



City of Muscatine

ZONING BOARD OF ADJUSTMENTS

Tuesday, May 2, 2023

5:30 p.m. - City Hall Council Chambers 215 Sycamore St Muscatine, IA

May 2, 2023, 5:30 PM

AGENDA

1. CALL TO ORDER/ROLL CALL

2. MISSION STATEMENT

3. APPROVAL OF MINUTES

A. March 7, 2023

4. VARIANCE APPEAL NO. ZBAV03-2023

A. Filed by Tom Spread to build a 36'x48' pole building with a 6'x16' porch on the side located on the west side of the property located at 5312 67th Ave West. The variance appeals the setback requirements per City Code Sections 10-20-3 (F) and 10-20-3 (D).

5. CONDITIONAL USE NO. ZBACU01-2023

A. Filed by Muscatine Power and Water to allow the construction of a 48'x60' storage building for equipment at the West Hill substation. The property is located on Lucas St on parcel 0834376001. Per City Code Section 10-6-2 (G), the

substation is allowed as a conditional use for the R3 – single family residence zoning district.

6. VARIANCE APPEAL NO. ZBAV04-2023

- A. Filed by Muscatine Power and Water to allow for the construction of a storage building for equipment to be located on parcel 0834376001 on Lucas St. The variance appeals the setback requirements per City Code Section 10-6-3 (D).

7. ADJOURNMENT

MINUTES
March 7, 2023 – 5:30 p.m.
Zoning Board of Adjustment
Muscatine City Hall – City Council Chambers

Present: Jodi Hansen, Nancy Jensen, Robert McFadden Larry Murray and Julie Wolf

Excused:

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

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

Minutes:

Larry Murray motioned to approve the February 21, 2023 minutes; seconded by Julie Wolf. All ayes, motion carried.

Variance Appeals:

Variance Appeal No. ZBAV02-2023 filed by Jesse Wetzel to not hard surface the existing driveway located at 2306 Lucas St. Mr. Wetzel intends to build a 28x36x14 or 12 building sitting 8 to 10 feet from the rear property line. With the new construction, the current gravel driveway from the sidewalk to the garage would need to be hard surfaced. Per City Code Section 10-27-8 (A) all areas intended for vehicular use shall be hard surfaced.

Jesse Wetzel, 2306 Lucas St, was present to discuss the variance appeal request stating the current garage is too small to be useable so he wants to demolish the current garage and build a larger one. Mr. Wetzel shared that he only has the funds to build the new garage, not hard surface the entire driveway which would be at least an additional \$15,000.

Jodi Hansen questioned if the plan is to hard surface the driveway when the funds become available, to which Mr. Wetzel replied he hopes to as gravel is not plowing friendly during the winter.

Julie Wolf inquired whether he could hard surface the driveway first and build the garage later. Robert McFadden advised against this as the concrete trucks required for the garage construction will destroy the new driveway.

Julie Wolf asked April Limburg if she had been contacted by any of the neighboring properties with concerns or comments, to which Ms. Limburg responded no and added that most driveways in the neighborhood are gravel.

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

Variance Appeal ZBAV0001-2023 filed by Muscatine County Social Action (MCSA) requested several variances for the following properties: 601 E 6th St, 609 Orange St, and the West Half of Lot Two (2) of Block One Hundred Sixteen (116). A 21-unit permanent housing development instead of 15 units is being proposed on the three lots. The new building will have three floors with accessible dwelling units and facility support spaces. Entry will be from the alley to the east of Orange St. The applicant would like to change the building height limitation from 35' to 47.5'. Per City Code 10-8-3 (A) the maximum structure height is 35 feet, except for as provided for in Title 10, Chapter 26. Per City Code 10-26-1(A) also requires qualifying structures built above the zoning district height limit (35'), to be set back at least 1' from every foot that zoning district height limit is exceeded by. The building setback would need to be at least 12.5' from all property lines.

The three combined parcels will be approximately 12,740 sq ft which is short of the required 21,000 sq ft for multifamily residence per City Code 10-8-3(G). This will allow for the 21 units to be placed on the smaller parcel to allow for the home at 605 6th St to remain.

They are requesting a 62% reduction in the amount of required parking spots. The current zoning requires twenty-one onsite parking spaces. Given the proximity to downtown Muscatine and the community amenities, a request has been made to reduce the parking spots from twenty-one to eight due to access to bike, bus, and walking opportunities. The ZBA per Section 10-31-2 (C) (3B) can reduce the onsite requirements. Parking would be for a maximum of 4-6 employees on site at any given time.

