

ZONING BOARD OF ADJUSTMENT MEETING

CITY OF DAVENPORT, IOWA

THURSDAY, JUNE 23, 2022; 4:00 PM

CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

THE ZONING BOARD OF ADJUSTMENT HOLDS PUBLIC HEARINGS TO CONSIDER
HARDSHIP VARIANCES, SPECIAL USES, AND INTERPRETATION APPEALS.

I. Call to Order

II. Secretary's Report

A. Consideration of the 2022-06-09 Zoning Board of Adjustment Minutes

III. Old Business

IV. New Business

A. Request HV22-05 of Tammy Speidel on behalf of Youth Justice & Rehabilitation Center for a hardship variance at 4715 Tremont Avenue to reduce parking requirements for a government office/facility. Table 17.10-2. requires one (1) parking space for every 500 SF of gross floor area. The site will provide 76 parking spaces for the 59,025 SF facility. The government office rate is the closest related use to the proposed use. The Zoning Code does not have a specific parking rate for youth detention facilities.

B. Request HV22-06 of Dan Hahn on behalf of Amy Papik at 2208 N. Zenith Avenue for a six (6) foot solid privacy fence in the front yard setback along West Lombard Street. Section 17.09.030.H.2.a limits solid fences within the front or reverse corner side setback to four (4) feet in height and 70% open fences to six (6) feet in height.

V. Other Business

VI. Adjourn

City of Davenport
Zoning Board of Adjustment

Department: DNS
Contact Info: ScottKoops@davenportiowa.com

Date
6/23/2022

Subject:
Consideration of the 2022-06-09 Zoning Board of Adjustment Minutes

ATTACHMENTS:

Type	Description
▣ Exhibit	Minutes 2022-06-09

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Koops, Scott	Approved	6/17/2022 - 9:47 AM



MINUTES
Zoning Board of Adjustment
June 6, 2022



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 4:01 p.m.

Board Members present (4): Reistroffer, Boyd-Carlson, Loebach, and Darland

Excused: Quinn

Staff present: Koops, Zoning Administrator Berkley, staff Attorney Bagby

II. Secretary's Report:

Minutes were approved for the 2022-05-12 ZBA Hearing by voice-vote (4-0).

III. Old Business:

None.

IV. New Business:

Request HV22-04 of Rusty Doss and Rod Hamby of The Overland Group on behalf of Dollar General at 2340 Rockingham RD for a hardship variance to locate a refuse enclosure in the Boies Avenue front yard of this through lot. The proposed dumpster enclosure would be located to the rear of the proposed retail building which is considered the Boies Avenue front yard. Section 17.09.030.Q. prohibits refuse containers in front yards.

Koops presented the staff report.

Findings & Staff Recommendation:

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 HV22-04 subject to the following condition:

The refuse enclosure area shall met all City standards for screening (solid fence six feet in height) and additionally, a robust landscape plan for the screening of the refuse enclosure shall be reviewed and approved by planning staff prior to occupancy of the retail building.

The applicant addressed and explained the concerns that warrant the approval of the request. The petitioner also answered the Board's questions.

Motion

Reistroffer moved to approve the request of HV22-04, Boyd-Carlson seconded the motion subject to the staff's conditions as stated below; the motion carried unanimously. (4-0)

Motion Subject to the following conditions:

The refuse enclosure area shall met all City standards for screening (solid fence six feet in height) and additionally, a robust landscape plan for the screening of the refuse enclosure shall be reviewed and approved by planning staff prior to occupancy of the retail building.

Loebach yes; Reistroffer, yes; Boyd-Carlson, yes; and Darland, yes.

V. Other Business

No other business was on the agenda. Persons from the general public attempted to address the Board. City staff expressed a point of order, being that the Board can only address business items on the agenda, notwithstanding a valid request for reconsideration no more than one cycle removed from a rendered decision on a business item.

VI. Adjourn

The meeting adjourned unanimously by voice vote at approximately 4:15 p.m.

City of Davenport
Zoning Board of Adjustment

Department: DNS
Contact Info: ScottKoops@davenportiowa.com

Date
6/23/2022

Subject:

Request HV22-05 of Tammy Speidel on behalf of Youth Justice & Rehabilitation Center for a hardship variance at 4715 Tremont Avenue to reduce parking requirements for a government office/facility. Table 17.10-2. requires one (1) parking space for every 500 SF of gross floor area. The site will provide 76 parking spaces for the 59,025 SF facility. The government office rate is the closest related use to the proposed use. The Zoning Code does not have a specific parking rate for youth detention facilities.

ATTACHMENTS:

Type	Description
▣ Executive Summary	Staff Report
▣ Exhibit	Site Plan
▣ Exhibit	Application
▣ Exhibit	Public Hearing Notice
▣ Exhibit	Notice List

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Koops, Scott	Approved	6/21/2022 - 10:54 AM



Zoning Board of Adjustment | Staff Report HV22-05
Reduce Parking Requirements
4715 Tremont Ave | June 23, 2022

Description

Request HV22-05 of Tammy Speidel on behalf of Youth Justice & Rehabilitation Center for a hardship variance at 4715 Tremont Avenue to reduce parking requirements for a government office/facility. Table 17.10-2. requires one (1) parking space for every 500 SF of gross floor area. The site will provide 76 parking spaces for the 59,025 SF facility. The government office rate is the closest related use to the proposed use. The Zoning Code does not have a specific parking rate for youth detention facilities.

Background & Discussion

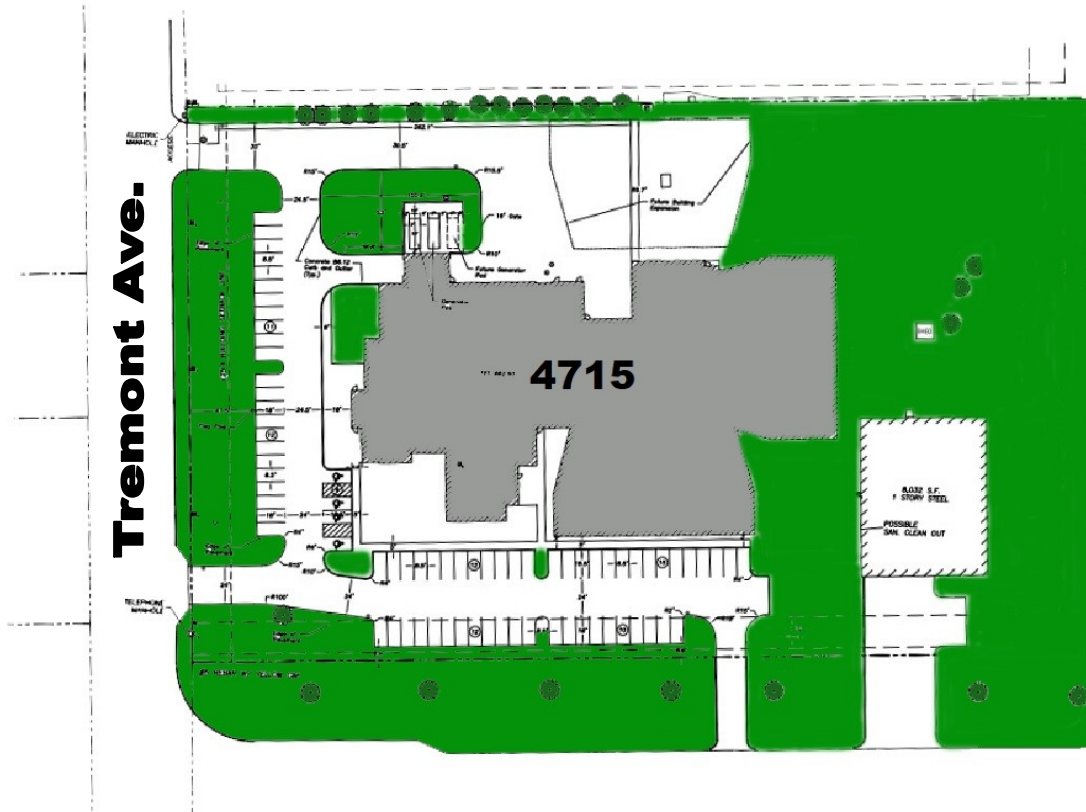
The petitioner is proposing a new facility for the Youth Justice and Rehabilitation Center (YJRC) of the 7th Judicial District at 4715 Tremont Avenue. The facility will be a two-story mixed use building consisting of a first floor that is dedicated to the functions and programming of the YJRC (which is a detention facility) and a second floor that will consist of meeting space and future office space for Scott County (categorized as a government office/facility).

