



AGENDA
City of Davenport
Zoning Board of Adjustment
February 22, 2018



The Zoning Board of Adjustment will come to order at 4:00 P.M. in the first floor Council Chambers at City Hall, 226 W. 4th Street, Davenport, IA to hear the following request:

I. Secretary's Report:

Consideration of the minutes from the 1-25-18 and 2-8-18 public hearings.

II. Old Business:

- 1) Request HV17-12 of Randy Hughes at 1804 West 16th Street for a hardship variance to reduce the required the front yard setback for a primary dwelling from 19 feet to approximately three (3) feet from the secondary front yard (Wilkes Ave) property line with a room addition. The property is zoned "R-4" Moderate Density Dwelling District.

Section 17.42.040 A. of the Davenport City Code requires primary structures to maintain the established building line when the existing structure is within the required front yard setback. The existing setback is approximately 19 feet. Typical 'R-4' properties have a 25 foot front yard setback.

III. New Business:

- 2) Request HV18-01 of Robert Uhle at 2906 West 47th Street for a hardship variance to construct a detached garage (accessory structure) measuring 23' 10" x 42', being 1,001 sq. ft. which would result in the property exceeding the allowed accessory area for the property by 137 square feet (1001-864), and exceed garage area by 281 feet (1001-720). Property is zoned R-4 Moderate Density Dwelling District. [2nd Ward/Ald. Dickmann]

Section 17.10.030 B. and 17.42.080 A. allows for garage area to be 40% of the living area or 720 square feet at a minimum and for the total of all accessory buildings not to exceed 100% of the living area of the dwelling. The subject property allows for 864 square feet of accessory buildings and 720 square feet of garage area.

IV. Adjourn



MINUTES
City of Davenport
Zoning Board of Adjustment
January 25, 2018



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: Woodard, Strayhall, Reistroffer and Hart

Board Member excused: Lee

Staff present: Koops, Hoyt

I. Secretary's Report:

The minutes of the December 14, 2017 meeting were approved following a motion by Strayhall and a second by Reistroffer. Motion carried unanimously.

II. Old Business:

None.

III. New Business:

Request HV17-12 of Randy Hughes at 1804 West 16th Street for a hardship variance to reduce the required the front yard setback for a primary dwelling from 19 feet to approximately three (3) feet from the secondary front yard (Wilkes Ave) property line with a room addition. The property is zoned "R-4" Moderate Density Dwelling District.

Section 17.42.040 A. of the Davenport City Code requires primary structures to maintain the established building line when the existing structure is within the required front yard setback. The existing setback is approximately 19 feet. Typical 'R-4' properties have a 25 foot front yard setback.

The petitioner was not present at the hearing.

Motion:

A motion table the request was made by Strayhall and seconded by Reistroffer. Motion to approve carried unanimously. (5-0):

IV. Adjourn

The meeting adjourned at 4:15 pm.



MINUTES
City of Davenport
Zoning Board of Adjustment
February 8, 2018



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: Woodard, Lee, and Hart

Board Member excused: Strayhall, Reistroffer

Staff present: Koops, Hoyt

I. Secretary's Report:

The minutes of the January 25, 2017 meeting were not considered.

II. Old Business:

None.

III. New Business:

Request HV17-12 of Randy Hughes at 1804 West 16th Street for a hardship variance to reduce the required the front yard setback for a primary dwelling from 19 feet to approximately three (3) feet from the secondary front yard (Wilkes Ave) property line with a room addition. The property is zoned "R-4" Moderate Density Dwelling District.

Section 17.42.040 A. of the Davenport City Code requires primary structures to maintain the established building line when the existing structure is within the required front yard setback. The existing setback is approximately 19 feet. Typical 'R-4' properties have a 25 foot front yard setback.

Only three Board members were present at the hearing and the petitioner elected to request a tabling of one cycle as allowed per Board By-Laws.

Motion:

A motion table the request was made by Lee and seconded by Woodard. Motion to approve carried unanimously. (3-0):

IV. Adjourn

The meeting adjourned at 4:20 pm.



City of Davenport
Community Planning & Economic Development Department
STAFF REPORT

ZONING BOARD OF ADJUSTMENT

Meeting Date: February 22, 2018
Applicant: Randy Hughes
Address: 1804 West 16th Street

Description:

Request HV17-12 of Randy Hughes at 1804 West 16th Street for a hardship variance to reduce the required the front yard setback for a primary dwelling from 19 feet to approximately three (3) feet from the secondary front yard (Wilkes Ave) property line with a room addition. The property is zoned "R-4" Moderate Density Dwelling District.

Section 17.42.040 A. of the Davenport City Code requires primary structures to maintain the established building line when the existing structure is within the required front yard setback. The existing setback is approximately 19 feet. Typical 'R-4' properties have a 25 foot front yard setback.

Background

The petitioner has proposed to build a (16' x 28') building addition in the secondary front yard which will encroach 16 feet into the required front yard (i.e., it will project past the front wall of the dwelling 16') along Wilkes Avenue and be approximately 3 feet from the front property line. The addition is for a master bedroom and master bath and walker mobility.

The distance from the public sidewalk to the Wilkes Avenue property line is ten (10) feet. The elevation of the buildable portion of this lot is approximately two (2) feet above street grade.

Discussion:

The petitioner has proposed a building addition to the east of the dwelling of a master bedroom suite (bedroom and master bath). The petitioner has stated that due to the interior layout of the house there is no other location on the site to place the addition. While the proposed location may be the most local location for an addition, the request is a convenience to the petitioner and does not meet the requirements for a hardship.

