



AGENDA
City of Davenport
Zoning Board of Adjustment
December 14, 2017



The Zoning Board of Adjustment will come to order at 4:00 P.M. in the first floor Council Chambers at City Hall, 226 W. 4th Street, Davenport, IA to hear the following request:

I. Secretary's Report:

Consideration of the minutes from the 11-16-17 public hearing (moved from 11-9-17).

II. Old Business:

None.

III. New Business:

- 1) Request HV17-13 of Will Brooke at 820 Bridge Avenue for a hardship variance to construct a 24' x 30' – 21' tall detached garage/carriage house. The proposed carriage house will exceed height restrictions by 6 feet. Property is zoned "R- 4" Moderate Density Dwelling District.

Section 17.42.080 A.3. of the Zoning Ordinance limits a detached garage to 15 feet in height.

- 2) Request HV17-14 of Jared Nieman for the property at 2301 Elm Street to reduce the lot size from 5,800 square feet to 4,800 square feet. Property is zoned "R-4" Moderate Density Dwelling District.

Section 17.42.10 requires property zoned "R- 4" Moderate Density Dwelling District to be 6,000 square foot in lot area.

- 3) Request HV17-15 of John Trimble at 3400 Telegraph Road for a hardship variance to construct a 17.8' tall, 30' x 48' (1440 sq. ft.) detached garage which would exceed the allowed area and height for a detached garage at this property. The lot is approximately 7.4 acres and has 1,568 square feet of living area. Property is zoned R-4 Moderate Density Dwelling District.

Section 17.42.080 limits detached garages to 50% of the dwelling's living area (in this case 784 sq. ft.) and to 15 feet in height in the "R-4" District.

IV. Adjourn



MINUTES
City of Davenport
Zoning Board of Adjustment
November 16, 2017



(Moved from scheduled November 9, 2017 meeting due a lack of Quorum)

By this reference all reports, documents, presentations, videos and the hearing's video recording are incorporated into the minutes.

Call to Order

Chairman Hart called the Zoning Board of Adjustment meeting in the first floor Council Chambers at City Hall, 226 W. 4th Street, Davenport, Iowa to order at 4:00 p.m.

Board Members present: Lee, Woodard, Strayhall, Reistroffer and Hart

Board Member excused: None

Staff present: Matt Flynn; Eric Longlet, DPW

I. Secretary's Report:

The minutes of the October 26, 2017 meeting were approved following a motion by Woodard and a second by Reistroffer. Motion carried unanimously.

II. Old Business:

None.

III. New Business:

Request SUP17-02 by the National Guard to allow construction of an approximately 85,000 sq. ft. readiness center on 37 acres at the northwest corner of Wisconsin Avenue and Kimberly Road. The property is zoned A-1, Agricultural District and R-1, Low Density Residential District.

Section 17.48.010 A. of the Davenport Municipal Code authorizes the Zoning Board of Adjustment to review and approve "any public building of erected and used by any department of a municipal, county, or federal government".

Flynn presented the staff report.

Michael Brothers, representing the National Guard, was present. Mr. Brothers provided an overview of the project and answered questions.

Brian Wicklund from Opus Group, the design build contractor for the project, was also present.

No one spoke in favor or in opposition to the request.

Recommendation and Findings of Fact

The requirements for a home occupation permit have been met as conditioned. Staff recommends approval of SUP17-02 subject to the following conditions:

1. That approval of the development is subject to the City's Site Plan Review Process.
2. All roadway improvements, including driveways, turn lanes, signs, etc. shall be approved by the Iowa Department of Transportation and City of Davenport and constructed at the sole expense of the Applicant.
3. That no access to Wisconsin Avenue be taken for the development.

Motion:

A motion approve the Special Use Permit with conditions as recommended by staff was made by Woodard and seconded by Strayhall. Motion to approve carried unanimously. (5-0):

Woodard, yes; Lee, yes; Strayhall, yes; Hart, yes; Reistroffer

IV. Adjourn

The meeting adjourned at 5:10 pm.



City of Davenport
Community Planning & Economic Development Department
STAFF REPORT

ZONING BOARD OF ADJUSTMENT

Meeting Date: December 14, 2017
Applicant: Will Brooke
Address: 820 Bridge Avenue

Description

Request HV17-13 of Will Brooke at 820 Bridge Avenue for a hardship variance to construct a 24' x 30' – 21' tall detached garage/carriage house. The proposed carriage house will exceed height restrictions by 6 feet. Property is zoned "R- 4" Moderate Density Dwelling District.

Section 17.42.080 A.3. of the Zoning Ordinance limits a detached garage to 15 feet in height.

Background

The subject property currently has no garage. The petitioner is proposing carriage house that exceeds the height limitations for an accessory structure by 6 feet. The carriage house would meet all other zoning requirements.

Discussion

The proposed carriage house would be 21' tall and would be located on the lot to the north of the dwelling (which has a *restrictive covenant – agreement not to sever*).



Findings

1. The property cannot yield a reasonable return with strict compliance to the zoning ordinance:

The property is able to yield a reasonable return in conformance with the Zoning Ordinance without the requested hardship variance. While a one-story garage would meet the zoning ordinance, a 15' tall 'garage' would neither look good aesthetically nor complement the historic nature of the neighborhood.

2. The plight of the owner is due to unique circumstances which do not apply to other nearby property:

The nature of this historic neighborhood could be considered a unique circumstance. Many properties of this era had one and one-half story carriage houses. A one-story garage may appear odd and out of place in a historical district though several do exist.

3. The variation, if granted, will not alter the essential character of the locality:

This neighborhood is listed on the National Register of Historic Places as a historic district. Carriage houses of this height were and are not uncommon in this type of neighborhood and area.

4. The variation, if granted, will not impair an adequate supply of light and air to adjacent property:

The proposed project would be properly setback from allow property lines. The request would not negatively impact the availability of light and air to the surrounding properties.

5. The variation, if granted, will not increase congestion in public streets:

The approval of the requested variance would not increase congestion in the public streets.

6. The variation, if granted, will not increase the danger of fire or endanger public safety:

If constructed to building code requirements, the proposed project will not negatively impact public safety.

7. The variation, if granted, will not impair established property values of the locality:

The approval of the requested variance should not decrease property values.

8. The variation, if granted, will not impair public welfare, comfort, or health of the inhabitants of the City:

The requested variance appears to comply with the intent and spirit of the comprehensive plan of the City of Davenport.

Public Input

Notices were sent to property owners within 200 feet of the subject property. No comments have been received at time this staff report was written.

Recommendation

Technically item #1 reasonable return has not been met for the granting of a hardship variance. Staff cannot recommend approval of the request.

Prepared by:



Scott Koops, AICP
Planner II

Attached Exhibits: Application & Site Plan, Site Photos, Notice Documentation, Aerial Photo

Site Plan:



Petitioner submitted photos of carriage houses to then north:





226 West 4th Street
Davenport, Iowa 52801
(563) 326-7765
Planning@ci.davenport.ia.us

Property Address*

***If no property address, please submit a legal description of the property.**

Applicant (Primary Contact)**

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Owner (if different from Applicant)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Engineer (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Architect (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Attorney (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Application Form Type:

Plan and Zoning Commission

- Rezoning (Zoning Map Amendment) ☐
Zoning Ordinance Text Amendment ☐
Right-of-way or Easement Vacation ☐
Final Development Plan ☐
Voluntary Annexation ☐
Subdivision ☐

Zoning Board of Adjustment

- Appeal from an Administrative Decision ☐
Special Use Permit - New Cell Tower ☐
Home Occupation Permit ☐
Special Exception ☐
Special Use Permit ☐
Hardship Variance ☒

Design Review Board

- Certificate of Design Approval ☐
Demolition Request in the Downtown ☐

Historic Preservation Commission

- Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Administrative

- Floodplain Development ☐
Cell Tower Co-Location ☐
Identification Signs ☐
Site Plan ☐

****If the applicant is different from the property owner, please submit an authorization form or an accepted contract for purchase.**

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.060 of the Davenport Municipal Code:

The variation will not impair an adequate supply of light and air to adjacent property.

Location of the proposed carriage house is not within approximately 80 feet of any other structure on adjacent properties. Additionally, height of proposed location of the carriage house in relation to other properties, and their structures, will not impair sunlight or air to adjacent properties

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.060 of the Davenport Municipal Code:

The variation will not unreasonably increase congestion in public streets.

The proposed height of the carriage house will not affect traffic, vehicle or otherwise

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.060 of the Davenport Municipal Code:

The variation will not unreasonably diminish or impair established property values within the surrounding area.

The height of the proposed carriage house will not diminish or impair established property values

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.070 of the Davenport Municipal Code:

The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone.

Construction of the propped carriage house will enhance the property to put it on par with adjoining residences

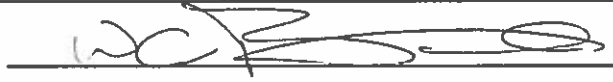
Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.070 of the Davenport Municipal Code:

The variation, if granted, will not alter the essential character of the locality.

The proposed carriage house will be similar in size to the last existing garage structure for the property, which was destroyed by fire in approximately 1975

Authorization to Act as Applicant

I, Will Brooke
authorize Ryan Carstensen
to act as applicant, representing me/us before the Zoning Board of Adjustment for the property located
at 820 Bridge Ave, Davenport, IA.



Signature(s)*

*Please note: original signature(s) required.

(Please leave three (3) inches at the top blank for recording purposes)

RESTRICTIVE COVENANT AND
AGREEMENT NOT TO SEVER

WHEREAS, said property is located in the City of Davenport, Scott County, Iowa, and is subject to the City's Zoning Ordinance, Title 17, and is zoned Residential under said Ordinance.

WHEREAS, said lots or parcels are directly adjacent and adjoining to each other with no intervening easement, roadway or other obstacle' with F0043-08 having dimensions, exclusive of easements of 80 feet by 176.8 and F0043-06 having dimensions, exclusive of easements of 44 feet by 121.5 resulting in a total parcel of 124 feet by 176.8 feet.

WHEREAS, the house serving as the owner's homestead is situated on F0043-08 with F0043-06 serving as part of their 820 Bridge Ave residence yard.

WHEREAS, Will & Rebecca Brooke desire to construct a carriage house, which is an accessory building as that term is defined by the City of Davenport Zoning Ordinance, upon what they consider their 820 Bridge Ave yard which is that parcel separately platted as F0043-06.

WHEREAS, placing an accessory building only upon a separate lot violates the City of Davenport Zoning Ordinance and for that reason a building permit will not be issued from the City of Davenport, Iowa for the purposes requested.

AND WHEREAS, the said City of Davenport Zoning Ordinance provides that a lot, as defined, may include a combination of lots of record.

NOW THEREFORE on the 23 day of October, 2017, Will & Rebecca Brooke adopt the following as a covenant and restriction which shall run with the land:

1. F0043-08 and F0043-06 in the City of Davenport, Scott County, Iowa, together with all easements appurtenant or subject thereto shall and are declared to be one lot.
2. Said lots shall not be separately sold or otherwise severed one from the other.
3. Provided however, that in the event all accessory buildings are at some date removed from F0043-06 these restrictive covenants may be released, which release shall require the consent of the Director of Community and Economic Development (or the designee) of the City of Davenport, Iowa. That consent will only be given if satisfied that the severance of F0043-06 shall not cause structures located upon F0048-08 or F0048-06 to be in violation of any building line (setback) requirements of the City of Davenport Zoning or Building Ordinance then in force.

