



City of Muscatine

ZONING BOARD OF ADJUSTMENTS

Tuesday, June 6, 2023

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

June 6, 2023, 5:30 PM

AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. APPEALS

- A. Variance Appeal No. ZBAV05-2023, filed by Gregory Johnston to allow a cargo container for storage purposes to be located at 1111 Mulberry Ave. Per City Code Section 10-20-5 (B)(1) cargo containers are not permitted in a R4 zoning district. Per City Code Section 10-20-5 (C)(2)(C)(a,b) of setback requirements of 25' from the property line and 50' from the dwelling unit on a different parcel.
- B. Variance Appeal No. ZBAV06-2023, filed by Pamela and Joseph Miller to construct a 12'x18' four-season room at their residence located at 1101 Westwood Lane. Per City Code Section 10-6-3 (D) the addition doesn't meet the required setbacks of 25 feet from the rear property line in the R2 zoning district.

4. DISCUSSION ITEMS

5. **ADJOURNMENT**

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: June 6, 2023
Re: Variance Appeal No. ZBAV05-2023

INTRODUCTION: Variance Appeal No. ZBAV05-2023, filed by Gregory Johnston to allow a cargo container for storage purposes to be located at 1111 Mulberry Ave. Per City Code Section 10-20-5 (B)(1) cargo containers are not permitted in a R4 zoning district. Per City Code Section 10-20-5 (C)(2)(C)(a,b) of setback requirements of 25' from the property line and 50' from the dwelling unit on a different parcel.

BACKGROUND: Variance Appeal No. ZBAV05-2023, filed by Gregory Johnston to allow a cargo container for storage purposes to be located at 1111 Mulberry Ave. Per City Code Section 10-20-5 (B)(1) cargo containers are not permitted in a R4 zoning district. Per City Code Section 10-20-5 (C)(2)(C)(a,b) of setback requirements of 25' from the property line and 50' from the dwelling unit on a different parcel.

The cargo contain is in an R4 zoning district on a concrete slab where a garage once was. The container is a reddish-brown color with all of the normal letter still on it. The way the container sits, it is only 25' from one of the three property lines. The container depending on where the measurement starts is not quite 50' from the dwelling unit on a different parcel.

The container is being used to store personal property related to maintaining the duplex as well as household items.

Site plan is attached.





APPEAL FOR VARIANCE APPLICATION

Community Development Department • Planning and Zoning • Zoning Board of Adjustment
215 Sycamore St Muscatine, IA 52761 • PH 563.262.4141 • FAX 563.262.4142
www.muscatineiowa.gov/26/Community-Development

PROPERTY INFORMATION

Property Address: 1111 Mulberry Ave., Muscatine, IA 52761
Owner Name: Gregory A. Johnston Business Name: _____
Address: 323 E. 2nd St., Muscatine, IA 52761
Phone: 563-263-4481 Email: johnstonlaw@machlink.com

APPEAL INFORMATION

Proposed Variance Description for Appeal: This property is a duplex currently rented to two families and the cargo container replaced the former 3-car garage that was removed. The concrete floor of the former garage remains and the unit was placed on that surface. The unit is used to store personal property relating to the duplex: commercial sized snow blower for the parking lot and driveway, lawn mowers, trimmers, blower, edger, hand tools for lawn care, racks, shovels etc., storage of some items of household furniture, daybeds, crib, etc.

SUBMISSION REQUIREMENTS

APPLICANT, OR REPRESENTATIVE, MUST BE PRESENT AT THE MEETING FOR ACTION TO BE TAKEN.

Application must be submitted two weeks prior to meeting date. Board meets the first Tuesday of each month.

If applicable, a Site Plan must be submitted with the application.

FILING FEE IS \$150.00

SIGNATURE

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

Appellant Signature: [Signature] Date: 4/19/2023

OFFICE USE ONLY

Date Filed: 4/25/23 Date Fee Paid: 4/24/24 Receipt No.: 112714

Appeal Case No.: ZBAVOS2023 Meeting Date: _____

Property is located on Lot 65 Block _____ Addition Dak Ridge in the R4 Zoning District.

Appeal for Variance Requirement Explanation: _____

Approved by: _____ Date Approved: _____ Date Notice Sent: _____

that has been or is available to tenants for their use,

I would propose to paint the entire structure in a mono-chromatic color. The house is a shade of green, but I would propose a shade of gray or possibly brown, but green if that is required. If requested I would also attach exterior wooden screening or fencing to effect a somewhat blending of the container.

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: June 6, 2023
Re: Variance Appeal No. ZBAV06-2023

INTRODUCTION: Variance Appeal No. ZBAV06-2023, filed by Pamela and Joseph Miller to construct a 12'x18' four-season room at their residence located at 1101 Westwood Lane. Per City Code Section 10-6-3 (D) the addition doesn't meet the required setbacks of 25 feet from the rear property line in the R2 zoning district.

BACKGROUND: Variance Appeal No. ZBAV06-2023, filed by Pamela and Joseph Miller to construct a four-season room at their residence located at 1101 Westwood Lane. Per City Code Section 10-6-3 (D) the addition doesn't meet the required setbacks of 25 feet from the rear property line in the R2 zoning district.

The plan is to remove the current deck located at the rear of the residence and replace it with a 12'x18' four-season room to be used when the applicant is home on leave and when she retires from the Navy. The home is currently occupied by the applicant's mother.

The setback would be 4 feet from the rear property line instead of the required 25 feet. The overall lot size is 9,030 sq.

Site plan is attached.





APPEAL FOR VARIANCE APPLICATION

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215 Sycamore St Muscatine, IA 52761 • PH 563.262.4141 • FAX 563.262.4142
www.muscatineiowa.gov/26/Community-Development

PROPERTY INFORMATION

Property Address: 1101 Westwood Lane, Muscatine Iowa
Owner Name: Pamela + Joseph Miller Business Name: _____
Address: live at 3909 Bentwood Court, Fairfax VA 22031 (I am active duty Navy, so we go back and forth)
Phone: 319-330-6595 Email: pamela.millerusn@gmail.com

APPEAL INFORMATION

Proposed Variance Description for Appeal: We are requesting a variance of 4 feet off the back property line, to accommodate the construction of a four-season room. It would replace the area currently occupied by a deck, but needs the variance to allow a 12 ft. room that direction. There is no other way to add a 4 season room. We want this to be our permanent home as I retire from the Navy, but need the extra space. This area does ~~NOT~~ line up with the neighbor's house, it is lined up to their open back yard. Please see attached photos, and diagram. Thank You for considering this request.

SUBMISSION REQUIREMENTS

APPLICANT, OR REPRESENTATIVE, MUST BE PRESENT AT THE MEETING FOR ACTION TO BE TAKEN.

Application must be submitted two weeks prior to meeting date. Board meets the first Tuesday of each month.

If applicable, a Site Plan must be submitted with the application.

FILING FEE IS \$150.00

SIGNATURE

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

Appellant Signature: [Signature]

Date: 13 MAY 23

OFFICE USE ONLY

Date Filed: _____ Date Fee Paid: _____ Receipt No.: _____

Appeal Case No.: _____ Meeting Date: _____

Property is located on Lot _____ Block _____ Addition _____ in the _____ Zoning District.

Appeal for Variance Requirement Explanation: _____

Approved by: _____ Date Approved: _____ Date Notice Sent: _____

Diagram of Miller House and Neighbor's House

