

ZONING BOARD OF ADJUSTMENT MEETING

CITY OF DAVENPORT, IOWA

Thursday, August 22, 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 the July 11th, 2024 Minutes.

III. Old Business

IV. New Business

1. Request HV24-10 of Bray Architects on behalf of Davenport Community Schools at 503 Cedar Street for a Hardship Variance to: 1) exceed building height by 11 feet, 2) locate a refuse enclosure in a front yard and 3) construct a chain-link fence in the front yard. The Davenport Municipal Code limits building height for this property to 35 feet and requires refuse enclosures and chain-link fences to be in side or rear yards. [Ward 3]

V. Other Business

VI. Adjourn

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Scott Koops | 563-326-6701

Action / Date
8/22/2024

Subject:
Consideration of the July 11th, 2024 Minutes.

Recommendation:

Background:

Attachments:

1. ZBA Minutes 2024-07-11



MINUTES

Zoning Board of Adjustment

July 11, 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 4:01 p.m.

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

Excused: None.

Staff present: Werderitch, Koops

II. Secretary's Report:

Minutes were approved for the 2024-06-27 ZBA Hearing by voice-vote (4-0).

III. Old Business:

1. None.

IV. New Business:

1. **Request HV24-09 of Bray Architects on behalf of Davenport Community Schools at 1414 E. Locust Street for a Hardship Variance to locate a refuse enclosure in a front yard and to construct a chain-link fence near the property line in the front yard(s). The Davenport Municipal Code requires refuse enclosures to be located in the side or rear yard and prohibits chain-link fences in front yards and corner side yards. [Ward 5]**

Koops presented the staff report to the Board.

Findings & Staff Recommendation:

Staff requests that two separate motions be made for approval, one for the refuse enclosure and one for the chain-link fence.

Refuse Enclosure Findings: (Per the analysis above)

- Item #1 application of the ordinance creating hardship has been established;
- Item #2 physical surroundings imposing hardship has been established;
- Item #3 unique circumstance has been established;
- Item #4 protection of essential character has been established;

Refuse Enclosure Recommendation:

Staff recommends approval of the proposed refuse enclosure hardship variance subject to the addition of evergreen landscaping bushes on three (3) sides of the enclosure.

Chain-link Fence Findings: (Per the analysis above)

A decorative metal fence is allowed by right. The applicant has not demonstrated a hardship that would necessitate a variance from the required fence style.

- Item #1 application of the ordinance creating hardship has not been established;
- Item #2 physical surroundings imposing hardship has not been established;

- Item #3 unique circumstance has not been established;
- Item #4 protection of essential character may have been established;

Chain-link Fence Recommendation:

Staff recommends denial of the proposed chain-link fence hardship variance as three (3) of four (4) approval standards have not been met.

Motions:

Galliar moved to approve HV24-09, seconded by Boyd-Carlson for the refuse enclosure location subject to the condition that it be landscaped on three sides, per the staff report. The motion carried unanimously (4-0).

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

Bloemker moved to approve HV24-09, seconded by Boyd-Carlson for the chain-link fence location and style subject to the following conditions: 1). The fence material for the chain-link style fence shall be finished with black PVC or black powder-coating ("privacy slats" prohibited) the same as or similar to the existing black fence along East Locust Street and shall have as a minimum, a top horizontal rail; and 2). the fence shall be maintained in proper working order. The motion carried unanimously (4-0).

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

- 2. Request SU24-04 of 53rd Luxury LLC at 2021 (& 1911, 2131) East 53rd Street to modify a Special Use for a Vehicle Dealership with Outdoor Storage/Display. Table 17.08-1 requires a Special Use for a Vehicle Dealership with Outdoor Storage/Display on property zoned C-3 General Commercial District and §17.14.050. requires a modification to a Special Use when required by code. [Ward 8]**

Koops presented the staff report to the Board.

Findings & Staff Recommendation:

Motion:

Galliar moved, seconded by Boyd-Carlson, to approve request SU24-04 subject to the following proposed staff conditions:

1. The extent of 'Exhibit "A" – Site Plan' as submitted and emailed to Planning staff on July 3, 2024, shall be binding; any changes deemed a modification shall be subject to Special Uses §17.14.50.
2. Prior to occupancy an approved full site plan review shall be completed and approved through the Davenport E-Plan system;
3. The use of flags, pennants, tinsel, balloons or other similar attention-getting devices shall be prohibited;
4. All conditions of Davenport rezoning REZ23-03, City Council Ordinance 2023-436 (labeled Exhibit "C" in the ZBA Packet), shall remain in full force and effect, including but not limited to the location of the car wash facility at least 125' from residential zoning districts, stipulated buffer yard along the north property line of the Stonegate development, prohibition of billboards, and Dark Sky complainant light fixtures; and
5. Should complaints arise due to non-compliance with these conditions, and/or if staff is aware of infractions to these conditions and/or any other code violations, a rehearing of the Special Use shall be scheduled per Davenport Municipal Code specifications for Zoning Board of Adjustment Special Use public hearings; at which the Special Use may be modified, re-approved or revoked.

6. Should the ownership no longer be affiliated with a franchised auto dealership, the Special Use shall be reviewed regarding this change by the Zoning Board of Adjustment.

The motion carried unanimously (4-0).

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

V. Other Business

None.

VI. Adjourn

The meeting adjourned unanimously by voice vote at approximately 4:54 p.m.