Analysis (code requirement/staff comments)

1. The property cannot yield a reasonable return if used under conditions allowed by the regulations:

Residential zoning allows for a dwelling on this property. The subject property has a dwelling which functions reasonably at this time. The request is a convenience to the petitioner. If this hardship variance request were denied, a reasonable use of the property would not be denied.



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

The petitioner has not demonstrated a unique circumstance for this property which does not apply to other properties in the area of the City. Convenience for the petitioner is not grounds for a hardship variance.

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

The proposed variance may very well alter the essential character of the area given amount of the proposed encroachment into in the front yard. The proposed building addition would be only three feet from the front property line.

4. The variation will not impair an adequate supply of light & air to adjacent property:

The variation should not affect the availability of light and air to the surrounding properties given the location of the proposed use.

5. The variation will not unduly increase congestion in public streets:

The variation would not increase congestion in the public streets.

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

The variation should not affect public safety if built in compliance with building codes.

7. The variation will not unreasonably impair established property values within the surrounding area:

The variation may negatively impact property values given the proposed location of the structure.

8. The variation will not impair public health, safety, comfort, morals or welfare of the inhabitants of the City:

The variation should not impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.

Public Input

Notices were sent to the adjacent property owners within 200 feet of the subject property. To date, staff has not received any calls or letters regarding the request.

Staff Recommendation:

The request has not met items #1 reasonable return, #2 unique circumstance or #3 essential character. Staff recommends denial of the hardship request.

Prepared by:



Scott Koops, AICP Planner II

Attachments: Application, Notice Documents, Site Plan, photos

Hardship Variance Application

226 West 4th Street
Davenport, Iowa 52801
(563) 326-7765
Planning@ci.davenport.ia.us

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT

Property Address* 1804 - W. 16th St. Davenport, Ia 52804
*If no property address, please submit a legal description of the property.

Applicant (Primary Contact)**

Name: RANDY / DEB Hughes
Company:
Address: 1804 - W. 16th St.
City/State/Zip: Davenport, Ia 52804
Phone: 563-324-3011
Email: randyhug59@yahoo.com

Application Form Type:

Plan and Zoning Commission

- Rezoning (Zoning Map Amendment) ☐
Zoning Ordinance Text Amendment ☐
Right-of-way or Easement Vacation ☐
Final Development Plan ☐
Voluntary Annexation ☐
Subdivision ☐

Owner (if different from Applicant)

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

Zoning Board of Adjustment

- Appeal from an Administrative Decision ☐
Special Use Permit - New Cell Tower ☐
Home Occupation Permit ☐
Special Exception ☐
Special Use Permit ☐
Hardship Variance ☐

Engineer (if applicable)

Name: Deamon D. Pursuits
Company:
Address: 6516 - Woodland Ct.
City/State/Zip: Davenport, Ia 52807
Phone: 563-529-9505
Email:

Design Review Board

- Certificate of Design Approval ☐
Demolition Request in the Downtown ☐

Historic Preservation Commission

- Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Architect (if applicable)

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

Administrative

- Floodplain Development ☐
Cell Tower Co-Location ☐
Identification Signs ☐
Site Plan ☐

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.

*Check
City of Davenport*

Request:

Please describe the variance(s) requested:

In addition on main level - east side of home 16'x28'. Would consist a master bedroom & master bath. Room for walker-mobility as needed.

Existing Zoning:

Submittal Requirements:

- The following items should be submitted to planning@davenport.ia.us for review:
- The completed application form.
- A PDF that shows the location and dimensions of existing and proposed structures affected by the hardship variance. If a paper copy is provided, the maximum size is 11" x 17".
- Description and evidence that demonstrates consistency with the criteria listed in Sections 17.52.060 and 17.52.070 of the Davenport Municipal Code.
- Recorded warranty deed or accepted contract for purchase.
- Authorization form, if applicable. If the property is owned by a business entity, please provide Articles of Incorporation.
- Required fee - \$200.

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

- Prior to submission of the application for the hardship variance, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the hardship variance process.
- The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.

(2) Public Notice for the Zoning Board of Adjustment public hearing:

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

(3) Zoning Board of Adjustment's consideration of the hardship variance:

- Planning staff will perform a technical review of the request and present its findings and recommendation to the Zoning Board of Adjustment.
- The Zoning Board of Adjustment will hold a public hearing and vote on the request.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.070 of the Davenport Municipal Code:

- * 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.

As the view of property, as being seen, there is no other alternative but to go out the way I suggested.

Welcome to come out and browse around. It's not right to take away certain accents of the home which was built 1902. — but you can add to make it part of the era.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.070 of the Davenport Municipal Code:

The plight of the owner is due to unique circumstances, which circumstances do not apply to other adjoining or nearby property.

Medical conditions is my unique circumstance. My wife has dystonia. It is a progressive disease. With this ⁱⁿ ~~the~~ the area in which we live (which we like very much) this can be made to work. All we are asking for is an addition with a master bedroom & master bath with stackable washer/dryer on main level. This will not devalue the area or pose a safety concern in our vicinity. It will be 2 to 3 ft. behind line. See pics provided!

Thank You.

Sandy L. Hughes

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.070 of the Davenport Municipal Code:

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

I want to keep the character of this property & house as is. That is my goal if I do this addition. It will tastefully go with the era. of this structure. Again - I'm picky & constant to strive for this. I welcome anyone on my property to view as it is now - then later if I go through with this.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.060 of the Davenport Municipal Code:

The variation will not impair an adequate supply of light and air to adjacent property.

