

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 11, 2019
5:00 P.M.**

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

1. Roll Call: Clements ____, Falk ____, Gallagher ____, Spranger ____, Tombergs ____
2. Review of Board Procedures.
3. The Board to review and approve the minutes of the meeting of March 14, 2019.
4. The Board to hold a public hearing on the following item:
 - a. Case 19-027; 3219 Centennial Court (I-2) - Variance to reduce the required front yard setback from 25 feet to 10 feet to allow for a driveway, submitted by Barry Morris.

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 14, 2019
5:00 P.M.**

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

Item 1. Roll Call

PRESENT: Clements, Falk, Gallagher, Spranger, Tombergs
ABSENT: None
STAFF: Fuhrman, Soenksen

Item 2. Review of Board procedures.

Item 3. The Board to review and approve the minutes of the meeting of February 14, 2019.

On motion by Falk, seconded by Spranger, that the minutes of the meeting of February 14, 2019 be approved as submitted.

ALL AYES

Motion carried.

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

- a. Case 19-019; 3232 Utica Ridge Road (C-3) and 1011 Utica Ridge Place (C-6) - A request for a variance to allow parking in a required front yard, submitted by Geifman First Equity.

Gallagher 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, Gallagher closed the public hearing.

On motion by Tombergs, seconded by Spranger, 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.

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
Community Development Director



COMMUNITY DEVELOPMENT

City Hall Annex • 4403 Devils Glen Road, Bettendorf, Iowa 52722 • (563) 344-4083

April 11, 2019

Staff Report

Case No. 19-027

Location: 3219 Centennial Court

Applicant: Barry Morris

Zoning Designation: I-2, General Industrial District

Request: Variance to reduce the required front yard setback from 25 feet to 10 feet to allow for a driveway.

Background Information and Facts

The site is located on the northeast corner of State Street and Centennial Court (see Attachment A – Location Map). The applicant would like to build a new HVAC contractor's building that, if approved, would have a parallel drive within required front yard adjacent to State Street (see Attachment B - Site Plan).

