

ZONING BOARD OF ADJUSTMENT MEETING

CITY OF DAVENPORT, IOWA

Thursday, May 9, 2024; 4:00 PM

City Hall | 226 West 4th Street | Council Chambers

The Zoning Board of Adjustment holds public hearings to consider hardship variances, special uses, and interpretation appeals.

I. Call to Order

II. Secretary's Report

1. Consideration of Minutes for April 25th, 2024

III. Old Business

IV. New Business

1. Request SU24-03 of Deanoz Holdings LLC on behalf of CRC Recovery INC at 111 E. 50th ST for a Special Use to establish an outpatient, non-residential drug treatment clinic on property zoned C-2 Corridor Commercial as required in Table 17.08-1. [Ward 7]
2. Request HV24-06 of Deanoz Holdings LLC on behalf of CRC Recovery INC at 111 E. 50th ST for a Hardship Variance to decrease a Health Services use separation from 300 feet to 270 feet. Section 17.08.030.L.7. requires the proposed clinic to be 300 feet from a residentially zoned property. The residential property is a non-buildable outlot in use for stormwater detention. [Ward 7]
3. Request HV24-07 of Streamline Architects on behalf of Project Renewal at 513 Warren Street for a Hardship Variance to locate a portion of the proposed building 3.2 feet into the required side buffer yard; The observed buffer yard will be 11.8' should the variance be approved. Section 17.11.080.A.2. requires a 15-foot buffer yard between the proposed community center use and the adjacent dwelling units. Property is zoned R-4C Residential. [Ward 3]

V. Other Business

VI. Adjourn

City of Davenport

Department: Development & Neighborhood Services

Contact Info: |

Action / Date

5/9/2024

Subject:

Consideration of Minutes for April 25th, 2024

Recommendation:

Background:

Attachments:

1. ZBA Minutes 2024-04-25



MINUTES

Zoning Board of Adjustment

April 25, 2024



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 4:05 p.m.

Members present: Gallart, Boyd-Carlson, Bloemker, Darland

Excused: None.

Staff present: Koops, Berkley

II. Secretary's Report:

Minutes were approved for the 2024-04-11 ZBA Hearing by voice-vote (4-0).

III. Old Business:

None.

IV. New Business:

A. Request to table SU24-03 and HV24-06 to the May 9th ZBA Meeting.

Motion: Gallart moved to table the requests to May 9th, 2024, seconded by Boyd-Carlson. The motion carried unanimously (4-0)

B. Request HV24-04 of Leanne Buerklin at 4511 Rickerhill RD for a Hardship Variance to build an accessory structure (pool & deck) in a front corner side yard. Property zoned R-1 Zoning District requires accessory structures to be in the side or rear yard. [§17.09.030.A.5.c. | Ward 1]

Koops presented the staff report. No comments were received.

Findings & Staff Recommendation:

Standards 1 through 3 appear to be met for hardship approval. Standard #4 essential character does not appear to be met. Staff technically cannot recommend approval of request HV24-04.

The applicant addressed the Board and answered questions.

The Board asked questions about the front yard accessory use setbacks and about drainage of the pool.

Motion:

Gallart moved to approve HV24-04 seconded by Boyd-Carlson. The motion carried unanimously (4-0),

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

C. Request HV24-05 of Christopher Heggen at 5520 Greenfield CT for a Hardship Variance to construct an attached garage addition which will encroach approximately 3.5 feet into the 7-foot required side yard setback as required by Table 17.04.-1. for property zoned R-3. [Ward 8]

Koops presented the staff report. Two comments were received and were made a part of Board Packet.

Findings & Staff Recommendation:

The petitioner has not demonstrated any practical difficulties or particular hardships associated with this property or justification for a third garage stall, other than convenience to the petitioner.

Findings: (supported by the staff report analysis)

- Item #1 application of the ordinance creating hardship has not been met;
- Item #2 physical and topographical conditions do not limit use of the site;
- Item #3 unique circumstance has not been established;
- Item #4 protection of essential character may not be established;

Staff Recommendation:

Staff recommends denial of the request.

The applicant addressed the Board and explained the request and answered questions from the Board.

Motion:

Boyd-Carlson moved to approve HV24-05. Gallart seconded the motion and it failed (0-4).

Boyd-Carlson, no; Bloemker, no; Gallart, no; and Darland, no.

V. Other Business

None.

VI. Adjourn

The meeting adjourned unanimously by voice vote at approximately 4:45 p.m.

City of Davenport

Department: Development & Neighborhood Services

Contact Info: Scott Koops | 563-326-6701

Action / Date

5/9/2024

Subject:

Request SU24-03 of Deanoz Holdings LLC on behalf of CRC Recovery INC at 111 E. 50th ST for a Special Use to establish an outpatient, non-residential drug treatment clinic on property zoned C-2 Corridor Commercial as required in Table 17.08-1. [Ward 7]

Recommendation:

Background:

Attachments:

1. Staff Report SU24-03 Drug Treatment Clinic 111 E 50th
2. Application - Special Use
3. Floor Plan
4. CRC Cedar Rapids State of Iowa License as an Example
5. Adjacent Owner Notice List - SU24-03 & HV24-06
6. Notice Letter SU24-03



Planning Staff Report | Zoning Board of Adjustment
111 E. 50th Street | Drug Treatment Clinic
May 9, 2024

Description

Request SU24-03 of Deanoz Holdings LLC on behalf of CRC Recovery INC at 111 E. 50th ST for a Special Use to establish an outpatient, non-residential drug treatment clinic on property zoned C-2 Corridor Commercial as required in Table 17.08-1. [Ward 7]

Background

Table 17.08-1 requires the proposed business to obtain a Special Use prior to occupancy of this C-2 Commercial property.

Zoning District Use Matrix:

PRINCIPAL USE	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Drug Treatment Clinic			S	S					S			S			S	Sec. 17.08.030.L

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

Drug Treatment Clinic | Definition:

A licensed facility authorized by the state to administer drugs, such as methadone, in the treatment, maintenance, or detoxification of persons.

Principal Use Standards | Drug Treatment Clinic (§17.08.030.L.):

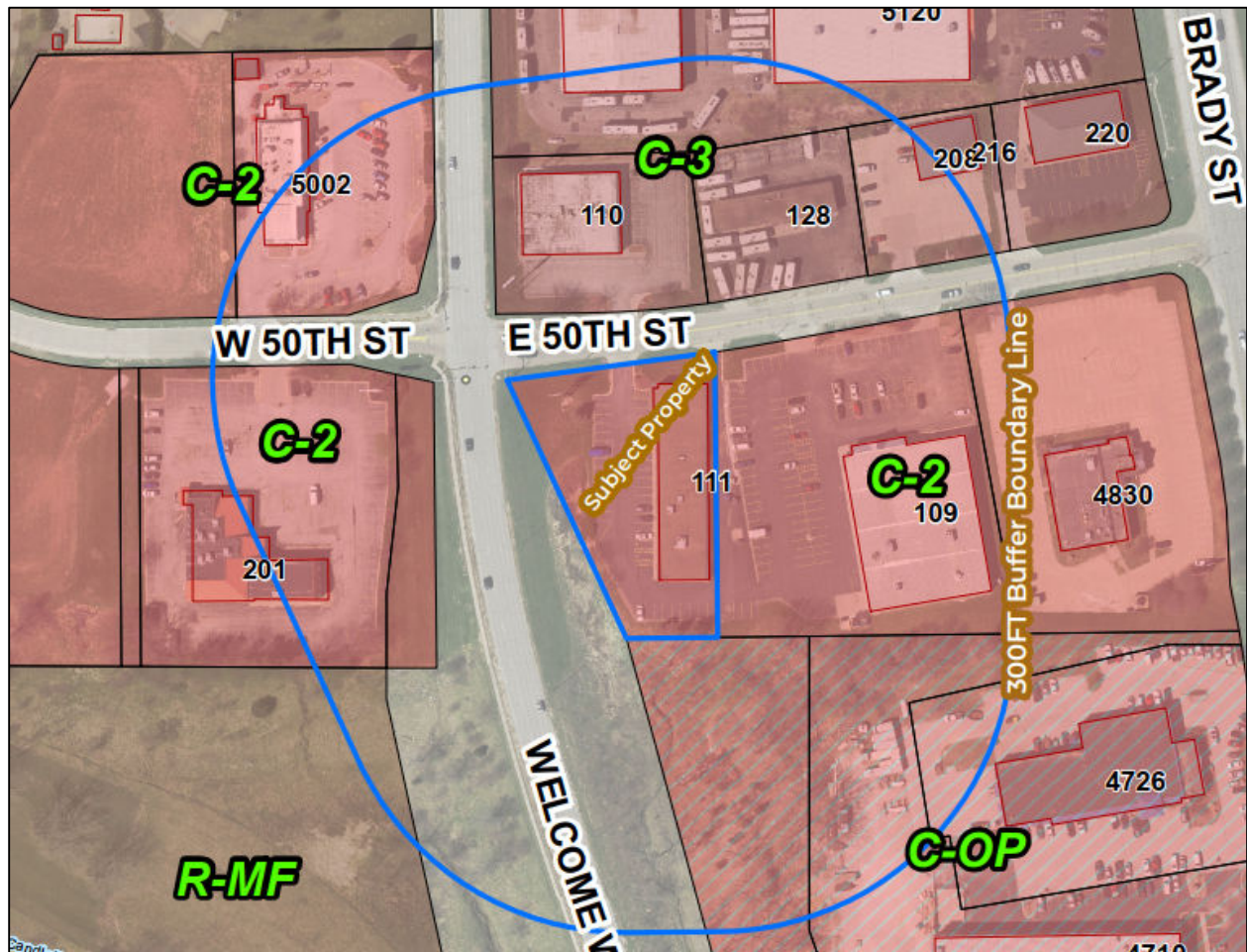
1. A drug treatment clinic, drug/alcohol treatment facility, residential, halfway house, and/or homeless shelter require a state license. **STANDARD WILL BE MET PENDING APPROVAL**
2. A drug treatment clinic, drug/alcohol treatment facility, residential, halfway house, and/or homeless shelter require a health services and congregate living permit in accordance with Section 17.14.14. **STANDARD MET**
3. For residential facilities, outdoor facilities are limited to the hours between 8:00 a.m. to 8:00 p.m. **N/A; STANDARD MET**
4. An enclosed or screened waiting area for intake and/or appointments is required. No queuing may occur on any public right-of-way or any parking lot. **STANDARD MET**
5. Security lighting is required for drug treatment clinics, and halfway houses. The lighting must be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity compatible with the surrounding area. **STANDARD MET**
6. There must be a 1,000-foot separation between the same uses. **STANDARD MET**
7. Such uses must be 300 feet from any residential district. **PENDING VARIANCE (270')**

