

ZONING BOARD OF ADJUSTMENT MEETING

CITY OF DAVENPORT, IOWA

THURSDAY, MARCH 10, 2022; 4:00 PM

CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

THE ZONING BOARD OF ADJUSTMENT HOLDS PUBLIC HEARINGS TO CONSIDER
HARDSHIP VARIANCES, SPECIAL USES, AND INTERPRETATION APPEALS.

I. Call to Order

II. Secretary's Report

A. Approve the 2-10-22 ZBA Minutes.

III. Old Business

IV. New Business

A. Request AA22-01 of Mike Meloy on behalf of John Davis/AlleyKats LLC for an appeal of an administrative interpretation, appealing the Zoning Administrator's interpretation letter dated December 9, 2021 regarding the sale of vehicles at 1707 West River Drive in the City of Davenport, Iowa. Property is zoned I-2 Heavy Industrial District. [Ward 3]

V. Other Business

VI. Adjourn

City of Davenport
Zoning Board of Adjustment

Department: DNS
Contact Info: ScottKoops@davenportiowa.com

Date
3/10/2022

Subject:
Approve the 2-10-22 ZBA Minutes.

ATTACHMENTS:

Type	Description
▣ Exhibit	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Koops, Scott	Approved	3/4/2022 - 2:57 PM



MINUTES
Zoning Board of Adjustment
February 10, 2022



By this reference all reports, documents, presentations, videos and the hearing's video recording are incorporated into the minutes.
See the following link: <https://www.youtube.com/user/DavenportToday/videos>

I. Call to Order:

Board member Loebach called the Zoning Board of Adjustment meeting to order in City Hall Council Chambers, Davenport, Iowa at approximately 4:01 p.m.

Board Members present: Loebach, Boyd-Carlson, Darland, and Reistroffer

Excused: Quinn

Staff present: Koops and Zoning Administrator Berkley

II. Secretary's Report:

Minutes were approved for the 1-27-22 ZBA Hearing by voice-vote (4-0).

III. Old Business:

None.

IV. New Business:

Request HV22-02 of Aaron Mailey and John Carroll on behalf of Riverwatch LLC at 227 LeClaire Street ([L0015A01](#)) for a hardship variance from Section 17.05.050.B. and 17.09.030.Q. setback requirements for new construction of a hotel and dumpster. The C-D District requires a 0' to 10' built-to zone for at least 80% of the street frontage along all three (3) public streets of this lot. The proposed hotel will be setback approximately 5 feet from the LeClaire Street lot line for approximately 82 feet and 10.5 feet from the lot line for approximately 22 feet along 3rd St and approximately 60 feet from East River Drive. A dumpster enclosure is proposed for the southwest corner of the lot in the front yard. Dumpsters are prohibited within front and corner side yards. [Ward 3]

Koops presented the staff report.

Findings:

- Item #1 zoning code does result in hardship as applied for the proposed use;
- Item #2 physical and topographical conditions of the site do limit the use;
- Item #3 unique circumstance has been established;
- Item #4 protection of essential character has been established;

Recommendation:

Staff recommends that Board adopt staff's findings and approves request HV22-02 subject to the following:

The refuse area shall met all City standards for screening, in addition to special requirements as follows:

- 1) a robust landscape plan for the dumpster enclosure shall be reviewed by the Design Review Board and approved by planning staff prior to occupancy;

- 2) the enclosure shall be constructed of the same materials as the hotel building (excluding the wood-look panels).

Charles Miller spoke on behalf of the applicant and addressed Board questions.

Motion

Darland moved to approve HV22-01 subject to the following conditions, seconded by Boyd-Carlson.

The refuse area shall met all City standards for screening, in addition to special requirements as follows:

- 1) a robust landscape plan for the dumpster enclosure shall be reviewed by the Design Review Board and approved by planning staff prior to occupancy;
- 2) the enclosure shall be constructed of the same materials as the hotel building (excluding the wood-look panels).

The motion carried unanimously (4-0).

Loebach, yes; Boyd-Carlson, yes; Darland, yes; Reistroffer, yes.

V. Other Business

None.

VI. Adjourn

The meeting adjourned unanimously by voice vote at approximately 4:25 p.m.

City of Davenport
Zoning Board of Adjustment

Department: DNS
Contact Info: ScottKoops@davenportiowa.com

Date
3/10/2022

Subject:

Request AA22-01 of Mike Meloy on behalf of John Davis/AlleyKats LLC for an appeal of an administrative interpretation, appealing the Zoning Administrator's interpretation letter dated December 9, 2021 regarding the sale of vehicles at 1707 West River Drive in the City of Davenport, Iowa. Property is zoned I-2 Heavy Industrial District. [Ward 3]

ATTACHMENTS:

Type	Description
▣ Exhibit	Staff Report
▣ Exhibit	A Zoning Administrator's Interpretation
▣ Exhibit	B Administrative Appeal Application
▣ Exhibit	C Transition Rules 17.01.040.F.
▣ Exhibit	D City Business Licenses
▣ Exhibit	E City Building Permit Record
▣ Exhibit	F Aerial & Site Photography

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Koops, Scott	Approved	3/4/2022 - 2:52 PM



**Zoning Board of Adjustment
Planning Staff Report
Appeal of Zoning Administrator's Interpretation
1707 W River Drive | March 10, 2022**

Description

Request AA22-01 of Mike Meloy on behalf of John Davis/AlleyKats LLC for an appeal of an administrative interpretation, appealing the Zoning Administrator's interpretation letter dated December 9, 2021 regarding the sale of vehicles at 1707 West River Drive in the City of Davenport, Iowa. Property is zoned I-2 Heavy Industrial District. [Ward 3]

Zoning Interpretation

The City of Davenport Zoning Administrator sent a zoning interpretation letter dated December 9, 2021 to the contract owners and deed owner of 1707 West River Drive.

The Zoning Administrator's interpretation is that an automobile sales/vehicle dealership is not an allowed use at 1707 West River Drive (since Jan 20, 2019, date of the 2019 Zoning Code Rewrite), nor is the site allowed automobile sales as a nonconforming use, regardless any previously issued letters or city dealership licenses, specifically the letter dated February 4, 2020 written by Matt Flynn and city dealer license for Carter Auto Sales (#50015490).

The Flynn zoning determination letter relied on erroneous information regarding the established use of the property. Mr. Flynn relied on testimony that the site was in operation as a vehicle sales dealership continuously from the date of the M&S Motorsports license to the date the letter was issued, February 4, 2020. The reason the letter was written in error is that the determination pre-supposed a nonconforming use existing on the property, when in fact the site never had a legally established auto sales lot and business with inventory and sales physically occurring at the site.

Background

M&S Motorsports (#50014002) was issued a city dealership license on September of 2018 for 1707 W. River Dr. which expired March 31, 2019. There is no evidence that vehicle inventory was located on site, or that auto sales ever occur at 1707 W. River Dr. One of the reasons the site was never utilized was that the property owner failed to obtain a necessary Occupancy Permit, Building Permit, and Elevation Certificate.

Building permit do not indication that there was any substantial or moderate investment in the property to convert the site from a 2001 gas station, to a vehicle dealership in 2018 by M&S Motorsports LLC (or later in 2020 by Carter's Auto sales). At the time M&S Motorsports dealership license was issued by the City, the property was zoned M-2 Heavy Industrial District under the pre-'2019' zoning code. That license (#50014002), issued specifically to M&S Motorsports expired in July of 2019. Issuing a city dealership license for a use that was never physically present on the site does not vest the right for later use/establishment after a zoning code changed to disallow such use (which, as stated, has never been physically established on the site).

Since M&S vehicle dealership use was not established prior to the code changes dated January 20, 2019, the property no longer can be developed as a vehicle dealership, as the property no longer allows vehicle dealerships and due to the fact that no transition rules (which would allow for the continuance of a nonconforming use) apply under Section 17.01.040 'Transition Rules' (see Exhibit C

Carter's Auto Sales applied for a city dealership license on October 23, 2019 for 1707 W. River Dr. The application failed to provide the following:

1. total square feet of the sales lot,
2. maximum number of vehicles on the lot at any one time,
3. a site plan, and
4. copy of Iowa Department of Transportation approval

During the review of the city dealer's license, on Feb. 4, 2020 Matt Flynn issued a zoning determination letter which erroneously concluded that the property was a non-conforming property. The property was not listed on the City's list of non-conforming properties, nor was there any evidence that there had ever been any auto sales business physically present on the property and at the time the property was zoned I-2 Heavy Industrial District which does not support vehicle dealership as an allowed use. The city dealership license was then issued in error on April of 2020; however the dealership license is absent of an 'issue date' a 'fee paid' amount. The permit was later deactivated due to the aforementioned issues and inactivity on the lot. Additionally, there was never an occupancy permit issued.

Carter then sold the property to Veric LLC on December 29, 2020. Veric subsequently sold to Gunnar LLC on contract and Gunnar LLC sold to AllyKats on contract, all on the same date, December 29, 2020.

Staff's full interpretation is located in **Exhibit A. Zoning Administrator's Interpretation** and below for your convenience:

December 9, 2021

To Whom It May Concern,

A request for a dealership license for 1707 W. River Drive has been received by the City. On January 20, 2019 the property was zoned to I-2 Heavy Industrial Zoning District during a complete replacement of the city's zoning code. Auto dealership is not a permitted use in the I-2 District (see attached Table 17.08-1 Use Matrix). I am aware that a letter dated February 4, 2020 was issued by Matthew Flynn, Senior Planning Manager, stating that vehicle sales with outdoor display was considered a legal non-conforming use. Upon further review, this letter as well as a sub-lot to a primary dealership license was issued in error.

Licensing records show that a dealership license was issued for this property on September 27, 2018. While a dealership license had been issued for this property prior to the January 2019 Zoning Code changes which removed vehicle dealerships as an allowed use, review of aerial photos indicate a dealership use had not been physically established on the property. A Certificate of Occupancy was never issued for the property as the required Elevation Certificate was never received showing the work met Section 15.44: Flood Damage Prevention regulations in the City Code. Since the vehicle dealership use was not established prior to the code changes dated January 20, 2019, the property no longer can be developed as a vehicle dealership. No transition rules under 17.01.040 apply.

A property owner, or a person expressly authorized in writing by the property owner may file an appeal of the Zoning Administrator's interpretation. An application for appeal must be filed within 30 days of the date of this letter. After receipt of a complete application, the Zoning Board of Adjustment will consider the proposed zoning appeal at a public hearing. A Zoning Appeal application is enclosed for your review.

Sincerely,

Laura Berkley

Development & Planning Administrator

Enclosures: Letter dated February 4, 2020; Use Matrix Table 17.08-1 from current Zoning Code, Zoning Appeal Application

CC: Veric LLC, Gunnar LLC

Sent by certified and regular mail

Appeal of a Zoning Administrator's Interpretation

The Davenport Zoning Ordinance allows for a property owner in the City, or person expressly authorized in writing by the property owner, that is directly affected by a determination of the Zoning Administrator to file an appeal of the Zoning Administrator's decision on a zoning interpretation decision related to the Zoning Ordinance (Section 17.14.130). The process is intended to provide appropriate checks and balances on the administrative authority of the Zoning Administrator.

The Zoning Board of Adjustment will take formal action on zoning administrative appeal application once a submittal is completed. The burden of proof is on the applicant of the appeal to prove the claims of the request.

The applicant's appeal is stated as follows from the Appeal Application:

"Veric, L.L.C. & AllyKats L.L.C. appeals the decision of a zoning interpretation for real property located at 1707 W. River Drive, Davenport, Iowa 52802. The December 9, 2021 letter from the City erroneously interpreted the Davenport zoning ordinance.

The use of this property as a vehicle sale use with outdoor storage was approved on February 4, 2020. See attached February 4, 2020 letter from Matthew Flynn to Derric Carter. Flynn reviewed and approved the operation at 1707 W. River Drive, who is Davenport Senior Planning Manager.

We request the Zoning Board overrule the December 9, 2021 zoning decision as erroneous and contradicted by the clear evidence of Mr. Flynn's February 4, 2020 letter to Derric Carter and the issuance of business licenses to this real property in 2018 and 2021. See Senior Planning Manager Matthew G. Flynn's, AICP, February 4, 2020 letter and attached business licenses from the City. The City now claims Mr. Flynn's letter was an "error" and refuses to allow the auto vehicle sales to continue as a lawful business."

Board Options

The "Zoning Board of Adjustment must either confirm or overturn the Zoning Administrator's decision" as specified in the City of Davenport Zoning Code (see Section 17.14.130).

If the Board confirms the Zoning Administrator's interpretation, the property would not be allowed to sell automobiles as a vehicle dealership.

Discussion

The City Development & Planning Administrator (who is designated as the City Zoning Administrator) reviewed the real property located at 1707 West River Drive for use a vehicle dealership.