City of Davenport

Department: Development & Neighborhood Services

Contact Info: Scott Koops | 563-326-6701

Action / Date

8/22/2024

Subject:

Request HV24-10 of Bray Architects on behalf of Davenport Community Schools at 503 Cedar Street for a Hardship Variance to: 1) exceed building height by 11 feet, 2) locate a refuse enclosure in a front yard and 3) construct a chain-link fence in the front yard. The Davenport Municipal Code limits building height for this property to 35 feet and requires refuse enclosures and chain-link fences to be in side or rear yards. [Ward 3]

Recommendation:

Background:

Attachments:

1. Staff Report - 503 Cedar ST - Smart Height, Refuse & Fence
2. Application
3. Notice Letter Example HV24-10 Smart Dav Schools
4. HV24-10 503 Cedar ST - Adjacent Owner Notice List
5. Affidavit of Publication 2024-08-12



**Zoning Board of Adjustment
Planning Staff Report
503 Cedar ST – Building Height/Refuse Enclosure/Fence
Smart Middle School
August 22, 2024**

Description

Request HV24-10 of Bray Architects on behalf of Davenport Community Schools at 503 Cedar Street for a Hardship Variance to: 1) exceed building height by 11 feet, 2) locate a refuse enclosure in a front yard and 3) construct a chain-link fence in the front yard. The Davenport Municipal Code limits building height for this property to 35 feet and requires refuse enclosures and chain-link fences to be in side or rear yards. [Ward 3]

Code Requirements:

[Section 17.04-1.](#)

"Maximum Building Height: 35 Feet" (In R-4C Zoning District)

[Section 17.09.030.Q.](#)

"Refuse and recycling container regulations apply to"...non-residential uses. 1. Refuse and recycling containers are prohibited in the front or corner side yard."

[Section 17.09.030.H.2.a.](#)

"Within the required front or reverse corner side setback, solid fences are limited in height to four feet and open fences are limited to a height of six feet. Chain-link fences or other similar wire materials are prohibited."

Applicant Description of Request

"There are 3 different hardship variance requests in this application.

a. The district be allowed to construct 3 stories tall for the new Smart Middle School. This will require relief as the parcel is currently zoned as residential with a height restriction of 35 feet [46 feet is proposed]

b. The district be allowed to construct the dumpster enclosures for the new Smart Middle School to the East of the new building. This will require relief from code 17.09.030 Q.1. which states "Refuse and recycling containers are prohibited in the front or corner side yard. No dumpsters may be located on any right-of-way, including alleys."

c. The district be allowed to construct a 6' black vinyl coated chain link fence along a portion of the North, West and South side of the property. Some sections of this fence will cross the front yard setback on the west side of the site. This will require relief from code 17.09.030 H 2 a. which state "Within the required front or reverse corner side setback, solid fences are limited in height to four feet and open fences are limited to a height of six feet. Chain-link fences or other similar wire materials are prohibited."

Background & Discussion

The subject property is located in a residential district located at Cedar and W. 5th Streets. Historically, primary and secondary schools have been located on property zoned residential. Certain quasi-institutional uses in Davenport have always been customary to residential districts such as places of worship, parks, cemeteries, and schools. Presently, all elementary and middle schools are located on land residentially zoned.

Over the course of the last several years a district wide master planning process was conducted, which included facility condition assessments and upgrades for identified high schools, elementary schools, and middle schools (such as Smart). The proposed new school building, refuse enclosure, and fence are a part of those upgrades. The same number of stories are proposed as exist presently.

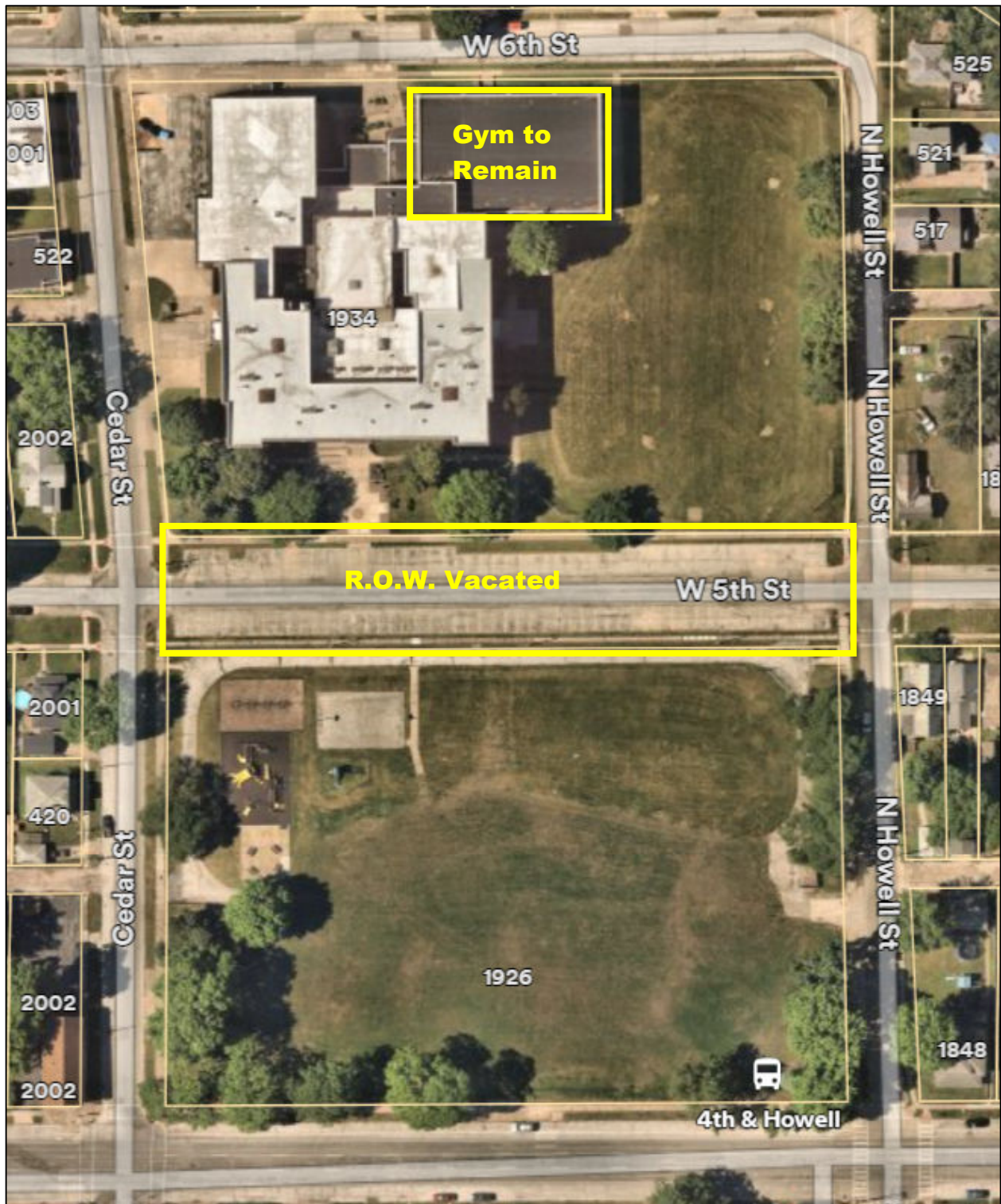
Existing Site – Portion to be Demolished



