

PLANNING & DEVELOPMENT

600 West Fourth Street
Davenport, Iowa 52801-1106
Email: planning@scottcountyiowa.gov
Office: (563) 326-8643



Chris Mathias, Director

**SCOTT COUNTY
ZONING BOARD OF ADJUSTMENT
AGENDA
Wednesday, March 22, 2023
4:00 P.M.**

1. **Call to Order**
2. **Minutes:** Approval of the February 22, 2023 meeting minutes.
3. **Public Hearing – Variance:** Request from **Peter Sarelas**, on behalf of property owner Samuel Benson, to allow an existing ground-mount solar array to remain located six feet (6') from the 270th Avenue roadway easement in lieu of the fifty feet (50') prescribed in the Zoning Ordinance, at the property address 22550 270th Avenue, a 3.75-acre parcel legally described as Lot 00E (a replat of Lots 9 and 10), of Country Estates in Section 21 of LeClaire Township (Parcel #95212320E--4).
4. **Other business:** Additional comments or issues to discuss (Commission members) / Opportunity for public comments
5. **Adjournment**

Public Hearing/Meeting Procedure

- a. Chairman reads public notice of hearing.
- b. Director reviews background of request.
- c. Applicant /Representative provide any additional comments on request.
- d. Public may make comments or ask questions.
- e. Director makes staff recommendation.
- f. Applicant may respond or comment.
- g. Commission members may ask questions.
- h. Chairman closes the public portion of the hearing (No more public comments).
- i. Discussion period for the Commission members.
- j. Commission members make motion to approval, deny, or modify request.
- k. Final vote. Recommendation goes to Board of Supervisors.

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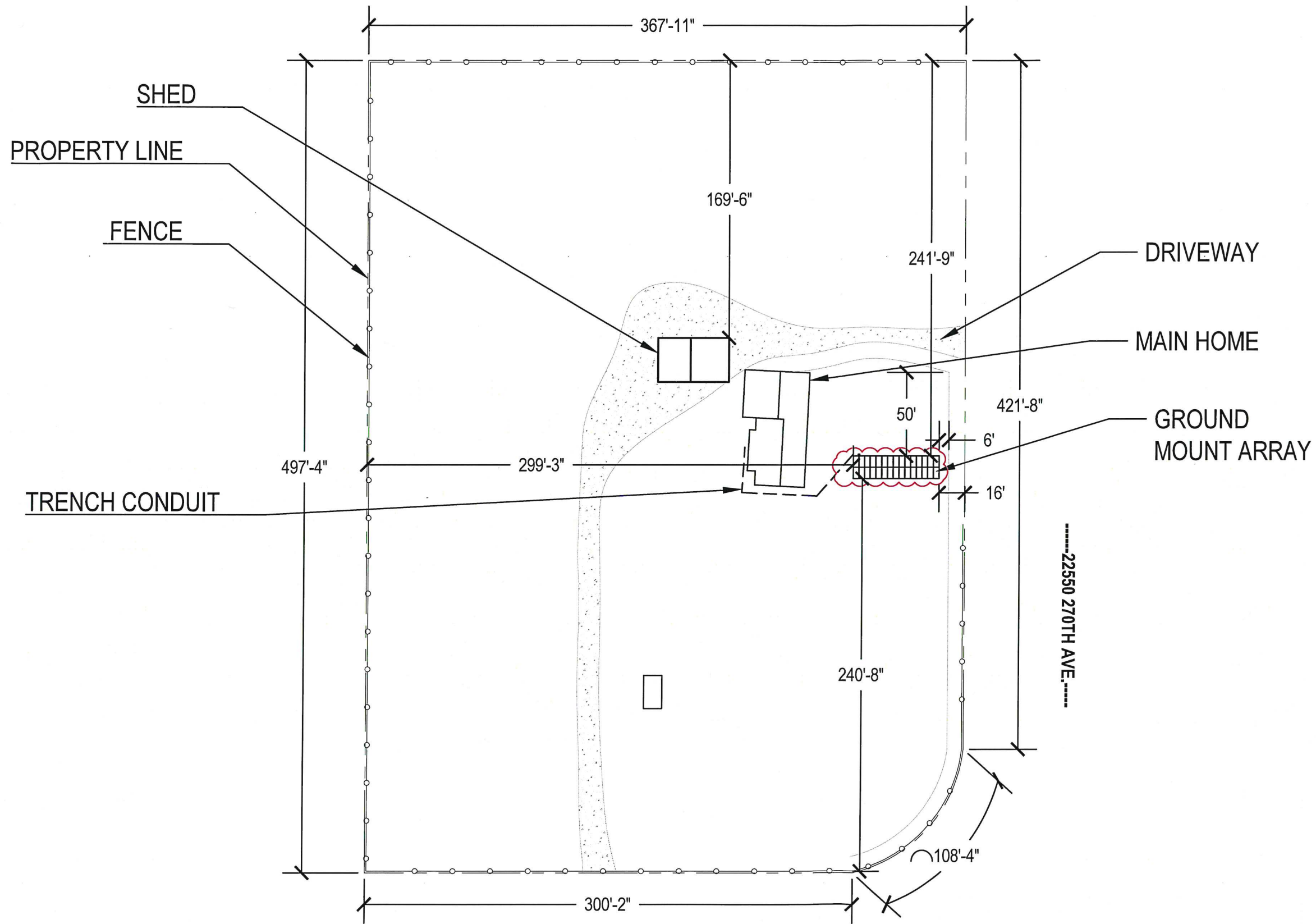


