



## Scott County Board of Adjustment

January 28, 2015

1<sup>st</sup> Floor Board Room  
Scott County Administrative Center

### MEETING MINUTES

**Members Present:** Scheibe, Winborn, Guy, Madden

**Members Absent:** Dittmer

**Staff Present:** Tim Huey, Brian McDonough

**Others Present:** Leslie and Debra Kuhl (applicants) and approximately 4 family members

1. **Call to order.** Chairman Scheibe called the meeting to order at 4:00 P.M.
2. **Minutes** – Winborn made a motion to approve the November 19, 2014 minutes. Guy seconded the motion. **All Ayes (3-0).**
3. **Election of 2015 Officers** – Winborn motioned to re-elect the same Chair (Scheibe) and Vice-Chair (Dittmer). Guy seconded the motion. **All Ayes (3-0).** Madden arrived shortly after minutes approval and election of officers, and before staff's review of the case.
4. **Public Hearing – Special Use Permit** – Leslie and Debra Kuhl at 22750 215<sup>th</sup> Avenue, Section 22 of Lincoln Township.

**Tim Huey** reviewed the case and showed aerial and site photos of the property. He explained the special use permit approval would allow the applicants to expand an existing home industry beyond the maximum allowable accessory building floor area of 2,400 ft<sup>2</sup>. The applicants own and operate a farm electrical and automation business as an accessory use to their house. They have operated the business for a number of years without approval as a home industry, and are now seeking to expand the business beyond the maximum allowable limits of the Zoning Ordinance. He showed the isolated location of the property, and stated that it met all of the requirements for an approved home industry, but required special use permit approval for the proposed expansion. **Huey** also explained that the applicants would be seeking to subdivide the property in order to separate the business from the house for financing purposes.

**Chairman Scheibe opened the meeting to public comments.**

**Les Kuhl** explained that he started the business in 1981. Previously he farmed, but the business was successful and became a full-time venture. They have a need for more shop and office space at this point in time. He explained that in order to get a construction loan for this expansion, the property needed to be split to separate the house from the accessory business buildings.

**Scheibe** asked for staff's recommendation. **Huey** stated that staff recommends approval based upon the fact that the expansion would not negatively impact the character of the surrounding area. Staff recommended the following conditions as well: 1) All building and health codes be met, 2) The subdivision of the property into two lots be permitted, 3) the owner/operator of the business have residence on the property, and 4) All other requirements of the home occupation regulations be continually met. **Huey** explained that these conditions indicate the Board's consent to the subdivision of the property, while ensuring that the business would continue as an approved home industry. Ultimately it is up to the Planning Commission and Board of Supervisors to approve the subdivision.

**Scheibe asked if the applicant had any response to the staff recommendation, and the applicant had no further comments.**

**Scheibe closed the public hearing.**

**Scheibe** asked where the subdivision line would be located. **Les Kuhl** pointed it out on an aerial photograph, approximately down the existing driveway line running east and west.

**Winborn made a motion to approve the special use permit request in accordance with staff's recommendation. Madden seconded the motion.**

**Vote: All Ayes (4-0)**

**Huey** mentioned the ongoing Zoning Ordinance review and update process by the Planning and Zoning Commission. He noted a previous joint meeting on January 14<sup>th</sup> with the Park View Owners' Association, and an upcoming joint meeting with the Scott County Farm Bureau on February 3<sup>rd</sup>.

**Chairman Scheibe adjourned the meeting at 4:25 P.M.**