

BUCHANAN COUNTY ZONING COMMISSION

7:00 PM Tuesday, January 3, 2017

Public Health Meeting Room

Chair Pech called the meeting to order at 7:00 PM.

Marlene Brown, Karen Connell, Mike Robinson, Steven Saathoff, Jan Short, Bronson Wierck, and Kris Wilgenbusch were in attendance along with Matthew Even, Zoning Administrator. Jim Frye and John Slattery were excused.

Public guests (4) included: Dave Pech, Louis Wendling, Barbara Wendling, and Shirley Wendling

Pech made a statement similar to the following:

Welcome, we are the Buchanan County Zoning Commission. I am Dave Pech and I will be directing this meeting this evening. We are responsible for the fact findings for the Supervisors. We will gather information on these requests tonight and attempt to come up with a recommendation for the Supervisors. They will make the final decision on these requests at a meeting probably two to three weeks in the future. Everyone that was notified of this meeting will also get notified of that meeting. We would ask that if you have information that would be pertinent to these requests, that you state your name so we can get your name in the minutes. That will be forwarded to the supervisors when they set the meeting.

Pech then had every member of the commission introduce themselves and state where they are from.

The first item on the agenda was the approval of the minutes from the previous meeting.

Pech asked if there were any additions or corrections that needed to be made. Hearing none, Connell made a motion to accept the minutes of the last meeting. Short seconded the motion. With a vote of 6-0, the motion carried.

The second item on the agenda was the election of officers

Pech opened the floor for nominations of chair. Connell nominated Short and Brown seconded the nomination. Short accepted the nomination. Short nominated Slattery and Connell seconded the motion. Slattery had informed Even prior to the meeting that he would accept the nomination. Connell withdrew her nomination of Short. Brown motioned to cease

nominations. Connell seconded the motion. With a vote of 6-0, the motion carried. Slattery was selected as Chair with a vote of 6-0.

Pech opened the floor for nominations of vice chair. Wilgenbusch nominated Brown and Short seconded the nomination. Brown accepted the nomination. Wilgenbusch motioned to cease nominations. Connell seconded the motion. With a vote of 6-0, the motion carried. Brown was selected as Vice Chair with a vote of 6-0.

Even then presented Pech with a certificate for his 32 years of service on the Commission.

Saathoff arrived at the meeting at 7:07 PM.

The third item on the agenda was the request by Louis & Shirley Wendling to rezone 0.41 acres from “A-1” Agricultural to “R-2” Residential to separate the existing dwelling from the farm. The property is located in the NE ¼, SE ¼, SW ¼, Sec 29, T89N, R9W and has an address of 1749-36 Golf Course Blvd, Independence, Iowa.

Even described the location of the dwelling that is being rezoned. Even explained that the reasoning for this request is to separate this dwelling from the existing farm so the owners can gift the land to their daughter. Even also explained that most of these dwellings and seasonal cabins on the property are all on leased land. Even then displayed an image of the aerial photography and a video of the site. Even then explained that part of this property is located in the river and that is acceptable according to Buchanan County ordinances. Even then displayed a map showing the corn suitability rating for the soils.

Connell asked Mr. and Mrs. Wendling if there have been cabins in this area for many years. Mr Wendling replied yes and explained that there has been a cabin on this specific site for over a hundred years. He reiterated that they are not changing anything and just want to gift the land to their daughter so if anything happens to them, her property is protected. Connell asked if there were any other properties along the river they have sold and Mr. Wendling replied that there are not with the exception of their son’s land which they are gifting to him as well.

Short motioned to approve the request. Connell seconded the motion. With a vote of 7-0, the motion carried.

The fourth item on the agenda was discussion on revisions to Buchanan County Code of Ordinances, Chapter 52: Airport Land Use and Height Overlay Zoning.

Even distributed copies of the County Airport Hazards and Tall Structures Ordinance, City of Independence Airport Zoning Regulations, Recommended Airport Land Use Zones diagram,

Airports and Communities flyer, and Brian Schoon's comments in response to concerns presented at the last meeting.

Connell stated that she had contacted Brian Schoon to discuss her concerns. Connell stated that the Iowa Office of Aviation contracted an engineering group to develop a guidebook to create zoning ordinances. Connell voiced her concern of this draft ordinance and that it is not finalized yet. She would like to have a final draft that they will approve. Connell also stated that she was concerned about the designation of the runways and that only one runway is listed as instrumented when they both are.

