



ZONING BOARD OF ADJUSTMENT
STAFF REPORT
March 18, 2022



- Applicant:** Damen Trebilcock
- Request:** Special Use Permit to construct a detached accessory building to be used as a subordinate dwelling unit.
- Legal Description:** A 1.63 acre parcel MOL, legally described as Lot 12 of Stoney Creek Addition located in the NW¼ of the NW¼ of Section 8 in Pleasant Valley Township
- General Location:** 25118 189th Street
- Existing Zoning:** Single-Family Residential (R-1)
- Surrounding Zoning:**
- North:** Single-Family Residential (R-1)
 - South:** Single-Family Residential (R-1)
 - East:** Single-Family Residential (R-1)
 - West:** Single-Family Residential (R-1)

GENERAL COMMENTS: This request is for approval of a Special Use Permit to allow a subordinate dwelling unit on this 1.63 acre residential parcel in the Single-Family Residential Zoning District. The R-1 zoning district regulations allow consideration of a Special Use Permit for:

Two-family dwelling units with a minimum lot size of thirty thousand (30,000) square feet.

The applicant is applying to construct a 30' x 56' (1,680 sq. ft.) accessory building on their property for garage and living purposes. The accessory building will consist of a four car garage and golf simulator room on the first story. There will be a 30' x 40' (1,200 sq. ft.) subordinate dwelling unit on the second story of the garage. The dwelling unit will consist of a 15'x18' bedroom, along with a separate living area, a bathroom and a kitchen. The subordinate dwelling unit enclosed in the accessory building would be utilized by family members and guests. If this application is approved all building code and Health Department requirements would have to be met for such an addition.

STAFF REVIEW: Staff has reviewed this request in accordance with the requirements for approval of a Special Use Permit. The regulations require the Board to determine the effect of the proposed use on the character of the neighborhood, the adjoining property values, the adequacy of the County road to handle the additional traffic, the environmental impacts of the proposed use, and other matters relating to the public health, safety and welfare. The Board may place reasonable conditions on a Special Use Permit as deemed necessary to protect the character of the neighborhood and maintain the



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spirit and intent of the Zoning Ordinance, the Comprehensive Plan, and the Land Use Policies

Character of the neighborhood: The property in question is an existing single-family neighborhood on 189th Street in Pleasant Valley Township. It is surrounded by other single-family homes, except for the property to the east. To the east, we have the Spencer Creek floodplain and Davenport Country Club. The Spencer Creek floodplain is not located on this property.

The construction of the detached accessory building as a subordinate dwelling unit will be in keeping with the character of this neighborhood. The applicant states that there are six other property with accessory dwelling units on 251st Ave and 252nd Ave alone. The homeowner's association has already approved the project as presented.

Adjoining property taxes: It can be reasonably assumed that the construction of this accessory building with a subordinate dwelling unit would only impact the taxes on the subject property and not on the adjoining property.

Adequacy of the County road to handle the additional traffic: 189th Street is a county maintained paved residential street. Staff would not expect that this conversion would have any noticeable effect on traffic on this road. The County Engineer did not express any concerns with this request.

Potential traffic hazards: Again staff would not expect any significant impacts on the road or creation of any traffic hazards. The building will meet the 50 foot front setback so traffic visibility is not a concern.

Impact on the water table: A subordinate dwelling unit is not likely to impact the water table.

Handling of sewage waste and storm water runoff: The construction of the detached accessory building as a subordinate dwelling unit will not have a significant effect on the storm water run-off of the property. The Health Department commented that a new and separate septic system will need to be installed for the subordinate dwelling unit. The comments directed the applicant to plan for adequate space for the new septic field. The applicant is aware of this additional septic field requirement and has planned accordingly.

Potential of increasing the base flood elevation: The property is not located in a floodway or floodplain.

Public safety, public health, and general welfare: The proposed project is not likely to have an impact on public health, safety or general welfare.



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Staff notified the neighbors within five-hundred (500) feet of the property of this request, and also posted a sign at the property with the date and time of the public hearing. Staff has not, as of yet, received any comments or questions regarding this request.

Following review of this request in accordance with the above criteria, it is staff's determination that the impacts of the proposed subordinate dwelling unit are minimal. Furthermore the Scott County land use policies encourages that zoning should create diversity in the types of available housing and support the rehabilitation of existing housing. Also the land use policies encourages the preservation of historic resources and they promote activities and development that are consistent with the character and architectural style of the community and should respond to local values regarding the physical character of the community.

RECOMMENDATION: Staff recommends that the Special Use Permit to construct a detached accessory building to be used as a subordinate dwelling unit be approved with the following condition:

1. The renovations for the conversion meet all building and health codes for life, health and safety.

This recommendation is made on the basis that granting this Special Use Permit will not have a negative impact on the character of the neighborhood or the spirit and intent of the Zoning Ordinance, the Comprehensive Plan, or the Land Use Policies.

Submitted by:
Christopher Mathias,
Planning Director
March 18, 2022

From: [Mathias, Christopher \(Chris\)](#)
To: [Kersten, Angela](#); [Sabat, Alan N](#); [Pennock, Elliott R](#); [Hoskins, Jack](#); [Buck, Robert](#); [Martin, Ann](#)
Subject: RE: 3/23 Zoning Board of Adjustment Meeting
Date: Friday, March 4, 2022 9:58:15 AM

Angie,

It sounds like building type is very prevalent in the neighborhood already but I reached out to the applicant to confirm. Thanks for pointing that out.

