

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
JUNE 14, 2012
5:00 P.M.**

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

Item 1. Roll Call

PRESENT: Falk, Gallagher, Johnson, Voelliger
ABSENT: None
STAFF: Connors, Fuhrman, Soenksen

Item 2. Review of Board Procedures.

Item 3. The Board to review and approve the minutes of the meeting of May 10, 2012.

On motion by Gallagher, seconded by Falk, that the minutes of the meeting of May 10, 2012 be approved as submitted.

ALL AYES

Motion carried.

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

- a. Case 12-037; 4021 Greenbrier Drive (R-2) - A request for a variance to reduce the required front yard setback from 25 feet to 17 feet to allow construction of a deck, submitted by Douglas Larson.

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

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

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

Robin Larson, representing the applicant, explained that the current porch does not have any handrails and that the proposed deck and railing would facilitate entry to the house. She indicated that expanding the entrance to her home would allow enough room to bring large items into the house. She added that her husband had spoken with many of their neighbors, none of whom expressed any objection.

Falk asked if the steps to the proposed deck would lead directly to the existing sidewalk. Larson confirmed this.

Voelliger mentioned that while he can recall one request for a variance for a deck on Echodale Drive was denied, many of the homes in the current applicant's neighborhood have similar decks.

Falk asked if staff would be making a recommendation for or against the request. Soenksen explained that typically staff does not make a recommendation regarding requests for variance requests, just for special use permit requests. He indicated that the applicant feels that the fact that the size and configuration of the lot prohibit any type of construction is a legitimate hardship.

Voelliger commented that the deck request for Echodale Drive had been denied because of its excessive size. Soenksen stated that he does not recall a request for a variance for a deck as small as the current applicant's proposed one.

A brief discussion was held regarding Code changes over the years and differences in staff's interpretation of the Code which have affected whether or not a variance request has been deemed necessary for a deck to encroach into a required setback.

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

On motion by Gallagher, seconded by Falk, that a variance to reduce the required front yard setback from 25 feet to 17 feet to allow construction of a deck be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #4 to these minutes.

There being no further business, it was unanimously approved to adjourn the meeting at approximately 5:15 p.m.

These minutes and annexes approved

John Soenksen
City Planner