

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  
AUGUST 8, 2019  
5:00 P.M.**

PLACE: Bettendorf City Hall Council Chambers, 2<sup>nd</sup> Floor, 1609 State Street

1. Roll Call: Clements \_\_\_\_, Falk \_\_\_\_, Gallagher \_\_\_\_, Spranger \_\_\_\_, Tombergs \_\_\_\_
2. Review of Board Procedures.
3. The Board to review and approve the minutes of the meeting of July 11, 2019.
4. The Board to hold a public hearing on the following items:
  - a. Case 19-050; 5762 Danielle Drive (PR-3) - Variance to allow a 6-foot high fence in the required front yard, submitted by Damian Brunt. (Deferred from meeting of July 11, 2019)
  - b. Case 19-051; 5738 Danielle Drive (PR-3) - Variance to allow a 6-foot high fence in the required front yard, submitted by June Schindler Revocable Trust. (Deferred from meeting of July 11, 2019)
  - c. Case 19-055; 6776 Championship Drive (C-3) - Special use permit to allow a bar with an outdoor service area, submitted by Middle & 80, LLC.
  - d. Case 19-056; 2285 St. Andrews Circle (R-1) - Variance from the requirement that a religious assembly be located such that it fronts on a collector or arterial thoroughfare so designated in the comprehensive plan, submitted by Chabad Lubavitch of the Quad Cities/Rabbi Shneur Cadaner.

**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.**

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  
JULY 11, 2019  
5:00 P.M.**

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

Item 1. Roll Call

PRESENT: Falk, Gallagher, Tombergs  
ABSENT: Clements, Spranger  
STAFF: Fuhrman, Soenksen

Item 2. Review of Board procedures.

Item 3. The Board to review and approve the minutes of the meeting of May 9, 2019.

On motion by Tombergs, seconded by Falk, that the minutes of the meeting of May 9, 2019 be approved as submitted.

ALL AYES

Motion carried.

Gallagher stated that Norm Voelliger, former Board of Adjustment Chairman, passed away on July 4, 2019. He explained that Voelliger served not only on the Board of Adjustment but in many capacities over the years. Falk added that Voelliger was not only a big part of the Board of Adjustment but the entire community.

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

- a. **Case 19-048; 999 Middle Road (C-2)** - A request for a variance to increase the allowable size of an electronic programmable sign from 100 square feet to 150 square feet, submitted by Acme Sign Company.

Gallagher 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.

Gallagher asked if there was anyone present wishing to speak in favor of the request.

Doug Jarvis, the applicant, stated that he had spoken to Soenksen prior to filing the variance request and that he had seemed willing to speak positively about how the business owners have operated the sign. He added that the owner had planned to attend the public hearing but that he had indicated that he would be willing to make their case. Jarvis explained that the owner has never once asked to utilize the entire sign. He stated that there have been no complaints about the brightness of the sign, adding that it has automatic dimming. He indicated that the owner often displays advertisements for local school sports teams. He explained that at the time the owner requested the original variance, there had been discussions regarding revisiting the possibility of utilizing the entire sign or revising the ordinance to increase the allowable area for electronic signage.

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

On motion by Falk, seconded by Tombergs, that a variance to increase the allowable size of an electronic programmable sign from 100 square feet to 150 square feet be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #4 to these minutes.

Tombergs commented that navigating through the area is very difficult because there is so much traffic. She suggested that at some point in the future that the traffic flow pattern be reconfigured. Jarvis stated that much of the traffic is generated by the Starbuck's in the adjacent shopping area. He indicated that if a Board member or city staff person has any specific suggestions he would present them to the owner.

- b. Case 19-049; 4805 Kynnelworth Drive (R-2) - A request for a variance to allow a 6-foot high fence in the required front yard, submitted by Travis Phillis.

Gallagher 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.

Tombergs questioned whether if it would be appropriate aesthetically for a resident to install a 6-foot high fence next to a 4-foot high fence. Soenksen explained that if the

proposed variance is approved, there would be a 6-foot high fence immediately adjacent to the neighbor's 4-foot high fence along 18<sup>th</sup> Street. Tombergs asked if there are other areas in the city where a 2-foot drop in fence height occurs. Soenksen stated that he is unaware of any such cases. He added that a portion of the applicant's fence that is located in the front yard setback is only 3 feet tall. Soenksen explained that the current ordinance allows 4-foot high fences in front yard setbacks. He added that if the applicant wishes to install a 6-foot high fence he would be allowed to do so if it were placed at the required rear yard setback of 25 feet.

Gallagher asked if there was anyone present wishing to speak in favor of the request.

Katie Phillis, the applicant, explained that she and her husband would like to have a 6-foot high fence to ensure the safety and privacy of their children. She stated that her home is located on a corner lot and that there is a tremendous amount of pedestrian and vehicular traffic. She commented that if the required setback for a 6-foot high fence is observed, the yard would become unusable.

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

Tombergs commented that while she understands why the applicant would like to have a 6-foot high fence, she believes that the Board should consider whether it is appropriate to allow staggered heights for fences adjacent to one another. Falk expressed concern about the continuity of fences and establishing a precedent for future cases, especially since so many variance requests are related to fence height. He added that the Board tries to avoid setting precedents that can expand into other areas of the community. Falk commented that when he visited the site, he noticed that the 4-foot high fences along 18<sup>th</sup> Street extend for a very long distance. He added that from the street he could not see into the back yard because of the existing heavy landscaping. He reiterated that he believes that granting the variance could establish a precedent throughout the city.

Tombergs commented that the request involves both the continuity of the fence line height and the fact that the proposed fence does not meet setback requirements for the height requested. She added that the possibility exists that other homeowners would make similar requests for taller fences which would cause a disruptive appearance to the neighborhood which could affect property values. Gallagher concurred, adding that Kynnelworth Avenue is not a heavily-traveled road. He indicated that in the past the Board has avoided granting similar requests for homes located on secondary roads. He stated that he does not believe it would be appropriate to allow a 6-foot high fence on the Kynnelworth Avenue frontage and that a 4-foot high fence would be consistent with the existing fences along 18<sup>th</sup> Street. Gallagher stated that while he understands the applicant's concerns, he would not be supportive of the request as the existing vegetation provides additional screening from the street.

On motion by Falk, seconded by Tombergs, that a variance to allow a 6-foot high fence in the required front yard be denied in accordance with the Decision and Order.

Tombergs commented that the decision is a difficult one as the safety of children is always in the forefront of the Board's decisions but that they must also consider the effect on the neighborhood and the possibility that property values could decline.

#### ROLL CALL ON MOTION

ALL AYES

Motion carried.

Decision and Order is Annex #6 to these minutes.

Gallagher stated that Case 19-050 and Case 19-051 would be heard together.

- c. Case 19-050; 5762 Danielle Drive (PR-3) - A request for a variance to allow a 6-foot fence in the required front yard, submitted by Damian Brunt.
- d. Case 19-051; 5738 Danielle Drive (PR-3) - A request for a variance to allow a 6-foot fence in the required front yard, submitted by June Schindler Revocable Trust.

Gallagher 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 reports. Staff reports are Annex #7 and Annex #8 to these minutes.

Falk stated that the developer installed 4-foot high fences along Devils Glen Road on the lots further north from Hopewell Avenue south which are code-compliant. He asked if the developer had ever submitted a variance request to allow a 6-foot high fence. Soenksen stated that no variance request was submitted. He added that he had spoken with the developer who had indicated that he intends to continue the 4-foot high fence along Devils Glen Road.

Tombergs commented that these cases are very similar to the previous one as they involve a long 4-foot high fence and a sudden change to 6 feet. Soenksen commented that the city has received complaints about the 4-foot high fence along Devils Glen Road, adding that the developer angled the fence on the lot on the corner in an attempt to provide greater visibility. He explained that the stop bar painted on the street is actually located

behind the fence line which is likely why so many complaints have been received. Falk suggested that the stop bar be repainted closer to Devils Glen Road.

Falk asked if the homes to the north were built by the same developer. Damian Brunt, 5762 Danielle Drive, stated that the same developer is building the homes but that there are two different subdivisions and associations involved. He explained that the developer had indicated to him that he would not be installing a fence in his subdivision. Brunt stated that he and his neighbor received permission from The Fountains homeowner's association to install the proposed fence because of the heavy traffic along Devils Glen Road. He explained that the association had requested that any fence be white vinyl to match a fence that is located south of Thunder Ridge Road. Brunt stated that after receiving permission from The Fountains to install the fence he had applied for a building permit and learned a 6-foot high fence would not be allowed along Devils Glen Road. He indicated that the homeowner's association had requested that any fence installed not be completed in the same manner as the fences to the north which are not very true. He reiterated that the developer told him that he would not be putting fences in The Fountains 8<sup>th</sup> Addition.

Tombergs commented that there is a gap between what is being developed and where the fence is located. She added that depending on the precedent that exists, the Board will either adhere to current ordinance requirements or expect future variance requests. She stated that she would expect that eventually future homeowners to the north would either have a 4-foot high fence or request a variance for a 6-foot high fence because it is very busy along Devils Glen Road.

Brunt reiterated that The Fountains association had requested that they match the 6-foot high fence at a home on Thunder Ridge Road. Tombergs asked if Brunt is referring to a house that is located on the other side of Thunder Ridge Road. Brunt confirmed this, adding that there is one lot on the south side of Thunder Ridge Road with a 6-foot high fence along Devils Glen Road up to the bike path. Tombergs asked why the city had allowed a 6-foot high fence along the bike path adjacent to Devils Glen Road. Soenksen stated that he is unaware of a 6-foot high fence adjacent to the bike path. Brunt explained that the house involved is a part of the original Fountains development and that the fence is likely quite old. Soenksen commented that he oftentimes walks along that bike path but can't recall a 6-foot high fence located adjacent to it.

Tombergs stated that she does not believe that all of the facts are available regarding the existing fence south of Thunder Ridge Road and that it would be helpful to have them to consider when making a decision. Soenksen reiterated that he is not aware of a 6-foot high fence south of Thunder Ridge Road. Falk and Gallagher concurred.

Tina Schindler, representing June Schindler, stated that there is a 6-foot high fence at a house south of Thunder Ridge Road which is part of The Fountains. She added that because of the size of the lots the back yards are very close to the bike path. She stated

that there are 6-foot high fences on the other side of Devils Glen Road. She reiterated that the existing fencing along Devils Glen Road is in a different development and that she does not believe that it is important to have the same type of fence extending from Thunder Ridge Road to Hopewell Avenue. She stated that they are attempting to coordinate with The Fountains with regard to their fence, adding that while the homes to the north were built by the same developer they are part of a different association.

Soenksen displayed a streetside view of the house on Coronado Court with the 6-foot high fence in question. He stated that it appears as though the fence angles away from the bike path and is set back approximately 12-15 feet from the bike path at the closest point. Soenksen reiterated that he does not believe that the Board ever considered a variance request for the property in question. Tombergs stated that the fence is set back from the bike path further than the current proposals and that there is landscaping between the fence and bike path as required by the ordinance. Soenksen reiterated that the fence angles away from Devils Glen Road. Falk stated that the fence is set back a more appropriate distance from the bike path. Schindler explained that they would not have enough space to do that on their properties.

Tombergs suggested that the cases be deferred until such time as more information is available regarding the existing 6-foot high fence south of Thunder Ridge Road and the 4-foot high fences to the north. Schindler stated again that there are two different associations involved. Falk stated that the fact that there are two associations involved is not relevant to the Board's discussion. He explained that their purview includes community coordination and continuity, not necessarily where subdivision boundaries are located.

Falk explained that when only 3 Board members are present, any decision must be unanimous. He added that based on the discussion, the applicants would likely be better served by requesting a deferral until more members are present and more information is available. He indicated that it does appear as though the requests have the full support of the Board. Tombergs reiterated that she would like to have more information before making a final decision. Soenksen stated that he would research whether or not a permit was issued for the fence on Coronado Court.

Brunt stated that the Board is welcome to visit his property. Falk stated that all Board members have already visited the site.

Schindler asked when the next meeting would be held and whether or not more members would be present. She stated that she is concerned about the fact that in the meantime there is no fence at all in the back yard.

Tombergs asked how old the homes in question are. Schindler stated that her mother moved into her home in February. Gallagher commented that the homes are new.

Gallagher stated that the next Board meeting would be August 8. Falk added that he is unsure whether or not more members would be in attendance. Gallagher commented that he would not be at the August meeting.

Brunt asked if a special meeting could be scheduled. He explained that a fence contractor has already been hired. Tombergs asked if an electronic vote is allowed. Gallagher stated that it is not.

A brief discussion was held regarding whether the cases should be deferred or a vote taken. Falk commented that he has no problem with voting now if the applicants do not wish to defer the requests. Tombergs reiterated that it would be in the best interest of the applicants to defer the cases and that she would not be comfortable voting until more information is available. Falk stated that he would vote to deny the request based on the information currently available.

On motion by Falk, seconded by Tombergs, that variances to allow 6-foot high fences in the required front yard at 5762 and 5738 Danielle Drive be deferred until such time as additional information is available.

ALL AYES

Motion carried.

There being no further business, it was unanimously approved to adjourn the meeting at approximately 5:45 p.m.

These minutes and annexes approved \_\_\_\_\_

\_\_\_\_\_  
John Soenksen  
Community Development Director



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

July 11, 2019

Staff Report

**Case No. 19-050**

**Location:** 5762 Danielle Drive

**Applicant:** Damian Brunt

**Zoning Designation:** PR-3 (Planned Residential Overlay District)

**Request:** Variance to allow a 6-foot high fence in a required front yard.

**Background Information and Facts**

The owners of two adjacent lots between Danielle Drive and Devils Glen Road would like to place a 6-foot high fence on their property lines adjacent to Devils Glen Road (see Attachment A – Location Map). The proposed placement of the fence for the subject property is shown by the red line on both Attachment A and Attachment B (Plot Plan).

