

1. Board Of Adjustment Packet

Documents:

[BOARD OF ADJUSTMENT AGENDA - ITEM 1.DOC](#)  
[VARIANCE APPLICATION - ITEM 2.PDF](#)



Notice of Public Meeting  
BOARD OF ADJUSTMENT

Agenda for Tuesday, February 4<sup>th</sup>, 2014 - 5:00 p.m.  
City Council Chambers, City Hall  
10 West State Street, Marshalltown IA

Committee Members:

Darrell Eaton  
Kevin Hitchins  
G Ward Miller

David Schulze  
Sherm Welker

Call to Order:

Roll Call: Schulze

1. Approve Agenda
2. Review and approval of the Minutes from 09-03-13

Old Business:

3. None

New Business:

4. Variance – 214 Newcastle Rd

Meeting information can be found at:  
<http://www.ci.marshalltown.ia.us/meetings/view/MeetingID/1061>

Date Posted: 1-28-14

Date Submitted & Fee Paid: 1-22-14

Hearing Date: 2/4/14

## Variance Application Form

36 N. Center Street, Marshalltown, IA 50158 Ph: 641-752-3454 Fax: 641-754-5742  
www.ci.marshalltown.ia.us

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.

X

**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.

X

**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.

X

**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.

X

**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:<br><u>214 Newcastle Road</u> |            |
| Owner:<br><u>Randy J. and Cindy A Vaughn</u>   |            |
| Mailing Address:<br><u>214 Newcastle Road</u>  |            |
| Phone:<br><u>641-753-9622</u>                  | Fax:       |
| Email Address:<br><u>rc.vaughn94@msn.com</u>   |            |
| Owner's Agent (if applicable):                 |            |
| Agent Phone:                                   | Agent Fax: |

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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 Zoning at 641-752-3454 with any questions.

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**The applicant makes the following request:**

**Please state your hardship.**

**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.
  
- 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.

**The applicant makes the following request:**

We are requesting a variance to be able to add an addition onto the east side of our current garage of six (6) feet. Currently the inside measurement of the garage is 18' wide X 20' deep which is a fairly small 2 stall garage. The addition will allow us to park both of our vehicles inside the garage as well as add needed storage space for yard equipment.

**Please state your hardship:**

We are not able to park two (2) standard size vehicles within the garage in its current state and be able to get in and out of them. This devalues the property and minimizes the pool of potential buyers.

1. The current size of the garage does not allow for the parking of two (2) standard size vehicles within the garage. Enlarging the garage space will allow two (2) standard size vehicles to park within which would clear the driveway 98% of the time. It will also provide much needed storage space for outdoor lawn equipment which will not have to be stored outside in the open.
2. There is a large green space between the present building and the street of 32 feet. This will allow ample space to add 6 feet onto the garage and still leave a substantial amount of green space between the building and the street.
3. Most homes in the area have sufficient garage space to adequately accommodate 2 vehicles. The addition would not significantly alter the appearance of the structure but would make it more in keeping with the other homes in the area, thus raising the value of the property. The addition will not have any effect on adjoining property as it is on a corner lot and the addition will be on the side away from adjoining properties.
4. The side of the building being extended is toward the street on a corner lot and will not affect another dwelling. It will not increase congestion of streets nor endanger public safety. It will not devalue surrounding properties and will have a positive effect on the property's value.
5. There is no other option other than parking a vehicle on the driveway 100% of the time. This will contribute to parking congestion when guests are visiting and inhibit the visibility at the corner. Guests would be required to park more vehicles on the street adding to congestion.

**Marshall County Assessor** -- Marshall County Courthouse, Marshalltown, IA 50158

| PARCEL                 | TOWN/TOWNSHIP                          | ZONING                                           |
|------------------------|----------------------------------------|--------------------------------------------------|
| 11-11-226-002          | MTOWN CITY MC                          | R-2 ⓘ                                            |
| SCHOOL DISTRICT        | MARSHALLTOWN SCH DIS                   |                                                  |
| PROPERTY ADDRESS       | 214 NEWCASTLE RD MARSHALLTOWN IA 50158 |                                                  |
| MAILING ADDRESS        | 214 NEWCASTLE RD MARSHALLTOWN IA 50158 |                                                  |
| MOST RECENT INSTRUMENT | 201300005772 ⓘ                         | TYPE W/JT DATE 2013/09/19 TRANSFERRED 2013/09/20 |

