



City of Muscatine

ZONING BOARD OF ADJUSTMENTS

Tuesday, October 1, 2024

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

October 1, 2024, 5:30 PM

AGENDA

1. CALL TO ORDER/ROLL CALL

2. MISSION STATEMENT

3. APPROVAL OF MINUTES

A. June 4, 2024

B. September 3, 2024

4. CONDITIONAL USE NO. ZBACU01-2024

A. To allow the construction of a data processing center located on the parcel 0919100007 by Aurum Northland LLC. Per City Code Section 10-3-2 (C), the substation allowed as a conditional use for the AG –Agricultural District. A 20 ft wide gravel road along with parcel off of Solomon Ave will also be constructed. Per City Code Section 10-27-8 (A-D), the road needs to be hard surfaced.

5. VARIANCE APPEAL NO. ZBAV07-2024

- A. Filed by Muscatine Center for Social Action (MCSA) to construct two (2) single family homes on the parcel located at 707 E 7th St. The one structure will be approximately 19'10" wide requiring the setback to be 5'1". Per City Code Section 10-7-3 (C) the minimum side yard depth setback is 6 feet in the R-4 Residential District.

6. VARIANCE APPEAL NO. ZBAV08-2024

- A. Filed by Muscatine Center for Social Action (MCSA) to construct one (1) single family homes on the parcel located at 409 E 6th St. The two structures will be approximately 19'10" wide requiring the setback to be 5'1". Per City Code Section 10-8-3 (C) the minimum side yard depth setback is 6 feet in the R-5 Multi-Family Residential District.

7. VARIANCE APPEAL NO. ZBAV09-2024

- A. Filed by Muscatine Center for Social Action (MCSA) to construct one (1) single family homes on the parcel located at 718 E 7th St. The one structure will be approximately 19'10" wide requiring the setback to be 5'1". Per City Code Section 10-7-3 (C) the minimum side yard depth setback is 6 feet in the R-4 Residential District.

8. VARIANCE APPEAL NO. ZBAV10-2024

- A. Filed by Skuared Properties remodel a structure at 316 Chestnut into a duplex. The zoning for the location is R5—Multi-Family Residence. This is a permissive use. However, the minimum off street parking spots is 4 in total. Per City Code Section 10-27-2 (B) the minimum off-street parking spaces for a duplex is 2 per dwelling unit. There is no off-street parking at this location.

9. ADJOURNMENT

MINUTES
June 4, 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
Unexcused: 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: Larry Murray motioned to approve the May 7, 2024 minutes; seconded by Julie Wolf. All ayes, motion carried.

Variance Appeal No. ZBAV02-2024, filed by Ales Investments to construct two post frame buildings with multi-purpose suites available to lease on located on parcel 0828202003. The applicant is asking for a 20' setback to ensure enough room for the buildings to be constructed as well as parking. Per City Code Section 10-14-1 (B) the minimum front yard depth setback is 30 feet. Abe Ales, 164 Sherman St, was present to discuss the variance appeal and explain the purpose for constructing the two post frame buildings. There will be 8 units on each side with 16 total units. The units will be leased out to contractors as well as those who are in need of a flexible office space. The property is located next to Scooters. The units will have 14 ft overhead doors, with a window, and a man door. Each will also have a restroom facility and own utilities.

Larry had concerns with the location of the entrance coming off of Mulberry Ave with several other businesses using that area as well. April advised the Board; the Site Plan Review Committee will address that issue as the meeting for review is June 12th. April also discussed the variance would need to include a 15ft setback on the NE side due to how the property was subdivided.

Larry motioned to approve the variance appeal with the 20ft setback as well as a 15ft setback on the NE side of the property as long as the traffic concerns were addressed at the site plan meeting; seconded by Julie. All ayes, motion carried.

Variance Appeal No. ZBAV04-2024, filed by Charles and Kathy Lewis to construct a detached garage on the property located at 711 W Mississippi. The applicant is asking for a 14' setback in the rear to ensure enough room for the building. Per City Code Section 10-11-3 (B) the minimum rear yard depth setback is 20 feet. Charles Lewis, 711 W Mississippi Dr, was present to discuss the variance appeal and explained the reason for the setback request. He would like to build a detached garage and build it back on the property to not obstruct the view of his neighbors.

