



City of Muscatine

ZONING BOARD OF ADJUSTMENTS

Tuesday, November 1, 2022

The Zoning Board of Adjustments meets on the 1st Tuesday of each month at 5:30 p.m. in City Hall Council Chambers.

To participate in this meeting go to the following link:

<https://meet.goto.com/356433077>

You can also dial in using your phone:

United States: +1 (872) 240-3311

Access Code: 356-433-077

AGENDA

1. CALL TO ORDER/ROLL CALL

2. MISSION STATEMENT

3. APPROVAL OF MINUTES

A. October 4, 2022

4. VARIANCE APPEALS

A. ZBAV0005-2022 filed by Matthew & Kathleen Hollingsworth to place a 20' shipping container on the property located at 719 Woodlawn Ave. The container will be placed 15' from the property lines. Per City Code section 10-20-5(c)(c)(a) the container setback requirements are 25' from the property lines.

5. ADJOURNMENT

MINUTES
October 4, 2022 – 5:30 p.m.
Zoning Board of Adjustment
Muscatine City Hall – City Council Chambers

Present: Nancy Jensen, Larry Murray and Julie Wolf

Excused: Jodi Hansen and Robert McFadden

Staff: April Limburg, Planner, Community Development
Christa Bailey, Office Coordinator, Community Development

Vice Chairperson Julie Wolf opened the meeting at 5:30 p.m. and read the mission statement.

Minutes:

Larry Murray motioned to approve the minutes submitted for the August 2, 2022 meeting; seconded by Nancy Jensen. All ayes, motion carried.

Variance Appeal Cases:

Variance Appeal ZBAV0002-2002 filed by Jose Martinez to allow a 320-sf garage to be converted into a bedroom located at 1305 E 5th St. In residential districts, accessory buildings and uses are limited to garages per Section 10-20-3 (D)(1) of City Code.

Jose Martinez, 817 Cedar St, was present to discuss the appeal request stating that he wishes to convert the current garage into a bedroom as he will be living at the residence so he wishes to make the living arrangements better to suit his needs. Mr. Martinez shared that he is a carpenter by trade so he is familiar with building codes and working with the City's building department to meet the necessary requirements.

Julie Wolf questioned whether the garage will have to be torn down to complete the conversion. Mr. Martinez explained that it will not be torn down and that he has actually already lifted up the garage to prepare for the conversion but if the appeal is not approved then he will leave the building as a garage.

Larry Murray motioned to approve the variance appeal; seconded by Julie Wolf. All ayes, motion carried.

Variance Appeal ZBAV0003-2022 filed by Edward Gerdts to allow a construction of a 1440 sq. ft. garage located at 2026 Breese Ave. The property currently has a garage consisting of 432 sq. ft. Once the new garage is constructed, the existing garage will be removed. The proposed garage would cause the property to exceed, 1,872 square feet, the 1,440 maximum cumulative square footage of all accessory buildings and attached garages allowed by Section 10-20-2 (A) of City Code. The variance requesting to allow for change in setback of the garage. For every 25 ft., that an accessory build exceeds 1,440 sq. ft. in size an additional 1-foot setback is required. The structure will not meet the setback requirements by Section 10-20-3 (F) of City Code. The garage will be placed 5 ft from the rear property line. Per Section 10-6-3(C)(2) of City Code the setback needs to be 6 ft.

Edward Gerdts, 2026 Breese Ave, was present to discuss the appeal stating the current garage is too small and he has to duck to get inside of it so he would like to build a new, larger garage. Mr. Gerdts explained that he plans to tear down the current garage when he builds the new garage but he would leave the concrete pad to park his camper on.

Larry Murray motioned to approve the variance appeal; seconded by Nancy Jensen. All ayes, motion carried.

Variance Appeal ZBAV0004-2022 filed by Ricardo & Jasmine Jara to allow the construction of a 30x30 home addition located at 1610 Mulberry Ave. The addition will be placed 9 ft from the rear property line. Per Section 10-6-3(D) of City Code the setback needs to be 25 ft. The room will be used as a recreational, gym, and craft area.

Ricardo Jara, 1610 Mulberry Ave, was present to discuss the appeal request explaining that he would like to build an addition on the back of his house but due to the strange setup of the property lines for his property the addition cannot meet the required setbacks.

Julie Wolf questioned whether Mr. Jara was aware and understood that his two parcels would need to be combined to be able to complete this addition. Mr. Jara stated that the parcels have already been combined by the County Assessor's office and that it should reflect on Beacon by March 2023.

Larry Murray motioned to approve the variance appeal; seconded by Julie Wolf. All ayes, motion carried.

Conditional Use Cases:

Conditional Use ZBACU0001-2022 filed by Cory and Kristen Haller to allow for a temporary home-based business located at 1425 Grand Ave for a beauty shop allowed by Section 10-6-2 (M) of City Code.

Cory Haller, 1425 Grand Ave, was present to discuss the conditional use request stating that they wish to convert the front room of their house into a temporary hair salon. The hair salon will consist of only one chair and will be for cutting hair only, they do not plan to use chemicals of any sort that would drain into the City's water system.

Julie Wolf inquired whether the temporary hair salon would only exist in their residence until March 2023. Mr. Haller confirmed this temporary time frame explaining that they have purchased another property to use as the hair salon but it will not be ready for use until March.

Larry Murray motioned to approve the variance appeal; seconded by Nancy Jensen. All ayes, motion carried.

Meeting adjourned at 5:43 p.m.

ATTEST:

Respectfully Submitted,

Julie Wolf, Vice Chairperson
Zoning Board of Adjustment

April Limburg, Secretary
Planner I

COMMUNITY DEVELOPMENT

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

MEMORANDUM

To: Zoning Board of Adjustments
From: April Limburg, Planner
Date: September 23, 2022
Re: Variance Appeal No. ZBAV0002-2022

INTRODUCTION: Variance Appeal No. ZBAV0005-2022, place a 20' shipping container on the back portion of the parcel located at 719 Woodlawn Ave.

BACKGROUND: An appeal was filed by Matthew & Kathleen Hollingsworth to allow a 20' shipping container placed in the back portion of the parcel located at 719 Woodlawn Ave. The container will be placed 15' from the property line. Per City Code section 10-20-5 (c) (c) (a) the shipping container setback needs to be placed 25' from the property lines.

The applicant is aware of the updated code requirements regarding cargo containers.

Site plan is attached.

