



MINUTES
City of Davenport
Zoning Board of Adjustment
September 12, 2019



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

Call to Order

Chairman Reistroffer 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, Strayhall, Quinn and Reistroffer.

Board Member excused: Cochran.

Staff present: Melton, Flynn, Hoyt

I. Secretary's Report:

The minutes of the 8-22-2019 were approved by voice vote.

II. Old Business:

None

III. New Business:

Request HV19-12 of Randall and Mary McDonald at 1645 W 12th Street for a hardship variance to allow a detached garage, accessory building and swimming pool to be located in the front yard. The property is zoned R-MF Multi-Family Residential Zoning District. [Ward 3]

Section 17.09.030.A.4.c of the Davenport Municipal Code reads: No structure may be located in a front or corner side yard unless specifically allowed by this Ordinance.

Request

Melton presented the staff report.

The petitioner provided comments supporting his application.

Findings & Staff Recommendation:

Findings: (Per the analysis in the staff report)

- Item #1 application of the ordinance creating hardship has been established;
- Item #2 physical and topographical conditions of the site does limit the use;
- Item #3 unique circumstance has been established;
- Item #4 protection of essential character has been established;

Recommendation:

It is staff's opinion that the requested achieves consistency with Section 17.14.969 of the Davenport Municipal Code. Staff recommends approval of HV19-12 in accordance with submitted materials.

Motion:

A motion to approve the request was made by Strayhall and seconded by Quinn. Motion to approve was unanimous. (4-0):

Lee, yes; Strayhall, yes; Quinn, yes; and Reistroffer, yes.

Request HV19-13 of Shawna Smith on behalf of RAH Partnership, Inc. at 4756 Elmore Avenue for a hardship variance to exceed the maximum size for a wall sign. The property is zoned "C-3" General Commercial Zoning District. [Ward 6]

Section 17.12.060.I.4 of the Davenport Municipal Code reads: For a structure that contains multiple tenants, each tenant that has exterior business façade area is permitted a total wall sign area of one square foot per linear foot of business frontage or 40 square feet, whichever is greater, along their individual frontage(s).

Request

Melton presented the staff report.

The petitioner, her husband, and a representative from Dairy Queen America provided comments supporting the application.

Findings & Staff Recommendation:

Findings: (Per the analysis in the staff report)

- Item #1 application of the ordinance creating hardship has been established;
- Item #2 physical and topographical conditions of the site does not limit the use;
- Item #3 unique circumstance is not applicable;
- Item #4 protection of essential character has been established;

Recommendation:

It is staff's opinion that the request does not achieve consistency with Section 17.14.969 of the Davenport Municipal Code. Staff recommends denial of HV19-13.

Motion:

A motion to approve the request subject to the condition that if signage approved by this variance is removed, any replacement signage must conform with the then current code requirement was made by Lee and seconded by Strayhall. Motion to approve was split. (3-1):

Lee, yes; Strayhall, no; Quinn, yes; and Reistroffer, yes.

IV. Other Business

None.

V. Adjourn

The meeting adjourned unanimously by voice vote at approximately 5:05 pm.