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**1. CALL TO ORDER**

The regular meeting of the Zoning Board of Adjustment was called to order at 7:00PM.

**2. ROLL CALL**

Members Present: Kent, Potter, Golden and Jordan

Members Absent: Sunderman

Staff Present: Hockett and Behrens

Kent informed the applicants that to be approved, they need three 'yes' votes no matter how many members are present. The applicants have the option to have the Board table their request to allow a full board to hear the request.

**3. MINUTES**

- a. Motion to approve the minutes as submitted from the October 15, 2019 meeting.

Motion by Potter, seconded by Jordan to approve the October 15, 2019 Zoning Board Minutes. All "ayes", motion approved (4-0).

**4. CONSENT CALENDAR**

- a. Motion to receive and file all correspondence from applicants and staff.

Motion by Golden, seconded by Potter to receive and file all correspondence from applicants and staff. All "ayes", motion approved (4-0).

**5. VARIANCE REQUEST**

- a. Public hearing regarding a variance request by Eric Gutschmidt pursuant to Section 176.32-12 of the Marion Code of Ordinances to allow a garage door to be less than the required 25' setback from the property line it faces for the property located at 969 14th Street, Marion, Iowa.

Behrens presented the staff report regarding the proposed variance request.

Eric Gutschmidt, 1540 D Avenue NE, Cedar Rapids, informed the Board of the having the off-street parking will help the neighborhood. He also mentioned that water that runs across the property and if the garage was setback further the water would pool in the yard. With the house having a limestone basement it would not be good. He stated that the garage fits in with the character of the neighborhood.

There were no other comments for or against the request, the public hearing was closed.

Kent asked the applicant if he wanted the Board to vote on the request or wait until the next meeting. Gutschmidt stated he wanted the Board to vote on his request.

Kent asked if the other garages are in violation per today's standards. Behrens responded that the garages were built prior to current Code. Kent asked if the garages went in when 15<sup>th</sup> Street was still an alley. Behrens stated that looking at the aerials it does appear they were built when it was still an alley.

Kent commented that it is an older neighborhood and the location of the garage would line up with the other garages. Potter stated that it would help ease the congestion from the cars piling up due to the proximity of the school.

Motion by Potter, seconded by Golden to approve ZBA Resolution No. 19-13.

Roll Call:

Jordan	Aye
Golden	Aye
Potter	Aye
Kent	Aye

All "ayes", motion passed (4-0)

## 6. CONDITIONAL USE REQUEST

- a. Public hearing regarding Tom Schmidt's Conditional Use request pursuant to Section 176.49-9 of the Marion Code of Ordinances to allow two honey bee hives to be located at 1860 Agate Circle.

Hockett presented the staff report regarding the proposed conditional use request.

Golden asked staff if we had received any concerns regarding bee stings. Hockett stated that staff had not received any comments regarding this request.

Tom Schmidt, 1860 Agate Circle, mentioned the class he took at the Indian Creek Nature Center and how he volunteers with Center's apiary. He stated that he did talk with all neighbors within the covenants and no one raised any concerns. He commented that if they look like they are going to swarm, he can set a hive up with the hope of the bees picking that hive as their new home.

Tom Hart, Senior Beekeeper of Indian Creek, he verified that the Schmidt's did attend the beekeeping class and that he thought the Schmidt's would be good beekeepers.

Marsha Schmidt, 1860 Agate Circle, stated that when she spoke to the neighbors about the bees they seemed excited about the hives. Kent asked if the application was marked incorrectly as it indicates that the applicant had not

spoken to neighbors. Hockett responded that the application was submitted prior to the applicants speaking with neighbors.

Eric Gutschmidt, 1540 D Avenue NE, Cedar Rapids, stated he is in favor of bees and believes they are an asset to a neighborhood.

There were no other comments for or against the request, the public hearing was closed.

Kent asked the applicant if he wanted the Board to vote on the request or wait until there is a full Board. Tom Schmidt asked if the request is denied if he could resubmit his request after some additional help. Hockett stated that he would have to wait one year to reapply. Schmidt stated he wanted the Board to vote on his request.

Kent asked if they would be allowed to have a third hive. Hockett stated that a temporary hive could be set up during a swarm event, but that it would need to be relocated or incorporated into the request hives. He also mentioned that the size of hives does not meet the maximum size limit at this time so the bait hive could be incorporated into the existing hives.

Schmidt stated that there are certain signs prior to bees swarming and as a beekeeper, that is not something that is wanted.

Motion by Jordan, seconded by Potter to approve ZBA Resolution No. 19-14.

Roll Call:

Golden	Aye
Potter	Aye
Jordan	Aye
Kent	Aye

All "ayes", motion passed (4-0)

## 7. OTHER BUSINESS

None.

## 8. ADJOURNMENT

There being no further business the meeting was adjourned at 7:25PM.

Respectfully submitted,

Angela Jordan  
Secretary