

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
CITY OF BETTENDORF
BOARD OF ADJUSTMENT
SEPTEMBER 11, 2025
5:00 P.M.**

PLACE: **SURREY HEIGHTS FIRE STATION, 5002 CROW CREEK ROAD**

1. Roll Call: Gallagher ____, Spranger ____, Tansey ____, Tombergs ____, Vermillion ____
2. Review of Board Procedures.
3. The Board to review and approve the minutes of the meeting of August 14, 2025.
4. The Board to hold a public hearing on the following cases:
 - a. **Case 25-032-VAR; 4097 Lilly Court (R-2)** – Variance to reduce the required rear yard setback from 25 feet to 15 feet to allow for construction of a 15-foot by 16-foot deck, submitted by Subashini Vijaykumar. (Staff: Greg Beck) (Deferred from meeting of August 14, 2025)
 - b. **Case 25-044-VAR; 6596 Cardinal Road (R-1)** – Variance to allow a 5-foot high fence in the required front yard adjacent to Blackbird Lane located 20 feet from the property line, submitted by Tom Murrell. (Staff: Greg Beck)
 - c. **Case 25-046-VAR; 6535 James Road (R-5)** – Variance to reduce the required building separation from 8 feet to 5 feet to allow for construction of an accessory building, submitted by Ryan Fick. (Staff: Taylor Beswick)
 - d. **Case 25-047-VAR; 1828 Sunset Drive (R-2)** – Variance to reduce the required building separation from 8 feet to 5 feet to allow for construction of an accessory building, submitted by Jami Spriet. (Staff: Taylor Beswick)



The materials for the Board of Adjustment meeting can be accessed by scanning the QR Code.

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 FOUR (4) HOURS PRIOR TO THE HEARING OR MEETING TO INFORM OF THEIR ANTICIPATED ATTENDANCE.

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
AUGUST 14, 2025
5:00 P.M.

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

Item 1. Roll Call

PRESENT: Spranger, Tombergs, Vermillion
ABSENT: Gallagher, Tansey
STAFF: Beck, Fuhrman, Hunt, Magsombol

Item 2. Review of Board procedures.

Item 3. The Board to review and approve the minutes of the meeting of July 10, 2025.

On motion by Spranger, seconded by Vermillion, that the minutes of the meeting of July 10, 2025 be approved as submitted.

ALL AYES

Motion carried.

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

- a. **Case 25-034-SU; Lot 5, proposed FG 80 Holdings Sixth Addition (C-3)** – Special Use Permit to allow a boarding kennel, submitted by Kevin Koellner for Focus Real Estate Development.

Tombergs asked if there was an affidavit of publication. Fuhrman confirmed this.

Magsombol reviewed the staff report.

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

On motion by Spranger, seconded by Vermillion, that a Special Use Permit to allow a boarding kennel be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #2 to these minutes.

- b. **Case 25-036-SU; Lot 4, proposed FG 80 Holdings Sixth Addition (C-3)** – Special Use Permit to allow indoor storage units, submitted by Kevin Koellner for Focus Real Estate Development.

Magsombol reviewed the staff report.

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

On motion by Vermillion, seconded by Spranger, that a special use permit to allow indoor storage units be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #3 to these minutes.

- c. **Case 25-030-VAR; 3236 Palmer Hills Court (R-5)** – Variance to reduce the required front yard setback from 25 feet to 11 feet (adjacent to AAA Court) and from 25 feet to 13 feet (adjacent to Palmer Hills Court) to allow for construction of a two-family dwelling unit, submitted by Mike Janacek of Martin & Whitacre.

Beck reviewed the staff report.

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

On motion by Spranger, seconded by Vermillion, that a Variance to reduce the required front yard setback from 25 feet to 11 feet (adjacent to AAA Court) and from 25 feet to 13 feet (adjacent to Palmer Hills Court) to allow for construction of a two-family dwelling unit be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #4 to these minutes.

- d. **Case 25-032-VAR; 4097 Lilly Court (R-5)** – Variance to reduce the required rear yard setback from 25 feet to 15 feet, submitted by Subashini Vijaykumar. (Deferred to meeting of September 11, 2025)

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

STAFF REPORT

Subject: Board of Adjustment - Variance
Author: Greg Beck
Department: Community Development
Date: August 14, 2025



Case No.: 25-032-VAR
Request: Variance to reduce the required rear yard setback from 25 feet to 15 feet to allow for construction of a 15-foot by 16-foot deck.
Location: 4097 Lilly Court
Legal Description: Lot 34, Highlands Fifth Addition (Parcel #: 841007234)
Applicant: Subashini Vijaykumar
Current Zoning: R-2, Single Family Residence District
Future Land Use: Neighborhood Light

Background Information & Facts

Subashini Vijaykumar is requesting a variance to permit a 10-foot encroachment into the rear yard setback to build a 15-foot by 16-foot deck at 4097 Lilly Court.

The lot in question is located on the south side of the Lilly Court cul-de-sac. The radius of the cul-de-sac constrains the buildable area on the property compared to similar properties not on a cul-de-sac.

Staff Analysis & Recommendations

The Board has been made aware of recent changes to the State law allowing the Board to consider approving dimensional/numerical variances based on practical difficulties to the property owner so long as the spirit of the City's ordinance is maintained and the requested variance does not significantly alter the character of the neighborhood.

Staff contends the following to be true:

- The requested variance is numerical or dimensional as opposed to a use variance.
- The cul-de-sac and relatively smaller size of the lot are practical difficulties not caused by the owner.
- The encroachment of the deck into the setback would not significantly alter the character of the neighborhood.
- The spirit of the ordinance would be upheld if the encroachment were approved given that it would only allow for the deck to encroach into the rear yard.

Additionally, staff notes that even under the previous more stringent variance test, some precedent has been established regarding structures attached to the principal dwelling being allowed to encroach into a required setback. See below:

- Case 16-035, 4112 Woodview Drive, 16-foot by 16-foot screened porch, reduced setback to 15 feet in an R-2 district.
- Case 16-036, 3431 Maple Glen Drive, 14-foot by 14-foot deck, reduced setback to 15 feet in an R-3 district.

These cases all involved rear yard setbacks of 25 feet despite occurring in different zoning districts. As noted, these variances were granted under a more restrictive hardship standard than those statutory requirements becoming effective in July 2025.

Staff Recommendation

Staff recommends approval of the petitioner's request to allow the deck to encroach 10 feet into the required rear yard setback.

Respectfully submitted,

Greg Beck
City Planner

List of Attachments:

- A – Aerial Location Map
- B – FLUM and Zoning Map
- C – Highlands Fifth Addition
- D – Petitioner's Plot Plan
- E – Statute Provision Variances

Case No. 25-032: 4097 Lilly Court

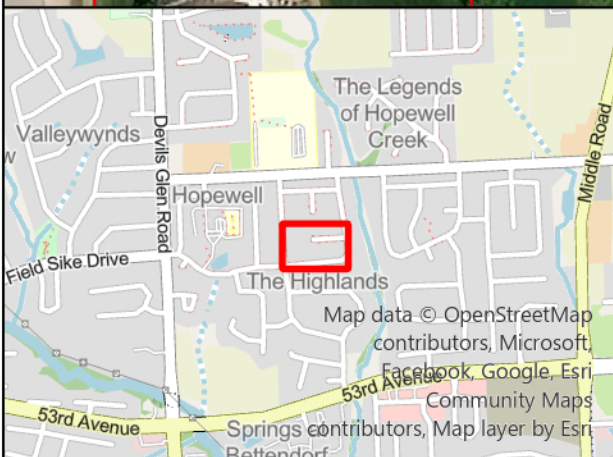
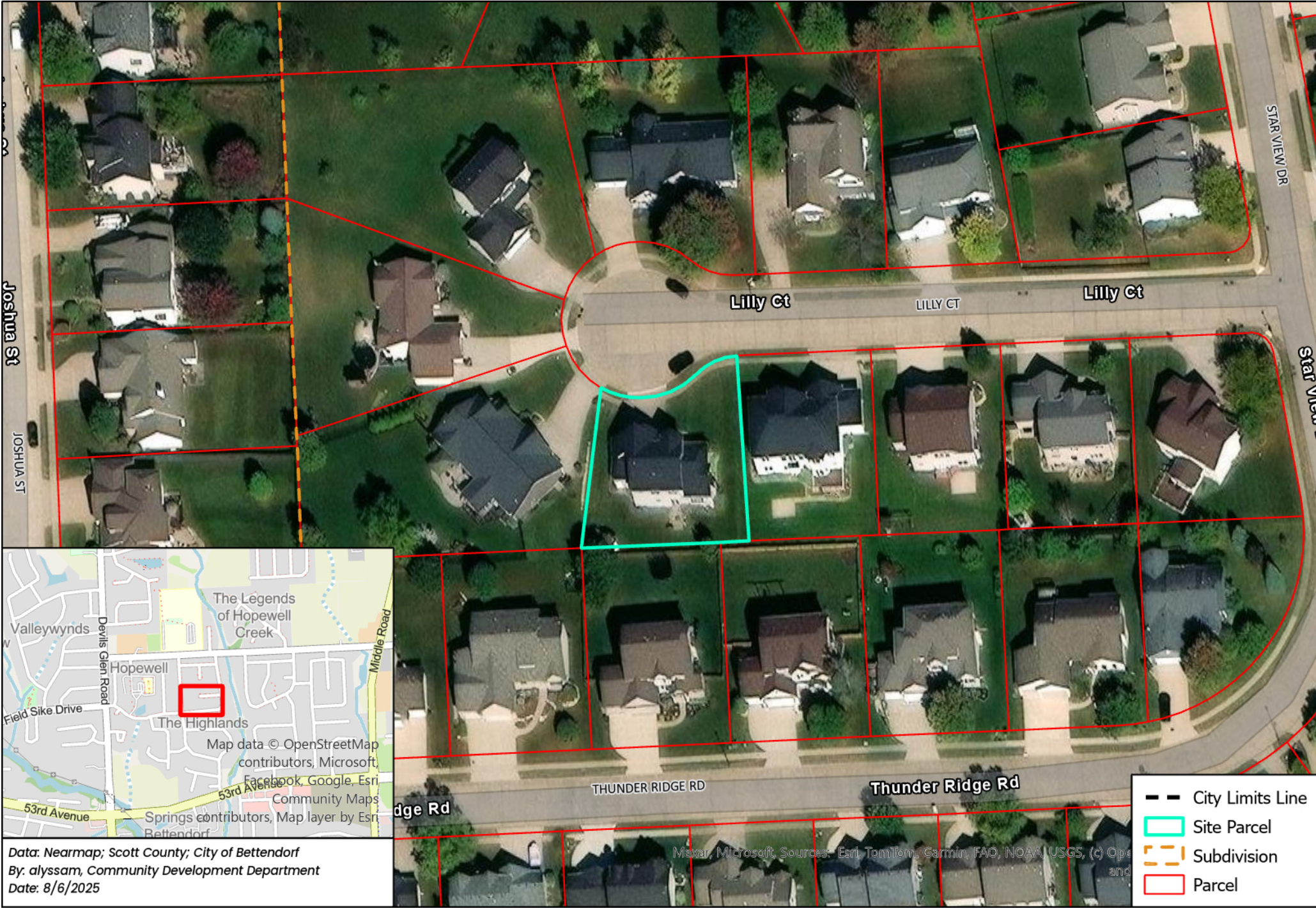
Variance

Aerial Map - Attachment A





1 Inch = 79 Feet



N



Data: Nearmap; Scott County; City of Bettendorf
By: alyssam, Community Development Department
Date: 8/6/2025

