

PLANNING & DEVELOPMENT

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



**SCOTT COUNTY
ZONING BOARD OF ADJUSTMENT
AGENDA**

**Wednesday, June 24, 2026
4:00 P.M.**

Eldridge Branch of the Scott County Library
Room A/B
200 North 6th Avenue
Eldridge, IA 52748

1. **Call to Order**
2. **Attendance**
3. **Election of 2026 Officers:** Election of Chair and Vice-Chair for the 2026 Scott County Zoning Board of Adjustment
4. **Approval of Minutes:** Approval of the September 24, 2025, meeting minutes.
5. **New Business**
 - a. **Public Hearing – Special Use Permit:** Request from **Rily and Ardita Grunwald (deed holders Dale and Jill Grunwald)** for an amended Special Use Permit to allow expanded food service for their Snow Tubing Facility at the property legally described as Part of the W ½ of the SW ¼ of Section 6 of Princeton Township (Scott County Tax Parcels 950649003, 950633001).
 - b. **Public Hearing – Variance:** Request from **Rily and Ardita Grunwald (deed holders Dale and Jill Grunwald)** for a two-year extension of a previously-granted variance allowing gravel or asphalt milling parking lot surfacing in lieu of flexible or rigid pavement for their Snow Tubing Facility at the property legally described as Part of the W ½ of the SW ¼ of Section 6 of Princeton Township (Scott County Tax Parcels 950649003, 950633001).
6. **Old Business**
7. **Zoning Administrator’s Report**
8. **Public Comment**
9. **Adjournment**

Public Hearing Procedure:

- a. Chairman reads notice of public hearing.
- b. Director reviews case.
- c. Applicant/Representative speaks on behalf of request.
- d. Public may ask questions or make comments.
- e. Director makes staff recommendation.
- f. Applicant may respond to comments and/or recommendation.
- g. Board members may ask questions.
- h. Chairman closes the public portion of the hearing. (No more comments from public or applicant.)
- i. Discussion period to determine justification for decision.
- j. Board members move to approve, deny, and/or modify request.
- k. Final vote. Case closed. Three members of the Board constitute a quorum. The concurring vote of three members of the Board shall be necessary to reverse any decision or determination of the zoning administrator or to decide in favor of an application for a variance or conditions for a special use permit. The Board of Adjustment is “quasi-judicial” and not a recommending body. Therefore, any appeals to their decisions should be filed with District Court within 30 days of the meeting.

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**SCOTT COUNTY
ZONING BOARD OF ADJUSTMENT
Wednesday, September 24, 2025
4:00 P.M.**

MEETING MINUTES

Eldridge Library
Meeting Room A/B
200 North 6th Avenue
Eldridge, IA 52748

MEMBERS PRESENT: Patrick Dodge, Carrie Keppy, Mary Beth Madden, Myron Scheibe, Tom Dittmer (arrived after attendance & meeting minutes vote)

MEMBERS ABSENT: *none*

OTHERS PRESENT: Greg Schaapveld, Planning & Development Director
Caitie Leighton, Senior Administrative Assistant
Kelly Wernke, applicant

1. **Call to Order: Madden** called the meeting to order at 4:04 P.M.
2. **Approval of Minutes:** Consideration of July 23, 2025 meeting minutes. **Scheibe made a motion to approve. Seconded by Keppy.**

Vote (approve July 23, 2025 minutes): 4-0, All Ayes

3. **Public Hearing – Variance: Madden** introduced the Variance request as stated on the public hearing notice and welcomed staff to explain the case. **Schaapveld** provided an overview using maps, site photographs, and the proposed building footprint.

Madden welcomed the applicant to respond.

Kelly Wernke explained her intent to relocate an existing historic barn onto her property to replace a structure that was previously damaged by a tornado. She noted that the remaining portions of the property contain sloping terrain and indicated that the proposed placement would not impact road visibility.

Madden opened the public hearing.

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With no public attendees, **Madden** closed the hearing and requested the staff recommendation.

Schaapveld stated staff supported approval of a variance for a front yard setback of 30 feet.

Dittmer asked how long the applicant has owned the property. **Wernke** responded that she has owned the property since 2018.

Scheibe inquired about the topography on the north side of the property. **Wernke** explained that the area consists of steep terrain.