Staff Analysis

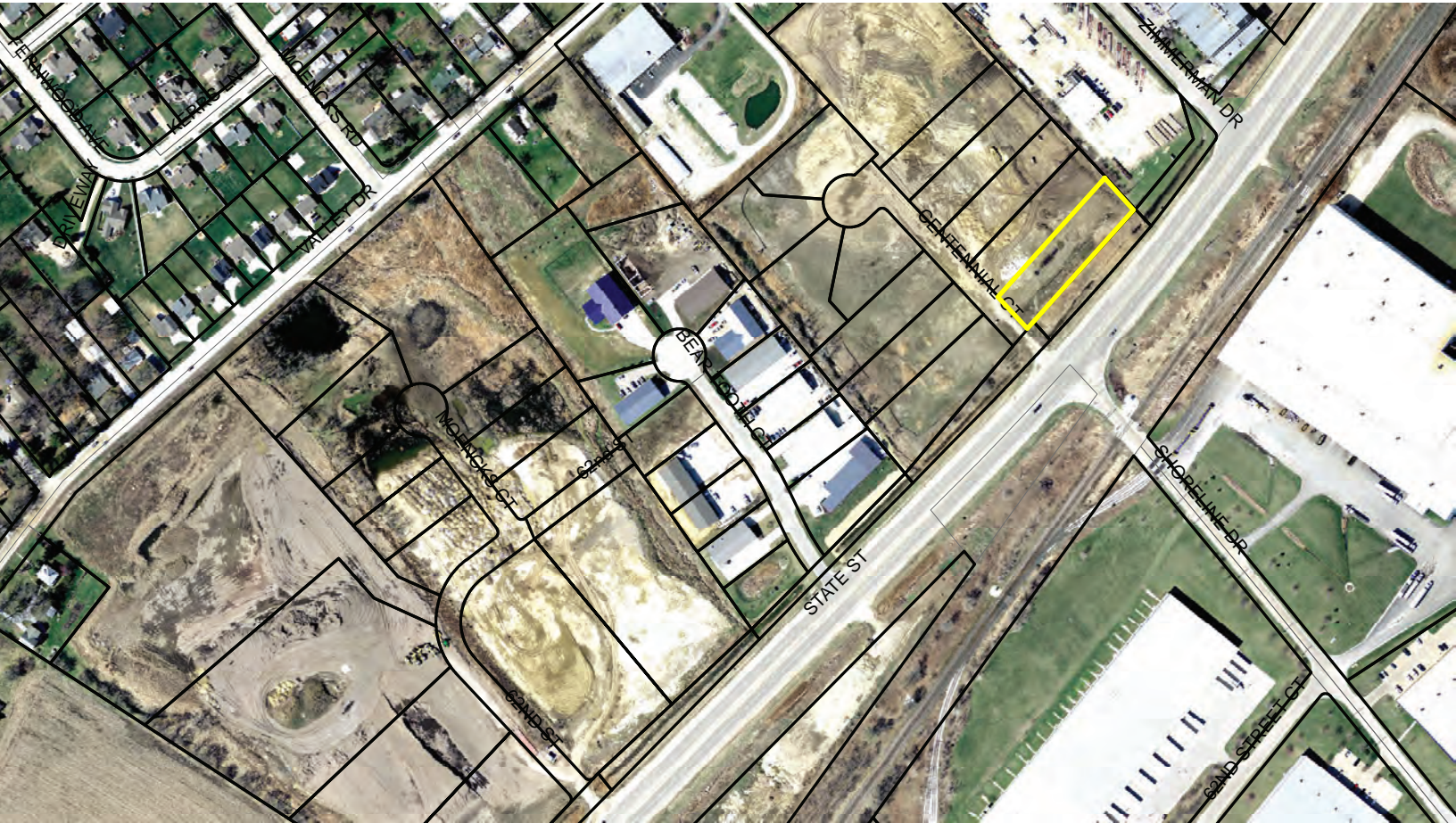
The I-2 District requires a minimum of a 10-foot side yard and a 25-foot front yard. There are two required front yards on this corner lot - one adjacent to Centennial Court and one adjacent to State Street. The 6,480 square foot building appears to be reasonably sized for its proposed use by an HVAC contractor. The trucks that are used for this type of business, according to the applicant, will require the 25-foot wide driveway to safely negotiate ingress and egress into and out of the building.

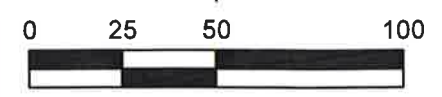
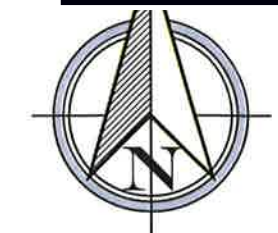
As shown on Attachment A, there is an additional non-buildable lot between this site and the State Street/Highway 67 right-of-way. Therefore, the easternmost property line of the lot is 75 feet from the paved portion of State Street.

In November of 2018, the Board granted a similar request for 3255 Moenck's Court to extend parking into the required front yard setback to allow a larger turning radius to allow better maneuverability at an RV storage facility (see Attachment C – Previous Site Plan). The RV storage facility is in close proximity to the applicant's lot and is also an industrial use on a corner lot. In the previous case, there was no extra separation to the adjacent roadway (see Attachment D – Proximity Map).