-  City Limits Line
-  Site Parcel
-  Subdivision
-  Parcel

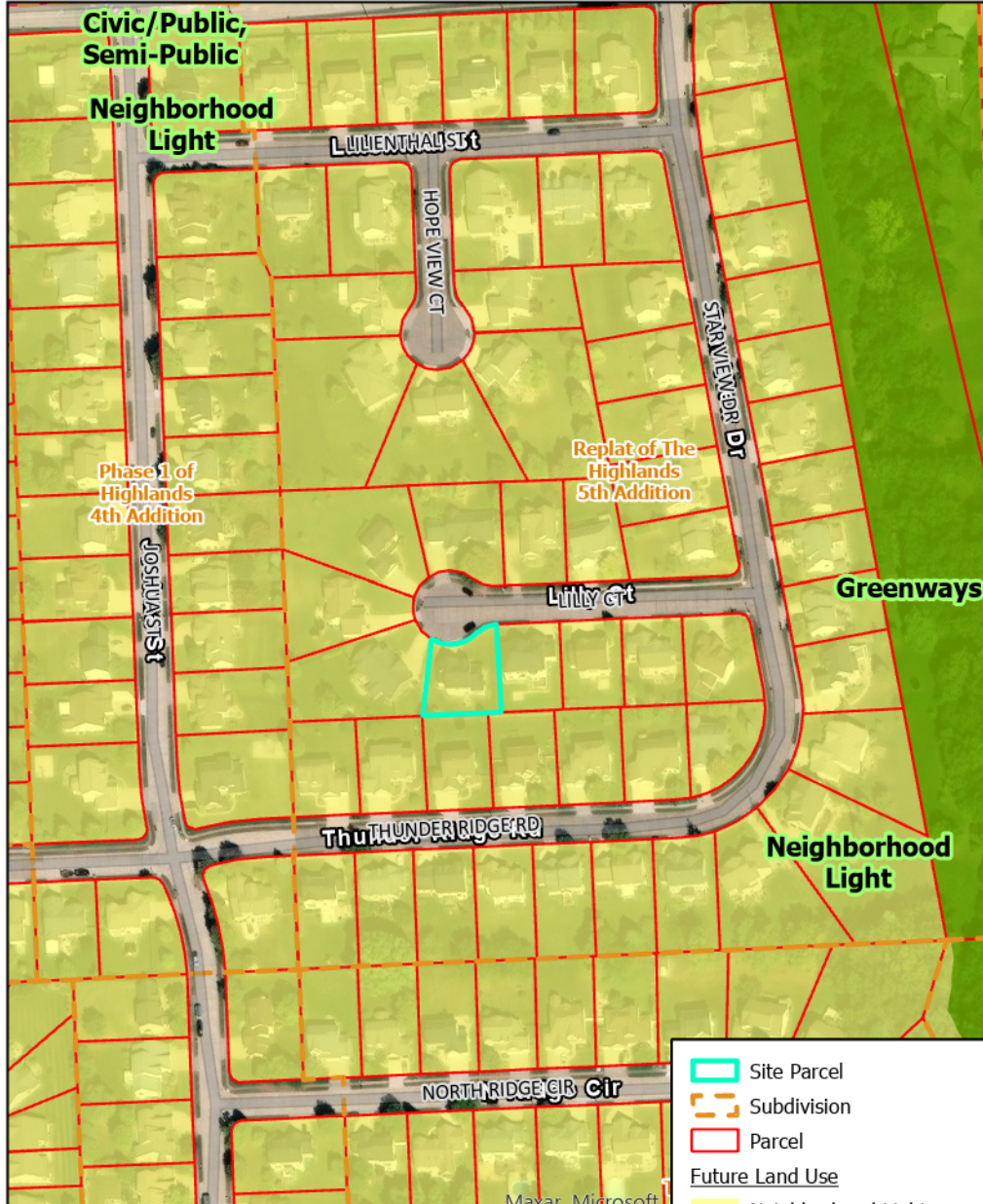
Maxar, Microsoft, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, Microsoft, Facebook, Google, Esri, Community Maps contributors, Map layer by Esri

Case No. 25-032: 4097 Lilly Court Variance Future Land Use and Zoning - Attachment B

1 Inch = 254 Feet
0 185 370 740 Feet



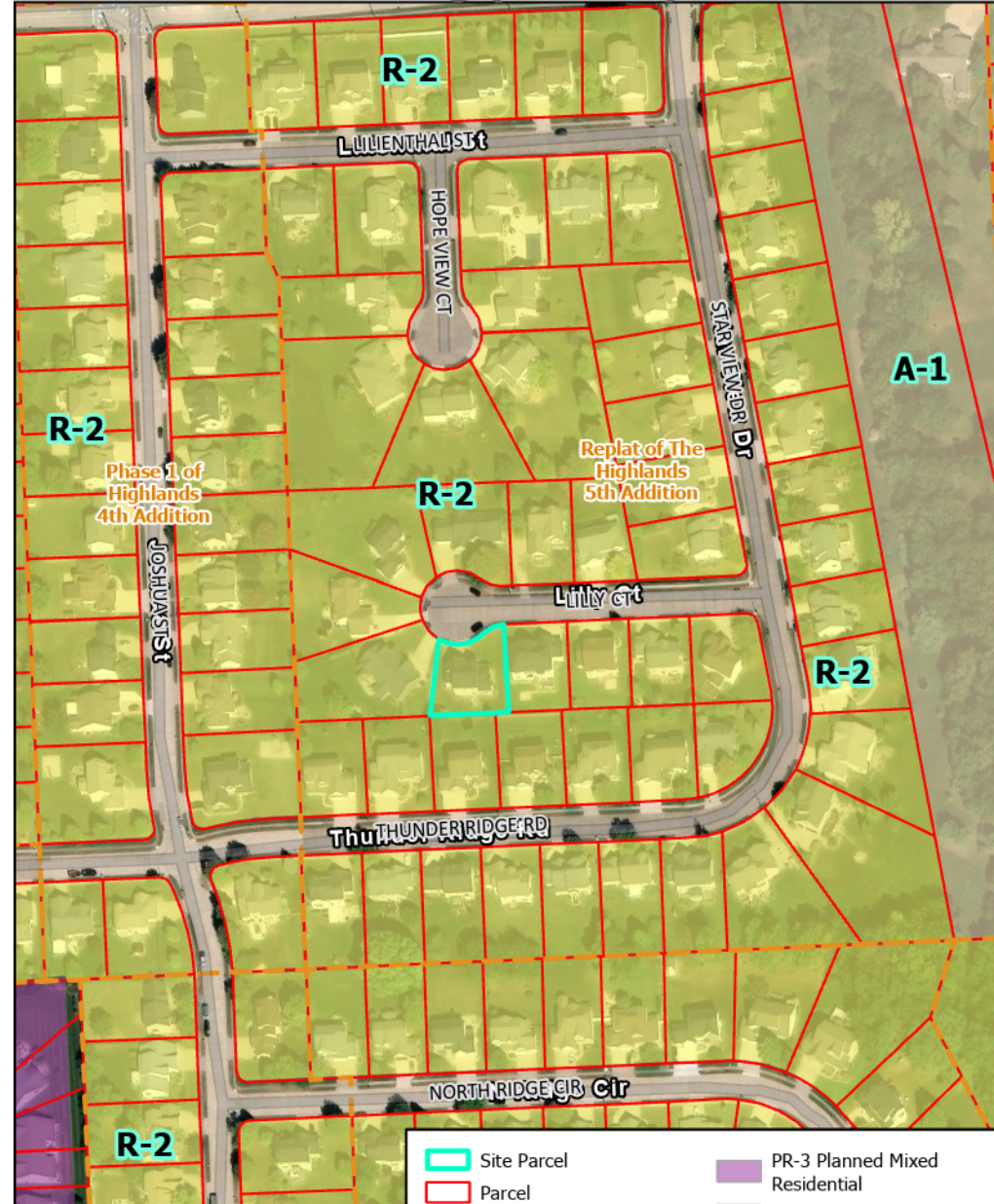
Future Land Use



- Site Parcel
 - Subdivision
 - Parcel
- Future Land Use**
- Neighborhood Light
 - Civic/Public, Semi-Public
 - Greenways

Data: Nearmap; Scott County; City of Bettendorf
By: alyssam, Community Development Department
Date: 8/6/2025

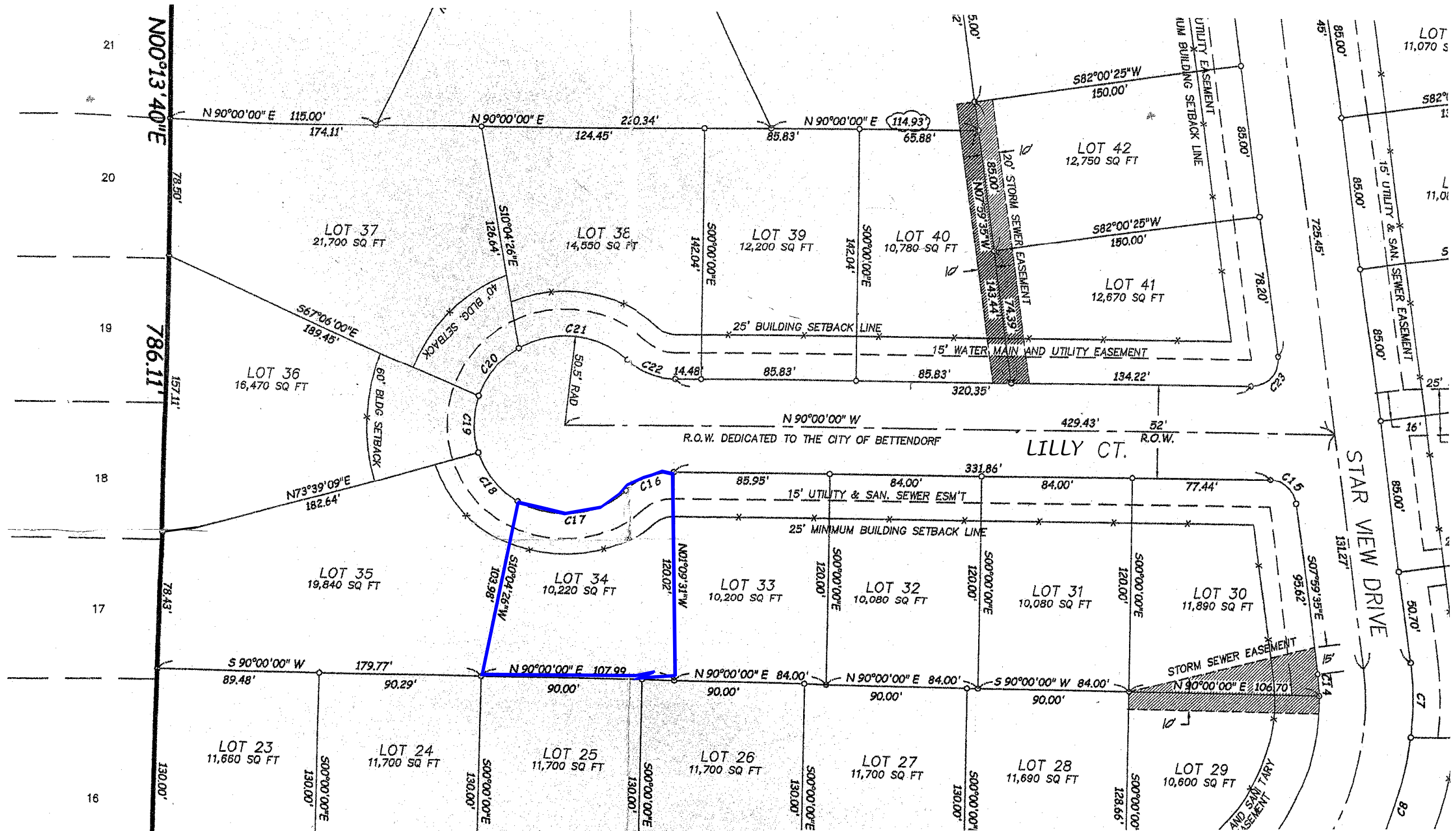
Zoning (Current)



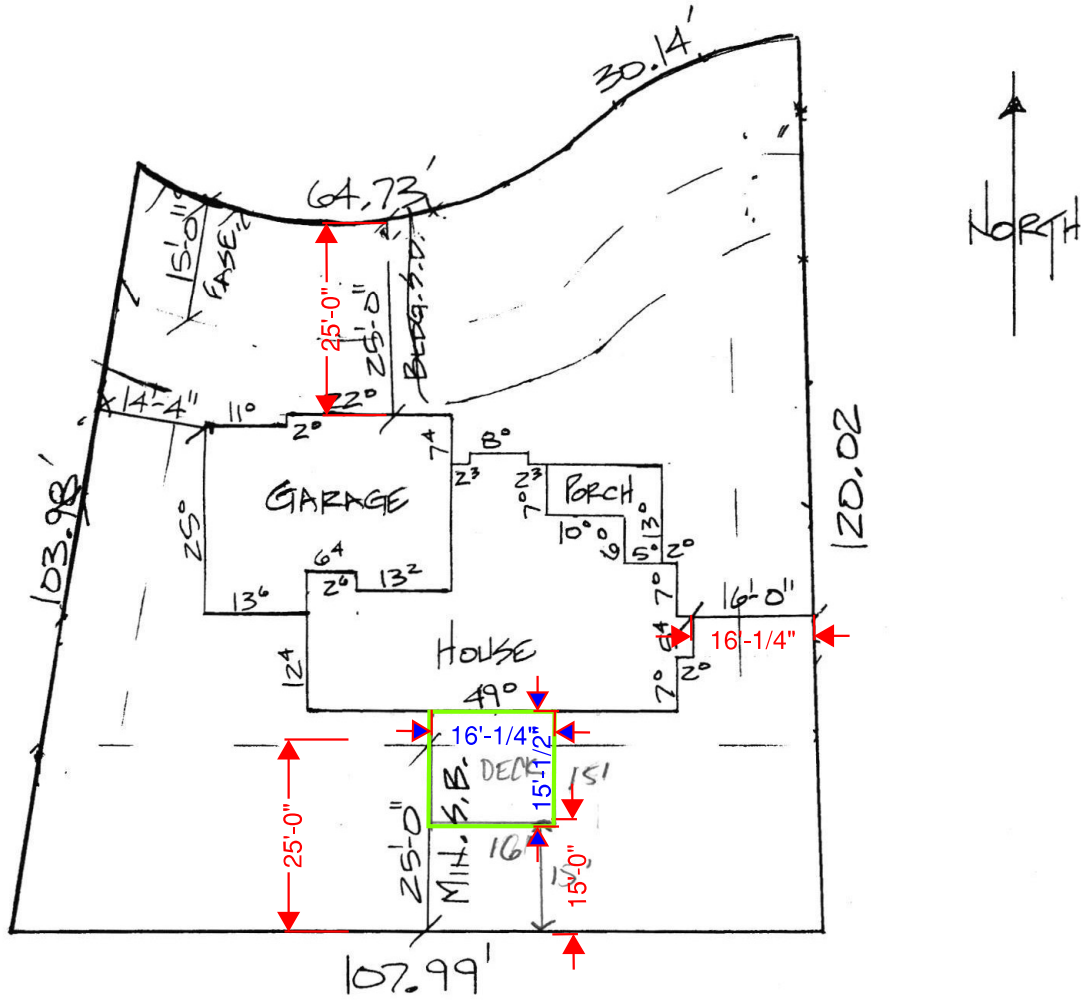
- Site Parcel
 - Parcel
- Zoning District**
- R-2 Single-Family Residence
 - PR-3 Planned Mixed Residential
 - A-1 Agricultural/Urban Reserve
 - R-1 Single Family Res.

