

MINUTES
MARSHALLTOWN BOARD OF ADJUSTMENT
JUNE 16, 2015

Call to order: 5:05 PM
Adjournment 5:45 PM

Members Present:
G. Ward Miller, Chair
David Schulze
Bob Wenner
Kevin Hitchins

Members Absent:
Darrell Eaton

1. Approval of Agenda –

Motion to approve by Hitchins, second by Schulze. All Aye. Motion Carried.

2. Review and approval of minutes from 05/19/15

Motion to approve by Schulze, second by Wenner. All Aye. Motion Carried.

3. TABLED from 5/19/15 - Variance – 1011 W. Church Street.

Public hearing declared open

Joe Mummert was present to continue discussion related to variance request in order to construct a 12' x 36' attached garage. Mummert indicated that he was willing to amend his request and detach the building and have the corners meet of the house and garage instead of attaching to the house, shortening the garage to 12'x24' to allow it to be built on the existing slab. Michelle Spohnheimer, Housing & Community Development Director, explained that the setbacks change for an accessory building and that the garage would be required to be setback 5' from the structure and 3' from property lines or off of the easement that had been discussed. Should the garage meet the setback requirements a Variance was no longer needed. If the applicant wanted to be less than 5' a variance would still be required. There was continued discussion by the board about safety and vandalism concerns as well as possible damage during snow removal time.

Spohnheimer indicated that the options available at this point in time included proceeding with the application as it was submitted, the applicant could amend the request clearly stating the new request, the applicant could withdraw the application and build within the code requirements or the applicant could request another continuation to consider options.

Following additional discussion of the options the applicant formally withdrew his request for a variance indicating an intention to build an accessory building within the allowable codes.

Public hearing closed no action taken.

4. Menard Inc. – 2001 S. 18th Avenue - Sidewalk Deferment

Public hearing declared open

Tom Deimerly, MEDIC Director, was present on behalf of Menards to request a sidewalk deferment for frontage along 18th Avenue and 12th Avenue/Governor Road. Neither street has curb and gutter currently and Menards has indicated a willingness to install sidewalks if determined necessary by the City in the future as development occurs or streets are improved.

Spohnheimer indicated that the Plan & Zoning Commission did recommend approval at their regular meeting June 11, 2015.

Public hearing closed. Motion to approve the request as presented by Hitchins. Second by Wenner. All Aye. Motion Carried.

5. Theisen Development Co. LLC – 602 Iowa Avenue West - Sidewalk Deferment

Public hearing declared open

Steve Troskey, CGA, was present on behalf of Theisens to request a sidewalk deferment for frontage along Iowa Avenue and the southern portion of the property fronting on S. 6th Street as identified on the map. This request is similar to that granted to Menards when it was built with one difference. Theisens currently has a frontage road. Theisens is in the process of discussing acquisition of the frontage road from the City. There is not curb and gutter along Iowa Avenue at this point.

Spohnheimer confirmed that discussion related to the frontage road has taken place and that the process for property disposal goes through the City Council including a public hearing and may take a couple months. Spohnheimer indicated that the Plan & Zoning Commission did recommend approval at their regular meeting June 11, 2015 subject to the property transfer.

Public hearing closed. Motion to approve the request of a deferment along the southern portion of S. 6th Street and along Iowa Avenue contingent upon acquisition of the frontage road by Wenner. Second by Hithins. All Aye. Motion Carried.

Spohnheimer indicated next meeting would be July 21, 2015 pending applications.

With no further business the Board adjourned.

Respectfully submitted,

Michelle Spohnheimer, Housing & Community Development Director