



City of Muscatine

ZONING BOARD OF ADJUSTMENTS

Tuesday, May 7, 2024

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

Join Zoom Meeting

<https://us06web.zoom.us/j/84218982150?pwd=PtRzeaboCZ8UVPbkfB625vHAf3lfUU.1>

Meeting ID: 842 1898 2150

Passcode: 331505

May 7, 2024, 5:30 PM

AGENDA

1. CALL TO ORDER/ROLL CALL

2. MISSION STATEMENT

3. APPROVAL OF MINUTES

A. April 2, 2024

4. VARIANCE APPEAL NO. ZBAV10-2023

A. Filed by Heidemarie Kremer and Kaneshka Salehi to divide the lot located at 1202 E 4th St for the purpose of rehabilitating the structure at the location as well as adding a second 3D printed structure on the remaining half of the lot providing affordable housing. The two dwellings on the property doesn't meet

City Code requirements. Per City Code 10-6-1 a single-family dwelling is a permissive use in a R3 – Single family residence.

5. ADJOURNMENT

MINUTES
April 2, 2024 – 5:30 p.m.
Zoning Board of Adjustment
Muscatine City Hall – City Council Chambers

Present: Jodi Hansen, Nancy Jensen, Larry Murray and Julie Wolf
Excused: Robert McFadden
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: Julie Wolf motioned to approve the December 5, 2023 minutes; seconded by Larry Murray. All ayes, motion carried.

Variance Appeal No. ZBAV01-2024, filed by Michael and Trish Simester to construct a manufactured home with an attached garage, porch and separate driveway located at 7200 41st Street S. This parcel is zoned AG and is 9.32 acres. Per City Code Section 10-3-1(B) a single-family dwelling, provided that it has a minimum lot area of two (2) acres is a permissive use.

Michael Simester, 7200 41st Street S, was present to discuss the variance appeal and explained that the new home would be for his parents who are looking to downsize from their current home and would like to move to a better location with more accessible amenities. The manufactured home would be a basic modular home approximately 1,800 sq ft and an attached garage with an approximate footprint 30'x30' or 900 sq ft. The driveway to the new home would be separate from the current driveway and Mr. Simester stated he intended to install a gravel driveway. To which April Limburg explained that the new driveway would have to be hard surfaced as required by City Code.

Pam Murdock, 2209 41st Street S, and Teresa Sprague, 6702 Wellington Dr, who live and own the property across the street voiced concerns about the small amount of frontage available at Mr. Simester's property and that the proposed location of the new home would be too close to the frontage and their property. They stated this proposed location may work for the Simester family but if the property were to ever sell in the future it may cause issues. Ms. Murdock and Ms. Sprague discussed that they once had an agreement with the County to bring in a temporary home for a relative but it had to be taken down after the relative's passing and wondered if the City had something similar available to use in this instance. Ms. Limburg stated she was unaware of that sort of situation being allowable per City Code.

Ms. Simester shared that the new home is intended to be permanent and the proposed placement of the home is a rough estimate so it can be moved a little but they do not want to move it to the rear of the current house as they share a fence with the airport and do not want to get too close to it and the land also gets wet very easily in the rear.

Jodi Hansen questioned what the long-term plans are for the property, to which Mr. Simester responded they plan to live there until their passing and their children have expressed interest in returning to the property so it will be passed down to them.

Julie Wolf inquired how long the new driveway would be and Mr. Simester responded it would be roughly 70-80 feet if the home is kept at the proposed location. Larry Murray asked if the building could be moved to the middle of the property so the current driveway could be shared and Mr. Simester shared that would not be possible as a utility easement runs through the property in that location.

Several board members voiced concerns about two homes being located on one parcel and mentioned they would feel more comfortable if the property was separated into two parcels.

Terry Martin, 2331 Burlington Rd, expressed that he farms on three sides of this property and to add more people living out there creates more issues and concerns for him. Mr. Martin offered that his point would still be the same even if the property was separate into two parcels.

Trish Simester, 7200 41st Street S, shared that she is a nurse and as her husband's parents are getting older, she would be able to more conveniently care for them if they lived that close to them. Ms. Simester stated they do not want to split the property as they plan to take control of the home when the parents are deceased, which will all be passed down to their own children.

Julie Wolf suggested adding on to the existing home and Ms. Simester stated that is not possible due to the unique shape of the home. Mr. Simester proposed that while the new home cannot be moved too much due to the utility easement and drain fields, they would make considerations for neighbors' complaints to move to a better location based on the neighbor's concerns.

Nancy Jensen questioned if moving the home would solve the concern according to the neighbors. To which Ms. Murdock and Ms. Sprague claimed no as the issue is that there would be two homes on one parcel. Jodi Hansen clarified that if the variance appeal is not approved and the Simesters decide to split the property then the new home will be able to be placed where ever they want on the new parcel.

Jodi Hansen motioned to approve the variance appeal; seconded by none. Motion denied.

Meeting adjourned at 6:18 p.m.

ATTEST:

Respectfully Submitted,

Jodi Hansen, Chairperson
Zoning Board of Adjustment

April Limburg, Secretary
Planner

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: October 3, 2023
Re: Variance Appeal No. ZBAV10-2023

INTRODUCTION: Variance Appeal No. ZBAV10-2023, filed by Heidemarie Kremer and Kaneshka Salehi to divide the lot located at 1202 E 4th St for the purpose of rehabilitating the structure at the location as well as adding a second 3D printed structure on the remaining half of the lot providing affordable housing. The two dwellings on the property doesn't meet City Code requirements. Per City Code 10-6-1 a single family dwelling is a permissive use in a R3 – Single family residence

BACKGROUND: Variance Appeal No. ZBAV10-2023, filed by Heidemarie Kremer and Kaneshka Salehi to divide the lot located at 1202 E 4th St for the purpose of rehabilitating the structure at the location as well as adding a second 3D printed structure on the remaining half of the lot providing affordable housing.

****The Planning and Zoning Commission heard the request to vacate the right-of-way at the lower half of the property to gain access to the lot. The meeting was held on April 9, 2024. The request to vacate the right-of-way was not approved. Therefore, legal access to the lower portion of the property is not permitted.**