Off-Street Parking & Facility Details	Detention Center Facility (1st FL)	Government Office Facility (2nd FL)
Beds	60 Total (40/Phase I)	n/a
Gross Floor Area (GFA):	48,325 SF	10,700 SF
Total Building GFA	59,025 SF	
Proposed Parking Spaces	54 (0.9 spaces per bed)	22 (10,700 SF ÷ 500 SF GFA)
	76 Total Spaces Proposed	

Purpose of a Hardship Variance

[Davenport Municipal Code Section 17.14.060](#) states: “*The purpose of the hardship variance process is to provide a narrowly circumscribed means by which relief may be granted from unforeseen applications of this Ordinance that create practical difficulties or particular hardships.*”

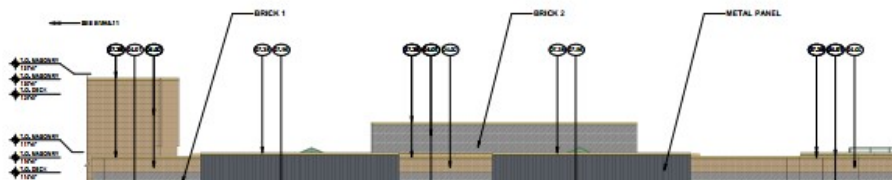
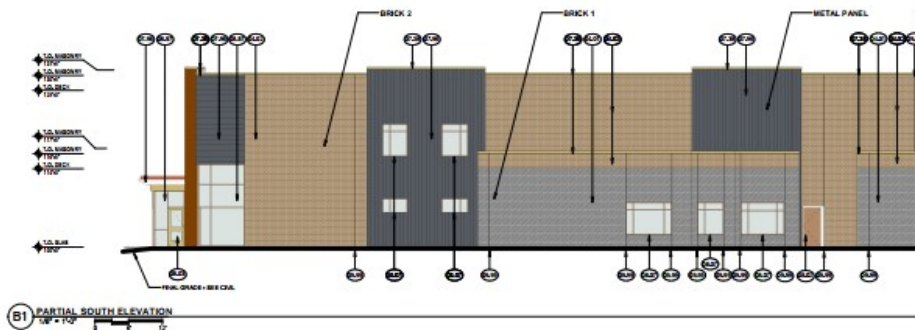
Site Plan Parking Space Distribution: (Front Yard: 27 spaces; Side Yard: 49 spaces)



Front Building Elevation



South Elevation (in two sections)



Applicant's Description of the Request

A variance for the number of required off-street vehicle parking spaces due to the absence of a defined use relating to a detention facility in the City of Davenport Municipal Code, Chapter 17.10 and Section 17.10.040. We are requesting a parking count of 72 spaces be allowed at this new project site, as adequate for the function of the building in the absence of a defined parking requirement for this building type.

The current Juvenile Detention Center (JDC) at 605 Main Street is an approximately 12,000 SF GFA building with a 16-bed capacity. Off street parking provided for staff at the JDC is part of the combined County Campus staff parking at 5th and Ripley. Dedicated off street visitor parking is not provided, all parking available is part of the Courthouse parking lot. On street parking is available on Fourth Street.

Approval Standards

The Zoning Board of Adjustment decision must make findings to support the following:
(code requirement | applicant's response | staff comments)

1. Strict ordinance application will result in hardship unless specific relief requested is granted.

Applicant Response:

The new Youth Justice and Rehabilitation Center (YJRC), which will be located at 4715 Tremont Avenue, will be a two-story mixed use building consisting of a first floor that is dedicated to the functions and programming of the YJRC (which is a detention facility) and a second floor that will consist of meeting space and future office space for Scott County (which we are considering a Government Office/Facility).

The first floor of the building will have a GFA of approximately 39,465 SF plus a potential future building addition of 8,860 SF for a total build-out GFA of 48,325 SF. The YJRC will be opened with a capacity of 40 beds. With the possible future addition, the facility will have a maximum capacity of 60 beds. There is currently not a use listed in the Davenport Municipal Code that fully aligns with the function of this facility with the closest being the following:

*Group or Halfway Home = 1 space per 2 rooms = total of 30 parking spaces
Residential Care Facility/Assisted Living Facility = 0.5 space per Dwelling Unit = total of 30 parking spaces
Government Office/ Facility = 1 space per 500 SF GFA = total of 97 parking spaces*

The second floor of the building, including potential future expansion will be a maximum GFA of 10,700 SF. This space will be classified as Government Office/ Facility and per the Davenport Municipal Code, a Government Office/ Facility requires an off street parking count of 1 per 500 SF GFA. This will require 22 parking spaces for the second floor of the building.

All youth housed in this facility are transported to this location by law enforcement and do not require parking. All visitors that are allowed into the YJRC are scheduled and accounted for daily by the staff - no public "drop-in" access to the building is allowed. The planned Full Time Employee (FTE) Count for the facility is 20 staff (the count of 20 staff includes the future addition).

To provide adequate parking for the YJRC facility, we are requesting the count be based on the following criteria:

FTE (20) + Shift Change (20) + Scheduled Legal Counsel Appointments (2 Available Rooms = 4 cars) + Scheduled Family Visiting Appointments (2 Available Rooms = 6 cars) = Total YJRC Parking Needs (50) + Second Floor Government Office/ Facility Needs (22) = Total Site Parking Needs (72).

The current building site plan accounts for 72 parking spaces plus 4 ADA spaces for a total of 76 parking spaces.

We have researched other regional detention facilities to compare parking needs/requirements, and the results are mixed with no specific ratio or requirement that is being followed.

Staff Comments:

The petitioner's plan would provide one (1) parking space for each 777 SF of GFA. This number compares favorably to the one (1) parking space per 500 SF, as required by the code for government offices, especially considering that the youth residing on site are supervised at all times and will not drive themselves to the facility. Additionally, all visitors will be by appointment only and limited to only two rooms of the facility.

Staff agrees that the following formula for determining parking requirements for this site/use is rational, providing for the needs of all users of the site and meets sound urban planning objectives:

FTE (20) + Shift Change (20) + Scheduled Legal Counsel Appointments (4 spaces for 2 Rooms = 4 cars) + Scheduled Family Visiting Appointments (6 spaces for 2 Rooms = 6 cars) = Total YJRC Parking Needs (50) + Second Floor Government Office/ Facility Needs (22; 1 space/500 SF GFA) = Total Site Parking space Needs (72) + 4 additional ADA spaces, for a total of (76) spaces provided.

The petitioner's plan should in no way pose a parking issue for this site or adjacent areas. All youth housed in this facility are transported to this location by law enforcement and do not require parking. The petitioner has met the grounds for relief from this specific code section.

2. The particular physical surroundings, shape, or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

Applicant Response:

Additional parking past the count currently shown on the site plan would be difficult due to the required Sallyport function for the facility, and the existing property to remain. The existing County Emergency Management Agency (EMA) Warehouse is scheduled to remain on the property after demolition of the existing "old" jail facility and County storage warehouse building. The EMA warehouse is used in conjunction with the Scott Emergency Communications Center for storage of emergency and critical operations vehicles and materials. It is a central location for the storage of command/ critical operations vehicle(s) and materials owned by the EMA and the Sheriff's office, but available to all law enforcement within Scott County including the City of Davenport. The location and proximity of the EMA facility allows the EMA, SECC, and other partner entities a required continuity of critical operations for the region.

Staff Comments:

The physical conditions of the site do limit the use of the site as there are minimal areas available for parking. Staff supports this requested parking reduction due, in part, to the detrimental impacts of unnecessary stormwater runoff.

3. The plight of the owner is due to unique circumstances that do not apply to a majority of adjoining or nearby property, and is not a self-created hardship.

Applicant Response:

The use and occupancy of the YJRC facility is unique compared to the nearby facilities/properties. The main occupants of the YJRC do not have the ability to arrive or leave the facility unless accompanied by a law enforcement officer, or family member upon release. These occupants will not drive themselves to the facility, or require parking of any kind. Visitors and the public are only allowed at the facility at scheduled, regulated times. The YJRC will not have the same parking requirements of a public or commercial building that is open to the drop-in visitors.

Staff Comments:

This site supports youth housed in a detention facility and are transported the location by law enforcement and do not directly require parking. The purpose of minimum off-street parking requirements are to limit congestion in the street and to protect adjacent property owners. A hardship for this property would uphold the purposes of this code section.

4. The hardship variance, if granted, will not alter the essential character of the locality.

Applicant Response:

The County is requesting to provide adequate and sufficient parking for the daily activities of the new YJRC facility without over or under building the parking lot area, or providing a design that is out of character with the surrounding built environment. Preliminary exterior elevations have been provided for additional reference of the intended character of the facility and types of intended materials.

Staff Comments:

The character of the area will not be impacted by the proposed parking reduction as the site will have adequate parking spaces for the intended use. Protection of essential character has been established.

