

BOARD OF ADJUSTMENT

Notice of Public Meeting
Tuesday, September 15, 2020 at 5:00 PM
City Council Chambers, City Hall
10 West State Street, Marshalltown IA

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/362919749>

You can also dial in using your phone.
(For supported devices, tap a one-touch number below to join instantly.)

United States (Toll Free): 1 866 899 4679
- One-touch: tel:+18668994679,,362919749#

United States: +1 (571) 317-3116
- One-touch: tel:+15713173116,,362919749#

Access Code: 362-919-749

New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotomeeting.com/install/362919749>

1. Call To Order & Roll Call
Engle
Schulze
Starks
Thurston
Wenner

2. Board Of Adjustment Mins 5-19-2020

Documents:

[BOARD OF ADJUSTMENT MIN 051920.PDF](#)

3. Public Hearing: Special Use Permit 1314 W Main St

Documents:

[THE SUGAR SHACK SPECIAL USE_06182020.PDF](#)

MISSION STATEMENT

The City of Marshalltown collaborates to provide a welcoming, safe, vibrant, and growing community.

Board of Adjustment

Meeting Minutes - January 14, 2020

Meeting was called to order at 5:00 PM in the City Council Chambers at 10 W. State Street

1. Roll Call:

Present: Danielson, Engle, Schulze, Thurston and Wenner

Absent:

2) Meeting Minutes From 1/16/20

Wenner Motion to approve

Engle seconded

All approve and accept minutes

3) Public Hearing: Home Occupation Special Use Permit 2501 Recliff Dr

Public Hearing open at 5PM – No public comments received – Public Hearing Closed.

Schulze: Introduction of the Home Occupation Special Use Permit

Claire Gervich: Background on Healing Space Massage Therapy. 3-5 people per day, 9AM to 4PM. No signage or change of appearance to house. *Document presented listed of names, and contact information of residents in favor of this Healing Space's Home Occupation Special Use Permit*

Schulze: Where is the restroom located, and will costumers be able to use it?

Gervich: They will be able to use the restroom.

Schulze: How will your business respond to Covid-19?

Gervich: Not going to open for a couple weeks. There are special cleaning procedures for the message table. The State recommends that clients wear a mask during massage. Clients will wear masks. I will wear a mask.

Knutson: The office received four calls. Two wanted information. One was in favor. One was against, this person did not leave a name or number. The office did not receive any written comments. The office has no concerns will this Home Occupation Special Use Permit.

Thurston: Great!

Schulze: Any further questions?

Motion by Thurston to approve the Special Use Permit. Second by Engle. All Aye. Motion carried 5-0.

With no further business, the meeting adjourned.

Meeting minutes prepared by,

Caleb Knutson

City Planner

DATE SUBMITTED & FEE PAID: 6/19/20
HEARING DATE: 07/21/2020

 the City of
Marshalltown
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.

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: 1814 West Main St.

Owner: Jessica Quick

Mailing Address: 1814 W. Main St. Marshalltown, IA 50158

Phone: 641-750-5259

Email: jquickow@gmail.com

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: Jessica Quick

Date: 6/1/20

Home Occupation Registration Form

City of Marshalltown, 24 North Center Street, Marshalltown, IA 50158

Phone: 641-754-5756; Fax: 641-754-5742

This form must be complete or the application cannot be accepted.

Applicant Name: <i>Jessica Quick</i>	Business Name: <i>The Sugar Shack</i>
Address: <i>1314 W. Main St. Marshalltown 50158</i>	
Phone: <i>641-750-5259</i>	Fax:

Please describe your home occupation (attach additional information if necessary).

Right now I will be doing spray tanning. I am in school to be an esthetician and upon getting my license would like to do eyelash extensions, waxing, facials. I also make and sell candles.