The Zoning Administrator conducted the following in preparation for the interpretation:

- I. Review of existing documentation related to the property.
 - a. Determination letter dated February 4, 2020 written by Matt Flynn
 - b. City Dealership License for M&S Motorsports (#50014002)
 - c. City Dealership License for Carter's Auto Sales (#50015490)

II. Review of historic aerial and street-view photography

All know city inspection records, GIS data files and third party photography was reviewed in addition to the Scott County Assessor's inspection photos and data from www.ScottCountyIowa.com .

III. A review of the Davenport Municipal Code (both the January 20, 2019 and the pre-2019 Zoning Codes).

Findings & Staff Recommendation:

Findings:

- No evidence has been submitted demonstrating actual operation of the site as a car sales lot
- No evidence has been submitted demonstrating the site is a non-conforming site with vested rights to operate a vehicle sales dealership
- No significant amount of investment in the property has occurred for the conversion of the property to a vehicle sales operation

Recommendation:

Staff recommends the Board "Move to confirm the interpretation of the Zoning Administrator in the letter addressed to Veric LLC/AlleyKats LLC dated December 9, 2021 (also identified in this report as **Exhibit A. Zoning Administrator's Interpretation**).

Prepared by:



Scott Koops, AICP, Planner II

Attachments: ZBA Notice of appeal application, notice documents, exhibits

Exhibits:

- A. Zoning Administrator's Interpretation
- B. Administrative Appeal Application
- C. Transition Rules 17.01.040.F
- D. City Business Licenses/Applications
- E. City Building Permit Record
- F. Aerial & Site Photography

Exhibit A. Zoning Administrator's Interpretation



December 9, 2021

AllyKats LLC
822 Indian Road
Davenport, IA 52804

RE: Zoning Interpretation for 1707 W. River Drive, Davenport, Iowa

To Whom It May Concern,

A request for a dealership license for 1707 W. River Drive has been received by the City. On January 20, 2019 the property was zoned to I-2 Heavy Industrial Zoning District during a complete replacement of the city's zoning code. Auto dealership is not a permitted use in the I-2 District (see attached Table 17.08-1 Use Matrix). I am aware that a letter dated February 4, 2020 was issued by Matthew Flynn, Senior Planning Manager, stating that vehicle sales with outdoor display was considered a legal non-conforming use. Upon further review, this letter as well as a sub-lot to a primary dealership license was issued in error.

Licensing records show that a dealership license was issued for this property on September 27, 2018. While a dealership license had been issued for this property prior to the January 2019 Zoning Code changes which removed vehicle dealerships as an allowed use, review of aerial photos indicate a dealership use had not been physically established on the property. A Certificate of Occupancy was never issued for the property as the required Elevation Certificate was never received showing the work met Section 15.44: Flood Damage Prevention regulations in the City Code. Since the vehicle dealership use was not established prior to the code changes dated January 20, 2019, the property no longer can be developed as a vehicle dealership. No transition rules under 17.01.040 apply.

A property owner, or a person expressly authorized in writing by the property owner may file an appeal of the Zoning Administrator's interpretation. An application for appeal must be filed within 30 days of the date of this letter. After receipt of a

complete application, the Zoning Board of Adjustment will consider the proposed zoning appeal at a public hearing. A Zoning Appeal application is enclosed for your review.

Sincerely,



Laura Berkley
Development & Planning Administrator

Enclosures: Letter dated February 4, 2020; Use Matrix Table 17.08-1 from current Zoning Code, Zoning Appeal Application

CC: Veric LLC, Gunnar LLC

Sent by certified and regular mail



DAVENPORT

COMMUNITY PLANNING &
ECONOMIC DEVELOPMENT

February 4, 2020

Mr. Derric Carter
4620 Rockingham Rd.
Davenport, IA 52802

Subject: Zoning Verification Letter, 1707 W. River Drive

Dear Mr. Carter:

You have requested a zoning verification letter in order to allow vehicle sales with outdoor display at 1707 W. River Drive.

In January of 2019, the City of Davenport adopted a new zoning ordinance for the entire City. Part of this effort included assigning new zoning classifications to each parcel in the City. This property was classified I-2, Heavy Industrial Zoning District.

Vehicle sales with outdoor storage is not normally permitted within this zoning district. But in this case, the use was established before the new code was adopted and is considered a legal non-conforming use. Thus, the use is allowed for zoning purposes.

I understand you are still awaiting final approval of your business license application. Be advised I have already approved the application for zoning compliance as a legal non-conforming use. Other City Departments may have concerns that warrant attention.

Let me know if you have any questions.

Matthew G. Flynn, AICP
Senior Planning Manager
matt.flynn@davenportiowa.com
563-888-2286

TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Adult Use																S	S					Sec. 17.08.030.A	
Agriculture																			P				
Amusement Facility - Indoor									P	P	P		P	P	P	P		P					
Amusement Facility - Outdoor										S	S				S	P		S					
Animal Care Facility – Large Animal																			P				
Animal Care Facility – Small Animal							S	S	P	P	P		S	S	P	P		P	P			Sec. 17.08.030.B	
Animal Breeder																			P			Sec. 17.08.030.B	
Art Gallery							P	P	P	P	P		P	P	P			P					
Arts and Fitness Studio							P	P	P	P	P		P	P	P			P					
Bar									P	P	P		P	P	P			P					
Bar – Neighborhood								P														Sec. 17.08.030.C	
Bed and Breakfast	S	S	S	S	S														P			Sec. 17.08.030.D	
Billboard									P	P						P	P					Sec. 17.08.030.E	
Body Modification Establishment								P	P	P	P		P		P			P					
Broadcasting Facility TV/Radio								P	P	P		P	P	P	P	P	P	P			P		
Campground																			S	P		Sec. 17.08.030.F	
Car Wash									P	P					S			P				Sec. 17.08.030.G	
Casino															P								
Cemetery																				P			
Children’s Home					P				P	P					P			S			P	Sec. 17.08.030.H	
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Community Center	P	P	P	P	P		P	P	P	P	P		P	P	P			P	P	P	P		
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	Sec. 17.08.030.I	
Conservation Area																			P	P			
Country Club																				P			
Cultural Facility							P	P	P	P	P		P	P	P			P		P	P		
Day Care Center					P		P	P	P	P	P	P	P	P	P	S		P			P	Sec. 17.08.030.J	
Day Care Home	P	P	P	P	P														P			Sec. 17.08.030.K	
Drive-Through Facility									P	P	S		S		P	P	P					Sec. 17.08.030.K	
Drug/Alcohol Treatment Facility, Residential									S	S					S			S			S	Sec. 17.08.030.L	
Drug Treatment Clinic									S	S					S			S			S	Sec. 17.08.030.L	
Domestic Violence Shelter					P			P	P	P					P			P			P	Sec. 17.08.030.H	
Dwelling – Accessory Dwelling Unit	P	P	P	P																		Sec. 17.08.030.M	

TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Dwelling – Manufactured Home						P													S			Sec. 17.08.030.N	
Dwelling - Multi-Family					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.O	
Dwelling - Townhouse					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.P	
Dwelling - Single-Family	P	P	P	P			P	P	P					P								Sec. 17.08.030.P	
Dwelling - Single-Family Semi-Detached		P	P	P	P		P	P	P		S			P								Sec. 17.08.030.P	
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P		S			P								Sec. 17.08.030.P	
Dwelling - Two-Family (Conversion)					P		P	P	P					P								Sec. 17.08.030.P	
Educational Facility - Primary or Secondary	P	P	P	P	P																P		
Educational Facility - University or College										P	P	P	P		P						P		
Educational Facility - Vocational							S	S	S	P	P	P	P	S	P	P	P	P			P		
Equine, Keeping of/Equestrian Facility	P																		P			Sec. 17.08.030.Q	
Fairground																			S	S	P		
Financial Institution							P	P	P	P	P	P	P	P	P			P					
Financial Institution, Alternative									S	S					S			P				Sec. 17.08.030.R	
Food Bank																	P	P	P				
Food Pantry									P	S					S			S					
Funeral Home							S	S	S	P					P			P					
Gas Station								S	P	P	S				P	P	P	P				Sec. 17.08.030.S	
Golf Course/Driving Range																				P			
Government Office/Facility							P	P	P	P	P	P	P	P	P	P	P	P		P	P		
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Greenhouse/Nursery - Retail										P					P			P	S				
Group Home	P	P	P	P	P																	Sec. 17.08.030.T	
Halfway House									S	S					S			S			S	Sec. 17.08.030.L	
Healthcare Institution																					P		
Heavy Rental and Service																P		P					
Heavy Retail										S					S	P		P					
Homeless Shelter									S	S					S			S			S	Sec. 17.08.030.L	
Hotel									P	P	P	P	P	S	P			P					
Industrial - General																	P						
Industrial - Light												P				P	P	P					
Industrial Design								P	P	P		P	P		P	P	P	P					

TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Live Performance Venue										P	P		P	P	P	P		P					
Lodge/Meeting Hall	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P	P			Sec. 17.08.030.U	
Manufactured Home Park						P																	
Medical/Dental Office							P	P	P	P	P	P	P	P	P			P			P		
Micro-Brewery/Distillery/Winery									P	P	P		P	P	P	P		P					
Neighborhood Commercial Establishment		S	S	S	S																	Sec. 17.08.030.V	
Office							P	P	P	P	P	P	P	P	P	P	P	P			P		
Outdoor Dining							P	P	P	P	P	P	P	P	P	P	P	P			P	Sec. 17.08.030.W	
Parking Lot (Principal Use)								S	S	S	S	S	S	S	S	P	S	S			P	Chapter 17.10	
Parking Structure (Principal Use)								S	S	P	P	P	S	S	P			P			P	Chapter 17.10	
Personal Service Establishment							P	P	P	P	P	P	P	P	P	P		P			P		
Place of Worship	P	P	P	P	P		S	S	P	P	P		P	P	P	P			P		P		
Private Recreation Facility								P	P	P	P	P	P	P	P	P		P			P		
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P		
Public Safety Facility					P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Public Works Facility												P				P	P	P	P		P		
Reception Facility	S	S	S	S				S	S	P	P		S	S	P			P	S			Sec. 17.08.030.X	
Recreational Vehicle (RV) Park																			S	S		Sec. 17.08.030.F	
Research and Development												P				P	P	P			P		
Residential Care Facility					P		P	P	P	P	P	P	P		P	P		P			P	Sec. 17.08.030.Y	
Restaurant								P	P	P	P	P	P	P	P	P	P	P		P	P		
Retail Goods Establishment							P	P	P	P	P	P	P	P	P	P	P	P			P		
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Retail Alcohol Sales									P	P	S		S		P	P							
Retail Sales of Fireworks																P	P					Sec. 17.08.030.Z	
Salvage Yard																	S						
Self-Storage Facility: Enclosed									S	S					P	P	P	P				Sec. 17.08.030.AA	
Self-Storage Facility: Outdoor																P	P	S				Sec. 17.08.030.AA	
Social Service Center									P	P					P			P			P		
Solar Farm												P				P	P		S		P	Sec. 17.08.030.BB	
Specialty Food Service								P	P	P	P		P	P	P	P		P					
Storage Yard - Outdoor																P	P					Sec. 17.08.030.CC	
Truck Stop																P	P						

TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Vehicle Dealership – Enclosed										P		S	P		P	S		P					
Vehicle Dealership – With Outdoor Storage/Display										S					S	S		P					
Vehicle Operation Facility																P	P				P		
Vehicle Rental – Enclosed										P		S	P		P	S		P					
Vehicle Rental – With Outdoor Storage/Display										S					S	S		P					
Vehicle Repair/Service– Major										S						P	P	P				Sec. 17.08.030.EE	
Vehicle Repair/Service – Minor									P	P					P	P	P	P				Sec. 17.08.030.EE	
Warehouse																P	P						
Wholesale Establishment																P	P	S					
Wind Energy System												S				S	S		S		S	Sec. 17.08.030.EE	
Wine Bar								S	P	P	P		P	P	P			P					
Winery																			S				
Wireless Telecommunications	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF	
Wireless Telecommunications – Stealth Design Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF	
Wireless Telecommunications – DAS Co-Location	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF	
Wireless Telecommunications – DAS New Pole	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF	
TEMPORARY USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Farmers' Market					T		T	T	T	T	T	T	T	T	T			T	T	T	T	Sec. 17.08.040.A	
Real Estate Project Sales Office/Model Unit	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T	T	T			T	Sec. 17.08.040.B	
Temporary Cell On Wheels (COW)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.C	
Temporary Contractor Office and Contractor Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.D	
Temporary Outdoor Entertainment	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T	T	T	Sec. 17.08.040.E	
Temporary Outdoor Sales (No Fireworks Stand)	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T		T	Sec. 17.08.040.F	
Temporary Outdoor Sales - Fireworks Stand Only																T	T					Sec. 17.08.040.G	
Temporary Outdoor Storage Container	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.H	



1200 E. 46th Street Davenport,
Iowa 52807
(563) 326-6198
Planning@davenportiowa.com

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT

Complete application can be emailed to planning@davenportiowa.com

Property Address*

*If no property address, please submit a legal description of the property.