[Click to display map!](#) ⓘ



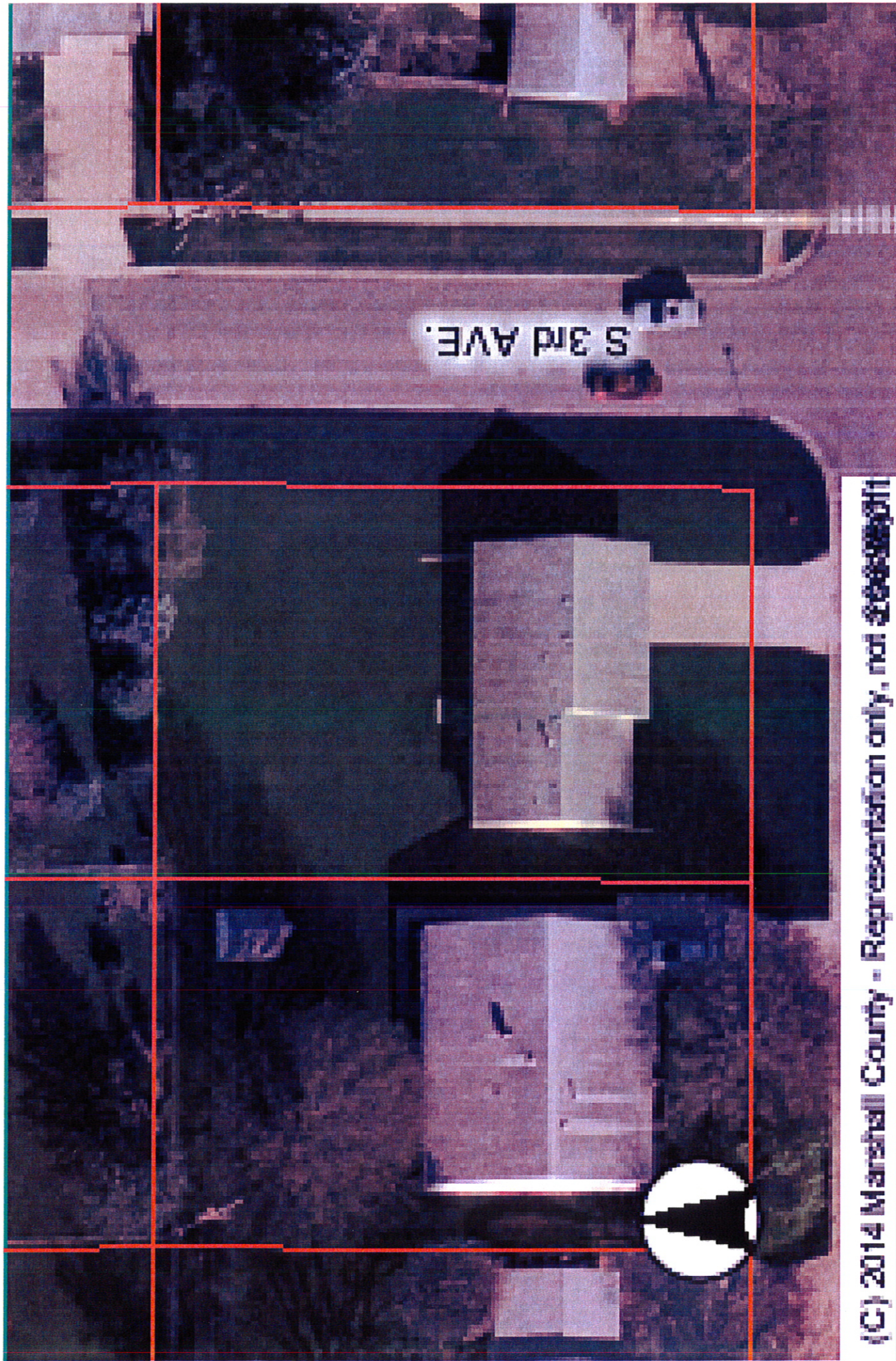
Photo: 2013/11/18

| OWNER                                   | TAX DESCRIPTION ⓘ                           |
|-----------------------------------------|---------------------------------------------|
| Title VAUGHN, RANDY J & VAUGHN, CINDY A | THUNDERBIRD VILLAGE 1ST ADD<br>LOT 14 BLK 2 |

