

Approved Minutes of the Stearns County Board of Adjustment

A meeting of the Stearns County Board of Adjustment was held on Tuesday, October 29, 2019, in Room 121 B/C/D of the Stearns County Service Center, 3301 County Road 138, Waite Park, MN beginning at 6:30 p.m.

Members Present: Dennis Gregory, Jill DeLong, Michael Haehn, Bonnie Massmann and Jacob Holck.

Members Absent: Dave Gamradt and Jason Weinerman.

Environmental Services Staff Present: Angie Berg, Jamie Lucas and Laurie Lokken.

Chairperson Massmann called the meeting to order at 6:31 p.m.

Pledge of Allegiance

Chairperson Massmann gave an introduction of the Board of Adjustment Public Hearing process.

Approval of September 26, 2019 minutes

Minutes of the September 26, 2019 Board of Adjustment meeting will be reviewed and approved at the December 12, 2019 Board of Adjustment meeting.

Regular Agenda Items:

- 1. Request for a variance from Section 9.3.11A(1) of the Stearns County Land Use & Zoning Ordinance #439 from Shane & Tiffany Himsl, Sauk Centre, Minnesota. File #P-014309.**

Chairperson Massmann opened the Public Hearing and read the variance application from **Shane & Tiffany Himsl**, Sauk Centre, MN from Section 9.3.11A(1) of the Stearns County Land Use & Zoning Ordinance #439 to construct a residential dwelling less than 50 feet from a side property line. Said Ordinance requires a 50 foot setback to a side property line.

Applicants, Shane and Tiffany Himsl, were present at the meeting.

It was noted that all Board members present visited the site prior to the meeting and there was no communication while visiting the site.

Jamie Lucas gave an overview of the staff report. No correspondence was received regarding this variance request.

Shane and Tiffany Himsl stated that they did not have anything further to add at this time.

Dennis Gregory questioned the applicants regarding the statement made in their application that without a variance, they would not be able to locate a home on the property. Mr. Himsl responded that due to wetlands and the way that the shop is already placed on the property, they are in a tight spot. Ms. Himsl added that they have already dug the well.

Mr. Gregory asked the applicants if building a smaller home would fit. Ms. Himsl responded that their house is done. It's at the factory. The house, itself, will fit and will be up to standards. It's whether they can have the attached garage.

Mr. Gregory asked which side the garage is going to be on. Ms. Himsl responded that it will be closest to the shop and she indicated the area on the Certificate of Survey.

Mr. Gregory asked that in order to meet the setback, they would just move the house. Ms. Himsl stated that they wouldn't have a garage. The house would be moved closer to the existing shop.

Jill DeLong asked staff if the neighboring property that is adjacent to the building site would be impacted in any way (building envelopes, etc.). Mr. Lucas responded that there are not any structures in this area. It's an agricultural field right now and any plans for future development there are not known. Ms. Himsl stated that the neighbor wouldn't care how close it is to the property line.

Ms. DeLong questioned the LIDAR measurements. Mr. Lucas stated that it is fairly level. Technically, they could do something in the future if they decided they wanted to.

Ms. DeLong and the applicants discussed any possible placements of the house and garage that would meet the setbacks. Ms. Himsl stated that they have tried everything possible.

Chairperson Massmann asked the applicant that there is no business moving into the agricultural oriented building. Mr. Himsl stated that it will stay as is.

No one was present to speak at the public hearing.

Motion was made by Michael Haehn, seconded by Dennis Gregory, to close the public hearing. Motion carried unanimously.

Findings of Fact.

1. The proposed use is allowed in the zoning districts in which the subject property is located? Yes or No?
 - Yes. It is A-40 and residential is allowed in A-40 zoning district.
OVERALL BOARD CONSENSUS: YES (All 5 members voted yes.)
2. The variance will be in harmony with the general purposes and intent of the official control(s) (any related Ordinances)? Yes or No?
 - Yes. Section 9.3.1 allows for residential in A-40 zoning.
OVERALL BOARD CONSENSUS: YES (All 5 members voted yes.)