Applicant (Primary Contact)**

Name:

Company:

Address:

City/State/Zip:

Phone:

Email:

Application Form Type:

Plan and Zoning Commission

Zoning Map Amendment (Rezoning)

Planned Unit Development

Zoning Ordinance Text Amendment

Right-of-way or Easement Vacation

Voluntary Annexation

Owner (if different from Applicant)

Name:

Company:

Address:

City/State/Zip

Phone:

Email:

Zoning Board of Adjustment

Zoning Appeal

Special Use

Hardship Variance

Design Review Board

Design Approval

Demolition Request in the Downtown

Demolition Request in the Village of

East Davenport

Engineer (if applicable)

Name:

Company:

Address:

City/State/Zip

Phone:

Email:

Historic Preservation Commission

Certificate of Appropriateness

Landmark Nomination

Demolition Request

Architect (if applicable)

Name:

Company

Address:

City/State/Zip:

Phone:

Email:

Administrative

Administrative Exception

Health Services and Congregate

Living Permit

Attorney (if applicable)

Name:

Company:

Address:

City/State/Zip:

Phone:

Email:

****If the applicant is different from the property owner, please submit an authorization form or an accepted contract for purchase.**

Request:

Please describe the zoning appeal:

Existing Zoning:

Submittal Requirements:

- The completed application form.
- A PDF that shows the location and dimensions of existing and proposed improvements affected by the appeal. If a paper copy is provided, the maximum size is 11" x 17".
- Supporting documentation and evidence.
- Recorded warranty deed or accepted contract for purchase.
- Authorization form, if applicable. If the property is owned by a business entity, please provide Articles of Incorporation.
- Required fee - \$250.

The Applicant hereby acknowledges and agrees to the following procedure and requirements:**(1) Application:**

- Prior to submission of the application for the zoning appeal, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the appeal process.
- The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- Pursuant to Section 17.14.130 of the Davenport City Code zoning appeals shall be filed in writing within 30 calendar days after the decision is rendered with the Zoning Administrator.

(2) Zoning Board of Adjustment's consideration of the zoning appeal:

- Planning staff will perform a technical review of the request and present its findings and recommendation to the Zoning Board of Adjustment.
- The Zoning Board of Adjustment will hold a public hearing and vote on the request.

(3) The staff report will be available on the City website approximately 4 days before the ZBA meeting at this location: https://www.cityofdavenportiowa.com/government/boards_commissions under Zoning Board of Adjustment > Search Minutes & Agendas.

It is the applicant's responsibility to access the website to see the staff report. Planning staff will not mail/email the report.

Applicant:

Date:

By typing your name, you acknowledge and agree to the aforementioned submittal requirements and formal procedure and that you must be present at scheduled meetings.

Received by:

Date:

Planning staff

Date of the Public Hearing:

Meetings are held in City Hall Council Chambers located at 226 West 4th Street, Davenport, Iowa.

Authorization to Act as Applicant

I,
authorize
to act as applicant, representing me/us before the Zoning Board of Adjustment for the property located
at

Signature(s)*

*Please note: original signature(s) required.

ZBA Calendar 2022

ZONING BOARD OF ADJUSTMENT

***** The Applicant or their representative MUST be at the Meeting/Public Hearing *****

NOTE: Special Use Site Plans MUST be review prior to placement on the ZBA schedule.

Day:	Monday (4PM)	Thursday (4PM)
Activity:	Submittal	Meeting
Date:	12/20/21	01/13/22
	01/03/21	01/27/22
	01/14/22 *	02/10/22
	01/31/22	02/24/22
	02/14/22	03/10/22
	02/28/22	03/24/22
	03/21/22	04/14/22
	04/04/22	04/28/22
	04/18/22	05/12/22
	05/02/22	05/26/22
	05/16/22	06/09/22
	05/27/22 *	06/23/22
	06/20/22	07/14/22
	07/01/22 *	07/28/22
	07/18/22	08/11/22
	08/01/22	08/25/22
	08/15/22	09/08/22
	08/29/22	09/22/22
	09/19/22	10/13/22
	10/03/22	10/27/22
	10/17/22	11/10/22
	No Meeting	No Meeting (Thanksgiving)
	11/14/22	12/08/22
	No Meeting	No Meeting (Christmas)
	12/19/22	01/12/23
	12/30/22 *	01/26/23

Application Due:

4:00 PM

Public Works Facility

1200 E 46th St | Davenport IA, 52807

Meeting Appearance (REQUIRED):

4:00 PM

Council Chambers | City Hall

226 W 4th St | Davenport IA 52801

*Date changed due to Holiday | Location/Time are subject to change
Contact planning@davenportiowa.com to confirm meeting date/time/location

Exhibit B. Zoning Appeal Application



226 West 4th Street
Davenport, Iowa 52801
(563) 326-7765
Planning@ci.davenport.ia.us

Complete application can be emailed to planning@ci.davenport.ia.us

Property Address* 1707 W. River Drive, Davenport, Iowa 52802

***If no property address, please submit a legal description of the property.**

Applicant (Primary Contact)**

Name: Veric, L.L.C. & AllyKats, L.L.C.
Company:
Address: 1707 W. River Drive
City/State/Zip: Davenport, IA 52802
Phone: 563-449-7686
Email:

Application Form Type:

Plan and Zoning Commission

Zoning Map Amendment (Rezoning) ☐
Planned Unit Development ☐
Zoning Ordinance Text Amendment ☐
Right-of-way or Easement Vacation ☐
Voluntary Annexation ☐

Owner (if different from Applicant)

Name: Veric, L.L.C.
Company:
Address: 2490 Heather Glen Ave.
City/State/Zip: Bettendorf, IA 52722
Phone:
Email: rvesole@gmail.com

Zoning Board of Adjustment

Zoning Appeal ☒
Special Use ☐
Hardship Variance ☐

Design Review Board

Design Approval ☐
Demolition Request in the Downtown ☐
Demolition Request in the Village of East Davenport ☐

Engineer (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Historic Preservation Commission

Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Architect (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Administrative

Administrative Exception ☐
Health Services and Congregate ☐
Living Permit ☐

Attorney (if applicable)

Name: Michael J. Meloy
Company: Meloy Law Office
Address: 2535 Tech Drive, Ste. 206
City/State/Zip: Bettendorf, IA 52722
Phone: 563-359-3959
Email: mike@meloylaw.com

****If the applicant is different from the property owner, please submit an authorization form or an accepted contract for purchase.**

Request:

Please describe the zoning appeal:

Veric, L.L.C. & AllyKats L.L.C. appeals the decision of a zoning interpretation for real property located at 1707 W. River Drive, Davenport, Iowa 52802. The December 9, 2021 letter from the City erroneously interpreted the Davenport zoning ordinance. The use of this property as a vehicle sale use with outdoor storage was approved on February 4, 2020. See attached February 4, 2020 letter from Matthew Flynn to Derric Carter. Flynn reviewed and approved the operation at 1707 W. River Drive, who is Davenport Senior Planning Manager. We request the Zoning Board overrule the December 9, 2021 zoning decision as erroneous and contradicted by the clear evidence of Mr. Flynn's February 4, 2020 letter to Derric Carter and the issuance of business licenses to this real property in 2018 and 2021. See Senior Planning Manager Matthew G. Flynn's, AICP, February 4, 2020 letter and attached business licenses from the City. The City now claims Mr. Flynn's letter was an "error" and refuses to allow the auto vehicle sales to continue as a lawful business.

Existing Zoning: M-1

Submittal Requirements:

- The completed application form.
- A PDF that shows the location and dimensions of existing and proposed improvements affected by the appeal. If a paper copy is provided, the maximum size is 11" x 17".
- Supporting documentation and evidence.
- Recorded warranty deed or accepted contract for purchase.
- Authorization form, if applicable. If the property is owned by a business entity, please provide Articles of Incorporation.
- Required fee - \$250.

The Applicant hereby acknowledges and agrees to the following procedure and requirements:

(1) Application:

- Prior to submission of the application for the zoning appeal, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the appeal process.
- The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- Pursuant to Section 17.14.130 of the Davenport City Code zoning appeals shall be filed in writing within 30 calendar days after the decision is rendered with the Zoning Administrator.

(2) Zoning Board of Adjustment's consideration of the zoning appeal:

- Planning staff will perform a technical review of the request and present its findings and recommendation to the Zoning Board of Adjustment.
- The Zoning Board of Adjustment will hold a public hearing and vote on the request.

Applicant:

Date:

By typing your name, you acknowledge and agree to the aforementioned submittal requirements and formal procedure and that you must be present at scheduled meetings.

Received by:

Planning staff

Date:

Date of the Public Hearing:

Meetings are held in City Hall Council Chambers located at 226 West 4th Street, Davenport, Iowa.

Authorization to Act as Applicant

I, John Davis
authorize Michael J. Meloy
to act as applicant, representing me/us before the Zoning Board of Adjustment for the property located
at 1707 West River Drive, Davenport, Iowa.



Signature(s)*

*Please note: original signature(s) required.



DAVENPORT

DEVELOPMENT &
NEIGHBORHOOD SERVICES

December 9, 2021

Veric LLC
2490 Heather Glen Avenue
Bettendorf, IA 52722

RE: Zoning Interpretation for 1707 W. River Drive, Davenport, Iowa

Dear Mr. Vesole,

A request for a dealership license for 1707 W. River Drive has been received by the City. On January 20, 2019 the property was zoned to I-2 Heavy Industrial Zoning District during a complete replacement of the city's zoning code. Auto dealership is not a permitted use in the I-2 District (see attached Table 17.08-1 Use Matrix). I am aware that a letter dated February 4, 2020 was issued by Matthew Flynn, Senior Planning Manager, stating that vehicle sales with outdoor display was considered a legal non-conforming use. Upon further review, this letter as well as a sub-lot to a primary dealership license was issued in error.

Licensing records show that a dealership license was issued for this property on September 27, 2018. While a dealership license had been issued for this property prior to the January 2019 Zoning Code changes which removed vehicle dealerships as an allowed use, review of aerial photos indicate a dealership use had not been physically established on the property. A Certificate of Occupancy was never issued for the property as the required Elevation Certificate was never received showing the work met Section 15.44: Flood Damage Prevention regulations in the City Code. Since the vehicle dealership use was not established prior to the code changes dated January 20, 2019, the property no longer can be developed as a vehicle dealership. No transition rules under 17.01.040 apply.

A property owner, or a person expressly authorized in writing by the property owner may file an appeal of the Zoning Administrator's interpretation. An application for appeal must be filed within 30 days of the date of this letter. After receipt of a

complete application, the Zoning Board of Adjustment will consider the proposed zoning appeal at a public hearing. A Zoning Appeal application is enclosed for your review.

Sincerely,



Laura Berkley
Development & Planning Administrator

Enclosures: Letter dated February 4, 2020; Use Matrix Table 17.08-1 from current Zoning Code, Zoning Appeal Application

CC: AllyKats LLC, Gunnar LLC

Sent by certified and regular mail



DAVENPORT

COMMUNITY PLANNING &
ECONOMIC DEVELOPMENT

February 4, 2020

Mr. Derric Carter
4620 Rockingham Rd.
Davenport, IA 52802

Subject: Zoning Verification Letter, 1707 W. River Drive

Dear Mr. Carter:

You have requested a zoning verification letter in order to allow vehicle sales with outdoor display at 1707 W. River Drive.

In January of 2019, the City of Davenport adopted a new zoning ordinance for the entire City. Part of this effort included assigning new zoning classifications to each parcel in the City. This property was classified I-2, Heavy Industrial Zoning District.

Vehicle sales with outdoor storage is not normally permitted within this zoning district. But in this case, the use was established before the new code was adopted and is considered a legal non-conforming use. Thus, the use is allowed for zoning purposes.

I understand you are still awaiting final approval of your business license application. Be advised I have already approved the application for zoning compliance as a legal non-conforming use. Other City Departments may have concerns that warrant attention.

Let me know if you have any questions.

