

The following are minutes of the Bettendorf Board of Adjustment and are a synopsis of the discussion that took place at this meeting and as such may not include the entirety of each statement made. The minutes of each meeting do not become official until approved at the next board meeting.

**MINUTES
BETTENDORF BOARD OF ADJUSTMENT
APRIL 16, 2009
5:00 P.M.**

Chairman Pro Tem McElhiney called the meeting to order at 5:00 p.m.

Item 1. Roll Call

PRESENT: Howe, McElhiney, Voelliger
ABSENT: Eikenberry, Stelk
STAFF: Connors, Fuhrman, Soenksen

Item 2. Review of Board Procedures.

Item 3. The Board to review and approve the minutes of the meeting of March 12, 2009.

On motion by Voelliger, seconded by Howe, that the minutes of the meeting of March 12, 2009 be approved as corrected.

ALL AYES

Motion carried.

Item 4. The Board to hold a public hearing on the following items:

- a. Case 09-024; 19 Oak Park Drive (R-1) – A request for a variance to allow a 5-foot high fence in the established front yard setback to be located within 35 feet of the front property line, submitted by David and Karri Mart.

McElhiney asked if there was an affidavit of publication. Soenksen stated that notice of public hearing had been received. Notice and affidavit of publication are Annex #2 to these minutes.

Soenksen reviewed the staff report. Staff report is Annex #3 to these minutes. He stated that he had received a letter in support of the request from Mr. and Mrs. Robert Francione of 1325 Middle Road.

There being no one present wishing to speak in favor of or in opposition to the request, McElhiney closed the public hearing.

Howe asked why the applicant does not wish to enclose the rear yard. David Mart, the applicant, explained that the will serve as a barrier from Middle Road for their children and is not necessarily for aesthetic purposes.

Voelliger commented that he believes that this is a reasonable request and that the fence will accent the neighborhood nicely.

Karri Mart, co-applicant, stated that the entire that is intended to be enclosed is relatively open and has several mature trees that will provide a nice play area for the children.

On motion by Howe, seconded by Voelliger, that the request for a variance to allow a 5-foot high fence in the established front yard setback to be located within 35 feet of the front property line be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #4 to these minutes.

- b. Case 09-028; 2400 - 18th Street (C-5) - A request for a special use permit to allow an internet café, submitted by Giovonnte Tate. (Withdrawn)

There being no further business, it was unanimously approved to adjourn the meeting at approximately 5:05 p.m.

These minutes and annexes approved _____

John Soenksen
City Planner