



Board of Adjustment

Notice of Public Meeting

Tuesday, October 31, 2023 at 5:00 PM

City Council Chambers, City Hall

10 West State Street, Marshalltown IA

1. Call To Order & Roll Call

Engle

Schulze

Thurston

Wenner

2. Review And Approval Of Meeting Minutes For 03/21/2023

Documents:

[BOARD OF ADJUSTMENT MIN 03212023.PDF](#)

3. PUBLIC HEARING: Variance Request - 811 Iowa Ave W - Summit Locations- Wesley Rutledge

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 and keep comments brief and limit repetitive comments so all may have a chance to speak.

Documents:

[10312023_BOA_MEMO_SUMMIT LOCATIONS LLC_811 IOWA AVE W.PDF](#)

[10132023_VARIANCE APPLICATION_811 IOWA AVE W.PDF](#)

[10132023_SITE PLAN_811 IOWA AVE W.PDF](#)

[SIGN DOT APPLICATION 811 IOWA AVE W.PDF](#)

[LEGAL DESCRIPTION OF 811 IOWA AVE W.PDF](#)

MISSION STATEMENT

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

Board of Adjustment

Meeting Minutes – March 22nd, 2023

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

1. Roll Call:

Present: Sweet, Engle, Thurston, and Wenner

Absent: Schulze

2. Select Chair Person

No Motion to select Chair Person until next Board of Adjustment Meeting

3. Meeting Minutes from 9/21/2021

Wenner motion to approve

Second by Engel

All approve and accept minutes

4. PUBLIC HEARING and ACTION to Board of Adjustment on Special Use Permit Request 102 N 9th Ave, Dustin Tapp

Chair declared the public hearing open. No Public hearing. The public hearing was closed. Dustin Tapp, Central Towing and Recovery, presented on the proposed special use application for 102 N 9th Ave. Currently Central Iowa Towing and Recovery is based in Ames but also services cities such as Waterloo. Dustin would like to operate services in Marshalltown to improve response time and road clearance as the closest service would be in Ames. Hector Hernandez, City Planner presented information on the proposed towing service company. The meeting of Plan and Zoning Commission on Thursday, March 9, 2023 made the recommendation of having an 8FT privacy fence around the outdoor storage area.

Wenner motion to approve the special use permit for 102 N 9th Ave, Dustin Tapp with the following conditions an 8FT privacy fence. Engel seconded the motion. All Aye. Motion Carried.

5. PUBLIC HEARING and ACTION to Board of Adjustment on Special Use Permit Request 1414 Iowa Ave W, TC Casady Property LLC

Chair declared the public opened. The following public comments were received. Jim Bell local property and business owner expressed an opposition due to negative impact on the neighborhood. Also questioned what portion of the property would be used for the business. Shannon Robinson and Kelly Miller from Greenfield Dr spoke and expressed concerns about the

trash, smell, children in neighborhood, contamination, decrease property value, and the view from their homes. Alyssa Johnson voiced concern about flies being a problem. Mark Stevens talked about the air quality concerns as well as the negative property value, and concerned about the truck cleanliness. John Hall Chamber of Commerce President expressed support in the project, it would utilize vacant land for development. The type of development is appropriate for the location of the commercial use. The owner and business are willing to comply with screening and fencing in order to limit the impact with the neighbors. Written comments were received from Cynthia Britson and Antonio Banderas included in the packet. Public hearing was closed.

The applicant presented the request to the board. Todd Casady responded to the question to what portion of the property would be used, proximately 2 acres would be used. It was believed it was a good fit for Iowa Avenue and Cassidy has multiple properties on Iowa Ave. Mike Keeran with Stone Sanitation presented information on Stones operations. He addressed operations and concerns about nuisance that were mentioned by the residents. The project would include a new building for office, a wash bay, and repair. They are willing to do the fencing and buffering to meet the requirements. He mentions that no garage would be stored on site, the trucks would be cleared and emptied. In his experience he believes there is no excessive odor from the building. They chose the location due to the easy access to the landfill and the majority of the operations in Marshalltown. Keeran described the regulation that Stones has to follow from the state level.

Discussion included the following topics, board members asked if there was any history of concerns from currently facility. Keeran said there has not been any concerns since working for stones. Keeran talked about how trucks would be stored on site. Keeran said the backing up of trucks would occur during the afternoon and vehicles would be parked outdoor for safety. He indicated that there would be 18 vehicles that would be stored as well as 100 variety of containers. Board discussed limited visibility by requiring fencing and landscaping. Concerned of a privacy fence light in color that could be soften with some trees and shrubs. The board did question the smell which Mike discussed that it should be very limited. Mike said the worst smell would be grease trap.

Staff presentation, Hector Hernandez presented information on the special use permit application and Heather Thomas, the City Engineering addressed stormwater retention. Heather addressed traffic concerns that would only increase 1%. Iowa Ave is an arterial road. The city does have an MS4 which address potential contamination which required ongoing monitoring

Thurston motion to approve the special use permit for 1414 Iowa Ave W, TC Casady Properties LLC with the following conditions 8 FT light privacy fence on all sides surrounding the gravel of the property lines with buffering to include a combination of trees and bushes on the North side of the property. Seconded by Wenner. All aye 4-0.