3. The variance will be consistent with the Comprehensive Plan? Yes or No?

Mr. Gregory asked for clarification from staff regarding the genesis of the 50 foot setback to property lines. Angie Berg responded the original setback requirement was 50 feet for any structure (accessory structure, residential dwelling) and the intent of that was so that in the agricultural districts, the farmer could apply manure up to their property line. Over the years we've changed it so accessory structures can be closer and we've shifted a few things in the Ordinance for manure application.

- Yes. Goal 7, Objective 2 talks about employing land use regulations and other techniques. In this case, the applicants have a building envelope within in which they can construct both an accessory building and a residence with an attached garage. The thought process behind the 50 feet, as explained by Ms. Berg, would lead to believe that this is compatible with Goal 7, Objective 2.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

The variance may be granted if there are Practical Difficulties in complying with the official control(s) as determined by items 4 through 7 below:

4. The property owner proposes to use the property in a reasonable manner? Yes or No?

- Yes. It is reasonable to want to have an attached garage on a house in this climate. After viewing the property, this section of land seems appropriate for a house and probably not as conducive to actual farm use.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

5. The plight of the landowner is due to circumstances unique to the property, not created by the landowner? Yes or No?

- No. While the applicants are trying to stay within the building envelope and away from the wetlands, it seems that it is the design and the size of the home that is creating the circumstance and the landowner chose that size of home.
- Yes. The circumstances are unique because the applicants purchased the property with the building in place so they could not adjust that. It was already a set parameter. The size of the house is a reasonable size. It is not something extravagant for the area so with the location of the wetlands and areas of fields around it, it is circumstances beyond the owners doing. It is unique to the property.

Chairperson Massmann asked the applicant if this is a patio home and if there will be a basement. Ms. Himsl responded that it is a modular home and no basement.

The size of the home is reasonable and the placement of the original building was out of their control.

OVERALL BOARD CONSENSUS: **YES** (4 members voted yes and 1 member voted no.)

6. The variance, if granted, maintains the essential character of the locality? Yes or No?

- Yes. There is already a building there. The addition of a home is not going to change the character of the locality. There are not a lot of homes in direct proximity to this house so it won't change the character.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

7. The need for the variance involves more than economic considerations? Yes or No?
- Yes. Economic issues weren't discussed as part of this variance request. The concern is that the applicants already have a house and how that impacts the variance request. Not sure that there are no economics here or that it would be more than economics. Economics may play a part in it. There may be more but there are economic considerations.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

DECISION

Based upon the evidence submitted regarding this variance application, motion was made by Dennis Gregory, seconded by Michael Haehn, to approve the request to construct a residential dwelling no less than 30 feet from a side property line. Motion carried 4-1 (Jill DeLong voted nay).

2. Request for a variance from Section 9.9.9A(3) of the Stearns County Land Use & Zoning Ordinance #439 from Martin Holtz & Jennifer Matteo, Rice, Minnesota. File #P-014404.

Chairperson Massmann opened the Public Hearing and read the variance application from **Martin Holtz & Jennifer Matteo**, Rice, MN from Section 9.9.9A(3) of the Stearns County Land Use & Zoning Ordinance #439 to construct a residential accessory structure less than 120 feet from the centerline of County Road 1, classified as Minor Arterial. Said Ordinance requires a setback of 120 feet from the centerline of a road classified Minor Arterial.

Applicant, Martin Holtz, was present at the meeting.

It was noted that all Board members present visited the site prior to the meeting. Jill DeLong stated that she spoke with the property owner and was given a tour of the site. Chairperson Massmann stated that she also spoke with the landowner.

Jamie Lucas gave an overview of the staff report. Correspondence with the Stearns County Engineer was included in the staff report. No other correspondence was received regarding this variance request.

Martin Holtz stated that he asked for 105 feet to make sure but after he set up and squared up everything, it will be about 108-109 feet. Mr. Lucas verified that he visited the site and measured it at 110 feet.

Ms. DeLong stated that the neighboring property looks like it is impacted by the water flow and asked the applicant if he knows that neighbor's opinion on the current water flow to their lot. Mr. Holtz responded that he does not know who owns the lot next to him. He indicated on the aerial map the area that looked like a bulldozer went through to get the water to run. The topography and lay of the land there cause the water to run that way and there are no big trees located in that area.