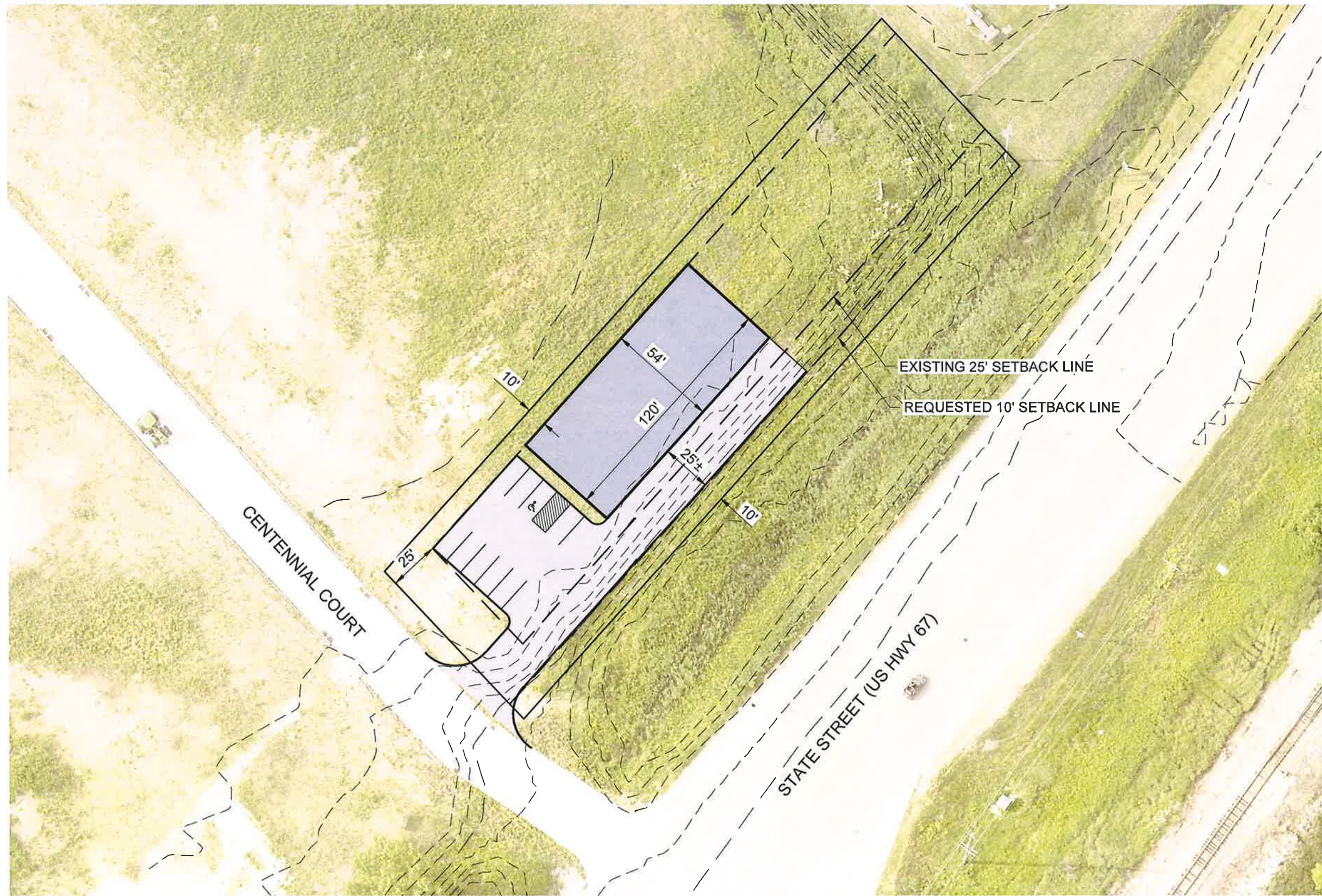
Respectfully submitted,

John Soenksen
Community Development Director





Scale: 1" = 50'

