

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 13, 2015
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 July 9, 2015.
4. The Board to hold a public hearing on the following items:
 - a. **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 x 44-foot garage, submitted by Sandy and Richard Tillman. (Deferred from meeting of July 9, 2015)
 - b. **Case 15-053; 131 - 12th Street (I-3)** - A request for a special use permit to allow a fitness center, submitted by Seth Ross and Jan Butler.
 - c. **Case 15-054; 5094 - 19th Street (R-2)** - A request for a variance to reduce the required setback from 25 feet to 10 feet for a 6-foot high fence, submitted by Jennifer Bunttemeyer.
 - d. **Case 15-055; 3224 ValleyWynds Drive (R-1)** - A request for a variance to reduce the required front yard setback from 35 feet to 30 feet to allow for construction of a house, submitted by Dave Prochaska.
 - e. **Case 15-056; 3885 Middle Road (C-5)** - A request for a special use permit to allow a drive-in banking facility, submitted by Blackhawk Bank & Trust.

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 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 it 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



COMMUNITY DEVELOPMENT

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

Update – August 13, 2015

At the July 2015 meeting there was discussion concerning the approval of variance to allow a large garage/outbuilding approved by the Board at 3656 Moencks Road. Staff was asked to research the previous approval and relate that decision to the current request. The following is an analysis of these two cases.

The Moencks Road case involved a lot in an A-2 Rural Residence District. The Rural Residence District "is intended to provide for single-family residential development on lot sizes adequate to allow individual wells and sewage disposal systems and **to create an environment of rural type homes on larger lots** than required in the urban type residential areas".

The current case involves a parcel in an R-1, Single-family Residence District. The R-1 District "is the most restrictive of the residential districts and is composed of certain quiet, low-density residential areas of the community plus certain open areas where similar residential development appears likely to occur. **It is the intent of this district to provide for an environment of predominantly low-density single-unit dwellings**".

Therefore, a large outbuilding may be appropriate in a "rural type district" and may not be appropriate in a district intended to provide an environment of low-density single-family dwellings.

The Moencks Road case involved a 1,512 square foot structure located on a 43,560 square foot rural type lot. The approved structure represented 3½ percent of the total parcel area. The current case involves a 1,144 square foot structure on a 13,503 square foot residential lot; the structure would occupy 8½ percent of the total parcel area.

The Moencks Road approval was for a structure to be used to store large farm type equipment used to maintain the one acre property. The current request is for a structure to store collector cars.

The Board makes its decisions based on the distinct circumstances of each individual case. The above analysis indicates the two cases have dissimilar circumstances.



COMMUNITY DEVELOPMENT

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

July 9, 2015

Staff Report

Case No. 15-049

Location: 3475 Woodholm Lane

Applicant: Sandy and Richard Tillman

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

Request: Variance to increase the allowable garage area from 720 square feet to 1,144 square feet to allow construction of a 26-foot by 44-foot garage.

Background Information and Facts

The site is accessible from either Crow Creek Road or Valley Drive, turning onto Moencks Road and then onto Woodholm Lane. The site is near the southern end of Woodholm Lane (see Attachment A – Location Map). The applicant would like to build a 26-foot by 44-foot, 1,144 square foot garage to be located in the southeast corner of the lot with proper setbacks (see Attachment B – Plot Plan).

Staff Analysis

The lot is 13,775 square feet in size which is considered to be a typical by today's standard. The R-1 District requires a minimum 10,000 square foot lot; therefore, this lot meets the minimum lot size requirement. The R-1 District also requires a minimum 1,200 square foot dwelling size. The applicant's house is 729 square feet in size.

Therefore, if allowed, the proposed garage will be located on a moderately-sized lot with a house that does not meet the minimum size standard, and will have a garage that is 60% larger than is allowed.

The Board routinely evaluates the appropriateness of these types of requests given the existing conditions of the surrounding neighborhood. The following is a listing of the existing garage square footages at specific addresses on Woodholm Lane:

- 3440 = none
- 3450 = 416 square feet
- 3485 = 288 square feet
- 3505 = none
- 3520 = 816 square feet (attached)
- 3535 = 616 square feet
- 3547 = 672 square feet
- 3565 = 576 square feet

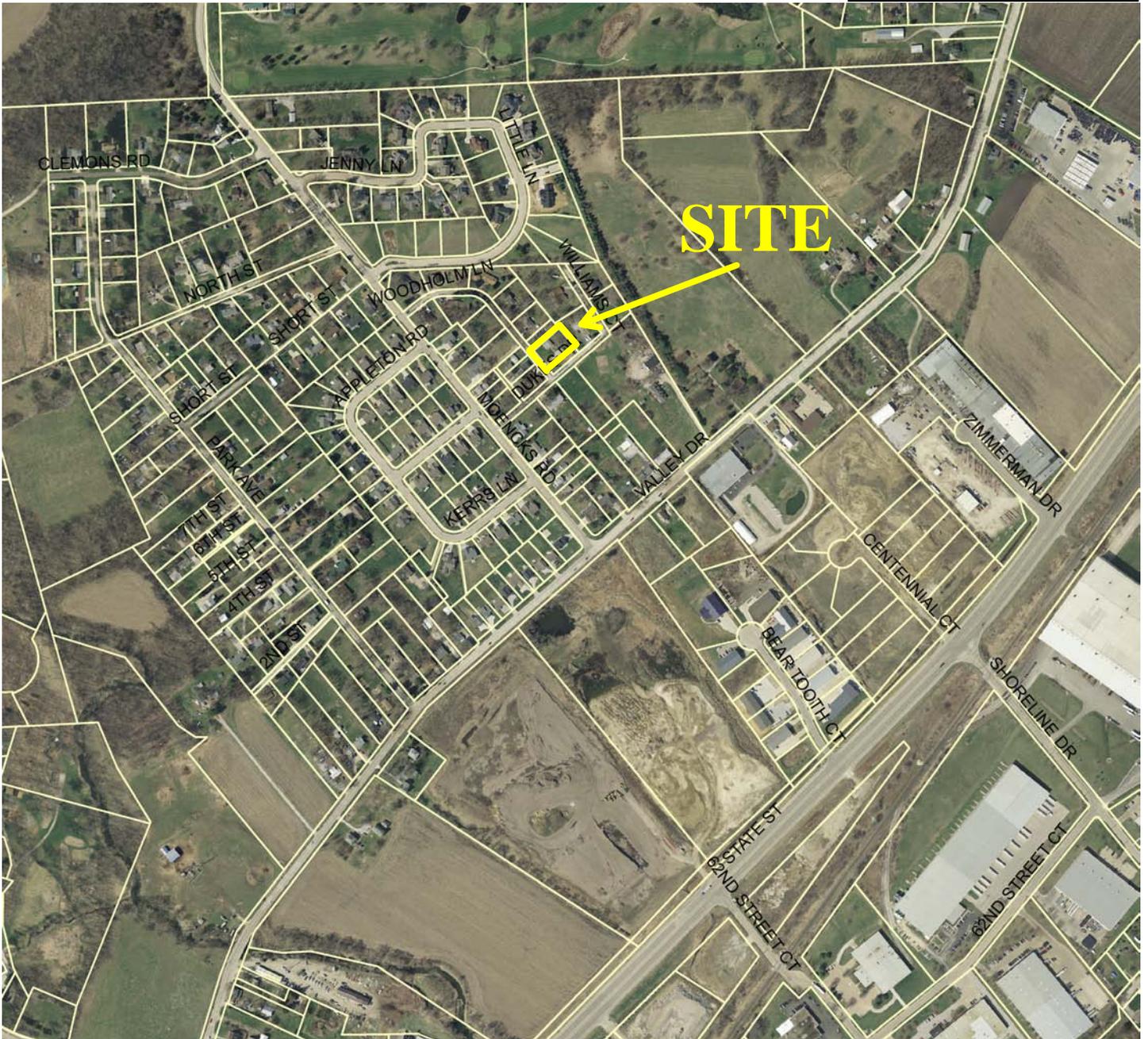
Based on the above analysis, the request is for an oversized garage in a neighborhood that is not characterized by large garages. Staff does, however, acknowledge that the proposed garage would be in a secluded location not be routinely accessed or visible by many people on a routine basis.