Mr. Pech stated that in the past when these ordinances were brought to the Commission, they would usually approve them as they were put together by INRCOG in compliance with state and federal regulations. There was then discussion on the status of the current commission and that there is a need for educated people to be on the new commission. Connell thinks that there needs to be at least two or three revisions to this ordinance prior to them approving this ordinance. There was then more discussion on what the correct numbering of the runways is and whether or not the runways are both instrumented and who it is that determines this.

Even stated that the County Attorney has already approved this ordinance. Mr. Pech inquired if there were any existing structures that would be affected by this ordinance. Even responded that there might be, but if there is, they would not be affected and would just be a nonconforming structure. Even then showed what the difference is between the current and proposed zones. Wilgenbusch asked for clarification on if existing structures would be affected because she was concerned about farmers with grain storage. Connell also voiced her concern over the hold harmless agreement included in the ordinance. Even stated that he checked with the Attorney and they thought that was okay and was a standard procedure.

The fifth item on the agenda was adjournment.

Wilgenbusch made the motion to adjourn and Saathoff seconded the motion. With a vote of 7-0, the motion carried.

The meeting adjourned at 7:42 PM

Submitted on 1/5/2017 by Matthew Even

BUCHANAN COUNTY ZONING COMMISSION

7:00 PM Tuesday, February 7, 2017

Public Health Meeting Room

Vice-Chairperson Brown called the meeting to order at 7:00 PM.

Marlene Brown, Karen Connell, Jim Frye, Mike Robinson, Steven Saathoff, and Bronson Wierck were in attendance along with Matthew Even, Zoning Administrator. Jan Short, John Slattery, and Kris Wilgenbusch were excused.

Public guests (6) included: Brian Schoon, Gary Gissel, Clayton Ohrt, Kathy Wagner, Randy Wagner, and Don Shonka

Brown made a statement similar to the following:

Welcome, we are the Buchanan County Zoning Commission. I am Marlene Brown and I will be directing this meeting this evening. We are responsible for the fact findings for the Supervisors. We will gather information on these requests tonight and attempt to come up with a recommendation for the Supervisors. They will make the final decision on these requests at a meeting probably three to four weeks in the future. Everyone that was notified of this meeting will also get notified of that meeting. We would ask that if you have information that would be pertinent to these requests, that you state your name so we can get your name in the minutes. That will be forwarded to the supervisors when they set the meeting.

The first item on the agenda was the approval of the minutes from the previous meeting.

Brown asked if there were any additions or corrections that needed to be made. Hearing none, Connell made a motion to accept the minutes of the last meeting. Wierck seconded the motion. With a vote of 6-0, the motion carried.

The second item on the agenda was the request by Randy & Kathy Wagner request to rezone 2.6 acres from “A-1” Agricultural to “R-3” Residential to separate the existing dwelling and add a new dwelling. The property is located in the NW ¼, SW ¼, SE ¼, Sec 13, T87N, R10W and has an address of 3084 Brandon Diagonal Blvd, Brandon, Iowa.

Even described the location of the dwelling that is being rezoned. Even explained that the reasoning for this request is to separate this dwelling from the existing property so that the owners can build a new dwelling. Even then displayed an image of the aerial photography and a video of the site. Even then displayed a map showing the corn suitability rating for the soils.

Brown asked Mr. & Mrs. Wagner if they had any additional input. Mr. Wagner informed the commission that the waterway which runs through the property can look like a small creek when there are heavy rains. Connell asked if the land is currently being farmed and Mr. Wagner replied that they just mow the north part where they want to build and they rent out the southern part to another farmer. Mr. Wagner continued that he doesn't think the land could be farmed with the waterway, the natural slope, and the short width for turning around equipment.

Connell motioned to approve the request. Robinson seconded the motion. With a vote of 6-0, the motion carried.

The third item on the agenda was approval of revisions to Buchanan County Code of Ordinances, Chapter 52: Airport Land Use and Height Overlay Zoning.

