

CITY OF MUSCATINE

APPEAL UNDER THE ZONING ORDINANCE

NOTE: This appeal must be typewritten and filed within thirty (30) days of the decision or refusal of the Zoning Administrator, from which this appeal is taken.

Board of Adjustment Case No.: 898

Filed: October 8, 2012

BOARD OF ADJUSTMENT  
CITY OF MUSCATINE, IOWA

Ladies and Gentlemen:

On September 14, 2012, the undersigned applied for a sign permit to place a 2 1/2X6 foot digital sign in place of an outdated 6X10 foot existing sign on sign pole in front of building.

Located on Lot A Block 120 Address 838 Park Avenue in the S-2 Zoning District.

This permit was refused because (this is to be completed by the Zoning Administrator): The request for electronic message center (EMC) does not comply with site requirements.

The above decision of the Zoning Administrator is hereby appealed on the grounds that See attached.

Very truly yours,

\_\_\_\_\_  
APPELLANT SIGNATURE  
Lynda McAtee  
PRINT NAME  
1506 Washington Street, Muscatine  
ADDRESS  
563-263-7361 or 563-506-1383  
PHONE

Fee Paid: 10/08/12  
Receipt No.: 84212  
Date of Hearing: 11/06/12  
Notice Sent: 10/30/12  
Approved by Steve Boka: Yes

***Filing fee is \$150.00.***

**Zoning Board of Adjustments: My name is Lynda McAtee and I have been the owner of Tee's Ice Cream on Park Ave for 10 years. I am asking you to approve a variance for my business to place a digital sign on my sign pole in front of my building. Currently the S-2 zoning code, which I am in, says I need to be 15ft off my property line which puts it on my roof. If placed there, it will cause stress on my roof and will not be visible from the oncoming traffic from the north. The engineer recommended that it shouldn't be placed on the roof, so that leaves me no other place to put it than on my sign pole under my Tee's sign.**

**I am replacing the 1964 outdated message board that is 6ft x 10ft with an up-to-date digital sign that is 2 1/2ft by 6ft (see photos), 1/4 of the size of the current one. This is an energy efficient sign with the latest technology.**

**The current message board has 6 light bulbs in it that will be out-of-date in a couple years. I can no longer buy letters for it and they break very easily. The message board is an eyesore on Park Ave and I would like to make a difference in this part of town with awesome signage to promote my business. I am a small business in Muscatine that wants to be able to compete with the other businesses in town. I can't change my sign every four seconds like the businesses up the road can with their digital signs. I have already purchased the sign (was not aware I was zoned S-2 and not commercial).**

**I also want to point out that the Lincoln Center which is 30ft from Tee's to the south, is zoned S-1, which has the same sign code as C-1, they can put up a digital sign anywhere they want on their property.**

**The S-2 code was adopted in 1975. I am asking to consider rezoning this section to C-1. There are several business along this stretch of Park Ave which includes Tee's, Butcher Plumbing, Lincoln Center, 3 car lots, 2 gas stations, a real estate office, The Sicilian, 2 insurance offices, an antique shop, lawyers office, Lucas Comm, 2 beauty shops, and a laundromat all within a 1/2 mile. All these businesses cannot make improvements.**

**I am trying to update my business with current technology and maintain being competitive with other restaurants.**

**Please consider my variance to place my digital sign on my sign pole. I love this little city and want to make it a more beautiful place to live and entice more businesses to Muscatine.**

**Thank You for your time and consideration.**

**Lynda McAtee**

**Resident of Muscatine for 28 years.**

Tee's  
ICE CREAM  
& BURGERS

TEES

OPEN  
11 TO 9

← NEW  
2 1/2 ft x 6 ft

← REMOVE  
6 ft x 10 ft  
OLD

9/28/2012