



City Hall, 215 Sycamore St.
Muscatine, IA 52761-3840
(563) 262-4141
Fax (563) 262-4142

COMMUNITY DEVELOPMENT

MEMORANDUM

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

To: Mayor and City Council Members
From: Andrew Fangman, Assistant Community Development Director
Cc: Gregg Mandsager, City Administrator
From: Andrew Fangman, Assistant Community Development Director
Date: October 8, 2019
Re: Wilson Subdivision– Preliminary/Final Plat

INTRODUCTION: A request has been filed for a combined preliminary/final plat for the Wilson Subdivision.

BACKGROUND: A preliminary/final plat for a two-lot subdivision, located at 1403 and 1405 Hershey Avenue has been filed.

RECOMMENDATION/RATIONALE:

Currently these two parcels are under common ownership, and the structure located on 1403 Hershey Avenue extends on the parcel containing 1405 Hershey Avenue. The purpose of the proposed subdivision is to create two individual lots, one for each building. The net effect of this subdivision if approved is to relocate the property line separating 1403 and 1405 Hershey Avenue approximately 26 feet to the west, placing it between the two existing structures, as opposed to running through the structure addressed as 1403 Hershey Avenue.

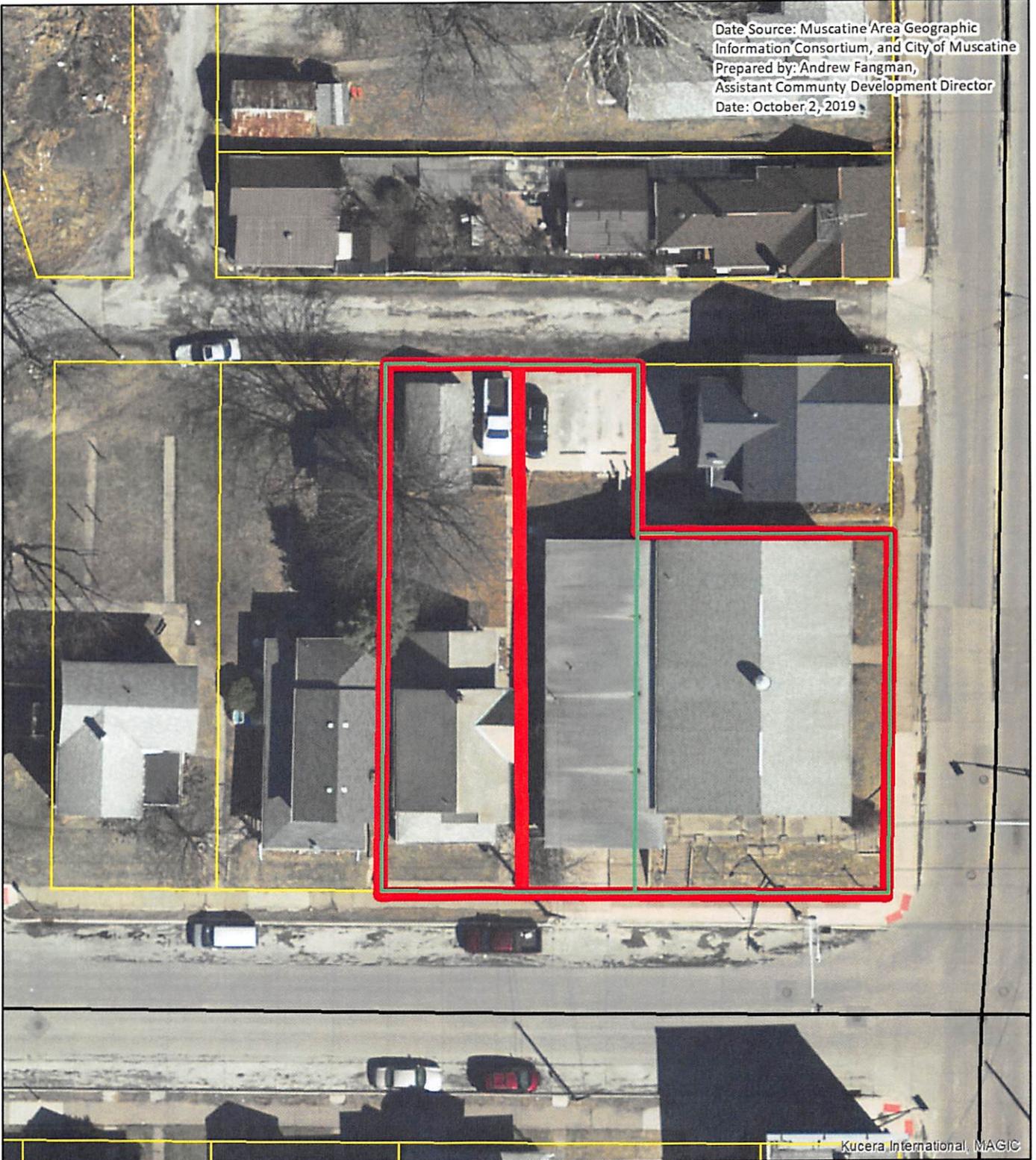
It should be noted that the even after the creating of the proposed subdivision, the structures located at 1403 and 1405 Hershey Avenue will still be legal nonconforming structure, as they will not be able to meet the required 6' side yard setback required in the C-1 zoning district, in which the proposed subdivision is located in. The two buildings, both of which predate the adoption of required side yard setbacks, are located less than 12' apart making in physically impossible for them to conform to this requirement in City Code. However, the proposed new location of the property line between 1403 and 1405 Hershey is in optimal location, see diagram on last page, in terms of creating the best possible side yard setbacks. As such staff recommends approval of the proposed subdivision. At their October 8th meeting, the Planning and Zoning Commission unanimously voted to recommend approval of this this subdivision plat,

