



AGENDA
City of Davenport
Zoning Board of Adjustment
May 11, 2017



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

I. Secretary's Report:

Consideration of the minutes from the April 13, 2017 public hearing (there was no meeting on April 27th due to a lack of business).

II. Old Business:

None.

III. New Business:

1. Request HV17-05 of Brad Witt at 5323 West Kimberly Road for a hardship variance to encroach into the required front yard setback and be 20 feet from the front property line with a proposed building addition (living space and garage) which will be located on the west side of the existing dwelling. Property is zoned "A-1" Agricultural District.

Section 17.42 of the Davenport Municipal Code requires a 50-foot front yard setback in an Agricultural District. Similar "R-1" Districts require a 30-foot front yard setback.

2. Request HV17-06 of Linda Dierks at 4440 West 60th Street for a hardship variance to construct a second detached accessory structure (garage measuring 33' x 54', being 1,782 sq. ft.) that would result in the property exceeding the allowed accessory area for the property by 1,929 square feet. Property is zoned R-1 Low Density Dwelling District and has an existing accessory building of 2,560 square feet and a dwelling of 2,413 square feet. The property was previously zoned "A-1" Agricultural District.

Section 17.10.030 G allows for the total of all accessory buildings not to exceed 100% of the living area of the dwelling. The subject property allows for 2,413 square feet of accessory buildings.

IV. Adjourn



MINUTES
City of Davenport
Zoning Board of Adjustment
April 13, 2017



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

Call to Order

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

Board Members present: Lee, Strayhall, and Reistroffer. Woodard was excused.

Staff present: Scott Koops and attorney Chris Jackson.

I. Secretary's Report:

Minutes for the March 23, 2017 Meeting were unanimously approved by voice vote.

II. Old Business:

None.

III. New Business:

- 1. Request HV17-04 of James Lamont at 4921 Ricker Hill Road for a hardship variance to construct a second detached garage 28' x 32' (896 sq. ft.) that would exceed the allowed number of garages for this property (also one garage is required to be attached) and exceeds the allowed detached garage area by 315.5 sq. ft. Property is zoned R-1 Low Density Dwelling District and has 1,326 square feet of living area, 19,620 square feet of lot area, and an existing two-car detached garage (414 square feet; 18' x 23').**

Section 17.10.030 G allows for detached garages up to 75% of the living area of the principal building and only one garage on lots less than 20,000 square feet. The subject property allows for 994.5 square feet of garage area.

Koops presented the staff report.

Recommendation and Findings of Fact

Items #1 reasonable return, and #2 unique circumstances, have been not been met for the granting of a hardship variance. Staff cannot recommend approval of the request.

The petitioner stated their case for the request. The stated that they would be willing to convert the existing garage into a storage shed with 3 three-foot man doors.

Motion:

Reistroffer moved to above the request, seconded by Strayhall; the motion carried and was approved unanimously (4-0) by roll call vote.

Lee, yes; Strayhall, yes; and Reistroffer, yes

IV. Other Business.

Election of Officers

Motion:

Strayhall moved to elect Hart as Chairman, seconded by Reistroffer. The motion was approved unanimously (3-0) by roll call vote.

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

Motion:

Strayhall moved to elect Reistroffer as Vice Chairman, seconded by Hart. The motion was approved unanimously (3-0) by roll call vote.

Lee, yes; Strayhall, yes; and Hart, yes.

IV. Adjourn.

The meeting was adjourned at 4:20 pm.



City of Davenport
Community Planning & Economic Development Department
STAFF REPORT

ZONING BOARD OF ADJUSTMENT

Meeting Date: May 11, 2017
Applicant: Brad Witt
Address: 5323 West Kimberly Road

Description

Request HV17-05 of Brad Witt at 5323 West Kimberly Road for a hardship variance to encroach into the required front yard setback and be 20 feet from the front property line with a proposed building addition (living space and garage) which will be located on the west side of the existing dwelling. Property is zoned "A-1" Agricultural District.

Section 17.42 of the Davenport Municipal Code requires a 50-foot front yard setback in an Agricultural District. Similar "R-1" Districts require a 30-foot front yard setback.

