Parcel 2127200100 and part of 2127500000 described as: A PART OF THE NORTHWEST ¼ AND THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 77 NORTH, RANGE 20 WEST OF THE 5TH P.M., MARION COUNTY, IOWA, AND BEING DESCRIBED AS FOLLOWS:
BEGINNING AT THE CENTER OF SAID SECTION 36; THENCE NORTH 00°00'00" WEST ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF SECTION 36, A DISTANCE OF 1023.66 FEET; THENCE NORTH 89°55'02" WEST, 457.06 FEET; THENCE SOUTH 00°04'58" WEST, 80.00 FEET; THENCE NORTH 89°55'02" WEST, 581.49 FEET; THENCE SOUTH 04°18'03" WEST, 1103.36 FEET; THENCE SOUTH 25°38'34" EAST, 44.76 FEET; THENCE SOUTH 89°45'49" EAST, 641.96 FEET; THENCE NORTH 00°26'36" EAST, 200 FEET TO THE SOUTH LINE OF SAID NORTHWEST 1/4; THENCE SOUTH 89°45'49" EAST ALONG SAID SOUTH LINE, 458.54 FEET TO THE POINT OF BEGINNING AND CONTAINING 27.08 ACRES

Poffenbarger explained the same process that took it to C-A must be followed to take it back to A-1.

Neighbor Alan Callendar was present.

With no further questions and no public comment Davis called for a motion to close the public hearing. Agan made the motion and Miller seconded it. A roll call vote was taken.

Davis	aye
Miller	aye
Agan	aye

Davis asked the commission if there were any further questions before action was taken on Petition 903. With no questions Agan made a motion and Miller seconded the motion.

Davis	aye
Miller	aye
Agan	aye

The Board of Supervisors will take the final action on the rezoning.

Davis called for a motion to adjourn. Miller made the motion and Agan seconded the motion to adjourn, all ayes.

Minutes by Melissa Poffenbarger