

CITY OF MUSCATINE

APPEAL UNDER THE ZONING ORDINANCE

NOTE: This appeal must be typewritten and filed within thirty (30) days of the decision or refusal of the Zoning Administrator, from which this appeal is taken.

Board of Adjustment Case No.: 890

Filed: January 16, 2012

BOARD OF ADJUSTMENT
CITY OF MUSCATINE, IOWA

Ladies and Gentlemen:

On January 16, 2012, the undersigned applied for a building permit to construct a residential property in an area zoned C-1.

Located on Lot See attached legal description Address 801 W. Mississippi Drive
in the C-1 Zoning District.

This permit was refused because (this is to be completed by the Zoning Administrator): This property is zoned C-1 which restricts the ground floor (first floor) to commercial uses but allows residential use on the second level and above. See Section 10-11-1 (D) of the City Code.

The above decision of the Zoning Administrator is hereby appealed on the grounds that Please see attached.

Very truly yours,

APPELLANT SIGNATURE

Kevin and Michelle McCullough

PRINT NAME

405 W. 4th St., Muscatine, IA 52761

ADDRESS

563-554-0839 or 563-506-1304

PHONE

Fee Paid: 01/16/12

Receipt No.: 77944

Date of Hearing: 02/07/12

Notice Sent: 01/31/12

Approved by Steve Boka: Yes

Filing fee is \$150.00.



Document#: 2011-02295

Page: 1 of 001

Date:
05/20/2011 @ 10:44 AMDocument Type:
DDW

Fee: Paid \$14.00

Real Estate Transfer Tax:
\$7.20Cynthia S. Gray - Muscatine County Recorder
414 E 3rd St. Muscatine, IA 52761

Send tax statement to: Kevin & Michelle McCullough, 1608 Faster St., Muscatine, IA 52761

Return document to: Duane J. Goedken, 319 E 2nd St., Muscatine, IA 52761

Prepared by: Duane J. Goedken, 319 E 2nd Street, Muscatine, IA 52761 (563)264-8926

WARRANTY DEEDFor the consideration of Ten
Dollars and other valuable consideration,Albert C. McCullough and Barbara Dianne McCullough, husband and wifedo hereby Convey to
Kevin L. McCullough and Michelle McCullough, as joint tenants with full rights of survivorship and not as
tenants in commonthe following described real estate in Muscatine County, Iowa:

The East 32.25 feet of Lot 5, in Block 4, to the City of Muscatine, Iowa. and, also

The Westerly Half of the 60 foot wide and 140 foot long portion of vacated Cherry Street, which lies adjacent to Lot 5 Block 4 and Lot 1 Block 5, between Alley #1 and Mississippi Drive (Front Street), all in the City of Muscatine, in Muscatine County, Iowa

Grantors do Hereby Covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is Free and Clear of all Liens and Encumbrances except as may be above stated; and grantors Covenant to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned Hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

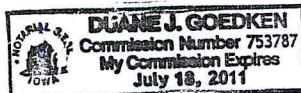
Dated: May 19, 2011STATE OF IOWA,
MUSCATINE COUNTY, ss:On this 19 day of May,
2011, before me, the undersigned, a Notary
Public in and for said State, personally appeared
Albert C. McCullough and Barbara Dianne
McCulloughAlbert C. McCullough (Grantor)Barbara Dianne McCullough (Grantor)

(Grantor)

(Grantor)

(Grantor)

(Grantor)

to me known to be the identical persons named in
and who executed the foregoing instrument and
acknowledged that they executed the same as their
voluntary act and deed.[Signature]
Notary Public

January 16, 2012

Zoning Administrator
City of Muscatine, Iowa

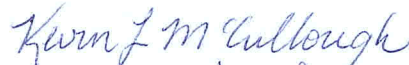

Ladies and Gentlemen:

We are requesting approval to build our new residence on a vacant lot we purchased, located at 801 Mississippi Drive West, Muscatine, IA.