LOT 34, HIGHLANDS FIFTH ADDITION PLAT SECTION

25-032 ATTACHMENT C

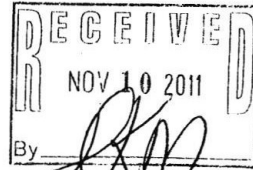


PLOT PLAN



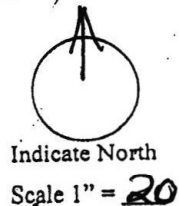
DAVE PROCHASKA CONSTRUCTION
 LOT 34 THE HIGHLANDS

1" = 20'-0"



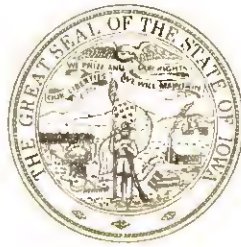
Zoning District R2
 Board of Adjustment Variance:
 no ___ yes ___ Dec/Order# _____

Front setback 25
 Side setback min 7 total 15
 Rear setback 25



Permit Record: DAV 11-01955 11/15/11 Legal Description Lot 34 Highlands 57L

Building Address 4097 Lilly Ct
 Contractor Dave Prochaska



STATE OF IOWA
KIM REYNOLDS
GOVERNOR

April 25, 2025

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary,

I hereby transmit:

House File 652, an Act concerning county and city regulation of real property and the powers granted to a board of adjustment.

The above House File is hereby approved on this date.

Sincerely,

Kim Reynolds
Governor of Iowa

cc: Secretary of the Senate
Clerk of the House



House File 652

AN ACT

CONCERNING COUNTY AND CITY REGULATION OF REAL PROPERTY AND THE
POWERS GRANTED TO A BOARD OF ADJUSTMENT.

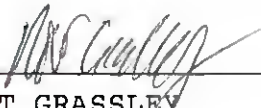
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 335.15, Code 2025, is amended by adding the following new subsection:

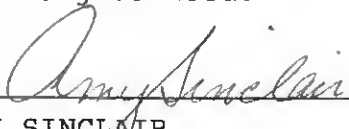
NEW SUBSECTION. 4. To authorize on appeal, in specific cases, such variance from the terms of the ordinance with respect to the area, dimensional, or other numerical limitations as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in practical difficulties to the property owner in making a beneficial use of the property allowed by the zoning ordinance, and so that the spirit of the ordinance shall be observed and substantial justice done. Area, dimensional, or other numerical limitations subject to variances include but are not limited to requirements for minimum lot size, setbacks, yard widths, height, bulk, sidewalks, fencing, signage, and off-street parking. To receive the requested area, dimensional, or other numerical variance, the property owner must prove that the practical difficulties faced are unique to the property at issue and not self-created and must also demonstrate that granting the variance will not significantly alter the essential character of the surrounding neighborhood.

Sec. 2. Section 414.12, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 4. To authorize on appeal, in specific cases, such variance from the terms of the ordinance with respect to the area, dimensional, or other numerical limitations as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in practical difficulties to the property owner in making a beneficial use of the property allowed by the zoning ordinance, and so that the spirit of the ordinance shall be observed and substantial justice done. Area, dimensional, or other numerical limitations subject to variances include but are not limited to requirements for minimum lot size, setbacks, yard widths, height, bulk, sidewalks, fencing, signage, and off-street parking. To receive the requested area, dimensional, or other numerical variance, the property owner must prove that the practical difficulties faced are unique to the property at issue and not self-created and must also demonstrate that granting the variance will not significantly alter the essential character of the surrounding neighborhood.

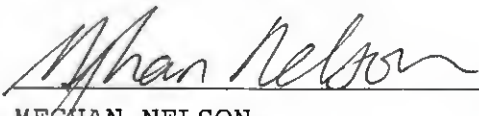


PAT GRASSLEY
Speaker of the House



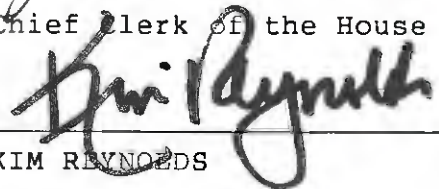
AMY SINCLAIR
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 652, Ninety-first General Assembly.



MEGHAN NELSON
Chief Clerk of the House

Approved April 25th, 2025



KIM REYNOLDS
Governor



Case No. 25-032-VAR

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

Part 1. Property Involved.

Street Address 4097, LILLY CT, BETTENDORF, IOWA-52722
Legal Description of the property. PARCEL ID: 841007234
0138-034 HIGHLANDS 5TH ADD LOT34 RE PLAT

Part 2. Contact Information.

Applicant/Contact Name SUBASHINI VISAYKUMAN Phone 773-551-3033
Address 4097, LILLY CT, BETTENDORF, IA-52722
E-mail Address: Suba.rithik@gmail.com

Owner Name SUBASHINI VISAYKUMAN Phone 773-551-3033
Address 4097, LILLY CT, BETTENDORF, IA-52722
E-mail Address: Suba.rithik@gmail.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. _____

Part 4. General Information.

Section(s) of Zoning Ordinance Involved 11-5-5 Existing Zoning R-2

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.

Please see attached document

Part 6. Attachments. The following items are attached and are a part of this application. **Required materials should be submitted electronically via e-mail: planning@bettendorf.org.**

- (x) 1. Scale accurate site plan, at a scale of 1" = 20' or other suitable scale, showing adjacent street(s), 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 _____ day of _____, 20____

Signature of Applicant Sut Signature of Owner Sut

(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 28th day of July, 2025

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 7-28-25

Amount \$ 50.00 Date 7-28-25



Subashini Vijaykumar
4097 Lilly Court
Bettendorf, Iowa - 52722
Date: 07/28/2025

To:
The Zoning Board of Adjustment
Bettendorf, Iowa

Subject: Request for Variance – Rear Yard Setback for Deck Construction

Dear Members of the Board of Adjustment,

I am writing to formally request a variance from the required 25-foot rear yard setback to allow the construction of a residential deck at my property located at 4097 Lilly Ct, Bettendorf, Iowa 52722, which is situated within a cul-de-sac in Highlands 5th Add Lot 34 REPLAT.

Due to the unique layout and shape of our lot—caused by the cul-de-sac design—the house was placed further toward the rear of the property during original construction. This positioning has left very limited space in the backyard, creating a practical difficulty in building a functional deck that complies with the current setback requirements. This condition is not self-created but is a direct result of the lot's configuration as designed by the developer.


As a result of this limitation, our family does not have a usable outdoor space and is unable to enjoy typical residential outdoor activities such as relaxing, dining, or entertaining in the backyard. A modest deck would provide our family with a safe and comfortable place to spend time together outdoors.

We also respectfully note that several homes in our neighborhood have already been granted reduced rear yard setbacks or have existing decks that extend beyond the standard 25-foot requirement. This indicates that our request is in harmony with the surrounding area and would not disrupt neighborhood character or set an unusual precedent.

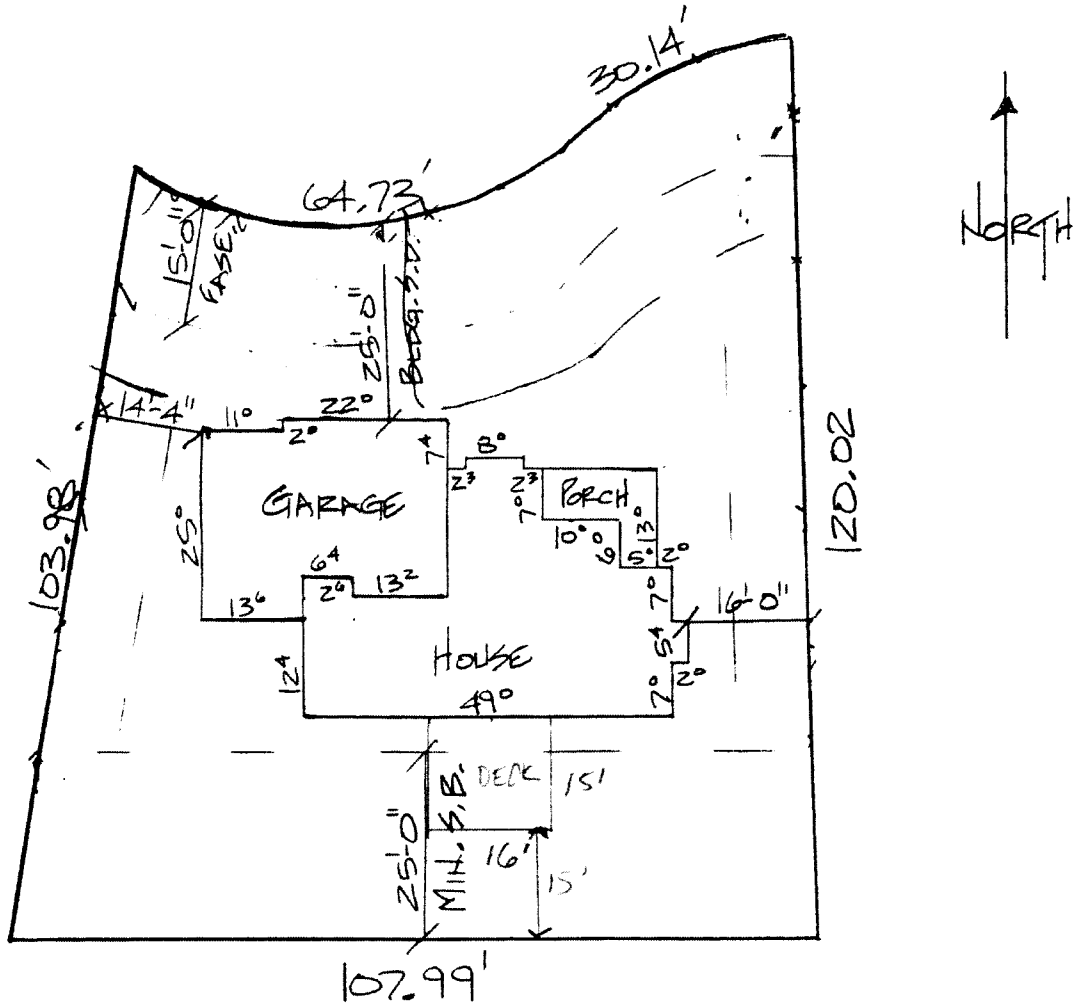
The proposed deck will be designed to have minimal impact on neighboring properties, and will not interfere with privacy, natural drainage patterns, or open space. We remain committed to complying with all other zoning and construction requirements.

Thank you for your time and consideration of this request. I would welcome the opportunity to provide additional information or answer any questions during the Board's review process.

Sincerely,
Subashini Vijaykumar

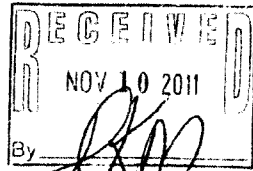

7/28/25

PLOT PLAN



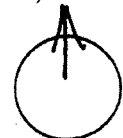
DAVE PROCHASKA CONSTRUCTION
LOT 34 THE HIGHLANDS

1" = 20'-0"



Zoning District R2
 Board of Adjustment Variance:
 no ___ yes ___ Dec/Order# _____

Front setback 25
 Side setback min 7 total 15
 Rear setback 25



Indicate North
 Scale 1" = 20'

Permit Record:
Order 1101955 11/15/11

Legal Description Lot 34 Highlands 574

Building Address 4097 Lilly Ct

Contractor Dave Prochaska

STAFF REPORT

Subject: Board of Adjustment - Variance
Author: Greg Beck & Mark D. Hunt
Department: Community Development
Date: September 11, 2025



Case No.: 25-044
Request: Variance to allow allow a 5-foot high fence in the required front yard adjacent to Blackbird Lane located 20 feet from the property line.
Location: 6596 Cardinal Road
Legal Description: Lot 16, Valleywynds 8th Addition Parcel #: 840333816
Applicant: Tom Murrell
Current Zoning: R-1, Single Family Residence District
Future Land Use: Neighborhood Light

Background Information & Facts

Tom Murrell has requested a variance to place a 5-foot-high fence in the required front yard setback of 6596 Cardinal Road. Code only allows a 4-foot high fence in this location unless a variance is approved by the Board of Adjustment. The proposed fence location is along Blackbird Lane, 20 feet from the property line. The required setback is 30 feet.

The lot in question is a corner lot, with two required front yards. The request is made in an effort to provide for safety and security around a proposed in-ground swimming pool. Swimming pools are an allowed ancillary use in the R-1 district. City Code requires all in-ground swimming pools to be enclosed by a 5-foot high fence.

The proposed location of the 16-foot by 32-foot pool is permitted. Alternate locations for the pool, which would eliminate the need for the fence variance, are limited due to the sloped topography and an existing drainage easement on the property.

Staff Analysis & Recommendations

The Board has been made aware of recent changes to the State law allowing the Board to consider approving dimensional/numerical variances based on practical difficulties to the property owner so long as the spirit of the City's ordinance is maintained and the requested variance does not significantly alter the character of the neighborhood.

Staff contends the following to be true:

- The requested variance is numerical or dimensional as opposed to a use variance.
- There are practical difficulties caused by topography and an easement that limit the location of a swimming pool.