Staff Recommendation

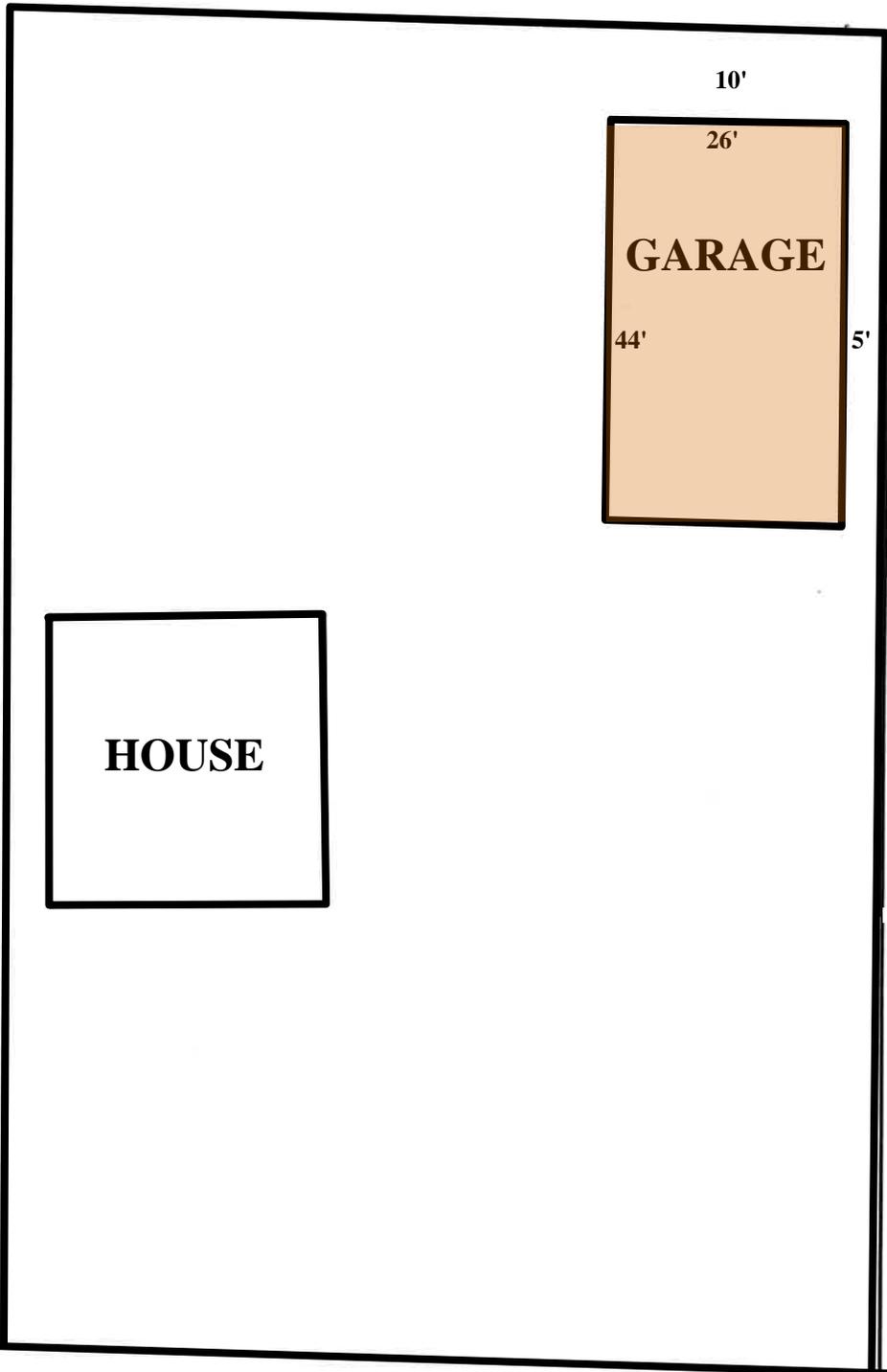
Staff cannot identify a hardship related to this request.

Respectfully submitted,

John Soenksen
City Planner



Attachment - B



HOUSE

GARAGE

10'

26'

44'

5'

WOODHOLM LN



Case No. 15-049

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

Part 1. Property Involved.

Street Address 3425 Woodholm

Legal Description of the property. 2695--015 J.J. Kress' Pleasant View

Subd. Lots 14 + 15

Part 2. Contact Information.

Applicant Name Sandy or Richard Tillman Phone _____

Address 5080 45th Ave Bettendorf FAX _____

E-mail Address: _____

Owner Name Richard & Sandra Tillman Phone 563 332 3461

Address 5080 45th Ave Bettendorf FAX 563

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.)



COMMUNITY DEVELOPMENT

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

August 13, 2015

Staff Report

Case No. 15-053

Location: 131 – 12th Street

Applicant: Seth Ross and Jan Butler

Zoning Designation: I-3 Heavy Industrial District

Request: Special use permit to allow a fitness center.

Background Information and Facts

The site is located just west of the I-74 bridge near the entrance to Leach Park (see Attachment A – Location Map). The site involves a single parcel with a large building comprised of several interconnected sections. The applicants are seeking to use two sections of the building for fitness centers (see Attachment B – Building Location Illustration). The issue under consideration is if the Board feels that a fitness center “use” should be allowed at this site.

Staff Analysis

In October of 2011 staff denied Dennis and Teresa Achenbaugh’s request to place a fitness center at 3243 Bear Tooth Court, an I-2 General Industrial site. It was staff’s interpretation that fitness centers were not allowed in any industrially-zoned district. Staff’s decision was appealed to the Board, and the Board ruled that the fitness center use should be allowed as a special use under the “similar and compatible” provision of the Code. Therefore, staff accepts the decision that fitness centers should be allowed in this district and will focus the analysis of the request on whether the requests satisfy the special use permit requirements.

The site is currently used by fabrication businesses that are open during normal business hours and are closed during evening hours and on weekends. These businesses have few employees, and typically there are only a dozen vehicles onsite during business hours. Most patrons utilize fitness centers either before or after regular business hours.

There are 42 off-street parking spaces on this site. Directly across the street (12th Street) from this site is a public parking lot that has 34 parking spaces. The public parking lot is routinely underutilized and is heavily used only on traditional boating holidays. The fitness centers seldom have class sizes larger than 30 people at any single time. The amount of parking appears to be more than sufficient for this type of use.

This section of 12th Street has a very low traffic volume, and access to the site is easy and safe.