Matthew G. Flynn, AICP
Senior Planning Manager
matt.flynn@davenportiowa.com
563-888-2286

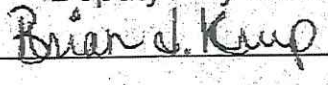
TABLE 17.08-1: USE MATRIX

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	R-1	R-2	R-3	R-4	R-5	R-6	R-7	R-8	R-9	R-10	R-11	R-12	R-13	R-14	R-15	R-16	R-17	R-18	R-19	R-20	R-21	R-22	R-23	R-24	R-25	R-26	R-27	R-28	R-29	R-30	R-31	R-32	R-33	R-34	R-35	R-36	R-37	R-38	R-39	R-40																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
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POST IN A CONSPICUOUS PLACE	City of Davenport, IA BUSINESS LICENSE 2018 THIS LICENSE EXPIRES 03/31/2019	License Number 50014002

Business Name: M&S MOTORSPORTS
Address: 1707 W RIVER DRIVE
DAVENPORT, IA 52802

Account Number: 920242203

Business License Witnessed and the seal of the City of Davenport Brian Krup Deputy City Clerk 	Type	Quantity	Fee	Penalty	Total
	CAR/TRUCK USED DEALER	1	100.00	0	100.00
	Total Paid:				
	Comments:				

Date Issued: 09/25/2018

This License is NON-Transferable

CUSTOMER FILE COPY	City of Davenport, IA BUSINESS LICENSE 2018 THIS LICENSE EXPIRES 03/31/2019	License Number 50014002


Date Issued: 09/25/2018

Business Location:

M&S MOTORSPORTS
1707 W RIVER DRIVE
DAVENPORT, IA 52802

Mailing Address

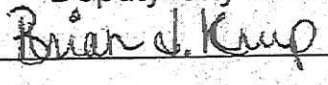
M&S MOTORSPORTS
1707 W RIVER DRIVE
DAVENPORT, IA 52802

Business License Witnessed and the seal of the City of Davenport Brian Krup Deputy City Clerk 	Type	Quantity	Fee	Penalty	Total
	CAR/TRUCK USED DEALER	1	100.00	0	100.00
	Total Paid:				
	Comments:				

POST IN A CONSPICUOUS PLACE	City of Davenport, IA BUSINESS LICENSE 2021 THIS LICENSE EXPIRES 03/31/2022	License Number 50015490

Business Name: CARTER AUTO SALES
Address: 2637 ROCKINGHAM
DAVENPORT, IA 52802

Account Number: 920241153

Business License Witnessed and the seal of the City of Davenport Brian Krup Deputy City Clerk 	Type	Quantity	Fee	Penalty	Total
	CAR/TRUCK USED DEALER SUBLOT	1	0.00	0	0.00
	Total Paid:				
	Comments: SUBLOT LOCATION 1707 W RIVER DRIVE K0022-04				
Date Issued:					

This License is NON-Transferable

CUSTOMER FILE COPY	City of Davenport, IA BUSINESS LICENSE 2021 THIS LICENSE EXPIRES 03/31/2022	License Number 50015490

Date Issued:

Business Location:

CARTER AUTO SALES
2637 ROCKINGHAM
DAVENPORT, IA 52802

Mailing Address

CARTER AUTO SALES
2637 ROCKINGHAM
DAVENPORT, IA 52802


Business License Witnessed and the seal of the City of Davenport Brian Krup Deputy City Clerk 	Type	Quantity	Fee	Penalty	Total
	CAR/TRUCK USED DEALER SUBLOT	1	0.00	0	0.00
	Total Paid:				
	Comments: SUBLOT LOCATION 1707 W RIVER DRIVE K0022-04				

Exhibit C. Transition Rules 17.01.040.F

Section 17.01.040 Transition Rules

A. Existing Illegal Structures and Uses

A structure or use that is illegal at the time of the adoption of, but is made legal by the provisions of this Ordinance, is deemed lawful as of the effective date of this Ordinance. However, if that structure or use does not conform to every requirement of this Ordinance, then that structure or use remains illegal and is subject to the enforcement provisions of this Ordinance.

B. Existing Uses

1. If a structure or land is used in a manner that was classified as a permitted use prior to the effective date of this Ordinance or any subsequent amendment to this Ordinance, and now that use is classified as a permitted use as of the effective date of this Ordinance or any subsequent amendment to this Ordinance, that use is classified as a permitted use.
2. If a structure or land is used in a manner that was classified as a special use prior to the effective date of this Ordinance or any subsequent amendment to this Ordinance, and now that use is classified as a special use as of the effective date of this Ordinance or any subsequent amendment to this Ordinance, that use is classified as a special use and subject to the approval conditions under which it was originally approved.
3. If a structure or land is used in a manner that was classified as a permitted use prior to the effective date of this Ordinance or any subsequent amendment to this Ordinance, and now that use is classified as a special use as of the effective date of this Ordinance or any subsequent amendment to this Ordinance, that use is deemed a special use. Any subsequent addition, enlargement, or expansion of that use must conform to the procedural and substantive requirements of this Ordinance for special uses.
4. If a structure or land is used in a manner that was classified as a special use prior to the effective date of this Ordinance or any subsequent amendment to this Ordinance, and that use is now classified as a permitted use as of the effective date of this Ordinance or any subsequent amendment to this Ordinance, that use is deemed a permitted use. Any subsequent addition, enlargement, or expansion of that use must conform to any Ordinance requirements for such permitted use and is no longer subject to any approval conditions under which it was originally approved.
5. If a structure or land is used in a manner that was classified as permitted or special use prior to the effective date of this Ordinance or any subsequent amendment to this Ordinance, but this Ordinance no longer classifies that use as either a permitted or special use in the zoning district in which it is located, that use is deemed a nonconforming use and is controlled by the provisions of Chapter 17.15.

C. Structures Rendered Nonconforming

If a structure existing on the effective date of this Ordinance was a conforming structure before the effective date of this Ordinance, but such structure does not meet all standards set forth in this Ordinance in the zoning district in which it is located, that structure is deemed a nonconforming structure and is controlled by the provisions of Chapter 17.15.

D. Lots Rendered Nonconforming

If a lot of record existing on the effective date of this Ordinance was a conforming lot before the effective date of this Ordinance, but such lot does not meet all standards set forth in this Ordinance in the zoning district in which it is located, that lot is deemed a nonconforming lot of record and is controlled by the provisions of Chapter 17.15.

E. Site Characteristics Rendered Nonconforming

If a site characteristic existing on the effective date of this Ordinance was conforming before the effective date of this Ordinance or any subsequent amendment to this Ordinance, but such site characteristic does not meet all standards set forth in this Ordinance in the zoning district in which it is located, that site characteristic is deemed a nonconforming site characteristic and is controlled by the provisions of Chapter 17.15.

F. Previously Issued Building Permits

If a building permit for a structure was lawfully issued prior to the effective date of this Ordinance, and remains active and in good standing, the structure may be completed in accordance with the plans on the basis of which the building permit was issued and may, upon completion, be occupied under a certificate of occupancy for the use originally intended.

G. Previously Granted Variances

All variance approvals granted prior to the effective date of this Ordinance remain in full force and effect, unless such variance is no longer needed after the effective date. The recipient of the variance may proceed to develop the property in accordance with the approved plans and all applicable conditions. However, if the recipient has failed to act on the variance before the approval expires, including any approved periods of extension, then the provisions of this Ordinance govern.

H. Previously Granted Special Uses

1. All special uses granted prior to the effective date of this Ordinance, but where the use has not yet commenced, remain in full force and effect. The recipient of the special use may proceed to use the property in accordance with the approved plans and all applicable conditions.
2. However, if the special use becomes a permitted use in the district as of the effective date, such special use approval is no longer needed.
3. If the recipient has failed to act on the special use before the approval expires, including any approved periods of extension, then the special use is null and void.

I. Previously Approved Planned Developments

1. Previously approved TND Traditional Neighborhood Development Districts remain in effect and continue to control the development of land that is subject to such approval. These previously approved planned development districts are considered planned unit developments as of the effective date of this Ordinance. Any amendments to existing planned developments are subject to the amendment procedures of planned unit developments unless specific amendment process has been included as part of the approval.
2. Previously approved PID Planned Institutional Districts remain in effect and continue to control the development of land that is subject to such approval. These previously approved planned development districts are considered the S-IC Institutional Campus District as of the effective date of this Ordinance. Any amendments to existing planned developments are subject to the amendment procedures of the S-IC District unless specific amendment process has been included as part of the approval.

J. Pending Applications

1. A variance, special use, or design review application that has been deemed complete and has been scheduled for a public hearing or meeting, as applicable, is subject to the Ordinance requirements in effect on the date the application was deemed complete.
2. A building permit that has been submitted and deemed complete is subject to the Ordinance requirements in effect on the date the application was deemed complete.

Exhibit D. City Business Licenses

Jamie Swanson












From: Swanson, Jamie
Sent: Tuesday, February 22, 2022 12:55 PM
To: Koops, Scott E.; Shinbori, Jon
Cc: Berkley, Laura; Odean, James
Subject: RE: 1707 W. River Drive - any dealership licensee's
Attachments: Email-BL_NewCertificate#_2070561.pdf; REV Business License - 11-5-2019.pdf; 1707 W River Dr 2020.pdf; Email-BL_NewCertificate#_2092097.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Scott,

I have attached the business license that was issued to M&S Motor Sports on 9/25/2018 and expired on 03/31/2019 (attachment 1).

The application to use 1707 W River Drive as a sub-lot (attachment 2) was submitted on 11/05/2019 and approved on 04/15/2020. You can find the history of the application below. There have been 2 sub-lot permits issued (attachments 3 & 4) for Carter Auto Sales.

Life Cycle	Queue	Entry User	Entry Date	Exit User	Exit Date
 	 	 	 	 	
Business License	Initial Q	TLINEHAN	11/5/2019 9:31:41 AM	MANAGER	11/5/2019 9:31:41 AM
Business License	PLANNING	MANAGER	11/5/2019 9:32:52 AM	MATT.FLYNN	11/13/2019 3:27:43 PM
Business License	Routing Q	MANAGER	11/5/2019 9:32:52 AM	MANAGER	11/5/2019 9:32:52 AM
Business License	BUILDING	MATT.FLYNN	11/13/2019 3:27:43 PM	TRISHNA.PRADI	12/12/2019 7:43:52 AM
Business License	CLERK	TRISHNA.PRADI	12/12/2019 7:43:52 AM	BKRUP	12/16/2019 9:03:59 AM
Business License	FIRE	BKRUP	12/16/2019 9:03:59 AM	F537	4/15/2020 10:08:39 AM
Business License	Approved	F537	4/15/2020 10:08:39 AM	TLINEHAN	4/17/2020 10:02:06 AM
Business License	Remove Docs Q	TLINEHAN	4/17/2020 10:02:06 AM	OBSERVICE	4/17/2020 10:02:06 AM

1707 W River Drive was not actively used as a sub-lot and did not have active utility (sewer/water) services from 08/28/2019 through 08/17/2021. The permit was changed to an "inactive" status on 12/02/2021.

If there is anything else that is needed, please let me know.

Jamie Swanson

Revenue Coordinator | Finance – Revenue
City of Davenport

T 563-326-7795 | F 563-326-7722
226 W 4th St, Davenport, IA 52801

davenportiowa.com

Jamie Swanson

From: Swanson, Jamie
Sent: Tuesday, March 1, 2022 8:58 AM
To: Koops, Scott E.
Subject: RE: 1707 W. River Drive - any dealership licensee's
Attachments: Email-BL_NewCertificate#_2070561.pdf; 1707 W River Dr 2020.pdf; Email-BL_NewCertificate#_2092097.pdf

Scott,

On 9/25/2018, there was a regular dealer license for 1707 W River Drive. I have included the license that was previously attached for M&S Motor Sports. This license expired on 03/31/2019. The did not pay the renewal that began on 4/1/2019, and the account was deactivated on 7/19/2019.

The only "non-dealership" business license for 1707 W River Dr was the subplot license listed under 2637 Rockingham Rd as the main dealer license that the sub-lot was under. This license was approved on 04/15/2020 and expired on 03/31/2021, and the renewal went from 4/1/2021 through 03/31/2022. However, the subplot was not actively used and deactivated. This was for Carter Auto Sales.

Utilities were active from 03/01/2018-08/28/2019 under John Cernovich and then again from 08/17/2021-12/31/9999 (active) under River Drive Auto Sales LLC. It was inactive for nearly 2 years.

Please let me know if there is more information that is needed.

Thank you,

Jamie Swanson

From: Koops, Scott E.
Sent: Monday, February 28, 2022 9:26 AM
To: Swanson, Jamie <Jamie.Swanson@davenportiowa.com>
Subject: FW: 1707 W. River Drive - any dealership licensee's

Jamie, I forgot to ask, from Jan 1 of 2017 to the present, has there been any regular (non-dealership) business licenses for 1707 W River Dr? And if so what were the date ranges and business names?

Thank you!

