

ZONING BOARD OF ADJUSTMENT MEETING

CITY OF DAVENPORT, IOWA

Thursday, August 28, 2025; 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 August 14, 2025 Public Hearing minutes.

III. Old Business

IV. New Business

1. Request HV25-07 of Kerry Panozzo on behalf of OGAD Properties LLC at 3170 E. 53rd ST for a Hardship Variance to construct a multi-tenant freestanding sign at the same access point and within 36' of an existing multi-tenant sign. Section 17.12.060.D.4.a. allows one sign per street frontage and one per access point if at least 75' apart from any other multi-tenant sign. [Ward 6]
2. Request HV25-08 of Pete Stopulos on behalf of 227 LeClaire LLC at 227 LeClaire Street (L0015B01 & L0015B02) for a hardship variance from Table 17.05-3 and Section 17.09.030.Q. regarding setback/build-to requirements for new construction of a hotel, mixed-use building, and refuse receptacle. The C-D Downtown District requires a 0' to 10' built-to zone for at least 80% of the street frontage along all three (3) public streets of this lot for buildings and refuse receptacles are prohibited within front yard. [Ward 3]

V. Other Business

VI. Adjourn

City of Davenport

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

Action / Date
8/28/2025

Subject:
Consideration of the August 14, 2025 Public Hearing minutes.

Recommendation:

Background:

Attachments:

1. ZBA Minutes 2025-08-14



MINUTES

Zoning Board of Adjustment

August 14, 2025



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 4:00 p.m.

Members Participating: Kleffmann, Crawford, Boyd-Carlson, Gallart, Darland
Excused: None.
Staff present: Berkley, Koops

II. Secretary's Report:

Minutes were approved for the 2025-07-10 ZBA Hearing by voice-vote (5-0).

III. Old Business:

None.

IV. New Business:

- Request HV25-06 of High Pointe Properties at 5330 Gaines ST for a Hardship Variance to place six (6) air conditioning/heat pump units in the 53rd Street front yard adjacent to the proposed residential unit on a concrete patio. The mechanical units will be screened with a 6' tall privacy fence (screening is required by code). Section 17.09.030.N.1.a. only allows mechanical equipment in the side or rear yard. [Ward 8]**

Koops presented the staff report to the Board.

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 recommended approval of request HV25-06 as proposed with screening of the mechanical units with a 6-foot tall privacy fence.

The applicant addressed the Board and explained the request. The Board asked questions of staff and the petitioner. No one in the audience spoke in favor of or against the request.

Motion:

A motion was made by Gallart seconded by Kleffmann, to approve request HV25-06 as proposed.

Boyd-Carlson, yes; Kleffmann, yes; Crawford, yes; Gallart, yes; Darland, yes. The motion carried unanimously (5-0).

V. Other Business

None.

VI. Adjourn

The meeting adjourned unanimously by voice vote at approximately 4:18 p.m.

City of Davenport

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

Action / Date
8/28/2025

Subject:

Request HV25-07 of Kerry Panozzo on behalf of OGAD Properties LLC at 3170 E. 53rd ST for a Hardship Variance to construct a multi-tenant freestanding sign at the same access point and within 36' of an existing multi-tenant sign. Section 17.12.060.D.4.a. allows one sign per street frontage and one per access point if at least 75' apart from any other multi-tenant sign. [Ward 6]

Recommendation:

Background:

Attachments:

1. Staff Report 3170 E 53rd ST HV25-07 Sign within 75 Ft Separation
2. Example Notice 3170 E 53rd ST
3. Adjacent Owner Notice List - HV25-07



Staff Report | Zoning Board of Adjustment
3170 E 53rd ST | Multi-tenant Sign
August 28, 2025

Description

Request HV25-07 of Kerry Panozzo on behalf of OGAD Properties LLC at 3170 E. 53rd ST for a Hardship Variance to construct a multitenant freestanding sign at the same access point and within 36' of an existing multitenant sign. Section 17.12.060.D.4.a. allows one sign per street frontage and one per access point if at least 75' apart from any other multitenant sign. [Ward 6]

NOTE: This is the second request for this sign. The previous request was before the Board in June of 2024. While nothing substantial has changed for the proposed sign, the one year waiting period for the same request has been passed, allowing the applicant to submit the request again.

Code Sections

§17.12.060.D.4.a. (Multi-tenant Signs)

One freestanding sign – multitenant commercial center is permitted per street frontage of a lot. An additional freestanding sign is permitted for each additional access point to the lot; however, a minimum separation of 75 feet is required between signs. For the purposes of this regulation, a multitenant development where the development as a whole is comprised of separate lots of record, the entire development, including outlot parcels and inline development, is considered one lot.

§17.02.030. (Zoning Lot)

A lot or combination of lots within a single block, which is designated by its owner or developer to be used, developed, or built upon as a unit. A zoning lot may coincide with a lot of record or may be comprised of one or more lots of record.

§17.02.030.1.5 (Flag Lot)

A flag lot is platted so that the main building site area (the “flag”) is set back from the street on which it fronts and includes an access strip (the “pole”) connecting the main building site with the street.