Scheibe asked whether the building would be used as an Accessory Dwelling Unit (ADU). **Wernke** stated that the structure would be used as an office.

Scheibe noted that there is an existing structure on the property with reduced setbacks. **Dittmer** asked whether a grandfather provision would apply in this situation. **Schaapveld** clarified that no such provision applies and that any new structures must comply with current setback requirements. A brief discussion followed regarding right-of-way expansion in front of the applicant's property.

Dodge made a motion to approve the front yard setback Variance in accordance with staff recommendation. Motion seconded by **Keppy**.

Vote to approve a Variance for a front yard setback of 30 feet.

Vote: 5-0, All Ayes

4. **Old Business:** *none*
5. **Zoning Administrator's Report:** **Schaapveld** informed the Board of a new State requirement regarding open meetings training.
6. **Public Comment:** *none*
7. **Adjournment:** With no further public comments and no additional business, **Scheibe** adjourned the meeting at 4:30 P.M.

Submitted by: Caitie Leighton, Senior Administrative Assistant

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Date: 5 / 27 / 20 26

Appeal to the Scott County Zoning Board of Adjustment

Applicant

Name: Rily and Ardita Grunwald

Address: 220 S 27th Ave

Eldridge, Iowa, 52748

Phone: [REDACTED]

Deed Holder or Property Owner

Name: Dale and Jill Grunwald

Address: 409 s Schultz Dr.

Long Grove, Iowa, 52756

Phone: [REDACTED]

Address of the affected area: 25291 240th ave, Princeton IA, 52768

Legal description: NW & SW 1/4 of SW 1/4 of section 6 township 79 N range 5 E

Section: 6 Township: 79 Zoning Classification: C-R

Check the
appropriate
appeal:

Appeal of the interpretation made by the zoning administrator
of zoning text or map boundaries
 Special use permit

Variance to the rules of the Zoning Ordinance

Specifically, I would like to: modify our existing special use permit for the overall snow tubing
facility, to take advantage of the new language allowing expanded
food service in the concessions/warming building.

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 Rily Grunwald Deed Holder's Signature Jill Grunwald

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

Paid check #1127
5/29/26

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Date: 5 / 27 / 2026

Appeal to the Scott County Zoning Board of Adjustment

Applicant

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Eldridge, Iowa, 52748

Phone: [REDACTED]

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Section: 6 Township: 79 Zoning Classification: C-R

Check the appropriate appeal:

Appeal of the interpretation made by the zoning administrator of zoning text or map boundaries

Special use permit

Variance to the rules of the Zoning Ordinance

Specifically, I would like to: extend the variance previously granted to defer parking lot pavement.

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 Rily Grunwald

Deed Holder's Signature [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

Paid check #1127
5/29/26

Schaapveld, Gregory

From: Lost Oasis <info@lostoasis.org>
Sent: Thursday, June 18, 2026 12:02 PM
To: Schaapveld, Gregory
Cc: Rily Grunwald
Subject: Re: Hard-surface pavement variance request



Greg,

Permanent deferral would be best based on seasonal use, this parking lot is or at least very nearly dust free in the winter time.

The 2 years was both settling/ compaction and financial to get a better feeling of what size lot we actually need. It is possible we have overestimated and only need 80 or so stalls.

Thank you
Rily Grunwald

Sent from my iPhone

On Jun 18, 2026, at 9:57 AM, Schaapveld, Gregory
<Gregory.Schaapveld@scottcountyiowa.gov> wrote:

Is there a reason you want me to note as the basis for the requested two-year extension of the parking lot pavement? Looking back at the original (2024) ZBOA application the request seemed to be a *permanent* deferral of pavement (“we would like to install a non paved parking area for consideration based on season of use”). In looking back through submitted materials and meeting minutes I didn’t see any mention of why specifically two-years was agreed upon. I know of at least one other case where ZBOA granted a similar two-year waiver to allow for settlement, I don’t recall if that was the reasoning, or if it was for financial reasons, etc.

Thanks

Greg

Schaapveld, Gregory

From: Kersten, Angela
Sent: Thursday, June 18, 2026 10:12 AM
To: Schaapveld, Gregory; Hoskins, Jack
Subject: Re: Lost Oasis revised special use permits comments?

