

NOTICE TO THE AUDIENCE. PLEASE REMEMBER THAT IF YOU ARE INTERESTED IN MATTERS ON THE AGENDA THAT WILL HAVE SUBSEQUENT MEETINGS, IT IS YOUR RESPONSIBILITY TO NOTE THE DATES, TIMES, AND PLACES. NO FURTHER LETTERS OR REMINDERS WILL BE SENT. OF COURSE, IF YOU HAVE ANY QUESTIONS ABOUT ANY GIVEN MATTER, DO NOT HESITATE TO CONTACT THE PLANNING DEPARTMENT IN THE CITY HALL ANNEX, 4403 DEVILS GLEN ROAD, BETTENDORF, IOWA (344-4100).

**MEETING NOTICE
BOARD OF ADJUSTMENT
MAY 8, 2014
5:00 P.M.**

PLACE: Bettendorf City Hall Council Chambers, 2nd Floor, 1609 State Street

1. Roll Call: Falk _____, Gallagher _____, Johnson _____, Spranger _____, Voelliger _____
2. Review of Board Procedures.
3. The Board to review and approve the minutes of the meeting of April 10, 2014.
4. The Board to hold a public hearing on the following items:
 - a. Case 14-027; 5674 Cavan Crossing (R-3) - A request for a variance to reduce the required minimum lot width from 70 feet to 55 feet and to reduce the required minimum lot area from 8,400 square feet to 7,425 square feet, submitted by Towne & Country Bettendorf/Dan Dolan.
 - b. Case 14-028; 5668 Cavan Crossing (R-3) - A request for a variance to reduce the required minimum lot width from 70 feet to 54.1 feet, submitted by Towne & Country Bettendorf/Dan Dolan.
 - c. Case 14-029; 5662 Cavan Crossing (R-3) - A request for a variance to reduce the required minimum lot width from 70 feet to 51.81 feet, submitted by Towne & Country Bettendorf/Dan Dolan.
 - d. Case 14-030; 5656 Cavan Crossing (R-3) - A request for a variance to reduce the required minimum lot width from 70 feet to 54.45 feet and to reduce the required minimum lot area from 8,400 square feet to 8,309 square feet, submitted by Towne & Country Bettendorf/Dan Dolan.
 - e. Case 14-031; 5650 Cavan Crossing (R-3) - A request for a variance to reduce the required minimum lot width from 70 feet to 54.51 feet, submitted by Towne & Country Bettendorf/Dan Dolan.
 - f. Case 14-032; 5644 Cavan Crossing (R-3) - A request for a variance to reduce the required minimum lot width from 70 feet to 54.93 feet and to reduce the required minimum lot area from 8,400 square feet to 7,860 square feet, submitted by Lyle Aronson.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT AND OTHER APPLICABLE FEDERAL AND STATE LAWS, ALL PUBLIC HEARINGS AND MEETINGS HELD OR SPONSORED BY THE CITY OF BETTENDORF, IOWA, WILL BE ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES. PERSONS REQUIRING AUXILIARY AIDS AND SERVICES SHOULD CONTACT BETTENDORF CITY HALL AT (563) 344-4000 FIVE (5) DAYS PRIOR TO THE HEARING OR MEETING TO INFORM OF THEIR ANTICIPATED ATTENDANCE.

- g. Case 14-033; 5636 Cavan Crossing (R-3) - A request for a variance to reduce the required minimum lot width from 70 feet to 55 feet and to reduce the required minimum lot area from 8,400 square feet to 6,515 square feet, submitted by Steve Cotton.
- h. Case 14-035; 1723 Grant Street (C-2) - A request for a special use permit for an outdoor service area to be similar and compatible to the uses existing within the premises, submitted by Sports Fans Pizza, Inc.
- i. Case 14-036; 4480 Utica Ridge Road (C-6) - A request for a variance to increase the allowable number of on-premises identification signs from 1 to 2 and to increase the allowable square footage of signage from 300 square feet to 873 square feet, submitted by Unity Point.

The following are minutes of the Bettendorf Board of Adjustment and are a synopsis of the discussion that took place at this meeting and as such may not include the entirety of each statement made. The minutes of each meeting do not become official until approved at the next board meeting.

**MINUTES
BETTENDORF BOARD OF ADJUSTMENT
APRIL 10, 2014
5:00 P.M.**

Voelliger called the meeting to order at 5:00 p.m.

Item 1. Roll Call

PRESENT: Falk, Gallagher, Johnson, Voelliger
ABSENT: Spranger
STAFF: Fuhrman, Soenksen

Item 2. Review of Board Procedures.

Item 3. The Board to review and approve the minutes of the meeting of March 13, 2014.

On motion by Gallagher, seconded by Falk, that the minutes of the meeting of March 13, 2014 be approved as submitted.

ALL AYES

Motion carried.

Item 4. The Board to hold a public hearing on the following items:

- a. Case 14-021; 4480 Utica Ridge Road (C-6) - A request for a variance to increase the allowable number of temporary mobile signs (banners) from 1 to 2, to increase the allowable square footage of each of the banners from 32 square feet to 300 square feet (600 square feet total), and to extend the allowed display period of the banners from 60 days to 365 days, submitted by Unity Point. (Withdrawn)
- b. Case 14-022; 3656 Moencks Road (A-2) - A request for a variance to increase the allowable square footage of a garage from 720 square feet to 2296 square feet to allow construction of a 36-foot by 42-foot garage, submitted by Kyle Howard.

Voelliger asked if there was an affidavit of publication. Soenksen stated that notice of public hearing had been received. Notice and affidavit of publication are Annex #2 to these minutes.

Soenksen reviewed the staff report. Staff report is Annex #3 to these minutes.

Voelliger asked if there was anyone present wishing to speak in favor of or in opposition to the request.

Jeff Fossum, 5680 North Street, explained that his driveway and the applicant's are parallel to one another. He expressed support for the request, adding that the new location of the proposed garage would be beneficial to him.

Gallagher asked if the detached garage on the property would remain. Kyle Howard, the applicant, explained that that detached structure has already been demolished. He indicated that because there is no basement in the house, storage space is limited mostly to the attached garage. He explained that he would like to use one stall of the existing 2-car garage for vehicle storage and the remainder for household storage. Howard stated that he would like permission to build a garage slightly larger than the one he had planned in 2012 for which a variance had been granted to allow a 30-foot by 36-foot structure. He indicated that he has a 39-foot long trailer which he would like to store in the proposed garage, adding that the square footage of the proposed structure would not appear to be oversized because the lot itself is over 1 acre.

Falk asked if the size of the proposed garage had been designed so that there would be no outside storage at all. Howard confirmed this.

Johnson asked for clarification of the type of building materials that would be used. Howard submitted a photo of a building that is similar in style to the proposed outbuilding which is dark gray in color and has two oversized garage doors. Howard added that he may also add dormers to the structure.

Johnson commented that the structure appears as though it would be more like an outbuilding than a traditional garage. Soenksen stated that such pole buildings are not unusual in agricultural districts. Johnson stated that a variance request for a similar building had been denied in 2012 but that it had been for a home in a residential neighborhood. Soenksen reiterated that the current applicant's home is in a rural residence district.

There being no one else present wishing to speak in favor of or in opposition to the request, Voelliger closed the public hearing.

On motion by Johnson, seconded by Falk, that a variance to increase the allowable square footage of a garage from 720 square feet to 2296 square feet to allow construction of a 36-foot by 42-foot garage be granted in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #4 to these minutes.

- c. Case 14-023; 5774 Vanderginst Court (R-1) - A request for a variance to increase the allowable improved living area to garage area ratio from 40 percent to 48 percent, submitted by Meadow Builders.

Voelliger asked if there was an affidavit of publication. Soenksen stated that notice of public hearing had been received. Notice and affidavit of publication are Annex #2 to these minutes.

Soenksen reviewed the staff report. Staff report is Annex #5 to these minutes.

Voelliger asked if there was anyone present wishing to speak in favor of or in opposition to the request.

Chris Chonto, the applicant's builder, explained that the increased depth of the garage in no way affects the front façade of the home. He indicated that the proposed structure meets the required setbacks. Chonto stated that the homeowners would prefer not to have the 7-inch high step that would preclude the need for a variance, but indicated that they would be willing to install it if necessary.

Voelliger asked if the existing foundation would have to be removed if the request is not approved. Chonto explained that that aforementioned step could be installed using the existing concrete.

Falk asked what the house plans indicated with regard to the layout of the garage. Chonto explained that the step had been incorporated into the house design.

Johnson commented that while no hardship is present, the proposed configuration would not alter the appearance of the house. She asked if there have been any other similar requests in the past as the examples listed in the staff report that were approved were not in brand new neighborhoods. Voelliger stated that he could recall a similar request for an elongated garage on Palm Drive that was approved prior to the home's being constructed.

Johnson asked if there are any plans to address this type of issue which involves homeowners who wish to increase the allowed square footage of a garage by increasing the depth. Connors explained that the ordinance regarding garage square footage was revised to allow any homeowner a 720 square foot garage regardless of the size of the house and to attempt to limit the ratio between living area and garage size. He stated that the request for larger garages has become so prevalent that he has instructed staff to measure the dimensions from the inside of the building rather than the outside when calculating allowed size. Connors stated that perhaps the issue could be discussed during the review and update of the Comprehensive Plan that will soon begin.

There being no one else present wishing to speak in favor of or in opposition to the request, Voelliger closed the public hearing.

On motion by Gallagher, seconded by Falk, that a variance to increase the allowable improved living area to garage area ratio from 40 percent to 48 percent be granted in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #6 to these minutes.

- d. Case 14-024; 6306 International Drive (R-1) - A request for a variance to allow a 6-foot high fence in a required front yard, submitted by Gary Herbst.

Voelliger asked if there was an affidavit of publication. Soenksen stated that notice of public hearing had been received. Notice and affidavit of publication are Annex #2 to these minutes.

Soenksen reviewed the staff report. Staff report is Annex #7 to these minutes.

Voelliger asked if there was anyone present wishing to speak in favor of or in opposition to the request.

Chris Herbst, the applicant, explained that she and her husband would like to install a fence in what would typically be considered a side yard but which is defined as a front yard because the lot is on a corner. She added that several of her neighbors have similar fences placed in the same manner.

Falk commented that the proposed fence would be in keeping with the neighborhood.

There being no one else present wishing to speak in favor of or in opposition to the request, Voelliger closed the public hearing.

On motion by Johnson, seconded by Falk, that a variance to increase the allowable square footage of a garage from 720 square feet to 2296 square feet to allow construction of a 36-foot by 42-foot garage be granted in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #8 to these minutes.

- e. Case 14-025; 1314 Pinnacle Pines Court (R-3) - A request for a variance to reduce the required rear yard setback from 25 feet to 18 feet to allow for construction of a 12-foot by 12-foot deck, submitted by Norman Voelliger.

At this time Voelliger explained Falk would serve as Chair for the remainder of the meeting and that we abstain from discussion and voting on Case 14-025.

Falk asked if there was an affidavit of publication. Soenksen stated that notice of public hearing had been received. Notice and affidavit of publication are Annex #2 to these minutes.

Soenksen reviewed the staff report. Staff report is Annex #9 to these minutes.

Falk asked if there was anyone present wishing to speak in favor of or in opposition to the request.

Clayton Lloyd, 1301 Pinnacle Pines Court, expressed support for the request indicating that it seems very reasonable given the irregular shape of the lot. He stated that he does not believe that the proposed deck would have any negative impact on the area.

Fred Goettsch, 1322 Highland Park Drive, indicated that he has no opposition to the request as long as the pier footings are not placed such that they could interfere with the drainageway and the flow of storm water. He added that since the subdivision was built his lot has become more dry and that he does not want the proposed deck to negatively affect his property.

Connors explained that none of the proposed construction would take place in the drainage easement, adding that there would likely be a 12-inch diameter pier with either a 4-inch by 4-inch or at most a 6-inch by 6-inch post on top to support the deck. He indicated that the

subdivision engineering plans indicate that the existing drainage easement could handle a 100-year storm.

Gallagher commented that the lot behind the applicant's is not buildable. Johnson added that there is no one who lives behind the property in any direction who would be affected by the proposed deck. She indicated that this is often a consideration for the board when considering requests.

There being no else one present wishing to speak in favor of or in opposition to the request, Falk closed the public hearing.

On motion by Gallagher, seconded by Johnson, that a variance to reduce the required rear yard setback from 25 feet to 18 feet to allow construction of a 12-foot by 12-foot deck be granted in accordance with the Decision and Order.

ROLL CALL ON MOTION

AYE:	Falk, Gallagher, Johnson
NAY:	None
ABSTAIN:	Voelliger

Motion carried.

