

**SPECIAL USE PERMIT APPEAL TO THE BOARD OF ADJUSTMENT:**

This notice of a Special Use Permit appeal to the Muscatine County Board of Adjustment is from the decision of the determination made by the Muscatine County Zoning Administrator for Muscatine County.

Facts in this case are as follows:

The premises affected is zoned:

Containing approximately: \_\_\_\_\_

Located in parts of the: \_\_\_\_\_

Parcel #/District: \_\_\_\_\_

Subdivision/Lot/Town/Block: \_\_\_\_\_

Address of Property affected: \_\_\_\_\_

That said Zoning Administrator denied or refused to issue a Special Use Permit request for the reason that it was a matter, which in their opinion, should properly come before the Muscatine County Board of Adjustment. (I) (We), therefore, request that a Special Use Permit be granted as follows:

\_\_\_\_\_ and that the Muscatine County Zoning Administrator be authorized and instructed to issue a Special Use Permit for this use, and (I) (We) contend you have such authority as set out in Article XVIII, Section 3, after your Board has held a public hearing and approved the Special Use Permit.

That attached, hereto, is our non-refundable fee in the amount of \$150.00 per request payable to the Muscatine County Treasurer, Zoning Office Receipt # \_\_\_\_\_.

Respectfully submitted on this date: \_\_\_\_\_ and signed by:

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Muscatine County, Iowa, assuring the information provided herein is true and correct. By signing below, I hereby give my consent for the Muscatine County Zoning Office to conduct a site visit and photograph the subject property.

_____ Applicant's Signature (if different than Record Owner)	<b>X</b>	_____ Record Owner Signature
_____ Print Applicant's Name		_____ Print Record Owner's Name
_____ Print Applicant's Address		_____ Print Record Owner's Address
_____ Print Applicant's Telephone #		_____ Print Record Owner's Telephone #
_____ Print Applicant's Email Address		_____ Print Record Owner's Email Address

**SECTION 3. SPECIAL USE PERMIT**

The following special use permit may be permitted upon review by the Board of Adjustment in accordance with the provisions of the Muscatine County Zoning Ordinance.

**Seasonal Recreational Cottage:** A one-family dwelling or travel trailer/mobile home intended for seasonal or temporary occupancy only, and not as a year-round family residence. The occupants must maintain a permanent legal residence elsewhere to have the dwelling or travel trailer qualify as seasonal or temporary.

A seasonal recreational cottage may be permitted by a special use permit in an A-1 Agricultural District or in an R-1 Residential District. Such a seasonal or temporary residence may be located, upon approval by the Board of Adjustment, in accordance with Section 4.3 of Article XV, along a river, lake or stream or in another area suited for recreational use, provided that it complies with the area, lot width, yard, and height requirements of the R-2 Residential District. Each seasonal recreational cottage shall be located on an individually platted lot. There shall be no more than one cottage on each platted lot.

1. If you are requesting to place a structure or mobile home/travel trailer on this property for use as a Seasonal Recreational Cottage, please state the reason below.

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2. What type of septic and water system will serve the proposed cottage?  
(Connection to existing system may require prior approval and inspection.)

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3. Will the proposed use unreasonably diminish or impair established property values within the surrounding areas?

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4. Will the proposed use impair the public health, comfort, safety, morals or welfare of the county?

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5. Will the proposed use impair the general purpose and intent of the regulations and provisions contained in the Muscatine County Zoning Ordinance and the Comprehensive Plan?

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6. Will the proposed use be in harmony with the area in which is it located?

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7. Will the proposed use unreasonably increase congestion and traffic hazards on public roads?

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# SEASONAL RECREATIONAL COTTAGE

## DEFINITIONS

**Seasonal Recreational Cottage:** A one-family dwelling or travel trailer intended for seasonal or temporary occupancy only, and not as a year-round family residence. The occupants must maintain a permanent legal residence elsewhere to have the dwelling or travel trailer qualify as seasonal or temporary.

