

NOTICE TO THE AUDIENCE. PLEASE REMEMBER THAT IF YOU ARE INTERESTED IN MATTERS ON THE AGENDA THAT WILL HAVE SUBSEQUENT MEETINGS, IT IS YOUR RESPONSIBILITY TO NOTE THE DATES, TIMES, AND PLACES. NO FURTHER LETTERS OR REMINDERS WILL BE SENT. OF COURSE, IF YOU HAVE ANY QUESTIONS ABOUT ANY GIVEN MATTER, DO NOT HESITATE TO CONTACT THE PLANNING DEPARTMENT IN THE CITY HALL ANNEX, 4403 DEVILS GLEN ROAD, BETTENDORF, IOWA (344-4100).

**MEETING NOTICE
BOARD OF ADJUSTMENT
APRIL 12, 2012
5:00 P.M.**

PLACE: Bettendorf City Hall Council Chambers, 2nd Floor, 1609 State Street

1. Roll Call: Falk _____, Gallagher _____, Johnson _____, Voelliger _____
2. Review of Board Procedures.
3. The Board to review and approve the minutes of the meeting of March 8, 2012.
4. The Board to hold a public hearing on the following item:
 - a. Case 12-025; 6400 Crow Creek Road (R-1) - A request for a variance to reduce the required setback for an on-premises identification sign to 1 foot, submitted by Acme Sign Company.
5. The Board to review and discuss the following item:
 - b. Case 838; 1460 Steamboat Drive (C-7) - Special use permit to allow public auctions, submitted by U.S. Auctioneers, Inc.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT AND OTHER APPLICABLE FEDERAL AND STATE LAWS, ALL PUBLIC HEARINGS AND MEETINGS HELD OR SPONSORED BY THE CITY OF BETTENDORF, IOWA, WILL BE ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES. PERSONS REQUIRING AUXILIARY AIDS AND SERVICES SHOULD CONTACT BETTENDORF CITY HALL AT (563) 344-4000 FIVE (5) DAYS PRIOR TO THE HEARING OR MEETING TO INFORM OF THEIR ANTICIPATED ATTENDANCE. TEXT TELEPHONE (TTY) IS AVAILABLE AT (563) 344-4175. IN ADDITION, PERSONS USING TEXT TELEPHONE HAVE THE OPTION OF CALLING VIA THE IOWA COMPASS VOICE/TTY BY DIALING (800) 735-2942.

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
MARCH 8, 2012
5:00 P.M.**

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

Item 1. Roll Call

PRESENT: Falk, Gallagher, Howe, Johnson, Voelliger
ABSENT: None
STAFF: Connors, Fuhrman, Soenksen

Item 2. Review of Board Procedures.

Item 3. The Board to review and approve the minutes of the meeting of February 9, 2012.

On motion by Voelliger, seconded by Johnson, that the minutes of the meeting of February 9, 2012 be approved as submitted.

ALL AYES

Motion carried.

Howe announced that this meeting would be his last and introduced Bob Gallagher as the Board's newest member.

Item 4. Election of officers.

On motion by Gallagher, seconded by Falk, that Voelliger be elected to the position of chairman.

ALL AYES

Motion carried.

On motion by Voelliger, seconded by Gallagher, that Falk be elected to the position of chairman pro tem.

ALL AYES

Motion carried.

Item 5. The Board to hold a public hearing on the following items:

- a. Case 12-014; 2801 Bellevue Avenue (R-1) - A request for a variance to increase the allowable square footage of a garage from 720 square feet to 1,080 square feet and to allow a 2-foot encroachment into the established front yard setback, submitted by Richard Frantz.

Howe 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.

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

Voelliger stated that the house directly north of the applicant's encroaches further into the setback than the proposed garage. Soenksen stated that the homes and garages in the area are set back at varying distances. Voelliger commented that the proposed garage is very similar to ones that have been previously approved by the Board, adding that this type of request seems to be a trend in the older neighborhoods of the city.

