



# MINUTES

## Zoning Board of Adjustment

7:00 PM - Tuesday, August 17, 2021

City Hall, 1225 6th Avenue

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*\*Minutes are in draft format until approved at the next meeting\**

The Zoning Board of Adjustment of the City of Marion, Linn County, Iowa met on Tuesday, August 17, 2021, at 7:00 PM, at City Hall, 1225 6th Avenue, with the following members present:

PRESENT: Angela Jordan, Carol Golden, Charlie Potter, and Charles Kent

ABSENT:

STAFF PRESENT: Ama Bartlett and Dave Hockett

### CALL TO ORDER

### ROLL CALL

### CONSENT AGENDA

Motion to approve the consent agenda as follows:

Minutes from the July 20, 2021 meeting.

Receive and file all correspondence from applicants and staff.

Moved by Golden, seconded by Potter, to approve the consent agenda.

Approved unanimously

### REGULAR AGENDA

Variance - Side yard setback - 2795 18th Avenue

Public hearing regarding a variance from Section 176.51-Table 2 for a reduction of the interior side yard setback for a principle structure for property located at 2795 18th Avenue, Marion, Iowa. (Mark and Marcia Baumann)

Hockett shared the staff report. He read one letter of support from the adjacent neighbor. There were no questions from the Board.

Chairperson Kent opened the public hearing.

Brook Gombert (Madsen Custom Homes), the applicant's contractor, spoke to the roof alignment concerns and problems with water runoff if constructed to meet current setback requirements. Being no more comments for or against the request, the public hearing was closed. Kent gave the applicants the option to

table the item until there is a full board present to vote, and the applicants requested to go ahead with the vote.

ZBA Resolution No. 21-18 approving a variance from Section 176.51-Table 2 for a reduction of the interior side yard setback for a principle structure for property located at 2795 18th Avenue, Marion, Iowa. (Mark and Marcia Baumann)

Moved by Potter, seconded by Jordan, to approve ZBA Resolution 21-18.

No further discussion.

Approved by the following votes:

Ayes: Jordan, Potter, Golden, and Kent

#### Variance - Garage door setback - 1080 Fairview Drive

Public hearing regarding a variance from Section 176.32-12 for a reduction to the garage door setback from the property line it faces for property located at 1080 Fairview Drive, Marion, Iowa. (Amy K. Althoff)

Hockett gave the staff report. There were no questions of staff from the Board.

Chairperson Kent opened the public hearing.

The applicant joined via phone. Fred Althoff (95 Stamy Rd, Robins) expanded on the project and some of the challenges they have come against.

Being no more comments for or against the request, the public hearing was closed. Kent gave the applicant the option to table the item until there is a full board present to vote, and the applicant requested to go ahead with the vote.

ZBA Resolution No. 21-19 approving a variance from Section 176.32-12 for a reduction to the garage door setback from the property line it faces for property located at 1080 Fairview Drive, Marion, Iowa. (Amy K. Althoff)

Moved by Jordan, seconded by Potter, to approve ZBA Resolution No. 21-19.

No further discussion.

Approved by the following votes:

Ayes: Jordan, Golden, Potter, and Kent

#### Variance - Side yard setback - 552 5th Avenue

Public hearing regarding a variance from Section 176.32-2A(3) for a reduction of the side yard setback for a detached accessory structure for property located at 552 5th Avenue, Marion, Iowa. (Lou Ann Anderson)

Hockett presented the staff report. There were no questions of staff from the Board.

Chairperson Kent opened the public hearing.

The applicant, Lou Ann Anderson (552 5th Ave) spoke of in favor of the request.

Being no more comments for or against the request, the public hearing was closed. Kent gave the applicant the option to table the item until there is a full board present to vote, and the applicant requested to go ahead with the vote.

ZBA Resolution No. 21-20 approving a variance from Section 176.32-2A(3) for a reduction of the side yard setback for a detached accessory structure for property located at 552 5th Avenue, Marion, Iowa. (Lou Ann Anderson)

Moved by Potter, seconded by Jordan, to approve ZBA Resolution No. 21-20.

No further discussion.

Approved by the following votes:

Ayes: Jordan, Golden, Potter, and Kent

#### Conditional Use - Drive Thru - 917 Barrington Parkway

Public hearing regarding a conditional use request pursuant to Section 176.51-Table6 of the Marion Code of Ordinances to allow a drive-thru within the BC, Community Business zoning district for property located at 917 Barrington Parkway, Marion, Iowa. (Tom and Amy LLC)

Kent opened the public hearing. No action was required of the Board since the request cannot be made until the rezoning ordinance is approved through City Council.

Kent closed the public hearing.

ZBA Resolution 21-21 approving a conditional use request pursuant to Section 176.51-Table6 of the Marion Code of Ordinances to allow a drive-thru within the BC, Community Business zoning district for property located at 917 Barrington Parkway, Marion, Iowa. (Tom and Amy LLC)

No action was taken since the request cannot be made until the rezoning ordinance is approved through City Council.

#### **OTHER BUSINESS**

None.

#### **ADJOURN**

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Angela Jordan, Secretary