BACKUP INFORMATION:

1. Resolution Approving the Final Plat
2. Certificated of Acceptance of the Final Plat
3. Certificated of the Planning Commission
4. Certificated of True Copy
5. Plat

**"I remember Muscatine for its sunsets. I have never seen any
on either side of the ocean that equaled them" — Mark Twain**

Date Source: Muscatine Area Geographic Information Consortium, and City of Muscatine
Prepared by: Andrew Fangman,
Assistant Community Development Director
Date: October 2, 2019



Kucera International, MAGIC

Wilson Subdivision (PZS-17)



-  Lots Proposed for Resubdivision
-  Proposed New Lots
-  Parcel Lines

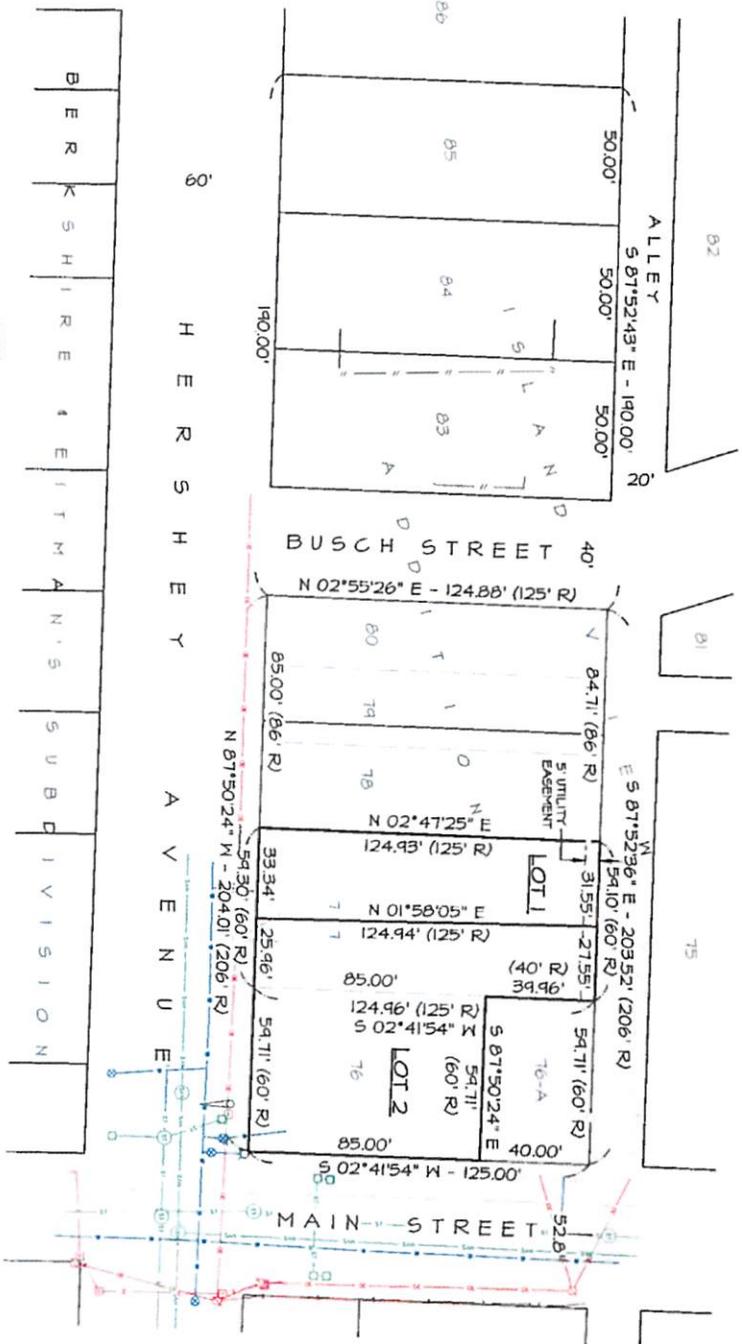
40 20 0 40 Feet



WILSON SUBDIVISION PRELIMINARY / FINAL PLAT



BASIS OF BEARINGS
IOWA REGIONAL COORDINATE SYSTEM
ZONE 14



SETBACKS:
FRONT YARD 20'
SIDE YARD 20'
REAR YARD 20'

AREA:
LOT 1 - 4,093 SQ. FT.
LOT 2 - 6,419 SQ. FT.

DEVELOPER / OWNER:
DAVID A. & DIANE K. MILSON
PO BOX 1065
MUSCATINE, IOWA 52761

ZONING:
C-1 NEIGHBORHOOD & GENERAL
COMMERCIAL DISTRICT

LAND DESCRIPTION - BOOK 344, PAGE 237