Staff discussed future meeting dates

Meeting Adjourned at 6:15 pm

MARSHALLTOWN

I O W A

TO: Board of Adjustment

FROM: Hector Hernandez, City Planner

DATE: October 31, 2023 – Meeting Date

SUBJECT: VARIANCE request for 811 Iowa Ave W

Request: An application for a variance request has been received from Summit Locations LLC - Wesley Rutledge of the property at 811 Iowa Ave W. The request is to allow for an increase in height of a proposed billboard 4' above the allowed height of 30'.

Current Zoning Classification: Current Zoning Classification is General Commercial (GC). General commercial and businesses such as restaurants, retail, office, hotels, banks, and other mixture of uses in areas along major road corridors and further from residential areas.

Comprehensive Plan Designation: The proposed land use in the Marshalltown Comprehensive Plan 2030 is Commercial.

Staff Review: Section 156.G.004, Permanent Signs, Section J. Advertising Signs. Signs commonly referred to as billboards. Structures shall be limited to two faces per sign, **shall not exceed 30 feet in height** and 300 square feet in area. Advertising structures shall be constructed of metal or other durable materials. Poles made of wood shall not be considered acceptable. Advertising signs shall be **set back a minimum of 50 feet** from Highways 14 and 30 and **Iowa Avenue**. Setbacks from other streets shall be 30 feet. Where any advertising sign is directly adjacent to lots with buildings, the setback shall be no less than the building structure, but no sign shall be required to have a setback greater than 50 feet. No advertising sign shall be permitted within 100 feet of any residential zoning district boundary. Some signs may be subject to Iowa DOT approval.

Subsec. 156.J.005.2, Variance- A Variance provides a means by which relief may be granted from unforeseen applications of this Zoning Ordinance that create unnecessary hardships or practical difficulties.

Prohibitions and Exceptions. Some requests for relief are not within the jurisdiction of the Board, and are therefore, either prohibited or not subject to this Section. The prohibited requests are:

- a) **Use.** Variances that would allow a use in a district in which the use is prohibited or which would constitute a change in district boundaries;
- b) **Limited Use or Special Use.** Variances that would modify any requirements that are set out in Section 156.C.004, Limited Use Standards and Section 156.C.005, Special Use Standards;
- c) **Nonconformities.** Variances that would have the effect of making existing nonconforming structures, site improvements, parking, or landscaping conforming;

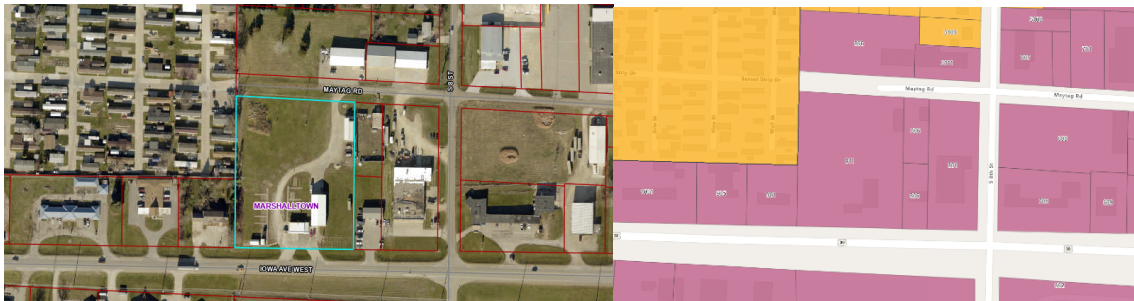
Housing & Community Development

24 North Center Street, Marshalltown, IA 50158 - Tel. (641) 754-5756 - Fax (641) 754-5742
The City of Marshalltown collaborates to provide a welcoming, safe, vibrant, and growing community.

- d) **Conditions of Approval.** Variances from the terms of one or more conditions of approval imposed by a development review body described in Article I, Development Review Bodies. Modifications to conditions of approval shall be sought from the body that granted the approval.
- e) **City's Code of Ordinances.** Variances that would modify any requirements within the City's Codes of Ordinance, including but not limited to the Building Code.
- f) **Other Laws or Regulations.** Variances to state or federal laws are prohibited unless such authority is expressly granted to the City.

C. Review Criteria

- a) **Not Self Imposed.** The granting of the Variance is not based on a hardship which is self-imposed;
- b) **Not Based on Cost.** The hardship is not based solely on the cost of complying with the regulation, but is based on the particular physical surroundings, shape, or topographical conditions of the subject property;
- c) **Unique Circumstances.** The hardship is based on circumstances that are unique to the property for which the Variance is sought and not circumstances common to other properties;
- d) **Minimum Necessary Relief.** The Variance requested is the minimum necessary that will make possible a permitted use of the land, building, or structure;
- e) **Commonly Enjoyed Rights.** A literal interpretation of the provisions of this Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located; and
- f) **Not A Special Privilege.** Granting the variance will not confer on the applicant any special privilege that is denied to other lands or structures in the same district.



