

**MINUTES**  
**January 12, 2016 – 5:30 p.m.**  
**Planning and Zoning Commission**  
**Muscatine City Hall**  
**City Council Chambers**

**Present:** John Sayles and Larry Wolf. Rochelle Conway and Jodi Hansen participated via conference call.

**Staff:** Andrew Fangman, City Planner, Community Development  
Stephanie Oien, Office Coordinator, Community Development

**Also:** Rosy Eichelberger and Chuck Coulter.

Acting Chairperson Larry Wolf opened the meeting at 5:30 p.m. and read the Mission Statement.

**Minutes:** Conway motioned to approve the December 8, 2015 minutes; seconded by Sayles. All ayes, motion carried.

**Subdivision:**

**Subdivision — Replat of Lots 16, 17, & 23 of Ramsgate Replat of Kent Estates — Benjamin Clove — 2 lots — 11.6 Acres — Cranbrook Cross — Unincorporated Muscatine County**

Rosy Eichelberger of Eichelberger Law Office, 2206 Lucas Street, was present to discuss the request. Ms. Eichelberger explained that Benjamin and Amy Clove own lots 16 and 17 and had the opportunity to purchase lot 23. She added that Mr. Clove's mother owns lots 14 and 15. Benjamin and Amy Clove wish to increase their lot size. The restrictive covenants of the subdivision only allow a new subdivision to increase lot size. Ms. Eichelberger advised that they propose to vacate the interior utility easements on Lot 1 due to the unknown placement of the home. The Cloves do not want the restriction. She added that Lot 2 is owned by Tradewinds. Sayles asked that status of the request with the County. Eichelberger replied that the County Zoning Commission has approved the subdivision and the request goes to the Board of Supervisors next. Bob Howard, 1967 Cranbrook Cross, stated that there was discussion about going back to five lots of hold 5 during the homeowner's association in December 2015. Mr. Howard expressed concerns that there are two single family lots across the street and that these homes will go up on the hill. He added that the front yard setbacks are at the minimum now and doesn't want them set back further. Fangman noted that the Commission's review is very limited. He added that the issues presented by Mr. Howard should be addressed by Muscatine County Zoning. He advised that the scope of the City's review was whether the request would be detrimental with a possible expansion. Eichelberger stated that the Cloves don't have a location of the home determined. She reiterated that the setbacks are minimums, not the maximums. Howard surmised that the house setbacks were most likely determined by the smaller size of the lots. Fangman reminded the Commission and members of the audience that the Commission only has the authority to approve or disprove the subdivision request, all permits and requirements are done at the County. Eichelberger added that Lot 1 will have a residence. Lots 14 and 15 of the original subdivision will remain single lots Mr. Clove's mother to build on one and her other son is expected to building on the second. Sayles motioned to approve the request as presented; seconded by Conway. All ayes, motioned carried.

**Utility Easement Way Vacation — Lot 1, Muscatine Pointe Subdivision — Highway 61 — EEC 313, LLC.**

Chuck Coulter of Stanley, Lande & Hunter was present to discuss the request. Mr. Coulter advised that the reconfiguration of the subdivision left the utility easement in the middle of the lot. Fangman stated that staff is in favor of the request. He explained that the utility companies had signed off on the request also. Sayles questioned if the vacation was completed with the previous subdivision request. Coulter replied that the subdivision plat showed an easement to be vacated. Sayles motioned to approve the request as submitted; seconded by Hansen. All ayes, motion carried.

Adjourn.

Respectfully Submitted,

Andrew Fangman, Secretary  
City Planner

ATTEST:

Larry Wolf, Acting Chairperson  
Planning & Zoning Commission