The bedroom and bathroom will be on the east side of property. This will be a addition to existing dwelling. No adjacent property to worry about - on a corner lot at 16th and Wilkes St. Please refer to pictures supplied.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.060 of the Davenport Municipal Code:

The variation will not unreasonably increase congestion in public streets.

Being on my corner lot will not increase congestion ~~of~~ on Wilkes & especially 16th St. 16th St side sits farther back plus there is enclosed front porch. The addition will be in the back of enclosed porch. See pictures provided.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.060 of the Davenport Municipal Code:

The variation will not increase the danger of fire or endanger the public safety.

Addition won't increase fire or public safety. As with any addition electric to be ran to bedroom & bathroom. Water for bath. Addition will not go full length of total house on Wilkes side. What I mean by full length - I am including porch. So this will be air space

- X Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.060 of the Davenport Municipal Code:

The variation will not unreasonably diminish or impair established property values within the surrounding area.

Absolutely not diminish value. I invite anyone to come and tour my property inside and out. We take pride of our property. Look & ask any one you wish. We try to be immaculate. What I'm about to say has nothing to do with this but we were on Garden Home Tours twice. So we strive for what we do and enjoy doing. Older homes in area can be made attractive.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.060 of the Davenport Municipal Code:

The variation will not impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city.

Nothing will be impaired. Street views will be as it is now. I guess you may see it more ~~of~~ as a enhancement for others to view but that's not why I'm doing this as I will explain later.

Applicant:

Sandy L. Hughes

Date: 12/5/17

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.

Jessica Rhoads 12/5/17

















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



Public Hearing Details:

Date: 12/28/2017
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 #: HV17-12

To: All property owners within 200 feet of the subject property located at **1804 West 16th Street.**

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a Hardship Variance. The purpose of the Hardship Variance is to grant permission to waive or alter a size or dimension requirement of the zoning ordinance.

Request Description

Request HV17-12 of Randy Hughes at 1804 West 16th Street for a hardship variance to reduce the required the front yard setback for a primary dwelling from 19 feet to approximately three (3) feet from the secondary front yard (Wilkes Ave) property line with a room addition. The property is zoned "R-4" Moderate Density Dwelling District.

Section 17.42.040 A. of the Davenport City Code requires primary structures to maintain the established building line when the existing structure is within the required front yard setback. The existing setback is approximately 19 feet. Typical 'R-4' properties have a 25 foot front yard setback.

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?

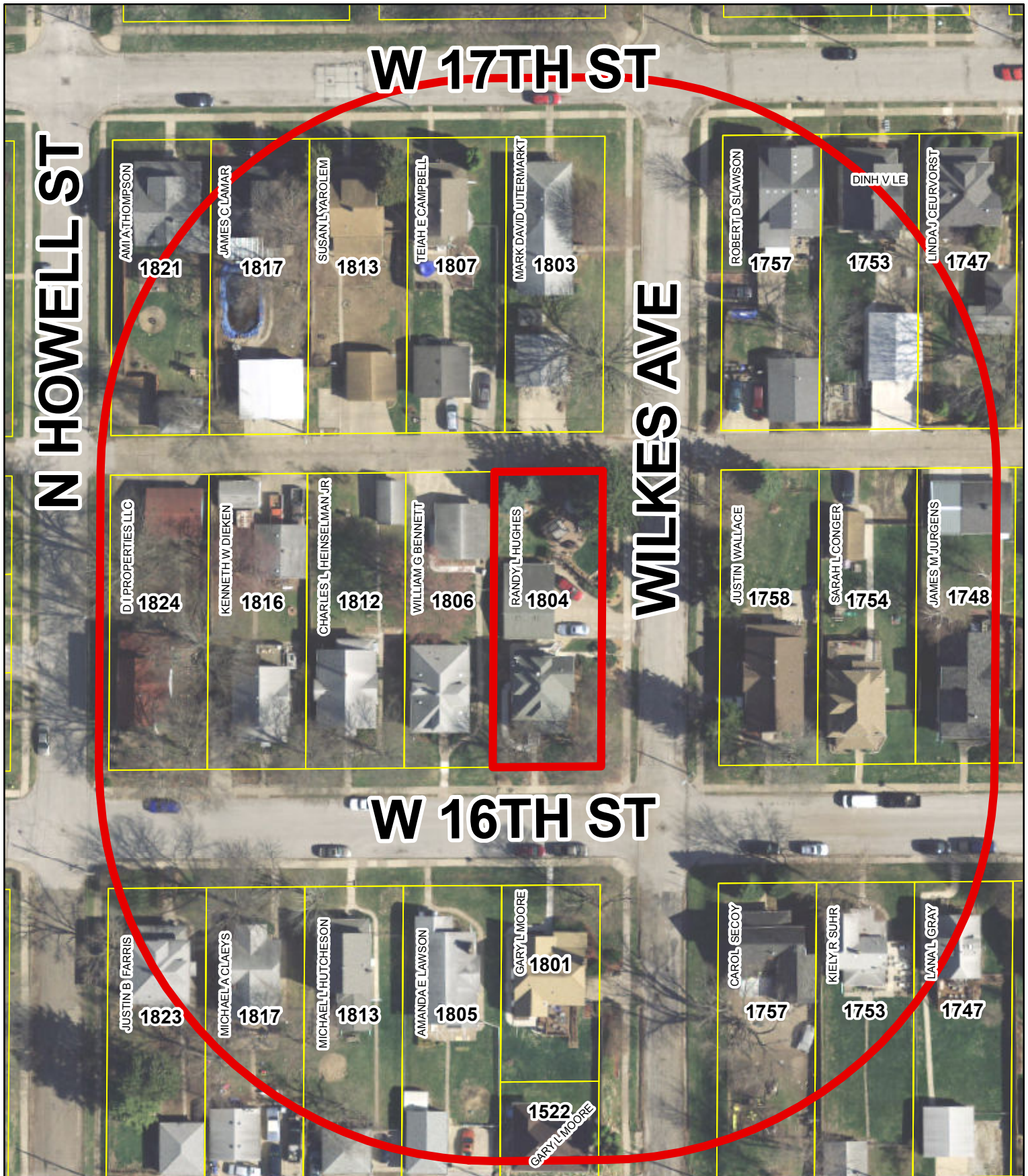
If you have any questions on this request, or if you need accommodations for any reason, please contact Scott Koops, AICP, the case planner assigned to this project at sek@ci.davenport.ia.us or 563-328-6701. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. 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.