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

Meeting adjourned at 5:45 p.m.

ATTEST:

Jodi Hansen, Chairperson
Zoning Board of Adjustment

Respectfully Submitted,

April Limburg, Secretary
Planner

MINUTES
September 3, 2024 – 5:30 p.m.
Zoning Board of Adjustment
Muscatine City Hall – City Council Chambers

Present: Nancy Jensen, Larry Murray and Julie Wolf
Excused: Jodi Hansen
Absent: Robert McFadden
Staff: April Limburg, Planner, Community Development
Christa Bailey, Office Manager, Community Development

Vice Chairperson Julie Wolf opened the meeting at 5:30 p.m. and read the mission statement.

Minutes: Nancy Jensen noticed an error in the June 4, 2024 minutes so April Limburg stated she would correct the error and bring the minutes back before the board for approval at the next meeting.

Variance Appeal No. ZBAV05-2024, filed by Sharon Phillips to construct a 6' x 14' enclosed porch located at 216 Roselawn Ave. The applicant is asking for a 0' setback to construct the enclosed porch on the property line. Per City Code Section 10-6-3(C)(2) the minimum side yard depth setback is 6 feet.

Michael Peters, 812 W 2nd St, and Sharon Phillips, 216 Roselawn Ave, were present to discuss the variance appeal. Mr. Peters explained the hope is to build the enclosed porch right up to the property line on the 212 Roselawn Ave neighboring side. Anthony Longhurst, 212 Roselawn Ave, stated he did not have any issues with the proposed setback.

Nancy Jensen commented that they have a good relationship with the current neighbor but questioned if the neighbor were to sell in the future to someone who did not agree with the placement how would Ms. Phillips plan on maintaining or making repairs to the enclosed porch. Ms. Phillips explained if it came down to it, she would have it torn down but she needs the extra space right now as her daughter is moving back in. Mr. Peters added that the enclosed porch will be built on four piers/posts and will be removable.

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

Conditional Use No. ZBACU01-2024, to allow the construction of a data processing center located on the parcel 0919100007 by Aurum Northland LLC. Per City Code Section 10-3-2(C), the substation is allowed as a conditional use for the AG – Agricultural District.

Tosha Kensett with Aurum Northland LLC was present to discuss the conditional use request. Ms. Kensett shared that they have been operating in Iowa since 2019 with 25 megawatts of active operations currently and they are looking to construct a 10-megawatt data processing center in Muscatine.

Larry Murray inquired where the road to the center would go and if they plan to expand in the future. Ms. Kensett replied the road would go along the property line and that she does not know of any plans to expand. April Limburg stated they would need to apply for another conditional use if they wanted to expand in the future.

Matthew Elam, 1978 Solomon Ave, shared that Aurum Northland LLC originally came to him wanting to build on his property but he ultimately declined as he did not want them to trench through his property. Mr. Elam voiced several concerns including the center will create a 95-decibel buzzing noise and the center's heat output as a 10-megawatt site in Grundy Center is causing problems with citizens as that data processing center is putting out too much heat. Mr. Elam also asserted that per County regulations the road is supposed to be 600 feet from any surrounding property and constructing the road along the property line will not meet those requirements.

Ms. Kensett explained they are looking into a hydro cooling system for the center to put out less heat. Ms. Kensett added that the center consumes energy when it is cheap such as overnight or super early and if it is super-hot out, they shut down the center as to return the power to the utility company. Ms. Kensett also stated that they hire locally both for the construction process and for the technicians who will run the center.

Larry Murry motioned to table the conditional use to the next meeting as to include the DNR and County; second by Nancy Jensen. All ayes, motion carried.

Variance Appeal No. ZBAV06-2024, filed by Robert Wadden to construct a 22' x 30' garage located at 403 W 4th St. The applicant is asking for 0' setbacks for the rear and the side to construct the garage on the property line. Per City Code Section 10-7-3(C)(D) the minimum side yard depth setback is 6 feet and the rear setback is 25 feet in the R-4 Residential District.