- The construction of a 5-foot high fence at this location would not significantly alter the character of the neighborhood.
- The spirit of the ordinance would be upheld if the encroachment were approved given that it only allows the 5-foot high fence to encroach in the front yard.

Additionally, staff notes that under the previous more stringent variance test, some precedent had been set for approval of such a request. Comparable front yard setback variance requests approved in R-1 include the following cases:

- Case 14-024: 6306 International Drive; 6-foot-high fence within 20 feet of property line.
- Case 12-046: 6313 Dorothy's Drive; 6-foot-high fence within 14 feet of the property line.
- Case 12-047: 6305 International Drive; 6-foot-high fence, 17 feet from the front lot line.
- Case 11-064: 6304 Ocean Boulevard, 6-foot-high fence 17 feet from the front lot line.

Staff Recommendation

Staff recommends approval of the petitioner's request to place a 5-foot high fence 20 feet from the property line with the following condition:

- The fence must be constructed in a manner and from materials that do not obstruct the vision of drivers or pedestrians transiting Blackbird Lane or Cardinal Road.

Respectfully submitted,

Greg Beck, City Planner
Mark D. Hunt, Community Development Director

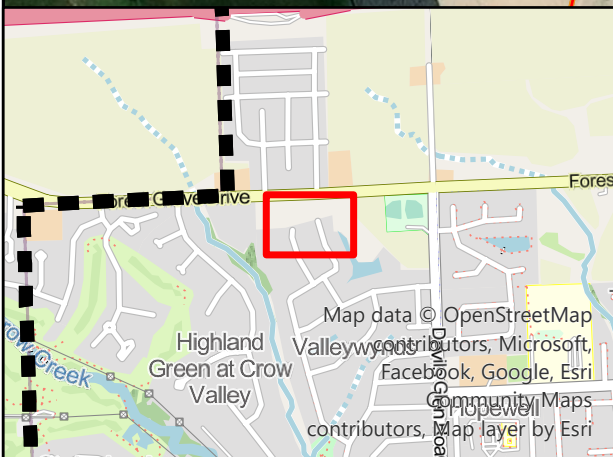
List of Attachments:

- A – Aerial Location Map
- B – FLUM and Zoning Map
- C – Plat Section ValleyWynds 8th Addition
- D- Site Photo
- E – Petitioner's Plot Plan

Case No. 25-044: 6596 Cardinal Road

Variance

Aerial Map - Attachment A



Data: Nearmap; Scott County; City of Bettendorf
 By: alyssam, Community Development Department
 Date: 9/3/2025

- City Limits Line
- Site Parcel
- Parcel
- Subdivision

Maxar, Microsoft, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, Microsoft, Facebook, Google, Esri, and the City of Bettendorf

Case No. 25-044: 6596 Cardinal Road

Variance

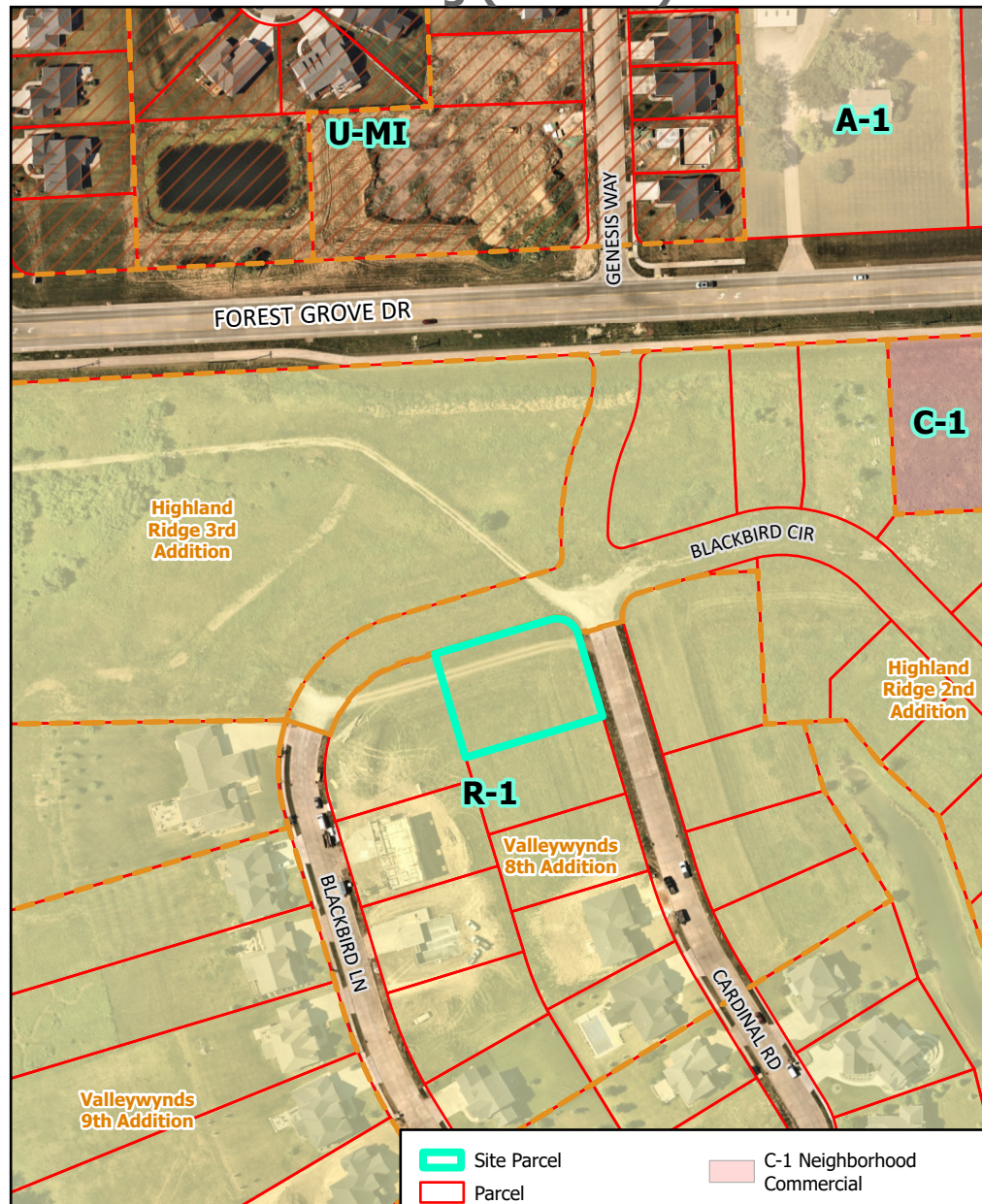
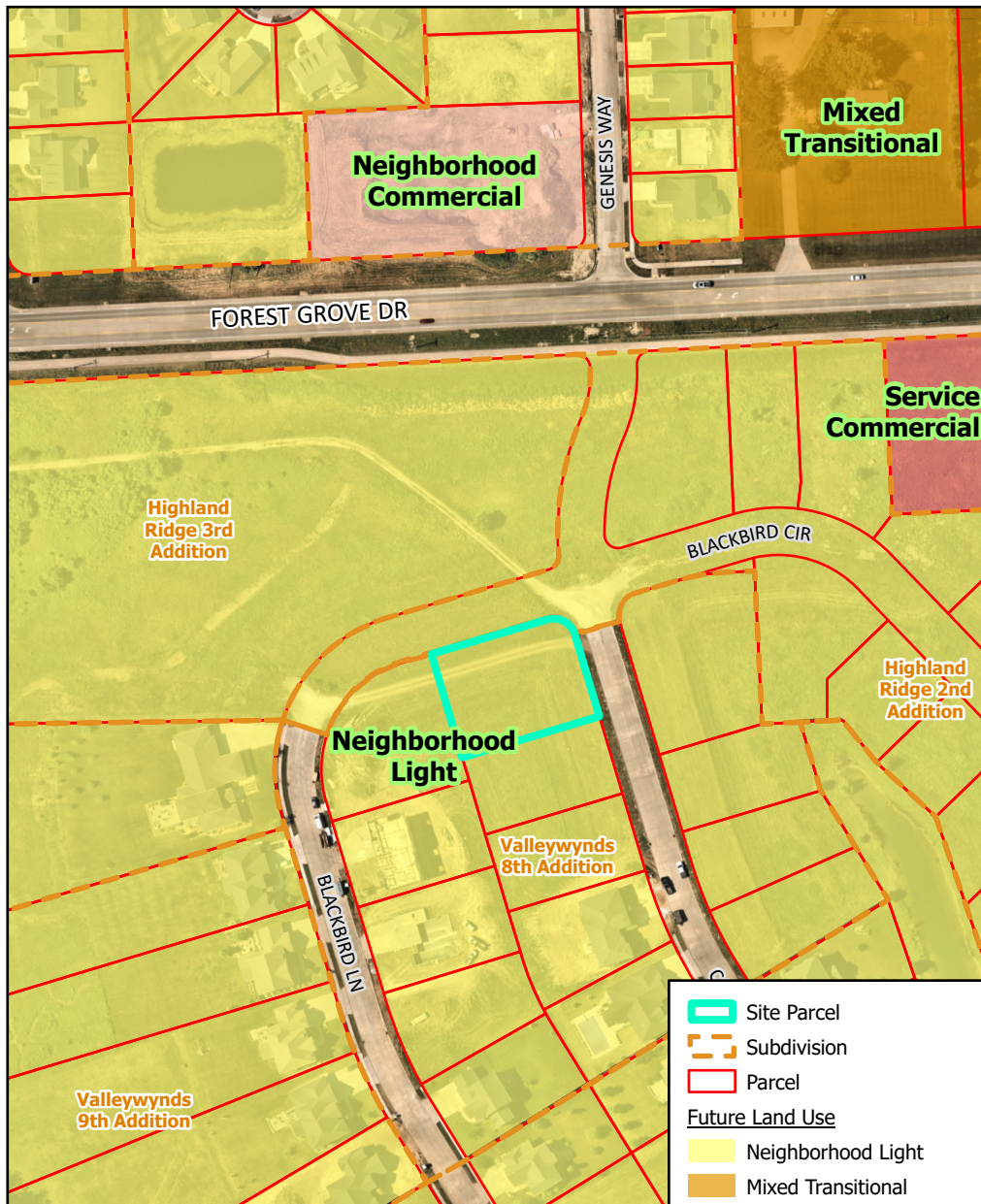
Future Land Use & Zoning - Attachment B

1 Inch = 208 Feet
0 185 370 740 Feet



Future Land Use

Zoning (Current)

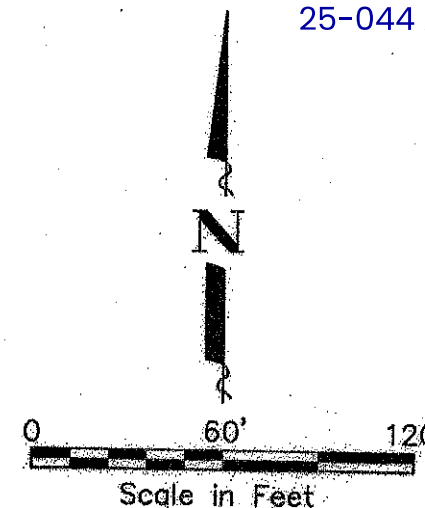


	Site Parcel
	Subdivision
	Parcel
Future Land Use	
	Neighborhood Light
	Mixed Transitional
	Neighborhood Commercial
	Service Commercial

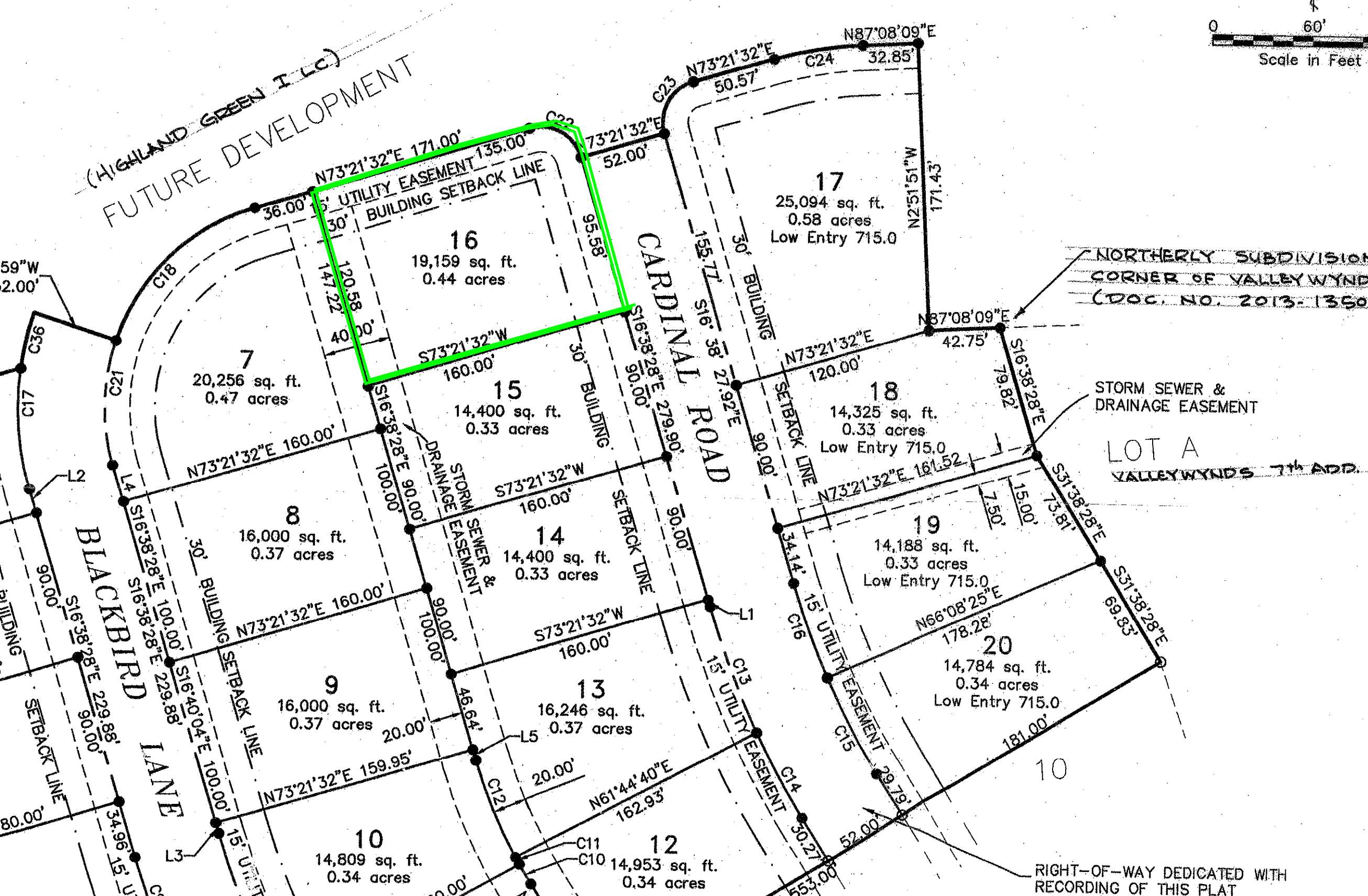
	Site Parcel
	Parcel
Zoning District	
	A-1 Agricultural/Urban Reserve
	C-1 Neighborhood Commercial
	R-1 Single Family Res.
	UMI Urban-Medium Intensity

