

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, August 26, 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. **Approval of Minutes:** Approval of the June 24, 2026, meeting minutes.
4. **Annual Designation of the Location for Posting Notice of Zoning Board of Adjustment Meeting Agendas**
5. **New Business**
 - a. **Public Hearing – Variance:** Request from **Whitney Anderson** for a variance to the front yard setback at the property legally described as Lot 2 of Kruse’s 4th Addition, commonly known as 11600 142nd Street, Davenport, or Scott County Tax Parcel 823653402.
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, June 24, 2026 4:00 P.M.

MEETING MINUTES

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

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

MEMBERS ABSENT: *none*

OTHERS PRESENT: Greg Schaapveld, Planning & Development Director
Caitie Leighton, Senior Administrative Assistant
Rily & Ardita Grunwald, applicants
One (1) member of the public

1. **Call to Order:** Madden called the meeting to order at 4:00 P.M.
2. **Approval of Minutes:** Consideration of September 24, 2025 meeting minutes. **Scheibe made a motion to approve. Seconded by Keppy.**

Vote (approve Sept 24, 2025 minutes): 5-0, All Ayes

3. **Election of 2026 Officers:** Dittmer nominated Madden for 2026 Chair. Nomination seconded by Keppy. **Vote: All Ayes (5-0)**

Dittmer nominated Scheibe for 2026 Vice Chair. Nomination seconded by Keppy. Vote: All Ayes (5-0)

4. **Public Hearing – Special Use Permit:** Madden introduced the Special Use Permit amendment request as stated on the public hearing notice and welcomed staff to explain the case. **Schaapveld** provided an overview using maps and site photographs.

Madden welcomed the applicant to respond.

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Ardita & Rily Grunwald explained that they came to the realization how limited their food options were at the Safe Serve class through the Health Department.

Madden opened the public hearing.

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

Schaapveld stated staff supported approval of the Special Use Permit amendment request.

Scheibe noted this was a significant change and asked if the Health Department would be involved. **Schaapveld** explained the applicants are already working with the Health Department, and would continue to work with them including having inspections.

Dodge asked if the proposed change would affect the septic system. **Rily Grunwald** responded no, they have already built the septic to handle washing dishes and serving hot food. There was a brief conversation about school concession stands.

Dittmer made a motion to approve the amendment to the Special Use Permit in accordance with staff recommendation. Motion seconded by Dodge.

Vote to approve an amendment to the Special Use permit to allow expanded food service.

Vote: 5-0, All Ayes

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

Madden welcomed the applicant to respond.

Rily Grunwald presented parking lot images from Snow Star and other ski resorts, stating most ski resorts don't have paved parking lots and he didn't see the need for paving his parking lot. He stated the cost to pave is high and it would result in an increase to admission prices to offset the cost of paving. He shared he still intended to pave the approach, and misinterpreted the Variance that was previously granted as two (2) operational years, instead of two (2) calendar years.

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Madden opened the public hearing.

Dennis Queal (24460 250th Street) spoke in opposition of the Variance extension request.

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

Schaapveld stated staff recommends denial of the Variance extension request due to lack of demonstrable hardship.

Madden welcomed the applicant to respond.

Rily Grunwald stated his hardship was additional cost. He pointed out that there are gravel lots all over the county, stating gravel is inconvenient but not so much so that the cost of pavement is warranted.

Dodge asked what has changed from the original plan to instigate this request. **Rily Grunwald** stated the building process has been very expensive. **Ardita Grunwald** again stated they thought the Variance was for two (2) operational years. **Dodge** asked if the applicants are open to paving after two (2) years of operation. **Rily Grunwald** stated they wanted at least two (2) years and suggested meeting somewhere in the middle, for example paving only some of the parking lot.

Dodge asked if the entrances would be paved before opening. **Rily Grunwald** answered yes.

Scheibe noted none of the examples the applicants presented are located in Scott County and indicated the applicants knew pavement would be required, stating financial concerns do not constitute a hardship. He also noted the required landscaping and the current lack of sufficient screening. **Rily Grunwald** responded that the small trees that have been planted are high growth and should be 6 feet tall by the end of the year.

Keppy asked if they planned to pave ADA parking spots right away. **Rily Grunwald** responded yes.

Dodge shared he did not feel a permanent variance for a gravel lot is justified but suggested a one (1) or two (2) year extension.

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Schaapveld stated the snow tubing hill is a unique business, and will likely be the only one in the county. He questioned if the parking lot was oversized and noted an extension would give the applicant time to determine if the parking lot size is correct, suggesting a parking lot study occur once the facility is operational.

Dodge indicated he would support a one (1) year extension as long as the approaches are paved prior to opening.

Scheibe made a motion to deny the Variance request in accordance with staff recommendation due to a lack of demonstrative hardship. Motion seconded by **Madden**.

Vote to deny the request for a Variance extension. Vote: 2-3, (Ayes- Scheibe & Madden. Nays- Dittmer, Dodge, & Keppy). Motion failed.

Dodge made a motion to approve a Variance extension until July 1, 2027, to allow gravel and monitor demand. Motion seconded by **Dittmer**.

Vote to approve request for a Variance extension until July 1, 2027. Vote: 3-2 (Ayes- Dittmer, Dodge, & Keppy. Nays – Madden & Scheibe) Motion Approved.

6. **Old Business:** *none*
7. **Zoning Administrator's Report:** *none*
8. **Public Comment:** *none*
9. **Adjournment:** With no further public comments and no additional business, **Madden** adjourned the meeting at 5:23 P.M.

Submitted by:
Caitie Leighton
Senior Administrative Assistant

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Date: 7/23/2026

Appeal to the Scott County Zoning Board of Adjustment

Applicant

Name: _____

Address: Same

Phone: _____

Deed Holder or Property Owner

Name: Whitney Anderson

Address: 11600 142 St

Davenport, IA 52804

Phone: _____

Address of the affected area: 11600 142 St. Davenport, IA 52804
Legal description: KNSE'S 4th Addition Lot 2
Section: 34 Township: Blue Grass Zoning Classification: R-1

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: Please see attachment.

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 _____

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

Paid 7/23

Specifically, we would like to obtain a variance to reduce the required front yard setback from 50 feet to ~~48~~³⁸ feet to allow construction of a residential addition.

The requested variance is necessary because of the unique layout and constraints of my property. The existing septic system, HVAC equipment, and deck prevent the addition from being located at the rear of the home.

Because this is a corner lot, the east side is considered a front yard and is also restricted. Placing the addition at the requested location is the most practical option while minimizing impacts to the property and neighboring homes. The requested variance is minimal and will allow us to add needed living space while maintaining the character of the neighborhood.