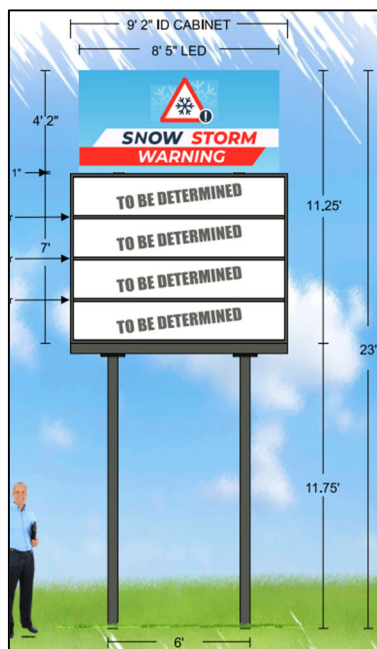


Background

Zoning Lot Plat and Proposed Sign Location



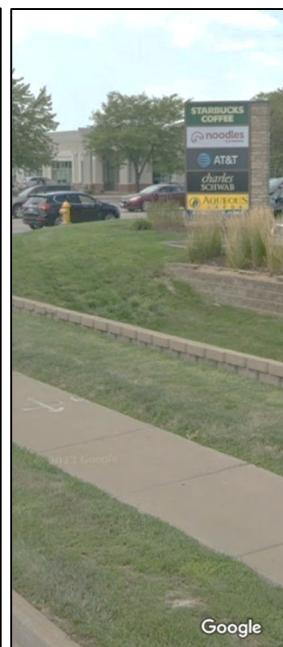
Signs: Proposed



Existing (NW)



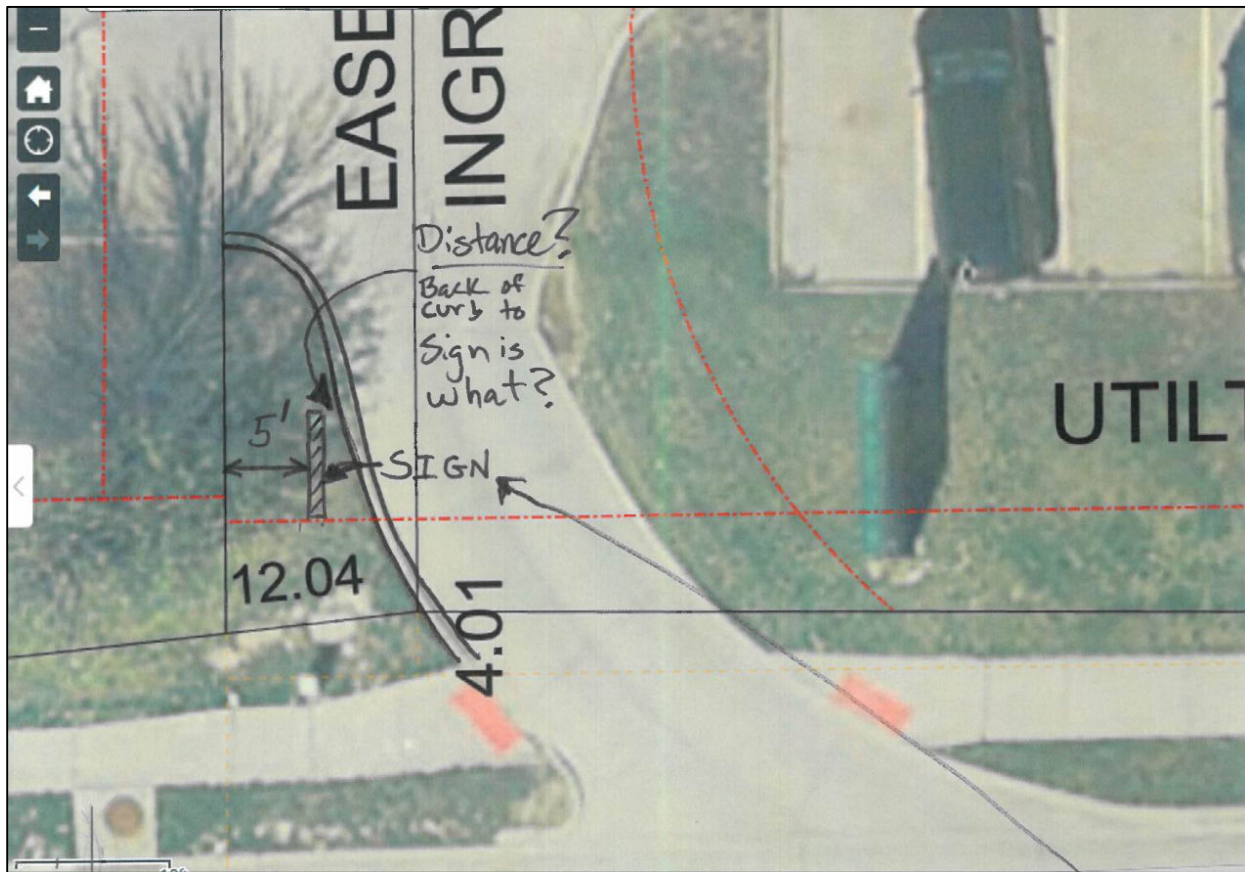
Existing (SW)



Existing (SE)



NOTE: This request is to approve a sign the does not meet setback requirements from other freestanding signs on the same zoning lot. The sign will need to be reviewed for compliance to monument style signage and appropriate integration of digital/electronic signage should this request be approved.



Discussion

The applicant is proposing a freestanding monument multi-tenant sign on a zoning lot which already has a multi-tenant sign less than 36 feet from the proposed sign. The Zoning Ordinance requires 75 feet between a multi-tenant sign. It appears there are nearby/adjacent underground utilities, although precisely where they are located is yet to be determined.

The City was not provided with a site survey, which creates difficulty in determining if the site is adequate to meet setback requirements and the required two-foot landscaped buffer. Last year the applicant verbally stated that the sign will be at least 2 feet from the nearest parking lot curb to the north/northeast, however no survey is on file nor has one been submitted.

Alternatives to the Hardship Request

Staff has consulted with the applicant previously regarding the options to increase freestanding signage for this property. The most practical (without a hardship variance) to add freestanding signage for the subject property is to reconfigure the "Diamond" sign located on Elmore Avenue. A second alternative is to reconfigure existing multi-tenant sign next to the existing access point on E 53rd Street. This would allow for signage for DXL and Enterprise, as well as signage for the tenants in the subject property. The applicant has stated they have tried to work with the adjacent tenants; however staff has not seen any correspondence indicating such. A third alternative is to install a 5' tall directional sign up to 4 square feet in area of the proposed sign.

Purpose of a Hardship Variance

In the 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.*

As the Zoning Code is the same as on the date of the purchase of the property (2019), there cannot be an "unforeseen application of the Zoning Code". The present zoning code existed at the time the property was purchased. It is difficult to prove a hardship in such cases.

Request

"We are requesting a sign variance to place a monument sign on property owned by OGAD Properties located at 3170 E 53rd ST, Davenport along 53rd ST."

Approval Standards

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

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

Applicant Response:

"Hardship Without Relief: The absence of permitted signage along 53rd Avenue creates a substantial hardship for our property. Without visibility from this heavily trafficked road, it is exceedingly difficult for businesses to attract attention, which directly affects their ability to succeed. Relief Is necessary to ensure that the property remains commercially viable."

Staff Comments:

Flag lots by definition have the buildable portion of the lot 'off of' or not visible from the public street. The sign code allows for additional signage in this situation. The applicant has not taken the opportunity to locate on the existing multi-tenant sign, which is already constructed, nor has the applicant modified the "Diamond" sign on Elmore Avenue. The conditions of the signage were in place at the time the property was purchased.

Lack of visibility of the business is not grounds for a hardship variance when the code allows for a multitenant sign. The property has signage on Elmore, and while this street may not be the applicant's preferred location, it does provide signage along a major corridor. The request to have a sign on both Elmore and E 53rd Street is a convenience to the petitioner. Application of the zoning ordinance as written does not create a hardship for the applicant. The Elmore access point also allows for both left and right turning movements into the subject property. Approval Standard #1 has not 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:

"Hidden Location: Our property is uniquely situated behind the T-Mobile store, which significantly obstructs visibility from 53rd Avenue. This hidden positioning has made it difficult to lease the space, and several tenants have either struggled to maintain operations or have gone out of business largely due to this lack of exposure."

Staff:

Physical or topographical hardships are not present, and the nature of the lot (a flag lot without building frontage on Elmore or E. 53rd Street) was known at the time of acquisition of the property. Flag lots are allowed by code and there are numerous flag lots throughout the city. A business located on a flag lot does not create a topographical or physical hardship. Desire for an additional sign when there are other options available is not grounds for a hardship variance. Approval Standard #2 has not 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:

"Comparative Disadvantage and Denied Access to Shared Signage: Neighboring properties all benefit from large, monument-style signs directly on 53rd Avenue, placing our property at a clear and ongoing disadvantage. In an effort to address this issue, we proactively contacted the owners of both adjacent properties that border our southern entrance to request access to their existing signage. Unfortunately, both property owners denied to share or allow use of their signage. This leaves us with no alternative but to request direct relief for our own signage. This unique situation imposes a hardship that neighboring properties do not face."

Staff:

No evidence has been presented necessitating a hardship variance due to a unique circumstance of this property. Flag lots are allowed by code and there are numerous flag lots throughout the city. A business located on a flag lot does not create a unique circumstance. Convenience to the petitioner is not a unique circumstance. Approval Standard #3 has not been met.

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

Applicant Response:

"Maintaining Character of the Area: Granting this request for signage relief will not alter the essential character of the locality. Rather, It will bring our property In line with surrounding developments and enhance the overall commercial visibility and vibrancy of the area"

Staff:

Allowing this sign to block visibility of other existing signs does negatively impact essential character. The 75-foot separation is in part established to space signs out so that they do not block other signs, in addition to limiting proliferation of signs. The request is a convenience to the petitioner. Standard #4 has not been met.

Findings & Staff Recommendation:

The petitioner has not demonstrated any practical difficulties or particular hardships associated with this property or justification for an additional multi-tenant sign. Additionally, the applicant has signage on Elmore which has not been updated this previous year.

Findings: (supported by the previous analysis)

- Approval Standard #1 application of the ordinance does not create a hardship;
- Approval Standard #2 physical and topographical conditions do not limit use of the site;
- Approval Standard #3 unique circumstance is not established;

- Approval Standard #4 protection of essential character is not established;

Recommendation:

The request is a convenience to the applicant. Viable alternatives exist.
Staff recommends denial of request HV25-07.

Prepared by:



Scott Koops, AICP, Planner II

Attachments: ZBA application/plans, notice documents



Public Hearing Notice | Zoning Board of Adjustment

Date: 8/28/2025

Time: 4:00 PM

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

Subject: Hearing for Hardship Variance | Zoning Board of Adjustment

Example Letter

[Address Block Here]

To all property owners within 200' of the subject property **3170 East 53rd 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 HV24-08 of Kerry Panozzo on behalf of OGAD Properties LLC at 3170 E. 53rd ST for a Hardship Variance to construct a multitenant freestanding sign at the same access point and within 36' of an existing multitenant sign. Section 17.12.060.D.4.a. allows one sign per street frontage and one per access point if at least 75' apart from any other multitenant sign. [Ward 6]

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?

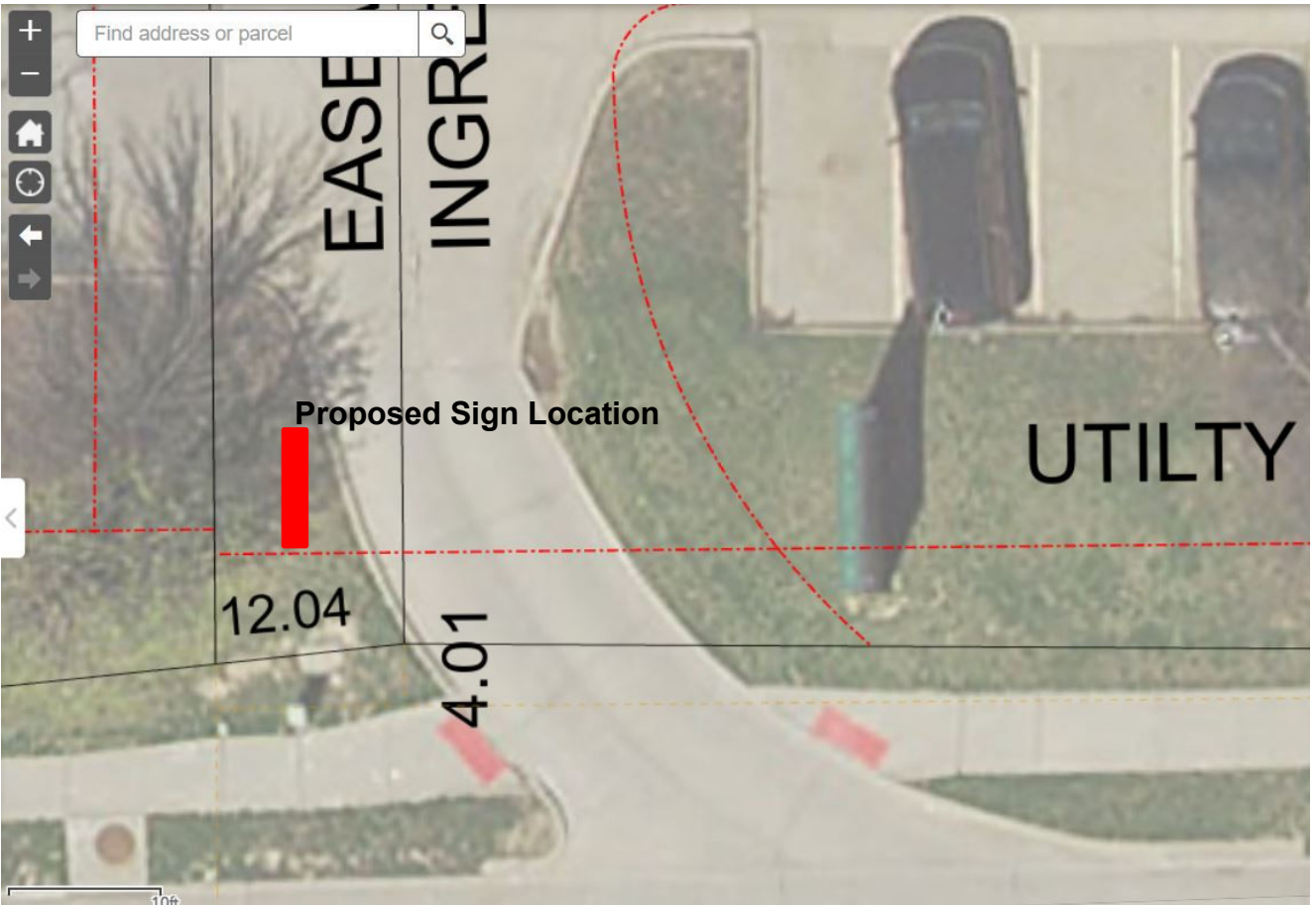
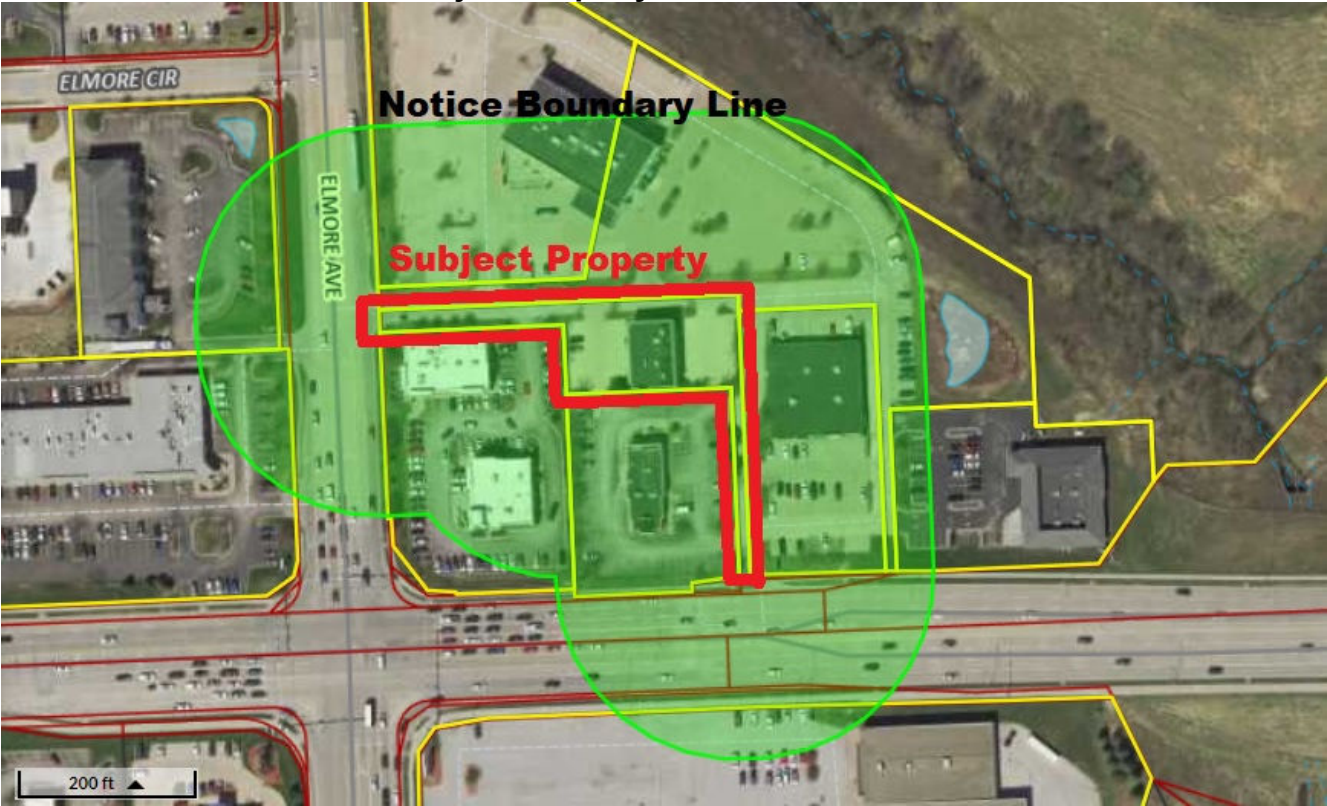
As a property owner/occupant you may have an interest in commenting on the proposed request via email or in person at the public hearing. Official comments must have written signatures sent to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 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



Adjacent Owner Notice List - HV25-07

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Subject Property: 3170 E 53rd ST		OGAD PROPERTIES LLC		
Ward: 6TH				NOTICES SENT: 10
Y0817-03J	3000 E 53RD ST	CONSOLIDATED INVESTORS LLC	5167 UTICA RIDGE RD	DAVENPORT IA 52807
Y0817-03H	3220 E 53RD ST	LEVERAGED HOLDINGS LLC	5167 UTICA RIDGE RD	DAVENPORT IA 52807
Y0817-12	5401 ELMORE AV	ARROWHEAD LLC	6600 ELMORE AVE	DAVENPORT IA 52807
Y0817-02J	5350 ELMORE AV	KAMAL GROUP LLC	3616 SW 165TH AVE	MIRIMAR FL 33027
N0833-04B	5235 ELMORE AV	AGREE DAVENPORT IA LLC	PO BOX 460389 DEPT 125	HOUSTON TX 77056
Y0819AOLA1		THF DAVENPORT NORTH DEVELOPMEN	211 N STADIUM BLVD STE 201	COLUMBIA MO 65203
Y0817-01K	3120 E 53RD ST	CONSOLIDATED INVESTORS LLC	5167 UTICA RIDGE RD	DAVENPORT IA 52807
Y0817-02K	3150 E 53RD ST	IMPERIAL DAVENPORT LLC	3121 W WAR MEMORIAL DR	PEORIA IL 61615
Y0817-04G	3260 E 53RD ST	FIRST STATE BANK OF ILLINOIS	3260 E 53RD ST	DAVENPORT IA 52807
Y0819-13A	3260 E 53RD ST	ARROWHEAD LLC	6600 ELMORE AVE	DAVENPORT IA 52807

City of Davenport

Department: Development & Neighborhood Services

Contact Info: Scott Koops | 563-326-6701

Action / Date

8/28/2025

Subject:

Request HV25-08 of Pete Stopulos on behalf of 227 LeClaire LLC at 227 LeClaire Street (L0015B01 & L0015B02) for a hardship variance from Table 17.05-3 and Section 17.09.030.Q. regarding setback/build-to requirements for new construction of a hotel, mixed-use building, and refuse receptacle. The C-D Downtown District requires a 0' to 10' built-to zone for at least 80% of the street frontage along all three (3) public streets of this lot for buildings and refuse receptacles are prohibited within front yard. [Ward 3]

Recommendation:

Background:

Attachments:

1. Staff Report 227 leClaire St - HV25-08 - setback and build to reduction
2. Example Notice 227 LeClaire ST
3. HV25-08 Adjacent Owner Notice List - 227 LeClaire ST



Zoning Board of Adjustment Staff Report 227 Le Claire St | Setback and Build-to Reduction February 10, 2022

Description

Request HV25-08 of Pete Stopulos on behalf of 227 LeClaire LLC at 227 LeClaire Street ([L0015B01](#) & [L0015B02](#)) for a hardship variance from Table 17.05-3 and Section 17.09.030.Q. regarding setback/build-to requirements for new construction of a hotel, mixed-use building, and refuse receptacle. The C-D Downtown District requires a 0' to 10' built-to zone for at least 80% of the street frontage along all three (3) public streets of this lot for buildings and refuse receptacles are prohibited within front yard. [Ward 3]

NOTE This site has previously been approved (HV22-02) for a similarly situated hotel and refuse container, however it has since expired. Additionally, the mixed-use building plans have been added.

Background & Discussion

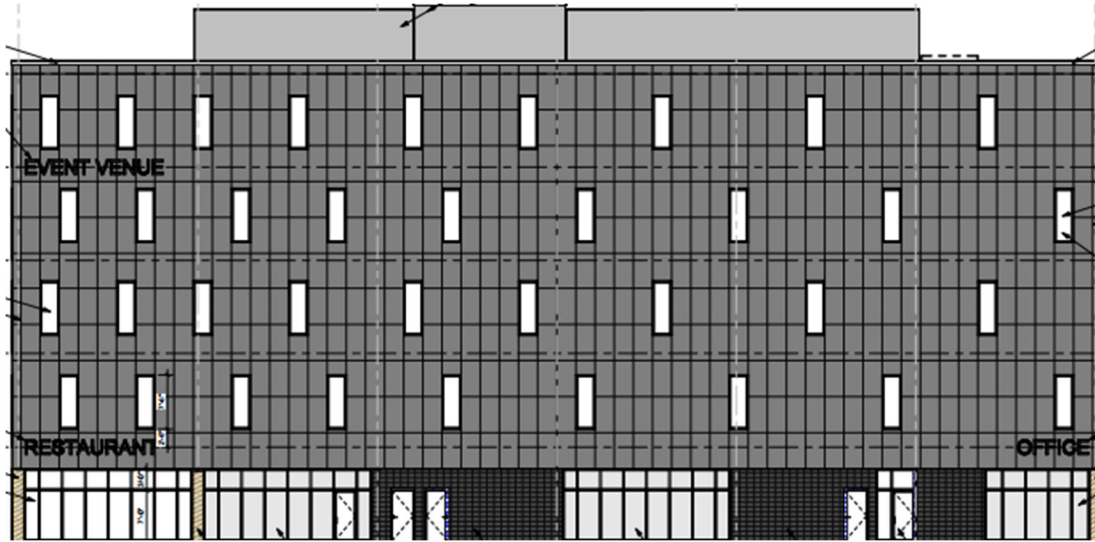
The proposed hotel would be located on the former Howard Johnson's hotel site. The subject property has a number of unique features which limit the development of the site. The large size of the lot which is essentially an entire block, the presence of three (3) street frontages, and the location within the floodplain (and partly within the floodway), restrict the location on the lot where the buildings could be legally located and the percentage of the building which is able to be constructed in the built-to zone. The petitioner is utilizing the retaining wall in an effort to bring the building footprint closer to the lot line while still meeting floodplain regulations.

Site Plan



Building Elevations

Multi-Use North Elevation on 3rd Street



Multi-Use South Elevation (facing the parking lot)



Mixed-Use North Elevation



Mixed-Use South Elevation



Hotel West Elevation



Hotel East Elevation (facing the parking)



Hotel North Elevation on 3rd Street



South Hotel Elevation



East Hotel Elevation & South Mixed-Use Elevation



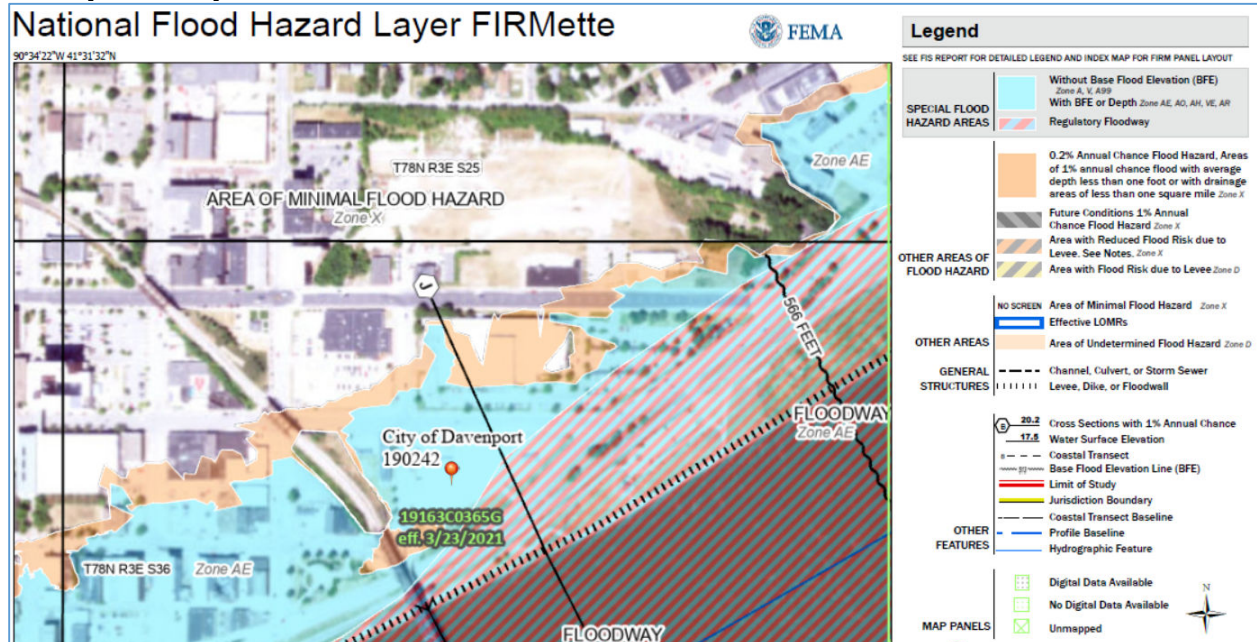
East Hotel Elevation & South Mixed-Use Elevation: Oblique View



Building Materials



Floodplain Map



Purpose of a Hardship Variance

In the 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.*

Applicant's Request

Hardship Variance to 17.05.050.B, Table 17.05-3, C-D District Dimensional Standards, Setbacks as follows:

1. Build-to Zone at 0 feet to 10 feet Setback from Property Line for at least 80% of the building.

a. Towneplace Suites Building

i. LeClaire Building Length Not Meeting Requirement = 149.25 FT of 233 FT length, 64% proposed, does not meet 80% requirement.

ii. 3rd Street Building Length Not Meeting Requirement = 67.75 FT of 67.75 FT length, 0% proposed, does not meet 80% requirement.

iii. River Drive Building Length Not Meeting Requirement = 105.60 FT of 105.60 FT length, 0% proposed, does not meet 80% requirement.

b. Mixed-Use Building

i. 3rd Street Building Length = 151 FT of Proposed 151 FT MEETS, 100% proposed meets requirement.

ii. River Drive Building (East Face) Length Not Meeting Requirement = 31 FT of 31 FT length, 0% proposed, does not meet 80% requirement.

iii. River Drive Building (South Face) Length Not Meeting Requirement, 477.13 FT, 0% proposed, does not meet 80% requirement.

2. Corner Side Setback of 0 feet - 10 feet build-to zone.

a. See Notes above for Front Yard/Corner Side, basically, all lot lines are front lines. Added this variance to make sure all is covered.

Hardship Variance to 17-09-030Q1 - 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.

The property known as Lots 1 & 2 of Riverwatch Subdivision at 227 LeClaire Street & W. 3rd Street are completely surrounded by public street frontage on all sides, being LeClaire Street, E. 3rd Street and E. River Drive, thus making it all but impossible to meet these zoning standards. Please see the attached siteplan and each of our attached explanations to each criteria from 17-14-060 of the Municipal Code, for further details on our hardship variance request.

Approval Standards

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

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

Applicant Response:

Without the specific relief, it will be nearly impossible to develop this property to the strict rules of the ordinance, which results in a hardship to this property and any development. The property is bounded by public streets on all sides, which would force a developer to place a building on all sides of the property for up to 80% of the length of each side, which is impractical to expect.

With regard to the refuse location, since it has been determined that the front or corner side yard is the entire area between the property line and the actual building structure, this means the only location for a dumpster would be attached to the building. In this case, due to topographic constraints again, the only location that is feasible to attach the refuse container would be a detriment to the aesthetics and functionality of the building rather than place the refuse containers away from the building in an area of the site that has a topographic advantage to concealing the container, and more room to landscape and block the public view of the container

Staff Comments:

The proposed development is not able to meet code requirements given the parameters of the site and the code requirements. Code requirements in this case do place an undue burden on the use of the property. Criteria for this item have been met for hardship variance determination.

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 property indeed has unique physical surroundings, shape and topographical constraints. The property is triangular in shape and bounded on all sides by public roadways, resulting in all sides of the property being required to adhere to the Front Yard and Corner Side Yard setback requirements. Additionally, a significant portion of the property is located in a regulatory floodway which does not allow structures to be constructed. Further, the entire remaining portion of the property that is outside of the floodway is located within a regulatory floodplain. All structures must be placed on fill and lifted above the floodplain protection elevation. Due to topographic constraints, placing all sides of the building withing the 0 feet to 10 feet build to setback does not allow for the construction of a retaining wall, protective fence and a required sidewalk for emergency ingress and egress from the exits of the hotel & multi-use building.

In this case, due to topographic constraints again caused by the flood plain, the only location that is feasible to attach the refuse container would be a detriment to the aesthetics and functionality of the building rather than place the refuse containers away from the building in an area of the site that has a topographic advantage to concealing the container, and more room to landscape and block the public view of the container. If placed against the building, the traffic traveling along LeClaire Street arriving from Government Bridge or from Downtown Davenport, would have an unsightly view at the front gates of the refuse containment. A better place is as shown on the site plan, where it can be hidden from those traveling along LeClaire Street, and it will also be hidden from those traveling along River Drive due to its elevation being much higher than that of River Drive.

Staff Comments:

Staff concurs with the applicant. The physical site constraints of the subject property do limit development beyond mere inconvenience. This criterion 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 review of the Davenport GIS system and Google Earth shows that this property is unique when compared to a majority of nearby properties. This parcel has been in existence for many years, and is not a recent or self-created hardship.

Staff Comments:

This site does have certain circumstances, coupled with the location in the floodplain, that present challenges to meet both zoning code and floodplain regulation. As stated before, this triangle lot has nothing but frontages and no true 'rear' to the property. The proposed building location preserves the floodplain to the greatest extent, while also accommodating development on the site. Given the aforementioned constraints, this site does pose a unique circumstance for a newly constructed building based on the limiting physical characteristics of the site.

Regarding the dumpster location, it is possible to integrate the dumpster with the building at the southwest corner of the hotel, however the enclosure and the gates to the enclosure would be facing a city gateway entrance. In order to protect the Arsenal Gateway aesthetics the proposed

dumpster location, if properly screened with a solid wall and sufficient vegetation, should be less visually intrusive.

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

Applicant Response:

A hotel and conference center existed on this property before it was demolished to make way for new development. That Hotel was situated in the center of the property and did not meet current zoning regulations for the build-to setback and 80% build to percentage. With the construction of this new Hotel, we are placing it close to the property lines on two sides which is in substantial conformance with the intent of the zoning code to promote new buildings be placed near the property lines and public street right of ways.

By granting this hardship variance for this hotel & multi-use building, you would be allowing a vibrant and valuable new asset to be constructed in Downtown Davenport which would enhance the neighborhood and surround property values and positively impact the character of the locality. Granting this hardship variance will not alter the essential character of the locality.

Staff Comments:

The character of the area should not be impacted by the proposed structures given that this block is an irregular shape and is not part of a contiguous standard city block nor is the site outside of the floodplain. This site will always require special accommodations so that the site will meet floodplain development regulations. Protection of essential character will not be negatively impacted should this hardship be granted. This criterion has been 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 HV25-08 subject to the following:

The refuse area shall meet all City standards for screening, in addition to special requirements as follows:

- 1) a robust landscape plan for the dumpster enclosure shall be reviewed by the Design Review Board and approved by planning staff prior to occupancy;
- 2) the enclosure shall be constructed of the same materials as the hotel building (excluding the wood-like panels).

Prepared by:

Scott Koops, AICP,
Planner II



Attachments: ZBA application/plans, notice documents



Public Hearing Notice | Zoning Board of Adjustment

Date: 8/28/2025 **Location:** City Hall | 226 W 4th ST | Council Chambers
Time: 4:00 PM **Subject:** Hearing for Hardship Variance | Zoning Board of Adjustment

Example Notice
10 Sent

To all property owners within 200' of the subject property **227 LeClaire 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 HV25-08 of Pete Stopulos on behalf of 227 LeClaire LLC at 227 LeClaire Street (L0015B01 & L0015B02) for a hardship variance from Table 17.05-3 and Section 17.09.030.Q. regarding setback/build-to requirements for new construction of a hotel, mixed-use building, and refuse receptacle. The C-D Downtown District requires a 0' to 10' built-to zone for at least 80% of the street frontage along all three (3) public streets of this lot for buildings and refuse receptacles are prohibited within front yard. [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 (either in favor of or opposed to the request). Submit comments 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.

EAST 3RD STREET

STRUCTURAL POURED-IN-PLACE CONCRETE RETAINING WALL

MUTLUASE BUILDING
PFE FOR BUILDING PAD = 135.45
DESIGN FOR BUILDING PAD = 97.40
(130 YR. BFE = 565.45)

RIVERWATCH MARRIOTT
PFE FOR BUILDING PAD = 965.45
DESIGN FOR BUILDING PAD = 937.40
(130 YR. BFE = 565.45)

LOT 2 - 6.769 ACRES
PFE 1000000
327 LECLAIRE, LLC

LOT 1 - 1.713 ACRES
PFE 1000000
327 LECLAIRE, LLC

MODULAR BLOCK
on LeClaire Street

LECLAIRE STREET

RIVER DRIVE



HV25-08 Adjacent Owner Notice List - 227 LeClaire ST

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Subject Property: 227 LECLAIRE		227 LECLAIRE LLC		
Ward: 8TH WARD				NOTICES SENT: 6
L0015A04	418 E 2ND ST	MFN INVESTMENTS LLC	627 W 2ND ST	DAVENPORT IA 52801
L0002A06A	419 E 2ND ST	YASH COMMERCIAL PROPERTIES LLC	736 FEDERAL ST STE 110	DAVENPORT IA 52803
L0002A02	320 LECLAIRE ST	G & T INVESTMENTS LLC	320 LECLAIRE ST	DAVENPORT IA 52801
L0002A07A		DEMOLITION DAVENPORT INC	PO BOX 25219	RICHMOND VA 23260
L0002A07B	500 E 3RD ST	LEE ENTERPRISES INC	180 N WACKER DR - STE 100	CHICAGO IL 60606
L0015A06	419 E 2ND ST	HAROLD R BECHTEL CHARITABLE TRUST	201 W 2ND ST #1000	DAVENPORT IA 52801