



MINUTES

Zoning Board of Adjustment

December 12, 2023



By this reference all reports, documents, presentations, videos and the hearing's video recording are incorporated into the minutes.
See the following link: <https://www.youtube.com/user/DavenportToday/videos>

I. Call to Order:

Chairman Darland called the Zoning Board of Adjustment (ZBA) meeting to order in City Hall Council Chambers, Davenport, Iowa at approximately 4:05 p.m.

Members present: Boyd-Carlson, Bloemker, Darland

Excused: Gallart

Staff present: Koops, Berkley, staff Attorney Bagby

II. Secretary's Report:

Minutes were approved for the 2023-10-26 ZBA Hearing by voice-vote (3-0).

III. Old Business:

None.

IV. New Business:

A. Request HV23-16 of Gwen Keen on behalf of QuikTrip Corp. at 2904 W 76th Street for a Hardship Variance to construct: firstly, a second freestanding sign 40' in height being 230 sq.ft. in area, and secondly, three directional signs being 14 sq.ft. in area. Davenport Municipal Code §17.12.060.D restricts freestanding signs to one sign per property, being no more than 25' in height and 100 sq.ft. in area; §17.12.050.C.9 restricts directional signs to 4 sq.ft. in area.

Koops presented the staff report.

Findings: (supported by the previous analysis)

- Item #1 application of the ordinance creating hardship has not been established;
- Item #2 physical surroundings imposing hardship has not been established;
- Item #3 unique circumstance has not been established;
- Item #4 protection of essential character has not been established;

Recommendation:

Staff technically cannot recommend approval of the requested hardship variance.

The applicant addressed the Board and explained the request.

Discussion by the Board: The Board discussed the issues of the case.

Motion

Boyd-Carlson moved to approve request HV23-16 as proposed; Darland seconded the motion and the motion carried unanimously. (3-0)

Darland, yes; Boyd-Carlson, yes; and Bloemker, yes.

B. Request HV23-17 of Gwen Keen on behalf of QuikTrip Corp. at 2904 W 76th Street for a Hardship Variance to construct a refuse container (dumpster) in the secondary front yard along north property line. Davenport Municipal Code § 17.09.030.Q restricts refuse containers to the rear or side yards.

Koops presented the staff report.

Findings:

- Item #1 zoning code does result in hardship as applied for the proposed use;
- Item #2 physical and topographical conditions of the site do limit the use;
- Item #3 unique circumstance has been established;
- Item #4 protection of essential character has been established;

Recommendation:

Staff recommends that Board adopt staff's findings and approve request HV23-17 as proposed.

Discussion by the Board: The Board discussed the issues of the case.

Motion

Boyd-Carlson moved to approve request HV23-17 as proposed; Darland seconded the motion and the motion carried unanimously. (3-0)

Boyd-Carlson, yes, Darland, yes; and Bloemker, yes.

V. Other Business

None.

VI. Adjourn

The meeting adjourned unanimously by voice vote at approximately 4:18p.m.