**Staff Analysis**

Because of the configuration of this lot, front yard setback requirements must be observed adjacent to both Devils Glen Road and Danielle Drive. The Code states that no more than a 4-foot high fence is allowed in the traditional rear yard of a through lot within 10 feet of the property line. If a fence is located within 15 feet or less of the property line, a minimum of one evergreen type plant or comparable landscape planting must be placed between the fence and the right-of-way line for every 25 linear feet of fence.

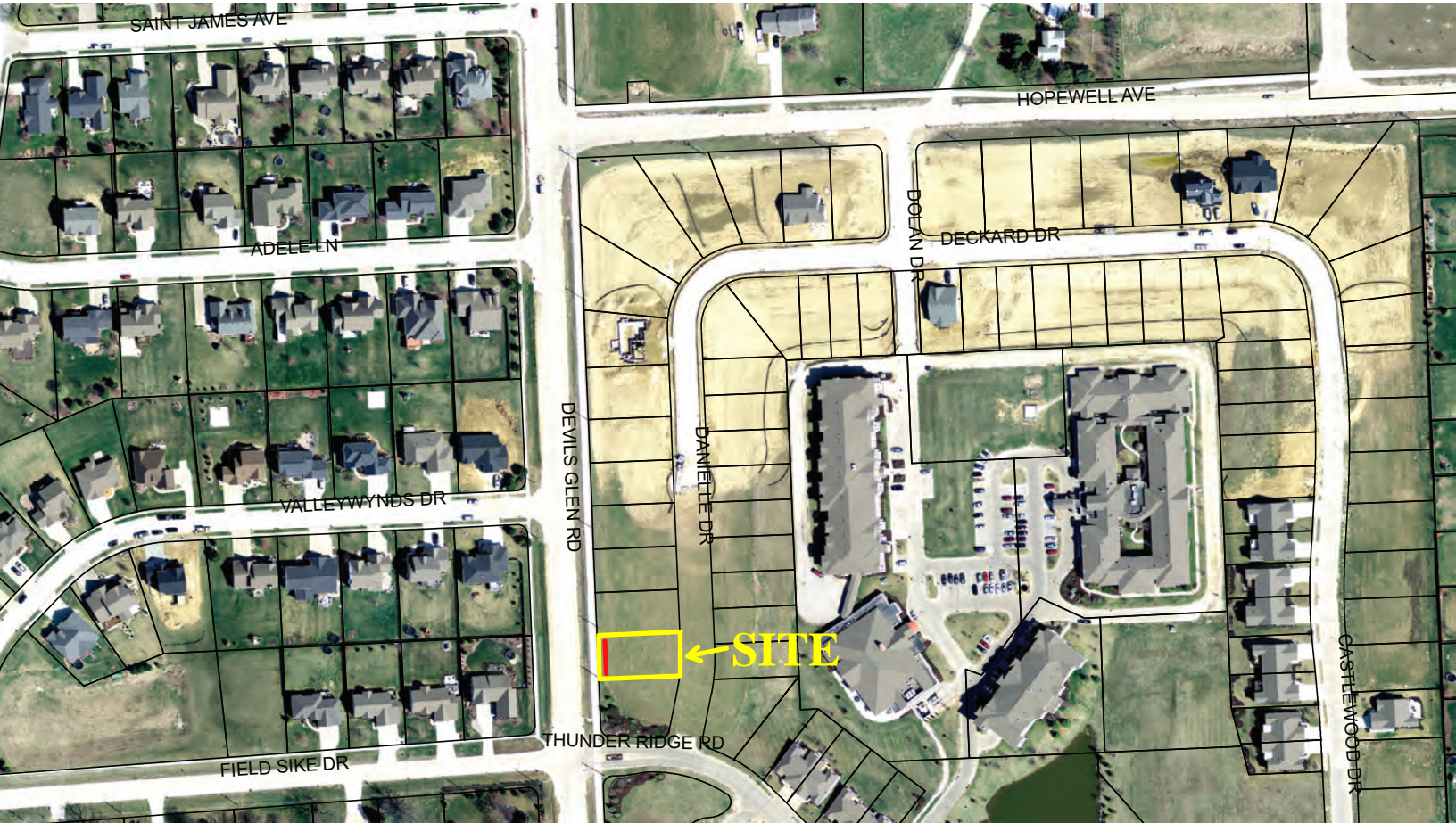
While the Board has recognized in the past that 6-foot high fences adjacent to recreational trails and multi-lane streets may be justified, typically a 10-foot setback is imposed in order to reduce the adverse aesthetic impact of the increased height of the proposed fence. Fences adjacent to normal residential streets and sidewalks should be required to adhere to the 4-foot height requirement. The recreational trail adjacent to the applicant's lot is 10-feet wide, which is the widest trail used by the city.

Devils Glen Road is becoming more heavily traveled each year as development continues along the road and to the north of the area including the developments occurring at the Bettplex Subdivision. There is sufficient right-of-way for Devils Glen Road to be widened to at least four lanes in the future from 53<sup>rd</sup> Avenue to Forest Grove Drive. That widening project is not scheduled within the next five years.

Staff has made site visits regarding this request and believe that the request, if approved, will not interfere with any line-of-sight issues for any vehicular traffic in the area.

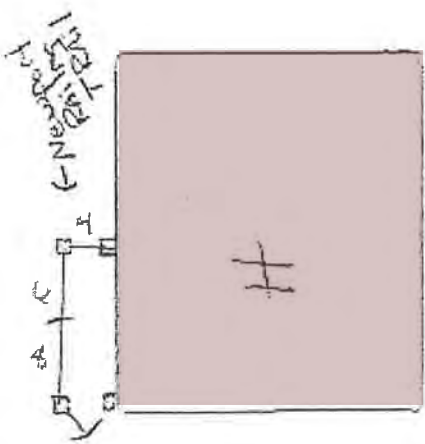
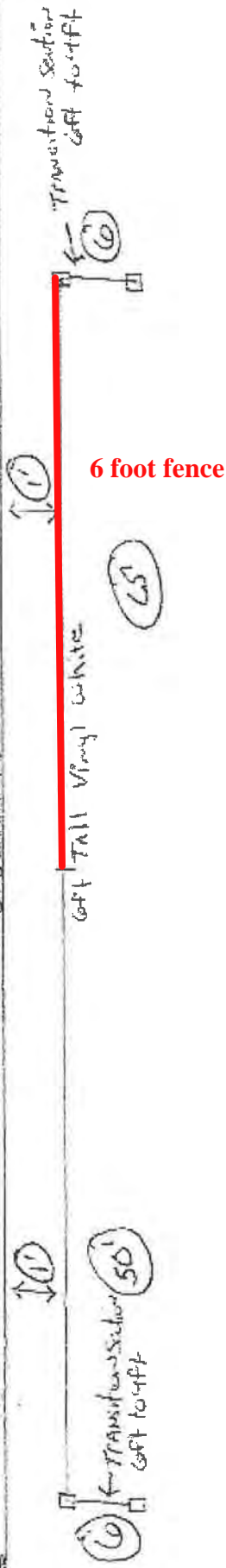
Respectfully submitted,

John Soenksen  
City Planner

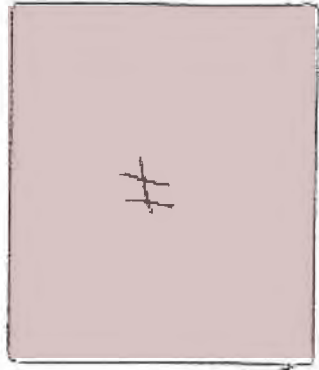


Devils Glen Rd

SIDEWALK



5738 DANIELLE DR  
JUNE SCHINDLER



5768 DANIELLE DR  
DAMIAN BRUNT



Case No. 19-050

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

Part 1. Property Involved.  
Street Address: 5762 DANIELLE DR.

Legal Description of the property: LOT 2 of the Fountains 8th ADDITION

Part 2. Contact Information.

Applicant Name: DAMIAN BRUNT Phone: 563-340-6172  
Address: 5762 DANIELLE DR. FAX: \_\_\_\_\_  
E-mail Address: Rmazzo96@hotmail.com

Owner Name: Same Phone: \_\_\_\_\_  
Address: Same 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.)



City of Bettendorf

06/20/19

Zoning Board

Application for Variance/Exemption to Fence Code set back

This applicant (Damian Brunt) of 5762 Danielle Drive is requesting a variance to the current code requirement of a 6' high fence be at a 30' setback. The location of this property is in a 55 plus retirement facility and the property in question, the back yard of the property is up against an extremely busy road (Devils Glen Road) and the Bettendorf Recreational Trail that borders this property. The current location of the structure (of 5762 Danielle Drive) itself is 33' back from the side walk to the start of the concrete patio. My neighbor's whom is also applying for variance, the structure itself is 23' back from the sidewalk to the start of the concrete patio. Out of concern for privacy, safety and any unwanted intrusions to the property, I am requesting the 6' high privacy fence be located 1' from the Bettendorf Recreational trail the length of the property. This request has also been reviewed by the Fountains and approved pending the fence be white and match another current owners on the same street. The fence would be installed by a professional fence company (Lovewell Fencing) and will follow applicable fence installation codes and requirements. Sketch of the installation is also an attachment for viewing. Your consideration is appreciated.

Sincerely,

Damian Brunt

5762 Danielle Drive

Bettendorf, Iowa 52722

Devils Glen Rd

SEDEWALK



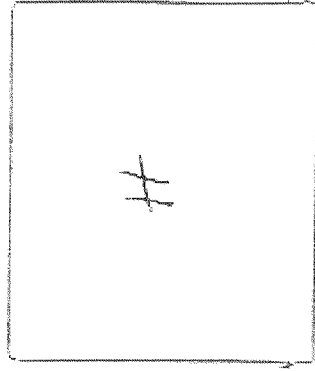
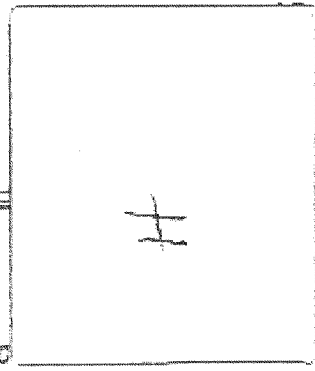
GET TAIL VINYL WHITE

LS



TRANSISTOR SECTION  
GET TAFT

TRANSISTOR SECTION  
GET TAFT



5738 Danielle Dr  
Tune Schindler

5762 Danielle Dr  
Damian Brunt



COMMUNITY DEVELOPMENT  
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July 11, 2019

Staff Report

**Case No. 19-051**

**Location:** 5738 Danielle Drive

**Applicant:** June Schindler Trust

**Zoning Designation:** PR-3 (Planned Residential Overlay District)

**Request:** Variance to allow a 6-foot high fence in a required front yard.

**Background Information and Facts**

The owners of two adjacent lots between Danielle Drive and Devils Glen Road would like to place a 6-foot high fence on their property lines adjacent to Devils Glen Road (see Attachment A – Location Map). The proposed placement of the fence for the subject property is shown by the red line on both Attachment A and Attachment B (Plot Plan).

**Staff Analysis**

Because of the configuration of this lot, front yard setback requirements must be observed adjacent to both Devils Glen Road and Danielle Drive. The Code states that no more than a 4-foot high fence is allowed in the traditional rear yard of a through lot within 10 feet of the property line. If a fence is located within 15 feet or less of the property line, a minimum of one evergreen type plant or comparable landscape planting must be placed between the fence and the right-of-way line for every 25 linear feet of fence.

While the Board has recognized in the past that 6-foot high fences adjacent to recreational trails and multi-lane streets may be justified, typically a 10-foot setback is imposed in order to reduce the adverse aesthetic impact of the increased height of the proposed fence. Fences adjacent to normal residential streets and sidewalks should be required to adhere to the 4-foot height requirement. The recreational trail adjacent to the applicant's lot is 10-feet wide, which is the widest trail used by the city.

Devils Glen Road is becoming more heavily traveled each year as development continues along the road and to the north of the area including the developments occurring at the Bettplex Subdivision. There is sufficient right-of-way for Devils Glen Road to be widened to at least four lanes in the future from 53<sup>rd</sup> Avenue to Forest Grove Drive. That widening project is not scheduled within the next five years.

Staff has made site visits regarding this request and believe that the request, if approved, will not interfere with any line-of-sight issues for any vehicular traffic in the area.

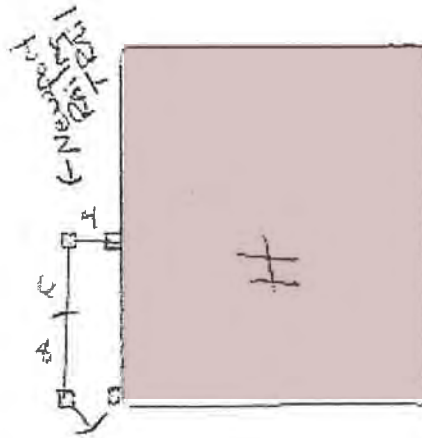
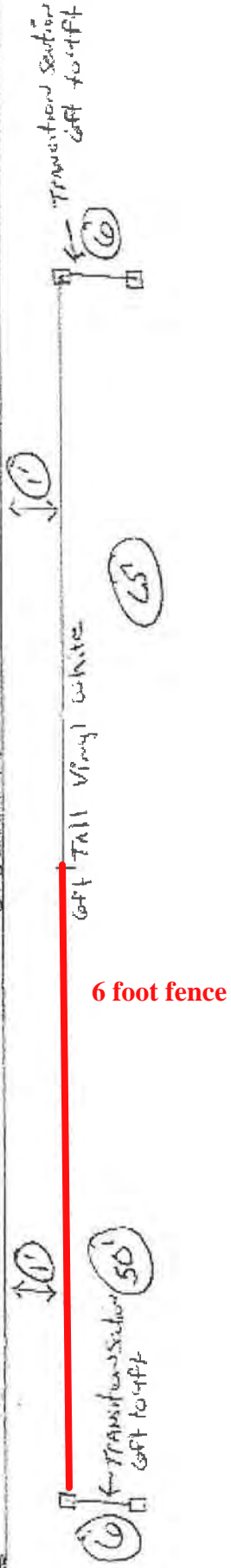
Respectfully submitted,

John Soenksen  
City Planner



Devils Glen Rd

SEDEWALK



5738 Danielle Dr  
Tune Schindler



5762 Danielle Dr  
Damian Brunt



Case No. 19-051

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

Part 1. Property Involved.

