

The Muscatine County Board of Adjustment met in the Board of Supervisors Office on Friday, May 5, 2023 at 10:00 a.m.

Present: Charles Clark, Tom Harper, Carol Schlueter, Janelle Spies (Chairperson)

Absent: Emily Geertz (Vice Chairperson)

Staff Present: Eric Furnas, Morgan Othmer

Others present for this meeting included: Josh Binneboese, Melissa Tatum, Leonard Tatum, Chad & Judy Eichelberger, Kevin Meyer, Lowell & Julia Bass, Randy & Nancy Dew, Brad Jipp, Jason Dumont, Kirt Parizek

- Janelle read the Mission Statement.
- Approval of April 7, 2023 meeting minutes and resolutions. A motion was made by Tom Harper to approve the minutes and resolutions and was seconded by Carol Schlueter.
  - Aye's: Charles Clark, Tom Harper, Carol Schlueter, Janelle Spies
  - Opposed: None
  - Motion approved.
  
- Case #23-05-01
  - Josh Binneboese, Project Manager for Wendling Quarries Inc., made a statement requesting a Special Use Permit in order to allow Mr. & Mrs. Garrison to place a one family dwelling on the property located at 2166 Lange Avenue.
  - This was followed by a questions and comments session.
    - Mr. Binneboese explained that Wendling Quarries would like to move an existing home from 2211 Lange Ave. to the proposed 2166 Lange Ave. The move would benefit Wendling Quarries long term plan to expand to the north. The parcel at 2166 Lange Ave. would be sold to Mr. & Mrs. Garrison.
    - Eric Furnas explained that the CSR of the proposed parcel is very low at 23.26. The farm ground around the property also has a low CSR.
  - A motion was made by Tom Harper to grant the Special Use Permit to Wendling Quarries and was seconded by Carol Schlueter.
    - Aye's: Charles Clark, Tom Harper, Carol Schlueter, Janelle Spies
    - Opposed: None
    - Motion approved.
  
- Case #23-05-02
  - Jason Dumont made a statement requesting a Special Use Permit in order to split off approximately three acres to build a one family dwelling on.
  - This was followed by a questions and comments session.

- At the time the application was made, the property was owned by Skaugstad Farms LLC. As of the meeting date, the property is now owned by Jason Dumont.
    - The average CSR2 for the property is high at an average of 85.
  - A motion was made by Tom Harper to grant the Special Use Permit to Jason Dumont and was seconded by Carol Schlueter.
    - Aye's: None
    - Opposed: Charles Clark, Tom Harper, Carol Schlueter, Janelle Spies
    - Motion denied.
  
- Case #23-05-03
  - Leonard and Melissa Tatum made a statement requesting a Special Use Permit in order the proposed buyer, the Tatum's, to build a one family dwelling on the property for themselves.
  - This was followed by a questions and comments session.
    - The parcel was platted in the late 1960's and early 1970's when it was allowed to have a single-family dwelling in the A-1 District on parcels of land of at least 10 acres.
    - This parcel did have a single-family dwelling on it at one time, but it had become dilapidated and was ultimately demolished. The parcel now sits vacant.
    - There is concern about the Tatum's being able to maintain the required 750 ft separation distance from existing dwellings. There is approximately 0.2 acres in the southeast corner of the property that the Tatum's would be able to build on to maintain the separation distance.
    - Another concern discussed was access to the southeast corner of the property. A long driveway would be the most logical solution. Leonard stated that there is an existing creek crossing on the property.
    - Several neighbors expressed their support for granting the permit.
    - The board confirmed with the Tatum's that they understood they would need to maintain the required 750 ft distance from the structures on the surrounding parcels and that they will need to maintain the creek crossing.
  - A motion was made by Tom Harper to grant the Special Use Permit to the proposed buyers to build a one family dwelling on this property for themselves recognizing the hardship with previous platting, but require that the Tatum's maintain the 750 ft separation distance and was seconded by Charles Clark.
    - Aye's: Charles Clark, Tom Harper, Carol Schlueter, Janelle Spies
    - Opposed: None
    - Motion approved.

- Case #23-05-04
  - Brad Jipp made a statement requesting a Variance in order to allow an accessory building to be built in front of the residence. The structure would be at least 50 feet back from the front lot line.
  - This was followed by a questions and comments session.
    - The building will be a shed approximately 40' x 80'.
    - The shed would be placed approximately 230 ft back from the road.
  - Carol Schlueter made a motion to approve the Variance in order for to allow an accessory structure to be built in front of the residence, however the building must be at least 50 feet from the front lot line and was seconded by Charles Clark.
    - Aye's: Charles Clark, Tom Harper, Carol Schlueter, Janelle Spies
    - Opposed: None
    - Motion approved.
  
- Case #23-05-05
  - Kevin Meyer made a statement requesting a Variance to place a deck and above ground swimming pool in the front yard space within 25 feet of the front lot line.
  - This was followed by a questions and comments session.
    - Mr. Meyer noted that placing the pool on the same side as Highway 61 is not ideal and Martz Lane does not have a high amount of traffic on it. He stated that there is not enough room to the east of his home due to the location of his septic system and drain field.
    - Eric Furnas confirmed that Martz Lane does have minimal traffic and does not see the traffic increasing in the future.
  - Tom Harper made a motion to grant the Variance for Jennifer & Kevin Meyer and was seconded by Charles Clark.
    - Aye's: Charles Clark, Tom Harper, Carol Schlueter, Janelle Spies
    - Opposed: None
    - Motion approved.
  
- A motion to adjourn the meeting at 10:47 a.m. was made by Tom Harper and was seconded by Carol Schlueter.

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