Decision and Order is Annex #10 to these minutes.

There being no further business, it was unanimously approved to adjourn the meeting at approximately 5:30 p.m.

These minutes and annexes approved _____

John Soenksen, City Planner



COMMUNITY DEVELOPMENT

City Hall Annex • 4403 Devils Glen Road, Bettendorf, Iowa 52722 • (563) 344-4083

May 8, 2014

Staff Report

Case 14-027; 5674 Cavan Crossing (R-3) - A request for a variance to reduce the required minimum lot width from 70 feet to 55 feet and to reduce the required minimum lot area from 8,400 square feet to 7,425 square feet, submitted by Towne & Country Bettendorf/Dan Dolan.

Case 14-028; 5668 Cavan Crossing (R-3) - A request for a variance to reduce the required minimum lot width from 70 feet to 54.1 feet, submitted by Towne & Country Bettendorf/Dan Dolan.

Case 14-029; 5662 Cavan Crossing (R-3) - A request for a variance to reduce the required minimum lot width from 70 feet to 51.81 feet, submitted by Towne & Country Bettendorf/Dan Dolan.

Case 14-030; 5656 Cavan Crossing (R-3) - A request for a variance to reduce the required minimum lot width from 70 feet to 54.45 feet and to reduce the required minimum lot area from 8,400 square feet to 8,309 square feet, submitted by Towne & Country Bettendorf/Dan Dolan.

Case 14-031; 5650 Cavan Crossing (R-3) - A request for a variance to reduce the required minimum lot width from 70 feet to 54.51 feet, submitted by Towne & Country Bettendorf/Dan Dolan.

Case 14-032; 5644 Cavan Crossing (R-3) - A request for a variance to reduce the required minimum lot width from 70 feet to 54.93 feet and to reduce the required minimum lot area from 8,400 square feet to 7,860 square feet, submitted by Lyle Aronson.

Case 14-033; 5636 Cavan Crossing (R-3) - A request for a variance to reduce the required minimum lot width from 70 feet to 55 feet and to reduce the required minimum lot area from 8,400 square feet to 6,515 square feet, submitted by Steve Cotton.

Background Information and Facts

This report applies to the following 7 cases: 14-027, 14-028, 14-029, 14-030, 14-031, 14-032, and 14-033. The homes involved are located on the west side of the north end of Cavan Crossing and are legally described as Lots 2-8 of Villas at Glengevlin Second Addition (see Attachment A – Location Map and Attachment B – Final Plat). The case numbers referenced above and their relation to each specific lot are illustrated on Attachment C – Involved Lots.

Staff Analysis

The lots were platted last year (2013) and are zoned R-3, Single-family and two-family residence district; both detached single-family homes and duplexes are allowed. In the R-3 district, lots used for single-family structures must be at least 70 feet wide and 8,400

square feet in size; lots used for duplex structures must be at least 45 feet wide and 4,500 square feet in size. Some of the lots in the Villas of Glengevlin Second Addition subdivision are of sufficient size to allow single-family structures, and others would only be large enough for duplex structures. Over the last year many of these lots have been sold, and single-family homes have been built. Lots 2-8 are an adequate width and size for duplex structures but are not large enough for the single-family dwellings that were subsequently built and/or sold for that purpose (Lot 8). Because of this error, the owners of these homes and/or lots are now or will be living in homes that are not code-compliant. The lots that do not meet the width or square footage standards are illustrated on Attachment D. The graph below further details the nonconforming issues for each lot.

Lot /Address	Actual Width (70 feet required)	Actual Area (8,400 SF required)
Lot 2 / 5674 Cavan Crossing	55	7,425 SF
Lot 3 / 5668 Cavan Crossing	54.1	Compliant
Lot 4 / 5662 Cavan Crossing	51.81	Compliant
Lot 5 / 5656 Cavan Crossing	54.45	Compliant
Lot 6 / 5650 Cavan Crossing	54.51	Compliant
Lot 7 / 5644 Cavan Crossing	54.93	7,860 SF
Lot 8 / 5636 Cavan Crossing	55	6,515 SF

Staff accepts full responsibility for this error, and procedures have been established to avoid a similar occurrence in the future. It should be reiterated that the current owners of these properties are blameless. Obviously, the fact that these property owners now own property that is nonconforming to City Code is a significant hardship that was not in any way self-imposed.

In making a recommendation, staff applied the 6 conditions listed in Section 23.5 of the zoning ordinance and found the following:

- (a) Single-family dwellings are a permitted use in the R-3 District.
- (b) Many of these homes were completed several months ago; it has been demonstrated that there is a more than adequate supply of light and air and granting the variance(s) will not diminish that fact.
- (c) Granting the variance requests will not increase the congestion on public streets, and adequate off street parking is provided.
- (d) Granting the variance requests will not increase the danger of fire or public safety. In fact, one could assert that the detached structures pose less of a fire hazard than would duplex structures which would have been code-compliant.
- (e) The existence of single-family homes will not diminish the value property values within the surrounding area. Assessed values in the surrounding area have been increasing since this subdivision was developed, and the average **actual** sale price of these homes is \$350,000.
- (f) The development as built has not impaired the public health, comfort, safety, morals or welfare of Bettendorf residents.

Staff Recommendation

The variance requests meets or exceed the above mandated standards. The fact that these lots are now nonconforming poses a legitimate substantial hardship for these property owners. These hardships were in no way self-imposed by the current owners of the properties who have done nothing to cause this situation. Staff error is entirely responsible for these homes having been constructed in contravention to city code.

Respectfully submitted,

John Soenksen
City Planner



CORONADO CT

THUNDER RIDGE RD

BLACK LION CIRCLE

DEVILS GLEN RD

SITE

CANYON CROSSING
MISSOURI DR

JOSHUA ST

WILDERNESS ST

YELLOWSTONE DR

ALAMEDA BLVD

53RD AVE BIKE PATH

53RD AVE

PLAT OF SUBDIVISION OF VILLAS AT GLENGEVLIN SECOND ADDITION

BEING A REPLAT OF THE OUTLOT OF FOUNTAINS FIFTH DOCUMENT NUMBER 2008-28151
& A PART OF LOT 10 OF THE SHOPS AT HIGHLANDS POINT FIRST ADDITION,
ACCORDING TO THE PLAT THEREOF, RECORDED ON OCTOBER 17, 2008 AS DOCUMENT NUMBER
2008-28059; LOCATED IN THE EAST HALF OF SECTION 10, TOWNSHIP 78 NORTH, RANGE 4 EAST
OF THE 5TH PRINCIPAL MERIDIAN, CITY OF BETTENDORF, COUNTY OF SCOTT, STATE OF IOWA.

BOUNDARY LEGEND

SET 5/8" IRON ROD &
GREEN PLASTIC CAP #18465
FOUND CAPPED IRON ROD #18465
FOUND 5/8" IRON ROD
FOUND CAPPED IRON ROD #7593
FOUND CAPPED IRON ROD #13974
BOUNDARY LINE
RECORD DISTANCE
MEASURED DISTANCE
LOT LINE
BUILDING SETBACK LINE (AS STATED)
EASEMENT LINE
EXISTING LOT LINE
EXISTING EASEMENT LINE

ZONING AND LOT INFORMATION

CURRENT ZONING: R-3 (LOT-1 R-2)
TOTAL NUMBER OF LOTS: 26
TOTAL ACRES OF RESIDENTIAL LOTS: 4.625 ACRES
TOTAL ACRES OF LOT A: 0.730 ACRES
TOTAL R.O.W. ACRES: 0.886 ACRES
TOTAL SITE ACRES: 6.247 ACRES
AREA OF REMAINDER OF LOT 10: 5.742 ACRES
R-3 & R-2 BUILDING SETBACK 25' FRONT AND VARIES
25' REAR, 5' MIN. SIDE YARD

OWNER/DEVELOPER

TOWNE & COUNTRY BETTENDORF L.L.C.
CONTACT: DAN DOLAN
2660 E. 53RD STREET, SUITE 6
DAVENPORT, IOWA 52807
563-381-4088

ATTORNEY

MICHAEL CORLINE
101 W. THIRD STREET, SUITE 321
DAVENPORT, IOWA 52801
563-324-0441

LAND SURVEYOR

JAMES W. ABBITT, JR.
MCCLURE ENGINEERING ASSOC., INC.
4700 KENNEDY DRIVE
EAST MOULN, ILLINOIS 61244
309-792-9350

WE, Robert Callaghan, MAYOR, and Debra P. Pank,
CITY CLERK OF THE CITY OF BETTENDORF, IOWA, DO HEREBY CERTIFY
THAT THE FOLLOWING RESOLUTION WAS ADOPTED BY THE CITY COUNCIL
OF THE CITY OF BETTENDORF, IOWA, AT A REGULAR MEETING HELD ON
February 7, 2013:

RESOLVED BY THE CITY COUNCIL OF BETTENDORF, IOWA, THAT THE
PLAT OF VILLAS AT GLENGEVLIN, AN ADDITION TO THE CITY OF
BETTENDORF, IOWA, AS FILED WITH THE CITY CLERK BY TOWNE &
COUNTRY MANOR DEVELOPMENT CORP., BE THE SAME IS HEREBY
APPROVED AND ACCEPTED, AND THE DEDICATION FOR PUBLIC STREET
PURPOSES AND THE GRANTING OF EASEMENTS AND THE VACATION OF
EXISTING EASEMENTS AS SHOWN ON SAID PLAT ARE ACCEPTED AND
CONFIRMED AND THE MAYOR AND CITY CLERK OF SAID CITY BE AND
THEY HEREBY ARE AUTHORIZED AND DIRECTED TO CERTIFY THE
ADOPTION OF THIS RESOLUTION ON SAID PLAT AS REQUIRED BY LAW.

DATED AT BETTENDORF, IOWA, THIS 15th DAY OF
February, 2013.

Robert Callaghan
MAYOR OF THE CITY OF BETTENDORF, IOWA

ATTEST:
Debra P. Pank
CITY CLERK

James W. Abbitt, Jr.
PLANNING AND ZONING COMMISSION

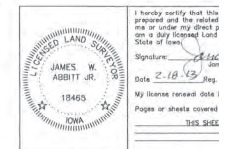
NOTES:

- RIGHT-OF-WAY SHALL BE DEDICATED TO THE CITY WITH THE RECORDING OF THIS PLAT.
- ALL STREET ACCESS WILL BE TO THE NEW PROPOSED RESIDENTIAL STREETS.
- SIDEWALKS SHALL BE CONSTRUCTED ALONG ALL PUBLIC STREET FRONTS. INSTALLATION OF SIDEWALKS SHALL OCCUR WHEN THE ADJUTING PROPERTY (LOT) IS DEVELOPED OR WHEN SO ORDERED BY THE CITY.
- NO PART OF SUBDIVISION LIES WITHIN THE 100 YEAR FLOOD PLAIN AS SHOWN ON FEMA'S FLOOD INSURANCE RATE MAPS.
- ALL LANDSCAPING WILL BE COMPLIANT WITH THE CITY OF BETTENDORF LANDSCAPE ORDINANCE, AND SHALL BE INSTALLED PRIOR TO CITY COUNCIL ACCEPTANCE OF SUBDIVISION IMPROVEMENTS.
- THE OWNERS OF LOTS WITH DRAINAGE EASEMENTS SHALL MAINTAIN A STORMWATER PASSAGEWAY WITHIN THE AREA PLATTED AS A "DRAINAGE EASEMENT", THIS AREA SHALL BE PLANTED IN GRASS AND MAINTAINED AS A LAWN FREE OF STRUCTURES, FENCES, BUSHES, TREES AND OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF STORMWATER.
- THIS PLATTED AREA SHALL DRAIN INTO THE STORMWATER DETENTION LOCATED ALONG THE EAST SIDE OF VILLAS AT GLENGEVLIN.
- R-3 ZONING REQUIREMENTS ARE A FRONT YARD SETBACK OF 25 FEET (UNLESS OTHERWISE NOTED), A REAR YARD SETBACK OF 25 FEET AND EACH SIDE YARD SETBACK BEING 5 FEET.
- LOT A (OUTLOT) IS RESERVED FOR A BLANKET DRAINAGE EASEMENT AND SHALL BE ON THE HOMEOWNER'S ASSOCIATION.
- LOT A SHALL HAVE A BLANKET INGRESS/EGRESS AND UTILITY, SANITARY SEWER & WATER.
- DETENTION IS REQUIRED, LOT 24 OF VILLAS AT GLENGEVLIN PROVIDES DETENTION FOR VIL SECOND ADDITION AND SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.