A. Effect of Approval

- a) **Particular Variation.** Issuance of a variance shall authorize only the particular variation that is approved in the variance request. A variance shall run with the land and not be affected by a change in ownership.
- b) **Other Approvals.** Development authorized by the variance shall not be carried out until the applicant has secured all other development approvals required by this ZO. Approval of a variance does not guarantee that the development shall receive subsequent approval for other development review applications unless the relevant and applicable portions of this Zoning Ordinance or any other applicable provisions are met.

Recommendation: In order to approve a Variance, the Board of Adjustment shall make affirmative findings on all of the applicable decision criteria listed above.

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The attached Variance Fact Sheet from ISU Extension is included for reference from the recent board training

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MARSHALLTOWN

I O W A

HOUSING & COMMUNITY DEVELOPMENT DEPARTMENT

36 North Center Street, Marshalltown, IA 50158

Ph: 641-754-5756 Fax: 641-754-5742

www.marshalltown-ia.gov

Variance Application Packet

Purpose: Zoning regulations include specific development standards. There are occasions, however, when the strict application of such standards may be inappropriate because of unique characteristics of the property. The variance procedure is designed to permit minor adjustment to the zoning regulations where there are unique or extraordinary circumstances applying to a parcel of land or building that prevent the property from being used to the extent intended by the zoning. Unique circumstances may include factors such as the size, shape, topography, vegetation, wetlands, or other unique characteristics of the land.

Pre-Application Meeting: The applicant is required to meet with the Zoning Administrator prior to submitting an application to discuss the feasibility of the request as well as any possible alternatives that may eliminate the need for a variance or improve the chance of the variance being granted. A preliminary site plan should be brought to this meeting to review the project design as it relates to the zoning requirements.

Application Packet: Applications will not be accepted unless complete. All required items must be submitted with the application. Failure to complete and submit all the required materials as a part of this application will result in a delay in accepting your application until it is complete.

Submission Deadline: The complete application with fee must be submitted by 4:30 p.m. three weeks prior to the scheduled meeting date to the Housing & Community Development Department Office, located at 36 N. Center Street.

Board Meetings: The Board of Adjustment considers the facts presented by the applicant in the application and testimony given at the public hearing, and makes the final decision, based on the standards in the Ordinance. The Board meetings are tentatively scheduled for 5:00 p.m. on the third Tuesday of each month in the City Council Chambers, second floor of City Hall, 10 W. State Street. Attendance at the meeting is required.

It is the burden of the property owner 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. The concurring vote of three (3) members of the Board is necessary to decide any issue before the board regardless of the number of members present at the meeting. The Board is a five (5)-member board. Appeals to the decision of the Board of Adjustment can be made in District Court.

Notifications: The City will place a sign on the property to notify the public that a variance request has been submitted. The sign includes the city's phone number so that concerned individuals will have an opportunity to learn about the proposal and can present information on this matter to the board at the public hearing. A notice of public hearing is also published in the newspaper.

Date Submitted & Fee Paid: _____

Hearing Date: _____

Variance Application Form

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

All items listed must be submitted with this application:

Failure to complete and submit all the required materials as a part of this application will result in a delay in accepting your application until it is complete.

✓ **A site plan, drawn in ink and to scale, which clearly shows the variance being sought. This site plan shall not be larger than 11" X 17." And must include:**

- Dimensioned property lines indicating any easements;
- Location & identification of adjacent streets and alleys;
- Location and size of all existing and proposed buildings and structures (include distances to all property lines and distances between buildings and structures.);
- Dimensioned driveways and parking areas; and
- Any other pertinent information necessary to fully understand the need for a variance.

✓ **Site photographs** showing all views of the property, including any special features such as topography and existing and adjacent structures. **Please note:** Materials submitted with the application or presented as evidence during the public hearing will not be returned and must be kept as a part of the public record.

✓ **Completion of all of the following questions included in this application.**

✓ **Legal description of the property.** The property owner should have a copy of the legal description. If not, owners may obtain a copy of the recorded deed, which contains the legal description, from the Marshall County Recorder's Office for a fee.

✓ **Application fee.** A fee of **\$150 for owner-occupied residential properties** and a fee of **\$200 for any other property** is required payable to "City of Marshalltown." The fee must be paid when the application is submitted to the Housing Department.

Please type or print legibly in ink.

Property Address:

609 IOWA W Ave

Owner:

Summit Locations LLC (lease with landowner)

Mailing Address:

311 East Street, Gordon OH 45304

Phone:

937 952 4366

Fax:

Email Address:

wesley@summitlocations.com

Owner's Agent (if applicable):

Agent Phone:

Agent Fax:

All of the following questions must be answered. The board will use this information to review your request. Additional information may be attached if necessary. Contact the Housing & Community Development Director at 641-754-5756 with any questions.

The applicant makes the following request:

We are requesting to raise the height of our proposed billboard sign to be 4' above the 30 ft maximum height allowance as per § 156.G.004 PERMANENT SIGNS. - (J) Advertising signs. Signs commonly referred to as billboards.

Please state your hardship.

The property that our company wants to construct on has an issue of topology.

The next door property is on a hill that prohibits us from being able to construct a visible advertising sign which is an allowed use as part of the zoning ordinance. Billboard signs have a 50 ft front setback, which limits our placement on the property to this area.

