



MINUTES

Zoning Board of Adjustment

April 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 4:05 p.m.

Members present: Boyd-Carlson, Bloemker (Acting Vice-Chair), Darland (remote)

Excused: Galliart.

Staff present: Koops, Berkley, attorney Heyer

II. Secretary's Report:

Minutes were approved for the 2023-12-21 ZBA Hearing by voice-vote (3-0).

III. Old Business:

None.

IV. New Business:

A. Request HV24-01 of Karilyn Uhlenkamp on behalf of Davenport Community Schools at 1414 E. Locust Street for a Hardship Variance to build an addition to the school which will be approximately 45 feet in height. Property zoned R-4C Zoning District allows for buildings 35 feet in height or less as required in Table 17.04-1. [Ward 5]

Koops presented the staff report. No comments were received.

Recommendation:

Staff recommends approval of the requested hardship variance.

The applicant addressed the Board and answered questions regarding the project phasing and the purpose of the proposed plans.

Staff clarified with the Board that the existing three-story building was presently 49 feet tall, and that the proposed additions, at their tallest, would be approximately 45.3 feet in height. The variance is required because once the existing structure is removed, the nonconforming height cannot be re-established, and the present height regulations only allow for a 35-foot structure.

Motion

Boyd-Carlson moved, seconded by Darland, approval of the request as proposed.

The motion carried unanimously (3-0).

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

B. Request SU24-01 of QC Sikh Temple at 1501 East 52nd Street for a Special Use to establish a place of worship on property zoned C-T Commercial Transitional as required in Table 17.08-1.

Koops presented the staff report. One comment was received and was included in the meeting packet.

Staff recommends that the Board adopt staff's findings and approve request SU24-01 subject to the following conditions:

1. Existing trees on the southern portion of the lot shall remain to serve as a vegetative buffer.
2. Prior to occupancy an approved full site plan review shall be completed and approved;
3. Ancillary uses customary to a place of worship shall be allowed.

The applicant addressed the Board and answered questions.

Darland asked staff is there would be any objection to changing the wording of condition #1 from "remain" to "shall be maintained". Staff stated there was no objection.

Motion:

Darland moved to approve SU24-01 subject to the three staff conditions, with an edit to condition number one, striking the word "remain" and replacing with the phrase "shall be maintained". Boyd-Carlson seconded the motion and it carried unanimously (3-0), subject to the following modified conditions:

1. Existing trees on the southern portion of the lot shall be maintained to serve as a vegetative buffer.
2. Prior to occupancy an approved full site plan review shall be completed and approved;
3. Ancillary uses customary to a place of worship shall be allowed.

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

C. Request HV24-02 and -03 of Bush Construction on behalf of QC Sikh Temple at 1501 East 52nd Street for a Hardship Variance to establish a place of worship on property zoned C-T Commercial Transitional District with a building over 5,000 square feet and setback outside of the 0 to 20-foot Build-To-Zone. [Ward 7]

Koops presented the staff report. No comments were received.

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;

Staff Recommendation:

Staff recommends that Board adopt staff's findings and approve request HV24-02 and HV24-03 as proposed.

Motion:

Boyd-Carlson moved to approve HV24-02 and HV24-03. Darland seconded the motion and it carried unanimously (3-0).

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

D. Request SU24-02 of Christopher Kretz at 1527 Brady Street for a Special Use to establish a bed and breakfast on property zoned C-T Commercial Transitional District as required in Table 17.08-1. [Ward 5]

Koops presented the staff report. No comments were received.

Staff recommends that the Board adopt staff's findings and approve request SU24-02 subject to the following conditions:

1. Should the need arise, the owner/manager of the bed and breakfast shall be required to obtain off-street parking arrangements with adjacent uses;
2. All Building Codes shall be met while the business is in operation; and
3. All Principal Use Standards shall be met while the Bed & Breakfast is in operation.

The applicant addressed the Board. The Board discussed the request.

Motion:

Darland moved to approve request SU23-02 with staff conditions; the motion was seconded by Boyd-Carlson, and it carried unanimously (3-0).

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

V. Other Business

None.

VI. Adjourn

The meeting adjourned unanimously by voice vote at approximately 5:07 p.m.