Will Brooke

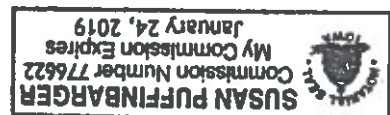
Name of Owner

Rebecca Brooke

Name of Owner

STATE OF IOWA, Scott COUNTY, CITY OF DAVENPORT, ss:
On this 24th day of October, A.D. 2017 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Will Brooke & Rebecca Brooke and to me known to be the identical named in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

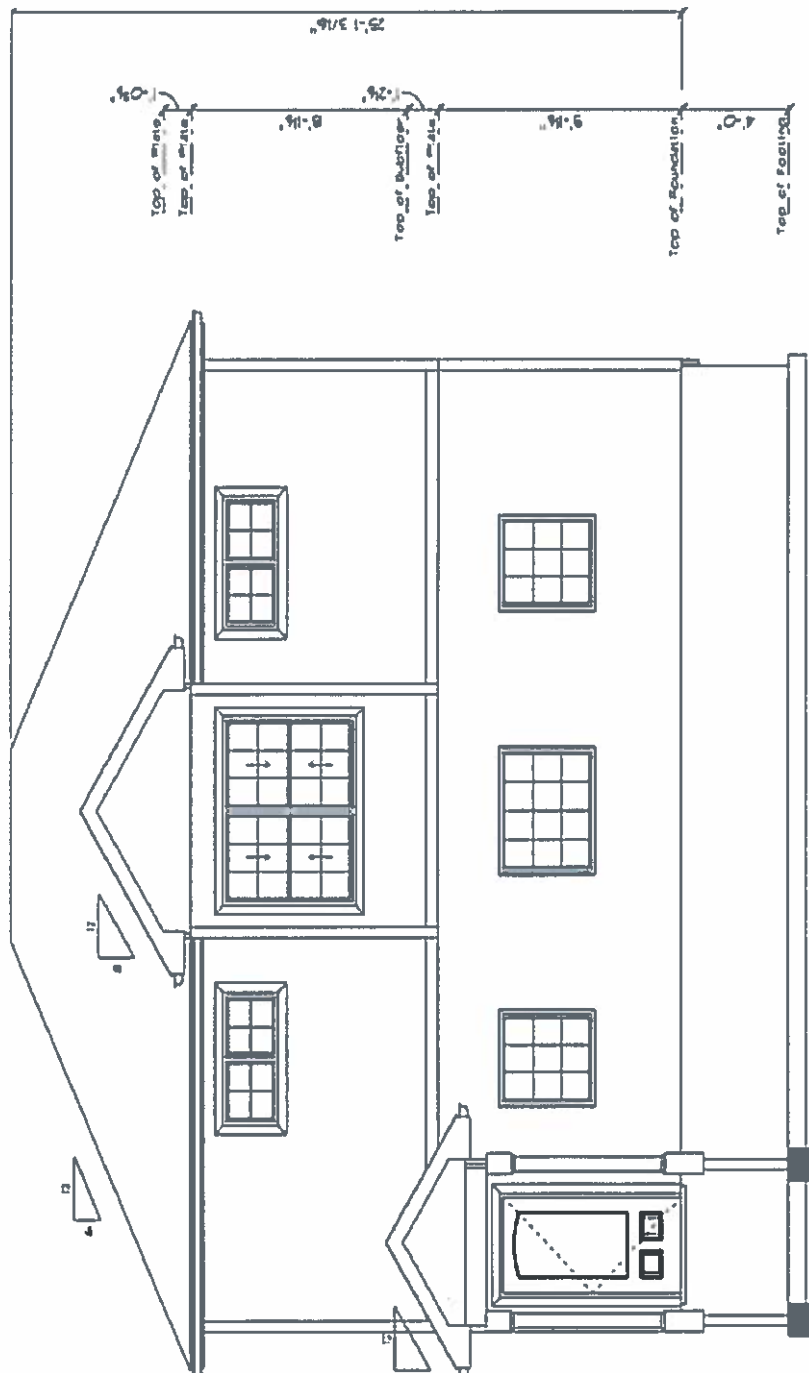
Susan Puffinbarger
Notary Public in and for the
State of Iowa





PRELIMINARY

NOT FOR CONSTRUCTION
BEAMS, HEADERS AND JOISTS NOT SIZED



$$17 + 4 = 21$$

$$25$$

$$\frac{17}{8/2} = 4$$

FRONT ELEVATION
SCALE: 1/4" = 1'-0"

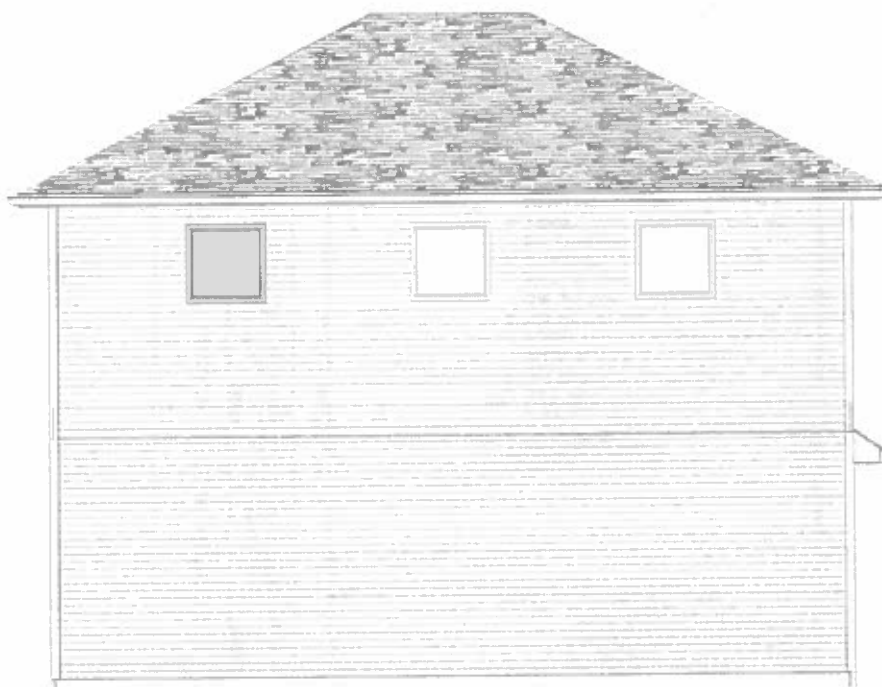
CORE
CARRIAGE HOUSE

DESIGNER: JEFFREY L. JEFFREY, ARCHITECT
PROJECT: CARRIAGE HOUSE
DATE: 10/10/10
SHEET: 1 OF 1





Elevation Front
SCALE: 1/4" = 1'-0"



Elevation Rear
SCALE: 1/4" = 1'-0"



SHEFFERT LUMBER COMPANY IS NOT AN ARCHITECT OR ENGINEER, AND CONSTRUCTION OF THESE PLANS SHOULD NOT BE UNDERTAKEN WITHOUT THE ASSISTANCE OF A PROFESSIONAL. THE PURCHASER AND BUILDER OF THIS PLAN RELEASES SHEFFERT LUMBER COMPANY FROM ALL LIABILITY FOR ANY CLAIMS OR DAMAGES THAT MAY ARISE DURING THE CONSTRUCTION OF THIS STRUCTURE OR ANY TIME THEREAFTER. THEREFORE, BUILDERS MUST CAREFULLY INSPECT ALL DIMENSIONS AND DETAILS IN THESE DRAWINGS AND ASSUME RESPONSIBILITY FOR THE SAFE.

ALL RIGHTS RESERVED TO SHEFFERT LUMBER COMPANY • 417 WEST KENDALL ROAD, DAYSBOROUGH, MA 01928 • PHONE (943) 394-8600 • FAX (943) 394-9493 • WWW.SHEFFERTLUMBER.COM

CORE
CARRIAGE HOUSE

DESIGN RELEASE
10/10/2011
DRAWN BY
JENNY LINARES
jenny@sheffertlumber.com

REVISIONS	BY

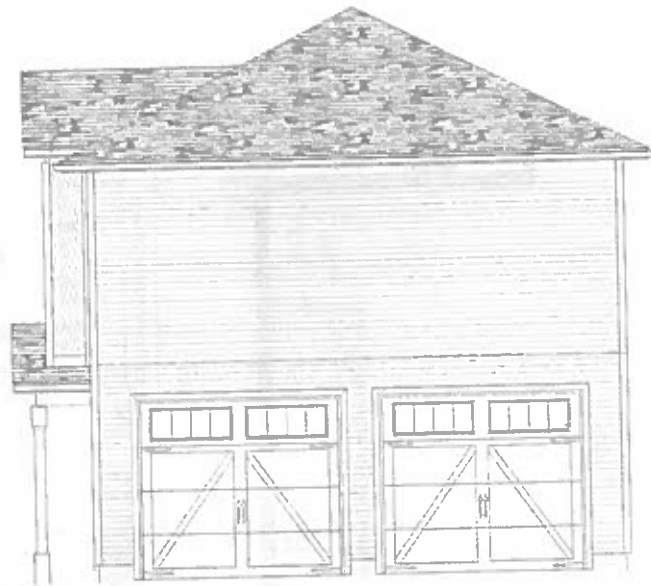
DRAWING NUMBER
1796

2

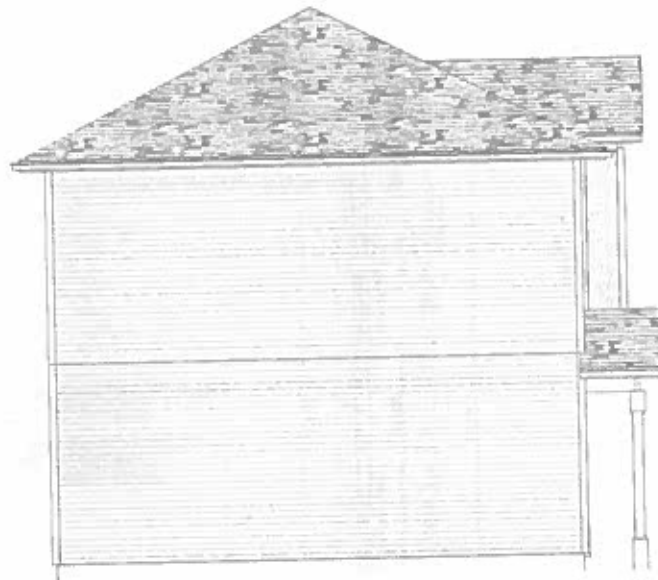
OF 2

ELEVATIONS





Elevation Right
SCALE: 1/4" = 1'-0"



Elevation Left
SCALE: 1/4" = 1'-0"



**PUBLIC HEARING NOTICE
ZONING BOARD OF ADJUSTMENT
CITY OF DAVENPORT**



Public Hearing Details:

Date: 12/14/2017
Time: 4:00 PM
Location: Council Chambers at City Hall, 226 West 4th Street Davenport, Iowa
Subject: Public hearing for a Hardship Variance before the Zoning Board of Adjustment
Case #: HV17-13

To: All property owners within 200 feet of the subject property located at **820 Bridge Avenue.**

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a Hardship Variance. The purpose of the Hardship Variance is to grant permission to waive or alter a size or dimension requirement of the zoning ordinance.

Request Description

Request HV17-13 of Will Brooke at 820 Bridge Avenue for a hardship variance to construct a 24' x 30' – 21' tall detached garage/carriage house. The proposed carriage house will exceed height restrictions by 6 feet. Property is zoned "R- 4" Moderate Density Dwelling District.

Section 17.42.080 A.3. of the Zoning Ordinance limits a detached garage to 15 feet in height.

What are the Next Steps after the Public Hearing?

For approved ZBA requests, the ruling is effective immediately. For projects requiring a Building Permit the applicant may contact the Permit office (563-326-7765) the next Business day.

Rulings of the Zoning Board of adjustment are final. The applicant may request reconsideration at the next public hearing, and aggrieved parties may file a writ of certiorari with the district court.

Would You Like to Submit an Official Comment?

As a neighboring property owner, you may have an interest in commenting on the proposed request either in writing/email or in person at the public hearing. If you intend to send in written comments, it is appreciated if those comments could be received by Community Planning no later than 12:00 PM *one day before* the public hearing. Send comments to planning@ci.davenport.ia.us or CPED, 226 W 4th St, Davenport IA 52801.

Do You Have Any Questions?