Street Address: 5738 Danielle Drive Bettendorf, IA 52722

Legal Description of the property: ~~single family home~~  
LOT 1 Fountains & m Add

Part 2. Contact Information.

Applicant Name: June Schindler - Revocable Trust Phone: 563-359-0476  
Address: 5738 Danielle Drive, Bett IA FAX: \_\_\_\_\_  
E-mail Address: junebug1527@msn.com

Owner Name: same as above 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.

see attached letter and fence diagram

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 \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

Signature of Applicant Jane M Schindler Signature of Owner Jane M Schindler  
(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 )

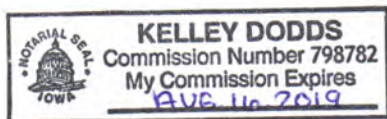
Before me the undersigned Notary Public, in and for the County and State, personally appeared applicant(s) and separately and severally acknowledge the execution of the foregoing application is his/her voluntary act and deed, for the purposes therein expressed.

Witness my Hand and Notarial Seal this 21<sup>st</sup> day of JUNE, 2019  
Kelley Dodds  
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 \$50 Date 6-21-2019  
Credit Card



June M. Schindler  
5738 Danielle Drive  
Bettendorf, IA 52722

June 21, 2019

City of Bettendorf  
Zoning Board

RE: Application for Variance/Exemption to Fence Code Set Back

This is a request for variance for fencing on my property at 5738 Danielle Drive. I understand that the City currently requires a 30' setback for placement of a 6' high fence.

My home (an individual villa) is in a 55+ retirement community. The backyard of my property faces west and ends at the Bettendorf Recreational Trail, just 23' from my concrete patio, and 25' from the structure itself. It also faces Devils Glen Road, an extremely busy road, with heavy, increasing traffic from residential and commercial developments to the north.

I am very concerned about safety, privacy, and unwanted intrusions on my property from the busy recreational trail and Devil's Glen Road. Activity on the trail also limits the functionality of any electronic security I may install due to obvious frequent movement on the trail.

Therefore, I am requesting a variance to allow a 6' privacy fence to be located 1' from the trail to extend the length of my property. This request has been approved by the Fountains General Manager, providing that the fence be white and match other fences located on Fountains properties to the south. The fence would be installed by a professional fence company (Lovewell Fencing) and will follow applicable fence installation codes and requirements. A sketch of the installation is attached.

My neighbors to the north, Damian and Linda Brunt, 5762 Danielle Drive, are also requesting the variance. We plan to install the fencing across both properties to provide a continuous visual appearance from the recreational path and Devil's Glen Road.

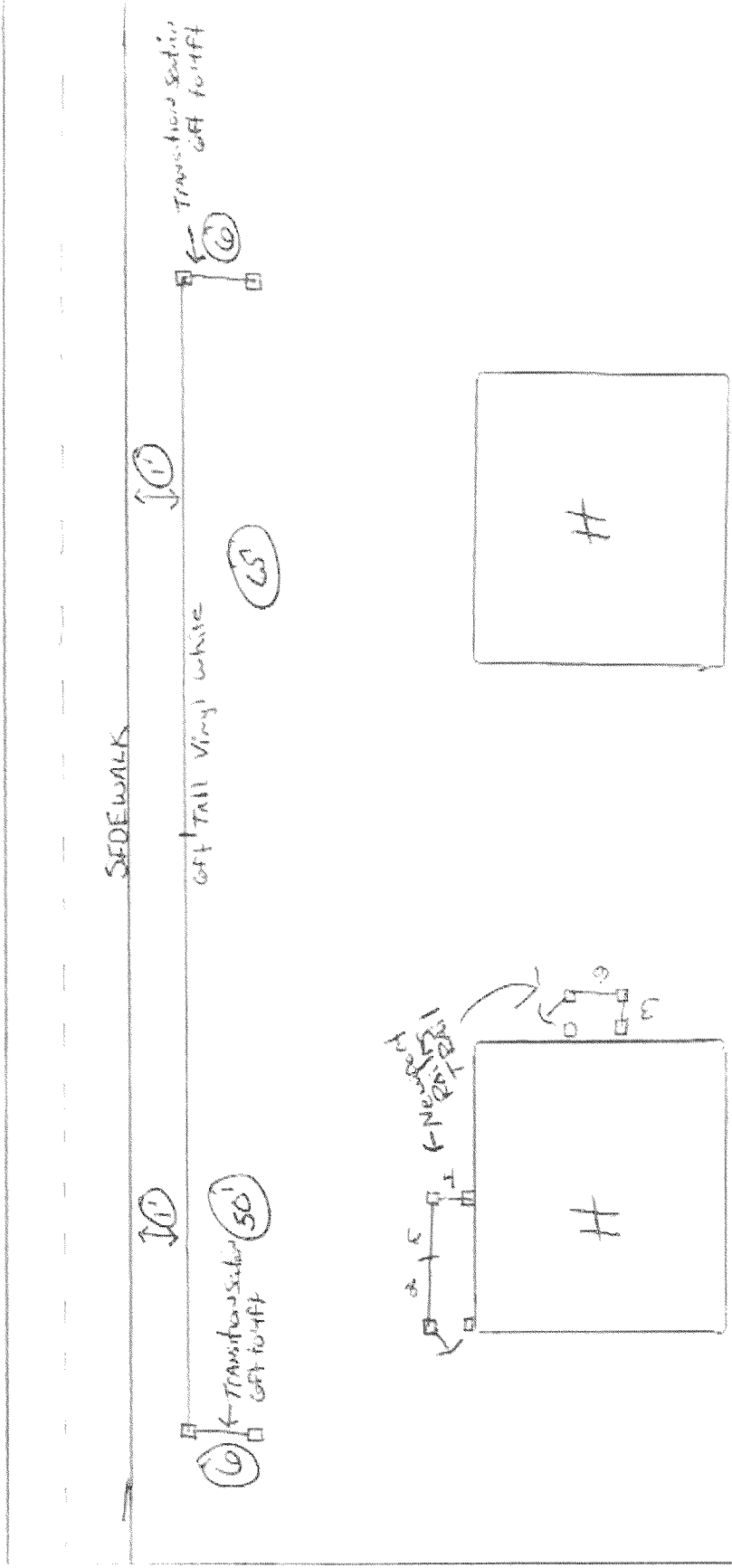
Your consideration is very much appreciated.

Sincerely,



June M. Schindler

Devils Glen Rd



5738 Danielle Dr  
June Schindler

5762 Danielle Dr  
Damian Brunt



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

August 8, 2019

Staff Report

**Case No. 19-055**

**Location:** 6776 Championship Drive

**Applicant:** Middle & 80, LLC

**Zoning Designation:** C-3, General Business District

**Request:** Special Use permit to allow a bar with an outdoor service area.

**Background Information and Facts**

The building will be located at the northwest corner of Forest Grove Drive and Championship Drive (see Attachment A – Location Map). The outdoor service area will be on the east side of Building 1 (see Attachment B – Site Plan).

**Staff Analysis**

The proposed location of the bar and outdoor service area is in the commercial development southwest of the Cambria Hotel that recently opened. The highlighted area shows the outdoor service area for the proposed micro-brewery/bar.

This property, and a small percentage of the overall sports/retail complex, is zoned C-3, General Business District while the vast majority of the overall sports/retail complex is zoned C-7, Regional Entertainment District as shown on Attachment A.

“The C-7 public gathering and recreational activity district is intended to provide areas for entertainment and commercial uses. The uses permitted are characterized by large public gatherings having high volumes of traffic, noise and disruption potential, and being located adjacent to high volume traffic streets and highways. Such facilities are expected to have large groups of people for relatively short periods of time which may be conducted on a seasonal basis”.

This overall type of development, including large outdoor service areas, is expected to occur within the C-7 District and this adjacent (and smaller) C-3 District. Interconnectivity between businesses with outdoor facilities is encouraged within this unique development. It is anticipated that customers of the adjacent hotel, sports complex, restaurant(s), and other bar(s) will also be patrons of this business who will be walking back and forth

between the facilities while leaving their car(s) in a single parking space somewhere throughout the complex.

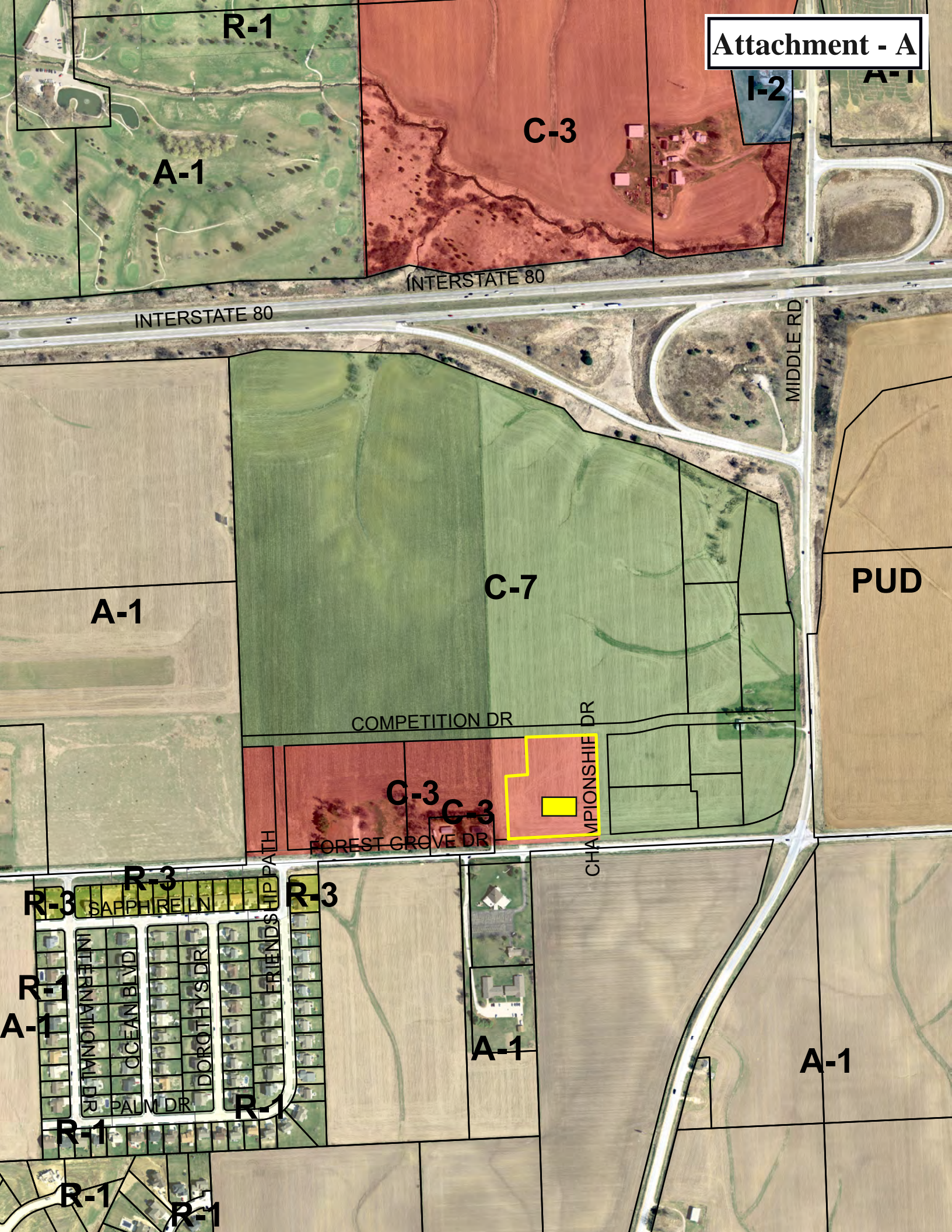
The Planning and Zoning Commission held a public hearing and recommended approval of a site development plan that was subsequently approved by the Bettendorf City Council.

The Board has approved other outdoor service areas in this development area, and this request appears to be consistent with the nature of the area's overall development.

Given the character of the total development, including this specific request, the request appears to be in harmony with the development occurring in the area.