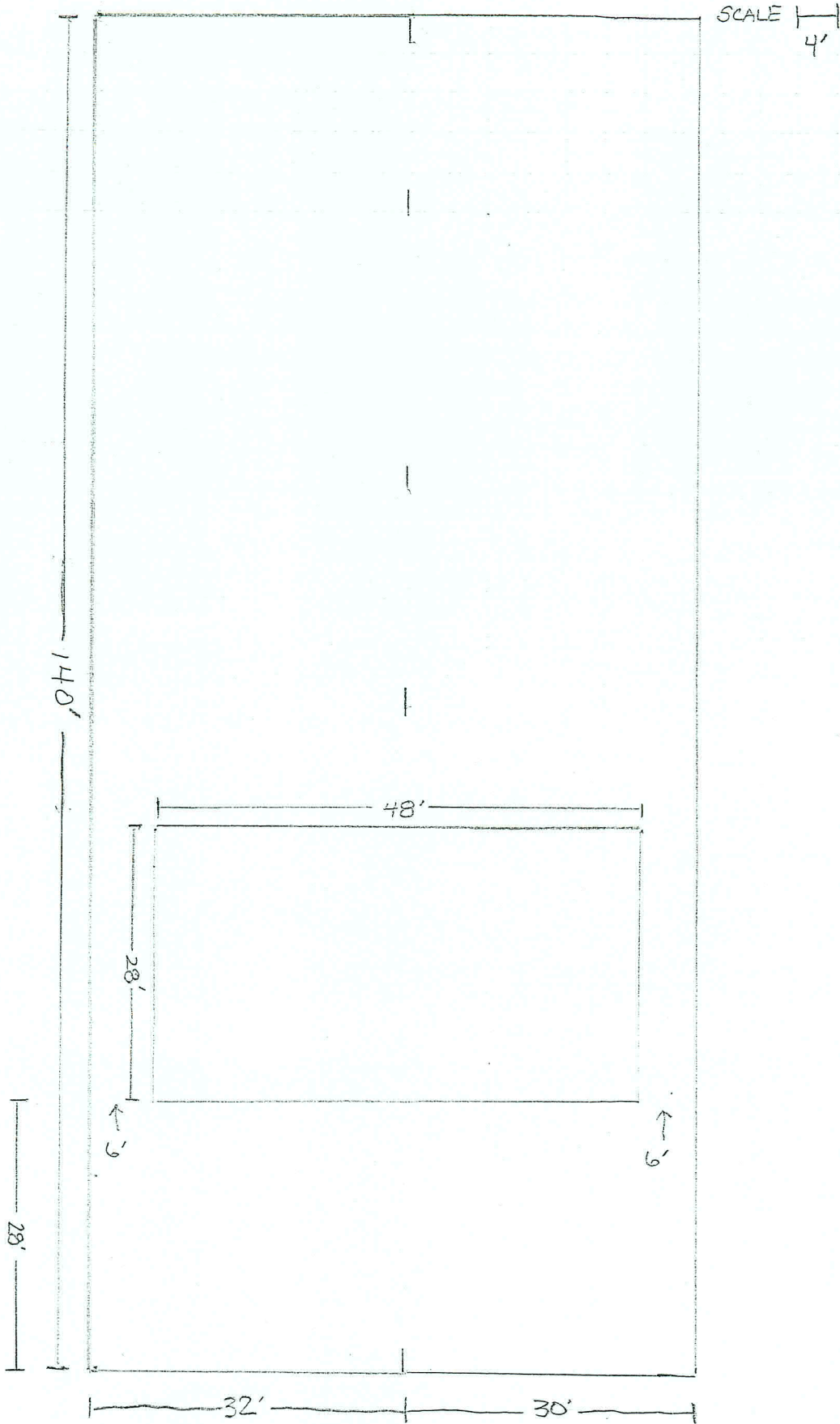
We are requesting a variation as our lot is zoned "Neighborhood and General Commercial" (C1). Our intentions do not include any commercial activity or business. The house will be a ranch style home with an exposed foundation facing Mississippi Drive. The lower level will include a garage and entry, along with two bedrooms and a bath (plans attached).

Thank you for your consideration.

Sincerely,

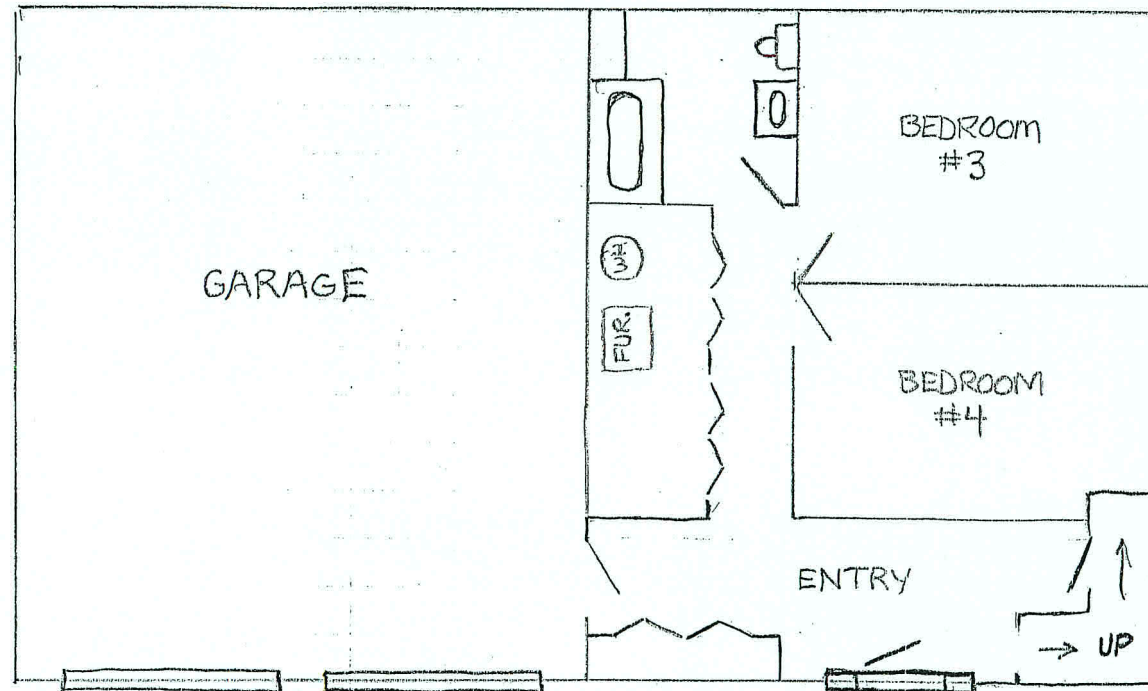


Kevin and Michelle McCullough

LOT SIZE (BOTH LOTS)



BASEMENT

2'



801 W. MISSISSIPPI DR

KEVIN & MICHELLE
McCULLOUGH

CELL # 554-0839

MAIN FLOOR

$$\overline{\quad\quad\quad} \quad 2'$$

SQ FT
1344