Robert Wadden, 14390 Buttercup Ln Letts, IA, was present to discuss the variance appeal stating a dilapidated cinder block garage is currently present and leans towards the alley way. Mr. Wadden shared that the previous owner neglected the property and they have put a lot of work into remodeling it so far.

Nancy Jensen questioned if the property will be rented and if the new garage will be the same size as the existing garage. Mr. Wadden replied the property will be rented unless they sell it instead and the new garage will be a little bigger in both the width and length. Larry Murray asked if the new garage will be any closer to the alley, to which Mr. Wadden stated it will not.

Andrew Anderson, 217 W 4th St, expressed that he lives about a block away plus owns property on the same block as 403 W 4th St and Robert's company is doing multiple projects in the area that are all of great quality. Mr. Anderson asserted that setbacks are not one size fits all and generally only fit brand new construction but the requested 0' setbacks fit with the surrounding area and neighboring houses.

Ms. Jensen shared that the existing garage is most likely built with block from the Muscatine Block Company and is historic so she would hate to see it completely torn down but understands it could be too expensive to repair. Mr. Wadden disclosed that the neighbor's tree went through one wall so it is not possible to repair.

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

Election of Officers: Julie Wolf motioned for Jodi Hansen to remain Chairperson and Julie Wolf remain Vice Chairperson; seconded by Nancy Jensen. All ayes, motion carried.

Meeting adjourned at 6:10 p.m.

ATTEST:

Julie Wolf, Vice Chairperson
Zoning Board of Adjustment

Respectfully Submitted,

April Limburg, Secretary
Planner

COMMUNITY DEVELOPMENTPlanning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement**MEMORANDUM**

To: Zoning Board of Adjustments
From: April Limburg, Planner
Date: August 19, 2024
Re: Conditional Use No. ZBACU01-2024

INTRODUCTION: Conditional Use No. ZBACU01-2024, to allow the construction of a data processing center located on the parcel 0919100007 by Aurum Northland LLC. Per City Code Section 10-3-2 (C), the substation allowed as a conditional use for the AG –Agricultural District. A 20 ft wide gravel road along with parcel off of Solomon Ave will also be constructed. Per City Code Section 10-27-8 (A-D), the road needs to be hard surfaced.

BACKGROUND: Conditional Use No. ZBACU01-2024, to allow the construction of a data processing center located on the parcel 0919100007 by Aurum Northland LLC. Per City Code Section 10-3-2 (C), the substation allowed as a conditional use for the AG –Agricultural District. The data center will be accessed off of Solomon Ave.

The applicant is working with the Muscatine County Zoning office regarding the access to the parcel as well as any easements that are required per County standards. The site will be roughly an acre in size with a work trailer to the 2-3 employees who will be working on site. The center will also have the appropriate equipment for the data center to operate. The area will be fenced off to the public as well as having the proper safety measures to shut down the transformers in case of a hazard. The applicant has been in contact with the building department to ensure all of the proper requirements are met for this type of facility. The applicant will work with the building department for all of the permits required, the county zoning office, and the fire department to ensure all the requirements are met for this type of facility.

******The applicant is working with the County to obtain a driveway permit on Solomon Ave. Per the Fire Department, the road needs to meet the 20ft width and be an all-weather service road per fire code. The road and parking surfaces need to support the fire vehicles with a gross vehicle weight up to 30,000 lbs.

Site plan is attached.



[illegible]

INSTRUCT

NOT FOR CONSTRUCTION

RECIPIENT ACCEPTS THE BIM DATA "AS-IS",
WITHOUT ANY EXPRESS OR IMPLIED
WARRANTY INCLUDING, WITHOUT LIMITATION,
ANY WARRANTY THE BIM DATA IS COMPLETE,
TECHNICALLY ACCURATE, FREE OF DEFECTS,
AND/OR FIT FOR US AS INTENDED BY
RECIPIENT.