Findings & Staff Recommendation:

Findings: (supported by the previous analysis)

- Item #1 ordinance hardship has been established;
- Item #2 physical and topographical conditions on site do limit reasonable site usage;
- Item #3 unique circumstance has been established;
- Item #4 protection of essential character has been established;

Recommendation:

Staff recommends approval of the request as approval standards will be met as proposed.

Prepared by:


Scott Koops, AICP, Planner II

Attachments: ZBA application/plans, notice documents

Technical Addendum

Off-Street Parking & Facility Details	Detention Center Facility (1st FL)	Government Office Facility (2nd FL)
Beds	60 Total (40/Phase I)	n/a
Gross Floor Area (GFA):	48,325 SF	10,700 SF
Total Building GFA	59,025 SF	
Proposed Parking Rate	0.9 spaces/bed (54 ÷ 60)	1 space/500 SF GFA
Required Parking Rate	[none specified in the Code]	1 space/500 SF GFA
Other Comparable: Group Home	0.5 spaces/room	
Other Comparable: Halfway House	0.5 spaces/room	
Entire Site Rate If the site is reviewed entirely as a government office	97 spaces 59,025 SF ÷ 500 SF →	22 spaces 119 Total Spaces (using rate of 1 space/500 SF GFA)
Effective SF Parking Rate/Bed	1 space per 984 SF (59,025 SF ÷ 60 beds)	
Effective Parking Rate/SF	1 space per 777 SF (59,025 SF ÷ 76 spaces)	
Proposed Parking Spaces	54 (0.9 spaces per bed)	22 (10,700 SF ÷ 500 SF GFA)
	76 Total Spaces Proposed	

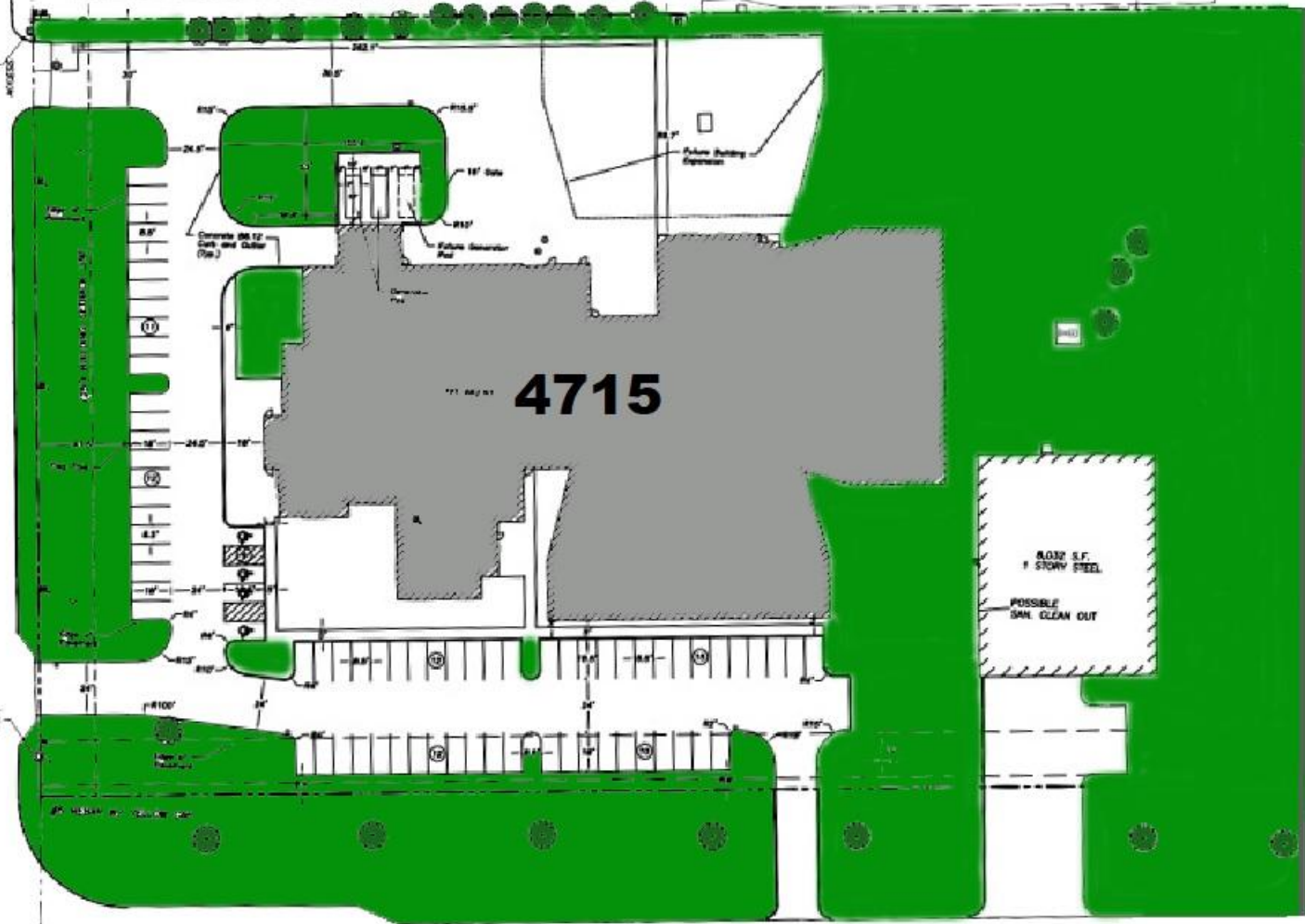
Building Square Footage by Floor and Phase				Phase Total
1st FL Phase I	39,465 SF	2nd FL Phase I	7,275 SF	46,740 SF Phase I
1st FL Phase II	8,860 SF	2nd FL Phase II	3,425 SF	12,285 SF Phase II
1st FL Total Bld Out	48,325 SF	2nd FL Total Bld Out	10,700 SF	59,025 SF Phase I & II

ELECTRIC
MANHOLE
ACCESS

TREMONT AVENUE (60')
PAVED A.S.M.

20' GAS LINE

TELEPHONE
MANHOLE





Complete application can be emailed to planning@davenportiowa.com

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:

Application Form Type:

Plan and Zoning Commission

Zoning Map Amendment (Rezoning)
Planned Unit Development
Zoning Ordinance Text Amendment
Right-of-way or Easement Vacation
Voluntary Annexation

Owner (if different from Applicant)

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

Zoning Board of Adjustment

Zoning Appeal
Special Use
Hardship Variance

Engineer (if applicable)

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

Design Review Board

Design Approval
Demolition Request in the Downtown
Demolition Request in the Village of
East Davenport

Architect (if applicable)

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

Historic Preservation Commission

Certificate of Appropriateness
Landmark Nomination
Demolition Request

Administrative

Administrative Exception
Health Services and Congregate
Living Permit

Attorney (if applicable)

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

**** 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:

Existing Zoning:

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 Section 17.14.060 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.

(4) The staff report will be available on the City website approximately 4 days before the ZBA meeting at this location: https://www.cityofdavenportiowa.com/government/boards_commissions under Zoning Board of Adjustment > Search Minutes & Agendas.

It is the applicant's responsibility to access the website to see the staff report. Planning staff will not mail/email the report.

Provide description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.060 of the Davenport Municipal Code:

#1) The strict application of the terms of this Ordinance will result in hardship unless the specific relief requested is granted.

Provide description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.060 of the Davenport Municipal Code:

#2) The particular physical surroundings, shape, or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

Provide description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.060 of the Davenport Municipal Code:

#3) The plight of the owner is due to unique circumstances that do not apply to a majority of adjoining or nearby property, and is not a self-created hardship.

Provide description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.060 of the Davenport Municipal Code:

#4) The hardship variance, if granted, will not alter the essential character of the locality.

Applicant:

Date:

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.

Authorization to Act as Applicant

I,
authorize
to act as applicant, representing me/us before the Zoning Board of Adjustment for the property located
at .

Signature(s)*

*Please note: original signature(s) required.



Public Hearing Notice | Zoning Board of Adjustment

Date: 6/23/2022 **Location:** City Hall | 226 W 4th ST | Council Chambers
Time: 4:00:00 PM **Subject:** Hearing for Hardship Variance | Zoning Board of Adjustment

EXAMPLE NOTICE
6 NOTICES SENT
WARD 7

To: All property owners within 200' of the subject property **4715 Tremont Avenue:**

What is this 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 dimensional code requirement.

Request/Case Description

Request HV22-05 of Tammy Speidel on behalf of Youth Justice & Rehabilitation Center of the Seventh Judicial District for a hardship variance at 4715 Tremont Avenue to reduce parking for a government office/facility. Section 17.10-2. requires one (1) parking space for every 500sq.ft. of office space per gross floor area. The site will provide 76 of the required government office rate of 97 parking spaces. The government office rate is the closest related use to the proposed use. The Zoning Code does not have a specific parking space rate for youth residential facilities housing wards of the court. [Ward 7]

What are the Next Steps after the Public Hearing?

