

## **MINUTES - ZONING BOARD OF ADJUSTMENT**

### **November 19, 2013**

1. CALL TO ORDER.

Chairmen Kent called the regular monthly meeting of the Marion Zoning Board of Adjustment to order at 7:12PM.

2. ROLL CALL.

Members Present: Kingery, Kent and Sunderman

Members Absent: Gibson and Roth

3. MINUTES.

Zoning Board of Adjustment – October 15, 2013

Motion by Kingery, seconded by Sunderman to approve the October 15, 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 November 19, 2013 Marion Zoning Board of Adjustment agenda.

Motion by Kingery, seconded by Sunderman, to receive and file all correspondence from applicants and staff reports regarding variance requests on the November 19, 2013 Marion Zoning Board of Adjustment agenda

All "Ayes", motion passed.

5. APPEALS -

- a. Nesper Sign Advertising, Inc., on the behalf of Rick Allebach –tenant – 3217 7<sup>th</sup> Avenue, Suite 100, Marion, Iowa- Requesting a variance from Section 176.31-9C(5) of the Marion Code of Ordinances to allow one additional wall sign than there are entrances in the C-3, General Commercial Zoning District.

ZBA Resolution No. 13-08 approving the variance request.

ZBA Resolution No. 13-08 denying the variance request.

Kent informed the applicant that a favorable vote of three members of the Board is required for approval, regardless of the number of Board members present. He indicated that there is a vacancy in the Board, in which there were only three members of the Board present at the meeting. He gave the applicant the option to have the request voted on that night, or tabled until the full five-member Board was re-established.

Bobbi Allebach, 465 Sycamore Court Robins, owner of Subway stated they would like the case heard and voted on tonight.

Hockett presented the staff report regarding the proposed additional wall sign.

Jeff Witter, 2079 Blue Heron Drive Springville, Iowa, the Developer of the Lincolnview Square Development stated they had no objection to the proposed third sign on the unit, this is a special situation and the Kum & Go location blocks more visibility than originally planned.

Phil Garland, 4620 J Street SW Cedar Rapids, representing Nesper Signs stated that the third sign will not be visible from all directions just the eastbound traffic on 7th Avenue.

Donna Garland, 4620 J Street SW Cedar Rapids, representing Nesper Signs shared specifics regarding sign size, style and location. The sign would be similar to other area subway signage in the metro area.

Bobbi Allebach, 465 Sycamore Court Robins, owner of Subway stated that the unique situation and the fact that three signs will never all be visible from any location make sense.

Motion by Kingery, seconded by Sunderman to approve ZBA Resolution No. 13-08 approving the variance request due to the placement of the commercial building in front of the shopping center adversely affecting visibility of the permitted signage.

Roll Call

Kingery:	Aye
Sunderman:	Aye
Kent:	Aye

ADJOURNMENT.

There being no additional business before the Marion Zoning Board of Adjustment Chairmen Kent adjourned the meeting at 8:03PM.

Respectfully Submitted,

Gordon Gibson, Secretary