NOTE:

PLAT NOTES ESTABLISH REQUIREMENTS FOR
HOW A SUBDIVISION WILL DEVELOP. HOWEVER,
THE CITY RESERVES THE RIGHT IN ITS SOLE
DISCRETION TO ALTER OR AMEND ANY PLAT
NOTE, OR TO SELL OR VACATE ANY RIGHT OF
WAY OR UTILITY DEDICATED WITHIN THE PLAT.
FURTHER, THE CITY RESERVES THE RIGHT
UPON REQUEST OF THE OWNER TO RELOCATE
ANY EASEMENT, ALTER LOT BOUNDARIES OR
ALLOW GROUND TO BE REPLATED.

CHANGES IN THE PLAT WHICH AFFECT THE
PLACEMENT OF UTILITY FACILITIES ARE TO BE
REVIEWED AND APPROVED BY THE AFFECTED
UTILITIES AND ANY CHANGES WHICH RESULT
IN THE RELOCATION OF UTILITY FACILITIES
SHALL BE AT THE EXPENSE OF THE PARTY
REQUESTING THE CHANGE.



Attachment - B

LOT	ELEV.
1/2	680.7
3/4	690.2
5/6	690.0
7/8	691.8
9/10	695.5
11/12	694.7
13/14	704.1
15/16	706.3
23/24	699.2

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG.
C1	136.31	548.75	141°57'	135.96	N82°50'00"E
C2	23.09	15.00	88°11'46"	20.88	N60°11'08"W
C3	68.86	224.00	161°17'07"	68.88	N07°53'34"W
C4	159.07	101.00	90°14'15"	143.13	S44°53'14"E
C5	77.17	49.00	90°14'15"	69.44	N44°53'14"W
C6	159.07	101.00	90°14'15"	143.13	N44°53'14"W
C7	77.17	49.00	90°14'15"	69.44	S44°53'14"E
C8	26.78	101.00	121°12'22"	26.70	S02°21'47"E
C9	29.75	100.99	16°52'34"	29.64	S23°23'42"E
C10	19.62	100.99	110°08'04"	19.59	S37°23'54"E
C11	37.67	100.99	21°22'15"	37.45	S53°38'56"E
C12	37.71	100.99	21°23'42"	37.49	S73°01'47"E
C13	7.54	100.87	41°7'07"	7.54	S87°51'53"E
C14	3.67	101.00	2°04'50"	3.67	N00°48'31"W
C15	31.32	101.00	17°46'01"	31.19	N10°43'58"W
C16	32.62	101.00	18°30'11"	32.48	N28°52'02"W
C17	32.78	101.00	18°35'48"	32.64	N47°23'01"W
C18	32.31	101.00	18°19'42"	32.17	N62°52'46"W
C19	26.38	101.00	14°57'44"	26.30	N82°31'29"W

THE FOLLOWING AS LISTED HAVE REVIEWED AND APPROVED THIS FINAL PLAT AND
FOUND THAT SAID PLAT DOES MEET ALL THE MINIMUM UTILITY REQUIREMENTS.

BY: Mike Callaghan DATE: 2/14/13
MID-AMERICAN ENERGY COMPANY
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD

BY: James W. Abbitt, Jr. DATE: 2/13/13
CENTURY LINK

BY: James W. Abbitt, Jr. DATE: 2/15/13
MID-AMERICAN ENERGY COMPANY

BY: James W. Abbitt, Jr. DATE: 2-14-13
IOWA-AMERICAN WATER COMPANY

TOWNE & COUNTRY BETTENDORF L.L.C.
2660 E. 53RD STREET, DAVENPORT, IOWA

NO.	REVISIONS	DATE
A	REVISED PER CITY COMMENTS	9-10-12
B	REVISED PER CITY COMMENTS	9-24-12
C	LOTS 1-8	12-20-12
D	PER CITY COMMENTS 1-3-12	1-3-12

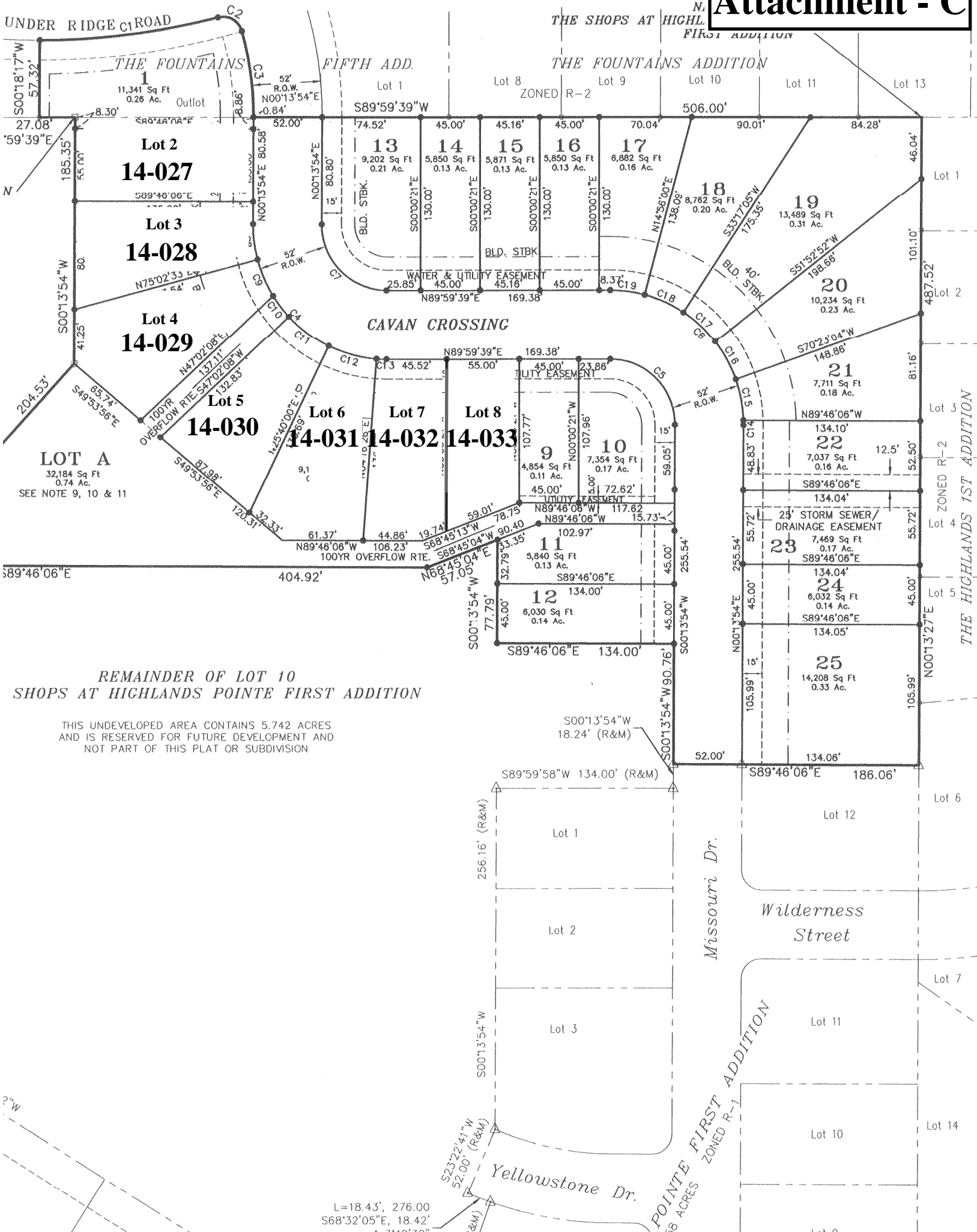
PLOTTING SCALE: 1" = 1'
DRAWN BY: ECL
CHECKED BY: JWA
DATE: AUGUST 2012

McClure
Engineering Associates, Inc.
4700 Kennedy Drive
East Moline, Illinois 61244
(309) 792-9350
Fax (309) 792-9374
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PLAT OF SUBDIVISION

VILLAS AT GLENGEVLIN SECOND ADDITION BETTENDORF
FILE NAME: T:\Vill12102\DWG\12102P combined.dwg JOB NUMBER: IABE-01-1

Attachment - C



Attachment - D



CASTLEV
THUNDER RIDGE RD

CAVAN CROSSING





Case No. 14-027

APPEAL AND APPLICATION TO THE ZONING BOARD OF ADJUSTMENT OF BETTENDORF, IOWA

Part 1. Property Involved.

Street Address 5674 Cavan Crossing

Legal Description of the property. Lot 2, Villas at Glengevlin Second Addition

Part 2. Contact Information.

Applicant Name Carol and Rick Larkin - Towne Country Bettendorf / Dan Dolan Phone 381-4088

Address 5674 Cavan Crossing 2660 E 53rd St Davenport FAX _____

E-mail Address: dan@dandolanhomes.com

Owner Name Carol & Rick Larkin Phone 209-8362

Address 5674 Cavan Crossing FAX _____

E-mail Address: _____

Agent _____ Phone _____

Address _____ FAX _____

E-mail Address: _____

Part 3. Type of Application. (check at least one)

☒ 1. Variance/Exception. Before the Board of Adjustment grants approval of a variance to the City of Bettendorf Zoning Ordinance, all of the following conditions **MUST** be met:

- (a) That the granting of the exception will not permit any use in any district which would be in conflict with the permitted uses of such district under the terms of this ordinance.
- (b) That it will not impair an adequate supply of light and air to adjacent property.
- (c) That it will not unreasonably increase the congestion in public streets.
- (d) That it will not increase the danger of fire or of the public safety.
- (e) That it will not unreasonably diminish or impair established property values within the surrounding areas.
- (f) That it will not in any other respect impair the public health, comfort, safety, morals, or welfare of the inhabitants of the city.

☐ 2. Special Use Permit. Before the Board of Adjustment grants approval of a special use permit, all of the following conditions **MUST** be met:

- (a) The proposed use is designated by this ordinance as a special use in the district in which the use is to be located.
- (b) The proposed use will comply with all applicable regulations in the district in which the use is to be located.
- (c) The location and size of the proposed use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
- (d) The location, nature, and height of buildings, walls, and fences and the nature and extent of the landscaping on the site are such that the use will not unreasonably hinder or discourage the appropriate development and use of adjacent land and buildings.
- (e) Parking areas will be of adequate size for the particular use, properly located, and suitably screened from adjoining uses and the entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
- (f) The proposed use will not cause substantial injury to the value of other property in the neighborhood.
- (g) Conditions in the area have substantially changed and at least one year has elapsed since any denial by the Board of Adjustment of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site.
- (h) The Board of Adjustment shall impose such conditions and restrictions upon the premises benefited by a special use permit as may be necessary to assure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the intent of this ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this ordinance.

☐ 3. Other. _____
(Attach a separate sheet and explain in detail.)

Part 4. General Information.

Section(s) of Zoning Ordinance Involved 14.37.1 and 14.37.2 Existing Zoning R-3

Part 5. Reasons for Application. In the space below, give a general description of the activity desired and principal reasons why this application should be granted by the Board. If this application is for a variance, please state the hardship which the zoning ordinance imposes on the property. Use the following criteria as justification for the requested variance. Use additional sheets if necessary.

- (a) It shall be the property owner's responsibility to show that the terms of this ordinance will impose unusual and practical difficulties or particular hardships. The hardship established by the property owner must not be SELF-IMPOSED. A self-imposed hardship is NOT justification for the approval of a variance request.
- (b) If the variance granted is in harmony with the general purpose, intent, and spirit of this ordinance.
- (c) If the board determines that the granting of the requested variance will not serve merely as a convenience to the applicant, but will alleviate a demonstrable hardship as to warrant a variance from the official city plan as established by Ordinance No. 381 of the city, and at the same time the surrounding property will be reasonably protected.
- (d) That by granting the request for a variance substantial justice shall be done.

The platted lot width and size of Lot 2 of Villas at Glengevin Second Addition are not sufficient to allow a single-family detached structure to be built. Through no fault of the current owner, a variance must now be requested in order to bring the lot and existing home into code-compliance. In order to accomplish this goal, a variance to reduce the required minimum lot width from 70 feet to 55 feet and to reduce the required minimum lot area from 8,400 square feet to 7,425 square feet is necessary.

Part 6. Attachments. The following items are attached and are a part of this application.

- () 1. Scale accurate site plan, at a scale of 1" = 20' or other suitable scale, showing adjacent street, property line, building location of existing and proposed buildings and other important features of the property. Required with all applications.
- () 2. Legal Description. (If not shown on page 1.)
- () 3. Floor plan if internal design of building is part of application.
- () 4. List additional attachments.

Part 7. Signature.

I (we) depose and say that all the information contained in this application and the statements contained in the papers submitted herewith are true. Witness our Hands and Seals this 16th day of April, 20 14.