Hi Greg,

I do not have any questions or comments regarding item 1.

Regarding the request for a two-year extension to pave the parking lot, I do not object to granting the extension. However, I recommend that the requirement to pave the first 90 feet of both entrances from the east edge of 240th Avenue remain in place and be completed as originally committed. Paving the entrances will help reduce the amount of gravel tracked onto 240th Avenue and minimize maintenance and safety concerns on the roadway.

Please let me know if you have any questions or need additional information.

Sincerely,

ANGELA K. 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: Schaapveld, Gregory <Gregory.Schaapveld@scottcountyiowa.gov>
Sent: Thursday, June 18, 2026 9:21 AM
To: Kersten, Angela <Angela.Kersten@scottcountyiowa.gov>; Hoskins, Jack <Jack.Hoskins@scottcountyiowa.gov>
Subject: Lost Oasis revised special use permits comments?

Sorry again for short notice, we have a ZBOA meeting next Wednesday for two requests from Lost Oasis:

1. Revise their special use permit to allow them to take advantage of the new language related to food service at snow tubing operations. Specifically the new language allows “a concession area operated for the patrons only when the snow tubing hill is in operation”
2. A two-year extension of the original two-year variance on paving their parking lot. They previously committed to paving 90’ of both entrances (measured from east edge of 240th Ave), they haven’t yet paved those areas.

Any comments you want me to share with the board? Thanks!

Greg

Schaapveld, Gregory

From: Hoskins, Jack
Sent: Thursday, April 16, 2026 4:01 PM
To: Schaapveld, Gregory
Cc: Kersten, Angela; Marriott, Tara; Petersen, Sherrie
Subject: RE: Lost Oasis

Greg,

I have looked over the proposal for the Lost Oasis text amendment application. My main concern will be in regard to the septic system and well that serve the facility. If the concession area serves food in such a manner that will require the washing of dishes or utensils, potentially containing any amount of fat or grease, a grease trap will need to be installed prior to the septic tank. Previous correspondences that I have seen from the owners, have indicated the desire to have this become an event center. If the use of this facility is increased from their original proposal, this will have an effect on both the size requirement of the septic system, and the classification of their water supply. Currently, only a portion of their septic system has been installed. There is a holding tank present, which is to allow the facility to operate for the first 2 seasons so that we can appropriately design a system capable of handling their daily water use. An increase in their food service and/or days of operation will increase the required size of a septic system. An increase in their days of operation will change the well classification from private to public. If the facility serves 25 or more people for 60 or more days out of the year, the well will become the jurisdiction of the Iowa Department of Natural Resources and regulated as a Transient Non-Community public water supply. This could require changes to the current well setup. Let me know if you have any questions.

Jack

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

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ZONING BOARD OF ADJUSTMENT

STAFF REPORT

June 24, 2026



Applicant: Rily and Ardita Grunwald (deed holders Dale and Jill Grunwald)

Request:

1. Amend existing Special Use Permit to allow food service in accordance with revised Zoning Ordinance definition of "Snow Tubing Facility Concession /Warming Area"
2. Extend an existing two-year deferral of gravel parking lot surfacing in lieu of the required hard surface pavement

Legal Description: Part of the W ½ of the SW ¼ of Section 6 in Princeton Township
Scott County Tax Parcels 950649003, 950633001

Existing Zoning: Conservation-Recreation (C-R)

Surrounding Zoning:

North: Agricultural-Preservation (A-P)
South: Agricultural-Preservation (A-P)
East: Agricultural-Preservation (A-P)
West: Conservation-Recreation (C-R)

PROJECT BACKGROUND:

The subject property received Special Use Permit approval from the Zoning Board of Adjustment on July 24, 2024 for the establishment and operation of a Snow Tubing Facility with the following seven conditions:

1. An agreement to implement a landscaping plan be signed and recorded. The agreement shall address maintaining the installed landscaping, including replacing dead or damaged trees/shrubbery;
2. Any septic system be constructed and operated to conform to Chapter 69 of the IDNR administrative rules regarding sewage disposal systems;
3. Entrance permits be obtained through the Scott County Secondary Roads Department prior to construction of the entrances off of 240th Avenue;
4. A final construction plan set be submitted that is signed by the licensed professional engineer in charge of the design, with no material changes to the plan as presented at the July 24, 2024 Board of Adjustment meeting, as determined by the Planning and Development Director;
5. Lights for the tubing hill and parking lot be limited in usage, ceasing illumination at 10:30PM (destination lighting at the entrances and security lighting fixed to facility buildings not limited to time);