In order to grant a variance, the Board of Adjustment must make a finding of unnecessary hardship. The hardship must be related to the physical aspects of the property and not a personal hardship. The granting of a variance should not merely serve as a convenience to the applicant. **To support a finding of unnecessary hardship, the board must find, based upon your evidence, that all of the following are met:**

1. **The land in question cannot yield a reasonable return if used only for a purpose allowed in the district.** State how you will lose all beneficial use and/or enjoyment of the property if the variance is not granted. You may include supporting evidence from a professional appraiser, real estate professional, or other professional. The Board may require documentation of loss of value in order to grant this variance.

Summit Locations and the landowner will lose the beneficial use of being able to construct an advertising sign on the property if the variance is not granted. Considering that the property next door is on an elevated hill, and the height restriction is 30 ft, our sign will be blocked from its full purpose of advertising for local businesses. Given the 50 ft front setback requirement, we are unable to move the sign forward towards the road.

2. **This variance is required because of the unique circumstances of this property and not the general conditions of the neighborhood.** The applicant must show that physical circumstances (such as an odd-shaped lot or difficult topography) on the property are unique to this property and unlike other properties in the vicinity. Also, the hardship should not be self-inflicted.

Other properties in the area are not blocked from advertising because their neighboring parcels are elevated in height.

605 IOWA W Ave has a five foot elevated hill that limits the full use of a billboard sign on 609 IOWA W ave.

3. **The proposal will not alter the present character of the area or seriously affect any adjoining property.** The applicant must show that the proposal is compatible with the character of the surrounding area.

No part of the proposed sign will overhang onto any adjoining properties.

4. **The variance will not be in contrary to the public interest.** The applicant must present information to indicate the variance will not impair an adequate supply of light and air to adjacent property, will not unreasonably increase the congestion in public streets or endanger public safety, nor will it devalue nearby property.

The granting of the proposed billboard sign will open more opportunities for local businesses to advertise their good and services to the citizens driving on the street.

5. **The general intent and purpose of the Zoning Ordinance is protected.** A variance must be consistent with the intent of the Zoning Ordinance and the Comprehensive Plan. Is there another option which you could pursue that would not require a variance? If alternatives exist which do not require a variance, the proposal would not be consistent with the intent of the Zoning Ordinance and Comprehensive Plan.

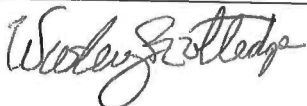
No other option exists for our proposed sign

Additional Comments and Information:

Attach additional information as necessary.

As evidenced by the signature(s) below, I (we) certify that I (we) have been denied a building/zoning permit, that I (we) have submitted all the required information to appeal for a variance, and that said information is factual.

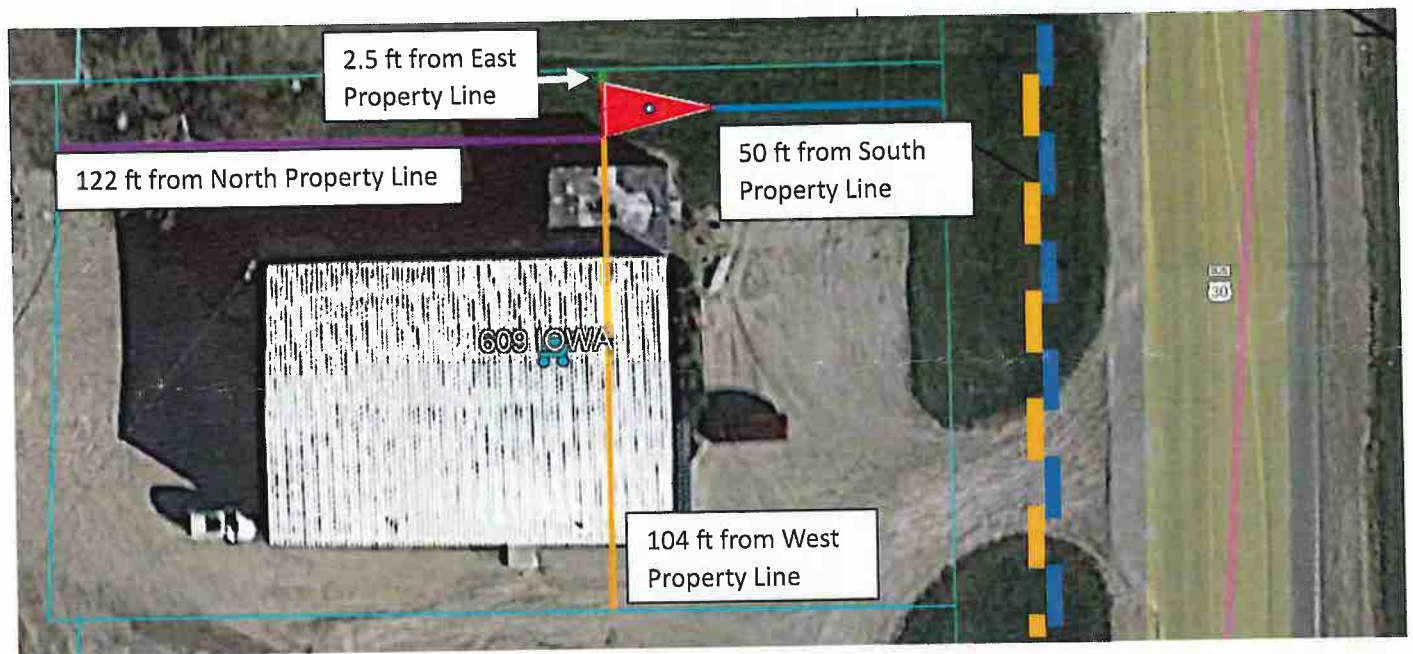
Owner Signature:	Date:
-OR- Agent Signature: Wesley Rutledge	Date: 9 - 6 - 2023