Special Use Approval Standards per 17.14.050.E.:

Each special use must be evaluated on an individual basis, in relation to all applicable standards of this ordinance. Such evaluation will determine whether approval of the special use is appropriate at the particular location and in the particular manner proposed. The decision of the Zoning Board of Adjustment must make findings to support each of the following conclusions:

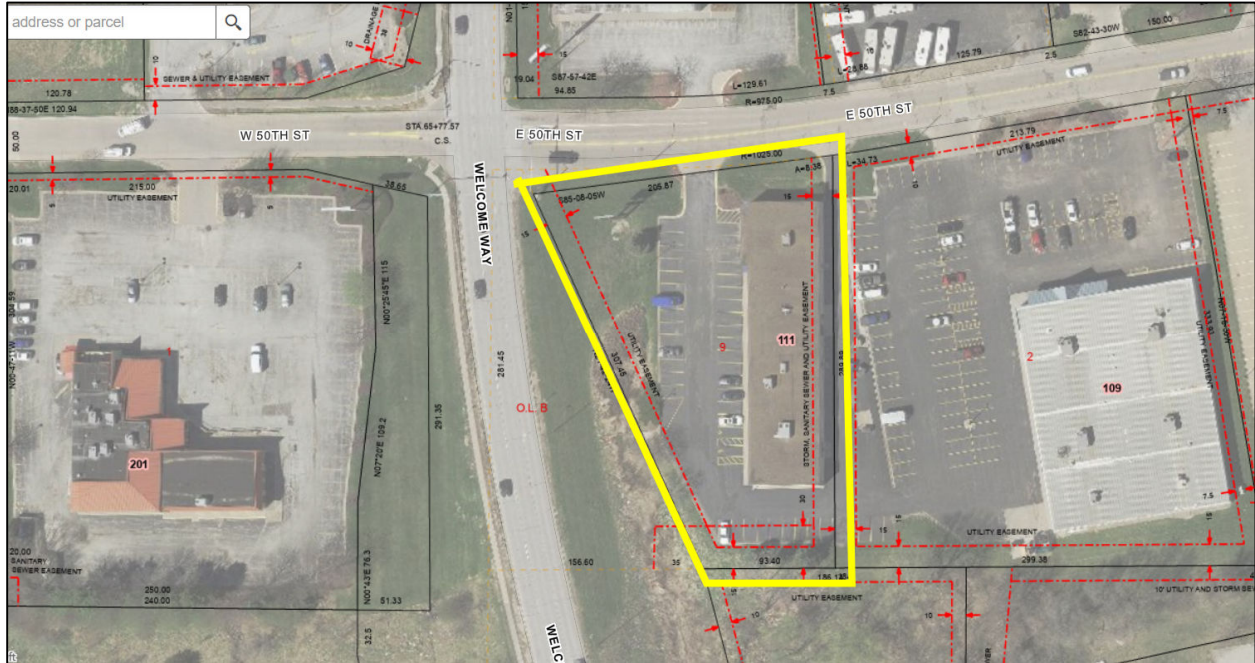
1. The establishment, maintenance, and operation of the proposed special use will not endanger the public health, safety, or welfare.
2. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.
3. The special use in the specific location proposed is consistent with the spirit and intent of this ordinance and adopted land use policies.

Zoning Map: (with 300' Separation Buffer)



C-2 | C-3 | R-MF | C-OP

Site Aerial Photo:



Building Elevations / Street View Photos



Discussion

The subject property is the site of a retail paint store and a second unit south of the paint store which will be occupied by the treatment clinic. The site is within 270' of a residential district (300' is required), which is the reason for HV24-06 which will be considered after this request, should the Special Use be approved.

The proposed use will operate as any other outpatient medical office, with no uses outside of the leased office space. Without any outward appearance other than a business, there shall be no impact to adjacent properties.

Approval Standards

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

Applicant:

The purpose of this special use will be to provide treatment, assistance and counseling to those suffering from opioid dependency/addiction. All patients will be seen indoors and no waiting line or queues will be outdoors or in any parking areas. The operation of the proposed special use will not endanger the public health, safety or welfare.

Staff Response: The proposed use meets code requirements.

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

Applicant:

Each of the properties adjacent to 111 East 50th Street are commercially zoned. The proposed treatment clinic will likely be open 5:30 a.m. to 2:00 p.m. on weekdays, Saturday from 7:00 a.m. to 10:00 a.m., and closed on Sunday. These hours align with the hours of the surrounding businesses and will not cause after-hour disturbances. The clinic will be completely outpatient.

Staff Response:

The proposed use meets code requirements.

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:

Zoned as a C-2 property, 111 East 50th Street is explicitly allowed to operate a drug treatment clinic upon the approval of a special use application. This clinic would be consistent with the spirit and intent of this ordinance and the land use policies.

Staff Response:

The proposed use meets code requirements.

Recommendation & Findings

Findings:

1. The petitioner's proposed location/design meets Special Use requirements
2. This use is compatible with adjacent land uses and type of development
3. The proposed Special Use is in accordance with the criteria for Special Use approval.

Recommendation:

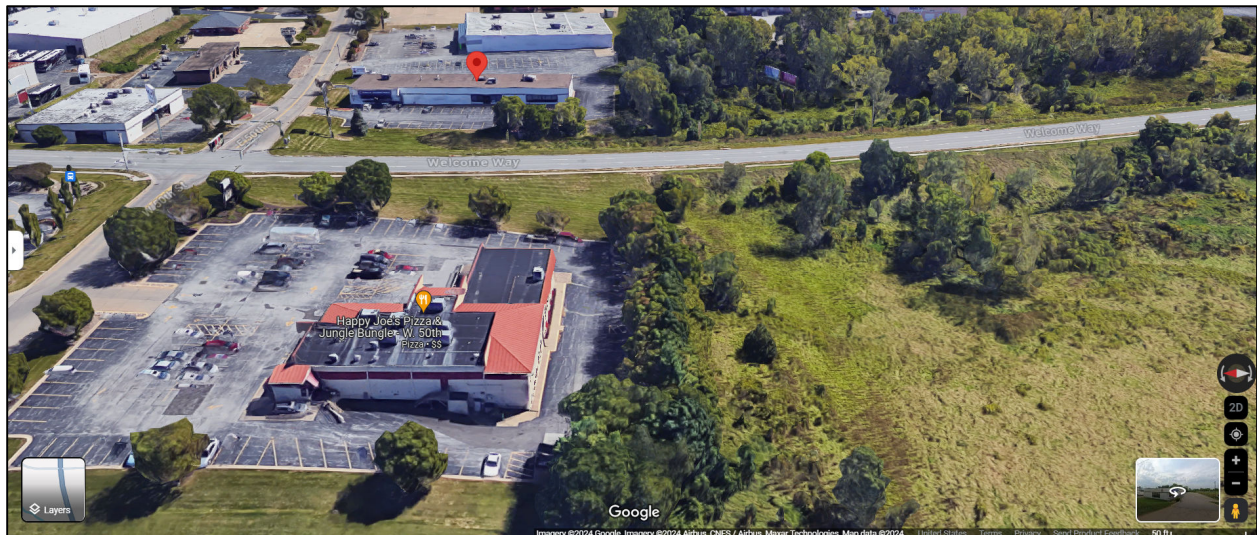
Staff recommends that the Board adopt staff's findings and approve request SU24-03 subject to the following conditions:

1. A hardship variance shall be required to reduce the distance separation from adjacent residential zoning (as has been proposed in HV24-06) from 300 feet to 270 feet.
2. No activities of the clinic shall be allowed outside of the leased building area, excepting use of the parking lot area for the parking of clients, visitors, employees, and allowance of solid waste collection.
3. Should the clinic have a pattern of noncompliance with condition number 2 above, the Zoning Board of Adjustment reserves the right to rehear/reconsider the special use and/or to revisit the conditions of the special use.