Respectfully submitted,

John Soenksen  
City Planner



R-1

A-1

C-3

I-2

A-1

INTERSTATE 80

INTERSTATE 80

MIDDLE RD

A-1

C-7

PUD

COMPETITION DR

CHAMPIONSHIP DR

C-3

C-3

FOREST GROVE DR

R-3

R-3

R-3

SAFFIRE LN

R-1

A-1

INTERNATIONAL DR

OCEAN BLVD

DOROTHYS DR

FRIENDSHIP PATH

PALM DR

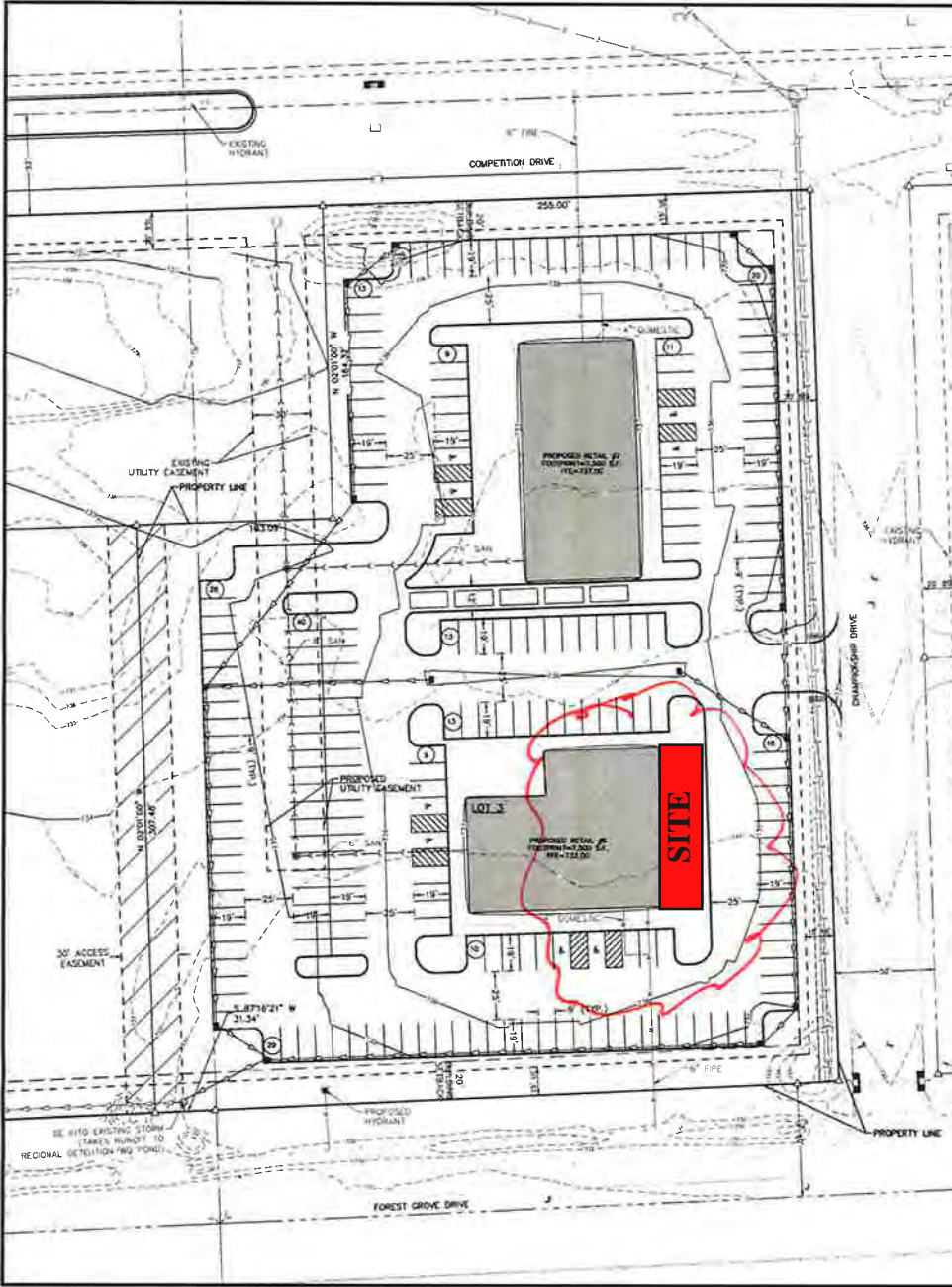
R-1

A-1

A-1

R-1

R-1





Case No. 19-055

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

**Part 1. Property Involved.**

Street Address 6770 CHAMPIONSHIP DR.  
Legal Description of the property. LOT 3 BETTPLEX THIRD ADJUTED

**Part 2. Contact Information.**

Applicant/Contact Name MIDDLE + CO, LLC Phone 563-355-2022  
Address 1805 STATE ST. SUITE 101  
E-mail Address: kevin.k@buildtesuitinc.com  
Owner Name \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
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. \_\_\_\_\_

**Part 4. General Information.**

Section(s) of Zoning Ordinance Involved \_\_\_\_\_ Existing Zoning C-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.

LOOKING FOR PERMISSION TO HAVE FOOD  
+ DRINK + ACCOM IN A PATIO AREA  
ADJACENT TO A BAR/RESTAURANT.

**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.**

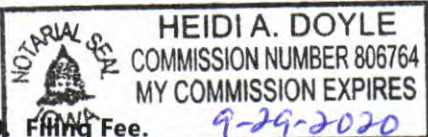
I (we) depose and say that all the information contained in this application and the statements contained in the papers submitted herewith are true. Witness our Hands and Seals this 17 day of July, 2019.

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 17 day of July, 2019.



Heidi A Doyle  
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 \$ 100. Date 7/19/19  
CK#1152



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

August 8, 2019

Staff Report

**Case No. 19-056**

**Location:** 2285 St. Andrews Circle

**Applicant:** Rabbi Shneur Cadaner/Chabad Lubavitch of the Quad Cities

**Zoning Designation:** R-1, Single-family Residence District

**Request:** Variance from the requirement that a religious assembly be located such that it fronts on a collector or arterial thoroughfare so designated in the comprehensive plan.

**Background Information and Facts**

The site is located at the southwest corner of 18<sup>th</sup> Street and St. Andrews Circle (see Attachment A – Location Map). The applicant is seeking relief from the requirement that a place of religious assembly must front on a collector or arterial per chapter 11-11-4-A of the Code.

**Staff Analysis**

Code section 11-2-5-V states, “a property tax exemption obtained pursuant to Property Tax Code of the state of Iowa shall constitute prima facie evidence of a religious assembly”. The applicant has supplied a Consent Order CVCV298512 stating that the property involved is exempt from taxation as a religious institution. Therefore, the issue under consideration does in fact involve a place of religious assembly.

Table 1.1 “Functional Classifications” of the Bettendorf Transportation Plan identifies the following characteristics of roadway type classifications in Bettendorf:

<b><u>Classification</u></b>	<b><u>Average Daily Traffic</u></b>	<b><u>Access</u></b>	<b><u>Right-of-Way Width</u></b>
Interstate	40,000 - 80,000	Prohibited	300 feet
<b>Principal Arterial</b>	15,000 – 40,000	Controlled	100 – 150 feet
<b>Minor Arterial</b>	5,000-20,000	Limited	100 – 125 feet
<b>Collector</b>	1,000 – 10,000	Uncontrolled	80 – 100 feet
Local	less than 2,000	Uncontrolled	50 – 80 feet

The middle three functional classifications in bold in the above chart are the roadway types related to this request.

There are multiple religious assembly institutions adjacent to 18<sup>th</sup> Street throughout the City of Bettendorf. The following chart compares those established religious assemblies to the variance request under consideration.

Name	Address	Daily Traffic Count	ROW Width
St. John Vianney	4097 - 18 <sup>th</sup> Street	9,200	100 feet
Hope Church	1811 - 18 <sup>th</sup> Street	5,200-5,500	80 feet
St. James Lutheran	1705 Oak Street	NA (Oak Street) 4,090 (18 <sup>th</sup> Street)	50 feet (Oak Street) 60 feet (18 <sup>th</sup> Street)
Riverview Free Will	820 - 18 <sup>th</sup> Street	4,900 (North of Central Avenue)	50 feet (*proposed)
Asbury Methodist	1809 Mississippi Boulevard	1,710 (Mississippi Boulevard) 4,090 (18 <sup>th</sup> Street)	50 feet (*proposed) 60 feet (Mississippi Boulevard)

\*A portion of the right-of-way will be vacated to the adjacent property owners.

The above comparison demonstrates that the streets fronting St. John Vianney and Hope Church meet all of the characteristics of a Collector or Arterial street. The three highlighted locations above (St. James Lutheran, Riverview Free Will Baptist, and Asbury United Methodist) do not meet all of the characteristics of either a Collector or Arterial street. In fact, St. James Lutheran and Asbury United Methodist are on the corner of 18<sup>th</sup> Street fronting Local streets. 2285 St. Andrews Circle is also on a corner of 18<sup>th</sup> Street fronting a Local street.

Therefore, three of the five current religious assemblies on or adjacent to 18<sup>th</sup> Street do not meet all of the characteristics of either a Collector or Arterial Street. In addition, two of those religious assemblies are on the corner of 18<sup>th</sup> Street fronting local streets. Granting the variance would be in harmony with religious assemblies which were previously approved through the special use permit process on or adjacent to 18<sup>th</sup> Street as demonstrated above from the perspective of the relation to a collector or arterial street.

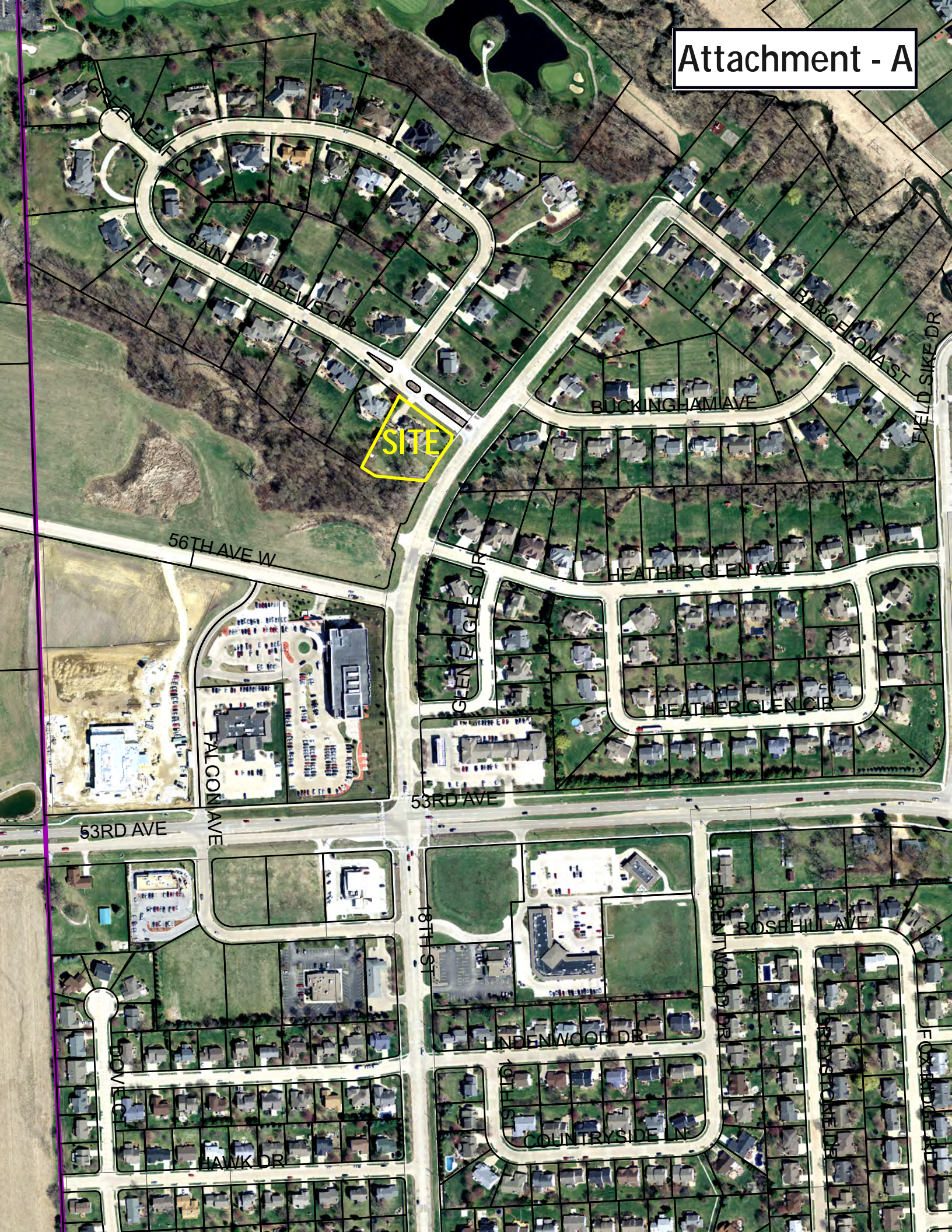
Under the current ordinance, a Religious Assembly is a permitted use in the R-1, Single-family Residence District subject to the requirement to front a collector or arterial street which is at issue in this case.

The City of Bettendorf may soon have a contractor conduct a traffic count study of 18<sup>th</sup> Street north of 53<sup>rd</sup> Avenue. There are indications that the average daily traffic count in that area may have increased recently.