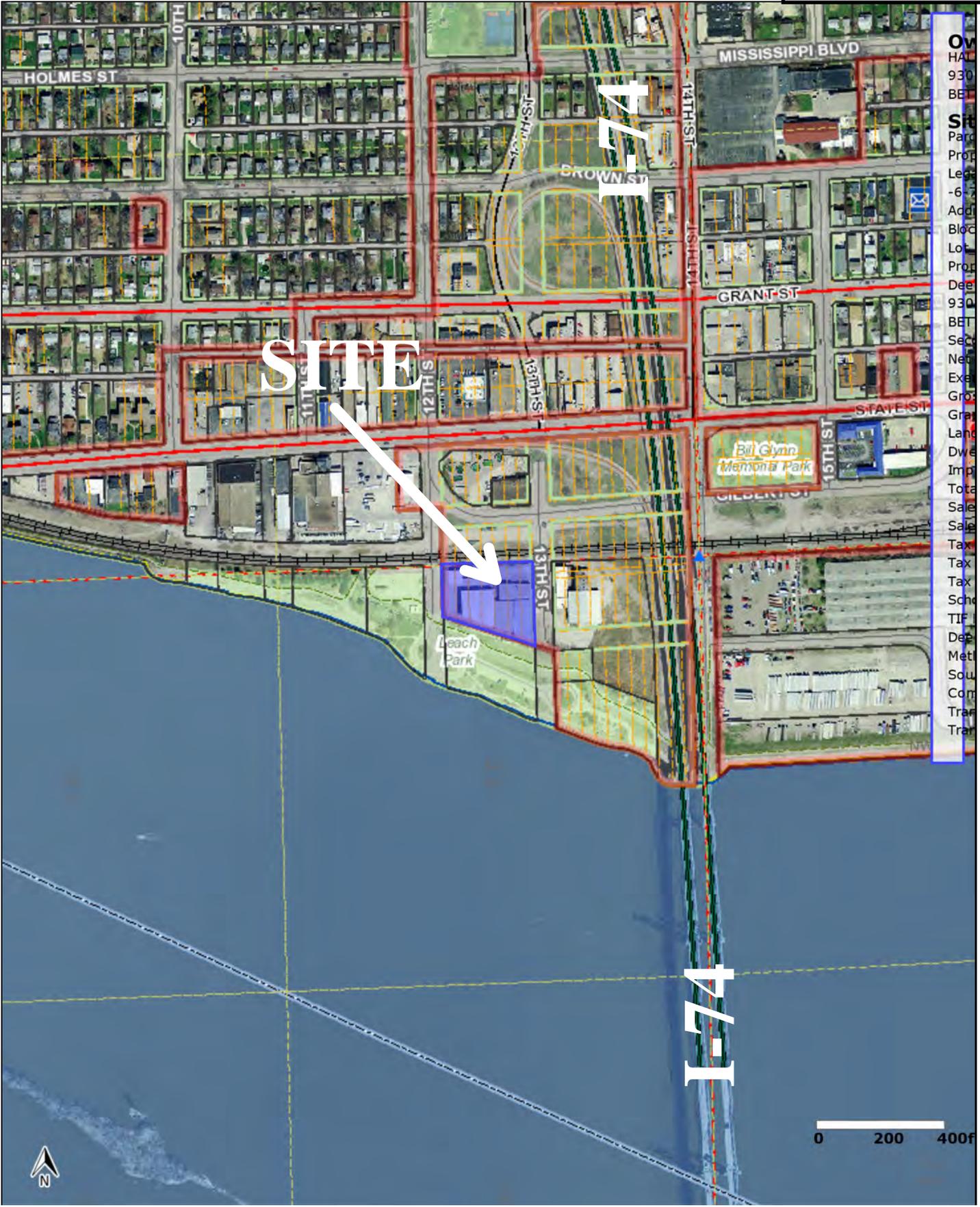
Staff anticipates that any noise generated by the fitness centers will remain almost exclusively on-site and the area is surrounded entirely by industrial type uses. Noise from traffic on the I-74 bridge will likely be significantly louder than sounds from the fitness centers.

Staff Recommendation

Staff cannot cite any issue that would negatively impact the surrounding area by allowing this special use. Staff has concluded that the proposed use satisfies all of the Code requirements necessary for recommendation for approval. Staff recommends approval of the special use request.

Respectfully submitted,

John Soenksen
City Planner



Over
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13th St

AREA #1

AREA #2



Case No. 15-053

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

Part 1. Property Involved

Street Address 131 12th street Bettendorf, Iowa

Legal Description of the property. coilworts addition Lot 007 Block 003

coilworts Addn. 1-2-3-4-67 ex W 120'

Part 2. Contact Information

Applicant Name JAN BUTLER Phone 563-650-8163

Address 1113 US Hwy 6 COAL VALLEY IL 61140 FAX _____

E-mail Address: KUK5001@Eavenport@gmail.com

Owner Name KEVIN & VICKI HALL Phone 563-340-8960

Address 930-14th ST. BETTENDORF FAX _____

E-mail Address: KHALL5981@AOL.COM

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.

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.

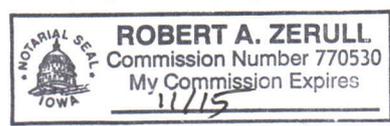
Part 7. Signature.

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 30 day of June, 2015.

Signature of Applicant Jan Butler 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 Illinois
SS
County of Scott
Rock Island

[Signature]
Bel Zund



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 30 day of June, 2015
PAMELA D. GALVIN
Notary Public - State of Illinois
My Commission Expires 3/11/2019

[Signature]
Notary Public in and for Scott County, Iowa
Rock Island

Part 10. Filing Fee.

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

Received by _____

Amount _____ Date _____



Case No. 15053

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

Part 1. Property Involved.

Street Address 131 12th St RORR BETTENDORF IA 52122

Legal Description of the property: LOTS 17, BLOCK 3, Gilbert's Add
EXC N 120'

Part 2. Contact Information.

Applicant Name SETH ROSS Phone 309-781-0539

Address 100 14th St Unit 311 Vaux Island IL 61201 FAX _____

E-mail Address: SETH.ROSS.212@GMAIL.COM

Owner Name KEITH HULL Phone 536-340-8960

Address 1027 STATE ST. BETTENDORF, IA 52122 FAX _____

E-mail Address: 930-1476ST

Agent KHALL 5981@AOC.COM 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.)



COMMUNITY DEVELOPMENT

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

August 13, 2015

Staff Report

Case No. 15-054

Location: 5094 – 19th Street

Applicant: Jennifer Buntmeyer

Zoning Designation: R-2, Single-family Residence District

Request: Variance to reduce the required setback for a 6-foot high fence from 25 feet to 10 feet.

Background Information and Facts

The site is located at the intersections of 18th Street, Lindenwood Drive, and 19th Street and is situated just south of the Crow Ridge Plaza shopping center (see Attachment A – Location Map). There is currently on the property a 6-foot high fence adjacent to 18th Street along the south property line and a 4-foot high fence adjacent to Lindenwood Drive and the front property line (see Attachment B – Fence Illustration). The applicant would like to replace the entire fence with a new 6-foot high fence in the same location.

Staff Analysis

The Code addresses allowing 6-foot high fences on “through lots” (lots having street frontages to the front and rear) but does not address lots having 3 street frontages. Lots with 3 street frontages are quite unusual; therefore, the request involves a unique situation which, if the request is allowed, would likely not set a precedent for all requests for 6-foot fences in front yards in the future.

The current 4-foot high section of the fence is set back 10 feet from the property line adjacent to Lindenwood Drive. The setback will reduce the adverse aesthetic impact of the increased height. The Board has been consistent that “reasonable” setbacks for this type of request should be included as a condition of approval. Staff feels that the proposed setback seems reasonable.

According to the Code section regarding “through lots”, there is a requirement for an evergreen type planting or comparable landscape planting to be placed between the fence and property line every 25 linear feet. Attachment B illustrates that the planting requirement is met on the 18th Street side of the current 6-foot high fence. It would seem logical, if approved, to impose that requirement for the section of 6-foot high fence adjacent to Lindenwood Drive.