Even introduced Brian Schoon with the Iowa Northland Regional Council of Governments (INRCOG). Schoon gave an overview of the updated ordinance and the roles that Iowa Department of Transportation (DOT) Aviation Office and Federal Aviation Administration (FAA) played in the development of the ordinance. Schoon informed the committee that the City of Independence will be using the same ordinance so that way the airport zoning and overlay is the same regardless of whether you live in the city or not. Schoon emphasized that this ordinance is not replacing or interfering with the current Zoning Ordinance, instead it is a set of additional requirements that must be met similar to the floodplain ordinance. Schoon then distributed the attached handout titled "Independence Airport Zoning Ordinance Overview". Schoon described the process that the State of Iowa used to develop the manual for updating airport land use and overlay zoning ordinances.

Schoon then gave a brief overview of the Independence Airport and passed out the attached handout titled "Airport Master Record". Schoon then described the Airport Master Plan which can be found on the City's website. Schoon then walked the Commission through the updated ordinance. Schoon informed the Commission that the draft watermark will stay on the document until the Board of Supervisors has adopted it. The ordinance number will then be assigned by the Auditor once it gets placed on the agenda. Schoon reviewed the definitions included in the ordinance including the definition of a hold harmless agreement which defines it, but does not require it to be used.

Schoon then gave an overview of the three dimensional zones presented on the Airport Land Use & Overlay Zoning map on file in the Buchanan County Environmental Health & Zoning office. Schoon informed the Commission that the runway numbering has been corrected to 18 and 36 and the approaches have both been identified as non-precision after review by the Iowa DOT and FAA. This has resulted in the zoning map to be symmetrical since both runways have the same approach now. Schoon then reviewed the table used to evaluate applications and the

questionnaire that is required if the table requires additional review. This will allow for uniform decisions to be made between the City and the County.

Schoon described the formation of the joint Airport Zoning Commission and Airport Board of Adjustment between a city and a county. The Chairperson and Vice-Chairperson of both the City and County Zoning Commission and Board of Adjustment will be on the respective Airport Zoning Commission and Board of Adjustment. A fifth member will be chosen for each airport group by those individuals from the city and county. Schoon then described the roles that both of these groups will play. Schoon then informed the Commission that legal nonconformities will be grandfathered in when this ordinance is adopted.

Saathoff inquired that the purpose of this new ordinance is to keep regulations the same between the City and the County and Schoon replied that it was. Connell then distributed information regarding the runway approaches for the airport and reviewed information on each approach. Schoon reiterated how the different zones relate to the approaches. Frye inquired why the airport would not install a new runway parallel with the current runway if they were and Connell responded that they would want to go with the predominant direction of the wind. Connell thanked Schoon for coming to the meeting and explaining everything to them.

Connell made the motion to adopt the updated Airport Land Use and Height Overlay Zoning ordinance and Frye seconded the motion. With a vote of 6-0, the motion carried

The fourth item on the agenda was adjournment.

Robinson made the motion to adjourn and Wierck seconded the motion. With a vote of 6-0, the motion carried.

The meeting adjourned at 8:24 PM

Submitted on 2/8/2017 by Matthew Even

BUCHANAN COUNTY ZONING COMMISSION

7:00 PM Tuesday, March 7, 2017

Public Health Meeting Room

Vice-Chairperson Brown called the meeting to order at 7:00 PM.

Marlene Brown, Karen Connell, Mike Robinson, Steven Saathoff, Jan Short, Bronson Wierck, and Kris Wilgenbusch were in attendance along with Matthew Even, Zoning Administrator. John Slattery was excused and Jim Frye was absent.

Public guests (0) included: There were no guests in attendance

Brown made a statement similar to the following:

Welcome, we are the Buchanan County Zoning Commission. I am Marlene Brown and I will be directing this meeting this evening. We are responsible for the fact findings for the Supervisors. We will gather information on these requests tonight and attempt to come up with a recommendation for the Supervisors. They will make the final decision on these requests at a meeting probably three to four weeks in the future. Everyone that was notified of this meeting will also get notified of that meeting. We would ask that if you have information that would be pertinent to these requests, that you state your name so we can get your name in the minutes. That will be forwarded to the supervisors when they set the meeting.

The first item on the agenda was the approval of the minutes from the previous meeting.

Brown asked if there were any additions or corrections that needed to be made. Hearing none, Short made a motion to accept the minutes of the last meeting. Wilgenbusch seconded the motion. With a vote of 7-0, the motion carried.

