



**SCOTT COUNTY
ZONING BOARD OF ADJUSTMENT
JUNE 26, 2019
4:00 P.M.**

MEETING MINUTES
1st Floor Board Room
Administrative Center
600 W. 4th Street
Davenport, IA 52801

MEMBERS PRESENT: Scheibe, Guy, Madden, Winborn

MEMBERS ABSENT: Dittmer

STAFF PRESENT: Timothy Huey, Planning & Development Director
Taylor Beswick, Planning & Development Specialist

OTHERS PRESENT: Derek and Cindy Murphy, applicants
One (1) member of the public, neighbor

1. **Call to Order:** Chair Scheibe called the meeting to order at 4:00 P.M.
2. **Minutes:** Approval of the April 24, 2019 meeting minutes. **Winborn made a motion to approve. Seconded by Madden. Vote: All Ayes (4-0). Approved.**
3. **Public Hearing – Variance:** *Request from Derek Murphy to construct an addition on the south side of the existing pole shed four (4) feet from the side yard property line in lieu of the ten (10) feet side yard setback prescribed in the Zoning Ordinance. The location of the request is 23086 277th Avenue, LeClaire, legally described as part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15 in LeClaire Township, Parcel Number 9515530092.*

Chair Scheibe introduced the item and asked staff to present the review to the Board.

Huey presented an overview of the Variance application, location maps of the property, site plans of the proposed structure, building plans of the proposed structure, and site photos of the property.

Huey then reviewed the application in accordance with the requirements for approval of a Variance.



Chair Scheibe invited the applicants to present to the Board. **Derek and Cindy Murphy (applicants)** said they were content with the overview and review **Huey** presented and had nothing to add. The **applicants** explained they would like to create a drive through, covered building addition for a camper. The proposed addition has 12' foot tall doors. The addition would allow backing-in the camper and a boat from the driveway. The **applicants** stated they approached the neighbor to the west to buy property from him, but the neighbor declined the offer.

Chair Scheibe invited anyone in the audience to speak. The neighbor (**Bob Erling**) stated he is in support of the variance.

Chair Scheibe asked that a letter be presented to the Board stating in writing approval of the variance for the public record. A letter was submitted for the record.

With no further public comments, **Chair Scheibe** asked for the staff recommendation.

Huey said that staff recommends that a variance to allow a seven foot (7) foot side yard setback at the closest corner of the building to the neighboring property line be approved based on the hardship created by the topography of the property and the minimal impact on the neighboring property of the granting of this request.

This favorable recommendation is due to the difference of elevation of the adjacent property, lack of practical alternatives for placement of a building addition, and absence of concerns expressed by County entities and neighboring property owners.

The **applicants** stated that a seven (7) foot side yard setback recommended by staff versus the four (4) foot side yard setback requested in the application, would create difficulties for parking and backing up the trailer in the garage on the approach. The **applicants** wish to keep both the camper and boat indoors.

Chair Scheibe asked why access could not be gained by the current doors on the present structure. The **applicants** responded the camper would block access from the eastern entry doors.

Winborn asked what the methodology was for a seven (7) foot side yard setback versus a four (4) foot side yard setback, as recommended by staff. **Huey** responded this was thought to be a sufficient distant given the submitted information in the application. Given the additional information and burden shared by the **applicants**, a four (4) foot side yard setback would be supported by staff. The staff recommendation is amended to a four (4) foot side yard setback for the construction of an accessory building addition.



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Scheibe asked how the **applicants** planned to maintain the setback which has a steep grade. The **applicants** stated they planned to use rip-rap for runoff and an engineered wall. The neighbor (**Bob Erling**) agreed to those plans.

Winborn made a motion to approve the amended staff recommendation of a four (4) foot side yard setback variance in lieu of the ten (10) foot side yard setback prescribed by County Zoning Ordinance. **Madden** seconded.

Vote: (4-0) Ayes. Variance Approved.

Variance approved for Derek and Cindy Murphy for a four (4) foot side yard setback for the construction of an accessory building addition at 23086 277th Avenue.

4. **Other business:** No other business items were brought forward.
5. **Adjourn.** Meeting was adjourned at 4:20 PM.