Background

The subject property is located on rural West Kimberly Road on a small lot which at one time was the site for a county school. The school building remains and has been converted into a single-family dwelling.

The petitioner has proposed a 20' front yard setback for this lot.

Discussion

While this lot is only 28,000 sq. ft., it does still have "A-1" Zoning which is set up for farming in the City of Davenport. This lot does not have the size needed to function as an "A-1" property, and it is therefore difficult to meet the requirements of a district intended for large lots dedicated to farming uses. This property is a unique circumstance when paired with the zoning district. In addition, due to the property's irregular lot shape (a triangle), it is likely that most house addition plans for this site would require a hardship variance.



Analysis

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

A reasonable return for this property may be possible without this variance if smaller building addition was constructed.

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

It does appear that there is an unique physical attribute of this property –the irregular lot shape - that restricts the property's use. The request is not unreasonable given this unique circumstance and the unreasonable zoning classification, however the addition would still be closer to the front property line than allowed in most residential districts, as the setback is less than 25 feet.

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

It does not appear that the proposed dwelling would be out of character for the area, given the large right-of-way width along Kimberly Road.

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

All other setbacks for the proposed structure will be met. The proposed variance should not affect the availability of light and air to the abutting properties due to the proposed location.

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

There should be no effect on the amount of congestion in the public streets based on the proposed setback variation. The petitioner will meet all off-street parking requirements.

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

If constructed to code requirements, the proposed front yard setback should not have an effect on public safety.

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

The proposed encroachment would not be out of character for the neighborhood. There should not be any significant effects on the surrounding property values due to this encroachment.

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

The proposed encroachment should not impair public welfare/comfort in the surround neighborhood.

Recommendation

While the irregular lot shape and the "A-1" zoning create a unique situation, it is possible that a smaller building addition (one that is 25 feet from the front property line), could be built. Item #1 reasonable return has not been met. Staff cannot recommend approval of the request as proposed. Staff would support a building addition with a 25-foot front yard setback.

Prepared by:



Scott Koops, AICP, Planner II

Attachments: Application and Petitioner Exhibits, Notification Documents

Zoning Board of Adjustment



City of
Davenport

\$200 Filing Fee

Date Received _____
Fee paid _____
Pre-App Date _____
Meeting Date _____

REQUEST FOR A HARDSHIP VARIANCE

ADDRESS
AFFECTED:
OR

5323 W KIMBERLY RD

LOT/BLOCK/SUBDIVISION: (if no known address, see your Real Estate Tax Bill)

CONTACT /
APPLICANT

Name: Brad Witt
Address:
ZIP Code:
Phone #: 386-5815
Fax #:
Email:

OWNER Name: Same
Address:
ZIP Code:
Phone #:
Fax #:
Email:

Note: Copies of the notice and staff report are mailed to above addresses; incomplete information will delay the request two weeks.

PROPOSAL
DESCRIPTION:

Describe the proposal and why the Zoning Code requires a variance to allow the proposal:

Encroach 20' from front property line
with building addition

DESCRIPTION OF THE CASE – On a separate sheet of paper DESCRIBE THE CASE WITH EVIDENCE THAT SUPPORTS EACH OF THE FOLLOWING REQUIREMENTS.

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone.
2. The plight of the owner is due to unique circumstances which circumstances do not apply to other adjoining or nearby property.
3. The variation, if granted, will not alter the essential character of the locality.
4. The variation will not impair an adequate supply of light and air to adjacent property.
5. The variation will not unreasonably increase congestion in public streets.
6. The variation will not increase the danger of fire or endanger the public safety.
7. The variation will not unreasonably diminish or impair established property values within the surrounding area.
8. The variation will not in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.

Is the property located in a flood zone? ☐ Yes ☒ No.

Is the property historic? ☐ Yes ☒ No.

I CERTIFY THAT I HAVE MET WITH STAFF TO DISCUSS THIS REQUEST, THE ORDINANCE REQUIREMENTS, AND POTENTIAL OPTIONS THAT COULD REDUCE OR ELIMINATE THE NECESSITY FOR THIS ACTION.