Johnson asked if the next smallest garage in the neighborhood is appreciably smaller or if it is similar in size to the proposed structure. Soenksen stated that he believes that it is more than 900 square feet in size, adding that he cannot recall the exact square footage. Johnson commented that it does not appear as though the proposed structure would change the character of the neighborhood.

Soenksen stated that he had received a letter in support of the request from Donald Ewing of 2819 Oak Street.

Howe commented that in his opinion the proposed garage would not be obtrusive and would be an attractive addition to the home, especially because of the mixed nature of the setbacks and existing structures in the area. He stated that while it does seem to be a new trend to request oversized garages to house collections, that fact is not a legitimate hardship. He indicated that the Board's decision would likely set a precedent and encouraged the members to establish a balance between the existing neighborhood and future requests.

Voelliger asked if access to the proposed garage would be from 28th Street or the alley. Soenksen stated that access would be from the alley.

Falk asked if a variance would have been required if the applicant had planned to place a partition between the actual vehicular storage area and any work space that may be located in the proposed garage. Soenksen explained that any physical barrier, such as a knee wall, would be enough to subtract the inaccessible garage area from the calculation with regard to living area to garage ratio. He added that there are large garages that did not require Board approval because of the amount of usable vehicular storage space in the structure. Soenksen stated that the determination of whether or not a variance is required is made at the staff level.

Johnson asked for clarification regarding the allowable square footage for a garage. Soenksen explained that every homeowner is allowed to have a minimum of a 720 square foot garage regardless of the size of the house. He indicated that when larger homes are constructed, the allowed garage area is calculated using a 40% living area to garage ratio which may result in a much larger garage than 720 square feet.

Gallagher asked if the size of the house has restricted the applicant's ability to construct a larger garage. Soenksen confirmed this.

On motion by Voelliger, seconded by Johnson, that a variance to increase the allowable square footage of a garage from 720 square feet to 1,080 square feet and to allow a 2-foot encroachment into the established front yard setback be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #4 to these minutes.

- b. Case 12-016; 800 - 23rd Street (R-2) - A request for a special use permit to allow a church, submitted by Apostolic Assembly of Bettendorf.

Howe 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 #5 to these minutes.

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

Falk asked if the applicant owns the property and if the use intended to be permanent. Soenksen confirmed this.

Gallagher asked if the church plans to purchase the entire building. Soenksen confirmed this. Falk commented that his impression from the staff report is that the church had perhaps planned to buy only the portion of the building they will use for services. Voelliger agreed.

On motion by Falk, seconded by Voelliger, that a special use permit to allow a church be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #6 to these minutes.

- c. Case 12-018; 3135 Central Avenue (R-2) - A request for a variance to increase the allowable square footage of a garage from 720 square feet to 936 square feet, submitted by Dennis Stoffel.

Howe 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 #7 to these minutes.

Howe asked if there was anyone present wishing to speak in favor of the request.

Richard Frantz, 2801 Bellevue Avenue, stated that he is in favor of the request.

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

Howe stated that while two very similar cases have been presented, each case should be judged on the specific merits of each request.

Voelliger asked for clarification of the width of the lot. Soenksen stated that the lot appears to be at least 100 feet wide. Dennis Stoffel, the applicant, stated that the lot is 110 feet by 150 feet. Voelliger stated that it appears that the applicant's property was originally two lots, adding that technically the proposed garage would be constructed on the second lot. Gallagher commented that it is his recollection that the applicant's home is located on a parcel that was originally platted as two lots.

On motion by Gallagher, seconded by Falk, that a variance to increase the allowable square footage for a garage from 720 square feet to 936 square feet be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #8 to these minutes.

Soenksen expressed his appreciation for Howe's years of service on the Board of Adjustment.

There being no further business, it was unanimously approved to adjourn the meeting at approximately 5:35 p.m.

These minutes and annexes approved

John Soenksen
City Planner



COMMUNITY DEVELOPMENT

City Hall Annex • 4403 Devils Glen Road, Bettendorf, Iowa 52722 • (563) 344-4100

April 12, 2012

Staff Report

Case No. 12-025

Location: 6400 Crow Creek Road

Applicant: Acme Sign Company

Zoning Designation: R-1, Single-family Residence District

Request: Variance to reduce the required setback for an on-premises identification sign from 15 feet to 1 foot.