For approved ZBA requests, the ruling is effective immediately. 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?

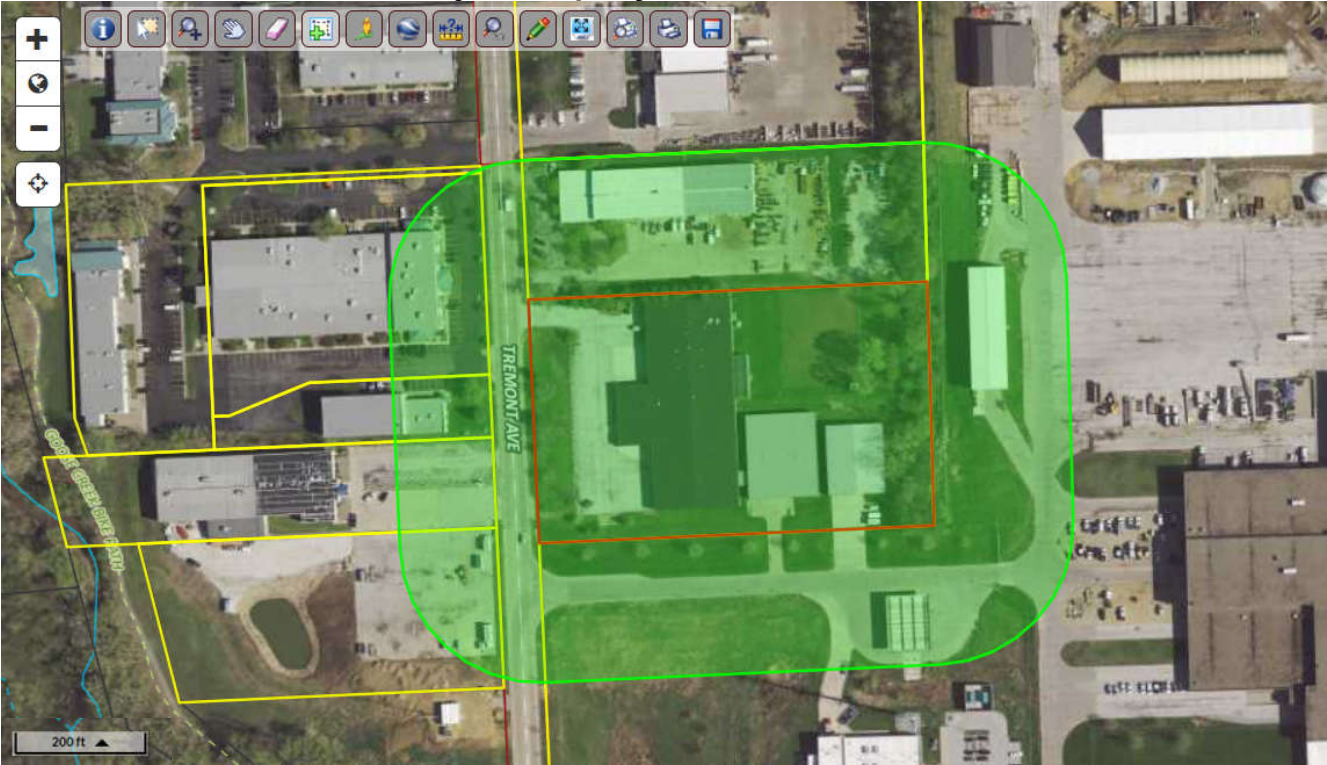
As a property owner/occupant you may have an interest in commenting on the proposed request via email or in person at the public hearing. Official comments must have written signatures sent to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

Do You Have Any Questions?

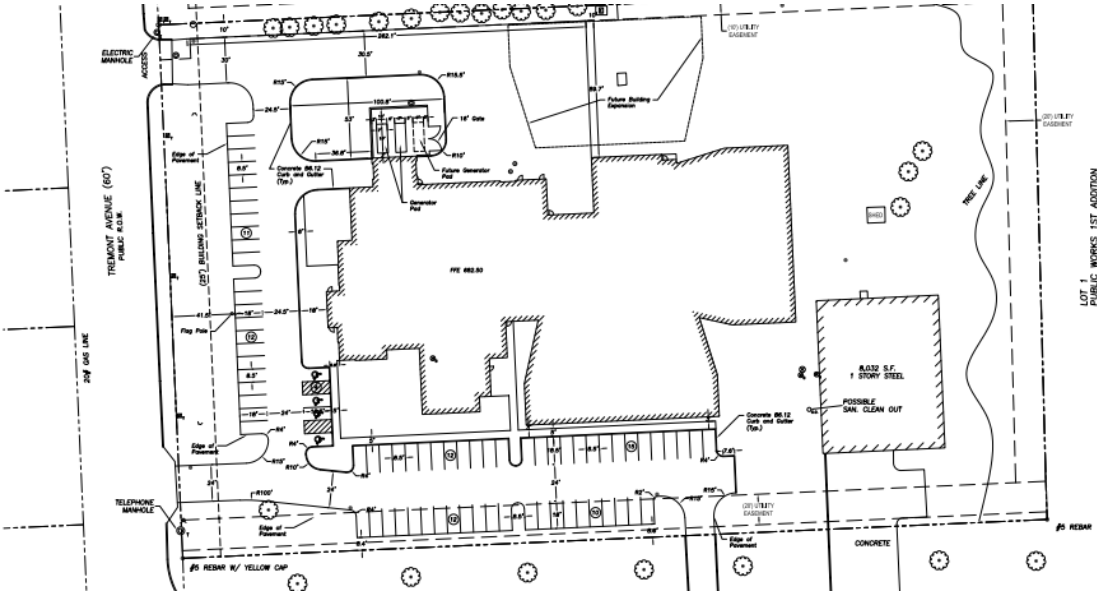
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Scott Koops, AICP) at scott.koops@davenportiowa.com or 563-328-6701. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Adjacent Owner Notice Area:
Owners within 200' of the Subject Property



Site Plan: Proposed Building and Parking Area



F1 WEST ELEVATION
1/8" = 1'-0"

4715 Tremont Notice List.xlsx

Parcel	Property Address	Owner Name	Owner Street
Petitioner:	4715 Tremont Ave	Scott Co YJRC	4715 Tremont Ave
Ward/Ald:	7th Ward	Cornette	All Alderman Notified
P1215-11	4730 TREMONT AV	GRANITE & MORE LLC	4730 TREMONT AV
P1211-08	4919 TREMONT AV	AIRGAS NORTH CENTRAL	PO BOX 94737
P1210-01	5000 TREMONT AV #400	SLB PROPERTIES OF ILLINO	16 OAK PARK DR
P1214-10	4821 TREMONT AV	KEVIN J HUPP REVOC TRUS	5200 DOGWOOD DR
P1214-03B	1210 E 46TH ST	I WIRELESS	7600 OFFICE PLAZA DR S
P1214-03B	1210 E 46TH ST	T-MOBILE USA INC	12920 SE 38TH ST

City of Davenport
Zoning Board of Adjustment

Department: DNS
Contact Info: ScottKoops@davenportiowa.com

Date
6/23/2022

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ATTACHMENTS:

Type	Description
▢ Executive Summary	Staff Report
▢ Exhibit	Request for Improved Site Plan
▢ Exhibit	Modification to Application Answers
▢ Exhibit	Application
▢ Exhibit	Notice List
▢ Exhibit	Public Hearing Notice

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Koops, Scott	Approved	6/17/2022 - 10:14 AM



Zoning Board of Adjustment | Staff Report HV22-05
Reduce Parking Requirements
4715 Tremont Ave | June 23, 2022

