



Scott County Board of Adjustment

October 28th, 2015

1st Floor Board Room
Scott County Administrative Center

MEETING MINUTES

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

Members Absent: All Members Present

Staff Present: Tim Huey, Raymond Nees

Others Present: Doug Nelson, Petitioner

1. **Call to order.** Chairman Scheibe called the meeting to order at 4:00 P.M.
2. **Minutes** – Guy made a motion to approve the June 24, 2015 minutes. **Winborn** seconded the motion. **All Ayes (5-0).**
3. **Scheibe** asked if we could have citizens in attendance introduce themselves. **Doug Nelson** stated he was a petitioner for a Variance. **S. J. Madden** and **Seth Madden** introduced themselves as members of Boy Scout Troop 203 from Long Grove and stated they were in attendance of a governmental hearing to attain a Communications Badge. **Charlotte Madden** introduced herself as their sister. **Scheibe** asked if the 3 were related to someone present and **Mary Beth Madden** proudly informed the board that S.J, Seth and Charlotte were her 3 children.
4. **Public Hearing – Variance** – Doug Nelson, garage addition with a 12 foot setback in lieu of the required 25 foot setback at 21903 Great River Road, Section 26 of LeClaire Township.

Tim Huey reviewed the case and showed an aerial and site photos of the property, including site plan drawings. The property is located in along the Mississippi River with a railroad between the property and Great River Road in an area where there are other homes with reduced setbacks. Huey explained the overall layout of the structure that is proposed to be built and how the 12 foot setback for the garage would match the integrity of the rest of the neighborhood.

Scheibe opened the meeting to public comments.

Doug Nelson spoke on his own behalf, stating that the variance was needed because the current garage is under the house with a very steep drive and is the lowest point on the property. It fills up with rain and is the 1st area to get wet when the river floods. In the winter they have trouble getting out due to the steepness of the entry to the garage and a variance allowing a garage to be built at grade will allow them to stay in their home longer. Mr. Nelson stated the garage will be above the 100 year flood level.

Scheibe asked for staff's recommendation. **Huey** stated that staff recommends approval based upon the exceptional practical difficulties caused by the wide right of way of the railroad and that other homes have encroached on the 25 foot setback due to these difficulties.

Dittmer asked how long the applicant had lived there, **Nelson** stated 10 years.

Madden asked for clarification on where the structure would go, **Huey** showed a slide of the site plan and photo of the area to indicate the location. **Nelson** stated the garage would be side loaded and explained that the yellow flowers in the photo is where the end of the garage would be.

Dittmer asked if this would encroach on the easement for the railroad and Huey explained that it would be 12 feet from the edge of railroad controlled property.

Scheibe asked if the applicant had any other responses to the staff recommendation. **Nelson** said he agreed with it and reiterated his reasons previously stated.

Scheibe closed the public hearing, and asked for discussion among the board. **Dittmer** Stated he did not like giving variances for development along the river. **Huey** reminded the Board of a previous variance request in the area to allow building rights where none existed and it was granted.

Madden made a motion to approve the variance request in accordance with staff's recommendation with 1 stipulation, that the siding match the home. Dittmer seconded the motion.

Vote: All Ayes (5-0)

Other Business: **Huey** advised that the 5 public meetings asking for public comments on proposed changes to the zoning ordinance were ongoing and invited the Board to attend.

Scheibe made a motion to adjourn, seconded by **Madden**. **The meeting adjourned at 4:26 P.M.**