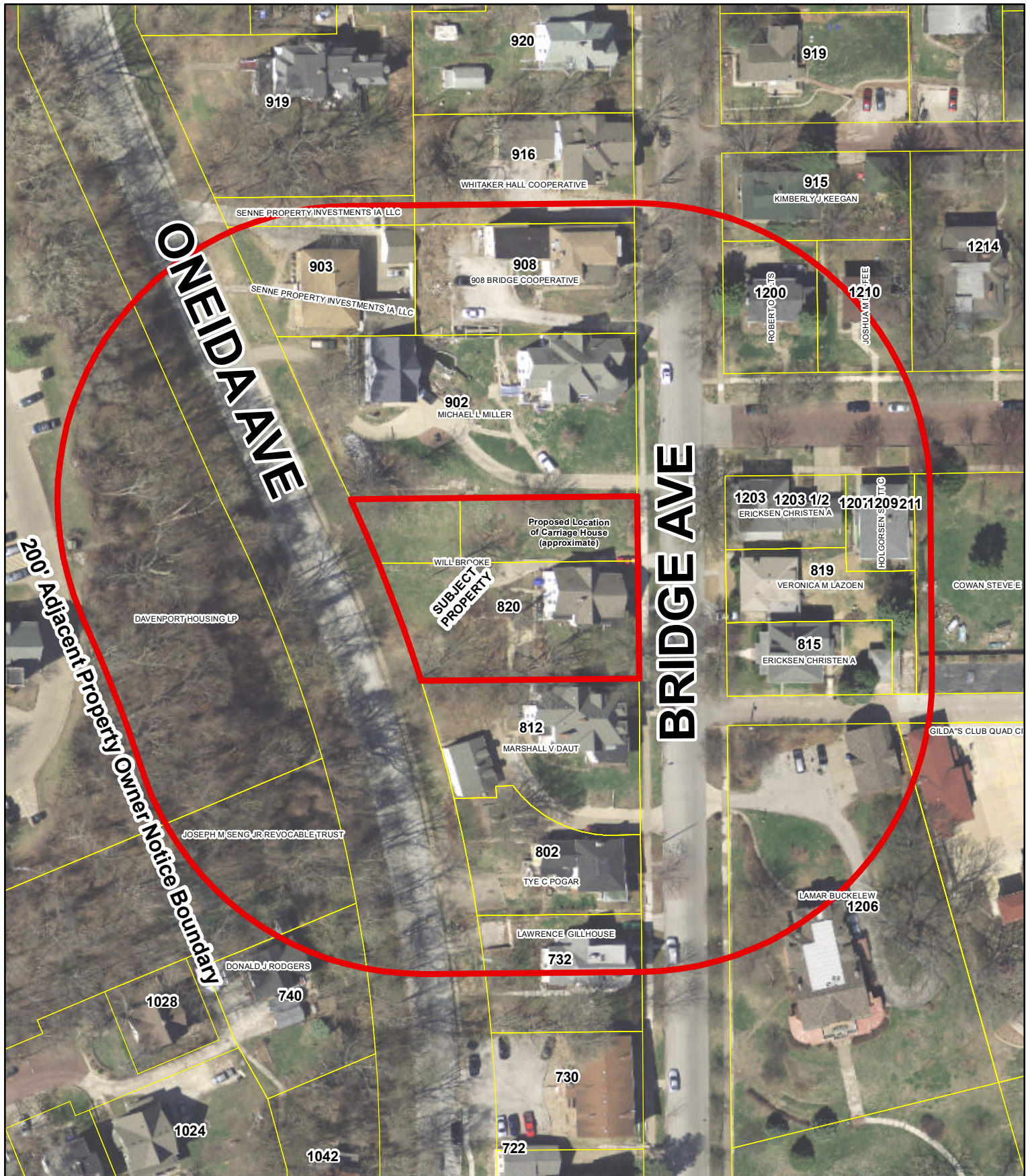
If you have any questions on this request, or if you need accommodations for any reason, please contact Scott Koops, AICP, the case planner assigned to this project at sek@ci.davenport.ia.us or 563-328-6701. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note that items may be removed from the agenda or tabled to a future hearing date at the request of the Petitioner or Commission/Board. If you are interested in the current schedule and outcome of this case, please contact the Community Planning Office at 563-326-7765 or planning@ci.davenport.ia.us for updates.

820 Bridge Ave - Adjacent Owner Notice List

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	820 BRIDGE AV	WILL BROOKE	820 BRIDGE AV	DAVENPORT IA 52803
Ward/Ald:	3rd Ward	Alderman Meginnis		19 Notices Sent
F0038-17	908 BRIDGE AV	908 BRIDGE COOPERATIVE	1002 BRIDGE AV	DAVENPORT IA 52803
F0043-02	1203 E 9TH ST	CHRISTEN A ERICKSEN	732 21ST AV	EAST MOLINE IL 61244
F0043-04	815 BRIDGE AV	CHRISTEN A ERICKSEN		
F0044-01B	1021 E 10TH ST	DAVENPORT HOUSING LP	PO BOX 703	PLATTEVILLE WI 53818
F0043-20	740 ONEIDA AV	DONALD J RODGERS	740 ONEIDA AV	DAVENPORT IA 52803
F0042-02	1234 E RIVER DR	GILDA"S CLUB QUAD CITIES	1234 E RIVER DR	DAVENPORT IA 52803
F0043-01		JOSEPH SENG JR TRUST	4804 NORTHWEST BD	DAVENPORT IA 52806
F0038-14	1210 E 9TH ST	JOSHUA M DUFFEE	1210 E 9TH ST	DAVENPORT IA 52803
F0038-12	915 BRIDGE AV	KIMBERLY J KEEGAN	2525 E PLEASANT ST	DAVENPORT IA 52803
F0043-05B	1206 E RIVER DR	LAMAR BUCKELEW	1206 E RIVER DR	DAVENPORT IA 52803
F0043-11	732 BRIDGE AV	LAWRENCE GILLHOUSE	732 BRIDGE AV	DAVENPORT IA 52803
F0043-09	812 BRIDGE AV	MARSHALL V DAUT	812 BRIDGE AV	DAVENPORT IA 52803
F0038-16	902 BRIDGE AV	MICHAEL L MILLER	902 BRIDGE AV	DAVENPORT IA 52803
F0038-13	1200 E 9TH ST	ROBERT O WILTS	1200 E 9TH ST	DAVENPORT IA 52803
F0043-01A	1207 E 9TH ST	SCOTT C HOLGORSSEN	1207 E 9TH ST APT 2	DAVENPORT IA 52803
F0038-25	903 ONEIDA AV	SENNE PROPERTY INVESTMENTS	900 14TH ST	BETTENDORF IA 52722
F0042-08		STEVE E COWAN	850 COLLEGE AV	DAVENPORT IA 52803
F0043-10	802 BRIDGE AV	TYE C POGAR	802 BRIDGE AV	DAVENPORT IA 52803
F0043-03A	819 BRIDGE AV	VERONICA M LAZOEN	732 21ST AVE	EAST MOLINE IL 61244
F0038-18	916 BRIDGE AV	WHITAKER HALL COOPERATIVE	916 BRIDGE AV #4	DAVENPORT IA 52803

Zoning Board of Adjustment: Adjacent Property Owner Notice Area



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

0 25 50 100 150 200 Feet





City of Davenport
Community Planning & Economic Development Department
STAFF REPORT

ZONING BOARD OF ADJUSTMENT

Meeting Date: December 14, 2017
Applicant: Jared Nieman
Address: 2301 Elm Street

Description

Request HV17-14 of Jared Nieman for the property at 2301 Elm Street to reduce the lot size from 5,800 square feet to 4,800 square feet. Property is zoned "R-4" Moderate Density Dwelling District.

Section 17.42.10 requires property zoned "R- 4" Moderate Density Dwelling District to be 6,000 square foot in lot area.

Background

The owner of 2309 Elm Street (the petitioner, Jared Nieman) entered into a n agreement to pay for a garage on the 2301 Elm property in exchange for the rear 20' x 50' portion of the lot. It was not until after the garage and a garden shed (built on the 20' x 50' area) were built that the petitioner determined that transfer of ownership will not be allowed without a hardship variance due to the fact that the resulting lot at 2301 Elm Street would not meet the lot size requirement. The existing lot is already 200 square feet smaller than allowed.

The two properties (2301 and 2309 Elm) once had a shared driveway. The City has found over time that these types of shared driveways can lead to many complications for the City and the private property owners. In an effort to correct that situation the two private property owners came to an agreement for the payment of the garage for 2301 Elm in exchange to the land where the garden shed is located at 2309 Elm and which is the subject of this request.

Existing Lot Configuration:



Proposed Lot Configuration:



Discussion

The rear portion of this not (which is the subject of this request) is not usable for 2301 Elm and does not impact the lot in any form. The proposed variance will not have any impact to surround property.

Findings

1. The property cannot yield a **reasonable return** with strict compliance to the zoning ordinance:

Reasonable use of the rear portion of this lot is not possible for 2301 Elm, however it is if the land is under ownership of 2309 Elm St. The request corrects an issue that occurred with a former shared driveway. Staff is in favor of this correction and of the elimination of shared driveways.

2. The plight of the owner is due to **unique circumstances** which do not apply to other nearby property:

Unique circumstances for this property were the shared driveway and common use of the driveway area. Staff is in favor of this correction and of the elimination of shared driveways.

3. The variation, if granted, will not alter the **essential character** of the locality:

The exchange of 1,000 square feet of land from one lot the adjacent lot shall not the alter character of the area.

4. The variation, if granted, will not impair an adequate supply of **light and air** to adjacent property:

The request would not negatively impact the availability of light and air to the surrounding properties.

5. The variation, if granted, will not increase **congestion in public streets**:

The approval of the requested variance would not increase congestion in the public streets.

6. The variation, if granted, will not increase the danger of fire or endanger **public safety**:

The proposed request will not negatively impact public safety.

7. The variation, if granted, will not impair established **property values** of the locality:

The approval of the requested variance should not decrease property values.

8. The variation, if granted, will not impair **public welfare**, comfort, or health of the inhabitants of the City:

The requested variance is compatible with the intent and spirit of the comprehensive plan of the City of Davenport.

Public Input

Notices were sent to property owners within 200 feet of the subject property. No comments have been received at time this staff report was written.

Recommendation

Staff recommends approval the request.

Prepared by:



Scott Koops, AICP
Planner II

Existing Lot Configuration:



Proposed Lot Configuration:



Hardship Variance Application

226 West 4th Street
Davenport, Iowa 52801

(563) 326-7765

Planning@ci.davenport.ia.us

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT

Property Address* 2301 ~~ELM~~ ELM STREET

*If no property address, please submit a legal description of the property.

Applicant (Primary Contact)**

Name: JARED LEE (JERRY) NIEMAN
Company:
Address: 2309 ELM STREET
City/State/Zip: DAVENPORT IA 52803
Phone: (563) 529-1069
Email: JNCPYDER@GMAIL.COM

Owner (if different from Applicant)

Name: SAME
Company:
Address:
City/State/Zip:
Phone:
Email:

Engineer (if applicable)

Name: N/A
Company:
Address:
City/State/Zip:
Phone:
Email:

Architect (if applicable)

Name: N/A
Company:
Address:
City/State/Zip:
Phone:
Email:

Attorney (if applicable)

Name: N/A
Company:
Address:
City/State/Zip:
Phone:
Email:

Application Form Type:

Plan and Zoning Commission

- Rezoning (Zoning Map Amendment) ☐
Zoning Ordinance Text Amendment ☒
Right-of-way or Easement Vacation ☐
Final Development Plan ☐
Voluntary Annexation ☐
Subdivision ☐

Zoning Board of Adjustment

- Appeal from an Administrative Decision ☐
Special Use Permit - New Cell Tower ☐
Home Occupation Permit ☐
Special Exception ☐
Special Use Permit ☐
Hardship Variance ☒

Design Review Board

- Certificate of Design Approval ☐
Demolition Request in the Downtown ☐

Historic Preservation Commission

- Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Administrative

- Floodplain Development ☐
Cell Tower Co-Location ☐
Identification Signs ☐
Site Plan ☐

Meeting Date 12-24-17
Submitted 11-20-17

**If the applicant is different from the property owner, please submit an authorization form or an accepted contract for purchase.

2309 Elm Street
Davenport, IA 52803
October 23, 2017

Mr. Wayne Wille, CFM-Planner II
Community Planning Division
City of Davenport, Iowa 52801

RE: Property at 2301 Elm Street

Dear Mr. Wille:

I am seeking to change the property size at 2301 Elm Street. In 2011, Mr. Mike Rock, the owner of this property, agreed to "trade" the 20' x 50' portion at the rear of this property for a new 2-car garage to be built on the west side of the lot. At that time, the property did not have any garage, and he agreed that the property would be worth more if it included a garage.

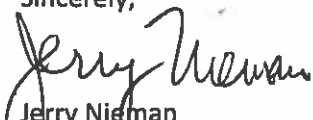
In 1925, when both the house at 2301 and the house at 2309 were built, one driveway was created between these two houses to serve both properties. When I purchased the house at 2309 Elm, there was a decrepit 2-car garage on 2309 Elm property, and a decrepit single car garage on the 2301 Elm property. In 1989 I replaced the 2-car garage at 2309 Elm, and Matt Jacobs, who owned 2301 Elm, demolished the single car garage. We have shared the driveway until 2011. When I built the 2-car garage on the west side of the 2301 Elm property, a new driveway off Elm was provided. Mr. Rock has no need to use the driveway between the two properties, but there is still an easement for me to use the portion of the 2301 property for the driveway. There is an easement for me to use the 20' x 50' portion of the 2301 property where I built a garden shed. I am asking the City of Davenport to allow me to separate the 20' x 50' portion the 2301 property. I am not asking for the driveway portion of 2301 to be changed. I am prepared to seek a variance from Planning and Zoning, to reduce the lot size of 2301 Elm by 1,000 square feet.

I do have a hardship issue: I built a 16' x 20' garden shed on the 2301 property as per the agreement with Mike Rock. In the event that Mr. Rock sells the property at 2301 Elm in the future, I have only an easement for the garden shed, not ownership.

There are several residential properties in Davenport that are less than the minimum number of square feet. The property at 2301 is already in that group. I am not creating a new less-than-minimum size property, only asking to reduce the size of 2301 by 1,000 square feet.

