

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
JANUARY 10, 2013
5:00 P.M.**

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

1. Roll Call: Falk ____, Gallagher ____, Johnson ____, Spranger ____, Voelliger ____
2. Review of Board Procedures.
3. The Board to review and approve the minutes of the meeting of November 8, 2012.
4. The Board to review and approve the 2012 Board of Adjustment Annual Report.
5. Election of officers.
6. The Board to hold a public hearing on the following items:
 - a. Case 13-001; 3222 and 3236 Bear Tooth Court (I-2) - A request that a fitness center be considered to be similar and compatible to the permitted and/or special uses allowed in the I-2 District, submitted by GRD Development, LLC.
 - b. Case 13-002; 3222 and 3236 Bear Tooth Court (I-2) - A request for a variance to reduce the required number of off-street parking spaces to 24, submitted by GRD Development, LLC .

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
NOVEMBER 8, 2012
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

Item 2. Review of Board Procedures.

Item 3. The Board to review and approve the minutes of the meeting of September 13, 2012.

On motion by Falk, seconded by Spranger, that the minutes of the meeting of September 13, 2012 be approved as submitted.

ALL AYES

Motion carried.

* Johnson arrived.

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

- a. Case 12-062; 3449 Moencks Road (R-1) - A request for a variance to allow a 6-foot high fence in a required front yard, submitted by Christopher and Janessa Ormsby.

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.

Johnson asked who owns the lot adjacent to the applicant's to the north. Janessa Ormsby, applicant, stated that the owners of the vacant lot live in the house on the adjacent lot. She added that she had spoken to them regarding the proposed fence and that they had not indicated any opposition to the request. Johnson asked if the neighbors own both of the lots to the north. Ormsby 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.

On motion by Falk, seconded by Gallagher, that a variance to allow a 6-foot high fence in a required front yard be approved in accordance with the Decision and Order and staff recommendations as detailed in the staff report.

ALL AYES

Motion carried.

Decision and Order is Annex #4 to these minutes.

- b. Case 12-063; 3333 - 18th Street (R-1) - A request for a variance to reduce the required setback from 15 feet to 3 feet for two on-premises identification signs, submitted by Lange Sign 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 #5 to these minutes.

Voelliger asked if the proposed diagonal parking has been eliminated. Soenksen explained that the diagonal parking is still planned, adding that it will be no closer to the street than was the original driveway. He indicated that a berm with landscaping will be installed to help buffer the homes across the street from the headlights of the vehicles.

Voelliger asked if the proposed signs would be digital or would have moving type. Soenksen explained that the signs are more like wayfinding signs and are illuminated at night but are not programmable.

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

John Campbell, representing the Bettendorf Community School District, explained that the proposed sign locations are the most logical available in order to accomplish the goal of providing identification of the various components of the school while maintaining proper access.

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

On motion by Johnson, seconded by Spranger that a variance to reduce the required setback from 15 feet to 3 feet for two on-premises identification signs be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #6 to these minutes.

- c. Case 12-064; 2140 Devils Glen Road (R-2) - A request for a variance to increase the allowable garage area from 720 square feet to 1808 square feet, submitted by Chuck Mausser.

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

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

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

Chuck Mausser, the applicant, requested that the Board approve the variance.

Falk stated that when he had driven by the applicant's home, he had seen a commercial van parked on the driveway behind the house. He asked if the applicant operates his business out of his home. Mausser confirmed this. Falk asked if the one of the purposes of the new structure is to house business vehicles. Mausser confirmed this, adding that the service vehicle that Falk had seen would be placed in the garage. He added that he has only one service van which would not be on the property most days.

Johnson asked if the applicant has any plans to expand the business to the point where more vehicles would be required. Mausser stated that he has no such plans.

Johnson asked what roofing material would be used for the proposed structure. Mausser explained that he would prefer to use steel which would match his house in the future. Falk asked if the roof would be a standing seam style. Mausser confirmed this, adding that it would likely be forest green.