**SCOTT COUNTY
ZONING BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Scott County Planning and Development Department has on file the following application as allowed by the Scott County Zoning Ordinance. In accordance with Section 6-30, this Notice is being sent to all property owners of record within 500 feet of the area in question and to appropriate County officials to notify all of a public hearing to be held in the **1st Floor Board Room, County Administrative Center, 600 W 4th Street, Davenport, IA, 52801** on **Wednesday, March 22, 2023 at 4:00 P.M.**

The Zoning Board of Adjustment will hear the request from **Peter Sarelas**, on behalf of property owner Samuel Benson, to allow an existing ground-mount solar array to remain located six feet (6') from the 270th Avenue roadway easement in lieu of the fifty feet (50') prescribed in the Zoning Ordinance, at the property address 22550 270th Avenue, a 3.75-acre parcel legally described as Lot 00E (a replat of Lots 9 and 10), of Country Estates in Section 21 of LeClaire Township (Parcel #95212320E--4).

If you have questions or comments regarding this meeting or the requested variance please call, write or email the Planning and Development Department, 600 West Fourth Street, Davenport, Iowa 52801, (563) 326-8643, planning@scottcountyiowa.gov or attend the meeting.



LEGEND:

PROPERTY LINE: - - - - -

DRIVEWAY: - - - - -

FENCE: -○-○-○-

APN: 95212320E4

EASEMENT: _____

SCALE: 1/64" = 1'-0"

BENSON, SAM
22550 270TH AVE.,
LE CLAIRE, IA, 52753

AHJ: LE CLAIRE



SOURCE SOLAR
115 SOUTHGATE AVE., #1 IOWA CITY IA 52240
TEL. NO. 7737105997
LIC. NO. C140454

PROPERTY PLAN

DATE: 2/3/2023
DRAWN BY: DA

PV-2

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Appeal to the Scott County Board of Adjustment

Date: 1 / 26 / 2023

Applicant

Name: Peter Sarelas
 Address: 115 Southgate #1
Iowa City IA 52240
 Phone: 319.448.0414
 Email: peter@solarroof.energy

Deed Holder or Property Owner

Name: Samuel Benson
 Address: 22550 270th Ave, Le Claire, IA 52753
 Phone: 563.505.1729
 Email: ysukkie@yahoo.com

Address of the affected area: 22550 270th Ave, Le Claire, IA 52753

Legal description: _____

Section: _____ Township: _____ Zoning Classification: _____

Check the appropriate appeal:

- Appeal of the interpretation** made by the zoning administrator of zoning text or map boundaries
- Special use permit**
- site plan and general description of the use are attached
- Variance** to the rules of the Zoning Ordinance

Specifically, I would like to: request a variance for the installation of a solar groun mount to be placed within the current 50' setback of property off road easement

Variance Only – The reason why this is an exceptional situation unique to this property:

- 1 This is the only location on the property for a solar array. 2 multiple properties within a mile have structures in setback
- 3 There is more than enough clearance between road and solar array as to not disturb traffic, expansion, etc
- 4 Iowa Access to Solar Energy Law title XIV, Chapter 564A (2020) promotes and enforces reasonable access to solar energy

I (We) further state that if this request is granted, I (we) will proceed with the actual construction in accordance to the conditions set by the Board of Adjustment, after the application and issuance of a building permit from Planning and Development and in the two (2) year time period as prescribed by Section 6-27.F.(8) of the Zoning Ordinance.

