

ZONING BOARD OF ADJUSTMENT MEETING

CITY OF DAVENPORT, IOWA

THURSDAY, MAY 14, 2020; 4:00 PM

CITY HALL COUNCIL CHAMBERS 226 W 4TH ST

ZONING BOARD OF ADJUSTMENT, A FIVE MEMBER QUASI-JUDICIAL DECISION MAKING BODY, HOLDS PUBLIC HEARINGS TO CONSIDER HARDSHIP VARIANCES, SPECIAL USES, AND INTERPRETATIONS.

I. Call to Order

II. Secretary's Report

A. Consideration of the attached minutes.

III. Old Business

IV. New Business

- A. Rehearing request SU20-02 of the City of Davenport to consider a revocation or major modification of the existing Minor Vehicle Repair Special Use (SU19-02) at 707 N. Division Street due to nonconformance with required codes and/or Special Use conditions per Sections 17.14.050, 17.14.050.D.2, 17.14.050.F.2 , 17.08.020 and 17.08.030.CC. Falcon Auto, Anthony Pintozzi (All-In-One Builders) and Lester Monkus are the Special Use holders as granted by the Board on November 14, 2019 for request SU19-02. [Ward 3]
- B. Request SU20-04 of Shawn Agan at 3504 Hickory Grove Road for a special use to allow a reception hall. Section 17.08.030 W. of the Davenport Municipal Code allows for a reception hall at this location subject to the granting of a special use (general admission fees at the door are prohibited and have not been proposed with this application). [Ward 2]
- C. Request SU19-04 of Michael Lawrence/Catalyst Investments at 902-904 W Locust Street for a special use to approve a pizza shop (without a drive-through) in the existing structure. Property is zoned R-4C residential. Section 17.08.030.U. of the Davenport Municipal Code allows for neighborhood commercial establishments within existing structures that are nonresidential in construction and/or use as of January 20, 2019 in all residential districts (excluding R-1), with the granting of a special use. [Ward 4]

V. Other Business

VI. Adjourn

City of Davenport
Zoning Board of Adjustment

Department: CPED
Contact Info: 5633286701

Date
5/14/2020

Subject:
Consideration of the attached minutes.

Recommendation:
Approve the minutes.

ATTACHMENTS:

Type	Description
▣ Exhibit	Minutes 2-27-20
▣ Exhibit	Minutes 3-5-20

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Koops, Scott	Approved	5/8/2020 - 1:27 PM



MINUTES
City of Davenport
Zoning Board of Adjustment
February 27, 2020



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 to order in the Community Planning Room at the Davenport Police Station, Davenport, Iowa at 4:05 p.m.

Board Members present: Loebach, Strayhall, Cochran, and Reistroffer.

Board Members excused: Quinn.

Staff present: Hoyt and Koops

I. Secretary's Report:

The minutes of the 1-9-20 meeting were approved unanimously by voice vote.

II. Old Business:

- A) Request HV20-19 of ACME Sign on behalf of Five Below at 4026 E 53rd Street for a hardship variance to install an 87.79 square foot sign which will exceed the amount of allowed wall signage by 18.21 square feet. Section 17.12.060.I.4 allows a maximum sign area of 69.58 square feet for this commercial unit's wall sign. [Ward 6]

Koops presented the staff report and the Findings/Recommendation to the Board.

No written or verbal comments were submitted (for or against).

Findings & Staff Recommendation:

Item #1 application of the ordinance creating hardship has been established;

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;

Staff recommends approval of the request as it meets the approval standards for a hardship variance

Motion

Strayhall moved to approve the request, seconded by Cochran, and was approved unanimously.

Strayhall yes; Cochran yes; Loebach yes; and Reistroffer yes. (4-0)

III. New Business:

- A) Request HV20-02 of OneEighty.org at 1116 West 6th Street for a hardship variance to encroach into the required corner side yard with a proposed 50' by 72' garage/accessory structure which will be setback approximately 8' west of the Myrtle Street property line and 25' south of the alley property line. Section 17.11.090.K.4. requires the setback to be equal to the depth of the corner side yard when there is alley access (access to the structure must be from the alley). Section 17.02.030.P.4.a. defines a corner side yard as being located between the principal building and the corner side property line. [Ward 3]

Koops presented the staff report and the Findings/Recommendation to the Board.

No written or verbal comments were submitted (for or against).

Findings & Staff Recommendation:**Findings:**

- Item #1 application of the ordinance creating hardship appears to have been met;
- 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;

Staff recommends approval of the request as it meets the approval standards for a hardship variance.

Motion

A motion to approve the request was made by Strayhall, seconded by Cochran, and was approved unanimously.

Cochran yes; Loebach yes; Strayhall yes; and Reistroffer yes. (4-0)

IV. Other Business None.

V. Adjourn

The meeting adjourned unanimously by voice vote at approximately 4:24 pm.



MINUTES
City of Davenport
Zoning Board of Adjustment
March 5, 2020



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 to order in the Community Planning Room at the Davenport Police Station, Davenport, Iowa at 4:02 p.m.

Board Members present: Loebach, Strayhall, Cochran, Quinn, and Reistroffer.

Board Members excused: None.

Staff present: Hoyt and Koops

I. Secretary's Report:

No minutes were available for the 2-27-20 meeting.

II. Old Business:

None.

III. New Business:

- A) Request SU20-01 of Dr. Bradley Burt for a Special Use approval in order to construct a car wash at 6110 Elmore Avenue, within the C-E, Elmore Corners Zoning District. [Ward 6]**

Koops presented the staff report and the Findings/Recommendation to the Board.

No written or verbal comments were submitted against the request; several persons spoke in favor of the request.

Findings & Staff Recommendation:

Findings:

The location/design/construction of the proposed use meets the requirements of a Special Use.

Recommendation:

Staff recommends approval of the request.

Motion

Strayhall moved to approve the request, seconded by Quinn, and was approved unanimously. Strayhall yes; Cochran yes; Quinn yes; Loebach yes; and Reistroffer yes. (5-0)

- B) Request HV20-03 of Vera French Manor at 215 E 37th St for a hardship variance to reduce the required number of parking spaces from 1.5 parking spaces per unit to 1.1 parking spaces per unit. [Ward 7]**

Koops presented the staff report and the Findings/Recommendation to the Board.

No written or verbal comments were submitted (for or against).

Findings & Staff Recommendation:

Findings:

- Item #1 application of the ordinance creating hardship appears to have been met;

- 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;

Staff recommends approval of the request as it meets the approval standards for a hardship variance.

Motion

A motion to approve the request was made by Cochran, seconded by Loebach, and was approved unanimously.

Quinn yes; Cochran yes; Loebach yes; Strayhall yes; and Reistroffer yes. (5-0)

IV. Other Business None.

V. Adjourn

The meeting adjourned unanimously by voice vote at approximately 4:37 pm.

City of Davenport
Zoning Board of Adjustment

Department: CPED
Contact Info: Scott Koops, Planner II, AICP
scott.koops@davenportiowa.com

Date
5/14/2020

Subject:

Rehearing request SU20-02 of the City of Davenport to consider a revocation or major modification of the existing Minor Vehicle Repair Special Use (SU19-02) at 707 N. Division Street due to nonconformance with required codes and/or Special Use conditions per Sections 17.14.050, 17.14.050.D.2, 17.14.050.F.2 , 17.08.020 and 17.08.030.CC. Falcon Auto, Anthony Pintozi (All-In-One Builders) and Lester Monkus are the Special Use holders as granted by the Board on November 14, 2019 for request SU19-02. [Ward 3]

Recommendation:

Staff recommends Special Use SU19-02, as granted by this Board on November 14, 2019, shall be revoked for a pattern of violations of the conditions of the Special Use and for Davenport Municipal Code violations.

See the attached report for finding and details.

ATTACHMENTS:

Type	Description
▢ Executive Summary	Report
▢ Exhibit	Exhibit "A" Previous Actions
▢ Exhibit	Exhibit "B" Enforcement Documents
▢ Backup Material	Notice Letter & Map
▢ Exhibit	Notice List
▢ Exhibit	Letter to SU holders
▢ Exhibit	Previous Application for SU19-02

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Koops, Scott	Approved	5/8/2020 - 12:24 PM



City of Davenport
Community Planning & Economic Development Department
STAFF REPORT – ZONING BOARD OF ADJUSTMENT
SU20-02 | May 14, 2020 | 707 N. Division St

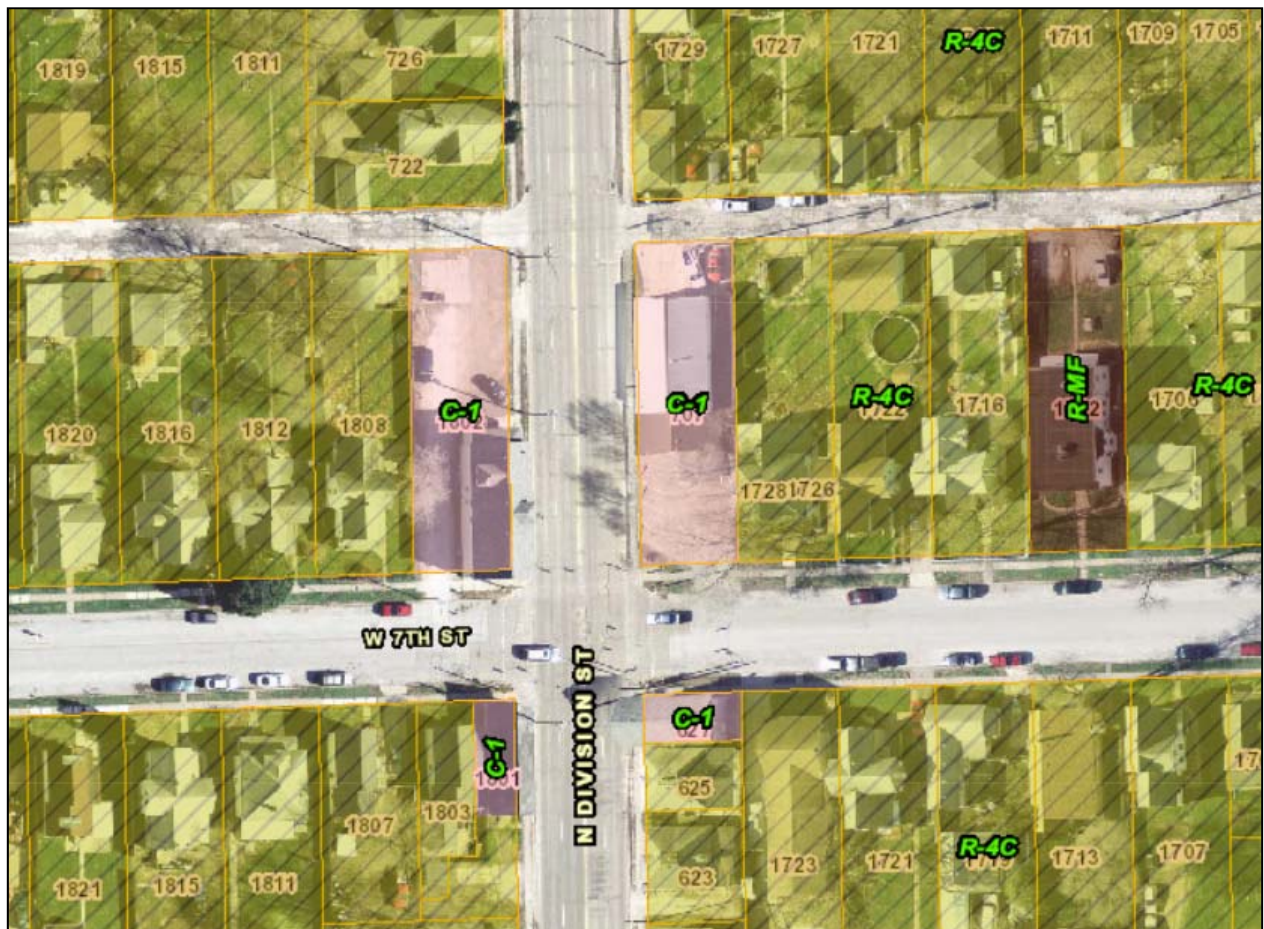
Description

Rehearing request SU20-02 of the City of Davenport to consider a **revocation or major modification** of the existing Minor Vehicle Repair Special Use (SU19-02) at 707 N. Division Street due to nonconformance with required codes and/or Special Use conditions per Sections 17.14.050, 17.14.050.D.2, 17.14.050.F.2, 17.08.020 and 17.08.030.CC. Falcon Auto, Anthony Pintozi (All-In-One Builders) and Lester Monkus are the Special Use holders as granted by the Board on November 14, 2019 for request SU19-02. [Ward 3]

Background

The subject property is in a mixed use area with a neighborhood commercial node at the intersection of Division and 7th streets. A neighborhood convenience/grocery store, an insurance office and two other commercial properties are located at this intersection.

Zoning Map



Background (continued)

On November 14, 2019, Lester Monkus dba Falcon Auto and Anthony Pintozi dba All-In-One Building and Remodeling (or Construction as specified on the Special Use application) received a Special Use at this location (707 N. Division) to operate minor vehicle repair. Please see Exhibit "A" *Previous Actions* for all details related to that case. The Special Use holder has violated multiple provisions of the Minor Vehicle Repair ordinance, as underlined below and later described in greater detail.

Vehicle Repair – Minor, requires the following to operate in conformance with zoning code:

17.08.030.CC. Vehicle Repair/Service – Major or Minor

1. Vehicle repair/service establishments may not store the same vehicles outdoors on the site for longer than 15 days once repair is complete. Only vehicles that have been or are being serviced may be stored outdoors.
2. Repair of vehicles is prohibited in the front or side yards. Storage of all merchandise, auto parts, and supplies must be within an enclosed structure.
3. Vehicle repair/service establishments that abut a residential district must be screened along interior side and rear lot lines with a solid wall or fence, a minimum of six feet and a maximum of seven feet in height.
4. Outdoor repairs are only allowed in the rear yard and must be screened by a solid fence or masonry wall no less than six feet and no more than eight feet in height.
5. No partially dismantled, wrecked, junked, or discarded vehicles may be stored outdoors on the premises. This standard does not apply to vehicles under repair.
6. The sale of new or used vehicles is prohibited.
7. No motor vehicles may be stored and no repair work may be conducted in the public right-of-way.

Additionally, when the Special Use was granted, this body required the Special Use holder meet the following conditions of the approved Special Use SU19-02:

1. The special use shall be in conformance with Section 17.08.030.CC. for the duration of the operation of the use;
2. Should complaints arise from adjacent owners and neighborhood residents due to noncompliance of these conditions, or if staff is aware of repeated infractions to these conditions and/or code violations, a rehearing of the special use shall be scheduled per Davenport Municipal Code specifications for Zoning Board of Adjustment Special Use public hearings at which the Special Use may be modified, approved or revoked/denied.

Other Background

Minor vehicle repair is defined by Davenport Municipal Ordinance 17.08.050 as:

Vehicle Repair – Minor. A business that provides services in minor repairs to motor vehicles, motorcycles, and all-terrain vehicles (ATV) vehicles, including, but not limited to, repair or replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining, and repairs, wheel servicing, alignment, and balancing, repair and replacement of shock absorbers, engine rebuilding, and replacement or adjustment of mufflers and tail pipes, hoses, belts, light bulbs, fuses, windshield wipers/wiper blades, grease retainers, wheel bearings, and the like. Any type of vehicle repair services for recreational vehicles is a major vehicle repair business and does not qualify as minor repair under this Ordinance regardless of the level of repair service.

A letter and email was sent to the SU-19-02 applicants dated November 15, 2019 and said letter stating the code and Special Use requirements for Special Use 19-02 and are attached in Exhibit "A".