See
(Staff initial & date)

ATTACHED HERETO AND MADE A PART OF THIS APPEAL, I SUBMIT THE DRAWING(S), showing all conditions as to structures or premises affected by this appeal.

NOTE: At least one copy of the drawing must be 8-1/2" x 11" in size.
These papers must be submitted with the appeal; otherwise, the request will be delayed two weeks.

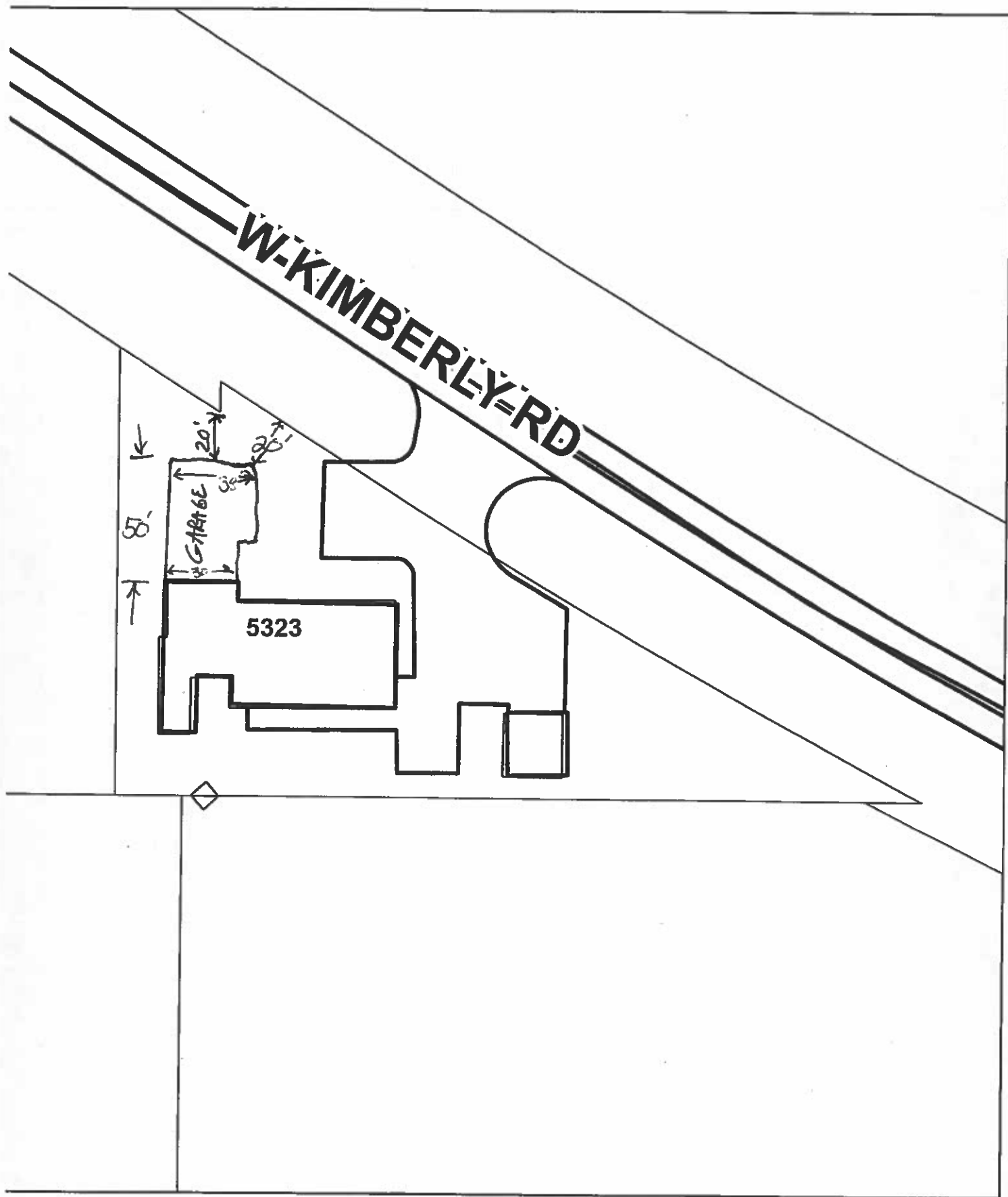
I, the undersigned, do hereby certify that the above information is true and correct to the best of my knowledge and that I have read, understand, and agree to comply with the conditions as stated above.

