



## Scott County Board of Adjustment

July 25, 2018

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

### MEETING MINUTES

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

**Members Absent:** Dittmer, Madden

**Staff Present:** Timothy Huey, Planning and Development Director  
Alan Sabat, Planning and Development Specialist

**Others Present:** Ian Abrams, Moxie Solar Representative

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 27, 2018 minutes. **Winborn** seconded the motion. **All Ayes (3-0)**
3. **Public Hearing – Variance:** Request from Moxie Solar to install a ground-mounted solar array one foot (1') from the side (south) property line, and forty-seven feet (47') from the front roadway easement at 26230 230th Avenue (deed holders Jeffrey and Julie Hogeson), legally described as Part of the SE ¼ of the SE ¼ of Section 35 in Butler Township.

**Chairman Scheibe** introduced the request and asked for staff's review. **Huey** explained that the need for sunlight was the basis for the request. **Huey** displayed aerial photos, the zoning map, and site photos. **Huey** said it was staff's view that solar arrays are more similar to fences than to accessory buildings.

**Chairman Scheibe** welcomed the applicant to respond. **Abrams** said the homeowners preferred the proposed location to avoid cutting down trees, but conceded that there were other reasonable locations on the property to place the array.

**Chairman Scheibe** opened the public hearing. No members of the public spoke for or against the request. **Chairman Scheibe** closed the public hearing and asked for staff's recommendation.



**Huey** stated that staff recommended approval due to the adjacent property being tilled agriculture and the fact the greater variance would be from a side property line.

**Chairman Scheibe** asked whether Huey would require that the property lines be surveyed and verified prior to installation of the array. **Huey** said during building inspections, the Building Inspector will approve locations that appear to be correct using whatever markers he can find.

**Chairman Scheibe** said he would predict more solar array projects would be coming to the unincorporated areas of the county. **Huey** said the Board could direct staff to bring the topic to the Planning and Zoning Commission to consider amending setback regulations.

**Winborn** asked whether Huey could see any future development occurring on the adjacent property. **Huey** said he could not see any development in the near future.

**Guy** asked whether the applicant would need to apply for a new variance if/when the array is replaced. **Huey** said they would not.

**Chairman Scheibe** asked Abrams whether the variance from the front yard setback was necessary. **Abrams** said they could definitely make adjustments to meet the front yard setback, and the side yard setback for that matter. **Chairman Scheibe** asked whether a five foot (5') variance from the side property line would be sufficient, and **Abrams** said it would.

**Winborn** said he didn't see a problem approving a one foot (1') side yard setback, especially if they end up needing to place it less than five feet (5').

**Chairman Scheibe made a motion to allow the solar array to be installed three feet (3') from the side (south) property line, and fifty feet (50') from the front roadway easement. Seconded by Winborn.**

**Vote: Approve (3-0)**

4. **Other Business:** Winborn made a motion to direct staff to bring the topic of solar arrays to the Planning and Zoning Commission to consider creating special setback requirements for them. Seconded by Scheibe.

**Vote: Approve (3-0)**

5. With no other business to discuss, **Chairman Scheibe adjourned the meeting at 4:23 P.M.**