

Minutes of the Marion County Board of Adjustments
September 28, 2021

The Marion County Board of Adjustments met at 3014 E. Main St., Knoxville, Marion County Office Building on September 28, 2021, at 5p.m. Online attendance was available from the agenda on the Marion County website.

Attendees of the meeting were Jan Szlachetka, Danielle Huffine, Loren Van Wyk and Michael Kacmarynski.

Property owners Danny and Sheila Cunningham and Vern Goemaat were present.

Chairperson Huffine called for a motion to approve the minutes from July 20, 2021. Van Wyk made a motion to approve and Kacmarynski seconded the motion. A roll call vote was taken.

Huffine yes
Szlachetka yes
Van Wyk
Kacmarynski yes

Petition # 83216 – Vern Dale and Leota Jayne Goemaat are requesting a 10-foot front yard variance to allow a garage addition 25 feet from the front property line instead of the required 35 feet by Chapter 55.25 (6) Marion County Zoning Ordinance. The property is described as 1409 South Attica Rd., Knoxville; Parcel A of the NW1/4 of the SW1/4 Section 8, Township 75 North, Range 19 West Marion County, Iowa. (Parcel 0557602000)

The petitioner is wishing to build a garage on the concrete in front of the house as they have converted the existing garage for a large family gathering hall.

The County Engineer stated he had no concerns with the request since this was a private road. As with any private roads the more variances are granted encroaching on the roads the probability of the private road ever becoming a public road is less likely.

Poffenbarger explained 25 feet front yard setback was the setback until 2001 so this house was built under the old ordinance allowing a 25-foot setback.

There was no response from any of the neighbors notified.

Huffine called for a motion on Petition 83216. Van Wyk made the motion and Szlachetka seconded the motion.

Huffine yes
Szlachetka yes
Kacmarynski yes
Van Wyk yes

Petition #83575 – Danny Cunningham is requesting a special exception/variance to Marion County Ordinance 55.25 (7)(B) minimum dimension of the main body of the building shall be not less than 24 feet in an R-2; One- and Two-Family Residential Zoning District to allow for a home 16 feet in width. The property address is 2011

Orange St., Knoxville with a legal of Parcel B of the NW1/4 of the NW1/4 of Section 11, Township 74 North, Range 19 West of the 5th P.M. according to Plat of Survey thereof recorded in Book 247, Page 254, Marion County, Iowa. (Parcel 0439000500)

Poffenbarger explained the history of 2011 Orange St. Mr. Cunningham bought the property with a 16 foot trailer on it that was later removed. The new home went back on the same pillars. Mr. Cunningham had no idea that a 16 foot home would not be allowed on the property.

Mr. Cunningham hired a contractor to move the home. Mr. Cunningham was told by the contractor he got the required permits. The only permit he obtained was the DOT permit to move it down Highway 5.

Mr. Cunningham stated he spent his life savings to get the home placed. He and his wife are elderly and in poor health needing to retire.

A new septic system will go in on the property if the variance is approved. Poffenbarger explained a building permit will be issued if the variance is approved.

There was only input from one neighbor. No negative input.

Huffine called for a motion on Petition 83575. Van Wyk made the motion and Szlachetka seconded the motion.

Huffine yes

Szlachetka yes

Kacmarynski yes

Van Wyk yes

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

Minutes by: Melissa Poffenbarger