

The Muscatine County Board of Adjustment met in the Board of Supervisors Office on August 4, 2017 with Chairperson Tom Harper and members, Carol Schlueter, Emily Geertz, Mike Birkinbine and Bill Tharp present. Eric S. Furnas, Planning & Zoning Administrator and Dixie Seitz, Office Administrator were also in attendance.

Also present for this hearing: Harriet Wilkinson and Mike Bloom.

Tom Harper: I will open the Muscatine County Board of Adjustment meeting with all members present. We have a little business to get to before we start. Everyone was sent the minutes and hopefully you've had a chance to read them. If there are no changes or corrections, I will entertain a motion to approve the minutes as written.

Bill Tharp: I will make that motion.

Tom Harper: Is there a second?

Carol Schlueter: I will second.

Tom Harper: All in favor of approving the minutes as written, please say Aye (5) and Opposed (0). The motion has passed, the minutes are approved. I will read the mission statement. 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. We 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, we welcome all testimony. We make our decision based on the facts and evidence under county code, presented in open meeting. We ask that if you wish to speak, please give your name and address. Eric, will you read the first request?

Eric Furnas: Case #17-08-01. An application has been filed by Harriet Jane Wilkinson, Record Owner of Wilkinson Cottage Sites and Michael K. Bloom, Applicant. This property is located in Goshen Township, in the SE¼ of Sec. 25-T78N-R3W, along Cedarview Drive, containing approximately 31.34 acres and is zoned A-1 Agricultural District. This request, if approved, would allow the Zoning Administrator to issue a Special Use Permit in order for Mr. Bloom to place a travel trailer on Site No. 10 in the Wilkinson Cottage Site for seasonal use only.

Tom Harper: Okay if the applicant or owner is here, can you please state your name and tell us about your request?

Mike Bloom: Yeah, I'm Mike Bloom. I would like to place a camper, it's really a travel trailer, on this property just for seasonal use only. I need to get electrical down there for the camper so I needed to go through this in order to do it.

Tom Harper: Okay, Eric do you have anything you'd like to add?

Eric Furnas: Just that this is what this area is for, just seasonal use and for campers since it's in the flood plain. This travel trailer cannot be a permanent dwelling, they can't build anything attached to it, they have to have the travel trailer remain road worthy so they can take on the road if starts flooding. I think this is the best thing for the cottage areas and the staff recommends approval of this request.

Tom Harper: Okay, is there anyone in the audience that wishes to speak concerning this request?

Harriet Jane Wilkinson: I'm Harriet Jane Wilkinson and I own the property. I just didn't understand why they had to do this.

Eric Furnas: I can answer that. A Seasonal Recreational Cottage or a travel trailer requires that a Special Use Permit be issued by the Board of Adjustment if they will be improving this lot, which means adding electrical. If this is approved, he can build a Seasonal Recreational Cottage on the property. There are a few other things he would have to do prior to construction. But he is just asking to place a travel trailer on this property for use as a Seasonal Recreational Cottage. But as I said before, our staff believes this is the highest and best use of this property and we recommend approval of the Special Use Permit.

Tom Harper: Okay, is there anyone else that wishes to speak? Anyone on the board have any questions or comments?

Carol Schlueter: No, I have no problem with it.

Tom Harper: Okay, if there are no other questions or comments is there a motion from the board?

Bill Tharp: I will make a motion to approve the Special Use Permit in order for Mr. Bloom to place a travel trailer on this property for seasonal use only.

Tom Harper: Is there a second?

Emily Geertz: I'll second it.

Tom Harper: There has been a motion and it has been seconded to approve the Special Use Permit for Mr. Bloom to place a travel trailer on this property for seasonal use only. Is there any further questions or comments? Not hearing any, all in favor of the motion please say Aye (5) Opposed (0). The motion has been approved.

Mike Bloom: Thank you.

MUSCATINE COUNTY BOARD OF ADJUSTMENT
By Eric S. Furnas, Planning & Zoning Administrator

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Also present for this hearing: Levi Lemon and Bob DeKock.

Tom Harper: Okay, we'll move onto the second request. Eric, can you please read that?

Eric Furnas: Case #17-08-02. An application has been filed HJR Real Estate Holdings, LLC by M. Wayne Johanson, Member and Levi Lemon, Applicant. This property is located in Sweetland Township in the SW¼ of Sec. 30-T77N-R1W, Parcel C, 3006 River Road, containing approximately 21.4 acres and is zoned I-1 Light Industrial District. This request, if approved, would allow the Zoning Administrator to issue a Variance in order to have a plant nursery on the property, including the growing of plants and trees.

Tom Harper: Okay, is the owner or spokesperson here to speak for this case?

Bob DeKock: I'm Bob DeKock and I am representing the proposed buyer of this property, Levi Lemon. He is also here if you have any questions for him. Basically Mr. Lemon wants to purchase this property and have his outdoor tree and plant nursery business here. He wants to grow the crops on the property and sell them also. He is currently using the property now. Some of this property is located in the flood plain but he would not have any buildings built in the flood plain.

Tom Harper: Okay, Eric would you like to add anything?

Eric Furnas: As Mr. DeKock referred to, some of this property is in the flood plain where development would be prohibited. Staff believes that the raising of plants and trees is one activity that would not be adversely affected by the occasional short term flooding. The use that Mr. Lemon is proposing is actually a less intensive use than most that are permitted in the I-1 Light Industrial District, which is what it is zoned. Staff believes that the granting of this Variance would provide minimum relief necessary to allow reasonable use of the property while maintaining the industrial zoning of the property for future use, should conditions change.

Tom Harper: Okay, any questions or comments from anyone in the audience concerning this request? Des the board have any questions?

Carol Schlueter: No, I'm fine with it.

Emily Geertz: I think it's a better use than what it could be.

Tom Harper: Does someone on the board care to make a motion?

Emily Geertz: Yes, I will make a motion to approve the Variance request in order for Mr. Lemon to have his plant nursery on this property, including the growing of plants and trees.

Tom Harper: Is there a second?

Carol Schlueter: I will second the motion.

Tom Harper: Is there any further discussion, questions or comments? Not hearing any, all those in favor of the motion please say Aye (5) Opposed (0). The motion has passed, the request is approved.

Eric Furnas: This will still need to be reviewed by the Board of Supervisors, usually within a few weeks. We will let you know when that meeting will be. You are not required to attend the meeting but certainly can if you wish. After that meeting we will let you know the outcome of that meeting.

Bob DeKock: Okay, thank you.

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