MiningStore Iowa
Mining Facility
@Muscatine

Proposed Site Plan

SK-101.00



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: September 23, 2024
Re: Variance Appeal No. ZBAV07-2024

INTRODUCTION: Variance Appeal No. ZBAV07-2024, filed by Muscatine Center for Social Action (MCSA) to construct two (2) single family homes on the parcel located at 707 E 7th St. The one structure will be approximately 19'10" wide requiring the setback to be 5'1". Per City Code Section 10-7-3 (C) the minimum side yard depth setback is 6 feet in the R-4 Residential District.

BACKGROUND: Variance Appeal No. ZBAV07-2024, filed by Muscatine Center for Social Action (MCSA) to construct one (1) single family homes on the parcel located at 707 E 7th St. The one structure will be approximately 19'10" wide requiring the setback to be 5'1". Per City Code Section 10-7-3 (C) the minimum side yard depth setback is 6 feet in the R-4 Residential District.

This project is part of the larger neighborhood revitalization project. The property currently has a 4 plex home on a 8,400 sq ft lot. The structure will be removed to construct the two structures.

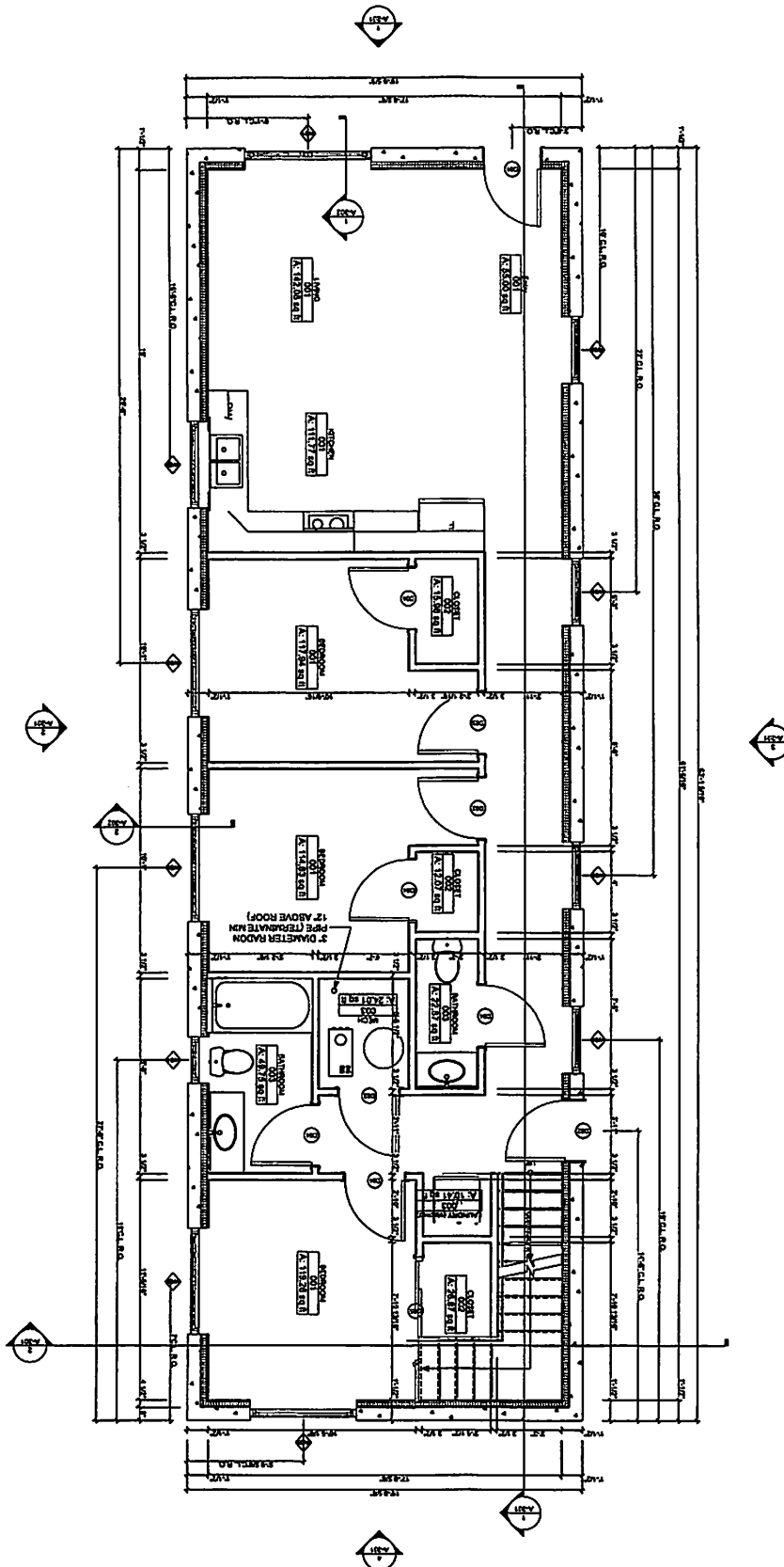
The applicant will need to contact the building department for all the required permits as well as obtaining a demolition permit and the requirements needed for demolition.

