

Zoning Board of Adjustment Agenda: July 21, 2020

1. CALL TO ORDER

The regular meeting, held via Zoom, of the Zoning Board of Adjustment was called to order at 7:00p.m.

2. ROLL CALL

Members Present: Kent, Sunderman, Potter, Golden, and Jordan

Members Absent: N/A

Staff Present: Hockett and Behrens

3. MINUTES

- a. Motion to approve the minutes as submitted from the June 16, 2020 meeting.

Motion by Sunderman, seconded by Potter to approve the June 16, 2020 Zoning Board Minutes.

Roll Call:

Jordan	Aye
Potter	Aye
Golden	Aye
Kent	Aye
Sunderman	Aye

All ayes, motion approved (5-0).

4. CONSENT CALENDAR

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

Motion by Golden, seconded by Jordan to receive and file all correspondence from applicants and staff.

Roll Call:

Sunderman	Aye
Potter	Aye
Jordan	Aye
Golden	Aye
Kent	Aye

All ayes, motion approved (5-0).

5. REED – CONDITIONAL USE (BEES)

- a. Public hearing regarding a conditional use requested by Andrea Reed pursuant to Section 176.49-9 of the Marion Code of Ordinances to allow honeybee hives to be located at 1295 Parkview Drive, Marion, Iowa.

Hockett gave a brief staff report and reviewed the requirements of the conditional use request specifically for keeping honeybees and for a conditional use in general. He also summarized an email from R2T2 Investments, LLC, 1260 Parkview Drive, that was received by staff in opposition to the request.

Sunderman asked if a reply was sent to the property owner in opposition. Hockett stated that he informed the property owner that their concerns would be forwarded to the Board. Sunderman asked if the questions raised within the email were specifically addressed in the reply. Hockett stated that most of the questions were addressed during the Planning Commission meeting.

Golden asked if anyone else was questioned regarding the bees. Hockett stated that neighbors have been notified twice via postcards and a sign has been located within the front yard.

The public hearing was opened at 7:15

With no comments, the public hearing was closed at 7:16.

Motion by Potter, seconded by Sunderman to approve ZBA Resolution 20-11 regarding the conditional use request to allow honeybee hives to be located at 1295 Parkview Drive, Marion, Iowa.

Roll Call:

Golden	Aye
Jordan	Aye
Sunderman	Aye
Potter	Aye
Kent	Aye

All ayes, motion approved (5-0).

6. BANKIOWA – CONDITIONAL USE (ATM)

- a. Public hearing regarding a conditional use requested by Banklowa pursuant to Ordinance No. 13-14, Section 1(2) to permit an ATM drive-thru located at 901 Tower Terrace Road, Marion, Iowa.

Behrens provided the Board with a brief staff report and walked through the conditional use criteria. She also summarized the email of opposition received from Mr. James (*710 Barrington Parkway*), pertaining to the location of the drive-thru ATM.

Kent asked about the landscaping by the drive-thru pertaining to the size and density of the landscaping at installation. Behrens stated that she would let the applicant, or their engineer speak to the landscaping size.

Golden asked about the light concerns Mr. James had brought up in his email. Behrens stated that she was unaware of any blinking lights referenced in Mr. James' email and that the ATM would be set back from Tower Terrace Road, making it harder to see the ATM from Tower Terrace Road.

The public hearing was opened at 7:40p.m.

Dan Schmidt, Brain Engineering, mentioned that the boxwood landscaping would most likely be planted at a 4' height and staggered to help minimize any light from the vehicles. He said the intent is to provide adequate screening at initial planting. Kent stated he

believes the residences would want screening in place without having to wait for it to grow. Schmidt stated that because this is a temporary location, the intent is to immediately provide screening without considering growth.

Kent asked if Schmidt could address the green blinking light on the ATM. Schmidt mentioned that he was unable to address the light and Hockett stated the applicant was wanting to speak.

Alex Urbina, 4709 Keystone Ridge, Cedar Rapids (*Banklowa*), informed the Board about the background of the bank wanting a presence in Marion. He said that they can place the landscaping in a manner to provide an adequate buffer from the residential properties. Urbina, mentioned he was unsure of the green blinking light mentioned in the email.

Kent stated that if there is no green blinking light, then they (the Board) have nothing to do with the blinking light and only the ATM.

With no further comments, the public hearing was closed at 7:47p.m.

Motion by Potter, seconded by Golden to approve ZBA Resolution 20-12 regarding the conditional use request to permit an ATM drive-thru located at 901 Tower Terrace Road, Marion, Iowa with staffs' conditions.

Roll Call:

Sunderman	Aye
Jordan	Aye
Golden	Aye
Potter	Aye
Kent	Aye

All ayes, motion approved (5-0).

- b. Public hearing regarding a conditional use requested by Banklowa pursuant to Ordinance No. 13-14, Section 1(4)K to permit an ATM to operate between the hours of 11:00p.m. and 6:00a.m. located at 901 Tower Terrace Road, Marion, Iowa.

Behrens provided the Board with a brief staff report pertaining to the hours of operation for the ATM drive-thru. She mentioned that the email in opposition did state the property owner did not have any concerns regarding the extension of hours.

The public hearing was opened at 7:55p.m.

Urbina stated that having access to cash at all hours is beneficial to the community.

The public hearing was closed at 7:56p.m.

Motion by Jordan, seconded by Potter to approve ZBA Resolution 20-13 regarding the conditional use request to permit an ATM to operate between the hours of 11:00p.m. and 6:00a.m. located at 901 Tower Terrace Road, Marion, Iowa.

Roll Call:

Sunderman	Aye
Golden	Aye
Potter	Aye
Jordan	Aye
Kent	Aye

All ayes, motion approved (5-0).

7. OTHER BUSINESS

c. None.

8. ADJOURN

There being no further business the meeting was adjourned at 7:57p.m.

Respectfully submitted,

Angela Jordan
Secretary