

The Muscatine County Board of Adjustment met on March 9, 2018, with Chairperson Tom Harper and board members Carol Schlueter, Emily Geertz, Bill Tharp, and Mike Birkinbine. The following Variances were discussed and voted on:

**Request:** Case #18-03-01. An application has been filed by Gary A. McCormick, Record Owner. This property is located in Moscow, Lots 1-4, Block 10 & S½ Alley Adjacent, 1601 Cedar Street, Moscow, containing approximately 0.83 acres and is zoned R-2 Residential District. This request, if approved, would allow the Zoning Administrator to issue a Variance in order for Mr. McCormick to build an outbuilding in line with the existing dwelling and approximately 23 feet back from the front lot line instead of the required 35 foot setback.

**Attending:** Gary McCormick.

**Motion:** Bill Tharp made a motion to allow the Variance in order for Mr. McCormick to build a detached garage in line with the existing dwelling; Mike Birkinbine seconded the motion.

**Vote:** All Ayes; Motion Approved; Request Approved.

**Reasons for allowing Request:** The existing dwelling is non-conforming due to the fact that it was built prior to zoning codes and regulations, therefore it is approximately 23 feet from the front lot line instead of the required 35 feet. Mr. McCormick cannot place the proposed outbuilding behind the dwelling because of the location of an existing septic system. The right-of-way is approximately 80 feet in front of this dwelling, more than enough for sight distance. The Board of Adjustment felt that allowing this Variance would not affect the surrounding property.

**Request:** Case #18-03-02. An application has been filed by MidAmerican Energy Company, Record Owners and Northern Border Pipeline Company, Applicant. This property is located in Goshen Township in the NW¼ of Sec. 13-T78N-R3W, East of Penn Avenue Road, containing approximately 0.92 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 to construct, operate and maintain a natural gas facility on this property and to allow a four foot (4') Variance from the rear setback requirements, instead of the required 40 foot rear setback.

**Attending:** Carl Upmeyer of MidAmerican Energy Company and Ken Miller of Northern Border Pipeline Company.

**Motion:** Mike Birkinbine made a motion to allow the Variance and the Special Use Permit in order to construct, operate & maintain a natural gas facility on this property and to allow a four foot Variance from the rear setback requirements, instead of the required forty foot setback.

**Vote:** All Ayes; Motion Approved; Request Approved.

Reasons for allowing Request: The four foot requested Variance is from the rear lot line, it is for some of the above ground piping equipment and it is adjacent to the open agricultural ground. Electric substations, switching stations, and similar public utility facilities, including all equipment and structures necessary to permit their operation and use are Special Permitted Uses in the A-1 Agricultural District. The entire property will be secured with a chain link fence. A complete site plan has been submitted and reviewed by staff. This property is located in a flood plain, but elevations have been obtained from the DNR in anticipation of complying with all local and State Floodplain Management Regulations. The board felt that this was a good use of the property.

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