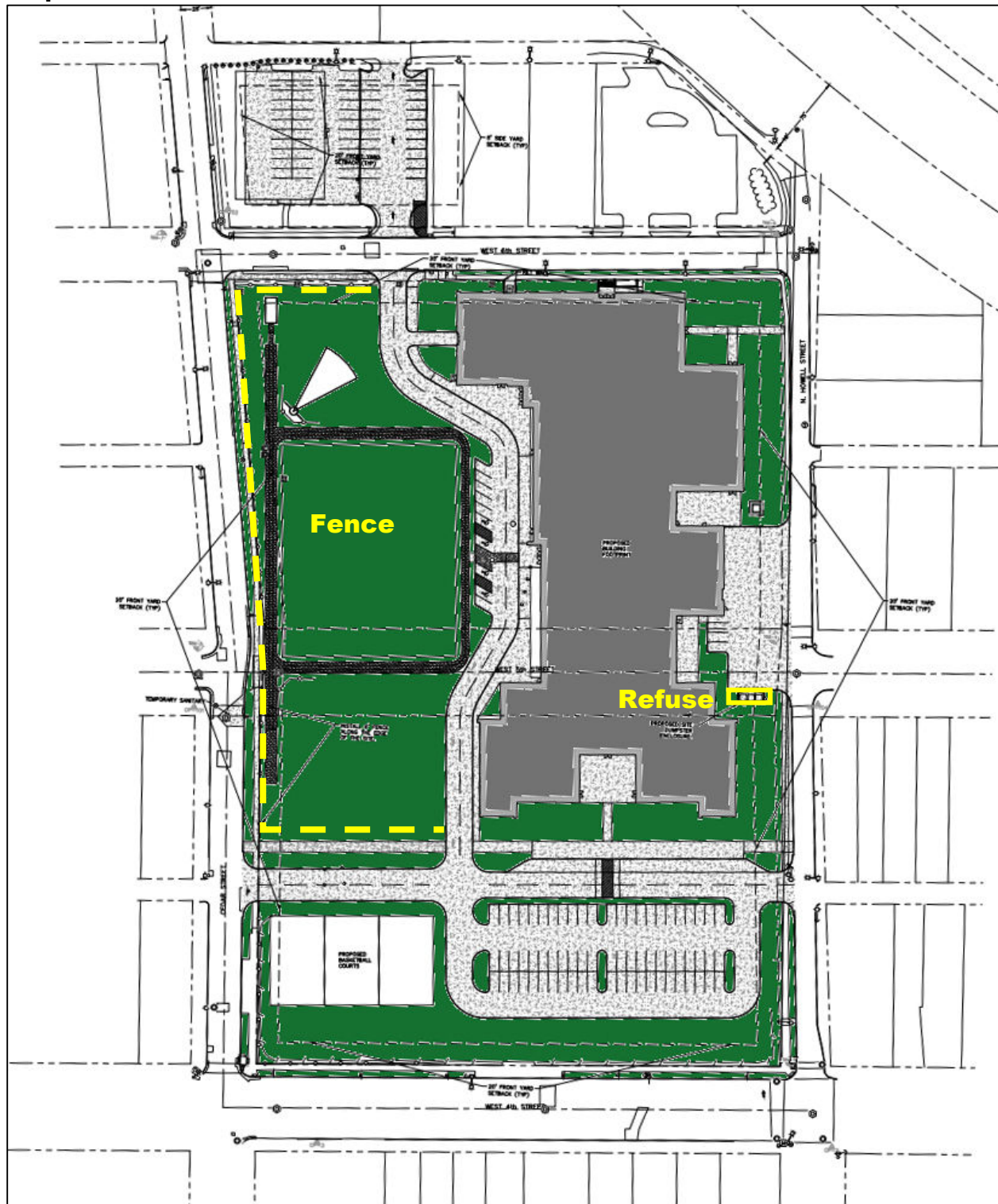
Existing Site – Gymnasium to Remain



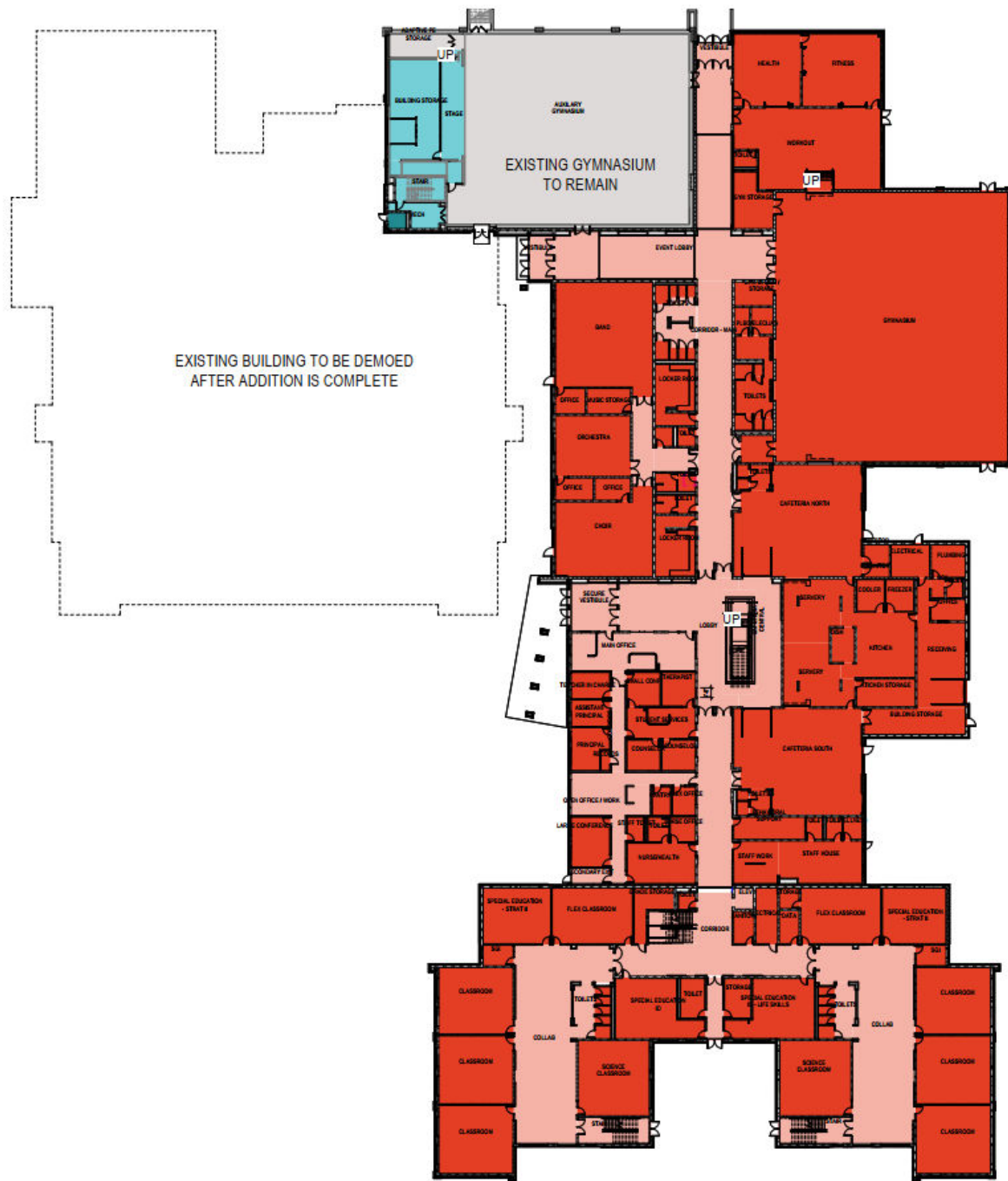
Existing Site



Proposed Site Plan

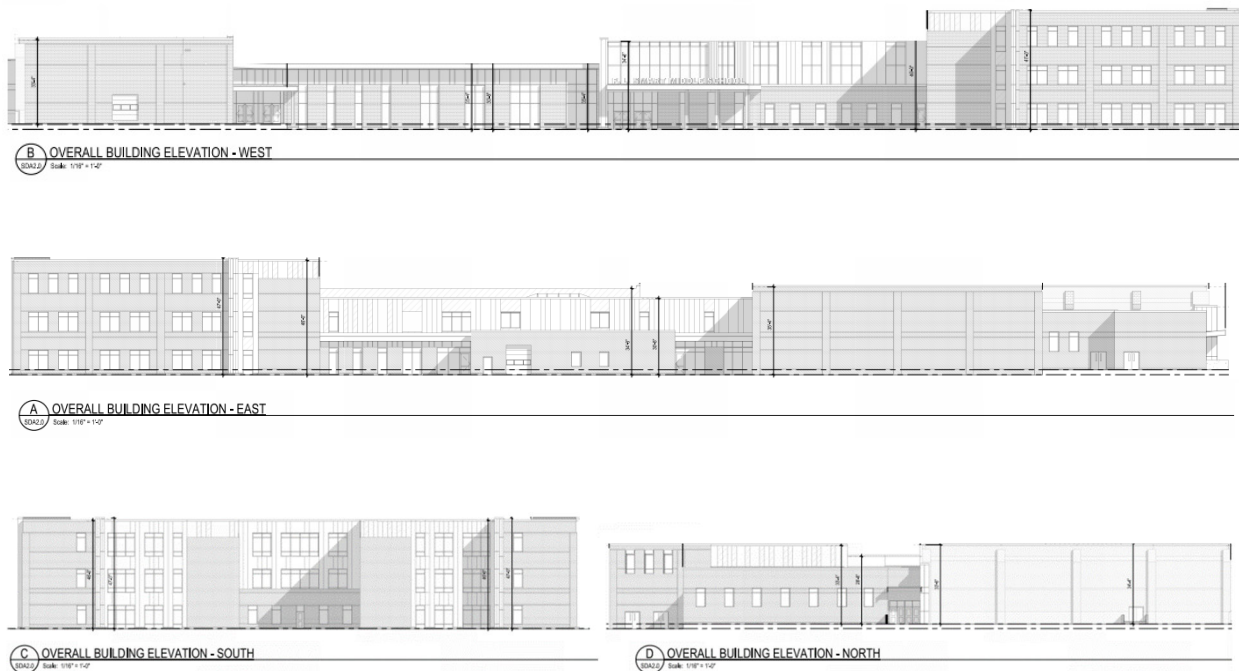


Proposed Site Plan



1 FIRST FLOOR PLAN - OVERALL PROJECT
Scale: 1" = 20'-0"

Proposed Building Elevations



Public Input

Notices were sent to adjacent property owners within 200 feet of the request.

Purpose of a Hardship Variance

Davenport Municipal Code Section 17.14.060 states: *The purpose of the hardship variance process is to provide a narrowly circumscribed means by which relief may be granted from unforeseen applications of this Ordinance that create practical difficulties or particular hardships.*

Approval Standards

The Zoning Board of Adjustment decision must make findings to support each of the following:

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

Applicant Response:

"a. If the height restriction cannot be lifted, the building would need to be reprogrammed from the district initial intent. It would take away the concept of each grade level having their own floor. With this concept, the construction can be repetitive not only for cost but also for student familiarity. A two-story building would result in the district needing to sprawl out over a significant amount of the Smart and Monroe plots of land.

b. If the relief request for the dumpster enclosure is not granted, the school will not be able to have a dumpster enclosure on site due to the fact that all 4 sides of the building are considered front yards.

c. If the relief request for the fencing allowance is not granted, this will result in the new sections of fence appearing different from the existing condition"

Staff Comments:

Staff concurs that the building height, proposed site of the refuse enclosure and fence met the intent of the ordinance. The same number of stories is proposed as they exist presently. Approval standard #1 has been 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:

"a. The land intended to be used is adequate for their use, the hardship is vertically with the currently zoning applied to it, residential.

b. Because the new Middle School property is surrounded on all 4 sides by streets, there is no other area for the school to place the dumpster enclosure rather than in one of the front yards. This property does not have a side or rear yard that the enclosure could otherwise be located in.

c. In order to provide enough space to accommodate site features for students' use, a portion of the proposed fencing along the West side of the site crosses into the 20' front yard setback along Cedar. If site features were scaled back to move this portion of the fence out of the setback, these features would not be as beneficial to students' development."