Site Plan: Simms Company LLC 1

Address: 609 IOWA W Ave

Coordinates: 42.0074964842, -92.9230499131



ROW



POWER LINES



Site photographs





Legal Description of the Property

10-83-18 E 120' W 165' EX N 202' LOT 6 SE SE

City Of Marshalltown Sign Permit Application

Housing & Community Development Department ♦ 36 North Center Street ♦ Marshalltown, IA 50158
Ph: 641-752-3154 ♦ Fax: 641-754-5742

All items listed must be submitted with this application, incomplete applications cannot be reviewed.

- All signs must be erected or installed by a licensed sign erector approved by the City of Marshalltown.
- The sign permit fee is the highest of \$50.00 or \$1.00 per square foot of sign area **per sign**. Payment may either be submitted with application or billed by the City of Marshalltown.
- This permit does not authorize electrical work in conjunction with the approved sign (aside from changing lamps and fuses). Contact the Electrical Inspector, at 641-750-1652 for electrical permitting requirements.

We hereby make application for a permit to install and use a sign in the City of Marshalltown in accordance with the provisions of all applicable City Codes and Zoning Ordinance.

The sign(s) will be used in conjunction with:

Business Name & Contact Person: Summit Locations LLC - Wesley Rutledge		
Mailing Address: 311 East Street, Gordon OH 45304	Phone: 937 952 4366	Fax:
Email: wesley@summitlocations.com		

The sign(s) will be erected or installed by:

Contractor Name: Uplift Craneworks LLC		
Mailing Address: 1405 Dogleg Rd	Phone: 419 - 234 - 1661	Fax:
Email: mpeters@upliftcraneworks.com		
City of Marshalltown License Expiration Date:		

Location of the sign(s):

Property Address: 811 IOWA W Ave
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1. ON PREMISE SIGNS: If the sign is an on premise sign, answer the following questions and attach all the stated information:

- a. Indicate the number of signs to be erected with this permit and attached the stated information:

_____ **Wall Sign(s).** Attach a drawing showing the location of the sign on the lot, sign dimensions, the dimensions of the wall, and a copy of the sign face;

_____ **Freestanding Sign(s).** Attach a drawing showing sign height, sign dimensions, setbacks from property lines, total sign area, and a copy of the sign face;

_____ **Canopy and Awning Sign(s).** Attach a drawing showing the location of the sign on the lot, sign dimensions, dimensions of the wall, and a copy of the sign face;

_____ **Other (Describe)** _____

b. Will more than one freestanding sign be on the property? ☐ Yes ☐ No

c. List the dimensions of **all existing signs** that will remain on this zoning lot?

2. OFF PREMISE SIGNS: If the sign is an off premise sign, attach the following items:

- A plan showing the location of the sign on the lot, providing the following setback measurements from the front, side and rear lot lines;
- A detailed drawing showing the height of the sign, sign dimensions, lighting plan, and how many faces the sign will have;
- The IDOT permit application (if the sign will be located along a state or federal highway).

As required by the Sign Ordinance, and as a part of this application, we agree that we shall be liable for and will pay all damage suffered by any person injured or damaged while lawfully using the public street or sidewalk underneath or adjacent to such sign, whenever such injury or damage is caused by faulty construction, maintenance, repair or removal thereof or from such sign, or any part thereof, falling down, becoming loose, or otherwise unsafe or dangerous to the regular and lawful use of such street or sidewalk.



Property Owner/Tenant Signature

8/15/2023

Date



Contractor Signature (always required)

8-16-23

Date

For Office Use Only: The above-described sign(s) **must** meet all sign and zoning ordinance requirements and the contractor **must be** licensed with the City of Marshalltown **in order to be approved.**

Zoning District:

Lot Frontage:

Proposed Sign(s) Size: SF/OAH*

Fee Per Sign:

Type:

Maximum Allowed Size:

1.

2.

3.