Discussion

The Special Use holder has violated the code requirements for Vehicle Repair – Minor as set forth in 17.08.030.CC., by storing vehicles (subsection 1), storing vehicle parts outside (subsection 2), and selling vehicles (subsection 6). Violations of the code (see Exhibit "B") have led to noncompliance of Special Use condition #1 and has triggered Special Use condition #2, the rehearing for this item which is the topic of this report.

Violation 1 – Storage of Vehicles

Specifically, the Special Use holder has violated 17.08.030.CC(1), which states:

Vehicle repair/service establishments may not store the same vehicles outdoors on the site for longer than 15 days once repair is complete. Only vehicles that have been or are being serviced may be stored outdoors.

Exhibit "B", dated February 28, 2020 shows cars being stored on the lot that are in nonconformance with this requirements. Cars in Exhibit "B" are parked on the lot for the purposes of resale, and not customer cars that wait pickup.

Photo of cars being stored on the lot: (see Exhibit "B" for full sized version and details)



Violation 2 – Storage of Vehicle Parts

Second, the Special Use holder has violated 17.08.030.CC(2), which states:

Repair of vehicles is prohibited in the front or side yards. Storage of all merchandise, auto parts, and supplies must be within an enclosed structure.

On February 28th, 2020 the Special Use holder was issued a debris violation notice by the Davenport Neighborhood Services Department (now the Development and Neighborhood Services Department) due to the outdoor storage of a car part. Exhibit "B" has the Debris letter which was sent to the Special Use holder.

Photo of debris: (see Exhibit "B" for full sized version and details)



Letter sent to property owner for the debris: (see Exhibit "B" for full sized version)



Neighborhood Services Department
1200 E 46th St Davenport, Iowa 52807

2/28/2020

ALL IN ONE BUILDING & REMODELING
707 N DIVISION ST
DAVENPORT IA 52802-1100

DEBRIS VIOLATION

Re: 707 N DIVISION ST

Parcel: H0053-51

On 2/28/2020 an environmental inspection was conducted in your area. It was determined from this investigation, the following violation(s) of the Davenport Municipal Code 8.08 and 8.14 exist on your property and constitute a nuisance:

* REMOVE AND PROPERLY DISPOSE OF THE VEHICLE WINDSHIELD, BUILDING MATERIALS, BEVERAGE CONTAINERS AND YARD WASTE PILE. EXTERIOR PROPERTY MUST REMAIN CLEAR OF ALL VEHICLE PARTS.

This violation(s) cited must be corrected before: March 9, 2020

A re-inspection will be made on this date and failure to correct the violation(s) will be cause for the city to perform the work necessary to correct the violation(s). If the city does complete the work, the cost will be billed at a minimum of \$25 per hour plus a \$120 administrative fee and the actual disposal costs to the property owner and/or the cost will be assessed against the property.

If there are any questions concerning the notice or the requirements to correct any violations, please contact the Neighborhood Services Department immediately.

You may request an administrative hearing to appeal this nuisance abatement order pursuant to the procedures set forth in Chapter 2.96 of the Davenport Municipal Code. A valid appeal request must be made within 10 days from the date of this notice and shall be submitted in writing to City Hall located at 226 W 4th Street, Davenport, IA 52801. The appeal request shall include a copy of this notice, a statement regarding the basis for the appeal, and payment of the \$100 external adjudication administrative hearing fee. To waive the fee, you need to provide adequate proof of low income status. A form is available with the City of Davenport's Legal Department. Alternatively, you may request a hearing before a city representative. The administrative hearing is informal and you will be given an opportunity to present evidence and question the City's evidence. Failure to request a hearing within the timeframe set forth in this notice shall constitute a waiver of the right to a hearing and the Notice will then be in effect and enforceable.

Respectfully,

ANTHONY HAUT
Code Enforcement Officer
Neighborhood Services Department
563-328-6781 Tony.Haut@davenportiowa.com
Ref #20-12837

Violation 3 – Selling Vehicles

The third violation of the Special Use holder is the selling vehicles from the lot on which the Special Use was granted, from an adjacent lot, and via the internet with photos of the vehicles at 707 N. Division Street.

The Special Use holder violated 17.08.030.CC(6), which states:

The sale of new or used vehicles is prohibited.

Photo of cars being sold on the lot: (see Exhibit "B" for full sized version and details)



Additionally the business owns cars which are marked for sale at adjacent property located on the west side of Division Street at 1802 West 7th Street.

Photo: 1802 W 7th St, adjacent to the west, For Sale by the Special Use holder, (left photo) and on the lot via internet (right photo). See Exhibit "B" for full details.



Violation 4 – Storage of Vehicles on Residential Property

In addition to the violations of Section 17.08.030.CC, the Special Use holder is also in violation of other code sections outside of Section 17.08.030.CC., as shown by Exhibit "B" Violations, the Special Use holder is storing vehicles on two residential lots adjacent to the north and across an alley at 1729 and 1727 West 8th Street on property owned by Jose Caster Juarez and Alejandro Marceleno. Section 17.10. "Off-Street Parking" of the Davenport Municipal code prohibits commercial businesses from parking or storing vehicles on residential lots. The silver car, red car, and white commercial van (with business signage) are all vehicles owned by Falcon Auto or All-In-One Construction of 707 N. Division as indicated by registration records. Vehicle identifications numbers (VIN) were ran by the Davenport Police Department and came back to the Special Use holder under a variety of names associated with the registration address of all vehicles being 707 N Division.

Photo of cars being parked on an adjacent Residential lot: (see Exhibit "B" for details)



Staff has also pulled up Community Services Division (CSD) records for Mr. Monkus' personal property at 1102 Minnie Street in Davenport.

This letter was sent January 19, 2020. The letter cites the property for four (4) vehicle violations. These violation may indicate that the 'repair' business at 707 N Division Street has expanded beyond that site, beyond 1802 West 7th Street, and beyond 1729 West 8th Street.

At the right is a letter sent to property owner for the debris at 1102 Minnie Ave: (see Exhibit "B" for full sized version)

DPW DAVENPORT PUBLIC WORKS Public Works Center Neighborhood Services Division 1200 East 46th Street Davenport, Iowa 52807 Phone (563) 328-7923
January 19, 2020 LESTER MONKUS 1102 MINNIE AVE DAVENPORT, IA 52802
VEHICLE VIOLATIONS
RE: 1102 MINNIE AVE Dear Owner/Resident: Please be advised the City of Davenport inspects nuisance vehicles on private property (Per the City of Davenport's Municipal Code 8.14.460). The code States: A vehicle is a "nuisance vehicle" if it is upon public or private property, lawful junkyards or salvage yards accepted, not enclosed within a legal structure and exhibits at least one of the following characteristics: 1. Inoperable (is not operated regularly or cannot be operated under its own power) 2. Flat or missing tire(s) 3. Left unattended on jacks, blocks, or otherwise elevated, causing a safety hazard. 4. Lacks CURRENT registration 5. Leaking flammable or hazardous fluid 6. Partly or completely dismantled 7. Largely functioning as a solid waste container 8. Cannot be legally operated on public streets/highways 9. Dangerous or defective condition posing threat to public health/safety 10. Other Nuisance complaint Failure to correct the highlighted violation(s) may result in the vehicle(s) of subject to be ticketed, or tagged for towing.

Violation 5 – Repairing of Vehicles on a Residential Property

On April 7, 2020 staff observed Mr. Monkus repairing a vehicle across the alley, north of the Special Use location, on 1729 W. 8th Street on property zoned "R-4C" Single/Two Family Residential and owned by Jose Castro-Juarez. The VIN check for the vehicle was not in the owner's name. Table 17.08-1 prohibits commercial repair on residential lots and the special use also restricts the use to 707 N. Division Street, in accordance with the Special Use and Davenport Municipal Code requirements.



Violation 6 – Parking commercial vehicles on Residential Property

On March 12, 2020 planning staff observed the All-in-One commercial/business vehicle (van) parked at 1727 W. 8th Street, a property which is zoned "R-4C" Single/Two Family Residential, a district in which commercial/business parking is prohibited per 17.08-1 and 17.10 of the Davenport Municipal Code.



Approval Standards

1. The establishment, maintenance, and operation of the proposed special use will not endanger the public health, safety, or welfare.

The Special Use is in operating in noncompliance of the conditions of the Special use and in violation of the Davenport Municipal Code (multiple sections). The welfare of the surrounding public has been negatively impacted and is in noncompliance with this approval standard.

2. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.

The Special Use is operating in noncompliance of the conditions of the Special use and in violation of the Davenport Municipal Code. The welfare of the surrounding public has been negatively impacted and is in noncompliance with this approval standard.

3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and adopted land use policies.

As operated, the Special Use and businesses on this site are not consistent with the spirit and intent of this ordinance as evidenced by the numerous violations to Municipal Code and conditions of Special Use SU19-02.

Recommendation

Findings:

- 1) The business(s) at 707 North Division Street have violated multiple code sections of the Davenport Municipal Code, including but not limited to the illegal storage of vehicles on and off the site, storage of parts and/or debris outside, and the selling of vehicles in the wrong zoning district and in contradiction to the Special Use granted on November 14th, 2019.
- 2) The business(s) is in violation of 17.10. Off-Street parking requirements which prohibit commercial parking in residential districts.
- 3) The Special Use holder was notified via certified letter and via email on November 15, 2019, of the specific requirements of the Special Use, in which it specifically stated that the sale of new or use vehicles was prohibited.
- 4) The Special Use holder has violated condition #1 of the Special Use which required the holder to adhere to the regulations of Section 17.08.030.CC. of the Davenport Municipal Code.
- 5) The Special Use holder does not have any business licenses which allows for the sale of vehicles at this site (the holder has a valid public garage license which does NOT allow for the sale of vehicles)

Recommendation:

Staff recommends Special Use SU19-02, as granted by this Board on November 14, 2019, shall be revoked for a pattern of violations of the conditions of the Special Use and for Davenport Municipal Code violations.

Prepared by:



Scott Koops,
Planner II

Attachments: Aerial Map, previous case SU19-02, Notification Map, Exhibits "A" and "B".



**ZONING BOARD OF ADJUSTMENT
CITY OF DAVENPORT, IOWA**



DECISION & ORDER

Decision & Order of the Zoning Board of Adjustment does not constitute approval of any construction.
All necessary permits must be obtained before any construction is commenced upon the Property.
A Certificate of Occupancy must be obtained before any structure is occupied/re-occupied.
All City of Davenport business licensing and approvals shall be met prior to occupancy.

Any use allowed by this Decision and Order shall not be commenced or be resumed until all the requirements of the Davenport Zoning Ordinance Title 17, the Davenport Municipal Code and this Order have been satisfied.

The use allowed by this Order must be commenced within **ONE YEAR**
or this Order will be void and of no further force and effect.

REQUEST OF

Falcon Auto/Anthony Pintozzi

ON PROPERTY LOCATED AT

707 N. Division Street

CASE #:

SU19-02

HEARING DATE:

November 14, 2019

SUBJECT OF THE REQUEST

Request SU19-02 of Falcon Auto/Anthony Pintozzi at 707 N. Division Street for approval of a special use for a minor vehicle repair shop in the existing structure. Property is zoned C-1 Neighborhood Commercial. Section 17.08.020. of the Davenport Municipal Code allows for minor vehicle repair/service in the C-1 District subject to special use approval in compliance with Section 17.08.030.CC.

RULING

A motion to approve the request subject to the two listed conditions carried unanimously (5-0).

ORDER

The property shall met all applicable requirements of the Davenport Municipal Code. Approval of the special use is conditioned as follows: 1) The special use shall be in conformance with Section 17.08.030.CC. for the duration of the operation of the use; 2) Should complaints arise from adjacent owners and/or neighborhood residents due to noncompliance of these conditions, or if staff is aware of repeated infractions to these conditions and/or code violations, a rehearing of the special use shall be scheduled per Davenport Municipal Code specifications for Zoning Board of Adjustment Special Use public hearings at which the Special Use may be modified, approved or revoked/denied.

Koops, Scott E.

From: Koops, Scott E.
Sent: Friday, November 15, 2019 1:15 PM
To: 'allinoneqc@gmail.com'; 'thefalconauto@gmail.com'
Subject: Special Use for 707 N Division Street
Attachments: 707 N Division St - SU19-02 Decision & Order.pdf

Attached is the Decision and Order from the Zoning Board of Adjustment and below is the code section by which the business at 707 N Division (and vehicle repair places in general) must operate. See Davenport Municipal Code Section 17.08.030.CC. below.

Govern yourself accordingly.

Sincerely,
Scott Koops, AICP
Planner II
563.328.6701

Code Section:

17.08.030.CC. Vehicle Repair/Service – Major or Minor

1. Vehicle repair/service establishments may not store the same vehicles outdoors on the site for longer than 15 days once repair is complete. Only vehicles that have been or are being serviced may be stored outdoors.
2. Repair of vehicles is prohibited in the front or side yards. Storage of all merchandise, auto parts, and supplies must be within an enclosed structure.
3. Vehicle repair/service establishments that abut a residential district must be screened along interior side and rear lot lines with a solid wall or fence, a minimum of six feet and a maximum of seven feet in height.
4. Outdoor repairs are only allowed in the rear yard and must be screened by a solid fence or masonry wall no less than six feet and no more than eight feet in height.
5. No partially dismantled, wrecked, junked, or discarded vehicles may be stored outdoors on the premises. This standard does not apply to vehicles under repair.
6. The sale of new or used vehicles is prohibited.
7. No motor vehicles may be stored and no repair work may be conducted in the public right-of-way.

City of Davenport
Zoning Board of Adjustment

Department: CPED
Contact Info: Scott Koops, AICP sek@ci.davenport.ia.us

Date
11/14/2019

Subject:

Request SU19-02 of Falcon Auto/Anthony Pintozi at 707 N. Division Street for approval of a special use for a minor vehicle repair shop in the existing structure. Property is zoned C-1 Neighborhood Commercial. Section 17.08.020. of the Davenport Municipal Code allows for minor vehicle repair/service in the C-1 District subject to special use approval in compliance with Section 17.08.030.CC. [Ward 3]

Recommendation:

Staff recommends approval of the request subject to the use meeting the following conditions:

1. The special use shall be in conformance with Section 17.08.030.CC. for the duration of the operation of the use;
2. Should complaints arise from adjacent owners and neighborhood residents due to noncompliance of these conditions, or if staff is aware of repeated infractions to these conditions and/or code violations, a rehearing of the special use shall be scheduled per Davenport Municipal Code specifications for Zoning Board of Adjustment Special Use public hearings at which the Special Use may be modified, approved or revoked/denied.

Background:

The subject property is in a mixed use area with a neighborhood commercial node at the intersection of Division and 7th streets. A neighborhood convenience/grocery store, an insurance office and two other commercial properties are located at this intersection creating a small cluster of commercial uses.

Discussion

The petitioner is requesting a Special Use to open a minor vehicle repair shop on the subject property. As proposed, the petitioner's business would operate in conformance with the vehicle repair/service requirements.

Minor vehicle repair is defined as:

Vehicle Repair – Minor. A business that provides services in minor repairs to motor vehicles, motorcycles, and all-terrain vehicles (ATV) vehicles, including, but not limited to, repair or replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining, and repairs, wheel servicing, alignment, and balancing, repair and replacement of shock absorbers, engine rebuilding, and replacement or adjustment of mufflers and tail pipes, hoses, belts, light bulbs, fuses, windshield wipers/wiper blades, grease retainers, wheel bearings, and the like. Any type of vehicle repair services for recreational vehicles is a major vehicle repair business and does not qualify as minor repair under this Ordinance regardless of the level of repair service.