The applicant would like to have a fence that has a more consistent look. The increased height would also allow more security for the applicant's dog.

Staff Recommendation

The proposed fence will allow a more aesthetically uniform appearance for the entire fence. In the interest of that uniformity, continuing the planting requirement appears to be logical.

The fence has been in place since the early 1990s and has a dated look from weather and sun fading. If the goal is to achieve a uniform appearance, perhaps the Board may want to condition approval on the entire fence being replaced so the completed project has a consistent look.

In May 2015 a similar request was approved by the Board for the homeowner across the street (2406 Lindenwood Drive). That approved request was for a 6-foot high fence within 8 feet of the front property line and also included a landscaping requirement. The fence at 2406 Lindenwood Drive is adjacent to 18th Street, not Lindenwood Drive, and involved a corner lot.

A similar request was also approved in August 2014 for a 6-foot high fence to surround a swimming pool at 2404 Hunter Road. That fence is complete and the new fence and landscaping is very attractive.

Having three front setbacks on a single lot could be considered a hardship given all of the facts listed in this report.

Respectfully submitted,

John Soenksen
City Planner

53rd Ave

53rd Ave

Falcon Ave

Falcon Ave

18th St

Olive Tree Cafe

Habanero's

SITE

Lindenwood Dr

18th St

19th St

Countryside Ln

Hawk Dr.

Hawk Dr

Hunter Rd

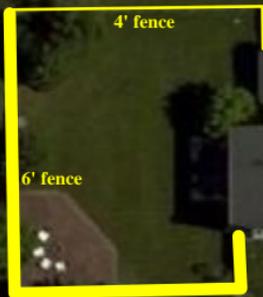
Hunter Rd

Chesterfield Dr

18th St

18th St

19th St





Case No. 15-054

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

Part 1. Property Involved.

Street Address 5094 19th St Bettendorf, IA

Legal Description of the property. Lot 18, Crow Ridge Estates
lotn Addition

Part 2. Contact Information.

Applicant Name JENNIFER BUNTEMEYER Phone 563-370-3416

Address 3235 COVINGTON DR DAVENPORT, IA 52806 FAX N/A

E-mail Address: buntmp@hotmail.com

Owner Name JULIA JACKSON Phone 563-650-9669

Address 5094 19th St Bettendorf, IA FAX _____

E-mail Address: julia.jackson@mchsi.com

Agent N/A 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.

ASKING FOR VARIANCE TO ALLOW REPLACEMENT OF FENCE
WITH ENTIRE FENCE TO BE SIX FOOT IN HEIGHT,
ATTACHED PHOTO SHOWS THERE WILL BE NO ISSUES WITH LINE OF
SIGHT FOR TRAFFIC.
I OWN A DOG WHO CAN CLEAR FOUR FT EASY WHICH, IF SHE DOES,
COULD CAUSE INJURY TO HERSELF OR OTHERS IF HIT IN
TRAFFIC.

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.
- (X) 4. List additional attachments. PICTURES OF FENCE

Part 7. Signature.

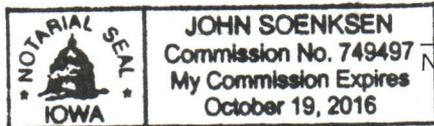
I (we) depose and say that all the information contained in this application and the statements contained in the papers submitted herewith are true. Witness our Hands and Seals this 24th day of JULY, 20 15.

Signature of Applicant [Signature] Signature of Owner BRACKSON
(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 24th day of July, 20 15.



[Signature]
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 7-24-2015



COMMUNITY DEVELOPMENT

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

August 13, 2015

Staff Report

Case No. 15-055

Location: 3224 ValleyWynds Drive

Applicant: Dave Prochaska

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

Request: Variance to reduce the required front yard setback from 35 feet to 30 feet to allow for construction of a house.

Background Information and Facts

The site is located at the northwest corner of ValleyWynds Drive and Field Sike Drive (see Attachment A – Location Map). The property is a corner lot having two required front yard setbacks - a 30-foot front yard setback adjacent to Field Sike Drive and a 35-foot front yard setback adjacent to ValleyWynds Drive. The applicant would like to reduce the required setback adjacent to ValleyWynds Drive to 30 feet.

Staff Analysis

If the variance is approved, the house would match the setback of the two houses to the north (see Attachment B – Setback Illustration). If allowed, the house will occupy the area shown on Attachment C – Plot Plan.

The house plan the applicant has chosen for this lot is a single-story house with a walk-out basement. It will be compatible aesthetically and in size with the other homes already developed in this area. The floor plan does not appear to be oversized given the way this subdivision has developed. The plot plan (Attachment C) illustrates that the house footprint will occupy almost the entire buildable area and that is assuming that the variance will be granted. Without the variance, the house plan chosen will not fit on the lot.

Corner lots with two front yard setbacks have been the subject of numerous variance requests in the past. When this subdivision was developed, staggered setbacks were required and the ability to choose offset features on the house as an alternative was not available. Given today's standards, the house design shown on Attachment C would meet the alternative requirement.

Today, during staff review of final plats, staff recommends to developers that deeper staggered front setbacks not be used on corner lots and should be assigned to interior lots to avoid the current issue.