LOTS SEVENTY-SIX (76) AND SEVENTY-SEVEN (77) OF ISLAND VIEW
ADDITION TO THE CITY OF MUSCATINE, AS PER AUDITOR'S PLAT THEREOF.

- LEGEND**
- SET 1/2" X 3/8" REBAR NYLON CAP #10316
 - FOUND IRON PIPE
 - SET MAGNETIC NAIL W/ MAGNER
 - SET "X" IN CONCRETE
 - ELECTRIC METER
 - HANDHOLE
 - POWER POLE
 - FIBER OPTIC SIGNAL
 - GAS METER
 - SANITARY SEWER MANHOLE
 - STORM INTAKE
 - STORM MANHOLE
- TELEPHONE RISER
 - WATER VALVE / CURB STOP
 - FENCE
 - OVERHEAD ELECTRIC
 - UNDERGROUND ELECTRIC
 - UNDERGROUND FIBER OPTIC
 - UNDERGROUND CABLE TV
 - UNDERGROUND GAS
 - UNDERGROUND SANITARY
 - UNDERGROUND STORM
 - UNDERGROUND TELEPHONE
 - UNDERGROUND WATER
 - R DIMOTES RECORDED DATA IF OTHER THAN ACTUAL FIELD MEASUREMENT

UTILITY NOTE:
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN CORRESPOND TO ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR MAKES NO GUARANTEE THAT THE INDICATED UTILITIES DO NOT EXIST UNDER THE SURFACE. THE SURVEYOR HAS NOT LOCATED ANY UTILITIES, BUT HAS SHOWN THEIR EXISTENCE AS LOCATED BY THE RESPECTIVE UTILITY COMPANIES AND AVAILABLE MAPS.