Code requirements:

17.08.030.CC. Vehicle Repair/Service – Major or Minor

1. Vehicle repair/service establishments may not store the same vehicles outdoors on the site for longer than 15 days once repair is complete. Only vehicles that have been or are being serviced may be stored outdoors.
2. Repair of vehicles is prohibited in the front or side yards. Storage of all merchandise, auto parts, and supplies must be within an enclosed structure.
3. Vehicle repair/service establishments that abut a residential district must be screened along interior side and rear lot lines with a solid wall or fence, a minimum of six feet and a maximum of seven feet in height.
4. Outdoor repairs are only allowed in the rear yard and must be screened by a solid fence or masonry wall no less than six feet and no more than eight feet in height.
5. No partially dismantled, wrecked, junked, or discarded vehicles may be stored outdoors on the premises. This standard does not apply to vehicles under repair.
6. The sale of new or used vehicles is prohibited.
7. No motor vehicles may be stored and no repair work may be conducted in the public right-of-way.

Findings/Approval Standards

1. The establishment, maintenance, and operation of the proposed special use will not endanger the public health, safety, or welfare.

The plans meet code requirements for the proposed use. The site is properly designed to have minimal, if any, impact on adjacent property and public facilities.

2. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.

The planned operation would meet code requirements and would have minimal, if any, impact on adjacent property and public facilities.

3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and adopted land use policies.

Land use screening requirements are already existing on this site; the proposed use will meet all code requirements.

Recommendation

Findings:

The location/design/construction of the proposed use meets the requirements of a Special Use.

Recommendation:

Staff recommends approval of the request subject to the use meeting the following conditions:

1. The special use shall be in conformance with Section 17.08.030.CC. for the duration of the operation of the use;
2. Should complaints arise from adjacent owners and neighborhood residents due to noncompliance of these conditions, or if staff is aware of repeated infractions to these conditions and/or code violations, a

EXHIBIT "A" Previous Actions

rehearing of the special use shall be scheduled per Davenport Municipal Code specifications for Zoning Board of Adjustment Special Use public hearings at which the Special Use may be modified, approved or revoked/denied.

ATTACHMENTS:

Type	Description
▣ Exhibit	Report Exhibit
▣ Exhibit	Address List
▣ Exhibit	Application
▣ Exhibit	Notice

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Koops, Scott	Approved	11/7/2019 - 12:57 PM

City of Davenport
Community Planning & Economic Development Department
STAFF REPORT EXHIBIT – ZONING BOARD OF ADJUSTMENT

Description

Request SU19-02 of Falcon Auto/Anthony Pintozzi at 707 N. Division Street for approval of a special use for a minor vehicle repair shop in the existing structure. Property is zoned C-1 Neighborhood Commercial. Section 17.08.020. of the Davenport Municipal Code allows for minor vehicle repair/service in the C-1 District subject to special use approval in compliance with Section 17.08.030.CC. [Ward 3]

Background

The subject property is in a mixed use area with a neighborhood commercial node at the intersection of Division and 7th streets. A neighborhood convenience/grocery store, an insurance office and two other commercial properties are located at this intersection creating a small cluster of commercial uses.

Zoning Map



Discussion

The petitioner is requesting a Special Use to open a minor vehicle repair shop on the subject property. As proposed, the petitioner's business would operate in conformance with the vehicle repair/service requirements.

Minor vehicle repair is defined as:

Vehicle Repair – Minor. A business that provides services in minor repairs to motor vehicles, motorcycles, and all-terrain vehicles (ATV) vehicles, including, but not limited to, repair or replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining, and repairs, wheel servicing, alignment, and balancing, repair and replacement of shock absorbers, engine rebuilding, and replacement or adjustment of mufflers and tail pipes, hoses, belts, light bulbs, fuses, windshield wipers/wiper blades, grease retainers, wheel bearings, and the like. Any type of vehicle repair services for recreational vehicles is a major vehicle repair business and does not qualify as minor repair under this Ordinance regardless of the level of repair service.

Code requirements:

17.08.030.CC. Vehicle Repair/Service – Major or Minor

1. Vehicle repair/service establishments may not store the same vehicles outdoors on the site for longer than 15 days once repair is complete. Only vehicles that have been or are being serviced may be stored outdoors.
2. Repair of vehicles is prohibited in the front or side yards. Storage of all merchandise, auto parts, and supplies must be within an enclosed structure.
3. Vehicle repair/service establishments that abut a residential district must be screened along interior side and rear lot lines with a solid wall or fence, a minimum of six feet and a maximum of seven feet in height.
4. Outdoor repairs are only allowed in the rear yard and must be screened by a solid fence or masonry wall no less than six feet and no more than eight feet in height.
5. No partially dismantled, wrecked, junked, or discarded vehicles may be stored outdoors on the premises. This standard does not apply to vehicles under repair.
6. The sale of new or used vehicles is prohibited.
7. No motor vehicles may be stored and no repair work may be conducted in the public right-of-way.

Findings/Approval Standards

1. The establishment, maintenance, and operation of the proposed special use will not endanger the public health, safety, or welfare.

The plans meet code requirements for the proposed use. The site is properly designed to have minimal, if any, impact on adjacent property and public facilities.

2. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.

The planned operation would meet code requirements and would have minimal, if any, impact on adjacent property and public facilities.

3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and adopted land use policies.

Land use screening requirements are already existing on this site; the proposed use will meet all code requirements.

Recommendation

Findings:

The location/design/construction of the proposed use meets the requirements of a Special Use.

Recommendation:

Staff recommends approval of the request subject to the use meeting the following conditions:

1. The special use shall be in conformance with Section 17.08.030.CC. for the duration of the operation of the use;
2. Should complaints arise from adjacent owners and neighborhood residents due to noncompliance of these conditions, or if staff is aware of repeated infractions to these conditions and/or code violations, a rehearing of the special use shall be scheduled per Davenport Municipal Code specifications for Zoning Board of Adjustment Special Use public hearings at which the Special Use may be modified, approved or revoked/denied.

Prepared by:



Scott Koops,
Planner II

Attachments: Aerial Map, Site Plan Submitted by the Petitioner, Application, Notification Map, Exhibits

EXHIBIT "A" Previous Actions

707 N Division St - Adjacent Owner Notice Addresses

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	707 N DIVISION ST	FALCON AUTO	707 N DIVISION ST	DAVENPORT IA 52802
Ward/Notices	Ward 3	Notices Sent: 26		
H0052-20A	1801 W 7TH ST	ABOVE ALL ACREAGE LLC	2806 N MICHIGAN AV	DAVENPORT IA 52804
H0044-57	1727 W 8TH ST	ALEJANDRO MARCELENO	1727 W 8TH ST	DAVENPORT IA 52802
H0045-34	1815 W 8TH ST	ANGELIQUE C CAMPBELL	1815 W 8TH ST	DAVENPORT IA 52802
H0052-21	1803 W 7TH ST	BROTHERS LLC VANHECKE	619 MARQUETTE ST	DAVENPORT IA 52802
H0044-54	1711 W 8TH ST	CESAR RENE NINO	1307 BROWN ST	DAVENPORT IA 52804
H0053-46	1723 W 7TH ST	DIANE L SOPPE REV TRUST	1723 W 7TH ST	DAVENPORT IA 52807
H0053-55	1712 W 7TH ST	ERICKSON THOMAS E	1703 BRADY ST	DAVENPORT IA 52803
H0053-48	625 N DIVISION ST	FOSTER MICHAEL A JR	237 S LINCOLN AV	DAVENPORT IA 52802
H0053-45	1721 W 7TH ST	GLORIA A CHAVARRIA	1721 W 7TH ST	DAVENPORT IA 52802
H0045-36	728 N DIVISION ST	JEANETTE FARNUM	728 N DIVISION ST	DAVENPORT IA 52802
H0053-54	1716 W 7TH ST	JESSICA L RICHARDS	1716 W 7TH ST	DAVENPORT IA 52802
H0053-53	1722 W 7TH ST	JIM WATERMAN	1722 W 7TH ST	DAVENPORT IA 52802
H0044-58	1729 W 8TH ST	JOSE CASTR JUAREZ	1729 W 8TH ST	DAVENPORT IA 52802
H0052-12	1816 W 7TH ST	KENNETH D PETERS	1820 W 7TH ST	DAVENPORT IA 52802
H0045-37	726 N DIVISION ST	L & G PROPERTIES LLC	2525 E LOCUST ST	DAVENPORT IA 52803
H0045-38	722 N DIVISION ST	LLC PRIMOS	C/O RODNEY S DESALVO	DAVENPORT IA 52804
H0053-56	1706 W 7TH ST	MARY P CRANE	1706 W 7TH ST	DAVENPORT IA 52802
H0053-52	1728 W 7TH ST	NGUYEN INC	6201 N MARQUETTE ST	DAVENPORT IA 52806
H0053-44	1719 W 7TH ST	PRESTON L HEDRICK	1719 W 7TH ST	DAVENPORT IA 52802
H0044-56	1721 W 8TH ST	PROPERTIES LLC THOMA-HAGEN	309 2ND ST	DURANT IA 52747
H0053-50	621 N DIVISION ST	RYAN JOHNSON PROPERTIES LLC	2401 BRADY ST	DAVENPORT IA 52803
H0053-49	623 N DIVISION ST	S & J REALTY	6480 131ST ST	BLUE GRASS IA 52726
H0052-15	1802 W 7TH ST	SAINI II LLC	3108 W CENTRAL PARK AVE	DAVENPORT IA 52804
H0044-55	1715 W 8TH ST	TONYA L SOLBRIG	1715 W 8TH ST	DAVENPORT IA 52802
H0052-13	1812 W 7TH ST	TROY D NEGUS	1812 W 7TH ST	DAVENPORT IA 52802
H0053-47	627 N DIVISION ST	WHITE DON	608 20TH AV	ROCK ISLAND IL 61201



Complete application can be emailed to planning@ci.davenport.ia.us

Property Address* 707 N Division St. Davenport Ia

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

Applicant (Primary Contact)**

Name: Anthony Pintozzi
 Company: All in one construction
 Address: 707 N Division St
 City/State/Zip: Davenport IA 52802
 Phone: 563 726 9255
 Email: allinonegc@gmail.com

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: Lester Monkus
 Company: Calcon Auto
 Address: 707 N Division St
 City/State/Zip: Davenport IA 52802
 Phone: 563-508-4045
 Email: thecalconauto@gmail.com

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 special use requested:

I'm requesting permission to have a small motor vehicle repair shop at 707 N Division st under the name Falcon Auto.

Existing Zoning: **C1**

Submittal Requirements:

- The completed application form.
- A PDF that shows the location and dimensions of existing and proposed improvements affected by the special use. 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 17.14.050 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 - \$400.

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

(1) Application:

- Prior to submission of the application for the special use, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the special use 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.
- If approved, a new special use application shall be required for any change to any approved special use that does not qualify as an administrative modification.
- Special uses shall expire one hundred eighty days after the date of the approval unless licenses or permits required for the operation or maintenance of the use have been obtained.

(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 special use permit:

- 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.

EXHIBIT "A" Previous Actions

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.050 E. of the Davenport Municipal Code:

#1 The establishment, maintenance, and operation of the proposed special use will not endanger the public health, safety, or welfare.

All work will be performed inside the location and no changes to current use of exterior of the property in question. Furthermore no safety, health, or welfare risk will be created as a result of this business

EXHIBIT "A" Previous Actions

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.050 E. of the Davenport Municipal Code:

#2 The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.

The special use of 707 N division st is both consistent with the use of other land nearby as there are currently and were formerly other businesses of this kind in the area. Some closed and others still doing work currently.

EXHIBIT "A" Previous Actions

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.050 E. of the Davenport Municipal Code:

#3 The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and adopted land use policies.

Allowing Falcon auto to open a location on division will be consistent with the intent to allow businesses to grow and flourish in davenport iowa. It will also allow for the community to have the option of more choices of honest repair to vehicles and have a fair honest place for repairs in this neighborhood.

EXHIBIT "A" Previous Actions

Applicant: Anthony Pentorzi

Date: 10/31/19

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, Anthony Pentorzi
authorize Lester Montus
to act as applicant, representing me/us before the Zoning Board of Adjustment for the property located
at _____

Anthony Pentorzi
Lester Montus

Signature(s)*

*Please note: original signature(s) required.



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



Public Hearing Details:

Date: 11/14/2019
Time: 4:00 PM
Location: Council Chambers at City Hall, 226 West 4th Street Davenport, Iowa
Subject: Public hearing for a Special Use Permit before the Zoning Board of Adjustment
Case #: SU19-02

Ward: **3rd Ward**

To: All property owners within 200 feet of the subject property located at **707 N. Division Street**.

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a Special Use Permit. The purpose of the Special Use Permit is to authorize certain special/conditional uses of property which are allowed but require special consideration.

Request Description

Request SU19-02 of Falcon Auto/Anthony Pintozzi at 707 N. Division Street for a special use to approve a minor vehicle repair shop in the existing structure. Property is zoned C-1 Neighborhood Commercial. Section 17.08.020. of the Davenport Municipal Code allows for minor vehicle repair/service in the C-1 District subject to special use approval in compliance with Section 17.08.030.CC. [Ward 3]

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?

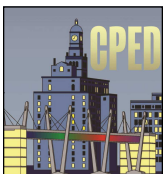
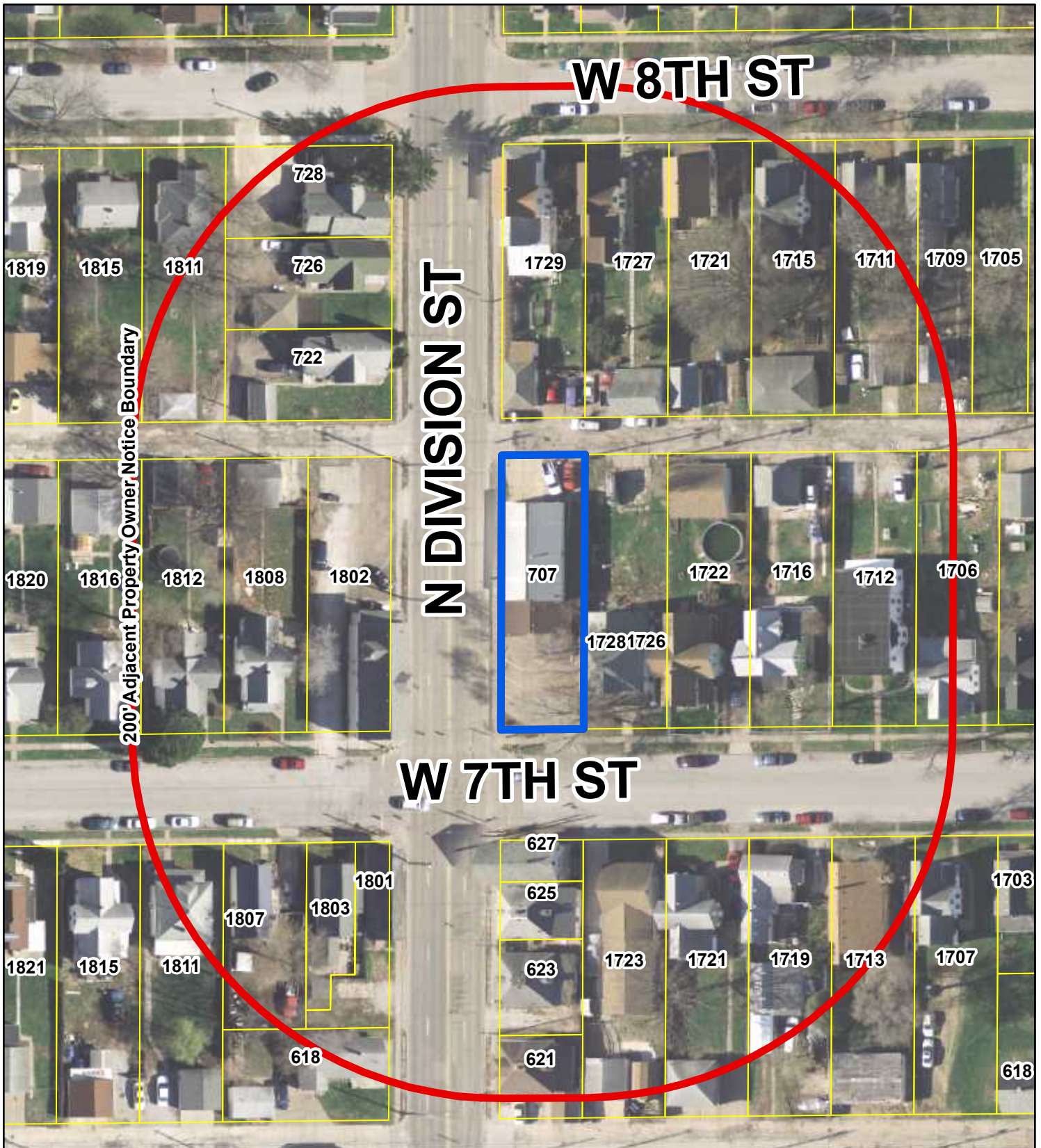
As a neighboring property owner, you may have an interest in commenting on the proposed request either in writing/email or in person at the public hearing. If you intend to send in written comments, it is appreciated if those comments could be received by Community Planning no later than 12:00 PM *one 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

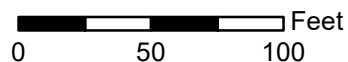
Please note that items may be removed from the agenda or tabled to a future hearing date at the request of the Petitioner or Commission/Board. If you are interested in the current schedule and outcome of this case, please contact the Community Planning Office at 563-326-7765 or planning@ci.davenport.ia.us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

Zoning Board of Adjustment: Adjacent Property Owner Notice Area



Legend

- 707 N Division St
- 200 ft Adjacent 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.