SCOTT KOOPS, AICP

Planner II | Development & Neighborhood Services (DNS)

City of Davenport



☎ 563-328-6701

1200 E 46th ST | Davenport IA 52807

POST IN A CONSPICUOUS PLACE	City of Davenport, IA BUSINESS LICENSE 2018 THIS LICENSE EXPIRES 03/31/2019	License Number 50014002
		 City of Davenport

Business Name: M&S MOTORSPORTS
 Address: 1707 W RIVER DRIVE
 DAVENPORT, IA 52802

Account Number: 920242203

Witnessed  the 	<table border="1"> <thead> <tr> <th>Type</th> <th>Quantity</th> <th>Fee</th> <th>Penalty</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>CAR/TRUCK USED DEALER</td> <td>1</td> <td>100.00</td> <td>0</td> <td>100.00</td> </tr> </tbody> </table>	Type	Quantity	Fee	Penalty	Total	CAR/TRUCK USED DEALER	1	100.00	0	100.00
	Type	Quantity	Fee	Penalty	Total						
	CAR/TRUCK USED DEALER	1	100.00	0	100.00						
Total Paid: 100.00 0 100.00											
Comments:											

Date Issued: 09/25/2018

This License is NON-Transferable

CUSTOMER FILE COPY	City of Davenport, IA BUSINESS LICENSE 2018 THIS LICENSE EXPIRES 03/31/2019	License Number 50014002
		 City of Davenport



Date Issued: 09/25/2018

Business Location:

M&S MOTORSPORTS
 1707 W RIVER DRIVE
 DAVENPORT, IA 52802

Mailing Address

M&S MOTORSPORTS
 1707 W RIVER DRIVE
 DAVENPORT, IA 52802

Witnessed  of the 	<table border="1"> <thead> <tr> <th>Type</th> <th>Quantity</th> <th>Fee</th> <th>Penalty</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>CAR/TRUCK USED DEALER</td> <td>1</td> <td>100.00</td> <td>0</td> <td>100.00</td> </tr> </tbody> </table>	Type	Quantity	Fee	Penalty	Total	CAR/TRUCK USED DEALER	1	100.00	0	100.00
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	CAR/TRUCK USED DEALER	1	100.00	0	100.00						
Total Paid: 100.00 0 100.00											
Comments:											



City of Davenport

paid
10-24-19

City of Davenport
Revenue Department
226 West 4th Street
Davenport, Iowa 52801
Phone (563) 326-7715

APPLICATION FOR MOTORCYCLE & MOTOR VEHICLE SALES & DEALER LICENSE
City Ordinance: Chapter 5.08 (Motorcycle) & 5.09 (Motor Vehicle)

Application Date 10-23-19 **Business Opening Date** ASAP

Business Name Carters Auto Sales **Address** 1707 W. River Drive

City Davenport **State** Iowa **Zip** 52802 **Phone** 319-651-7537

Name, address, and telephone number of all owners, including number of years a resident of Davenport, Iowa.

Derric Carter
4620 Rockingham Rd
5 years

Type Dealership - ☐ New ☒ Used **Total square feet of sales lot** extension lot! **Number of repair stalls** 1

Do you have shop facilities and personnel to repair all types of vehicles you will be selling? Yes

Maximum number of vehicles / motorcycles that will be on lot at any one time _____

License Requirements:

- Minimum Sales Lot Square Feet (sqft) – **Motor Vehicle Sales** 10,000 sqft and **Motorcycle Sale** 5,000 sqft
- Repair Stalls – **Motorcycle** min of 4 stalls, **Motor Vehicle** - 1-10 vehicles – 1 stall, 11-20 vehicles – 2 stalls, 21-50 vehicles – 4 stalls, 51-100 vehicles – 6 stalls, 101-200 vehicles – 8 stalls, >200 vehicles – 10 stalls
- This business shall have adequate facilities / equipment to satisfactorily service/repair the vehicles offered for sale and shall also have a competent mechanic available at all time.
- All shop facilities must be owned, leased, or otherwise controlled by the licensee
- The approval from the required facilities by the state department of safety

Signature of Applicant [Signature] **Date** _____

Applicant Attachments:

Site Plan

Copy of Iowa Department of Transportation approval

Pending

Fee Schedule:

Car / Truck New Dealer - Code 0069 - \$100.00
Car / Truck Used Dealer - Code 0070 - \$100.00
Motorcycle Dealer - Code 0158 - \$100.00



Return completed application to the address above along with a \$25 application fee

* Sublot *

POST IN A CONSPICUOUS PLACE	City of Davenport, IA BUSINESS LICENSE 2020 THIS LICENSE EXPIRES 03/31/2021	License Number 50015490
		 City of Davenport

Business Name: CARTER AUTO SALES
 Address: 2637 ROCKINGHAM
 DAVENPORT, IA 52802

Account Number: 920241153

Witnessed and the seal of the  	<table border="1"> <thead> <tr> <th>Type</th> <th>Quantity</th> <th>Fee</th> <th>Penalty</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>CAR/TRUCK USED DEALER SUBLOT</td> <td>1</td> <td>0.00</td> <td>0</td> <td>0.00</td> </tr> <tr> <td colspan="2">Total Paid:</td> <td>0.00</td> <td>0</td> <td>0.00</td> </tr> </tbody> </table>	Type	Quantity	Fee	Penalty	Total	CAR/TRUCK USED DEALER SUBLOT	1	0.00	0	0.00	Total Paid:		0.00	0	0.00
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	CAR/TRUCK USED DEALER SUBLOT	1	0.00	0	0.00											
Total Paid:		0.00	0	0.00												
Comments: SUBLOT LOCATION 1707 W RIVER DRIVE K0022-04																
Date Issued:																

This License is NON-Transferable

CUSTOMER FILE COPY	City of Davenport, IA BUSINESS LICENSE 2020 THIS LICENSE EXPIRES 03/31/2021	License Number 50015490
		 City of Davenport

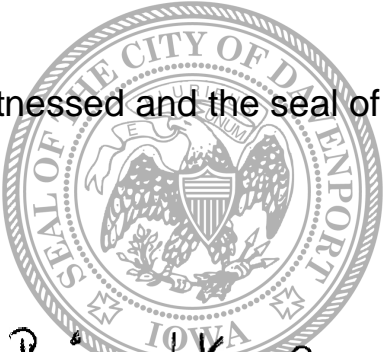

Date Issued:

Business Location:

CARTER AUTO SALES
 2637 ROCKINGHAM
 DAVENPORT, IA 52802

Mailing Address



CARTER AUTO SALES
 2637 ROCKINGHAM
 DAVENPORT, IA 52802

Witnessed and the seal of the  	<table border="1"> <thead> <tr> <th>Type</th> <th>Quantity</th> <th>Fee</th> <th>Penalty</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>CAR/TRUCK USED DEALER SUBLOT</td> <td>1</td> <td>0.00</td> <td>0</td> <td>0.00</td> </tr> <tr> <td colspan="2">Total Paid:</td> <td>0.00</td> <td>0</td> <td>0.00</td> </tr> </tbody> </table>	Type	Quantity	Fee	Penalty	Total	CAR/TRUCK USED DEALER SUBLOT	1	0.00	0	0.00	Total Paid:		0.00	0	0.00
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Total Paid:		0.00	0	0.00												
Comments: SUBLOT LOCATION 1707 W RIVER DRIVE K0022-04																

POST IN A CONSPICUOUS PLACE	City of Davenport, IA BUSINESS LICENSE 2021 THIS LICENSE EXPIRES 03/31/2022	License Number 50015490
		 City of Davenport

Business Name: CARTER AUTO SALES
 Address: 2637 ROCKINGHAM
 DAVENPORT, IA 52802

Account Number: 920241153

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Total Paid: 0.00 0 0.00											
Comments: SUBLOT LOCATION 1707 W RIVER DRIVE K0022-04											

Date Issued:

This License is NON-Transferable

CUSTOMER FILE COPY	City of Davenport, IA BUSINESS LICENSE 2021 THIS LICENSE EXPIRES 03/31/2022	License Number 50015490
		 City of Davenport

Date Issued:

Business Location:

CARTER AUTO SALES
 2637 ROCKINGHAM
 DAVENPORT, IA 52802

Mailing Address

CARTER AUTO SALES
 2637 ROCKINGHAM
 DAVENPORT, IA 52802

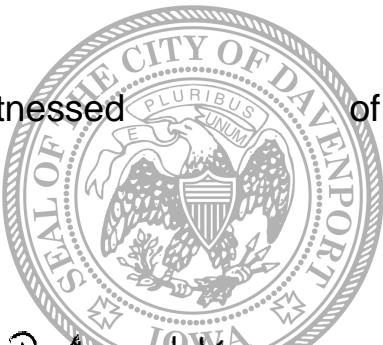

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Total Paid: 0.00 0 0.00											
Comments: SUBLOT LOCATION 1707 W RIVER DRIVE K0022-04											

Exhibit E. City Building Permit Record



PLUMBING PERMIT
PUBLIC WORKS DEPARTMENT
BUILDING INSPECTION DIVISION
DAVENPORT, IOWA
563.326.7745

Permit Number: **PLB-007178DAV**
Job Address: **1707 W RIVER DR**

Issue Date: 5/28/2014
Expiration Date: 11/24/2014

Permission is hereby given to:
Contractor: CRAWFORD HTG & CLG CO

on 5/28/2014

To be used as: SINGLE FAMILY DWELLING
Class of work: REPAIRS
Parcel #:
Legal Description:

Valuation: \$1,000.00

Owner Name THAD DENHARTOG 1707 WEST RIVER DRIVE LL Const. Type/Sq Ft:
& Address: 835 GOLDEN VALLEY DR Occupancy Load:
BETTENDORF IA 52722 Sprinkler Y/N: N

COMMENTS:
WATER LINE REPAIRS

This permit is issued on the express condition that the above work shall conform in all respects to the statements certified to in the application for such permit, and that all work shall be done in accordance with all applicable zoning, building, electrical, land use, excavating, plumbing and mechanical ordinances of the City of Davenport and the State of Iowa. FAILURE TO IDENTIFY A CODE DEFICIENCY DURING THIS REVIEW OF THE APPLICATION FOR A BUILDING PERMIT DOES NOT GIVE THE PERMIT APPLICANT THE RIGHT TO VIOLATE THE CODE. THE FINAL INSTALLATION MUST BE IN CONFORMANCE WITH THE CODE. I or we further certify that we have read and understand the requirements of this permit and that all statements made by us in securing this permit are true and complete to the best of our knowledge.

TOTAL FEES: \$17.50

Inspector

Licensed Contractor/Owner

CRAWFORD HTG & CLG CO
1306 MILL ST
ROCK ISLAND IL 61201

Door

Men's
Restroom

Women's
Restroom

Front Door

6x12
Enclosed Office

Received By _____
Date _____

City of Davenport Commercial Building Permit Application

Public Works Department
1200 E. 46th St.
Davenport, Iowa
Phone: 563.326.7745/ Fax: 563.327.5182

REQUIRED INFORMATION:

Job Address 1707 West River Drive Date _____
Is the project located in a designated Flood Plain? / Yes / No
Is the project located in a Davenport Historical District? / Yes / No
Is the project on the Davenport Registry of Landmark Property? / Yes / No

Owner's Name: John Campovich
Address: 1032 Western Ave
City: Kewanee State IL Zip 61443
Phone: 1-309-525-5842

Signature of owner or contractor: _____

Contractor Name: Kelly's Painting & Concrete LLC
Contact: Hurt Kelly Phone 1-309-716-2414
Address: 2764 Knox Rd 200E
City: Rio State IL Zip 61472

Use or Occupancy: Storage Units - Used Car Dealership Square Ft. Area: 16,425 SF

Description of Project: Small Room + Door / Plumbing / etc

Cost Breakdown:	Dollar Amount	Subcontractor Name
Building	\$ 1,500	Kelly's Painting & Concrete LLC
Electric	\$ 2,100	L&L Electric
Heating	\$	
Plumbing	\$ 400	Right On Time

Total: \$ 4,000

Permit Fee \$ 67.25

Paid date _____ Rec'd by _____ Check # 16646

Checklist

1. Survey Certificate (Standard Form) legal description. (New Construction Only)
2. 7 Full sets of construction documents shall be submitted for review. Construction documents shall include: Architectural, Engineering, Mechanical, Electrical, Plumbing, Landscape, Paving/Parking, Dimensioned Site Plan, Curb Cut, Storm Water Flow, Site Lighting and Utility construction details and specifications as required to convey the development. Additional schematics shall be submitted for individual fire sprinkler, fire/ smoke detection and alarm systems. Plans shall be submitted on substantial paper. An Iowa Architect and/or engineer's seal is required, as specified by the Building Official. (New and Additions)
3. One set of plans shall be submitted to Davenport City Assessor's Office, 400 W. 4th St. 52801. 563.326.8659
4. Check for Building Permit fees to accompany application. (ALL)
5. Sidewalk, approach, and work in the public right-of-way require separate permits issued by the Engineers Division. 563.326.7704
6. Sewer Connection Fee to be established by Engineering Division. 563.326.7704
7. Food establishments, public bath facilities and septic systems require prior approval from the Scott Co. Health Dept. 326.8618
8. Soil erosion plans and flood plain verification shall be submitted to the Engineering Division of the Public Works Department.

FLOODPLAIN DEVELOPMENT PERMIT/APPLICATION

Application # _____

Date _____

TO THE ADMINISTRATOR: The undersigned hereby makes application for a Permit to develop in a floodplain. The work to be performed, including flood protection works, is as described below and in attachments hereto. The undersigned agrees that all such work shall be done in accordance with the requirements of the Floodplain Management Ordinance and with all other applicable county/city ordinances and the laws and regulations of the State of Iowa.

