



Scott County
Board of Adjustment
STAFF REPORT
June 27, 2018



Applicant: Sean Terrell, submitted by Townsend Engineering

Request: Variance to minimum lot size

Legal Description: Part of the NW ¼ of Section 18 in Pleasant Valley Township

General Location: Adjacent to the corporate limits of the City of Bettendorf, south of Great River Road and the Canadian Pacific railway

Existing Land Use: Commercial mini-storage, tilled agriculture

Zoning: Commercial-Light Industrial (C-2)

Surrounding Zoning:

- North:** Great River Road/US Hwy 67, Commercial-Light Industrial (C-2)
- South:** *City of Bettendorf*
- East:** *City of Bettendorf*
- West:** Commercial-Light Industrial (C-2)

GENERAL COMMENTS: The request includes the creation of a lot through a subdivision known as Terrell’s First Addition that is less than the minimum lot area requirements for a lot zoned “Commercial-Light Industrial (C-2)” with no sewer and water service. Minimum lot size for a C-2 zoned parcel without sewer and water service is 2.0 acres, and Lot 1 of Terrell’s First Addition has a proposed size of approximately 1.1 acres. The applicant’s petition cites the location of an existing roadway easement and resulting setbacks as the exceptional situation warranting a variance.

The proposed Plat would subdivide the approximately 7.17-acre tract into four (4) lots. Lot 1 would be approximately 1.1 acres; Lot 2, 2.0 acres; Lot 3, 2.0 acres; and Lot 4, 2.1 acres. All lots would retain their “Commercial-Light Industrial (C-2)” zoning designation, meaning each lot could be developed for permitted uses in that district after site plan review and approval by the Planning and Zoning Commission. Lot 1 would include an existing mini-warehouse building.

The Final Plat of Terrell’s First Addition was approved by the Scott County Planning and Zoning Commission at their regular meeting on June 19, 2018 with the condition that the lot size variance be approved by the Zoning Board of Adjustment before forwarding the recommendation to the Board of Supervisors for final approval.

STAFF REVIEW: Staff has reviewed this request for compliance with the requirements of the Zoning Ordinance for the granting of the variance. The Zoning Ordinance requires the



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Board to determine that, because of an exceptional situation or topographical condition, the strict application of the requirements of the Ordinance will result in exceptional practical difficulties or particular hardship. Following the above determination, the Board may grant a variance if it is further determined that it will not merely serve as a convenience to the applicant, impair the purpose and intent of the Development Plan and Land Use Policies or otherwise impair the public health, safety and general welfare of the residents of the County.

Staff would determine this case to be an exceptional situation due to the fact the lot for which the variance is requested has already been developed with a commercial mini-warehouse building. Staff would regard that land use to be non-intensive, one that doesn't require space for a well or septic system or any additional space for traffic circulation or parking, and therefore would not require at least 2.0 acres to operate. The 1.1 acres proposed would be sufficient for the existing land use and would not act as a detriment to neighboring properties.

The County Health Department and Secondary Roads Department had no comments or concerns with this request.

Staff has notified property owners within five hundred feet (500') of this property of this hearing and published notice in the *North Scott Press*. A sign has also been placed on the property stating the date and time this request would be heard by the Board of Adjustment. Staff has not, as of yet, received any calls or comments.

RECOMMENDATION: Staff would recommend the variance for the creation of a lot that is less than the minimum lot area requirements be approved.

This favorable recommendation is due to the existing, non-intensive land use on the proposed 1.1 acre lot, which does not warrant at least 2.0 acres of space.

Submitted by:
Timothy Huey
Planning & Development Director
June 22, 2018