Prepared by: *Scott Koops*

Scott Koops, AICP
Planner II

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





CITY OF DAVENPORT
Development & Neighborhood
Services – Planning
1200 E. 46th St
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR

HARDSHIP VARIANCE

ZONING BOARD OF ADJUSTMENT

APPLICANT INFORMATION		DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
Applicant Name Deanoz Holdings, L.L.C.		SITE ADDRESS & PARCEL OR LOCATION DESCRIPTION 111 East 50th Street		
Address 5167 Utica Ridge Road		SPECIFICALLY DESCRIBE THE REQUEST & RELIEF NEEDED Under Davenport Mun. Code § 17.08.030L, a drug treatment clinic must be at least 300 feet from any residential district. The site address is 270 feet from a Parcel No. P1113-04B, which is zoned residential; however, Parcel No. P113-04B is a detention base that cannot be developed. We request a waiver of the 300-foot requirement.		
City State Zip Bettendorf, IA 52722		COMPLETE SUBMITTALS SHALL INCLUDE:		
Phone 563-324-4488		SUBMITTED		
Secondary Phone 563-650-8676		Concept/Development Plan to Scale* ☒		
E-Mail Address tdehartog@melfosterco.com		*shall show setbacks, height and size dimensions, etc.		
Acceptance of Applicant I, the undersigned, certify that the information on this application to the best of my knowledge is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements. In addition to the application fee, I understand I am responsible for attendance at the meeting as shown on the public hearing zoning board calendar. The City reserves the right to require further site studies as necessary. Dean Montgomery Type Applicant's Name  Applicant's Signature Date 4-1-24		Consent to request hardship/legal interest Affidavit* ☒		
		*shall include owner contact information		
		Application Fee* \$200 ☒		
		*required for a complete application		
		DEMONSTRATE WITH EVIDENCE THE FOLLOWING (4) ITEMS:		
		1. The strict application of the terms of this ordinance will result in hardship unless the specific relief requested is granted. The strict application of the 300-foot requirement in Davenport Mun. Code § 17.08.030L prevents CRC Recovery, Inc. from opening and operating a drug treatment clinic. Parcel No. 1113-04B is a detention base approximately 270 feet southwesterly of 111 East 50th Street, which has a residential zoning classification. Unless a variance of the 300-foot requirement is granted, CRC Recovery will be unable to operate a clinic at 111 East 50th Street simply because there is a detention base within 300 feet.		
		2. The particular physical surroundings, shape, or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out. The physical surroundings include a detention base in Parcel P1113-04B, zoned residential. This physical surrounding imposes a particular hardship on the owner because it prevents a drug treatment clinic from operating on the Property even though the residential parcel in question will never be occupied by residential homeowners. This hardship is particular to the owner because it would not prohibit operation of a clinic on those parcels approximately 30 feet northeasterly of the Property.		
		3. The plight of the owner is due to unique circumstances that do not apply to a majority of adjoining or nearby property, and is not a self-created hardship. The 270 foot distance between the residential retention pond and 111 East 50th Street is unique compared to the other lots in its vicinity. As the southwesternmost commercial lot on East 50th Street, 111 East 50th Street is the only commercial lot within 300 feet of the retention pond and therefore the only lot in its vicinity that would be prohibited from operating a drug treatment clinic by the 300-foot requirement of § 17.08.030L.		
		4. The hardship variance, if granted, will not alter the essential character of the locality. Commercial businesses are situated on this segment of E. 50th St. Welcome Way provides significant physical separation from westerly neighbors of the Property. The essential character of the locality will remain the same if this variance is granted. The property will continue to operate as a commercial business with no outdoor facilities. There will be no lines or queues in the parking lot. The use will be a special use that is allowed for under the zoning ordinance.		
DEVELOPMENT TEAM				
Property Owner Deanoz Holdings, L.L.C.				
Address 5167 Utica Ridge Road				
Phone	Secondary Phone			
E-Mail Address				
Project Manager/Other CRC Recovery, Inc. (tenant/operator)				
Address 6100 Tower Circle, Franklin, TN 67067				
Phone 630-803-7188	Secondary Phone			
E-Mail Address dan.pierson@acadiahealthcare.com				
		Contact Development & Neighborhood Services (DNS)/Planning Division at planning@davenportiowa.com with any questions, for additional information, and to submit this form.		

Authorization to Act as Applicant

I/We, Deanoz Holdings, L.L.C.

[as property owner(s)]

authorize Eric M. Hartmann and/or Nicholas Yost

[the above person(s)]

to act as applicant, representing me/us before the following board: Zoning Board of Adjustment *

for the property located at 111 East 50th Street



Signature(s)*

*Please note: original signature(s) are required signed in front of a Notary.

Notarization:

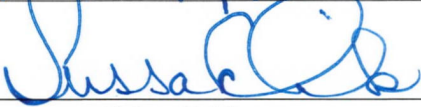
4-1-24
Date

State of Iowa,

County of Scott,

Sworn and subscribed before me

this 1st day of April, 2024



Notary Public

My Commission Expires:



Drivers Licensee Iowa
[identification type]

* Application Form by Board Type

Plan and Zoning Commission

Zoning Map Amendment (Rezoning)
Planned Unit Development
Zoning Ordinance Text Amendment
Right-of-way or Easement Vacation

Zoning Board of Adjustment

Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Exception

Design Review Board

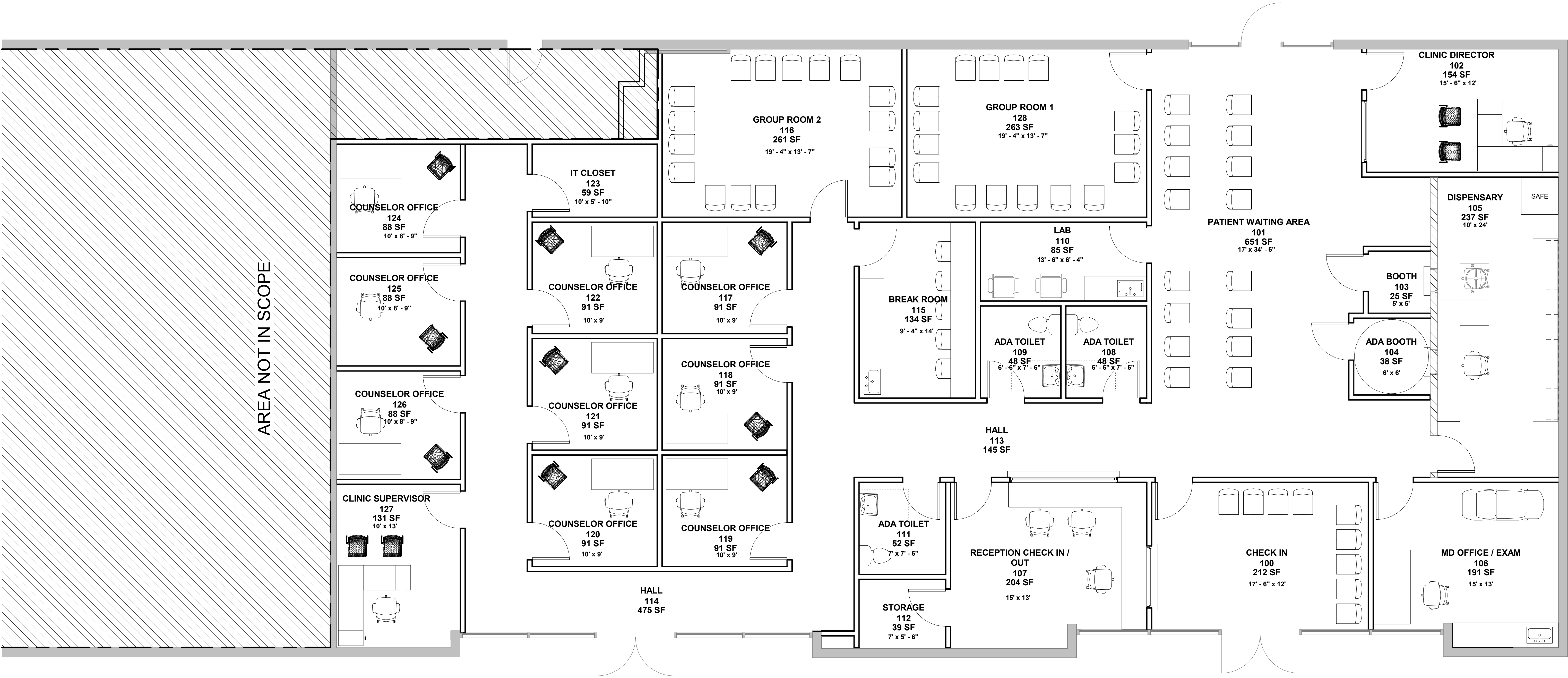
Design Approval
Demolition Request in the Downtown
Demolition Request in the Village of
East Davenport

Historic Preservation Commission

Certificate of Appropriateness
Landmark Nomination
Demolition Request

3/28/2024 2:45:50 PM

1 Level 1
1/4" = 1'-0"



PARTITION LEGEND

- EXISTING PARTITION
- NEW PARTITION TO 6" ABOVE CEILING W/ SOUND INSULATION IN WALLS.
- NEW FULL-HEIGHT PARTITION TO CEILING W/ SOUND INSULATION IN WALLS.
- NEW DOOR. SEE KEYNOTES FOR DOOR HARDWARE REQUIREMENTS.