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Applicant: Whitney Anderson

Request: A variance for a reduced front yard setback to allow construction of an addition to an existing single-family dwelling

Legal Description: Lot 2 of Kruse's 4th Addition to Scott County

Address: 11600 142nd Street, Davenport, IA 52804

Existing Land Use: Single-Family Dwelling

Zoning: 'R-1' Single-Family Residential

Surrounding Zoning:

North: 'R-1' Single-Family Residential
South: 'R-1' Single-Family Residential & 'C-2' Commercial & Light Industrial
East: 'R-2' Multi-Family Residential
West: 'R-1' Single-Family Residential

GENERAL COMMENTS: The applicant is requesting a variance for a reduced front yard setback of 38' in lieu of the required 50' to allow construction of a 12' x 18' family room addition to the south (front) side of the existing single-family dwelling. The applicant also desires to construct a covered porch extending an additional 5'10" to the south, but for reasons explained later that encroachment would be allowed without need for additional variance if the above-mentioned 38' setback variance is approved. Proposed expansion plans are attached to this report.

STAFF REVIEW: Staff has reviewed this request for compliance with the requirements of the Zoning Ordinance for the granting of the variances.

Before granting a variance, the Zoning Ordinance the Board 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.

Additionally, in the 2025 Iowa legislative session new language related to variances to "area, dimensional, or other numerical limitations" was added to Iowa Code 335.15, specifically allowing approval of variances to dimensional limitations where:

1. The variance is not contrary to the public interest, and
2. Owing to special conditions a literal enforcement of the provisions of the ordinance will result in practical difficulties to the property owner in making a beneficial use of the property, and



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3. The spirit of the ordinance shall be observed and substantial justice done. When requesting such a variance, the applicant must prove that:
 1. The practical difficulties faced are unique to the property at issue and not self-created, and
 2. Granting the variance will not significantly alter the essential character of the surrounding neighborhood.

The existing dwelling is located on Lot 2 of Kruse's 4th Addition. Kruse's 4th Addition was platted in 1967 and the dwelling was constructed the same year. Scott County first adopted subdivision regulations in 1978 and zoning regulations in 1981, thus both the lot and the dwelling predate those regulations.

Current County Zoning regulations require a 50' front yard setback in 'R-1' zoning and would consider both the south and east frontage of the dwelling to be front yards as they are adjacent to 142nd Street and Kruse Avenue, respectively.

In the below image, the setbacks of the subject property and adjacent parcels are denoted.





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The subject dwelling sits approximately 50' from the south property line and 30' from the east property line. Because the east side of the dwelling has a smaller front yard setback than currently required, County Zoning regulations classify it as a 'nonconforming structure.' Nonconforming residential structures are allowed to remain in place unless or until they are destroyed by any means to an extent that more than fifty percent of their assessed value is lost. Additionally, nonconforming residential structures are allowed to be extended or enlarged as long as the work does not result in an increase in the nonconformity. Thus, if the desired addition were located on the north side of the existing dwelling, and did not reduce the existing 30' setback, it would be allowed with no need for a variance. It is not stated whether a structure on a corner lot, which already encroaches in one front yard setback, is allowed to encroach in the other front yard setback to the same extent.

Additionally, County Zoning regulations allow larger or smaller front yard setbacks if 50% or more of lots with frontage on the same side of the observe a greater or lesser setback than currently required. In such cases, the front yard setback of a subject property is determined by averaging the setbacks of the structures on either side of the subject property. This regulation does not address corner lots, where there is only one adjacent structure along a particular frontage. As shown on the previous image, two of the three structures with southerly frontages along 142nd Street encroach in the required front yard, but without a dwelling east of the subject property it becomes impossible to determine the allowable setback. If we were to interpret the regulation to wrap around the corner, and thus the allowable setback would be the average of the setback for the existing structures to the west and north of the subject property, the allowable setback would be 42', and thus a variance would still need to be requested. However if the regulation is interpreted to extend around the corner, essentially ignoring that corner and double-frontage and instead treating the subject property as if it were in the middle of a straight line of lots, the subject property would arguably be allowed to construct the requested addition without need for variance because it already observes a 30' front yard setback.

Lastly, the subject property measure 130' by 231', or 30,030 square feet. Had it been platted such that it was smaller than 30,000 square feet, it would qualify for 'small lot status' per County Zoning regulations, resulting in a reduced front yard setback of 25'.

Regarding the proposed covered porch that would extend an additional 5'10" into the front yard, County Zoning regulations allow such porches to encroach up to 20% into front yard setbacks. Thus if a 38' front yard setback is approved by variance, the porch would be allowed to encroach 7'7" into the front yard.



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Regarding the criteria for approval of variances, it is staff's opinion that the applicant has demonstrated the practical difficulties faced are unique to the property at issue and not self-created. Had the past property owner known that future regulations would limit possible expansions, the dwelling layout and/or location could have been planned in a manner to better accommodate expansion. As it stands for the subject property, westerly expansion is not practical as the proposed living room would sever the existing bedrooms. Northerly expansion would result in the proposed living room being separated from the other living space by the garages. And a northwesterly expansion would impact an existing deck, air conditioning compressor, and potentially the septic tank.