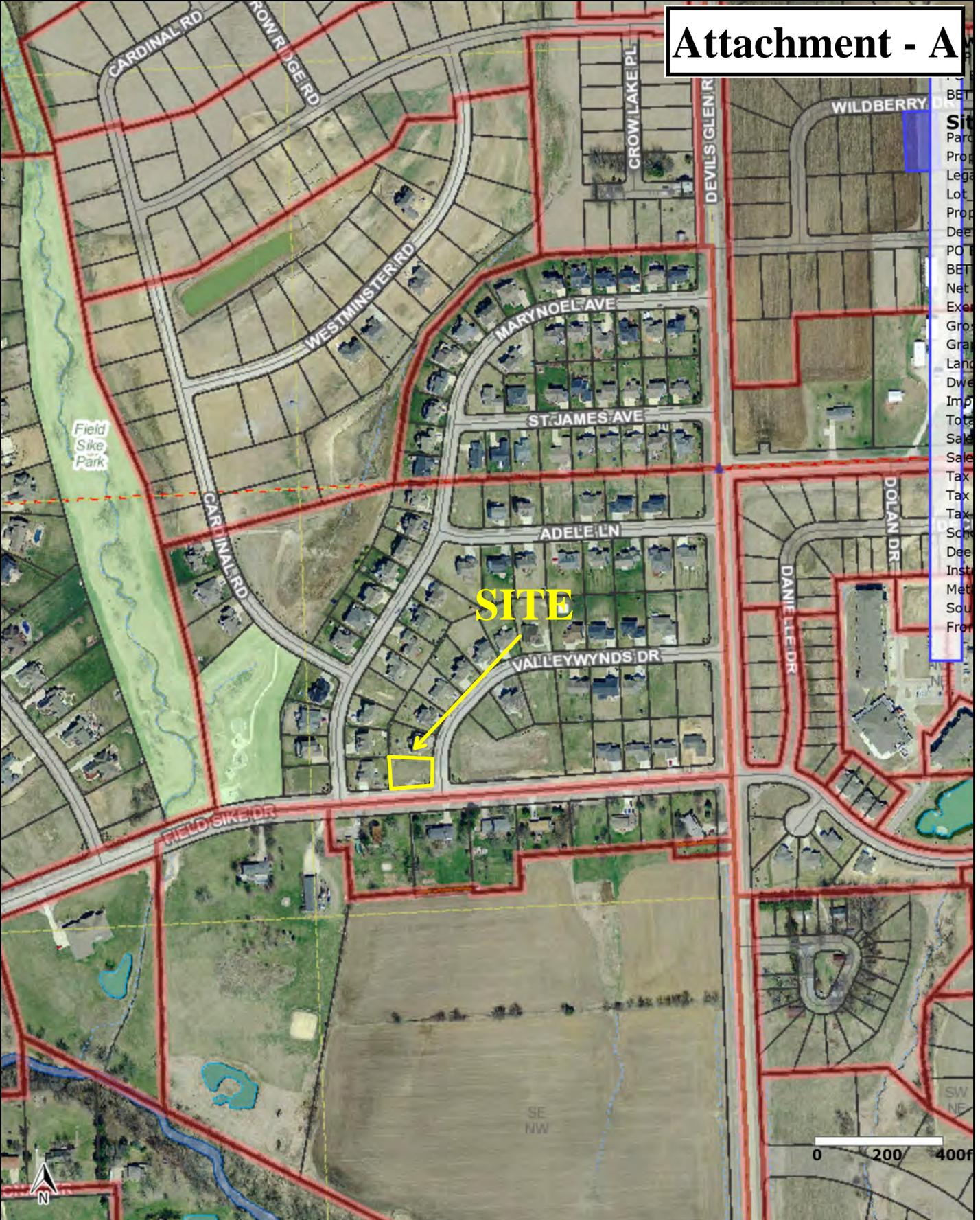
Staff Recommendation

Staff identifies a hardship given the above analysis, the developer's covenants, and the expected developments standards for this site.

Respectfully submitted,

John Soenksen
City Planner

Attachment - A



Site
Parcel
Prop
Legal
Lot
Prop
Dee
PO
BET
Net
Exe
Gro
Gra
Land
Dwe
Imp
Tot
Sale
Sale
Tax
Tax
Tax
Sch
Dee
Inst
Met
Sou
Fro

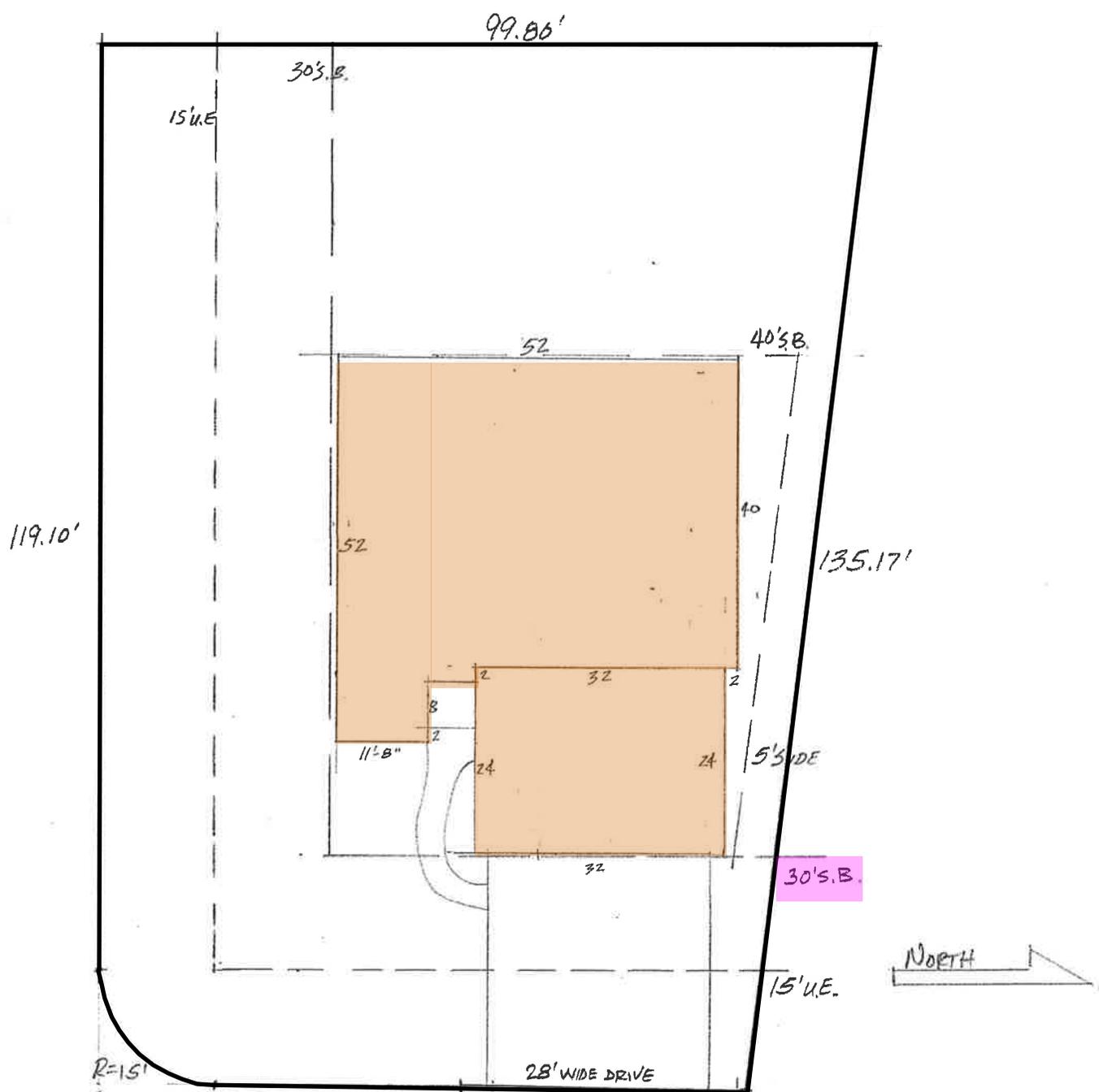
Attachment - B



Scott County, Iowa

Date Printed: 8/5/2015

This map is for illustrative purposes only and does not represent a survey. It is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The user acknowledges and accepts all inherent limitations of the maps and data, including the fact that the maps and data are dynamic and in a constant state of maintenance, correction and revision. No liability is assumed by Scott County as to the accuracy of the data delineated hereon.



SITE PLAN
 LOT # 26
 VALLEY WYND 3rd
 1"=20.00'



Case No. 15-055

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

Part 1. Property Involved.

Street Address 3224 Valley Wynds Drive

Legal Description of the property. Lot 26 Valley Wynds 3rd

Part 2. Contact Information.

Applicant Name Dave Prochaska Phone (563) 370-0459

Address 5848 Hope View Ct Bettendorf Ia 52722 FAX (563) 332-9124

E-mail Address: dprocha260@aol.com

Owner Name Dave Prochaska Const Inc Phone (563) 370-0459

Address 5848 Hope View Ct FAX 563 332-9124

E-mail Address: dprocha260@aol.com

Agent _____ Phone _____

Address _____ FAX _____

E-mail Address: _____

Part 3. Type of Application. (check at least one)

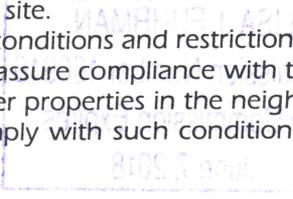
1. Variance/Exception. Before the Board of Adjustment grants approval of a variance to the City of Bettendorf Zoning Ordinance, all of the following conditions **MUST** be met:

- (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 R-1

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.

