

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