

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 9, 2015**  
**5:00 P.M.**

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

Item 1. Roll Call

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

Item 2. Review of Board procedures.

Item 3. The Board to review and approve the minutes of the meeting of June 11, 2015.

On motion by Gallagher, seconded by Falk, that the minutes of the meeting of June 11, 2015 be approved as submitted.

ALL AYES

Motion carried.

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

- a. Case 15-048; 2870 Pleasant Ridge Court (A-2) - A request for a variance to reduce the required rear yard setback from 40 feet to 25 feet to bring the existing structure (including existing deck) into Code compliance, submitted by Chase Pielak.

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.

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

Gallagher expressed support for the request and commented that this case is a good example of the true purpose of the Board of Adjustment.

Voelliger commented that a 25-foot rear yard setback would be maintained as is typical of many residential neighborhoods in the city.

On motion by Gallagher, seconded by Falk, that a variance to reduce the required rear yard setback from 40 feet to 25 feet to bring the existing structure (including existing deck) into Code compliance be granted in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #4 to these minutes.

- b. Case 15-049; 3475 Woodholm Lane (R-1) - A request for a variance to increase the allowable garage area from 720 square feet to 1,144 square feet to allow construction of a 26-foot by 24-foot garage, submitted by Sandy and Richard Tillman.

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.

Sandy Tillman, the applicant, stated that the proposed garage would be an improvement to the neighborhood and would not be used for any business purposes.

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

Steve Honse, 3535 Woodholm Lane, requested that the rear of the proposed garage, if allowed, be aligned with the existing garage to the south. He expressed support for the request.

Voelliger asked if the garage attached to the house to the south is approximately the same size as the proposed garage. Soenksen stated that he is unsure of the size of the garage to the south. Honse stated that the garage to the south is not as close to the property line as the proposed structure.

Falk stated that it does not appear to him that the lot in question is twice the size of the lots in the neighborhood as indicated by the applicants. He indicated that the lot is only 38 percent larger than the minimum size allowed in the zoning district. Tillman stated that according to the GIS map, there are two lots. Soenksen stated that while the property may include two lots, they are so small as to not meet current size standards. Tillman stated that most of the lots in the area are 45 feet wide, adding that the property in question is 95 feet wide.

Falk expressed concern that the proposed garage is larger than the house and would in fact be larger than most structures in the neighborhood. He indicated that the proposed garage would in his opinion overwhelm the neighborhood and would block the rear yard sight line for those lots. Tillman stated that she believes that the sight line would only be blocked for the residents of the house to the east.

Falk explained that the Board must take into account the ordinance requirements for garage size, adding that the applicants are requesting that the section regarding maximum allowed garage area be voided. He stated that the Board must also consider whether a precedent would be set by granting the request.

Tillman stated that while she did not do any research, there is a lot on Moencks Road on which there is a large, two story barn. She indicated that the house to the east would not necessarily be affected because there is only one window on that side of the house. She stated that it is a rental property and is currently vacant. Tillman stated that she and her husband own five old vehicles that they would like to store in the proposed garage. She explained that her daughter lives there when she is on military leave. She stated that the garage would not be used for a business, adding that she and her husband may live in that house when they retire.

Tillman stated the lot is at a higher elevation than the one to the east and therefore the proposed garage would not have a negative impact. She reiterated that there are several larger garages in the neighborhood.

Gallagher commented that the proposed garage is very large for the area. Falk concurred. Tillman stated that the garage would only 26 feet wide which is not large considering the depth of the lot. She explained that they had chosen a narrower configuration so that it will not appear to overwhelm the house. She indicated that the existing carport is 28 feet wide. Gallagher asked if the carport will be removed. Tillman confirmed this.

Falk reiterated his concern about the large size of the proposed garage and how it would fit into the neighborhood. He indicated that given its location and the character of the neighborhood he feels that the proposed structure would be much more of an intrusion than other storage buildings that have previously been approved.

Voelliger commented that the Board had approved a barn on Moencks Road.

Richard Tillman asked for clarification of the percentage of allowable garage area that the proposed structure is over what is allowed. Soenksen explained that it is 60% over what is allowed. Tillman stated that the proposed garage would only be 424 square feet more than is allowed.

On motion by Voelliger, seconded by Gallagher, that a variance to increase the allowable garage area from 720 square feet to 1,144 square feet to allow construction of a 26-foot by 24-foot garage be approved in accordance with the Decision and Order.

Falk asked if staff had explained to the applicants that a unanimous vote of approval would be necessary for the request to be approved. Soenksen stated that he had not. He indicated that the Board of Adjustment has 5 members and the concurring vote of 3 members is necessary to approve any request. He added that because only 3 members were present, the vote would have to be unanimous in order for the request to be approved.

Tillman requested that the case be deferred until the next meeting.

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

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

---

John Soenksen, City Planner