Scott Dahlke, 312 Iowa Ave, with MCSA was present to discuss the variance appeal request. Mr. Dahlke explained that the concerns raised at the previous meeting had all been resolved and he had brought subject/project matter experts to address the concerns if needed. Mr. Dahlke then shared an in-depth presentation on the project which included the design/layout of the proposed building and the 18 total parking spaces as they added 10 parking spaces to resolve the Board's previous concern of lack of parking for staff and visitors. Mr. Dahlke expressed that MCSA owns a lot of the neighboring properties and this new proposed building complex is part of a much larger project to improve the neighborhood and its walkability. Mr. Dahlke articulated concerns of unwanted loitering with the increase of available parking spaces.

Felicia Toppert, 315 Iowa Ave, explained the project's intention of housing a target population of people who are seen where MCSA does not want them to be because they cannot thrive. Ms. Toppert shared that most of the target population does not drive whether it is because they cannot afford to or have no desire to so the project was planned in the area that is already their neighborhood. Ms. Toppert stated that by providing them housing it will actually resolve a lot of MCSA's and the target population's issues as compliance is much easier to obtain with onsite staff.

Robert McFadden questioned MCSA's intent for the tenants and whether MCSA would help them get jobs. Mr. Dahlke stated if the tenants are able to work MCSA plans to help them get jobs and may even send them for training from the Muscatine Community College. Mr. McFadden expressed that as soon as a tenant get a job they will want to get a car and Ms. Toppert explained that the majority of the tenants have chronic complex mental issues that will likely not be able to manage a 40 hour work week.

Nancy Jensen reiterated concerns about the lack of parking spaces as it is assumed that the tenants will have friends and family who will want to visit. Mr. Dahlke shared that the target population usually visits their friends and family in their home rather than have the friends and family visit where they live. Jodi Hansen added that the Board is just looking out for the folks who live in the area who already have trouble parking. Mr. Dahlke stated that he is willing to build whatever size parking lot the Board wants, even though he believes it will not be used and will encourage loiters, if it means the variance appeal will be approved so the project can move forward.

Jeff Jirak, 312 E 5th St, with the Police Department shared that a large number of calls are received per year for this area and he got involved in this project because he hopes it will minimize these calls. Mr. Jirak reported that he regularly sees loitering in unused parking lots. Mr. Jirak suggested there is a significant amount on-street parking available in this area as the number of calls about vehicles not being moved is very low for this area.

Larry Murray stated that he thinks the project only needs 5 additional parking and suggested to put the 5 parking stalls on the Orange St side in a similar fashion to Kum N Go since there is no on-street parking on that side.

Matt Schweitzer, 510 E 6th St, shared that he supports the project as presented as the neighborhood needs the facility more than they need the parking.

Mario Sanchez, 607 E 8th St, raised concerns about the smoking area being visible to his kids and mud runoff from another MCSA project. Mr. Sanchez added that he currently sees police at Hy-Vee all the time and thinks he will see them even more with the approval of this project. Mr. Dahlke explained the building is designed to be a barrier around the smoking area and the police frequency should be less as this project is intended to help manage a problem that was unmanageable before. Mr. Dahlke reassured that the mud runoff issue will be fixed and asked Mr. Sanchez to speak with him after the meeting for more details.

Marlene Anderson, 608 E 6th St, questioned how they plan to control the intended tenants as 21 units seems a little steep. Jodi Hansen reiterated that support staff will be available 24 hours onsite. Jeff Jirak also shared that several police officers currently spend their entire day in this area to ensure problems are minimized but with this new project the police will have their own space available and plan to be there as often as possible so if there are problems with the tenants they should be able to handle them even better.

Julie Wolf motioned to approve the variance appeal with at least 5 additional parking spots for a total of 13 parking spots; seconded by Robert McFadden. All ayes, motion carried.

Meeting adjourned at 6:30 p.m.

ATTEST:

Jodi Hansen, Chairperson
Zoning Board of Adjustment

Respectfully Submitted,

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: April 21, 2023
Re: Variance Appeal No. ZBAV03-2023

INTRODUCTION: Variance Appeal No. ZBAV03-2023 to build a 36'x48' pole building with a 6'x16' porch on the side located on the west side of the property located at 5312 67th Ave West.