Johnson stated that it appears as though the existing batting cage is longer than the proposed garage. Mausser explained that the indoor batting cage would be used for softball batting practice which requires only half the distance as baseball.

Voelliger asked if staff had received any correspondence or phone calls from the neighbors. Soenksen stated that he had not received any communication regarding the case. Mausser stated that he had spoken with his neighbors and that none had expressed any objections.

Falk asked if staff has ever received any complaints about the site related to the fact that there are several existing individual structures which contribute to a somewhat cluttered appearance. Soenksen explained that the reference to clutter in the staff report had referred to the applicant's desire to have only one proposed garage on the site rather than several separate structures.

Voelliger asked if there are any garages of a similar size for which variances have been granted. Soenksen stated that he had been unable to find any examples of such large garages. Spranger commented that the site is larger than typical for a residential area.

Johnson asked how tall the garage doors would be. Mausser explained that they would be between 9 and 10 feet tall in order to accommodate his work van which has a ladder rack.

Soenksen stated that the structure would be restricted to no more than 15 feet high at mid-gable. Johnson commented that this would result in an approximately 20-foot high building at the peak. Mausser confirmed this. He commented that the portion of the lot where the garage would be located is at a lower elevation than the front of the site and that the garage would be no higher than his house.

Voelliger asked if the lot could ever be subdivided. Soenksen confirmed this.

Falk expressed concern that the proposed use would introduce the potential for allowing a more intense commercial use than merely storage of a vehicle and equipment. He asked if there are any limitations as to what type of business activity would be allowed in a residential area. Mausser explained that he only uses the van and a few shelves for storage in the garage for his business. Soenksen stated that it would be acceptable for the applicant to store one commercial vehicle on the site, but that he would not be allowed to set up an office in his home where customers visit or store more than one service van.

Johnson stated that it appears as though some of the large houses near the applicant's have very large garages. Soenksen explained that each homeowner is allowed the greater of 40% of the living area of a house or 720 square feet to be used for a garage. He stated that because the homes to the south have a great deal more living area than the applicant's, larger garages would be allowed. Johnson indicated that the footprint of the proposed garage only is nearly the same size as some of the much larger homes to the south. She commented that the larger than typical garage doors and a steel roof would contribute to an industrial appearance.

Johnson asked what would prevent a future owner from erecting a batting cage in another outdoor location and utilizing the entirety of the proposed structure as a garage or a business. Soenksen stated that there is no real way for staff to determine if the batting cage is ever removed.

Spranger stated that the existing garage is not visible from the street, adding that there is a great deal of space available in the rear yard. She reiterated that there is a large grade change from the front to the rear of the lot. Spranger stated that since she has lived in the neighborhood, she has never been made aware of any issues or problems related to the applicant's service vehicle or business.

Johnson stated that while there is a significant grade change on the property, it is likely that the garage would be visible from Lundy Lane. She indicated that her objections are related to setting a precedent by allowing such a large, industrial-style building in a single-family residence district not necessarily the applicant's proposed use of the structure.

Gallagher commented that from the city's point of view, allowing such a large structure may lend itself to abuse in the future if a homeowner is not aware of the use restrictions for residential areas.

Johnson asked if the applicant would consider using shingles for roofing material. Mausser stated that he would prefer to use steel as it is very long-lasting, but that he would consider it. He commented that steel is becoming more popular as a roofing material in residential applications. Falk commented that having a detached garage with steel roofing when the house has a shingled roof would give the garage an industrial look.

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 Falk, that a variance to increase the allowable garage area from 720 square feet to 1808 square feet be approved in accordance with the Decision and Order.

ROLL CALL ON MOTION

AYE: Spranger

NAY: Falk, Gallagher, Johnson, Voelliger

Motion failed.

Decision and Order is Annex #8 to these minutes.

There being no further business, it was unanimously approved to adjourn the meeting at approximately 5:50 p.m.