Background Information and Facts

The site is located toward the eastern end of Crow Creek Road north of Pleasant View School (see Attachment A – Location Map). Pleasant View Baptist Church would like to place a new sign within 1 foot of the front property line

Staff Analysis

The current sign is set back 10 feet from the front property line; the proposed sign would be 9 feet closer to the property line adjacent to Crow Creek Road. The existing sign is approximately 4 feet high and is visible when the surrounding trees are in full bloom because the trees are taller than the sign. The proposed sign will be approximately 8½ feet high (see Attachment C – New Sign Illustration) so the church would like to place the sign as close as possible to Crow Creek Road in order to clear the foliage of the surrounding trees.

Staff Recommendation

The existing sign simply identifies the church. The proposed sign is larger and will incorporate an electronic message center that will inform the public about church service times and upcoming events which is the reason the church has chosen the significantly larger sign.

The message center portion of the new sign would be in approximately the same location (4 feet from the ground) as the main area of the existing sign. Electronic message centers inherently garner more attention visually than do static identification signs. If placed at the current location, the message center portion on the new sign will have the same visibility as does the current sign with only the static portion of the new sign (the “Pleasant View Baptist Church” portion) being obscured by the trees. It is fair to say that the new sign would be able to deliver more information than does the current sign even if placed in the same location as the existing one.

Staff is concerned about having a considerably larger sign so close (1 foot) to the property line and what precedent this would set for future large sign requests throughout the city.

The existing sign is actually 5 feet closer to the front property line than is allowed by code. Staff did not find any documentation of a variance approval for the sign placement. It is not uncommon for site plans to indicate sign location, and if approved, the sign placement would be allowed per site plan without a variance. Given that the new sign will be considerably larger than the existing sign, the Board has the following options:

1. Require the new sign to be placed at the proper 15-foot setback
2. Grant a 5-foot setback variance to allow the new sign to be placed at the same location as the current smaller sign.
3. Grant a variance to allow the new sign to be placed at ANY closer location up to and including the requested 1-foot setback.

Staff cannot cite a hardship.

Respectfully submitted,

John Soenksen
City Planner

Attachment - A



53rd Avenue

Surrey Heights Fire Station

SITE

Crow Creek Road

Pleasant View School

55th Avenue

56th Avenue Ct

Clock House Ave

Kristi Ln

Jolie Ann Ct

Judge Rd

Berkshire St

Hugo Rd

53rd Ave

Remington Rd

Century Heights Ave

Taylor Ave

Brarwood Ln

School House Rd

Blackhawk Trail Ct

Pigeon Creek Trl

Middle Rd

Middle Rd

Foxborough Ct

Coachman Rd

White Post Rd

Surrey Ct

Heatherstone Rd

Brarwood Chase

Craig Bluff Ct

Coachman Ct

White Post Rd

Surrey Ct

Bayberry Ln

Crow Creek Rd

Ashworth Ct

Charter Oaks Dr

Pepperwood Ln

Old Ivy Ct

Valley Brook Dr

Shadowbrook Dr

Primrose Ct

Kingston Cir

Wingate Ct

Wendham Dr

Moencs Rd

Lewis Ct

Dodds Dr

Valley View Dr

Brookview Ct

Auburn Ave

Clemmons Rd

Jenny Ln

Park Ave

North St

Little Ln

Williams Ct

Short St

Dukes Dr

Valley Dr

Attachment - B



3'x7' 1/2"



29"X68"

COME WORSHIP
WITH US!
SUNDAY 10AM
& 6PM

5"





Case No. 12-025

APPEAL AND APPLICATION TO THE ZONING BOARD OF ADJUSTMENT OF BETTENDORF, IOWA

Part 1. Property Involved.

Street Address 6400 Crow Creek Road

Legal Description of the property. _____

Part 2. Contact Information.