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6. Noise levels exiting the property be limited to 60 decibels between the hours of 7:00AM to 10:00PM, and 50 decibels between the hours of 10:00PM and 7:00AM, as measured from the property line, or as measured from the nearest edge of dwelling if a signed covenant by the affected property owner is obtained and recorded in the County Recorder's Office;
7. That landscape screening between 240th Avenue and the parking lot be of sufficient initial height and spacing to adequately screen the parking lot from 240th Avenue.

Also at that July 24, 2024 meeting, the following deferral of parking lot hard surfacing was granted:

1. That the parking lot surfacing be allowed to be gravel or asphalt millings for two calendar years from the date of approval of this Special Use Permit, at which time it must be surfaced with flexible or rigid pavement, or the applicant will be required to re-submit a Special Use Permit application for consideration of extending or modifying the previously-approved Special Use Permit.

At the May 28, 2025 Zoning Board of Adjustment meeting, the applicants received approval of a revised special use permit allowing a larger Snow Tubing Facility Concession/Warming Area building in light of a revised Zoning Ordinance definition for such structures, with the following condition:

1. Maximum building footprint limited to 2,600 square feet.

Earlier this year, at the applicant's request the definition of "Snow Tubing Facility Concession/Warming Area" was again revised, this time to allow expanded food service opportunities within such areas. In accordance with Scott County Ordinance 26-02, the definition now reads: *"A structure containing: restroom facilities; a warming area limited to space for changing clothes or preparation for snow tubing and limited to a rated occupancy of no more than 150 occupants as determined by the Code Official in accordance with adopted County Construction Codes; and a concession area operated for the patrons only when the snow tubing hill is in operation."*

Since the applicant's current Special Use Permit was approved when Snow Tubing Facility food service was limited to "a concession area limited to the sale of pre-prepared foods with no food preparation that requires an oven, hood or grease trap," the applicants are requesting a revised Special Use Permit to take advantage of expanded food service options afforded by the new definition.

Additionally, the applicant is requesting an extension of the previously granted two-year deferral of placing hard surface pavement atop the parking lot, which is required by our Zoning Ordinance.



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GENERAL COMMENTS & STAFF REVIEW:

As mentioned previously, the applicant is requesting to amend their Special Use Permit to allow for expanded food service in their Concession/Warming Area building. In their request to the Planning and Zoning Commission and Board of Supervisors to revise that definition, the applicant accurately noted the original language limiting food service to “pre-prepared foods with no food preparation that requires an oven, hood or grease trap” significantly limited food preparation options. The prohibition on an oven would extend not just to a conventional (large) oven but also exclude a countertop pizza oven or toaster oven where finger foods could be warmed. The prohibition of exhaust hoods likewise limited food preparation, as the building code requires hoods be provided for all appliances that produce grease, smoke, heat, or moisture in their normal operation. And the prohibition of grease traps limits the serving utensils and cookware that can be utilized, as a grease trap is needed when washing anything that has come into contact with grease, oils, or animal fats.

Potential workarounds or loopholes to the existing definition were also discussed. For example, the current language did not expressly prohibit outdoor appliances, such as a grill, to warm otherwise pre-prepared foods. Additionally, disposable utensils could be used to prepare, serve, and consume food, and disposable wipes and sprays used to clean appliances, eliminating the need to wash soiled utensils in a sink and thus respecting the prohibition on grease traps.

Discussion moved to determine the intentions of the original food service limitations, with consensus being that the language was designed to prevent the facility from transforming primarily into a restaurant that happens to also have a snow tubing hill available. To that end, the Planning and Zoning Commission arrived at the new definition that limited the operation of the concession area to those times that the snow tubing hill was in operation, and limiting the food service to those individuals patronizing the tubing hill. Those restrictions on “when” and “who” were deemed sufficient to maintain the original intent of the definition.