DESIGNSTUDIOBLUE

7340 E CALEY AVE, SUITE 210W
CENTENNIAL, CO 80111
PHONE: 720.724.3149
EMAIL: info@designstudio-blue.com
designstudio-blue.com

REVISIONS		
NO	DESCRIPTION	DATE

CONSULTANT:	CONSULTANT SEAL:

CONSULTANT PROJECT NO.:

ACADIA HEALTHCARE

ACADIA CTC DAVENPORT

111 E 50TH ST. UNIT B
DAVENPORT, IA 52806

ACADIAHEALTHCARE

SHEET NAME:	
LEVEL 1 SPACE PLAN	
ISSUE DATE:	ISSUED FOR:
03/28/24	SPACE PLANNING
DESIGNED:	PROJECT NO:
Author	2024.03.28
QAQC:	SHEET NO:
Checker	1001
SCALE:	As indicated

State of Iowa

CERTIFICATE OF LICENSE

SUBSTANCE USE DISORDER

License No: 1371

Issue Date: March 14, 2024

THIS IS TO CERTIFY that CRC Recovery Inc., dba: Cedar Rapids Treatment Center located at 5005 Bowling Street, SW, Ste. C, Cedar Rapids, in the state of Iowa has given evidence of having complied with all the requirements of Iowa Code, Chapters 125, to conduct and maintain **Adult Opioid Treatment Services**. THIS LICENSE shall be subject to revocation for failure to comply with the rules and regulations promulgated under this law and shall be effective **December 31, 2023 to December 31, 2026**.



A handwritten signature in black ink, appearing to read "Andrew Alb", written over a horizontal line.

CHAIRPERSON
IOWA COUNCIL ON HEALTH AND HUMAN
SERVICES SUBSTANCE ABUSE AND PROBLEM
GAMBLING TREATMENT PROGRAM
COMMITTEE

A handwritten signature in black ink, appearing to read "Kelly Ancier", written over a horizontal line.

DIRECTOR
IOWA DEPARTMENT OF HEALTH AND HUMAN
SERVICES

Adjacent Owner Notice List - SU24-03 & HV24-06

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Subject Property: 111 E 50th ST		DEANOZ HOLDINGS LLC	PO BOX 646	BETTENDORF IA 52722
Ward/Aldreman: WARD 7				NOTICES SENT: 10
P1216-22		O2 PROPERTIES LLC	4439 DEVILS GLEN RD #1472	BETTENDORF IA 52722
P1113-07	201 W 50TH ST	SCF RC FUNDING IV LLC	902 CARNEGIE CNTR BLVD #520	PRINCETON NJ 08540
P1112-03B	5002 WELCOME WAY	MCDONALDS CORPORATION	3121 52ND AV CT	BETTENDORF IA 52722
P1209-10D	128 E 50TH ST	CI DAVENPORT LLC	10626 GENERAL AVE	JACKSONVILLE FL 32220
P1113-01C		KJTLJ PARTNERSHIP	4108 CHARLES CT	BETTENDORF IA 52722
P1209-11A	208 E 50TH ST	DEANOZ HOLDINGS LLC		
P1216-02A		PST PROPERTY MANAGEMENT LLC	4710 N BRADY ST	DAVENPORT IA 52806
P1216-01A	4726 BRADY ST	MCBY HOLDINGS LLC	4726 N BRADY ST	DAVENPORT IA 52806
P1209-09A	110 E 50TH ST	IS REAL ESTATE LLC	1045 SHERMAN RD	HIAWATHA IA 52233
P1216-02	4648 BRADY ST	DMF INC	52 HARBOUR LIGHTS RD	HUMACAO PR 00791
Z9005-64		THE LAMAR COMPANY LLC	1130 KERPER CT	DUBUQUE IA 52001



Public Hearing Notice | Zoning Board of Adjustment

Date: 4/25/2024
Time: 4:00 PM

Location: City Hall | 226 W 4th ST | Council Chambers
Subject: Hearing for Special Use | Zoning Board of Adjustment

Example Notice
10 Notices Sent
Ward 7

To: All property owners within 200' of the subject property **111 E. 50th ST:**

What is this 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 and for a Hardship Variance to grant permission to waive or alter a size or dimensional code requirement.

Request/Case Description

Request SU24-03/HV24-6 of Deanoz Holdings LLC on behalf of CRC Recovery INC at 111 E. 50th ST for a Special Use & Hardship Variance to establish a drug treatment clinic on property zoned C-2 Corridor Commercial being 270 feet (300' required) from the nearest residential zoning district as required in Table 17.08-1. and Section 17.08.030.L.7. of the Davenport Zoning Code. [Ward 7]

What are the Next Steps after the Public Hearing?

For approved ZBA requests, the ruling is effective immediately. 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 property owner/occupant you may have an interest in commenting on the proposed request via email or in person at the public hearing. Official comments must have written signatures sent to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

Do You Have Any Questions?

If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Scott Koops, AICP) 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 items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Adjacent Owner Notice Area:
Owners within 200' of the Subject Property



City of Davenport

Department: Development & Neighborhood Services

Contact Info: Scott Koops | 563-326-6701

Action / Date

5/9/2024

Subject:

Request HV24-06 of Deanoz Holdings LLC on behalf of CRC Recovery INC at 111 E. 50th ST for a Hardship Variance to decrease a Health Services use separation from 300 feet to 270 feet. Section 17.08.030.L.7. requires the proposed clinic to be 300 feet from a residentially zoned property. The residential property is a non-buildable outlot in use for stormwater detention. [Ward 7]

Recommendation:

Background:

Attachments:

1. Staff Report Reduce HSCLP Separation Buffer HV24-06
2. Application - Harship Variance



**Zoning Board of Adjustment
Planning Staff Report
111 E 50th ST | Decrease Separation Buffer
May 9, 2024**

Description

Request HV24-06 of Deanoz Holdings LLC on behalf of CRC Recovery INC at 111 E. 50th ST for a Hardship Variance to decrease a Health Services use separation from 300 feet to 270 feet. Section 17.08.030.L.7. requires the proposed clinic to be 300 feet from a residentially zoned property. The residential property is a non-buildable outlot in use for stormwater detention. [Ward 7]

Code Requirements:

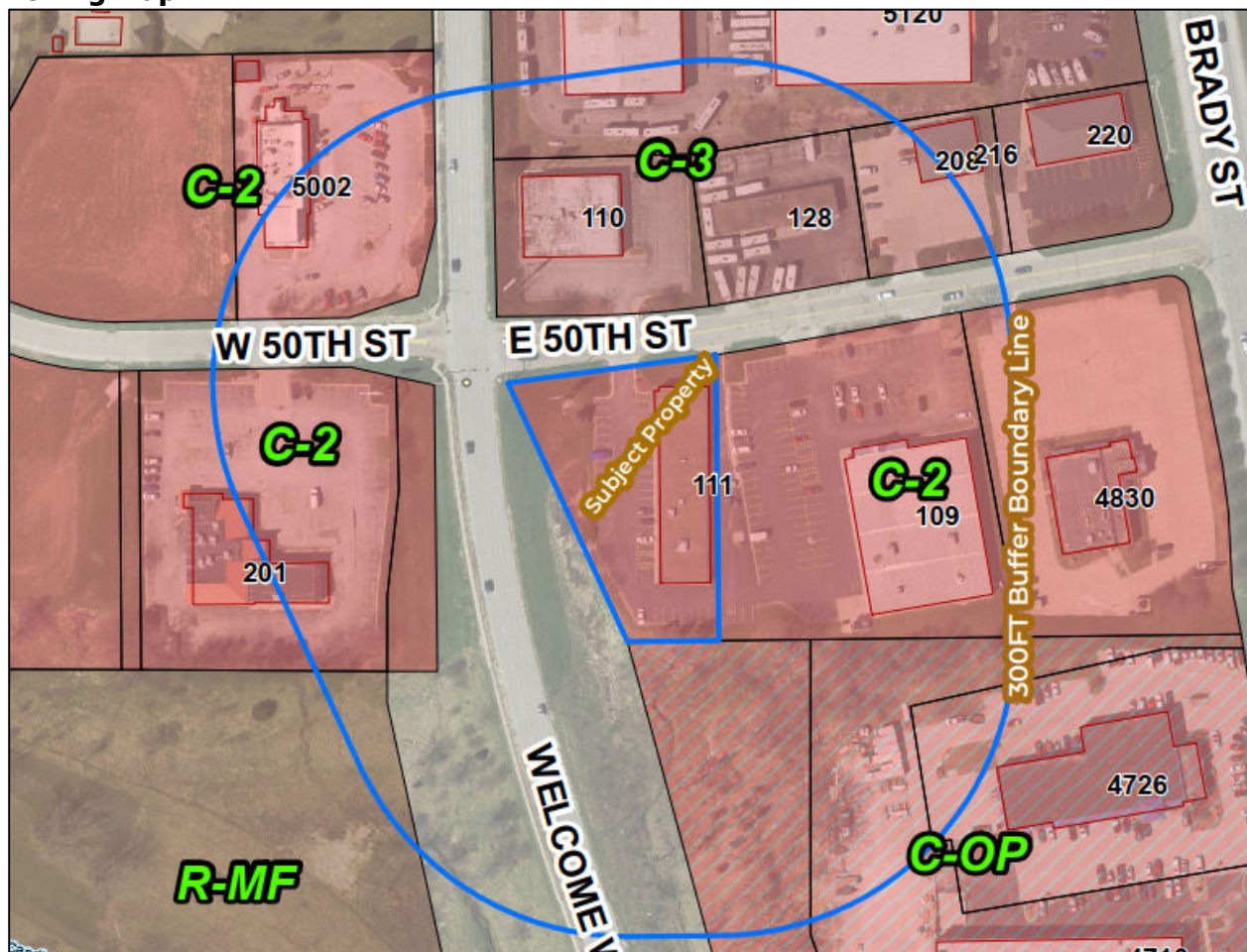
[Section 17.08.030.L.7. Separation Buffer](#)