Staff comments:

Staff concurs that the building height, and the site of the refuse encloser and fence met the intent of the ordinance. The proposed refuse enclosure location mitigates any potential negative externalities. Approval standard #2 has been 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:

"a. This height restriction is unique to the district as their land is zoned residential while the use is for a school. They are also not asking for a new circumstance as the existing building they are replacing also has a three-story portion.

b. There are no adjoining properties to the school that would suffer from a similar hardship to this one. Other properties in the area have either a side or rear yard where they can locate their dumpster enclosures.

c. This fence is needed to help control access to the site. Both to keep students on site and to reduce access to the site form the outside public. Installing the fence on the North, West and South sides of the site will allow the staff to more easily monitor who is coming to the site while

providing a natural boundary for the students to stay within. No adjoining or nearby properties have similar needs to the school."

Staff Comments:

Staff concurs that a unique circumstance exists and the intent of the ordinance has been met. Approval standard #3 has been met.

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

Applicant Response:

"a. The project is intended to give a new vibrancy to the area and turn the Smart and Monroe properties into a hub for the community. The existing buildings were of similar height and stature, and it does not alter the character of the neighborhood

b. If granted, this variance will allow the school to construct a dumpster enclosure on the site in an area that will be beneficial for the school and the surrounding properties. The enclosure will meet all city screening requirement. It will be located away from the major roadways and will be in a location that allows for easy access for the staff and easy collection.

c. If granted, this variance will allow the district to install fencing similar to the existing fence. This expanded fencing will not alter the character of the locality and will allow the staff and students to use the site safely."

Staff Comments:

The proposed building height, enclosed refuse container, fence will not impact the character of the locality. Approval standard #4 has been met.

Findings & Staff Recommendation:

Findings: (Per the analysis above)

- Item #1 application of the ordinance creating hardship is established;
- Item #2 physical surroundings imposing hardship is established;
- Item #3 unique circumstance is established;
- Item #4 protection of essential character is established;

Recommendation:

Staff recommends approval of request HV24-10 subject to the following four (4) conditions:

- 1) the addition of evergreen landscaping bushes on three (3) sides of the refuse enclosure;
- 2) the chain-link fence constructed with black PVC coating and with a top rail;
- 3) the chain-link fence shall be installed without privacy slats; and
- 4) the chain-link fence shall be maintained in good condition.

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	
Applicant Name	SPECIFICALLY DESCRIBE THE REQUEST & RELIEF NEEDED
Address	
City State Zip	
Phone	
Secondary Phone	
E-Mail Address	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
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.	

Authorization to Act as Applicant

I/We, Josh Urmanski
[as property owner(s)]

authorize Nathan Derks
[the above person(s)]

to act as applicant, representing me/us before the Zoning Board of Adjustment

for the property located at 1934 W. 5th St Davenport, IA.

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

Notarization: _____

5/15/24
Date

State of Iowa,

County of Scott,

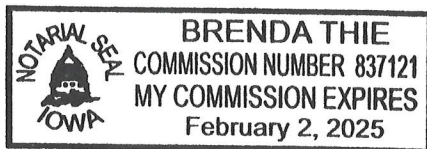
Sworn and subscribed before me

this 15th day of May, 2024

Personally known
[identification type]

Brenda Thie
Notary Public

My Commission Expires:



DAVENPORT SMART MIDDLE SCHOOL

Davenport Community School District

Davenport, Iowa



Bray Project No. 3678

Wednesday | April 17, 2024

Re: HARDSHIP VARIANCE

F. L. Smart Middle School project description of current proposed building project.

Project History Summary

Smart Intermediate School was originally built in 1918 and then has been added onto many times since then. Monroe Elementary was originally built in 1939 adjacent to Sudlow, sharing a field in between them.

Over the course of the last several years, Davenport Community School District faced declining enrollment resulting in significant excess student capacity throughout the district. In addition, the district has faced a continually growing backlog of capital maintenance needs caused by aging buildings. A district wide master planning process was conducted, which included facility condition assessments, capacity analysis, enrollment projections, exploration of grade configurations, and analysis of student educational pathway.

As a result of this process, the district considered and approved grade and pathway reconfiguration within the district. To reduce the excess capacity and alleviate excessive deferred maintenance costs, three facilities, Washington, Monroe, and Buchanan Elementary Schools, were identified for closure, and the district student pathway and organization were reconfigured. This reconfiguration changed the district to become arranged as K-5 Elementary Schools, 6-8 Middle Schools, and 9-12 High Schools. This pathway change was approved because it improved the potential to enhance educational opportunities within the district, reduce the number of school building transitions, define a predictable student pathway and experience, increase the duration of student experience within each school building, improve transportation and logistics, reduce the overall capacity of seats within the district in response to enrollment projections, and balance opportunities and exposure for benefits to all students within the district.