Signature of Applicant [Signature] Signature of Owner [Signature]
(The owner **MUST** indicate his consent to this application by signing above. Application without the signature of the owner will not be processed)

State of Iowa)
SS
County of Scott)

Before me the undersigned Notary Public, in and for the County and State, personally appeared applicant(s) and separately and severally acknowledge the execution of the foregoing application is his/her voluntary act and deed, for the purposes therein expressed.

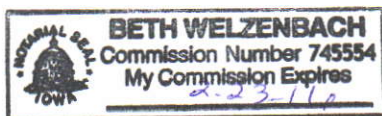
Witness my Hand and Notarial Seal this 16 day of April, 20 14.

Beth Welzenbach
Notary Public in and for Scott County, Iowa

Part 10. Filing Fee.

\$ 50.00 Single Family/Two-family Residential Variance
\$ 100.00 All Other Applications

Received by [Signature]
Amount None Date 4/22/14





Case No. 14-028

APPEAL AND APPLICATION TO THE ZONING BOARD OF ADJUSTMENT OF BETTENDORF, IOWA

Part 1. Property Involved.

Street Address 5668 Cavan Crossing

Legal Description of the property. Lot 3, Villas at Glengevlin Second Addition

Part 2. Contact Information.

Applicant Name Larry Shaw Towne Country Bettendorf / Dan Dolan Phone 381-4088

Address 5668 Cavan Crossing 2460 E 53rd Street FAX Davenport IA 52807

E-mail Address: dan@dandolanhomes.com

Owner Name Larry Shaw Phone 940-0856

Address 5668 Cavan Crossing FAX _____

E-mail Address: _____

Agent _____ Phone _____

Address _____ FAX _____

E-mail Address: _____

Part 3. Type of Application. (check at least one)

X 1. Variance/Exception. Before the Board of Adjustment grants approval of a variance to the City of Bettendorf Zoning Ordinance, all of the following conditions **MUST** be met:

- (a) That the granting of the exception will not permit any use in any district which would be in conflict with the permitted uses of such district under the terms of this ordinance.
- (b) That it will not impair an adequate supply of light and air to adjacent property.
- (c) That it will not unreasonably increase the congestion in public streets.
- (d) That it will not increase the danger of fire or of the public safety.
- (e) That it will not unreasonably diminish or impair established property values within the surrounding areas.
- (f) That it will not in any other respect impair the public health, comfort, safety, morals, or welfare of the inhabitants of the city.

 2. Special Use Permit. Before the Board of Adjustment grants approval of a special use permit, all of the following conditions **MUST** be met:

- (a) The proposed use is designated by this ordinance as a special use in the district in which the use is to be located.
- (b) The proposed use will comply with all applicable regulations in the district in which the use is to be located.
- (c) The location and size of the proposed use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
- (d) The location, nature, and height of buildings, walls, and fences and the nature and extent of the landscaping on the site are such that the use will not unreasonably hinder or discourage the appropriate development and use of adjacent land and buildings.
- (e) Parking areas will be of adequate size for the particular use, properly located, and suitably screened from adjoining uses and the entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
- (f) The proposed use will not cause substantial injury to the value of other property in the neighborhood.
- (g) Conditions in the area have substantially changed and at least one year has elapsed since any denial by the Board of Adjustment of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site.
- (h) The Board of Adjustment shall impose such conditions and restrictions upon the premises benefited by a special use permit as may be necessary to assure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the intent of this ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this ordinance.

 3. Other. _____

(Attach a separate sheet and explain in detail.)

Part 4. General Information.

Section(s) of Zoning Ordinance Involved 14.37.2 Existing Zoning R-3

Part 5. Reasons for Application. In the space below, give a general description of the activity desired and principal reasons why this application should be granted by the Board. If this application is for a variance, please state the hardship which the zoning ordinance imposes on the property. Use the following criteria as justification for the requested variance. Use additional sheets if necessary.

- (a) It shall be the property owner's responsibility to show that the terms of this ordinance will impose unusual and practical difficulties or particular hardships. The hardship established by the property owner must not be SELF-IMPOSED. A self-imposed hardship is NOT justification for the approval of a variance request.
- (b) If the variance granted is in harmony with the general purpose, intent, and spirit of this ordinance.
- (c) If the board determines that the granting of the requested variance will not serve merely as a convenience to the applicant, but will alleviate a demonstrable hardship as to warrant a variance from the official city plan as established by Ordinance No. 381 of the city, and at the same time the surrounding property will be reasonably protected.
- (d) That by granting the request for a variance substantial justice shall be done.

The platted lot width of Lot 3 of Villas at Glengevin Second Addition is not sufficient to allow a single-family detached structure to be built. Through no fault of the current owner, a variance must now be requested in order to bring the lot and existing home into code-compliance. In order to accomplish this goal, a variance to reduce the required minimum lot width from 70 feet to 54.1 is necessary.

Part 6. Attachments. The following items are attached and are a part of this application.

- () 1. Scale accurate site plan, at a scale of 1" = 20' or other suitable scale, showing adjacent street, property line, building location of existing and proposed buildings and other important features of the property. Required with all applications.
- () 2. Legal Description. (If not shown on page 1.)
- () 3. Floor plan if internal design of building is part of application.
- () 4. List additional attachments.

Part 7. Signature.

I (we) depose and say that all the information contained in this application and the statements contained in the papers submitted herewith are true. Witness our Hands and Seals this 16 day of APRIL, 20 14.

Signature of Applicant [Signature] Signature of Owner [Signature]
(The owner **MUST** indicate his consent to this application by signing above. Application without the signature of the owner will not be processed)

State of Iowa)
SS
County of Scott)

Before me the undersigned Notary Public, in and for the County and State, personally appeared applicant(s) and separately and severally acknowledge the execution of the foregoing application is his/her voluntary act and deed, for the purposes therein expressed.

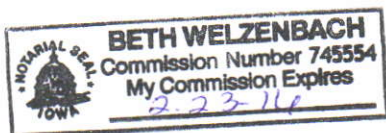
Witness my Hand and Notarial Seal this 16 day of April, 20 14.

Beth W. Welzenbach
Notary Public in and for Scott County, Iowa

Part 10. Filing Fee.

\$ 50.00 Single Family/Two-family Residential Variance
\$ 100.00 All Other Applications

Received by [Signature]
Amount No charge Date 4/22/14





Case No. 14-029

APPEAL AND APPLICATION TO THE ZONING BOARD OF ADJUSTMENT OF BETTENDORF, IOWA

Part 1. Property Involved.

Street Address 5662 Cavan Crossing

Legal Description of the property. Lot 4, Villas at Glengevin Second Addition

Part 2. Contact Information.

Applicant Name Towne & Country Bettendorf / Dan Dolan Phone 381-4088

Address 5662 Cavan Crossing - 2660 E 53rd Davenport FAX 52807

E-mail Address: dan@dandolanhomes.com

Owner Name George and Patsy Sterk Phone 309-737-0719

Address 5662 Cavan Crossing FAX

E-mail Address:

Agent Phone

Address FAX

E-mail Address:

Part 3. Type of Application. (check at least one)

☒ 1. Variance/Exception. Before the Board of Adjustment grants approval of a variance to the City of Bettendorf Zoning Ordinance, all of the following conditions **MUST** be met:

- (a) That the granting of the exception will not permit any use in any district which would be in conflict with the permitted uses of such district under the terms of this ordinance.
- (b) That it will not impair an adequate supply of light and air to adjacent property.
- (c) That it will not unreasonably increase the congestion in public streets.
- (d) That it will not increase the danger of fire or of the public safety.
- (e) That it will not unreasonably diminish or impair established property values within the surrounding areas.
- (f) That it will not in any other respect impair the public health, comfort, safety, morals, or welfare of the inhabitants of the city.

☐ 2. Special Use Permit. Before the Board of Adjustment grants approval of a special use permit, all of the following conditions **MUST** be met:

- (a) The proposed use is designated by this ordinance as a special use in the district in which the use is to be located.
- (b) The proposed use will comply with all applicable regulations in the district in which the use is to be located.
- (c) The location and size of the proposed use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
- (d) The location, nature, and height of buildings, walls, and fences and the nature and extent of the landscaping on the site are such that the use will not unreasonably hinder or discourage the appropriate development and use of adjacent land and buildings.
- (e) Parking areas will be of adequate size for the particular use, properly located, and suitably screened from adjoining uses and the entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
- (f) The proposed use will not cause substantial injury to the value of other property in the neighborhood.
- (g) Conditions in the area have substantially changed and at least one year has elapsed since any denial by the Board of Adjustment of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site.
- (h) The Board of Adjustment shall impose such conditions and restrictions upon the premises benefited by a special use permit as may be necessary to assure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the intent of this ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this ordinance.

☐ 3. Other.
(Attach a separate sheet and explain in detail.)

Part 4. General Information.

Section(s) of Zoning Ordinance Involved 14.37.2 Existing Zoning R-3

Part 5. Reasons for Application. In the space below, give a general description of the activity desired and principal reasons why this application should be granted by the Board. If this application is for a variance, please state the hardship which the zoning ordinance imposes on the property. Use the following criteria as justification for the requested variance. Use additional sheets if necessary.

- (a) It shall be the property owner's responsibility to show that the terms of this ordinance will impose unusual and practical difficulties or particular hardships. The hardship established by the property owner must not be SELF-IMPOSED. A self-imposed hardship is NOT justification for the approval of a variance request.
- (b) If the variance granted is in harmony with the general purpose, intent, and spirit of this ordinance.
- (c) If the board determines that the granting of the requested variance will not serve merely as a convenience to the applicant, but will alleviate a demonstrable hardship as to warrant a variance from the official city plan as established by Ordinance No. 381 of the city, and at the same time the surrounding property will be reasonably protected.
- (d) That by granting the request for a variance substantial justice shall be done.

The platted lot width of Lot 4 of Villas at Glengevin Second Addition is not sufficient to allow a single-family detached structure to be built. Through no fault of the current owner, a variance must now be requested in order to bring the lot and existing home into code-compliance. In order to accomplish this goal, a variance to reduce the required minimum lot width from 70 feet to 51.81 is necessary.

Part 6. Attachments. The following items are attached and are a part of this application.

- () 1. Scale accurate site plan, at a scale of 1" = 20' or other suitable scale, showing adjacent street, property line, building location of existing and proposed buildings and other important features of the property. Required with all applications.
- () 2. Legal Description. (If not shown on page 1.)
- () 3. Floor plan if internal design of building is part of application.
- () 4. List additional attachments.

Part 7. Signature.

I (we) depose and say that all the information contained in this application and the statements contained in the papers submitted herewith are true. Witness our Hands and Seals this 21 day of April, 20 14.

Signature of Applicant [Signature] Signature of Owner [Signature]
(The owner **MUST** indicate his consent to this application by signing above. Application without the signature of the owner will not be processed)

State of Iowa)
SS
County of Scott)

Before me the undersigned Notary Public, in and for the County and State, personally appeared applicant(s) and separately and severally acknowledge the execution of the foregoing application is his/her voluntary act and deed, for the purposes therein expressed.

Witness my Hand and Notarial Seal this 21 day of April, 20 14.



Beth Weizenbach
Notary Public in and for Scott County, Iowa

Part 10. Filing Fee.

\$ 50.00 Single Family/Two-family Residential Variance
\$ 100.00 All Other Applications

Received by [Signature]
Amount NO charge Date 4/22/14



Case No. 14-030

APPEAL AND APPLICATION TO THE ZONING BOARD OF ADJUSTMENT OF BETTENDORF, IOWA

Part 1. Property Involved.

Street Address 5656 Cavan Crossing

Legal Description of the property. Lot 5, Villas at Glengevlin Second Addition

Part 2. Contact Information.