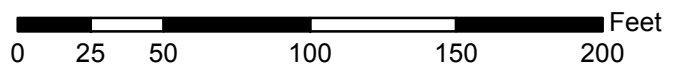
1804 W 16th St - Adjacent Owner Notice List

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	1804 W 16TH ST	RANDY L HUGHES	1804 W 16TH ST	DAVENPORT IA 52804
Ward/Ald:	4th Ward	Alderman Ambrose		23 Notices Sent
H0014-17	1805 W 16TH ST	AMANDA E LAWSON	1805 W 16TH ST	DAVENPORT IA 52804
H0003-05	1821 W 17TH ST	AMI A THOMPSON	1821 W 17TH ST	DAVENPORT IA 52804
H0013-24	1757 W 16TH ST	CAROL SECOY	1757 W 16TH ST	DAVENPORT IA 52804
H0014-37	1812 W 16TH ST	CHARLES L HEINSELMAN JR	1812 W 16TH ST	DAVENPORT IA 52804
H0014-35	1824 W 16TH ST	D I PROPERTIES LLC	348 RIVER DR	BETTENDORF IA 52722
H0004-12	1753 W 17TH ST	DINH V LE	1753 W 17TH ST	DAVENPORT IA 52804
H0014-15	1522 WILKES AV	GARY L MOORE	1801 W 16TH ST	DAVENPORT IA 52804
H0014-16	1801 W 16TH ST	GARY L MOORE		
H0003-04	1817 W 17TH ST	JAMES C LAMAR	1817 W 17TH ST	DAVENPORT IA 52804
H0013-27	1748 W 16TH ST	JAMES M JURGENS	1748 W 16TH ST	DAVENPORT IA 52804
H0013-25	1758 W 16TH ST	JUSTIN WALLACE	1758 W 16TH ST	DAVENPORT IA 52804
H0014-20	1823 W 16TH ST	JUSTIN B FARRIS	1823 W 16TH ST	DAVENPORT IA 52804
H0014-36	1816 W 16TH ST	KENNETH W DIEKEN	1816 W 16TH ST	DAVENPORT IA 52804
H0013-23	1753 W 16TH ST	KIELY R SUHR	1753 W 16TH ST	DAVENPORT IA 52804
H0013-22	1747 W 16TH ST	LANA L GRAY	PO BOX 2504	DAVENPORT IA 52809
H0004-11	1747 W 17TH ST	LINDA J CEURVORST	1747 W 17TH ST	DAVENPORT IA 52804
H0003-01	1803 W 17TH ST	MARK DAVID UITERMARKT	1803 W 17TH ST	DAVENPORT IA 52804
H0014-19	1817 W 16TH ST	MICHAEL A CLAEYS	1817 W 16TH ST	DAVENPORT IA 52804
H0014-18	1813 W 16TH ST	MICHAEL L HUTCHESON	1813 W 16TH ST	DAVENPORT IA 52804
H0004-13	1757 W 17TH ST	ROBERT D SLAWSON	1757 W 17TH ST	DAVENPORT IA 52804
H0013-26	1754 W 16TH ST	SARAH L CONGER	4006 EASTERN AV	DAVENPORT IA 52807
H0003-03	1813 W 17TH ST	SUSAN L YAROLEM	1813 W 17TH ST	DAVENPORT IA 52804
H0003-02	1807 W 17TH ST	TEIAH E CAMPBELL	1807 W 17TH ST	DAVENPORT IA 52804
H0014-38	1806 W 16TH ST	WILLIAM G BENNETT	1806 W 16TH ST	DAVENPORT IA 52804

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: February 22, 2018
Applicant: Robert Uhle
Address: 2906 W 47th St

Description

Request HV18-01 of Robert Uhle at 2906 West 47th Street for a hardship variance to construct a detached garage (accessory structure) measuring 23' 10" x 42', being 1,001 sq. ft. which would result in the property exceeding the allowed accessory area for the property by 137 square feet (1001-864), and exceed garage area by 281 feet (1001-720). Property is zoned R-4 Moderate Density Dwelling District.

Section 17.10.030 B. and 17.42.080 A. allows for garage area to be 40% of the living area or 720 square feet at a minimum and for the total of all accessory buildings not to exceed 100% of the living area of the dwelling. The subject property allows for 864 square feet of accessory buildings and 720 square feet of garage area. [2nd Ward/Ald. Dickmann]

Background

The subject property has no detached accessory buildings.