Applicant's Signature Peter Sarelas Deed Holder's Signature _____

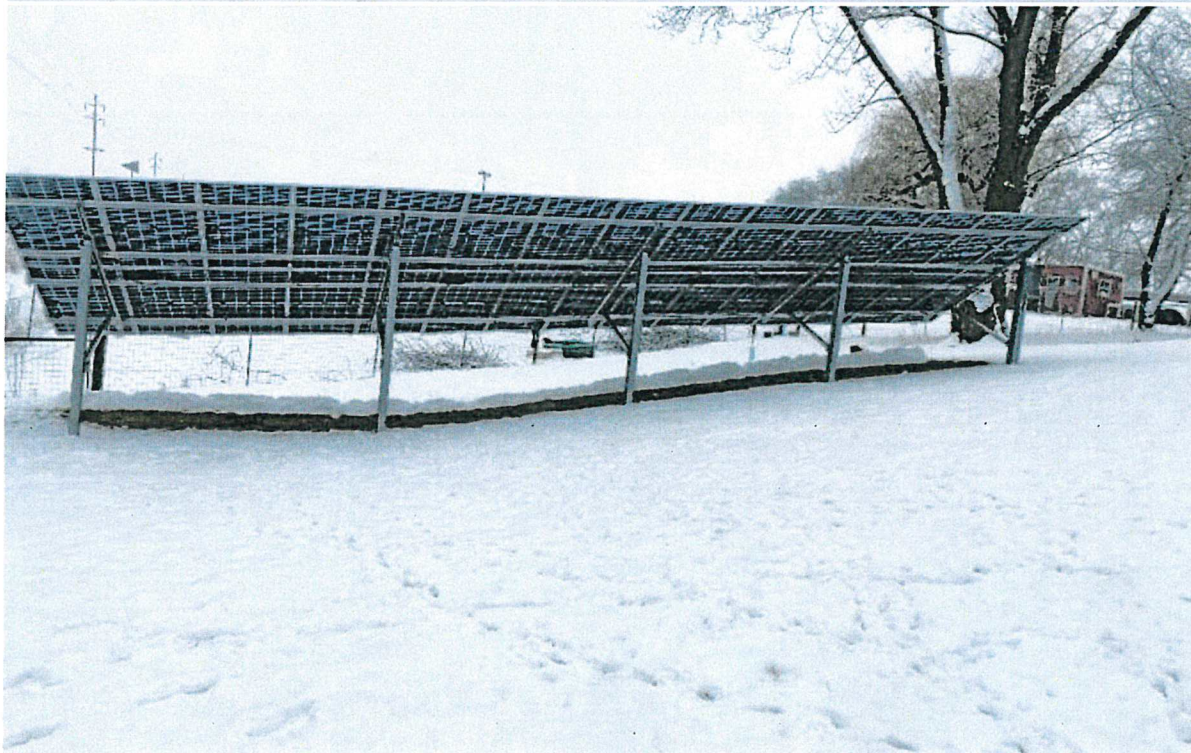
Fees Paid (Circle one):

Appeal of Interpretation
 \$50

Special Use Permit
 Less than 5 acres = \$100
 5 to 10 acres = \$150
 Ten acres or more = \$200

