

Board of Adjustment Meeting Minutes  
1/26/21  
Butler County Courthouse

**Present**

Board of Adjustment members:

Mark Gerdes

Paul Leerhoff

Jeff Reints

*Via Phone Conference*

Jim Siebrands

Fern Feldman

Others:

Misty Day, Zoning Administrator

Eugene & Marcella Leerhoff

Jeff Kolb

Dave & Terren (on behalf of Shell Rock Soybean Processing)

Mark Gerdes called the meeting to order at 7:30 a.m.

A motion to appoint Mark Gerdes as Chair was made by Paul Leerhoff and was seconded by Jeff Reints. Motion passed. A motion to appoint Paul Leerhoff as Vice Chair was made by Jeff Reints and was seconded by Mark Gerdes. Motion passed.

A motion to approve the Agenda and the minutes of the previous meeting dated June 23, 2020, was made by Paul Leerhoff and seconded by Jeff Reints. Motion passed.

**Old Business:**

Zoning Administrator Day updated the Board on the zoning ordinance update. Discussion was had regarding a joint meeting with the Planning & Zoning Commission to talk about the common variances the Board of Adjustment meets on.

**Public Hearing:**

Chair Gerdes opened the public hearing on an application by Shell Rock Soy Processing, LLC, for a special exception permit & height variance for its facility located in the N½ Fr¼ & E½ SE NE Fr¼ Exc Trs Section 4, Township 91 N, Range 15 W of the 5th P.M. The Board started the discussion regarding the height variance. It was determined that the maximum height in the Industrial District is 48' or three stories. The applicant provided a list of buildings and what the height of each building would be, with several exceeding that maximum height. It was determined that the tallest building would be the Main Prep Exhaust stack which would be 173'. Discussion was also had regarding FFA requirements and it was determined that the closest airport was Waverly at 5 miles away and the FFA requirements for lights starts at about 200'.

A motion was made to approve the variance for maximum height by Paul Leerhoff and seconded by Mark Gerdes. Motion was unanimously approved.

Discussion was had regarding the special exception portion of the application. Administrator Day stated that similar to the other industries in Logistics Park, the ordinance requires grain processing facilities to request a special exception as a little more oversight. Administrator Day stated that the facility was expecting to process 100,000 bushel of soybeans per day for oil and meal; the plant will operate 24 hours per day, 7 days a week; they anticipate 55 to 60 full time employees; and they will have the capacity to unload 150 truck trailers per day.

A motion was made to approve the special exception request by Jim Siebrands and was seconded by Fern Feldman. Motion was unanimously approved.

Chair Gerdes opened the public hearing on an application by Eugene & Marcella Leerhoff for a variance to CSR requirements for minimum lot size for a buildable lot on a parcel located in the NW<sup>1</sup>/<sub>4</sub> Exc Par A in Section 19, Township 93 N, Range 15 W of the 5th P.M. Administrator Day presented her staff report and stated that the applicants want to split a 2.13 acre parcel off of the 117 acre farmstead where the applicant's mother currently resides. The CSR for this parcel ranges from 72-90 and the area to be split off is currently in CRP. Administrator Day stated that a private well & septic would be required and there were no concerns with them being approved. Eugene & Marcella Leerhoff spoke on behalf of their application and stated that about 63% of this proposed parcel is not being farmed. They would intend to build sometime after October 1<sup>st</sup> when the ground came out of CRP. The remainder that is not part of the proposed parcel will be returned to CRP and they may even add a little bit more to make up for what they take out for the new house. They are interested in this location since it is on a hill away from water issues and it is close to their disabled grandsons whom they help care for.

A motion to approve the CSR variance was made by Fern Feldman and seconded by Jim Siebrands. Motion was unanimously approved, with Paul Leerhoff abstaining.

**New Business:**

None.

A motion to adjourn the meeting was made by Jeff Reints and seconded by Paul Leerhoff. Meeting adjourned.

Misty Day, Zoning Administrator