This house was designed to R-1 specifications of 30' to front and 30' to the side and 40' to the rear. Because of this lot being on the corner and having 2 front setbacks the house was designed deeper, 64', than wide 52'. However because of the developer choosing to do varied setbacks, there is a 35' front setback, making this lot unbuildable. Several of the lots in this addition are 30' front setbacks, including most of the corners.

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 21 day of July, 2015.

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 28th day of July, 2015.

[Signature]
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 7/28/15





COMMUNITY DEVELOPMENT

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

August 13, 2015

Staff Report

Case No. 15-056

Location: 3885 Middle Road

Applicant: Blackhawk Bank & Trust

Zoning Designation: C-5, Office/transitional District

Request: Special use permit to allow a drive-in banking facility.

Background Information and Facts

The site is located on the southeast corner of Belmont Road and Middle Road (see Attachment A – Location Map). The applicant has submitted a site plan for a bank that incorporates a drive-in facility including an ATM machine (see Attachment B – Site Plan). The drive-up use requires a special use approval by the Board.

Staff Analysis

The Code states that no special use permit may be granted unless the Board feels that the request meets nine specific requirements. The following is staff's summary of those nine standards:

1. The proposed use is designated by this title as a special use in the district in which the use is to be located. **Code Section 11-7E-3 lists "Drive-in banking facility" and "Drive-up window" as allowed special uses.**
2. The proposed use will comply with all applicable regulations in the district in which the use is to be located. **Code Section 11-7E-2 specifically lists "bank" as a permitted use.**
3. 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. **At the July meeting of the Planning and Zoning Commission these types of issues were the subject of thorough discussion, and the Commission requested that the applicant revise the site plan to better address them. The applicant has submitted a new plan with different access points to help ameliorate those concerns; the entire plan will again be reviewed by the Planning and Zoning Commission. Standard #3 is being addressed by the Planning and Zoning Commission in accordance with the Code.**
4. 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. **All of these issues are being addressed by the Planning and Zoning Commission. As a result of the**

discussion at the last P&Z meeting, extensive landscaping has been added to the plan (see Attachment C – Landscaping Plan). Standard #4 will be addressed by the P&Z Commission.

5. 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. **Vehicles will access the drive-up lanes traveling east with all all vehicle lighting to be parallel to the adjacent residential area. Extensive landscaping will be added to the area between the drive-up and the residential area. Stacking for at least nine vehicles is available at the drive-up lanes, and all vehicle stacking will occur exclusively on-site. Access points to and from the facility have been moved at the neighbor’s request to prevent potential traffic hazards.**
6. The proposed use will not cause substantial injury to the value of other property in the neighborhood. **This lot has been zoned commercial for years. Banking facilities are one of the least intensive uses listed in potential commercial districts. The hours of the bank will be standard daytime business hours. Only the ATM will be available 24 hours.**
7. 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. **There has been no previous denial of this use at this site.**
8. 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 general intent of this title. Failure to comply with such conditions or restrictions shall constitute a violation of this title. **At the time of this report staff has no further recommendations. The Board may impose any such condition(s) it feels is appropriate at the time of the meeting. Staff is not aware of any other drive-in banking facility upon which further restrictions were imposed.**
9. The proposed use is consistent with the Bettendorf comprehensive plan and serves to further the goals of the plan. **The use and plan conforms to the provisions of the Comprehensive Plan.**

Staff Recommendation

Based on the above analysis, staff recommends approval of a drive-in banking use for this site. The entirety of the overall site plan will be reviewed at public hearings by the Planning and Zoning Commission and the Bettendorf City Council to ensure that all of the required items are satisfied.

Respectfully submitted,

John Soenksen
City Planner



Bettendorf Christian Church

Fareway Grocery

Lindquist Ford

Duck Creek Tire & Services

Ron's Toy Box

Belmont Rd

Middle Rd

Anytime Fitness

Red Apple Child Care Center

Hand In Hand

Pleasant Valley Dentistry

Middle Haven Rd

Grandview

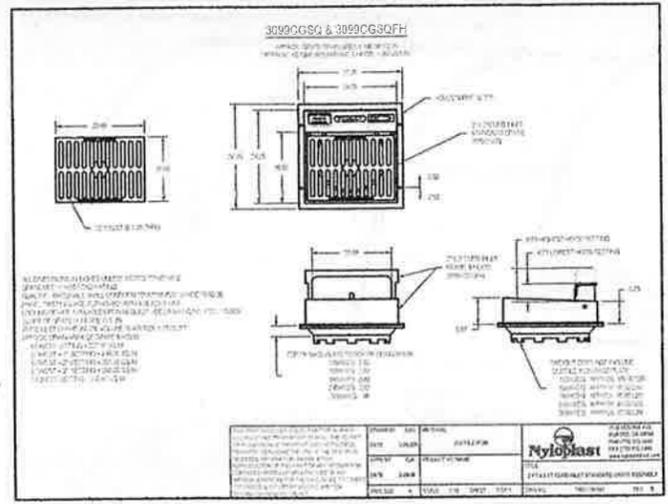
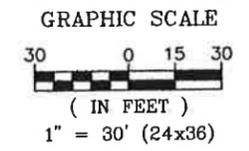
SITE

Old Belmont

Google

Grandview

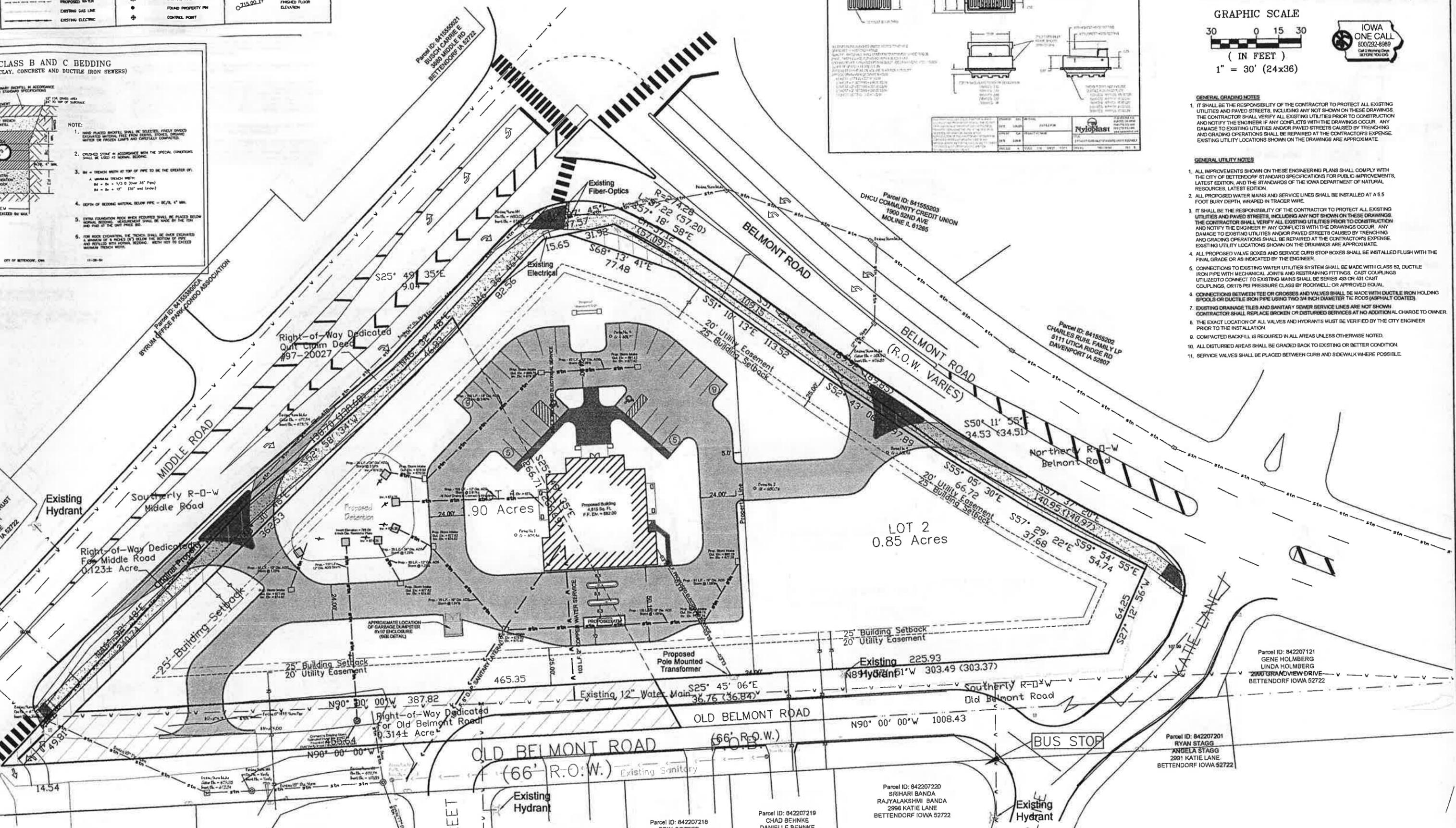
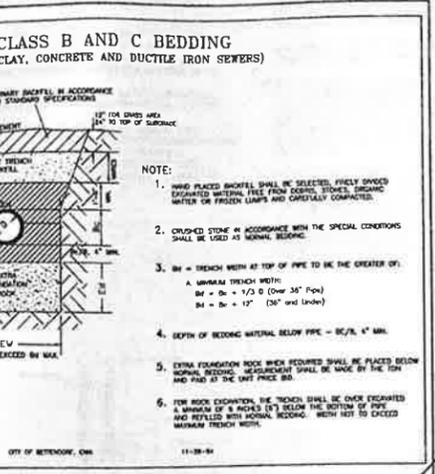
ADDITION TO THE CITY OF BETTENDORF, IA