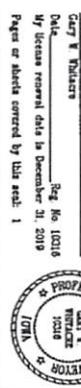
SURVEY COMPANY / RETURN TO:
Marlin & Whitacre
Surveyors & Engineers, Inc.
P.O. BOX 413 MUSCATINE, IOWA 52761
INFO@MARLIN-WHITACRE.COM (563)263-7691

SURVEYOR: GARY R. WHITACRE
PROPRIETOR(S): DAVID A. & DIANE K. MILSON

REQUESTOR: DIANA MILSON
LOCATION: LOT 76 & PART OF LOT 77 OF ISLAND VIEW ADDITION IN THE CITY OF MUSCATINE, IOWA

SURVEY TYPE: PRELIMINARY / FINAL PLAT

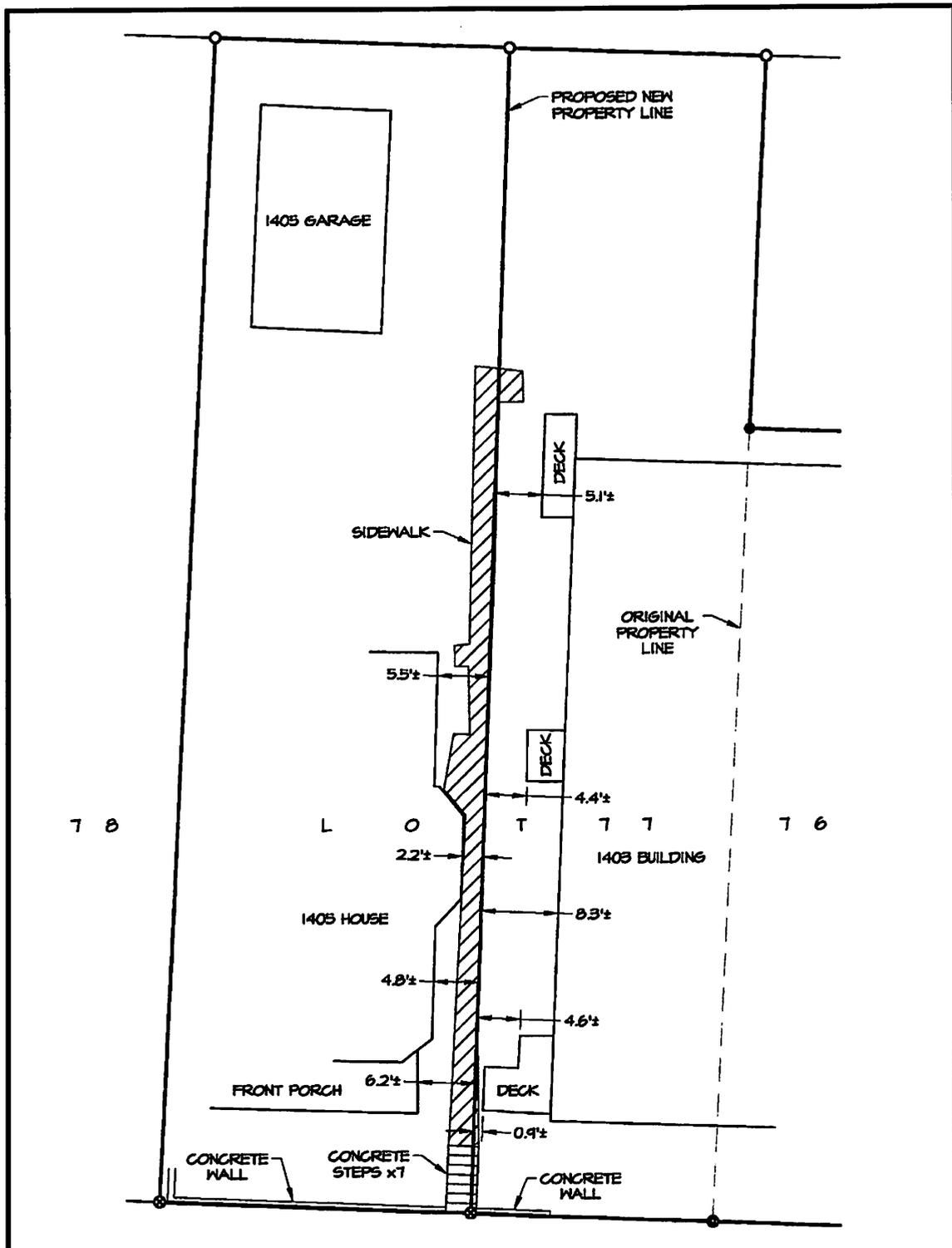
REV.	DATE	BY	DESCRIPTION
0	04/18/25	GW	DATE SURVEY DATED
1	04/18/25	GW	SHEET 1 OF 1



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and under the laws of the State of Iowa.

