



# City of Muscatine

## **ZONING BOARD OF ADJUSTMENTS**

**Tuesday, December 6, 2022**

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

### **AGENDA**

**1. CALL TO ORDER/ROLL CALL**

**2. MISSION STATEMENT**

**3. APPROVAL OF MINUTES**

A. November 1, 2022

**4. CONDITIONAL USE**

A. ZBACU0002-2022 filed by Kirk Butcher to allow a storefront retail business selling tobacco, cigars, and vape products located at 839 Park Ave as allowed by Section 10-17-2 of City Code.

**5. ADJOURNMENT**

**MINUTES**  
**November 1, 2022 – 5:30 p.m.**  
**Zoning Board of Adjustment**  
**Muscatine City Hall – City Council Chambers**

**Present:** Jodi Hansen, Nancy Jensen, and Julie Wolf

**Excused:** Larry Murray and Robert McFadden

**Staff:** April Limburg, Planner, Community Development

Chairperson Jodi Hansen opened the meeting at 5:30 p.m. and read the mission statement.

**Minutes:**

Julie Wolf motioned to approve the minutes submitted for the October 4, 2022 meeting; seconded by Nancy Jensen. All ayes, motion carried.

**Variance Appeal Cases:**

**Variance Appeal No. ZBAV0005-2022, place a 20' shipping container on 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. Per City Code section 10-20-5 (B) (1) the containers are not permitted in the R-3 single family zoning district.**

Matthew Hollingsworth located at 719 Woodlawn Ave discussed with the Board his proposal of the cargo carrier to placed on his parcel. The container would be used for storage of outside lawn equipment and tools. The carrier is at the rear of the property, will be painted gray, and is surrounding by trees on 3 sides of the container. Julie asked how have a container instead of a shed. Mr. Hollingsworth advised the container is cheaper and is less maintenance than a storage shed. The container would be placed on a fabric barrier with 3-to-4-inch rock under it.

There were no comments from the neighbors.

The Board discussed the allowances of having a cargo container as the City Code recommended to the City Council from the Planning and Zoning Commission did change a little once reviewed by Council.

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

Meeting adjourned at 6:00 p.m.

ATTEST:

Respectfully Submitted,

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Jodi Hansen, Chairperson  
Zoning Board of Adjustment

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April Limburg, Secretary  
Planner



City Hall, 215 Sycamore St.  
Muscatine, IA 52761-3840  
(563) 262-4141  
Fax (563) 262-4142

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COMMUNITY DEVELOPMENT

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

**MEMORANDUM**

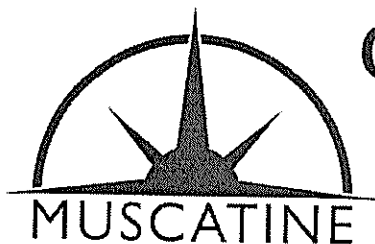
**To:** Zoning Board of Adjustments  
**From:** April Limburg, Planner  
**Date:** November 22, 2022  
**Re:** Conditional Use No. ZBACU0002-2022

**INTRODUCTION:** to allow a storefront retail business selling tobacco, cigars, and vape products located at 839 Park Ave.

**BACKGROUND:** A conditional use was filed by Kirk Butcher to allow to allow a storefront retail business selling tobacco, cigars, and vape products located at 839 Park Ave.  
The area is zoned S-2 – Institutional – Office District per City Code section 10-17-2 this type of retail sales is permitted under a conditional use.







# CONDITIONAL USE APPLICATION

City of Muscatine, Iowa • Community Development Department  
Planning and Zoning • Zoning Board of Adjustment  
215 Sycamore St Muscatine, IA 52761-3840  
(563)262-4141 • FAX (563)262-4142  
www.muscatineiowa.gov/26/Community-Development

## PROPERTY INFORMATION

Property Address: 839 Park Ave Muscatine, IA 52761 Parcel ID: 0836201030  
Owner Name: ~~Rick Butcher~~ Kirk Butcher  
Address: 821 Park Ave Muscatine, IA 52761  
Phone: 563-506-0928 Email: \_\_\_\_\_

## PROPOSED USE INFORMATION

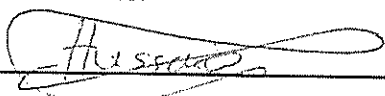
Description of Proposed Use: Storefront retail business selling tobacco, cigars, and vape products

## NOTES

APPLICANT, OR REPRESENTATIVE, MUST BE PRESENT AT THE MEETING FOR ACTION TO BE TAKEN.  
Application must be submitted two weeks prior to meeting date. If the applicant does not own the subject property, written authorization from the property owner consenting approval for the applicant to apply for this conditional use permit must be submitted for this application to be considered complete. If applicable, a Site Plan must be submitted with the application.  
The Zoning Board of Adjustment meets the First Tuesday of each month.  
FILING FEE IS \$200.00

## SIGNATURE

I hereby certify all the information submitted above is correct and, I acknowledge that I reviewed this application and provided all required documents if necessitated.

Applicant Signature:  Date: 11-15-2022

## OFFICE USE ONLY

Date Filed: 11/21/2022 Date Fee Paid: 11/21/2022 Receipt No.: \_\_\_\_\_  
Conditional Use Case No.: ZBACH0002-2022 Meeting Date: \_\_\_\_\_  
Property is located on Lot 1 Block 1 Addition Gordon's Add in the S-2 Zoning District.  
Proposed Use is Classified as a Conditional Use as Per City Code Section \_\_\_\_\_  
10-17-3 - retail sales