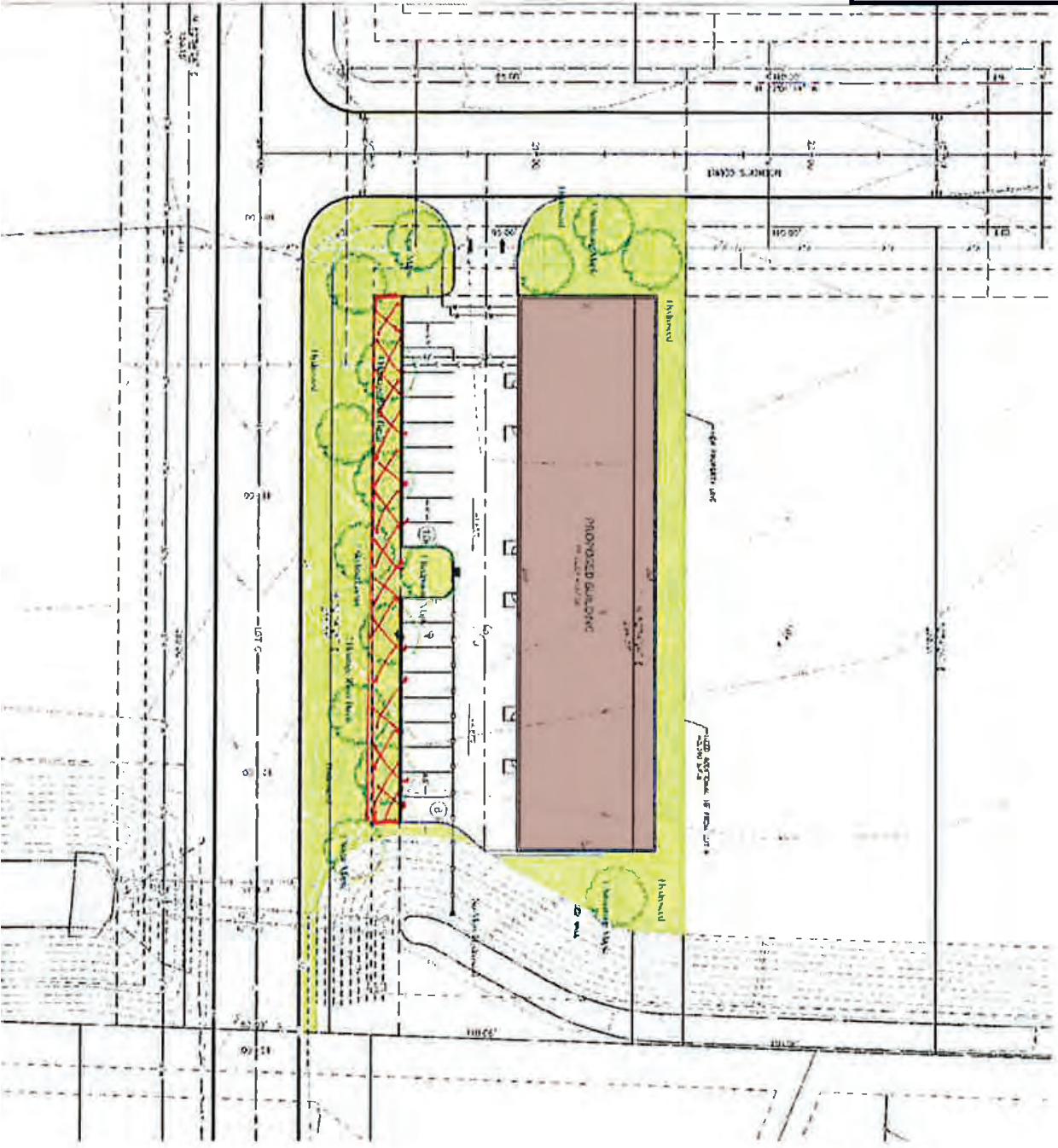


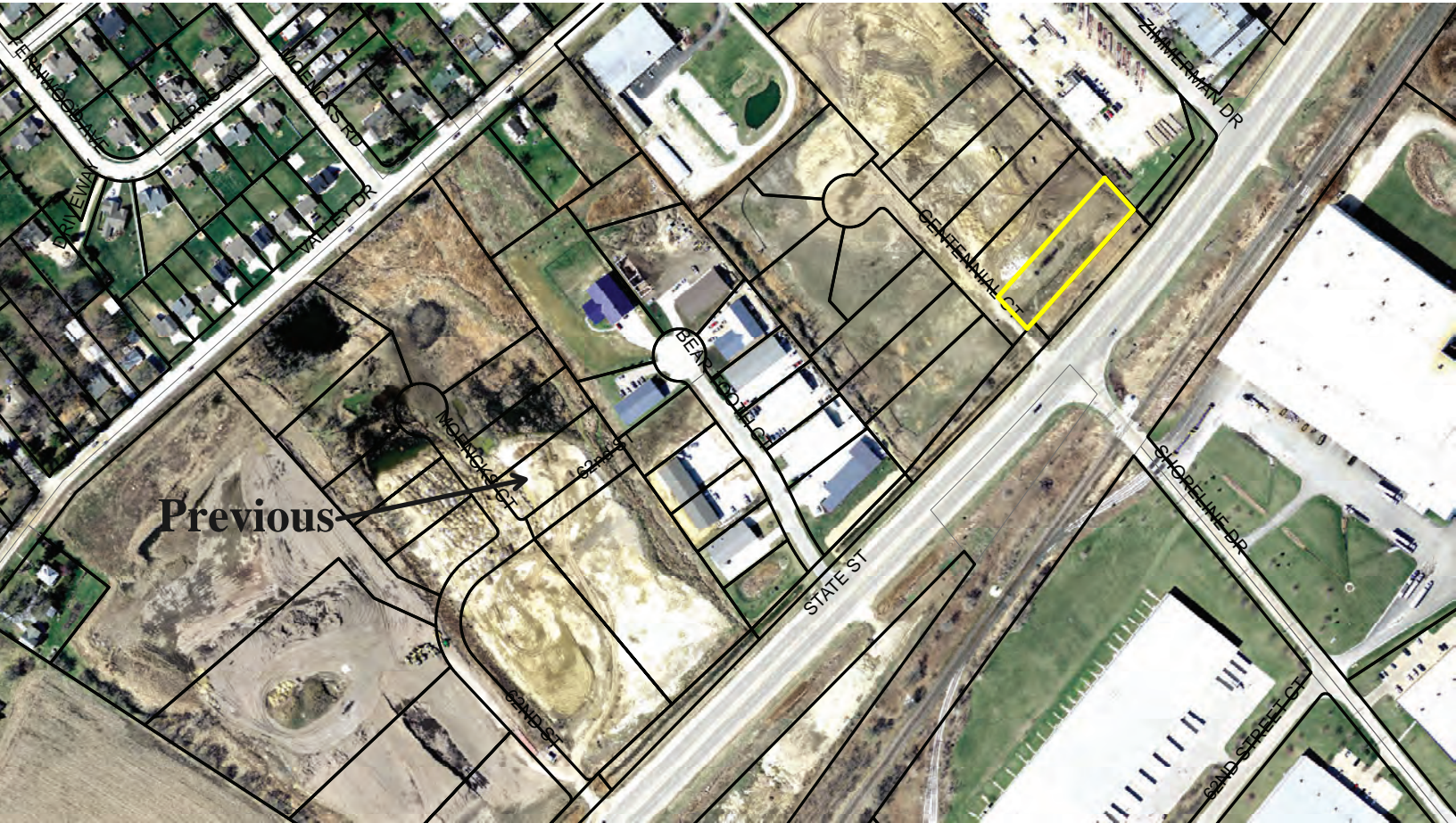
PROPOSED SITE DEVELOPMENT
Bettendorf, Iowa
Morris Heating & Cooling

jmc project no. P19-019
drawn by: nhm
checked by: cam
date: 03.19.2019

C-1

j+m
civil design llc
2550 middle road, ste. 602
bettendorf, ia 52722
www.jmcivildesign.com







Case No. 19-027

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

Part 1. Property Involved.

Street Address 3219 Centennial Court, Bettendorf, IA

Legal Description of the property. JJZ ADD Lot: 013 JJZ ADD LOT 13

Part 2. Contact Information.

Applicant Name Barry Morris Phone 563-322-3600
Address 2238 W. River Drive, Davenport, IA 52802 FAX _____
E-mail Address: Barry@A1morris.com

Owner Name Barry Morris Phone 563-322-3600
Address 2238 W. River Drive, Davenport, IA 52802 FAX _____
E-mail Address: Barry@A1morris.com

Agent Maggie Motto Phone 563-676-7755
Address 2550 Middle Road, Bettendorf, IA FAX _____
E-mail Address: maggie@jmcivildesign.com

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.)

