

**Minutes: Washington County Zoning Commission**  
Monday, June 22, 2009, 7:00 pm  
Washington County Conservation Education Center, Marr Park  
Ainsworth, Iowa

Members Present: Larry Thomann, Steve Swaffer, Don Kline, Ray Yutzy, Shaun Greiner

Members Absent: Layne Twinam, Harold Frakes

Also Present: Jim Rosien, Steve Davis, Linda Wenger, Marjorie Kline, David Patterson, Dave Skubal, Adam Mangold

Meeting called to order at 7:02 pm by Don Kline.

**1. Tentative agenda reviewed.** Motion to approve agenda was made by Larry Thomann, seconded by Shaun Greiner. A voice vote was conducted with all voting aye and motion carried.

**2. Review / Discussion of Zoning Ordinance Draft Sections.**

Discussion related to the fence regulations of Article 7. Yutzy would like to see some regulation to control who pays for fence along agricultural areas. Further discussion about whether a zoning ordinance would supersede the existing state fence law. Discussion about regulating fencing materials and whether this applies to residential and commercial fencing only or also to agricultural fencing. **Does Article 7 apply to frontage fences along roadways? The commission would like to discuss this further with Gary Lozano.**

Discussion of Article 7.05.B and whether this was needed in Washington County. Greiner stated that setbacks for buildings are needed, but restrictions on buildings in front of houses seems unnecessary. *Shawn Greiner moved to delete 7.05.B, Steve Swaffer seconded. A voice vote was conducted with all voting aye and motion carried.*

Discussion on the applicability of 7.05.C and 7.05.D. Discussion about whether the height restriction on buildings was necessary. *Steve Swaffer moved to strike 7.05.D., and Ray Yutzy seconded. A voice vote was conducted with all voting aye and motion carried.*

Discussion as to the applicability of 7.05.A.2. *A motion was made by Steve Swaffer to strike section 7.05.A.2 and seconded by Larry Thomann. A voice vote was conducted with all voting aye and motion carried.*

Discussion as to the applicability of fencing satellite antennas in section 7.04.F. *Motion to strike section 7.04.F by Shawn Greiner and seconded by Ray Yutzy. A voice vote was conducted with all voting aye and motion carried.*

Discussion of 7.05.E.5 pertaining to constructing accessory buildings prior to constructing the principle building. Several stated that people often construct out-buildings to store materials for constructing the primary residence. *A motion was made by Shawn Greiner to strike section 7.05.E.5 and seconded by Yutzy. A voice vote was conducted with all voting aye and motion carried.*

## **2. Review / Discussion of Zoning Map and Matrix.**

Swaffer commented that some of the smaller cities are not looking to grow, so maybe the smaller cities should be omitted from a matrix idea.

### **Conservation overlay matrix proposal**

Don Kline presented a proposal with a matrix that would strictly apply to conservation overlay areas. Swaffer suggested adding the conservation district as a category in the original matrix presented by Twinam. Various discussions occurred regarding the ease of use, purpose, and effectiveness of such a matrix.

Shawn Greiner presented examples of the previously discussed “Agriculture Site Assessment Worksheet” prepared by Layne Twinam.

Patterson commented on the difficulty and relativity of the matrix systems.

Swaffer said he would like to see a third zoning district that would target the small acreages (5-10 acres). He commented that currently there is an ag district with larger lots (35 acres) and ag-residential with smaller lots.

The discussion concluded with comments that the matrix system seemed too complicated and difficult to administer and be an effective land evaluation system.

The members discussed returning to the 35 acre agriculture zone with ag-residential areas similar to the original comprehensive plan map. There was discussion about grandfathering in the existing 700 5-10 acre lots already platted.

Discussion was held on whether building on dirt roads was a good idea. David Patterson commented on the difficulties in allowing new construction on dirt roads. **The commission was in agreement to restrict development from dirt roads.**

Don Kline discussed having a 10 acre minimum in the conservation overlays and allowing that to go down to a 5 acre minimum with a conservation plan. General discussion about leaving most of the rest of the county as agriculture district. Recommended that the towns not planning to grow be removed from the ag-residential district.

**In the end, the general consensus was to go back to the smaller area map (Map 5 Alternate II) and to eliminate or significantly reduce the small areas around the small cities (Coppock, Crawfordsville, West Chester, and Keota). Include the conservation overlay district (from 10 acres to 5 acres with conservation plan). This would allow you to decrease the lot size in certain agriculture areas (where it is appropriate) and still allow some residential growth in the country.**

**A question to answer from this new map is how many acres are available in the ag-residential areas?**

**Discussion of conservation overlay. A question for Gary Lozano is how do you enforce these conservation plans? What happens if a person doesn't fulfill their plan? Do the plans follow the deed? What happens if someone down the road doesn't continue to follow the plan? How is this enforced?**

Greiner would like to see separation distances from livestock and existing dryers included as a restriction for the residential areas.

**Question for Gary Lozano: Does the conservation district apply to the ag-residential district only? Or does it also apply to the agriculture district also.**

Motion to dismiss by Greiner second by Yutzy.

Respectfully Submitted,

David Patterson (for Jacob Thorius, Secretary)  
Zoning Commission