Applicant Name Towne a Country Bettendorf / Dan Dolan Phone 381-4088
Address 5656 Cavan Crossing, 2660 E 53rd Davenport IA 52807 FAX
E-mail Address: dan@dandolanhomes.com

Owner Name Mark and Susan Haring Phone 343-8210
Address 5656 Cavan Crossing FAX
E-mail Address: dan.7814@yahoo.com

Agent Phone
Address FAX
E-mail Address:

Part 3. Type of Application. (check at least one)

- ☒ 1. Variance/Exception. Before the Board of Adjustment grants approval of a variance to the City of Bettendorf Zoning Ordinance, all of the following conditions **MUST** be met:
- (a) That the granting of the exception will not permit any use in any district which would be in conflict with the permitted uses of such district under the terms of this ordinance.
 - (b) That it will not impair an adequate supply of light and air to adjacent property.
 - (c) That it will not unreasonably increase the congestion in public streets.
 - (d) That it will not increase the danger of fire or of the public safety.
 - (e) That it will not unreasonably diminish or impair established property values within the surrounding areas.
 - (f) That it will not in any other respect impair the public health, comfort, safety, morals, or welfare of the inhabitants of the city.
- ☐ 2. Special Use Permit. Before the Board of Adjustment grants approval of a special use permit, all of the following conditions **MUST** be met:
- (a) The proposed use is designated by this ordinance as a special use in the district in which the use is to be located.
 - (b) The proposed use will comply with all applicable regulations in the district in which the use is to be located.
 - (c) The location and size of the proposed use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - (d) The location, nature, and height of buildings, walls, and fences and the nature and extent of the landscaping on the site are such that the use will not unreasonably hinder or discourage the appropriate development and use of adjacent land and buildings.
 - (e) Parking areas will be of adequate size for the particular use, properly located, and suitably screened from adjoining uses and the entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
 - (f) The proposed use will not cause substantial injury to the value of other property in the neighborhood.
 - (g) Conditions in the area have substantially changed and at least one year has elapsed since any denial by the Board of Adjustment of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site.
 - (h) The Board of Adjustment shall impose such conditions and restrictions upon the premises benefited by a special use permit as may be necessary to assure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the intent of this ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this ordinance.
- ☐ 3. Other.
(Attach a separate sheet and explain in detail.)

Part 4. General Information.

Section(s) of Zoning Ordinance Involved 14.37.1 and 14.37.2 Existing Zoning R-3

Part 5. Reasons for Application. In the space below, give a general description of the activity desired and principal reasons why this application should be granted by the Board. If this application is for a variance, please state the hardship which the zoning ordinance imposes on the property. Use the following criteria as justification for the requested variance. Use additional sheets if necessary.

- (a) It shall be the property owner's responsibility to show that the terms of this ordinance will impose unusual and practical difficulties or particular hardships. The hardship established by the property owner must not be SELF-IMPOSED. A self-imposed hardship is NOT justification for the approval of a variance request.
- (b) If the variance granted is in harmony with the general purpose, intent, and spirit of this ordinance.
- (c) If the board determines that the granting of the requested variance will not serve merely as a convenience to the applicant, but will alleviate a demonstrable hardship as to warrant a variance from the official city plan as established by Ordinance No. 381 of the city, and at the same time the surrounding property will be reasonably protected.
- (d) That by granting the request for a variance substantial justice shall be done.

The platted lot width and size of Lot 5 of Villas at Glengevin Second Addition are not sufficient to allow a single-family detached structure to be built. Through no fault of the current owner, a variance must now be requested in order to bring the lot and existing home into code-compliance. In order to accomplish this goal, a variance to reduce the required minimum lot width from 70 feet to 54.45 feet and to reduce the required minimum lot area from 8,400 square feet to 8,309 square feet is necessary.

Part 6. Attachments. The following items are attached and are a part of this application.

- () 1. Scale accurate site plan, at a scale of 1" = 20' or other suitable scale, showing adjacent street, property line, building location of existing and proposed buildings and other important features of the property. Required with all applications.
- () 2. Legal Description. (If not shown on page 1.)
- () 3. Floor plan if internal design of building is part of application.
- () 4. List additional attachments.

Part 7. Signature.

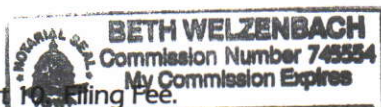
I (we) depose and say that all the information contained in this application and the statements contained in the papers submitted herewith are true. Witness our Hands and Seals this 15 day of April, 20 14.

Signature of Applicant Michael H. [Signature] Signature of Owner [Signature]
(The owner **MUST** indicate his consent to this application by signing above. Application without the signature of the owner will not be processed)

State of Iowa)
SS
County of Scott)

Before me the undersigned Notary Public, in and for the County and State, personally appeared applicant(s) and separately and severally acknowledge the execution of the foregoing application is his/her voluntary act and deed, for the purposes therein expressed.

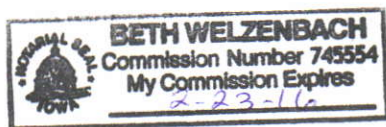
Witness my Hand and Notarial Seal this 15 day of April, 20 14.



Beth Welzenbach
Notary Public in and for Scott County, Iowa

Part 10. Filing Fee.
\$ 50.00 Single Family/Two-family Residential Variance
\$ 100.00 All Other Applications

Received by [Signature]
Amount No charge Date 4/22/14





Case No. 14-031

APPEAL AND APPLICATION TO THE ZONING BOARD OF ADJUSTMENT OF BETTENDORF, IOWA

Part 1. Property Involved.

Street Address 5650 Cavan Crossing

Legal Description of the property. Lot 6, Villas at Glengevin Second Addition

Part 2. Contact Information.

Applicant Name Towne a Country Bettendorf / Dan Dolan Phone 381-4088
Address 5650 Cavan Crossing 2460 E 53rd Davenport FAX 52807
E-mail Address: dand@dandolanhomes.com

Owner Name Eileen Evers Phone 340-5010
Address 5650 Cavan FAX _____
E-mail Address: _____

Agent _____ Phone _____
Address _____ FAX _____
E-mail Address: _____

Part 3. Type of Application. (check at least one)

☒ 1. Variance/Exception. Before the Board of Adjustment grants approval of a variance to the City of Bettendorf Zoning Ordinance, all of the following conditions **MUST** be met:

- (a) That the granting of the exception will not permit any use in any district which would be in conflict with the permitted uses of such district under the terms of this ordinance.
- (b) That it will not impair an adequate supply of light and air to adjacent property.
- (c) That it will not unreasonably increase the congestion in public streets.
- (d) That it will not increase the danger of fire or of the public safety.
- (e) That it will not unreasonably diminish or impair established property values within the surrounding areas.
- (f) That it will not in any other respect impair the public health, comfort, safety, morals, or welfare of the inhabitants of the city.

☐ 2. Special Use Permit. Before the Board of Adjustment grants approval of a special use permit, all of the following conditions **MUST** be met:

- (a) The proposed use is designated by this ordinance as a special use in the district in which the use is to be located.
- (b) The proposed use will comply with all applicable regulations in the district in which the use is to be located.
- (c) The location and size of the proposed use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
- (d) The location, nature, and height of buildings, walls, and fences and the nature and extent of the landscaping on the site are such that the use will not unreasonably hinder or discourage the appropriate development and use of adjacent land and buildings.
- (e) Parking areas will be of adequate size for the particular use, properly located, and suitably screened from adjoining uses and the entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
- (f) The proposed use will not cause substantial injury to the value of other property in the neighborhood.
- (g) Conditions in the area have substantially changed and at least one year has elapsed since any denial by the Board of Adjustment of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site.
- (h) The Board of Adjustment shall impose such conditions and restrictions upon the premises benefited by a special use permit as may be necessary to assure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the intent of this ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this ordinance.

☐ 3. Other. _____
(Attach a separate sheet and explain in detail.)

Part 4. General Information.

Section(s) of Zoning Ordinance Involved 14.37.2 Existing Zoning R-3

Part 5. Reasons for Application. In the space below, give a general description of the activity desired and principal reasons why this application should be granted by the Board. If this application is for a variance, please state the hardship which the zoning ordinance imposes on the property. Use the following criteria as justification for the requested variance. Use additional sheets if necessary.

- (a) It shall be the property owner's responsibility to show that the terms of this ordinance will impose unusual and practical difficulties or particular hardships. The hardship established by the property owner must not be SELF-IMPOSED. A self-imposed hardship is NOT justification for the approval of a variance request.
- (b) If the variance granted is in harmony with the general purpose, intent, and spirit of this ordinance.
- (c) If the board determines that the granting of the requested variance will not serve merely as a convenience to the applicant, but will alleviate a demonstrable hardship as to warrant a variance from the official city plan as established by Ordinance No. 381 of the city, and at the same time the surrounding property will be reasonably protected.
- (d) That by granting the request for a variance substantial justice shall be done.

The platted lot width of Lot 6 of Villas at Glengevin Second Addition is not sufficient to allow a single-family detached structure to be built. Through no fault of the current owner, a variance must now be requested in order to bring the lot and existing home into code-compliance. In order to accomplish this goal, a variance to reduce the required minimum lot width from 70 feet to 54.51 is necessary.

Part 6. Attachments. The following items are attached and are a part of this application.

- () 1. Scale accurate site plan, at a scale of 1" = 20' or other suitable scale, showing adjacent street, property line, building location of existing and proposed buildings and other important features of the property. Required with all applications.
- () 2. Legal Description. (If not shown on page 1.)
- () 3. Floor plan if internal design of building is part of application.
- () 4. List additional attachments.

Part 7. Signature.

I (we) depose and say that all the information contained in this application and the statements contained in the papers submitted herewith are true. Witness our Hands and Seals this 21 day of April, 20 14.

Signature of Applicant [Signature] Signature of Owner [Signature]
(The owner **MUST** indicate his consent to this application by signing above. Application without the signature of the owner will not be processed)

State of Iowa)
SS
County of Scott)

Before me the undersigned Notary Public, in and for the County and State, personally appeared applicant(s) and separately and severally acknowledge the execution of the foregoing application is his/her voluntary act and deed, for the purposes therein expressed.

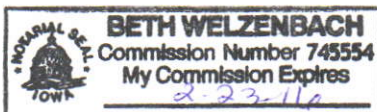
Witness my Hand and Notarial Seal this 21 day of April, 20 14.

Beth Welzenbach
Notary Public in and for Scott County, Iowa

Part 10. Filing Fee.

\$ 50.00 Single Family/Two-family Residential Variance
\$ 100.00 All Other Applications

Received by [Signature]
Amount No charge Date 4/22/14





Case No. 14-032

APPEAL AND APPLICATION TO THE ZONING BOARD OF ADJUSTMENT OF BETTENDORF, IOWA

Part 1. Property Involved.

Street Address 5644 Cavan Crossing

Legal Description of the property. Lot 7, Villas at Glengevin Second Addition

Part 2. Contact Information.

Applicant Name Lyle Aronson Phone 309-721-4362

Address 5644 Cavan Crossing FAX _____

E-mail Address: lylearonson@yahoo.com

Owner Name Towne a Country Bettendorf Phone 381-4088

Address 2660 E 53rd Street Davenport IA FAX _____

E-mail Address: dun@dandelanhomes.com

Agent _____ Phone _____

Address _____ FAX _____

E-mail Address: _____

Part 3. Type of Application. (check at least one)

☒ 1. Variance/Exception. Before the Board of Adjustment grants approval of a variance to the City of Bettendorf Zoning Ordinance, all of the following conditions **MUST** be met:

- (a) That the granting of the exception will not permit any use in any district which would be in conflict with the permitted uses of such district under the terms of this ordinance.
- (b) That it will not impair an adequate supply of light and air to adjacent property.
- (c) That it will not unreasonably increase the congestion in public streets.
- (d) That it will not increase the danger of fire or of the public safety.
- (e) That it will not unreasonably diminish or impair established property values within the surrounding areas.
- (f) That it will not in any other respect impair the public health, comfort, safety, morals, or welfare of the inhabitants of the city.

☐ 2. Special Use Permit. Before the Board of Adjustment grants approval of a special use permit, all of the following conditions **MUST** be met:

- (a) The proposed use is designated by this ordinance as a special use in the district in which the use is to be located.
- (b) The proposed use will comply with all applicable regulations in the district in which the use is to be located.
- (c) The location and size of the proposed use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
- (d) The location, nature, and height of buildings, walls, and fences and the nature and extent of the landscaping on the site are such that the use will not unreasonably hinder or discourage the appropriate development and use of adjacent land and buildings.
- (e) Parking areas will be of adequate size for the particular use, properly located, and suitably screened from adjoining uses and the entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
- (f) The proposed use will not cause substantial injury to the value of other property in the neighborhood.
- (g) Conditions in the area have substantially changed and at least one year has elapsed since any denial by the Board of Adjustment of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site.
- (h) The Board of Adjustment shall impose such conditions and restrictions upon the premises benefited by a special use permit as may be necessary to assure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the intent of this ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this ordinance.

☐ 3. Other. _____
(Attach a separate sheet and explain in detail.)

Part 4. General Information.

Section(s) of Zoning Ordinance Involved 14.37.1 and 14.37.2 Existing Zoning R-3

Part 5. Reasons for Application. In the space below, give a general description of the activity desired and principal reasons why this application should be granted by the Board. If this application is for a variance, please state the hardship which the zoning ordinance imposes on the property. Use the following criteria as justification for the requested variance. Use additional sheets if necessary.

