

MINUTES
May 2, 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:

Robert McFadden motioned to approve the March 7, 2023 minutes; seconded by Larry Murray. All ayes, motion carried.

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 is to appeal the setback requirements per City Code section 10-20-3 (F) and 10-20-3(D).

Tom Spread, 809 Mulberry Ave, was present to discuss the variance appeal request. Mr. Spread explained that his sister owns 5312 67th Ave West and she offered him the opportunity to construct a building on her property to store his boat and camper. Mr. Spread stated that he already spent a lot of money on the engineering plans for the proposed building and hopes the setbacks can be reduced rather than changing those plans. Mr. Spread shared that the proposed building is set at least 60 feet back from Cheryl St which is where it will be accessed from and that he added the side porch to make it look more residential. Mr. Spread expressed that if he is forced to make the building smaller to fit the setback requirements the building will no longer meet his needs and if he is made to move the building farther back to fit the setbacks requirements then a mature tree will have to be removed.

Robert McFadden questioned what the setback requirements are supposed to be for the proposed building. April Limburg replied the side yard setback is supposed to be 19 feet, which it does not meet, and the front setback is supposed to be at least 4 feet behind the front building line of the main building but Mr. Spread wants it to be in line so the variance appeal requests to reduce the side yard setback to 13 feet and remove the front setback completely.

Jodi Hansen asked April Limburg if she had been contacted by any of the neighboring properties with concerns or comments, to which Ms. Limburg responded no.

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

Conditional Use No. ZBACU01-2023 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.

Brian Butler, 872 Newell Ave, an employee of Muscatine Power and Water was present to discuss the conditional use request. Mr. Butler explained that the Muscatine Power and Water is in need of storage for their equipment as a lot of equipment is currently stored outside where it is negatively impacted by the weather so if it can be stored inside the longevity of the equipment would be greatly improved.

Jodi Hansen inquired for details on how the building will look and Mr. Butler responded it will be a pole building with steel siding that will match the color of the reservoir with accent trim. Mr. Butler also shared they may plant evergreens trees to block the view for the neighboring property and plan to direct all water runoff to the drains located on Cook St.

Jodi Hansen asked April Limburg if she had been contacted by any of the neighboring properties with concerns or comments, to which Ms. Limburg responded no.

Nancy Jensen commented on the fact that according to the plans a tree will need to be removed to construct the storage building and requested more trees to be planted on the property, to which Mr. Butler stated Muscatine Power and Water is willing to do.

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

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

Brian Butler, 872 Newell Ave, an employee of Muscatine Power and Water was present to discuss the variance appeal request to reduce the rear yard setback requirement of 25 feet to 15 feet.

Jim Edmond, 205 Cook St, shared that his property is the first house to the north of the property and MPW has been the best neighbors but he has some reservations about the project unless conditions can be established within the variance to protect his property and interests. April Limburg explained the Board is capable of establishing such conditions which the applicant must agree to uphold for the Board to approve variance appeal.

Mr. Edmond requested to establish a condition which restricts Muscatine and Power from storing anything between the building and the rear yard setback. Mr. Butler stated that should be possible.

Mr. Edmond commented the plan shows the building will be setback 20 feet from the tank and requested to establish a condition which adjusts the rear yard setback to 20 feet with the building to be setback 15 feet from the tank. Mr. Butler explained that they typically want as much room as possible if they need to do maintenance on the tank but proposed setback adjustments are acceptable.

Mr. Edmond shared that Muscatine Power and Water built a berm to reduce the water runoff into his and his neighbor's backyard and he does not want to lose this protection so he requested to establish a condition which requires the berm to always be in place. Mr. Butler agreed.

Mr. Edmond requested to establish a condition which requires at least 4 evergreen trees with at least a 1-inch diameter to be planted at the north side. Mr. Butler consented to the evergreen trees and added that some form of landscaping will be planted at the front.

Jodi Hansen asked April Limburg if she had been contacted by any of the neighboring properties with concerns or comments, to which Ms. Limburg responded no.

Julie Wolf motioned to approve the variance appeal with the aforementioned conditions; seconded by Robert McFadden. All ayes, motion carried.

Meeting adjourned at 6:00 p.m.

ATTEST:

Jodi Hansen, Chairperson
Zoning Board of Adjustment

Respectfully Submitted,

April Limburg, Secretary
Planner I