

**Scott County Board of Adjustment**  
**April 28, 2010**  
**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. **Call to order.** Chairman Scheibe called the meeting to order at 4:00 p.m.
2. **Minutes** – Jenkins made a motion to approve the February 24, 2010 minutes. Dittmer seconded the motion. All Ayes (5-0)
3. **Public Hearing-Variance-** Michael Loehr, Allens Grove Township, Section 27

Scheibe read the public notice and asked for staff's review. Huey showed gave a synopsis of the February 24, 2010 hearing, where Mr. Loehr was granted an amended variance to allow a 24-foot x 24-foot garage to be built with a forty (40) foot front yard setback in lieu of the fifteen foot front yard setback requested. Huey showed site photos of the property pointing out the proposed location of the garage with the forty foot setback and the requested twenty five foot setback.

The applicant was not present. Scheibe asked if anyone from the public wished to speak. Nancy Tyra addressed the board with concerns of the road width and maintenance. John Hart, 27510 97<sup>th</sup> Ave. said he has the same concerns as Mrs. Tyra and he thinks the variance for a forty foot front yard setback should be enforced.

Scheibe asked for staff's recommendation. Huey said staff recommends that the variance to allow the proposed 24 foot x 24 foot detached garage to be built with a twenty five (25) foot front yard setback be approved on the basis that granting this variance would not appear to impair the purpose of the Development Plan nor would it appear to impair the public health, safety and general welfare.

Board discussion took place on the road, additional development sites in the area and the number of times a request may be heard.

Dittmer made a motion to deny the variance to allow a 24-foot x 24-foot detached garage with a twenty five (25) foot front yard setback based on the lack of hardship. Hittle seconded the motion.

Vote: All Ayes 5-0

With no new business to come before the Board, the meeting was adjourned at 4:20 P.M.