Description

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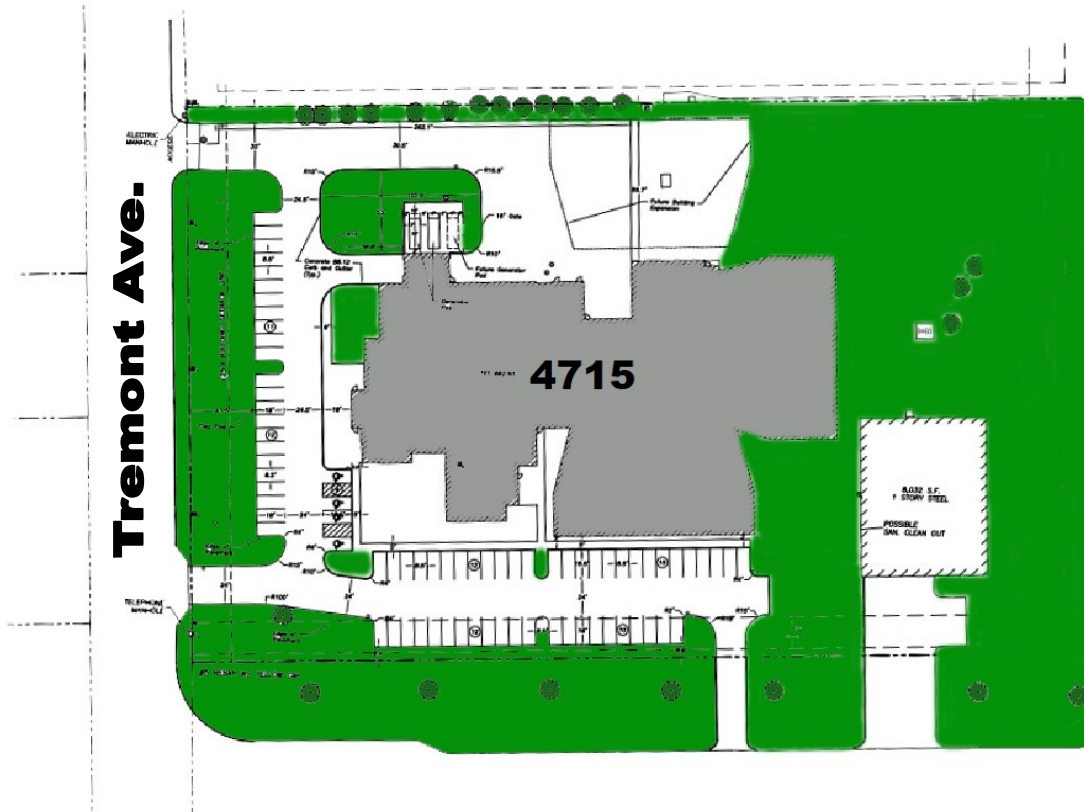
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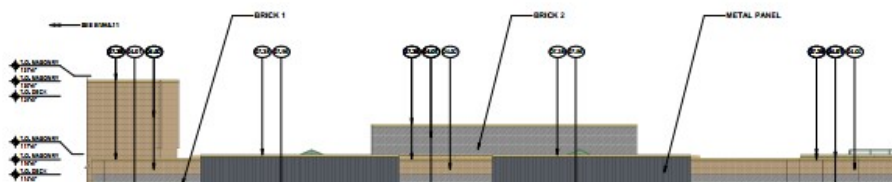
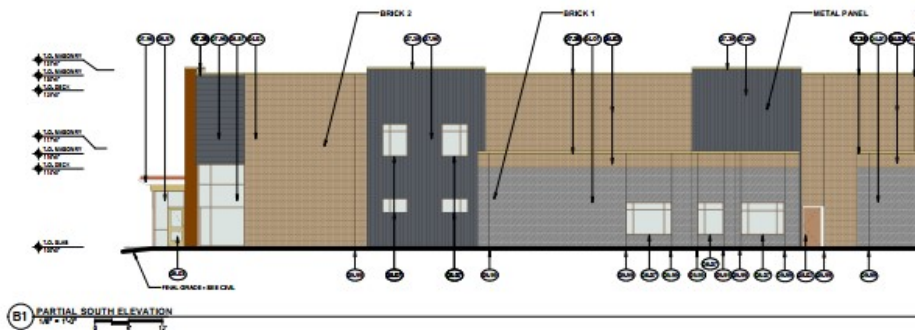
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Front Building Elevation



South Elevation (in two sections)



Applicant's Description of the Request

A variance for the number of required off-street vehicle parking spaces due to the absence of a defined use relating to a detention facility in the City of Davenport Municipal Code, Chapter 17.10 and Section 17.10.040. We are requesting a parking count of 72 spaces be allowed at this new project site, as adequate for the function of the building in the absence of a defined parking requirement for this building type.

The current Juvenile Detention Center (JDC) at 605 Main Street is an approximately 12,000 SF GFA building with a 16-bed capacity. Off street parking provided for staff at the JDC is part of the combined County Campus staff parking at 5th and Ripley. Dedicated off street visitor parking is not provided, all parking available is part of the Courthouse parking lot. On street parking is available on Fourth Street.

Approval Standards

The Zoning Board of Adjustment decision must make findings to support the following:
(code requirement | applicant's response | staff comments)

1. Strict ordinance application will result in hardship unless specific relief requested is granted.

Applicant Response:

The new Youth Justice and Rehabilitation Center (YJRC), which will be located at 4715 Tremont Avenue, will be a two-story mixed use building consisting of a first floor that is dedicated to the functions and programming of the YJRC (which is a detention facility) and a second floor that will consist of meeting space and future office space for Scott County (which we are considering a Government Office/Facility).

The first floor of the building will have a GFA of approximately 39,465 SF plus a potential future building addition of 8,860 SF for a total build-out GFA of 48,325 SF. The YJRC will be opened with a capacity of 40 beds. With the possible future addition, the facility will have a maximum capacity of 60 beds. There is currently not a use listed in the Davenport Municipal Code that fully aligns with the function of this facility with the closest being the following:

*Group or Halfway Home = 1 space per 2 rooms = total of 30 parking spaces
Residential Care Facility/Assisted Living Facility = 0.5 space per Dwelling Unit = total of 30 parking spaces
Government Office/ Facility = 1 space per 500 SF GFA = total of 97 parking spaces*

The second floor of the building, including potential future expansion will be a maximum GFA of 10,700 SF. This space will be classified as Government Office/ Facility and per the Davenport Municipal Code, a Government Office/ Facility requires an off street parking count of 1 per 500 SF GFA. This will require 22 parking spaces for the second floor of the building.

All youth housed in this facility are transported to this location by law enforcement and do not require parking. All visitors that are allowed into the YJRC are scheduled and accounted for daily by the staff - no public "drop-in" access to the building is allowed. The planned Full Time Employee (FTE) Count for the facility is 20 staff (the count of 20 staff includes the future addition).

To provide adequate parking for the YJRC facility, we are requesting the count be based on the following criteria:

FTE (20) + Shift Change (20) + Scheduled Legal Counsel Appointments (2 Available Rooms = 4 cars) + Scheduled Family Visiting Appointments (2 Available Rooms = 6 cars) = Total YJRC Parking Needs (50) + Second Floor Government Office/ Facility Needs (22) = Total Site Parking Needs (72).

The current building site plan accounts for 72 parking spaces plus 4 ADA spaces for a total of 76 parking spaces.

We have researched other regional detention facilities to compare parking needs/requirements, and the results are mixed with no specific ratio or requirement that is being followed.

Staff Comments:

The petitioner's plan would provide one (1) parking space for each 777 SF of GFA. This number compares favorably to the one (1) parking space per 500 SF, as required by the code for government offices, especially considering that the youth residing on site are supervised at all times and will not drive themselves to the facility. Additionally, all visitors will be by appointment only and limited to only two rooms of the facility.

Staff agrees that the following formula for determining parking requirements for this site/use is rational, providing for the needs of all users of the site and meets sound urban planning objectives:

FTE (20) + Shift Change (20) + Scheduled Legal Counsel Appointments (4 spaces for 2 Rooms = 4 cars) + Scheduled Family Visiting Appointments (6 spaces for 2 Rooms = 6 cars) = Total YJRC Parking Needs (50) + Second Floor Government Office/ Facility Needs (22; 1 space/500 SF GFA) = Total Site Parking space Needs (72) + 4 additional ADA spaces, for a total of (76) spaces provided.

The petitioner's plan should in no way pose a parking issue for this site or adjacent areas. All youth housed in this facility are transported to this location by law enforcement and do not require parking. The petitioner has met the grounds for relief from this specific code section.

2. The particular physical surroundings, shape, or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

Applicant Response:

Additional parking past the count currently shown on the site plan would be difficult due to the required Sallyport function for the facility, and the existing property to remain. The existing County Emergency Management Agency (EMA) Warehouse is scheduled to remain on the property after demolition of the existing "old" jail facility and County storage warehouse building. The EMA warehouse is used in conjunction with the Scott Emergency Communications Center for storage of emergency and critical operations vehicles and materials. It is a central location for the storage of command/ critical operations vehicle(s) and materials owned by the EMA and the Sheriff's office, but available to all law enforcement within Scott County including the City of Davenport. The location and proximity of the EMA facility allows the EMA, SECC, and other partner entities a required continuity of critical operations for the region.

Staff Comments:

The physical conditions of the site do limit the use of the site as there are minimal areas available for parking. Staff supports this requested parking reduction due, in part, to the detrimental impacts of unnecessary stormwater runoff.

3. The plight of the owner is due to unique circumstances that do not apply to a majority of adjoining or nearby property, and is not a self-created hardship.

Applicant Response:

The use and occupancy of the YJRC facility is unique compared to the nearby facilities/properties. The main occupants of the YJRC do not have the ability to arrive or leave the facility unless accompanied by a law enforcement officer, or family member upon release. These occupants will not drive themselves to the facility, or require parking of any kind. Visitors and the public are only allowed at the facility at scheduled, regulated times. The YJRC will not have the same parking requirements of a public or commercial building that is open to the drop-in visitors.