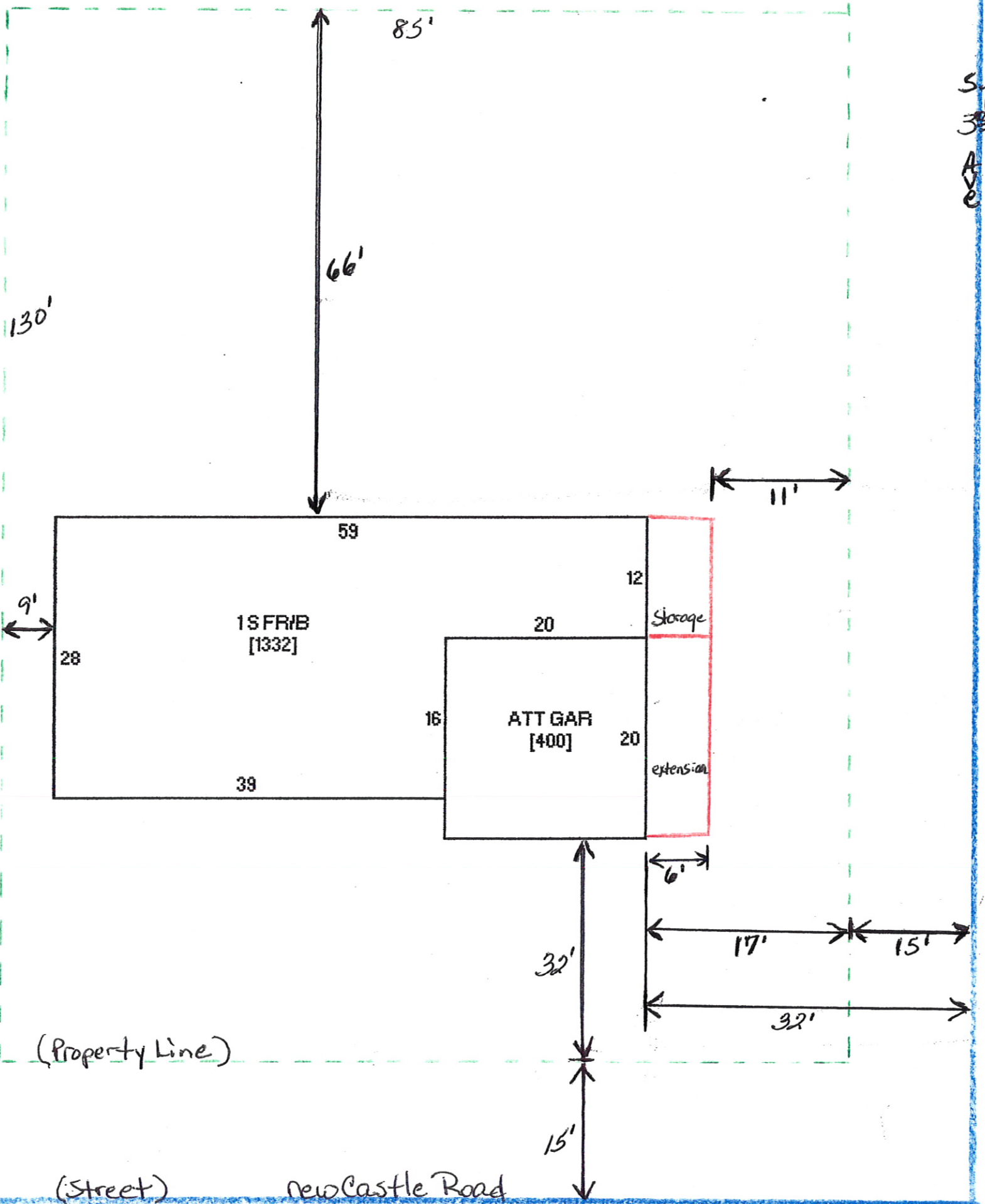
| LAND               | Total |
|--------------------|-------|
| Acres              | 0.25  |
| LOT SIZE: 85 X 130 |       |

| 2013 ASSESSMENT | Class       | Land   | Improvements | Total   |
|-----------------|-------------|--------|--------------|---------|
| Gross           | RESIDENTIAL | 24,710 | 87,630       | 112,340 |
| Exemption       |             | 0      | 0            | 0       |
| Net             |             | 24,710 | 87,630       | 112,340 |

| DWELLING   |                  |                   |               |                  |           |
|------------|------------------|-------------------|---------------|------------------|-----------|
| Occupancy  | Single Family    | Style             | 1 Story Frame | Built            | 1967      |
| Bsmt       | Full             | Bsmt Finish Sq Ft | 666           | Foundation       | Conc      |
| Exterior   | Permanent Siding | Roof              | Asph/Gable    | Heat             | FHA - Gas |
| Bedrooms   | 3                | Floor Covering    | Carp/Vinyl    | Interior Finish  | Drwl      |
| TSF-BA     | 1332             | Full Baths        | 1             | Toilet Room      | 1         |
| Range Unit | 1                | Oven - Single     | 1             | Att Frame Garage | 20x20     |



(C) 2014 Marshall County - Representation only, not a warranty



## Vaughn Letter

|                  |        |       |          |
|------------------|--------|-------|----------|
| Borrower/Client  |        |       |          |
| Property Address |        |       |          |
| City             | County | State | Zip Code |
| Lender           |        |       |          |

Page #1

File No.

January 16, 2014

Randy & Cindy Vaughn  
 214 Newcastle Rd.  
 Marshalltown, IA 50158

Dear Randy and Cindy,

After reviewing the preliminary sketch of the proposed 6' addition to the east side of your house and garage, if it goes beyond the existing zoning regulations, this change should not have any negative value impact on the neighborhood properties. In addition, it appears to me that it would increase your property value by adding more usable space to a fairly narrow 2 stall garage along with being able to incorporate a storage facility into the structure as a whole.

Sincerely,

  
 Doug Swenson  
 Swenson Appraisal Services  
 216 Pine St.  
 Marshalltown, IA 50158