Please check the appropriate category for your home occupation:

- | | |
|--|---|
| ☐ Office facilities for accountant, architect, engineer, lawyer, clergyman, or other similar professional occupations.
☐ Office facilities for telecommuters, salesmen, sales representatives, manufacturer's representatives, and other similar trades or occupations
☐ Home sewing or tailoring.
☐ Studio for an artist, photographer, writer, or composer. | ☐ Telephone answering.
☐ Catering, home-cooking and preserving for the purpose of selling the product.
☐ Tutoring or giving lessons, limited to four students simultaneously.
☐ Day care homes.
☒ (List the number of permitted Children: _____)
☒ None of the above, Special Use permit required.
☐ None of the above, use "grandfathered". |
|--|---|

The following home occupations are prohibited: Animal hospitals, private clubs, restaurants, stables and kennels, automobile repair or auto body shops (More than 2 vehicles per year which are not registered at the residence and are rebuilt, repaired, or reconstructed shall constitute an automobile repair or auto body shop), automobile paint shops, any occupation which is considered illegal by law, and any use which does not meet the Home occupation regulations.

Home Occupation Regulations

- a) **Appearance.** That in connection with which there is no display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling, with the exception of one home occupation sign defined in section c) below.

Initial that you understand this appearance requirement: *JQ*

- b) **Design.** That the building shall include no features of design not customary for residential use; That the building or premises occupied shall not be rendered objectionable or detrimental to the residential character of the neighborhood due to exterior appearance or by the emission of dust, gas, noise, odor, or smoke, or in any other way.

Initial that you understand this design requirement: *JQ*

- c) **Signs.** Any sign utilized by a home occupation in an "R" (residential zoning) district shall be limited to one building mounted sign which shall not exceed one square foot in area.

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO LIBRARY
540 EAST 57TH STREET, CHICAGO, ILL. 60637

THIS IS A SPECIAL ORDERING AND IS SUBJECT TO THE FOLLOWING

TERMS AND CONDITIONS

1. ALL ORDERS MUST BE ACCOMPANIED BY PAYMENT

2. ALL ORDERS MUST BE ACCOMPANIED BY A CHECK OR MONEY ORDER

3. ALL ORDERS MUST BE ACCOMPANIED BY A CHECK OR MONEY ORDER

4. ALL ORDERS MUST BE ACCOMPANIED BY A CHECK OR MONEY ORDER

5. ALL ORDERS MUST BE ACCOMPANIED BY A CHECK OR MONEY ORDER

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8. ALL ORDERS MUST BE ACCOMPANIED BY A CHECK OR MONEY ORDER

9. ALL ORDERS MUST BE ACCOMPANIED BY A CHECK OR MONEY ORDER

10. ALL ORDERS MUST BE ACCOMPANIED BY A CHECK OR MONEY ORDER

Attach a photo or drawing of the home occupation sign to be used showing all dimensions and where it will be mounted. Initial that you understand this design requirement: JO

- d) **Equipment.** Any merchandise or stock in trade sold, repaired or displayed shall be stored entirely within the residential structure or in an accessory building.

Are any dangerous materials stored? _____ Yes X No

If yes, please list the materials: _____

- e) **Employment.** On-site employees must be members of the immediate family residing on the premises. Additional employees may be permitted as required by law or may be permitted through the Home Occupation Special Use Permit process by the Board of Adjustment.

How many people are employed? 2

How many employees are not members of the immediate family residing on the premises? 0

List all employees: Myself and my daughter Caitlin Traylor

- f) **Traffic and Parking.** Traffic generated by the home occupation shall not be objectionable to the neighboring residents. Off-street parking shall be adequate to accommodate the parking demand generated by the home occupation.

How many visits per day are made to your business? 2-5

How many parking spaces are available? 4

- g) **Structural modifications.** Structural modifications or additions to the residence for the expansion of a home occupation is prohibited.

Initial that you understand this requirement: JO

- h) **Non-compliance.** Any home-occupation which does not abide by the terms of this section shall be punishable under the Violation and Penalty section of the zoning ordinance. Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this Ordinance shall, upon conviction, be fined not more than one hundred (\$100.00) dollars for each offense. After a written notice of such violation, each day that the violation is permitted to exist beyond the expiration of the time designated on said notice, shall constitute a separate offense.

- Please read the attached Section 10-Home Occupations excerpt from the Zoning Ordinance.
- Please attach a photo of the residence and site map showing parking.
- This home occupation permit does NOT continue with the land and is NOT transferable.
- Any changes to the operation of the home occupation requires a re-registration.

Agreement: I hereby state I have received, have read and understand the terms of the home occupation section of the Zoning Ordinance of 1998. I agree to comply with the ordinance.