Owner or Agent: John Carnovich Date: _____ Builder: Hellus Painting & Concrete LLC Date: _____

Address: 1032 Western Ave. Newnan, IL Address: 27164 Knox Rd 200E Rio, IL 61472

Phone: 1-309-525-5842 Phone: 1-309-716-2414

SITE DATA

1. Location: _____ 1/4; _____ 1/4; section _____; Range _____ Township _____
Street Address: 1707 West River Drive
2. Type of Development: Filling _____ Grading _____ Excavation _____ Min Improvement ☒
Routine Maintenance _____ Substantial Improvement _____ New Const _____ Other _____
3. Description of Development: Small Room + Door / Plumbing
4. Premises: Size of site _____ ft X _____ ft Area of site 116,425 SF
Estimated cost \$ 4,000 (Permit) Principal use Storage
Accessory uses (storage, parking, etc.) _____
5. Addition or modification to nonconforming use? Yes _____ No _____
Assessed value of structure \$ _____
6. Elevation of the 100-year flood (ID source) 564.5 ft NGVD 564.3 ft MSL/NGVD
7. Elevation of the proposed development site 560.2 - 562.2 ft 560 - 562 ft MSL/NGVD
8. Elevation/floodproofing requirement 565.5 ft 565.3 ft MSL/NGVD
9. Other floodplain elevation information (ID and describe source) _____
10. Other permits required? Corps of Engineer 404 Permit: Yes _____ No ☒
State Dept. of Natural Resources: Yes _____ No ☒
Other Building Permit
All provisions of Ordinance 15.144, Floodplain Management
Ordinance shall be in compliance.

PERMIT APPROVAL/DENIAL

Plans and Specifications Approved Denial this 22nd Day of DECEMBER 2017

Signature of Developer/Owner

Authorizing Official

REQUIRED

- UTILITIES TO BE ELEVATED ABOVE 565.5
- BACKFLOW PREVENTOR for ALL PLUMBING
- FLOOD VENTING REQUIRED

THIS PERMIT IS ISSUED WITH THE CONDITION THAT THE LOWEST FLOOR (INCLUDING BASEMENT FLOOR) OF ANY NEW OR SUBSTANTIALLY IMPROVED RESIDENTIAL BUILDING WILL BE ELEVATED 1.0 FT. ABOVE THE BASE FLOOD ELEVATION. IF THE PROPOSED DEVELOPMENT IS A NON-RESIDENTIAL BUILDING, THIS PERMIT IS ISSUED WITH THE CONDITION THAT THE LOWEST FLOOR (INCLUDING BASEMENT) OF A NEW OR SUBSTANTIALLY IMPROVED NON-RESIDENTIAL BUILDING WILL BE ELEVATED OR FLOODPROOFED 1.0 FT. ABOVE THE BASE FLOOD ELEVATION.

THIS PERMIT IS ISSUED WITH THE CONDITION THAT THE DEVELOPER/OWNER WILL PROVIDE CERTIFICATION BY A REGISTERED ENGINEER, ARCHITECT, OR LAND SURVEYOR OF THE "AS-BUILT" LOWEST FLOOR (INCLUDING BASEMENT) ELEVATION OF ANY NEW OR SUBSTANTIALLY IMPROVED BUILDING COVERED BY THIS PERMIT.



BUILDING PERMIT
PUBLIC WORKS DEPARTMENT
BUILDING INSPECTION DIVISION
DAVENPORT, IOWA
563.326.7745

Permit Number: **BLD-030691DAV**
Job Address: **1707 W RIVER DR**

Issue Date: 12/27/2017
Expiration Date: 06/25/2018

Permission is hereby given to:
Contractor: OWNER

on: 12/27/2017

To be used as: COMMERCIAL
Class of work: REMODEL
Parcel #:
Legal Description:

Valuation: \$4,000.00

Owner Name JOHN CERNOVICH
& Address: 1032 WESTERN AVE KEWANEE IL 61443

Const. Type/Sq Ft: VB / 748 SQ FT
Occupancy Load: 8
Sprinkler Y/N: N

COMMENTS:

CONSTRUCT NON LOAD BEARING WALLS TO CREATE SMALL OFFICE AND ADA RESTROOM. BUSINESS USE ONLY. ALL FLOODPLAIN REQUIRED PER SIGNED DEVELOPMENT APP.- UTILITIES ELVEATED, BACKFLOW PREVENTION ON PLUMBING, FLOOD VENTING REQUIRED. OTHER TRADES REQUIRE SEPARATE PERMITS. ALL PER CITY CODE. MR#11683-12

This permit is issued on the express condition that the above work shall conform in all respects to the statements certified to in the application for such permit, and that all work shall be done in accordance with all applicable zoning, building, electrical, land use, excavating, plumbing and mechanical ordinances of the City of Davenport, Iowa and the State of Iowa. FAILURE TO IDENTIFY A CODE DEFICIENCY DURING THIS REVIEW OF THE APPLICATION FOR A BUILDING PERMIT DOES NOT GIVE THE PERMIT APPLICANT THE RIGHT TO VIOLATE THE CODE. THE FINAL INSTALLATION MUST BE IN CONFORMANCE WITH THE CODE. I or we further certify that we have read and understand the requirements of this permit and that all statements made by us in securing this permit are true and complete to the best of our knowledge.

TOTAL FEES: \$67.25

Inspector

Licensed Contractor/Owner

OWNER

Davenport IA 52807



BUILDING PERMIT
PUBLIC WORKS DEPARTMENT
BUILDING INSPECTION DIVISION
DAVENPORT, IOWA
563.326.7745

Permit Number: **BLD-030691DAV**
Job Address: **1707 W RIVER DR**

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To be used as: COMMERCIAL
Class of work: REMODEL
Parcel #:
Legal Description:

Valuation: \$4,000.00

Owner Name JOHN CERNOVICH
& Address: 1032 WESTERN AVE KEWANEE IL 61443

Const. Type/Sq Ft: VB / 748 SQ FT
Occupancy Load: 8
Sprinkler Y/N: N

COMMENTS:

CONSTRUCT NON LOAD BEARING WALLS TO CREATE SMALL OFFICE AND ADA RESTROOM. BUSINESS USE ONLY. ALL FLOODPLAIN REQUIRED PER SIGNED DEVELOPMENT APP.- UTILITIES ELVEATED, BACKFLOW PREVETION ON PLUMBING, FLOOD VENTING REQUIRED. OTHER TRADES REQUIRE SEPARATE PERMITS. ALL PER CITY CODE. MR#11683-12

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TOTAL FEES: \$67.25

Inspector

Licensed Contractor/Owner

OWNER

Davenport IA 52807

Inspection Report

Permit: BLD-030691DAV

Permit Date: 12/27/2017

Address: 1707 W RIVER DR

Owner: JOHN CERNOVICH

Contractor: OWNER

Description: CONSTRUCT NON LOAD BEARING WALLS TO CREATE SMALL OFFICE AND ADA RESTROOM. BUSINESS USE ONLY. ALL FLOODPLAIN REQUIRED PER SIGNED DEVELOPMENT APP.- UTILITIES ELVEATED, BACKFLOW PREVENTION ON PLUMBING, FLOOD VENTING REQUIRED. OTHER TRADES REQUIRE SEPARATE PERMITS. ALL PER CITY CODE. MR#11683-12

Inspection	Units	Scheduled	Completed	Pass	Inspector
Plumbing Cover				No	Jason E Kauzlarich
Notes:					
Plumbing Final		9/6/2018	9/6/2018	Yes	Jason E Kauzlarich
Notes: no plumbing permit					
Building Framing/B4C			6/1/2018	No	Mike G McGee
Notes: PLUMBING PERMIT AND COVER/FINAL INSPECTION REQUIRED					
Building Final		8/2/2018		No	Trishna Pradhan
Notes: need plumbing permit for water heater, get water in the property & cover ceiling near overhead door. Once this has been completed we can close it out					
Electrical Final		5/31/2018	5/31/2018	Yes	John T Claeys
Notes:					
Building Framing/B4C			7/6/2018	Yes	Jake A Ralfs
Notes: ENGINEERING PROVIDED FOR LINTEL HEADER INSTALLED WITHOUT PLANS. TOWNSEND ENG. 7/2/18					



ELECTRICAL PERMIT
PUBLIC WORKS DEPARTMENT
BUILDING INSPECTION DIVISION
DAVENPORT, IOWA
563.326.7745

Permit Number: **ELC-011308DAV**
Job Address: **1707 W RIVER DR**

Issue Date: 12/28/2017
Expiration Date: 6/26/2018

Permission is hereby given to:

Contractor: L & L ELECTRIC, INC

on 12/28/2017

To be used as: COMMERCIAL

Class of work: SERVICE

Valuation: \$1,500.00

Parcel #:

Legal Description:

Owner Name JOHN CERNOVICH
& Address: 1032 WESTERN AVE
KEWANEE IL 61443

Const. Type/Sq Ft:
Occupancy Load:
Sprinkler Y/N: N

COMMENTS:

200A SERVICE. EQUIPMENT MUST BE LOCTED MINIMUM 1 FOOT ABOVE 100 YEAR FLOOD LEVEL.

This permit is issued on the express condition that the above work shall conform in all respects to the statements certified to in the application for such permit, and that all work shall be done in accordance with all applicable zoning, building, electrical, land use, excavating, plumbing and mechanical ordinances of the City of Davenport and the State of Iowa. FAILURE TO IDENTIFY A CODE DEFICIENCY DURING THIS REVIEW OF THE APPLICATION FOR A BUILDING PERMIT DOES NOT GIVE THE PERMIT APPLICANT THE RIGHT TO VIOLATE THE CODE. THE FINAL INSTALLATION MUST BE IN CONFORMANCE WITH THE CODE. I or we further certify that we have read and understand the requirements of this permit and that all statements made by us in securing this permit are true and complete to the best of our knowledge.

TOTAL FEES: \$20.00

Inspector

Licensed Contractor/Owner

L & L ELECTRIC, INC
P.O. BOX 2241
DAVENPORT IA 52809



PLUMBING PERMIT
PUBLIC WORKS DEPARTMENT
BUILDING INSPECTION DIVISION
DAVENPORT, IOWA
563.326.7745

Permit Number: **PLB-011025DAV**
Job Address: **1707 W RIVER DR**

Issue Date: 9/19/2018
Expiration Date: 3/18/2019

Permission is hereby given to:
Contractor: PETERSEN PLUMBING & HEATING

on 9/19/2018

To be used as: COMMERCIAL
Class of work: WATER HEATER
Parcel #:
Legal Description:

Valuation: \$1,000.00

Owner Name JOHN CERNOVICH
& Address: 1032 WESTERN AVE
KEWANEE IL 61443

Const. Type/Sq Ft:
Occupancy Load:
Sprinkler Y/N: N

COMMENTS:

This permit is issued on the express condition that the above work shall conform in all respects to the statements certified to in the application for such permit, and that all work shall be done in accordance with all applicable zoning, building, electrical, land use, excavating, plumbing and mechanical ordinances of the City of Davenport and the State of Iowa. FAILURE TO IDENTIFY A CODE DEFICIENCY DURING THIS REVIEW OF THE APPLICATION FOR A BUILDING PERMIT DOES NOT GIVE THE PERMIT APPLICANT THE RIGHT TO VIOLATE THE CODE. THE FINAL INSTALLATION MUST BE IN CONFORMANCE WITH THE CODE. I or we further certify that we have read and understand the requirements of this permit and that all statements made by us in securing this permit are true and complete to the best of our knowledge.

TOTAL FEES: \$15.00

Inspector

Licensed Contractor/Owner

PETERSEN PLUMBING & HEATING
926 W. 3rd St.
Davenport IA 52802



METER INSPECTION

Public Works Department
Building Inspection Division
Davenport, Iowa
563-326-7745

Permit Number: 21-23445

Issue Date: 4/15/2021

Job Address: 1707 W RIVER DR

Expiration Date: 10/14/2021

Permission is hereby given to:

Contractor: TBD

To be used as: COMMERCIAL

Class of work: ELECTRICAL METER

Parcel # K0022-04

Legal Description: LENGTHY

Owner Name: CARTERS AUTO SALVAGE LLC
3426 S CONCORD ST
DAVENPORT IA 52802

Constr. Type/ Sq. Ft:
Occupancy Load:
Sprinkler: Y/N? N

Comments: ATTENTION: The applicant shall provide proper access to all mechanical and electrical equipment. Access shall include a secure ladder or other approved means to access furnace or roof-top equipment.