Respectfully submitted,

John Soenksen  
City Planner

Attachment - A



SITE

53RD AVE

56TH AVE W

53RD AVE

18TH ST

LINDENWOOD DR

COUNTRYSIDE DR

HEATHER GLEN AVE

HEATHER GLEN CIR

BUCKINGHAM AVE

BARCHONAST

FIELD SIKE DR

ROSEHILL AVE

HAWK DR

FALCON AVE

GREENLEAF CIR

SAINT ANDREW'S CIR

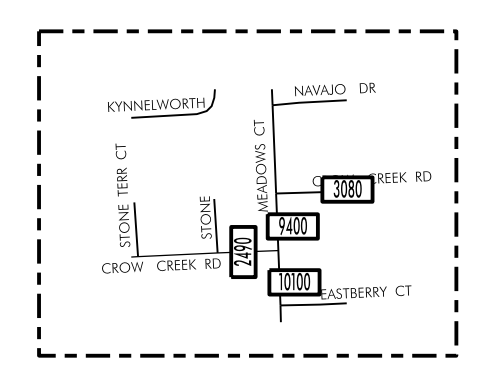
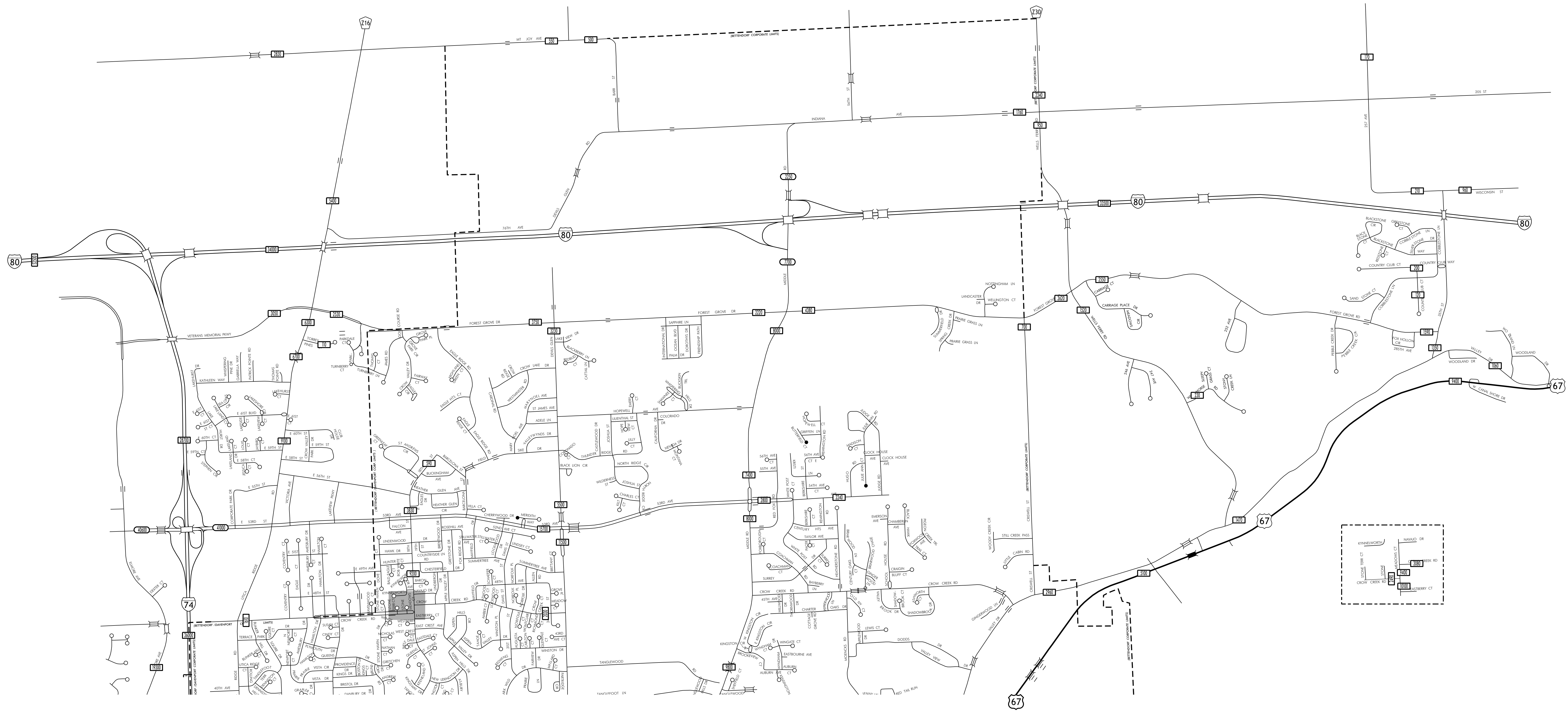
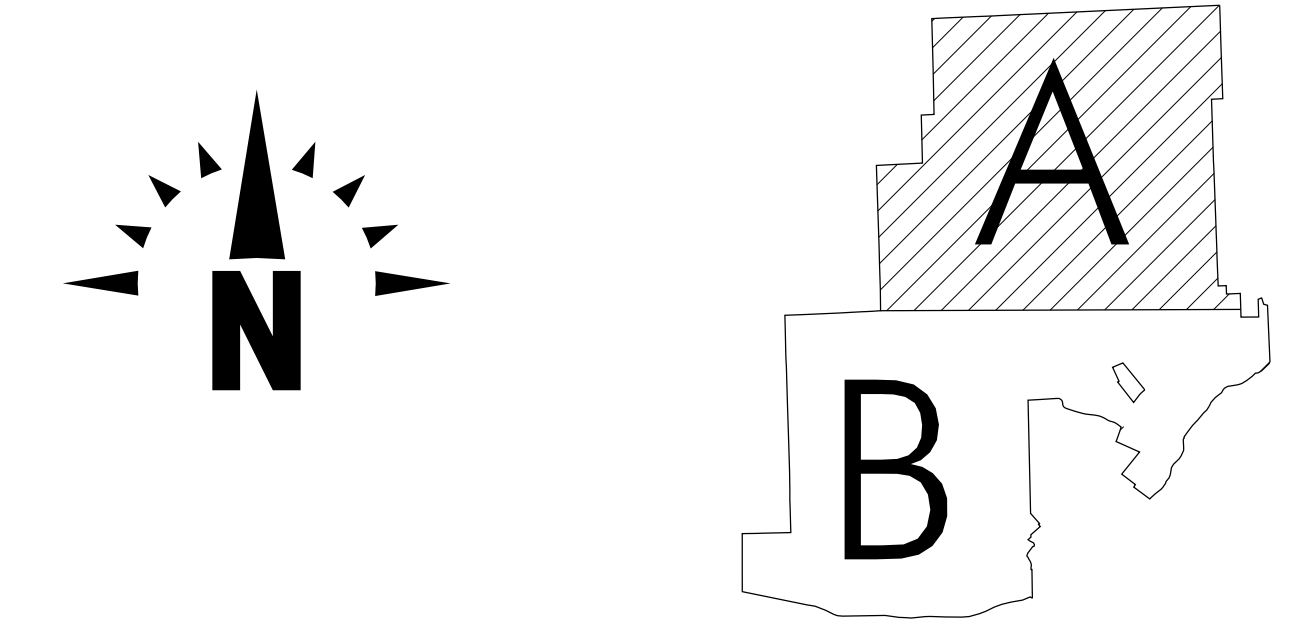
DOVE DR

SPRINGWOOD DR

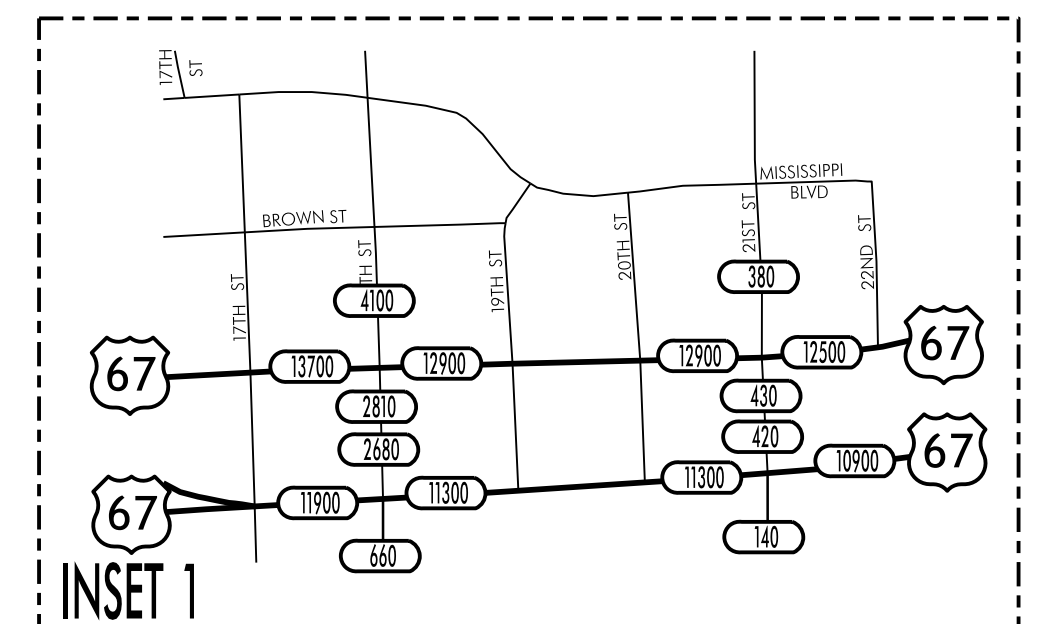
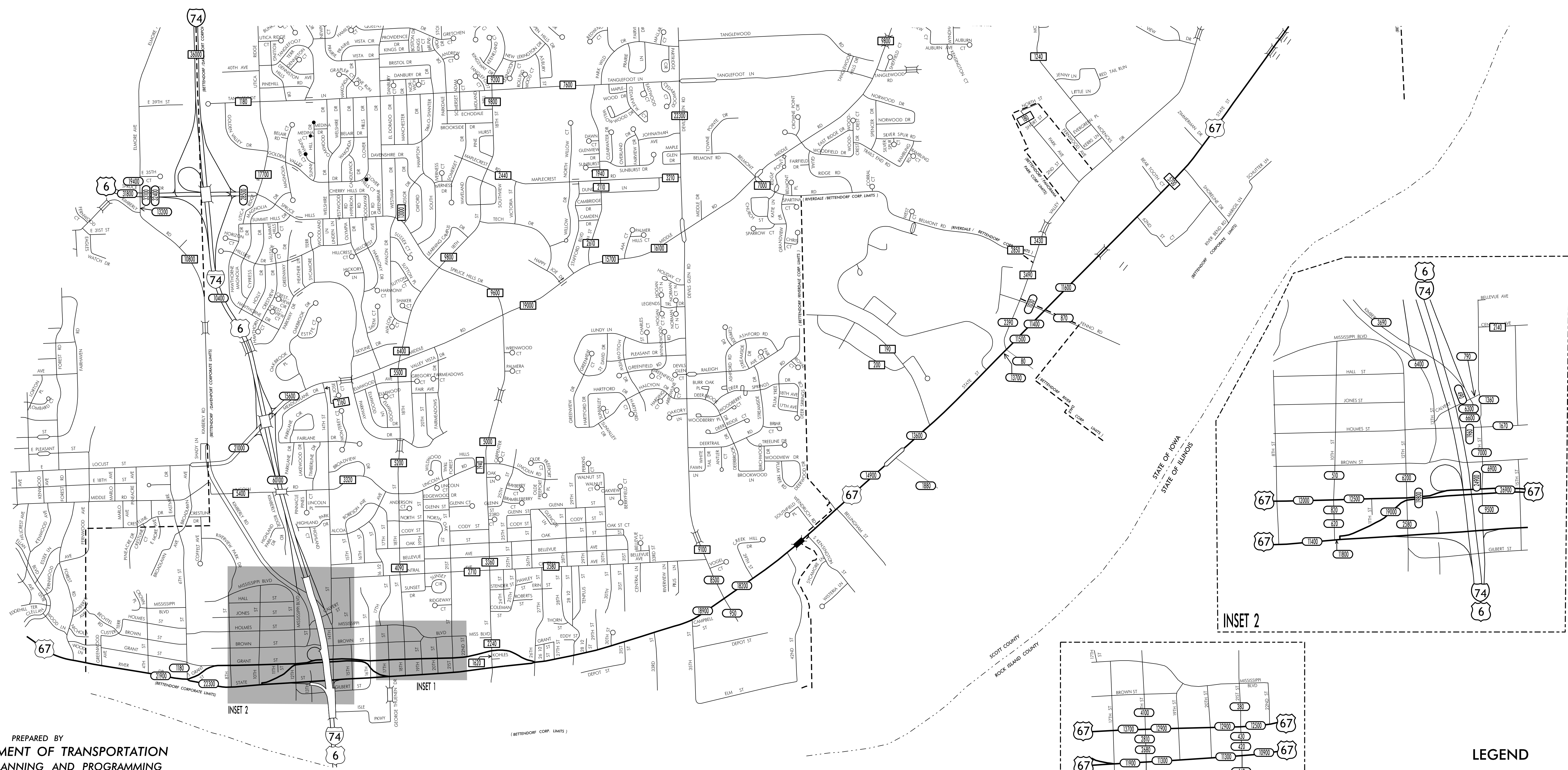
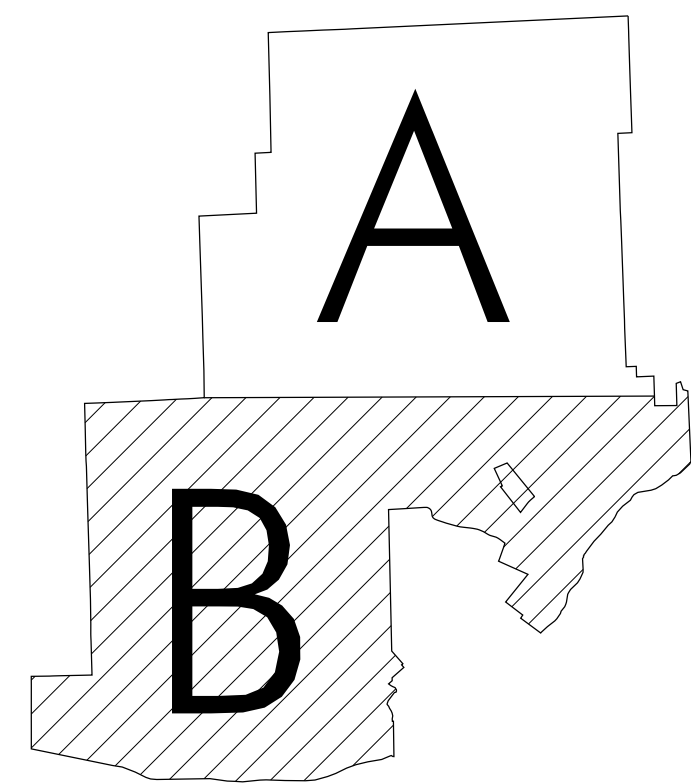
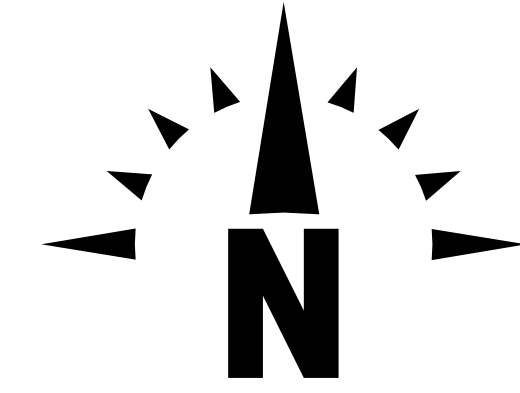
SPRINGSTONE DR