GARY R. WHITACRE
Date: _____ Reg. No. 10218
My license renewal date is December 31, 2019
Pages or sheets covered by this seal: 1

CONTRACTOR	DATE
MUSCATINE POWER & LIGHT, AN ALLIANT ENERGY COMPANY	
CONTRACTOR, LC	
UTILITIES POWER & WATER	
Transmission & Distribution	
Water Production & Distribution	
Communications	



SURVEY COMPANY / RETURN TO:
Martin & Whitacre
Surveyors & Engineers, Inc.
 P.O. BOX 413 MUSCATINE, IOWA 52761
 INFO@MARTIN-WHITACRE.COM (563)283-7891

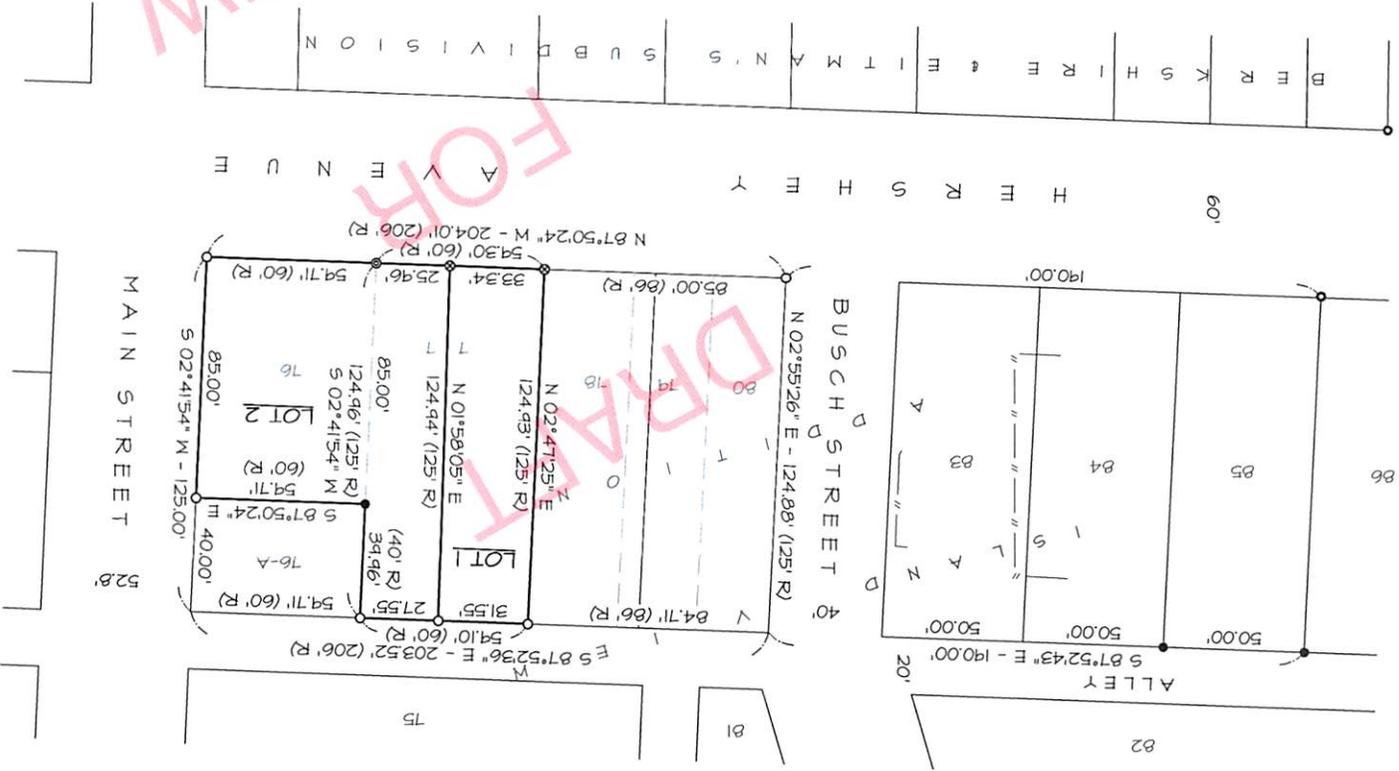
SURVEYOR: GARY W. WHITACRE
 REQUESTOR: DIANA WILSON
 LOCATION: LOT 76 & PART OF LOT 77 OF ISLAND VIEW ADDITION, IN THE CITY OF MUSCATINE, IOWA
 SURVEY TYPE: EXHIBIT