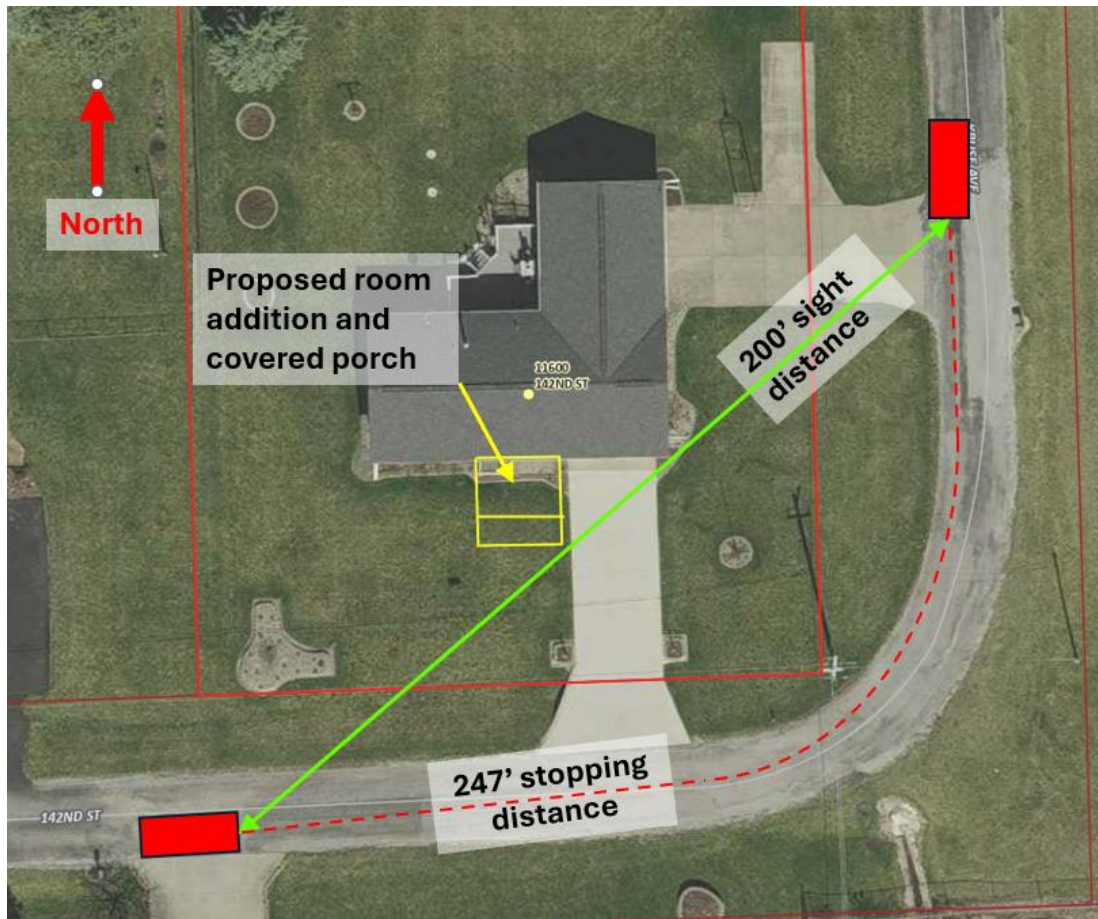
Further, staff does not feel granting the variance would significantly alter the essential character of the surrounding neighborhood, as five of the six corner lots in the neighborhood, including the subject property, currently encroach in at least one of the 50' front yards required by current code.

Regarding the implications of the proposed addition, with the dwelling situated at a curve in the road consideration should be given to whether the proposed addition would impact sight distances for nearby drivers. Neither 142nd Street nor Kruse Avenue are County-owned roads, and no road design drawings were found in County Planning & Development Department records. Current County road design requirements suggest a 25 mph road should have a curve radius of at least 198', and generally-accepted design guidance suggests an absolute minimum of 134'. The existing radius of the inside lane is approximately 58', thus the design speed limit of the curve can be assumed to have been lower than 25 mph. Despite that presumed lower speed limit, for purposes of this exercise we assume a 25 mph design speed limit.

On 25 mph roads, the County's required 'stopping sight distance,' which is the distance needed to observe an obstruction and safely bring a vehicle to a stop, is 155'. As shown in the following image, the proposed addition would result in a sight distance of approximately 200', and a stopping distance of nearly 250'.



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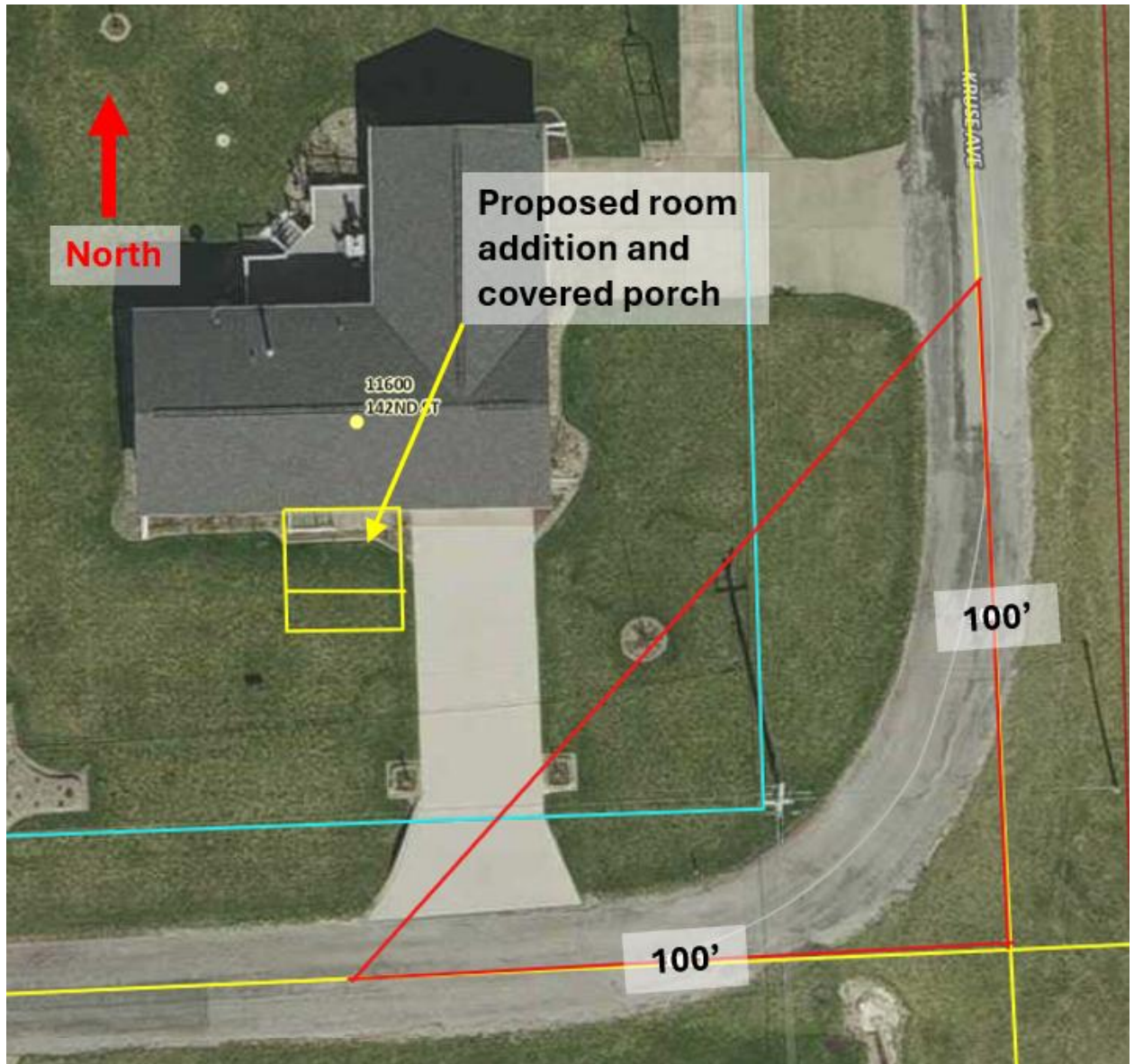




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County Zoning regulations also require a 100' x 100' 'sight triangle' at roadway curves and intersections, which is illustrated in the below image.



As both criteria are satisfied, the proposed addition is not expected to obstruct necessary sight lines.