☐ **Sign Permit Approved**

☐ **Sign Permit Denied**

Total Fee:

City Planner Signature:

Date:

*SF/OAH = Area in Square Feet and Overall Height of Sign

OUTDOOR ADVERTISING APPLICATION

Advertising Management
800 Lincoln Way
Ames, IA 50010

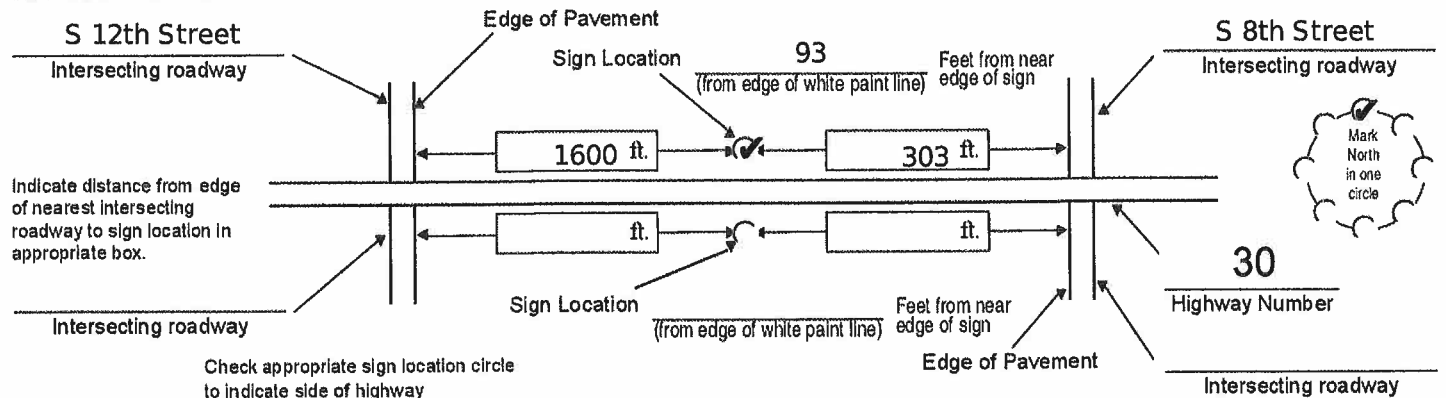
FOR DOT USE ONLY

Permit Number	
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SIGN LOCATION

County	City (only if within city limits)	Highway Number	Side of Highway (check one)
Marshall	Marshalltown	30	☒ N ☐ S ☐ E ☐ W
Sign Faces (check one)			
☐ N ☐ S ☒ E ☐ W Between Mile Post _____ and _____ feet measured beyond mile post _____			
☐ Existing Sign ☒ Proposed Sign (Location Description or Address) <u>811 IOWA W Ave</u>			

SIGN LOCATION MAP



SIGN DESCRIPTION

Sign Size			
Width including border (feet) <u>24</u>	Height including border (feet) <u>12</u>	Area (square feet) <u>288</u>	
Sign Type			
Requires one application ☐ Single Face	Requires two applications ☐ Back-to-Back ☒ V-Type		
Substructure			
Number of supports _____	☐ Wood	☒ Steel	☐ Other (specify) _____
Face Type			
☐ Poster panel	☐ Painted	☐ LED	☒ Other (specify) <u>vinyl</u>
Illuminated			
☐ Yes ☒ No			

ZONING INFORMATION (Failure to complete this section may result in denial of the application).
Signature of local zoning official does not necessarily grant local approval. See section #1 on Page 2.

Zoning Classification			
Signature of Local Zoning Official	Title	PhoneNumber	Date
If un-zoned, identify qualifying commercial or industrial activity			

OWNER OF SIGN

First Name	Last Name	e-Mail Address	Phone Number
Summit Locations LLC		wesley@summitlocations.co	937 952 4366
Street Address	City	State	ZIP + 4 Code
311 East Street,	Gordon	OH	45304

OWNER OF LAND (ATTACH COPY OF LEASE AGREEMENT)

First Name	Last Name	Phone Number
Jeff	Simms	641 750 1257
Street Address	City	State
811 Iowa W Ave	Marshalltown	IA
		ZIP + 4 Code
		50158

Applicant's Certification

I certify that the foregoing and attached information is current, true and correct, and that the same is being furnished to the Iowa Department of Transportation for the purpose of complying with Chapter 306C, Code of Iowa, 1996, and Chapter 117 of the Iowa Administrative Rules. I also understand that I must comply with all local ordinances and regulations.

Applicant's Signature	Title	Date
	Permit Coordinator	8 - 16 - 23
Amount of Remittance Enclosed (\$100 per face) (non-refundable)		
	Permit expires June 30 each year	

Please return all copies to the DOT for processing.

All permit applications are subject to the following conditions:

1. Approval by the DOT of a permit application does not, by itself, authorize the erection of a sign. Approval by the DOT of a permit application merely means that the applicant has complied with all applicable DOT regulations. It is the responsibility of the applicant to also comply with all applicable local laws, regulations, and ordinances, and to obtain from local government agencies any necessary permits or approvals. Failure to obtain such prior approval or failure to remain in compliance with all local laws, regulations, or ordinances, may result in the advertising device being removed by the state without compensation and at the cost of the applicant.
2. All access to the property must be gained from private property or access points designated by the DOT per Iowa Administrative Code 761 IAC 112 and all work and maintenance of the proposed sign must be performed from private property and not from the highway right of way.
3. The sign or copy shall not interfere with, imitate, or resemble any official sign, signal, or device.
4. Any cutting of trees or vegetation on the state right of way to enhance the visibility of the sign will result in the cancellation of the permit and subject the sign owner to legal action for the collection of damages.
5. Modification or reconstruction of a sign without the approval of an amended application is cause for cancellation.
6. The annual renewal fee for this permit must be paid on or before June 30th of each year. Failure to submit timely payment will result in cancellation of the permit and subject the sign to removal, if the sign no longer conforms to all regulations.