These minutes and annexes approved

John Soenksen
City Planner



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

January 10, 2013

Staff Report

Case 13-001 and Case 13-002

Location: 3222 and 3236 Bear Tooth Court

Applicant: GRD Development, LLC

Zoning Designation: I-2, General Industrial district

Request: Determination that a youth wrestling training center (fitness center) is similar and compatible to the permitted and/or special uses in the I-2 General Industrial district and a variance to reduce the required number of off-street parking spaces to 24.

Background Information and Facts

The request involves two undeveloped lots on the west side of Bear Tooth Court (see Attachment A – Location Map). The applicant would like to open a youth fitness center specializing in wrestling training for young school-aged children which would require a determination that the proposed use is “similar and compatible” to the permitted and/or special uses in the I-2, General Industrial district. Should the Board find that the use is similar and compatible, then a variance is also required to reduce the required off-street parking spaces to 24.

The applicant has indicated that the youth fitness center will cater specifically to young children who are not old enough to drive. The applicant feels that most clients will drop off their children and not stay on-site during the workout times and that the available parking spaces will be sufficient for that type of “drop off and pick up” activity.

Staff Analysis

Special Use Request:

In October of 2011 the Board granted an appeal of staff’s decision to not allow a fitness center across the street at 3243 Bear Tooth Court. The Board determined that the appeal to allow a fitness center be granted but limited the use by allowing “only a low-intensity (8 client maximum at one time) personalized strength training studio” on the site. The Decision and Order from that previous case (Case 11-066) is attached to this report.

Staff is not taking a position regarding equating this current request to the “low-intensity” request approved in October of 2011. If the Board determines that a youth fitness center where clients are routinely dropped off and picked up is similar to the previously approved fitness center, then the current request would indeed be “similar and compatible”.

Variance Request:

The proposed building would be 15,000 square feet in size (see Attachment B – Site Plan) with a maximum capacity of 1,000 people and requiring 200 parking spaces. The applicant is asking the Board to accept that 24 spaces is reasonable and is sufficient to accommodate this type of youth fitness center in such a way as to not interfere with the surrounding businesses and not require motorists to park vehicles on Bear Tooth Court.

Staff is aware that on-street parking in the Bear Tooth Court area has been an issue and has been the source of confrontation for some business owners in this area. If the variance is allowed, staff would recommend making the approval subject to a condition that the approval would be rescinded if patrons of the facility routinely park on Bear Tooth Court.

The parking requirement formula used for this report is for a "gymnasium" which is the closest type facility listed in the Code. Gymnasiums, however, are typically included at facilities with much denser uses than the proposed one. A high school gymnasium requires a large number of parking spaces due to the fact that oftentimes a large number of spectators attend activities such as basketball games which take place there. Therefore, the 200 parking space requirement for this request appears to be excessive.

Given the building's size and configuration, the 24 parking spaces appear to be sufficient for most manufacturing and warehousing uses that could possibly locate in this building sometime in the future if the current owner discontinues the proposed use.

If allowed, the building will resemble the other buildings within the Bear Tooth Court development and will match the established aesthetics of the development (see Attachment C – Building Elevations).

Staff recommends that if this request is approved, approval be conditional to this individual owner and if the facility is sold in the future, the new use would be required to meet all Code requirements or be resubmitted for proper approval by the appropriate Board or Commission. Staff would also recommend making the approval subject to a condition that the approval would be rescinded if patrons of the facility routinely park on Bear Tooth Court.

