

Minutes of the Marion County Zoning Commission Meeting  
April 7, 2020

The Marion County Zoning Commission met on at April 7, 2020 at 4:00p.m. met via Teams virtual meeting in accordance with Marion County's Disaster Declaration and pursuant to Iowa Code 21.8, This meeting will be held electronically as valid concerns exist that an in-person meeting would be impossible or impractical in seeking to adhere to Governor Reynolds State of Public Health Disaster Emergency Proclamation related to COVID-19 Community Spread Mitigation.

Members present were Alan Terpstra, Sandy Agan, Sally Vander Linden and Keith Davis. Other participants were Jon Miles, Betty Van Wyk, Stan Eysink and Devin Niday.

Poffenbarger called the meeting to order since this was the first meeting of the year until a vote could be taken on chairperson for 2020. Davis made a motion for Terpstra to serve as chair and Agan seconded the motion. A roll call vote was taken; all ayes Terpstra will be the chairman for 2020.

Terpstra called for a motion for vice chairman. Davis made a motion to leave the same vice chair as 2019. Agan seconded the motion; all were in favor of Davis remaining the vice chair for 2020.

The minutes from the December 17, 2019 meeting were reviewed. Vander Linden made mention of the adjournment section needing corrections. Poffenbarger will address the corrections. Chairman Terpstra called for a motion to approve minutes with corrections; motion was made by Vander Linden with a second by Agan minutes approved with noted corrections.

Chairman Terpstra asked Poffenbarger to explain the action needed for Prairie Ridge Development. Poffenbarger explained since Pella and Marion County are in a joint agreement Urban Renewal Agreement on Prairie Ridge Marion County Zoning must look at whether the development is within the scope of Marion County's Land Use Plan. Poffenbarger explained that according to the 2013 Marion County Land Use Plan the subject area was not included due to the Extra Territorial agreement with Pella. In 2019 the area was annexed into Pella. The determination was the subject area is not in conflict with the Marion County Land Use Plan.

With no further discussion Terpstra called for a vote on the Prairie Ridge Development conformity with Marion County's Land Use Plan. Davis made a motion it was within conformance and Vander Linden seconded the motion.

Terpstra        aye  
Agan            aye  
Davis           aye  
Vander Linden aye

Poffenbarger and Terpstra will sign the letter provided by Ahlers & Cooney, P.C. and forward to the Marion County Board of Supervisors.

Poffenbarger then presented the site plan for Devin and Megan Niday for the proposed dog kennel at 901 75<sup>th</sup> Ave. Pleasantville.

Poffenbarger advised the Zoning Commission that a variance was granted to the Niday's at the 4p.m. virtual meeting by the Board of Adjustments. The variance was granted on 55.24 (3) D Kennels- all buildings including the

exercise area runways must be at least 200' from the property lines. The BOA allowed a 70' variance to the front setback to allow the kennel 120' from the property line bordering 75<sup>th</sup> Ave.

Poffenbarger went over the site plan checklist.

- The kennel is 40' x 30' with 16 runs.
- Water is Marion County Rural Water.
- Electric is Pella Coop Electric.
- The property owner is working with Marion County EH and Iowa DNR on the septic.
- An estimated 5 parking spots will be added with 1 paved ADA compliant spot.
- 1 to 2 security lights will be added.
- With minimal grading no NPDES permits will be required.
- The current access is 30' at the R.O.W. The drive does narrow to one lane due to the lay of the land.
- A survey of the property was done in 2018.
- The kennel will be 266' from the west property line, 200' from the north, 202' from the south and 121' from the east property line.

With no further questions Terpstra called for a motion. Agan made a motion to approve the site plan and Vander Linden seconded the motion. A roll call vote was taken.

Terpstra	aye
Agan	aye
Davis	aye
Vander Linden	aye

The site plan will be forwarded on to the BOS for review.

Petition 56720 – Pella Coop Electric is proposing a substation at 480 240<sup>th</sup> Ave., Pella. Parcel C of the East One Half of the Southeast Quarter of Section 23 - Township 77 North - Ronge 18 West of the 5th P.M., Marion County, Iowa.

Davis asked about a sunset clause and Poffenbarger explained the survey was done for one acre pending the rezoning. It will not be recorded unless the rezoning goes through because it does not meet the minimums for the current zoning of 3 acres. Miles stated everything is set to go as soon as the rezoning is finalized.

The proposal is to rezone from A-1 to C-1; General Commercial for essential utility services only. Because the rezoning is for utility use Poffenbarger does not recommend a Land Use Map change.

There were no communications with any notified neighbors.

With no further questions on the rezoning portion of the REC petition Terpstra called for a motion. Davis made a motion to approve Petition 56720 from A-1 to C-1 Restricted for Essential Utility Services and Agan seconded the motion. A roll call vote was taken.

Terpstra        aye  
Agan            aye  
Davis           aye  
Vander Linden aye

Poffenbarger presented the site plan portion of Petition 56720 for Pella Coop Electric.

Poffenbarger stated it is a simple layout with the highest structure being 46' tall and a 13' lightening rod on top.

The property will consist of 9 ½ foot fence with barbs on top surrounding the substation.

Signage will be secured to the fence as required per NEC standards.

A metering structure, service bay, regulators and transformers will also be part of the substation as shown on the site plan.

There is an approved drive that will be added to the site plan.

The required setbacks have been applied to the infrastructure.

With no further questions on the site plan for the REC petition Terpstra called for a motion. Vander Linden made a motion to approve the site plan and Agan seconded the motion. A roll call vote was taken.

Terpstra        aye  
Agan            aye  
Davis           aye  
Vander Linden aye

Poffenbarger will get the petition on the agenda for the BOS. At final approval the site plan will be presented.

Poffenbarger updated the commission on the review of the wind ordinance.

Terpstra called for a motion to adjourn. Davis made the motion and Agan seconded the motion to adjourn; all ayes.

Minutes by Melissa Poffenbarger