

**MINUTES**  
**May 3, 2016 – 5:30 p.m.**  
**Zoning Board of Adjustment**  
**Muscatine City Hall**  
**City Council Chambers**

**Present:** Larry Wolf, Jodi Hansen, and Seth Munier.

**Excused:** Rochelle Conway.

**Staff:** Andrew Fangman, City Planner, Community Development  
Stephanie Oien, Office Coordinator, Community Development

Chairperson Larry Wolf opened the meeting at 5:30 p.m. and read the Mission Statement.

**Minutes:** Hansen motioned to approve minutes for the February 2, 2016, meeting; seconded by Munier. All ayes, motion carried.

**Appeal Case No. 955, filed by John L. Elshoff of 106 Lord Avenue, to take down the existing structure and build a new garage in its place due to the present condition of the existing structure to have the same setbacks. The placement of the structure will not meet setback requirements per City Code 10-6-3(A).**

John Elshoff was present to discuss his case. Mr. Elshoff advised that the garage has been in poor condition for approximately two years. He stated that he doesn't feel confident it is safe. Fangman explained that if 50% or more of the structure is removed it would require a variance if the current setbacks cannot be met. Elshoff noted that the distance from the existing garage and the neighbor's garage is approximately 4-5 feet. He added that he was willing to add fire walls as needed. Fangman stated that structures within 5 feet of the property will need a one-hour fire wall. Elshoff explained that if they move the garage in from the property line it will alter the entrance quite a bit. Munier asked if the proposed garage size would be similar to the existing garage. Elshoff replied that it would be similar as he wants to keep the same entrance. Fangman added that the garage in this location is very similar placement with those in the area. Munier motioned to approve the request; second by Hansen. All ayes, motioned carried.

**Appeal Case No. 956, filed by Victor G. Johnson of 615 W. 3<sup>rd</sup> Street, to construct a 14'x40' or 16'x35' garage that will be 6 inches from the side property line and 4 foot from the rear property line. The placement of the structure will not meet setback requirements per City Code 10-7-3(A).**

Victor Johnson was present to discuss his request. Mr. Johnson advised that 10-foot setback from the rear property line only gives him 19 feet to a large tree that he doesn't want to remove. In addition, the slope of the land is not conducive to the required 6-foot setback for the side yard. He thought a 3-4-foot setback would work. He advised that he was willing to add firewalls as required by building code. Hansen asked if there was an existing garage. Johnson replied that there was only a small shed. Josiah Anderson, who owns 607 W. 3<sup>rd</sup> Street, spoke in support of the garage. Hansen motioned to approve the request; second by Munier. All ayes, motioned carried.

**Conditional Use Case No. 276, filed by City Planner Andrew Fangman for the City of Muscatine, to obtain a flood plain development permit to replace deteriorated rip rap alongside the inner harbor wall at the Muscatine Boat Harbor. This constitutes a conditional use per City Code 10-4-5 (B).**

Fangman advised that City Code requires a Flood Plain Development Permit any time there are improvements or development made within a flood plain. The City has received funding to replace deteriorated rip rap alongside the inner harbor wall at the Muscatine Boat Harbor. Hansen motioned to approve the request; second by Conway. All ayes, motioned carried.

Adjourn.

ATTEST:

Respectfully Submitted,

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Larry Wolf, Chairperson  
Zoning Board of Adjustment

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Andrew Fangman, Secretary  
City Planner