



Board of Adjustment

Notice of Public Meeting

Wednesday, October 16, 2024 at 5:00 PM

City Council Chambers, City Hall

10 West State Street, Marshalltown IA

1. Call To Order & Roll Call

Eaton

Engle

Sanchez

Schulze

Thurston

2. Public Hearing On The Special Use Permit Application From ITC, 2999 E. Main Street

There will be representatives from ITC online to answer any questions.

Documents:

[MARSHALLTOWN IA SPECIAL USE PERMIT APPLICATION.PDF](#)
[MAP FOR PRELIM 2999 E. MAIN ST.PDF](#)

3. Review And Approval Of The Board Of Adjustment Finding Of Fact Report

Documents:

[FINDING OF FACT REPORT_ITC SPECIAL USE PERMIT.PDF](#)

MISSION STATEMENT

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

Special Use Permit Application

Housing & Community Development Department - 24 N. Center Street, Marshalltown, IA
50158 Ph: 641-754-5756 - Fax: 641-754-5742 - E-mail: bldginsp@marshalltown-ia.gov

All applicable items listed must be submitted with this application:

_____ **Project Description.** Include a cover letter or project description summarizing the proposed project.

_____ **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.** This may include site improvements, design features, public services, and compatibility.

_____ **Application fee.** A \$300 fee is required for a special use request. Make check payable to "City of Marshalltown." The fee must be paid when the application is submitted.

_____ **Full legal description of the property.** *Please note that the tax description on the Marshall County assessor's webpage is NOT the full legal description.* The legal description is listed on the property's abstract and/or a recorded deed or may be obtained from the Marshall County Recorder's Office for a fee.

_____ **Owner's consent to apply (if applicable).** If the applicant is NOT the current title owner, a letter from the title owner shall be included indicating consent to apply.

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, the Plan & Zoning Commission shall first review the proposal, hold a public hearing and make a recommendation to the Board of Adjustment which will also hold a public hearing prior to acting. A public hearing notice will be published and a sign will be posted on site for public information.

Attendance at all meetings is required.

Please type or print legibly in ink.

Property Address:	
Owner:	
Mailing Address:	
Phone:	Email Address:
Agent Name (if applicable):	
Owner's Agent Address:	
Agent Phone:	Agent Email Address:

Answer the following questions as part of the application. Responses may be provided as a separate document.

1. **Surrounding Properties.** How will this special use permit impact the surrounding properties? How will the proposed special use operate or be designed in a manner that does not diminish the use or functionality of surrounding properties? You may include supporting evidence from a professional appraiser, real estate professional, or other professional. *Additional review criteria:* The board shall consider if approval creates an unwanted concentration of similar special uses.
2. **Hours of Operation and Site Improvements.** Please state the following: Provisions for hours of operation, parking and loading areas, driveways, lighting, signs, landscaping, buffering, and other site improvements.
3. **Public Services Available.** Please state if adequate public services are available without disruption to existing uses (such as: streets, off-street parking, pedestrian facilities, water, sewer, gas, electricity, police and fire protection).
4. **Nuisance.** Is there any existing or potential of a nuisance if the special use permit is granted? (If, in the opinion of Plan and Zoning Commission or Board of Adjustment, the special use becomes a nuisance, the Special Use Permit may be recalled for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit.)
5. **Design Features.** Please describe how design features will be incorporated to sufficiently protect adjacent uses. Address areas such as: service areas, pedestrian and vehicular circulation, safety provisions, access ways to and from the site, buffering, fencing, and building placement;
6. **Compatibility.** Will the proposed use be compatible with adjacent existing uses? (Compatibility shall be expressed in terms of appearance, architectural scale and features, site design and scope, landscaping, as well as the control of adverse environmental impacts, including noise and lighting, or other undesirable conditions.)
7. **Location.** Identify any other practicable alternative locations considered where a Special use would not be required

The board will use this information provided as part of the application in addition to information presented at the public meetings to review your request. Please attach any additional supporting information to be considered that has not previously been discussed. If you have any questions, please contact the Zoning Department at 641-754-5756 or bldginsp@marshalltown-ia.gov Meeting schedules will be set by the City Planner and agendas are posted to the City website: <https://www.marshalltown-ia.gov/AgendaCenter>

Owner/Agent Signature: _____

Date: _____



CITY OF MARSHALLTOWN
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION



ITC PROPOSED ADDRESS
2999 EAST MAIN STREET

Board of Adjustment Finding of Fact Report

Meeting Date: October 16, 2024	Application Type: SPECIAL USE PERMIT
Zoning District: Industrial	Comp. plan designation:
Property Address: 2999 E. Main Street	
Property Owner: Interstate Power	
Applicant (if different than owner): Interstate Power/ITC	

Request Description

Plan Zoning Commission Recommendation

New Information introduced for consideration

Findings of Fact (Answer yes or no to each item and provide reasoning if necessary)

YES	NO	Finding Description
		Is the Special Use requested provided for in the zoning district where the property is located? <i>Reasoning:</i> Vote result if applicable: _____ Yes _____ No
		Is the proposed use in accordance with the intent and purpose of the Zoning Ordinance and Comprehensive Plan? <i>Reasoning:</i> Vote result if applicable: _____ Yes _____ No
		Will the proposed use will not have an adverse effect upon: ➤ Adjacent property: ➤ The character of the neighborhood: ➤ Traffic conditions: ➤ Parking: ➤ Utility & Service Facilities: ➤ Other factors affecting public health, safety & welfare: <i>Reasoning:</i> Vote result if applicable: _____ Yes _____ No

		Will the proposed development be located, designed, constructed and operated in a manner that will not interfere with the orderly use, development and improvement of surrounding property? <i>Reasoning:</i> Vote result if applicable: ____ Yes ____ No
		Have measures been taken to minimize traffic congestion and allow adequate service by essential public services (utilities, storm water)? <i>Reasoning:</i> Vote result if applicable: ____ Yes ____ No

Based on the Findings of Fact the following action occurred:

- ☐ Motion by _____ to APPROVE the request as submitted with the following conditions:

Second by _____

Vote results:

Name:	YES	NO	Abstain	Comment
<i>Eaton</i>				
<i>Engle</i>				
<i>Sanchez</i>				
<i>Schultz</i>				
<i>Thurston</i>				

- ☐ Motion by _____ to CONTINUE the public hearing and request as submitted to date certain _____. Second by _____.

Vote results:

Name:	YES	NO	Abstain	Comment
<i>Eaton</i>				
<i>Engle</i>				
<i>Sanchez</i>				
<i>Schultz</i>				
<i>Thurston</i>				