FILE	BOOK	SCALE	DRN	CHK'D	DATE	JOB NO.
SUBD.	PLAT	1"=10'	JRM	GWM	02/17/19	2416.19
REV.	0				2416 SURVEY.DWG	SHEET 1 OF 1

WILSON SUBDIVISION
PRELIMINARY / FINAL PLAT



BASIS OF BEARINGS
IOWA REGIONAL COORDINATE SYSTEM
ZONE 14



LAND DESCRIPTION - BOOK 344, PAGE 237
LOTS SEVENTY-SIX (76) AND SEVENTY-SEVEN (77) OF ISLAND VIEW
ADDITION TO THE CITY OF MUSCATINE, AS PER AUDITOR'S PLAT THEREOF.

AREA:
LOT 1 - 4,053 SQ. FT.
LOT 2 - 8,418 SQ. FT.

ZONING:
C-1 NEIGHBORHOOD & GENERAL COMMERCIAL DISTRICT

Title	Date
INTERSTATE POWER AND LIGHT, AN ALLIANT ENERGY COMPANY	
MUSCATINE POWER & WATER	
Transmission & Distribution	
Water Production & Distribution	
Communications	

The utility easements as shown are acceptable to the following utilities:

SETBACKS:
FRONT YARD, 20'
SIDE YARD, 6'
REAR YARD, 20'

DEVELOPER / OWNER:
DAVID A & DIANE K WILSON,
PO BOX 1065
MUSCATINE, IOWA 52761

UTILITY NOTE:
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION AS INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES, BUT HAS SHOWN THEIR EXISTENCE AS LOCATED BY THE RESPECTIVE UTILITY COMPANIES AND AVAILABLE MAPPING.

Gary R. Whitacre
Reg. No. 10316
My license renewal date is December 31, 2019
Pages or sheets covered by this seal: 1



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

- LEGEND**
- SET 1/2" X 3/8" REBAR W/YELLOW CAP #10316
 - FOUND 1/2" REBAR
 - FOUND IRON PIPE
 - SET MAGNETIC NAIL W/MASHER
 - ⊗ SET "X" IN CONCRETE
 - FENCE
 - (R) R DENOTES RECORD DATA IF OTHER THAN ACTUAL FIELD MEASUREMENT



REV.	DATE	BY	CHKD.	DATE	JOB NO.
0					

DATE SURVEYED SHEET 1 OF 1

SURVEY COMPANY / RETURN TO:
Martin & Whitacre
SURVEYOR: GARY R. WHITACRE
P.O. BOX 413 MUSCATINE, IOWA 52761
INFO@MARTIN-WHITACRE.COM (563)263-7691

PROFESSIONALS:
REQUESTOR: DAVID A. & DIANE K. WILSON

REQUESTOR: **DIANA WILSON**

LOCATION: LOT 76 & PART OF LOT 77 OF ISLAND VIEW ADDITION, IN THE CITY OF MUSCATINE, IOWA

SURVEY TYPE: PRELIMINARY / FINAL PLAT

WILSON SUBDIVISION

CERTIFICATE OF ACCEPTANCE OF FINAL PLAT

STATE OF IOWA, MUSCATINE COUNTY, ss:

We, the undersigned, Diana L. Broderson, and Gregg Mandsager, of the City of Muscatine, Iowa, do hereby certify that the attached plat named and designated **Wilson Subdivision**, in the City of Muscatine, Muscatine County, Iowa, was on November 7, 2019, filed in the office of the City Clerk and presented to the City Council of the City of Muscatine, Iowa, by resolution, a true copy of which is hereto attached, marked Exhibit A, and by this reference made a part hereof; and we, the undersigned, as Mayor and City Clerk, respectively, of the City of Muscatine, Iowa, were by said Resolution duly directed to certify such examination, consent, and approval in order to entitle said plat to be recorded in the office of the County Recorder of Muscatine County, Iowa, among the real estate records of Muscatine County, Iowa.