Staff forwarded the request to the County Engineer, the County Health Department, Bi-State Regional Commission, and Scott County Soil and Water Conservation District; no comments or concerns were received from those entities.



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Staff notified the adjacent property owners within five hundred feet (500') of this property for this hearing, and a public notice was published in the Quad City Times. A sign was also placed on the property stating the date and time this request would be heard by the Board of Adjustment.

As of the date of this report, two written comments were submitted and are attached to this report.

RECOMMENDATION: Staff recommends **approval** of the variance to allow a reduced front yard setback of 38 feet for a southerly addition to the existing single-family dwelling. The recommendation is based on the practical difficulties faced being unique to the property at issue and not self-created, and the variance not significantly altering the essential character of the surrounding neighborhood.

Submitted by:

Greg Schaapveld, Planning and Development Director, August 21, 2026.

Schaapveld, Gregory

From: Jason Guerin [REDACTED]
Sent: Thursday, August 20, 2026 8:27 PM
To: PD Mail Box

Follow Up Flag: Follow up
Flag Status: Completed

① External email >

① First time sender >

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear,

Scott County Planning. I wanted to reach out and let you know that I a 100% disagree with any notion of allowing encroachment into the easement in the kruse ave addition.

They could choose to add on in the back, like the rest of the neighborhood. I understand that there are some that are grandfather but they also built their home within the county guidelines that time. Not only is this addition within the normal style of the home. It will more than likely devalue this home and the other area homes.

I am also wondering if you would allow people to build within the easement along the park or in the easement or space between the homes.

If you allow this, it could also cause issues with line of sight, while driving, snow removal, and water control.

Where does it end? If they wanted to build another foot closet the road, would that be denied? What about 2 feet, 5 feet, or 20 feet closer?

There are also neighbors who wanted to add on but because of the easement, they did not peruse it and added on the back.

I hope you would vote no and allow them to work within the rules because then we really have no rules. My plan is to attend the meeting but based on the day and time, I am sure most won't be able to attend.

Jason Guerin

Schaapveld, Gregory

From: Camille Kahn <ckahn@clintonca.net>
Sent: Friday, August 21, 2026 2:10 PM
To: PD Mail Box
Subject: Zoning Board Meeting

External email >

First time sender >

You don't often get email from ckahn@clintonca.net. [Learn why this is important](#)

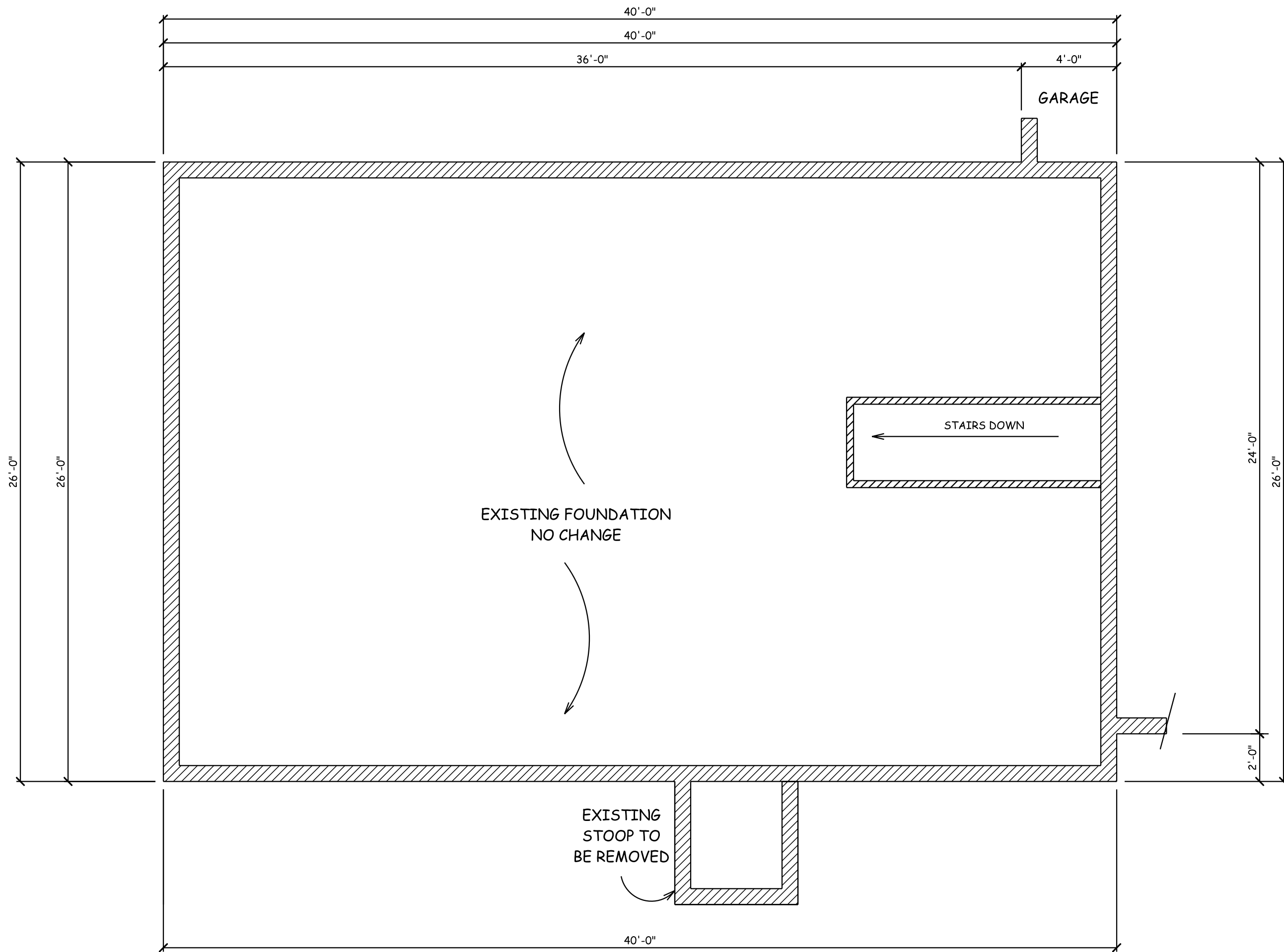
Hello,

I live in the Kruse Addition in Davenport. There's a public meeting concerning one of my neighbor's requests to build an addition on to their home that would need permission because of some 500-foot rule. The only aspect I would like considered is whether this would create a blind corner in that area of the neighborhood. Otherwise, I don't care what they want to do with their property.