Item	Square Ft	Item	Square Ft
Living Area	864	Living Area	864
Existing Accessory bld.	0	Existing Garage Area	0
Proposed Accessory bld.	1001	Proposed Garage Area	1001
Total Accessory Area	1001	Total Garage Area	1001
Allowed Accessory Area	864	Allowed Garage Area	720
Area Exceeding Allotment	137	Area Exceeding Allotment	281



Discussion

The proposed garage would place the property 281 square feet over the allowed area for garages and 137 square feet over for accessory structures.

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. A smaller garage could be built without a 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 in this area. 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 recommends denial of the request.

Prepared by:



Scott Koops, AICP
Planner II

Applicant: Ryan White

Date: 1-23-18

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.

2906 W 47th St

Uklee1@me.com

Ryan Uhle

Request:

Please describe the variance(s) requested:

I am requesting a hardship variance for a detached garage to be built on my property. The variance will be to add 288 square feet over the 720 square foot maximum. The additional square footage will add much needed storage space for my family

Existing Zoning:

Submittal Requirements:

- The following items should be submitted to planning@davenport.ia.us for review:
- The completed application form.
- A PDF that shows the location and dimensions of existing and proposed structures affected by the hardship variance. If a paper copy is provided, the maximum size is 11" x 17".
- Description and evidence that demonstrates consistency with the criteria listed in Sections 17.52.060 and 17.52.070 of the Davenport Municipal Code.
- Recorded warranty deed or accepted contract for purchase.
- Authorization form, if applicable. If the property is owned by a business entity, please provide Articles of Incorporation.
- Required fee - \$200.

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

- Prior to submission of the application for the hardship variance, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the hardship variance process.
- The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.

(2) Public Notice for the Zoning Board of Adjustment public hearing:

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

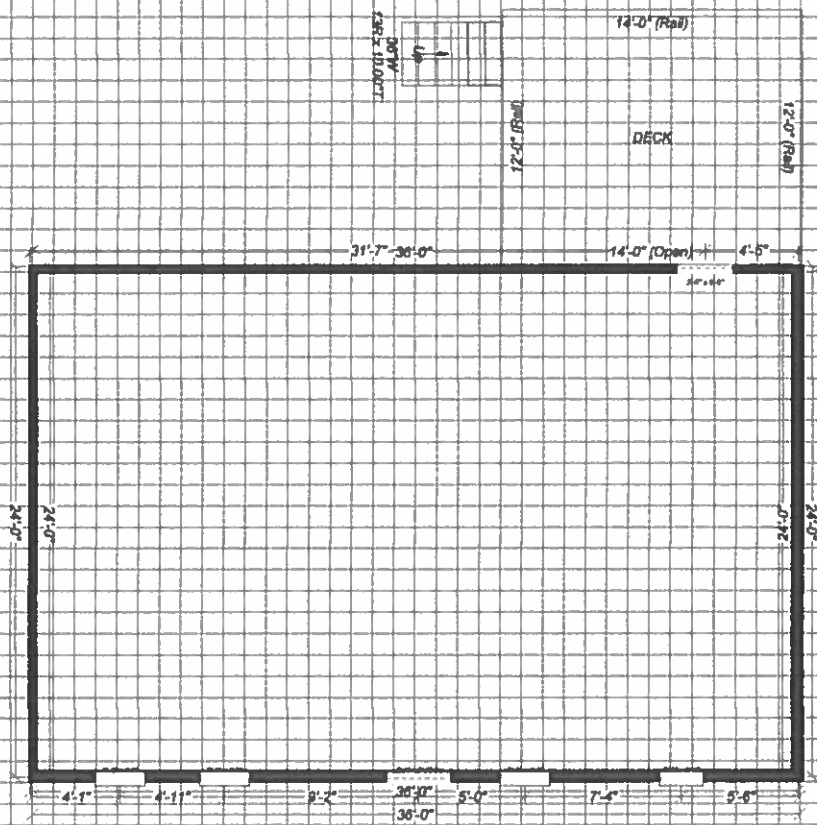
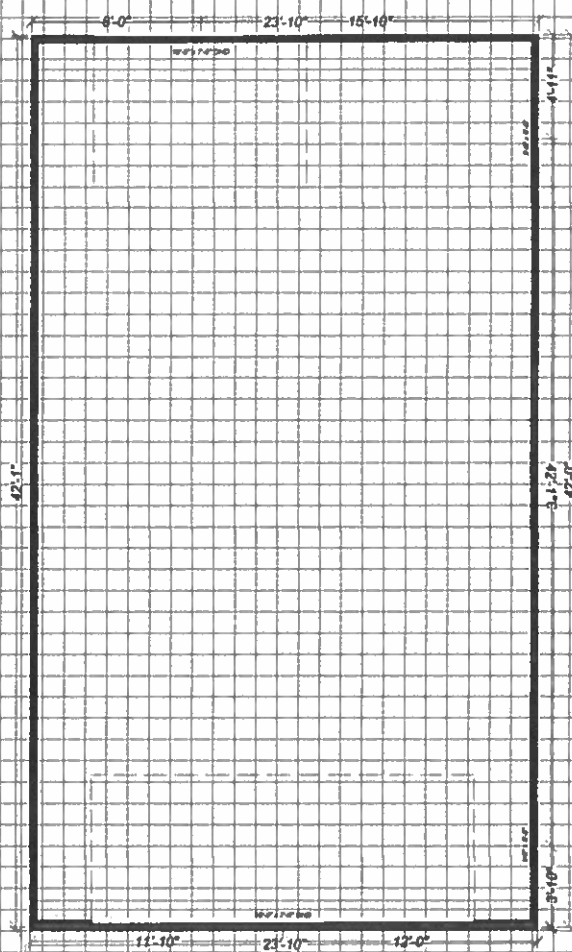
(3) Zoning Board of Adjustment's consideration of the hardship variance:

- Planning staff will perform a technical review of the request and present its findings and recommendation to the Zoning Board of Adjustment.
- The Zoning Board of Adjustment will hold a public hearing and vote on the request.