**Travel Trailer:** A vehicular, portable structure, built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes

1.19 **Recreational Vehicle.** A vehicle which is: (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

## SECTION 2. SEASONAL RECREATIONAL COTTAGES

A seasonal recreational cottage may be permitted as a special use in an A-1 Agricultural District or in an R-1 Residential District. Such a seasonal or temporary residence may be located, upon approval by the Board of Adjustment, in accordance with Section 4.3 of Article XV, along a river, lake or stream or in another area suited for recreational use, provided that it complies with the area, lot width, yard, and height requirements of the R-2 Residential District. Each seasonal recreational cottage shall be located on an individually platted lot. There shall be no more than one cottage on each platted lot.

## SECTION 4. BUILDING HEIGHT, LOT AREA, LOT WIDTH AND YARD SETBACK REQUIREMENTS

4.2 **Lot Area.** Every lot or tract of land upon which a one-family dwelling or mobile home for hardship purposes is erected shall have an area of not less than one (1) acre. However, seasonal recreational cottages are allowed, when authorized by a special use permit, to be constructed on lots of not less than twenty thousand square feet (20,000 sq. ft.), as provided in Paragraph 4.3 of Article XV. If a central well or central sewer is utilized, the minimum lot size shall be no less than 15,000 sq. ft.

4.3 **Lot Width and Yard Setback Requirements.** The following minimum requirements shall be observed.

<u>Lot Width</u>	<u>Front Yard Depth</u>	<u>Side Yard Depth</u>	<u>Corner Side Yard Depth</u>	<u>Rear Yard Depth</u>
100 ft.	35 ft.	12 ft.	30 ft.	40 ft.

### Checklist for Seasonal Recreational Cottage/Travel Trailers:

I agree that if the septic effluent from this travel trailer is not hooked up to an approved private sewage disposal system the septic effluent will be disposed of at an approved RV Camping Park and/or wastewater treatment facility. Yes \_\_\_\_\_ No \_\_\_\_\_

I agree that this travel trailer will be on this site fewer than 180 consecutive days. Yes \_\_\_\_\_ No \_\_\_\_\_

I agree to keep this travel trailer fully licensed and ready for highway use, which is on its wheels or jacking system, current license, and is attached to the site only by quick disconnect type utilities and security devices. Yes \_\_\_\_\_ No \_\_\_\_\_

I agree not to build/construct anything attached to this travel trailer, such as, but not limited to, a deck, porch, roof, addition, etc. Yes \_\_\_\_\_ No \_\_\_\_\_

## ***SPECIAL USE PERMITS***

A special use is a use which needs to be provided in the County but, of its unique characteristics, is permitted only after review and approval of the Board of Adjustment. Special uses are approved if the characteristics of the particular location are appropriate for the special use requested. The special use will need to comply with the requirements and conditions set forth in the zoning ordinance for that zoning district. Examples of special uses include day care centers or bed and breakfasts in residential neighborhoods. Possible special uses for each zoning district are listed in the zoning ordinance. Unlisted special uses may be applied for when the applicant feels that the use which they propose is similar to permitted uses in the zoning district and compatible with surrounding uses but which may have not been specifically listed due to oversight or development since the ordinance was written.

The Board of Adjustment shall determine:

- That it will not unreasonably increase congestion and traffic hazards on public roads.
- That it will not unreasonably diminish or impair established property values within the surrounding areas.
- That it will not in any other respect impair the public health, comfort, safety, morals or welfare of the inhabitants of the county.
- That it will not impair the general purpose and intent of the regulations and provisions contained in the Muscatine County Zoning Ordinance and the Comprehensive Plan.
- That it will be in harmony with the area in which it is located.

The Zoning Board of Adjustment is a quasi-judicial board appointed by the Muscatine County Board of Supervisors. The Board's purpose is to interpret the Zoning Ordinance and to allow certain limited exceptions and variances where special conditions or hardships exist.

They are an independent volunteer board of citizens and not part of the county 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 County, they welcome all testimony. They make their decision based on the facts and evidence under county code, presented in open meeting. They ask that if you wish to speak, please give your name and address.

If the request is declared approved, any construction or use allowed by this Board must begin within two (2) years from the date of this decision, or the permission will be void.

Any person desiring to appeal this decision to District Court may do so within 30 days after filing this decision.