OXFORD DR

TRAFFIC FLOW MAP OF  
**BETTENDORF A**  
**SCOTT COUNTY**  
2018 ANNUAL AVERAGE DAILY TRAFFIC



TRAFFIC FLOW MAP OF  
**BETTENDORF B**  
**SCOTT COUNTY**  
 2018 ANNUAL AVERAGE DAILY TRAFFIC



INSET 2



Case No. 19-056

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

**Part 1. Property Involved.**

Street Address 2285 Saint Andrews Circle, Bettendorf, Iowa 52722

Legal Description of the property. Lot 25 in St. Andrew's Green Addition to the City of Bettendorf, Iowa

**Part 2. Contact Information.** Rabbi Shneur Cadaner Inc.

Applicant Name Chabad Lubavitch of the Quad Cities Phone 563-355-1065

Address 2285 St Andrews Circle, Bett. Ia. 52722 FAX \_\_\_\_\_

E-mail Address: chabadquadcities@gmail.com

Owner Name Chabad Lubavitch of the Quad Cities Inc. Phone 563-355-1065

Address 2285 St. Andrews Circle, Bett., Ia 52722 FAX \_\_\_\_\_

E-mail Address: chabadquadcities@gmail.com

Agent Michael J. Meloy Phone 563-359-3959

Address 2535 Tech Dr. Suite 206, Bett., Ia 52722 FAX 563-359-3953

E-mail Address: mike@meloylaw.com

**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.)

281071128 7163 11  
707 0114



BH

Part 3

1. Variance/Exception

- (a) Granting of the exception will not be in conflict with the permitted uses in R-1.
- (b) Granting of the exception will not impair an adequate supply of light and air to adjacent property.
- (c) Granting of the exception will not unreasonably increase the congestion in public streets.
- (d) Granting of the exception will not increase the danger of fire or of the public safety.
- (e) Granting of the exception will not unreasonably diminish or impair established property values within the surrounding areas.
- (f) Granting of the exception will not in any other respect impair the public health, comfort, safety, morals, or welfare of the inhabitants of the city.

Part 5

- (a) The requirement for the property to front on a collector or arterial thoroughfare presents an unusual hardship in that the existing road is 22' eastbound and 22' westbound from back of curb to back of curb and with 64'5" back of curb to back of curb at the first turn around which is in front of the property.
- (b) A variance would be in harmony with the general purpose, intent and spirit of the ordinance.
- (c) Granting of the variance will alleviate a demonstrable hardship as to warrant a variance from the official city plan, while at the same time the surrounding property will be reasonably protected.
- (d) By granting the request for a variance, substantial justice shall be done.

- I. Mobile Home Park: Use of a site under single ownership for one or more mobile home units. Generally, the land on which mobile homes are placed in a mobile home park is leased from the owner of the facility.
- J. Retirement Residence: A building or group of buildings which provide residential facilities, provided that 75 percent of the residents are at least 60 years of age, or households headed by a householder of at least 60 years of age. A retirement residence may provide a range of residential building types and may also provide support services to residents, including, but not limited to, food service, general health supervision, medication services, housekeeping services, personal services, recreation facilities, and transportation services. The retirement residence may accommodate food preparation in independent units or meal service in one or more common areas. Retirement residences may include additional health care supervision, rehabilitation services or nursing care.

#### **11-2-5. CIVIC USE TYPES:**

Civic use types include the performance of utility, educational, recreational, cultural, medical, protective, governmental, and other uses that are strongly vested with social importance.

- A. Administration: Governmental offices providing administrative, clerical, or public contact services that deal directly with the citizen, together with incidental storage and maintenance of necessary vehicles. Typical uses include federal, state, county, and city offices.
- B. Cemetery: Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematoria, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.
- C. Clubs: Uses providing meeting, recreational, or social facilities for a private, nonprofit, or noncommercial association, primarily for use by members and guests.
  - 1. Clubs (Recreational): Clubs that provide indoor and/or outdoor athletic facilities, with or without social or meeting facilities. Typical uses include country clubs, private or nonprofit community or recreation centers, and private golf courses and driving ranges.
  - 2. Clubs (Social): Clubs that provide primarily social or meeting facilities. Typical uses include private social clubs and fraternal organizations.
- D. College and University Facilities: An educational institution of higher learning that offers a course of study designed to culminate in the issuance of a degree certified by a generally-recognized accrediting organization.
- E. Convalescent Services: A use providing bed care and inpatient services for persons requiring regular medical attention, but excluding a facility providing surgical or emergency medical services, and excluding a facility providing care for alcoholism, drug addiction, mental disease, or communicable disease. Typical uses include nursing homes.
- F. Cultural Services: A library, museum, or similar registered nonprofit organizational use displaying, preserving, and exhibiting objects of community and cultural interest in one or more of the arts and sciences.
- G. Day Care Services (Limited): This use type includes all classifications of day care facilities regulated by the state of Iowa that operate providing care for five (5) or fewer persons. This

term includes nursery schools, preschools, day care centers for children or adults, and similar uses, but excludes public and private primary and secondary educational facilities.

- H. Day Care Services (General): This use type includes all classifications of day care facilities regulated by the state of Iowa that operate providing care for six (6) or more persons. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses, but excludes public and private primary and secondary educational facilities.
- I. Detention Facilities: A publicly-operated or contracted use providing housing and care for individuals legally confined, designed to isolate those individuals from the community.
- J. Elder Group Home:
  - 1. A single-family residence that is operated by a person who is providing room, board, and personal care and may provide health-related services to three through five elders who are not related to the person providing the service within the third degree of consanguinity or affinity, and which is staffed by an on-site manager 24 hours per day, seven days per week.
  - 2. Cities are required by Iowa Code to treat elder group homes as permitted uses in all residential districts, including all single-family residential districts. (Iowa Code 231.B.1(4))
- K. Emergency Residential Services: A facility or use of a building to provide a protective sanctuary for victims of crime or abuse, including emergency housing during crisis intervention for victims of rape, abuse, or physical beatings.
- L. Family Home: A community-based residential home which is licensed as a residential care facility under Iowa Code Chapter 135C or as a child foster care facility under Chapter 237 to provide room and board, personal care, habilitation services, and supervision in a family environment exclusively for not more than eight persons with a developmental disability or brain injury and any necessary support personnel. However, family home does not mean an individual foster family home licensed under Chapter 237. Cities are required by Iowa Code to treat family homes as permitted uses in all residential districts, including all single-family residential districts. (Iowa Code 414.22)
- M. Homes for Persons with Physical Disabilities: As provided for in Iowa Code Chapter 504C.1, individuals with physical disabilities may form nonprofit corporations pursuant to Chapter 504 for the sole purpose of establishing homes for persons with disabilities which are intended to serve two to five residents who are members of the nonprofit corporation. Cities are required by Iowa Code to treat homes for persons with physical disabilities no more restrictively than family homes, that is, as permitted uses in all residential districts, including all single-family residential districts.
- N. Guidance Services: A use providing counseling, guidance, recuperative, or similar services to persons requiring rehabilitation assistance as a result of mental illness, alcoholism, detention, drug addiction, or similar condition on a daytime care basis.
- O. Health Care: A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an outpatient basis including emergency treatment, diagnostic services, training, administration and services to outpatients, employees, or visitors.

- P. Hospital: A facility providing medical, psychiatric, or surgical service for sick or injured persons primarily on an inpatient basis, including emergency treatment, diagnostic services, training, administration, and services to patients, employees, or visitors.
- Q. Maintenance Facilities: A public facility supporting maintenance, repair, vehicular or equipment servicing, material storage, and similar activities, including street or sewer yards, equipment service centers, and similar uses having characteristics of commercial services or contracting or industrial activities.
- R. Park and Recreation Services: Publicly-owned and operated parks, playgrounds, and recreation facilities, including publicly-owned community centers and open spaces.
- S. Postal Facilities: Postal services, including post offices, bulk-mail processing, or sorting centers operated by the United States Postal Service.
- T. Primary Educational Facilities: A public, private, or parochial school offering instruction at the elementary school level in the branches of learning study required to be taught in schools within the state of Iowa.
- U. Public Assembly: Facilities owned and operated by a public agency, charitable nonprofit, or private organization accommodating major public assembly for recreation, sports, amusement, or entertainment purposes. Typical uses include civic or community auditoriums, sports stadiums and arenas, convention facilities, fairgrounds, incidental sales, and exhibition facilities.
- V. Religious Assembly: A use located in a permanent building and providing regular organized religious worship and religious education incidental thereto (excluding private primary or private secondary educational facilities, community recreational facilities, day care facilities, and incidental parking facilities). A property tax exemption obtained pursuant to Property Tax Code of the state of Iowa shall constitute prima facie evidence of religious assembly use.
- W. Safety Services: Facilities for conduct of public safety and emergency services including police and fire protection services and emergency medical and ambulance services.
- X. Secondary Educational Facilities: A public, private, or parochial school offering instruction at the junior high or high school level in the branches of learning and study required to be taught in the schools of the state of Iowa.
- Y. Utilities: Any above-ground structures or facilities, other than lines, poles, and other incidental facilities, used for the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, energy media, communications, electronic or electromagnetic signals, or other services which are precedent to development and/or use of land.

#### **11-2-6. OFFICE USE TYPES:**

Office use types include uses providing for administration, professional services, and allied activities. These uses often invite public clientele but are more limited in external effects than commercial uses.

- A. General Offices: Use of a site for business, professional, or administrative offices who may invite clients from both local and regional areas. Typical uses include real estate, insurance,

### **11-11-3. SUPPLEMENTAL USE REGULATIONS – RESIDENTIAL USES:**

- A. Single-Family Detached Design Standards: All single-family detached dwellings for which a building permit has been issued on or after [date of ordinance adoption] shall comply with the following minimum design standard:
  - 1. Minimum Structure Width: The minimum dimension (width) of the main body of the residential structure shall not be less 22 feet for at least 75 percent of the distance of the major dimension (length). (2008 Code App. B § 14.17)
- B. Townhouses in R-3 and R-4 Districts: In the R-3 and R-4 districts, townhouses are limited to a maximum of eight attached dwellings.
- C. Trucks on Residentially Used Lots: No truck of three-quarter ton rated capacity or other type commercial vehicular equipment shall be parked or stored on a lot in any residential district or urban DCA, except when located in a garage or enclosed structure. This provision shall not apply to a bona fide agricultural use.
- D. Parking of Recreational Vehicles on Residential Lots: One recreational vehicle may be parked in the rear or side yard not closer than two feet from the rear lot line or buildable area of the lot. Other recreational vehicles may be parked on the lot when stored in an enclosed, permanent structure.
- E. Tents on Residential Lots: Tents shall not be erected, used, or maintained on any lot, except such small tents that are customarily used for temporary recreational purposes. (2008 Code App. B § 14.18)

### **11-11-4. SUPPLEMENTAL USE REGULATIONS – CIVIC USES:**

- A. Religious Assembly: Places of religious assembly are permitted provided the property for said use fronts on a collector or arterial thoroughfare so designated in the comprehensive plan.
- B. Clubs, Recreational: Country club, tennis club, swimming pool, and similar recreational uses, where permitted, requires the property for said use to front on a collector or arterial thoroughfare so designated in the comprehensive plan.
- C. Day Care Centers (General): Each day care center (general) must be validly licensed by the state of Iowa.
- D. Group Care Facilities and Group Homes: Each group care facility or group home must be validly licensed by either the state of Iowa or the appropriate governmental agency.

### **11-11-5. SUPPLEMENTAL USE REGULATIONS – OFFICE USES:**

### **11-11-6. SUPPLEMENTAL USE REGULATIONS – COMMERCIAL USES:**

- A. Stables: Stables, riding stables, and academies are required to be located not nearer than 500 feet to any zoned residential district, urban DCA, or an existing dwelling, other than the dwelling of the owner or lessee of the site.

### 11-4-3. LEVELS OF PERMITTED USES:

Within zoning districts in Bettendorf, different uses are permitted with different conditions. These are displayed in the permitted use table. A blank cell means the use is not permitted in the zoning district. Levels of permission include:

- A. Uses which are Permitted by Right: These uses are permitted subject to issuance of an occupancy permit by the zoning administrator, subject only to compliance with all regulations of this ordinance. These uses are indicated in the permitted use table by a "P" in the applicable cell.
- B. Special Uses: These uses are subject to approval of a special use permit by the zoning board of adjustment, following the procedure set forth in Chapter 15 of this title. These uses are indicated in the permitted use table by an "S" in the applicable cell with supplemental regulations listed in the right column.

