

**Scott County Board of Adjustment**  
**January 27, 2010**  
**1<sup>st</sup> Floor Board Room Administrative Center**

Members Present: Dittmer, Hittle, Jenkins

Members Absent: Scheibe, Vollbeer

Staff Present: Huey, Kelly

Others Present: 9 others

1. **Call to order.** Chairman Dittmer called the meeting to order at 4:00 p.m.
2. **Minutes** – Jenkins made a motion to approve the November 18, 2009 minutes. Dittmer seconded the motion. All Ayes (3-0)
3. **Public Hearing-Variance-** Steve Wilson, Section 23, LeClaire Township

Dittmer read the public notice and asked for staff's review. Huey showed air photos of the property and explained the request. The sketch plan submitted by the applicant was shown and explanation of the proposed location to the platted road easement. A much smaller shed had been located in the same area said Huey, but was removed therefore losing its grandfathered status. Huey showed site photos of the property pointing out the proposed location of the detached garage.

Dittmer asked if the applicant would like to speak. Steve Wilson addressed the Board and presented a petition signed by the neighbors. Wilson said the location of the garage would be sixty one (61) feet from the centerline of the roadway. Wilson said no views would be obstructed and due to the topography of the property there is no other place to construct a garage.

Dittmer asked if anyone from the public wished to speak. Mary Fortner, 28299 226<sup>th</sup> Street, addressed the Board and said the road is private and maintained by the homeowners and none of the neighbors has a problem with the request.

Dittmer asked for staff's recommendation. Huey said staff recommends that the variance to allow the proposed 20 foot x 36 foot detached garage be denied due to the lack of hardship and that granting this request would appear to be contrary to the purpose and intent of the Zoning Ordinance and Comprehensive Plan.

Dittmer asked if the applicant would like to respond. Wilson said there is a hardship and that is the topography of the property.

Board discussion took place on the location of the road easement, attaching the proposed structure, and location to the road easement.

Jenkins made a motion to approve the variance to allow a 20-foot x 36-foot detached garage with a minimum of a fifty (50) foot front yard setback. Hittle seconded the motion.

Vote: All Ayes 3-0

4. **Public Hearing-Special Use Permit**-Dale and Dan Tuftee, Section 12, Butler Township

Dittmer read the public notice and asked for staff's review. Huey showed the air photos of the property pointing out the location of the property in relation to the McCausland city limits and explaining the request to allow a commercial kennel that would be conducted for the purpose of training hunting dogs. Huey showed site photos of the property pointing out the existing building that will be used for the commercial kennel.

Dittmer asked if the applicant would like to speak. Co-owner Michael Botts addressed the Board and said the training of the dogs will take place from March through August, three to four nights a week. The owners of the dogs may come out and watch some training but they will pick up and deliver the dogs and no additional traffic will be generated.

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 Special Use Permit to allow a Commercial dog training kennel be approved with the condition that all County Building and Health Codes and any applicable State regulations be continually met.

Dittmer asked if the applicant would like to respond. Tuftee said he had nothing new to add.

Board discussion took place on location of proposed site to other homes and health department comments.

Dittmer made a motion approve the Special Use Permit to allow a Commercial Dog Kennel with the conditions that: 1). All County Building and Health codes and any applicable State regulations be continually met. Hittle seconded the motion.

Vote: All Ayes (3-0)

5. **Public Hearing-Variance**- Carolyn Long, Section 36, Blue Grass Township

Dittmer read the public notice and asked for staff's review. Huey showed air photos of the property and explained the sixty six (66) foot road easement. Huey said this property has small lot status allowing a twenty five (25) foot front yard setback. Huey said this request is to allow a 15-foot x 16-foot addition to be constructed with a thirteen (13) foot front yard setback.

Dittmer asked if the applicant would like to speak. Carolyn Long addressed the Board and said due to the location of the well and other utilities she has no other place to construct an addition. Long said she needs more room to accommodate her expanding family.

Dittmer asked if anyone from the public wished to speak. Kevin Howell, neighbor of the applicant addressed the Board and said this addition will not impede site distance and the road is a private driveway and the only traffic is from those who live there and he is in favor of allowing this addition. Dave McCartney, contractor for the applicant addressed the Board on easement location and location of the well.

Dittmer asked for staff's recommendation. Huey said staff recommends that the variance to allow the proposed addition to the existing home be denied due to the lack of hardship and that the request appears to be a convenience for the applicant.

Dittmer asked if the applicant would like to respond. Long said she is only trying to do what is right and not proceed without approval as many do.

Board Discussion took place on location to the road easement, other possible locations on the property and the distance of other existing structures from the road easement.

Hittle made a motion to allow an addition to be constructed only encroaching twelve (12) feet into the front yard setback, due to the location of existing utilities. Jenkins seconded the motion.

Vote: All Ayes (3-0)

#### 6. **Election of Officers**

The Board deferred election of officers until all Board members are present.

With no new business to come before the Board, the meeting was adjourned at 5:25 P.M.