



City of Muscatine

ZONING BOARD OF ADJUSTMENTS

Tuesday, November 5, 2024

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

November 5, 2024, 5:30 PM

AGENDA

1. CALL TO ORDER/ROLL CALL

2. MISSION STATEMENT

3. APPROVAL OF MINUTES

A. October 1, 2024

4. VARIANCE APPEAL NO. ZBAV11-2024

A. Filed by Jeff Conrad to construct 24'x38' (912 sq ft) garage in the back of the property located at 811 Leroy St. The garage will be placed 18' from the curb or 12' from the property line as a setback. Per City Code Section 10-6-3(D) the minimum rear yard depth setback is 25 feet in the R-3 Residential District.

5. ADJOURNMENT

MINUTES
October 1, 2024 – 5:30 p.m.
Zoning Board of Adjustment
Muscatine City Hall – City Council Chambers

Present: Jodi Hanson, Nancy Jensen, Robert McFadden, Larry Murray and Julie Wolf
Excused:
Absent:
Staff: April Limburg, Planner, Community Development

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

Minutes: Julie Wolf made a motion to approve both the June 4, 2024 and the September 3, 2024 minutes; Larry Murray seconded. All ayes, motion carried.

Conditional Use No. ZBACU01-202, 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.

JohnPaul Baric, 15988 Grand Center, IA discuss the construction of a data processing center located on the parcel 091910007 and what the process would entail. He also discussed working the City and the County as well as the DNR regarding the access of the property, hydrant placement and fire requirements, and utility easements. He is still in the process of obtaining the proper permits from the DNR for the water. The facility has an operation live of roughly 15 to 20 years. Aurum Northland is also in the final stages of negotiations to place a processing center in the City limits as well as across the road in the County. Access to both facilities will be utilizing a private road off of Solomon Road. The Commission discussed the issues from the September 3rd meeting as well as hard surfacing the access road, drive into the facility and the parking spaces for employees. Mr. Elam, 1978 Solomon Road, is against hard surfacing all together as there are currently issues with drainage from Menards and the area in general. Concrete would only make the issue worse.

Julie Wolf motioned to approve conditional use; second by Robert McFadden. All ayes, motion carried. Larry made a motion to allow to not hard surface the gravel road, approach, and the parking spots; Julie Wolf second; motion carried with three (3) ayes and two (2) nays. Robert McFadden and Jodi Hansen voted nay.

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.

Variance Appeal No. ZBAV08-2024, 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 one structure 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.

Variance Appeal No. ZBAV09-2024, 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.

Ron Monahan, 312 Iowa Ave represented MSCA in regards to variances 07-2024, 08-2024, and 09-2024. Ron went over the grant program and the revitalization of the program in general. The goal is to building housing for first time home buyers, low-income families, and teachers to purchase on infill lots in and around the City of Muscatine in a certain area. Ron went over the construction of the structures and the 3 building floor plan options. Each structure will be a 3 bedroom and 2 bath homes on a slab grade construction. The Commission also discussed access to all three properties which all have access and parking to the rear of the properties.

Julie Wolf made a motion to approve all three variances in three separate motions, Robert seconded, motion passed with all ayes.

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.

Josiah Anderson, 419 W 2nd St, would like to convert a single-family home into a duplex consisting of 2 units each with 4 bedrooms and would like to be available for those on Section 8. Due to the area parking is on street only. In order to convert the property 4 off street parking spots would be needed. The Commission discussed the right of way area in front of the property as well as the vacation process and why there is a no parking from here to alley sign. The Commission discussed the option of creating parking on the parcel itself.

Julie Wolf motioned to conditional approve the variance appeal if the property owner could create hard surfaced spots on the parcel within 8 months from this meeting date; seconded by Robert McFadden. All ayes, motion carried.

Meeting adjourned at 6:30 p.m.

ATTEST:

Respectfully Submitted,

Jodi Hansen, Chairperson
Zoning Board of Adjustment

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: October 25, 2024
Re: Variance Appeal No. ZBAV011-2024

INTRODUCTION: Variance Appeal No. ZBAV011-2024, filed by Jeff Conrad to construct 24'x38' (912 sq ft) garage in the back of the property located at 811 Leroy St. The garage will be placed 18' from the curb or a 12' from the property line as a setback. Per City Code Section 10-6-3 (D) the minimum rear yard depth setback is 25 feet in the R-3 Residential District.

BACKGROUND: Variance Appeal No. ZBAV011-2024, filed by Jeff Conrad to construct 24'x38' (912 sq ft) garage in the back of the property located at 811 Leroy St. The garage will be placed 18' from the curb or a 12' setback. Per City Code Section 10-6-3 (D) the minimum rear yard depth setback is 25 feet in the R-3 Residential District.

This property is unique in the fact it is classified as having 2 front yards due to the placement between Leroy St and Barry Ave. The property does have an attached 276' garage currently.

The original variance was to have a 6' setback or 13' from the curb. After looking at the area, it was discussed to keep the sight line in that area open and line the garage up in a certain way to do so. Pushing the garage back to 12' off the property line or 18' from the curb would do so.

However, our City Engineering would like a 20 ft setback from the property line. His reasoning is that they will park vehicles on their driveway and not inside the garage pushing the vehicle up to the edge of the roadway. They should be able to fit a vehicle comfortably on their own property on the driveway. With what they are proposing they would most likely end up pulling vehicles onto the driveway parallel to the roadway within the ROW (right of way). This is already a narrow ROW.

Typically, an off-street parking spot is required to be a minimum of 18' x 9.5'

Site plan is attached.

