

**MINUTES
ZONING BOARD OF ADJUSTMENT
DECEMBER 4, 2012
5:30 P.M.
CITY HALL COUNCIL CHAMBERS**

Present: Allen Harvey, Jim Edgmond, Jane Reischauer, and Rochelle Conway.

Excused: Larry Wolf.

Staff Present: Steven Boka, Director of Community Development
Stephanie Oien, Office Coordinator, Community Development

Others Present: Mark and Marie Latta, Richard Castle Jr., Rakesh Allah, and Linda Nieters.

Chairperson Harvey called the meeting to order at 5:30 p.m.

Minutes: Harvey and Edgmond noted a few changes for the minutes from November 6, 2012. Conway motioned to approve the minutes from the November 6, 2012, meeting, subject to the revisions requested; seconded by Edgmond. All ayes, motion carried.

Appeal Case No. 899, filed by Marie and Mark Latta, to construct an unattached garage forward of the house in the 2100 block of West Fulliam Avenue; construct garage prior to construction of the house; and allow a larger garage than permitted. Mark and Marie Latta were present to discuss their request. Ms. Latta explained that the property is approximately 14 acres, with four meadow land and 10 wooded. They propose building the garage in front of the house because they would like to construct the house nearer to the woods. They would like to construct the garage prior to the house in order to store equipment for property maintenance and construction supplies. They asked for a larger garage to accommodate storage of their "toys" and have a shop area. These issues were brought to their attention when applying for the building permit for the garage. At this time, they are on a contractor's waiting list for the house. Foundation construction is scheduled to start in October 2013. Harvey asked when garage construction would begin. Ms. Latta replied it would begin as soon as possible. Mr. Latta stated they had made plans to extend the hard surface driveway to the garage. Harvey asked if utilities were established at the garage site. Mr. Latta responded that the utilities were stubbed for both the house and garage. He added that it would have a 400 amp service. Mr. Latta noted that the garage would be a finished and insulated pole building. He indicated that after speaking to the Police Department about the area they felt they needed to secure their property. The garage sets back 600 feet from Fulliam Avenue. Edgmond questioned why they chose the narrow space for placement of the garage. Mr. Latta said it allowed better access to the equipment; less destruction of timber; and it leaves room to install fencing if needed. He added that he wanted to leave access to kids who cross the property to get to school – with or without fencing. Linda Nieters, 2301 W. Fulliam Avenue, stated that her property borders the Lattas on two sides. She stated their requests won't affect her much and she was very supportive of their proposed plans. Mr. Latta explained that the creek and sewer will not be affected by their construction. The timber area slopes off into the creek and the back of the house will be a walk-out. Harvey asked if there were staff concerns. Boka replied that there is no precedent for this request. That said, it is a large lot, the layout is reasonable, and the Lattas have agreed to add hard

surface to the garage. Boka noted that rock is acceptable during construction and will add a good base for the hard surface drive. Mr. Latta confirmed that they plan to have a cement drive to the garage and house. Edgmond motioned to approve all three variance requests; seconded by Conway. All ayes, motioned carried.

Appeal Case No. 900, filed by Jon Himes of Impact Sign Company for the Muscatine Kidney Center, to install a sign at 311 Parham Street that is larger than what is allowed by City Code.

Rakesh Allah, Chief Operating Officer of the Muscatine Kidney Center, 311 Parham Street, was present to answer question. Mr. Allah noted that the center was a medical specialty clinic. They operate on referral basis only. He elaborated that most of their patients are older and that they do their best to alleviate potential hazards for them. Larger signs provide directional support and can lessen the number of turns and sudden braking. He noted that a number of patients believe the clinic is located on the Trinity campus and go to the canopy area of the hospital. This has caused some problems with the emergency area at the hospital. Harvey asked what would happen with the sign currently by the street. Mr. Allah replied that it would be removed. There are plans to construct a permanent monument sign parallel to Parham Street. Boka noted that staff was under the impression that the temporary was to be removed and not replaced once the building sign was installed. Mr. Allah responded that there were two different sign vendors so there might have been some miscommunication. Boka noted a monument sign is shown on the original site plan. He further added that City Code provides for one monument and one building sign. The monument sign must be located more than 25 feet back from the property line – near the parking lot. Mr. Allah replied that the permanent monument sign will replace the temporary one at its current location. Boka told members that the sign surface was calculated by adding up the surface area of the sign letters. Boka received two calls from neighboring property owners. Laurence Gilbert, across the street, wanted the temporary sign to go away once the building sign was in place. Mr. Gilbert saw no need for two signs. Steve Welk, owner of 319 Parham Street, voiced his opinion that there wasn't a need to have a drawing of a kidney on the sign. Allah replied that the sign will be backlit. He added that the light panels will absorb most of the colors so that light does not spill over to neighbor's properties. He explained that the kidney drawing is for easier identification for patients. Reischauer motioned to approve the request; seconded by Conway. All ayes, motioned carried.

Appeal Case No. 901, filed by Richard Castle Jr., to construct 26x60 foot storage building at 4117 Grandview Avenue. Richard Castle Jr. was present to discuss his request. Mr. Castle explained that he wanted to construct the building to move his father's belongings. His father owns a storage building in Muscatine and they would like to transfer the belongings to this new building and sell the other. Boka noted that no concerns had been conveyed by neighbors. He added that Mr. Castle has agreed to hard surface the driveway by July 1, 2013. Conway motioned to approve the request; seconded by Reischauer. All ayes, motioned carried.

Other: Staff noted that the meeting in January 2013 falls on New Year's Day. City offices will be closed. Members decided to change the meeting date to Wednesday, January 2, 2013.

Adjourned.

Respectfully Submitted,

Steve Boka, Secretary
Director of Community Development

ATTEST:

Allen Harvey
Acting Chairperson