Staff Comments:

This site supports youth housed in a detention facility and are transported the location by law enforcement and do not directly require parking. The purpose of minimum off-street parking requirements are to limit congestion in the street and to protect adjacent property owners. A hardship for this property would uphold the purposes of this code section.

4. The hardship variance, if granted, will not alter the essential character of the locality.

Applicant Response:

The County is requesting to provide adequate and sufficient parking for the daily activities of the new YJRC facility without over or under building the parking lot area, or providing a design that is out of character with the surrounding built environment. Preliminary exterior elevations have been provided for additional reference of the intended character of the facility and types of intended materials.

Staff Comments:

The character of the area will not be impacted by the proposed parking reduction as the site will have adequate parking spaces for the intended use. Protection of essential character has been established.

Findings & Staff Recommendation:

Findings: (supported by the previous analysis)

- Item #1 ordinance hardship has been established;
- Item #2 physical and topographical conditions on site do limit reasonable site usage;
- Item #3 unique circumstance has been established;
- Item #4 protection of essential character has been established;

Recommendation:

Staff recommends approval of the request as approval standards will be met as proposed.

Prepared by:


Scott Koops, AICP, Planner II

Attachments: ZBA application/plans, notice documents

Technical Addendum

Off-Street Parking & Facility Details	Detention Center Facility (1st FL)	Government Office Facility (2nd FL)
Beds	60 Total (40/Phase I)	n/a
Gross Floor Area (GFA):	48,325 SF	10,700 SF
Total Building GFA	59,025 SF	
Proposed Parking Rate	0.9 spaces/bed (54 ÷ 60)	1 space/500 SF GFA
Required Parking Rate	[none specified in the Code]	1 space/500 SF GFA
Other Comparable: Group Home	0.5 spaces/room	
Other Comparable: Halfway House	0.5 spaces/room	
Entire Site Rate If the site is reviewed entirely as a government office	97 spaces 59,025 SF ÷ 500 SF →	22 spaces 119 Total Spaces (using rate of 1 space/500 SF GFA)
Effective SF Parking Rate/Bed	1 space per 984 SF (59,025 SF ÷ 60 beds)	
Effective Parking Rate/SF	1 space per 777 SF (59,025 SF ÷ 76 spaces)	
Proposed Parking Spaces	54 (0.9 spaces per bed)	22 (10,700 SF ÷ 500 SF GFA)
	76 Total Spaces Proposed	

Building Square Footage by Floor and Phase				Phase Total
1st FL Phase I	39,465 SF	2nd FL Phase I	7,275 SF	46,740 SF Phase I
1st FL Phase II	8,860 SF	2nd FL Phase II	3,425 SF	12,285 SF Phase II
1st FL Total Bld Out	48,325 SF	2nd FL Total Bld Out	10,700 SF	59,025 SF Phase I & II

Koops, Scott E.

From: Koops, Scott E.
Sent: Monday, June 6, 2022 1:22 PM
To: 'Dan Hahn'
Subject: Hardship Variance

Dan, per our phone conversation:

Old#1

If you allow this hardship variance to be granted it will allow uniformity along the property and will also assist in decreasing the odd look.

New #1:

If you allow this hardship variance of a 6ft privacy fence to be granted it will allow the owner to obtain a higher sense of security.

Old#2

Due to the surrounding and layout of the property it does pose a hardship upon the owner to build a useful fence on this property. If modification were granted it would allow full use of the property.

New #2: (same)

Due to the surrounding and layout of the property it does pose a hardship upon the owner to build a useful fence on this property. If modification were granted it would allow full use of the property.

Old#3

Speaking with the neighbor a fence designed as such would help in deterring any criminal activity in the neighborhood. The building of this fence would also make the neighborhood appeal cleaner.

New#3

The owner request this hardship variance due to her husband suffering a traumatic brain injury and has left her by herself to take care of her two children. Speaking with the neighbor a fence designed as such would help in deterring any criminal activity in the neighborhood. The building of this fence would also make the neighborhood appeal cleaner.

Old#4

I ask that we are allowed to move forward with building this [solid] fence at 6ft. Please let us make the neighborhood continue to improve and have a clean appearance. Thank you for your time and allowing us to present this to you.

New#4

The owner and I ask that we can move forward with the full 6ft privacy fence. With the building of this fence it with strengthen a sense of security by not allowing anyone to access the rear of the property. This will allow the owner to concentrate on raising her children and not be as concerned about security. I ask that we are allowed to move forward with building this [solid] fence at 6ft. Please let us make the neighborhood continue to improve. Thank you for your time and allowing us to present this to you.

The New Responses in Order:

#1

If you allow this hardship variance of a 6ft privacy fence to be granted it will allow the owner to obtain a higher sense of security.

#2

Due to the surrounding and layout of the property it does pose a hardship upon the owner to build a useful fence on this property. If modification were granted it would allow full use of the property.

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Dan: Please confirm this is your new working for the responses to the application statements.

Thank you.

SCOTT KOOPS, AICP
Planner II | Development & Neighborhood Services (DNS)
City of Davenport

O 563-328-6701
1200 E 46th ST | Davenport IA 52807

davenportiowa.com/planning | EPlan | Zoning Ordinance | Zoning Map

Make Davenport Better, Use SeeClickFix, to make requests for service.
<https://seeclickfix.com/davenport>

-----Original Message-----

From: Dan Hahn <dlhahn8082@icloud.com>
Sent: Monday, June 6, 2022 11:15 AM
To: Koops, Scott E. <Scott.Koops@davenportiowa.com>
Subject: [EXT] Hardship Variance

Scott,

Let me know if this provides clarification regarding the variance.

1. If you allow this hardship variance of a 6ft privacy fence to be granted it will allow the owner to obtain a higher sense of security.

3. The owner request this hardship variance due to her husband suffering a traumatic brain injury and has left her by her self to take care of her 2 children.

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Scott, I will try to call to discuss further.

Thank you,

Dan Hahn

Sent from my iPhone

Koops, Scott E.

From: Dan Hahn <dlhahn8082@icloud.com>
Sent: Monday, June 6, 2022 3:41 PM
To: Koops, Scott E.
Subject: Re: Hardship Variance

Yes,
I confirm the the new modifications.

Sent from my iPhone

On Jun 6, 2022, at 1:21 PM, Koops, Scott E. <Scott.Koops@davenportiowa.com> wrote:

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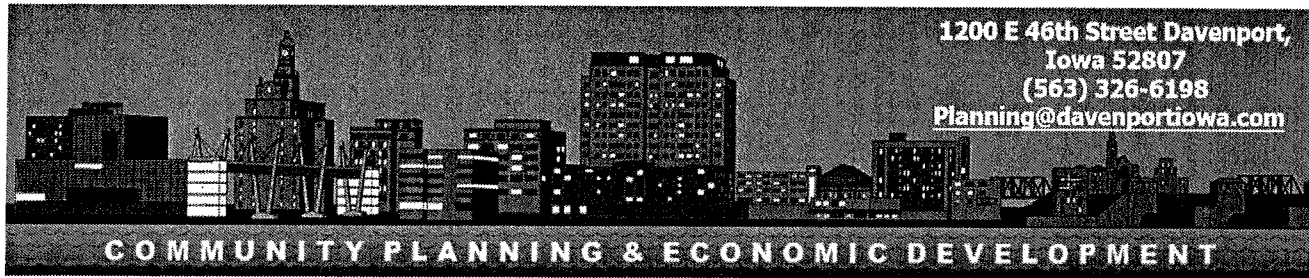
Scott, I will try to call to discuss further.

Thank you,

Dan Hahn

Sent from my iPhone

This email and any files transmitted are covered by the Electronic Communications Privacy Act. The information it contains is confidential and may be legally privileged; it is intended solely for the individual to whom it was addressed. If you are not the intended recipient you are notified that retention, dissemination, distribution or copying this email is prohibited and you should reply to the sender that you have received this email in error and then immediately delete it. Unless otherwise exempted by public record laws, senders and receivers of government emails should presume that the emails are subject to release upon request. Nothing in this email should be interpreted to authorize or conclude a binding agreement of contract between the city and the sender or recipient.