****The floor plan is may or may not be the floor plan for this specific location. The dimensions of the structure are what is important as MSCA has roughly three (3) different floor plans to work in lots that are 30'x140'.**

Site plan is attached.



1
1st FLOOR PLAN



CONSTRUCTION DOCUMENTS - COORDINATION SET

AXIOMCONSULTANTS

A-102

FLOOR PLAN

SHEET TITLE

PROJECT NO. 2024
DATE: 8/1/2024
DRAWN BY: MSN
CHECKED BY: MSN
COPYRIGHT

MARK	DATE	DESCRIPTION

COMMUNITY FOUNDATION INFILL HOUSES

Contact Address1
MUSCATINE, IA 52761



horizon.
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MICHAEL@HORIZON-ARCHITECTURE.COM
PH | (563) 506-4965
WWW.HORIZON-ARCHITECTURE.COM



IGNITE VITALITY MULBERRY

NEIGHBORHOOD PROJECT

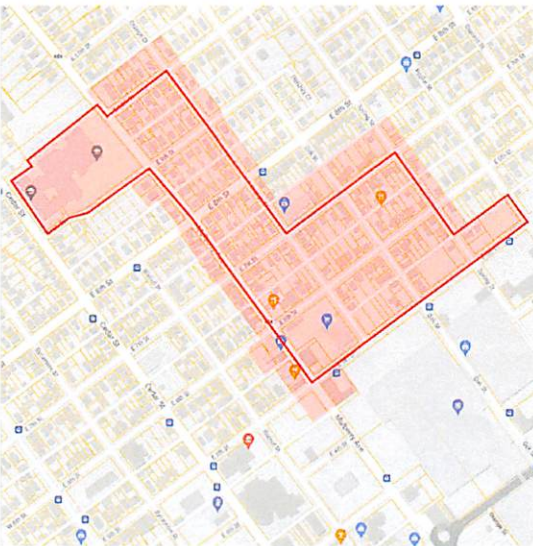
In 2024, the Ignite Vitality project is kicking off in a neighborhood along Mulberry Avenue, between downtown Muscatine and Jefferson Elementary School.

The goals of the project are to develop deep-rooted social connections, healthy homes and children, and strong lifelong outcomes for all residents.

These outcomes will happen through investment in the neighborhood's households, infrastructure, and commercial properties, as well as connections to local resources and opportunities.

In the coming months, you will be hearing more about various projects in the neighborhood. Keep an eye out for ways you can get involved and provide feedback!

PROJECT AREA



NEW POCKET PARK



HOME FACADE GRANTS



SIDEWALKS & CROSSWALKS



BUSINESS FACADE GRANTS

WHAT DO YOU WANT TO
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NEIGHBORHOOD?



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For more information or questions about the project, please reach out to the Community Foundation at 563-264-3863 or info@givinggreater.org.

COMMUNITY DEVELOPMENT

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

MEMORANDUM

To: Zoning Board of Adjustments
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Date: September 23, 2024
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This project is part of the larger neighborhood revitalization project. The property currently is vacant located on a 4,200 sq ft lot.

