

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
SEPTEMBER 10, 2009
5:00 P.M.**

Chairman Stelk called the meeting to order at 5:00 p.m.

Item 1. Roll Call

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

Item 2. Review of Board Procedures.

Item 3. The Board to review and approve the minutes of the meeting of August 13, 2009.

On motion by Voelliger, seconded by Howe, that the minutes of the meeting of August 13, 2009 be approved as submitted.

ALL AYES

Motion carried.

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

- b. Case 09-067; 3208 South Hampton Drive (R-2) - A request for a variance to increase the allowable living area to garage ratio from 40% to 66%, submitted by Chris Gutierrez.

Stelk 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.

Stelk stated that he received a petition in support of the request from 8 of the applicant's neighbors.

Chris Gutierrez, the applicant, stated that the diagram that had been submitted with the applicant is slightly inaccurate, indicating that the garage would not encroach into the easement area as shown. She stated that several homes of similar or smaller size have detached garages such as she wishes to build. Gutierrez stated that she wishes to be

able to park her family's vehicles off-street in addition to having the space to store a boat and woodworking tools. She added that she would like to keep the existing garage space intact as it provides entry for elderly relatives without having to travel a long distance.

Voelliger asked if the tree in the rear yard would be removed. Gutierrez confirmed this, adding that there are several trees in the rear yard that would be removed.

Howe commented that the proposed construction seems to be very similar to what is in the neighborhood, adding that he would support the request. Voelliger concurred.

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

On motion by Eikenberry, seconded by Howe, that the request for a variance to increase the allowable living area to garage ratio from 40% to 66% be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #4 to these minutes.

- c. Case 09-068; Lot 2, Shoppes at Duck Creek First Addition (C-2) – A request for approval of a special use permit for an additional drive-up window, submitted by McDonald Properties East, L.L.C.

Stelk 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 stated that the applicant would like to address the Board with regard to the request.

Kevin Koellner, 1805 State Street, stated that a special use permit for a drive-up window had previously been granted for the west side of the proposed building. He indicated that he and his partners are currently in lease negotiations with a specific tenant and requested that the request be deferred until the next meeting when more information is available.

On motion by Howe, seconded by Voelliger, that the request for a special use permit to allow drive-up windows be deferred until the next regularly scheduled meeting.

ALL AYES

Motion carried.

There being no further business, it was unanimously approved to adjourn the meeting at approximately 5:15 p.m.

These minutes and annexes approved

John Soenksen
City Planner