Signature of applicant: [Signature]

Date: 6/1/20

- ☐ Home Occupation permitted
☐ Home Occupation grandfathered (Legal non-conforming)
☐ Special Use permit granted on _____

Zoning Officer, City of Marshalltown

Date

10. The following table shows the number of people who attended the concert in each age group.

Backyard Deck

Spray
Tanning
area

Daycare
Area

* After Graduation I would
like this area to be my
Salon Area.

Entrance

Restroom

Kitchen



Certificate of Insurance

OCCURRENCE COVERAGE ASCP In-Dues Liability Program

ASCP MAILING ADDRESS:

Associated Skin Care Professionals
25188 Genesee Trail Road
Suite 200
Golden, CO 80401

POLICY #: API-ASCP-20

MASTER POLICY HOLDER

Allied Professionals Insurance RPG

AGENT/BROKER

Allied Professionals Insurance Services

ISSUED BY:

Allied Professionals Insurance Company, A
Risk Retention Group, Inc.

LIABILITY LIMITS

(per member)

COMMERCIAL GENERAL LIABILITY

ANNUAL AGGREGATE	\$6,000,000
PER OCCURRENCE LIMIT	\$2,000,000
PRODUCTS-COMP/OP	included
PROFESSIONAL LIABILITY	included
GENERAL LIABILITY	included
FIRE LIABILITY LIMIT	\$100,000

To verify information, contact ASCP. Tel: 303-674-8478 Fax: 303-674-0859

This Policy is issued by your risk retention group. Your risk retention group may not be subject to all of the insurance laws and regulations of your State. State insurance insolvency guaranty funds are not available for your risk retention group. Coverage is afforded to person(s) named herein as Named Insureds according to the terms and conditions of the Policy to which this Certificate refers, subject to limitation by any applicable state licensing laws. No other rights or conditions, except as specifically stated herein, are granted or inferred.

COVERAGES

THIS IS TO CERTIFY THAT THE POLICY OF INSURANCE LISTED ABOVE HAS BEEN ISSUED TO THE INSURED NAMED BELOW. THE INSURED ACTIVE DATE LISTED BELOW APPLIES ONLY TO ELEMENTS OF COVERAGE CONTINUOUSLY IN PLACE SINCE THE INCEPTION OF THE NAMED INSURED'S POLICY. CHANGES TO COVERAGE ARE EFFECTIVE RETROACTIVELY ONLY TO THE DATE THE CHANGE WAS MADE. REPORT IN WRITING WITHIN 48 HOURS ANY & ALL CLAIMS, OR INCIDENTS THAT YOU BELIEVE MAY RESULT IN A CLAIM, EVEN IF GROUNDLESS.

This Certificate, along with the Policy to which it refers, is valid evidence of coverage extended to the Certificate Holder listed below.

CERTIFICATE HOLDER

(Active Registered Members are on file with the ASCP Membership Director.)

Member/Named Insured: Jessica Quick
Membership I.D. #: 1365888
Member/Policy Term Active: Jun-03-2020
Member/Policy Term Expires: Nov-01-2020
Total Member Cost: \$ 15 (ASCP Membership, including Member Liability Coverage)

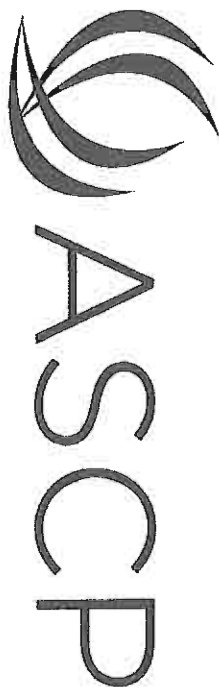
ADDITIONAL INSURED:

(with inception date)

Student Membership includes insurance for education related activities only. Coverage is extended subject to all terms and conditions of the Policy. Membership coincides with the first and last days of class (except in those states where students are allowed by law to refine their skills by practicing skin care while waiting for valid licensure), not to exceed twelve (12) months. This level of membership is not available to individuals taking solely a continuing education course or seminar. Employers/Contractors should not accept this Certificate of Insurance as proof that the student membership provides individual liability insurance coverage for a student member who is working for compensation. ASCP provides liability insurance to qualified members and the Insurance Company will rely on the information each applicant provides on their application/renewal as true and accurate.

Authorized Representative

CANCELLATION: Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 10 days written notice for non-payment or 90 days written notice for any other reason to the certificate holder named above, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.