Signature of Appellant

Date

Sworn to before me, this _____ day of _____, 20____.

Signature of Notary



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

0 12.5 25 50 75 100 Feet

1 inch = 50 feet
7 of 20



Request for hardship variance
Brad & Paula Witt
5323 W. Kimberly Rd.
Davenport, IA 52806

785-0107 WK
386-5815 HM

Proposal description:

We request that we be allowed to build to within 20 feet of our front lot line instead of the current 50 foot setback requirement.

Description of case:

1. By allowing this variance we would be able to build an attached garage and additional living quarters on the first floor to better accommodate us in our later years and also allow needed room for grandchildren and spouses to stay with us when visiting from out of town.
2. I do not believe that these same circumstances affect any of the adjacent property owners.
3. The variation will not affect the essential character of the locality.
4. The variation will not impair the light or air of any adjacent property.
5. The variation will not cause increased congestion in public streets.
6. The variation will not increase the danger of fire or endanger the public safety.
7. The variation will not diminish the property values in the surrounding area.
8. The variation will not impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.



**NOTICE OF PUBLIC HEARING
ZONING BOARD OF ADJUSTMENT
CITY OF DAVENPORT
5/11/2017**



**TO ALL PROPERTY OWNERS WITHIN 200 FEET OF THE SUBJECT PROPERTY LOCATED AT:
5323 West Kimberly Road.**

The Zoning Board of Adjustment will hold a public hearing on Thursday 5/11/2017 at 4:00 P.M. in Council Chambers at City Hall, 226 West 4th Street Davenport, Iowa to consider the Request HV17-05 of Brad Witt at 5323 West Kimberly Road for a hardship variance to encroach into the required front yard setback and be 20 feet from the front property line with a proposed building addition. As a neighboring property owner, you have the opportunity to submit written comments, and/or to appear at the meeting, to express your views on the request described below. 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, 5/11/2017.

The Petition before the Board is described as follows:

Request HV17-05 of Brad Witt at 5323 West Kimberly Road for a hardship variance to encroach into the required front yard setback and be 20 feet from the front property line with a proposed building addition (living space and garage) which will be located on the west side of the existing dwelling. Property is zoned "A-1" Agricultural District.

Section 17.42 of the Davenport Municipal Code requires a 50-foot front yard setback in an Agricultural District. Similar "R-1" Districts require a 30-foot front yard setback.

Please feel free to comment on this request. Comments to the Zoning Board of Adjustment must be presented in writing/email.

To submit written comments send email to **planning@ci.davenport.ia.us** or mail a letter to:
ZBA/City Hall, 226 West Fourth Street, Davenport, IA 52801

Please note that items may be removed from the agenda or tabled to a future hearing date at the request of the Petitioner. If you choose to attend the hearing, you may wish to contact Community Planning prior to your departure for the meeting to learn of any changes to the agenda.

Contact the Community Planning and Economic Development Department:
Email: planning@ci.davenport.ia.us • Phone: 326-7765

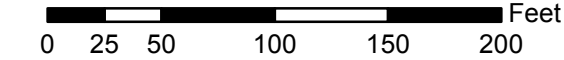
5323 W Kimberly Rd - Adjacent Owner Notice List