The second item on the agenda was the request by Brian Goedken to rezone 2.0 acres from “A-1” Agricultural to “R-3” Residential to separate the existing dwelling from the farm. The property is located in the SW ¼, NW ¼, NW ¼, Sec 2, T89N, R9W and has an address of 1620 Kentucky Ave, Independence, Iowa.

Even described the location of the dwelling that is being rezoned. Even explained that the reasoning for this request is to separate the existing dwelling from the farm as part of an estate sale. Even explained that only part of the parcel was being rezoned so that the applicant may have cattle or other livestock on the other part of the property without following residential limits. Even then explained that this farmstead was in existence at the time of the enactment of the zoning ordinance, so it may be severed with two acres, but it is only an allowable use in the

“A-1” Agriculture district if the dwelling was built prior to the enactment of the zoning ordinance, which is not the case. Therefore they have to rezone the land to make it compliant as to not create a new nonconformity. Even then displayed an image of the aerial photography and a video of the site. Even then displayed a map showing the corn suitability rating for the soils.

Even stated that the applicants were informed of the meeting and that his office was not notified that they would not be in attendance. Wilgenbusch had asked if they had just purchased the property and Even replied affirmatively.

Wilgenbusch motioned to approve the request. Wierck seconded the motion. With a vote of 7-0, the motion carried.

The third item on the agenda was adjournment.

Even notified the Zoning Commission of the upcoming Introduction to Planning & Zoning for Local Officials workshop hosted by the Iowa State University Extension and Outreach. He asked that they let him know if they would like to attend by March 15, 2017.

Wilgenbusch made the motion to adjourn and Connell seconded the motion. With a vote of 7-0, the motion carried.

The meeting adjourned at 7:10 PM

Submitted on 3/9/2017 by Matthew Even

BUCHANAN COUNTY ZONING COMMISSION

7:00 PM Tuesday, April 4, 2017

Public Health Meeting Room

Chairperson Slattery called the meeting to order at 6:58 PM.

Marlene Brown, Karen Connell, Jim Frye, Mike Robinson, Steven Saathoff, Jan Short, John Slattery, and Kris Wilgenbusch were in attendance along with Matthew Even, Zoning Administrator. Bronson Wierck was excused.

Public guests (2) included: Dennis Sommerfelt and Dan Sommerfelt

Slattery made a statement similar to the following:

Welcome, we are the Buchanan County Zoning Commission. I am John Slattery and I will be directing this meeting this evening. We are responsible for the fact findings for the Supervisors. We will gather information on these requests tonight and attempt to come up with a recommendation for the Supervisors. They will make the final decision on these requests at a meeting probably three to four weeks in the future. Everyone that was notified of this meeting will also get notified of that meeting. We would ask that if you have information that would be pertinent to these requests, that you state your name so we can get your name in the minutes. That will be forwarded to the supervisors when they set the meeting.

The first item on the agenda was the approval of the minutes from the previous meeting.

Slattery asked if there were any additions or corrections that needed to be made. Hearing none, Connell made a motion to accept the minutes of the last meeting. Brown seconded the motion. With a vote of 8-0, the motion carried.

The second item on the agenda was the request by Dennis Sommerfelt to rezone 1.1 acres from “A-1” Agricultural to “R-2” Residential to add an additional dwelling to the farm. The property is located in the SE ¼, NW ¼, NE ¼, Sec 29, T87N, R7W and has an address of 3227 Troy Mills Blvd, Walker, Iowa.

Even described the location of the dwelling that is being rezoned. Even explained that the request is to add another dwelling to the farm. Even stated that originally they were going to rezone two acres to “R-3” Residential which would encompass Mr. Sommerfelt’s son’s house and the cattle lot. Mr. Sommerfelt then elected to just rezone the dwellings on the property to “R-2” Residential as to avoid limits of livestock on his sons’s property. Mr. Sommerfelt then asked why the land could not be kept agriculture. Mr. Slattery replied that often lenders are

much more comfortable lending the money when it is already zoned residential. Mr. Sommerfelt then described the parcel split that was going to be recorded and the location of the current dwelling and the future dwelling. Even then explained that the reason for just rezoning where the houses were was to prevent restrictions on the agricultural use of the land.

Frye motioned to approve the request. Brown seconded the motion. With a vote of 8-0, the motion carried.

The third item on the agenda was adjournment.

Wilgenbusch made the motion to adjourn and Connell seconded the motion. With a vote of 8-0, the motion carried.

The meeting adjourned at 7:08 PM

Submitted on 4/18/2017 by Matthew Even

BUCHANAN COUNTY ZONING COMMISSION

7:00 PM Tuesday, May 2, 2017

Public Health Meeting Room

Chairperson Slattery called the meeting to order at 6:57 PM.

Marlene Brown, Karen Connell, Jim Frye, Mike Robinson, Steven Saathoff, Jan Short, John Slattery, Bronson Wierck, and Kris Wilgenbusch were in attendance along with Matthew Even, Zoning Administrator.

Public guests (3) included: Tim Hoffman, Bill Shafer, Jeanice Shafer

Slattery made a statement similar to the following:

Welcome, we are the Buchanan County Zoning Commission. I am John Slattery and I will be directing this meeting this evening. We are responsible for the fact findings for the Supervisors. We will gather information on these requests tonight and attempt to come up with a recommendation for the Supervisors. They will make the final decision on these requests at a meeting probably three to four weeks in the future. Everyone that was notified of this meeting will also get notified of that meeting. We would ask that if you have information that would be pertinent to these requests, that you state your name so we can get your name in the minutes. That will be forwarded to the supervisors when they set the meeting.

The first item on the agenda was the approval of the minutes from the previous meeting.

Slattery asked if there were any additions or corrections that needed to be made. Hearing none, Wilgenbusch made a motion to accept the minutes of the last meeting. Short seconded the motion. With a vote of 9-0, the motion carried.

The second item on the agenda was the request by Tim & Jolene Hoffman to rezone 4.01 acres from "A-1" Agricultural to "R-3" Residential for the construction of a single-family dwelling. The property is described as the north 420 feet of a tract of land in the NW ¼, SW ¼, Sec 23, T88N, R8W of the 5th P.M., Buchanan County, Iowa as described in plat of survey recorded at instrument number 1995R01818 of the Buchanan County Records.

Even described the location of the rezoning request in relation to Quasqueton and the requestor's current residence. Even then played a video showing the surrounding area. Connell inquired the location of the Hoffman's dwelling as well as the surrounding neighbors' dwellings. Connell asked Hoffman if there was a waterway along the western boundary and if they owned the access road along it. Hoffman replied that there is a waterway and they do not own the access road.

Even then reviewed the goals of the Comprehensive Plan and how they relate to this rezoning request. Even provided questions for the Commission to review, but the Commission elected not to do so. Even then reviewed the soils of the property and reported that the weighted Corn Suitability Rating for the area of the rezoning request is 85.

Mr. Shafer inquired how this rezoning and construction would affect his property taxes. Slattery responded that this was not a subdivision and so it should not affect his property taxes like other planned subdivisions did near Quasqueton. Mr. Shafer then stated that he thought you needed 7 acres of land to build a house and Slattery responded that it is only two acres. Brown inquired as to how the access road is connected to the road. Slattery and Even then informed the committee how the access road connects to the main road.

Connell motioned to approve the request with the stipulation that there is only one dwelling on the area being rezoned. Brown seconded the motion. With a vote of 6-3, the motion carried.

The third item on the agenda was adjournment.

Connell took a minute to thank the Planning and Zoning Department for sending them to the workshop in April.

Robinson made the motion to adjourn and Saathof seconded the motion. With a vote of 9-0, the motion carried.

The meeting adjourned at 7:09 PM

Submitted on 5/18/2017 by Matthew Even

BUCHANAN COUNTY ZONING COMMISSION

7:00 PM Tuesday, June 6, 2017

Public Health Meeting Room

Chairperson Slattery called the meeting to order at 7:02 PM.

Marlene Brown, Karen Connell, Jim Frye, Mike Robinson, Steven Saathoff, Jan Short, and John Slattery were in attendance along with Matthew Even, Zoning Administrator. Bronson Wierck and Kris Wilgenbusch were excused.

