

MARSHALLTOWN

— I O W A —

BOARD OF ADJUSTMENT

Notice of Public Meeting

Tuesday, May 21, 2019 at 5:00 PM

Marshalltown City Council Chambers
10 W. State Street, Marshalltown, IA 50158

1. Call To Order & Roll Call

Danielson
Engle
Schulze
Thurston
Wenner

2. PUBLIC HEARING & SPECIAL USE PERMIT - 3204 Governor Road - J&M Fabrication

Public Hearing: Written or verbal comments may be presented to the Board during the public hearing. Please state your name and address for the record.

Documents:

[052119_BOA_MEMO_JM FABRICATION.PDF](#)
[JM FABRICATION_SUP.PDF](#)

2019 Tentative Meeting Schedule

September 17, 2019

June 18, 2019 October 15, 2019

July 16, 2019 November 19, 2019

August 20, 2019 December 17, 2019

MARSHALLTOWN

I O W A

TO: Board of Adjustment

FROM: Michelle Spohnheimer, Housing & Community Development Director

DATE: May 21, 2019 – Meeting Date

PUBLIC HEARING & Special Use Permit – 3204 Governor Road - J&M Fabrication

The property at 3204 Governor Road has had an extensive history including various repair establishments. We have had previous Special Use Permits under prior ownership. A new owner took control of the property in March 2018 and then began leasing the property to John Patterson the owner of J&M Fabrication. Mr. Patterson has done extensive work at the property in terms of repairs, improvements and site clean-up. He has been working with the various inspections divisions to comply with Building, Fire and Electrical codes. When the approval came to the Zoning Administrator, we had to look closer at the proposed use since construction on-site welding was not listed as a permitted use. We reviewed his proposed activity and a significant portion is metal fabrication of wall and yard art which he will have on display and available for purchase. Independent Artists are identified as a Special Use, Other Services (Other Personal and Household Goods Repair and Maintenance) is permitted as is Retail Trade (All other miscellaneous store retailers).

Upon further staff review, we determined that a Special Use Permit would be appropriate for consideration so that the Commission and Board of Adjustment could consider conditions of approval for items such as outdoor storage and buffering.

The Plan Zoning Commission reviewed the request and recommended approval at their regular meeting on Thursday, May 9, 2019.

Zone:	PC Planned Commercial
Use:	Metal art fabrication, retail, custom welding and repair.
Comprehensive Plan:	Low Density Residential

Recommendation: The Board of Adjustment may include condition with your decision.

DATE SUBMITTED & FEE PAID: _____
HEARING DATE: _____



BOARD OF ADJUSTMENT

Special Use & Home Occupation Special Use Permit Application

36 N. Center Street, Marshalltown, IA 50158 Ph: 641-754-5756 Fax: 641-754-5742

All items listed must be submitted with this application:

- ☐ **A site plan, drawn in ink to scale.** This site plan shall not be larger than 11" X 17."
- ☐ **Any other applicable drawings or diagrams.** Home Occupation Special use permits must submit a floor plan diagram.
- ☒ **Application fee.** A \$300 fee is required for a special use request (\$50 for a Home Occupation Special Use request). Make check payable to "City of Marshalltown." The fee must be paid when the application is submitted to the Housing Department.
- ☐ **Legal description of the property.** The property owner should have a copy of the legal description of the property. *Please note that the tax description on the Marshall County assessor's webpage is NOT the legal description.* The legal description is listed on the property's abstract or owners may obtain a copy of the recorded deed from the Marshall County Recorder's Office for a fee. *Owner is out of the US for 3 weeks*

It is the burden of the applicant to provide sufficient facts with this application and at the Board of Adjustment meeting to support a finding that all the standards for approval have been met. For all special use requests, with the exception of a Home Occupation Special Use request, the Plan & Zoning Commission shall first review the proposal and make a recommendation to the Board of Adjustment.

Attendance at all meetings is required.

Please type or print legibly in ink.

