



MINUTES
City of Davenport
Zoning Board of Adjustment
March 23, 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, Reistroffer, and Woodard.

Staff present: Scott Koops and attorney Chris Jackson.

I. Secretary's Report:

Minutes for the March 9, 2017 Meeting were unanimously approved by voice vote.

II. Old Business:

- 1. Request HV17-02 of Rodger Dengler at 2806 North Gayman Avenue for a hardship variance to construct a second detached garage 24' x 30' (720 sq. ft.) that would exceed the allowed number of garages for this property. Property is zoned R-4 Moderate Density Dwelling District and has 1,256 square feet of living area, 15,150 square feet of lot area, and one existing single-car attached garage (288 square feet).**

Section 17.16.030 B.1. Permitted Uses allows for attached garages up to 40% 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 720 square feet for a detached garage at a maximum and only one garage.

A motion was made and seconded to unanimously remove the item from the table by voice vote.

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 recommends denial of the request.

The petitioner stated their case for the request. As the petitioner was not present when his father submitted the request, the petitioner was not familiar with his options under the zoning code for attached garages versus detached and options for converting the existing garage to storage space.

The Board discussed the issues and what options the petitioner has for extra garage space.

Motion:

Reistroffer moved to table the request for one or two cycles, seconded by Strayhall; the motion carried and was approved unanimously (5-0) by roll call vote.

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

III. New Business:

- 2. Request HOP17-01 of Mary Mensch at 3234 at Boies Street for a Home Occupation Permit for a hair salon. The property is zoned "R-4" Moderate Density Dwelling District.**

Section 17.48.010(S)(11)(e) of the Davenport Municipal Code authorizes the Zoning Board of Adjustment to grant by special permit (Home Occupation Permit) the establishment of certain uses including but not limited to the shop of a beautician or barber.

Koops presented the staff report.

Staff stated that notices were sent to 22 property owners within 200 feet of the subject property. Staff received 1 letters in support of the request which has been presented to the Board.

Recommendation and Findings of Fact

The requirements for a home occupation permit have been met as conditioned. Staff recommends the permit be granted subject to the following conditions:

1. the permit be valid for a period of one year from the date of issuance;
2. renewal be based in part upon complaints and/or comments from area property owners;
3. petitioner operate on an appointment only basis;
4. off-street parking (i.e. the driveway) shall be used for client parking, and;
5. hours and days of operation shall be by appointments only weekdays 9:00am to 5:00pm; Saturdays 9:00am to 12:00pm.

Motion:

Strayhall moved to approve the request, seconded by Woodard. The motion was approved unanimously (5-0) by roll call vote.

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

IV. Adjourn.

The meeting was adjourned at 4:50 pm.