

MINUTES - ZONING BOARD OF ADJUSTMENT

December 17, 2013

1. CALL TO ORDER.

Chairmen Kent called the regular monthly meeting of the Marion Zoning Board of Adjustment to order at 7:00PM.

2. ROLL CALL.

Members Present: Gibson, Roth, Kent
Members Absent: Kingery, Sunderman

3. MINUTES.

Zoning Board of Adjustment – November 19, 2013

Motion by Roth, seconded by Gibson to approve the November 19, 2013 Zoning Board of Adjustment meeting.

All "ayes" motion carried.

4. CONSENT CALENDAR.

- a. Motion to receive and file all correspondence from applicants and staff reports regarding variance requests on the December 17, 2013 Marion Zoning Board of Adjustment agenda.

Motion by Gibson, seconded by Roth, to receive and file all correspondence from applicants and staff reports regarding variance requests on the December 17, 2013 Marion Zoning Board of Adjustment agenda

All "Ayes", motion passed.

5. APPEALS -

- a. Linn Mar Community Schools, Oak Ridge Middle School, owner – 4901 Alburnett Road, Marion, Iowa- Requesting a conditional use pursuant to Section 176.08-3A to allow for construction of a gymnasium and related support rooms onto an existing school facility (Oak Ridge Middle School) in the A-1, Rural Restricted Zoning District.

ZBA Resolution No. 13-09 approving the conditional use request.
ZBA Resolution No. 13-09 denying the conditional use request.

Kent noted that a positive vote of 3 members of the Board is required for approval. He then asked the applicant if he would like to continue with the request with two members absent from the Board. Mr. Jackman,

representing the applicant indicated that he would like to proceed with the request.

Billings presented the staff report and identified the proposed changes.

Brent Jackman, with Hall and Hall Engineers, representing the applicant, addressed the Board and offered to answer any questions.

Gibson asked if the addition would require additional parking stalls. Billings replied the addition would not because it would not be increasing the classroom size, capacity of students, or teachers.

Motion by Gibson, seconded by Roth to approve ZBA Resolution No. 13-09 approving the Conditional Use pursuant to Section 176.08-3A to allow for construction of a gymnasium and related support rooms onto an existing school facility in the A-1, Rural Restricted Zoning District, finding that the school district had met or exceeded the guidelines for approving a conditional use.

Roll Call

Gibson: Aye

Roth: Aye

Kent: Aye

- b. Jeff Coil, Q-Dogs BBQ, LLC, owner – 895 Blairs Ferry Road, Marion, Iowa – Requesting a variance from Section 176.22-3D to allow two additions to the principal structure to be less than the required 12-foot corner side yard setback in the C-3, General Commercial Zoning District.

ZBA Resolution No. 13-10 approving the variance request.

ZBA Resolution No. 13-10 denying the variance request.

Kent noted that a positive vote of 3 members of the Board is required to approve a variance. He then asked the applicant if he would like to continue with the request with two members absent from the Board. Mr. Coil indicated that he would like to proceed with the request.

Billings presented the staff report and gave a brief history of the property.

Jeff Coil, the applicant, addressed the Board and offered to answer any questions.

Roth asked if the proposed addition would tie into the look of the existing building. Mr. Coil replied that the addition would have a similar color of vinyl siding with a wood top to match with that side of the building. He went on to note that they will be replacing the existing fence with a nicer looking black fence that you typically see at a restaurant.

Gibson asked if staff received any correspondence regarding the request. Billings noted that staff received on call from a representative for the owner of the property who was in favor of the request.

Motion by Roth, seconded by Gibson, to approve ZBA Resolution No. 13-10 approving a variance request from Section 176.22-3D to allow two additions to the principal structure to be less than the required 12-foot

corner side yard setback in the C-3, General Commercial Zoning District, finding that strict conformance of the Zoning Ordinance would create a hardship for the property.

Roll Call

Gibson: Aye

Roth: Aye

Kent: Aye

6. ADJOURNMENT.

There being no additional business before the Marion Zoning Board of Adjustment Chairmen Kent adjourned the meeting at 7:27PM.

Respectfully Submitted,

Gordon Gibson, Secretary