Data: Nearmap; Scott County; City of Bettendorf
By: alyssam, Community Development Department
Date: 9/3/2025

VALLEYWYNDS 8TH ADDITON PLAT SECTION



- SET 5/8" IRON ROD
- ⊗ SET MAG NAIL
- X FOUND CHISELED "X"
- FOUND 5/8" IRON R
- ⊠ FOUND CAPPED IRON
- BOUNDARY LINE
- LOT LINE
- - - EXISTING LOT LINE
- - - EASEMENT LINE
- - - EXISTING EASEMENT
- - - BUILDING SETBACK L
- - - SECTION LINE



NORTHERLY SUBDIVISION
CORNER OF VALLEYWYNDS 7TH ADD.
(DOC. NO. 2013-13504)

LOT A
VALLEYWYNDS 7TH ADD.

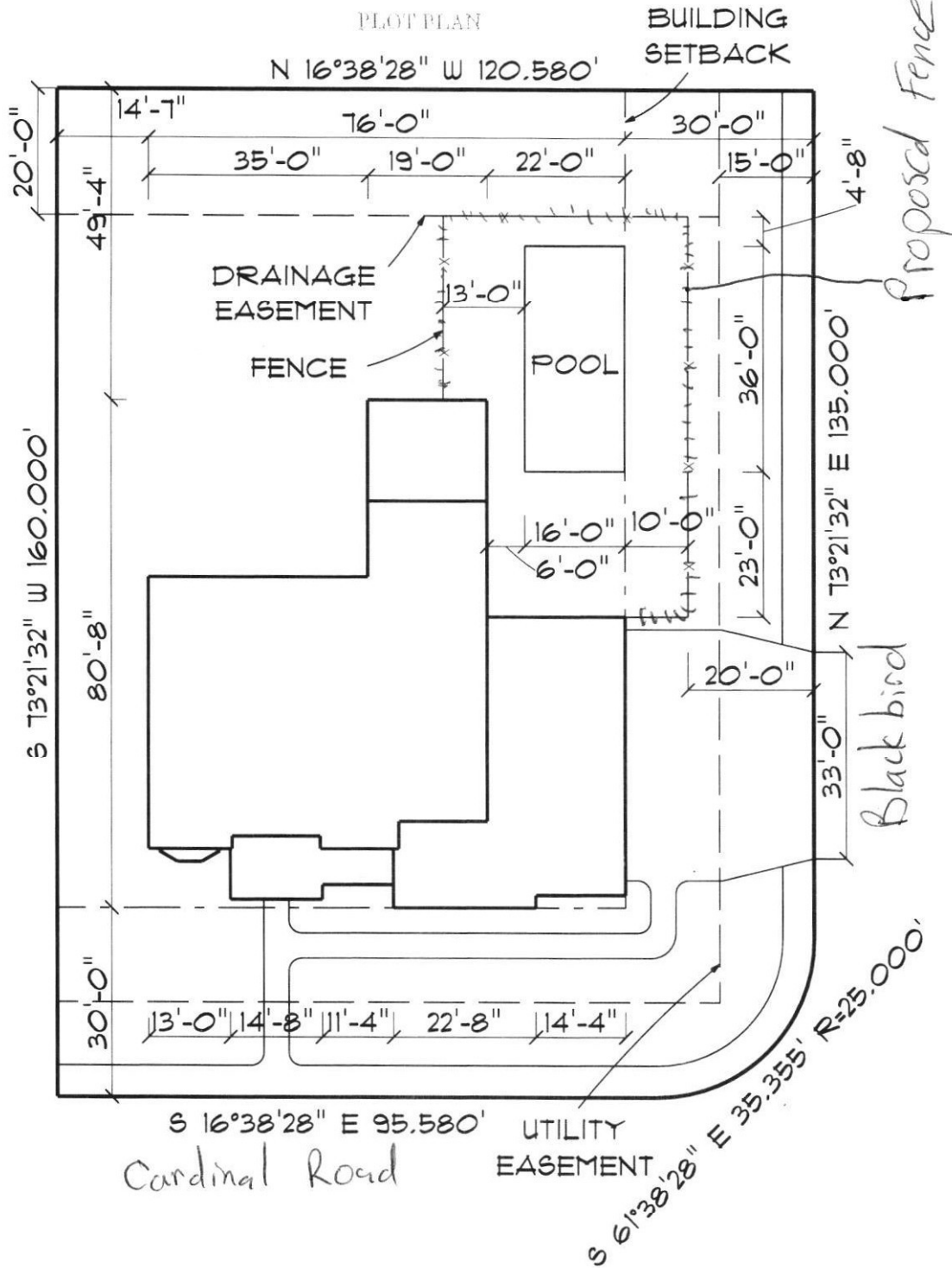
OWNER/
HIGHLAND GR
5401 VICTOR
DAVENPORT,

ATTORNE
DAVID DETTM
LANE & WAT
220 NORTH M
DAVENPORT,
(563) 324-3

ENGINEER
MCCLURE ENG
4700 KENNED
EAST MOLINE,
(309) 792-9

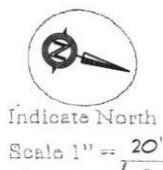


VIEW LOOKING EAST AT APPLICANT'S PARCEL 6596 CARDINAL ROAD



Zoning District _____
 Board of Adjustment-Variance:
 no ___ yes ___ Dec/Order# _____
 Permit Record:

Front setback 30'
 Side setback min 14' total 44'
 Rear setback 49'



Legal Description Lot 16 Valley wynd S
5th Addition
 Building Address 6596 Cardinal Rd
 Contractor Murrell Homes

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

Part 1. Property Involved.

Street Address 6596 Cardinal Rd
Legal Description of the property. Lot 16 Valley Wynds 8th Addition

Part 2. Contact Information.

Applicant/Contact Name Tom Murrell Phone 563 424-0481
Address 3701 Kathleen Way Davenport IA 52807
E-mail Address: murrellhomes@msn.com

Owner Name Babuji Gandra Phone 402 206-8348
Address 3196 Westminster Rd Bettendorf 52722
E-mail Address: Drbabjireddy@gmail.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. _____

Part 4. General Information.

Section(s) of Zoning Ordinance Involved 11-5-4B; 11-11B-12L Existing Zoning R-1

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.
Want to build Fence 20' off property line to go around a inground pool for maintenance of pool and to keep people out of pool the house is on corner lot but fence will be about 80' back from street intersection so will not block line of site

Part 6. Attachments. The following items are attached and are a part of this application. **Required materials should be submitted electronically via e-mail: planning@bettendorf.org.**

- () 1. Scale accurate site plan, at a scale of 1" = 20' or other suitable scale, showing adjacent street(s), 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.

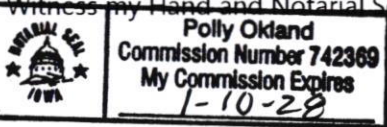
I (we) depose and say that all the information contained in this application and the statements contained in the papers submitted herewith are true. Witness our Hands and Seals this 13th day of August, 2025

Signature of Applicant [Signature] Signature of Owner _____

(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 13th day of August, 2025

[Signature]
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 Polly Okland
Amount \$ 50 Date 8-13-25



BUILDING INSPECTION SERVICES APPLICATION FOR FENCE/ROOF/SIGN/SIDING (Circle One)


Project Address: 6596 Cardinal Rd, Bettendorf Date: 8/12/25
Owner's Name: Babuji Gandra IA 52722 Phone: (402) 206-8348
Bid Cost: _____

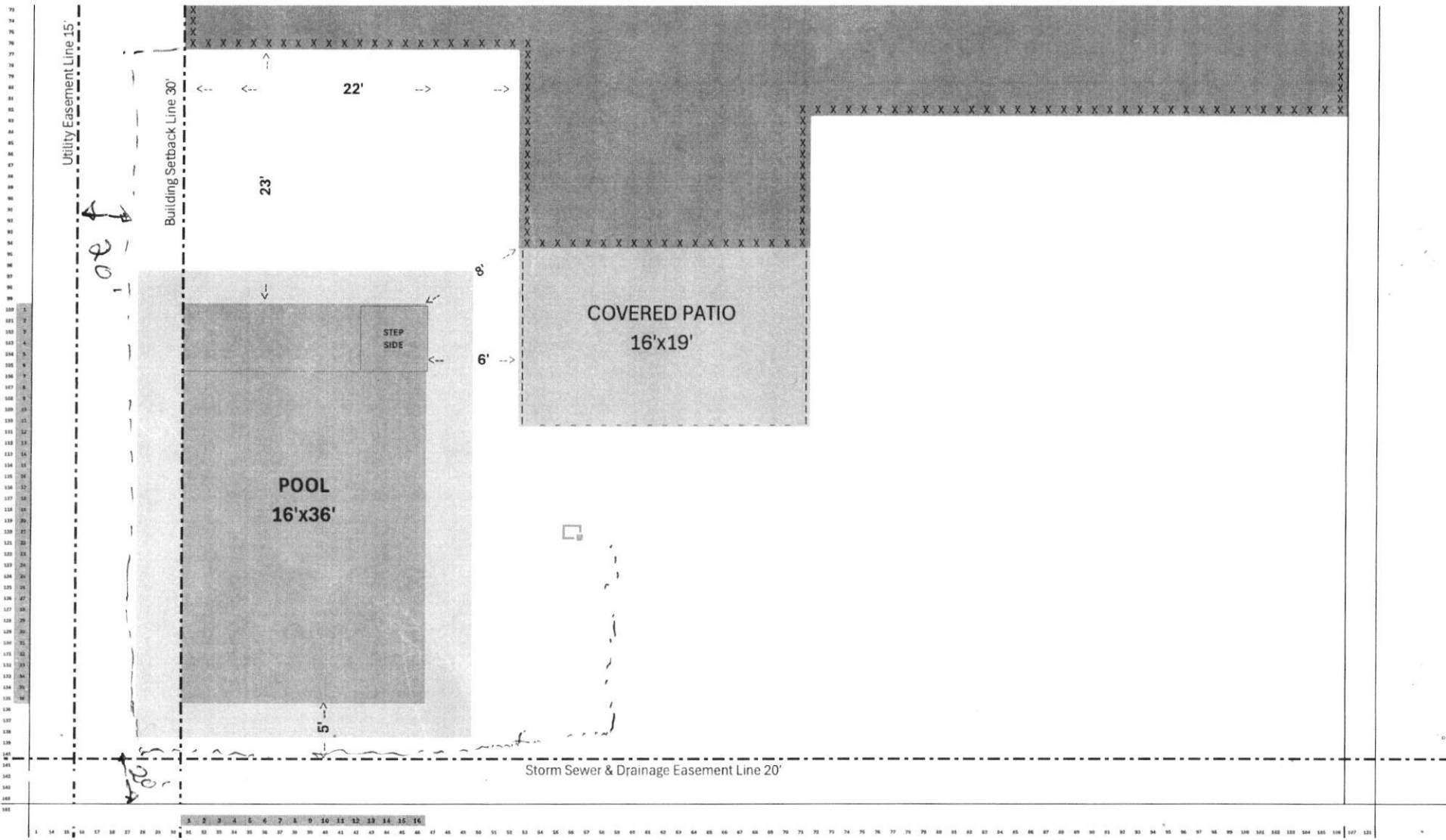
TYPE OF FENCE: Commercial Residential
(Commercial fee based on value of fence) (Residential fee is \$13.50)
Fence Height: 5' Fence Material: metal