The Davenport School Board approved several projects to included in the first phase of work as identified under the district wide master plan. Washington and Monroe Elementary Schools were closed and identified to be demolished due to their age, prospective costs associated with deferred maintenance, small size of classrooms and inefficient layout of building, and proximity to the Sudlow and Smart Intermediate School buildings. Prior to the '24-'25 school year, sixth grade students have been housed in elementary school buildings. Starting in the '24-'25 school year, sixth grade will be moved to

the middle school buildings. One of the highest priorities within the school district is to improve the Sudlow and Smart middle school buildings. Improvements at the middle school buildings was deemed critical because addition and renovation to the existing facilities would support the adoption of the middle school curriculum, as well as support the integration of sixth grade to these buildings. Improvements to these facilities would provide needed collaboration and flexible use areas with increased sightlines and supervision within the building, while also increasing the safety and security within the building and campus. In addition, this would allow for creating a house model within the academic wings of the building in which the physical layout of the building will aid in developing smaller learning communities which are designed to improve the relational and social development of students while also enhancing student academic engagement and providing an environment that will improve student outcomes. Sudlow and Smart were identified to be considered for these improvements as they are the buildings most in need of improvement.

Smart Building Description

Due to the age of the existing building, high level of cost to remedy deferred maintenance and repairs, small size of existing classrooms, and poor layout and configuration of the existing building, the existing Smart Middle School is to receive a substantial new addition and existing gymnasium to remain shall receive minor updates. The new addition will allow expanded space for cafeteria which is necessary for improving the lunch sequence resulting in better control and more instructional time. New construction of appropriately sized classroom space will meet the needs of additional students and programs as well as allowing for a house model approach to the building layout. Additional gym space will be provided to improve instruction due to the larger building population size. The new improvement will allow for the integration of spaces for technology, science, and consumer sciences. Furthermore, the new project will improve site safety and logistics, as well as creating improved spaces for outdoor student activities. To reduce cost and timeline, the new addition building footprint has avoided overlap of the existing building footprint.

The Smart proposed plan has a three-story educational wing to house the three grade levels. It also provides a new office, kitchen, cafeteria, library, gymnasium, fitness rooms, and music rooms. Minor updates will be made to the existing 2001 gymnasium addition.

Smart timeline

Schematic Design concluded in the middle of March 2024. Currently, the design team is in design development and intends to be ready to bid the project in December 2024.

Smart MS Variance Descriptions

SPECIFICALLY DESCRIBE THE REQUEST & RELIEF NEEDED

There are 3 different hardship variance requests in this application.

- a. The district be allowed to construct 3 stories tall for the new Smart Middle School. This will require relief as the parcel is currently zoned as residential with a height restriction of 35 feet.
 - b. The district be allowed to construct the dumpster enclosures for the new Smart Middle School to the East of the new building. This will require relief from code 17.09.030 Q.1. which states " Refuse and recycling containers are prohibited in the front or corner side yard. No dumpsters may be located on any right-of-way, including alleys."
 - c. The district be allowed to construct a 6' black vinyl coated chain link fence along a portion of the North, West and South side of the property. Some sections of this fence will cross the front yard setback on the west side of the site. This will require relief from code 17.09.030 H 2 a. which state "Within the required front or reverse corner side setback, solid fences are limited in height to four feet and open fences are limited to a height of six feet. Chain-link fences or other similar wire materials are prohibited."
1. The strict application of the terms of this ordinance will result in hardship unless the specific relief requested is granted.
 - a. If the height restriction cannot be lifted, the building would need to be reprogrammed from the district initial intent. It would take away the concept of each grade level having their own floor. With this concept, the construction can be repetitive not only for cost but also for student familiarity. A two-story building would result in the district needing to sprawl out over a significant amount of the Smart and Monroe plots of land.
 - b. If the relief request for the dumpster enclosure is not granted, the school will not be able to have a dumpster enclosure on site due to the fact that all 4 sides of the building are considered front yards.
 - c. If the relief request for the fencing allowance is not granted, this will result in the new sections of fence appearing different from the existing condition
 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.
 - a. The land intended to be used is adequate for their use, the hardship is vertically with the currently zoning applied to it, residential.
 - b. Because the new Middle School property is surrounded on all 4 sides by streets, there is no other area for the school to place the dumpster enclosure rather than in one of the front yards. This property does not have a side or rear yard that the enclosure could otherwise be located in.
 - c. In order to provide enough space to accommodate site features for students' use, a portion of the proposed fencing along the West side of the site crosses into the 20' front yard setback along Cedar. If site features were scaled back to move this portion of the fence out of the setback, these features would not be as beneficial to students' development.

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.
 - a. This height restriction is unique to the district as their land is zoned residential while the use is for a school. They are also not asking for a new circumstance as the existing building they are replacing also has a three-story portion.
 - b. There are no adjoining properties to the school that would suffer from a similar hardship to this one. Other properties in the area have either a side or rear yard where they can locate their dumpster enclosures.
 - c. This fence is needed to help control access to the site. Both to keep students on site and to reduce access to the site from the outside public. Installing the fence on the North, West and South sides of the site will allow the staff to more easily monitor who is coming to the site while providing a natural boundary for the students to stay within. No adjoining or nearby properties have similar needs to the school.
4. The hardship variance, if granted, will not alter the essential character of the locality.
 - a. The project is intended to give a new vibrancy to the area and turn the Smart and Monroe properties into a hub for the community. The existing buildings were of similar height and stature, and it does not alter the character of the neighborhood
 - b. If granted, this variance will allow the school to construct a dumpster enclosure on the site in an area that will be beneficial for the school and the surrounding properties. The enclosure will meet all city screening requirement. It will be located away from the major roadways and will be in a location that allows for easy access for the staff and easy collection.
 - c. If granted, this variance will allow the district to install fencing similar to the existing fence. This expanded fencing will not alter the character of the locality and will allow the staff and students to use the site safely.



Public Hearing Notice | Zoning Board of Adjustment

Date: 8/22/2024

Location: City Hall | 226 W 4th ST | Council Chambers

Time: 4:00 PM

Subject: Hearing for Hardship Variance | Zoning Board of Adjustment

EXAMPLE NOTICE LETTER

Ward 3

Notices Sent: 57

To all property owners within 200' of the subject property **503 Cedar 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 HV24-10 of Bray Architects on behalf of Davenport Community Schools at 503 Cedar Street for a Hardship Variance to: 1) exceed building height by 11 feet, 2) locate a refuse enclosure in a front yard and 3) construct a chain-link fence in the front yard. The Davenport Municipal Code limits building height for this property to 35 feet and requires refuse enclosures and chain-link fences to be in side or rear yards. [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?