Variance
 \$100

1. This is the only location on property for solar array





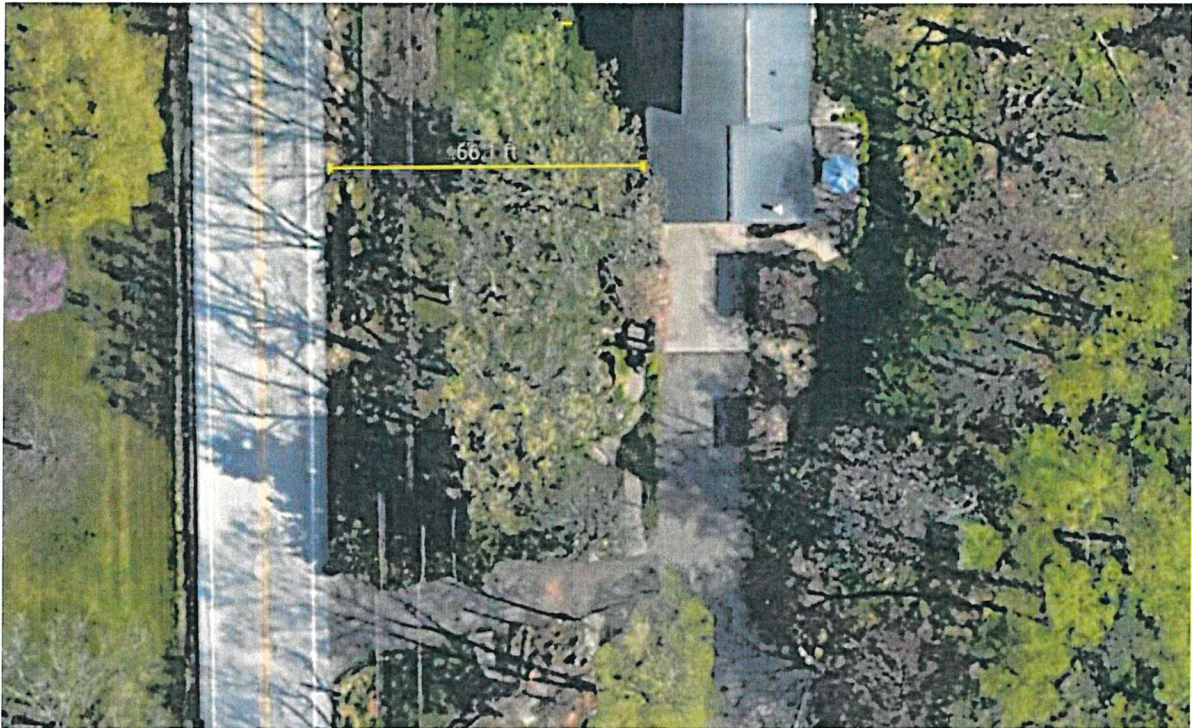


2. Multiple properties within a mile have structures in setback





270th first property to the north (east side of road)



270th second property to the north (east side of road)



Directly across the street, first structure to the east on 225th







Newer construction to the north on 270th property south of 235th on east and west sides