- GENERAL GRADING NOTES**
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROTECT ALL EXISTING UTILITIES AND PAVED STREETS, INCLUDING ANY NOT SHOWN ON THESE DRAWINGS. THE CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER IF ANY CONFLICTS WITH THE DRAWINGS OCCUR. ANY DAMAGE TO EXISTING UTILITIES AND/OR PAVED STREETS CAUSED BY TRENCHING AND GRADING OPERATIONS SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE. EXISTING UTILITY LOCATIONS SHOWN ON THE DRAWINGS ARE APPROXIMATE.
- GENERAL UTILITY NOTES**
- ALL IMPROVEMENTS SHOWN ON THESE ENGINEERING PLANS SHALL COMPLY WITH THE CITY OF BETTENDORF STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, LATEST EDITION, AND THE STANDARDS OF THE IOWA DEPARTMENT OF NATURAL RESOURCES, LATEST EDITION.
 - ALL PROPOSED WATER MAINS AND SERVICE LINES SHALL BE INSTALLED AT A 5 FOOT BURY DEPTH, WRAPPED IN TRACER WIRE.
 - IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROTECT ALL EXISTING UTILITIES AND PAVED STREETS, INCLUDING ANY NOT SHOWN ON THESE DRAWINGS. THE CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER IF ANY CONFLICTS WITH THE DRAWINGS OCCUR. ANY DAMAGE TO EXISTING UTILITIES AND/OR PAVED STREETS CAUSED BY TRENCHING AND GRADING OPERATIONS SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE. EXISTING UTILITY LOCATIONS SHOWN ON THE DRAWINGS ARE APPROXIMATE.
 - ALL PROPOSED VALVE BOXES AND SERVICE CURB STOP BOXES SHALL BE INSTALLED FLUSH WITH THE FINAL GRADE OR AS INDICATED BY THE ENGINEER.
 - CONNECTIONS TO EXISTING WATER UTILITIES SYSTEM SHALL BE MADE WITH CLASS S2, DUCTILE IRON PIPE WITH MECHANICAL JOINTS AND RESTRAINING FITTINGS. CAST COUPLINGS UTILIZED TO CONNECT TO EXISTING MAINS SHALL BE SERIES 433 OR 431 CAST COUPLINGS, OR 175 PSI PRESSURE CLASS BY ROCKWELL, OR APPROVED EQUAL.
 - CONNECTIONS BETWEEN TEE OR CROSSES AND VALVES SHALL BE MADE WITH DUCTILE IRON HOLDING SPOOLS OR DUCTILE IRON PIPE USING TWO 3/4 INCH DIAMETER TIE RODS (ASPHALT COATED).
 - EXISTING DRAINAGE TILES AND SANITARY SEWER SERVICE LINES ARE NOT SHOWN. CONTRACTOR SHALL REPLACE BROKEN OR DISTURBED SERVICES AT NO ADDITIONAL CHARGE TO OWNER. THE EXACT LOCATION OF ALL VALVES AND HYDRANTS MUST BE VERIFIED BY THE CITY ENGINEER PRIOR TO THE INSTALLATION.
 - COMPACTED BACKFILL IS REQUIRED IN ALL AREAS UNLESS OTHERWISE NOTED.
 - ALL DISTURBED AREAS SHALL BE GRADED BACK TO EXISTING OR BETTER CONDITION.
 - SERVICE VALVES SHALL BE PLACED BETWEEN CURB AND SIDEWALK WHERE POSSIBLE.

LEGEND:

	EXISTING GAS VALVE		EXISTING CONTOUR LINE
	EXISTING WATER VALVE		PROPOSED CONTOUR LINE
	EXISTING UTILITY POLE		
	EXISTING LIGHT POLE		
	EXISTING TREE		SPOT ELEVATION TOP OF CURB
	EXISTING BUSH		SPOT ELEVATION FL @ GUTTER
	EXISTING MANHOLE		SPOT ELEVATION SIDEWALK
	EXISTING FIRE HYDRANT		SPOT ELEVATION FINISHED FLOOR ELEVATION
	FOUND PROPERTY PIN		
	CONTROL POINT		