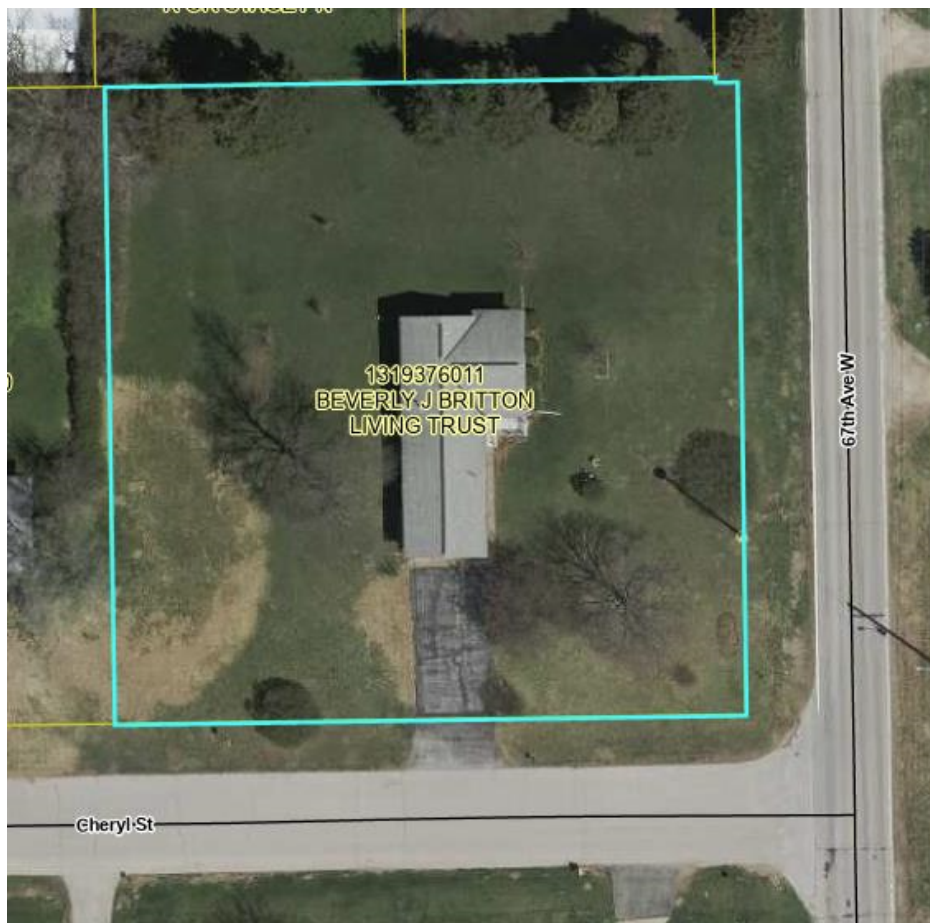
BACKGROUND: Variance Appeal No. ZBAV03-2023 filed by Tom Spread to build a 36'x48' pole building with a 6'x16' porch on the side located on the west side of the property located at 5312 67th Ave West. The variance appeal is for the setback requirements per City Code section 10-20-3 (F) and 10-20-3(D).

The structure will be located 70 feet from Cheryl Street and 13 ft from the neighboring property which meets the required setbacks for the R-1 residential district. The property does have a 528 sq ft attached garage. The total square footage of the proposed structure and the current garage will be 2,352 square feet.

The size of the building triggers the code 10-20-3 (F) stating for every 25 sf that an accessory building exceeds 1,440 sf in size an additional 1 ft of setback is required in addition to what is required by the zoning district in which the accessory building is located.

The location of building per code 10-20-3(D) states an accessory building or use more than 10 feet from the main building may be erected within 4 feet of a side or rear lot line, but must be located at least 60 feet from the front lot line when entry is from an alley or street at the rear, and 4 feet behind the front building line of the main building when entry is from the street at the front.

Site plan is attached



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MEMORANDUM

To: Zoning Board of Adjustments
From: April Limburg, Planner
Date: May 2, 2023
Re: Conditional Use No. ZBACU01-2023

INTRODUCTION: Conditional Use No. ZBACU01-2023, to allow the construction of a storage building for equipment for the Muscatine Power and Water Department to be located on parcel 0834376001 on Lucas St.

BACKGROUND: A conditional use was filed by Muscatine Power and Water to allow the construction of a 48'x60' storage building for equipment at the West Hill substation in the NW corner of the property. The property is located on Lucas St on parcel 0834376001. Per City Code Section 10-6-2 (G), the substation is allowed as a conditional use for the R3 – single family residence zoning district.

Site plan is attached.



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MEMORANDUM

To: Zoning Board of Adjustments
From: April Limburg, Planner
Date: May 2, 2023
Re: Variance Appeal No. ZBAV04-2023

INTRODUCTION: Variance Appeal No. ZBAV04-2023, to allow the construction of a storage building for equipment for the Muscatine Power and Water Department to be located on parcel 0834376001 on Lucas St. The variance appeal is for the setback requirements per City Code Section 10-6-3 (D).

BACKGROUND: A conditional use was filed by Muscatine Power and Water to allow the construction of a 48'x60' storage building for equipment at the West Hill substation in the NW corner of the property. The property is located on Lucas St on parcel 0834376001. Per City Code Section 10-6-3 (D), the structure will be placed 15 ft from the property line, however code states the structure needs to be placed 25 ft from the rear yard property line.

Site plan is attached.

