

Minutes of the Marion County Board of Adjustments via Virtual Meeting on Microsoft Teams  
September 15, 2020

The Marion County Board of Adjustments met via Teams virtual meeting in accordance with Marion County's Disaster Declaration and pursuant to Iowa Code 21.8, This meeting will be held electronically as valid concerns exist that an in-person meeting would be impossible or impractical in seeking to adhere to Governor Reynolds State of Public Health Disaster Emergency Proclamation related to COVID-19 Community Spread Mitigation on September 15, 2020 at 5p.m.

Attendees of the virtual meeting were Jan Szlachetka, Danielle Huffine, Michael Kacmarynski, Dale Miller, Loren Van Wyk and petitioner T.J. Blain.

Vice Chairperson Danielle Huffine called the meeting to order. Members present were Danielle Huffine, Jan Szlachetka Michael Kacmarynski, Loren Van Wyk and Dale Miller were all present either through computer or phone access.

Vice Chair Huffine called for a motion to approve the minutes from the July 21, 2020. Van Wyk made a motion to approve Szlachetka seconded the motion.

Szlachetka	yes
Huffine	yes
Van Wyk	yes
Miller	yes
Kacmarynski	connected to the meeting late not available during the approving of the minutes

Huffine opened the public hearing for Petition 66435 Brian Overton of 1729 Cronwell St., Knoxville (Lot 2 and that part of Lot 3 lying north of Cronwell St. Survey and Subdivision of the SW1/4 of the SW1/4 of 2-75N-19W – Parcel 0532800100) is requesting a variance of up to 10' to allow a garage to be built on his property. The proposed garage is currently 30' from the R.O.W.

Poffenbarger explained Marion County Zoning was contacted by the contractor after the existing garage was torn down. The existing garage was less than 10' from the ROW. Once Poffenbarger explained to the property owner's son and contractor Jordan Swayne the garage could not be rebuilt at the same location the contractor and Poffenbarger contacted the Tyler Christian, County Engineer about a variance. The variance request is based on the recommendation of the County Engineer.

The County Engineer agreed that so long as the garage set back as far as the house or farther his professional opinion was the placement would be acceptable.

The request is for up to 10 feet. As staked out the garage is about 29 feet from the ROW. Poffenbarger explained this is a 40 feet wide road with minimal traffic.

Poffenbarger explained there were no neighbor concerns.

After discussion from the BOA Vice Chair Huffine called for a motion on Petition 66435 – Brian Overton owner of 1729 Cronwell, Knoxville variance of up to 10 feet. Van Wyk made a motion to approve the variance request and Szlachetka seconded the motion. A roll call vote was taken

Szlachetka	yes
Huffine	yes
Miller	yes
Kacmarynski	yes
Van Wyk	yes

Huffine opened the public hearing for Petition 66503 Tatetum Blain – 1308 216th Pl., Harvey (Parcel B of the NW frl /14 of the NE frl ¼ of 4-75-18 and the SW ¼ of the SE ¼ of 33-76-18 according to the Plat of Survey recorded in Book 250 Page 98 except Lot 1 thereof according to the Plat of Survey recorded in 2005 Page 5012- Parcel 0031102000) requested a variance of 27' to allow a shop to be built 68' from the center of the road on his property. The R.O.W. in this area is 120' wide and 60' on his half of the road.

Mr. Blain explained that his property drops drastically behind the house down to the river bottom, limiting where he can put up a building.

Poffenbarger explained that 216<sup>th</sup> Pl., is a standard 66' wide up to Lowe Dr. just south of the Blain property. The road widened to 120' as a part of the waterway entrance that used to exist known as the Dollar Bridge. The bridge has been closed for many years and there are only two homes on past the Blain property; 216<sup>th</sup> Pl. dead ends about 800 feet north of the Blain property.

Tyler Christian, County Engineer has stated in his professional opinion so long as the Blain's stay 68' off the center of the road, which is the minimum on a standard width road, his is comfortable with the variance. To allow for the Blain's to build 68' off the center of 216<sup>th</sup> Pl. this would require a 27-foot variance.

Szlachetka asked if allowing the variance would be problematic for the Blains' in the future. Poffenbarger explained that if the Marion County Engineer gave his approval to allow the building at 68 feet from the center of the road and with an approved variance there would not be any issues with the placement of the building. This stretch of road will never be a high traveled road again and may very well have a portion of the right of way vacated down to a normal 66-foot road width.

After discussion from the BOA Vice Chair Huffine called for a motion on Petition 66503 – T.J. and Amy Blain, 1308 216<sup>th</sup> Pl., Harvey a variance of 27 feet. Van Wyk made a motion to approve the variance request and Szlachetka seconded the motion. A roll call vote was taken

Szlachetka	yes
Huffine	yes
Miller	yes
Kacmarynski	yes
Van Wyk	yes

Huffine called for a motion to adjourn the meeting. Van Wyk made the motion and Miller seconded the motion. All in favor; meeting adjourned.

Minutes by Melissa Poffenbarger