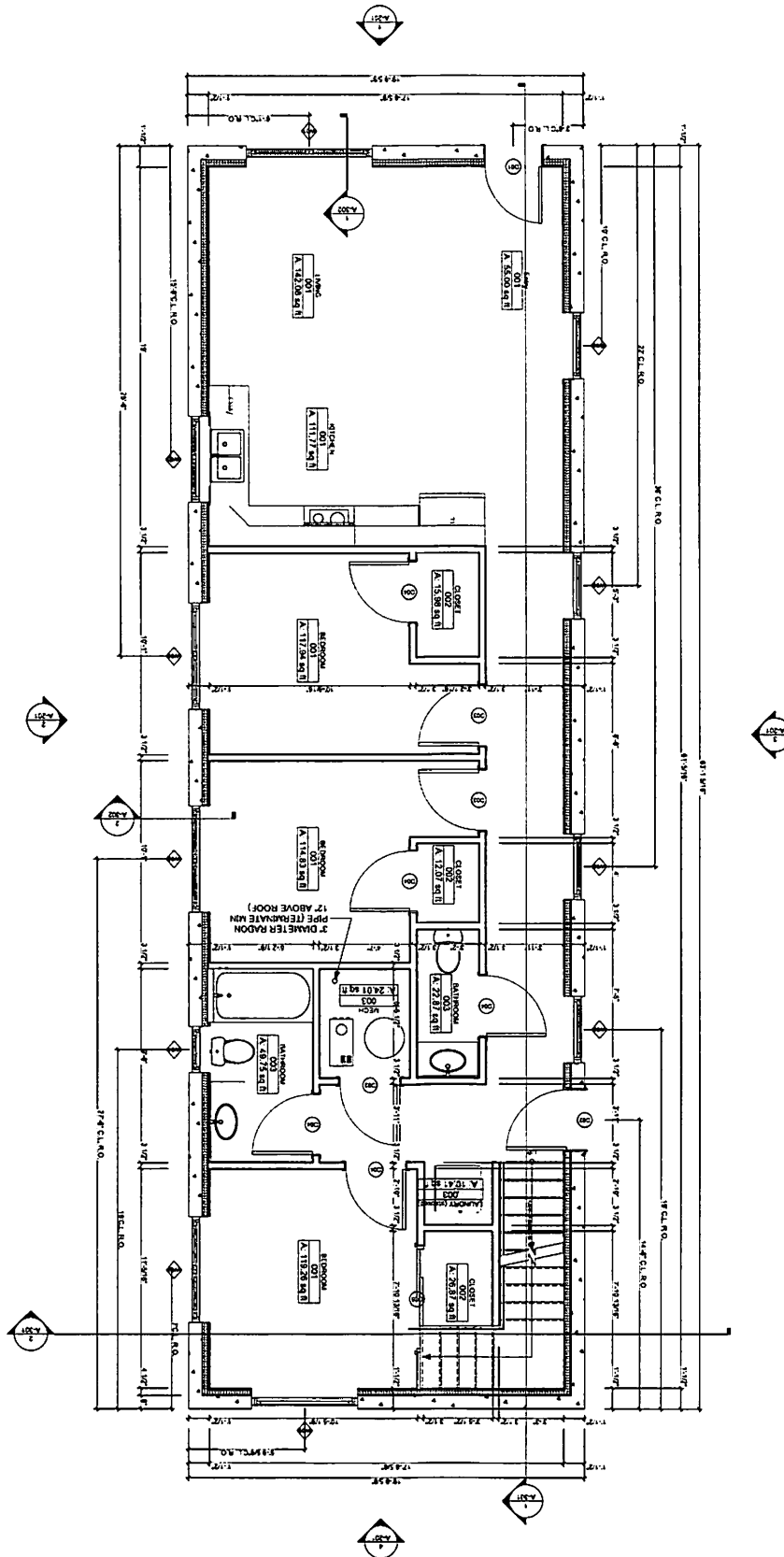
The applicant will need to contact the building department for all the required permits.

****The floor plan is may or may not be the floor plan for this specific location. The dimensions of the structure is what is important as MSCA has roughly three (3) different floor plans to work in lots that are 30'x140'.**

Site plan is attached.



