

## Scott County Board of Adjustment

March 22, 2006

### 1<sup>st</sup> Floor Board Room Administrative Center

Members Present: Hittle, Jenkins, Scheibe, Vollbeer  
Members Absent: Dittmer  
Staff Present: Huey and Kelly  
Others Present: 2 Others

1. **Call to order.** Vice Chair Vollbeer called the meeting to order at 4:00 p.m.
2. **Minutes** – Scheibe made a motion to approve the minutes of the February 22, 2006 meeting. Hittle seconded the motion. All Ayes (4-0).
3. **Public Hearing–Variance**-David West, Section 33, Butler Township

Vollbeer read the public notice and asked for staff's review. Huey showed the air photos of the property and said the Board received copies of the letter the applicant received in 2000 granting the home industry. The nearest residences are owned by the IDNR, said Huey, purchased in preparation for the Lost Grove Lake. Huey explained the 2400 sq ft requirement for a home industry and gave a history of the variance granted in recent years approving larger buildings than the 2400 sq ft to be used for a home industry. Huey showed site photos of the property and told the Board that consideration should be made to make a motion to the Planning Commission to have these requests handled as a Special Use Permit, requiring a Zoning Ordinance Amendment.

Vollbeer asked if the applicant would like to speak. George Goebel, attorney for the applicant, addressed the Board regarding the number of agricultural buildings in the area larger than this request. Goebel said request is to allow the applicant to get his expensive excavating equipment out of the elements. Vollbeer asked if anyone from the public had any comments. No one spoke.

Vollbeer asked for staff's recommendation. Huey said staff recommends that variance to allow construction of the 60-foot x 120-foot accessory building used for storage purposes for the equipment and machinery associated with an existing home industry be approved on the basis that approval would have minimal impact on the neighborhood and that the granting of the variance would not be contrary to the intent of the Zoning Ordinance and Land Use Policies.

Board discussion took place. Scheibe made a motion to approve the variance to allow a 60-foot x 120-foot building to be used for an existing home industry on the basis of the minimal impact on the neighborhood and that the granting of the variance would not be contrary to the intent of the Zoning Ordinance and Land Use Policies.. Jenkins seconded the motion.

Vote: all ayes (4-0)

Scheibe made a motion for the Director to bring a recommendation to the Planning and Zoning Commission for consideration of an amendment to the Zoning Ordinance to have requests regarding the 2400 sq ft size of the building used for a Home Industry and a reduction in the 500 feet to the nearest residence for a Home Industry to be scrutinized as a Special Use Permit and not a variance as currently required. Hittle seconded the motion

Huey showed the Board photos of a previous variance request by a Robert Griffing to allow an attached garage to be twenty six feet from the road right of way for a front yard setback in lieu of the fifty feet required, heard by the board on October 27, 2004. The Board granted a modified variance to allow a forty two foot front yard setback with the condition that no parking pad be permitted on the west side of the proposed garage. Mr. Griffing, said Huey, has submitted plans to build a garage in the rear yard but gain access to this proposed garage by a driveway on the west side of the garage. Huey asked the Board whether that was the intent of the variance. Discussion took place; Scheibe suggested that Mr. Griffing bring his request back to the Board as a modification to the existing variance. All Board members concurred.

With no new business to come before the board the meeting was adjourned at 4:45 p.m.