FOR DOT USE ONLY

Date Received	Amount (\$)	By	Check
Permit Action			
Comments			
Refund Amount (\$)	Method of Refund	Signature	Date
Construction Project Number	Zoning	Ex. Terr. Zoning	
Mile Post	Station	Spacing	Daylight
Checked By	Date of Review	R.O.W.	Scenic Byway
Corp. Line Protection			
Check Denied File	Date Turned In	Distance from $\varnothing$ to edge of paint line	
Comments			

OUTDOOR ADVERTISING APPLICATION

Advertising Management
800 Lincoln Way
Ames, IA 50010

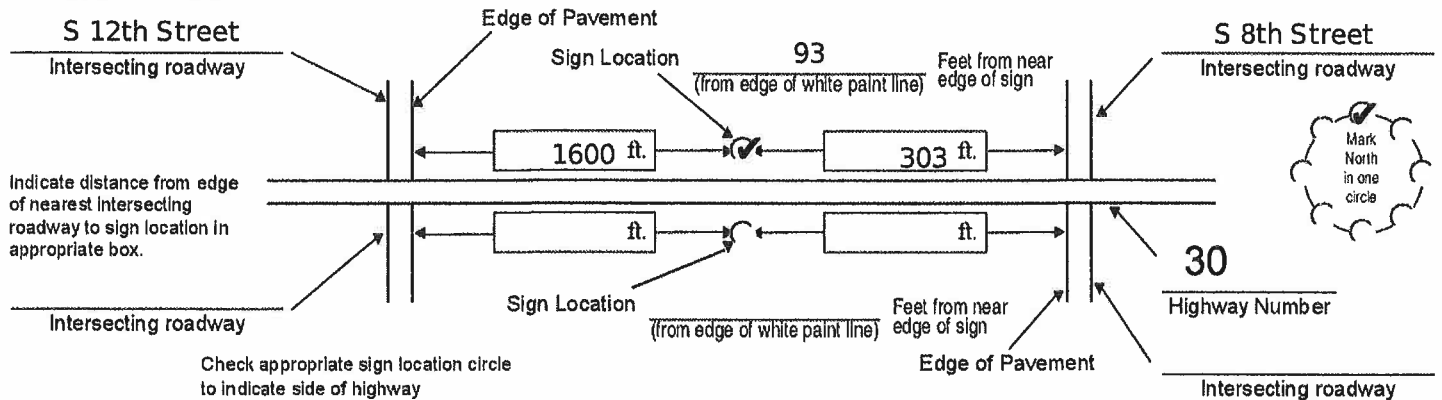
FOR DOT USE ONLY

Permit Number

SIGN LOCATION

County	City (only if within city limits)	Highway Number	Side of Highway (check one)
Marshall	Marshalltown	30	☒ N ☐ S ☐ E ☐ W
Sign Faces (check one)			
☐ N ☐ S ☐ E ☒ W Between Mile Post _____ and _____ feet measured beyond mile post _____			
☐ Existing Sign ☒ Proposed Sign (Location Description or Address) <u>811 IOWA W Ave</u>			

SIGN LOCATION MAP



SIGN DESCRIPTION

Sign Size		
Width including border (feet) <u>24</u>	Height including border (feet) <u>12</u>	Area (square feet) <u>288</u>
Sign Type		
Requires one application ☐ Single Face	Requires two applications ☐ Back-to-Back	☒ V-Type
Substructure		
Number of supports _____	☐ Wood	☒ Steel ☐ Other (specify) _____
Face Type		
☐ Poster panel	☐ Painted	☐ LED ☒ Other (specify) <u>vinyl</u>
Illuminated		
☐ Yes	☒ No	

ZONING INFORMATION (Failure to complete this section may result in denial of the application).
Signature of local zoning official does not necessarily grant local approval. See section #1 on Page 2.

Zoning Classification			
Signature of Local Zoning Official	Title	PhoneNumber	Date
If un-zoned, identify qualifying commercial or industrial activity			

OWNER OF SIGN

First Name	Last Name	e-Mail Address	Phone Number
Summit Locations LLC		wesley@summitlocations.co	937 952 4366
Street Address	City	State	ZIP + 4 Code
311 East Street,	Gordon	OH	45304

OWNER OF LAND (ATTACH COPY OF LEASE AGREEMENT)

First Name	Last Name	Phone Number	
Jeff	Simms	641 750 1257	
Street Address	City	State	ZIP + 4 Code
811 Iowa W Ave	Marshalltown	IA	50158

Applicant's Certification

I certify that the foregoing and attached information is current, true and correct, and that the same is being furnished to the Iowa Department of Transportation for the purpose of complying with Chapter 306C, Code of Iowa, 1996, and Chapter 117 of the Iowa Administrative Rules. I also understand that I must comply with all local ordinances and regulations.

