

Scott County Board of Adjustment

August 25, 2010

1st Floor Board Room Administrative Center

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

Members Absent: None

Staff Present: Huey, Kelly

Others Present: Bruemmer, Gallin, Hancock, Liske and two 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 July 28, 2010 minutes. Hittle seconded the motion. All Ayes (5-0).
3. **Public Hearing-Variance**- Ed Sampson, Section 23, LeClaire Township

Scheibe read the public notice and asked for staff's review. Huey showed air photos of the property pointing out the access to the property and the proposed location of the garage and explained the three front yard setbacks of the property. Regulations said Huey require that detached accessory buildings be placed in the side or rear yards of existing residences unless both structures are greater than one hundred feet back from the road easement. In this case the applicant believes the only feasible location for a detached garage said Huey is as shown on the site plan and technically in the front yard setback but visually would be a side and rear yard. Huey showed the site plan and site photos of the property. Huey said staff heard from several neighbors within five hundred feet that had questions about the request but did not object to the request.

Scheibe asked if the applicant would like to speak. Sampson said he really had nothing new to add but did want the Board to know that the garage would only be six feet out of the ground as the roadway sits thirty feet higher than the property and will not obstruct any neighbor's views.

No one from the public was present to speak regarding this request.

Scheibe asked for staff's recommendation. Huey said staff recommends that the variance to allow the variance to allow the proposed 24-foot x 24-foot detached garage to be constructed as shown on the submitted site plan with a fifteen (15) foot front yard setback from the road easement on the north side of the property and a forty (40) foot front yard setback from the road easement on the west side of the property be approved based on the unique circumstances that the lot has roads on three sides therefore creating a hardship of three front yard setbacks and that granting this request would not appear to be contrary to the purpose and intent of the Zoning Ordinance and Comprehensive Plan.

Board discussion took place. Dittmer made a motion to approve the variance to allow the proposed 24-foot x 24-foot detached garage to be constructed as shown on the submitted site plan with a fifteen (15) foot front yard setback from the road easement on the north side of the property and a forty (40) foot front yard setback from the road easement on the west side of the property be approved based on the unique circumstances that the lot has roads on three sides therefore creating a hardship of three front yard setbacks and that granting this request would not appear to be contrary to the purpose and intent of the Zoning Ordinance and Comprehensive Plan and that the garage be built to maintain the same characteristics of the existing attached garage. Vollbeer seconded the request. Hittle abstained.

Vote: 4 ayes 1 abstention (Hittle)

4. **Annual Meeting with the Board of Supervisors**

Chair Gallin addressed the Board and thanked them for the work they do and making the Supervisor's entire job easier by the diligence the Board puts into every request. Gallin said the communication between the Board of Adjustment and Planning Staff is extremely helpful and very much appreciated by the entire Board of Supervisors. Scheibe thanked the Supervisors for their kind words and encouragement.

With no new business to come before the Board, the meeting was adjourned at 4:45 P.M.