Task ID: 20-12837

Activity: CSD - Debris Inspection

Parcel ID: H0053-51

Parcel Address: 707 N DIVISION ST

Notes: H0053-51



2/28/2020, 11:26:20 AM



Neighborhood Services Department
1200 E 46th St Davenport, Iowa 52807

2/28/2020

ALL IN ONE BUILDING & REMODELING
707 N DIVISION ST
DAVENPORT IA 52802-1100

DEBRIS VIOLATION

Re: 707 N DIVISION ST

Parcel: H0053-51

On 2/28/2020 an environmental inspection was conducted in your area. It was determined from this investigation, the following violation(s) of the Davenport Municipal Code 8.08 and 8.14 exist on your property and constitute a nuisance:

*** REMOVE AND PROPERLY DISPOSE OF THE VEHICLE WINDSHIELD, BUILDING MATERIALS, BEVERAGE CONTAINERS AND YARD WASTE PILE. EXTERIOR PROPERTY MUST REMAIN CLEAR OF ALL VEHICLE PARTS.**

This violation(s) cited must be corrected before: March 9 2020

A re-inspection will be made on this date and failure to correct the violation(s) will be cause for the city to perform the work necessary to correct the violation(s). If the city does complete the work, the cost will be billed at a minimum of \$95 per hour plus a \$120 administrative fee and the actual disposal costs to the property owner and/or the cost will be assessed against the property.

If there are any questions concerning the notice or the requirements to correct any violations, please contact the Neighborhood Services Department immediately.

You may request an administrative hearing to appeal this nuisance abatement order pursuant to the procedures set forth in Chapter 2.86 of the Davenport Municipal Code. A valid appeal request must be made within 10 days from the date of this notice and shall be submitted in writing to City Hall located at 226 W 4th Street, Davenport, IA 52801. The appeal request shall include a copy of this notice, a statement regarding the basis for the appeal, and payment of the \$100 external adjudication administrative hearing fee. To waive the fee, you need to provide adequate proof of low income status. A form is available with the City of Davenport's Legal Department. Alternatively, you may request a hearing before a city representative. The administrative hearing is informal and you will be given an opportunity to present evidence and question the City's evidence. Failure to request a hearing within the timeframe set forth in this notice shall constitute a waiver of the right to a hearing and the Notice will then be in effect and enforceable.

Respectfully,

ANTHONY HAUT

Code Enforcement Officer

Neighborhood Services Department

563-328-6781 Tony.Haut@davenportiowa.com

Ref #20-12837

Task ID: 20-12862

Activity: CSD - Zoning

Parcel ID: H0053-51

Parcel Address: 707 N DIVISION ST

Notes: H0053-51



3/2/2020, 02:41:31 PM



3/2/2020, 02:41:31 PM



3/2/2020, 02:41:31 PM



3/2/2020, 02:41:31 PM



3/2/2020, 02:41:31 PM



3/2/2020, 02:41:31 PM

Task ID: 20-13399

Activity: CSD - Zoning

Parcel ID: H0053-51

Parcel Address: 707 N DIVISION ST

Notes: H0053-51



3/2/2020, 03:11:07 PM



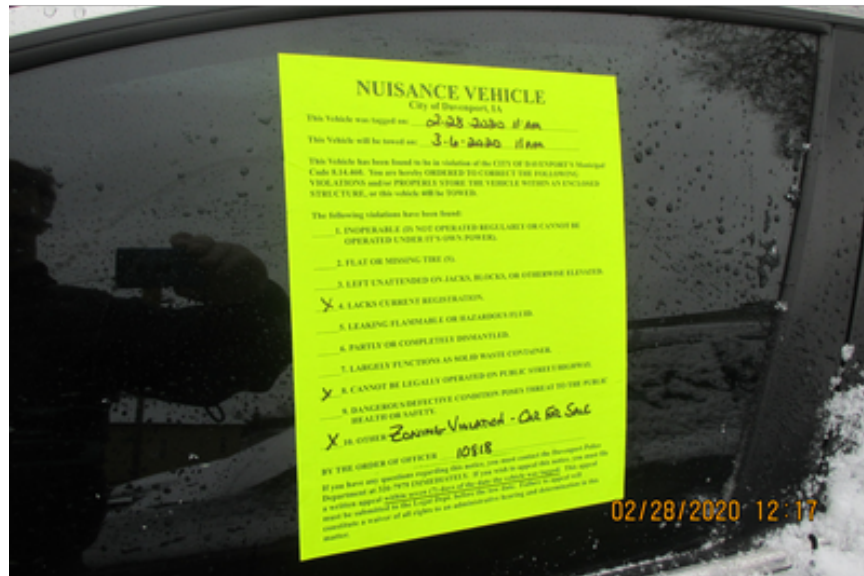
3/2/2020, 03:11:37 PM



3/2/2020, 03:11:37 PM



3/2/2020, 03:11:37 PM



3/2/2020, 03:11:37 PM

Task ID: 20-13400

Activity: CSD - Zoning

Parcel ID: H0053-51

Parcel Address: 707 N DIVISION ST

Notes: H0053-51



3/2/2020, 02:59:12 PM



3/2/2020, 02:55:41 PM



3/2/2020, 02:55:41 PM



3/2/2020, 02:55:41 PM

NUISANCE VEHICLE

City of Davenport, IA

This Vehicle was tagged on: _____

This Vehicle will be towed on: _____

This Vehicle has been found to be in violation of the CITY OF DAVENPORT'S Municipal Code 8.14.460. You are hereby ORDERED TO CORRECT THE FOLLOWING VIOLATIONS and/or PROPERLY STORE THE VEHICLE WITHIN AN ENCLOSED STRUCTURE, or this vehicle will be TOWED.

The following violations have been found:

- _____ 1. INOPERABLE (IS NOT OPERATED REGULARLY OR CANNOT BE OPERATED UNDER IT'S OWN POWER).
- _____ 2. FLAT OR MISSING TIRE (S).
- _____ 3. LEFT UNATTENDED ON JACKS, BLOCKS, OR OTHERWISE ELEVATED.
- _____ 4. LACKS CURRENT REGISTRATION.
- _____ 5. LEAKING FLAMMABLE OR HAZARDOUS FLUID.
- _____ 6. PARTLY OR COMPLETELY DISMANTLED.
- _____ 7. LARGELY FUNCTIONS AS SOLID WASTE CONTAINER.
- _____ 8. CANNOT BE LEGALLY OPERATED ON PUBLIC STREET/HIGHWAY.
- _____ 9. DANGEROUS/DEFECTIVE CONDITION POSES THREAT TO THE PUBLIC HEALTH OR SAFETY.
- _____ 10. OTHER _____

BY THE ORDER OF OFFICER _____

If you have any questions regarding this notice, you must contact the Davenport Police Department at 326-7979 IMMEDIATELY. If you wish to appeal this notice, you must file a written appeal within seven (7) days of the date the vehicle was tagged. This appeal must be submitted to the Legal Dept. before the tow date. Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination in this matter.



Neighborhood Services Department
1200 E 46th St Davenport, Iowa 52807

2/28/2020

ALL IN ONE BUILDING & REMODELING
707 N DIVISION ST
DAVENPORT IA 52802-1100

DEBRIS VIOLATION

Re: 707 N DIVISION ST

Parcel: H0053-51

On 2/28/2020 an environmental inspection was conducted in your area. It was determined from this investigation, the following violation(s) of the Davenport Municipal Code 8.08 and 8.14 exist on your property and constitute a nuisance:

*** REMOVE AND PROPERLY DISPOSE OF THE VEHICLE WINDSHIELD, BUILDING MATERIALS, BEVERAGE CONTAINERS AND YARD WASTE PILE. EXTERIOR PROPERTY MUST REMAIN CLEAR OF ALL VEHICLE PARTS.**

This violation(s) cited must be corrected before: March 9 2020

A re-inspection will be made on this date and failure to correct the violation(s) will be cause for the city to perform the work necessary to correct the violation(s). If the city does complete the work, the cost will be billed at a minimum of \$95 per hour plus a \$120 administrative fee and the actual disposal costs to the property owner and/or the cost will be assessed against the property.

If there are any questions concerning the notice or the requirements to correct any violations, please contact the Neighborhood Services Department immediately.

You may request an administrative hearing to appeal this nuisance abatement order pursuant to the procedures set forth in Chapter 2.86 of the Davenport Municipal Code. A valid appeal request must be made within 10 days from the date of this notice and shall be submitted in writing to City Hall located at 226 W 4th Street, Davenport, IA 52801. The appeal request shall include a copy of this notice, a statement regarding the basis for the appeal, and payment of the \$100 external adjudication administrative hearing fee. To waive the fee, you need to provide adequate proof of low income status. A form is available with the City of Davenport's Legal Department. Alternatively, you may request a hearing before a city representative. The administrative hearing is informal and you will be given an opportunity to present evidence and question the City's evidence. Failure to request a hearing within the timeframe set forth in this notice shall constitute a waiver of the right to a hearing and the Notice will then be in effect and enforceable.

Respectfully,

ANTHONY HAUT

Code Enforcement Officer

Neighborhood Services Department

563-328-6781 Tony.Haut@davenportiowa.com

Ref #20-12837



City of Davenport
Police Department

TASK 20-13400

ENVIRONMENTAL-NUISANCE VEHICLE REPORT

REPORT NO.					
Date of Complaint 2-28-2020	Area	Complaint taken by TCH	Serial No. 10818	Dispatch No.	Pound No.
Reported Location: (exact address- No hundred blocks) 707 N. DAVISON ST					
Vehicle Make JEEP	Vehicle Model GRAND CHEROKEE	Vehicle Color SILVER	Vehicle Plate No. NO PLS.	State	

What qualifies the vehicle as a nuisance?

- ☐ 1. Inoperable (is not operated regularly or cannot be operated under its own power)
☐ 2. Flat or missing tire(s).
☐ 3. Left unattended on jacks, blocks, or otherwise elevated, causing a safety hazard.
☒ 4. Lacks CURRENT registration.
☐ 5. Leaking flammable or hazardous fluid.
☐ 6. Partly or completely dismantled.
☐ 7. Largely functioning as a solid waste container.
☒ 8. Cannot be legally operated on a public street or highway.
☐ 9. Dangerous or defective condition posing a threat to public health or safety.
☒ 10. Other ZONING VIOLATION - CAR FOR SALE

FOR USE BY VEHICLE IDENTIFICATION OFFICER ONLY

Date Received 2-28-2020 11:00AM	Tag or Check #1	Officer TCH	Serial No. 10818
To be towed date 3-6-2020 11:00AM	Actual date of Tow		
Photo's @ Tag	Photo's @ Tow		
Year	Make JEEP	Model GRAND CHEROKEE	Color SILVER
V.I.N. 1C4RJFBBG0CC262461	Actual location SOUTH LOT		
1 st mileage	☐ Gone ☐ Now legal ☐ Still in violation ☐ Doesn't meet nuisance criteria		
2 nd mileage			
Owner's Name	Owner's address		
Comments			



City of Davenport
Police Department

TASK 20-12862

ENVIRONMENTAL-NUISANCE VEHICLE REPORT

					REPORT NO.	
Date of Complaint 2-28-2020	Area	Complaint taken by TCH	Serial No. 10818	Dispatch No.	Pound No.	
Reported Location: (exact address: No hundred blocks) 707 N. Division St						
Vehicle Make FORD	Vehicle Model EDGE 4D	Vehicle Color SILVER	Vehicle Plate No. No Pls	State		

What qualifies the vehicle as a nuisance?

- ☐ 1. Inoperable (is not operated regularly or cannot be operated under its own power)
- ☐ 2. Flat or missing tire(s).
- ☐ 3. Left unattended on jacks, blocks, or otherwise elevated, causing a safety hazard.
- ☒ 4. Lacks CURRENT registration.
- ☐ 5. Leaking flammable or hazardous fluid.
- ☐ 6. Partly or completely dismantled.
- ☐ 7. Largely functioning as a solid waste container.
- ☒ 8. Cannot be legally operated on a public street or highway.
- ☐ 9. Dangerous or defective condition posing a threat to public health or safety.
- ☒ 10. Other ZONING VIOLATION - CAR FOR SALE

FOR USE BY VEHICLE IDENTIFICATION OFFICER ONLY

Date Received 2-28-2020 11:00AM		Tag or Check #1		Officer 10818 TCH		Serial No.
To be towed date 3-6-2020 11:00AM		Actual date of Tow				
Photo's @ Tag		Photo's @ Tow				
Year	Make FORD	Model EDGE 4D	Color SILVER			
V.I.N. 2FMDK3K37EBA03516		Actual location SOUTH LOT				
1 st mileage		☐ Gone ☐ Now legal ☐ Still in violation ☐ Doesn't meet nuisance criteria				
2 nd mileage						
Owner's Name		Owner's address				
Comments						



City of Davenport
Police Department

TASK # 20-13399

ENVIRONMENTAL-NUISANCE VEHICLE REPORT

				REPORT NO.	
Date of Complaint 2-28-2020	Area	Complaint taken by TCH	Serial No. 10818	Dispatch No.	Pound No.
Reported Location: (exact address- No hundred blocks) 707 N. Division St					
Vehicle Make NISSAN	Vehicle Model ALTIMA 4D	Vehicle Color SILVER	Vehicle Plate No. NO PLS	State	

What qualifies the vehicle as a nuisance?