Other homes which have ground mounts in area



3. There is more than enough clearance between road and solar array



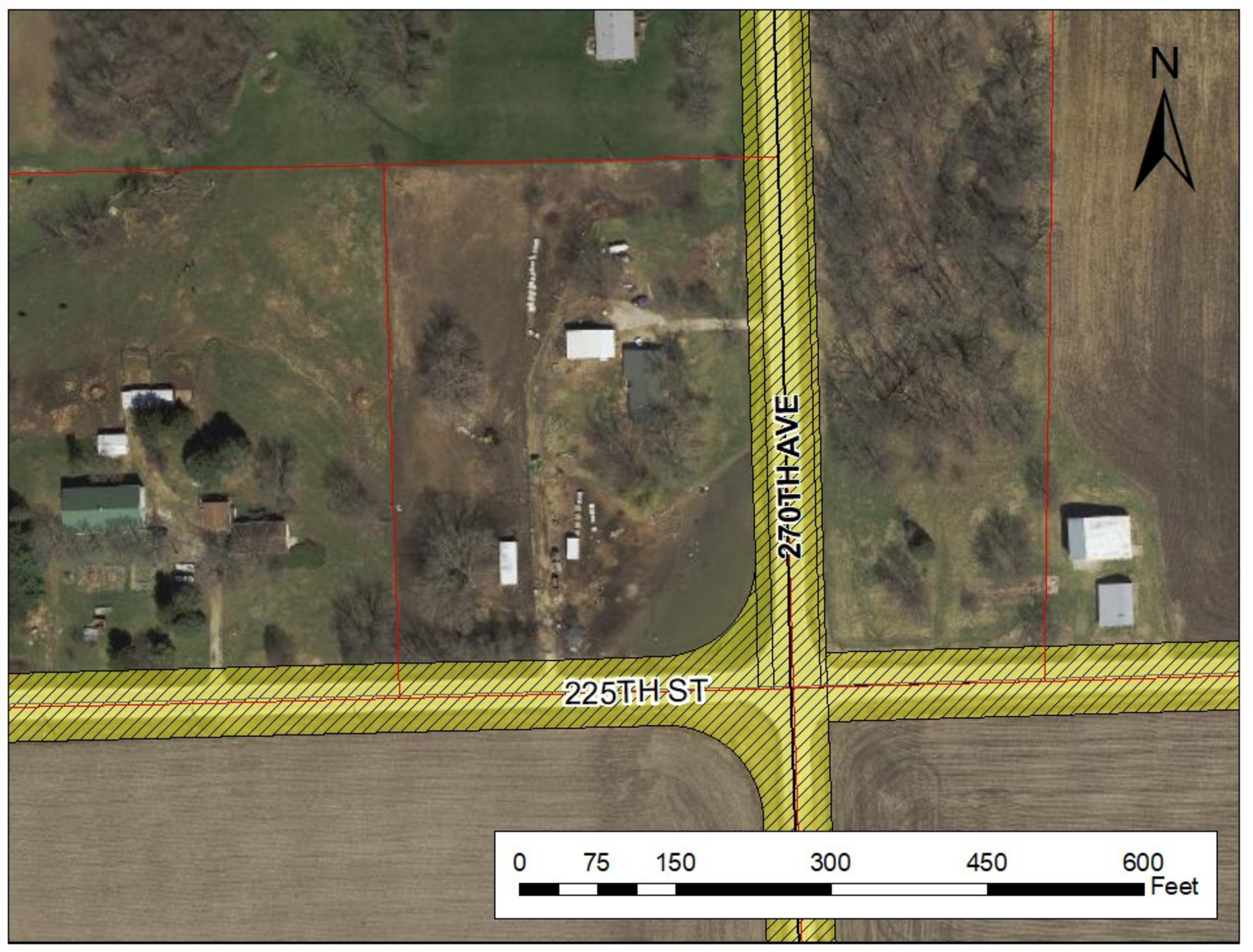
4. Iowa Access to Solar Energy Law

564A.1 Purpose. It is the purpose of this chapter to facilitate the orderly development and use of solar energy by establishing and providing certain procedures for obtaining access to solar energy. [81 Acts, ch 184, §3]