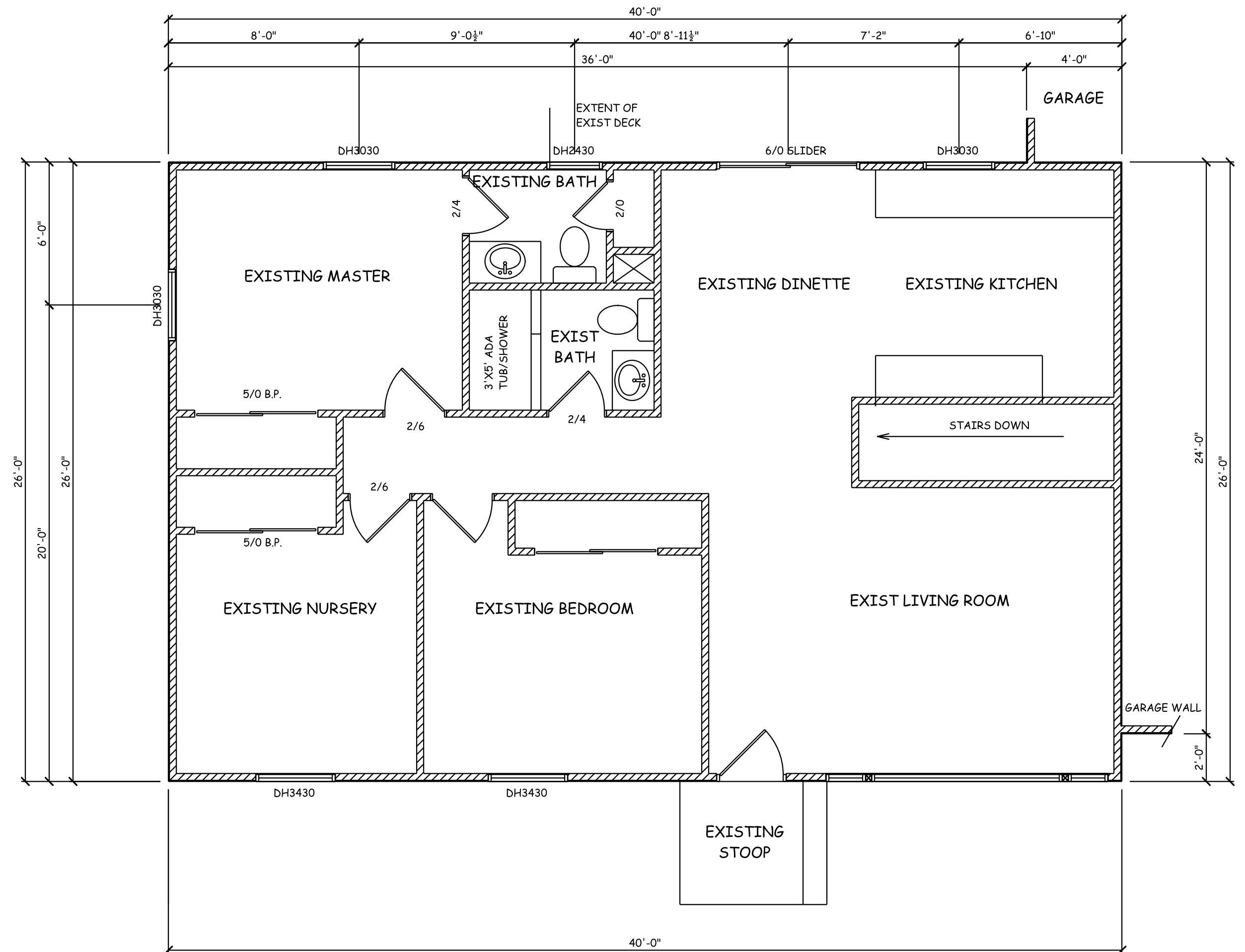
Thank you!