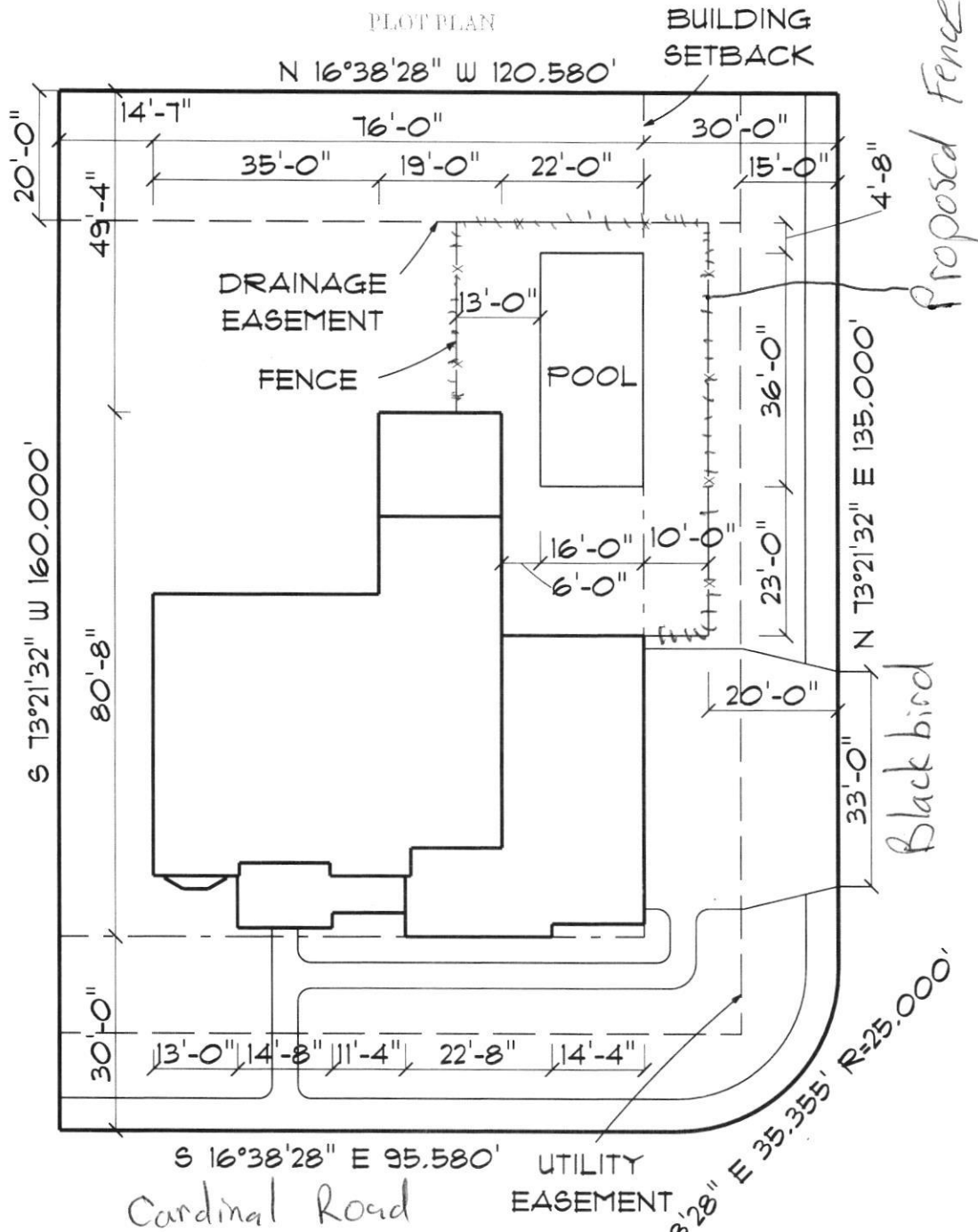
ROOF WORK BEING DONE:
Total Square: _____ Type of Material: _____ Bid Cost: _____
 Tear off Lay over Number of Layers: _____

SIDING WORK BEING DONE:
Total Square: _____ Type of Material: _____ Bid Cost: _____

SIGN / TEMP SIGN:
Type: _____ Height: _____
(Temp sign 30 days: \$13.50) (Temp sign 60 days: \$27.00)
Location: _____ Variance (yes/no): _____
Distance from property line: _____

Applicant Name: BABUJI GANDRA
Email: drbabjireddy@gmail.com
Signature: _____ 





Zoning District _____

Board of Adjustment Variance:
 no ___ yes ___ Dec/Order# _____

Permit Record:

Front setback 30'

Side setback min 14' total 44'

Rear setback 49'



Legal Description Lot 16 Valley wynds
8th Addition

Building Address 6596 Cardinal Rd

Contractor Murrell Homes

STAFF REPORT

Subject: Board of Adjustment
Author: Taylor Beswick
Department: Community Development
Date: September 5, 2025

Case Nos.: 25-046-VAR and 25-047-VAR

Requests: Two variances to reduce the required building separation from 8 feet to 5 feet to allow for construction of accessory buildings (detached garages).

Location: 6535 James Road and 1828 Sunset Drive

Applicant: Ryan Fick (25-046-VAR); Jami Spriet (25-047-VAR)

Current Zoning: R-5, High Density Multifamily Residential District (25-046-VAR);
R-2, Single Family Residence District (25-047-VAR)

Future Land Use: NL, Neighborhood Light

Related Cases: N/A

Background Information & Staff Review

Ryan Fick, 6535 James Road, requests a variance to allow 5 feet of building separation for a detached garage instead of the required 8 feet (see Aerial Map - Attachment A). The lot is zoned R-5 but, like others in the neighborhood, contains a single-family home (see Future Land Use & Zoning Maps – Attachment C). The proposed 570 square foot garage fits within all required setbacks; however, at an 8-foot separation it would encroach into the side yard.

Amy Spriet, 1828 Sunset Drive, requests the same variance for a 616 square foot detached garage (see Aerial Map - Attachment B). Her lot is zoned R-2 (see Future Land Use & Zoning Maps – Attachment D). Most homes in the neighborhood are single-family detached with an attached two car garage. The applicant's home has only one vehicle bay in an attached garage. Utility pole support wires occupy over 300 square feet of the rear yard, preventing an 8-foot separation.

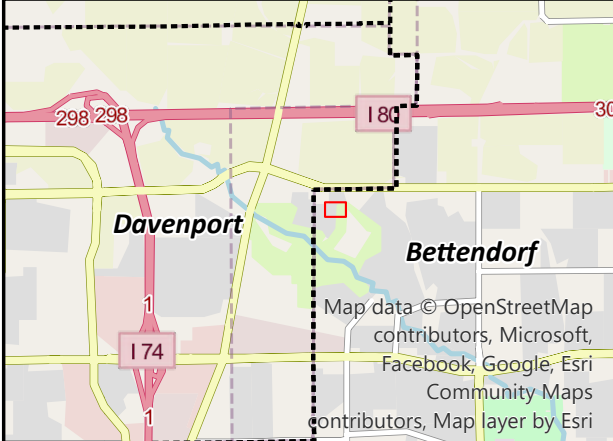
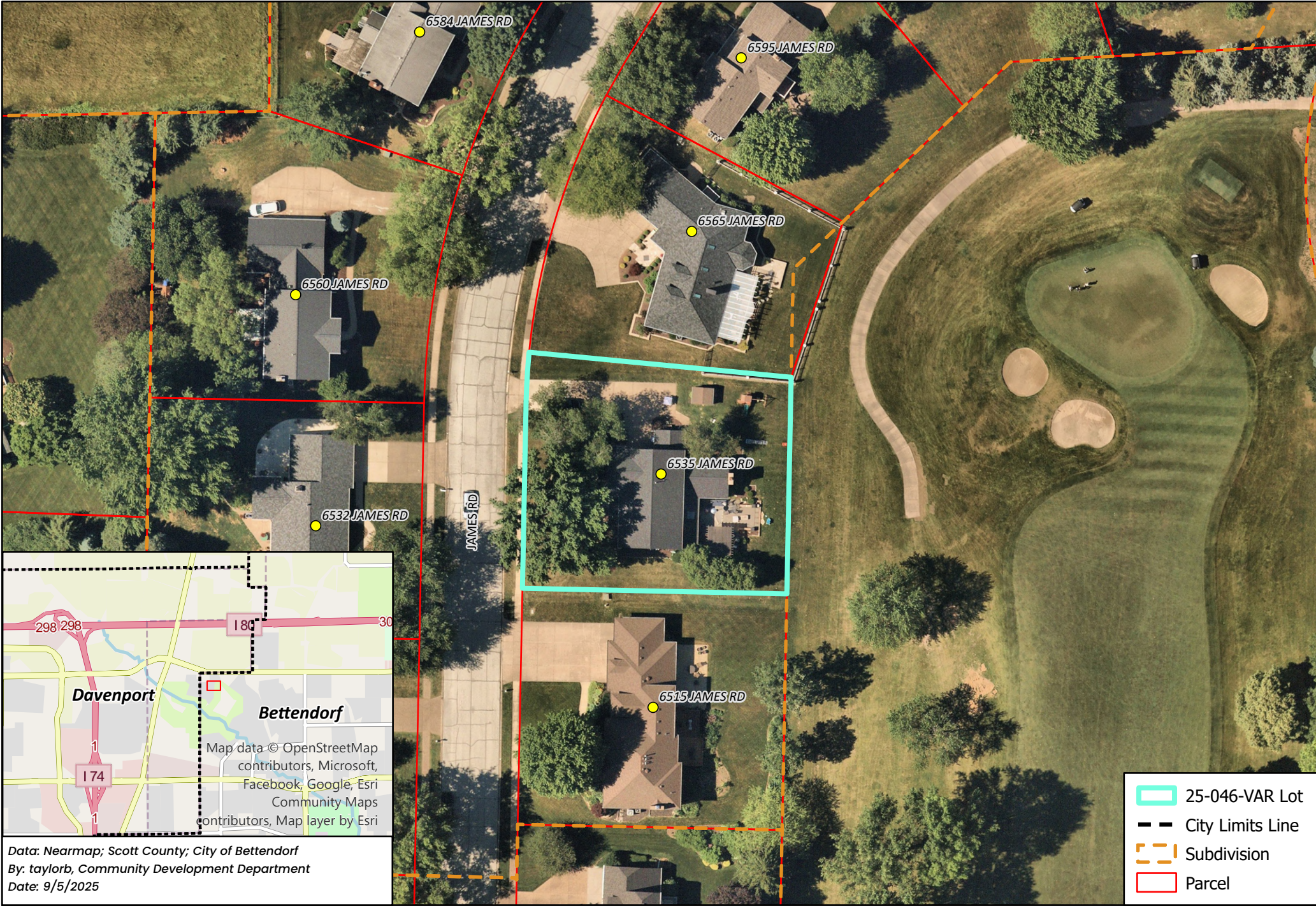
Both proposals meet setback requirements and additional accessory structure coverage allowances prescribed in the zoning code (see 6535 James Road Plot Plan – Attachment E; see 1828 Sunset Drive Plot Plan – Attachment E). City zoning code requires 8 feet between structures, a rule in place since at least 1977. The International Residential Code (IRC), also adopted by Bettendorf, allows closer separations (5 feet to a property line or 3 feet to a dwelling/accessory structure) without additional fireproofing. Staff cannot identify the origin of the stricter local rule but notes applicants could attach garages by breezeway and avoid the 8-foot requirement.

Staff Recommendation

Staff finds both requests demonstrate practical difficulties, comply with the 2021 IRC, and will not negatively affect neighboring properties. Approval is recommended for Case 25-046-VAR and Case 25-047-VAR.

Taylor Beswick, Senior City Planner

**Case No. 25-046-VAR 6535 James Road
Variance
Aerial - Attachment A**



Data: Nearmap; Scott County; City of Bettendorf
By: taylorb, Community Development Department
Date: 9/5/2025

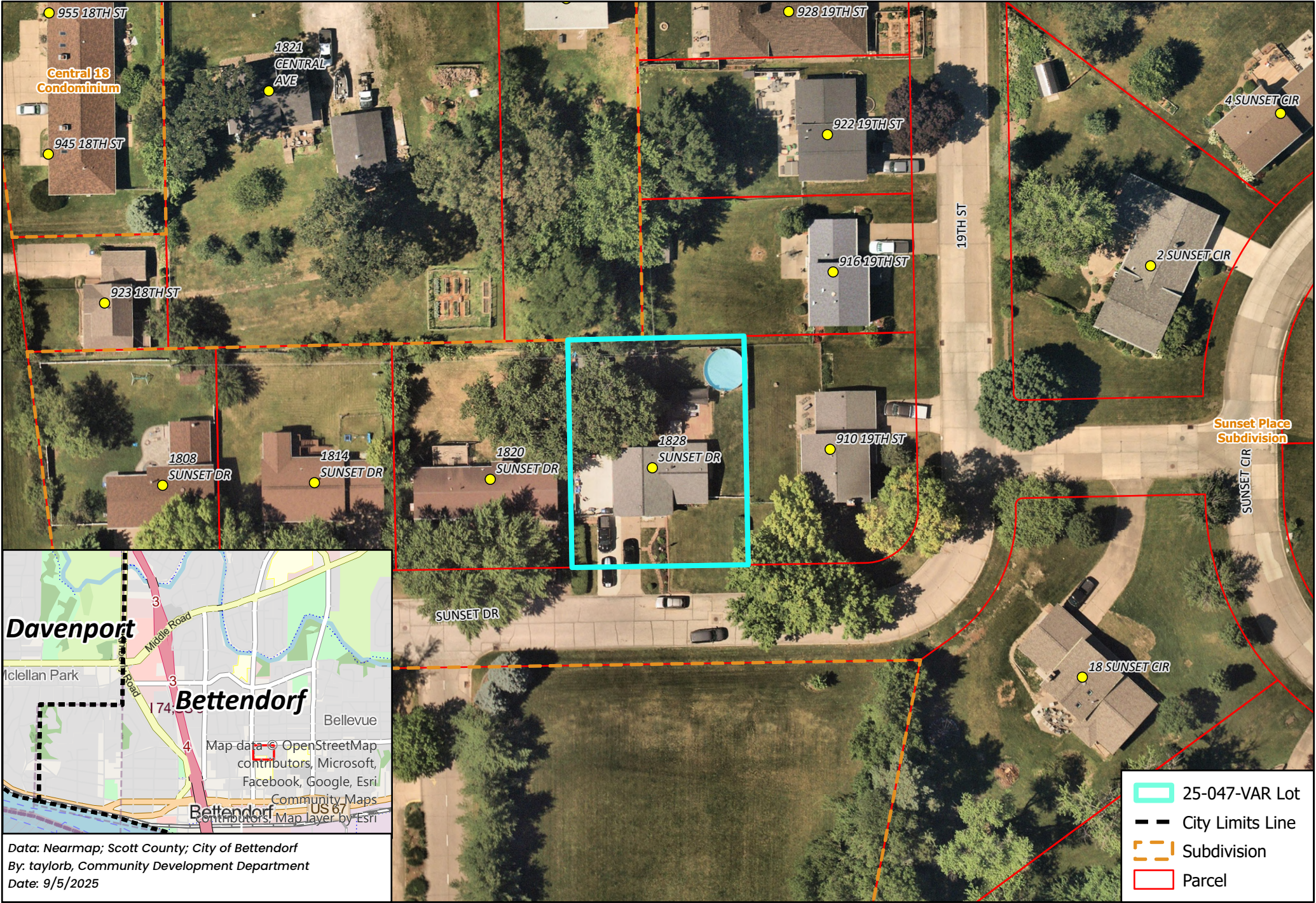
- 25-046-VAR Lot
- City Limits Line
- Subdivision
- Parcel