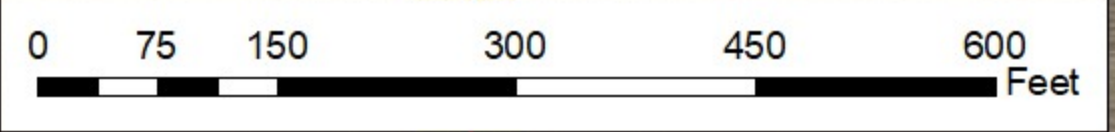


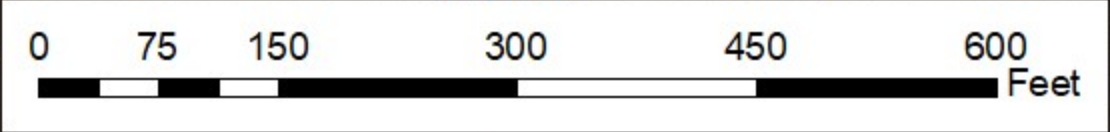
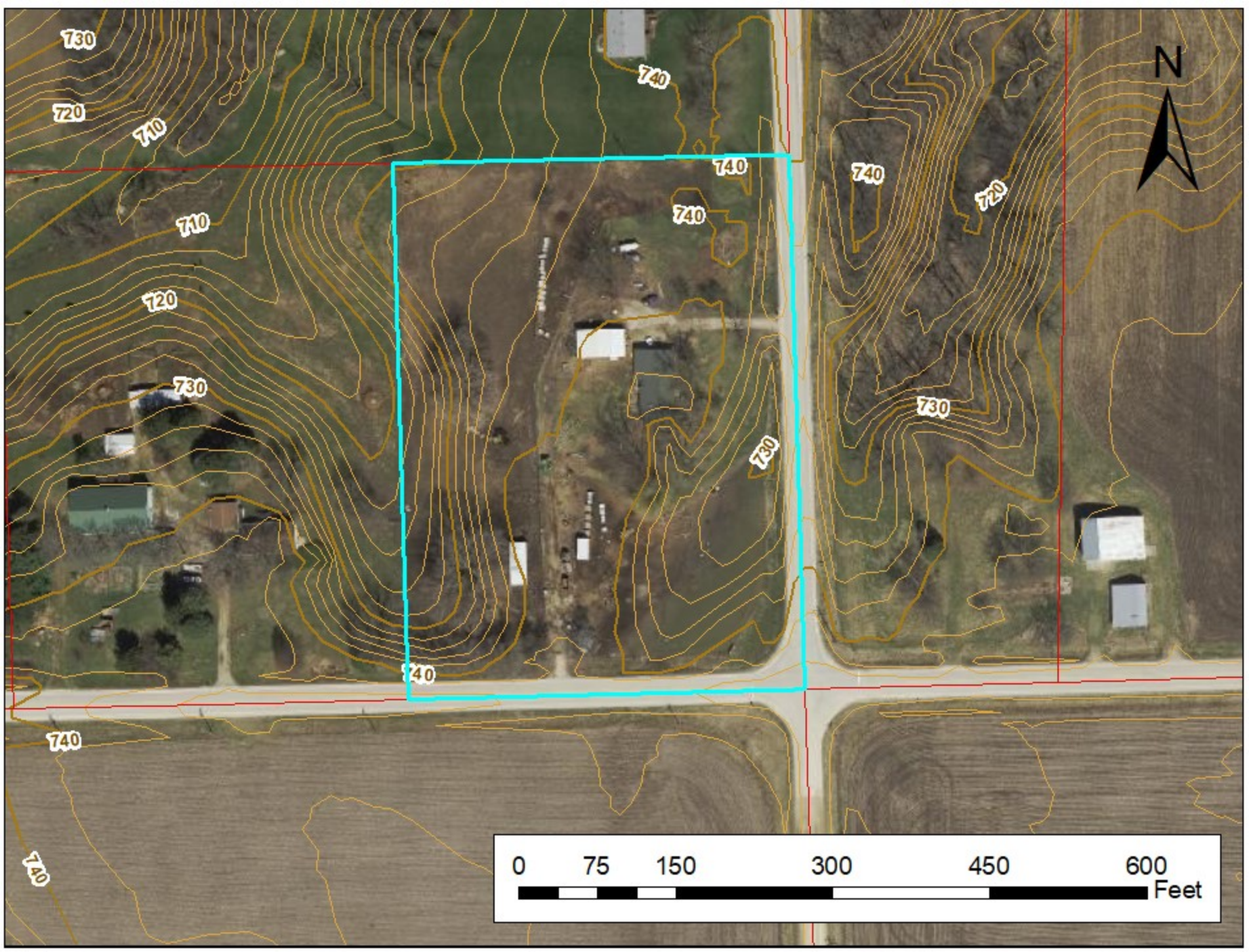
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270TH AVE