Applicant Name Acme Sign Company Phone 563-322-7947

Address 1504 W. 4th St. Davenport IA FAX 563-322-7948

E-mail Address: jaevis.craig@MCLeadUSA.NET

Owner Name Pleasant View Baptist Church Phone 563 332-5233

Address 6400 Crow Creek Road FAX _____

E-mail Address: pvbc.pastor@gmail.com

Agent _____ Phone _____

Address _____ FAX _____

E-mail Address: _____

Part 3. Type of Application. (check at least one)

1. Variance/Exception. Before the Board of Adjustment grants approval of a variance to the City of Bettendorf Zoning Ordinance, all of the following conditions **MUST** be met:

- (a) That the granting of the exception will not permit any use in any district which would be in conflict with the permitted uses of such district under the terms of this ordinance.
- (b) That it will not impair an adequate supply of light and air to adjacent property.
- (c) That it will not unreasonably increase the congestion in public streets.
- (d) That it will not increase the danger of fire or of the public safety.
- (e) That it will not unreasonably diminish or impair established property values within the surrounding areas.
- (f) That it will not in any other respect impair the public health, comfort, safety, morals, or welfare of the inhabitants of the city.

2. Special Use Permit. Before the Board of Adjustment grants approval of a special use permit, all of the following conditions **MUST** be met:

- (a) The proposed use is designated by this ordinance as a special use in the district in which the use is to be located.
- (b) The proposed use will comply with all applicable regulations in the district in which the use is to be located.
- (c) The location and size of the proposed use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
- (d) The location, nature, and height of buildings, walls, and fences and the nature and extent of the landscaping on the site are such that the use will not unreasonably hinder or discourage the appropriate development and use of adjacent land and buildings.
- (e) Parking areas will be of adequate size for the particular use, properly located, and suitably screened from adjoining uses and the entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
- (f) The proposed use will not cause substantial injury to the value of other property in the neighborhood.
- (g) Conditions in the area have substantially changed and at least one year has elapsed since any denial by the Board of Adjustment of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site.
- (h) The Board of Adjustment shall impose such conditions and restrictions upon the premises benefited by a special use permit as may be necessary to assure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the intent of this ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this ordinance.

3. Other. _____
(Attach a separate sheet and explain in detail.)

Part 4. General Information.

Section(s) of Zoning Ordinance Involved 18.77.020 Existing Zoning R-1, Single Family

Part 5. Reasons for Application. In the space below, give a general description of the activity desired and principal reasons why this application should be granted by the Board. If this application is for a variance, please state the hardship which the zoning ordinance imposes on the property. Use the following criteria as justification for the requested variance. Use additional sheets if necessary.

- (a) It shall be the property owner's responsibility to show that the terms of this ordinance will impose unusual and practical difficulties or particular hardships. The hardship established by the property owner must not be SELF-IMPOSED. A self-imposed hardship is NOT justification for the approval of a variance request.
- (b) If the variance granted is in harmony with the general purpose, intent, and spirit of this ordinance.
- (c) If the board determines that the granting of the requested variance will not serve merely as a convenience to the applicant, but will alleviate a demonstrable hardship as to warrant a variance from the official city plan as established by Ordinance No. 381 of the city, and at the same time the surrounding property will be reasonably protected.
- (d) That by granting the request for a variance substantial justice shall be done.

The property has trees planted directly in line with the existing sign. They have limited visibility from the street. There is a 20' wide easement between the curb and sidewalk that causes the sign to be placed farther back from the street. The church would like to have the new sign placed closer than the 10' set back from the property line because of poor and limited visibility. Within ONE foot of front property line.

Part 6. Attachments. The following items are attached and are a part of this application.

- () 1. Scale accurate site plan, at a scale of 1" = 20' or other suitable scale, showing adjacent street, property line, building location of existing and proposed buildings and other important features of the property. Required with all applications.
- () 2. Legal Description. (If not shown on page 1.)
- () 3. Floor plan if internal design of building is part of application.
- () 4. List additional attachments.

Part 7. Signature.