Case No. 25-047-VAR 1828 Sunset Drive Variance Aerial - Attachment B

1 Inch = 83 Feet



N



Data: Nearmap; Scott County; City of Bettendorf
By: taylorb, Community Development Department
Date: 9/5/2025

- 25-047-VAR Lot
- City Limits Line
- Subdivision
- Parcel

**Case No. 25-046-VAR 6535 James Road
Variance
Future Land Use & Zoning - Attachment C**

1 Inch = 333 Feet
0 185 370 740 Feet



Future Land Use

Zoning (Current)



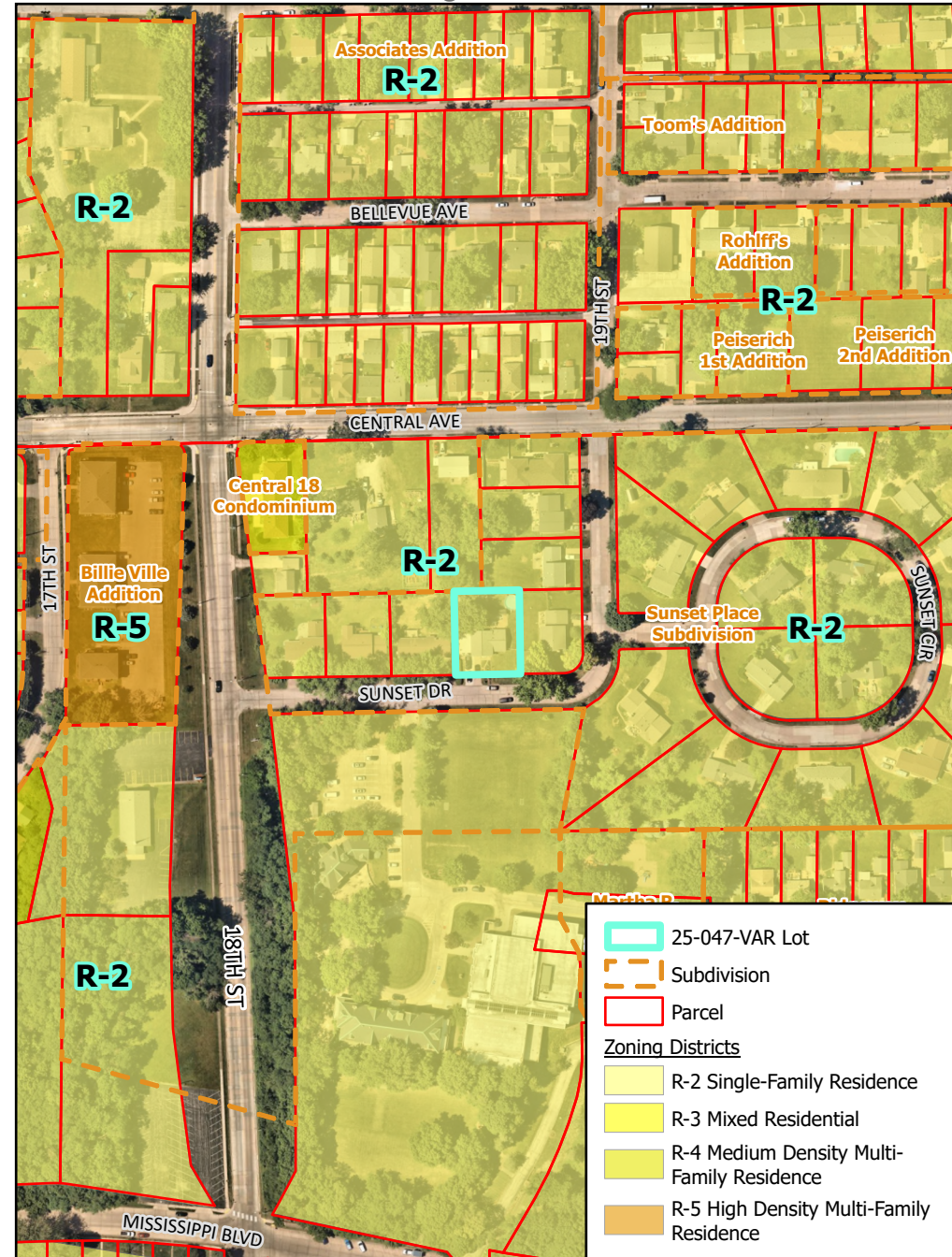
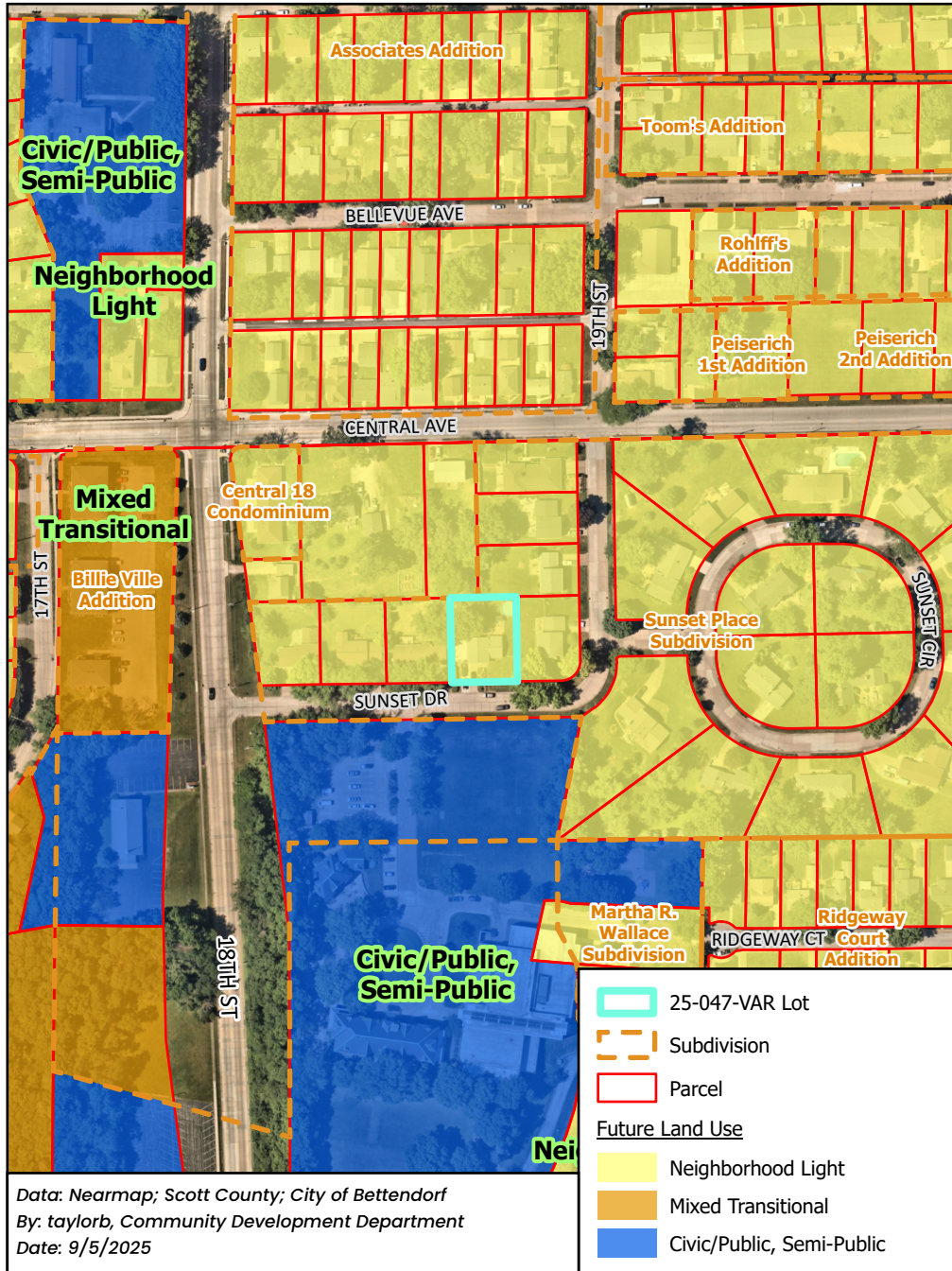
Case No. 25-047-VAR 1828 Sunset Drive Variance Future Land Use & Zoning - Attachment D

1 Inch = 333 Feet
0 185 370 740 Feet



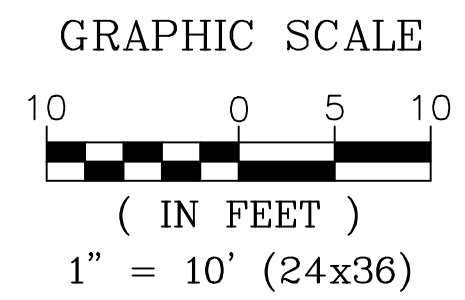
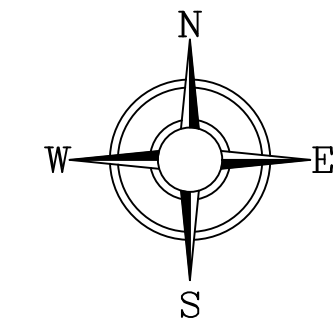
Future Land Use

Zoning (Current)



MEL FOSTER FICK GARAGE

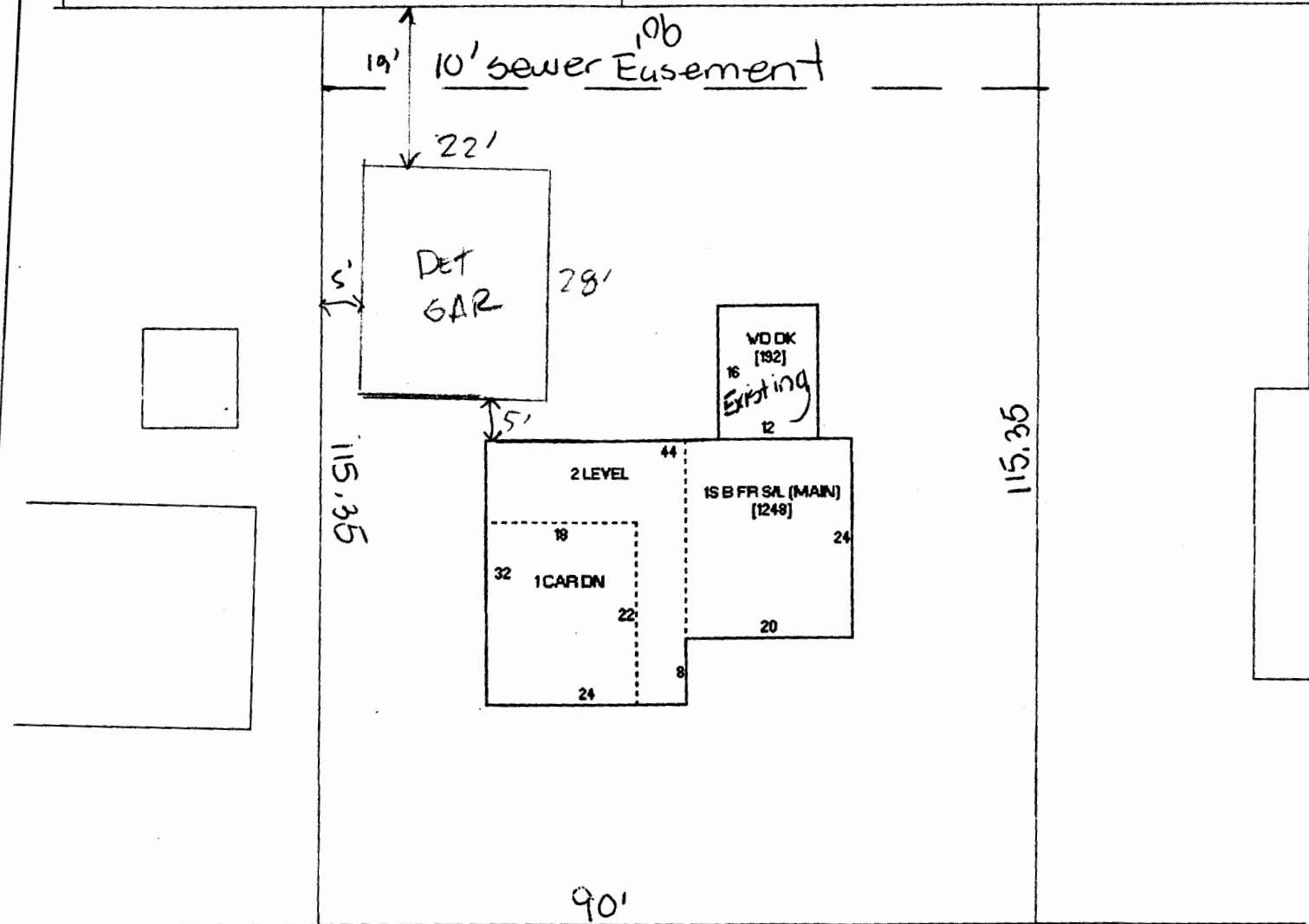
6535 James Road, Bettendorf



JAMES ROAD

NO.	REVISIONS: DESCRIPTION	DATE

Attachment F
25-047-VAR Plot Plan
1828 Sunset Drive



Sunset Dr
1828 Sunset Dr.
1-20 scale
R-2



Case No. 25-046-VAR

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

Part 1. Property Involved.