Property Address: *3204 Governor Rd Marshalltown, Ia 50158*
Owner: *José Angel Regalado - Tenant John Patterson (641-691-1135)*
Mailing Address: *Box 106 W Ingleduc St*
Phone: *641-485-5620*
Email:
Owner's Agent (if applicable):
Agent Address:
Agent Phone:
Agent Email:

The board will use this information to review your request. Please attach any additional supporting information. If you have any questions, please contact the Zoning Department at 754-5756.

Please describe the request and what justification there is for the proposal. Attach additional pages if necessary. If applicable, please provide a description of the business or use, discuss any signage to be used, and parking issues.

Owner/Agent Signature:

Date:

To whom it may concern,

I give John Patterson (J&M Fabrication) the permission to Re Zone or obtain a Special Zoning permit to perform his/their work at the property of 3204 Governor Rd. Marshalltown, Ia 50158.

Thank you for your time and concertation.

X Rose Angel Regalado Property Owner

X John Patterson Tenant

Date 4/15/2019

Special Permit

WHAT THE BUISNESS DOES:

J & M Fabrication creates metal art in various forms, such as wall hangers, garden art, sculputures, truck accessories, and signs along with custom designs. We also do some repair work on various things. We treat every customer the same regardless of how small or big the job is. We also do a lot of donation work to help support veterans, disabled children, police departments, fire departments, and EMTs. J & M Fabrication also does vendor shows around the surronding areas.

DAY TO DAY OPERATIONS:

Our daily operations include, taking customer orders, making one of a kind items such as, metal art, yard art, customer requested items along with welding on steel for repairs and or new items, also cutting and grinding on metal. We also making sure the work environment remains clean along with improving the way our buisness site looks.

EMPLOYEES:

John Patteson and his wife Melanie are the only employees as they are the owners of J & M Fabrication.

HOURS OF OPERATION:

Monday-Friday - 8:00 a.m. - 5:00 p.m.
Saturday - 9:00 a.m. - 5:00 p.m.
Sunday - Closed

PRODUCT:

We specialize in metal and yard art. Some examples are; cutout butterflys that can be hung inside or outside, bright and colorful tattered flags, custom yard signs, dragon fly's, and animals all on yard stakes. We will also do custom stuff made of metal and light repair.

SALES:

We updated the building on the inside with new sheet rock, paint, and trim so we can have a lobby/store area for customers to come in and look/buy our work or order something custom. We are not selling someone else's work or selling things on consignment. We will do light repair and new work at an hourly rate.

OUTSIDE STORAGE:

As everyone in the community knows the property has always been an eye sore, we plan to change that. Our plans are to take down the ugly white fence down around the property and put up a smaller one around the back side of the building to hide/buffer any ugly view we may have to the community. We also plan to do some

Special Permit

landscaping to improve the look of the property. We will continue to improve the property every day until it is complete.

FUTURE PLANS:

We plan to be apart of our community and help any way we can to make our town better and look better. We plan to remodel the outside of the building to give it a welcoming feel when people drive by and stop to visit our shop. We want to build a great relationship with our town and grow over time. If the buisness does well, we are always open to new adventures in our industry and growth. Overall we want to be a respected and clean metal shop that anyone and everyone feels comfortable coming to.

ADDITIONAL:

We love being apart of our town and supporting events to help others. We sponsor the Ride with Vets for Paws and Effect at the American Legion post 46 every year, along with various others that help support Veterans, disabled children, law enforcement, first responders, and fire departments. We also do vendor shows in small towns around us. John and his wife are both volunteer fire fighters on the Legrand FD, as well as supporters of our fellow depts, police and first responders.

THINGS THAT ARE BEING DONE IN COMPLIANCE WITH CHAPTER 24 PC PLANNED COMMERCIAL DISTRICT

Section 5:

2. Outside storage of non-saleable merchandise or other materials shall not be visible from the public right-of-way.

- We keep all of our materials inside due to its sensitivity to weather. What we have for scrap will be outside in a designated bin inside of a fenced in section out of the publics eye.