Regarding the requested continued deferral of parking lot pavement, the applicant has indicated a preference for permanent deferral, citing the limited/seasonal use of the facility. The applicant also noted settlement/compaction of underlying soil, the financial burden associated with pavement, and concern that the parking lot as currently constructed may be larger than needed, as reasons for continued deferral.



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REVIEW CRITERIA – SPECIAL USE PERMIT:

For Special Use Permit requests, the Zoning Board of Adjustment is tasked with determining 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 public health, safety and welfare. The Zoning Board of Adjustment may place reasonable conditions on a Special Use Permit as deemed necessary to protect the character of the neighborhood and maintain the spirit and intent of the Zoning Ordinance, Comprehensive Plan, and Land Use Policies. Regarding the request to amend the existing Special Use Permit to accommodate the expanded food preparation opportunities now available to Snow Tubing Facilities, Staff finds the following:

Character of the Neighborhood

As the revised definition limits the expanded food service to only those already patronizing the snow tubing facility, and the times the facility is allowed to operate is primarily governed by weather and further constrained by the noise restrictions previously imposed, staff does not believe the requested amendment would negatively affect the character of the neighborhood.

Adjoining Property Values

As discussed in the original July 2024 staff report, potential impacts on adjoining property values stem primarily from site appearance, traffic generation, and light/noise pollution.

The requested expansion of food service is not expected to increase traffic, noise, or lighting beyond previously approved level, as such staff believes the amendment would have no adverse impact on adjoining property values.

Traffic & Road Conditions

The previously submitted Traffic Impact Study and County Engineer's review assumed general site operations with up to 200 vehicles per day during peak season. The current request does not constitute an expansion of capacity, increase in number of access points, nor change in vehicle circulation patterns. The County Engineer had no comment on this request.

Environmental, Public Safety, Health, and Welfare

Any food service at the facility will require permitting through the Scott County Health Department.

The Health Department also permits septic systems, and notes "If the concession area serves food in such a manner that will require the washing of dishes or utensils, potentially containing any amount of fat or grease, a grease trap will need



ZONING BOARD OF ADJUSTMENT

STAFF REPORT

June 24, 2026



to be installed prior to the septic tank.” Additionally, the Health Department notes “If the use of this facility is increased from their original proposal, this will have an effect on both the size requirement of the septic system, and the classification of their water supply. Currently, only a portion of their septic system has been installed. There is a holding tank present, which is to allow the facility to operate for the first 2 seasons so that we can appropriately design a system capable of handling their daily water use. An increase in their food service and/or days of operation will increase the required size of a septic system.”

The applicant is aware of these requirements and understands operations cannot commence until compliance is achieved. As such Staff does not believe the amendment would have adverse impact on matters relating to public health, safety and welfare.



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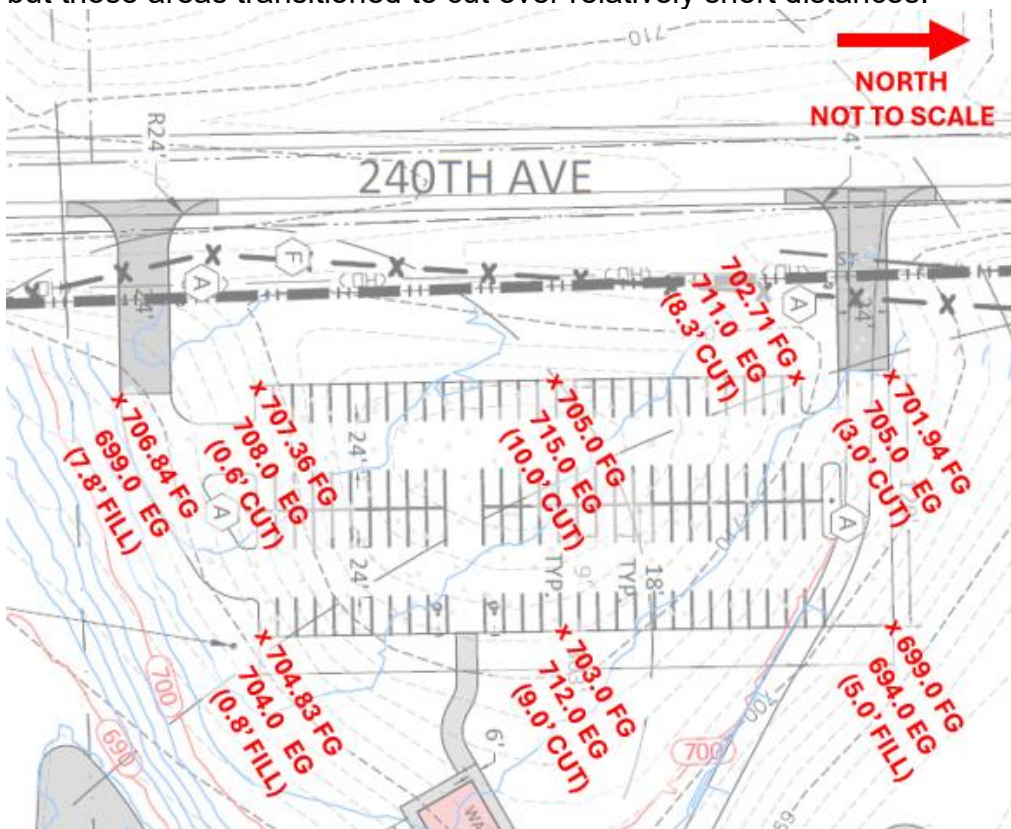