"[Drug Treatment Clinics] must be 300 feet from any residential district."

Background & Discussion

Drug Treatment Clinics must be separated from the nearest residential districts by 300 feet. In this specific case, the residential lot in question is a non-buildable lot which is required to be used for stormwater management. Said lot is non-buildable for any residential use.

Zoning Map:



Google Bird's Eye View: (grassy/treed area south of Happy Joes is a non-buildable outlet)



Applicant's Request Statement

Under Davenport Municipal Code §17.08.030.L.7., a drug treatment clinic must be at least 300 feet from any residential district. The site address is 270 feet from Parcel P1113-04B, which is zoned residential; however the parcel is a detention basin that cannot be developed. We request a waiver of the 300-foot requirement.

Approval Standards

The Zoning Board of Adjustment decision must make findings to support the following:
(code requirement/ applicants response/staff comments)

1. Strict ordinance application will result in hardship unless specific relief requested is granted.

Applicant Response:

"The strict application of the 300-foot requirement in Davenport Mun. Code § 17.08.030L prevents CRC Recovery, Inc. from opening and operating a drug treatment clinic. Parcel No. 1113-04B is a detention base approximately 270 feet southwesterly of 111 East 50th Street, which has a residential zoning classification. Unless a variance of the 300-foot requirement is granted, CRC Recovery will be unable to operate a clinic at 111 East 50th Street simply because there is a detention base within 300 feet"

Staff Comments:

Staff concurs. The nearest buildable residential lot is 625' from the proposed clinic. Criterion for item #1 is met.

2. The particular physical surroundings, shape, or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

Applicant Response:

"The physical surroundings include a detention base in Parcel P1113-04B, zoned residential. This physical surrounding imposes a particular hardship on the owner because it prevents a drug treatment clinic from operating on the Property even though the residential parcel in question will never be occupied by residential homeowners. This hardship is particular to the owner because it would not prohibit operation of a clinic on those parcels approximately 30 feet northeasterly of the Property the strict application of the ordinance."

Staff Comments:

Staff concurs. The nearest buildable residential lot is 625' from the proposed clinic. Criterion for item #2 is met.

3. The plight of the owner is due to unique circumstances that do not apply to a majority of adjoining or nearby property, and is not a self-created hardship.

Applicant Response:

The 270-foot distance between the residential retention pond and 111 East 50th Street is unique compared to the other lots in its vicinity. As the southwestern most commercial lot on East 50th Street, 111 East 50th Street is the only commercial lot within 300 feet of the retention pond and therefore the only lot in its vicinity that would be prohibited from operating a drug treatment clinic by the 300-foot requirement of § 17.08.030.L.7.

Staff Comments:

Staff concurs. The nearest buildable residential lot is 625' from the proposed clinic. Criterion for item #3 is met.

4. The hardship variance, if granted, will not alter the essential character of the locality.

Applicant Response:

"Commercial businesses are situated on this segment of E. 50th St. Welcome Way provides significant physical separation from westerly neighbors of the Property. The essential character of the locality will remain the same if this variance is granted. The property will continue to operate as a commercial business with no outdoor facilities. There will be no lines or queues in the parking lot. The use will be a special use that is allowed for under the zoning ordinance have been developed to ensure that the proposed changes are in harmony with the existing neighborhood."

Staff Comments:

Staff concurs. The nearest buildable residential lot is 625' from the proposed clinic. Criterion for item #4 is met.

Findings & Staff Recommendation:

Findings:

- Item #1 zoning code does result in hardship as applied for the proposed use;
- 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;

Recommendation:

Staff recommends that Board adopt staff's findings and approve request HV24-06 as proposed.

Prepared by:



Scott Koops, AICP,
Planner II

Attachments: ZBA application/plans, notice documents



CITY OF DAVENPORT
Development & Neighborhood
Services – Planning
1200 E. 46th St
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR

HARDSHIP VARIANCE

ZONING BOARD OF ADJUSTMENT

APPLICANT INFORMATION		DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
Applicant Name Deanoz Holdings, L.L.C.		SITE ADDRESS & PARCEL OR LOCATION DESCRIPTION 111 East 50th Street		
Address 5167 Utica Ridge Road				
City State Zip Bettendorf, IA 52722				
Phone 563-324-4488		SPECIFICALLY DESCRIBE THE REQUEST & RELIEF NEEDED Under Davenport Mun. Code § 17.08.030L, a drug treatment clinic must be at least 300 feet from any residential district. The site address is 270 feet from a Parcel No. P1113-04B, which is zoned residential; however, Parcel No. P113-04B is a detention base that cannot be developed. We request a waiver of the 300-foot requirement.		
Secondary Phone 563-650-8676				
E-Mail Address tdenhartog@melfosterco.com				
Acceptance of Applicant I, the undersigned, certify that the information on this application to the best of my knowledge is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements. In addition to the application fee, I understand I am responsible for attendance at the meeting as shown on the public hearing zoning board calendar. The City reserves the right to require further site studies as necessary. Dean Montgomery Type Applicant's Name _____ <i>[Signature]</i> _____ 4-1-24 Applicant's Signature Date		COMPLETE SUBMITTALS SHALL INCLUDE: Concept/Development Plan to Scale* ☒ *shall show setbacks, height and size dimensions, etc. Consent to request hardship/legal interest Affidavit* ☒ *shall include owner contact information Application Fee* \$200 ☒ *required for a complete application		
DEVELOPMENT TEAM				
Property Owner Deanoz Holdings, L.L.C.				
Address 5167 Utica Ridge Road		DEMONSTRATE WITH EVIDENCE THE FOLLOWING (4) ITEMS: 1. The strict application of the terms of this ordinance will result in hardship unless the specific relief requested is granted. The strict application of the 300-foot requirement in Davenport Mun. Code § 17.08.030L prevents CRC Recovery, Inc. from opening and operating a drug treatment clinic. Parcel No. 1113-04B is a detention base approximately 270 feet southwesterly of 111 East 50th Street, which has a residential zoning classification. Unless a variance of the 300-foot requirement is granted, CRC Recovery will be unable to operate a clinic at 111 East 50th Street simply because there is a detention base within 300 feet. 2. The particular physical surroundings, shape, or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out. The physical surroundings include a detention base in Parcel P1113-04B, zoned residential. This physical surrounding imposes a particular hardship on the owner because it prevents a drug treatment clinic from operating on the Property even though the residential parcel in question will never be occupied by residential homeowners. This hardship is particular to the owner because it would not prohibit operation of a clinic on those parcels approximately 30 feet northeasterly of the Property. 3. The plight of the owner is due to unique circumstances that do not apply to a majority of adjoining or nearby property, and is not a self-created hardship. The 270 foot distance between the residential retention pond and 111 East 50th Street is unique compared to the other lots in its vicinity. As the southwesternmost commercial lot on East 50th Street, 111 East 50th Street is the only commercial lot within 300 feet of the retention pond and therefore the only lot in its vicinity that would be prohibited from operating a drug treatment clinic by the 300-foot requirement of § 17.08.030L. 4. The hardship variance, if granted, will not alter the essential character of the locality. Commercial businesses are situated on this segment of E. 50th St. Welcome Way provides significant physical separation from westerly neighbors of the Property. The essential character of the locality will remain the same if this variance is granted. The property will continue to operate as a commercial business with no outdoor facilities. There will be no lines or queues in the parking lot. The use will be a special use that is allowed for under the zoning ordinance.		
Phone 563-324-4488				
Secondary Phone				
E-Mail Address				
Project Manager/Other CRC Recovery, Inc. (tenant/operator)				
Address 6100 Tower Circle, Franklin, TN 67067				
Phone 630-803-7188				
Secondary Phone				
E-Mail Address dan.pierson@acadiahealthcare.com				
		Contact Development & Neighborhood Services (DNS) Planning Division at planning@davenportiowa.com with any questions, for additional information, and to submit this form.		