Respectfully submitted,

John Soenksen
City Planner

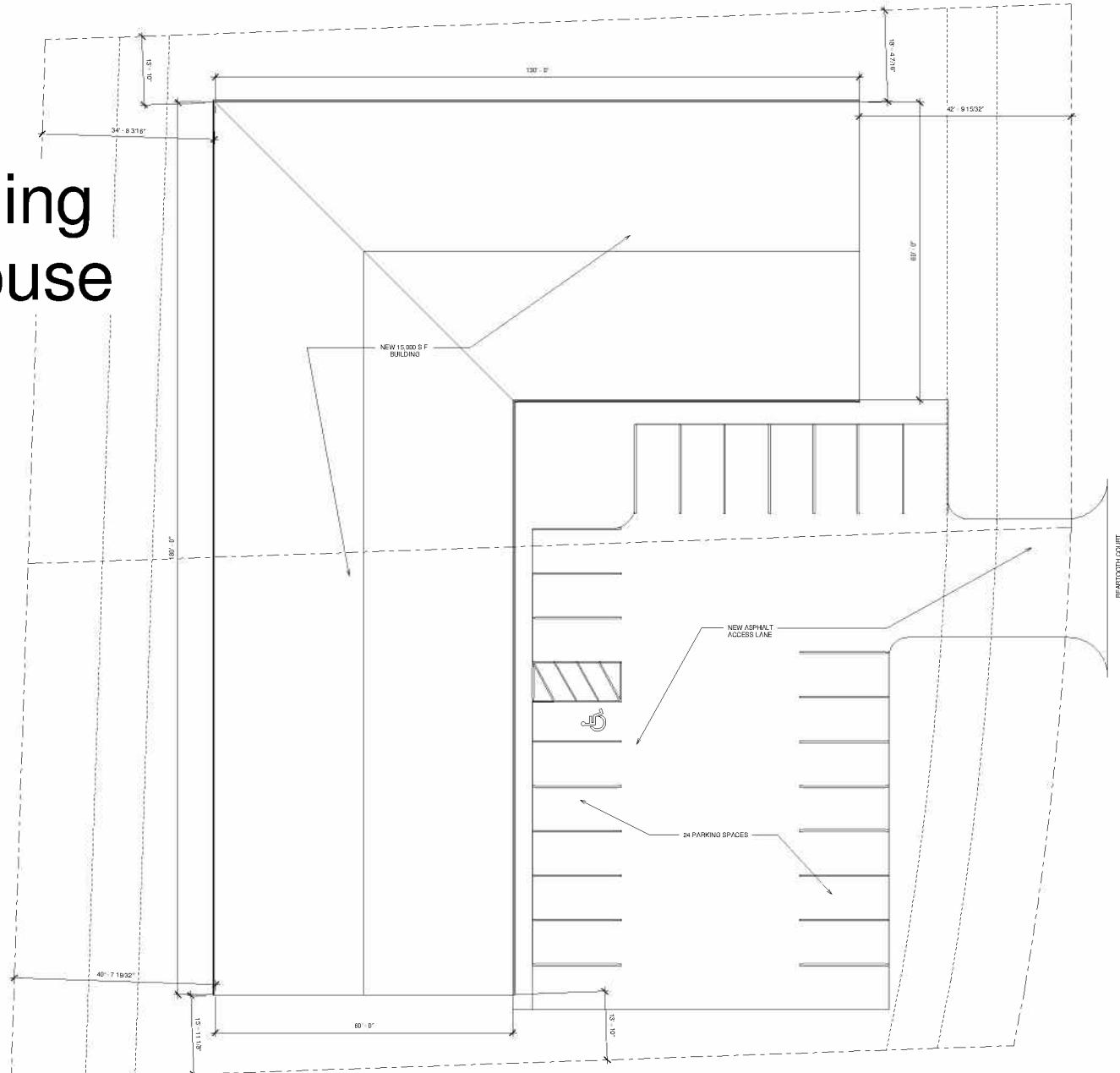
Attachment - A



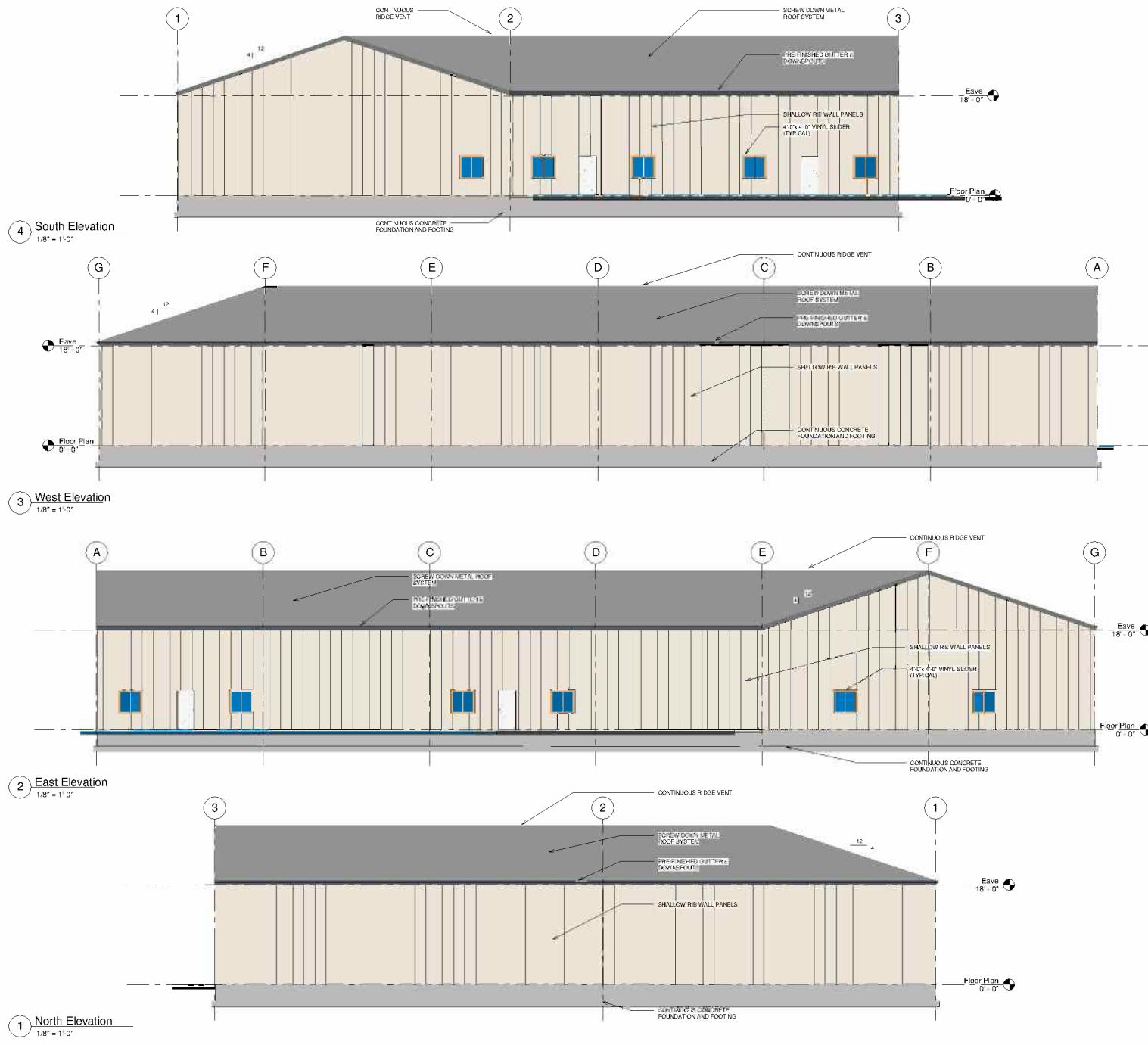
Proposed Training Facility/Warehouse

Bettendorf, Iowa

N
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Attachment - C



**CITY OF BETTENDORF - ZONING BOARD OF ADJUSTMENT
DECISION AND ORDER**

Project Location 3243 Bear Tooth Court
Legal Description Lot 4, Fields Development First Addition
Project Number 11-066
Project Type An appeal of the Community Development Director's decision to prohibit a fitness center in an I-2 General Industrial District.