Public guests (7) included: Don Fleming, Paula Fleming, Tom Hamilton, Cole Reznicek, Dixie Eschweiler, Lyle Eschweiler, and Denny Wilson

Slattery made a statement similar to the following:

Welcome, we are the Buchanan County Zoning Commission. I am John Slattery and I will be directing this meeting this evening. We are responsible for the fact findings for the Supervisors. We will gather information on these requests tonight and attempt to come up with a recommendation for the Supervisors. They will make the final decision on these requests at a meeting probably three to four weeks in the future. Everyone that was notified of this meeting will also get notified of that meeting. We would ask that if you have information that would be pertinent to these requests, that you state your name so we can get your name in the minutes. That will be forwarded to the supervisors when they set the meeting.

The first item on the agenda was the approval of the minutes from the previous meeting.

Slattery asked if there were any additions or corrections that needed to be made. Hearing none, Short made a motion to accept the minutes of the last meeting. Connell seconded the motion. With a vote of 7-0, the motion carried.

The second item on the agenda was the approval of the request by Donald Fleming to rezone 1.6 acres from “A-1” Agricultural to “R-2” Residential for the construction of a single-family dwelling. The property is identified as parcel 06.19.276.003 located in Section 19 of Washington Township and has an address of 1688 Otterville Blvd, Independence, Iowa.

Even described the location of the rezoning request in relation to Otterville. Even then showed a map depicting the site as well as the parcel boundaries. Even then played a video showing the surrounding area. Even then reviewed the soils of the property and reported that the entire parcel has a CSR of 60.

Mr. Fleming had inquired as to why the Assessor's office had a different total of acres reported than what is associated with this request. Even replied that Zoning includes the Public Right of Way which is not taxed. Mr. Fleming also inquired if the land has always been "A-1" Agricultural because his taxes show it being residential. Even replied that the Assessor's office does not tax based upon zoning, but upon use that they observe so the two areas do not always jive. Connell inquired if the property line is where the fence is and Mrs. Fleming responded that it is. Connell stated that the Flemings have done a lot of work fixing up the property.

Brown motioned to approve the request with the stipulation that there is only one dwelling on the area being rezoned. Robinson seconded the motion. With a vote of 7-0, the motion carried.

The third item on the agenda was the approval of the request by Thomas Hamilton to rezone 0.87 acres from "R-3" Residential to "R-2" Residential for the separation of an existing seasonal cabin. The property is identified as the east 235.76 feet of parcel 05.04.400.009 located in Sections 4 and 9 of Perry Township and has an address of 1280 Clayton Blvd, Jesup, Iowa.

Even described the location of the rezoning request along Clayton Blvd in relation to Littleton and the requestor's current residence. Even then displayed an aerial image depicting the dwelling and the cabin. Short inquired if there was an access driveway to the cabin and Even replied that there was and pointed it out on the map. Even also stated that the entire parcel is located within the "100-Year Floodplain". Even then played a video showing the surrounding area. Connell inquired the location of the Hoffman's dwelling as well as the surrounding neighbors' dwellings. Even then reviewed the soils of the property and reported that most of the soil on the site has a CSR of 25.

Connell inquired as to why the parcel was shaped the way it was. Mr. Hamilton responded that he wanted five acres and that was how the seller divided it up as to not take away any of his field. Even asked for clarification from Mr. Hamilton that the intended use is just for a seasonal cabin and Mr. Hamilton responded that it is. Even stated that his concern with rezoning the land would be that it could be developed and with the entire area being in the floodplain, you do not want any development. Mr. Hamilton responded that they couldn't build there or have a septic system with it being in the floodplain. Even responded that it would need to have a septic system installed as that is required by Iowa Code.

Short motioned to approve the request with the stipulation that the use being limited to one seasonal cabin. Connell seconded the motion. With a vote of 7-0, the motion carried.

The fourth item on the agenda was the approval of changing the date of the next meeting to July 11, 2017.

Even informed the Commission that the first Tuesday of next month is July 4 so he is proposing rescheduling the next meeting to July 11, 2017.

Robinson motioned to approve changing the date of the next meeting to July 11, 2017. Short seconded the motion. With a vote of 7-0, the motion carried.

The fifth item on the agenda was adjournment.

Frye made the motion to adjourn and Saathof seconded the motion. With a vote of 7-0, the motion carried.