Dennis Gregory asked the applicant if he had looked at moving the shed past that water way and if he had looked at alternative water diversion or a culvert underneath the garage. Mr.

Holtz responded that the well is there and he never looked at putting the shed up close to the house. He also had not looked at alternative water diversion.

Mr. Gregory and Ms. DeLong discussed with the applicant whether there were any other possible locations or orientation of the building that would work on this site.

Mr. Gregory expressed concern regarding the water flow and the neighbor's rights regarding that water flow. Should a house be built on the neighboring property in the future, they won't want that water flowing onto their property and it might be easier and less expensive to handle that situation now rather than later so the placement of that garage could make a difference. Mr. Lucas indicated the area the water flows and where water was standing when he visited the site. The applicant would need to get the water away from his house as well.

Michael Haehn stated that with more impervious surface and garage roof, there will be additional water flowing into that water way and there may be future water issues.

No one was present to speak at the public hearing.

Motion was made by Dennis Gregory, seconded by Michael Haehn, to close the public hearing. Motion carried unanimously.

Findings of Fact.

1. The proposed use is allowed in the zoning districts in which the subject property is located? Yes or No?
 - Yes. The property is located in R-1 zoned district, which allows accessory structures.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)
2. The variance will be in harmony with the general purposes and intent of the official control(s) (any related Ordinances)? Yes or No?
 - Yes. Section 9.9.1.A provides for a variety of residential opportunities and accessory structures are a part of that understanding.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)
3. The variance will be consistent with the Comprehensive Plan? Yes or No?
 - Yes. Goal 6, Objective 1 provides for a diversity of housing prices and styles meeting the needs of residents of different ages, incomes and lifestyles. This request fulfills that.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

The variance may be granted if there are Practical Difficulties in complying with the official control(s) as determined by items 4 through 7 below:

4. The property owner proposes to use the property in a reasonable manner? Yes or No?
 - Yes. Accessory structures are permitted in this area and it is reasonable to want to have space for storage. The property owner should deal with the water flow issue but that's not for the Board to decide.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

5. The plight of the landowner is due to circumstances unique to the property, not created by the landowner? Yes or No?
- Yes. The topographical boundaries of the property make it difficult to place any kind of accessory structure so in the location the applicant has chosen, it is reasonable and it's probably as far off the highway as they can get it. Moving it any further back would impact the current flow of water. The applicant would need to do something to divert it. It sounds like the applicant is working hard to keep the impervious amount underneath the threshold as well.
- OVERALL BOARD CONSENSUS:** **YES** (All 5 members voted yes.)
6. The variance, if granted, maintains the essential character of the locality? Yes or No?
- Yes. The next door neighbor has a larger sized accessory building so it would not be changing the character of the locality.
- OVERALL BOARD CONSENSUS:** **YES** (All 5 members voted yes.)
7. The need for the variance involves more than economic considerations? Yes or No?
- Yes. Economics did not play any role in this variance request.
- OVERALL BOARD CONSENSUS:** **YES** (All 5 members voted yes.)

Board members discussed water mitigation options. Mr. Holtz responded to Board members that he would be open to adding gutters to the structure.

DECISION

Based upon the evidence submitted regarding this variance application, motion was made by Dennis Gregory to approve the request to construct a residential accessory structure less than 120 feet but more than 105 feet from the centerline of County Road 1, classified as Minor Arterial, with the condition that the applicant install rain gutters on the structure.

Chairperson Massmann questioned that when the Board requests rain gutters to be installed, they don't know how the water will be dispersed or what impact the diverted water flow might have. Mr. Gregory added that having an expert on water mitigation address the Board would assist them with these issues and concerns.

Mr. Haehn asked the applicant if it is going to be a gable style roof and what direction it would face. Mr. Holtz responded that it will be a gable style roof and that it is a deck.

Dennis Gregory amended his motion as suggested by Mr. Haehn to divert the water towards the driveway so that it would potentially go down the ditch instead of towards the neighboring property, seconded by Michael Haehn.

Chairperson Massmann questioned that the specified installation of rain gutters might need to be changed if a water management plan between the applicant and his neighbor is needed in the future.