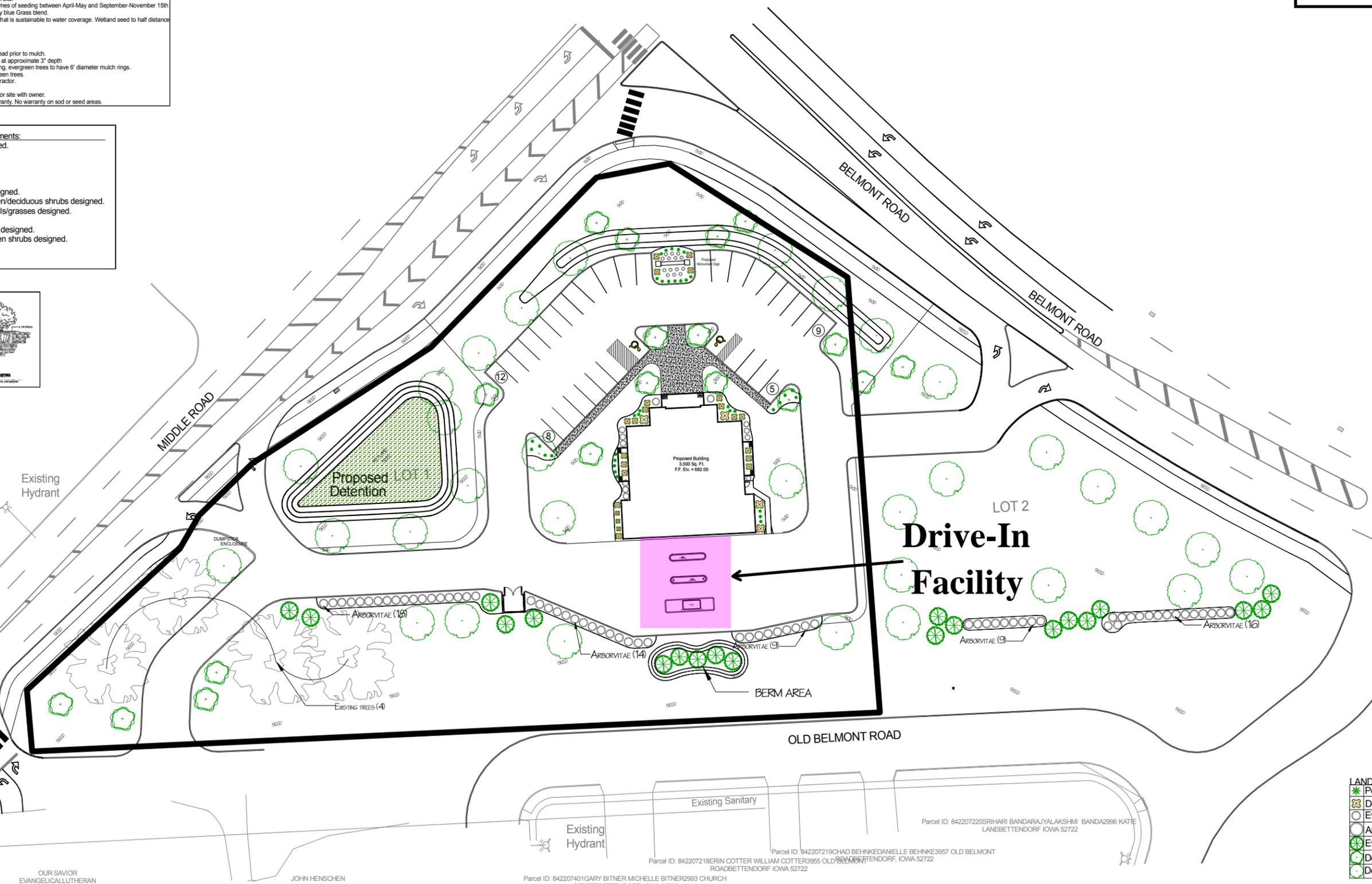
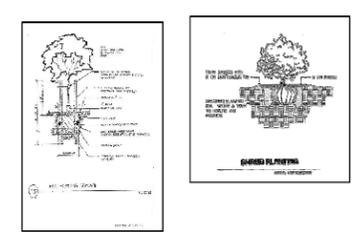


LANDSCAPE NOTES:

- topsoil for all turf areas to be 8" depth and supplied, placed and rough graded by onsite excavator.
- topsoil to be rough graded to a .10 of an inch of finish grade. (industry standard)
- topsoil for all planting beds to be 12" depth and supplied, placed and rough graded by onsite excavator.
- topsoil to be rough graded to within .10 of an inch of finish grade. (industry standard)
- rock from 1" or larger from construction to be removed from site.
- Turf areas to be sod or hydro-seed as indicated on plan. Times of seeding between April-May and September-November 15th (IDOT Standards). Sod to be from local farms and Kentucky blue Grass blend.
- detention pond to have wetland seed. Blend to be mixture that is sustainable to water coverage. Wetland seed to half distance up slopes of detention pond.
- Use seed matting on all necessary slopes for turf berms.
- all plant quantities to be governed by plan.
- planting bed to have spaced edge to 3"-4" depth.
- planting beds to have granular pre-emergent herbicide spread prior to mulch.
- planting beds to have dyed brown, shredded mulch spread at approximate 3" depth
- outlying trees deciduous trees to have 4' diameter mulch ring, evergreen trees to have 6' diameter mulch rings.
- outlying deciduous trees to be staked, no stakes on evergreen trees.
- plants to be initially watered upon install by landscape contractor.
- recommend irrigation system to all plant and turf areas.
- If no irrigation system, discuss maintenance and watering for site with owner.
- Trees and shrubs to carry a one year upon completion warranty. No warranty on sod or seed areas.

Minimum Street Yard Greenspace Requirements:

- Total Tree Factor: 53 required, 70 designed.
- Along Middle Road: 8 designed.
- Along Belmont Road: 12 designed.
- Along Old Belmont Road: 25 designed.
- Vehicle Use Area: 24 designed.
- Around Foundation of Building: 5 trees designed.
- 34 evergreen/deciduous shrubs designed.
- 14 perennials/grasses designed.
- Parking Lot Islands: 2 trees designed.
- 14 perennials/grasses designed.
- 18 deciduous/evergreen shrubs designed.
- Buffer Along Old Belmont: 24 trees
- 66 Arborvitae



OUR SAVIOR
EVANGELICAL LUTHERAN
CHURCH 3775 MIDDLE
ROAD BETTENDORF, IA 52722
Parcel ID: 84220500713775
MIDDLE ROAD BETTENDORF,
IOWA

JOHN HENSCHEN
ELLONVIA YENNEY
Parcel ID: 842207218
2994 CHURCH STREET
BETTENDORF, IOWA

Parcel ID: 842207401 GARY BITNER MICHELLE BITNER 2993 CHURCH
STREET BETTENDORF, IOWA 52722

Parcel ID: 842207218 ERIN COTTER WILLIAM COTTER 3955 OLD BELMONT
ROAD BETTENDORF, IOWA 52722

Parcel ID: 842207220 SRIHARI BANDARA JYALAKSHMI BANDA 2996 KATIE
LANE BETTENDORF, IOWA 52722

LANDSCAPE LEGEND

	Perennial	36	1 gal-3 gal
	Deciduous Shrub	27	3 gal-5 gal
	Evergreen Shrub	26	3 gal-5 gal
	Arborvitae	66	5'-6'
	Evergreen Tree	20	6'
	Deciduous Understory Tree	18	1.75'-2' cal
	Deciduous Overstory Tree	32	2.5' cal

2015
Heritage Landscape Design, Inc.
This drawing is an instrument of
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HERITAGE
LANDSCAPE DESIGN
Design Office: 2728 41st Street (309) 797-9990
Nursery: 4500 49th Ave., Moline, IL
Web Site: www.heritagedesign.com

Revision #: 0003
Date: 8/5/2015

Scale:
0' 1" = 60' 0"

Landscape Plan: Landscape Plan
Blackhawk Bank & Trust

Landscape Design by: Myk Skelton
Heritage Landscape Design, Inc.



Case No. 15-056

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

Part 1. Property Involved.

Street Address 3885 Middle Road

Legal Description of the property. Lot 1 of Quail Ridge Pointe Subdivision
(Parcel # 841555201) and Parcel 841555004

Part 2. Contact Information.

Applicant Name Blackhawk Bank and Trust Phone 309-787-7567
Address P.O. Box 1100 Milan, IL 61264 FAX 309-787-8561
E-mail Address: _____

Owner Name Blackhawk Bank and Trust Phone 309-787-7567
Address P.O. Box 1100 Milan, IL 61264 FAX 309-787-8561
E-mail Address: _____

Agent Townsend Engineering Chris Townsend Phone 563-386-4236
Address 2224 East 12th Street Davenport IA 52803 FAX 563-386-4231
E-mail Address: chris@townsendengineering.net

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.)

