

MINUTES  
MARSHALLTOWN BOARD OF ADJUSTMENT  
JANUARY 5, 2010

Call to order: 5:05 PM

**Members Present:**  
Darrell Eaton  
G. Ward Miller, Chair  
David Schulze  
Sherman Welker

**Members Absent:**  
Kevin Hitchins

Adjournment: 5:50 PM

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**1. Review and approval of minutes from 12/15/2009**

Approved as distributed

**2. Continued - Variance - 312 North 5<sup>th</sup> Street - Rental Units**

Dave Heddens was present to describe the application. This property was built as a duplex and was converted into a triplex. Because rental registration lapsed the lot size only allows for one unit. Several community members spoke about the condition of neighborhood and they want to see improvement. It was discussed as a requirement that one unit of the duplex must remain owner-occupied but this requirement was eventually dropped. Schulze noted that the structural design would make it difficult to convert into a one unit. Motion to approve variance with the conditions that all the gravel is paved, the garage is improved and a new door is put on, and the exterior stairs to the now defunct third unit are removed.

**Motion to Approve:** Schulze 2<sup>nd</sup>: Welker

**Motion to Amend** by requiring removal of the second curb-cut on Jerome Street: Welker 2<sup>nd</sup>: Eaton  
**Amendment Approved:** 4-0

**Motion to Approve with Amendment:** 4-0

**With no further business the Commission adjourned.**

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Respectfully submitted,  
Stephen Troskey, City Planner