City of Davenport

Department: Development & Neighborhood Services

Contact Info: |

Action / Date

5/9/2024

Subject:

Request HV24-07 of Streamline Architects on behalf of Project Renewal at 513 Warren Street for a Hardship Variance to locate a portion of the proposed building 3.2 feet into the required side buffer yard; The observed buffer yard will be 11.8' should the variance be approved.

Section 17.11.080.A.2. requires a 15-foot buffer yard between the proposed community center use and the adjacent dwelling units. Property is zoned R-4C Residential. [Ward 3]

Recommendation:

Background:

Attachments:

1. Staff Report Reduce Side yard Buffer HV24-07
2. Application
3. Responses for Hardship Variance Application
4. HV24-07 - 513 Warren St - Adjacent Owner Notice List
5. Notice Letter



**Zoning Board of Adjustment
Planning Staff Report
513 Warren ST | Decrease Side Yard Landscape Buffer
May 9, 2024**

Description

Request HV24-07 of Streamline Architects on behalf of Project Renewal at 513 Warren Street for a Hardship Variance to locate a portion of the proposed building 3.2 feet into the required side buffer yard; The observed buffer yard will be 11.8' should the variance be approved. Section 17.11.080.A.2. requires a 15-foot buffer yard between the proposed community center use and the adjacent dwelling units. Property is zoned R-4C Residential. [Ward 3]

Code Requirements:

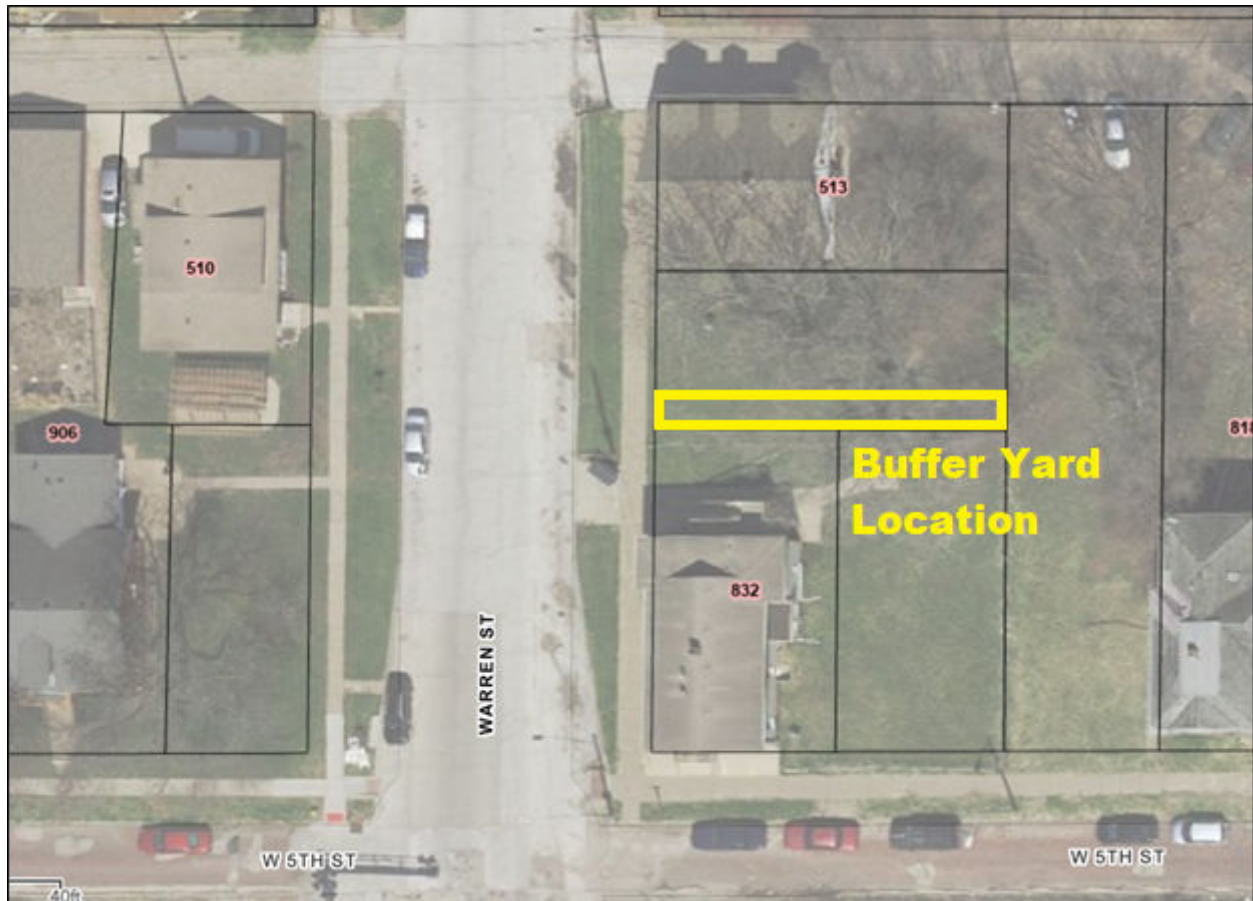
[Section 17.11.080.A.2. Landscaped Side Yard Buffer](#)

"buffer yards are required for new construction along interior side yards where a nonresidential use is located within a residential district"

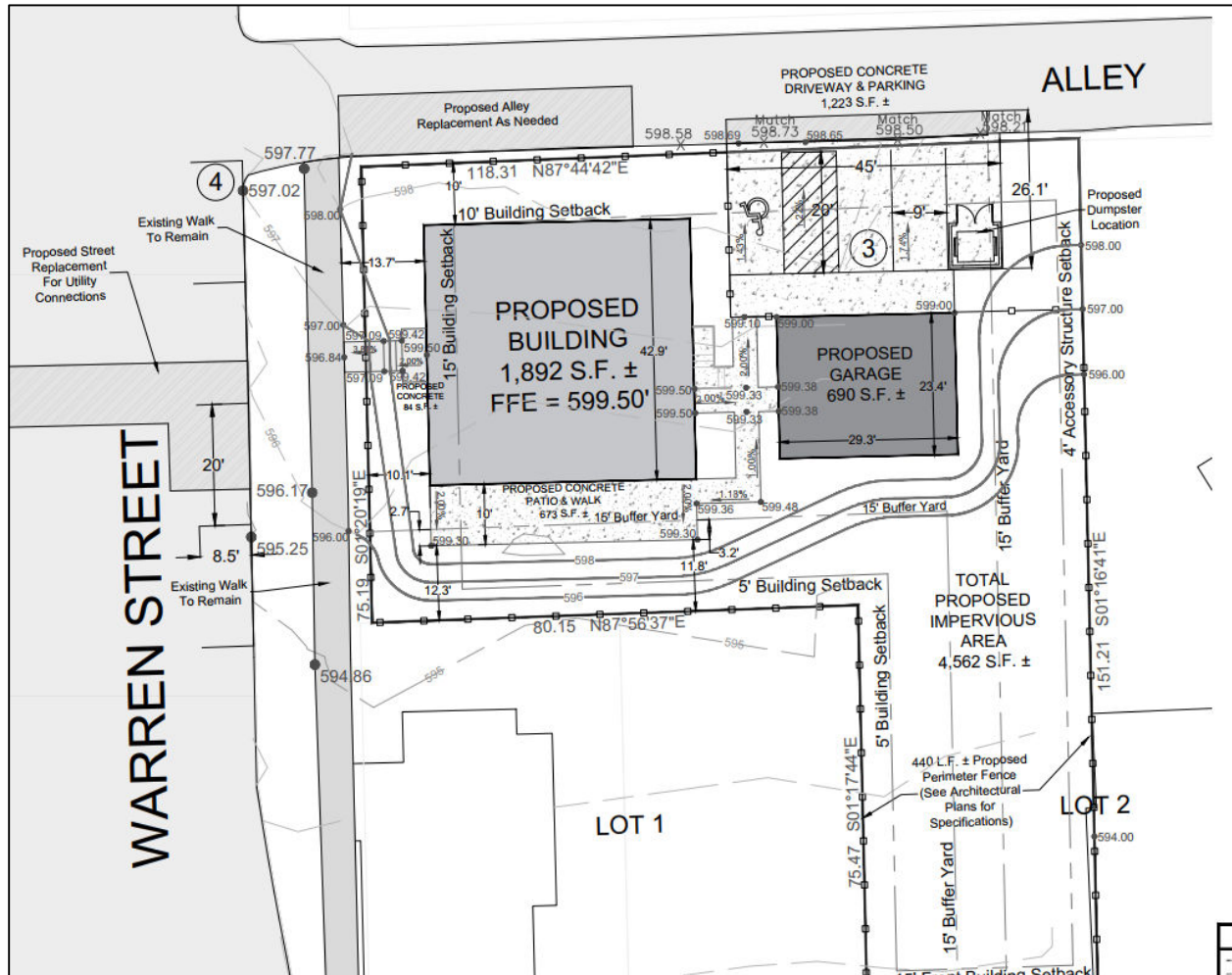
Background & Discussion

The community center, while allowed in a residential district, is technically not considered a residential use, therefore the 15-foot landscape buffer yard is required along the south lot line.

