

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
JANUARY 10, 2019
5:00 P.M.**

Falk called the meeting to order at 5:30 p.m.

Item 1. Roll Call

PRESENT: Clements, Falk, Tombergs

ABSENT: Gallagher, Spranger

STAFF: Fuhrman, Soenksen

Item 2. Review of Board procedures.

Item 3. The Board to review and approve the minutes of the meeting of November 8, 2018.

On motion by Clements, seconded by Tombergs, that the minutes of the meeting of November 8, 2018 be approved as submitted.

ALL AYES

Motion carried.

Item 4. The Board to review and approve the 2018 Board of Adjustment Annual report. (Deferred to meeting of February 14, 2019)

Item 5. Election of officers. (Deferred to meeting of February 14, 2019)

Item 6. The Board to hold a public hearing on the following items:

- a. **Case 19-001; 777 Tanglefoot Lane (C-6)** - A request for a variance to allow parking in a required front yard, submitted by Eye Surgeons Facilities, LLC.

Falk 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.

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

James Bearden, representing the applicant, stated that he would be available if any of the Board members has a question and indicated that staff had represented the request accurately.

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

Clements asked if the new parking spaces would pose any problems with regard to visibility. Soenksen stated that there would be no effect on the required vision triangle, adding that the spaces would be set back approximately 60 feet from the paved portion of Tanglefoot Lane. He indicated that there would be enough stacking space for 2 vehicles in the driveway while still maintaining visibility.

Tombergs stated that the applicant's business is landlocked and is outgrowing their space. She indicated that she is in support of the request given that neighboring businesses were granted similar variance requests.

On motion by Tombergs, seconded by Clements, that a variance to allow parking in a required front yard be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #4 to these minutes.

- b. Case 19-002; 3923 State Street (I-2) - Variance to allow outdoor storage of raw materials and a 10-foot high screening wall in a required front yard, submitted by Manatt's.

Falk 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.

Falk asked if the wall would be as depicted in the photo included in the packet. Kevin Bailey, representing the applicant, explained that the photo of the wall is representative of what is proposed to be installed. He indicated that the photo shows a wall made of 3 courses of 3-foot high stone with a stone cap and a foundation underneath. Bailey stated that the wall would be stained and sealed and would have a decorative appearance from the street.

Tombergs commented that there is a recommendation in the staff report that any approval of the variance be based on the photograph which shows a sample of the wall in addition to landscaping. Bailey explained that Attachment B indicates areas of proposed landscaping which will be placed on either side of both access points. He added that one of the 3 existing driveways would be eliminated as a result of the proposed reconfiguration of the site.

Falk asked for clarification of the distance between the proposed wall and the sidewalk. Bailey explained that it would be approximately 5 feet, adding that it would be less than what is represented in the photo. He indicated that there would be adequate room for snow storage.

Clements asked how far the sidewalk is from the street. Soenksen stated that the wall would be approximately 18 feet from the paved portion of State Street which would allow stacking space for one vehicle. He indicated that during site development plan review, staff would ensure that none of the proposed improvements would impede into the required 35-foot vision triangle at the entrances.

Tombergs asked if the wall is proposed to be 10 feet tall because of the nature of the equipment that will be used behind it. Bailey confirmed this. Tombergs commented that perhaps the proposed improvements could become the standard look for businesses located along the State Street corridor. Soenksen stated that new business owners would not be required to follow the applicant's example, but indicated that perhaps they could be encouraged to do so.

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

On motion by Clements, seconded by Tombergs, that a variance to allow outdoor storage of raw materials and a 10-foot high screening wall in a required front yard be approved in accordance with the Decision and Order and is as shown in the photograph submitted with the application including the materials and landscaping.

ALL AYES

Motion carried.

Decision and Order is Annex #6 to these minutes.

- c. **Case 19-006; 5055 Competition Drive (C-7)** - A request for a special use permit to allow an outdoor service area, submitted by Kevin Koellner. (Deferred to meeting of February 14, 2019)

- d. **Case 19-007; 5027 Competition Drive (C-7)** - A request for a special use permit to allow a bar and an outdoor service area in a C-7 district, submitted by Kevin Koellner. (Deferred to meeting of February 14, 2019)

There being no further business, it was unanimously approved to adjourn the meeting at approximately 5:45 p.m.

These minutes and annexes approved _____

John Soenksen
Community Development Director