Dennis Gregory amended his motion back to his original motion, seconded by Michael Haehn, to approve the request to construct a residential accessory structure less than 120 feet but more than 105 feet from the centerline of County Road 1, classified as Minor Arterial, with the condition that rain gutters shall be installed. Motion carried unanimously.

3. Request for a variance from Section 10.1.8B(1) of the Stearns County Land Use & Zoning Ordinance #439 from Victoria Trast, South Haven, MN on behalf of Clearwater Forest, LLP, Edina, Minnesota. File #P-014440.

Chairperson Massmann opened the Public Hearing and read the variance application from **Victoria Trast**, South Haven, MN **on behalf of Clearwater Forest, LLP**, Edina, MN from Section 10.1.8B(1) of the Stearns County Land Use & Zoning Ordinance #439 to not meet the required finished fill elevation of 15 feet beyond the outside limits of a structure being erected. Said Ordinance requires the finished fill elevation extend 15 feet beyond a structure being erected.

Wanda Summers, Property Manager for Clearwater Forest, and applicant, Victoria Trast, were present at the meeting.

It was noted that all Board members present visited the site prior to the meeting and there was no communication by members while visiting the site.

Jamie Lucas gave an overview of the staff report. No correspondence was received regarding this variance request.

Victoria Trast stated that she did not have anything to add.

Wanda Summers stated that the applicant has already purchased the home. It has been delivered and is located where it is intended to be on the site. Another option that they had thought of would be raising the road to meet the requirements. They did get a bid for that and it was nearly \$10,000. This particular area of their park is relatively higher than most other areas in their community. It has been a very wet year and they have had no water problems up in that area at all.

Michael Haehn asked the applicant if other homes around this site meet this guideline. Ms. Summers responded that the other homes that have recently been brought in that area were new homes and they were set on pillars. There are homes on the other side of the road that are older homes that were not set on pillars and were probably grandfathered in. Ms. Trast added that those neighbors have all stopped by and told her that they have not flooded in the 15 years that they have lived there.

Chairperson Massmann questioned staff regarding how long this requirement of extending 15 feet beyond the structure had been a part of the Ordinance. Angie Berg responded that would have been during the 1980's. The Shoreland Ordinance and floodplain went into effect in 1972 but there were significant changes around 1984. The intent of 15 feet around the structure is for access so that if you are in your structure and you need to get out and it's flooded around you, you can at least get out of your structure on higher ground so someone can come and save you.

Chairperson Massmann asked Ms. Summers how many other properties are in this same situation. Ms. Summers responded that there are a number of homes that are much, much lower than this particular area but they are grandfathered in. If they were to raise the road there, she thinks that they could potentially cause problems for those other homes that are

lower on the other side of the road because it would change the way its currently drained. The way the road is and how it drains back down to their holding pond now, its draining properly and does not cause any trouble for the other homeowners.

Mr. Haehn asked staff if this is a residential manufactured home district. Mr. Lucas stated correct.

Dennis Gregory questioned staff regarding the elevations shown on Clearwater Forest's exhibit in their variance application. Mr. Lucas responded that these are the current elevations and were before they brought in fill. They need to bring it up to 996.70 for the 15 feet around it. Fill has already been brought in to level it off. Ms. Summers added that they went further than the requirements.

At Jill DeLong's request, Mr. Lucas further clarified that 997.70 is the Regulatory Flood Protection Elevation for the lowest floor of the manufactured home. One foot below that is the lowest that they can be 15 feet out beyond the structure. That can be at or above 996.70.

Mr. Gregory questioned if there are any alternative elevation methods. Mr. Lucas responded that they are meeting the elevation for the structure. Ms. Berg added that there really isn't any alternative because of the fact that the access is the only thing in question and not the elevation of the structure. FEMA's rules do not have the 15 foot provision as that is a Minnesota standard and that is considered to be a higher standard but they are still meeting FEMA's rules.

No one was present to speak at the public hearing.

Motion was made by Michael Haehn, seconded by Jill DeLong, to close the public hearing. Motion carried unanimously.

Findings of Fact.