### 11-4-4. SUPPLEMENTAL USE REGULATIONS:

Certain permitted uses require satisfaction of specific requirements in order to function successfully in their urban or rural contexts. These supplemental requirements are set forth in Chapter 11 of this title. These requirements are cross-referenced in the "supplementary regulations" column of the permitted use table.

### 11-4-5. PERMITTED USE TABLE:

Table 11-4-5A Agricultural, Residential, Civic, and Office Permitted Use Table

Zoning Districts	A1	A2	R1	R2	R3	R4	R5	R M HP	C1	C2	C3	C6	C7	I1	I2	I3	Supplemental Regulations
<b>Use Types</b>																	
<b>Agricultural Uses</b>																	
Horticulture	P										P				P	P	
Crop Production	P	P	P	P	P	P	P										
Animal Production	P																
Livestock Sales	P																
<b>Residential Uses</b>																	
Single-Family Detached	P	P	P	P	P	P	P										
Single-Family Attached					P	P	P										
Duplex					P	P	P										
Townhouse					P	P	P			P							
Multiple-Family						P	P			P	P		S				
Downtown Residential									P	P	P						

Zoning Districts	A1	A2	R1	R2	R3	R4	R5	R M HP	C1	C2	C3	C6	C7	I1	I2	I3	Supplemental Regulations
Live/Work Dwelling									P	P	P						
Group Residential						P	P			P							
Boarding House							P			P	P						
Mobile Home Park								P									
<b>Civic Uses</b>																	
Administration	P					S	S		P	P	P	P					
Cemetery	S																
Clubs (Recreational)		P	S	S	S	S	P		P	P	P						
Clubs (Social)					S	S	P		P	P	P						
College/University						S	P			P	P	P		P	P		
Convalescent Services						S	P			P	P						
Cultural Services			S	S	S	S	S		S	P	P	P	P				
Day Care (Limited)		H O P	H O P	H O P	H O P	H O P	H O P		P	P	P	S					Permitted by HOP in R
Day Care (General)		S	S	S	S	S	S		P	P	P	S		S	S		
Detention Facilities											S			S	S	S	
Emergency Residential						S	S			S	S						
Group Care Facility						S	S		S	P							
Family Home			P	P	P	P	P										By State Law
Guidance Services						S	S			S	S						
Health Care						S	S		P	P	P	P	P				
Hospital						S	S			P	P	P		P	S		
Maintenance Facility														P	P	P	
Park and Recreation	P	P	P	P	P	P	P		P	P	P	P	P	P	S		
Postal Facilities	P	P	P	P	P	P	P		P	P	P	P		P			
Primary Education		P	P	P	P	P	P			P	P						
Public Assembly										P	P	P	P	P	P		
Religious Assembly		P	P	P	P	P	P		P	P	P						
Safety Services			S	S	S	S	S		P	P	P	P	P				
Secondary Education		P	P	P	P	P	P			P	P						
Utilities	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	*Sewage treatment SUP, Power Plant restricted locations
Zoning Districts	A1	A2	R1	R2	R3	R4	R5	R M HP	C1	C2	C3	C6	C7	I1	I2	I3	Supplemental Regulations

**IN THE IOWA DISTRICT COURT FOR SCOTT COUNTY**

---

CHABAD LUBAVITCH OF THE	)	
QUAD CITIES,	)	
	)	CVCV298512
APPELLANT,	)	
	)	CONSENT ORDER
vs	)	
	)	
SCOTT COUNTY ASSESSMENT	)	
BOARD OF REVIEW, and	)	
BERNICE KOBERG,	)	
	)	
APPELLEES.	)	

---

The above matter comes before the Court pursuant to the Petition on Appeal filed herein, and the Court having been advised that the parties have reached a comprehensive agreement in settlement of this cause, as evidenced by the signatures of their respective counsel affixed hereto, and being otherwise fully advised in the premises, makes the following findings:

1. The above-captioned matter is an appeal from the decision of the Scott County Board of Review to assess the Appellants' real estate which is described as follows:

Street Address: 2285 St. Andrews Circle, Bettendorf, Iowa

Legal description: Lot 25 in St. Andrew's Green Addition to the City of Bettendorf, Iowa.

PARCEL NO. 840921125

in the total amount of \$494,550.00 for the above-described real estate for the tax assessment date of January 1, 2017.

2. Appellant appealed the assessment claiming it is exempt from taxation pursuant to Iowa Code Section 427.1(8)(a) because it is a religious institution.

3. The parties agree that the property is a religious institution and is exempt from property taxation.

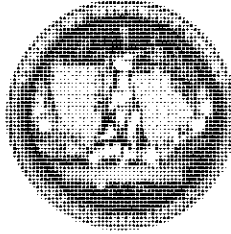
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the above described real estate is exempt from taxation as a religious institution pursuant to Iowa Code Section 427.1(8)(a) for the tax years beginning January 1, 2017 and each year thereafter. That the Clerk of Court shall certify this decision to the Scott County Auditor and to the Scott County Assessor; that the tax assessment records be corrected accordingly; and that the costs of this action are waived.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Scott County Treasurer shall return to Chabad Lubavitch of the Quad Cities the payment made for the first installment of the 2017 taxes in the amount of \$4,619.00 within thirty days of the date of this Order.

Approved:

/s/ Michael J. Meloy  
Michael J. Meloy  
Attorney for Appellant

/s/ Robert L. Cusack  
Robert L. Cusack  
Assistant Scott County Attorney  
Attorney for Appellee



State of Iowa Courts

**Type:** ORDER FOR CONSENT DECREE

**Case Number**      **Case Title**  
CVCV298512      CHABAD V. SCOTT COUNTY ASSESSMENT BOARD OF  
REVIEW

So Ordered

A handwritten signature in black ink, appearing to read 'Mark D. Cleve', written over a horizontal line.

Mark D. Cleve, District Court Judge,  
Seventh Judicial District of Iowa



Doc ID: 020975000002 Type: LAN  
Recorded: 01/31/2017 at 04:10:20 PM  
Fee Amt: \$17.00 Page 1 of 2  
Scott County Iowa  
Rita A. Vargas Recorder

File **2017-00002695**

William L. Breedlove ISBA #  
AT0011548

**Return Document To: Winstein, Kavensky & Cunningham, 224-18<sup>th</sup> St, 4<sup>th</sup> FL, Rock Island, IL 61201**

**Preparer Information: Winstein, Kavensky & Cunningham, 224-18<sup>th</sup> St, 4<sup>th</sup> FL, Rock Island, IL 61201**

**Taxpayer Information: CHABAD LUBAVITCH OF THE QUAD CITIES INC.  
2285 ST. ANDREW'S CIRCLE, BETTENDORF IOWA 52722  
QUIT CLAIM DEED**

For the consideration of 1.00 Dollar(s) and other valuable consideration, Shneur Cadaner and Chana Cadaner, husband and wife, as joint tenants, hereby Quit Claim to Chabad Lubavitch of the Quad Cities, Inc., all our right, title, interest, estate, claim and demand in the following described real estate in Scott County, Iowa:

Lot 25 in St. Andrew's Green Addition to the City of Bettendorf, Iowa.

The undersigneds hereby relinquish all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated this 31st day of January, 2017

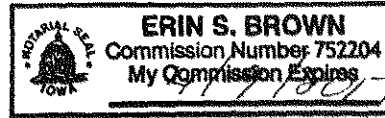
Shneur Cadaner  
Shneur Cadaner (Grantor)

Chana Cadaner  
Chana Cadaner (Grantor)

Consideration less than \$500<sup>00</sup>.

STATE OF IOWA, COUNTY OF SCOTT

This instrument was acknowledged before me on 31st day of January, 2016 by Shneur Cadaner  
Chara Cadaner, Notary Public





**LOT CURVE SEGMENTS**

NO.	BEARING	DISTANCE
1	N 0° 15' 40" W	100.00
2	S 89° 44' 20" E	100.00
3	S 0° 15' 40" W	100.00
4	N 89° 44' 20" E	100.00
5	N 0° 15' 40" W	100.00
6	S 89° 44' 20" E	100.00
7	S 0° 15' 40" W	100.00
8	N 89° 44' 20" E	100.00
9	N 0° 15' 40" W	100.00
10	S 89° 44' 20" E	100.00
11	S 0° 15' 40" W	100.00
12	N 89° 44' 20" E	100.00
13	N 0° 15' 40" W	100.00
14	S 89° 44' 20" E	100.00
15	S 0° 15' 40" W	100.00
16	N 89° 44' 20" E	100.00
17	N 0° 15' 40" W	100.00
18	S 89° 44' 20" E	100.00
19	S 0° 15' 40" W	100.00
20	N 89° 44' 20" E	100.00
21	N 0° 15' 40" W	100.00
22	S 89° 44' 20" E	100.00
23	S 0° 15' 40" W	100.00
24	N 89° 44' 20" E	100.00
25	N 0° 15' 40" W	100.00
26	S 89° 44' 20" E	100.00
27	S 0° 15' 40" W	100.00
28	N 89° 44' 20" E	100.00
29	N 0° 15' 40" W	100.00
30	S 89° 44' 20" E	100.00
31	S 0° 15' 40" W	100.00
32	N 89° 44' 20" E	100.00
33	N 0° 15' 40" W	100.00
34	S 89° 44' 20" E	100.00
35	S 0° 15' 40" W	100.00
36	N 89° 44' 20" E	100.00
37	N 0° 15' 40" W	100.00
38	S 89° 44' 20" E	100.00
39	S 0° 15' 40" W	100.00
40	N 89° 44' 20" E	100.00
41	N 0° 15' 40" W	100.00
42	S 89° 44' 20" E	100.00
43	S 0° 15' 40" W	100.00
44	N 89° 44' 20" E	100.00
45	N 0° 15' 40" W	100.00
46	S 89° 44' 20" E	100.00
47	S 0° 15' 40" W	100.00
48	N 89° 44' 20" E	100.00
49	N 0° 15' 40" W	100.00
50	S 89° 44' 20" E	100.00
51	S 0° 15' 40" W	100.00
52	N 89° 44' 20" E	100.00
53	N 0° 15' 40" W	100.00
54	S 89° 44' 20" E	100.00
55	S 0° 15' 40" W	100.00
56	N 89° 44' 20" E	100.00
57	N 0° 15' 40" W	100.00
58	S 89° 44' 20" E	100.00
59	S 0° 15' 40" W	100.00
60	N 89° 44' 20" E	100.00

**CENTERLINE CURVE DATA**

STATION	PC	PT	PI	STATION	PC	PT	PI
1+00.00	1+00.00	1+00.00	1+00.00	1+00.00	1+00.00	1+00.00	1+00.00
1+00.00	1+00.00	1+00.00	1+00.00	1+00.00	1+00.00	1+00.00	1+00.00
1+00.00	1+00.00	1+00.00	1+00.00	1+00.00	1+00.00	1+00.00	1+00.00
1+00.00	1+00.00	1+00.00	1+00.00	1+00.00	1+00.00	1+00.00	1+00.00
1+00.00	1+00.00	1+00.00	1+00.00	1+00.00	1+00.00	1+00.00	1+00.00

**COX CABLE TELEVISION CO.**  
 DATE: 11/11/11  
 BY: [Signature]

**U.S. WEST COMMUNICATIONS**  
 DATE: 11/11/11  
 BY: [Signature]

**POWER - AMERICAN WATER CO.**  
 DATE: 11/11/11  
 BY: [Signature]

**IN-TL GAS & ELECTRIC CO.**  
 DATE: 11/11/11  
 BY: [Signature]

**CITY OF BETTENDORF, IOWA**  
 DATE: 11/11/11  
 BY: [Signature]

**ST. ANDREW'S GREEN ADDITION**  
 TO THE CITY OF BETTENDORF, IOWA  
 PART OF THE RE. 1/4 OF SEC. 9  
 T-78-N, R-4-E OF THE 20th T.M.  
 SCOTT COUNTY, IOWA

DEVELOPER:  
 ST. ANDREW'S GREEN ADDITION GROUP  
 BAYBROOK, IOWA

32.0 ACRES

**NOTICE**

1. This plat is subject to the provisions of the Iowa Code, Chapter 477, relating to the subdivision of land.

2. The plat is subject to the provisions of the Iowa Code, Chapter 477, relating to the subdivision of land.

3. The plat is subject to the provisions of the Iowa Code, Chapter 477, relating to the subdivision of land.

4. The plat is subject to the provisions of the Iowa Code, Chapter 477, relating to the subdivision of land.

5. The plat is subject to the provisions of the Iowa Code, Chapter 477, relating to the subdivision of land.

6. The plat is subject to the provisions of the Iowa Code, Chapter 477, relating to the subdivision of land.

7. The plat is subject to the provisions of the Iowa Code, Chapter 477, relating to the subdivision of land.

8. The plat is subject to the provisions of the Iowa Code, Chapter 477, relating to the subdivision of land.

9. The plat is subject to the provisions of the Iowa Code, Chapter 477, relating to the subdivision of land.

10. The plat is subject to the provisions of the Iowa Code, Chapter 477, relating to the subdivision of land.

**ST. ANDREW'S GREEN ADDITION**  
 BETTENDORF, IOWA

**FINAL PLAT**

**THE SCHRAMMER ASSOCIATES INC.**  
 ARCHITECTS - ENGINEERS - PLANNERS

DATE: 11/11/11

NO.	DATE	BY	REVISION
1	11/11/11	[Signature]	PREPARED
2	11/11/11	[Signature]	CHECKED
3	11/11/11	[Signature]	DATE: 11/11/11