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	5323 W KIMBERLY RD	BRADLEY R WITT	5323 W KIMBERLY RD	DAVENPORT IA 52806
Ward/Ald:	2nd Ward	Alderman Dickmann		4 Notices Sent
U0739-04		ED A MAXWELL	4005 GLENDALE BD	DAVENPORT IA 52807
U0739-05	5006 WISCONSIN AV	ED A MAXWELL		
V0721-01A		THOMAS BRIAN J	5911 W KIMBERLY RD	DAVENPORT IA 52806
V0723-01		WHEEL HOUSE PROPERTIES LLC	5126 W KIMBERLY RD	DAVENPORT IA 52806
V0723-04		DEPARTMENT OF PUBLIC DEFENCE	3615 BRADY ST	DAVENPORT IA 52806

Zoning Board of Adjustment: Adjacent Property Owner Notice Area



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





City of Davenport
Community Planning & Economic Development Department
STAFF REPORT

ZONING BOARD OF ADJUSTMENT

Meeting Date: May 11, 2017
Applicant: Linda Dierks
Address: 4440 West 60th Street

Description

Request HV17-06 of Linda Dierks at 4440 West 60th Street for a hardship variance to construct a second detached accessory structure (garage measuring 33' x 54', being 1,782 sq. ft.) that would result in the property exceeding the allowed accessory area for the property by 1,929 square feet. Property is zoned R-1 Low Density Dwelling District and has an existing accessory building of 2,560 square feet and a dwelling of 2,413 square feet. The property was previously zoned "A-1" Agricultural District.

Section 17.10.030 G allows for the total of all accessory buildings not to exceed 100% of the living area of the dwelling. The subject property allows for 2,413 square feet of accessory buildings.

Background

The subject property has a 64' x 40' (2,560 sq. ft.) detached accessory building, but the building is not tall enough to support the storage of the petitioner's horse trailer and 5th wheel camper. The petitioner is proposing a second accessory building which will be 54' x 33' (1,782 sq. ft.). This second accessory building put the petitioner's property over the allowed accessory area by 1,929 sq. ft.

Item	Square Ft
Living Area	2,413
Existing accessory bld.	2,560
Proposed accessory bld.	1,782
Total Accessory Area	4,342
Allowed Accessory Area	2,413
Area Exceeding Allotment	1,929



Discussion

The proposed garage would place the property 1,929 square feet over the allowed area for accessory structures. The petitioner's trailer and RV could be parked on this lot without a garage or at another site.

Findings

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

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

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

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

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

A proposed garage should not alter the essential character of the area given the large lots and the fact that the area was once zoned "A-1" Agriculture. The proposed garage should not be considered out of character.

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

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

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

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

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

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

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

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

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

The requested variance is a convenience to the petitioner and does not appear to comply with the intent and spirit of the comprehensive plan of the City of Davenport.

Public Input

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

Recommendation

Items #1 reasonable return, and #2 unique circumstances, have been not been met for the granting of a hardship variance. Staff cannot recommend approval of the request.

Prepared by:



Scott Koops, AICP
Planner II

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

Zoning Board of Adjustment



\$200 Filing Fee

FOR OFFICE USE ONLY

Date Received _____

Fee paid _____

Pre-App Date _____

Meeting Date _____

REQUEST FOR A HARDSHIP VARIANCE

ADDRESS

AFFECTED:

4440 W. 60th Street, Davenport, Iowa 52806

OR

LOT/BLOCK/SUBDIVISION: (if no known address; see your Real Estate Tax Bill)

R-1

CONTACT /
APPLICANT:

Name Linda Dierks

Address: 4440 W. 60th St.

ZIP Code: Davenport, 52806

Phone #: 563-386-8811

FAX #:

EMAIL: dlindashorses@aol.com

OWNER Name: Maurice & Linda Dierks

Address: 4440 W. 60th St., Davenport

ZIP Code: 52806

Phone #: 563-386-8811

FAX #:

EMAIL: dlindashorses@aol.com

NOTE: Copies of the notice and staff report are mailed to above addresses; incomplete information will delay the request two weeks.

PROPOSAL

DESCRIPTION:

Describe the proposal and why the Zoning Code requires a variance to allow the proposal:

We would like to build a Cleary pole barn which measures 33 x 54 in which to store our horse trailer and tractors. We have an existing building 64 x 40.

