



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: Galliard, 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: Galliard 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:

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

Galliard, 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.