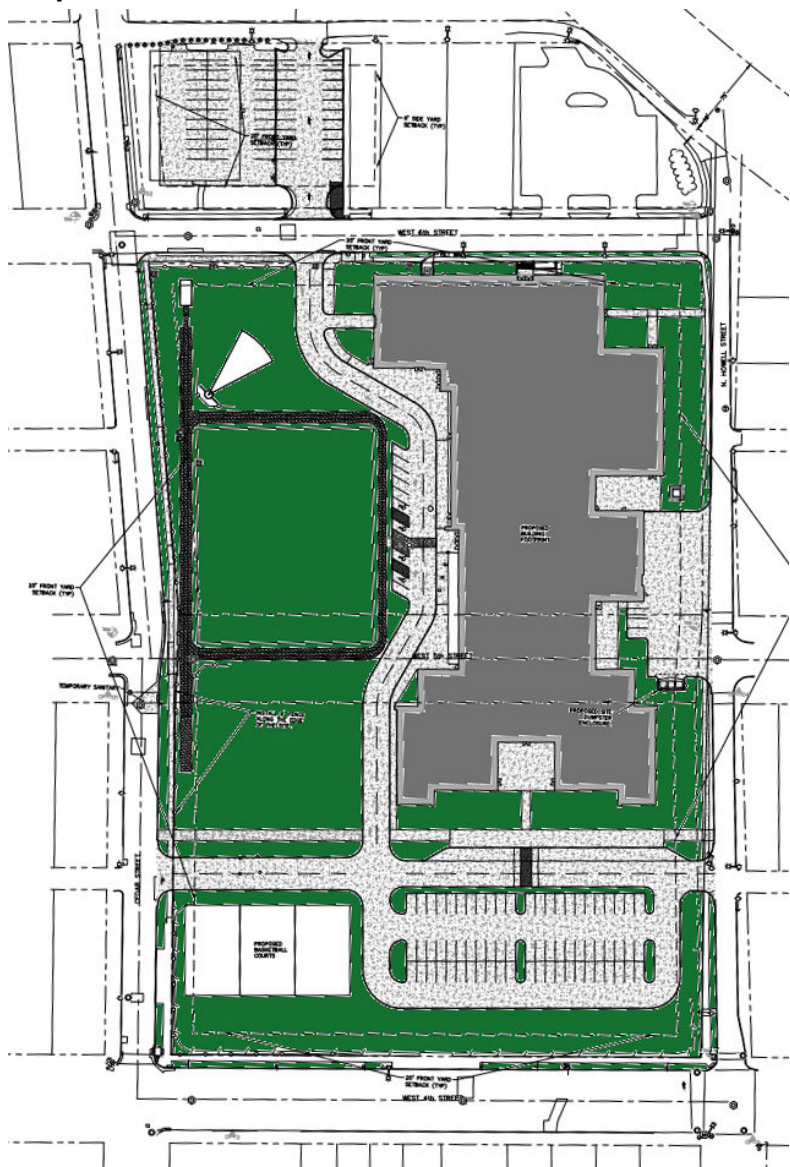
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Scott Koops, AICP) at scott.koops@davenportiowa.com or 563-328-6701. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (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