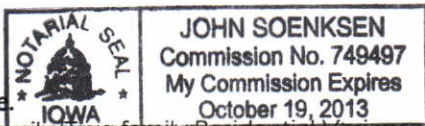
I (we) depose and say that all the information contained in this application and the statements contained in the papers submitted herewith are true. Witness our Hands and Seals this 22nd day of March, 20 12.

Signature of Applicant Craig Jarvis Signature of Owner Edward X. Heddington
(The owner **MUST** indicate his consent to this application by signing above. Application without the signature of the owner will not be processed)

State of Iowa)
 SS
County of Scott)

Before me the undersigned Notary Public, in and for the County and State, personally appeared applicant(s) and separately and severally acknowledge the execution of the foregoing application is his/her voluntary act and deed, for the purposes therein expressed.

Witness my Hand and Notarial Seal this 22nd day of March, 20 12.



John Soenksen
Notary Public in and for Scott County, Iowa

Part 10. Filing Fee.
\$ 50.00 Single Family/Two-family Residential Variance
\$100.00 All Other Applications

Received by John Soenksen
Amount \$100.00 Date 3-22-12



COMMUNITY DEVELOPMENT
City Hall Annex • 4403 Devils Glen Road, Bettendorf, Iowa 52722 • (563) 344-4100

April 12, 2012

Staff Report

Case No. 838 (May 20, 1993)

Location: Former 1460 Steamboat Drive (Isle of Capri)

Zoning Designation: C-7, Public Gathering and Recreational Activity District

Request: Discussion of direction to staff regarding complaint about previously granted special use permit to allow public auctions.

Background Information and Facts

The site in question is the southwest portion of the Isle of Capri property commonly known as the overflow parking lot for the casino facility (see Attachment A – Location Map). Staff has received a complaint regarding a pending truck auction at the site which was previously authorized by the Board.

Staff Analysis

Mr. Greg Gackle has filed a complaint regarding the operation of the truck auction and feels that the operation is in violation of the Board's terms listed in the original Decision and Order. The original Decision and Order and Mr. Gackle's letter requesting action by the board are attached to this report.

The specific item in question is "Condition #2" on page two of the Decision and Order stating "that the auction merchandise and sales equipment not be stored or displayed on the property for more than 8 consecutive days for any auction". The letter/complaint asserts that this specific condition is violated on many occasions.

Staff is seeking the Board's direction on the appropriate response to the complaint. The area used for the auction is visible by:

- Traversing the George Thuenen Bridge and turning west away from the casino complex.
- Traversing the I-74 Bridge (Iowa bound).
- Walking the on the recreational trail on top of the flood levee.

Staff does none of the above on a routine basis and therefore does not observe the activities on the site in question unless there is a specific reason to drive to the site.

Staff is seeking the Board's direction (discussion) on policing the conditions of the original order and if the Board would like this item placed on the next agenda for specific/official action based on the current request/complaint.

Respectfully submitted,

John Soenksen
City Planner

Attachment - A



CITY OF BETTENDORF, IOWA
Zoning Board of Adjustment

On the matter of a proposed * Case No. 838
Special Use to allow public auctions* Decision and Order
on property located at 1460 *
Steamboat Drive, submitted by U.S. *
Auctioneers, Inc. *

Facts:

The applicant, U.S. Auctioneers, is requesting a special use to allow public auctions on property located at 1460 Steamboat Drive commonly known as Steamboat Landing. The applicant proposes to use the property for public auctions of trucks and trailers. The auctions would be held periodically, no more than 10 times per year. For approximately 5 days prior to an auction, 200 truck tractors and trailers and accessory equipment would be displayed for public inspection. The trucks and trailers would be displayed on the southwest parking lot and the accessory equipment within the covered parking lot. On the sixth day the auction would be held, and on the seventh day all merchandise removed. The applicant had held 3 auctions prior to city notification of the special use requirement. A 4th one is scheduled for the day of the field visit. No further auctions will be allowed without Board of Adjustment approval.