Camille Kahn

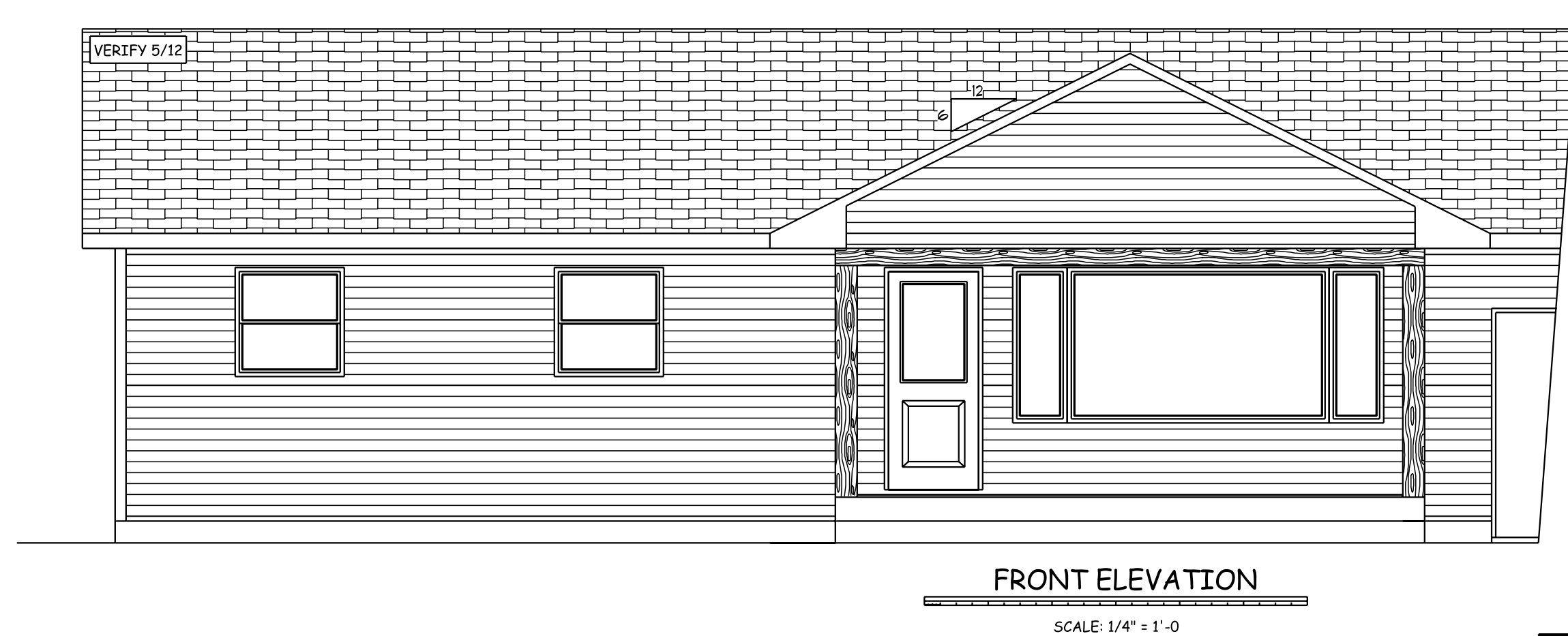
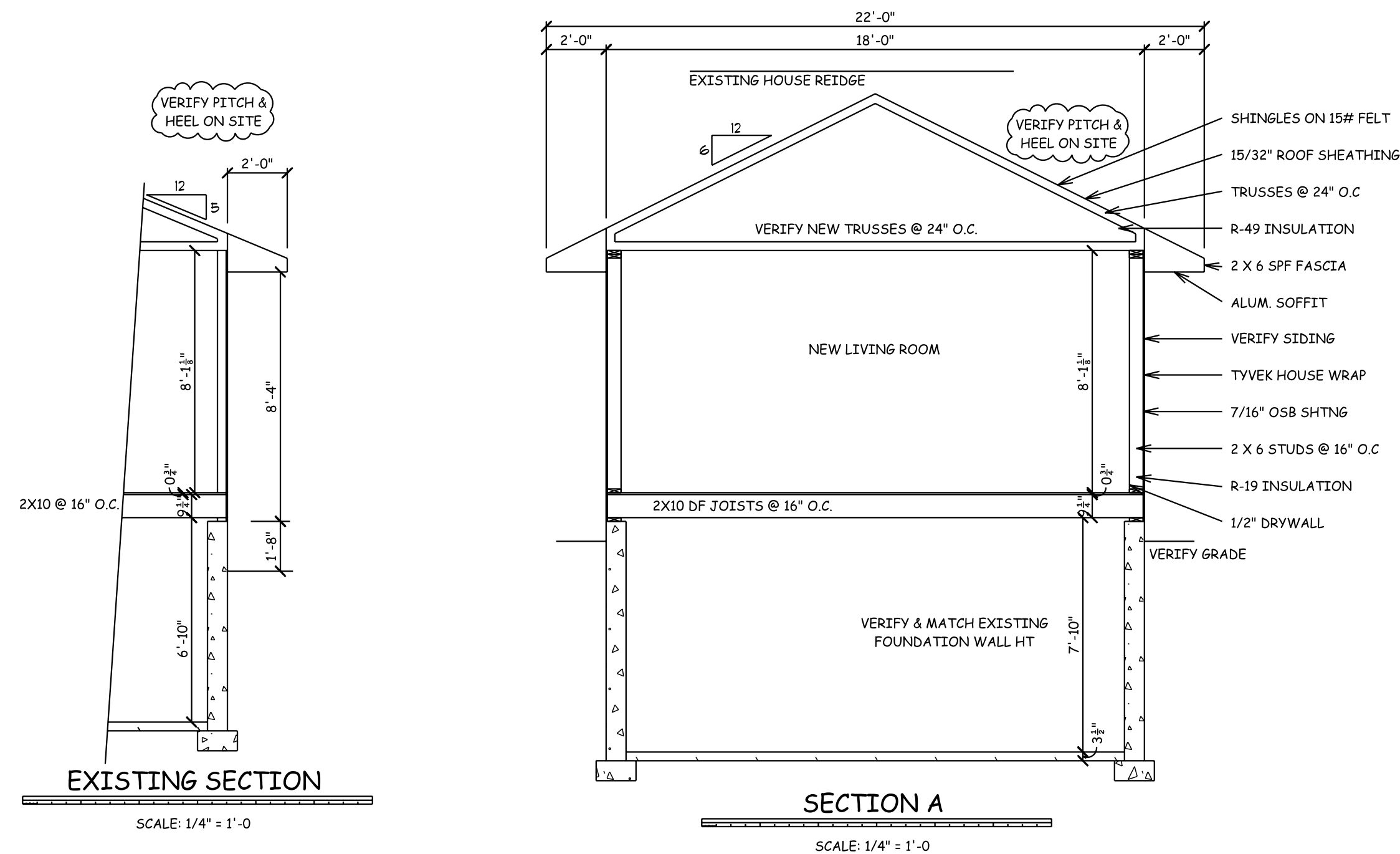
Assistant County Attorney
612 N. 2nd Street
Clinton, IA 52732
Phone: 563-243-6218