Site:



Site Plan



Applicant's Request Statement

"Requesting a hardship variance to reduce the side buffer yard to 12 feet on the south property line. Under current regulations, 15 feet are required. This factor plus geographical site constraints have deemed it necessary to apply for a buffer yard hardship variance to alleviate this constriction."

Approval Standards

The Zoning Board of Adjustment decision must make findings to support the following:
(code requirement/applicants response/staff comments)

1. Strict ordinance application will result in hardship unless specific relief requested is granted.

Applicant Response:

"Unless the request is granted, Project Renewal's Youth Center will not be able to provide the full outdoor educational space as originally designed. Changing the original building and outdoor space design will incur major additional expense, reduce usable outdoor space, reduce accessibility and delay this project longer, once again.

Allowing the side buffer yard hardship variance will allow there to still be green space and an accessible patio for individuals who use mobility equipment (i.e. wheel chairs, walkers, etc.) The

patio is a key space for Project Renewal Youth Center programming. This is the only space available on the property to ensure safe and adequate space for accessibility and outdoor use."

Staff Comments:

Staff concurs. Criterion for item #1 is met.

2. The particular physical surroundings, shape, or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

Applicant Response:

"This site is limited in the North/South direction. This project is located in one of the oldest Davenport neighborhoods and next to a busy railway line. When the original mapping of this neighborhood was done there was limited space for buildings, compared to modern developments that allow for expansion. Project Renewal is making the best use of the given space to improve our community given the constraints imposed originally in 1900.

Communication with MidAmerican has been conducted to discuss an alternative for the location of the power lines. For example: replace the existing poles with taller ones to raise the power lines, they will not consider this; bury the utility lines, they will not consider this; move the utility poles and lines to the other side of the alley, they will not do this."

Staff Comments:

Staff concurs. Criterion for item #2 is met.

3. The plight of the owner is due to unique circumstances that do not apply to a majority of adjoining or nearby property, and is not a self-created hardship.

Applicant Response:

"Yes, this is a unique circumstance. More so than in any other neighborhood, there is a high concentration of rental housing units and service organizations in this neighborhood that work with transient populations which contributes to our neighborhood fragility and safety. Project Renewal staff are residents who work, live and advocate for the City of Davenport residents, and specifically our neighborhood. Our resident staff have a stabilizing presence and work to promote positivity and opportunities for youth, families and other neighborhood residents.

One week ago, tenants that live adjacent to our property asked when we will be able to get started on construction. Upon explaining the delays we've been encountering, which have all been out of our control, expressed "Wow, you all sure do a lot for everyone around here and have to go through so much."

Staff Comments:

Staff concurs. Criterion for item #3 is met.

4. The hardship variance, if granted, will not alter the essential character of the locality.

Applicant Response:

"The hardship variance will not alter the essential character of the locality, in fact it will enhance the surrounding neighborhood. The previous building on this site contained four apartments which were a terrible nuisance and eyesore, the source of major drug dealing, guns and trafficking resulting in several police calls, raids by the swat team, nuisance abatement and shootings.

Many of Project Renewal's youth activities take place outdoors, when appropriate, in the summer and after school. After school, our kids enjoy the peacefulness and relaxing outdoors after being indoors all day at school and doing their homework with us. There are many benefits to being

outdoors, for example: learning to enjoy the calm, encourage motor and sensory development, explore creativity and imagination, socialization, promote confidence and cognitive development, appreciation for nature, vitamin D, and fresh air. The patio is a key space for Project Renewal Youth Center programming."

Staff Comments:

Staff concurs. Criterion for item #4 is met.

Findings & Staff Recommendation:

Findings:

Due to the minimum impact of a 3.2' encroachment, staff finds that:

- Item #1 zoning code does result in hardship as applied for the proposed use;
- 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;

Recommendation:

Staff recommends that Board adopt staff's findings and approve request HV24-07 as proposed.

Prepared by:



Scott Koops, AICP,
Planner II

Attachments: ZBA application/plans, notice documents



CITY OF DAVENPORT
Development & Neighborhood
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1200 E. 46th St
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Office 563.326.6198
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APPLICATION FOR
HARDSHIP VARIANCE
ZONING BOARD OF ADJUSTMENT

APPLICANT INFORMATION		
Applicant Name Company Name	DATES: PRE-APP SUBMITTAL PUBLIC HEARING	
Address		
City State Zip		
Phone		
Secondary Phone		
E-Mail Address	SITE ADDRESS & PARCEL OR LOCATION DESCRIPTION	
SPECIFICALLY DESCRIBE THE REQUEST & RELIEF NEEDED		
COMPLETE SUBMITTALS SHALL INCLUDE: SUBMITTED		
Concept/Development Plan to Scale* *shall show setbacks, height and size dimensions, etc. Consent to request hardship/legal interest Affidavit* *shall include owner contact information Application Fee* \$200 *required for a complete application		
DEMONSTRATE WITH EVIDENCE THE FOLLOWING (4) ITEMS:		
Acceptance of Applicant		
I, the undersigned, certify that the information on this application to the best of my knowledge is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements.		
In addition to the application fee, I understand I am responsible for attendance at the meeting as shown on the public hearing zoning board calendar. The City reserves the right to require further site studies as necessary.		
Type Applicant's Name		
Applicant's Signature Date		
DEVELOPMENT TEAM		
Property Owner		
Address		
Phone	Secondary Phone	
E-Mail Address		
Project Manager/Other		
Address		
Phone	Secondary Phone	
E-Mail Address		
Contact Development & Neighborhood Services (DNS) Planning Division at planning@davenportiowa.com with any questions, for additional information, and to submit this form.		

Reason for Hardship Request:

Requesting a hardship variance to reduce the side buffer yard to 12 feet on the south property line. Under current regulations, 15 feet are required. This factor plus geographical site constraints have deemed it necessary to apply for a buffer yard hardship variance to alleviate this constriction.

Demonstrate with Evidence the following (4) items:

1. The strict application of the terms of this ordinance will result in hardship unless the specific relief requested is granted.

Unless the request is granted, Project Renewal's Youth Center will not be able to provide the full outdoor educational space as originally designed. Changing the original building and outdoor space design will incur major additional expense, reduce usable outdoor space, reduce accessibility and delay this project longer, once again.

Allowing the side buffer yard hardship variance will allow there to still be green space and an accessible patio for individuals who use mobility equipment (i.e. wheel chairs, walkers, etc.) The patio is a key space for Project Renewal Youth Center programming. This is the only space available on the property to ensure safe and adequate space for accessibility and outdoor use.

This property has already gone under one hardship variance review for parking in September 2023, at which time it was unanimously granted. Unfortunately, the factor that has initiated this buffer yard variance application that is now being required was not brought to Project Renewal's attention timely. We are now required to submit another application and pay another fee of \$200 to make this request, which could have been addressed in September 2023.

The designated use of this property was reviewed in February 21, 2023 in a meeting with Project Renewal staff and board member, Russell Project Team (general contractor), Townsend Engineering (civil engineering) and two City of Davenport Development & Planning department staff. At this time, all agreed that: the north buffer side yard distance of five feet was included and met city requirements; the south buffer yard distance of 15 feet was included and met city requirements; this included a concrete accessible slab patio on the south side of the building which is allowable and met space requirements. Project Renewal's design, construction and civil teams proceeded with building plans and were prepared to start construction at the end of August/early September 2023.

We were notified (the last week of August) about the parking variance required. We then delayed starting construction and went through the proper channels to satisfy this requirement. Up to this point, the design plans for this project had been submitted to the city and reviewed several times

by multiple disciplines. The plans reveal the location of the utility poles and power lines that run through the alley adjacent to this property. The location of the power lines was discussed but not declared a concern or problem. Due to the needed delay in August 2023, Project Renewal was not able to start construction at all in 2023 because we did not want to incur the added expense to pour concrete in winter conditions and opted to wait until spring to start.

Mid-March 2024 the concrete subcontractor for this project began laying out the design, marking the property and preparing to lay the foundation. Upon doing so, the location of the utility poles and lines was brought up again. This time by the concrete subcontractor who asked the general contractor to review, who then deferred to the architect, who again conferred with city staff. City staff informed our architect that MidAmerican/OSHA requires a ten feet distance between the utility lines and building.

