

AGENDA
LE CLAIRE BOARD OF ADJUSTMENT
March 2, 2023

- I. CALL TO ORDER** – Chairperson Fye

- II. ROLL CALL** – (Donald Cordts, Steven Fye, Debbie Smith, Luanne Taylor, Vacant)

- III. MINUTES**
 - 1) Consider January 19, 2023 minutes

- IV. NEW BUSINESS**
 - 1) Interview, review, consider, and recommend to the City Council one candidate to fill the Board vacancy

- VI. ADJOURN**

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
THURSDAY, JANUARY 19, 2023**

The Board of Adjustment Meeting was called to order by Chairperson Kamp at the City Hall Council Chambers, 325 Wisconsin Street at 7:00 p.m. on Thursday, January 19, 2023. Present: Cordts, Fye, Kamp, Smith, Taylor, City Administrator Bockenstedt and City Clerk Tracy Northcutt. Absent: None.

Changing of Chairperson: Chairperson Kamp indicated that the new Chairperson would be Steven Fye.

Minutes: A motion was made by Smith, Seconded by Taylor to approve the minutes of December 15, 2022, as presented. Motion carried unanimously on voice vote.

Opening Statement: Chairperson Fye gave an opening statement regarding the LeClaire Board of Adjustment and Public Hearing.

- 1. CASE #23-01: THE REVIEW AND CONSIDERATION OF A RURAL RESIDENTIAL DISTRICT (RR) REAR AND SET-BACK MODIFICATION VARIANCE REQUEST** – A rear set-back width variance request has been submitted by the owner/applicant, Robert & Kathy Kaminski of 2933 W. Canal Shore Drive, LeClaire, Iowa, for a reduction of the rear set-back from 40’ to 3’ at 2933 W. Canal Shore Drive, LeClaire, Iowa. Robert & Kathy Kaminski gave an overview of the variance request and answered various questions about the project. Rich Roller, 2925 West Canal Shore Drive, indicated that he was in support of the request as it does not interfere with the easement, he doesn’t believe that current zoning is applicable to this property due to its dimensions, believes the property owners should have maximum use of the property due to high value and other properties have had variances. No one presented in opposition to the variance request. Motion was made by Smith, seconded by Fye to close the public hearing at 8:03 p.m. Motion carried unanimously on roll call vote.

Fact Finding:

- 1. Hardship:** Smith, Cordts, Fye, Kamp and Taylor indicated that the test was *not* met.
- 2. Surrounding Properties:** Smith, Cordts, Fye, and Kamp indicated affirmatively that the test was met. Taylor differed.
- 3. Purposes other than Financial Gain:** Smith, Cordts, Fye, Kamp and Taylor indicated affirmatively that the test was met.
- 4. Cause of Alleged Difficulty/Hardship:** Smith, Cordts, Fye, Kamp and Taylor indicated that the test was *not* met.
- 5. No Detriment to Public Welfare or Surrounding Properties:** Smith, Cordts, Fye, Kamp and Taylor indicated affirmatively that the test was met.
- 6. Impact to Light & Air to Adjacent Properties, Traffic Flow, Fire, Public Safety & Property Values:** Smith, Cordts, Fye, Kamp and Taylor indicated affirmatively that the test was met.
- 7. Property Use/Future Special Exception:** Smith, Cordts, Fye, Kamp and Taylor indicated affirmatively that the test was met.

Questions for Board Only

- 8. Variance Not Contrary to Public Interest:** Smith, Fye, Kamp and Taylor indicated that the test was *not* met. Cordts indicated that the test was met.
- 9. Conditions to Variance:** No conditions were presented.

Evidence Found:

Application, attachments of photos, maps, pre and testimony supported Findings of Fact.

Denial of Variance:

Motion was made by Kamp, seconded by Taylor to deny based on the test of Hardship not met. Motion carried unanimously on roll call vote.

2. **CASE #22-02: THE REVIEW AND CONSIDERATION OF AN CENTRAL BUSINESS DISTRICT (C-2) REAR AND SIDE YARD SET-BACK MODIFICATION VARIANCE REQUEST.**

Motion was made by Taylor, seconded by Kamp to determine that the case has been abandoned by the requestor. Motion carried unanimously on roll call vote.

3. **Linda Kamp retirement recognition.** Linda Kamp expressed appreciation to the Board for the cooperative efforts through over twelve years of service on the Board. Additionally, she thanked her husband, Tom, for his support.

4. **Plan for accepting/reviewing applications.** Dennis Bockenstedt, City Administrator, stated that the vacancy is to be filled by a male if possible. Interested candidates will be invited to attend a Board meeting in February.

Adjournment:

Moved by Taylor, seconded by Cordt, to adjourn at 8:36 pm. Motion carried unanimously on roll call vote.

Steven M. Fye, Board of Adjustment Chairperson

Attest:

Dennis Bockenstedt, City Administrator

Respectfully Submitted,

Tracy A. Northcutt
City Clerk

Committee / Board Membership Application

Step 1

Name:	Mike Decker
Mailing Address:	1 Frontier Ct.
Phone Number:	5639495403
Do you live within city limits?	Yes
Sex:	Male
E-mail Address:	mike_decker@outlook.com
Which age group do you represent?	31-50
Present Occupation:	IT Team Lead @ Royal Neighbors of America
Do you pay LeClaire city taxes?	Yes
Have you ever been arrested for and / or convicted of a felony charge?	No
Last year of formal education attained:	<i>Field not completed.</i>
If you are a college graduate, what is your degree designation?	BS in Business Management Iowa State University
Please list other areas of experience, skills, or qualifications that you feel we should know about that will assist us in our selection process:	Have a side IT business, serve on both DEI and culture committees at Royal Neighbors. Interested in making our community a better place.
Have you ever served on a LeClaire city committee board in the past?	No

If "yes" please specify which one(s) and when *Field not completed.*

Please check whichever city committee(s) or board(s) that you may be interested in serving on: Planning & Zoning Commission, Board of Adjustment, City Council, IT

Electronic Signature Mike Decker

Date 01/20/2023

(For City Use Only)

Date Received: 1/20/23

Distributed:

Initials JS

Committee / Board Membership Application

Step 1

Name:	Jim Work
Mailing Address:	598 Dodge St
Phone Number:	815-751-9759
Do you live within city limits?	Yes
Sex:	Male
E-mail Address:	Jimwork325@gmail.com
Which age group do you represent?	31-50
Present Occupation:	Real Estate/Construction
Do you pay LeClaire city taxes?	Yes
Have you ever been arrested for and / or convicted of a felony charge?	No
Last year of formal education attained:	16
If you are a college graduate, what is your degree designation?	BS- Accounting Northern Illinois
Please list other areas of experience, skills, or qualifications that you feel we should know about that will assist us in our selection process:	Previous planning commission & TIF Review board member.
Have you ever served on a LeClaire city committee board in the past?	No

If "yes" please specify which one(s) and when *Field not completed.*

Please check whichever city committee(s) or board(s) that you may be interested in serving on: Planning & Zoning Commission, Board of Adjustment, City Council

Electronic Signature Jim Work

Date 1-3-21

(For City Use Only)

Date Received: 2/3/22

Distributed: 2/4/22.

Initials EC