From: Kersten, Angela <Angela.Kersten@scottcountyiowa.gov>
Sent: Friday, March 4, 2022 9:51 AM
To: Sabat, Alan N <Alan.Sabat@scottcountyiowa.gov>; Pennock, Elliott R <Elliott.Pennock@scottcountyiowa.gov>; Hoskins, Jack <Jack.Hoskins@scottcountyiowa.gov>; Buck, Robert <Robert.Buck@scottcountyiowa.gov>; Martin, Ann <Ann.Martin@scottcountyiowa.gov>
Cc: Mathias, Christopher (Chris) <Chris.Mathias@scottcountyiowa.gov>
Subject: RE: 3/23 Zoning Board of Adjustment Meeting

Not sure it is my business, but does their HOA allow this type of building to be constructed?

As far as Secondary Roads, I don't have any concerns or comments.

Sincerely,

ANGIE KERSTEN, P.E.

County Engineer | Scott County Secondary Roads Department

950 E. Blackhawk Trail, Eldridge, IA 52748 | **P.** 563-326-8640 | **F.** 563-328-4173

E. Angela.Kersten@scottcountyiowa.gov | **W.** www.scottcountyiowa.gov

From: Sabat, Alan N <Alan.Sabat@scottcountyiowa.gov>
Sent: Friday, March 4, 2022 9:28 AM
To: Kersten, Angela <Angela.Kersten@scottcountyiowa.gov>; Pennock, Elliott R <Elliott.Pennock@scottcountyiowa.gov>; Hoskins, Jack <Jack.Hoskins@scottcountyiowa.gov>; Buck, Robert <Robert.Buck@scottcountyiowa.gov>; Martin, Ann <Ann.Martin@scottcountyiowa.gov>
Cc: Mathias, Christopher (Chris) <Chris.Mathias@scottcountyiowa.gov>
Subject: 3/23 Zoning Board of Adjustment Meeting

Good Morning,

Attached is a PDF packet of information for a Special Use Permit request to be considered by the Zoning Board of Adjustment on March 23rd. Please review and let us know if you have any questions, comments, or other feedback.

Have a Great Weekend,
Alan

Alan N. Sabat

Alan N. Sabat
Planning & Development Specialist
Department of Planning & Development
Scott County, Iowa
563-328-3231

Sabat, Alan N

From: Brad Bagby <brad@bagbyconstruction.com>
Sent: Monday, March 7, 2022 12:58 PM
To: Trebilcock, Damen
Cc: Mathias, Christopher (Chris)
Subject: [External Email] Re: 3/23 Zoning Board of Adjustment Meeting

CAUTION: This email originated from outside of Scott County! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe!

You've got it covered.

Chris, if they ask about soil bores we usually do not take any until construction starts/just prior.

Thanks,

Brad Bagby
Bagby Construction
309.314.4142
563.468.3142

On Mon, Mar 7, 2022 at 11:58 AM Trebilcock, Damen <dtrebilcock@russellco.com> wrote:

We are 100% planning for this. We have had plumbing input in our design. The current septic system cannot handle this additional capacity and it is on the north side of the house, no where near this carriage house located on the south side of the current home. Brad, please reply with anything additional. Thank you Chris.

Damen Trebilcock
Vice President - Russell
Damen Trebilcock
Vice President

4700 E. 53rd Street, Davenport, IA 52807
T: (563) 459-4600
M: (515) 991-6534
E: dtrebilcock@russellco.com

RUSSELL



From: Mathias, Christopher (Chris) <Chris.Mathias@scottcountyjowa.gov>
Sent: Monday, March 7, 2022 11:32:17 AM
To: Trebilcock, Damen <dtrebilcock@russellco.com>
Subject: FW: 3/23 Zoning Board of Adjustment Meeting

Hi Damen,

Please see this response from the Health Dept regarding your request. Let me know if we have any issues.

“This proposed building would require the installation of a septic system. This system would have to be separate from the one which is currently serving the existing home. The homeowner would need to ensure that there is enough room on the property to be able to install an appropriately designed system. The homeowner would also need to make sure that construction activities were not in an area that could potentially damage his current septic system. Let me know if you have any further questions.”

Jack Hoskins

Environmental Health Specialist

600 W 4th St

Davenport, IA 52801

Office: (563)326-8618 xt 8813

Fax: (563)326-8774

jack.hoskins@scottcountyiowa.gov | www.scottcountyiowa.gov/health

From: Sabat, Alan N <Alan.Sabat@scottcountyiowa.gov>

Sent: Monday, March 7, 2022 8:41 AM

To: Hoskins, Jack <Jack.Hoskins@scottcountyiowa.gov>

Cc: Mathias, Christopher (Chris) <Chris.Mathias@scottcountyiowa.gov>

Subject: RE: 3/23 Zoning Board of Adjustment Meeting

Morning Jack,

Thanks for taking a look and providing feedback. We'll pass it along!

Alan

Alan N. Sabat

Alan N. Sabat

Planning & Development Specialist

Department of Planning & Development

Scott County, Iowa

563-328-3231

From: Hoskins, Jack <Jack.Hoskins@scottcountyiowa.gov>

Sent: Monday, March 7, 2022 8:38 AM

To: Sabat, Alan N <Alan.Sabat@scottcountyiowa.gov>

Subject: RE: 3/23 Zoning Board of Adjustment Meeting

Alan,

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To: Kersten, Angela <Angela.Kersten@scottcountyiowa.gov>; Pennock, Elliott R <Elliott.Pennock@scottcountyiowa.gov>; Hoskins, Jack <Jack.Hoskins@scottcountyiowa.gov>; Buck, Robert <Robert.Buck@scottcountyiowa.gov>; Martin, Ann <Ann.Martin@scottcountyiowa.gov>

Cc: Mathias, Christopher (Chris) <Chris.Mathias@scottcountyiowa.gov>

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