The value of property at 2301 will not be reduced. In fact, the property has increased in value by adding a nice 2-car garage and wide driveway on the west side of the house. Mr. Rock agreed to trade the rear 20' x 50' portion of the 2301 property for a 2-car garage and driveway in 2011. I am asking the City of Davenport to allow me to legally break off the 20' x 50' piece of land and own it. Thank you for your consideration.

Sincerely,


Jerry Nieiman
c/ Mike Rock

Request:

Please describe the variance(s) requested:

Request a variance to the ordinance covering minimum size of residential lot. Ordinance states minimum square footage of 6,000. Current size of 2301 Elm is 5,800 SF, of which the area which has the house and 2-car garage covers 4,800 SF, and the area that has the garden shed is 1,000 SF.

Existing Zoning: R-4 MOD DENSITY DWELLING DISTRICT

Submittal Requirements:

- The following items should be submitted to planning@davenport.ia.us for review:
- The completed application form.
- A PDF that shows the location and dimensions of existing and proposed structures affected by the hardship variance. If a paper copy is provided, the maximum size is 11" x 17".
- Description and evidence that demonstrates consistency with the criteria listed in Sections 17.52.060 and 17.52.070 of the Davenport Municipal Code.
- Recorded warranty deed or accepted contract for purchase.
- Authorization form, if applicable. If the property is owned by a business entity, please provide Articles of Incorporation.
- Required fee - \$200.

The Applicant hereby acknowledges and agrees to the following procedure and requirements:**(1) Application:**

- Prior to submission of the application for the hardship variance, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the hardship variance process.
- The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.

(2) Public Notice for the Zoning Board of Adjustment public hearing:

- Planning staff will send a public hearing notice to surrounding property owners.

(3) Zoning Board of Adjustment's consideration of the hardship variance:

- Planning staff will perform a technical review of the request and present its findings and recommendation to the Zoning Board of Adjustment.
- The Zoning Board of Adjustment will hold a public hearing and vote on the request.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.070 of the Davenport Municipal Code:

The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone.

The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone. The owner of the 2301 Elm property (Mr. Mike Rock), is paying property tax on the improvement on the 1,000 SF of the property, while the use of that improvement is by the owner of the 2309 property (Jerry Nieman). There is a hardship on the part of Jerry Nieman if the current owner of the 2301 property sells the property, while the owner of 2309 Elm has an easement for the 1,000 SF portion of the property.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.070 of the Davenport Municipal Code:

The plight of the owner is due to unique circumstances, which circumstances do not apply to other adjoining or nearby property.

The plight of the owner and seeker of the variance is due to unique circumstances, which circumstances do not apply to other adjoining or nearby property. Both the 2301 and 2309 Elm properties shared a common driveway until 2011. The decrepit single car garage at the rear of the 2301 Elm property was demolished and stood vacant for several years. In 2011 a 2-car garage and driveway was built on the west side of the house at 2301 Elm, at which time there was no need for the occupant of 2301 Elm to use the common driveway. It is quite unusual for 2 residential properties in this neighborhood to share a driveway, which does not apply to adjoining properties.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.070 of the Davenport Municipal Code:

The variation, if granted, will not alter the essential character of the locality.

The variance, if granted, will not alter the essential character of the locality. The garden shed built on the 1,000 SF portion of the property has been there since 2011, and is compatible with the garage on the 2309 Elm property. Neighbors and passersby will not be affected by the transfer of ownership of the 1,000 SF portion of the property.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.060 of the Davenport Municipal Code:

The variation will not impair an adequate supply of light and air to adjacent property.

The variance will not impair an adequate supply of light and air to adjacent property. The garden shed was built in accordance to standard set back requirements of 2' on side property lines. The garden shed is single story, and does not affect light or air flow to nearby houses or the 2-1/2 car garage on the 2309 Elm property.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.060 of the Davenport Municipal Code:

The variation will not unreasonably increase congestion in public streets.

The variance will not unreasonably increase congestion in public streets. The area of property being considered is at the rear of the 2301 Elm property, and will have no effect on traffic in public streets.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.060 of the Davenport Municipal Code:

The variation will not increase the danger of fire or endanger the public safety.

The variance will not increase the danger of fire or endanger public safety. The garden shed built on the 1,000 SF portion of property was built to City of Davenport set back requirements, including fire-resistive construction on sidewalls that are 2' from the property line.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.060 of the Davenport Municipal Code:

The variation will not unreasonably diminish or impair established property values within the surrounding area.

The variance will not unreasonably diminish or impair established property values within the surrounding area. The 2301 Elm property has a nice, 1-1/2 story house, and a 2 car garage with driveway on Elm Street, with a wood fence around the 4,800 SF portion of the property. The 1,000 SF of the property has a nice 16' x 20' garden shed on it, which has aluminum siding and asphalt shingles. The 2301 Elm property is currently under the minimum size residential lot, and making it somewhat less square footage than it is currently should have no impact on nearby property values. Both the 2301 and 2309 Elm properties are well-maintained, and do not diminish the property values in the neighborhood.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.060 of the Davenport Municipal Code:

The variation will not impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city.

The variance will not impair the public health, safety, comfort, morals or welfare of the inhabitants of the city. Reducing the size of the 2301 Elm property from 5,800 SF to 4,800 SF will have no effect to neighbors or the City of Davenport.

Applicant: JARED LEE (JERRY) NIEMAN

Date: 11/20/17

By typing your name, you acknowledge and agree to the aforementioned submittal requirements and formal procedure and that you must be present at scheduled meetings.

Received by: Ryan Rusnak

Planning staff

Date: 11/20/17

Date of the Public Hearing: 12/14/2017

Meetings are held in City Hall Council Chambers located at 226 West 4th Street, Davenport, Iowa.

**PUBLIC HEARING NOTICE
ZONING BOARD OF ADJUSTMENT
CITY OF DAVENPORT**



Public Hearing Details:

Date: 12/14/2017
Time: 4:00 PM
Location: Council Chambers at City Hall, 226 West 4th Street Davenport, Iowa
Subject: Public hearing for a Hardship Variance before the Zoning Board of Adjustment
Case #: HV17-14

To: All property owners within 200 feet of the subject property located at **2301 Elm Street.**

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a Hardship Variance. The purpose of the Hardship Variance is to grant permission to waive or alter a size or dimension requirement of the zoning ordinance.

Request Description

Request HV17-14 of Jared Nieman for the property at 2301 Elm Street to reduce the lot size from 5,800 square feet to 4,800 square feet. Property is zoned "R-4" Moderate Density Dwelling District.

Section 17.42.10 requires property zoned "R-4" proposed carriage house will exceed height restrictions by 6 feet. Property is zoned "R- 4" Moderate Density Dwelling District has a standard 6,000 square foot lot requirement.

What are the Next Steps after the Public Hearing?

For approved ZBA requests, the ruling is effective immediately. For projects requiring a Building Permit the applicant may contact the Permit office (563-326-7765) the next Business day.

Rulings of the Zoning Board of adjustment are final. The applicant may request reconsideration at the next public hearing, and aggrieved parties may file a writ of certiorari with the district court.

Would You Like to Submit an Official Comment?

As a neighboring property owner, you may have an interest in commenting on the proposed request either in writing/email or in person at the public hearing. If you intend to send in written comments, it is appreciated if those comments could be received by Community Planning no later than 12:00 PM *one day before* the public hearing. Send comments to planning@ci.davenport.ia.us or CPED, 226 W 4th St, Davenport IA 52801.

Do You Have Any Questions?

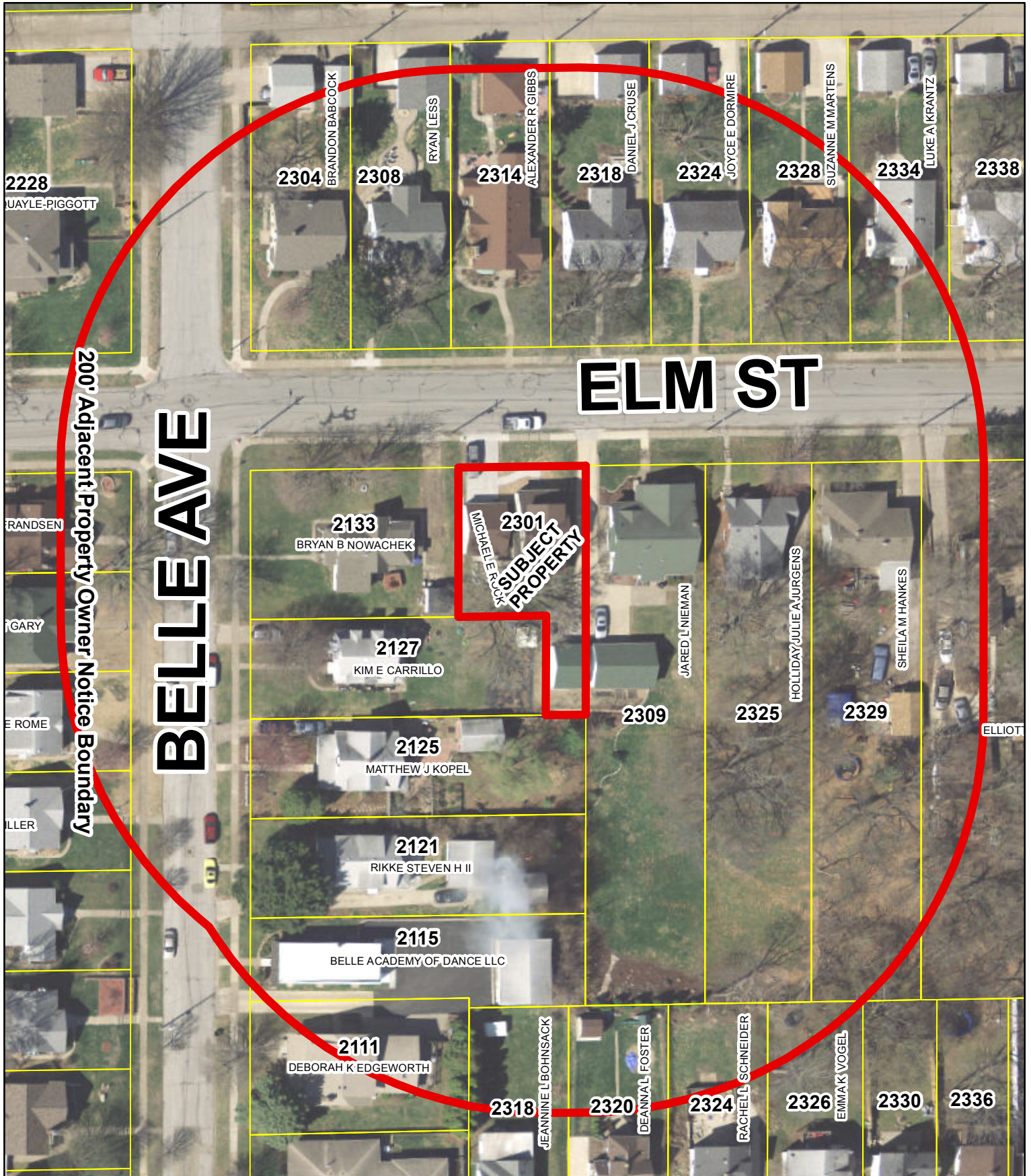
If you have any questions on this request, or if you need accommodations for any reason, please contact Scott Koops, AICP, the case planner assigned to this project at sek@ci.davenport.ia.us or 563-328-6701. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note that items may be removed from the agenda or tabled to a future hearing date at the request of the Petitioner or Commission/Board. If you are interested in the current schedule and outcome of this case, please contact the Community Planning Office at 563-326-7765 or planning@ci.davenport.ia.us for updates.