Street Address 6535 James Rd.

Legal Description of the property. Lot 5 of Crow Valley View First Addition

Part 2. Contact Information.

Applicant/Contact Name Ryan Fick Phone 563-508-0224

Address 6535 James Rd., Bettendorf, IA 52722

E-mail Address: rjfick@melfosterco.com

Owner Name Ryan Fick Phone 563-508-0224

Address 6535 James Rd., Bettendorf, IA 52722

E-mail Address: rjfick@melfosterco.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. _____

Part 4. General Information.

Section(s) of Zoning Ordinance Involved 11-11A-9 Existing Zoning R

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 current zoning ordinance states that "no detached accessory building shall be closer than eight feet (8') to the principal building,"
however, current IRC building code fire separation requirements show that at 5 feet (5'), no additional fireproofing is required. The proposed building
is set at that five foot (5') distance which complies with current IRC building code fire separation requirements. We request a variance of the existing
eight foot (8') minimum be granted to allow for a five foot (5') minimum. This variance will still allow compliance with IRC building code and allow
for the construction of the proposed accessory building.

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.

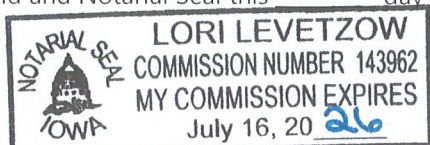
I (we) depose and say that all the information contained in this application and the statements contained in the papers submitted herewith are true. Witness our Hands and Seals this 21st day of August, 2025.

Signature of Applicant [Signature] Signature of Owner [Signature]
(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 21st day of August, 2026.



[Signature]
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 _____

Amount \$ _____ Date _____

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

Part 1. Property Involved.

Street Address 1828 Sunset Dr.
 Legal Description of the property. LOT 19 Sunset Place Subd

Part 2. Contact Information.

Applicant/Contact Name Jami Spriet Phone 563-343-4724
 Address 1828 Sunset Dr Bettendorf IA 52722
 E-mail Address: JSpriet2222@hotmail.com
 Owner Name Jami Spriet Phone _____
 Address _____
 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.
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 - (d) That it will not increase the danger of fire or of the public safety.
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 - (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.
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 - (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. _____

Part 4. General Information.

Section(s) of Zoning Ordinance Involved 11-11A-9 Existing Zoning R-2

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.

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(d) That by granting the request for a variance substantial justice shall be done.

The current zoning ordinance states "no detached accessory building shall be closer than 8ft to the house, but current IRC building codes fire separation requirements show that 5ft no additional fireproofing is required the proposed garage is set at 5ft which complies with current IRC codes for fire separation. We request a Variance of the existing 8ft min. be granted to allow 5ft min. This variance will still allow compliance w/ IRC code & allow for construction of garage. Required materials should be submitted electronically via e-mail: planning@bettendorf.org.

Part 6. Attachments. The following items are attached and are a part of this application. **Required materials should be submitted electronically via e-mail: planning@bettendorf.org.**

- () 1. Scale accurate site plan, at a scale of 1" = 20' or other suitable scale, showing adjacent street(s), property line, building location of existing and proposed buildings, and other important features of the property. Required with all applications.
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- () 4. List additional attachments.

Part 7. Signature.

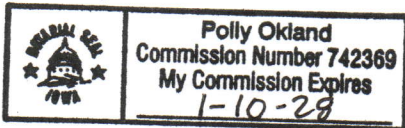
I (we) depose and say that all the information contained in this application and the statements contained in the papers submitted herewith are true. Witness our Hands and Seals this 22 day of Aug, 2025.

Signature of Applicant [Signature] Signature of Owner [Signature]
(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 August, 2025

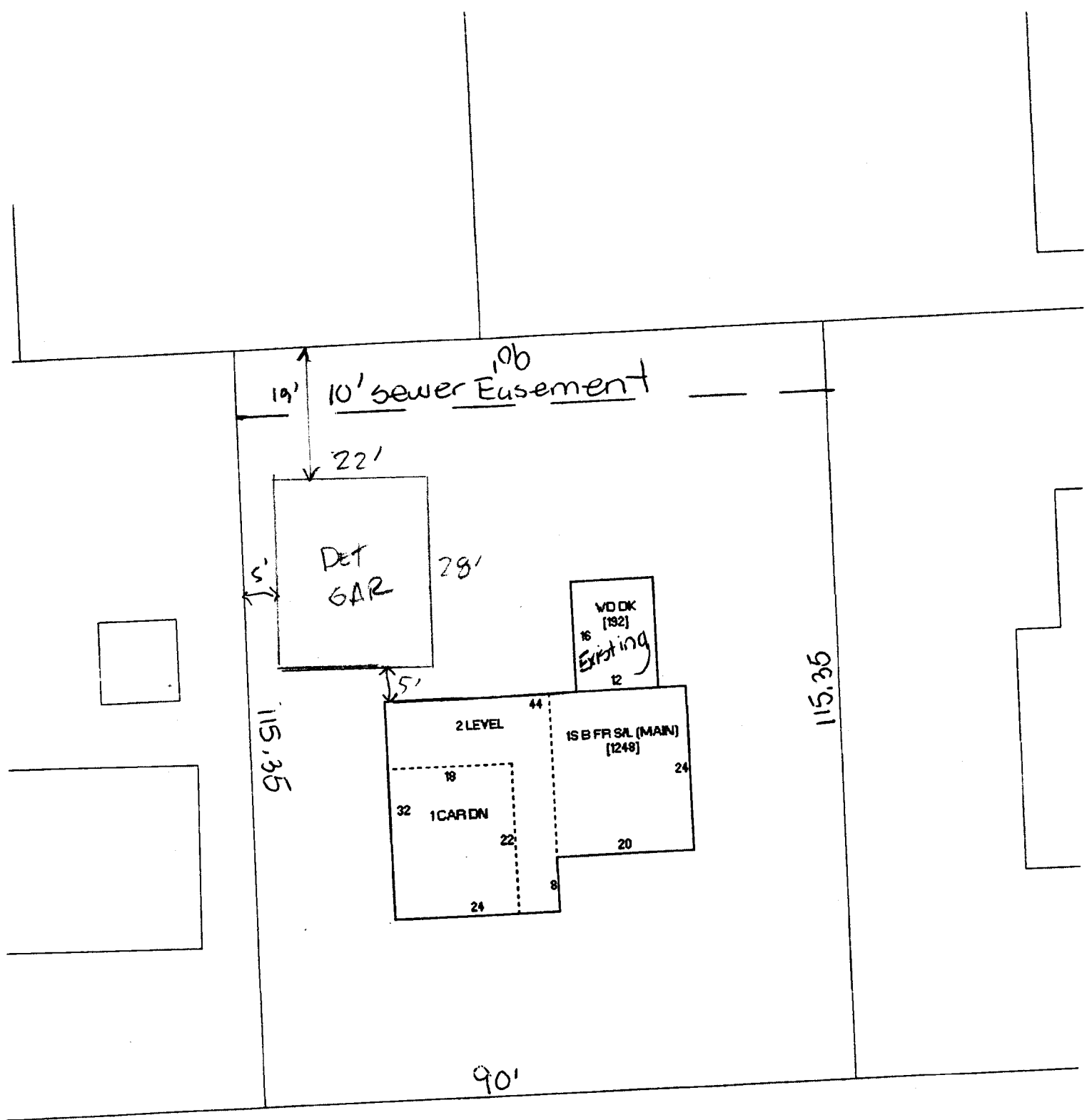


[Signature]
Notary Public in and for Scott County, Iowa

Part 10. Filing Fee.

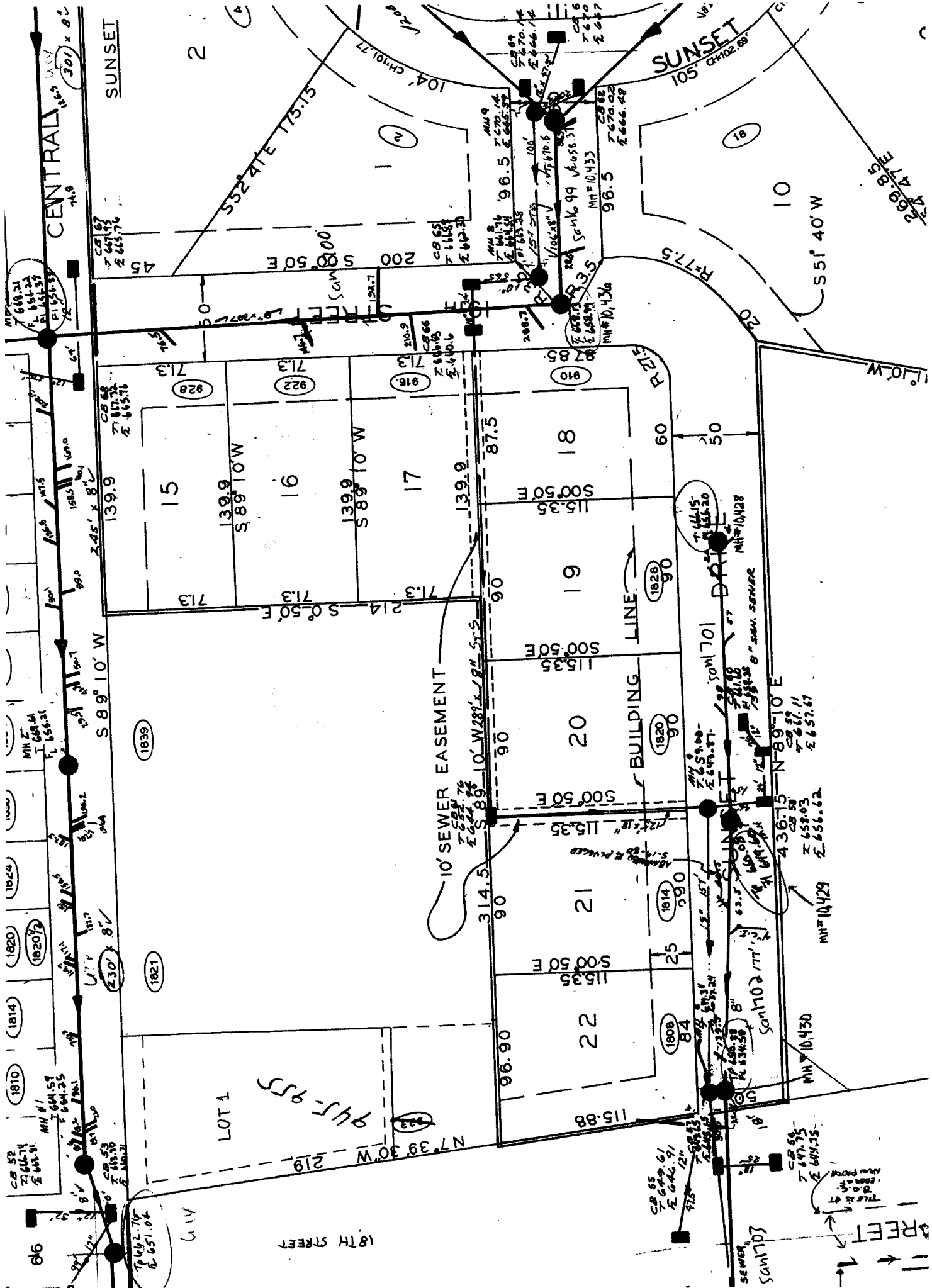
\$ 50.00 Single Family/Two-family Residential Variance
\$100.00 All Other Applications

Received by Polly Okland
Amount \$ 50.00 Date 8-22-25



Sunset Dr

1828 Sunset Dr.
 1-20 scale
 R-2



LOT 1
94.5' x 95.5'

10' SEWER EASEMENT

BUILDING LINE

SEWER

18TH STREET

CENTRAL

SUNSET

66

11V

18TH STREET

18TH STREET