

Planning & Zoning Meeting Minutes
1/2/2020
Butler County Courthouse

Present

Planning and Zoning Commission members:

Janice Johnson
Deb McWhirter
Ryan Norton
Jane Close
John Backer

Others:

Misty Kroeze, Zoning Administrator
TJ Eden
Kyle Helland

Janice Johnson called the meeting to order. John Backer was introduced as the new Commission member appointed to fill the open seat.

A motion was made to appoint Jan Johnson as Chair by Deb McWhirter and was seconded by Ryan Norton. Motion passed. A motion was made to appoint Deb McWhirter as Vice Chair by Jane Close and was seconded by Ryan Norton. Motion passed.

A motion was made to approve the agenda as presented by Jane Close and was seconded by Deb McWhirter. Motion passed.

A motion was made to approve the previous meeting minutes dated November 21, 2019, by Deb McWhirter and was seconded by Ryan Norton. Motion passed.

Old Business:

Jane Close asked that the Commission take a moment to honor Meinard Koop who recently passed away. Meinard was a good citizen and a good Commission Member, he always had a very positive attitude and was a great asset to his community.

Public Hearing:

Chair Johnson opened the public hearing on Eden's Minor Plat located at 29682 Union Ave in the NW SW of Section 9, Township 90 North, Range 15 West of the 5th P.M. Administrator Kroeze stated that this was an existing acreage site that was approximately 12.77 acres with a low CSR ranging from 54-59. The owner is wanting to subdivide this parcel into three lots that would include a 5.22 acre lot for the existing acreage, and two additional building lots that would be 4.57 acres and 3.02 acres. Administrator Kroeze stated that this entire parcel was currently in the 100 year floodplain, with portions of it being removed when the new floodplain maps are adopted later this year. Administrator Kroeze stated that in order for the owner to develop this area, he would be required to bring in fill to elevate any new structures at least 1 ft above the 100 year floodplain, which would require permits from both the DNR as well as at the local level. Surveyor Kyle Helland stated that TJ was aware that he would need to bring fill in and elevate these lots, but he wanted to make sure the Plat was approved before he started that process. Administrator Kroeze stated that there was a Subdivision on the outskirts of Greene that was located in the floodplain and the Commission approved that Subdivision with the understanding that no building permits would be issued until flood levels have been set per minutes

dated 8/7/1992. Administrator Kroeze stated that she felt this situation was very similar and the DNR permitting process and the local floodplain ordinance would dictate how the site would be developed. TJ Eden added that his intention was to build slab on grade homes for himself, as well as his neighbor. The existing acreage is two stories and he is wanting to build a single story home for retirement and sell the existing acreage, which will actually be removed from the floodplain.

Administrator Kroeze also brought up her concerns about the access easement only being 20 ft wide when the ordinance requires a 33 ft wide easement and whether a 20 ft wide easement would be appropriate for a shared driveway to two new homes. Surveyor Kyle Helland stated that they could potentially expand the easement, but did not want to include the existing building in the easement area in order to prevent issues down the road. With TJ and his neighbor owning the two back lots, they did not feel a narrow access was a huge issue but Administrator Kroeze mentioned that they may not always own these lots and issues may also arise if the lots were ever sold down the road.

A motion to close the public hearing was made by Jane Close and seconded by Deb McWhirter. Motion passed.

The Commission discussed the issues with the access easement and concerns with it setting a precedent if they were to approve it with the 20 ft wide easement instead of requiring the 33 ft wide easement per the ordinance. Discussion was had regarding how the 33 ft wide easement was ever established to begin with and it was not known, but Commission Member McWhirter stated that that was ½ the width of a standard road so maybe that is how they came up with the number. Discussion was had regarding the ordinance update and whether those were things that should be discussed and figure out a reasoning of setting those widths, etc., but even if that is something that is changed down the road, the current ordinance still requires it to be a 33 ft wide easement.

A Motion to approve Eden's Minor Plat with the 33 ft wide easement for access being required per the ordinance was made by Ryan Norton and seconded by Deb McWhirter. Motion was unanimously approved.

New Business:

Discussion was had regarding the next meeting date being held on February 20th to begin the process of updating the Zoning & Subdivision Ordinances.

Motion to adjourn the meeting was made by Jane Close and was seconded by Deb McWhirter. Meeting adjourned.

Misty Kroeze, Planning and Zoning Administrator

