

Minutes of the January 6, 2023, Muscatine County Zoning Board of Adjustment Hearing.

On January 6, 2022 at 10:00 a.m. the Muscatine County Zoning Board of Adjustment held a public hearing at the Board of Supervisor's Office at 414 E. Third Street Muscatine, IA. The meeting was called to order by Chairman Harper. Members present: Harper, Schlueter, Clark, and Spies were present. Geertz was absent.

Case #23-01-01. The Board considered a petition from Travis and Sarah Cutler of 3184 New Era Road who requested a Variance to be allowed to place a detached accessory structure in the front yard space of the single-family dwelling, but that would still be over 50' from the front property line.

The Cutlers argued that the hardship was created by the topography of the lot, which required them to place their single-family dwelling nearly to the rear of the property, leaving little to no room in the rear or side yards for a detached accessory structure. The Cutlers explained to the Board that there were several pre-existing agricultural structures that were in the front yard space of the dwelling already, but they were dilapidated and they had removed one already with plans to remove another one in the general location of where they desired to place the new outbuilding.

After discussing the topography of the lot, the noted improvements to the property as a result of the removal of old and dilapidated structures, a motion was made by Carol Schlueter to approve the variance with the condition that the existing dilapidated structure in the proposed location be removed. The notion was seconded by Harper. Approved 4-0.

Case #23-01-02. The Board of Adjustment considered a petition from Eric and Jennifer Irvin of 1083 Evans Ave. West Liberty who requested a Variance to be allowed to place a two-story addition onto their existing single-family dwelling that would encroach within 18' of the front lot line. The Irvins argued that their existing home was constructed prior to the current zoning setback standards were in place, the location of other outbuildings and septic fields and the layout of the house itself made the observance of the current setback requirements a hardship. Discussion was held amongst Board members who pointed out that due to the proximity of the property nearby properties in the City limits of Wet Liberty that observe significantly less setbacks, allowing the Variance would not alter the general characteristics of the neighborhood. Board members also noted that Evans Ave was already paved in that area and the road right-of-way was already widened to modern standards.

On a motion by Harper and a second by Schlueter, the Board voted to approve the Variance. Approved 4-0.

The meeting was adjourned by Harper at approximately 10:29 a.m.

Respectfully submitted,

Eric S. Furnas

Muscatine County Planning & Zoning Administrator