

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, September 23, 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 August 26, 2026, meeting minutes.
4. **New Business**
 - a. **Public Hearing – Variance:** Request from **Vinje & Suzanne Dahl** for a variance to the front yard setback at the property legally described as A tract of land in the North 1/2 of Section 26, Township 79 North, Range 5 East of the 5th P.M., described as follows: Beginning at a point Ten (10) rods South of the intersection of the East line of the right-of-way of the D.R.I. & N.W. Ry. Co. with the North boundary line of said Section Twenty-six (26); thence South along the East boundary line of said right-of-way Ten (10) rods; thence East to the Mississippi River; thence North along the meanders of said River to a point East of the place of beginning; thence West to the place of beginning.; commonly known as 21945 Great River Road, LeClaire, or Scott County Tax Parcel 952603007.
5. **Old Business**
6. **Zoning Administrator’s Report**
7. **Public Comment**
8. **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, August 26, 2026 4:00 P.M.

MEETING MINUTES

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

MEMBERS PRESENT: Carrie Keppy, Mary Beth Madden, Myron Scheibe, Patrick Dodge

MEMBERS ABSENT: Tom Dittmer

OTHERS PRESENT: Greg Schaapveld, Planning & Development Director
Caitie Leighton, Senior Administrative Assistant
Whitney Anderson, applicant
Jeremy Whittington, applicant's contractor
Three (3) members of the public

1. **Call to Order:** Madden called the meeting to order at 4:00 P.M.
2. **Approval of Minutes:** Consideration of June 24, 2026 meeting minutes. **Scheibe made a motion to approve. Seconded by Keppy.**

Vote (approve June 24, 2026 minutes): 4-0, All Ayes

3. **Annual Designation of the Location for Posting Notice of Zoning Board of Adjustment Meeting Agendas:** Keppy made a motion to delegate the Board of Supervisors to determine the designated location for posting notice of Zoning Board of Adjustment meeting agendas. **Seconded by Dodge. Vote: All Ayes (4-0)**
4. **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 and site photographs.

Madden welcomed the applicant to respond.

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Anderson explained her reasoning for requesting a variance from the front yard setback requirement to accommodate a family room addition, citing the unique configuration of the property. The property is located on a corner lot, with the septic field, deck, garden, and air conditioning equipment located in the backyard. A neighboring property is located to the west. Anderson noted that she has small children and did not want to disturb the elderly neighbor by constructing the addition closer to that property. Additionally, the bedrooms are located on the west end of the existing home, making the proposed family room addition more practical on the south side of the home.

Madden opened the public hearing.

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

Schaapveld stated that staff supported approval of the Variance request.

Madden inquired about the amount of traffic on the road. **Schaapveld** explained that the road serves a residential neighborhood consisting of approximately 40 homes. **Madden** asked whether the road was privately owned. **Schaapveld** confirmed that it was a private road.

Scheibe inquired about a public comment received via email regarding the potential future expansion of the road if the property across the street were to be developed. **Schaapveld** explained that there was no inherent right to expand the road onto the applicant's property and that any additional land would need to be purchased from the property owner.

Scheibe made a motion to approve the variance request with the condition that the addition aesthetically match the existing siding on the house. The motion was seconded by Keppy.

Vote to approve a variance to allow a reduced front yard setback of 38 feet for a southerly addition, with the condition that the addition aesthetically match the existing siding on the house.

Vote: 4-0, All Ayes

5. **Old Business:** *none*

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6. **Zoning Administrator's Report:** **Schaapveld** notified the Board of an upcoming Variance request for a shed.
7. **Public Comment:** *none*
8. **Adjournment:** With no further public comments and no additional business, **Madden** adjourned the meeting at 4:38 P.M.