This certifies that

Jessica Quick



is a Student member in good standing of Associated Skin Care Professionals.

ASCP members meet specific eligibility requirements pertaining to their level of membership based on training. All members are required to maintain the highest standards of professional conduct and strictly adhere to the ASCP Code of Ethics.

Member ID No.: 1365888

Loyal Member Since: June 3, 2020

Expiration Date: November 1, 2020

A handwritten signature in black ink, appearing to read "Tracy Donley".

Tracy Donley, Managing Director



REAL ESTATE CONTRACT (SHORT FORM)

IT IS AGREED between Robert D. Hessenius

("Sellers"); and

Mike Quick and Jessica Quick

("Buyers").

Sellers agree to sell and Buyers agree to buy real estate in

Marshall

County, Iowa, described as:

The West Sixty Feet of Lot Two of Three of the Subdivision of the Northeast Quarter of the Northwest Quarter of Section Thirty-four, Township Eighty-four North, Range Eighteen West of the Fifth P.M., Marshall County, Iowa, except the South 101.75 Feet thereof.

Subject to easements, restrictions, covenants, ordinances and limited access provisions of record.

with any easements and appurtenant servient estates, but subject to the following:

- a. any zoning and other ordinances;
- b. any covenants of record;
- c. any easements of record for public utilities, roads and highways; and
- d. (consider: liens; mineral rights; other easements; interest of others.)

(the "Real Estate"), upon the following terms:

1. PRICE. The total purchase price for the Real Estate is Eighty-Five Thousand and 0/100

Dollars (\$ 85,000.00) of which

One Thousand and 0/100

Dollars (\$ 1,000.00) has been paid. Buyers shall pay the balance to Sellers at 1721 Country Club Lane, Marshalltown, Iowa 50158

or as directed by Sellers, as follows:

Balance of purchase price of \$84,00.00 shall be paid as follows: \$616.58 per month on or before the 1st day of January 2010 and on or before the 1st day of each month thereafter, until all sums due under this contract are paid in full, including interest on the unpaid balance thereof at a rate of 8% per annum payable monthly from date of possession until fully paid: said payments to be applied first to the interest, then unpaid and next upon the balance of the principal. Buyers shall on said dates for payment each month, in addition to the monthly payments, pay one-twelfth of the annual taxes and annual special assessments to Sellers, currently \$141.17, as a trust fund, in the amounts reasonably calculated by Sellers, for the timely payment of such items by Sellers, and as from time to time may change.

The Sugar Shack

- My hours of operation once I am a licensed esthetician would be Monday-Saturday from 10am - 7pm.
- For now I am just going to do spray tanning and that is by appointment only. Most of them would be evening and weekend appointments while I still have the daycare open.
- I will close my daycare once I have graduated and feel comfortable performing the services in my home.
- Parking will be in my driveway as I have room for about 4 cars. I would never really have more than 2 guests at a time.
- Equipment being used would be my Morvell spray tanning machine for the tanning part.
- Once I am a licensed esthetician I would have a table for waxing and facials. facial light and steamer, waxing pot for waxing services. A ring-light for eyelash extensions.
- I have completed a course through Morvell University for spray tanning.
- The state of Iowa has no regulations for spray tanning. Only regulations for tanning beds.
- My daughter who lives with me would be my only employee and she would only be performing spray tans until

The Great Book

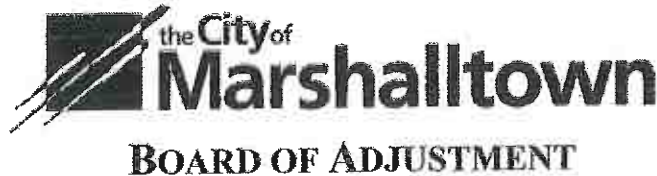
- The first of the great books is the Bible, which is the foundation of all knowledge.
- The second is the book of nature, which teaches us about the world around us.
- The third is the book of history, which tells us about the lives of the great men of the past.
- The fourth is the book of science, which shows us the laws of the universe.
- The fifth is the book of art, which teaches us how to create beauty.
- The sixth is the book of music, which gives us joy and comfort.
- The seventh is the book of poetry, which expresses the deepest feelings of the human heart.
- The eighth is the book of philosophy, which helps us to understand the meaning of life.
- The ninth is the book of law, which guides us in our daily lives.
- The tenth is the book of medicine, which helps us to stay healthy.
- The eleventh is the book of agriculture, which teaches us how to grow food.
- The twelfth is the book of commerce, which shows us how to trade and make money.
- The thirteenth is the book of engineering, which teaches us how to build things.
- The fourteenth is the book of architecture, which shows us how to design buildings.
- The fifteenth is the book of painting, which teaches us how to create pictures.
- The sixteenth is the book of sculpture, which shows us how to create statues.
- The seventeenth is the book of dance, which teaches us how to move gracefully.
- The eighteenth is the book of drama, which shows us how to tell stories on stage.
- The nineteenth is the book of music, which teaches us how to play instruments.
- The twentieth is the book of poetry, which shows us how to write beautiful words.