The property is zoned C-7, Public Gathering and Recreational Activity District. The district is intended to "provide areas for large public gatherings having high volumes of traffic, noise, and disruption potential" and "are expected to have large groups of people for relatively short periods of time." (15.7 Public Gathering and Recreational Activity District) The applicant's proposed special use of auctions is not a listed permitted or special use within the C-7 district. Staff does feel that it is similar and compatible to several listed permitted uses including:

- 1. Fairgrounds such as amusement rides, games, arcades, cattle and livestock exhibition.
- 2. Exhibition centers containing exhibition halls and meeting and outdoor display areas, (retail sales space, restaurants with lounge, recreational activities, etc.)

Findings and Decision:

Be It Resolved By The Board Of Adjustment of the City of Bettendorf, Iowa; that the following Findings Of Fact are made:

Findings Of Fact:

- (1) That the proposed use is similar and compatible with the permitted uses in the C-7 district in which it is located including:
 - 1. Fairgrounds such as amusement rides, games, arcades, cattle and livestock exhibition.
 - 2. Exhibition centers containing exhibition halls and meeting and outdoor display areas, (retail sales space, restaurants with lounge, recreational activities, etc.)
- (2) That the proposed use will comply with all applicable regulations in the C-7 district in which it is located including paving and landscaping of parking lots and display areas.
- (3) That the location and size of the proposed use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
- (4) That the location, nature, and height of buildings, walls, and fences, and the nature and extent of the landscaping on the


site are such that the use will not unreasonably hinder or discourage the appropriate development and use of adjacent land and buildings.

- (5) Parking areas will be of adequate size for the particular use, properly located and suitably screened from adjoining uses, and the entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
- (6) The proposed use will not cause substantial injury to the value of other property in the neighborhood.

Therefore, Be It Resolved By The Zoning Board Of Adjustment for the City of Bettendorf, Iowa, that a Special Use to allow public auctions for property located at 1460 Steamboat Drive and legally described as lots 1 and 2 of Steamboat Landing, is hereby approved, subject to the following conditions:

1. Auctions be limited to no more than 10 per calendar year.
2. That the auction merchandise and sales equipment not be stored or displayed on the property for more than 8 consecutive days for any auction.
3. That no other merchandise, equipment, or material of any kind be stored or displayed outside except within a completely enclosed structure.
4. That the auction merchandise and sales equipment be removed within 48 hours of the end of the auction.

Done this 20th day of May, 1993.


Thomas L. Stelk, Chairman
Board of Adjustment

PJM

Soenksen, John

From: Greg Gackle [gah@gah.com]
Sent: Tuesday, March 27, 2012 11:14 AM
To: Soenksen, John; Connors, Bill; Jager, Greg
Subject: Special use permit for truck auctions at 1460 Steamboat Drive

To: Bettendorf Board of Adjustment
John Soenksen
Bill Connors
Greg Jager

Under the city's Board of Adjustment ruling May 20, 1993, U.S. Auctioneers was granted a special use permit to allow truck auctions on the site at 1460 Steamboat Drive, Bettendorf.

The conditions applied to the ruling state:

- 1) Auctions be limited to no more than 10 per calendar year.
- 2) That the auction merchandise and sales equipment not be stored or displayed on the property for more than 8 consecutive days for any auction.
- 3) That no other merchandise, equipment, or material of any kind be stored or displayed outside except within a completely enclosed structure.
- 4) That the auction merchandise and sales equipment be removed within 48 hours of the end of the auction.

As I have observed on many occasions, U.S. Auctioneers regularly violates terms of the special use by exceeding the number of days equipment is stored and displayed on the site. Most recently, trucks have been stored on the site since March 19. The upcoming auction by U.S. Auctioneers is scheduled for April 12 (according to its web site: <http://usauctioneers.com/April12/indexApril12.htm>), which means trucks and other equipment will have been stored on the site for 25 to 27 consecutive days.

I would ask that the city Board of Adjustment revoke U.S. Auctioneers' special use permit for the Steamboat Landing site based on the company's regular violation of terms of the permit.

Greg Gackle

1116 Coffelt Avenue
Bettendorf, Iowa 52722
563-355-6795