- ☐ 1. Inoperable (is not operated regularly or cannot be operated under its own power)
☐ 2. Flat or missing tire(s).
☐ 3. Left unattended on jacks, blocks, or otherwise elevated, causing a safety hazard.
☒ 4. Lacks CURRENT registration.
☐ 5. Leaking flammable or hazardous fluid.
☐ 6. Partly or completely dismantled.
☐ 7. Largely functioning as a solid waste container.
☒ 8. Cannot be legally operated on a public street or highway.
☐ 9. Dangerous or defective condition posing a threat to public health or safety.
☒ 10. Other ZONING VIOLATION - CAR FOR SALE

FOR USE BY VEHICLE IDENTIFICATION OFFICER ONLY

Date Received 2-28-2020 11:00 AM	Tag or Check #1	Officer TCH	Serial No. 10818
To be towed date 3-6-2020 11:00 AM	Actual date of Tow		
Photo's @ Tag	Photo's @ Tow		
Year	Make NISSAN	Model MAXIMA 4D	Color SILVER
V.I.N. 1N4 3AP3HN338179	Actual location SOUTH LOT		
1 st mileage	☐ Gone ☐ Now legal ☐ Still in violation ☐ Doesn't meet nuisance criteria		
2 nd mileage			
Owner's Name	Owner's address		
Comments			

2014 ford edge loaded panoramic sun roof electric lift gate electric fold down rear seat bluetooth every option back up camera you name it I'm selling it for trade in price so come quick wont last long 13500 was my trade in offer but I'd rather find it a good home clean title in hand



\$12,999

2014 Ford Edge Limited Sport Utility 4D

Message



Marketplace › Vehicles

2013 Nissan Maxima
Davenport, IA · over a we**\$13,500****About This Vehicle**

Driven 42,000 miles

Automatic transmissi

Seller's Description2013 nissan maxima low r
miles fully loaded leather s
blind spot a... [More](#)**Seller Information****L.J. Monkus**

Joined Facebook

Send seller a message

Is this available?

[Ser](#)

Message

VIN Check

From: Oswald, Richard
Sent: Wednesday, March 11, 2020 1:27 PM
To: Hoyt, Mallory
Cc: Koops, Scott E.; Haut, Tony
Subject: FW: Vehicle Information

Follow Up Flag: Follow up
Flag Status: Flagged

Mallory,

DPD check the vehicle plates. I would like your opinion on proceeding or holding off a little.

Richard E. Oswald

Neighborhood Services Director
 City of Davenport

T 563-326-6115
 1200 E. 46th, Davenport, IA 52807

davenportiowa.com

From: Morgan, Brett
Sent: Wednesday, March 11, 2020 12:50 PM
To: Oswald, Richard
Subject: RE: Vehicle Information

IVU651 comes back to All in one Building, 707 N Division (Nissan Maxima)

JEU747 AJ Auto Sales, 707 N Division (silver Nissan Altima)

JEU300 All in one Building 707 N Division (Ford Edge)

JEV436 707 N Division (silver Jeep)

Lieutenant Brett Morgan

Commander, Traffic Safety Unit, Davenport Police Department
 City of Davenport
Brett.Morgan@davenportiowa.com

T 563-326-6153 | M 563-529-1302
 416 N Harrison St, Davenport, IA 52801

davenportiowa.com

From: Oswald, Richard <Richard.Oswald@davenportiowa.com>
Sent: Wednesday, March 11, 2020 8:48 AM
To: Morgan, Brett <Brett.Morgan@davenportiowa.com>
Subject: Vehicle Information

Lt. Morgan,

Could you have someone provide me owner information for these vehicles? The first three attachments are Iowa plates, the PDF is tow sheets with vin numbers. I am working on a zoning case with legal. Sooner the better also.

Thanks

Richard E. Oswald

Neighborhood Services Director
City of Davenport

T 563-326-6115
1200 E. 46th, Davenport, IA 52807

davenportiowa.com



Doc ID: 017029480001 Type: TRD
 Recorded: 11/25/2008 at 10:31:13 AM
 Fee Amt: \$7.00 Page 1 of 1
 Scott County Iowa
 Rita A. Vargas Recorder

File # **2008-00031265**

Prepared by: MARGARET McDonald 2335 N Division DAV. IA 52804 503-579-2293
 Individual's Name Street Address City / State / Zip Phone

Return Documents to: SAME

TRADE NAMES

Verified statements of person or co-partnership conducting a business under a trade name or assumed name. (Chapter 547, Code of Iowa)

STATE OF IOWA, Scott County, ss.

I (we) MARGARET McDonald

in compliance with the provisions of Chapter 547, Code of Iowa, being duly sworn depose and say that the business conducted, or to be conducted under the trade name of Falcon Builders

2335 N. Division Street, Davenport the business address of which is Iowa in

the above named county, is owned by the following person(s):

Name of Persons Owning or Having Any Interest in the Business	P.O. Address	Residence Address
<u>MARGARET McDonald</u>		<u>2335 N. Division DAV. IA 52804</u>
<u>Larry McDonald</u>		<u>P.O. Box 267 West Branch, IA 52358</u>

and we hereby establish or amend as follows:

☐ Establish Trade Name Falcon Builders

file or document # _____ Date _____

☐ Dissolve

Original file or document # _____ Date _____

☐ Withdrawal of name(s) of Partner(s) _____

Original file # _____ Date _____

☐ Add name(s) of Partner(s) _____

Original file # _____ Date _____

☐ Change of Address Business _____ Home _____

And that there is no one except those mentioned in the foregoing list who owns or has any interest in the above named business.



Public Works Center
Neighborhood Services Division
1200 East 46th Street
Davenport, Iowa 52807
Phone (563) 326-7923

January 19, 2020

**LESTER MONKUS
1102 MINNIE AVE
DAVENPORT, IA 52802**

VEHICLE VIOLATIONS

RE: 1102 MINNIE AVE

Dear Owner/Resident:

Please be advised the City of Davenport inspects nuisance vehicles on private property **(Per the City of Davenport's Municipal Code 8.14.460)**. The code States:

A vehicle is a "nuisance vehicle" if it is upon public or private property, lawful junkyards or salvage yards accepted, not enclosed within a legal structure and exhibits at least one of the following characteristics:

1. Inoperable (is not operated regularly or cannot be operated under its own power)
2. Flat or missing tire(s)
3. Left unattended on jacks, blocks, or otherwise elevated, causing a safety hazard.
4. Lacks CURRENT registration
5. Leaking flammable or hazardous fluid
6. Partly or completely dismantled
7. Largely functioning as a solid waste container
8. Cannot be legally operated on public streets/highways
9. Dangerous or defective condition posing threat to public health/safety
10. Other Nuisance complaint

Failure to correct the highlighted violation(s) may result in the vehicle(s) of subject to be ticketed, or tagged for towing.

Please correct the cited violations by: **JANUARY 30, 2020**

Thank you.

If you have any questions concerning the above, please direct them to me at (563) 328-6776.

Respectfully;

Samantha Belz
Neighborhood Services Division
Public Works Department
City of Davenport
samantha.belz@ci.davenport.ia.us



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



Public Hearing Details:

Date: 5/14/2020
Time: 4:00 PM
Location: Council Chambers at City Hall, 226 West 4th Street Davenport, Iowa
Subject: Public hearing for a Special Use before the Zoning Board of Adjustment
Case #: SU20-02

Ward: **3rd**

To: All property owners within 200 feet of the subject property located at **707 N. Division Street**.

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a Special Use. The purpose of the Special Use is to authorize certain special/conditional uses of property which are allowed but require special consideration.

Request Description

Request SU20-02 of the City of Davenport to consider a revocation or major modification of the existing Minor Vehicle Repair Special Use (SU19-02) at 707 N. Division Street due to nonconformance with required codes and/or Special Use conditions per Sections 17.14.050, 17.14.050.D.2, 17.14.050.F.2, 17.08.020 and 17.08.030.CC. Falcon Auto, Anthony Pintozzi and Lester Monkus are the Special Use holders as granted by the Board on November 14, 2019 for request SU19-02. [Ward 3]

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 (563-326-7745) 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.

On-line/Telephone Participation

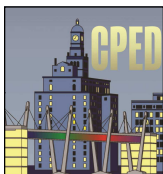
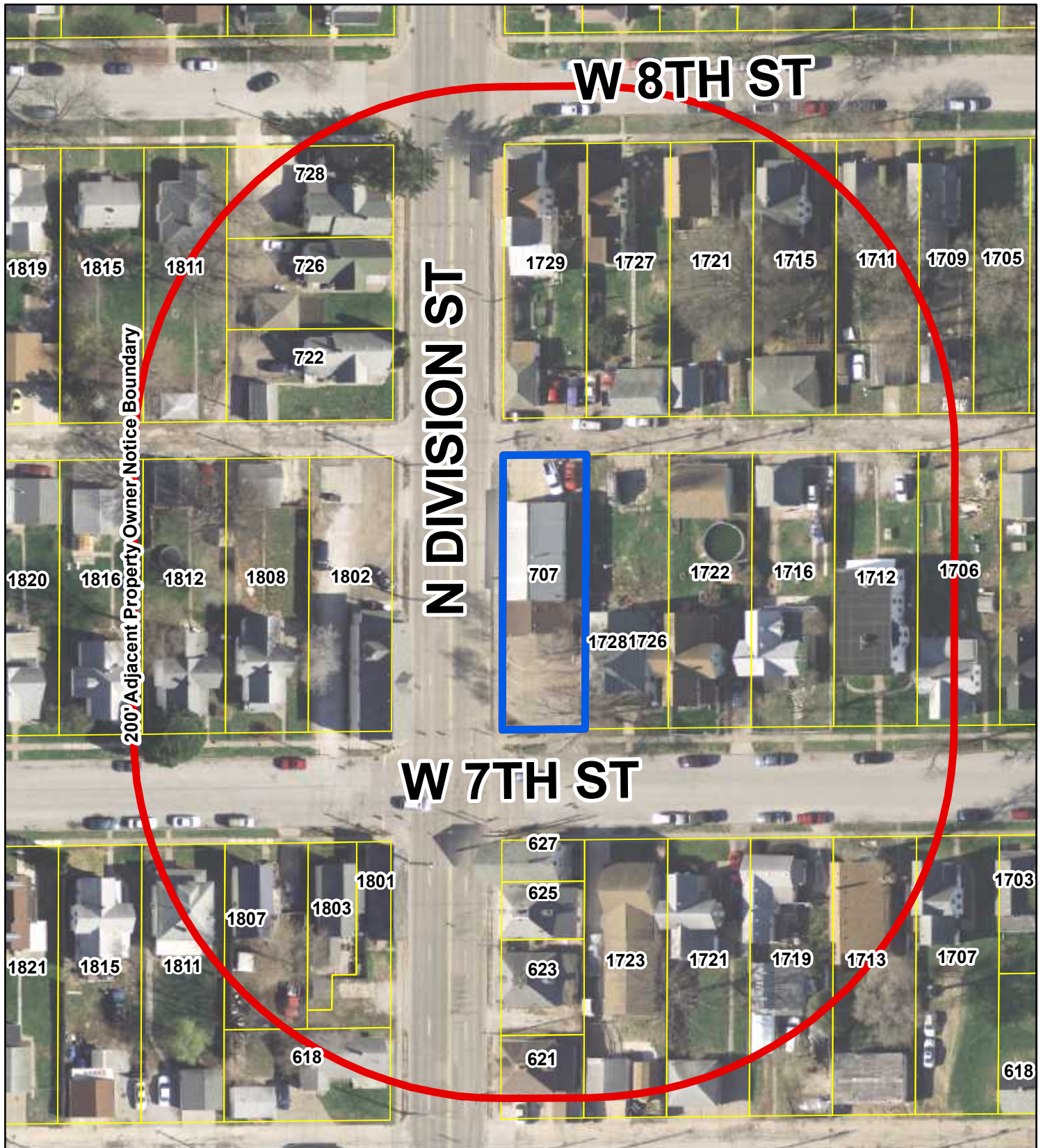
Due to limited on-site meeting opportunities, in-person participants may be queued outside the meeting room. Persons wishing to avoid in-person participation may join the meeting virtually at the following: <https://global.gotomeeting.com/join/198778309> or via phone at 1-(646) 749-3122. Visual materials and the entire meeting packet (agenda, exhibits and staff reports) are online under the appropriate board/commission link under "Search Minutes & Agendas": www.cityofdavenportiowa.com/boards and will be available no later than May 11th.

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 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 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.

Zoning Board of Adjustment: Adjacent Property Owner Notice Area



Legend

 707 N Division St

 200 ft Adjacent Owner Notice Area

0 50 100 Feet

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.



707 N Division St - Adjacent Owner Notice Addresses

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	707 N DIVISION ST	FALCON AUTO		
Neighborhood:	Fejervary Neighbors	mbradford@jwkoehler.com		
Ward/Notices	Ward 3	All Alderman Notified	Both Admin Clerks Notified	Notices Sent: 32
H0053-47		WHITE DON	608 20TH AVE	ROCK ISLAND IL 61201
H0044-58		JUAREZ JOSE CASTR	1729 W 8TH ST	DAVENPORT IA 52802
H0044-57		MARCELENO ALEJANDRO	1727 W 8TH ST	DAVENPORT IA 52802
H0044-56		THOMA-HAGEN PROPERTIES LLC	309 2ND ST	DURANT IA 52747
H0044-55		SOLBRIG TONYA L	1715 W 8TH ST	DAVENPORT IA 52802
H0044-54		NINO CESAR RENE	1307 BROWN ST	DAVENPORT IA 52804
H0053-52		NGUYEN INC	6201 N MARQUETTE ST	DAVENPORT IA 52806
H0053-53		WATERMAN JIM	1722 W 7TH ST	DAVENPORT IA 52802
H0053-54		RICHARDS JESSICA L	1716 W 7TH ST	DAVENPORT IA 52802
H0053-55		ERICKSON THOMAS E	1703 BRADY ST	DAVENPORT IA 52803
H0053-56		CRANE MARY P	1706 W 7TH ST	DAVENPORT IA 52802
H0044-53		ULMAN STEPHEN D	1709 W 8TH ST	DAVENPORT IA 52802
H0053-46		DIANE L SOPPE REV TRUST	1723 W 7TH ST	DAVENPORT IA 52807
H0053-45		CHAVARRIA GLORIA A	1721 W 7TH ST	DAVENPORT IA 52802
H0053-44		HEDRICK PRESTON L	1719 W 7TH ST	DAVENPORT IA 52802
H0053-43		FIRST FINANCIAL GROUP LC	1987 SPRUCE HILLS DR	BETTENDORF IA 52722
H0053-42		DAVIS RONALD G	2821 COLLEGE AVE	DAVENPORT IA 52803
H0053-50		RYAN JOHNSON PROPERTIES LLC	2401 BRADY ST	DAVENPORT IA 52803
H0053-49		S & J REALTY	6480 131ST ST	BLUE GRASS IA 52726
H0053-48		MYERS DAVID M (Contract)	237 S LINCOLN AVE	DAVENPORT IA 52802
H0045-36		FARNUM JEANETTE	728 N DIVISION ST	DAVENPORT IA 52802
H0052-20A		ABOVE ALL ACREAGE LLC	2806 N MICHIGAN AVE	DAVENPORT IA 52804
H0052-22		OAK HELM PARTNERS	2920 HARRISON ST	DAVENPORT IA 52803
H0052-23		HOLLINGSBED ANTHONY D	1811 W 7TH ST	DAVENPORT IA 52802
H0045-38		ALL IN ONE BUILDING & REMODELING	722 N DIVISION ST	DAVENPORT IA 52802
H0045-37		L & G PROPERTIES LLC	2525 E LOCUST ST	DAVENPORT IA 52803
H0045-35		CLAUSSEN FRED F JR	1811 W 8TH ST	DAVENPORT IA 52802
H0052-15		SAINI II LLC	3108 W CENTRAL PARK AVE	DAVENPORT IA 52804
H0052-13		NEGUS TROY D	1812 W 7TH ST	DAVENPORT IA 52802
H0052-12		CORRALES JULIE E	1816 W 7TH ST	DAVENPORT IA 52802
H0052-21		VANHECKE BROTHERS LLC	1421 FRONT ST PO BOX 34	BUFFALO IA 52728
H0045-34		CAMPBELL ANGELIQUE C	1815 W 8TH ST	DAVENPORT IA 52802



DAVENPORT

COMMUNITY PLANNING &
ECONOMIC DEVELOPMENT

March 10, 2020

Falcon Auto
707 N. Division St
Davenport IA, 52802

Lester Monkus
thefalconauto@gmail.com

Anthony Pintozzi
allinoneqc@gmail.com

Dear Sirs,

Please see the attached notice for a revocation or major modification to Special Use SU19-02 that was granted for 707 N. Division Street as a Minor Vehicle Repair business on November 14, 2019. At this upcoming hearing the Special Use SU19-02 for 707 N. Division Street will be considered for revocation or modification to the conditions of the Special Use as per SU20-02. This is your notice to attend the hearing on March 26th, 2020; further details enclosed.