REVIEW CRITERIA – VARIANCE:

For Variance requests, the Zoning Board of Adjustment must determine that doing so will not merely serve as a convenience to the applicant, nor 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. Regarding the request to extend the existing variance deferring the hard surfacing requirement of the parking lot, Staff finds the following:

The purpose and intent of requiring hard surfaced parking lots is to minimize dust and erosion, achieve and maintain accessibility requirements, and provide safe driving and walking surfaces including in the winter when snow and ice are common.

The Zoning Board of Adjustment has approved in other cases two-year deferrals of hard surfacing to allow for settlement of recently placed underlying earthen fill. Presuming that to be the basis of the original deferral, staff has reviewed the design grading plan for the parking lot (marked-up below) and found the majority of the parking lot to be in a “cut” condition; that is, the existing elevations were “cut” down, meaning no fill was placed. The far south and north edges of the lot were found to be in “fill” condition, at depths up to 7.8’, but those areas transitioned to cut over relatively short distances.



Approximate cut/fill diagram of the parking lot



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While onsite, staff did not notice signs of significant settlement in those south and north areas, as evidenced in the photographs below. As such, staff feels that if the initial two-year deferral of hard surfacing was to allow for settlement, the intended purpose has been satisfied.



The Northeast corner of the parking lot, where approximately 5.0' of fill was designed



The South edge of the parking lot, where approximately 0.8' to 7.8' of fill was designed



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Further, staff does not see merit in granting a variance for hard surfacing pending applicant's determination that the parking lot is properly sized. The County's Zoning Ordinance sets parking requirements based on size and type of use to ensure an adequately sized parking lot is available to patrons from the onset. The County's requirements for recreational facilities at the time the facility initially obtained a Special Use Permit was one parking stall required for every three persons of design capacity. If the parking lot is believed to be oversized given those requirements, updated parking calculations should be provided and the special use permit revised accordingly, and a hard surfaced parking lot constructed accordingly.

Lastly, while financial considerations are understandable, staff feels temporarily or permanently deferring the requirement for a hard surfaced parking lot for such reasons would merely serve as a convenience to the applicant.

The County Engineer did not object to a two-year deferral of the hard surfacing requirement, but recommended the extended paved aprons be constructed as previously agreed. The County Health Department had no comment.

STAFF RECOMMENDATION:

Staff believes the proposed amendment to allow expanded food service in accordance with the revised Zoning Ordinance definition of "Snow Tubing Facility Concession /Warming Area" is reasonable and consistent with the character and spirit of the existing Special Use Permit. Staff recommends approval of an amended Special Use Permit, upholding all previously placed conditions but amended to allow a concession area operated for the patrons only when the snow tubing hill is in operation.

Staff recommends denial of the variance request for continued deferral of parking lot pavement due to lack of demonstrable hardship.

Submitted by:
Greg Schaapveld
Planning & Development Department Director
June 19, 2026