This permit is issued on the express condition that the above work shall conform in all respects to the statements certified to in the application for such permit, and that all work shall be done in accordance with all applicable zoning, building, electrical, land use, excavating, plumbing and mechanical ordinances of the City of Davenport, Iowa and the State of Iowa. FAILURE TO IDENTIFY A CODE DEFICIENCY DURING THIS REVIEW OF THE APPLICATION FOR A BUILDING PERMIT DOES NOT GIVE THE PERMIT APPLICANT THE RIGHT TO VIOLATE THE CODE. THE FINAL INSTALLATION MUST BE IN CONFORMANCE WITH THE CODE. I or we further certify that we have read understood the requirements of this permit and that all statements made by us in securing this permit are true and complete to the best of our knowledge.

Total Fees: \$55.00

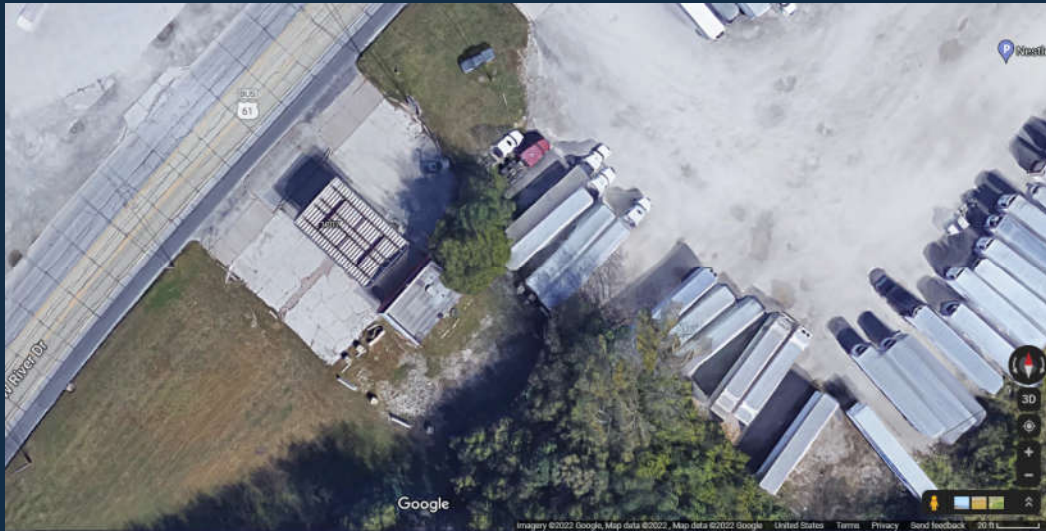
Inspector

Licensed Contractor/Owner

TBD

Exhibit F. Aerial & Site Photography

2022



2022-10



2021-07



2021-03-11



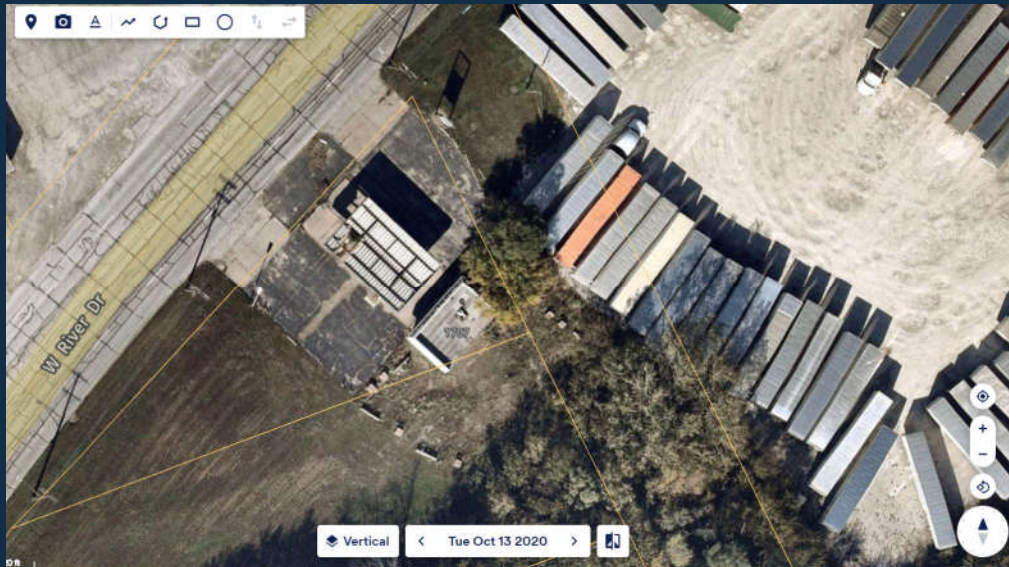
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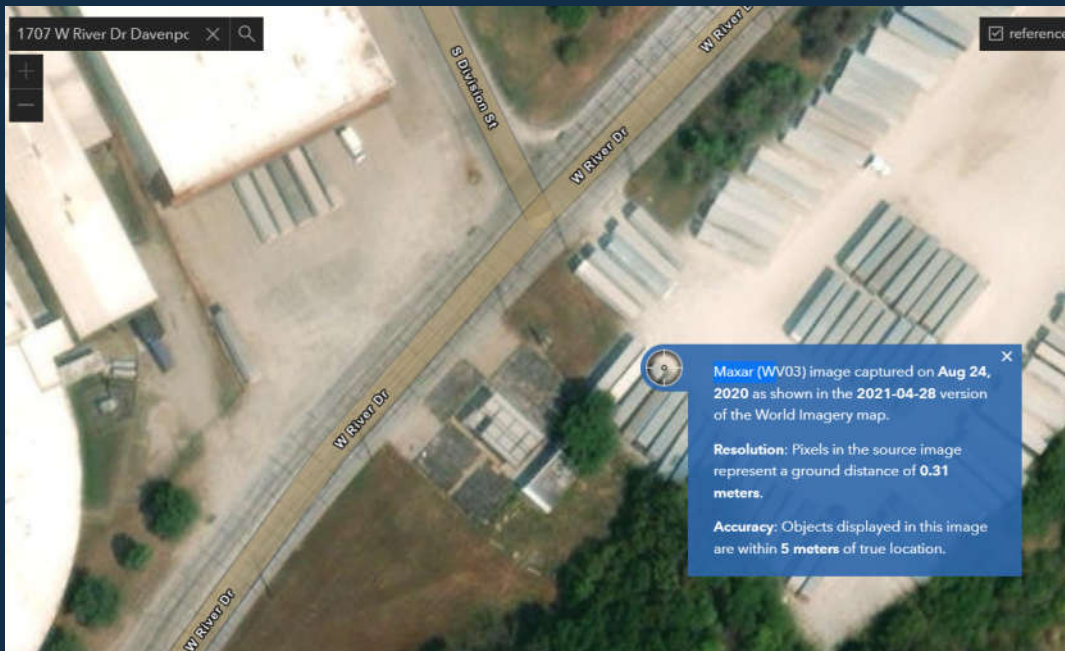
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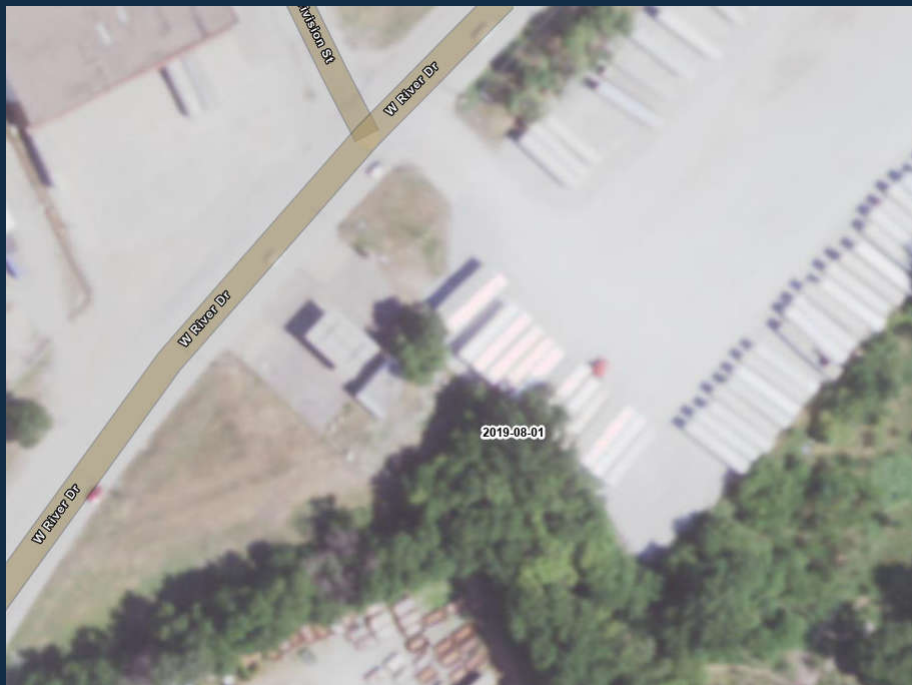
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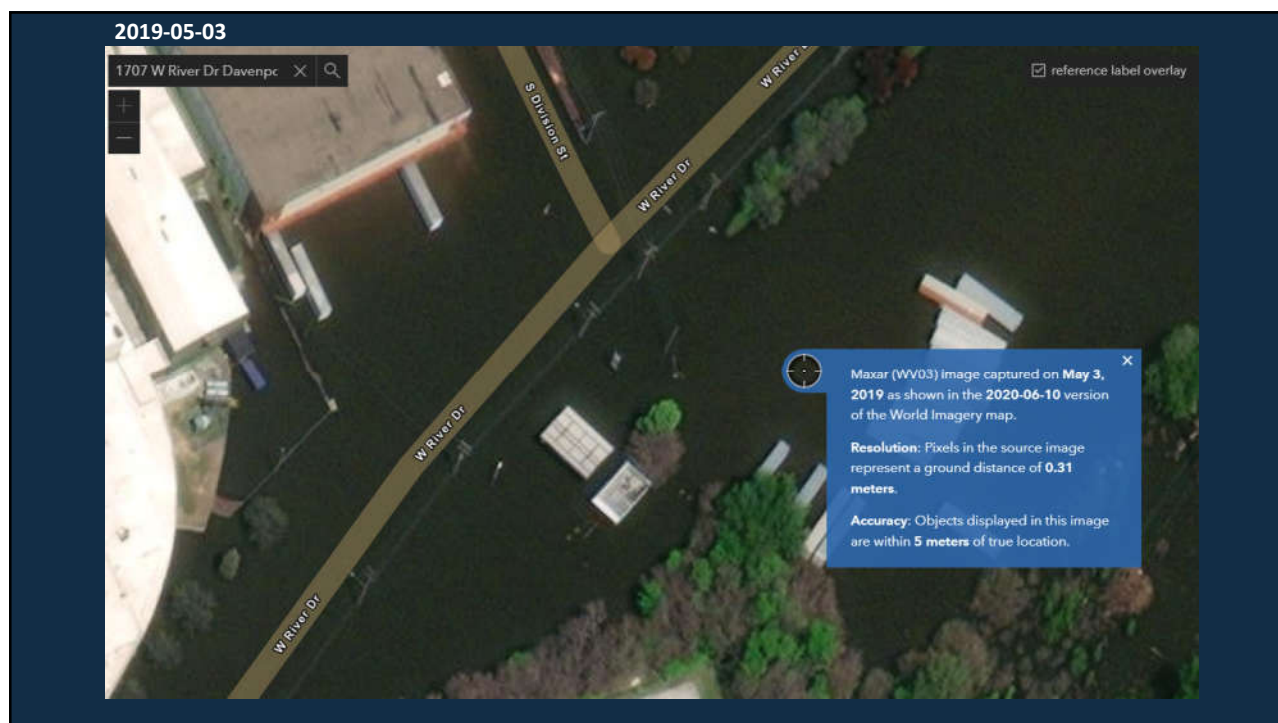
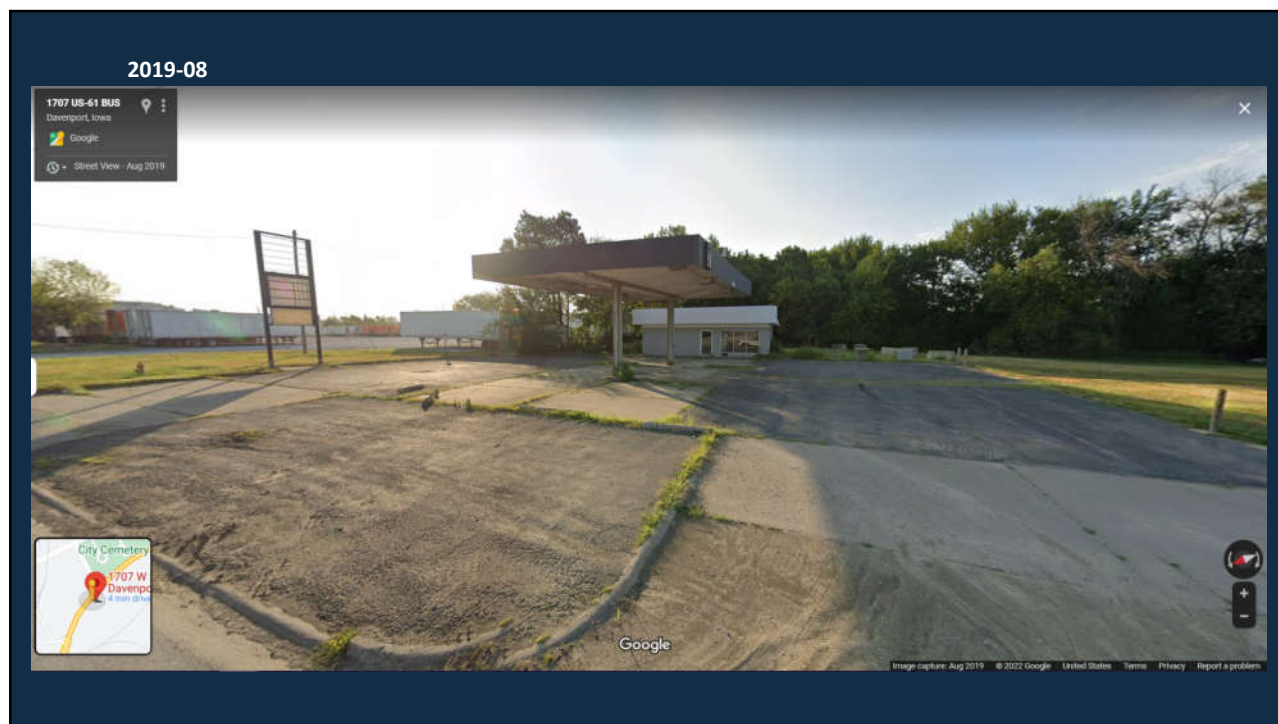