Respectfully,

A handwritten signature in dark ink, appearing to read "Scott Koops".

Scott Koops, AICP
Planner II
Community Planning

enc: Notice of Public Hearing, Decision & Order for SU19-02



Complete application can be emailed to 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:

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 zoning appeal:

Existing Zoning:

Submittal Requirements:

- The completed application form.
- A PDF that shows the location and dimensions of existing and proposed improvements affected by the appeal. If a paper copy is provided, the maximum size is 11" x 17".
- Supporting documentation and evidence.
- 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 - \$250.

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

- Prior to submission of the application for the zoning appeal, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the appeal 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.
- Pursuant to Section 17.14.130 of the Davenport City Code zoning appeals shall be filed in writing within 30 calendar days after the decision is rendered with the Zoning Administrator.

(2) Zoning Board of Adjustment's consideration of the zoning appeal:

- 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.

(3) 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.

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:

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,
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.

ZBA Calendar 2019

ZONING BOARD OF ADJUSTMENT

*** The Applicant or their representative MUST be at the Meeting/Public Hearing ***

Day:	Monday (5pm)	Thursday (4pm)
Activity:	Submittal	Meeting
Date:	12/17/18	01/10/19
	12/31/18	01/24/19
	01/22/19 *	02/14/19
	02/04/19	02/28/19
	02/19/19 *	03/14/19
	03/04/19	03/28/19
	03/18/19	04/11/19
	04/01/19	04/25/19
	04/15/19	05/09/19
	04/29/19	05/23/19
	05/20/19	06/13/19
	06/03/19	06/27/19
	06/17/19	07/11/19
	07/01/19	07/25/19
	07/15/19	08/08/19
	07/29/19	08/22/19
	08/19/19	09/12/19
	09/03/19 *	09/26/19
	09/16/19	10/10/19
	09/30/19	10/24/19
	10/21/19	11/14/19
	No Meeting	No Meeting (Thanksgiving)
	11/18/19	12/12/19
	No Meeting	No Meeting (Christmas)
	12/16/19	01/09/20
	12/30/19	01/23/20

* Date changed due to Holiday

Location/Time subject to change

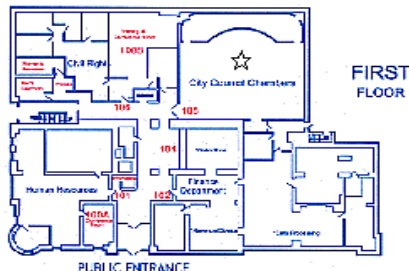
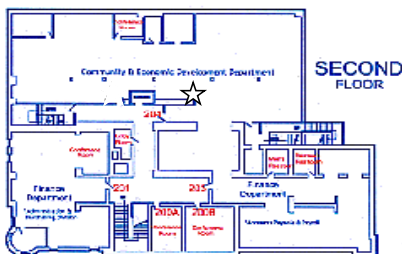
Contact planning@ci.davenport.ia.us to confirm meeting date/time/location

Application Due:

Meeting Appearance (Required):

Time: 5:00 PM
Location: Community Planning
Second Floor, City Hall
(see below)

Time: 4:00 PM
Location: City Council Chambers
First Floor, City Hall
(see below)



City Hall is located at 226 W 4th St, Davenport IA 52801

2019

January							February						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5						1	2
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28		
March							April						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
					1	2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													
May							June						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						
July							August						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	31
September							October						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7			1	2	3	4	5
8	9	10	11	12	13	14	6	7	8	9	10	11	12
15	16	17	18	19	20	21	13	14	15	16	17	18	19
22	23	24	25	26	27	28	20	21	22	23	24	25	26
29	30						27	28	29	30	31		
November							December						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
					1	2	1	2	3	4	5	6	7
3	4	5	6	7	8	9	8	9	10	11	12	13	14
10	11	12	13	14	15	16	15	16	17	18	19	20	21
17	18	19	20	21	22	23	22	23	24	25	26	27	28
24	25	26	27	28	29	30	29	30	31				

City of Davenport
Zoning Board of Adjustment

Department: CPED
Contact Info: Scott Koops, Planner II, AICP
scott.koops@davenportiowa.com

Date
5/14/2020

Subject:

Request SU20-04 of Shawn Agan at 3504 Hickory Grove Road for a special use to allow a reception hall. Section 17.08.030 W. of the Davenport Municipal Code allows for a reception hall at this location subject to the granting of a special use (general admission fees at the door are prohibited and have not been proposed with this application). [Ward 2]

Recommendation:

Staff recommends approval of the request.

Background:

See report

ATTACHMENTS:

Type	Description
▣ Executive Summary	Report
▣ Exhibit	Application
▣ Exhibit	Plans
▣ Exhibit	Notice List
▣ Exhibit	Notice Letter & Map

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Koops, Scott	Approved	5/8/2020 - 12:34 PM



City of Davenport
Community Planning & Economic Development Department
STAFF REPORT
ZONING BOARD OF ADJUSTMENT

ZONING BOARD OF ADJUSTMENT

Meeting: May 14, 2020
Request: Special Use – reception hall
Address: 3504 Hickory Grove RD
Applicant: Shawn Agan

Description

Request SU20-04 of Shawn Agan at 3504 Hickory Grove Road for a special use to allow a reception hall. Section 17.08.030 W. of the Davenport Municipal Code allows for a reception hall at this location subject to the granting of a special use (general admission fees at the door are prohibited and have not been proposed with this application). [Ward 2]

Background

The subject property is in a proposed mixed commercial/industrial area. The proposed building will be remodeled and will have additions to the existing one-story commercial building for the reception hall. The Zoning Board of Adjustment is to evaluate whether this use would have a detrimental impact to adjacent properties.

Findings/Approval Standards

1. The establishment, maintenance, and operation of the proposed special use will not endanger the public health, safety, or welfare.

The plans meet code requirements for this use. The site is properly designed to have minimal, if any, impact on adjacent property and public facilities if constructed per required building code as has been proposed by the developer

2. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.

The plans meet code requirements and the site is properly designed to have minimal, if any, impact on adjacent property. Neighboring properties have or are zoned for commercial uses and businesses.

3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and adopted land use policies.

The property immediately abutting the use is commercial or industrial property. Land use policy has been met along with all code requirements.

Recommendation

Findings:

The location/design/construction of the proposed use meets the requirements of a Special Use.

Recommendation:

Staff recommends approval of the request.

Prepared by: *Scott Koops*

Scott Koops, Planner II

Attachments: Map, Site Plan, Application, Notification Map, Exhibits



Complete application can be emailed to planning@ci.davenport.ia

Property Address 3504 Hickory Grove RD

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 special use requested:

Existing Zoning:

Submittal Requirements:

- The completed application form.
- A PDF that shows the location and dimensions of existing and proposed improvements affected by the special use. 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 17.14.050 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 - \$400.

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

- Prior to submission of the application for the special use, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the special use 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.
- If approved, a new special use application shall be required for any change to any approved special use that does not qualify as an administrative modification.
- Special uses shall expire one hundred eighty days after the date of the approval unless licenses or permits required for the operation or maintenance of the use have been obtained.

(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 special use permit:

- 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.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.050 E. of the Davenport Municipal Code:

#1 The establishment, maintenance, and operation of the proposed special use will not endanger the public health, safety, or welfare.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.050 E. of the Davenport Municipal Code:

#2 The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.050 E. of the Davenport Municipal Code:

#3 The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and adopted land use policies.

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

SA

Signature(s)*

*Please note: original signature(s) required.



3504_Hickory_Grove_RD_-_Adjacent_Owner_Notice_List (1)

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner: Shawn Agan				
Neighborhood: none				
Ward/Ald:	Ward 2	All Alderman Notified	Both Admin Clerks Notified	Notices Sent
O1633-12	3614 HICKORY GROVE RD	FORD RANDALL S (Deed)	3614 HICKORY GROVE RD	DAVENPORT IA 52806
O1649A02	3451 FIARmoUNT ST	THE DUGOUT COMMERCIAL PARK (Deed)	5721 OAK BROOK RD	DAVENPORT IA 52806
O1649A03	3504 HICKORY GROVE RD	CHARIOT LLC	828 WAVERLY RD	DAVENPORT IA 52804
O1649B02	3504 HICKORY GROVE RD			DAVENPORT IA 52804
O1649A01A	3504 HICKORY GROVE RD			DAVENPORT IA 52804
O1649A01B	3504 HICKORY GROVE RD			DAVENPORT IA 52804
O1649B01A	3504 HICKORY GROVE RD			DAVENPORT IA 52804
O1633-10B	3511 HICKORY GROVE RD	PROPERTY MANAGEMENT & DEVELOPMENT	6331 WHISPERING PINES DR	DAVENPORT IA 52807
O1633-10G	3511 HICKORY GROVE RD	PROPERTY MANAGEMENT & DEVELOPMENT	6331 WHISPERING PINES DR	DAVENPORT IA 52807
O1633-10C	3717 FAIRMOUNT ST	RED STAR INC (Deed)	14260 113TH AV	DAVENPORT IA 52804



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



Public Hearing Details:

Date: 5/14/2020

Ward: **2nd**

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 #: SU20-04

To: All property owners within 200 feet of the subject property located at **3504 Hickory Grove RD.**

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a Special Use. The purpose of the Special Use is to authorize certain special/conditional uses of property which are allowed but require special consideration.

Request Description

Request SU20-04 of Shawn Agan at 3504 Hickory Grove Road for a special use to allow a reception hall. Section 17.08.030 W. of the Davenport Municipal Code allows for a reception hall at this location subject to the granting of a special use. [Ward 2]

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 (563-326-7745) 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.

On-line/Telephone Participation

Due to limited on-site meeting opportunities, in-person participants may be queued outside the meeting room. Persons wishing to avoid in-person participation may join the meeting virtually at the following: <https://global.gotomeeting.com/join/198778309> or via phone at 1-(646) 749-3122. Visual materials and the entire meeting packet (agenda, exhibits and staff reports) are online under the appropriate board/commission link under "Search Minutes & Agendas": www.cityofdavenportiowa.com/boards and will be available no later than May 11th.

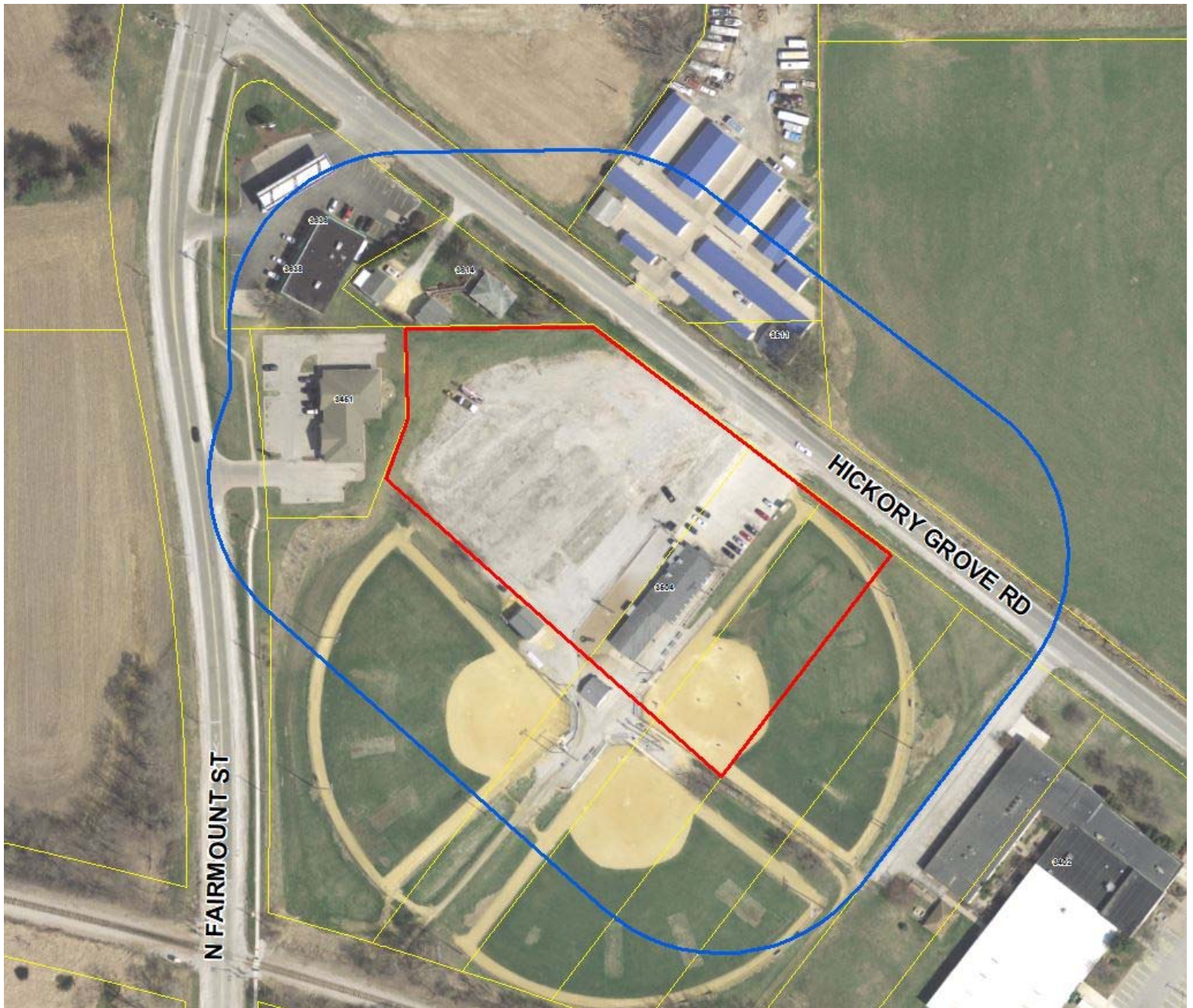
Do You Have Any Questions?

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 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 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.

Blue Line: 200' Notice Boundary Line

Red Line: Subject Property Boundary



City of Davenport
Zoning Board of Adjustment

Department: CPED
Contact Info: Scott Koops, Planner II, AICP
scott.koops@davenportiowa.com

Date
5/14/2020

Subject:

Request SU19-04 of Michael Lawrence/Catalyst Investments at 902-904 W Locust Street for a special use to approve a pizza shop (without a drive-through) in the existing structure. Property is zoned R-4C residential. Section 17.08.030.U. of the Davenport Municipal Code allows for neighborhood commercial establishments within existing structures that are nonresidential in construction and/or use as of January 20, 2019 in all residential districts (excluding R-1), with the granting of a special use. [Ward 4]

Recommendation:

Approve the request

Background:

See report

ATTACHMENTS:

Type	Description
▣ Cover Memo	Report
▣ Exhibit	Application
▣ Exhibit	Plans
▣ Exhibit	Notice List
▣ Exhibit	Notice Letter & Map

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Koops, Scott	Approved	5/8/2020 - 12:45 PM



City of Davenport
Community Planning & Economic Development Department
STAFF REPORT – ZONING BOARD OF ADJUSTMENT

Description

Request SU19-04 of Michael Lawrence/Catalyst Investments at 902-904 W Locust Street for a special use to approve a pizza shop (without a drive-through) in the existing structure. Property is zoned R-4C residential. Section 17.08.030.U. of the Davenport Municipal Code allows for neighborhood commercial establishments within existing structures that are nonresidential in construction and/or use as of January 20, 2019 in all residential districts (excluding R-1), with the granting of a special use. [Ward 4]

Background

The subject property is in a mixed use area although there are more homes in the immediate vicinity than businesses. The petitioner is proposing to take this once former corner store back into the retail/service industry with a pizza shop utilizing the existing building. No additions or drive throughs are planned. The shop will meet all commercial building and health code requirements. The site will be approved through the EPlan system for all interior rehabilitation.