2-22-18

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.070 of the Davenport Municipal Code:

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.

The additional space I am requesting will be invaluable to my family for storing our lawn equipment and childrens toys as well as our vehicles. I have a large yard that requires extra maintenance equipment, which is currently stored outdoors, in all weather conditions. This has created an unsightly and congested yard and has shortened the life of the equipment.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.070 of the Davenport Municipal Code:

The plight of the owner is due to unique circumstances, which circumstances do not apply to other adjoining or nearby property.

Neighboring properties have garages well outside of the maximum allowed square footage.

Description and evidence that demonstrates consistency with the following criteria listed in Section 17.52.070 of the Davenport Municipal Code:

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

This garage I am requesting will be a standard width garage only adding twelve feet to the depth which will not be noticeable from the street or look out of place to the neighboring properties.

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



Public Hearing Details:

Date: 2/22/2018

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 #: HV18-01

To: All property owners within 200 feet of the subject property located at **2906 West 47th Street.**

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a Hardship Variance. The purpose of the Hardship Variance is to grant permission to waive or alter a size or dimension requirement of the zoning ordinance.

Request Description

Request HV18-01 of Robert Uhle at 2906 West 47th Street for a hardship variance to construct a detached garage (accessory structure) measuring 23' 10" x 42', being 1,001 sq. ft. which would result in the property exceeding the allowed accessory area for the property by 137 square feet (1001-864), and exceed garage area by 281 feet (1001-720). Property is zoned R-4 Moderate Density Dwelling District.

Section 17.10.030 B. and 17.42.080 A. allows for garage area to be 40% of the living area or 720 square feet at a minimum and for the total of all accessory buildings not to exceed 100% of the living area of the dwelling. The subject property allows for 864 square feet of accessory buildings and 720 square feet of garage area. [2nd Ward/Ald. Dickmann]

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.

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



Public Hearing Details:

Date: 2/22/2018

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 #: HV18-01

To: All property owners within 200 feet of the subject property located at **2906 West 47th Street.**

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a Hardship Variance. The purpose of the Hardship Variance is to grant permission to waive or alter a size or dimension requirement of the zoning ordinance.

Request Description

Request HV18-01 of Robert Uhle at 2906 West 47th Street for a hardship variance to construct a detached garage (accessory structure) measuring 23' 10" x 42', being 1,001 sq. ft. which would result in the property exceeding the allowed accessory area for the property by 137 square feet (1001-864), and exceed garage area by 281 feet (1001-720). Property is zoned R-4 Moderate Density Dwelling District.

Section 17.10.030 B. and 17.42.080 A. allows for garage area to be 40% of the living area or 720 square feet at a minimum and for the total of all accessory buildings not to exceed 100% of the living area of the dwelling. The subject property allows for 864 square feet of accessory buildings and 720 square feet of garage area. [2nd Ward/Ald. Dickmann]

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?