Facts

The site is located in the Bear Tooth Court industrial park area. The applicant has asked the Zoning Administrator to allow one of the units in a multi-unit building (3243 Bear Tooth Court) to be used to house a "weight lifting/exercise business" (Quad Cities Barbell). It is the opinion of the Zoning Administrator that a "weight lifting/exercise business" is not appropriate in the I-2 district and more closely corresponds to "fitness center" which is not a permitted use. The applicant is appealing that decision to the Board.

The Zoning Administrator has determined that the activities of the proposed business are typical of what would be expected to occur at a fitness center. Section 15 of the Zoning Ordinance lists a fitness center as a permitted use in the C-2, Community Shopping District, the C-3, General Business District, the C-4, Automotive Service District, and the C-5, Office/transitional District. These are the only districts which specifically address fitness centers.

The I-2, General Industrial District description states: "The I-2 General Industrial District is intended to provide lands for development by most types of industrial firms. The regulations are designed to permit operations in a clean and quiet manner and to protect adjacent district uses and industries within the district. Further development of residences is prohibited in this district to keep homes from absorbing any adverse effects of the industries and to conserve the supply of industrial land for industrial use. All uses must comply with the performance standards."

The I-2, General Industrial District lists the following permitted uses:

- (a) Industrial-type uses permitted in the I-1 district.
 - (b) Agricultural building and structure.
 - (c) Automotive salvage yard, if in a completely enclosed building.
 - (d) Firms involved in the servicing, packaging, cleaning, repair and storage of materials, goods and products.
 - (e) Industrial firms involved in the fabrication, processing, production, compounding and manufacturing of materials, goods and products.
 - (f) Planing mill and saw mill, if in a completely enclosed building.
 - (g) Railroad freight station, but not including switching, storage, freight yards and maintenance facilities.
 - (h) Storage and sale of trailers, farm implements and other similar equipment on an open lot.
2. Wholesale and warehouse uses, such as, but not limited to:
- (a) Wholesale and warehouse uses permitted in the I-1 district.
 - (b) Warehouse.
 - (c) Wholesale establishment.
 - (d) Storage of household goods.
3. Commercial uses.
- (a) Commercial uses permitted in the I-1 district.
 - (b) Business establishments.
 - (1) Bottled gas dealer.
 - (2) Bottling works.
 - (3) Building services and supplies.
 - (4) Cartage, express and parcel delivery establishment.
 - (5) Commercial greenhouse.
 - (6) Commercial testing laboratory.
 - (7) Contractor's yard.
 - (8) Fuel oil dealer.
 - (9) Sign and billboard.
 - (10) Sign contractor.
 - (11) Tire retreading and repair shop.
 - (12) Truck terminal.
4. Public, quasi-public, and governmental buildings and facilities, such as, but not limited to:
- (a) Public, quasi-public, and governmental buildings and facilities permitted in the I-1 district.
 - (b) Animal pound and shelter.
 - (c) Transit and transportation facility.
 - (d) Parking lots, public and private.

The following special uses are listed in the I-2 General Industrial District.

1. Similar and compatible uses to those allowed as "permitted uses" in this district.
2. Childcare center and preschool.
3. Concrete and asphalt mixing.
4. Golf driving range.
5. Hospital.
6. Hotel and motel.
7. Power generating station.
8. Retail or business services intended to serve the permitted uses within the district and not dependent upon the direct visit of retail customers.
9. Mining and/or the extraction of materials, sand, gravel, topsoil or other aggregates, including equipment, buildings, or structures for screening, crushing, mixing, washing, or storage provided that:
 - (a) No open pit or shaft shall be less than two hundred (200) feet from any public road.
 - (b) All buildings or structures shall be located not less than two hundred (200) feet from any property line.
 - (c) The borders of the property shall be fenced with a solid fence or wall at least six (6) feet in height when the property is adjacent to or across the street from any district other than an industrial district.
 - (d) A plan of development of the reclamation of the land shall be provided as part of the application for special use. The plan of development shall be accompanied by a written agreement between the owner or his agent and Bettendorf, and a performance bond in an amount equal to the cost of the reclamation of the land as set forth in the development plan.
10. Residence of the proprietor, caretaker, or watchman, when located on the premises of the commercial or industrial use.
11. Sewage treatment plant.
12. Concrete block manufacturing.