DESCRIPTION OF THE CASE – On a separate sheet of paper DESCRIBE THE CASE WITH EVIDENCE THAT SUPPORTS EACH OF THE FOLLOWING REQUIREMENTS.

1. The property in question cannot yield a **reasonable return** if permitted to be used only under the conditions allowed by the regulations in the zone.
2. The plight of the owner is due to **unique circumstances** which circumstances do not apply to other adjoining or nearby property.
3. The variation, if granted, will not alter the **essential character** of the locality.
4. The variation will not impair an adequate supply of **light and air** to adjacent property.
5. The variation will not unreasonably increase **congestion** in public streets.
6. The variation will not increase the danger of fire or endanger the **public safety**.
7. The variation will not unreasonably diminish or impair established **property values** within the surrounding area.
8. The variation will not in any other respect impair the **public health, safety, comfort, morals or welfare** of the inhabitants of the City.

Is the property located in a flood zone yes ☒ no

Is the property historic yes ☒ no

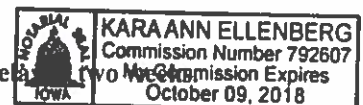
I CERTIFY THAT I HAVE MET WITH STAFF TO DISCUSS THIS REQUEST, THE ORDINANCE REQUIREMENTS, AND POTENTIAL OPTIONS THAT COULD REDUCE OR ELIMINATE THE NECESSITY FOR THIS ACTION.

(initial & date)

ATTACHED HERETO AND MADE A PART OF THIS APPEAL, I SUBMIT THE DRAWING(S), showing all conditions as to structures or premises affected by this appeal.

NOTE: At least one copy of the drawing must be 8-1/2" x 11" in size.

These papers must be submitted with the appeal; otherwise the request will be delayed.



I, the undersigned, do hereby certify that the above information is true and correct to the best of my knowledge and that I have read, understand, and agree to comply with the conditions as stated above.

Linda Dierks

Signature of Appellant

4/18/17

Date

Sworn to before me, this

4/18/2017
(date)

Signature of Notary

City of Davenport
Zoning Board of Adjustment
Hardship Variance

Maurice & Linda Dierks

4440 W. 60th St., Davenport, Iowa 52806

563-386-8811

dlindashorses@aol.com

1. The purpose of our request for a variance is due to the fact that we want to store our horse trailer and eventually want to purchase a 5th wheel camper. Our current outbuilding is not tall enough. It's dimensions are 64x40 = 2560 s.f. Our home has 2272 s.f. The new building we are proposing will be 33x54 = 1782 s.f. We would like to store these items within a building thereby retaining their value and reduce maintenance.
2. Our unique circumstances are that we live on 4.95 acres along with our neighbors and have ample space in which to build another building.
3. Since this subdivision is specifically an equestrian subdivision. The addition of a building in which an owner can store a trailer to accommodate horses would not alter the essential character of the area.
4. A building on our property will not impair the supply of light and air to our neighbors.
5. There will be no increased congestion due to the addition of a building on our property. We live on a private lane and not on a public street.
6. No additional fire or public safety risks will be increased.
7. We believe that the construction of a taller building will only increase the value of our property due to the multipurpose use it would afford those who own horses.
8. The addition of a building will not impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.





**NOTICE OF PUBLIC HEARING
ZONING BOARD OF ADJUSTMENT
CITY OF DAVENPORT
5/11/2017**



**TO ALL PROPERTY OWNERS WITHIN 200 FEET OF THE SUBJECT PROPERTY LOCATED AT:
4440 West 60th Street.**

The Zoning Board of Adjustment will hold a public hearing on Thursday 5/11/2017 at 4:00 P.M. in Council Chambers at City Hall, 226 West 4th Street Davenport, Iowa to consider the Request HV17-06 of Linda Dierks at 4440 West 60th Street for a hardship variance to construct a second detached accessory structure. As a neighboring property owner, you have the opportunity to submit written comments, and/or to appear at the meeting, to express your views on the request described below. 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, 5/11/2017.