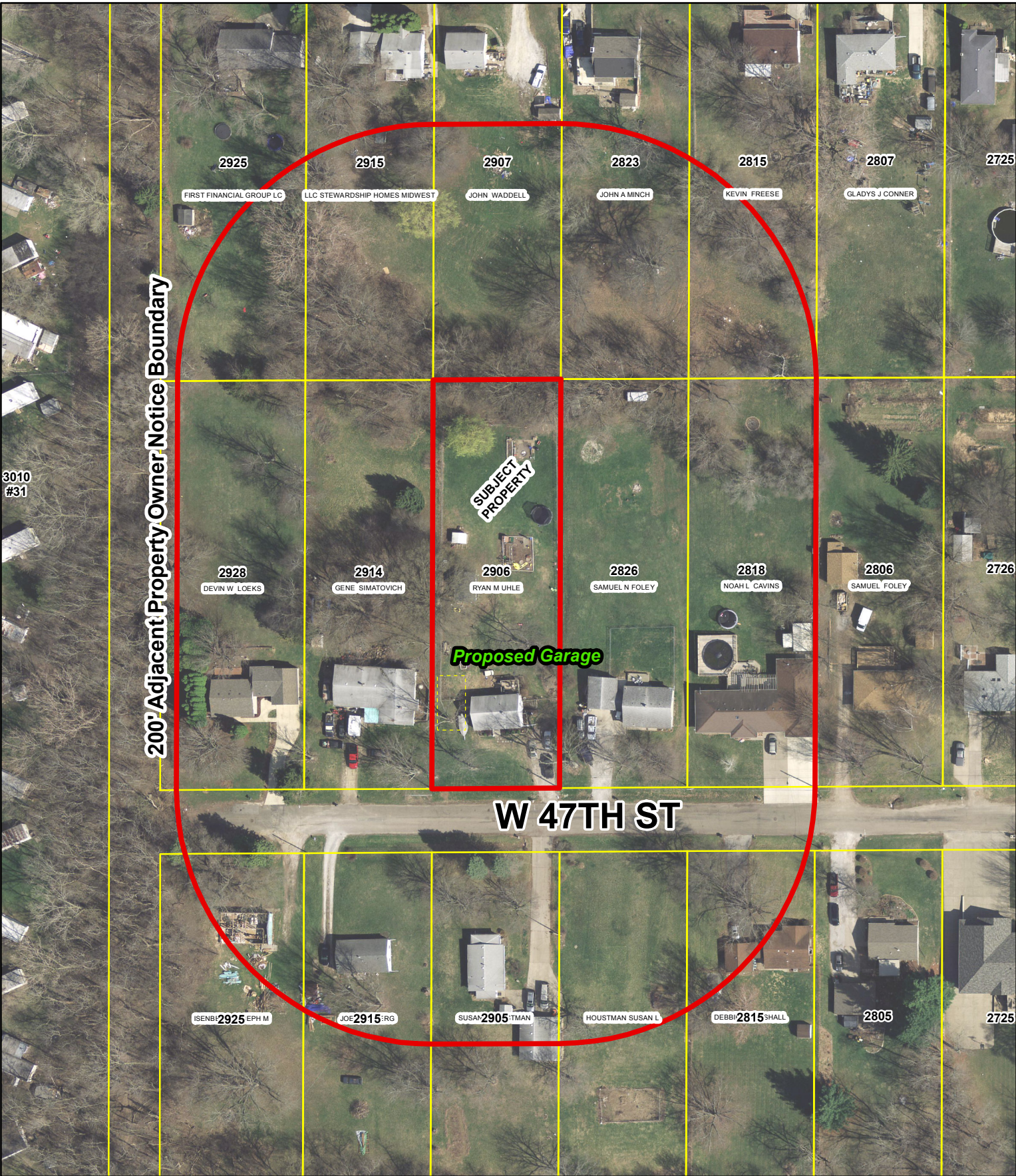
As a neighboring property owner, you may have an interest in commenting on the proposed request either in writing/email or in person at the public hearing. If you intend to send in written comments, it is appreciated if those comments could be received by Community Planning no later than 12:00 PM *one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

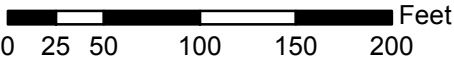
Please note that items may be removed from the agenda or tabled to a future hearing date at the request of the Petitioner or Commission/Board. If you are interested in the current schedule and outcome of this case, please contact the Community Planning Office at 563-326-7765 or planning@ci.davenport.ia.us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

Zoning Board of Adjustment: Adjacent Property Owner Notice Area



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.