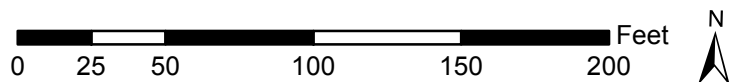
2301 Elm St - Adjacent Owner Notice List

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	2301 ELM ST	JARED L NIEMAN	2309 E ELM ST	DAVENPORT IA 52803
Ward/Ald:	5th Ward	Alderman Rawson		28 Notices Sent
D0052-18	2314 ELM ST	ALEXANDER R GIBBS	2314 ELM ST	DAVENPORT IA 52803
D0052-36	2115 BELLE AV	BELLE ACADEMY OF DANCE	2115 BELLE AV	DAVENPORT IA 52803
D0052-16	2304 ELM ST	BRANDON BABCOCK	2304 ELM ST	DAVENPORT IA 52803
D0052-32	2133 BELLE AV	BRYAN B NOWACHEK	2510 BELLE AV	DAVENPORT IA 52803
D0052-19	2318 ELM ST	DANIEL J CRUSE	2318 ELM ST	DAVENPORT IA 52803
D0061-04	2320 E HIGH ST	DEANNA L FOSTER	2320 E HIGH ST	DAVENPORT IA 52803
D0061-01	2111 BELLE AV	DEBORAH K EDGEWORTH	708 LAKE CAROLYN PW #314W	IRVING TX 75039-3983
D0052-27	2337 ELM ST	ELLIOTT C HANKES	2337 ELM ST	DAVENPORT IA 52803
D0061-06	2326 E HIGH ST	EMMA K VOGEL	2326 E HIGH ST	DAVENPORT IA 52803
D0051-06	2134 BELLE AV	GARY A KRAFT	830 W 57TH ST	DAVENPORT IA 52806
D0051-05	2130 BELLE AV	GERALD E ROME	2130 BELLE AV	DAVENPORT IA 52803
D0061-03	2318 E HIGH ST	JEANNINE L BOHNSACK	2318 E HIGH ST	DAVENPORT IA 52803
D0052-20	2324 ELM ST	JOYCE E DORMIRE	2324 ELM ST	DAVENPORT IA 52803
D0052-29	2325 ELM ST	JULIE A JURGENS HOLLIDAY	2325 ELM ST	DAVENPORT IA 52803
D0051-29	2228 ELM ST	KELLY QUAYLE-PIGGOTT	2228 ELM ST	DAVENPORT IA 52803
D0052-33	2127 BELLE AV	KIM E CARRILLO	2127 BELLE AVE	DAVENPORT IA 52803
D0052-22	2334 ELM ST	LUKE A KRANTZ	2334 ELM ST	DAVENPORT IA 52803
D0052-34	2125 BELLE AV	MATTHEW J KOPEL	2125 BELLE AV	DAVENPORT IA 52803
D0052-31	2301 ELM ST	MICHAEL E ROCK	1645 QUEENS DR	BETTENDORF IA 52722
D0061-05	2324 E HIGH ST	RACHEL L SCHNEIDER	2324 E HIGH ST	DAVENPORT IA 52803
D0051-07	2140 BELLE AVE	REBECCA FRANDSEN	2140 BELLE AVE	DAVENPORT IA 52803
D0052-23	2338 ELM ST	RICHARD S FORSBERG	2338 ELM ST	DAVENPORT IA 52803
D0052-17	2308 ELM ST	RYAN LESS	2308 ELM ST	DAVENPORT IA 52803
D0052-28	2329 ELM ST	SHEILA M HANKES	2337 ELM ST	DAVENPORT IA 52803
D0052-35	2121 BELLE AV	STEVEN H RIKKE II	2121 BELLE AVE	DAVENPORT IA 52803
D0052-21	2328 ELM ST	SUZANNE M MARTENS	2328 ELM ST	DAVENPORT IA 52803
D0051-04	2124 BELLE AV	TY C MILLER	2124 BELLE AV	DAVENPORT IA 52803

Zoning Board of Adjustment: Adjacent Property Owner Notice Area



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.





City of Davenport
Community Planning & Economic Development Department
STAFF REPORT

ZONING BOARD OF ADJUSTMENT

Meeting Date: December 14, 2017
Applicant: John Trimble
Address: 3400 Telegraph Road

Description

Request HV17-15 of John Trimble at 3400 Telegraph Road for a hardship variance to construct a 17.8' tall, 30' x 48' (1440 sq. ft.) detached garage which would exceed the allowed area and height for a detached garage at this property. The lot is approximately 7.4 acres and has 1,568 square feet of living area. Property is zoned R-4 Moderate Density Dwelling District.

Section 17.42.080 limits detached garages to 50% of the dwelling's living area (in this case 784 sq. ft.) and to 15 feet in height in the "R-4" District.

Background

The subject property has an attached garage. The petitioner is proposing to demolish two small existing detached garages and replace them with one detached garage that would house a motor home.

Discussion

The proposed garage would be located at the end of the existing driveway to the north. The property is over 7 acres in size. If this property were zoned 'R-1' the proposed garage would be allowed by right. The character of this area is largely open space/agricultural. The proposed garage would not be out of character for this area.



Findings

1. The property cannot yield a **reasonable return** with strict compliance to the zoning ordinance:

The property is able to yield a reasonable return in conformance with the Zoning Ordinance without the requested hardship variance. The request is a convenience to the petitioner and a reasonable use has not been denied.

2. The plight of the owner is due to **unique circumstances** which do not apply to other nearby property:

Unique circumstances are those circumstances that apply to the physical aspects of the property. The petitioner has not indicated any reasons, beyond personal reasons, for requesting a second garage. The petitioner has not demonstrated a unique circumstance as defined by the courts.

3. The variation, if granted, will not alter the **essential character** of the locality:

Given the rural nature of this area, the proposed garage would not be considered out of character.

4. The variation, if granted, will not impair an adequate supply of **light and air** to adjacent property:

The proposed project would be properly setback from all property lines. The request would not negatively impact the availability of light and air to the surrounding properties.

5. The variation, if granted, will not increase **congestion in public streets**:

The approval of the requested variance would not increase congestion in the public streets.

6. The variation, if granted, will not increase the danger of fire or endanger **public safety**:

If constructed to building code requirements, the proposed project will not negatively impact public safety.

7. The variation, if granted, will not impair established **property values** of the locality:

The approval of the requested variance should not decrease property values.

8. The variation, if granted, will not impair **public welfare**, comfort, or health of the inhabitants of the City:

The requested variance does not appear to infringe upon the intent and spirit of the comprehensive plan of the City of Davenport.

Public Input

Notices were sent to property owners within 200 feet of the subject property. One email in support of the request was received.

Recommendation

Items #1 reasonable return has not been met for the granting of a hardship variance. Staff cannot recommend approval of the request.

Prepared by:



Scott Koops, AICP
Planner II

Attached Exhibits: Application & Site Plan, Site Photos, Notice Documentation, Aerial Photo



226 West 4th Street
Davenport, Iowa 52801
(563) 326-7765
Planning@ci.davenport.ia.us

Property Address* 3400 TELEGRAPH ROAD

***If no property address, please submit a legal description of the property.**

Applicant (Primary Contact)**

Name: JOHN TRIMBLE
Company:
Address: 3400 TELEGRAPH ROAD
City/State/Zip: DAVENPORT, IOWA 52804
Phone: 563-940-0982
Email: space_nut@msn.com

Owner (if different from Applicant)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Engineer (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email: space_nut@msn.com

Architect (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Attorney (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Application Form Type:

Plan and Zoning Commission

- Rezoning (Zoning Map Amendment) ☐
Zoning Ordinance Text Amendment ☐
Right-of-way or Easement Vacation ☐
Final Development Plan ☐
Voluntary Annexation ☐
Subdivision ☐

Zoning Board of Adjustment

- Appeal from an Administrative Decision ☐
Special Use Permit - New Cell Tower ☐
Home Occupation Permit ☐
Special Exception ☐
Special Use Permit ☐
Hardship Variance ☒

Design Review Board

- Certificate of Design Approval ☐
Demolition Request in the Downtown ☐

Historic Preservation Commission

- Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Administrative

- Floodplain Development ☐
Cell Tower Co-Location ☐
Identification Signs ☐
Site Plan ☐

Submitted: 10-25-17
Meeting Date: 12-14-17

****If the applicant is different from the property owner, please submit an authorization form or an accepted contract for purchase.**

Request:

Please describe the variance(s) requested:

We are requesting a variance to be able to construct a 30' x 48' pole building.

Existing Zoning: R-4

Submittal Requirements:

- The completed application form.
- A PDF that shows the location and dimensions of existing and proposed structures affected by the hardship variance. If a paper copy is provided, the maximum size is 11" x 17".
- Description and evidence that demonstrates consistency with the criteria listed in Sections 17.52.060 and 17.52.070 of the Davenport Municipal Code.
- Recorded warranty deed or accepted contract for purchase.
- Authorization form, if applicable. If the property is owned by a business entity, please provide Articles of Incorporation.
- Required fee - \$200.

The Applicant hereby acknowledges and agrees to the following procedure and requirements:

(1) Application:

- Prior to submission of the application for the hardship variance, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the hardship variance process.
- The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.

(2) Public Notice for the Zoning Board of Adjustment public hearing:

- Planning staff will send a public hearing notice to surrounding property owners.

(3) Zoning Board of Adjustment's consideration of the hardship variance:

- Planning staff will perform a technical review of the request and present its findings and recommendation to the Zoning Board of Adjustment.
- The Zoning Board of Adjustment will hold a public hearing and vote of the request.

Description and evidence that demonstrates consistency with the following criteria listed in Sections 17.52.070 of the Davenport Municipal Code:

The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone.

Our previous home in rural Scott county allowed us to have a building large enough to store our motor-home, collector car, and yard maintenance equipment in doors. After moving to Davenport we realized we could not erect a pole building with a simple permit, that we needed a variance first. We are trying to keep our motor home on site and under cover to protect the roof and sides from weather damage as one of our previous motor homes received wind and hail damage and was a total loss. We are trying to keep our lawn and garden tools and equipment inside to prevent our property from becoming an eye sore for neighbors and other people passing by. Without this variance being granted, our property has prevented us from all beneficial use.

Description and evidence that demonstrates consistency with the following criteria listed in Sections 17.52.070 of the Davenport Municipal Code:

The plight of the owner is due to unique circumstances, which circumstances do not apply to other adjoining or nearby property.

Most properties surrounding our property already have pole buildings. Some much larger than we are wanting to build.

As far as I can tell, properties that surround ours which don't already have pole buildings, don't need or want any in door storage. I don't believe any neighboring property owners desire indoor storage for any RV's that they own.

Description and evidence that demonstrates consistency with the following criteria listed in Sections 17.52.070 of the Davenport Municipal Code:

The variation, if granted, will not alter the essential character of the locality.

The essential character of the locality will not be altered at all. Most homes on Telegraph road have some sort of pole or out building. We have chosen colors that will blend in with other structures on our property. The planned location for the building will not affect the view of people from the North, West or East. People driving by (the south) will only be able to see the building for less than 5 seconds of travel time.

Description and evidence that demonstrates consistency with the following criteria listed in Sections 17.52.060 of the Davenport Municipal Code:

The variation will not impair an adequate supply of light and air to adjacent property.

The building is to be built 70' from the west property line. The building will be set back approximately 105' from the street (south property line). The building will be place about 300' from the East property line and almost 600' from the North property line. The closest neighbors are to the west in which there are trees lining that side that are over 40' tall. There will be no obstruction of light or air to any adjacent property.

Description and evidence that demonstrates consistency with the following criteria listed in Sections 17.52.060 of the Davenport Municipal Code:

The variation will not unreasonably increase congestion in public streets.

The building we are proposing will sit on 7.5 acres of land. The entrance to the building will be 105' from the street and 70' from the closest neighboring property. Receiving the variance will not affect any public street congestion.

Description and evidence that demonstrates consistency with the following criteria listed in Sections 17.52.060 of the Davenport Municipal Code:

The variation will not increase the danger of fire or endanger the public safety.

Since the vast majority of the proposed building will be made out of metal panels, there is no risk of increased fire danger.

Public safety will actually increase since we will be able to keep valuable items inside out of side and reduce the chance of theft.

Description and evidence that demonstrates consistency with the following criteria listed in Sections 17.52.060 of the Davenport Municipal Code:

The variation will not unreasonably diminish or impair established property values within the surrounding area.

The area of which we are planning to erect the building is an older area of Davenport. Property values are well established, with slow increases of value for several years. This building will neither detract nor increase any surrounding property values. Most homes in this neighborhood have large pole buildings on the property. If anything our property looks out of place without a pole building when considering the amount of land we own.

Description and evidence that demonstrates consistency with the following criteria listed in Sections 17.52.060 of the Davenport Municipal Code:

The variation will not impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city.

I believe that public health, safety, comfort, morals and welfare of inhabitants of Davenport will not be impaired at all with the passing of this variance. With careful planning and attention to both the placement and aesthetics of the building, most people will not be able to tell anything has changed on the property.

Applicant: John Trimble 

Date: 10/25/17

By typing your name, you acknowledge and agree to the aforementioned submittal requirements and formal procedure and that you must be present at scheduled meetings.