Dated at Muscatine, Iowa, this **17th Day of October, 2019**,

Diana L. Broderson, Mayor

Attest:

Gregg Mandsager, City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss:

Be it Remembered that on this **17th Day of October, 2019**, before me, a Notary Public in and for the State of Iowa, personally appeared Diana L. Broderson and Gregg Mandsager, to me personally known, who being by me each duly sworn, did say that they are Mayor and City Clerk of the City of Muscatine, Iowa, respectively, and that the seal affixed to the foregoing instrument is the seal of the City of Muscatine, Iowa; that said instrument was signed and sealed on behalf of the City of Muscatine, Iowa, in accordance with a Resolution passed by the City Council held on **17th Day of October, 2019**, that Diana L. Broderson and Gregg Mandsager, as Mayor and City Clerk of the City of Muscatine, Iowa, respectively, severally acknowledged the execution of said instrument to be the voluntary act and deed of the City of Muscatine, Iowa, by its and them voluntarily executed.

Witness my hand and Notarial Seal the day and year last above written.

Notary Public in and for the State of Iowa

EXHIBIT A

Prepared by Andrew Fangman, 215 Sycamore Street, Muscatine, IA 52761 (563) 262-4141

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE FINAL PLAT
OF WILSON SUBDIVISION**

WHEREAS, there has been filed with the Planning and Zoning Commission of the City of Muscatine, Iowa, and there is now submitted to the City Council of said City, a final plat of the real estate situated within the Corporate Limits of the City of Muscatine, State of Iowa, which plat lays out two lots; to wit:

LOTS SEVENTY-SIX (76) AND SEVENTY-SEVEN (77) OF ISLAND VIEW ADDITION TO THE CITY OF MUSCATINE, AS PER AUDITOR'S PLAT THEREOF.

WHEREAS, said plat has been approved by the Planning and Zoning Commission of the City of Muscatine, Iowa, and has been examined by the City Council of the City of Muscatine, Iowa; and

WHEREAS, the Final Plat fully conforms with ordinances of the City applicable thereto; and

WHEREAS, the City Council of the City of Muscatine, Iowa, finds the final plat of **Wilson Subdivision** should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, that said final plat named **Wilson Subdivision** is hereby approved and accepted by the City Council of the City of Muscatine, Iowa, and that the Mayor and City Clerk of the City of Muscatine are hereby authorized and directed to certify upon said plat the examination, consent, approval, and acceptance of the same by the City Council of the City of Muscatine, Iowa, in order that said plat may be recorded in the office of the County Recorder among the real estate records of Muscatine County, Iowa.

PASSED, APPROVED, AND ADOPTED this 17th Day of October, 2019.

**BY THE CITY COUNCIL OF THE
CITY OF MUSCATINE, IOWA**

Attest:

Diana L. Broderson, Mayor

Gregg Mandsager, City Clerk

**CERTIFICATE OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF MUSCATINE, IOWA**

I, the undersigned, Andrew Fangman, do hereby certify that I am the Secretary of the Planning and Zoning Commission of the City of Muscatine, Muscatine County, Iowa, and that the attached Final Plat of **Wilson Subdivision** a subdivision in the City of Muscatine, Iowa, was approved and recommended by said Commission on the **8th Day of October, 2019**, according to the minutes and records of said Commission in my possession.

Dated at Muscatine, Iowa, this **17th Day of October, 2018**.

**Andrew Fangman, Secretary
Planning and Zoning Commission
City of Muscatine, Iowa**

CERTIFICATE OF TRUE COPY

I, Nancy Lueck, Director of Finance of the City of Muscatine, Iowa, certify that attached hereto are true copies of the following:

1. Certificate of Acceptance of Final Plat (original).
2. Resolution No. _____ - _____ approving the Final Plat of **Wilson Subdivision**, a subdivision in the City of Muscatine, Iowa.
3. Certificate of the Planning & Zoning Commission.

All related to the subdivision of real estate described in those documents, and that all were duly adopted and approved by the City Council and Mayor of the City of Muscatine, Iowa, and the originals are on file in the official records at City Hall for the City of Muscatine, Iowa.

Nancy Lueck, Director of Finance