- (a) It shall be the property owner's responsibility to show that the terms of this ordinance will impose unusual and practical difficulties or particular hardships. The hardship established by the property owner must not be SELF-IMPOSED. A self-imposed hardship is NOT justification for the approval of a variance request.
- (b) If the variance granted is in harmony with the general purpose, intent, and spirit of this ordinance.
- (c) If the board determines that the granting of the requested variance will not serve merely as a convenience to the applicant, but will alleviate a demonstrable hardship as to warrant a variance from the official city plan as established by Ordinance No. 381 of the city, and at the same time the surrounding property will be reasonably protected.
- (d) That by granting the request for a variance substantial justice shall be done.

The platted lot width and size of Lot 7 of Villas at Glengevin Second Addition are not sufficient to allow a single-family detached structure to be built. Through no fault of the current owner, a variance must now be requested in order to bring the lot and existing home into code-compliance. In order to accomplish this goal, a variance to reduce the required minimum lot width from 70 feet to 54.93 feet and to reduce the required minimum lot area from 8,400 square feet to 7,860 square feet is necessary.

Part 6. Attachments. The following items are attached and are a part of this application.

- () 1. Scale accurate site plan, at a scale of 1" = 20' or other suitable scale, showing adjacent street, property line, building location of existing and proposed buildings and other important features of the property. Required with all applications.
- () 2. Legal Description. (If not shown on page 1.)
- () 3. Floor plan if internal design of building is part of application.
- () 4. List additional attachments.

Part 7. Signature.

I (we) depose and say that all the information contained in this application and the statements contained in the papers submitted herewith are true. Witness our Hands and Seals this 15 day of April, 20 14.

Signature of Applicant [Signature] Signature of Owner [Signature]
(The owner **MUST** indicate his consent to this application by signing above. Application without the signature of the owner will not be processed)

State of Iowa)
SS
County of Scott)

Before me the undersigned Notary Public, in and for the County and State, personally appeared applicant(s) and separately and severally acknowledge the execution of the foregoing application is his/her voluntary act and deed, for the purposes therein expressed.

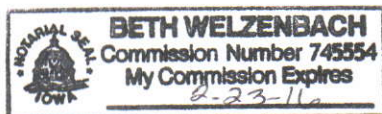
Witness my Hand and Notarial Seal this 15 day of April, 20 14.

[Signature]
Notary Public in and for Scott County, Iowa

Part 10. Filing Fee.

\$ 50.00 Single Family/Two-family Residential Variance
\$ 100.00 All Other Applications

Received by [Signature]
Amount No charge Date 4/22/14





Case No. 14-033

APPEAL AND APPLICATION TO THE ZONING BOARD OF ADJUSTMENT OF BETTENDORF, IOWA

Part 1. Property Involved.

Street Address 5636 Cavan Crossing

Legal Description of the property. Lot 8, Villas at Glengevin Second Addition

Part 2. Contact Information.

Applicant Name Steve Cotton Phone 650-2426

Address 5636 Cavan Crossing FAX _____

E-mail Address: scotton@adsgc.com

Owner Name Towne & Country Bettendorf / Dan Dolan Phone 381-4088

Address 2460 E 53rd Street Davenport IA FAX 381-4073

E-mail Address: dan@dolandohomes.com 52807

Agent _____ Phone _____

Address _____ FAX _____

E-mail Address: _____

Part 3. Type of Application. (check at least one)

☒ 1. Variance/Exception. Before the Board of Adjustment grants approval of a variance to the City of Bettendorf Zoning Ordinance, all of the following conditions **MUST** be met:

- (a) That the granting of the exception will not permit any use in any district which would be in conflict with the permitted uses of such district under the terms of this ordinance.
- (b) That it will not impair an adequate supply of light and air to adjacent property.
- (c) That it will not unreasonably increase the congestion in public streets.
- (d) That it will not increase the danger of fire or of the public safety.
- (e) That it will not unreasonably diminish or impair established property values within the surrounding areas.
- (f) That it will not in any other respect impair the public health, comfort, safety, morals, or welfare of the inhabitants of the city.

☐ 2. Special Use Permit. Before the Board of Adjustment grants approval of a special use permit, all of the following conditions **MUST** be met:

- (a) The proposed use is designated by this ordinance as a special use in the district in which the use is to be located.
- (b) The proposed use will comply with all applicable regulations in the district in which the use is to be located.
- (c) The location and size of the proposed use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
- (d) The location, nature, and height of buildings, walls, and fences and the nature and extent of the landscaping on the site are such that the use will not unreasonably hinder or discourage the appropriate development and use of adjacent land and buildings.
- (e) Parking areas will be of adequate size for the particular use, properly located, and suitably screened from adjoining uses and the entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
- (f) The proposed use will not cause substantial injury to the value of other property in the neighborhood.
- (g) Conditions in the area have substantially changed and at least one year has elapsed since any denial by the Board of Adjustment of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site.
- (h) The Board of Adjustment shall impose such conditions and restrictions upon the premises benefited by a special use permit as may be necessary to assure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the intent of this ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this ordinance.

☐ 3. Other. _____
(Attach a separate sheet and explain in detail.)

Part 4. General Information.

Section(s) of Zoning Ordinance Involved 14.37.1 and 14.37.2 Existing Zoning R-3

Part 5. Reasons for Application. In the space below, give a general description of the activity desired and principal reasons why this application should be granted by the Board. If this application is for a variance, please state the hardship which the zoning ordinance imposes on the property. Use the following criteria as justification for the requested variance. Use additional sheets if necessary.

- (a) It shall be the property owner's responsibility to show that the terms of this ordinance will impose unusual and practical difficulties or particular hardships. The hardship established by the property owner must not be SELF-IMPOSED. A self-imposed hardship is NOT justification for the approval of a variance request.
- (b) If the variance granted is in harmony with the general purpose, intent, and spirit of this ordinance.
- (c) If the board determines that the granting of the requested variance will not serve merely as a convenience to the applicant, but will alleviate a demonstrable hardship as to warrant a variance from the official city plan as established by Ordinance No. 381 of the city, and at the same time the surrounding property will be reasonably protected.
- (d) That by granting the request for a variance substantial justice shall be done.

The platted lot width and size of Lot 8 of Villas at Glengevin Second Addition are not sufficient to allow a single-family detached structure to be built. Through no fault of the current owner, a variance must now be requested in order to bring the lot into code-compliance. In order to accomplish this goal, a variance to reduce the required minimum lot width from 70 feet to 55 feet and to reduce the required minimum lot area from 8,400 square feet to 6,515 square feet is necessary.

Part 6. Attachments. The following items are attached and are a part of this application.

- () 1. Scale accurate site plan, at a scale of 1" = 20' or other suitable scale, showing adjacent street, property line, building location of existing and proposed buildings and other important features of the property. Required with all applications.
- () 2. Legal Description. (If not shown on page 1.)
- () 3. Floor plan if internal design of building is part of application.
- () 4. List additional attachments.

Part 7. Signature.

I (we) depose and say that all the information contained in this application and the statements contained in the papers submitted herewith are true. Witness our Hands and Seals this 21 day of April, 20 14.

Signature of Applicant [Signature] Signature of Owner [Signature]
(The owner **MUST** indicate his consent to this application by signing above. Application without the signature of the owner will not be processed)

State of Iowa)
SS
County of Scott)

Before me the undersigned Notary Public, in and for the County and State, personally appeared applicant(s) and separately and severally acknowledge the execution of the foregoing application is his/her voluntary act and deed, for the purposes therein expressed.

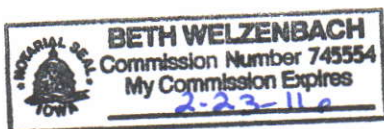
Witness my Hand and Notarial Seal this 21 day of April, 20 14.

Beth Welzenbach
Notary Public in and for Scott County, Iowa

Part 10. Filing Fee.

\$ 50.00 Single Family/Two-family Residential Variance
\$ 100.00 All Other Applications

Received by Lisa Johnson
Amount No charge Date 4/22/14





COMMUNITY DEVELOPMENT
City Hall Annex • 4403 Devils Glen Road, Bettendorf, Iowa 52722 • (563) 344-4083

May 8, 2014

Staff Report

Case No. 14-035

Location: 1723 Grant Street

Applicant: Sports Fans Pizza

Zoning Designation: C-2, Community Shopping District

Request: Special use permit for an outdoor service area to be similar and compatible to the uses existing within the premises.

Background Information and Facts

The site is the Sport Fans Pizza restaurant located on the south side of the 1700 block of Grant Street (see Attachment A – Location Map). The restaurant has a 20-foot deep area between the front property line and the front of the building that is partially covered by an overhang roof. The applicant would like to pave that area and use it for an outdoor service area (see Attachment B – Service Area Illustration). The proposed service area would be mostly surrounded by a 4-foot high vinyl railing/fence as an enclosure to define the service area (see Attachment C – Plot Plan).

Staff Analysis

The 4-foot high enclosure around the proposed outdoor service area could be considered a fence and is allowed by code. Since the area will be paved, it is not considered a structure and is also allowed by code. The plot plan shows the proposed service area having approximately 930 square feet which will provide room for four tables. That is a modest size when compared to other restaurants with similar outdoor service areas. It is common for restaurant owners to request these outdoor areas. The Board has been receptive to these requests in the past when they are associated with restaurants; however, members tend to scrutinize more closely those requests involving just a bar or tavern. The Board has consistently weighed the impact that such requests will have on the surrounding area.

The site is surrounded by commercial districts and uses and has considerable separation from residential area(s). Grant Street is a U.S. Highway with heavy traffic, and sound levels adjacent to the street are abnormally high. The sounds be emitted from the proposed service area will likely be less than the traffic noise and should not have a negative impact on the area.

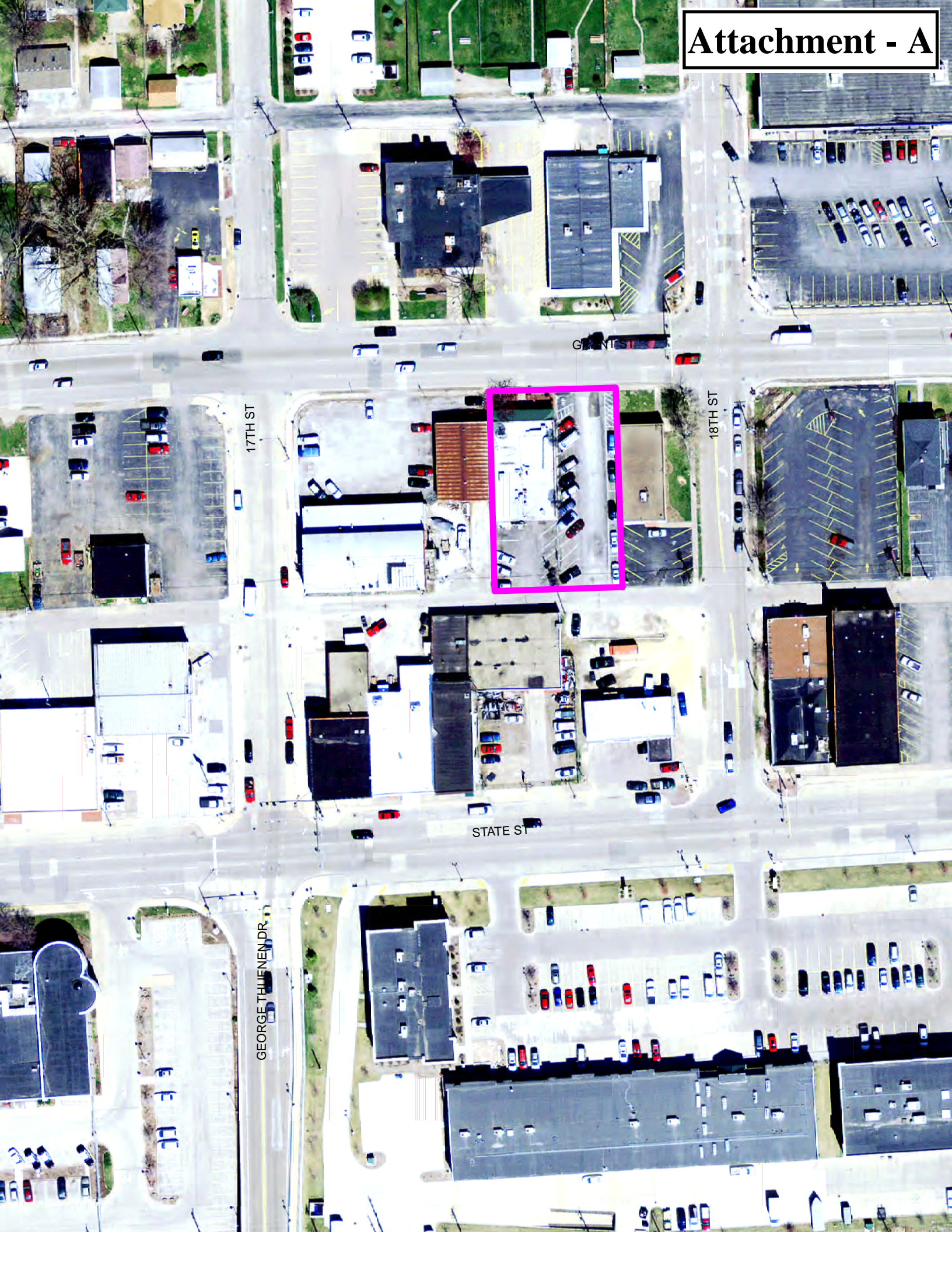
This restaurant has been a part of the downtown for a long time. The request is consistent with other outdoor service areas that have been approved by the Board of eating establishments.

