



**SCOTT COUNTY
ZONING BOARD OF ADJUSTMENT
Wednesday, January 24, 2024
4:00 P.M.**

MEETING MINUTES

1st Floor Board Room
600 West 4th Street
Davenport, IA 52801

MEMBERS PRESENT: Tom Dittmer, Carrie Keppy, Mary Beth Madden, Myron Scheibe

MEMBERS ABSENT: none

OTHERS PRESENT: Greg Schaapveld, Planning & Development Director
Alan Silas, Planning & Development Specialist
Alan Carter, applicant

1. **Call to Order:** Chair Madden called the meeting to order at 4:00 P.M.
2. **Attendance:** The Zoning Board of Adjustment met pursuant to adjournment with Dittmer, Keppy, Madden, and Scheibe present.
3. **Election of 2024 Officers:** Scheibe nominated Madden for 2024 Chair. Nomination seconded by Keppy.

Vote (Madden for 2024 Chair): 4-0, All Ayes

Scheibe nominated Dittmer for 2024 Vice Chair. Nomination seconded by Keppy.

Vote (Dittmer for 2024 Vice Chair): 4-0, All Ayes

4. **Approval of Minutes:** Consideration of December 20, 2023 meeting minutes. Scheibe made a motion to approve. Seconded by Dittmer.

Vote (approve December 20, 2023 minutes): 4-0, All Ayes

5. **Public Hearing – Variance:** **Chair Madden** introduced the request as stated on the public hearing notice and welcomed staff to explain the case. **Schaapveld** presented location maps, site photos, and the submitted site plan. **Schaapveld** said the unpermitted structure, which is not compliant with building setbacks, was reported to the Planning and Development Department by a neighboring property owner, which resulted in a Stop Work Order being posted on the structure. Since posting, the applicant continued work and the construction is nearly complete aside from the installation of the planned overhead doors.

Chair Madden welcomed the applicant to respond.

Carter admitted that he did not seek approval from the County or the Village Oaks Homeowners Association, but has invested a lot in the project and feels he has the support of the neighborhood for the structure to remain.

Chair Madden opened the public hearing. No members of the public spoke for or against the request.

Chair Madden closed the public hearing and asked for staff's recommendation.

Schaapveld said the structure had a number of evident building code compliance issues on top of not being compliant with required building setbacks. Since the hardship presented by the applicant was self-inflicted, staff recommended denial of the variance request.

Chair Madden welcomed the applicant to respond.

After a lengthy exchange about alternatives for building locations and building code issues, **Carter** requested to withdraw the petition and achieve zoning compliance administratively through a private land transfer.

Dittmer made a motion to accept the withdrawal of the petition as requested by the applicant. **Seconded by Keppy.**

Vote (accept withdrawal of variance petition): Roll Call: All Ayes

6. **Old Business:** *none*
7. **Zoning Administrator's Report:** *none*
8. **Public Comment:** *none*
9. **Adjournment:** With no further public comments and no other business to discuss, **Chair Madden** adjourned the meeting at 4:48 P.M.