Complete application can be emailed to planning@davenportiowa.com

Property Address* 2208 N. Zenith Ave. Davenport, IA 52804

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

Applicant (Primary Contact)**

Name: Amy Papik
Company: _____
Address: 2208 N. Zenith Ave
City/State/Zip: Davenport, IA 52804
Phone: 563-343-7077
Email: apapik@gmail.com

Owner (if different from Applicant)

Name: Dan Hahn
Company: _____
Address: 7171 W. 60th St.
City/State/Zip: Davenport, IA 52804
Phone: 563-508-1435
Email: dhanh 8082@icloud.com

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: _____

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

Application Form Type:

Plan and Zoning Commission

- Zoning Map Amendment (Rezoning) ☐
Planned Unit Development ☐
Zoning Ordinance Text Amendment ☐
Right-of-way or Easement Vacation ☐
Voluntary Annexation ☐

Zoning Board of Adjustment

- Zoning Appeal ☐
Special Use ☐
Hardship Variance ☒

Design Review Board

- Design Approval ☐
Demolition Request in the Downtown ☐
Demolition Request in the Village of East Davenport ☐

Historic Preservation Commission

- Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Administrative

- Administrative Exception ☐
Health Services and Congregate ☐
Living Permit ☐

Primary Contact →

Request:

Please describe the variance(s) requested:

Requesting to build a 6 ft. privacy fence on both sides, and rear of property located on 2208 N. Zenith Ave. Fence would run 6 ft. along sidewalk on South side. along Lombard St.

Existing Zoning: Currently 4 ft along Lombard St.**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 Section 17.14.060 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.
- (4) The staff report will be available on the City website approximately 4 days before the ZBA meeting at this location: https://www.cityofdavenportiowa.com/government/boards_commissions under Zoning Board of Adjustment > Search Minutes & Agendas.

It is the applicant's responsibility to access the website to see the staff report. Planning staff will not mail/email the report.

Provide description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.060 of the Davenport Municipal Code:

#1) The strict application of the terms of this Ordinance will result in hardship unless the specific relief requested is granted.

If you allow this hardship variance to be granted it will allow uniformity along the property and will also assist in decreasing the odd looks.

Provide description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.060 of the Davenport Municipal Code:

#2) The particular physical surroundings, shape, or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

Due to the surroundings and layout of the property
It does pose a hardship upon the owner to build
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#3) The plight of the owner is due to unique circumstances that do not apply to a majority of adjoining or nearby property, and is not a self-created hardship.

Speaking with the neighbor a fence designed as such would help in deterring any criminal activity in the neighborhood. The building of this fence would also make the neighborhood appear cleaner.

Provide description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.060 of the Davenport Municipal Code:

#4) The hardship variance, if granted, will not alter the essential character of the locality.

I ask that we are allowed to move forward with building this fence at 6ft. Please let us make the neighborhood continue to improve and have a clean appearance. Thank you for your time and allowing to present this to you.

Applicant: Amy Papik Date: 5/26/22
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: _____ Date: _____
Planning staff

Date of the Public Hearing: _____

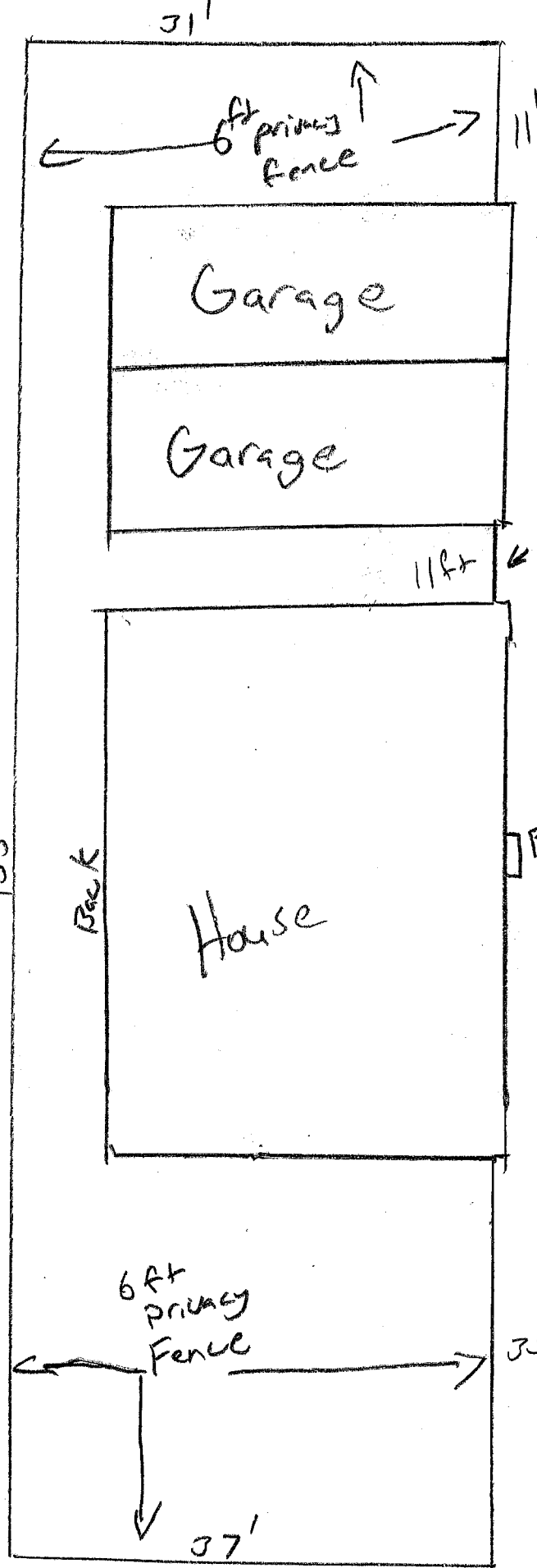
Meetings are held in City Hall Council Chambers located at 226 West 4th Street, Davenport, Iowa.

Authorization to Act as Applicant

I, Amy Papik
authorize Dan Hahn
to act as applicant, representing me/us before the Zoning Board of Adjustment for the property located
at _____

Amy Papik
Dan Hahn
Signature(s)*

*Please note: original signature(s) required.



2208
N Zenith Ave

Side walls

N Zenith Ave

Side walk

Lombard

187

2003-48924
\$1600
FEE
RECORDED
2003 SEP 12 AM 11 49

ALERTON
RM
500
11/10/03

Transfer Fee
Recording Fee
15631 322-7195

Individual's Name
Street Address
City
State
Zip

Vincent J. Motto
715 Union Avenue
Davenport, IA 52804

Vincent J. Motto ISA # SC0003579

Address Tax Statement: M/M David L. Papik, 2208 N. Zenith Avenue
Davenport, IA 52804

SPECIAL WARRANTY DEED

For the consideration of One Dollar and 00/100 (\$1.00) and other valuable consideration, Federal National Mortgage Association do hereby Convey to David Papik and Amy Papik, aka David L. Papik and Amy L. Papik, husband and wife, as joint tenants with full rights of survivorship and not as tenants in common, the following described real estate in Scott County, Iowa:

Lot 7 in Orchard Hill First Addition to the City of Davenport, Scott County, Iowa.

Grantors do hereby Covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and Convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors Covenant to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereto, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Grantor is exempt from all taxation imposed by any state, county, municipality, or local taxing authority, except for real property taxes. Thus, Grantor is exempt from any and all transfer taxes. See, 12 U.S.C. 1723a (c) (2).

Dated:

July 11, 2003
T2042-01

Federal National Mortgage Association

By:

Patricia Manson
Vice President

Attest:

Sheryl Martin
Assistant Secretary

STATE OF TEXAS, DALLAS COUNTY, ss:

The foregoing instrument was acknowledged before me, a notary public commissioned in Dallas County, Texas this 14th day of July 2003 by Patricia Manson and _____, to me personally sworn did say that they are the Vice President and _____, Assistant Secretary respectively, of Federal National Mortgage Association, a United States Corporation, on behalf of the corporation.