Staff Recommendation

Based on the above analysis and the fact that this request is consistent with other variances granted by the Board, staff recommends approval of the request.

Respectfully submitted,

John Soenksen
City Planner



17TH ST

18TH ST

STATE ST

GEORGE THUNEN DR

GRANTS



Outdoor Service Area Here

SPORT'S FANS PARKING LOT AND LOT SIZE

SPORT'S FANS PARKING LOT
AND LOT SIZE

EXISTING BUILDING

SPORT'S FANS
1732 GRANT ST.
BETTENDORF IA 52722

EXISTING CONCRETE

Children
Service Area

PROJECTED PLAN:
REMOVING EXISTING LANDSCAPE AND TREE
REPLACING WITH A CONCRETE SLAB W/ VINYL
RAILING AROUND PERIMETER OF NEW AND EXISTING
CONCRETE PATIO AND WALK WAY

CITY SIDEWALK CITY SIDEWALK CITY SIDEWALK CITY SIDEWALK CITY SIDEWALK
GRANT ST. GRANT ST. GRANT ST.

NOTE: SHED EVERY ATTEMPT HAS BEEN MADE TO BE
PROPORTIONATE TO THESE PLANS. WE CANNOT BE
RESPONSIBLE FOR HUMAN ERROR. THE CONTRACTOR
IS RESPONSIBLE FOR CHECKING ALL DIMENSIONS IN
THE FIELD. THANK YOU FOR BUILDING BETTER.

K&K HARDWARE & BUILDING CENTER	
SCALE:	APPROVED:
DRAWN BY:	DRAWN BY:
CHECKED BY:	CHECKED BY:
SPORT'S FANS	
BUILDING MATERIALS	
CONTRACTOR	



Case No. 14-035

APPEAL AND APPLICATION TO THE ZONING BOARD OF ADJUSTMENT OF BETTENDORF, IOWA

Part 1. Property Involved.

Street Address 1723 Grant St.

Legal Description of the property. 1185-011-003 Bettendorf Imp. Co. Lots 2 & 3

Part 2. Contact Information.

Applicant Name Sports Fans Arrow Fnc.

Phone 563 559 5555

Address 1723 Grant St.

FAX 563 555-8407

E-mail Address: deborah.trumbo@msn.com

Owner Name Stephen & Deborah Trumbo

Phone 563-332-5198

Address 4075 Spartina Ct.

FAX 563 332-7519

E-mail Address: deborah.trumbo@msn.com

Agent _____

Phone _____

Address _____

FAX _____

E-mail Address: _____

Part 3. Type of Application. (check at least one)

☐ 1. Variance/Exception. Before the Board of Adjustment grants approval of a variance to the City of Bettendorf Zoning Ordinance, all of the following conditions **MUST** be met:

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- (e) Parking areas will be of adequate size for the particular use, properly located, and suitably screened from adjoining uses and the entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
- (f) The proposed use will not cause substantial injury to the value of other property in the neighborhood.
- (g) Conditions in the area have substantially changed and at least one year has elapsed since any denial by the Board of Adjustment of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site.
- (h) The Board of Adjustment shall impose such conditions and restrictions upon the premises benefited by a special use permit as may be necessary to assure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the intent of this ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this ordinance.

☐ 3. Other. _____
(Attach a separate sheet and explain in detail.)

Part 4. General Information.

Section(s) of Zoning Ordinance Involved _____ Existing Zoning _____

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- (c) If the board determines that the granting of the requested variance will not serve merely as a convenience to the applicant, but will alleviate a demonstrable hardship as to warrant a variance from the official city plan as established by Ordinance No. 381 of the city, and at the same time the surrounding property will be reasonably protected.
- (d) That by granting the request for a variance substantial justice shall be done.

Part 6. Attachments. The following items are attached and are a part of this application.

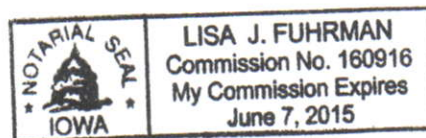
- ☒ 1. Scale accurate site plan, at a scale of 1" = 20' or other suitable scale, showing adjacent street, property line, building location of existing and proposed buildings and other important features of the property. Required with all applications.
- ☐ 2. Legal Description. (If not shown on page 1.)
- ☐ 3. Floor plan if internal design of building is part of application.
- ☐ 4. List additional attachments.

Part 7. Signature.

I (we) depose and say that all the information contained in this application and the statements contained in the papers submitted herewith are true. Witness our Hands and Seals this 22 day of April, 20 14.

Signature of Applicant Sports Fans Pizzeria Signature of Owner Edward Thomas
(The owner **MUST** indicate his consent to this application by signing above. Application without the signature of the owner will not be processed)

State of Iowa)
County of Scott) SS



Before me the undersigned Notary Public, in and for the County and State, personally appeared applicant(s) and separately and severally acknowledge the execution of the foregoing application is his/her voluntary act and deed, for the purposes therein expressed.

Witness my Hand and Notarial Seal this 22nd day of April, 20 14.

Lisa J. Fuhrman
Notary Public in and for Scott County, Iowa

Part 10. Filing Fee.

\$ 50.00 Single Family/Two-family Residential Variance
\$ 100.00 All Other Applications

Received by Lisa J. Fuhrman
Amount \$100 Date 4/22/14



COMMUNITY DEVELOPMENT

City Hall Annex • 4403 Devils Glen Road, Bettendorf, Iowa 52722 • (563) 344-4083

April 10, 2014

Staff Report

Case No. 14-036

Location: 4480 Utica Ridge Road

Applicant: Unity Point

Zoning Designation: C-6, Office Research Park

Request: Variance to increase the allowable number of on-premises identification signs from 1 to 2 and to increase the allowable square footage of signage from 300 square feet to 873 square feet

Background Information and Facts

The site of the proposed signs is Unity Point Hospital at 4480 Utica Ridge Road (formerly Trinity at Terrace Park Hospital) (see Attachment A – Location Map). The hospital was recently selected as one of the top 100 hospitals in the nation by Truven Health Analytics. In response to this prestigious award, the applicant would like to place two permanent signs on the sides of the hospital oriented toward Interstate 74. If allowed, the signs would be placed on the southwest and northwest sides of the hospital (see Attachment A – Location Map, and Attachments B and C, Sign Illustrations).

Staff Analysis

There are three aspects to this request which staff will address individually:

1. The increase in the number of signs from 1 to 2 appears to serve a legitimate purpose for visibility to both eastbound and westbound traffic on I-74 (I-74 is designated as eastbound and westbound even though it runs north/south through Bettendorf). Placing a sign on one side only would allow it to be visible to traffic in only one direction. It should be noted, however, that a 245 square foot “Trinity” sign is already oriented toward I-74 (see Attachments D and E – Existing Sign Illustration). Therefore, the total signage oriented toward I-74, if this request is allowed, will be 873 square feet (245 square foot existing sign + 360 square foot new sign + 268 square foot new sign = 873 square feet).
2. The large size of the signs appears to be proportionate to the building size and setback from I-74. The site is approximately 1,480,500 square feet in size. Given that the new signs will be over 500 feet from the traffic on I-74, the size will allow them to be readable from the interstate. The new signs should have no impact on the adjacent residential area on the east side of Utica Ridge Road.
3. Having three on-premises signs oriented toward the same street frontage (I-74) is an unusual request. The applicant feels that this prestigious award is a unique situation.

While staff understands the applicant's position on this issue, staff is also concerned with the precedent this could set.

Staff Recommendation

Staff cannot cite any hardship related to lot configuration, location, topography, or any other commonly stated hardship.

Respectfully submitted,

John Soenksen
City Planner

Attachment - A

PROGRESS DR

CROW CREEK RD.

UTICA RIDGE RD

Banner

Banner

SITE

Client: Unity Point Health
Bettendorf - Terrace Park

Approved:

Scale: as indicated
Date: 3/31/14
Sketch: unitybanfb3
Drawn: Steph F
Sales: GJ

**PDF COPY
MAY NOT BE TO SCALE**

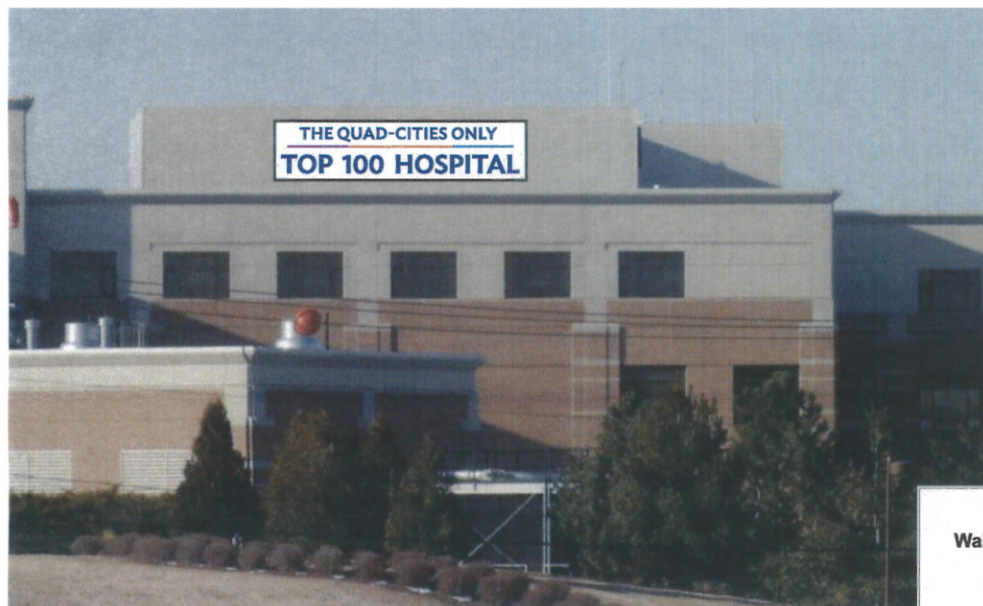
TRI-STATE AREA
1780 IL Route 35 N
E. Dubuque, IL 61025
815.747.2448
(FAX)815.747.3049
(Toll free)888.582.6979

QUAD CITIES AREA
5569 Carey Ave.
Davenport, IA 52807
563.388.6650
(FAX)563.388.6654
(Toll free)800.804.6025

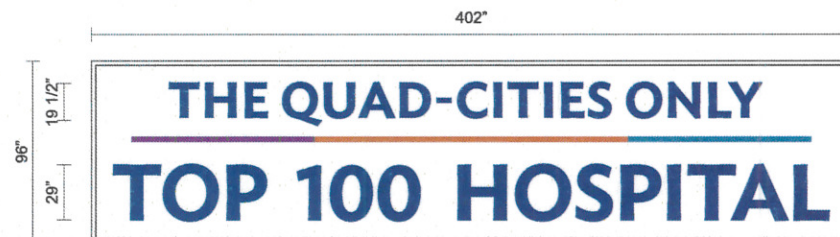
These plans are the exclusive property of the Lange Sign Group and are the result of the original work of it's employees, they are submitted to your company for the sole purpose of your consideration of whether to purchase from Lange Sign Group. A sign manufactured according to these plans, distribution, or exhibition of these plans to anyone other than the employees of your company or use of these plans to construct a sign similar to the one embodied herein is expressly forbidden.

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North Side



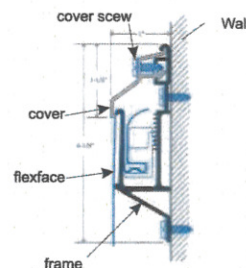
Scale: 1/16"=1'-0"



Scale: 3/16"=1'-0"

S/F Wall mounted retro frame and cover, white flexface, opaque vinyl applied, painted retainer.

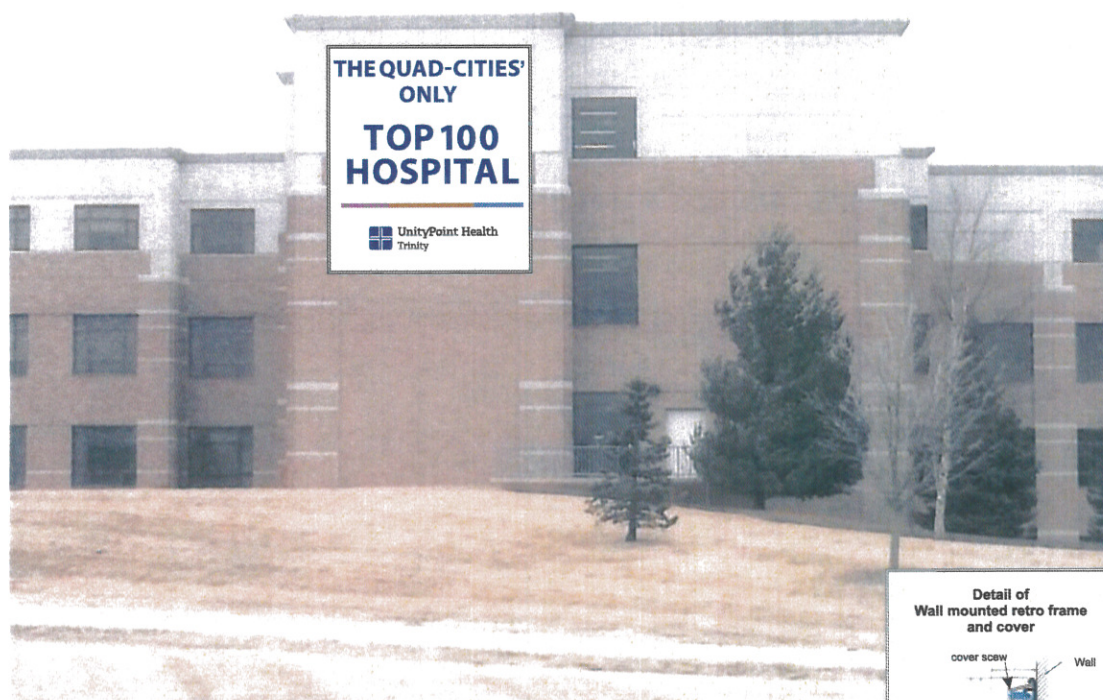
Detail of Wall mounted retro frame and cover



7725-10 White	7725-37 Sapphire Blue	7725-12 Black	7725-273 Process Magenta	7725-14 Bright Orange	7725-57 Olympic Blue
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Colors depicted here are for representation only. Actual color samples can be obtained from your sales representative upon request.

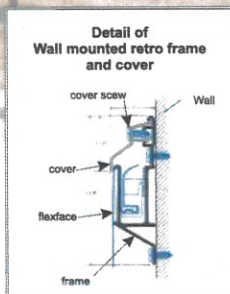
South Side



Scale: 3/32"=1'-0"

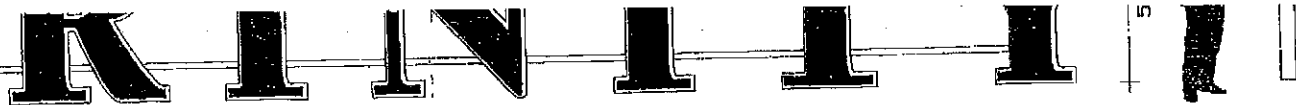
7725-10 White	7725-37 Sapphire Blue	7725-12 Black	7725-273 Process Magenta	7725-14 Bright Orange	7725-57 Olympic Blue
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Colors depicted here are for representation only. Actual color samples can be obtained from your sales representative upon request.



Scale: 3/16"=1'-0"

S/F Wall mounted retro frame and cover, white flexface, opaque vinyl applied, painted retainer.



QTY. 1 SET SERIES 240/250 COMBO LETTERS

SOUTH ELEVATION

SIGN AREA = 245.67 SQ. FT.

SIDE VIEW
CROSS SECTION

SALESPERSON: GORDON JOHNSON
JOB: #2178

DATE WRITTEN: 11/8/2004
DEADLINE: 12.17.04

CUSTOMER:
TRINITY MEDICAL CENTER
ATTENTION RICH KEARNS
8110 14TH STREET WEST
ROCK ISLAND, IL 61201

JOB LOCATION:
TRINITY MEDICAL CENTER
4500 UTICA RIDGE ROAD
BETTENDORF, IA 52722

CONTACT: RICH KEARNS
PHONE: 309-787-3465
FAX: 309-787-3795

CONTACT:
PHONE:
FAX:



DESCRIPTION

FURNISH AND INSTALL THE FOLLOWING CHANNEL LETTERS AS SHOWN WITH THE FOLLOWING SPECIFICATIONS.

QUANTITY:	ONE (1) SET
SERIES:	240/250P COMBINATION (FACE LIT & BACK LIT)
STYLE:	CUSTOM LOGOTYPE
COPY:	TRINITY WITH LOGO MODULE
SIZE:	LOGO - 66"H TRINITY - 66" T REST PROPORTIONATE
DEPTH:	5", .063 ALUMINUM
BACKS:	LETTERS 0 3/16" CLEAR LEXAN LOGO - 3/8" CLEAR LEXAN
MOUNTING:	PROJECTION MOUNT 2" FROM WALL SURFACE.
TRIM:	1" JEWELITE, STANDARD BLUE
FACE:	3/16" ACRYLIC WHITE
DETAILING:	LETTER FACES HAVE APPLIED 3630-157 SULTAN BLUE TRANSLUCENT VINYL LETTERS - LEAVE 1" WHITE BORDER LOGO - LEAVE 1" WHITE BORDER
FINISH:	SPRAYED ACRYLIC POLYURETHANE ENAMEL TO MATCH 3630-157 SULTAN BLUE
TUBING:	6500 WHITE NEON TUBING
TRANSFORMERS:	30MA, GFI TYPE, REMOTE MOUNT, PERMANENT ACCESS MUST BE PROVIDED TO INSTALL AND SERVICE. ACCESS MUST BE AVAILABLE TO WIRE BETWEEN LETTERS.
ELECTRICAL:	LARGE SIGN GROUP WILL CONNECT TO EXISTING IF WITHIN 6' OF SIGN AND LABELED FOR SIGN.
MOUNT:	CUSTOMER RESPONSIBLE FOR ADEQUATE BACKING FOR MOUNTING LETTERS.
UL LISTED:	YES

OPERATION NOTE:

1. CONTACT RICH KEARNS 24 HOURS BEFORE INSTALLATION. HE WILL CONTACT ENGINEERING DEPARTMENT AT TERRACE PARK TO HAVE ROOF DOOR UNLOCKED.
2. UNLOAD LETTERS AND ALL NECESSARY EQUIPMENT AT DOCK. USE THAT HALLWAY TO ELEVATOR TO 3RD FLOOR. EXIT DOOR IS UP STAIRS (ONE FLIGHT).
3. WE ARE TO COVER ROOF WHILE TRANSPORTING LETTERS TO SCREEN WALL FOR INSTALLATION AND DURING INSTALLATION.
THIS WILL CONSIST OF 1" FOAM BOARD AND 3/4" PLYWOOD AT ALL TIMES TO PROTECT RUBBER MEMBRANE OF ROOF.
4. INSTALL MODULE IN UPPER LEFT AS HIGH AS POSSIBLE THEN LETTERS GOING RIGHT FROM THAT. KEEPING AS HIGH ON SCREEN AS POSSIBLE.
5. STEVE WEITZ WILL ISSUE PURCHASE ORDER.

Attachment - D



Existing

New

**TOP
100
Hospital**

New

Attachment - E

Case No. 14-036

APPEAL AND APPLICATION TO THE ZONING BOARD OF ADJUSTMENT OF BETTENDORF, IOWA

Part 1. Property Involved.

Street Address 4480 Utica Ridge Road, Bettendorf, IA

Legal Description of the property. _____

Lot 1 Trinity Bettendorf Campus

Part 2. Contact Information.

Applicant Name Pam Samuelson Phone 309-779-2809

Address 2701 17th St, Rock Island, IL 61201 FAX 309-779-2318

E-mail Address: Pam@PAM-ELA.SAMUELSON@unitypoint.org

Owner Name _____ Phone _____

Address _____ FAX _____

E-mail Address: _____

Agent _____ Phone _____

Address _____ FAX _____

E-mail Address: _____

Part 3. Type of Application. (check at least one)

☒ 1. Variance/Exception. Before the Board of Adjustment grants approval of a variance to the City of Bettendorf Zoning Ordinance, all of the following conditions **MUST** be met:

- (a) That the granting of the exception will not permit any use in any district which would be in conflict with the permitted uses of such district under the terms of this ordinance.
- (b) That it will not impair an adequate supply of light and air to adjacent property.
- (c) That it will not unreasonably increase the congestion in public streets.
- (d) That it will not increase the danger of fire or of the public safety.
- (e) That it will not unreasonably diminish or impair established property values within the surrounding areas.
- (f) That it will not in any other respect impair the public health, comfort, safety, morals, or welfare of the inhabitants of the city.

☐ 2. Special Use Permit. Before the Board of Adjustment grants approval of a special use permit, all of the following conditions **MUST** be met:

- (a) The proposed use is designated by this ordinance as a special use in the district in which the use is to be located.
- (b) The proposed use will comply with all applicable regulations in the district in which the use is to be located.
- (c) The location and size of the proposed use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
- (d) The location, nature, and height of buildings, walls, and fences and the nature and extent of the landscaping on the site are such that the use will not unreasonably hinder or discourage the appropriate development and use of adjacent land and buildings.
- (e) Parking areas will be of adequate size for the particular use, properly located, and suitably screened from adjoining uses and the entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
- (f) The proposed use will not cause substantial injury to the value of other property in the neighborhood.
- (g) Conditions in the area have substantially changed and at least one year has elapsed since any denial by the Board of Adjustment of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site.
- (h) The Board of Adjustment shall impose such conditions and restrictions upon the premises benefited by a special use permit as may be necessary to assure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the intent of this ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this ordinance.

☐ 3. Other. _____

(Attach a separate sheet and explain in detail.)

Part 4. General Information.

Section(s) of Zoning Ordinance Involved _____ Existing Zoning _____

Part 5. Reasons for Application. In the space below, give a general description of the activity desired and principal reasons why this application should be granted by the Board. If this application is for a variance, please state the hardship which the zoning ordinance imposes on the property. Use the following criteria as justification for the requested variance. Use additional sheets if necessary.

- (a) It shall be the property owner's responsibility to show that the terms of this ordinance will impose unusual and practical difficulties or particular hardships. The hardship established by the property owner must not be SELF-IMPOSED. A self-imposed hardship is NOT justification for the approval of a variance request.
- (b) If the variance granted is in harmony with the general purpose, intent, and spirit of this ordinance.
- (c) If the board determines that the granting of the requested variance will not serve merely as a convenience to the applicant, but will alleviate a demonstrable hardship as to warrant a variance from the official city plan as established by Ordinance No. 381 of the city, and at the same time the surrounding property will be reasonably protected.
- (d) That by granting the request for a variance substantial justice shall be done.

Part 6. Attachments. The following items are attached and are a part of this application.

- () 1. Scale accurate site plan, at a scale of 1" = 20' or other suitable scale, showing adjacent street, property line, building location of existing and proposed buildings and other important features of the property. Required with all applications.
- () 2. Legal Description. (If not shown on page 1.)
- () 3. Floor plan if internal design of building is part of application.
- () 4. List additional attachments.

Part 7. Signature.

I (we) depose and say that all the information contained in this application and the statements contained in the papers submitted herewith are true. Witness our Hands and Seals this 23 day of April, 20 14.

Signature of Applicant Gordon Johnson Signature of Owner Sign Agent
(The owner **MUST** indicate his consent to this application by signing above. Application without the signature of the owner will not be processed)

State of Iowa)
 SS
County of Scott)

Before me the undersigned Notary Public, in and for the County and State, personally appeared applicant(s) and separately and severally acknowledge the execution of the foregoing application is his/her voluntary act and deed, for the purposes therein expressed.

Witness my Hand and Notarial Seal this 23rd day of April, 20 14.



JOHN SOENKSEN
Commission No. 74949
My Commission Expires
October 19, 2016

Notary Public in and for Scott County, Iowa

Part 10. Filing Fee.

\$ 50.00 Single Family/Two-family Residential Variance
\$ 100.00 All Other Applications

Received by Lisa Johnson
Amount 100.00 Date _____