Received by: 

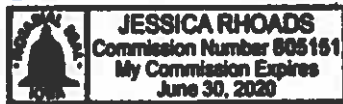
Planning staff

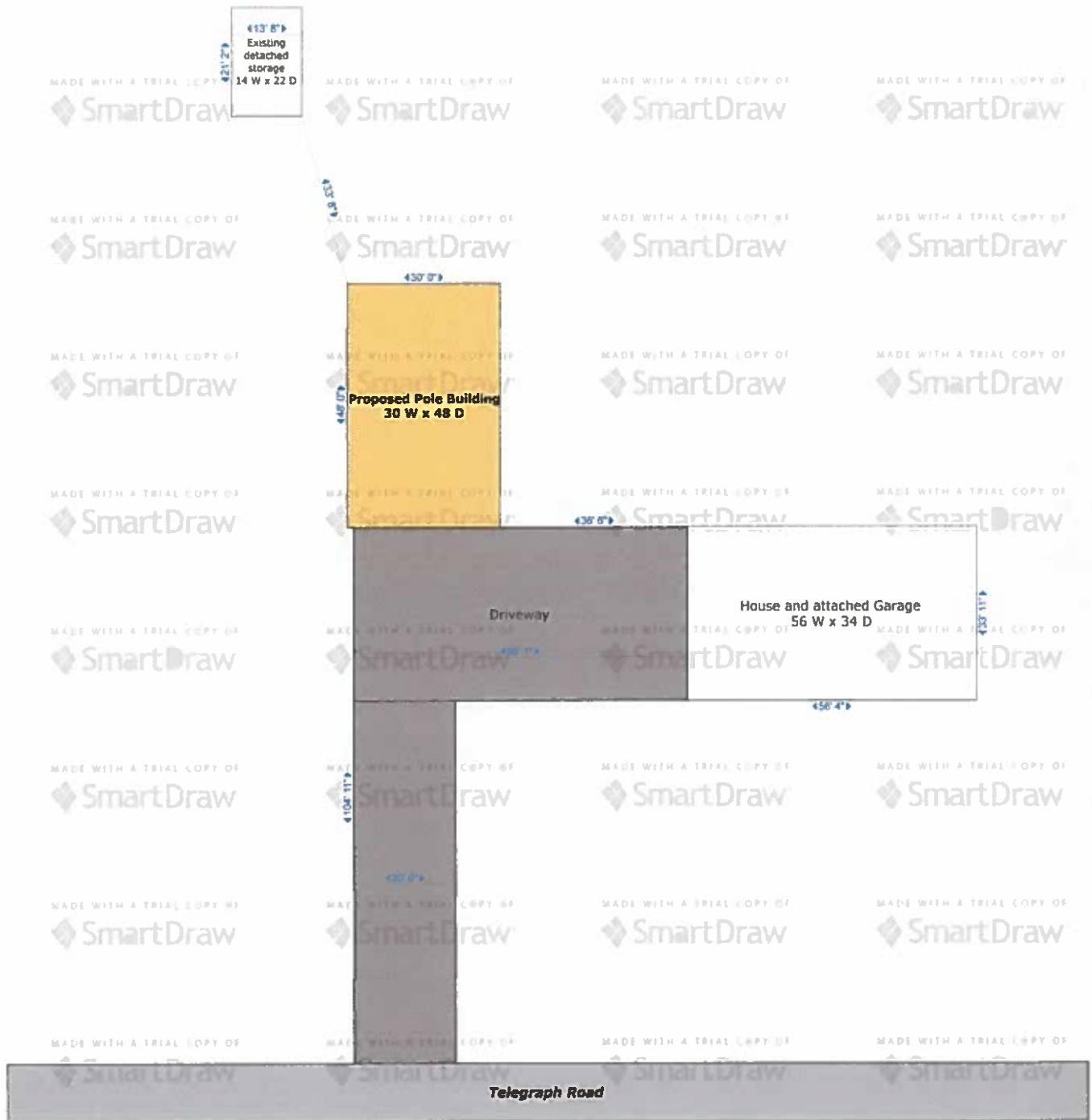
Date: 

Date of the Public Hearing: 

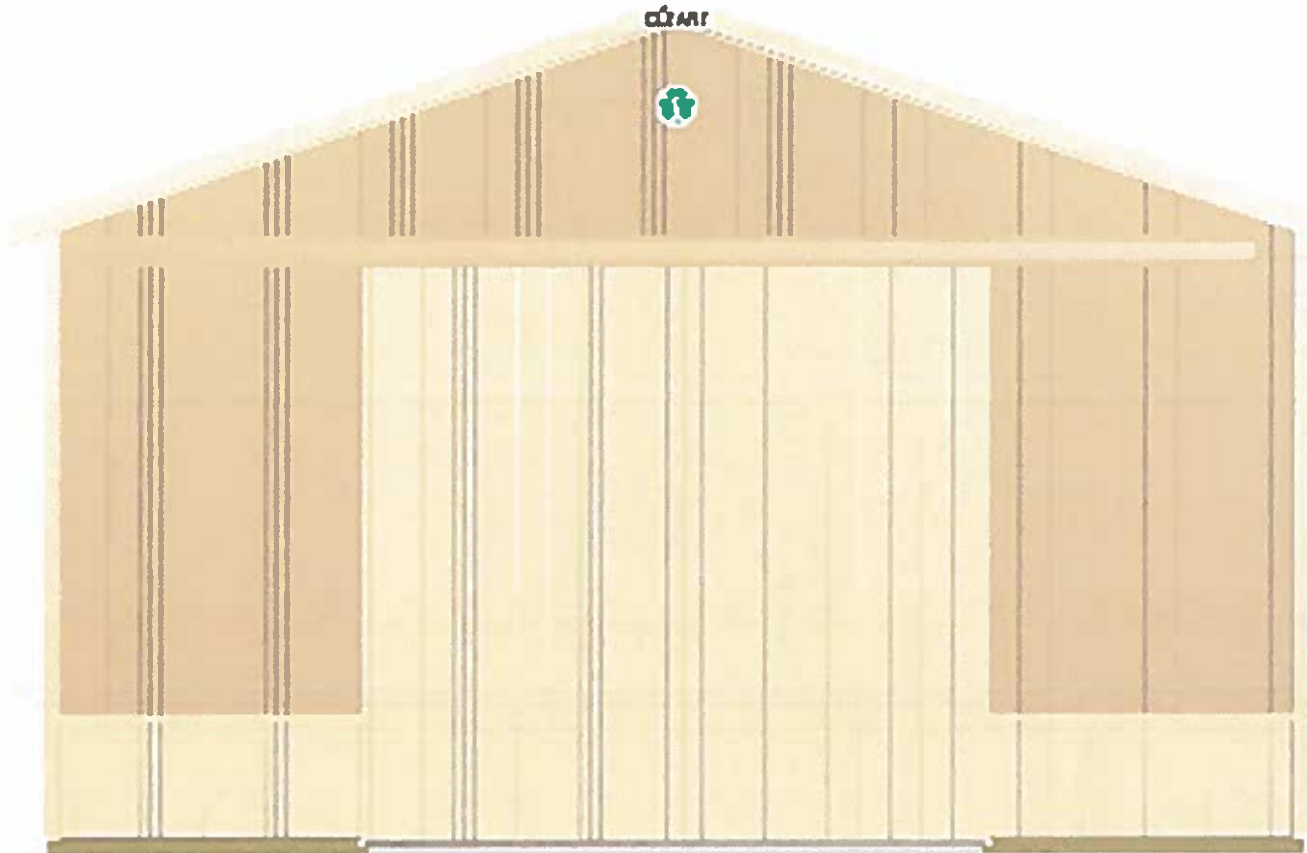
Meetings are held in City Hall Council Chambers located at 226 West 4th Street, Davenport, Iowa.







Cleary/Owner Project Contract - Erected



South End Wall 1 on Building 1

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.

Exterior Finishes

- End Wall 1 on Building 1
- Siding: Grand Rib 3 Plus
- Wainscot: Grand Rib 3 Plus (Height is 3'-4" above the 100' mark)
- Wainscot Filler Strips: None
- Gable Filler Strips: Gable filler strips not included.
- Treated Plank Filler Strips: None

Ventilation

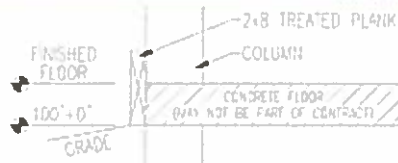
- End Wall 1 on Building 1
- Overhang: None

Accessories

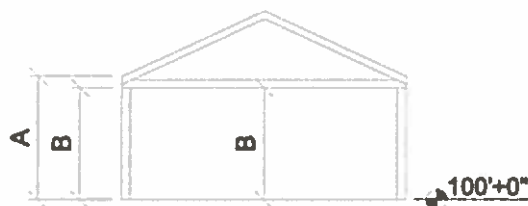
- End Wall 1 on Building 1
- Sliding Door(s):

Cleary/Owner Project Contract - Erected

Truss Type



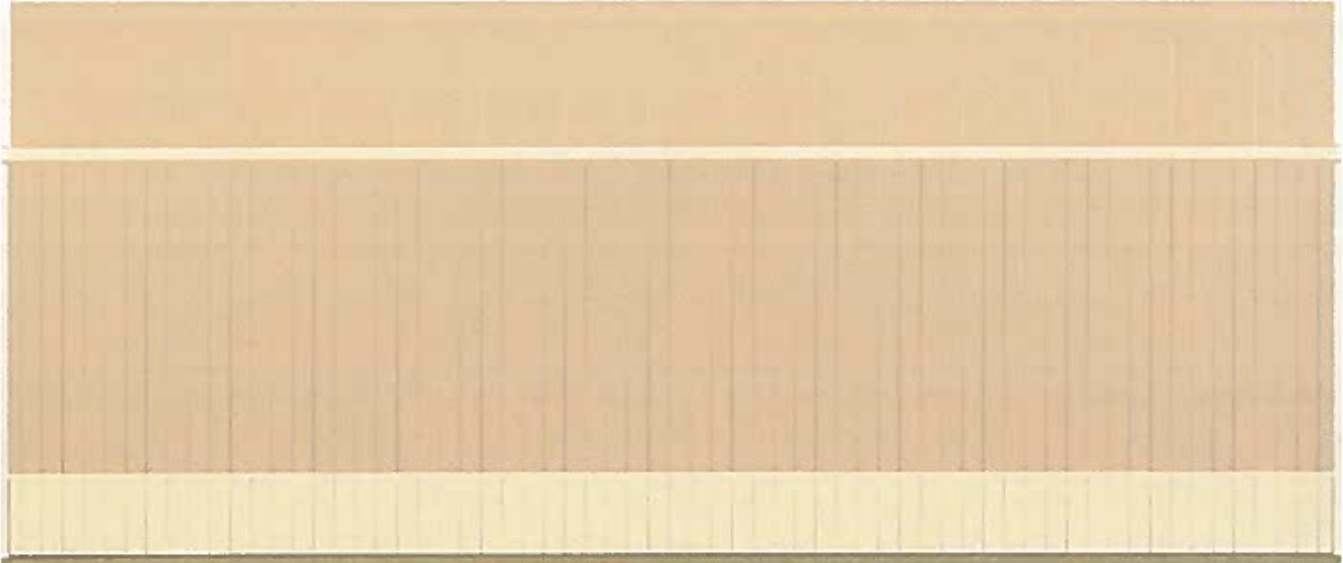
Note: Clearance may be reduced by finished floor height.



Standard Lower Chord Truss (SLC)

Roof Pitch:	4/12
Roof Peak Height:	20' 4"
"A" = Actual Eave Height:	15' 4"
"B" = Truss clearance at heel and center:	14' 0"
(Truss clearance = 1'-0" less than nominal eave height, in most cases. If nested purlins are used, truss clearance will be increased by 4".)	

Cleary/Owner Project Contract - Erected



West Side Wall 1 on Building 1

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.

Exterior Finishes

Side Wall 1 on Building 1

Siding: Grand Rib 3 Plus

Wainscot: Grand Rib 3 Plus (Height is 3'-4" above the 100' mark)

Wainscot Filler Strips: None

Eave Filler Strips: Filler Strip preformed to steel rib - close at eave-roof & sidewall

Treated Plank Filler Strips: None

Ventilation

Side Wall 1 on Building 1

Overhang: 12" Aluminum soffit (Sidewall) with vented soffit

Bird Screening for the interior to prevent birds from nesting in overhang.

Accessories

Side Wall 1 on Building 1

None

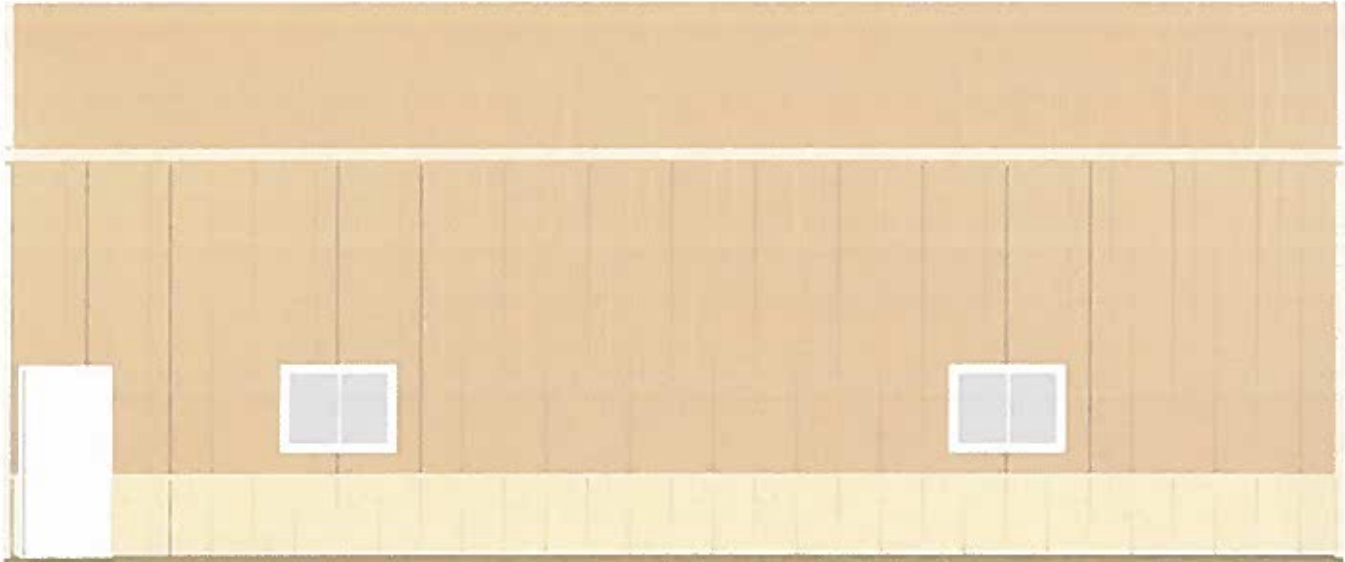
Interior Finishes / Insulation

Side Wall 1 on Building 1

Condensation Control: None

Insulation: None

Cleary/Owner Project Contract - Erected



East Side Wall 2 on Building 1

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.

Exterior Finishes

Side Wall 2 on Building 1

Siding: Grand Rib 3 Plus

Wainscot: Grand Rib 3 Plus (Height is 3'-4" above the 100' mark)

Wainscot Filler Strips: None

Eave Filler Strips: Filler Strip preformed to steel rib - close at eave-roof & sidewall

Treated Plank Filler Strips: None

Ventilation

Side Wall 2 on Building 1

Overhang: 12" Aluminum soffit (Sidewall) with vented soffit

Bird Screening for the interior to prevent birds from nesting in overhang.

Accessories

Side Wall 2 on Building 1

Walk Door(s):

Cleary/Owner Project Contract - Erected

Cleary Slide Door Slide Door, Split Panel.

Slide: Both

Opening Height: 14' 0"

Width: 15' 0"

Standard (see drawing)

Distance from left edge of wall to left edge: 7' 6"

Distance from 100'+0" mark to bottom of door plus: 2"

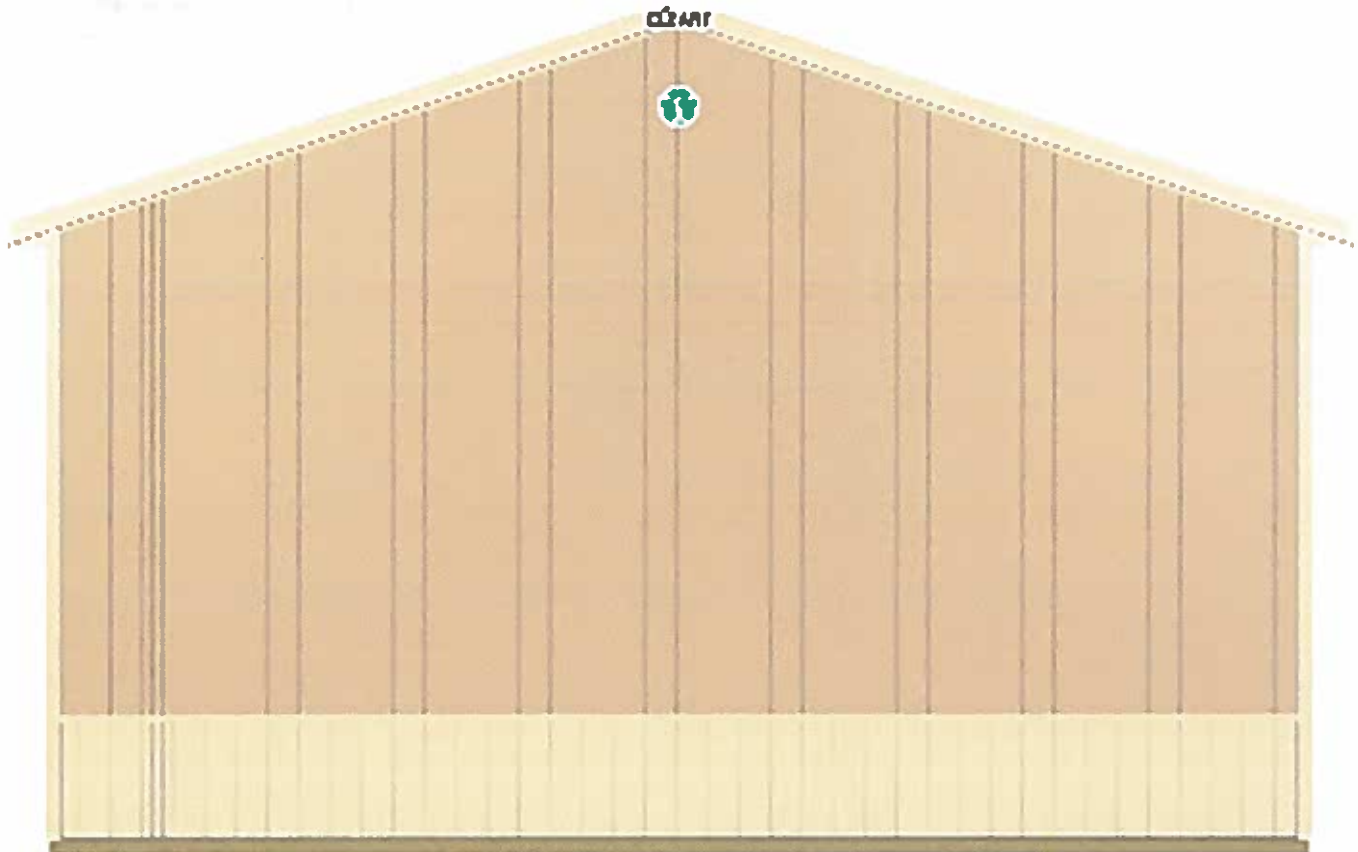
Note: Finished floor elevation will reduce slide door height opening.

Interior Finishes / Insulation

End Wall 1 on Building 1

Condensation Control: None

Insulation: None



North End Wall 2 on Building 1

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.

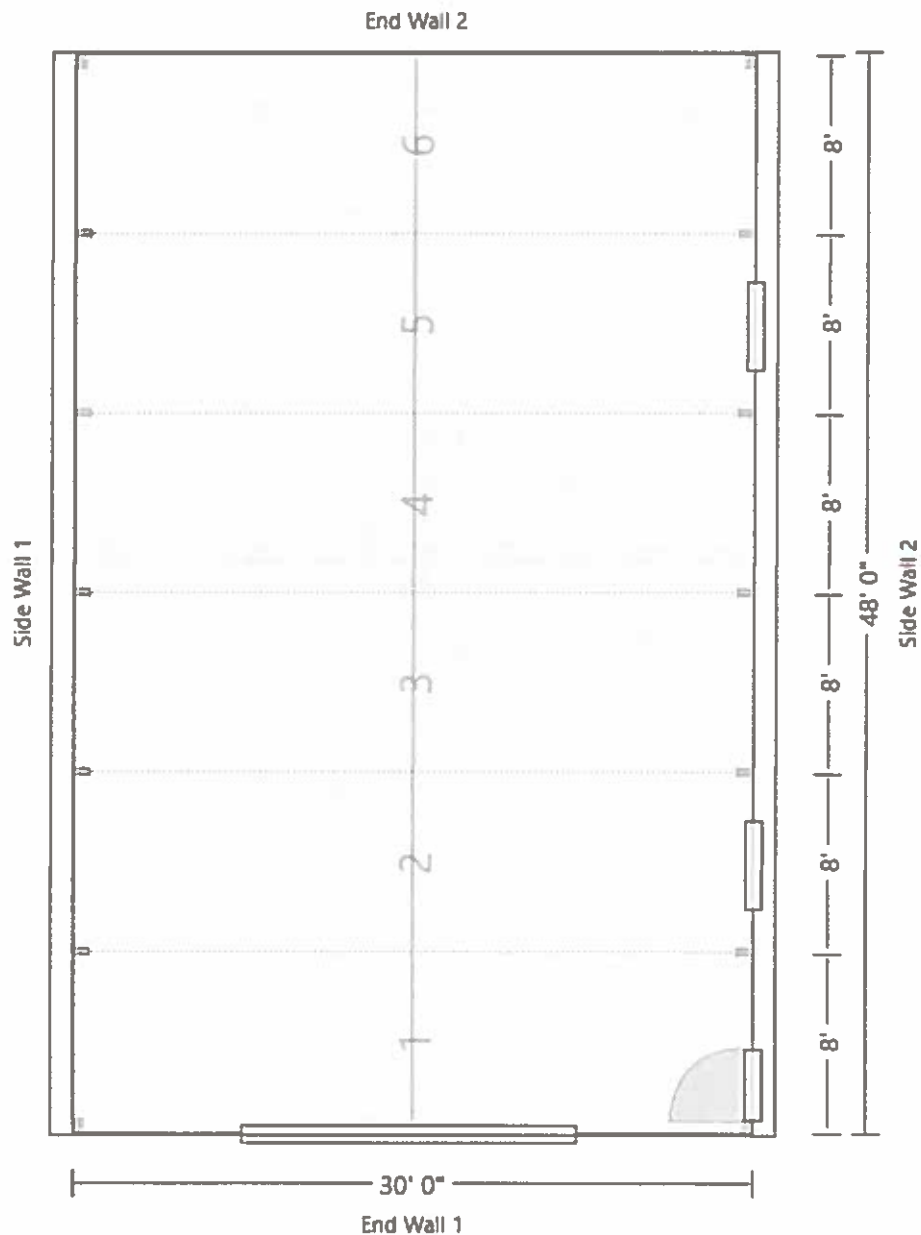
Exterior Finishes

End Wall 2 on Building 1

Siding: Grand Rib 3 Plus

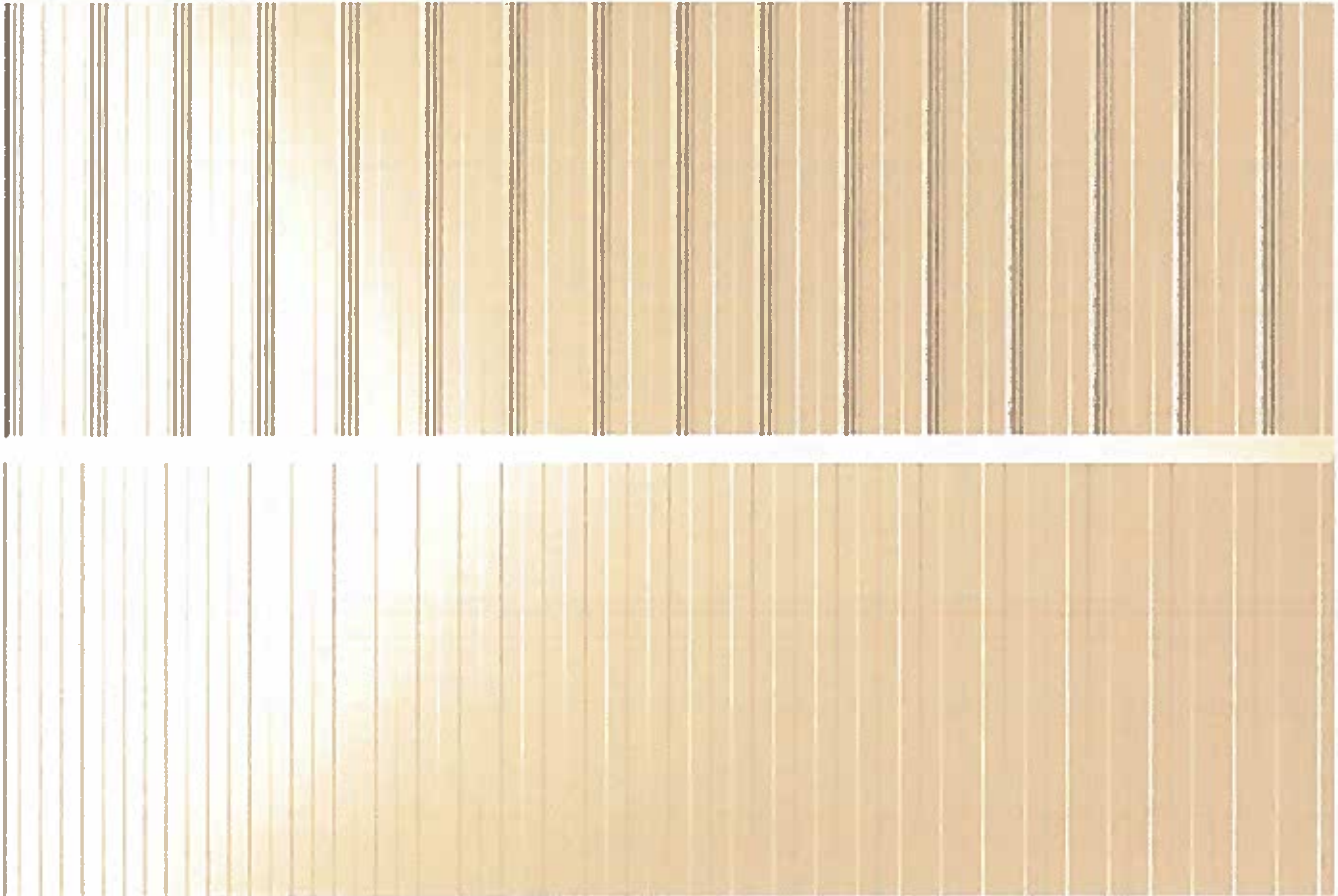
Cleary/Owner Project Contract - Erected

Floor Plan



Cleary/Owner Project Contract - Erected

Aerial View

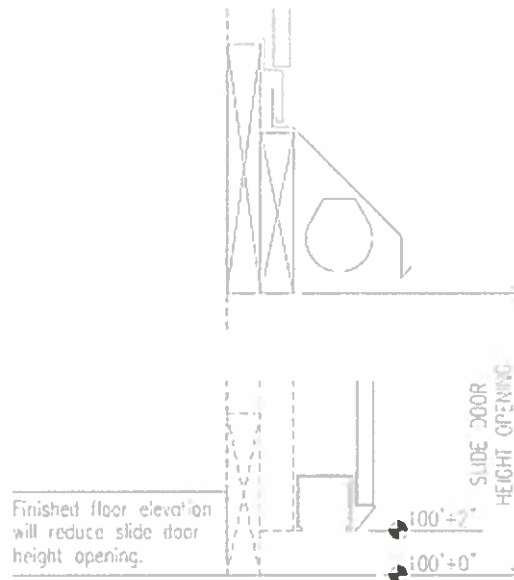


Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.

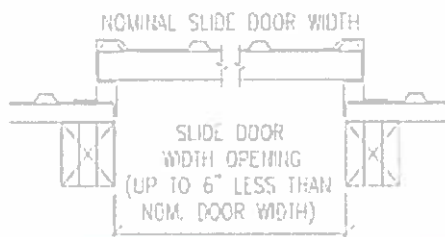
Cleary/Owner Project Contract - Erected

Sliding Door

Example Sliding Door Section



STANDARD SLIDE DOOR



All slide door sizes are nominal. Actual width of door is determined from opening width.

Nominal Size:	15' 0"x14' 0"
Slide Door Width Opening:	14' 6"
Slide Door Height Opening:	14' 0"
Distance from 100' ± 0" to bottom of door plus:	0' 2"

Payment Terms

Amount	Type	Percent	Description
\$4,120	Down Payment	20 %	Upon the signing of the contract with CLEARY BUILDING CORP.
\$8,240	Delivery Payment	40 %	Payment due upon first load of building materials. In the event that multiple loads of materials are required, due to the size of the building, the remaining materials will be shipped to the site as needed while the building is under construction
\$8,240	Final Payment	40 %	Paid upon Completion and such payment to be delivered to the crew foreman of CLEARY BUILDING CORP.
\$20,600	Contract Amount	100 %	

TERMS OF PAYMENT: (1) If Contract Amount is \$25,000.00 or less, the terms of payment shall be as provided in the payment

**PUBLIC HEARING NOTICE
ZONING BOARD OF ADJUSTMENT
CITY OF DAVENPORT**



Public Hearing Details:

Date: 12/14/2017
Time: 4:00 PM
Location: Council Chambers at City Hall, 226 West 4th Street Davenport, Iowa
Subject: Public hearing for a Hardship Variance before the Zoning Board of Adjustment
Case #: HV17-15

To: All property owners within 200 feet of the subject property located at **3400 Telegraph Road.**

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a Hardship Variance. The purpose of the Hardship Variance is to grant permission to waive or alter a size or dimension requirement of the zoning ordinance.

Request Description

Request HV17-15 of John Trimble at 3400 Telegraph Road for a hardship variance to construct a 17.8' tall, 30' x 48' (1440 sq. ft.) detached garage which would exceed the allowed area and height for a detached garage at this property. The lot is approximately 7.4 acres and has 1,568 square feet of living area. Property is zoned R-4 Moderate Density Dwelling District.

Section 17.42.080 limits detached garages to 50% of the dwelling's living area (in this case 784 sq. ft.) and to 15 feet in height in the "R-4" District.

What are the Next Steps after the Public Hearing?

For approved ZBA requests, the ruling is effective immediately. For projects requiring a Building Permit the applicant may contact the Permit office (563-326-7765) the next Business day. Rulings of the Zoning Board of adjustment are final. The applicant may request reconsideration at the next public hearing, and aggrieved parties may file a writ of certiorari with the district court.

Would You Like to Submit an Official Comment?

As a neighboring property owner, you may have an interest in commenting on the proposed request either in writing/email or in person at the public hearing. If you intend to send in written comments, it is appreciated if those comments could be received by Community Planning no later than 12:00 PM *one day before* the public hearing. Send comments to planning@ci.davenport.ia.us or CPED, 226 W 4th St, Davenport IA 52801.

Do You Have Any Questions?

If you have any questions on this request, or if you need accommodations for any reason, please contact Scott Koops, AICP, the case planner assigned to this project at sek@ci.davenport.ia.us or 563-328-6701. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note that items may be removed from the agenda or tabled to a future hearing date at the request of the Petitioner or Commission/Board. If you are interested in the current schedule and outcome of this case, please contact the Community Planning Office at 563-326-7765 or planning@ci.davenport.ia.us for updates.

3400 Telegraph Rd - Adjacent Owner Notice List

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	3400 TELEGRAPH RD	JOHN E TRIMBLE	3400 TELEGRAPH RD	DAVENPORT IA 52804
Ward/Ald:	1st Ward	Alderman Dunn		19 Notices Sent
J0018-33	3143 W 1ST ST	ALLEN PHELPS	18021 290TH ST	LONG GROVE IA 52756
J0018-01	3142 TELEGRAPH RD	AMBER LATHAM	3142 TELEGRAPH RD	DAVENPORT IA 52804
J0031-12A	3205 TELEGRAPH RD	ANDREW J HANSSEN	3205 TELEGRAPH RD	DAVENPORT IA 52804
J0031-12A	3205 TELEGRAPH RD	ANDREW J HANSSEN		
J0017-01	3510 TELEGRAPH RD	CHAD LOUCKS	3510 TELEGRAPH RD	DAVENPORT IA 52804
J0017-02	3504 TELEGRAPH RD	DOUGLAS A DAHLIN	3504 TELEGRAPH RD	DAVENPORT IA 52804
J0015-01	3156 W 1ST ST	EARL & PATRICIA HILL TRUST	3156 W 1ST ST	DAVENPORT IA 52804
J0032-02A	201 S FAIRMOUNT ST	HEATH R HARTOG	201 S FAIRMOUNT ST	DAVENPORT IA 52802
J0015-03	3144 W 1ST ST	JON A RIPSlinger	3144 W 1ST ST	DAVENPORT IA 52804
J0018-17	3142 FAIRVIEW ST	LC FIRST FINANCIAL GROUP	1987 SPRUCE HILLS DR	BETTENDORF IA 52722
J0017-04B	3155 W 1ST ST	LOIS P MAY	3155 W 1ST ST	DAVENPORT IA 52804
J0031-13	3209 TELEGRAPH RD	MICHELE L DONNER-RAMSEY	3209 TELEGRAPH RD	DAVENPORT IA 52804
J0017-03		OEHRLEIN PAUL G	3500 TELEGRAPH RD	DAVENPORT IA 52804
J0016-01	3500 TELEGRAPH RD	PAUL G OEHRLEIN	3500 TELEGRAPH RD	DAVENPORT IA 52804
J0018-16	3141 FAIRVIEW ST	REBECCA R MUELLER	3141 FAIRVIEW ST	DAVENPORT IA 52804
J0032-01	3303 TELEGRAPH RD	RICHARD G SCHNACK	3303 TELEGRAPH RD	DAVENPORT IA 52804
J0032-01	3303 TELEGRAPH RD	RICHARD G SCHNACK		
J0017-04A	3204 TELEGRAPH RD	RONALD W PROEHL	3204 TELEGRAPH RD	DAVENPORT IA 52804
J0015-02	3150 W 1ST ST	ROZELLA J BROUGHTON	3150 W 1ST ST	DAVENPORT IA 52804
J0031-14	3215 TELEGRAPH RD	STEPHEN J HERBERS	410 PRAIRIE MEADOW DR	BLUE GRASS IA 52726
J0031-11A	3141 TELEGRAPH RD	TIMOTHY M GILLGRASS	3141 TELEGRAPH RD	DAVENPORT IA 52804
J0031-11A	3141 TELEGRAPH RD	TIMOTHY M GILLGRASS		

Zoning Board of Adjustment: Adjacent Property Owner Notice Area



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

0 25 50 100 150 200 Feet



c-Peol Copy

COPY OF NOTICE
EXHIBIT "A"

AFFIDAVIT OF PUBLICATION

1808182

STATE OF IOWA }
SCOTT COUNTY, } ss.

ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING NOTICE
CITY OF DAVENPORT

The Zoning Board of Adjustment will meet on Thursday, December 14, 2017, at 4:00 P.M. in the first floor Council Chambers of City Hall, 228 West 4th Street Davenport, Iowa, to hold a public hearing to consider the following requests:

Request HV17-13 of Will Brooke at 820 Bridge Avenue for a hardship variance to construct a 24' x 30' - 21' tall detached garage/carriage house. The proposed carriage house will exceed height restrictions by 6 feet. Property is zoned "R-4" Moderate Density Dwelling District.

Section 17.42.080 A.3. of the Zoning Ordinance limits a detached garage to 15 feet in height.

Request HV17-14 of Jared Nieman for the property at 2301 Elm Street to reduce the lot size from 5,800 square feet to 4,800 square feet. Property is zoned "R-4" Moderate Density Dwelling District.

Section 17.42.10 requires property zoned "R-4" proposed carriage house will exceed height restrictions by 6 feet. Property is zoned "R-4" Moderate Density Dwelling District has a standard 6,000 square foot lot requirement.

Request HV17-15 of John Trimble at 3400 Telegraph Road for a hardship variance to construct a 17.8' tall, 30' x 48' (1440 sq. ft.) detached garage which would exceed the allowed area and height for a detached garage at this property. The lot is approximately 7.4 acres and has 1,568 square feet of living area. Property is zoned R-4 Moderate Density Dwelling District.

Section 17.42.080 limits detached garages to 50% of the dwelling's living area (in this case 784 sq. ft.) and to 15 feet in height in the "R-4" District.

All interested persons may submit written comments on the above item(s) and/or attend the public hearing to express your views. Any written/e-mailed comment(s) to be reported at the public hearings should be received by Community Planning, City Hall, no later than 12:00 p.m. on the day prior to the public hearing. PO#1808182

Community Planning & Economic Development
E-mail: planning@ci.davenport.iowa.us
Phone: (563) 326-7765

The undersigned, being first duly sworn, on oath does say that he/she is an authorized employee of THE QUAD-CITY TIMES, morning edition, a daily newspaper printed and published by Lee Enterprises, Incorporated, in the City of Davenport, Scott County, Iowa, and that a notice, a printed copy of which is hereto annexed as Exhibit "A" and made a part of this affidavit, was published in said THE QUAD-CITY TIMES, on the following dates:

12/5

The affiant further deposes and says that all of the facts set forth in the foregoing affidavit are true as he/she verily believes.

Maisa Skaff-Popp

Subscribed and sworn to before me by said affiant this

5

day of

December

20

17



STEPHEN H. THOR
Commission Number 168839
My Commission Expires
3-24-18

Stephen H Thor

Notary Public in and for Scott County, Iowa