1. The proposed use is allowed in the zoning districts in which the subject property is located? Yes or No?

- Yes. It is a Residential Manufactured Home District so a mobile home going into that district is allowed.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

2. The variance will be in harmony with the general purposes and intent of the official control(s) (any related Ordinances)? Yes or No?

- Yes. Section 9.14.1.A provides for a variety of residential opportunities and diversity of housing prices and styles. It is in harmony. Part of that Section also provides for support to existing joint planning ventures in the areas of emergency services, park and trail planning and other areas. It sounds like the applicant is working with the manufactured home park and so it is supporting that existing joint planning.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

3. The variance will be consistent with the Comprehensive Plan? Yes or No?

- Yes. Goal 5, Objective 1 is to use existing infrastructure and resources efficiently and coordinating and encouraging development where the infrastructure is adequate to support that growth so it sounds like the applicant is coordinating with the current road that's there so it is consistent.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

The variance may be granted if there are Practical Difficulties in complying with the official control(s) as determined by items 4 through 7 below:

4. The property owner proposes to use the property in a reasonable manner? Yes or No?

- Yes. The applicant is proposing to put a manufactured home in a manufactured home park and that would be reasonable.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

5. The plight of the landowner is due to circumstances unique to the property, not created by the landowner? Yes or No?

- Yes. The elevation is unique to the property and the location. The location in proximity to a road and moving a road is much more involved.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

6. The variance, if granted, maintains the essential character of the locality? Yes or No?

- Yes. The character will be maintained. It's a manufactured home going into a manufactured home park. The fill is already allowed to go in and if much more is done, it would cause more of a problem than what's currently there.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

7. The need for the variance involves more than economic considerations? Yes or No?

- Yes. Economics were not a factor in this variance request.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

DECISION

Based upon the evidence submitted regarding this variance application, motion was made by Dennis Gregory to approve the request to not meet the required finished fill elevation of 15 feet beyond the outside limits of a structure being erected.

Ms. DeLong questioned whether the proximity to the road should be referenced in the motion.

Motion amended by Dennis Gregory, seconded by Jill DeLong, to approve the request to not meet the required finished fill elevation of 15 feet beyond the outside limits of a structure being erected and that is in the area where the road is located. Motion carried unanimously.

4. Request for a variance from Sections 5.1.2A(1), 10.2.11A(2) & 10.2.11A(5) of the Stearns County Land Use & Zoning Ordinance #439 from Darren & Pamela Groth, Fridley, Minnesota. File #P-014476.

Chairperson Massmann opened the Public Hearing and read the variance application from **Darren & Pamela Groth**, Fridley, MN from Sections 5.1.2A(1), 10.2.11A(2) & 10.2.11A(5) of the Stearns County Land Use & Zoning Ordinance #439 to alter the roofline on the existing legal nonconforming residential dwelling ahead of the established building line and within the bluff impact zone. Said Ordinance does not allow for the expansion of a nonconforming structure that is located ahead of the building line and in the bluff impact zone.

Applicant, Darren Groth, was present at the meeting.

It was noted that all Board members present visited the site prior to the meeting. Dennis Gregory stated that he talked with the owner while he visited the site.

Jamie Lucas gave an overview of the staff report. Mr. Lucas read correspondence received from Kim and Terry Correll, 17359 TTT Road, in opposition to this variance request. This correspondence is on file as part of record.

Darren Groth stated that the existing roof needs to be replaced.

Michael Haehn questioned the applicant regarding the proposed roof pitch. Mr. Groth clarified that a vaulted ceiling is proposed and that they would be replacing the siding on the gabled end and not modifying the whole outside. He added that it is currently a 7 foot ceiling.

Mr. Gregory asked the applicant if he had considered tearing down this cabin and moving it back from the lake. Mr. Groth responded he absolutely had. He wanted to buy the cabin to be close to the lake and not to move a permanent residence there. He removed a bunch of block and other items that were hardscaped around the cabin when they bought it because it just wasn't natural. If he had a permanent residence by a lake, it would have to be further from the lake. Financially, he wouldn't have bought the property.

Mr. Gregory asked staff if there is anything that prevents this variance request from being a permanent residence in the future. Mr. Lucas responded negatively.