Discussion

The petitioner proposes rehabilitate the building into a pizza shop with on and off site sales.

Findings/Approval Standards

1. The establishment, maintenance, and operation of the proposed special use will not endanger the public health, safety, or welfare.

The plans meet code requirements for the reestablishment of a neighborhood commercial establishment. The site should have minimal, if any, impact on adjacent property and public facilities.

2. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.

The plans meet code requirements and the site is properly designed to have minimal, if any, impact on adjacent property and public facilities.

3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and adopted land use policies.

Land use policy has been met along with all code requirements.

Recommendation & Findings

The location/design/construction of the proposed use meets the requirements of a Special Use. Staff recommends approval of the request.

Prepared by: Scott Koops, Planner II

Attachments: Aerial Map, Site Plan, Application, Notification Map, Exhibits



Complete application can be emailed to 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:

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

Design Review Board

Design Approval

Demolition Request in the Downtown

Demolition Request in the Village of

East Davenport

Engineer (if applicable)

Name:

Company:

Address:

City/State/Zip

Phone:

Email:

Historic Preservation Commission

Certificate of Appropriateness

Landmark Nomination

Demolition Request

Architect (if applicable)

Name:

Company

Address:

City/State/Zip:

Phone:

Email:

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 special use requested:

Existing Zoning:

Submittal Requirements:

- The completed application form.
- A PDF that shows the location and dimensions of existing and proposed improvements affected by the special use. 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 17.14.050 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 - \$400.

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

- Prior to submission of the application for the special use, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the special use 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.
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(2) Public Notice for the Zoning Board of Adjustment public hearing:

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

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- 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 17.14.050 E. of the Davenport Municipal Code:

#1 The establishment, maintenance, and operation of the proposed special use will not endanger the public health, safety, or welfare.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.050 E. of the Davenport Municipal Code:

#2 The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.050 E. of the Davenport Municipal Code:

#3 The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and adopted land use policies.

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.

ZBA Calendar 2019

ZONING BOARD OF ADJUSTMENT

*** The Applicant or their representative MUST be at the Meeting/Public Hearing ***

Day:	Monday (5pm)	Thursday (4pm)
Activity:	Submittal	Meeting
Date:	12/17/18	01/10/19
	12/31/18	01/24/19
	01/22/19 *	02/14/19
	02/04/19	02/28/19
	02/19/19 *	03/14/19
	03/04/19	03/28/19
	03/18/19	04/11/19
	04/01/19	04/25/19
	04/15/19	05/09/19
	04/29/19	05/23/19
	05/20/19	06/13/19
	06/03/19	06/27/19
	06/17/19	07/11/19
	07/01/19	07/25/19
	07/15/19	08/08/19
	07/29/19	08/22/19
	08/19/19	09/12/19
	09/03/19 *	09/26/19
	09/16/19	10/10/19
	09/30/19	10/24/19
	10/21/19	11/14/19
	No Meeting	No Meeting (Thanksgiving)
	11/18/19	12/12/19
	No Meeting	No Meeting (Christmas)
	12/16/19	01/09/20
	12/30/19	01/23/20

* Date changed due to Holiday

Location/Time subject to change

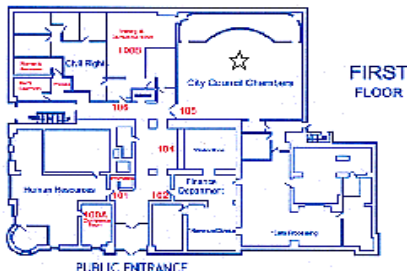
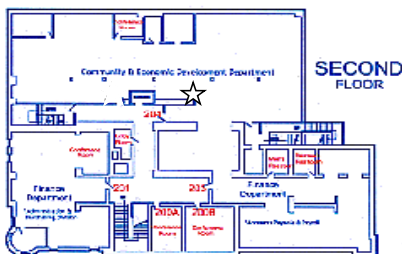
Contact planning@ci.davenport.ia.us to confirm meeting date/time/location

Application Due:

Meeting Appearance (Required):

Time: 5:00 PM
Location: Community Planning
Second Floor, City Hall
(see below)

Time: 4:00 PM
Location: City Council Chambers
First Floor, City Hall
(see below)



City Hall is located at 226 W 4th St, Davenport IA 52801

2019

January							February							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
		1	2	3	4	5						1	2	
6	7	8	9	10	11	12	3	4	5	6	7	8	9	
13	14	15	16	17	18	19	10	11	12	13	14	15	16	
20	21	22	23	24	25	26	17	18	19	20	21	22	23	
27	28	29	30	31			24	25	26	27	28			
March							April							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
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10	11	12	13	14	15	16	14	15	16	17	18	19	20	
17	18	19	20	21	22	23	21	22	23	24	25	26	27	
24	25	26	27	28	29	30	28	29	30					
31														
May							June							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
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12	13	14	15	16	17	18	9	10	11	12	13	14	15	
19	20	21	22	23	24	25	16	17	18	19	20	21	22	
26	27	28	29	30	31		23	24	25	26	27	28	29	
							30							
July							August							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
	1	2	3	4	5	6						1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10	
14	15	16	17	18	19	20	11	12	13	14	15	16	17	
21	22	23	24	25	26	27	18	19	20	21	22	23	24	
28	29	30	31				25	26	27	28	29	30	31	
September							October							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
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8	9	10	11	12	13	14	6	7	8	9	10	11	12	
15	16	17	18	19	20	21	13	14	15	16	17	18	19	
22	23	24	25	26	27	28	20	21	22	23	24	25	26	
29	30						27	28	29	30	31			
November							December							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
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17	18	19	20	21	22	23	22	23	24	25	26	27	28	
24	25	26	27	28	29	30	29	30	31					

902 W Locust



Improvements

- Stone Veneer Siding
- Resurface Parking Lot
- New Flooring
- New Painting
- New Light Fixtures
- New Business Sign
- Addition of 2nd Bathroom
- Addition of Bay Windows on East Side
- Removal of shed in back
- Improved landscaping

Not Applicable

- New construction
- Expansion or Additions
- Altering of Structure (adding or subtracting)

[Back to Dashboard \(/\)](#)

Iowa Secretary of State
321 East 12th Street
Des Moines, IA 50319
sos.iowa.gov

FILED

Date: **1/11/2019 02:41 PM**
Corp No: **591793**
Cert No: **FT0015417**



Certificate of Organization - LLC

Information

CODE 489 DOMESTIC LIMITED LIABILITY COMPANY
Chapter

Arya, LLC
Entity Name

1/11/2019 2:30:00 PM
Effective Date and Time

Perpetual
Expiration Date

Certificate of Organization - Arya (Signed).pdf (/Uploads/Filings/20190111/808a6162-1e25-4cb8-8f8c-3113e257520a.pdf)

Upload your Certificate of Organization in PDF

Registered Agent and Registered Office Address

Ryan M. Weber

Full Name

2322 E Kimberly Road

Address1

Suite 120W

Address2

Davenport

City

IA

State

52807

Zip

USA

Country

Principal office

1620 65th Avenue W

Address1

Address2

Rock Island

City

IL

State

61201

Zip

USA

Country

Signature(s)

Ryan M. Weber

Organizer

1/11/2019 2:30:16 PM

Date

Questions:

Email: fff@sos.iowa.gov (mailto:help@sos.iowa.gov)

Phone: 1-888-767-8683 (tel:1-888-767-8683)

[Back to Dashboard \(/\)](#)

Iowa Secretary of State
321 East 12th Street
Des Moines, IA 50319
sos.iowa.gov

FILED

Date: **1/11/2019 02:42 PM**
Corp No: **591794**
Cert No: **FT0015418**



Certificate of Organization - LLC

Information

CODE 489 DOMESTIC LIMITED LIABILITY COMPANY
Chapter

Catalyst Investments, LLC
Entity Name

1/11/2019 2:30:00 PM
Effective Date and Time

Perpetual
Expiration Date

Certificate of Organization - Catalyst Investments (Signed).pdf (/Uploads/Filings/20190111/669f3c2f-dfb4-4805-9c9d-36edb42a0448.pdf)

Upload your Certificate of Organization in PDF

Registered Agent and Registered Office Address

Ryan M. Weber

Full Name

2322 E Kimberly Road

Address1

Suite 120W

Address2

Davenport

City

IA

State

52807

Zip

USA

Country

Principal office

1620 65th Avenue W

Address1

Address2

Rock Island

City

IL

State

61201

Zip

USA

Country

Signature(s)

Ryan M. Weber

Organizer

1/11/2019 2:31:38 PM

Date

Questions:

Email: fff@sos.iowa.gov (mailto:help@sos.iowa.gov)

Phone: 1-888-767-8683 (tel:1-888-767-8683)



Doc ID: 022164980008 Type: LAN
Recorded: 11/08/2019 at 10:48:32 AM
Fee Amt: \$47.00 Page 1 of 8
Scott County Iowa
Rita A. Vargas Recorder

File **2019-00030278**

REAL ESTATE CONTRACT-INSTALLMENTS

THE IOWA STATE BAR ASSOCIATION

Official Form No. 141

Recorder's Cover Sheet

Preparer Information: (name, address and phone number)

Ryan M. Weber, 2322 E. Kimberly Road, Suite 120W, Davenport, IA 52807, Phone: (563) 359-3591

Taxpayer Information: (name and complete address)

Catalyst Investments, LLC, 1620 65th Avenue W, Rock Island, IL 61201

Return Document To: (name and complete address)

Ryan M. Weber, 2322 E. Kimberly Road, Suite 120W, Davenport, IA 52807, Phone: (563) 359-3591

Grantors:

Applied Investment Strategies, LLC

Grantees:

Catalyst Investments, LLC

Legal Description: See Page 2

Document or instrument number of previously recorded documents:

REAL ESTATE CONTRACT - INSTALLMENTS

IT IS AGREED this 30th day of October, 2019, by and between Applied Investment Strategies, LLC (referred to herein as the "Seller"), and Catalyst Investments, LLC, an Iowa limited liability company (referred to herein as the "Buyer"), that the Seller, as in this Contract provided, agrees to sell to the Buyer, and the Buyer in consideration of the premises, hereby agrees with the Seller to purchase the real estate located at 902 W. Locust Street, Davenport, IA 52804, which is legally described as follows:

Part of the Southwest Quarter of Section 23, in Township 78 North, Range 3 East of the 5th P.M., more particularly described as follows: Beginning at the point of intersection of the West line of Warren Street, extended North, with the North line of Locust Street in the City of Davenport, Iowa; running thence North along said West line of Warren Street, extended 150 feet; thence West parallel with the North line of Locust Street, 40 feet; thence South 150 feet to the North line of Locust Street; thence East along the North line of Locust Street 40 feet to place of beginning. Also known as the East 40 feet of Lot 1 in the Plat of J.J. Nagel's Addition to the City of Davenport, Iowa, recorded in Book 83 of Lot Deeds on page 23 in the Office of the Recorder of Scott County, Iowa.

together with any easements and servient estates appurtenant thereto, but with such reservations and exceptions of title as may be below stated, all upon the terms and conditions following:

1. **TOTAL PURCHASE PRICE.** The Buyer agrees to pay for said property the total of \$55,000.00, which shall be due and payable to Seller, as follows:

- a. **DOWN PAYMENT OF \$5,000** to be paid upon execution of this Contract, receipt of which is hereby acknowledged; and
- b. **BALANCE OF PURCHASE PRICE** of \$50,000.00 is to be paid as follows: installments in the amount of \$329.98 shall be due and payable monthly, commencing on November 15, 2019 and continuing to be due and payable on or before the 15th day of each and every month in advance, through November 15, 2020, at which time the remaining balance shall be due and payable in full. Should Buyer be unable to secure adequate financing by November 15, 2020 to complete this Contract, the parties may agree to extend the terms of this Contract. Payments are based upon a 20-year amortization of \$50,000.00 at 5.00% per annum. Buyer shall have the privilege of paying any greater sum than that herein specified on any payment date.

2. **POSSESSION.** Buyer, concurrently with due performance on their part shall be entitled to possession of said premises, subject to the rights of tenants in possession, upon execution of this Contract; and thereafter, so long as Buyer performs Buyer's obligations under this Contract. Buyer is taking the premises "AS IS" with no warranties, either express or implied.

3. **TAXES.** Buyer shall be responsible for all payments of real estate taxes associated with the premises from date of possession. Upon payoff of this Contract, Buyer shall receive a tax prorate from Seller for the time period of January 1, 2019 through October 25, 2019, which the parties agree to be in the amount of \$466.05, which is Seller's share of the taxes that have accrued but are not yet due.

4. **SPECIAL ASSESSMENTS.** Seller shall pay the special assessments currently assessed against this property which, if not paid, would become delinquent and all assessments payable prior thereto. Buyer, except as above stated, shall pay all subsequent special assessments and charges, before they become delinquent.

5. **INSURANCE.** From the date of possession, Buyer shall maintain and pay for insurance on the property and shall name Seller as an additional insured on such policy. Buyer shall provide Seller with proof of insurance at any time that Seller should request it. Buyer shall constantly keep in force insurance, premiums therefore to be prepaid by Buyer (without notice or demand) against loss by fire, tornado and other hazards, casualties and contingencies as Seller may reasonably require on all buildings and improvements, now on or hereafter placed on said premises and any personal property which may be the subject of this Contract, in companies to be reasonably approved by Seller in an amount not less than the full insurable value of such improvements and personal property or not less than the unpaid purchase price herein whichever amount is smaller with such insurance payable to Seller and Buyer as their interests may appear. Seller's interest shall be protected in accordance with a standard or union-type loss payable clause. BUYER SHALL PROMPTLY DEPOSIT SUCH POLICY WITH PROPER RIDERS WITH SELLER for the further security for the payment of the sums herein mentioned. In the event of any such casualty loss, the insurance proceeds may be used under the supervision of the Seller to replace or repair the loss if the proceeds be adequate; if not, then some other reasonable application of such funds shall be made; but in any event such proceeds shall stand as security for the payment of the obligations herein. In addition, Buyer shall maintain or cause the occupier of the property to maintain insurance, including, but not limited to liability, casualty or indemnity insurance made necessary by virtue of the use of the property by such occupier, with standard and commercially reasonable limits.

6. **MORTGAGE.** Any mortgage or encumbrance of a similar nature against the said property shall be timely paid by Seller so as not to prejudice the Buyer's equity herein. Should Seller fail to pay, Buyer may pay any such sums in default and shall receive credit on this Contract for such sums so paid. MORTGAGE BY SELLER. Seller, their successors in interest or assigns may, and hereby reserve the right to at any time mortgage their right, title or interest in such premises or to renew or extend any existing mortgage for any amount not exceeding 90% of the then unpaid balance of the purchase price herein provided. The interest rate and amortization thereof shall be no more onerous than the installment requirements of this Contract. Buyer hereby expressly consents to such a mortgage and agree to execute and deliver all necessary papers to aid Seller in securing such a mortgage which shall be prior and paramount to any of Buyer's then rights in said property.