The meeting adjourned at 7:17 PM

Submitted on 6/8/2017 by Matthew Even

BUCHANAN COUNTY ZONING COMMISSION

7:00 PM Tuesday, August 1, 2017

Public Health Meeting Room

Vice-Chairperson Brown called the meeting to order at 7:00 PM.

Marlene Brown, Karen Connell, Jim Frye, Mike Robinson, Bronson Wierck, and Kris Wilgenbusch were in attendance along with Matthew Even, Zoning Administrator. Steven Saathoff, Jan Short, and John Slattery were excused.

Public guests (2) included: Kevin Hermsen, Bev Hermsen

Brown made a statement similar to the following:

Welcome, we are the Buchanan County Zoning Commission. I am Marlene Brown and I will be directing this meeting this evening. We are responsible for the fact findings for the Supervisors. We will gather information on these requests tonight and attempt to come up with a recommendation for the Supervisors. They will make the final decision on these requests at a meeting probably three to four weeks in the future. Everyone that was notified of this meeting will also get notified of that meeting. We would ask that if you have information that would be pertinent to these requests, that you state your name so we can get your name in the minutes. That will be forwarded to the supervisors when they set the meeting.

The first item on the agenda was the approval of the minutes from the previous meeting.

Brown asked if there were any additions or corrections that needed to be made. Hearing none, Robinson made a motion to accept the minutes of the last meeting. Connell seconded the motion. With a vote of 6-0, the motion carried.

The second item on the agenda was the approval of the request by Francis & Inez Hermsen to rezone 2 acres from “A-1” Agricultural to “R-3” Residential for the construction of a single-family dwelling. The property is described as the east 205 ft of the south 430 ft of the SE ¼, NE ¼, SE ¼, Sec 13, T89N R7W, of the 5th PM, Buchanan County, Iowa..

Even described the location of the rezoning request in relation to Buchanan-Delaware Ave and Old Highway 20. Even then showed a map depicting the site as well as the parcel boundaries. Even then played a video showing the surrounding area. Even then reviewed the soils of the property and reported that the entire parcel has a CSR of 90.

Connell inquired why the technical report stated that the entire area had a CSR equal to or greater than 55 and then it stated that the average weighted CSR is 90. Even explained that the first statement is just stating that the entire area is considered prime agricultural land and then the second statement is stating that the average weighted CSR is 90 because the entire parcel has a CSR of 90.

Wierck motioned to approve the request. Wilgenbusch seconded the motion. With a vote of 6-0, the motion carried.

The third item on the agenda was adjournment.

Wilgenbusch made the motion to adjourn and Connell seconded the motion. With a vote of 6-0, the motion carried.

The meeting adjourned at 7:05 PM

Submitted on 8/3/2017 by Matthew Even

BUCHANAN COUNTY ZONING COMMISSION

7:00 PM Tuesday, November 14, 2017

Public Health Meeting Room

Chairperson Slattery called the meeting to order at 7:00 PM.

Karen Connell, Jim Frye, Mike Robinson, Steven Saathoff, John Slattery, and Bronson Wierck were in attendance along with Matthew Even, Zoning Administrator. Marlene Brown, Jan Short, and Kris Wilgenbusch were excused.

Public guests (3) included: Lynn Burns, David Burns, Nick Thompson

Slattery made a statement similar to the following:

Welcome, we are the Buchanan County Zoning Commission. I am John Slattery and I will be directing this meeting this evening. We are responsible for the fact findings for the Supervisors. We will gather information on these requests tonight and attempt to come up with a recommendation for the Supervisors. They will make the final decision on these requests at a meeting probably three to four weeks in the future. Everyone that was notified of this meeting will also get notified of that meeting. We would ask that if you have information that would be pertinent to these requests, that you state your name so we can get your name in the minutes. That will be forwarded to the supervisors when they set the meeting.

The first item on the agenda was the approval of the minutes from the previous meeting.

Slattery asked if there were any additions or corrections that needed to be made. Hearing none, Robinson made a motion to accept the minutes of the last meeting. Wierck seconded the motion. With a vote of 6-0, the motion carried.