Proposed Site Plan



HV24-10 503 Cedar ST - Adjacent Owner Notice List

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Subject Property: 503 Cedar ST		Davenport Schools		
Ward: 3RD WARD		NOTICES SENT: 56		
H0050-14	2006 W 6TH ST	LEWIS EDWARD J	2006 W 6TH ST	DAVENPORT IA 52802
K0003-43		HOWELL STREET PROPERTIES LLC	935 WILKES AVE	DAVENPORT IA 52804
K0002-04		THOMA-HAGEN PROPERTIES LLC	309 2ND ST	DURANT IA 52747
H0062-42	1848 W 5TH ST	MURPHY SHELBY S	1848 W 5TH ST	DAVENPORT IA 52802
H0051-23	517 N HOWELL ST	O'DELL SHANNON	517 N HOWELL ST	DAVENPORT IA 52802
H0051-23	517 N HOWELL ST	O'DELL JAMES	517 N HOWELL ST	DAVENPORT IA 52802
K0002-03	1927 W 4TH ST	MORALES-IBARRA JOSE	1927 W 4TH ST	DAVENPORT IA 52802
K0003-39	1837 W 4TH ST	HARMON PATRICIA A	1837 W 4TH ST	DAVENPORT IA 52802
H0063-08		ERICKSON THOMAS E	1703 BRADY ST	DAVENPORT IA 52803
K0002-06		PROPERTY MANAGEMENT & DEV. INC	6331 WHISPERING PINES DR	DAVENPORT IA 52807
H0063-22	2009 W 5TH ST	BAKER DON P	2009 W 5TH ST	DAVENPORT IA 52802
H0063-05		WWRD LLC	2260 ST CHARLES CT	BETTENDORF IA 52722
H0063-34	2006 W 4TH ST	MARY HELEN SMILEY REVOC TRUST	2006 W 4TH ST	DAVENPORT IA 52802
H0063-10	2006 W 5TH ST	CLAWSON RICKIE L	2006 W 5TH ST	DAVENPORT IA 52802
H0050-15		FIRST FINANCIAL GROUP LC	1987 SPRUCE HILLS DR	BETTENDORF IA 52722
H0062-07	1840 W 4TH ST	JOHNSON JOHNNY G	1840 W 4TH ST	DAVENPORT IA 52802
H0062-08	1840 W 4TH ST	JOHNSON JOHNNY	1840 W 4TH ST	DAVENPORT IA 52802
H0062-28		JAMES R LOW 2019 TRUST	4905 WOODLAND AVE	DAVENPORT IA 52807
H0062-27	1843 W 5TH ST	DIPPLE RONALD H	1843 W 5TH ST	DAVENPORT IA 52802
H0050-39	1930 W 6TH ST	COOK WARREN B	1930 W 6TH ST	DAVENPORT IA 52802
K0003-48	1537 W 3RD ST	GONZALEZ PEDRO	1537 W 3RD ST	DAVENPORT IA 52802
K0003-49	1915 W 4TH ST	WELLER MASON L	1915 W 4TH ST	DAVENPORT IA 52802
H0063-33	1115 N UTAH AV	BATTEN JAMES V	1115 N UTAH AV	DAVENPORT IA 52804
H0051-21	525 N HOWELL ST	WATERS LUKE J	525 N HOWELL ST	DAVENPORT IA 52802
K0002-10		MARILYN R QUIJAS TRUST	4201 E 58TH ST	DAVENPORT IA 52807
K0002-09		QUIJAS MARILYN R	4201 E 58TH ST	DAVENPORT IA 52807
K0002-11		MARILYN R QUIJAS TRUST	4201 E 58TH ST	DAVENPORT IA 52807
K0003-41	1841 W 4TH ST	FOX CHARLES R	1841 W 4TH ST	DAVENPORT IA 52802
H0063-24	420 CEDAR ST	AGUILERA PETER F JR	420 CEDAR ST	DAVENPORT IA 52802
K0003-45A	215 DIXWELL CT	JONES VAN A	215 DIXWELL CT	DAVENPORT IA 52802
H0062-41		BELZ DAVID A (Contract)	1987 SPRUCE HILLS DR	BETTENDORF IA 52722
H0062-41		FIRST FINANCIAL GROUP LC	1987 SPRUCE HILLS DR	BETTENDORF IA 52722
K0003-40	1839 W 4TH ST	HAUSCHILD THOMAS	1839 W 4TH ST	DAVENPORT IA 52802
H0063-07		GTA 2001 LLC	PO BOX 3868	DAVENPORT IA 52808
H0063-23	2001 W 5TH ST	ROSS ALICIA	2001 W 5TH ST	DAVENPORT IA 52802
K0002-05	819 WARREN ST	RODRIGUEZ DELORES ALDABA	819 WARREN ST	DAVENPORT IA 52802
H0063-35	2014 W 4TH ST	DEAN JAMES Q	2014 W 4TH ST	DAVENPORT IA 52802
H0062-26	1847 W 5TH ST	DISMUKE MICHAEL A	1847 W 5TH ST	DAVENPORT IA 52802
K0003-46A	2028 W 2ND ST	GOACHER REVOC TRUST	2028 W 2ND ST	DAVENPORT IA 52802
H0062-09	1848 W 4TH ST	HAYES DAWN G	1848 W 4TH ST	DAVENPORT IA 52802
H0062-40		FIRST FINANCIAL GROUP LC	1987 SPRUCE HILLS DR	BETTENDORF IA 52722
H0050-40	1930 W 6TH ST	COOK WARREN B	1930 W 6TH ST	DAVENPORT IA 52802
H0063-09		CJ CAPITAL PARTNERS LLC	3130 FINLEY RD STE 510-A	DOWNERS GROVE IL 60515
K0002-01	1923 W 4TH ST	ELLIOTT VERENA	1923 W 4TH ST	DAVENPORT IA 52802
K0003-47		1907 W 4TH ST TRUST	4730 S FORT APACHE RD STE 300	LAS VEGAS NV 89147
K0002-02	1925 W 4TH ST	PLYMALE LINDA	1925 W 4TH ST	DAVENPORT IA 52802
H0063-21		LIVING OUR DREAMS LLC	14631 FERN AVE	DAVENPORT IA 52804
K0002-07		BSE PROPERTY MANAGEMENT LLC	925 E 4TH ST	WATERLOO IA 50703
H0050-13	2008 W 6TH ST	GOMEZ MIGUEL	2008 W 6TH ST	DAVENPORT IA 52802
K0002-08	320 CEDAR ST	WILLIAMS CURSTA LENA	320 CEDAR ST	DAVENPORT IA 52802
H0063-04		CHASCO LLC	PO BOX 1644	DAVENPORT IA 52809
H0062-25	2023 W 1ST ST	PIEPER MARY	2023 W 1ST ST	DAVENPORT IA 52802
H0062-29	1837 W 5TH ST	ROHM KATHERINE T	1837 W 5TH ST	DAVENPORT IA 52802
K0003-42	1812 W 8TH ST	BARTEL KAREN R	1812 W 8TH ST	DAVENPORT IA 52802
H0051-22	521 N HOWELL ST	HOLCOMB AMANDA M	521 N HOWELL ST	DAVENPORT IA 52802
H0063-11	2016 W 5TH ST	JOHNSON LINDA A	2016 W 5TH ST	DAVENPORT IA 52802

AFFIDAVIT OF PUBLICATION

State of New Jersey, County of Hudson, ss:

Hayden Lipsky, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent 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 made part of this affidavit, was published in said The Quad-City Times, on the dates listed below.

August. 10 2024

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PUBLISHER ID: COL-IA-200747

NOTICE NAME: ZBA Legal 2024-08-22

Publication Fee: \$20.52

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

(Signed) Hayden Lipsky

VERIFICATION

State of New Jersey
County of Hudson

SHANNEA H HOLMES
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires August 1, 2026

Subscribed in my presence and sworn to before me on this: 08/12/2024

Shanea H. Holmes

Notary Public
Notarized remotely online using communication technology via Proof.

PUBLIC HEARING NOTICE: Davenport Zoning Board of Adjustment (ZBA) will meet on Thursday, August 22, 2024, at 4:00 P.M. in City Hall Council Chambers, 226 W 4th ST, Davenport Iowa, for a public hearing meeting to consider the following request(s):

Request HV24-10 of Bray Architects on behalf of Davenport Community Schools at 503 Cedar Street for a Hardship Variance to: 1) exceed building height by 11 feet, 2) locate a refuse enclosure in a front yard and 3) construct a chain-link fence in the front yard. The Davenport Municipal Code limits building height for this property to 35 feet and requires refuse enclosures and chain-link fences to be in side or rear yards. [Ward 3]

Interested persons may submit comments and/or attend the meeting to express opinions on the request(s). Written (and signed) comments should be emailed/received by Planning by 12:00 P.M. one day prior to the public hearing. planning@davenportiowa.com | 563-326-6198
COL-IA-200747