3. Adequate area shall be provided on the lot for snow removal.

- We use the back half of the lot which is the grassed section for snow during removal.

4. Parking areas shall be designed to minimize headlights shining into residential properties.

- We don't have any residential properties close enough to be affected by headlights, however the parking area is facing north directly at the building.

6. All utilities shall be placed underground, where feasible.

- All utilities that are able to be underground are.

Section 6:

1. All sides of the commercial buildings visible from the public right-of-way shall be architecurally treated to produce an aesthetically pleasing facade.

- We plan on redoing the siding with the top 3/4 of the building being gray siding and the bottom 1/4 with the stone look. We also plan to put a new roof on (still deciding between shingles and steel)

Special Permit

Section 9:

2,3. Trash Dumpsters and Receptacles, Outdoor Storage and Loading Areas.

- We plan on putting up a fence off the back of the building that will block all public eye from any trash dumpsters and scrap bins. It will also block the view of any jobs waiting to be done from the public eye as well. We also plan on keeping any thing that would be an eye sore in general in that fenced in area.

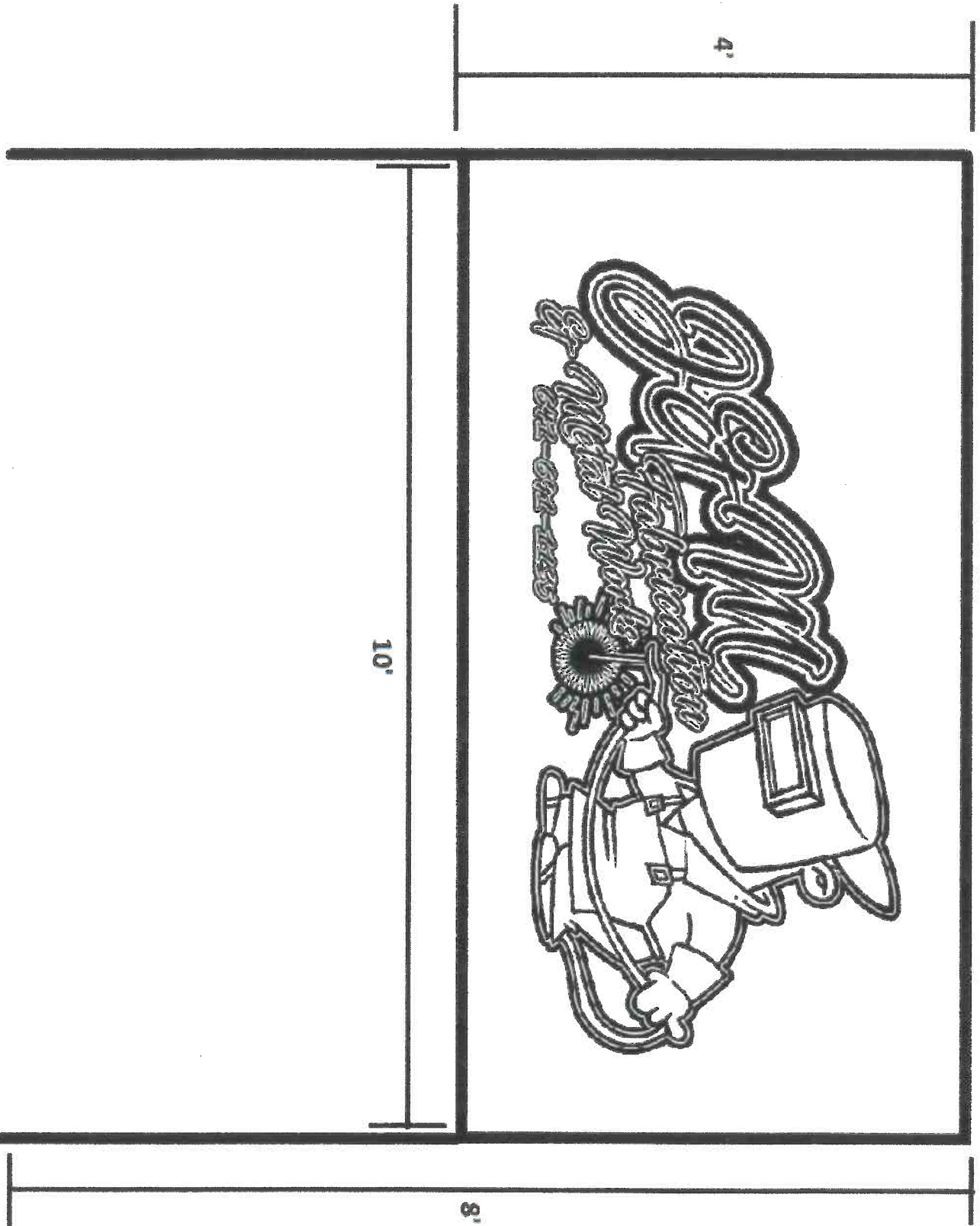
Signs:

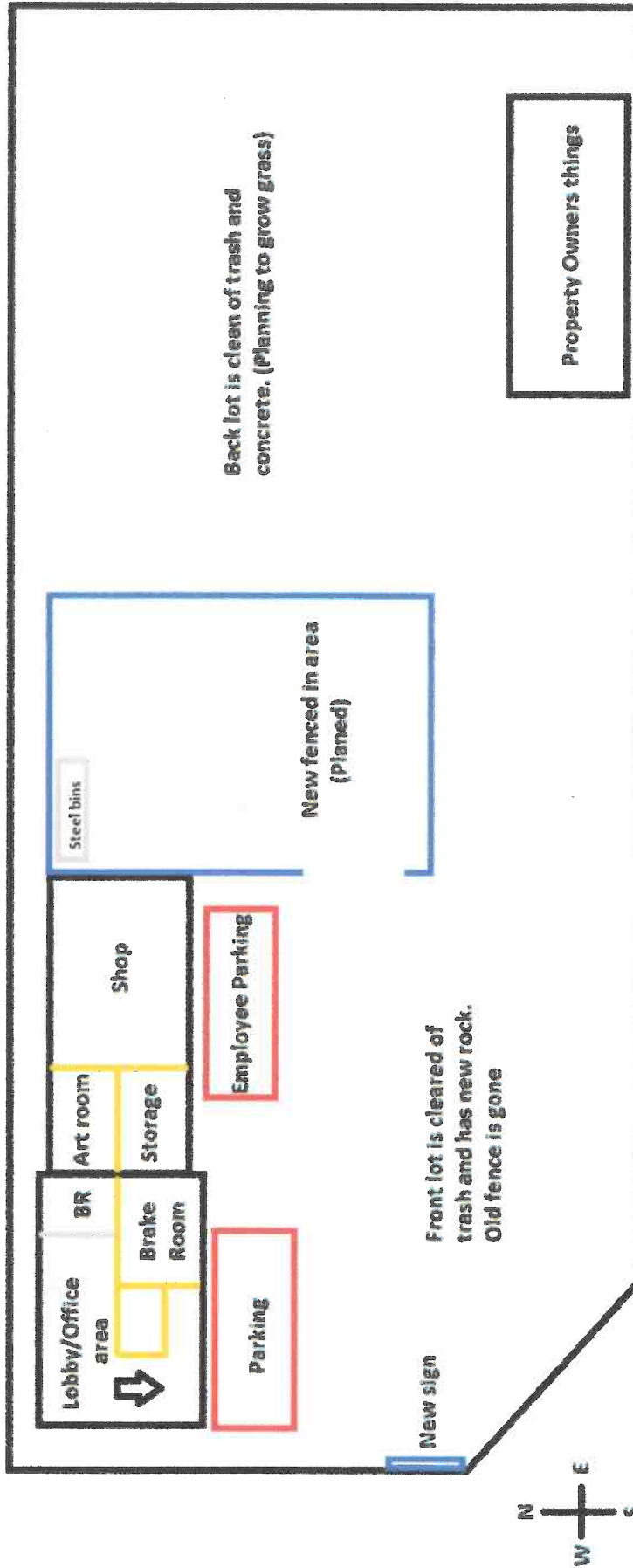
We will have one freestanding sign that is 4foot by 2foot, along with two wall signs. The sign on our secondary wall is 4foot by 2foot. We will also have one on our primary wall but are unsure of the exact size at the moment as we will need square footage first.