225TH ST



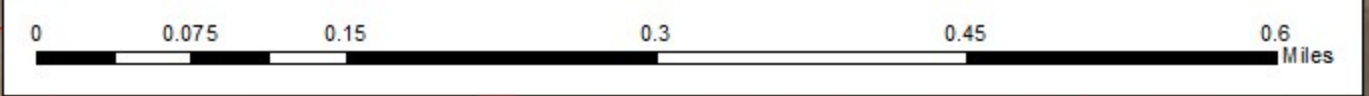


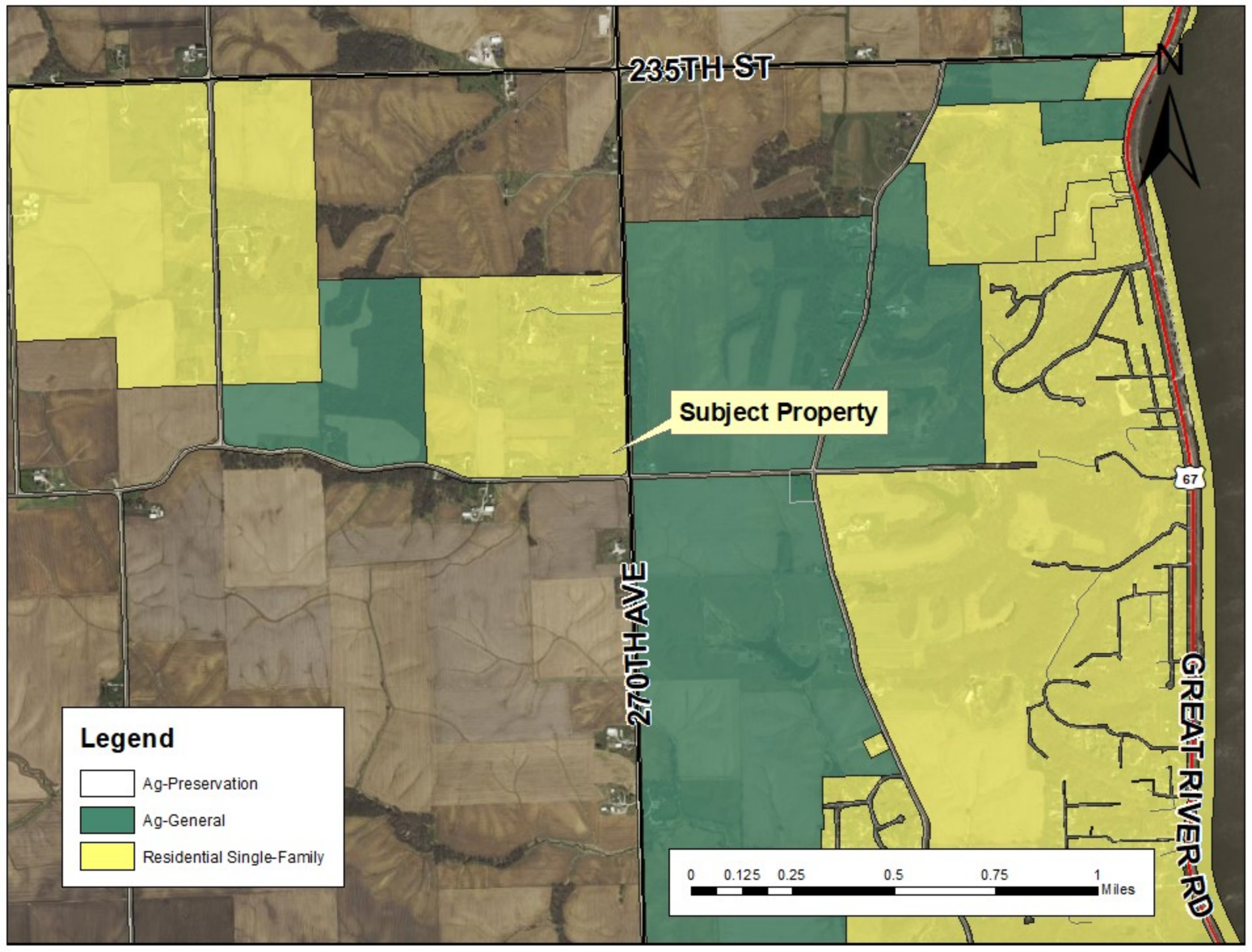


Subject Property

270TH AVE

225TH ST





235TH ST




Subject Property

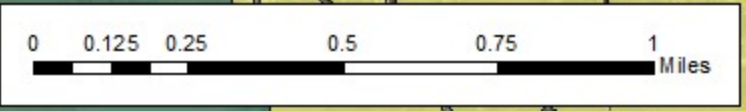
270TH AVE

67

GREAT RIVER RD

Legend

-  Ag-Preservation
-  Ag-General
-  Residential Single-Family





235TH ST

N

Subject Property

270TH AVE

67

GREAT RIVER RD

