



# City of Muscatine

## ZONING BOARD OF ADJUSTMENTS

Tuesday, January 7, 2025

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

January 7, 2025, 5:30 PM

### AGENDA

1. **Roll Call**
2. **Mission Statement** “The Zoning Board of Adjustments is a quasi-judicial board appointed by the Mayor and approved by the Muscatine City Council. The Board’s purpose is to interpret the Zoning Ordinance and to allow certain limited exceptions and variances where special conditions and hardships exist. We are an independent volunteer board of citizens and not part of the City Administration. There are five members on the Board. State law requires three affirmative votes to approve any appeal under consideration, no matter how many members are present. (If fewer than five members are present, the appellant has the opportunity to have the appeal delayed until the next meeting. This request must be made prior to Board deliberation of that case.) As a Board of the City, we welcome all testimony. We make our decisions based on the facts and evidence allowed under City Code, presented in open meeting. We ask that if you wish to speak, please come to the podium and give your name and City address.”
3. **Approval of Minutes**
  - A. November 5, 2024 Minutes

4. **Variance Appeal No. ZBAV012-2024 by Zach Boots**

A. ZBAV012-2024- Zach Boots.

5. **Adjournment**

**MINUTES**  
**November 5, 2024 – 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 Manager, 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 October 1, 2024 minutes; Julie Wolf seconded. All ayes, motion carried.

**Variance Appeal No. ZBAV11-2024, filed by Jeff Conard to construct a 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.**

Jeff Conard, 811 Leroy St, and Troy Holliday with Holliday Contractors, 2740 180<sup>th</sup> St, were present to discuss the variance appeal. Mr. Conard explained his yard is sloped and if he is able to place the proposed garage 18' from the curb it will require much less groundwork. Mr. Holliday stated they originally wanted to do 13' from the curb but chosen after speaking with the City, they chose 18' from the curb instead to hopefully alleviate the City street department's concerns.

Julie Wolf questioned if there is an attached garage, to which Mr. Holliday stated there used to be but it has been eliminated and is now being used as living or storage space.

Jodi Hansen inquired if the driveway would be paved off of Barry Ave and Mr. Holliday stated that is correct. Julie Wolf commented that if cars are parked in the driveway, they would be right up to the street but added that there is no sidewalk in that area.

April Limburg shared concerns from a neighbor including drainage and grading issues plus questions about the driveway location, trailer parking situation and what the garage would look like. Mr. Holliday explained that a 9' retaining wall at the back of the property to hold back the yard and drainage so drainage would remain the same. Mr. Holliday stated parallel parking is allowed in the street so any trailers would be parked there rather than in the driveway as the driveway would not be long enough. As for the driveway location, Mr. Holliday shared that the frontage is only 30' feet so the driveway will have to be located within that.

Robert McFadden motioned to approve the variance appeal; Larry Murray seconded. All ayes, motion carried.

Meeting adjourned at 5:41 p.m.

ATTEST:

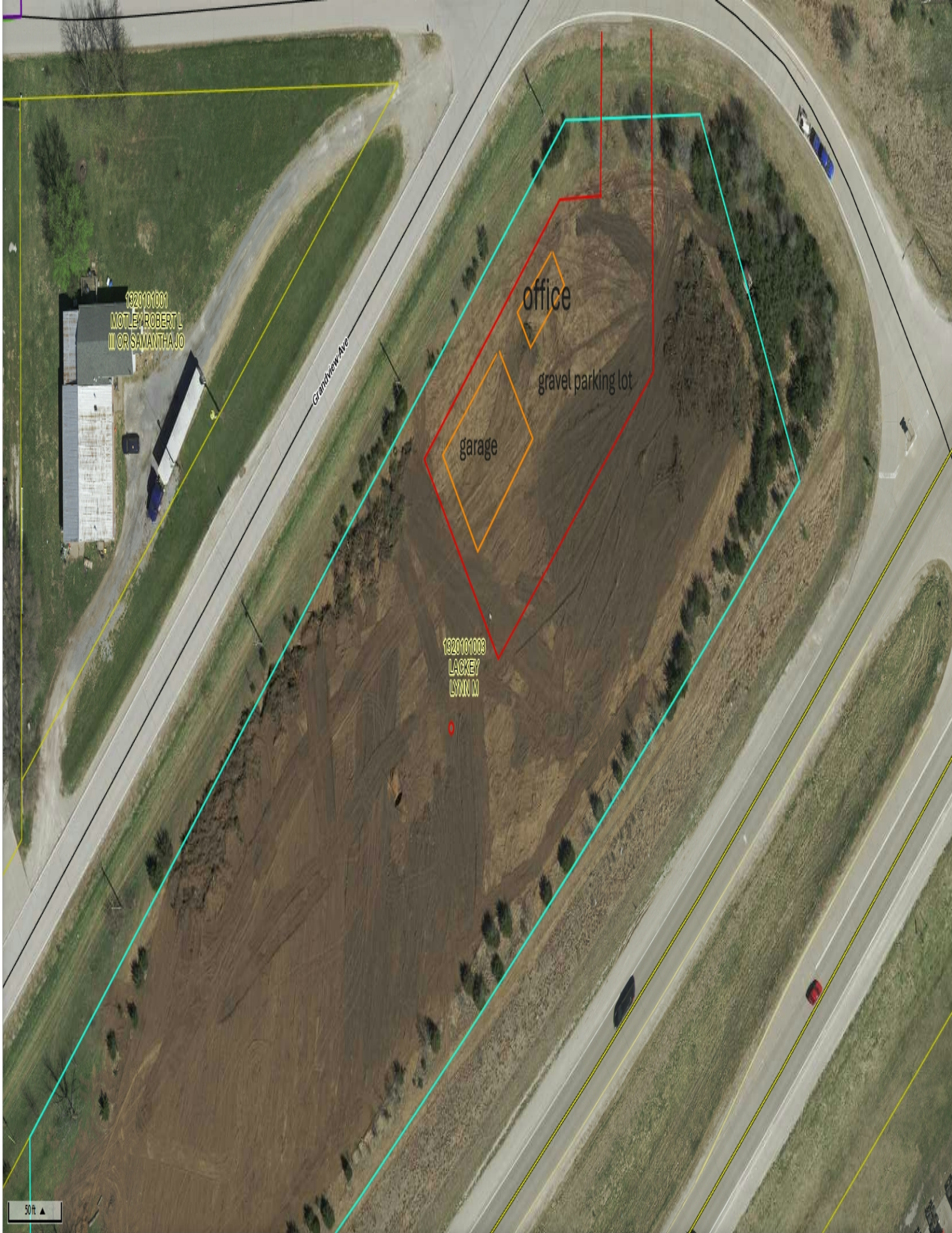
Respectfully Submitted,

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Jodi Hansen, Chairperson  
Zoning Board of Adjustment

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April Limburg, Secretary  
Planner



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**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:** December 18, 2024  
**Re:** Variance Appeal No. ZBAV012-2024

**INTRODUCTION:** Variance Appeal No. ZBAV012-2024, filed by Zach Boots to construct a 30x32x12 garage to store equipment and tools as well as have a temporary office until one can be built. Per City Code Section 10-3-1 (A) and 10-3-2 (A) a commercial business is not a permissive or conditional use in the Agricultural District. The parking lot area will be a gravel material. Per City Code Section 10-27-8 the parking lot needs to be hard surfaced.

**BACKGROUND:** Variance Appeal No. ZBAV012-2024, filed by Zach Boots to construct a 30x32x12 garage to store equipment and tools as well as have a temporary office until one can be built. Per City Code Section 10-3-1 (A) and 10-3-2 (A) a commercial business is not a permissive or conditional use in the Agricultural District. The parking lot area will be a gravel material. Per City Code Section 10-27-8 the parking lot needs to be hard surfaced.

The property is currently owned by Lynn Lackey who is the mother of Zach Boots who is the owner and operator of ZWB General Construction. His current location is up for sale. He is looking to build a garage/building to store his equipment, tools, and eventually run this business out of this location. Currently he is looking to build the garage and a temporary office for 1-2 employees. The goal is to build the garage with an office inside and have room to grow and expand as necessary for the business and the business needs. This property is zoned Agricultural and is 4.05 acres.

The parking lot will be gravel to start off with and in time will potentially be hard surfaced. The applicant asked for the area not to be hard surfaced due to expansion in the future.

If the variance is approved, the applicant would need to submit a site plan review to discuss the plan of the property as well as address any comments or concerns from the Building Dept, the Fire Dept, Public Works, and so on.

Site plan is attached.



# APPEAL FOR VARIANCE APPLICATION

City of Muscatine, Iowa • Community Development Department  
Planning and Zoning • Zoning Board of Adjustment  
215 Sycamore St Muscatine, IA 52761-3840  
(563)262-4141 • FAX (563)262-4142  
[www.muscatineiowa.gov/26/Community-Development](http://www.muscatineiowa.gov/26/Community-Development)

## PROPERTY INFORMATION

Property Address: \_\_\_\_\_ Parcel ID: 1320101003  
Owner Name: Lynne Lackey  
Address: 4206 Grandview Ave. Muscatine IA  
Phone: 563-260-2786 Email: zach@zwbgc.com

## APPEAL INFORMATION

Description of Proposed Variance for Appeal: Building a 30X32X12 garage for storage of equipment and tools. Bringing a temperay office untill a permit one can be built.

## NOTES

### APPLICANT, OR REPRESENTATIVE, MUST BE PRESENT AT THE MEETING FOR ACTION TO BE TAKEN.

Application must be submitted two weeks prior to meeting date. If the applicant does not own the subject property, written authorization from the property owner consenting approval for the applicant to apply for this appeal must be submitted for this application to be considered complete. If applicable, a Site Plan must be submitted with the application.

The Zoning Board of Adjustment meets the first Tuesday of each month.

**FILING FEE IS \$150.00**

## SIGNATURE

I hereby certify all the information submitted above is correct and, I acknowledge that I reviewed this application and provided all required documents if necessitated.

Applicant Signature: Zachary W. Boots Date: 12/17/2024

## OFFICE USE ONLY

Date Filed: \_\_\_\_\_ Date Fee Paid: \_\_\_\_\_ Receipt No.: \_\_\_\_\_  
Appeal Case No.: \_\_\_\_\_ Meeting Date: \_\_\_\_\_  
Property is located on Lot \_\_\_\_\_ Block \_\_\_\_\_ Addition \_\_\_\_\_ in the \_\_\_\_\_ Zoning District.  
Proposed Variance is Classified as an Appeal as Per City Code Section \_\_\_\_\_