**ST. ANDREW'S GREEN ADDITION**  
 BETTENDORF, IOWA

**FINAL PLAT**

**THE SCHRAMMER ASSOCIATES INC.**  
 ARCHITECTS - ENGINEERS - PLANNERS

DATE: 11/11/11

**ST. ANDREW'S GREEN ADDITION**  
 BETTENDORF, IOWA

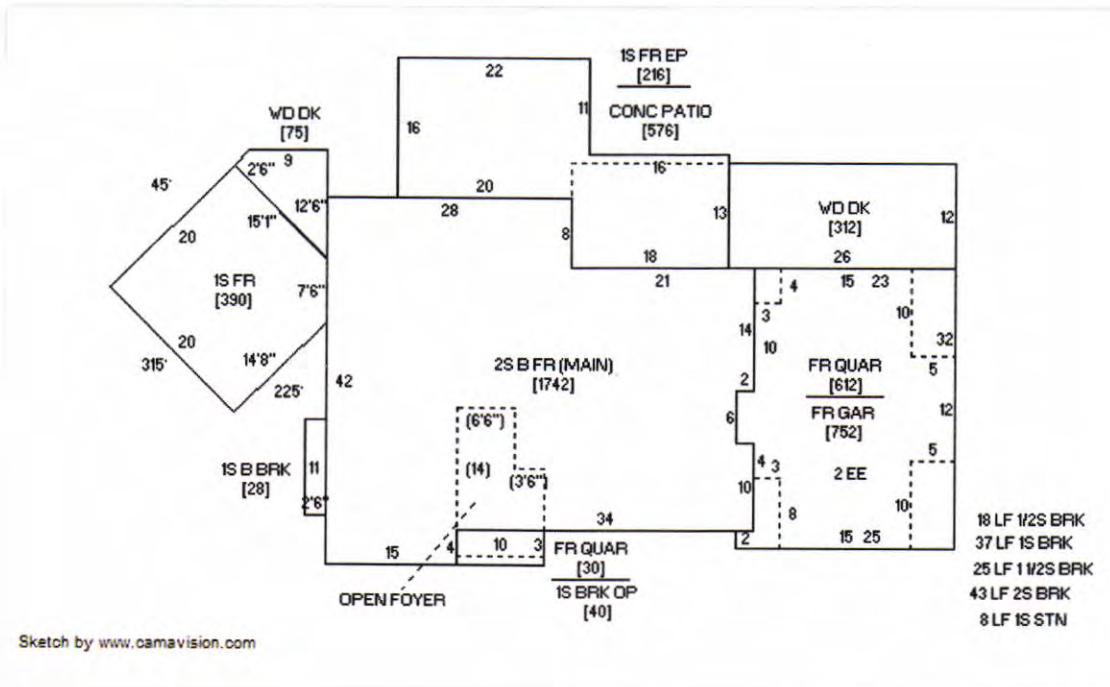
**FINAL PLAT**

**THE SCHRAMMER ASSOCIATES INC.**  
 ARCHITECTS - ENGINEERS - PLANNERS

DATE: 11/11/11



**Sketches - Assessor's Office**



**Permits - Assessor's Office**

Permit #	Date	Description	Amount
19-119	04/08/2019	BLDG -Roof	13,000
19-19	01/09/2019	MISC -Misc	2,301
17-3842	12/18/2017	PLMB -Plumbing -Gen	0
17-1389	03/20/2017	INT -Rmdl -Interior	14,000
17-1146	02/07/2017	YRD -Fence	0

**Sales - Assessor's Office**

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
1/31/2017	CADANER SHNEUR	CHABAD LUBAVITCH OF THE QUAD CITIES INC	2017-2695	QCD - Quit Claim Deed	D - Deed		\$0.00
1/26/2017	FITZPATRICK JUNE H	CADANER SHNEUR	2017-2342	NORMAL	D - Deed		\$445,000.00
1/26/2017	FITZPATRICK THOMAS L	FITZPATRICK JUNE H	2017-2341	TRD/GFT/EXCHG - Trade, Gift, Exchange sales/transfers (incl 1031 Exchg)	D - Deed		\$0.00
9/21/1990	MILLAGE CONSTR CO INC	FITZPATRICK THOMAS L	1990-18125	NORMAL - Normal Arms-Lngth Transaction	D - Deed		\$192,651.00



Summary - Auditor's Office

Parcel ID 840921125
Alternate ID
Property Address 2285 ST ANDREWS CR
BETTENDORF IA 52722
Sec/Twp/Rng N/A
Brief ST ANDREW'S GREEN ADD Lot: 025 ST ANDREW'S
Tax Description GREENADD
(Note: Not to be used on legal documents)
Deed Book/Page 2017-2695
Contract Book/Page
Gross Acres 0.87
Exempt Acres 0.87
Net Acres 0.00
Adjusted CSR Pts 0
Class R - Residential
(Note: This is for tax purposes only. Not to be used for zoning.)
District BEB - BETTENDORF BETTENDORF
School District BETTENDORF SCHOOLS
Subdivision ST ANDREW'S GREEN ADD



Owners - Auditor's Office

Deed Holder
CHABAD LUBAVITCH OF THE QUAD CITIES INC
2285 ST ANDREWS CR
BETTENDORF IA 52722

Contract Holder

Mailing Address
CHABAD LUBAVITCH OF THE QUAD CITIES INC
2285 ST ANDREWS CR
BETTENDORF IA 52722

Land - Assessor's Office

Table with 5 columns: Map Area, Lot Dimensions, Front Footage, Rear, Side 1, Side 2. Rows include Main Lot, Sub Lot 2, Sub Lot 3, Sub Lot 4.

Lot Area 0.87 Acres; 37,810 SF

Land Sizes Used For Assessment Purposes Only. Not A Survey Of The Property.

Residential Dwellings - Assessor's Office

Residential Dwelling
Occupancy Single Family Dwelling
Style 2 Story Frame
Year Built 1990
Exterior Material Alum
Total Gross Living Area 4,428 SF
Attic Type None;
Number of Rooms 10 above; 5 below
Number of Bedrooms 5 above; 1 below
Basement Area Type Full
Basement Area 1,770
Basement Finished Area 1,340 - Lvng Qtrs w/ Walk-Out
Plumbing 2) Full Bath -Tub (or cmbo)
1) 3/4 Bath -w/ Shwr Stll
1) 1/2 Bath -Powder Room
2) Sink, Bath/Vanity
3) Sink, Stndrd-Ktch/Lndry
1) Full Bath -W/P & Shwr Stll
Central Air Yes
Heat F/A-Gas
Fireplaces 1 Gas/Elec-Side; 1 Gas-Vertical; 1 Prefab;
Porches 1S Brick Open (40 SF); 1S Frame Enclosed (216 SF);
Decks Patio, Concrete -Md (576 SF); Wood Deck -Md (312 SF); Wood Deck -Md (75 SF);
Additions 1 Story Brick (28 SF) (28 Bsmt SF);
1 Story Frame (390 SF);
Garages 752 SF - Att Frame (Built 1990);

Yard Extras - Assessor's Office

- #1 - (1) GAZEBO Quantity=121.00, Units=Square Feet, Height=0, Built 1990
#2 - (1) Shed W8.00 x L10.00 80 SF, Frame, Average Pricing, Built 2000

Photos - Assessor's Office

Year	Due Date	Amount	Paid	Date Paid	Receipt
2009	March 2011 September 2010	\$5,821 \$5,821	Yes Yes	5/3/2011 9/27/2010	603074
2008	March 2010 September 2009	\$5,529 \$5,529	Yes Yes	3/29/2010 9/24/2009	601023

### Tax Sale Certificates - Treasurer's Office

Certificate Number:  
140048  
Certificate Buyer:  
FRTL-B331, LLC AND UMB BANK NA  
PO Box 17901  
Denver, CO 80217

Certificate Date:  
6/16/2014

Tax Sale Total:  
94.58  
Penalty:  
0.00  
Subsequent Tax Total:  
0.00  
Interest:  
4.00  
Redemption Total:  
[Click here to view Redemption Total](#)  
Additional Costs:  
0.00  
Redemption Total as of:  
7/23/2014  
Certificate Fee:  
20.00  
Status:  
Redeemed  
Bid Down Percentage:  
100%

### Special Assessments - Treasurer's Office

Project:  
20140627 - UTILITY FEE  
Accepted Date:  
6/27/2014  
Parcel Number:  
840921125  
Amortization Date:  
12/1/2015  
Amortized Interest:  
0  
Number of Years:  
1  
Payoff:  
\$0.00

Payment	Due Date	Principal Left	Tax Billed	Amortized Interest	Interest	Admin Fees	Total	Receipt Number	Date Paid
1	9/30/2015	\$123.06	\$123.06	\$0.00	\$0.00	\$5.00	\$128.06	001443.0	6/12/2015
<b>Total</b>			<b>\$123.06</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$5.00</b>	<b>\$128.06</b>		

### Scott County Data Correction Feedback Form

[Link to Data Correction Feedback Form](#)

### Treasurer Data Correction Feedback Form

[Link to Treasurer Data Correction Feedback Form](#)

### Pay Property Taxes

[Click here to pay your Property Taxes online for this parcel](#)

### Scott County Tax Credit Applications

[Apply for Homestead, Military or Business Property Tax Credits](#)

### Iowa Land Records

[View \(1990-18125\)](#)  
[View \(1990-15090\)](#)  
[View \(1990-15089\)](#)

Data for Scott County between Beacon and Iowa Land Records is available on the Iowa Land Records site beginning in 1989. For records prior to 1989, contact the County Recorder or Customer Support at [www.iowaLandRecords.org](http://www.iowaLandRecords.org).

## Recent Sales in Area

From:

07/23/2009

To:

07/23/2019

Search for Parcel Number

Assessed Property

1500

Feet

## Valuation - Assessor's Office

Classification	2019	2018	2017	2016	2015
	Residential	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$110,640	\$110,640	\$110,640	\$134,870	\$134,870
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$393,740	\$393,740	\$383,910	\$301,630	\$301,630
= <b>Gross Assessed Value</b>	<b>\$504,380</b>	<b>\$504,380</b>	<b>\$494,550</b>	<b>\$436,500</b>	<b>\$436,500</b>
- Exempt Value	(\$504,380)	(\$504,380)	\$0	\$0	\$0
= <b>Net Assessed Value</b>	<b>\$0</b>	<b>\$0</b>	<b>\$494,550</b>	<b>\$436,500</b>	<b>\$436,500</b>

## Taxation - Auditor\Treasurer's Office

	2017 Pay 2018-2019	2016 Pay 2017-2018	2015 Pay 2016-2017
x Rollback (estimated)	55.62	56.94	55.63
+ Taxable Land Value	\$61,539	\$76,794	\$75,023
+ Taxable Building Value	\$0	\$0	\$0
+ Taxable Dwelling Value	\$213,534	\$171,745	\$167,784
= <b>Gross Taxable Value</b>	<b>\$275,073</b>	<b>\$248,539</b>	<b>\$242,807</b>
- Military Credit	\$0	\$0	\$0
= <b>Net Taxable Value</b>	<b>\$275,073</b>	<b>\$248,539</b>	<b>\$242,807</b>
x Levy Rate (per \$1000 of value)	33.58124	33.51791	33.53495
= <b>Gross Taxes Due</b>	<b>\$9,237.29</b>	<b>\$8,330.51</b>	<b>\$8,142.52</b>
- Ag Land Credit	\$0.00	\$0.00	\$0.00
- Family Farm Credit	\$0.00	\$0.00	\$0.00
- Homestead Credit	\$0.00	(\$162.56)	(\$162.64)
- Disabled and Senior Citizens Credit	\$0.00	\$0.00	\$0.00
- Business Property Credit	\$0.00	\$0.00	\$0.00
= <b>Net Taxes Due</b>	<b>\$9,238.00</b>	<b>\$8,168.00</b>	<b>\$7,980.00</b>

## Tax History - Treasurer's Office

Year	Due Date	Amount	Paid	Date Paid	Receipt
2017	March 2019	\$4,619	Yes		617255
	September 2018	\$4,619	Yes	9/6/2018	
2016	March 2018	\$4,084	Yes	3/8/2018	605780
	September 2017	\$4,084	Yes	11/29/2017	
2015	March 2017	\$3,990	Yes	1/30/2017	774288
	September 2016	\$3,990	Yes	11/30/2016	
2014	March 2016	\$3,979	Yes	3/31/2016	706198
	September 2015	\$3,979	Yes	11/13/2015	
2013	March 2015	\$6,222	Yes	6/12/2015	613127
	September 2014	\$6,222	Yes	11/4/2014	
2012	March 2014	\$6,210	Yes	3/28/2014	603065
	September 2013	\$6,210	Yes	9/26/2013	
2011	March 2013	\$6,056	Yes	3/27/2013	603052
	September 2012	\$6,056	Yes	9/13/2012	
2010	March 2012	\$6,036	Yes	3/12/2012	601023
	September 2011	\$6,036	Yes	10/31/2011	



**Overview**



**Legend**

- Parcels
- Parcel Point
- Political Township
- All Roads**
- Interstate
- US Highway
- State Highway
- County Route
- Major road
- Local roads
- Ramp
- Alleyway/Access Road
- Bike/Pedestrian Trail
- Driveway
- Rights of Way
- Railroad
- County Boundary
- Major Rivers and Streams**
- River Centerline
- River Boundary
- Major Stream
- Minor Streams, Other**
- Minor Stream
- Small Lake/Pond
- Drainageways, etc
- Island
- Major Rivers and Lake**
- Lake
- Major Stream
- River
- Minor Lakes and Ponds