7. **CARE OF PROPERTY.** Buyer shall take good care of this property; shall keep the buildings and other improvements now or hereafter placed on the said premises in good and reasonable repair. Buyer shall be allowed to make improvements, structural changes and/or alterations to the property, without prior consent of Seller. Buyer shall not use or permit said premises to be used for any illegal purpose.

8. **LIENS.** No mechanics' lien shall be imposed upon or foreclosed against the real estate described herein.

9. **ADVANCEMENT BY SELLER.** If Buyer fails to pay such taxes, special assessments and insurance, and effect necessary repairs, as above agreed, Seller may, but need not, pay such taxes, special assessments, insurance and make necessary repairs, and all sums so advanced shall be due and

payable on demand or such sums so advanced may, at the election of Seller, be added to the principal amount due hereunder and so secured.

10. JOINT TENANCY IN PROCEEDS AND SECURITY RIGHTS IN REAL ESTATE. If and only if, the Seller immediately preceding this sale, holds the title to the above described property in joint tenancy, and such joint tenancy has not later been destroyed by operation of law or by acts of the Seller, this sale shall not constitute such destruction and the proceeds of this Contract, and any continuing and/or recaptured rights of Seller in said real estate, shall be and continue in Seller as joint tenants with rights of survivorship and not as tenants in common; and Buyer, in the event of the death of one of such joint tenants, agrees to pay any balance of the proceeds of this Contract to the surviving Seller (or Seller) and to accept deed solely from her or them consistent with Paragraph 14 below unless and except this paragraph is stricken from this agreement.

11. SELLER. Spouse, if not titleholder immediately preceding this sale, shall be presumed to have executed this instrument only for the purpose of relinquishing all rights of dower, homestead and distributive share and/or in compliance with section 561.13 Code of Iowa; and the use of the word "Seller" in the printed portion of the Contract, without more, shall not rebut such presumption, nor in any way enlarge or extend the previous interest of such spouse in said property, or in the sale proceeds, nor bind such spouse except as aforesaid, to the terms and provisions of this contract.

12. TIME IS OF THE ESSENCE. Time is of the essence in this Agreement. Failure to promptly assert rights of Seller herein shall not, however, be a waiver of such rights or a waiver of any existing or subsequent default.

13. EXCEPTIONS TO WARRANTIES OF TITLE. The warranties of title in any Deed made pursuant to this Contract (See Paragraph 14) shall be without reservation or qualification EXCEPT: (a) Zoning ordinances; (b) Such restrictive covenants as may be shown of record; and (c) Easements of record, if any.

14. DEED AND ABSTRACT, BILL OF SALE. If all said sums of money and interest are paid to Seller during the life of this Contract, and all other agreements for performance by Buyer have been complied with, Seller will execute and deliver to Buyer a Warranty Deed conveying said premises in fee simple pursuant to and in conformity with this Contract and Seller will at that time deliver to Buyer an abstract showing merchantable title, in conformity with this Contract. Such abstract shall begin with the government patent (unless pursuant to the Iowa State Bar Association title standards there is a lesser requirement as to period of abstracting) to said premises and shall show title thereto in Seller as of the date of this Contract. Seller shall be responsible for the cost of updating the abstract at time of contract payoff. Seller shall be responsible for the payment of any and all revenue stamps associated with such transfer at such time.

15. APPROVAL OF ABSTRACT. Buyer has examined the abstract of title to this property and such abstract is accepted at time of execution of the Contract.

16. FORFEITURE. If Buyer (a) fails to make the payments aforesaid, or any part thereof, as same become due; or (b) fails to pay the taxes or special assessments or charges, or any part thereof, levied upon said property, or assessed against it, by any taxing body before any of such items become delinquent; or (c) fails to keep the property insured; or (d) fails to keep it in reasonable repair as herein required; or (e) fails to perform any of the agreements as herein made or required; then Seller, in addition to any and all other legal and equitable remedies which they may have, at their option, may

proceed to forfeit and cancel this Contract as provided by law (Chapter 656 Code of Iowa). Upon completion of such forfeiture, Buyer shall have no right of reclamation or compensation for money paid, or improvements made; but such payments and for improvements if any shall be retained and kept by Seller as compensation for the use of said property, and/or as liquidated damages for breach of this Contract; and upon completion of such forfeiture, if the Buyer, or any other person or persons shall be in possession of said real estate or any part thereof, such party or parties in possession shall at once peacefully remove therefrom, or failing to do so may be treated as tenants holding over, unlawfully after the expiration of a lease, and may accordingly be ousted and removed as such as provided by law.

17. FORECLOSURE AND REDEMPTION. If Buyer fails to timely perform this Contract, Seller, at their option, may elect to declare the entire balance immediately due and payable after such notice, if any, as may be required by Chapter 654, Iowa Code. Thereafter this Contract may be foreclosed in equity and the court may appoint a receiver to take immediate possession of the property and of the revenues and income accruing therefrom and to rent or cultivate the same as the receiver may deem best for the interest of all parties concerned, and such receiver shall be liable to account to Buyer only for the net profits, after application of rents, issues and profits from the costs and expenses of the receivership and foreclosure and upon the contract obligation.

It is agreed that if this Contract covers less than ten (10) acres of land, and in the event of the foreclosure of this Contract and sale of the property by sheriff's sale in such foreclosure proceedings, the time of one year for redemption from said sale provided by the statutes of the State of Iowa shall be reduced to six (6) months provided the Seller, in such action file an election to waive any deficiency judgment against Buyer which may arise out of the foreclosure proceedings: all to be consistent with the provisions of Chapter 628 of the Iowa Code. If the redemption period is so reduced, for the first three (3) months after sale such right of redemption shall be exclusive to the Buyer, and the time periods in Sections 628.5, 628.15 and 628.16 of the Iowa Code shall be reduced to four (4) months.

It is further agreed that the period of redemption after a foreclosure of this Contract shall be reduced to sixty (60) days if all of the three following contingencies develop: (1) The real estate is less than ten (10) acres in size; (2) the Court finds affirmatively that the said real estate has been abandoned by the owners and those persons personally liable under this Contract at the time of such foreclosure; and (3) Seller in such action file an election to waive any deficiency judgment against Buyer or their successor in interest in such action. If the redemption period is so reduced, Buyer or their successor in interest or the owner shall have the exclusive right to redeem for the first thirty (30) days after such sale, and the time provided for redemption by creditors as provided in Sections 628.5, 628.15 and 628.16 of the Iowa Code shall be reduced to forty (40) days. Entry of appearance by pleading or docket entry by or on behalf of Buyer shall be presumption that the property is not abandoned. Any such redemption period shall be consistent with all of the provisions of Chapter 628 of the Iowa Code. This paragraph shall not be construed to limit or otherwise affect any other redemption provisions contained in Chapter 628 of the Iowa Code.

18. ATTORNEY'S FEES. In case of any action, or in any proceedings in any Court to collect any sums payable or secured herein, or to protect the lien or title herein of Seller, or in any other case permitted by law in which attorney's fees may be collected from Buyer, or imposed upon them, or upon the above described property, Buyer agrees to pay reasonable attorney's fees.

19. INTEREST ON DELINQUENT AMOUNTS. Either party will pay interest at the highest legal contract rate applicable to a natural person to the other on all amounts herein as and after they become delinquent, and/or on cash reasonably advanced by either party pursuant to the terms of this

Contract, as protective disbursements.

20. ASSIGNMENT. Buyer shall not transfer or assign any interest in this Contract or the real estate above described without the prior written consent of Seller. Any violation of this provision shall entitle the Seller to declare the entire balance due and payable at once. If Seller shall assign this Contract, Seller shall provide prompt notice to the Buyer of such assignment.

21. PERSONAL PROPERTY. If this Contract includes the sale of any personal property, then in the event of the forfeiture or foreclosure of this Contract, such personal property shall be considered indivisible with the real estate above described; and any such termination of Buyer's rights in said real estate shall concurrently operate as the forfeiture or foreclosure hereto against all such personal property.

22. CONSTRUCTION. Words and phrases herein, including acknowledgments hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context. See Paragraph 11, above, for construction of the word "Seller."

23. RELEASE OF RIGHTS. Seller hereby relinquishes all rights of dower, homestead and distributive share in and to the property and waives all rights of exemption as to any of the property.

24. LEAD-BASED PAINT NOTICE. Buyer has received a Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazard.

25. CERTIFICATION. Buyer and Seller each certify that they are not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule or regulation that is enforced or administered by the Office of Foreign Assets Control; and are not engaged in this transaction, directly or indirectly on behalf of, any such person, group, entity or nation. Each party hereby agrees to defend, indemnify and hold harmless the other party from and against any and all claims, damages, losses, risks, liabilities and expenses (including attorney's fees and costs) arising from or related to my breach of the foregoing certification.

26. INSPECTION OF PRIVATE SEWAGE DISPOSAL SYSTEM. Seller represents and warrants to Buyer that the Property is not served by a private sewage disposal system, and there are no known private sewage disposal systems on the property.

27. LEASES. Upon execution of this Contract, the Seller shall assign any and all outstanding lease agreements related to the Property, transferring all right, title and interest in said leases to Buyer, together with the right to collect rent under said leases. Rents shall be prorated to the date of execution of this Contract. In the event of default and forfeiture of this Contract, the leases shall revert back to Seller. Seller shall also transfer security deposits related to the leases to Buyer at time of execution of this Contract, which shall revert back to the Seller in the event of default and forfeiture of this Contract.

I UNDERSTAND THAT HOMESTEAD PROPERTY IS IN MANY CASES PROTECTED FROM THE CLAIMS OF CREDITORS AND EXEMPT FROM JUDICIAL SALE; AND THAT BY SIGNING THIS CONTRACT, I VOLUNTARILY GIVE UP MY RIGHT TO THIS PROTECTION FOR THIS PROPERTY WITH RESPECT TO CLAIMS BASED UPON THIS CONTRACT.

Catalyst Investments, LLC

By: Michael Lawrence
Michael Lawrence, Managing Member

By: Emilie Lawrence
Emilie Lawrence, Managing Member

BUYER:

Catalyst Investments, LLC

By: Michael Lawrence
Michael Lawrence, Managing Member

By: Emilie Lawrence
Emilie Lawrence, Managing Member

STATE OF IOWA, COUNTY OF SCOTT, SS:

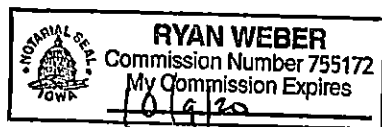
This instrument was acknowledged before me on October 25th, 2019, by Michael Lawrence and ~~Emilie Lawrence~~, Managing Members of Catalyst Investments, LLC.



[Signature]
Notary Public

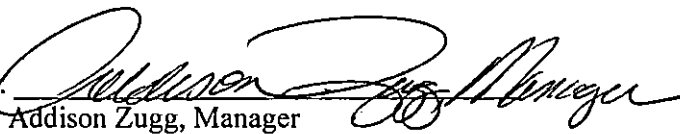
STATE OF IOWA, COUNTY OF SCOTT, SS:

This instrument was acknowledged before me on October 30, 2019 by Emilie Lawrence, Managing Member of Catalyst Investments, LLC.



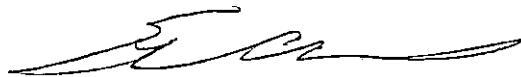
[Signature]
Notary Public

SELLER:
Applied Investment Strategies, LLC

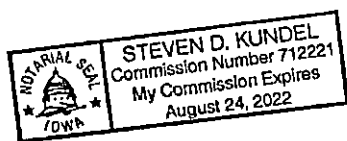
By: 
Addison Zugg, Manager

STATE OF IOWA, COUNTY OF Muscatine, SS:

This instrument was acknowledged before me on October 25th, 2019, by Addison Zugg as Manager of Applied Investment Strategies, LLC.



Notary Public





902_W_Locust_Neighborhood_Comm_Estb_-_Adjacent_Owner_Notice_Addresses

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	902 W Locust ST			
Neighborhood:	Nancy Gentry	nncgentry16@gmail.com	Glen Armil Neighborhood Association	
Ward/Notices	Ward 3	All Alderman Notified	Both Admin Clerks Notified	Notices Sent: 27
B0063-37		BULLDOG REAL ESTATE INVESTMENT CO	3930 GREENBRIAR DR PO BOX 866	BETTENDORF IA 52722
B0063-38		KEPPY STEVEN L	2205 S HILLANDALE RD	ELDRIDGE IA 52748
B0063-42		LARSON LARRY G	930 W LOCUST ST	DAVENPORT IA 52804
B0063-43		AYRA LLC	920 W LOCUST ST	DAVENPORT IA 52804
B0063-44		KRUSE DANIEL H	918 W LOCUST ST	DAVENPORT IA 52804
B0063-45		APPLIED INVESTMENT STRATEGIES LLC	5808 WALNUT HILL AVE	DES MOINES IA 50312
B0063-47		BIRD BRENDA K	1920 WARREN ST	DAVENPORT IA 52804
B0063-48		COTTON GREGORY A	1101 IOWA DR	LE CLAIRE IA 52753
B0063-49		MERRIMAN STEVEN C	1926 WARREN ST	DAVENPORT IA 52804
B0063-50		RIDENOUR NANCY S	1930 WARREN ST	DAVENPORT IA 52804
B0063-51		IBARRA ENRIQUE	1010 N HARLEM APT 503	RIVER FOREST IL 60305
B0063-52		FUTURE CAPITAL LLC	5001 TREMONT AVE	DAVENPORT IA 52807
B0062-08		OLDHAM JAMES E	1935 WARREN ST	DAVENPORT IA 52804
B0062-09		BORDEN BOBBY G	1929 WARREN ST	DAVENPORT IA 52804
B0062-10		KLEIST KEITH E	1925 WARREN ST	DAVENPORT IA 52804
B0062-11		CHRISTOPHER SCHNEIDER REVOC	224 PROSPECT TERR	DAVENPORT IA 52803
B0062-12		SWEENEY MICHAEL D	1905 WARREN ST	DAVENPORT IA 52804
B0062-13		HARRIS GINA	822 W LOCUST ST	DAVENPORT IA 52804
B0063-41		LARSON LARRY G	930 W LOCUST ST	DAVENPORT IA 52804
G0003-01		EASTER MARK A	917 W LOCUST ST	DAVENPORT IA 52804
G0003-02		RED CLOUD HOLDINGS LLC	2310 JERSEY RIDGE RD #200	DAVENPORT IA 52803
G0003-03		SANCHEZ JUAN J	901 W LOCUST ST	DAVENPORT IA 52804
G0003-03		NAVA ADOLFO	327 W 10TH ST	DAVENPORT IA 52803
G0002-01		LIVING OUR DREAMS LLC	14631 FERN AVE	DAVENPORT IA 52804
G0003-04		BIDDERS INC	P O BOX 869	BETTENDORF IA 52722



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



Public Hearing Details:

Date: 3/26/2020
Time: 4:00 PM
Location: Council Chambers at City Hall, 226 West 4th Street Davenport, Iowa
Subject: Public hearing for a Special Use before the Zoning Board of Adjustment
Case #: SU20-03

Ward: **4th**

To: All property owners within 200 feet of the subject property located at **902-904 W Locust Street.**

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a Special Use. The purpose of the Special Use is to authorize certain special/conditional uses of property which are allowed but require special consideration.

Request Description

Request SU20-03 of Michael Lawrence/Catalyst Investments at 902-904 W Locust Street for a special use to approve a coffee shop (without a drive-through) in the existing structure. Property is zoned R-4C residential. Section 17.08.030.U. of the Davenport Municipal Code allows for neighborhood commercial establishments within existing structures that are nonresidential in construction and/or use as of January 20, 2019 in all residential districts (excluding R-1), with the granting of a special use. [Ward 4]

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 (563-326-7745) 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 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 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.