Mr. Gregory asked the applicant if he had considered the use of rain gutters and rain barrels. Mr. Groth responded that he there are gutters and down spouts and he indicated on the aerial map the areas where the water runs and where the water eventually ends up. The elevation is probably 50-60 feet. He further responded to Mr. Gregory that he would consider rain barrels on the side to hold that water for a period.

Mr. Gregory questioned the building site line for neighboring properties. Mr. Lucas confirmed that Dale Zrucky's property is not behind the building line created by the Theisen and Groth properties and that they would require a variance to do anything to their property.

Jill DeLong reviewed the correspondence in opposition to the request that was received from the Correll's and commented that the Correll's garage is located within their line of site to Groth's property.

Mr. Haehn stated that based on the elevation, an extra four feet being added to the roof is not going to affect neighboring properties. Ms. DeLong added that the driveway is very steep. Chairperson Massmann stated that when parking along the road, only the very top of the applicant's roof can be seen. Angie Berg confirmed that there is an 18 foot elevation difference between the Correll and Groth properties. Board members briefly discussed the narrow property located between the Correll and Brever properties.

No one was present to speak at the public hearing.

Motion was made by Dennis Gregory, seconded by Michael Haehn, to close the public hearing. Motion carried unanimously.

Findings of Fact.

1. The proposed use is allowed in the zoning districts in which the subject property is located? Yes or No?

- Yes. It is an R-1 zoning district and residential additions, remodeling or roof alterations are allowed in that zoning district.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

2. The variance will be in harmony with the general purposes and intent of the official control(s) (any related Ordinances)? Yes or No?

- Yes. Section 5.1.2.A(1) is for the expansion of nonconforming structures in any manner including, but not limited to, extension of height. The intent of that control is to not expand the use of the building (not expanding it for additional floors). The applicants are just trying to replace a roof to get extra head room. It would be in harmony with the general purposes and intent of the control.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

3. The variance will be consistent with the Comprehensive Plan? Yes or No?

- Yes. Goal 6, Objective 3 is to identify appropriate locations for seasonal homes in settings that afford a variety of natural amenities.
Goal 6, Objective 1 provides for a diversity of housing prices and styles.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

The variance may be granted if there are Practical Difficulties in complying with the official control(s) as determined by items 4 through 7 below:

4. The property owner proposes to use the property in a reasonable manner? Yes or No?

- Yes. Given the conditions, the topography of the land and that the size of the cabin is small already, to add additional ceiling height is appropriate and it is reasonable to want to do it. It doesn't expand the footprint and it's not going to change a lot of character in the neighborhood by doing this so it is reasonable.

OVERALL BOARD CONSENSUS: **YES** (All 5 members voted yes.)

5. The plight of the landowner is due to circumstances unique to the property, not created by the landowner? Yes or No?
 - Yes. The roof needs replacing and the ceiling height inside the building is very low. Those are both unique.

OVERALL BOARD CONSENSUS: YES (All 5 members voted yes.)
6. The variance, if granted, maintains the essential character of the locality? Yes or No?
 - Yes. It does maintain the essential character of the locality. It is a seasonal home and it is intended to continue to be a seasonal home. It's just replacing the roof and making it a little bit taller.

OVERALL BOARD CONSENSUS: YES (All 5 members voted yes.)
7. The need for the variance involves more than economic considerations? Yes or No?
 - Yes. The major concern was the ability to increase the height of the ceiling and replace a failing roof.

OVERALL BOARD CONSENSUS: YES (All 5 members voted yes.)

DECISION

Based upon the evidence submitted regarding this variance application, motion was made by Dennis Gregory, seconded by Jill DeLong, to approve the request to alter the roofline on the existing legal nonconforming residential dwelling ahead of the established building line and within the bluff impact zone with the condition that rain gutters and rain barrels shall be installed. Motion carried unanimously.

Angie Berg stated that she will look further into water mitigation options that would assist Board members in hearing variance requests and either have a professional come and talk to the Board or just do more research and bring something back to the Board.

Board members and staff briefly discussed some of their issues and concerns regarding when to apply water mitigation conditions.

ADJOURN

Motion was then made by Jacob Holck, seconded by Michael Haehn, to adjourn the meeting at 8:02 p.m. Motion carried unanimously.