She gets her Cosmetology license.

- I have requested another copy of my spray tan certificate as I have not received it from Norvell yet.

The first for (Carnegie) library
I have received another copy of the
journal of the (Carnegie) library
I have received another copy of the

DATE SUBMITTED & FEE PAID: _____
HEARING DATE: _____



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.

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: 1314 West Main St. Marshalltown, Iowa

Owner: Jessica Quick

Mailing Address: 1314 West Main St. Marshalltown, Iowa

Phone: 641-750-2255

Email: jquickfow@gmail.com

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:

3/31/20 Jessica Quick

Home Occupation Registration Form

City of Marshalltown, 36 North Center Street, Marshalltown, IA 50158
Phone: 641-754-5756; Fax: 641-754-5742 Email: cknutson@marshalltown-ia.gov

This form must be complete or the application cannot be accepted.

Applicant Name: <i>Jessica Quick</i>	Business Name: <i>Sugar n Spice</i>
Address: <i>1314 W. main St. Marshalltown, IA.</i>	
Phone: <i>641-750-5259</i>	Email:

Please describe your home occupation (attach additional information if necessary).

Spray Tanning, I offer mobile spray tanning or spray tanning in my home.

Please check the appropriate category for your home occupation:

- | | |
|--|---|
| ☐ Office facilities for accountant, architect, engineer, lawyer, clergyman, or other similar professional occupations.
☐ Office facilities for telecommuters, salesmen, sales representatives, manufacturer's representatives, and other similar trades or occupations
☐ Home sewing or tailoring.
☐ Studio for an artist, photographer, writer, or composer. | ☐ Telephone answering.
☐ Catering, home-cooking and preserving for the purpose of selling the product.
☐ Tutoring or giving lessons, limited to four students simultaneously.
☐ Day care homes.
(List the number of permitted Children: _____)
☒ None of the above, Special Use permit required.
☐ None of the above, use "grandfathered". |
|--|---|

The following home occupations are prohibited: Animal hospitals, private clubs, restaurants, stables and kennels, automobile repair or auto body shops (More than 2 vehicles per year which are not registered at the residence and are rebuilt, repaired, or reconstructed shall constitute an automobile repair or auto body shop), automobile paint shops, any occupation which is considered illegal by law, and any use which does not meet the Home occupation regulations.

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Initial that you understand this appearance requirement: *JQ*

- b) **Design.** That the building shall include no features of design not customary for residential use; That the building or premises occupied shall not be rendered objectionable or detrimental to the residential character of the neighborhood due to exterior appearance or by the emission of dust, gas, noise, odor, or smoke, or in any other way.

Initial that you understand this design requirement: *JQ*

- c) **Signs.** Any sign utilized by a home occupation in an "R" (residential zoning) district shall be limited to one building mounted sign which shall not exceed one square foot in area.

Page 2

Driveway

front
door

Guests
will be
using side
door

side
door

Daycare
space
I also have an
inhome daycare

door

Room
for
spray
tanning

New iMessage

Cancel

To:

iMessage
Mon, Jul 27, 2:20 PM

I have thought a lot about all of this and I have come to the conclusion that i need to close the daycare. I did not come to this decision easily. But with all the kids I lost I am not making any money so I have decided to look for work and just continue with school. So the daycare will not be reopening. I am so sorry that this stupid virus has ruined so many things 🙄 if you have stuff here let me know and I can get it together for you to pick up!

Michael is thinking about watching a few kids out of his house if you are interested in her going to his place



iMessage



Abstract