Applicant's Signature	Title	Date
	Permit Coordinator	8-16-23
Amount of Remittance Enclosed (\$100 per face) (non-refundable)		
	Permit expires June 30 each year	

Please return all copies to the DOT for processing.

All permit applications are subject to the following conditions:

1. Approval by the DOT of a permit application does not, by itself, authorize the erection of a sign. Approval by the DOT of a permit application merely means that the applicant has complied with all applicable DOT regulations. It is the responsibility of the applicant to also comply with all applicable local laws, regulations, and ordinances, and to obtain from local government agencies any necessary permits or approvals. Failure to obtain such prior approval or failure to remain in compliance with all local laws, regulations, or ordinances, may result in the advertising device being removed by the state without compensation and at the cost of the applicant.
2. All access to the property must be gained from private property or access points designated by the DOT per Iowa Administrative Code 761 IAC 112 and all work and maintenance of the proposed sign must be performed from private property and not from the highway right of way.
3. The sign or copy shall not interfere with, imitate, or resemble any official sign, signal, or device.
4. Any cutting of trees or vegetation on the state right of way to enhance the visibility of the sign will result in the cancellation of the permit and subject the sign owner to legal action for the collection of damages.
5. Modification or reconstruction of a sign without the approval of an amended application is cause for cancellation.
6. The annual renewal fee for this permit must be paid on or before June 30th of each year. Failure to submit timely payment will result in cancellation of the permit and subject the sign to removal, if the sign no longer conforms to all regulations.

FOR DOT USE ONLY

Date Received	Amount (\$)	By	Check
Permit Action			
Comments			
Refund Amount (\$)	Method of Refund	Signature	Date

Construction Project Number	Zoning	Ex. Terr. Zoning	
Mile Post	Station	Spacing	Daylight
Checked By	Date of Review	R.O.W.	Scenic Byway
Corp. Line Protection			
Check Denied File	Date Turned In	Distance from $\mathcal{Q}$ to edge of paint line	
Comments			



Doc ID: 003367320002 Type: LAN
Kind: QUIT CLAIM DEED
Recorded: 08/22/2014 at 12:32:43 PM
Fee Amt: \$17.00 Page 1 of 2
Marshall County Iowa
Dawn Williams County Recorder
File **2014-00004161**

\$17



QUIT CLAIM DEED
THE IOWA STATE BAR ASSOCIATION
Official Form #106
Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)

Brian L. Danielson, 103 West State Street, Marshalltown, IA 50158, Phone: (641) 753-6659

Taxpayer Information: (Name and complete address)

Simms Company, L.L.C., 609 Iowa Ave. W., Marshalltown, IA 50158

Return Document To: (Name and complete address)

BOX X Brian L. Danielson, 103 West State Street, Marshalltown, IA 50158, Phone: (641)
753-6659

Grantors:

Jefferson G. Simms
Cassidy J. Simms

Grantees:

Simms Company, L.L.C. (Series B)

Legal description: See Page 2

Document or instrument number of previously recorded documents: 2014-00003102



QUIT CLAIM DEED

For the consideration of One (\$1.00)----- Dollar(s) and other valuable consideration,
Jefferson G. Simms and Cassidy J. Simms, husband and wife

do hereby

Quit Claim to Simms Company, L.L.C. (Series B)

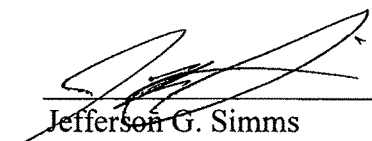
all our right, title, interest, estate,
claim and demand in the following described real estate in Marshall County, Iowa:
The East 120 feet of the West 165 feet of Lot 6 of the Southeast Quarter of the Southeast Quarter of
Section 10, Township 83 North, Range 18 West of the 5th P.M., Marshall County, Iowa, except the
North 202 feet thereof.

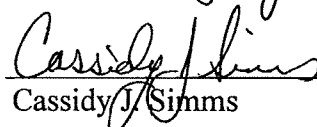
This conveyance is made expressly subject to the rights of the Vendors in one certain installment real
estate contract dated July 1, 2014, and filed same date as Instrument No. 2014-00003102 of the records
of the Marshall County Recorder's Office. The Grantors herein specifically assign their rights as
Vendees under said Contract to the Grantee herein.

This deed is exempt according to Iowa Code 428A.2(15).

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and
to the real estate. Words and phrases herein, including acknowledgment hereof, shall be construed as in the
singular or plural number, and as masculine or feminine gender, according to the context.

Dated: July 25th, 2014


Jefferson G. Simms (Grantor)


Cassidy J. Simms (Grantor)

(Grantor)

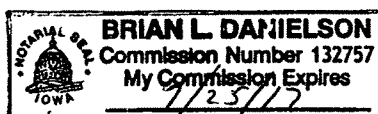
(Grantor)

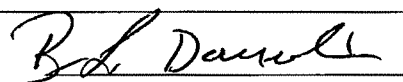
(Grantor)

(Grantor)

STATE OF IOWA, COUNTY OF MARSHALL

This record was acknowledged before me this 25th day of July, 2014, by
Jefferson G. Simms and Cassidy J. Simms, husband and wife




Signature of Notary Public