



**MINUTES**  
**Zoning Board of Adjustment**  
**June 10, 2021**



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By this reference all reports, documents, presentations, videos and the hearing's video recording are incorporated into the minutes.

**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 4:04 p.m.

Board Members present: Reistroffer, Quinn, Darland, and Loebach.

Excused: None.

Staff present: Koops, and Attorney Hoyt.

**II. Secretary's Report:**

Minutes were approved for the 5-27-21 Hearing by voice-vote.

**III. Old Business:**

None

**IV. New Business:**

**Request SU21-03 of Bret Flory/Melissa Hernandez on behalf of Jerry Jones at 4073 Northwest Boulevard for a Special Use for a major vehicle repair collision center in the existing structure. Property is zoned C-3 General Commercial. Section 17.08.020. of the Davenport Municipal Code allows for major vehicle repair/service in the C-3 District subject to the granting of a Special Use in compliance with Section 17.08.030.CC. [Ward 7]**

**Koops presented the staff report. No comments were received in favor or against the request.**

**Findings & Staff Recommendation:**

Findings:

The location, design, and construction of the proposed use meets the requirements of a Special Use as properly conditioned and as per items #1 to #3 of the staff analysis.

Recommendation:

Staff recommends approval of the request subject to the use meeting the following conditions:

1. The special use shall be in conformance with Section 17.08.030.CC. for the duration of the operation of the use;
2. To more closely match the design and materials of existing mall structures and to protect adjacent residential property, the proposed fencing (excluding the gates) shown on the site plan shall be replaced with a wall composed of CMU block (concrete masonry unit block) or other similar product. The gates shall remain as proposed (a solid vinyl privacy

fence or other solid material). Chain link and privacy slats for chain link fences shall be prohibited.

3. Should complaints arise due to noncompliance of these conditions, and/or if staff is aware of infractions to these conditions and/or any other code violations, a rehearing of the special use shall be scheduled per Davenport Municipal Code specifications for Zoning Board of Adjustment Special Use public hearings; at which the Special Use may be modified, approved or revoked.
4. The Special Use shall be limited to this owner only; should the business be sold wholly or by more than 50%, a new Special Use shall be required and shall have a public hearing per Davenport Municipal Code requirements for Zoning Board of Adjustment Special Use public hearings.

### **Motion**

Quinn moved to approve, seconded by Darland, the request as proposed with the following staff conditions:

1. The special use shall be in conformance with Section 17.08.030.CC. for the duration of the operation of the use;
2. To more closely match the design and materials of existing mall structures and to protect adjacent residential property, the proposed fencing (excluding the gates) shown on the site plan shall be replaced with a wall composed of CMU block (concrete masonry unit block) or other similar product. The gates shall remain as proposed (a solid vinyl privacy fence or other solid material). Chain link and privacy slats for chain link fences shall be prohibited.
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The motion carried and was approved unanimously (4-0).

Darland, yes; Quinn, yes; Loebach, yes; Reistroffer, yes.

### **V. Other Business**

None.

### **VI. Adjourn**

The meeting adjourned unanimously by voice vote at approximately 4:30 p.m.