

Minutes of the Marion County Zoning Commission Meeting
January 21, 2025

The Marion County Zoning Commission met on January 21, 2025, at 5:00p.m., 3014 East Main St., the Marion County Office Building.

Members present: Joe Cunningham, Keith Davis, Leslie Miller.

Members absent: Kelly Mitchell, Sarah Treft.

Public present: Vaughn Newendorp, Loren Van Wyk, Dale Witzenburg, Nathan Ward, Brett Stanton, Ciara Ward, Evan and Krista Van Gelder, Mike Buchheit, John Holterhaus, Judd Vande Vaard, Linda Umble, Bill Vermeer, Joel Terpstra. Two people were on-line via Microsoft Teams.

Poffenbarger called the meeting to order and opened up nominations for Chair for 2025.

Miller made a motion to nominate Davis for Chair for 2025. Second by Cunningham.

Cunningham aye
Davis aye
Miller aye

Miller made a motion to cease nominations. Second by Cunningham.

Cunningham aye
Davis aye
Miller aye

Poffenbarger called for a vote to take action on electing Davis as Chair for 2025.

Cunningham aye
Davis aye
Miller aye

Poffenbarger turned the meeting over to Chair Davis.

Davis called for nominations for Vice-Chair for 2025. Cunningham made a motion to nominate Miller as Vice-Chair for 2025. Second by Davis.

Cunningham aye
Davis aye
Miller aye

Davis called for motion to cease nominations for Vice-Chair and elect Miller as Vice-Chair for 2025.

Cunningham aye
Davis aye

Miller aye

Davis called for a motion to approve the October 15, 2024 minutes. Miller made a motion to approve the October 15, 2024 minutes as presented. Second by Cunningham.

Cunningham aye

Davis aye

Miller aye

Poffenbarger reviewed the Rules of Procedures for the Zoning Commission as well as Roles and Responsibilities and Conflicts of Interest.

Davis opened the public hearing for Rezoning Petition 2024-928 – Request to rezone from A-1; Agricultural to A-R; Ag Residential to allow for a potential housing development on Parcels 2288000000, 2288200000, 2288301000, 2288100000, 2287601000, 2287700000.

Poffenbarger presented Petition 2024-928, a request from Sunset Acres Group LLC to rezone parcels 2288000000, 2288200000, 2288301000, 2288100000, 2287601000, 2287700000 from A-1; Agricultural to A-R; Ag Residential to allow for a potential housing development. Was advertised to rezone 147 acres, however, two (2) acres are under a Purchase Agreement with the property owner of 645 190th Ave. and thus those two acres have been subtracted from this request. Rezoning request is now for a total of 145 acres. Three-part process for subdivision. Tonight is for the rezoning portion. Explained the other processes to take place if the rezoning is approved by the Board of Supervisors. Provided staff comments and other information to consider.

Davis asked if any public wanted to speak.

Vaughn Newendorp: Grew up on this farm. Not against but concerns for consideration: water management, 190th and Hwy 163 intersection; CRP contracts.

Discussion regarding water management concerns. NPDS permit will be required. Tiled property but unsure where the maps are.

Poffenbarger stated DOT will review the intersection once a concept plan has been submitted for the potential subdivision.

Poffenbarger addressed CRP contracts are not a Zoning issue. They are the responsibility of the property owners to comply with all other county, state, and federal requirements.

Bill Vermeer: Owns property on the south side. All timber. Have some ponds. Concerns with drainage issues and erosion. Magnet for 6–14-year-olds. Have timber, ponds, fish, frogs, turkey, wildlife paradise. Will be submitting a request for partition fencing on this property to be put in place prior to division of the property to minimize complexity and cost to do all at once.

Poffenbarger stated she has had discussions with Bill as well as the developers about a partition fence. The Township Trustees regulate fencing. Always recommend working with property owners first to come to an agreement.

Loren Van Wyk: Own property on the other side of the highway. Not concerned about housing.

Mike Buchheit: Appreciates conversations that have been had along the way. Missy has been super helpful in trying to navigate this. Need to talk through the fencing. Do not want to do anything that is unsafe whether it is turning lanes off Hwy 163 or any other liability issues.

Bill Vermeer: Not only is Hwy 163 an issue but corner below on Robert's Creek Rd has a blind spot. Not opposed to development but not something I relish. I can see six deer stands going on my property line. Currently I have no deer stands on my property line. Impact on value of my land.

Poffenbarger reiterated previous comments regarding fencing. Recommend the discussion takes place prior to this petition going to the Board of Supervisors on February 11.

Davis stated the Zoning Commission is a recommending board. The Board of Supervisors have final say. Tonight, recognizing what has been brought forth to change from Ag ground to Ag residential ground. With it being conforming to everything being requested is what it is about tonight.

Poffenbarger recapped the discussion tonight: 1) In compliance with the Land Use Plan; 2) Needs to be discussion on potential fencing; 3) Potential drainage issues; 4) Need okay from DOT and Marion County Road Dept before moving forward with the subdivision process; 5) Environmental Health.

Davis called for a motion to close the public hearing. Cunningham made a motion to close the public hearing. Second by Miller. A roll call vote was taken.

Cunningham	aye
Davis	aye
Miller	aye

Davis called for a motion to take action on Rezoning Petition 2024-928 – Request to rezone from A-1; Agricultural to A-R; Ag Residential to allow for a potential housing development on Parcels 2288000000, 2288200000, 2288301000, 2288100000, 2287601000, 2287700000. Motion by Cunningham to approve. Second by Miller. A roll call vote was taken.

Cunningham	aye
Davis	aye
Miller	aye

Poffenbarger provided information on Comprehensive Land Use Plan Update timeline.

Davis called for adjournment of the meeting. Miller made a motion to adjourn the meeting. Second by Cunningham. Meeting adjourned at 5:57 p.m.

Cunningham aye
Davis aye
Miller aye

Minutes by Karie Ellwanger.