The Petition before the Board is described as follows:

Request HV17-06 of Linda Dierks at 4440 West 60th Street for a hardship variance to construct a second detached accessory structure (garage measuring 33' x 54', being 1,782 sq. ft.) that would result in the property exceeding the allowed accessory area for the property by 1,929 square feet. Property is zoned R-1 Low Density Dwelling District and has an existing accessory building of 2,560 square feet and a dwelling of 2,413 square feet. The property was previously zoned "A-1" Agricultural District.

Section 17.10.030 G allows for the total of all accessory buildings not to exceed 100% of the living area of the dwelling. The subject property allows for 2,413 square feet of accessory buildings.

Please feel free to comment on this request. Comments to the Zoning Board of Adjustment must be presented in writing/email.

To submit written comments send email to planning@ci.davenport.ia.us or mail a letter to:
ZBA/City Hall, 226 West Fourth Street, Davenport, IA 52801

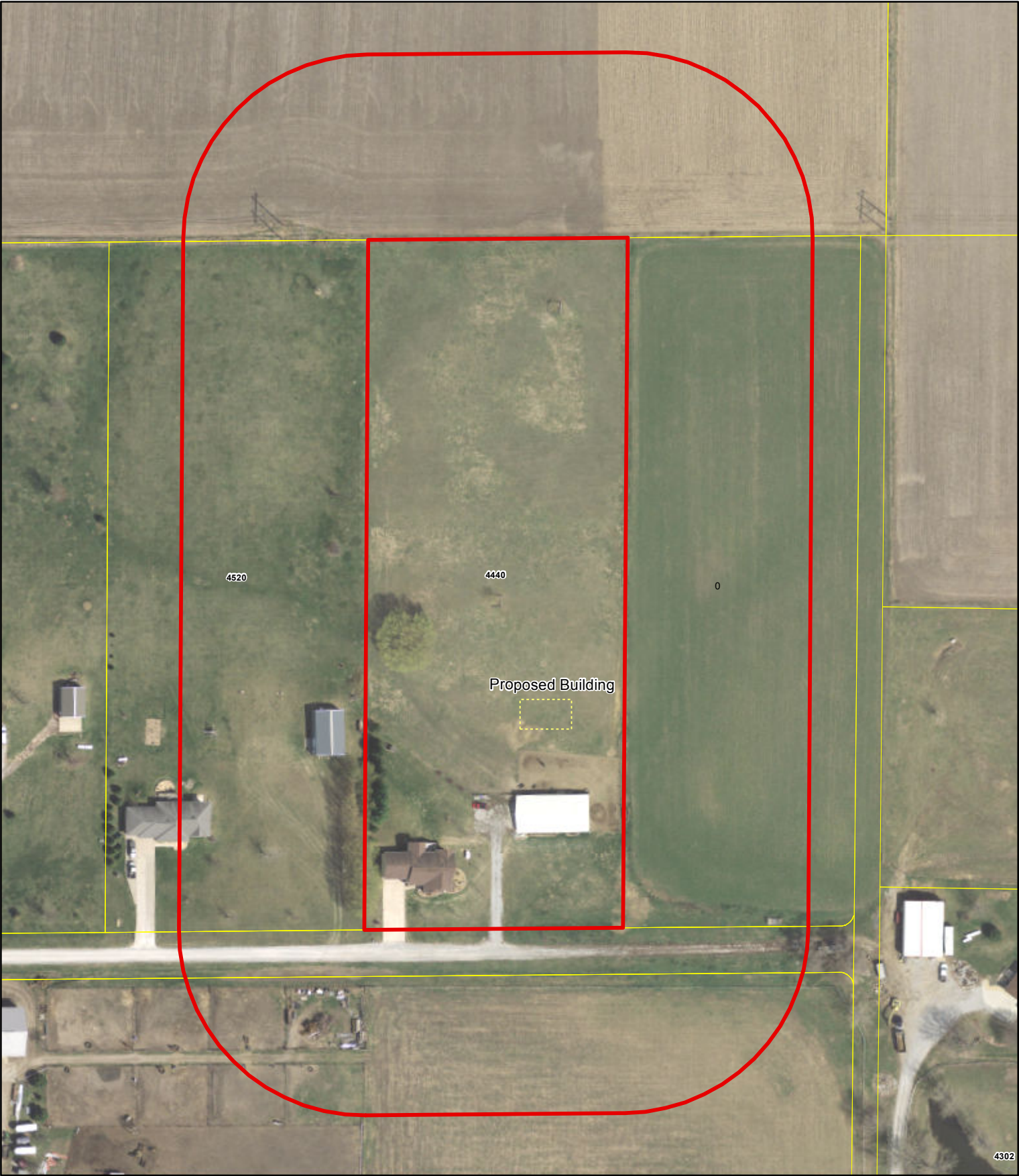
Please note that items may be removed from the agenda or tabled to a future hearing date at the request of the Petitioner. If you choose to attend the hearing, you may wish to contact Community Planning prior to your departure for the meeting to learn of any changes to the agenda.