Other:

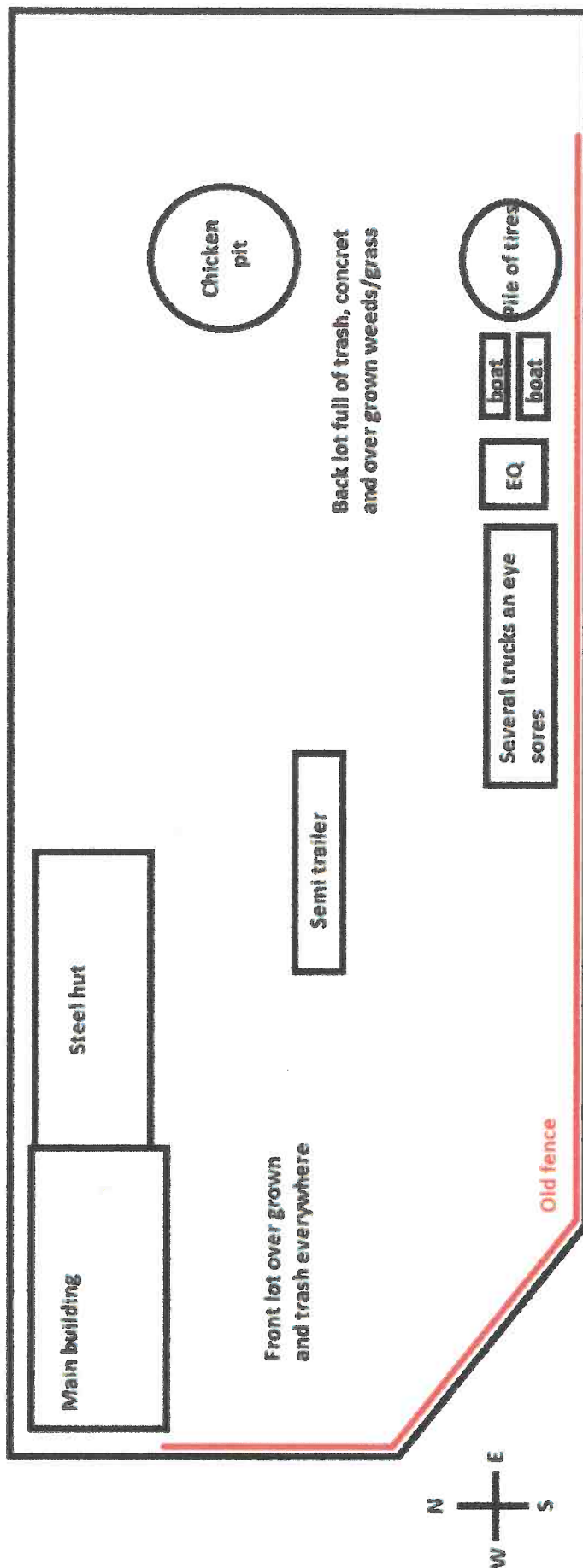
We have removed the white fence that was around the perimeter of the lot completely, and plan to do some landscaping instead so it will be pleasing to the eye. We have also removed all the garbage that was in the lot and evened out the rock, we plan on bringing in more rock to even it out even more. We have replaced broken windows and trimmed up the trees, as well as cleaned up the sidewalk in front of the entry. We did add on a ramp to the front entry so it is handicapped accessible. There are also security cameras in place around the property, as well as new locks and doors.

Sign it self is 2' x 4' the free standing sign is 10' wide x 8' tall





Old property layout and eye sores



Front of the building