Submitted by:
Caitie Leighton
Senior Administrative Assistant

DRAFT

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Date: 8 / 24 / 2026

Appeal to the Scott County Zoning Board of Adjustment

Applicant

Name: VINCE & SUZ DAHL
Address: 21945 GREAT RIVER ROAD
LECLAIRE, IA 52753

Phone: [REDACTED]

Deed Holder or Property Owner

Name: _____

Address: _____

Phone: _____

Address of the affected area: 21945 GREAT RIVER ROAD

Legal description: _____

Section: 26 Township: LeClaire 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

X Variance to the rules of the Zoning Ordinance

Specifically, I would like to: FRONT YARD VARIANCE to Re-build shed in
Existing Shed LOCATION

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 [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 8/24/26



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Applicant: Vinje & Suzanne Dahl

Request: A variance for a reduced front yard setback to allow construction of an accessory structure

Legal Description: A tract of land in the North 1/2 of Section 26, Township 79 North, Range 5 East of the 5th P.M., described as follows: Beginning at a point Ten (10) rods South of the intersection of the East line of the right-of-way of the D.R.I. & N.W. Ry. Co. with the North boundary line of said Section Twenty-six (26); thence South along the East boundary line of said right-of-way Ten (10) rods; thence East to the Mississippi River; thence North along the meanders of said River to a point East of the place of beginning; thence West to the place of beginning.

Address: 21945 Great River Road, LeClaire, IA 52753

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
East:	N/A (Mississippi River)
West:	'R-1' Single-Family Residential

GENERAL COMMENTS: The applicant is requesting a variance for a reduced front yard setback of 5' in lieu of the required 25' to allow construction of a 20' x 24' accessory structure (storage shed).

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



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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
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 subject property is located east of Great River Road/US Highway 67 and is accessible via a shared private driveway. It is bordered by the Canadian Pacific Railroad to the west, single-family dwellings to the north and south, and the Mississippi River to the east:

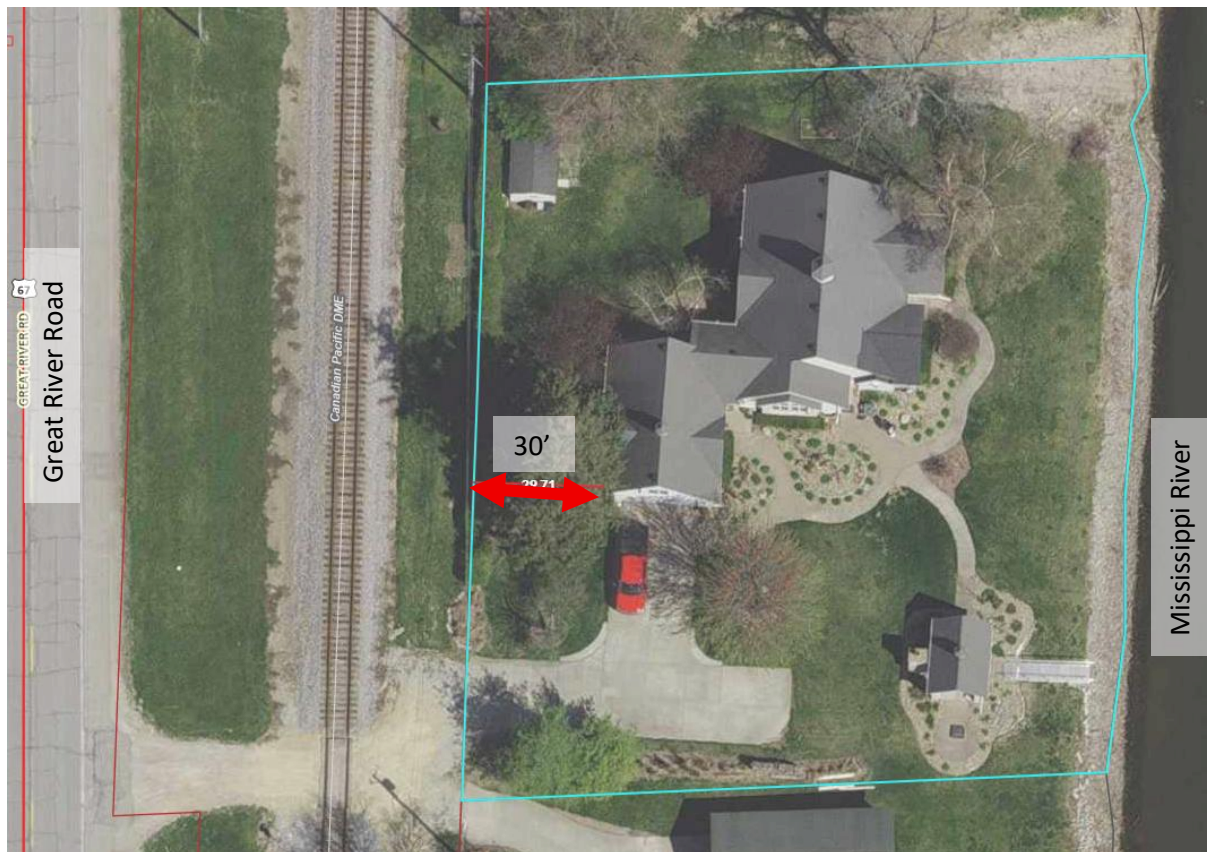




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Because the parcel is less than 30,000 square feet, County Zoning regulations require a 25' front yard setback. While the house faces east towards the river, County Zoning regulations define the front yard to be that side of the property which abuts the road, and thus the west side is considered the technical front yard. The existing dwelling, constructed in 2003, observes an approximate 30' front setback:





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The applicant desires to construct a 20' x 24' shed in the northwest corner of the property, replacing an existing 10' x 15' shed installed by a previous property owner without building permits. The proposed shed would be approximately 12' from the north property line, meeting the required 5' side yard setback, but only 5' from the west line, less than the required 25' front yard setback. It is worth noting that were the west property line considered to be a rear yard instead of a front yard, the required setback would be reduced to 5' and the proposed location would not require a variance:





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The proposed location of the shed is situated in the 0.2% (500-year) floodplain, which does not require floodplain permitting. Were the shed to be constructed to the east/northeast of the dwelling, it would be situated within the 1% (100-year) floodplain, which does require floodplain permitting and is generally discouraged. In the below image the 500-year floodplain is shaded orange, the 100-year shaded blue:





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The proposed building location would not affect visibility for traffic on adjacent Great River Road, nor would it obstruct sightlines of the railroad or Great River Road for vehicles departing the subject property or adjacent parcels.

The Scott County Health Department provided a schematic drawing of the septic system installed in 2003, and it appears possible the sand filter associated with that system could interfere with the proposed building location. It is staff's understanding that the property owner is working with a septic installer to better locate the system. County and State regulations require no buildings be built within 10' of a septic system, so if a conflict between the proposed building and existing septic system is found, one or both would need to move to achieve the required 10' separation.

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. In particular, the unique configuration of the property, sandwiched between railroad and river, the floodplain associated with the river, and the observed/constructed front yard differing from what the County Zoning Ordinance defines as the front yard, combine to result in a practical difficulty in situating a shed on the parcel.

Further, staff does not feel granting the variance would significantly alter the essential character of the surrounding neighborhood, as multiple surrounding dwellings and outbuildings encroach on the mandated setbacks and potentially even encroach into railroad right-of-way.

Staff forwarded the request to the County Engineer, the County Health Department, Bi-State Regional Commission, and Scott County Soil and Water Conservation District; as mentioned previously, the Health Department submitted a schematic drawing of the property's septic system. No comments or concerns were received from those entities.

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, no public comments have been received.



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RECOMMENDATION: Staff recommends **approval** of the variance to allow a reduced front yard setback of 5 feet for construction of an accessory structure, with one condition:

The proposed building's size and location be confirmed to be separated from the dwelling's septic system in conformance with Scott County Code of Ordinance Chapter 23 "Private Sewage Disposal Systems" as determined by the Scott County Health Department.

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, September 18, 2026.