Contact the Community Planning and Economic Development Department:
Email: planning@ci.davenport.ia.us • Phone: 326-7765

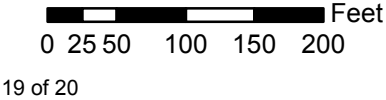
4440 W 60th St - Adjacent Owner Notice List

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	4440 W 60TH ST	MAURICE E DIERKS	4440 W 60TH ST	DAVENPORT IA 52806
Ward/Ald:	2nd Ward	Alderman Dickmann		4 Notices Sent
V0551-10	SUBJECT PROPERTY	MAURICE E DIERKS		
V0535-02		NICHOLSON FARMS LLC	PO BOX 500	NEVADA IA 50201-0500
V0551-02	4750 W 60TH ST	WULF RUN FARM LLC	4750 W 60TH ST	DAVENPORT IA 52807
V0551-09	4520 W 60TH ST	STEVEN L PASHON	4520 W 60TH ST	DAVENPORT IA 52806
V0551-12		HENRY AUSTIN K	6 RODEO CT	DAVENPORT IA 52806

Zoning Board of Adjustment: Adjacent Property Owner Notice Area



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



C PedO - Scott keeps

COPY OF NOTICE
EXHIBIT "A"

PO #
1717590

AFFIDAVIT OF PUBLICATION

ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING NOTICE
CITY OF DAVENPORT

The Zoning Board of Adjustment will meet on Thursday, May 11, 2017, at 4:00 P.M. in the first floor Council Chambers of City Hall, 226 West 4th Street Davenport, Iowa, to hold a public hearing to consider the following request:

Request HSP-05 of Brad Witt at 5323 West Kimberly Road for a hardship variance to encroach into the required front yard setback and be 20 feet from the front property line with a proposed building addition (living space and garage) which will be located on the west side of the existing dwelling. Property is zoned "A-1" Agricultural District.

Section 17.42 of the Davenport Municipal Code requires a 50-foot front yard setback in an Agricultural District. Similar "R-1" Districts require a 30-foot front yard setback.

Request HV17-08 of Linda Dierks at 4440 West 60th Street for a hardship variance to construct a second detached accessory structure (garage measuring 33' x 54', being 1,782 sq. ft.) that would result in the property exceeding the allowed accessory area for the property by 1,929 square feet. Property is zoned R-1 Low Density Dwelling District and has an existing accessory building of 2,560 square feet and a dwelling of 2,413 square feet. The property was previously zoned "A-1" Agricultural District.

Section 17.10.030 G allows for the total of all accessory buildings not to exceed 100% of the living area of the dwelling. The subject property allows for 2,413 square feet of accessory buildings.

All interested persons may submit written comments on the above item(s) and/or attend the public hearing(s) to express your views. Any written/e-mailed comment(s) to be reported at the public hearing(s) should be received by Community Planning, City Hall, no later than 12:00 p.m. on the day of the public hearing. PO 1717590.

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

STATE OF IOWA }
SCOTT COUNTY, } SS.

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

5-03

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

Jeff Miller
3rd

Subscribed and sworn to before me by said affiant this

day of

May

20

17



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

Stephen H Thor

Notary Public in and for Scott County, Iowa