



**SCOTT COUNTY  
PLANNING AND ZONING COMMISSION  
Tuesday, July 5, 2016  
7:30 P.M.**

**MEETING MINUTES**

1<sup>st</sup> Floor Board Room  
600 W. 4<sup>th</sup> Street  
Davenport, IA 52801

**MEMBERS PRESENT:** Clayton Lloyd, Marsha Findlay, Lynn Gibson, Dan Portes, Carolyn Scheibe, Hans Schnekloth

**MEMBERS ABSENT:** Tony Knobbe

**STAFF PRESENT:** Timothy Huey, Planning & Development Director  
Alan Sabat, Planning & Development Specialist

**OTHERS PRESENT:** Patrick and Lora Dierickx (applicants)

1. **Call to Order:** Chairman Lloyd called the meeting to order at 7:30 P.M.
2. **Minutes:** Consideration of June 21, 2016 meeting minutes. **Schnekloth made a motion to approve. Seconded by Portes. Vote: All Ayes (6-0)**
3. **Zoning Ordinance Text Amendment:** Chairman Lloyd called on staff to review a request by Patrick and Lora Dierickx to amend Section 6-15D of the Zoning Ordinance for Unincorporated Scott County to allow single-family dwellings in the Community Area Development Park View Commercial "CAD-PVC" District as Special Permitted Uses, Section 31 of Butler Township.

**Huey** first noted that, while this request was initiated by the applicants for a specific property, the amendment would apply to all properties within the CAD-PVC District. **Huey** then provided an historic overview of the Park View development: It was created in 1966 as a mixed-use "Community Area Development" (CAD), and the adoption of the 1981 Revised Zoning Ordinance provided provisions for amending the existing CAD's, including Park View. **Huey** described how Park View deviated from the original Land Use Master Plan under which it was created: The West portion of the development developed first, mostly in accordance with the Plan. As development moved East, areas originally intended for multi-family dwellings were down-zoned to single-family, lot sizes increased, less green space was retained by the Owners' Association, and the area to the North of 270<sup>th</sup> Street was developed further than originally intended.



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**Huey** pointed out that the 1991 amendments to the Zoning Ordinance further regulated the Park View Commercial District, and included a specific list of Principal Permitted Uses but not any Special Permitted Uses. “Church” was not listed as a Principal Permitted Use since Park View’s original Land Use Master Plan had sites designated for churches. A church was erected on the applicants’ property at 11 Grove Road in 1988 and continued as a non-conforming use after 1991. Now that church services have been discontinued, the applicants hope to convert the building to a single-family residence. **Huey** stated that he felt the most appropriate process for requesting such conversion was by amending the Zoning Ordinance text to allow “single-family dwellings” as Special Permitted Uses within the CAD-PVC District.

**Huey** explained that the Commission’s recommendation on the Zoning Ordinance amendment would need to be heard and approved by the Board of Supervisors before the applicants can petition the Zoning Board of Adjustment for a Special Use Permit. He also pointed out that any request to re-occupy the church at 11 Grove Road as a church would require the same amendment process since “church” is not allowed as a Principal or Special Permitted Use.

**Chairman Lloyd** welcomed the applicants to speak. **Patrick Dierickx** said he had no intent to “build up” Park View, just that he felt he had an opportunity to help his daughter, who would live in the residence.

**Schnekloth** referenced the applicants’ withdrawn request at the May 3, 2016 meeting, and asked if they still intended to operate a daycare. **Dierickx** responded that his daughter intended to run an in-home daycare, which would have a lower capacity and less rigorous building code requirements than what they were requesting at the May meeting. **Chairman Lloyd** asked **Huey** whether the building code requirements would still apply for an in-home daycare, which **Huey** responded they would not.

**Findlay** asked from whom the applicants purchased the property and whether the previous owners included any caveats with the purchase. **Dierickx** responded that they purchased the property from the former church and that there were no caveats with the purchase.

**Portes** asked **Huey** whether he could think of any unintended consequences with the Commission recommending approval of the amendment. **Huey** responded no, and that the Special Use Permit process allows the Zoning Board of Adjustment to carefully consider any petition and place any conditions they see fit.

**Gibson** called attention to the commercial uses in the lots surrounding the applicants’ property and asked whether **Huey** could see any issues arise if the applicants’ property became, effectively, a house. **Huey** said he could not see any issues with the neighboring properties, and cited other examples in Park View where successful conversions have taken place.

**Chairman Lloyd** asked whether the applicants’ property was designated commercial on the original Land Use Master Plan, which **Huey** confirmed it was. **Chairman Lloyd** also asked



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**Timothy Huey, Director**

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whether the vacant lots adjacent to the applicants' property were separate development lots, which **Huey** responded they were.

**Chairman Lloyd** asked for staff's recommendation, which **Huey** recommended approval of the Zoning Ordinance text amendment.

**Chairman Lloyd** welcomed the Commission to act.

**Scheibe made a motion to recommend approval of the Zoning Ordinance text amendment to the Board of Supervisors. Seconded by Findlay. Vote: All Ayes (6-0)**

4. **Administrative Rules Amendment:** **Chairman Lloyd** called on staff to review a request by the Commission to amend the Commission's administrative rules to change the meeting time for April through October meetings, from 7:30 P.M. to 7:00 P.M.

Huey stated that proper procedure had been followed to amend the administrative rules.

**Gibson made a motion to approve the administrative rules amendment. Seconded by Sheibe. Vote: All Ayes (6-0)**

5. **Other Business:** **Huey** notified the Commission that no applications were filed for the next meeting on July 19, 2016, and the meeting would likely be canceled.
6. **Adjournment:** **With no further public comments and no other business to discuss, Chairman Lloyd adjourned the meeting at 7:52 P.M.**