



Scott County Board of Adjustment

April 25, 2018

1st Floor Board Room
Scott County Administrative Center

MEETING MINUTES

Members Present: Scheibe, Dittmer, Guy, Winborn

Members Absent: Madden

Staff Present: Alan Sabat, Planning and Development Specialist

Others Present: Paul Kealey, applicant

Two (2) members of the public

1. **Call to order: Chairman Scheibe** called the meeting to order at 4:00 P.M.
2. **Minutes: Dittmer** made a motion to approve the January 24, 2018 minutes. **Guy** seconded the motion. **All Ayes (4-0)**
3. **Public Hearing – Variance:** Request of **Paul Kealey** to allow an 18' x 16' room addition to be constructed sixteen (16) feet from the rear (west) property line in lieu of the required forty (40) feet prescribed in the Zoning Ordinance at 16990 110th Avenue, legally described as Part of the NE ¼ of the NE ¼ of Section 23 of Blue Grass Township.

Chairman Scheibe introduced the request and asked for staff's review. **Sabat** summarized the request and displayed location maps and site photos. **Sabat** described the existing non-conforming rear yard setback of 32 feet, suggesting the most viable alternative to the variance would be to reconfigure the location of the addition, likely sacrificing preferred interior layout. Another alternative for the applicant would be to purchase property from the adjacent landowner in order to extend the rear yard from 32 feet from the west wall of the dwelling to 56 feet (an additional 24 feet) so that the addition would meet the rear yard setback requirement. That alternative would likely eliminate a small portion of productive agricultural land which, whatever the size, runs counter to the County's Land Use Policies that emphasize protecting productive agricultural land, and would possibly increase the tax burden of the applicant given the increase in size of a residential lot. Having received no



comment from neighboring property owners or County officials, **Sabat** said approval of the request would clearly have little impact.

Chairman Scheibe welcomed the applicant to respond.

Paul Kealey explained that the existing dwelling was once a schoolhouse and needed a lot of renovation in addition to the proposed addition. **Kealey** said the surrounding farmland was owned by his father, so it would be possible to deed additional land to meet setbacks if the Board were to deny the request, though that wasn't the preferred option.

Chairman Scheibe asked when the farmstead parcel was split from the larger farm parcel. **Kealey** said he guessed prior to 1900 or so. **Scheibe** asked whether Kealey had considered placing the addition on the north side of the existing dwelling, and **Kealey** responded the well and septic systems were in that location. **Winborn** asked Kealey whether the structure was historic and if he would have to consider preserving any of its historic elements, which **Kealey** said he was not aware of any preservation requirements.

Chairman Scheibe opened the public hearing. No members of the public spoke for or against the request.

With no comments from the public, **Chairman Scheibe** closed the public hearing and asked for staff's recommendation. **Sabat** stated that staff recommended approval due to the exceptional practical difficulties presented by the existing placement of the dwelling, smaller lot size, and the clear lack of impact approval of the variance would have on public health, safety, and general welfare given lack of public and County entity comment and absence of other dwellings nearby.

Chairman Scheibe welcomed the applicant to respond. **Kealey** said he agreed with staff's analysis.

Chairman Scheibe welcomed the Board to respond. **Scheibe** said it sounded like even if the Board were deny, it would be easy to deed over the land needed to meet setback requirements and no neighboring properties would be effected. **Dittmer** said given that fact, a decision to deny would ultimately be moot and there clearly is no harm to neighbors, so he favored approval.

Dittmer made a motion to approve the variance request to allow a 24-foot reduction in rear yard setback. Seconded by Winborn.

Vote: Approve (4-0)

4. With no other business to discuss, **Chairman Scheibe adjourned the meeting at 4:18 P.M.**