



MINUTES

Zoning Board of Adjustment

April 13, 2023



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

I. Call to Order:

Chairman Darland called the Zoning Board of Adjustment (ZBA) meeting to order in City Hall Council Chambers, Davenport, Iowa at approximately 4:01 p.m.

Board Members present: Gallart, Boyd-Carlson, Loebach, Bloemker (HV23-08), & Darland.
Excused: Bloemker (HV23-09); Absent: none.
Staff present: Koops, Berkley, staff Attorney Bagby

II. Secretary's Report:

Minutes were approved unanimously for the 2023-03-23 ZBA Hearing by voice-vote (5-0).

III. Old Business:

None.

IV. New Business:

A. Request HV23-08 of Jon Rocha at 1214 Christie ST. for a Hardship Variance to access an alley-served residential property via the street. The new construction single-family dwelling with lower-level attached garage would be accessed directly from Christie ST. Section 17.09.030.K.4. requires access to this property to be from the alley. [Ward 6]

Koops presented the staff report.

Findings: (supported by the staff report analysis)

1. arguably the ordinance has created a certain type of hardship;
2. physical and topographical conditions on site do limit practical development;
3. unique circumstance has been established;
4. protection of essential character has been established;

Recommendation:

It appears that approval standards for hardship approval have been met. Staff recommends the Board adopt staff's findings and approve request HV23-08 as proposed.

Motion

Gallart moved to adopt staff's findings and approve request HV23-08 as proposed; Loebach seconded the motion and the motion carried unanimously. (5-0)

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

B. Request HV23-09 of David Bell on behalf of Ryan Kopf at 2646 Dubuque ST. for a Hardship Variance to construct a 24' x 36' (864sf) pole barn garage on a residential property which will exceed the allowed area for a detached garage. Property is zoned R-4C Residential. Section 17.09.30.K allows a detached garage 720sf or less. [Ward 7]

Koops presented the staff report.

Findings: (supported by the staff report analysis)

1. the case for ordinance has created hardship has not been demonstrated as presented with the submitted application;
2. physical and topographical conditions do not limit development for an allowed detached garage appropriately sized;
3. no demonstrable evidence exists establishing unique circumstance;
4. protection of essential character may or may not have been established;

Recommendation:

The standards for hardship have not been met. Necessary supporting evidence of a hardship has not been submitted or illustrated.

Staff recommends the Board adopt staff's findings and move for consideration the application with a no vote as staff's findings do not support approval of request HV23-09.

Galliart stated that he is concerned about the architecture; a garage should have the same characteristics as the neighborhood in which it is located. He also stated concern over the height of the garage and the potential for storage of commercial vehicles and items.

Motion

Galliart moved to adopt staff's findings and moved to approve request HV23-08 as proposed; Loebach seconded the motion and the motion failed (0-4).

Galliart, no; Boyd-Carlson no; Loebach, no; and Darland, no. The motion failed (0-4).

V. Other Business

None.

VI. Adjourn

The meeting adjourned unanimously by voice vote at approximately 4:57 p.m.