Based on all of the items specified in the Code and listed above, the Zoning Administrator determined that a fitness center in the I-2 General Industrial District:

1. Does not match the intent specified in the "Description of District".
2. Is not specified as a "permitted use".
3. Is not specified as a "permitted special use".
4. A fitness center is not "similar and compatible" to the permitted uses listed above.

Although staff is not necessarily opposed to a fitness center in an I-2 General Industrial District, staff simply feels it is inappropriate to approve the request at the staff level based on the ordinance requirements.

If the Board approves the request as a "special use" as is being requested, then the Board should consider if adequate parking spaces are available for the use. The applicant states that no more than eight customers will be at the site at any time and that the site has twelve parking spaces. The approved site plan for the entire development (including the applicant space), however, indicates that there are only nine total parking spaces for available for the overall development on which two businesses currently are located.

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF BETTENDORF, IOWA; that the following Findings of Fact are made:

1. That the applicant has indicated that there is enough space on the property to allow for 22-23 parking spaces and is willing to designate those spaces with lot striping.
2. That only a low-intensity use such as the studio that is being proposed would be appropriate in the I-2 zoning district.

BE IT RESOLVED BY THE ZONING BOARD OF ADJUSTMENT OF THE CITY OF BETTENDORF, IOWA; that an appeal of the Community Development Director's decision to prohibit a fitness center in an I-2 General Industrial District on property located at 3243 Bear Tooth Court and legally described as Lot 4 of Fields Development First Addition be granted subject to the following conditions:

1. That the parking lot be striped in such a way as to designate the available parking spaces.
2. That only a low-intensity (8 client maximum at one time) personalized strength training studio is to be approved for the site.

Done this 13th day of October, 2011.

Thomas Stelk, Chairman
Board of Adjustment



Case No. 13-001

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

Part 1. Property Involved. 3222-3236

Street Address LOT 12 + 13 BLOWOUTT COURT, BETTENDORF, IA 52722

Legal Description of the property. LOTS 12 + 13 OF FIELDS

DEVELOPMENT 1ST ADDITION

Part 2. Contact Information.

Applicant Name GILD DEVELOPMENT, LLC Phone 355-2022

Address 1805 STATE STREET SUITE 101 BETTENDORF FAX 355-7806

E-mail Address: kevink@buildtousinc.com

Owner Name SAME AS APPLICANT Phone _____

Address _____ FAX _____

E-mail Address: _____

Agent KEVIN KOELLMAN/CHUCK MENCH Phone _____

Address _____ FAX _____

E-mail Address: SAME AS APPLICANT

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 I-2

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.

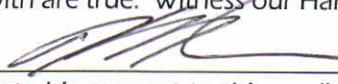
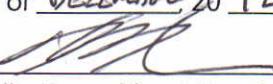
REQUESTING A PARKING VARIANCE FOR USE
IF ALLOWED, TO PROVIDE APPROXIMATELY 25 STALLS
IN LIEU OF COUNT REQUIRED BY CODE. THOSE USING
THE FACILITY WILL TOO YOUNG TO DRIVE THEREFORE
PARENTS DROP OFF/PICK UP CHILDREN FROM THIS SITE
SITE. IF BUILDING RELATED TO INDUSTRIAL/Warehouse
USE, THE PARKING SHOWN IS AMPLE.

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. BUILDING PLANS.

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 28 day of December, 20 12.

Signature of Applicant  Signature of Owner 
(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 28 day of December, 20 12.



Part 10. Filing Fee.

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

Notary Public in and for Scott County, Iowa

Received by Kelli Maere
Amount \$100. Date 12/20/12