We have now moved the building location to meet the requirement of ten feet clearance from the power lines. In doing so, this decreases the south side yard availability to meet the city requirement of 15 feet buffer yard. The initial design intent of the project would suffer greatly as this would reduce the outdoor educational space and activity area for Youth Center students. The south side of the building features four windows and a sliding glass door, all tied to the patio for visibility and access.

Project Renewal is asking for relief from providing 15 feet of side yard buffer to 12 feet of side yard buffer and no less than ten feet. Our neighbors, tenants in the apartment house and the landlord/owner, are all aware of our project and welcome the continued improvements Project Renewal does for our neighborhood. The owner of the property adjacent to the south, where the side buffer yard reduction is being requested, has been informed and is supportive of this request.

2. The particular physical surroundings, shape, or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

This site is limited in the North/South direction. This project is located in one of the oldest Davenport neighborhoods and next to a busy railway line. When the original mapping of this neighborhood was done there was limited space for buildings, compared to modern developments that allow for expansion. Project Renewal is making the best use of the given space to improve our community given the constraints imposed originally in 1900.

Communication with MidAmerican has been conducted to discuss an alternative for the location of the power lines. For example: replace the existing poles with taller ones to raise the power lines,

they will not consider this; bury the utility lines, they will not consider this; move the utility poles and lines to the other side of the alley, they will not do this.

Not allowing the relief from the requested side buffer yard hardship variance will hinder Project Renewal's ability to be a positive presence in one of the City of Davenport's most fragile neighborhood. Project Renewal is a hub of stability and provides a neighborhood youth program for populations who are often overlooked and underserved.

3. The plight of the owner is due to unique circumstances that do not apply to a majority of adjoining or nearby property, and is not a self-created hardship.

Yes, this is a unique circumstance.

More so than in any other neighborhood, there is a high concentration of rental housing units and service organizations in this neighborhood that work with transient populations which contributes to our neighborhood fragility and safety. Project Renewal staff are residents who work, live and advocate for the City of Davenport residents, and specifically our neighborhood. Our resident staff have a stabilizing presence and work to promote positivity and opportunities for youth, families and other neighborhood residents.

One week ago, tenants that live adjacent to our property asked when we will be able to get started on construction. Upon explaining the delays we've been encountering, which have all been out of our control, expressed "Wow, you all sure do a lot for everyone around here and have to go through so much."

Project Renewal's neighborhood presence and stability aligns with the Q2030 belief that neighborhoods are one of the core units that affect regional health. As identified in the City of Davenport's 5-year consolidated plan as a priority area of need: Low-mod clientele and public service providing services to residents, particularly youth and financial literacy, Project Renewal fulfills this void.

Project Renewal's mission includes immersing their staff and volunteers to be residents of the neighborhood since its inception in 1974, and continues to do so. Our additional property, 513 Warren Street, will increase stability, positive role modeling and advocacy for our neighbors and neighborhood which aligns with Project Renewal's mission and core values:

Mission Statement

We empower children and families by acting as a welcoming presence in the neighborhood.

Core Values Statement

Dignity = We affirm the worth and gift of each person

Stability = We provide structure and support for kids and neighbors

Trust = We offer a warm, loving presence in the neighborhood

Education = We invest in our children and neighbors to reach their full potential

Justice = We advocate for just and equitable opportunities

While Project Renewal directly serves youth, at the same time, staff and volunteers are role models and advocates for our youth participant's parents, our neighbors and neighborhood, being a positive, daily presence for those who are unable to advocate for themselves or seek out supportive resources. Statistically, our direct population served is 95+% extremely low-moderate income and 95% minority. Project Renewal has historically worked with diverse and under-served youth in Davenport since 1974 as a local, grass roots organization.

4. The hardship variance, if granted, will not alter the essential character of the locality.

The hardship variance will not alter the essential character of the locality, in fact it will enhance the surrounding neighborhood. The previous building on this site contained four apartments which were a terrible nuisance and eyesore, the source of major drug dealing, guns and trafficking resulting in several police calls, raids by the swat team, nuisance abatement and shootings.

Many of Project Renewal's youth activities take place outdoors, when appropriate, in the summer and after school. After school, our kids enjoy the peacefulness and relaxing outdoors after being indoors all day at school and doing their homework with us. There are many benefits to being outdoors, for example: learning to enjoy the calm, encourage motor and sensory development, explore creativity and imagination, socialization, promote confidence and cognitive development, appreciation for nature, vitamin D, and fresh air. The patio is a key space for Project Renewal Youth Center programming.

Project Renewal staff and volunteers make a commitment to work and/or live in our neighborhood to be a positive presence and good neighbor.

HV24-07 - 513 Warren St - Adjacent Owner Notice List

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Subject Property: 513 WARREN ST		PROJECT RENEWAL		
Ward/Alderman: 3rd WARD		MEGINNIS		NOTICES SENT: 15
G0051-01		PROJECT RENEWAL OF DAVENPORT	906 W 5TH ST	DAVENPORT IA 52802
G0051-02		PROJECT RENEWAL OF DAVENPORT	906 W 5TH ST	DAVENPORT IA 52802
G0051-03A	832 W 5TH ST	SCC SERIES LLC SERIES A	1732 SKYLINE DR	BETTENDORF IA 52722
G0051-04A		SCC SERIES LLC SERIES B	1732 SKYLINE DR	BETTENDORF IA 52722
G0051-05		PROJECT RENEWAL OF DAVENPORT	906 W 5TH ST	DAVENPORT IA 52802
G0051-06	818 W 5TH ST	GREAT RIVER REAL ESTATE INC	1644 W 64TH ST	DAVENPORT IA 52806
G0051-07		JONES CHARLES E	816 W 5TH ST	DAVENPORT IA 52802
G0051-08	802 W 5TH ST	PLACE OF REFUGE MINISTRIES INC	518 BROWN ST	DAVENPORT IA 52802
G0051-09	514 BROWN ST	OROEZA ANTHONY L	448 MASTICK AVE	SAN BRUNO CA 94066
G0051-10	809 W 6TH ST	CELADA ALEXANDER	3201 40TH ST	MOLINE IL 61265
G0051-11		TRUTH APOSTOLIC TEMPLE	514 BROWN	DAVENPORT IA 52802
G0051-13B	903 W 6TH ST	PLACE OF REFUGE MINISTRIES INC	518 BROWN ST	DAVENPORT IA 52802
G0051-14	907 W 6TH ST	ECUMENICAL HOUSING DEVELOPMENT	P O BOX 1673	BETTENDORF IA 52722
G0051-15		PROJECT RENEWAL	906 W 5TH ST	DAVENPORT IA 52802
G0051-16	916 W 5TH ST	HOLLAND JAMES	903 W 6TH ST	DAVENPORT IA 52802
G0051-17		NO BOUNDRY LLC	4118 BRIARWOOD DR	COUNCIL BLUFFS IA 51503
G0051-18		RAMIREZ JESUS	4802 SILENT LK	SAN ANTONIO TX 78244
G0051-18	906 W 5TH ST	GENECEO HEATHER	913 W 6TH ST	DAVENPORT IA 52802
G0051-23A	510 WARREN ST	DAVID DITTMER REVOC LIVING TRUST	6404 N HOWELL ST	DAVENPORT IA 52806
G0051-24		SAMPICA JACK L	518 WARREN ST	DAVENPORT IA 52802
G0051-26	902 W 4TH ST	PROJECT RENEWEL OF DAVENPORT I	906 W 5TH ST	DAVENPORT IA 52802
G0051-27A	806 W 4TH ST	PROJECT RENEWAL	906 W 5TH ST	DAVENPORT IA 52802
G0051-27B		PROJECT RENEWAL	906 W 5TH ST	DAVENPORT IA 52802
G0051-28		SAMPICA JACK L	518 WARREN ST	DAVENPORT IA 52802
G0051-29		ECUMENICAL HOUSING DEVELOPMENT GROUP	PO BOX 1673	BETTENDORF IA 52722
G0062-02		PRINCETON RIVERFRONT PROP LLC	P O BOX 562	RAPIDS CITY IL 61278-0562



Public Hearing Notice | Zoning Board of Adjustment

Date: 5/9/2024 **Location:** City Hall | 226 W 4th ST | Council Chambers
Time: 4:00 PM **Subject:** Hearing for Hardship Variance | Zoning Board of Adjustment

Example Letter

To: All property owners within 200' of the subject property **513 Warren ST:**

What is this 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 dimensional code requirement.

Request/Case Description

Request HV24-07 of Streamline Architects on behalf of Project Renewal at 513 Warren Street for a Hardship Variance to locate a portion of the proposed building five (5) feet into the required side buffer yard. Section 17.11.080.A.2. requires a 15-foot buffer yard between the proposed community center use and the adjacent dwelling units. [Ward 3]

What are the Next Steps after the Public Hearing?

For approved ZBA requests, the ruling is effective immediately. 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 property owner/occupant you may have an interest in commenting on the proposed request via email or in person at the public hearing. Official comments must have written signatures sent to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

Do You Have Any Questions?

If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Scott Koops, AICP) 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 items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Adjacent Owner Notice Area:
Owners within 200' of the Subject Property

