

Minutes of the Marion County Board of Adjustments via Virtual Meeting on Microsoft Teams
June 16, 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 June 16, 2020 at 5p.m.

Attendees of the virtual meeting were Loren Van Wyk, Jan Szlachetka, Danielle Huffine. House File 2512 signed June 1, 2020 made members Linda Hicks and John Franey ineligible to serve any longer since they live in incorporated areas.

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

Vice Chair Huffine called for a motion to approve the minutes from the May 19, 2020. Van Wyk made a motion to approve Szlachetka seconded the motion.

Szlachetka yes

Van Wyk yes

Huffine yes

Poffenbarger explained the public hearing before the BOA was to a proposal to add language to the Foundation requirements as defined in 55.4 (71A) A "Foundation" means the lowest load-bearing part of a building. Unless otherwise required by State Code or Marion County Building Codes, acceptable foundations shall be interpreted to include continuous perimeter foundation consisting of either (1) a foundation wall with spread footing set below frost level; (2) a grade beam that is a minimum of 42" deep, or (3) a minimum 12" wide by 12" deep shallow frost footing with R-10 rigid board insulation extending 24" beyond the frost footing in all directions.

The additional language would be: An engineered footing design constructed by a certified professional engineer licensed in the State of Iowa may be accepted in place of the listed foundation requirements. Marion County does not review nor approve the design and takes no responsibility for said design.

Poffenbarger explained the foundation requirement is for "Dwellings" means any building or portion thereof which is designed or used exclusively for residential purposes, but not including a tent, cabin, trailer, recreational vehicle or mobile home, shall be designed to be placed on, supported by and attached to a continuous perimeter foundation, or an engineered footing design constructed by a certified professional engineer licensed in the State of Iowa may be accepted in place of the listed foundation requirements. Marion County does not review nor approve the design and takes no responsibility for said design. which shall be permanent and constructed in accordance with the Marion County Building Permit and any applicable Building Codes or other regulations for site-built housing. However, any cabin that has a private wastewater disposal system shall be considered a dwelling. As defined in 55.24(7)A and 55.25(7)A.

Poffenbarger explained the foundation requirement has become a topic of debate with property owners and contractors since the "pole barn home" era began about 10 years ago. Poffenbarger explained she even discussed with the BOS about taking it out since Marion County does not do inspections, but they are unreceptive to that. Poffenbarger explained that other counties have this provision and it gives contractors another option without any liability to the County.

After discussion from the BOA as to why foundation requirements are important. They agreed this would be good language to add. Vice Chair Huffine called for a motion to approve the added language to the foundation definition. Van Wyk made a motion to approve Szlachetka seconded the motion.

Szlachetka yes

Van Wyk yes

Huffine yes

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

Minutes by Melissa Poffenbarger