1
1st FLOOR PLAN



CONSTRUCTION DOCUMENTS - COORDINATION SET

AXIOMCONSULTANTS

A-102

FLOOR PLAN

SHEET TITLE

PROJECT NO. #PH
DATE: 9/9/2024
DRAWN BY: MSN
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COMMUNITY FOUNDATION
INFILL HOUSES

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MUSCATINE, IA 52671



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IGNITE VITALITY MULBERRY

NEIGHBORHOOD PROJECT

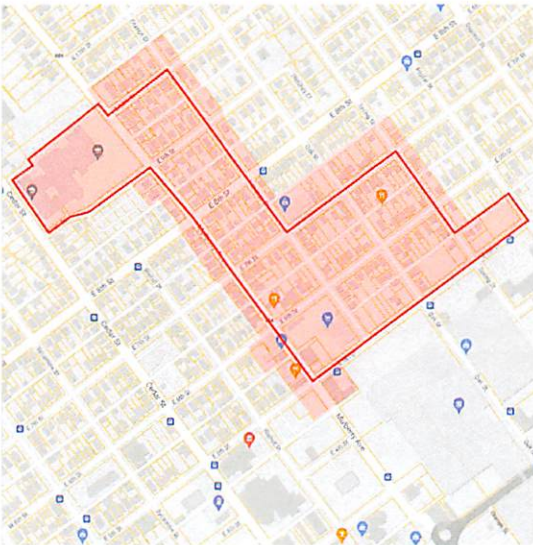
In 2024, the Ignite Vitality project is kicking off in a neighborhood along Mulberry Avenue, between downtown Muscatine and Jefferson Elementary School.

The goals of the project are to develop deep-rooted social connections, healthy homes and children, and strong lifelong outcomes for all residents.

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PROJECT AREA



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HOME FACADE GRANTS



SIDEWALKS & CROSSWALKS



BUSINESS FACADE GRANTS

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Planning,
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MEMORANDUM

To: Zoning Board of Adjustments
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Date: September 23, 2024
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This project is part of the larger neighborhood revitalization project. The property currently has a single-family home on a 4,200 sq ft lot. The structure will be removed to construct the one structure.

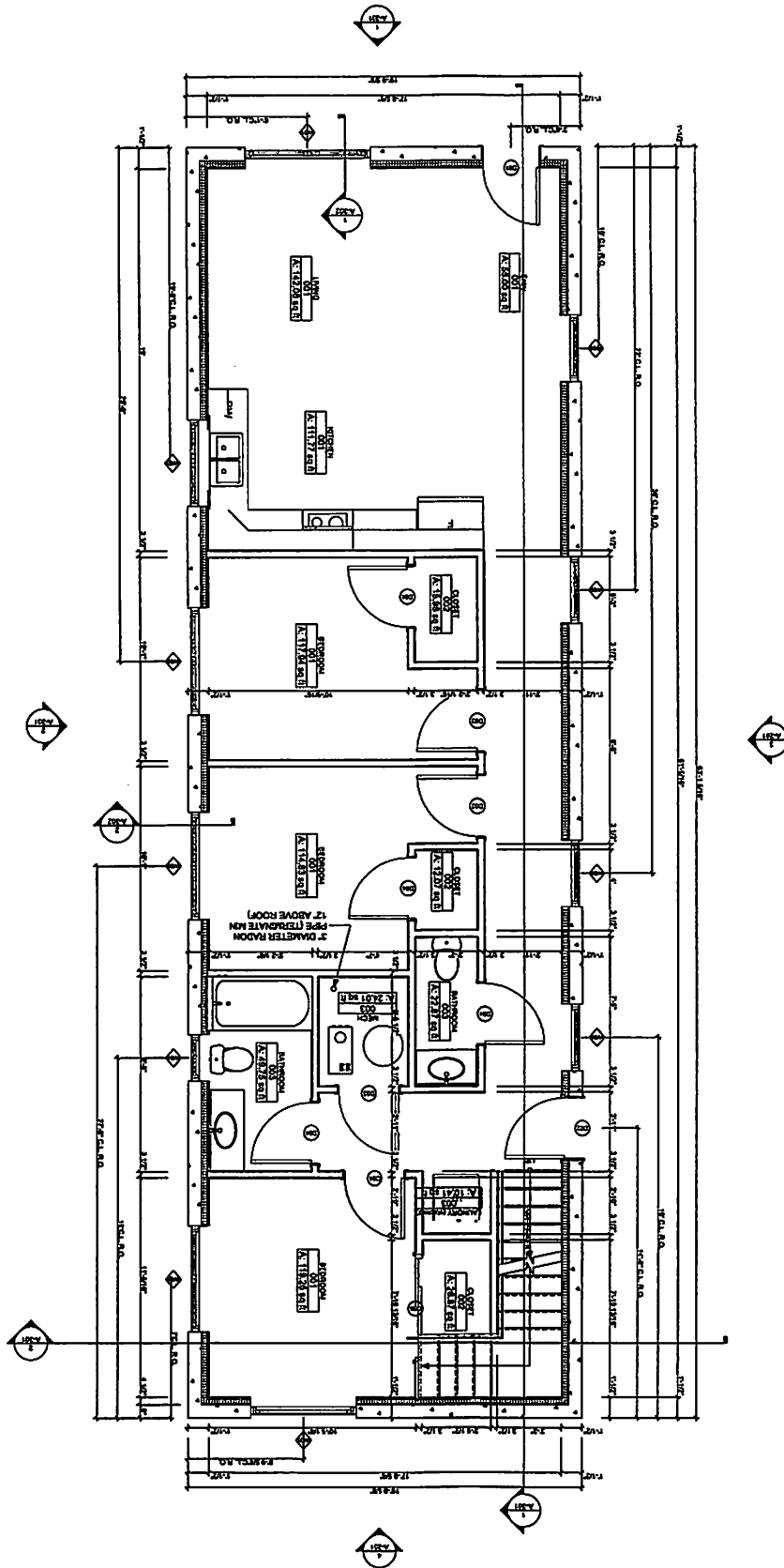
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1
1st FLOOR PLAN