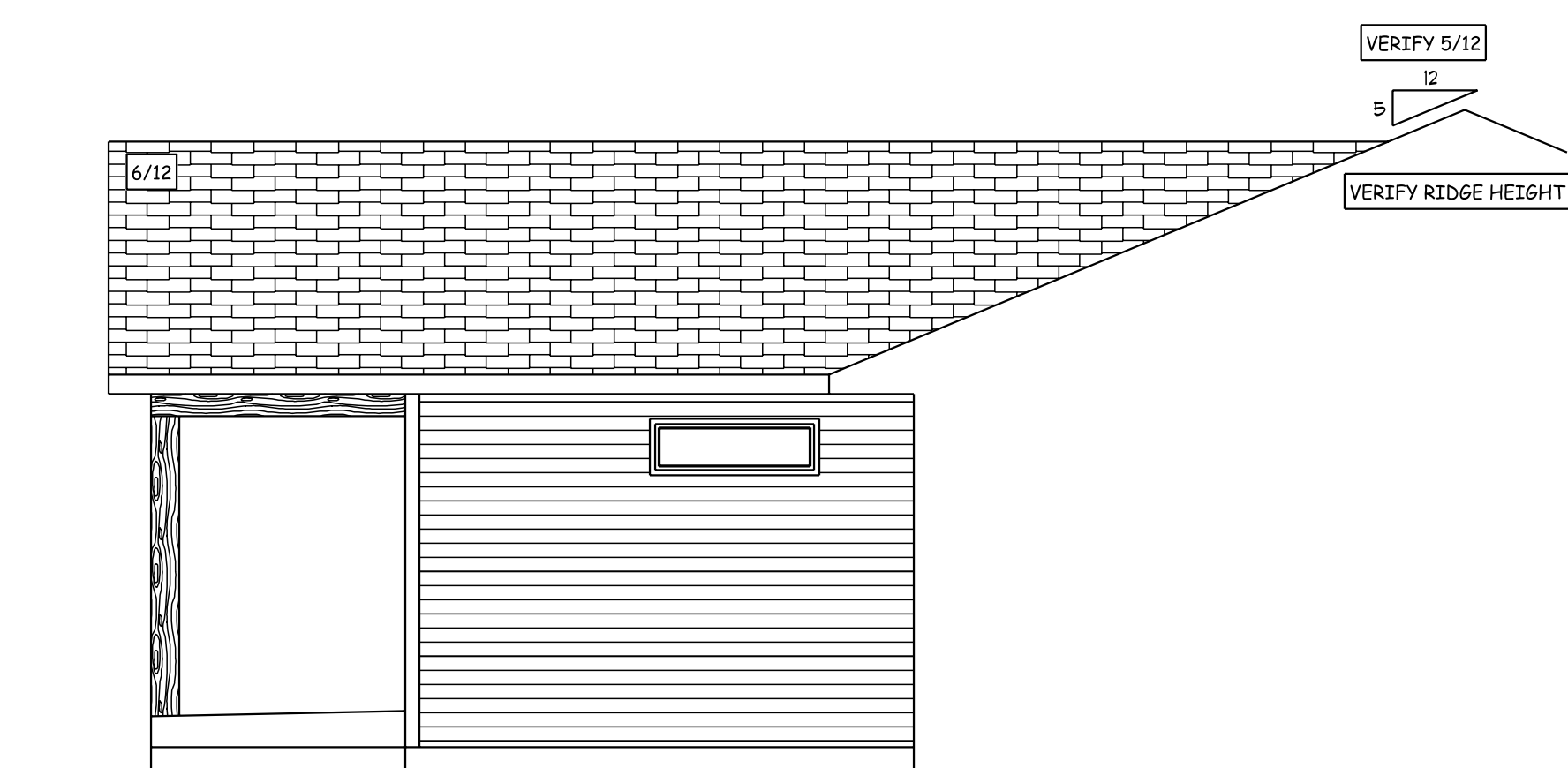
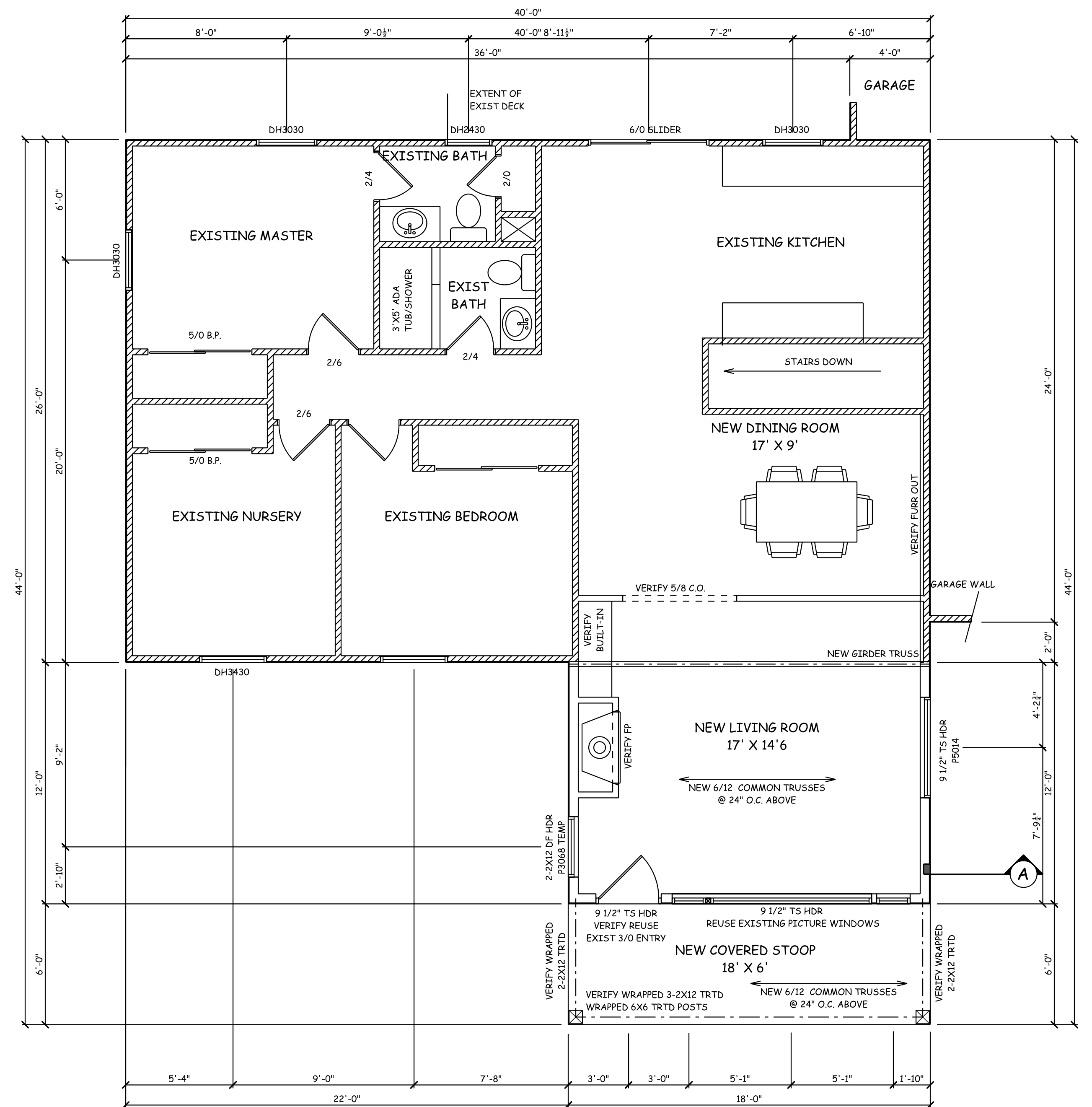
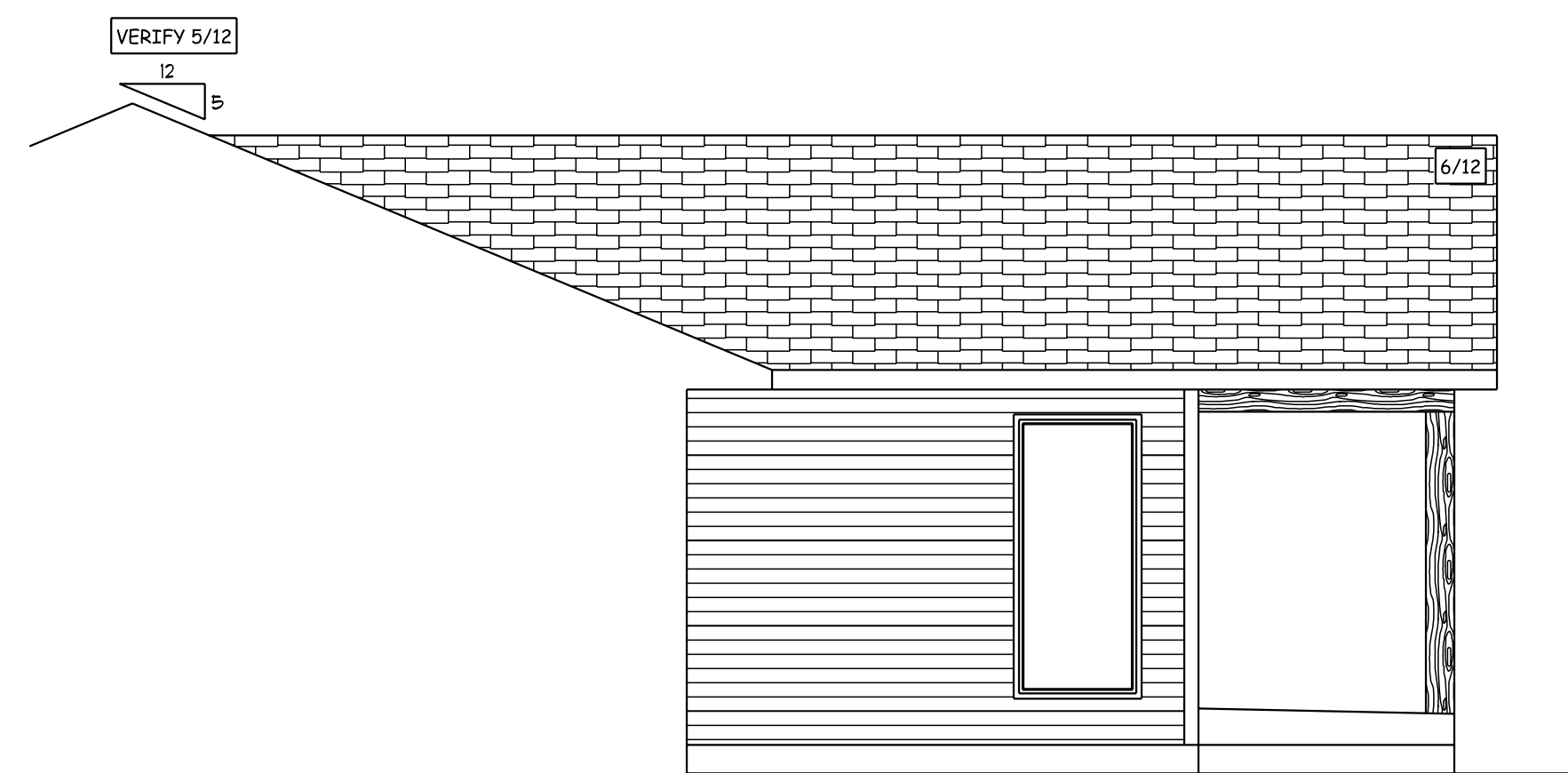
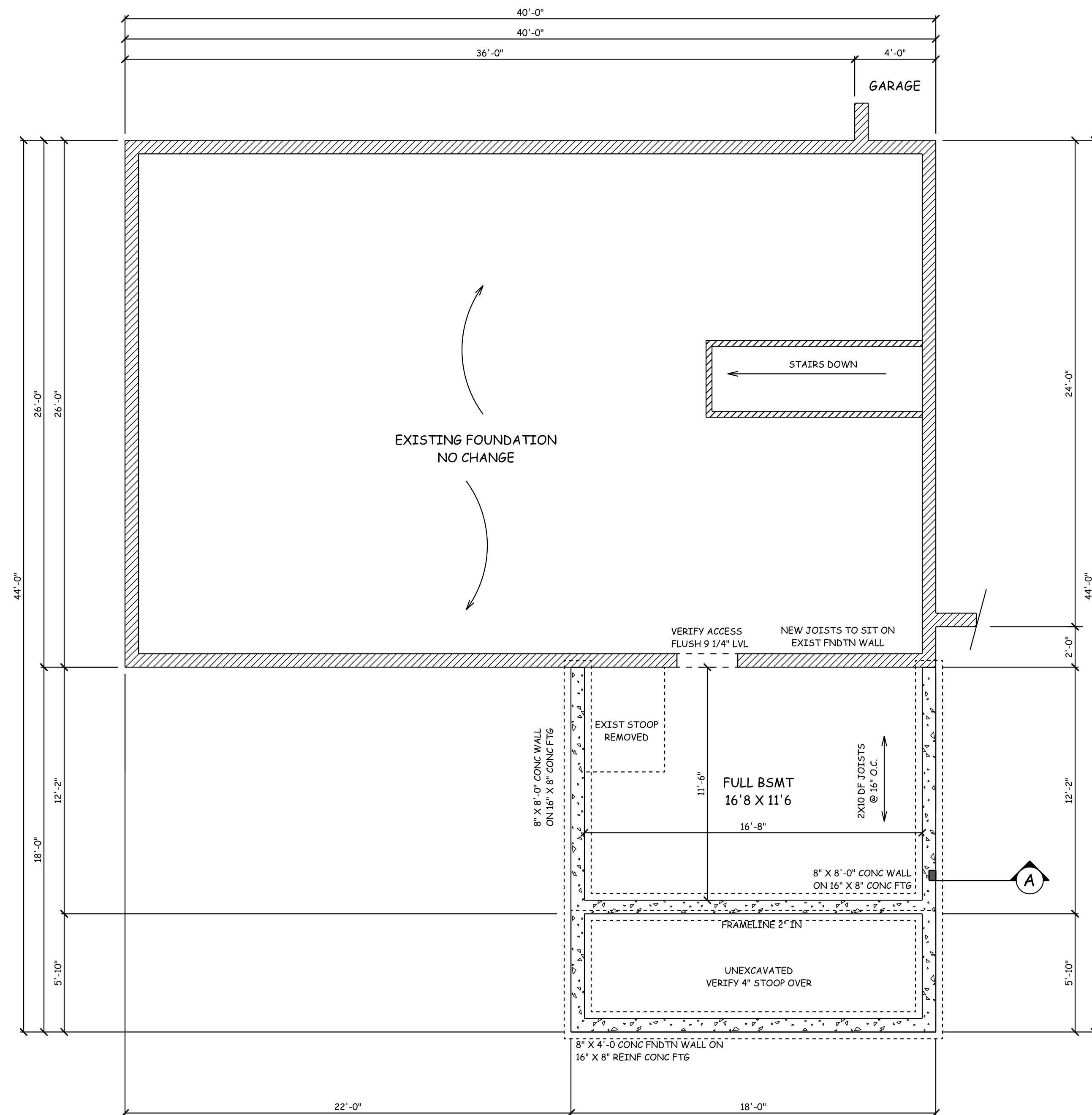
EXISTING FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



EXISTING MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"



SCALE: 1/4" = 1'-0"		ANDERSON RESIDENCE	DRAWN BY ZAS
DATE: 3/8/2026			REVISED
ELDRIDGE LUMBERYARD INC.			
04966-06-24	BID SET - FINAL		DRAWING NUMBER 1 OF 2



SCALE: 1/4" = 1'-0"		DRAWN BY ZAS
DATE: 3/8/2026	ANDERSON RESIDENCE	REVISED
ELDRIDGE LUMBERYARD INC.		
04996-06-24	BID SET - FINAL	DRAWING NUMBER 2 OF 2