

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

**MINUTES
BETTENDORF BOARD OF ADJUSTMENT
APRIL 11, 2013
5:00 P.M.**

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

Item 1. Roll Call

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

Item 2. Review of Board Procedures.

Item 3. The Board to review and approve the minutes of the meeting of March 14, 2013.

On motion by Falk, seconded by Gallagher, that the minutes of the meeting of March 14, 2013 be approved as submitted.

ALL AYES

Motion carried.

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

- a. Case 13-010; 4 Summer Place (R-1) - A request for a variance to reduce the required rear yard setback from 40 feet to 16 feet to allow for construction of a room addition, submitted by Mark Roemer.

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.

Mark Roemer, the applicant, explained that he believes that the intent of the ordinance is largely maintained because of the additional space between the homes as a result of the outlot. He indicated that he has spoken to most of his neighbors who had expressed support for the request, adding that he had been unable to contact one new homeowner.

Gallagher asked if the neighbor who lives directly adjacent to Roemer's home had expressed support. Roemer confirmed this.

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

Johnson asked what effect reducing the combined rear yard setbacks between the applicant's home and the home to the north would have if a future owner of that home wishes to expand. Soenksen explained that that homeowner would be allowed to build to the 40-foot rear yard setback line but would have to submit a variance request if he wishes to build an addition past that point. Johnson commented that she believes that approving the current request would establish a precedent as many of the subdivisions in the area include lots that are adjacent to outlots. Soenksen stated that any of the homeowners with similar lot configurations could submit a variance request. Roemer commented that even if that homeowner decided to build an addition, their homes would still be 52 feet from one another. Johnson explained that the required setback between the homes is 80 feet.

Gallagher concurred with Johnson in that approving the variance could open the door for other homeowners in similar situations who wish to expand. Voelliger stated that other areas in the city have smaller setbacks.

On motion by Gallagher, seconded by Spranger, that a variance to reduce the required rear yard setback from 40 feet to 16 feet to allow for construction of a room addition be approved in accordance with the Decision and Order.

ROLL CALL ON MOTION

AYE:	Gallagher, Spranger, Voelliger
NAY:	Johnson
ABSTAIN:	Falk

Motion carried.

Decision and Order is Annex #4 to these minutes.

- b. Case 13-011; 2154 St. Andrews Circle (R-1) - A request for a variance to reduce the required rear yard setback from 40 feet to 32 feet to allow for construction of a room addition, submitted by Sampson Construction.

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

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

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

Joe Sampson, applicant, explained that the proposed construction would encroach no further than the existing deck, poses no line of sight issues affecting other homes, and is no more obtrusive than the existing pergola and deck configuration. He indicated that the new deck would be only large enough to allow egress and an area for a grill.

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

On motion by Gallagher, seconded by Spranger, that a variance to reduce the required rear yard setback from 40 feet to 16 feet to allow for construction of a room addition be approved in accordance with the Decision and Order.

ROLL CALL ON MOTION

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

Motion carried.

Decision and Order is Annex #6 to these minutes.

- c. Case 13-012; 1109 Terrace Park Drive (C-2) - A request for a special use permit to allow a drive-in banking facility, submitted by LaMacchia Group.

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

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

Joe Minorik, applicant, explained that the current request is merely a recertification of a identical special use permit request that had been approved by the Board of Adjustment but has expired. He stated that the required building setbacks have been observed, adding that the site has been designed to allow for the most efficient traffic flow possible.

Voelliger asked what would happen to the building which currently houses the credit union on the adjacent lot. Minorik explained that the credit union has not yet determined whether it would be sold, razed, or used for another type of development.

Voelliger asked if having two drive-up facilities so close to one another would negatively impact the area. Minorik stated that the existing facility would be vacated with the new building housing the entire credit union operation.

Gallagher asked if the approved drive-up facility for the existing credit union site would remain with the building and if it could be used for another type of business. Soenksen confirmed this, but added that only a drive-in banking facility would be allowed to operate from the building as the original special use permit is specific for that use. He indicated that a substantial change to the building would require a new site development plan and subsequent Planning and Zoning Commission and City Council approval.

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

On motion by Spranger, seconded by Gallagher, that a special use permit to allow a drive-in banking facility be approved in accordance with the Decision and Order.

ROLL CALL ON MOTION

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

Motion carried.

Decision and Order is Annex #8 to these minutes.

- d. Case 13-013; 3487 Towne Pointe Drive (C-2) - A request for a variance to allow an additional on-premises identification sign on a non-street frontage and to increase the allowable size of the sign from 300 square feet to 600 square feet, submitted by Bettendorf Christian Church.

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 #9 to these minutes.

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

Denise Allen, representative of the applicant's sign company, explained that the applicant is experiencing difficulty with visibility because of the size and location of the property. She indicated that the church has two entrances, adding that neither are suitable locations for identifying signage that would meet their needs. She indicated that the cross portion of the sign would be 11 feet high with the words stacked in two rows next to it. Allen explained that the goal is to incorporate signage that is large enough to identify the building as a church from a distance and then direct parishioners to the site. She indicated that the building is set back approximately 1 ½ city blocks from Belmont Road, adding that the sign would not be obtrusive even though it is quite large. Allen stated that the signage would consist of a painted mural on the building with subtle light shining on the building itself in the evening, indicating that the amount of negative space makes the sign appear much smaller.

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

Gallagher asked if the adjacent lot with frontage on both Towne Pointe Drive and Belmont Road is buildable. Connors confirmed this. Gallagher asked if any construction taking place on the lot would impact the visibility of the proposed signage. Soensken indicated that it appears as though the church is at a high enough elevation that visibility of the proposed signage would not be impacted even if a building is constructed on that lot.

A brief discussion was held regarding the size of the proposed sign. Allen explained that when the variance request was made, she had measured the largest height of the sign by the length. She indicated that because of the lower case font of the logo and the negative space involved, the actual space covered by the sign is much less than 600 square feet. Allen stated that the cross and the words Christian Church were the most important components of the sign and that those letters had been stretched to increase their size. She added that the word Bettendorf had been shrunk as it is the least important element of the sign.

Connors asked how high the sign would be from ground level. Allen explained that the position of the sign on the building has not yet been determined, adding that the portion of the building where the sign will be painted is 2 stories tall. Connors commented that it is likely that the bottom of the sign will be approximately 16 feet from ground level.

On motion by Johnson, seconded by Falk, that a variance to allow an additional on-premises identification sign on a non-street frontage and to increase the allowable size of the sign from 300 square feet to 600 square feet be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #10 to these minutes.

There being no further business, it was unanimously approved to adjourn the meeting at approximately 5:40 p.m.

These minutes and annexes approved _____

John Soenksen
City Planner