CONSTRUCTION DOCUMENTS - COORDINATION SET

AXIOMCONSULTANTS

A-102

FLOOR PLAN

SHEET TITLE

PROJECT NO: 0273
DATE: 9/8/2014
DRAWN BY: ASH
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MARK	DATE	DESCRIPTION

COMMUNITY FOUNDATION
INFILL HOUSES

Contact Address1
MUSCATINE, IA 52761



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NEIGHBORHOOD PROJECT

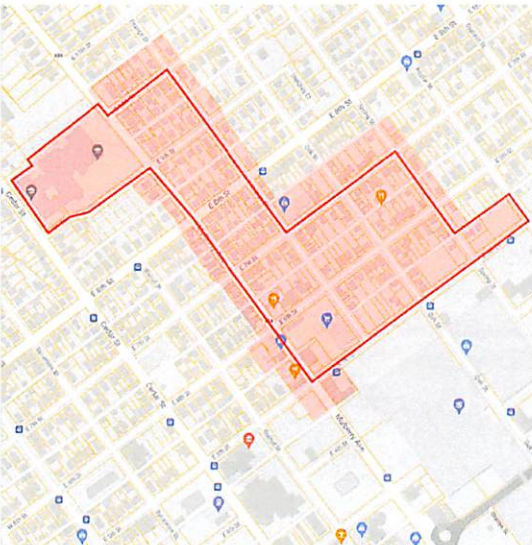
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MEMORANDUM

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BACKGROUND: Variance Appeal No. ZBAV10-2024, filed by Skuared Properties remodel a structure at 316 Chestnut into a duplex. The zoning for the location is R5—Multi-Family Residence. This is a permissive use. However, the minimum off street parking spots is 4 in total. Per City Code Section 10-27-2 (B) the minimum off-street parking spaces for a duplex is 2 per dwelling unit. There is no off-street parking at this location.

The Traffic Commission a few years ago received several complaints about this parcel and vehicles parking in the right of way area causing the sight obstructions from the alley pulling into Chestnut St. The Traffic Commission did place a no parking sign from here to alley to help with the sight obstructions. There was a tree and vegetation also obstructing view line of sight. Those issues have been removed. The right of way is not located on private property and can't be used legally for the general use of public parking. Plus, there were issues with vehicles being doubled parked.

This property only has on-street parking.

