



# **MINUTES**

## **Zoning Board of Adjustment**

**7:00 PM - Tuesday, April 20, 2021**  
City Hall, 1225 6th Avenue

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*\*Minutes are in draft format until approved at the next meeting\**

The Zoning Board of Adjustment of the City of Marion, Linn County, Iowa met on Tuesday, April 20, 2021, at 7:00 PM, at City Hall, 1225 6th Avenue, with the following members present:

**PRESENT:** Angela Jordan, Carol Golden, Charlie Potter, and Charles Kent  
**ABSENT:** Ryan Sunderman  
**STAFF PRESENT:** Ama Bartlett, Dave Hockett, and Tom Treharne

### **CALL TO ORDER**

### **ROLL CALL**

### **CONSENT AGENDA**

Motion to approve the consent agenda as follows:

Minutes from the February 9, 2021 meeting.

Receive and file all correspondence from applicants and staff.

Moved by Golden, seconded by Jordan, to approve consent agenda.

Approved unanimously

### **REGULAR AGENDA**

#### **Conditional Use - Bees - Appleby**

Public Hearing to consider a conditional use request by Erin Appleby pursuant to Section 176.49-9 of the Marion Code of Ordinances to permit accessory keeping of honeybees to be located at 1450 Tama Street, Marion, Iowa.

Hockett shared the staff report. He recommended approval due to the request meeting all requirements. There were no questions of staff from the board. Kent opened the public hearing. There were no statements for or against the request. Public hearing was closed.

ZBA Resolution No. 21-06 approving a conditional use request by Erin Appleby pursuant to Section 176.49-9 of the Marion Code of Ordinances to permit accessory keeping of honeybees to be located at 1450 Tama Street, Marion, Iowa.

Moved by Golden, seconded by Potter, to approve ZBA Resolution No. 21-06. No discussion.

Approved by the following votes:

Ayes: Jordan, Golden, Potter, and Kent

#### Variance - Hard surface access drive - Siefer

Public Hearing regarding a variance from section 176.29-2H(3) regarding hard-surface for a driveway for property located 3155 Elshire Drive, Marion, Iowa. (David Siefer)

Hockett presented the staff report. He shared history of the project and showed information about the proposed hard-surface alternative the applicant would like to use for the detached structure access drive. Staff shared one letter of objection from Donald Bunney, 3101 Elshire Street, with concerns about stormwater runoff and the lack of hardship. Board members asked questions of staff about what the code considers hard surface material. The applicant spoke to explain that the proposed product would help manage stormwater by allowing more drainage rather than sheating. Kent closed the public hearing.

ZBA Resolution No. 21-07 approving a variance from section 176.29-2H(3) regarding hard-surface for a driveway for property located 3155 Elshire Drive, Marion, Iowa. (David Siefer)

The Board discussed how the proposed product could help with stormwater management, but struggled with finding the hardship. They asked staff if this option would be considered to be added to the code in the near future. Hockett stated that there would need to be some proven examples prior to consideration for adding to the code.

Moved by Potter, seconded by Jordan, to deny ZBA Resolution No. 21-07 due to a lack of hardship. The Board discussed further.

The motion to deny was approved by the following votes:

Ayes: Jordan, Golden, Potter, and Kent

#### Conditional Use - Watchman's Quarters - Garman

Public Hearing regarding a conditional use request pursuant to Section 176.25-2B of the Marion Code of Ordinances to allow watchman living quarters in the I-1 zoning district for property located at 100 35th Street, Marion, Iowa. (NPV III, LLC)

Kent opened and closed the public hearing.

ZBA Resolution No. 21-08 approving a conditional use request pursuant to Section 176.25-2B of the Marion Code of Ordinances to allow watchman living quarters in the I-1 zoning district for property located at 100 35th Street, Marion, Iowa. (NPV III, LLC)

No action taken. Same item was tabled at Planning and Zoning Commission meeting on April 13, 2021.

**OTHER BUSINESS**

None.

**ADJOURN**

Moved by Golden, seconded by Potter, to adjourn at 7:26p.m.

Approved unanimously

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Angela Jordan, Secretary