

MINUTES - ZONING BOARD OF ADJUSTMENT

October 15, 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: Kingery, Gibson, Kent, Roth, Sunderman
Member absent: None

3. MINUTES.

Zoning Board of Adjustment – September 17, 2013

Motion by Roth, seconded by Sunderman, to approved the September 17, 2013 Zoning Board of adjustment meeting.

All “Ayes”, motion passed.

4. CONSENT CALENDAR.

- a. Motion to receive and file all correspondence from applicants and staff reports regarding variance requests on the October 15, 2013 Marion Zoning Board of Adjustment agenda.

Motion by Kingery, seconded by Gibson, to receive and file all correspondence from applicants and staff reports regarding variance requests on the October 15, 2013 Marion Zoning Board of Adjustment agenda

All “Ayes”, motion passed.

5. APPEALS -

- a. Zachary Randolph, owner – 475 11th Street, Marion, Iowa- Requesting a variance from 176.35-8(C) of the Marion Code of Ordinances to allow a deck to encroach more than five (5) feet into the required front yard setback in the R-5, Moderate Density, Multiple-Family Residential Zoning District.

ZBA Resolution No. 13-07 approving the variance request.
ZBA Resolution No. 13-07 denying the variance request.

Billings presented the staff report and familiarized the Board with setback conditions in the surrounding area.

Gibson asked if the improvements to 11th Street will extend up passed this property. Billings replied that it was her understanding that the current project will stop at 1st Avenue.

Gibson then asked if the houses to the north and south had similar setbacks as the one requested. Billings displayed aerial photography that indicated that the setbacks would be similar.

Kent asked if the proposed steps would encroach further into the front yard than the deck. Billings clarified that they would not, they would exit to the driveway to the south of the house.

Jessica Randolph, the applicants' wife, addressed the Board in support of the request and noted that the houses to the north and south are closer to the front property line than theirs is.

Kent asked if other deck variances have been approved in this area. Billings replied that she was not aware of any.

Motion by Sunderman, seconded by Gibson, to approve ZBA Resolution No. 13-07 approving the variance request from 176.35-8(C) of the Marion Code of Ordinances to allow a deck to encroach seven (7) feet into the required front yard setback in the R-5, Moderate Density, Multiple-Family Residential Zoning District, given that strict conformance with the current Zoning Ordinance creating a hardship for the property owner.

Roll Call

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| Kingery: | Aye |
| Roth: | Aye |
| Sunderman: | Aye |
| Gibson: | Aye |
| Kent: | Aye |

6. ADJOURNMENT.

There being no additional business before the Marion Zoning Board of Adjustment Chairmen Kent adjourned the meeting at 7:16.

Respectfully Submitted,

Gordon Gibson, Secretary