

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.: 913

Filed: September 5, 2013

BOARD OF ADJUSTMENT  
CITY OF MUSCATINE, IOWA

Ladies and Gentlemen:

On Sept. 5, 2013, the undersigned applied for (a building/an occupancy) permit to replace the commercial downstairs with residential apartments.

Located on Lot 10 Block 73 Addition \_\_\_\_\_  
Address 421-423 Mulberry Avenue in the C-1 Zoning District.

This permit was refused because (this is to be completed by the Zoning Administrator):

The C-1, Neighborhood and General Commercial Zoning District, does not permit residential use unless it is located on the second floor or above. See City Code 10-11-1(D). Parking is required per City Code 10-11-3(C)3.

The above decision of the Zoning Administrator is hereby appealed on the grounds that

See attached.

Very truly yours,

\_\_\_\_\_  
APPELLANT SIGNATURE

**Michael W. Tutor**

\_\_\_\_\_  
PRINT NAME

**227 East 2nd Street, Muscatine**

\_\_\_\_\_  
ADDRESS

**563-676-2848**

\_\_\_\_\_  
PHONE

Fee Paid: 9/05/13

Receipt No.: 91577

Date of Hearing: 10/01/13

Notice Sent: 9/23/13

Approved by Steve Boka: Yes

***Filing fee is \$150.00.***

We, MTMM LLC, purchased the two building located at 421 & 425 Mulberry Ave and are hoping to get them rezoned to allow us to replace the commercial downstairs with residential apartments.

If approved, our plans as attached, would allow us to redesign the interior of the buildings to accommodate 8 apartments. This would include two 1-bedroom, four 2-bedroom, and two 4-bedroom apartments. Out of these 3, one 1-bedroom, one 2-bedroom, and one 4-bedroom would be handicapped accessible.

The building at 421 Mulberry will have a 4-bedroom apartment on the second floor along with a 4-bedroom handicapped accessible unit on the first floor. Both units will be approximately 1700 square feet.

The building at 425 Mulberry will have two 2-bedroom apartments along with a 1-bedroom unit on the second floor. The two bedroom units will be between 700-900 square feet each with the one bedroom unit approximately 500 square feet. The bottom floor will have two handicapped accessible units, one 1-bedroom approximately 1000 square feet, one 2-bedroom approximately 550 square feet along with another "normal" 1-bedroom unit with approximately 550 square feet.

Since we have no parking, we have already obtained a lease option for 8 parking spots from Flinkinger Learning Center located directly behind our building at 413 Mulberry Ave.

We have also attached some of our neighbors signatures who we have already informed of our intentions and are ok with the rezoning.