The second item on the agenda was the approval of the request by David Burns to rezone approximately 1.69 acres from “A-1” Agricultural to “C-M” Commercial-Manufacturing for the operation of an auto and truck repair shop. The property is described as: Commencing S1.6206°E 360.124 ft from the northeast corner of SE ¼, NE ¼, Sec 6, T87N, R7W of the 5th P.M., Buchanan County, Iowa, thence S90.0000°W 255.000 ft, S0.0000°W 285.000 ft, N90.0000°E 263.063 ft, N1.6206°W 285.114 ft to the point of beginning. The property is located immediately south of 2829 Tucker Ave, Winthrop, Iowa.

Even described the location of the rezoning request in relation to Quasqueton. Even then showed an aerial image depicting the site as well as the parcel boundaries. Even displayed a picture of the facility and then played a video showing the surrounding area. Even then reviewed the soils

of the property and reported that the entire parcel has a CSR of 90. Even presented the technical report for the request and reviewed how this request complies with the policies of the Comprehensive Plan.

Slattery inquired if any public guests had any input and they responded that they did not. Connell inquired how many vehicles might be sitting outside in that area. Connell stated that this is a really nice farm and that she was worried about an excess number of cars on the property. Nick Thompson responded that he did not foresee that many as he was planning on getting them done as quickly as possible. Even explained that the Board of Supervisors can require restrictions on the rezoning request that must be agreed upon prior to approval. Even inquired if that is something that the requestors would agree to and they responded that they would not have a problem with that.

Even then inquired if the facility had a private sewage disposal system and David Burns replied that it is connected to the dwelling's system. Even also inquired if it was just going to be Mr. Thompson working at the facility and he responded that it would just be him. Even inquired if there were floor drains in the facility and if so, what are they connected to? Mr. Burns responded that there are floor drains and that they run into the field tile. Even then explained that the Environmental Protection Agency and the Iowa Department of Natural Resource's regulations stipulate that floor drains in an industrial building cannot be discharged and they must go to a holding tank where they can be pumped out and taken to a facility for treatment. Even asked if they were planning on washing cars in the facility and Mr. Burns responded that it might happen sometime.

Wierck motioned to approve the request with the stipulation that the floor drains in the facility be brought into compliance with all Federal and State regulations and that the number of non-employee vehicles outside the facility be limited to five vehicles. Connell seconded the motion. With a vote of 6-0, the motion carried.

The third item on the agenda was the approval of amendments to Chapter 50 of Buchanan County Code of Ordinances: Buchanan County, Iowa, Zoning Ordinance.

Even informed the Commission that their might be interest in a wind farm within the County and while reviewing the ordinances governing their construction, it was discovered that the Wind Energy Conversion System (WECS) Ordinance requires WECS to be built within the "A-2" Agricultural district, but the Zoning Ordinance doesn't list them as a principal permitted use within the district. So the first amendments would be adding WECS as a principal permitted use within the "A-2" Agricultural district and setting lot sizes and setbacks equivalent to the WECS Ordinance.

Even informed the Commission that the Planning & Zoning Department will be working with the Iowa Northland Regional Council of Governments to update the Zoning Ordinance, pending funding approval by the Board of Supervisors. Even informed them that the Commission would be involved in this process and they would have input considered. One of the problems that Even has encountered is that there are farmsteads with just two acres that have a herd of cattle. When these properties go to rezone, they have to rezone to "R-3" Residential as that is the only district that they can build a house in that allows livestock, but it limits the quantity. So Even is proposing that single-family dwellings be added as an allowable use within the "A-2" Agricultural district so people have an option to build a house upon Board approval, but not have to restrict agricultural activities. Even also added that in the future he would foresee removing single-family dwellings from the "A-1" Agricultural district all together to prevent unplanned development, but that is not being considered at this time. Even also clarified that farms are exempt from these requirements so they would not have to rezone in order to build.

Robinson motioned to approve the amendments to Chapter 50 of Buchanan County Code of Ordinances including the following additions:

50.10(1)h Wind energy conversion system (WECS) as defined in 54.02(1)

50.10(4)a Minimum lot areas and setbacks for wind energy conversion system (WECS) shall be the same as those established in 54.05(2)

50.10(1)i. Single-family dwellings

Saathoff seconded the motion. With a vote of 6-0, the motion carried.

The fourth item on the agenda was adjournment.

Frye made the motion to adjourn and Connell seconded the motion. With a vote of 6-0, the motion carried.

The meeting adjourned at 7:23 PM

Submitted on 11/15/2017 by Matthew Even