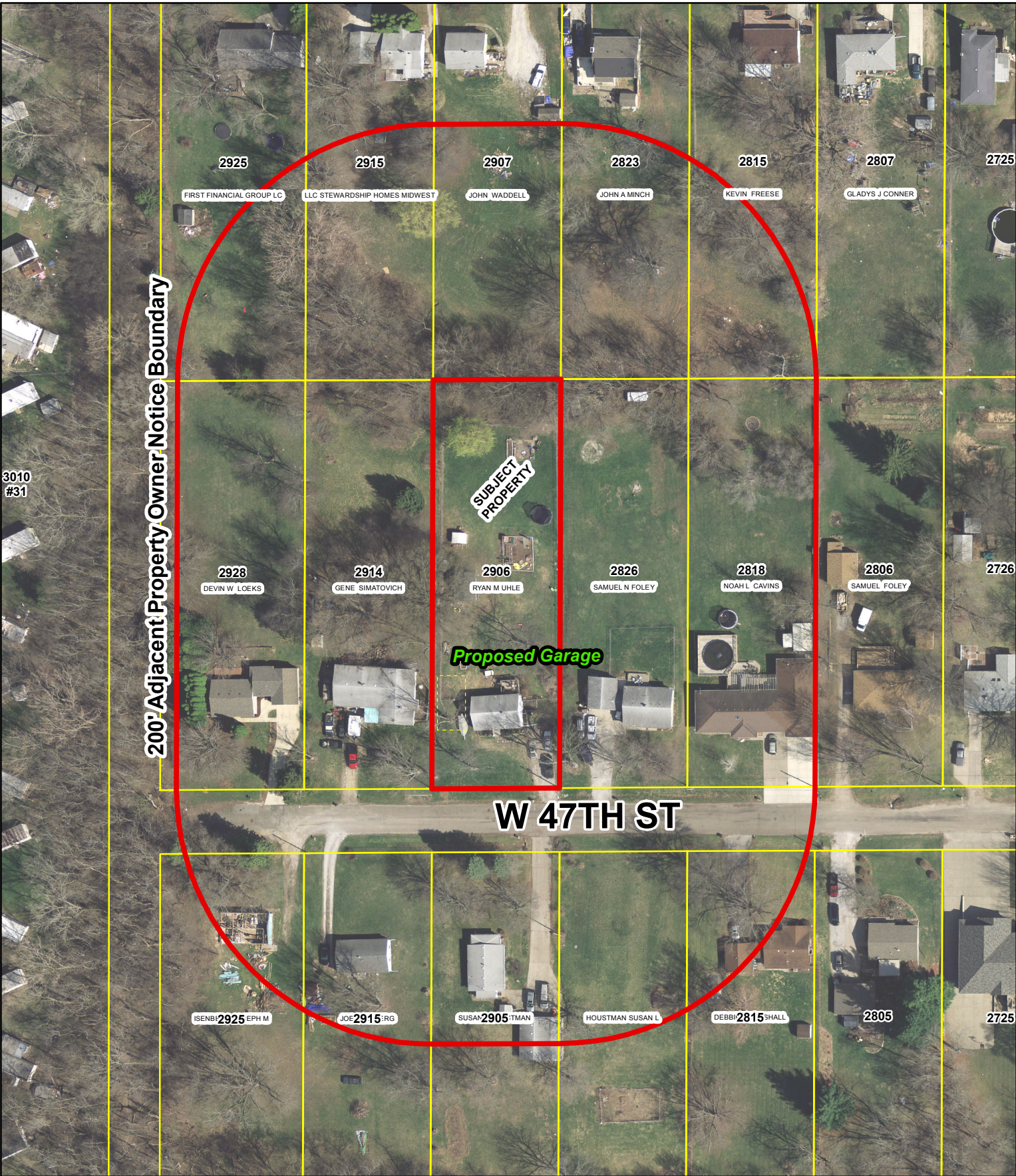
1 inch = 100 feet



2906 W 4th St - Adjacent Owner Notice List

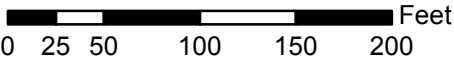
Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	2906 W 47TH ST	RYAN M UHLE	2906 W 47TH ST	DAVENPORT IA 52806
Ward/Ald:	2nd Ward	Alderman Dickmann		16 Notices Sent
U0953-09	2815 W 47TH ST	DEBBIE L MARSHALL	2815 W 47TH ST	DAVENPORT IA 52806
U0953-10		HOUSTMAN SUSAN L	2815 W 47TH ST	DAVENPORT IA 52806
U0953-11	2905 W 47TH ST	SUSAN L HOUSTMAN	2905 W 47TH ST	DAVENPORT IA 52806
U0953-12	2915 W 47TH ST	JOE ISENBERG	2915 W 47TH ST	DAVENPORT IA 52806
U0953-13	2925 W 47TH ST	ISENBERG JOSEPH M	1835 W 51ST ST	DAVENPORT IA 52806
U0953-14	2928 W 47TH ST	DEVIN W LOEKS	2928 W 47TH ST	DAVENPORT IA 52806
U0953-15	2914 W 47TH ST	GENE SIMATOVICH	2914 W 47TH ST	DAVENPORT IA 52806
U0953-17	2826 W 47TH ST	SAMUEL N FOLEY	6730 DOUBLE EAGLE DR	DAVENPORT IA 52804
U0953-18	2818 W 47TH ST	NOAH L CAVINS	2818 W 47TH ST	DAVENPORT IA 52806
U0953-19	2806 W 47TH ST	SAMUEL FOLEY	6730 DOUBLE EAGLE DR	DAVENPORT IA 52804
U0953-36	2807 W 49TH ST	GLADYS J CONNER	108 E 37TH ST	DAVENPORT IA 52806
U0953-37	2815 W 49TH ST	KEVIN FREESE	1122 W 59TH ST	DAVENPORT IA 52806
U0953-38	2823 W 49TH ST	JOHN A MINCH	2823 W 49TH ST	DAVENPORT IA 52806
U0953-39	2907 W 49TH ST	JOHN WADDELL	3300 HICKORY GROVE RD	DAVENPORT IA 52806
U0953-40	2915 W 49TH ST	STEWARDSHIP HOMES MIDWEST	2050 BEAVER CREEK RD	OREGON CITY OR 97045
U0953-41	2925 W 49TH ST	FIRST FINANCIAL GROUP LC	1987 SPRUCE HILLS DR	BETTENDORF IA 52722

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.

1 inch = 100 feet



C PaO Scott Koops PO 1811712

COPY OF NOTICE
EXHIBIT "A"

AFFIDAVIT OF PUBLICATION

ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING NOTICE
CITY OF DAVENPORT

The Zoning Board of Adjustment will meet on Thursday, February 22, 2018, at 4:00 P.M. in the first floor Council Chambers of City Hall, 225 West 4th Street Davenport, Iowa, to hold a public hearing to consider the following request:

Request HV18-01 of Robert Uhle at 2906 West 47th Street for a hardship variance to construct a detached garage (accessory structure) measuring 23' 10" x 42', being 1,001 sq. ft. which would result in the property exceeding the allowed accessory area for the property by 137 square feet (1001-864), and exceed garage area by 281 feet (1001-720). Property is zoned R-4 Moderate Density Dwelling District.

Section 17.10.030 B. and 17.42.080 A. allows for garage area to be 40% of the living area or 720 square feet at a minimum and for the total of all accessory buildings not to exceed 100% of the living area of the dwelling. The subject property allows for 864 square feet of accessory buildings and 720 square feet of garage area. [2nd Ward/Ald. Dickmann]

All interested persons may submit written comments on the above item(s) and/or attend the public hearing to express your views. Any written/e-mailed comment(s) to be reported at the public hearings should be received by Community Planning, City Hall, no later than 12:00 p.m. on the day prior to the public hearing. PO# 1811712

Community Planning & Economic Development
E-mail: planning@ci.davenport.iowa.us
Phone: (563) 328-7785

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:

2/14

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

Malisa Papp

14

Subscribed and sworn to before me by said affiant this

day of

February

18



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

Stephen H Thor

Notary Public in and for Scott County, Iowa