MINUTES
MARSHALLTOWN BOARD OF ADJUSTMENT
MARCH 15, 2016

Call to order: 5:00 PM

Members Present:
G. Ward Miller, Chair
Bob Wenner
Kelli Thurston
Kevin Hitchins

Members Absent:
David Schulze

1. **Approval of Agenda –**
   Motion to approve by Wenner, second by Miller. Motion Carried 3-0.

2. **Review and approval of minutes from 12/15/15**
   Motion to approve by Wenner, second by Miller. Motion Carried 3-0.

Thurston now present.

3. **PUBLIC HEARING: Variance request for Ramon & LuisaOrtega for 2023 Catalina Pl.**
   Spohnheimer presented information about the request for a variance to the rear yard requirements.

   Luisa Ortega described the odd shaped property and orientation of the house made it difficult to add on the garage. Spohnheimer indicated there had been calls for information but no objections to the proposal. Wenner expressed concern that the variance being requested was significant. There was discussion related to potential water runoff impacting the neighbors.
   Motion by Wenner. Second by Miller to approve the Variance request based on the physical shape of the lot and location of the structure on the lot. Motion Carried 3-1 with Hitchins Abstaining.

4. **PUBLIC HEARING: Variance request for William Schendel for 7 S. 9th Street.**
   Spohnheimer presented the request indicated the owner would like to operate two units requiring a variance to the lot area requirements of the R-3 Medium Density Residential District. The required lot area would be 10,000 s.f. and this lot is only 7,150 s.f. in area. The property was last registered in 2008. After six months any non-conforming or grandfathered status expires.

   Bill Schendel was present to discuss his proposal indicating that they had done a lot of work to the property updating the units.

   Sharon Greer, Plan Zoning Commission member, was present at the meeting and expressed opposition to the request indicating that the purpose behind many of our zoning ordinances is to gain compliance as non-conforming uses discontinue. These regulations are in place for a reason to address density and parking.

   Board members expressed concerns about impacts on the neighborhood and support for the ordinances approved. Wenner reminded the owner that there was not a full board present and that he could request the board table the request until such time a full board could be present.

   Motion by Wenner to approve the Variance request as presented. Second by Thurston. Motion Failed. Hitchins and Miller – No. Thurston and Wenner – Yes.

With no further business the Board adjourned.

Respectfully submitted,
Michelle Spohnheimer, Housing & Community Development Director