

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

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

Item 1. Roll Call

PRESENT: Gallagher, Spranger, Tombergs
ABSENT: Clements
STAFF: Beck, Fuhrman

Item 2. Review of Board procedures.

Item 3. The Board to review and approve the minutes of the meetings of August 22, 2019 and September 12, 2019.

On motion by Tombergs, seconded by Spranger, that the minutes of the meetings of August 22, 2019 and September 12, 2019.

ALL AYES

Motion carried.

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

- a. Case 19-056; 2285 St. Andrews Circle (R-1) - Variance from the requirement that a religious assembly be located such that it fronts on a collector or arterial thoroughfare so designated in the comprehensive plan, submitted by Chabad Lubavitch of the Quad Cities/Rabbi Shneur Cadaner. (Withdrawn)

Beck commented that the City Attorney would be issuing an opinion regarding Case 19-056.

- b. Case 19-072; 2226 Lundy Lane (R-1) - A request for a variance from the requirement to enclose a swimming pool with a fence, submitted by Russell Kurtz.

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

Beck reviewed the staff report. Staff report is Annex #3 to these minutes.

Tombergs stated that the documentation in the packet states that pool covers add another layer of protection in addition to fences and are not meant to be used in lieu of a fence. She expressed concern that the homeowner could forget to close the pool cover, adding that a fence would provide security at all times.

Gallagher asked if a fence of a certain height around a pool is required by ordinance. Beck confirmed this. Gallagher asked if staff is aware of any waivers to this requirement. Beck stated that he was not made aware of any prior to the meeting. Gallagher commented that he shares the concerns expressed by Tombergs.

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

On motion by Spranger, seconded by Tombergs, that a variance from the requirement to enclose a swimming pool with a fence be denied in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #4 to these minutes.

- c. **Case 19-083; 3557 Middle Road (C-2)** - A request for a special use permit to allow a bar, submitted by The Quarry QC, LLC.

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

Beck 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, Gallagher closed the public hearing.

Spranger asked if the current request is for a bar only with no outdoor service. Gallagher confirmed this.

On motion by Tombergs, seconded by Spranger, that a special use permit to allow a bar be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #6 to these minutes.

- d. **Case 19-084; 5123 Middle Road (C-1)** - A request for a variance to reduce the required front yard setback from 20 feet to 11 feet to allow enlargement of an existing 4.5-foot by 17-foot deck, submitted by Townsend Engineering.

Beck reviewed the staff report. Staff report is Annex #7 to these minutes.

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

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

Chris Townsend, engineer representing the applicant, explained that the deck would be used for access only. He added that request was made to accommodate the elevation change on the property.

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

On motion by Tombergs, seconded by Spranger, that a variance to reduce the required front yard setback from 20 feet to 11 feet to allow enlargement of an existing 4.5-foot by 17-foot deck be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #8 to these minutes.

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

These minutes and annexes approved _____

Greg Beck
City Planner