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2019-08-01





2019-04



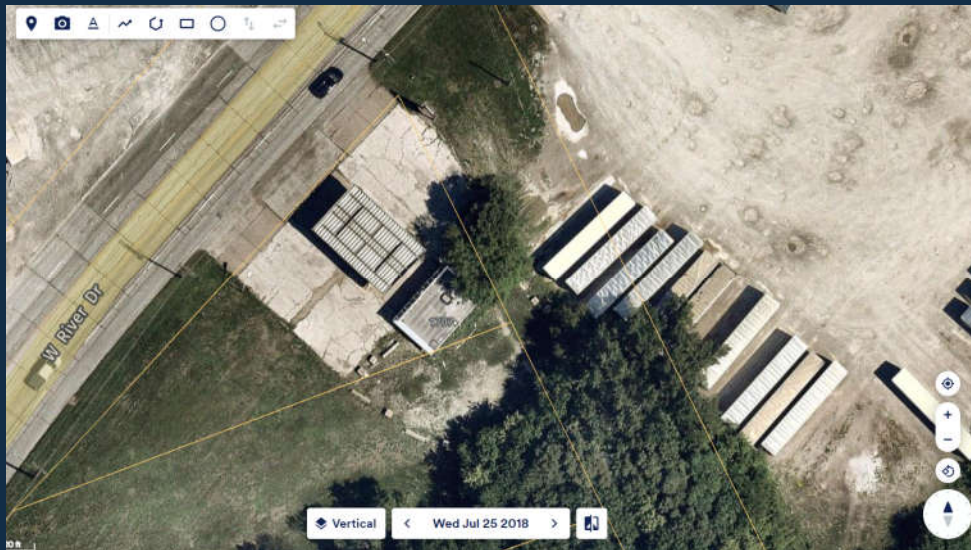
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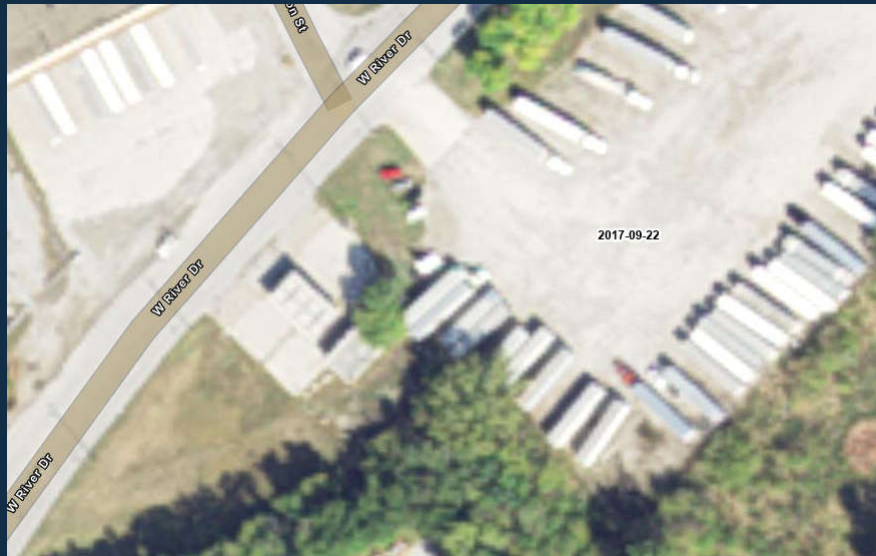
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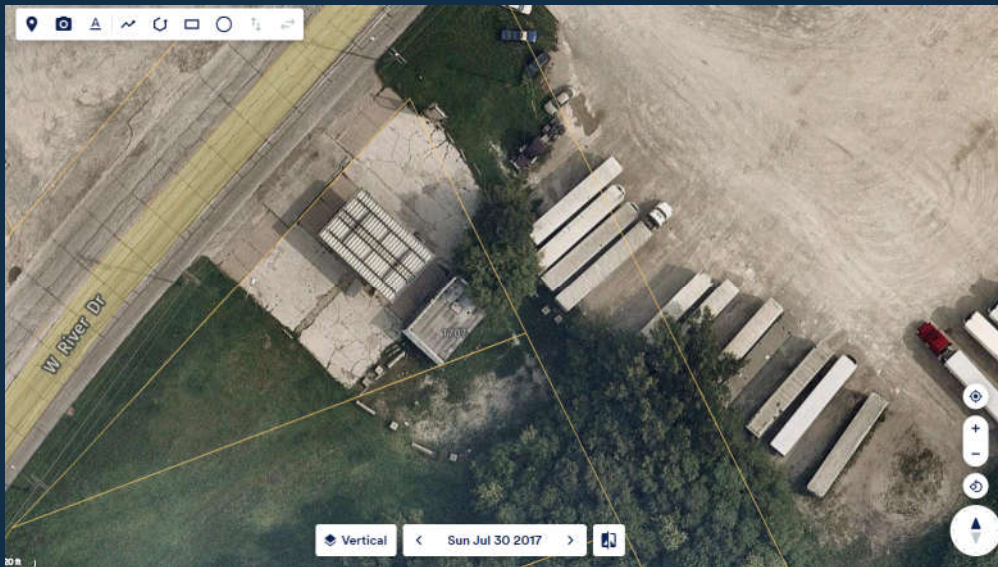
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2017-09



2017-07-30



2017-06-05

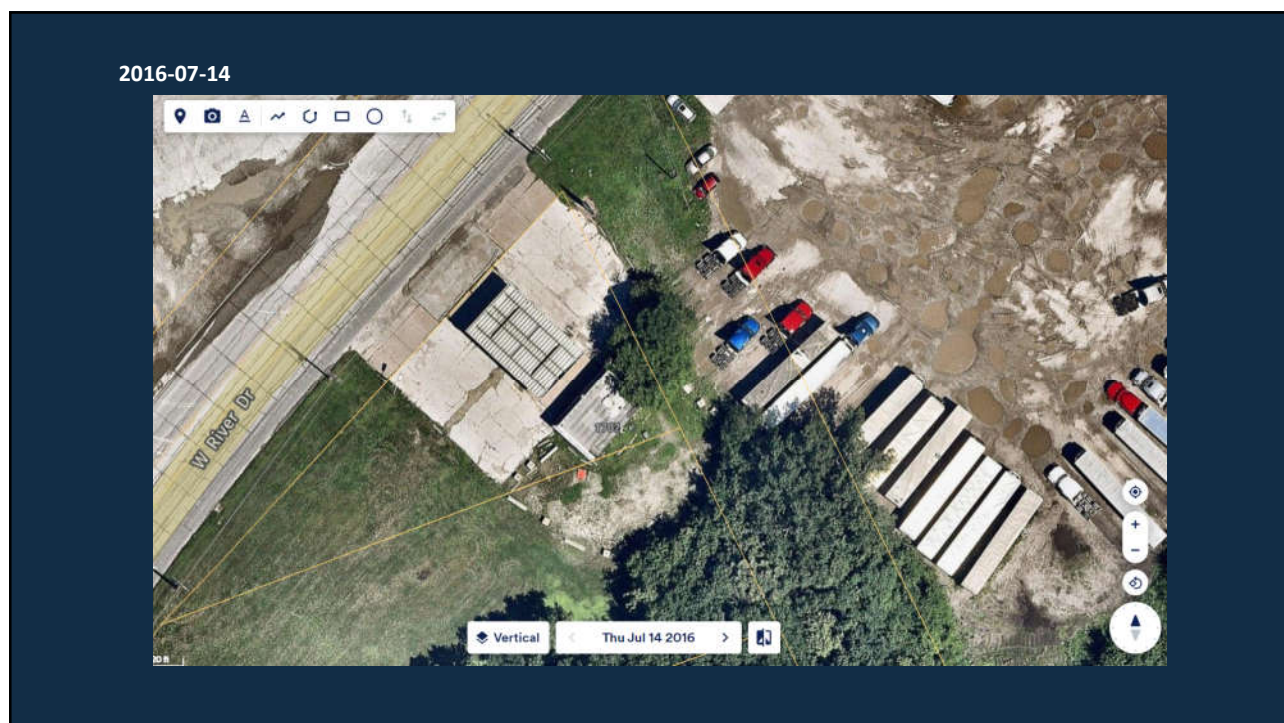
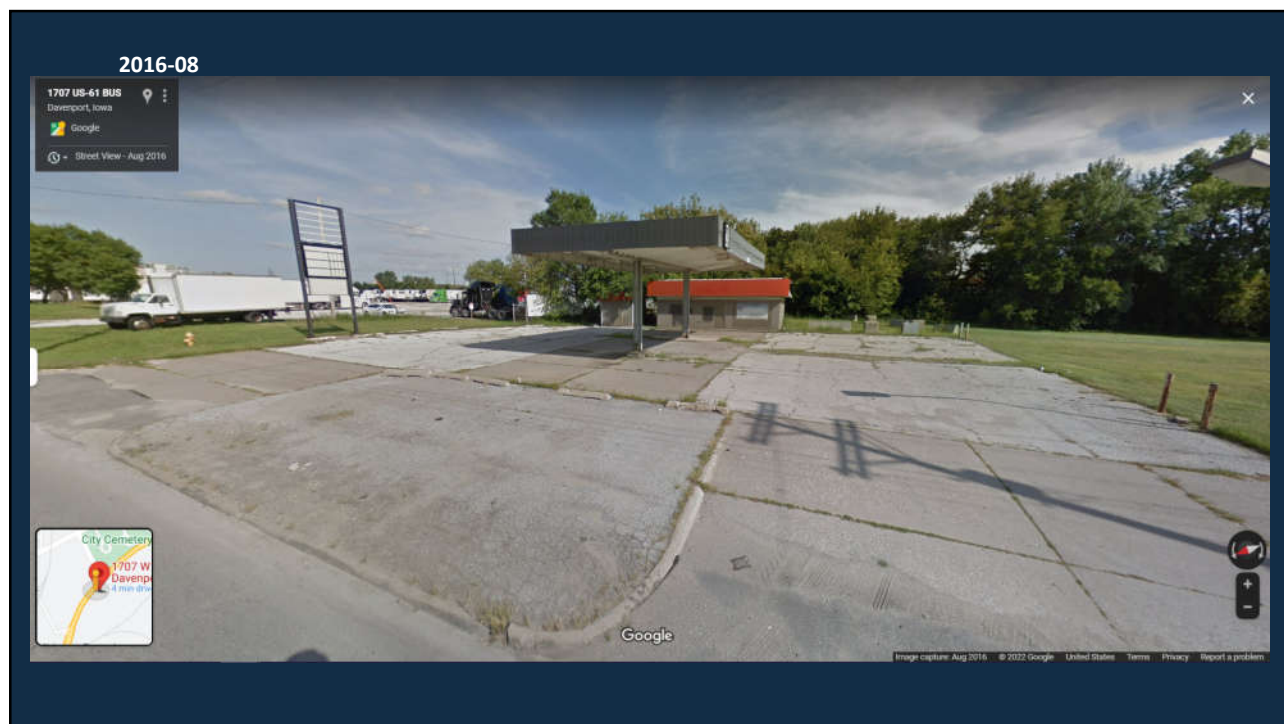


2017-03-29



2016-10





2016-04-11



2015-09



2014-04



2011-07



