

**Scott County Board of Adjustment**

**April 23 2008**

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

Members Present: Dittmer, Hittle, Jenkins, Scheibe, Vollbeer

Members Absent: None

Staff Present: Huey, Kelly

Others Present: 3 Others

- 1.
2. **Call to order.** Chairman Dittmer called the meeting to order at 4:00 p.m.
2. **Minutes** – Scheibe made a motion to approve the March 26 2008 minutes. Vollbeer seconded the motion. All Ayes (5-0)
3. **Public Hearing–Variance**–Steve Hansen, Section 8, Buffalo Township

Dittmer read the public notice and asked for staff’s review. Huey showed the air photos of the property and explained the topography of the property. Huey showed site photos of the property and explained the one hundred foot regulation for accessory buildings in the front yard.

Dittmer asked if the applicant would like to speak. Steve Hansen addressed the Board explaining the construction proposed and the necessary location due to topography of the property for the garden shed.

Dittmer asked if anyone from the public wished to speak. No one spoke.

Dittmer asked for staff’s recommendation. Huey said staff recommends that the variance to allow an accessory building to be placed in the front yard with an 85-foot setback be approved based on the minimal impact on the adjacent properties and the proposed location meets the intent and spirit of the Ordinance requirements.

Dittmer asked if the applicant would like to respond. Hansen said he appreciates the recommendation.

Board discussion took place on side yard setback, shed location and the number of trees in the location proposed. Scheibe made a motion to approve the variance to allow a garden shed to be constructed in the front yard with a 85-foot front yard setback in lieu of the 100-feet required and with a 7-foot side yard setback in lieu of the 10-foot required. Jenkins seconded the motion.

Vote: 5-0 All Ayes

4. **Public Hearing-Variance**- Dean Patten Section 14, LeClaire Township

Dittmer read the public notice and asked for staff’s review. Huey showed the air and site photos of the property and explained the topography of the property. Huey explained the road easement platted between lots 21 and 22 to allow future development and when the developer sold this property to Mr. Patten, he retained ownership of the twenty five foot wide strip of land adjacent to the road right of way. Huey explained the plat filed against the subdivision regulations and the enforcement action staff has taken to resolve the situation. Therefore, said Huey the structures on this lot need to meet the front yard setback of fifty feet instead of the ten foot side yard setback, necessitating this variance request.

Huey explained the applicant's desire to include all future projects in the request, the deck and pool and the attached garden shed under construction when the problem came to light.

Dittmer asked if the applicant would like to speak. Patten said this has been quite a learning experience for him and went through the site photos explaining proposed location for all projects. Patten explained the homeowner association's requirements and visually what the projects would look like.

No one from the public was present to speak.

Board discussion took place on the existing illegal lot line and the originally platted lot line. Scheibe made a motion to grant the variance to allow an attached garden shed, inground pool, and deck to be constructed with a thirty eight (38) front yard setback in lieu of the fifty (50) foot required. Vollbeer seconded the motion.

Vote: 5-0 All Ayes

With no new business to come before the Board, the meeting was adjourned at 4:55 PM