Notary Public

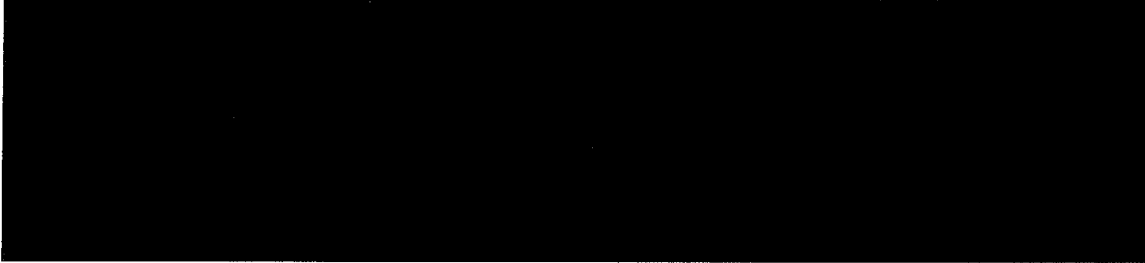


P. 02

583 322 4810

WILSON & DAVENPORT

JUL 11 2003 1:11:02 PM



2208 N Zentih Ave - Adjacent Owner Notice List.xlsx

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	2208 N ZENITH AV	AMY L PAPIK	2208 N ZENITH AV	DAVENPORT IA 52804
Ward/Ald:	1st Ward	Dunn	All Alderman Notified	Notices Sent: 27
T2041-03	2303 N ZENITH AV	WALTERS SHOSHANA N	2303 N ZENITH AV	DAVENPORT IA 52804
T2041-04	2227 N ZENITH AV	SEARLE BRYAN	2227 N ZENITH AV	DAVENPORT IA 52804
T2041-05	2221 N ZENITH AV	SPITZMILLER JOHN E	2221 N ZENITH AV	DAVENPORT IA 52804
T2041-06	2215 N ZENITH AV	ELSEA CONNIE L	2215 N ZENITH	DAVENPORT IA 52804
T2041-07	3824 W LOMBARD ST	BURKE MATTHEW M	3824 W LOMBARD ST	DAVENPORT IA 52804
T2041-08	3818 W LOMBARD ST	SALTER MICHAEL D	3818 W LOMBARD ST	DAVENPORT IA 52804
T2041-09	3806 W LOMBARD ST	BUCHANAN DONALD C	3806 W LOMBARD ST	DAVENPORT IA 52804
T2041-10	2210 N GAYMAN AV	RICHARD & CAROL WATTERS TRUST	2210 N GAYMAN AV	DAVENPORT IA 52804
T2041-11	2216 N GAYMAN AVE	LUEBKEN TYLER J	2216 N GAYMAN AVE	DAVENPORT IA 52804
T2041-12	2708 E 37TH ST	BOSSEN TIFFANY	2708 E 37TH ST	DAVENPORT IA 52807
T2042-02	3910 W LOMBARD ST	DUNBAR JAMES D	3910 W LOMBARD ST	DAVENPORT IA 52804
T2042-03	3916 W LOMBARD ST	LOPEZ JOSEPH R	3916 W LOMBARD ST	DAVENPORT IA 52804
T2042-05	3928 W LOMBARD ST	OTT JACOB C	3928 W LOMBARD ST	DAVENPORT IA 52804
T2042-14	3927 W RUSHOLME ST	SHACKLEFORD RICHARD D	3927 W RUSHOLME ST	DAVENPORT IA 52804
T2042-15	3921 W RUSHOLME ST	HENTGES DEBRA L	3921 W RUSHOLME ST	DAVENPORT IA 52804
T2042-16	3915 W RUSHOLME ST	CLARK NATHAN R	3915 W RUSHOLME ST	DAVENPORT IA 52804
T2042-17	3909 W RUSHOLME ST	SCHEBLER PAUL R	3909 W RUSHOLME ST	DAVENPORT IA 52804
T2042-18	2220 N ZENITH AV	STOUGHTON ANTHONY J	2220 N ZENITH AV	DAVENPORT IA 52804
T2042-19	2308 N ZENITH AV	CLASSIC PROPERTIES INC	4011 BELLE AVE	DAVENPORT IA 52807
T2042-20	3910 W RUSHOLME ST	BASS MARCUS	3910 W RUSHOLME ST	DAVENPORT IA 52804
T2042-21	3916 W RUSHOLME ST	MARTZ JACOB	3916 W RUSHOLME ST	DAVENPORT IA 52804
T2055-14	2128 N ZENITH AV	DAVIS JOSHUA J	2128 N ZENITH AV	DAVENPORT IA 52804
T2055A01	2136 N ZENITH AV	NORIN RONALD D	2136 N ZENITH AV	DAVENPORT IA 52804
T2055A02	3921 W LOMBARD ST	HUNTINGTON AMEY B	3921 W LOMBARD ST	DAVENPORT IA 52804
T2055A03	3925 W LOMBARD ST	PIEPER JORDAN J	3925 W LOMBARD ST	DAVENPORT IA 52804
T2056-07	2129 N ZENITH AVE	EKIN JOHN J	2129 N ZENITH AVE	DAVENPORT IA 52804
T2056-09	3817 W LOMBARD ST	DENKLAU RANDY L	3817 W LOMBARD ST	DAVENPORT IA 52804



Public Hearing Notice | Zoning Board of Adjustment

Date: 6/23/2022 **Location:** City Hall | 226 W 4th ST | Council Chambers
Time: 4:00:00 PM **Subject:** Hearing for Hardship Variance | Zoning Board of Adjustment

EXAMPLE NOTICE
27 Notices Sent
Ward 1

To: All property owners within 200' of the subject property **2208 N. Zenith Avenue:**

What is this 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 dimensional code requirement.

Request/Case Description

Request HV22-06 of Dan Hahn on behalf of Amy Papik at 2208 N. Zenith Avenue for a six (6) foot solid privacy fence in the reverse corner side yard setback along West Lombard Street. Section 17.09.030.H.2.a limits solid fences within the front or reverse corner side setback to four (4) feet in height and 70% open fences to six (6) feet in height. [Ward 1]

What are the Next Steps after the Public Hearing?

For approved ZBA requests, the ruling is effective immediately. 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?

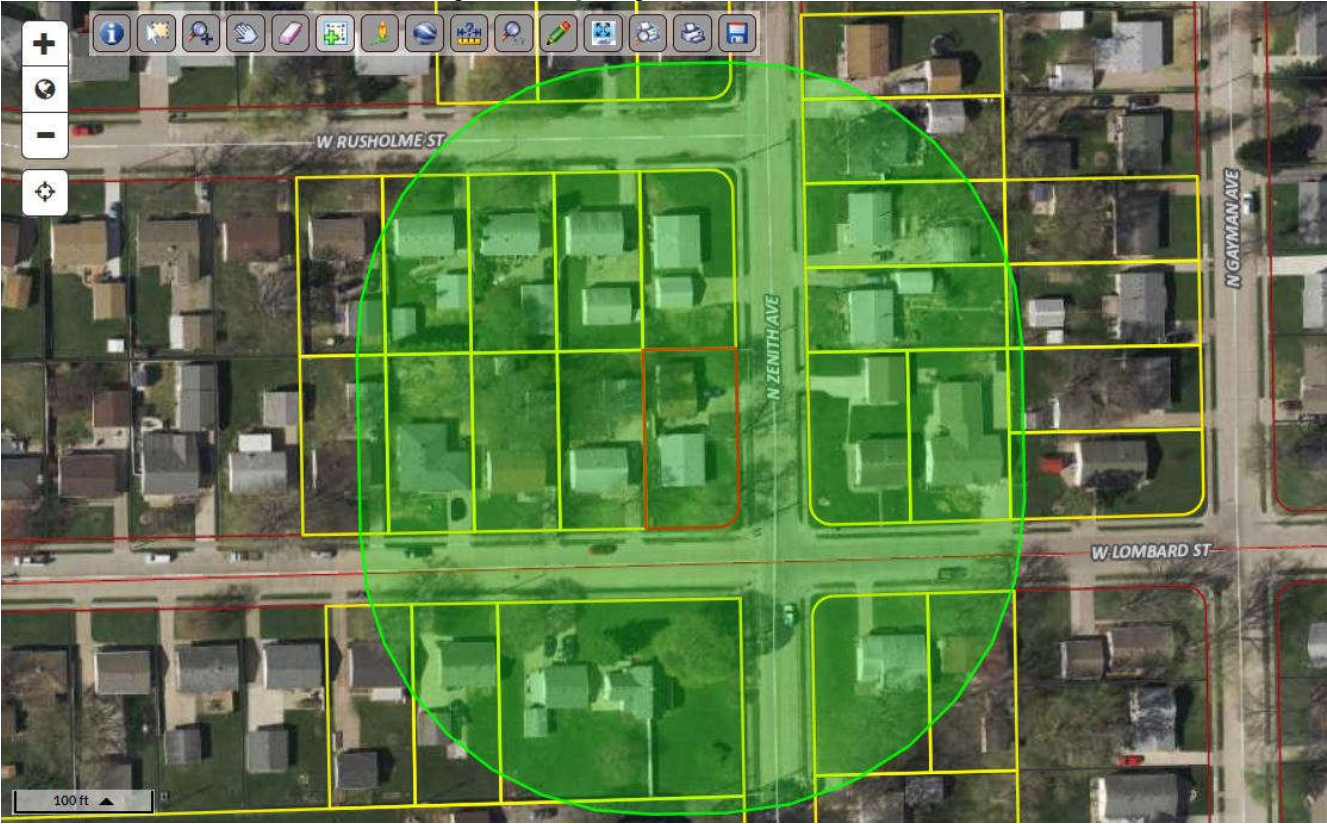
As a property owner/occupant you may have an interest in commenting on the proposed request via email or in person at the public hearing. Official comments must have written signatures sent to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

Do You Have Any Questions?

If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Scott Koops, AICP) at scott.koops@davenportiowa.com or 563-328-6701. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Adjacent Owner Notice Area:
Owners within 200' of the Subject Property



Site Plan: Proposed Fence Location:

