

**CAMPBELL COUNTY & MUNICIPAL BOARD OF ADJUSTMENT  
MINUTES OF THE NOVEMBER 16, 2010 MEETING**

**MEMBERS PRESENT:**

Ms. Fran Reitman  
Mr. Scott Bachmann  
Mr. Paul Johnson  
Mr. Roger Mason, TPO  
Mr. Dave Schaber, Vice Chairman  
Mr. Justin Verst, Chairman

**MEMBERS ABSENT:**

Ms. Connie Schweitzer

**STAFF PRESENT:**

Mr. Ryan Hutchinson  
Mr. Peter Klear, AICP, Director  
Mr. Michael Duncan, Legal Counsel  
Ms. Stephanie Turner, Secretary

Mr. Verst called the meeting to order at 7:00 PM. Mr. Verst recognized Mr. Klear who advised the Board that Mr. Paul Johnson was appointed to fill the vacancy of the City of Southgate. This appointment is effective immediately. Mr. Johnson was sworn in prior to this meeting and is therefore eligible to sit on the Board tonight. Mr. Verst welcomed Mr. Johnson to the Board. Mr. Verst asked for a roll call. Following roll call, a quorum was found to be present. Mr. Verst asked if everyone had read the August 17, 2010 meeting minutes and if there were any questions or corrections. Ms. Reitman stated there was one correction in the final paragraph of the minutes in the first sentence. It reads "Mr. Verst asked if the Board had any others matters to discussion." Ms. Reitman stated it should be "discuss" not "discussion". Mr. Verst asked if there were any other corrections. There being none, Mr. Verst called for a motion. Mr. Schaber made a motion to approve the minutes as corrected. Ms. Reitman seconded the motion. A roll call vote found Ms. Reitman, Mr. Bachmann, Mr. Mason and Mr. Schaber in favor. Mr. Johnson and Mr. Verst abstained. Motion passed.

Mr. Verst introduced case BA-05-10, Clifford & Joseph Crail, a request for a variance to place a mobile home on a 40 acre tract of land without having the minimum road frontage of 150' feet. Mr. Verst asked Staff to present their report. Mr. Hutchinson presented the staff report and staff's recommendations.

<b>CASE:</b>	BA-05-10
<b>APPLICANT:</b>	Clifford & Joseph Crail
<b>LOCATION:</b>	The property is located at 14191 Morningview Road, approximately 1.5 miles southwest of Clay Ridge Road, Unincorporated Campbell County.
<b>REQUEST:</b>	The applicant is asking for a variance to place a mobile home on a 40 acre tract of land without having the minimum road frontage of 150' feet.

Staff has reviewed the request and finds as follows:

**DESCRIPTION OF REQUEST:**

The applicant is asking for a variance to place a mobile home on a 40 acre tract of land without having the minimum road frontage of 150' feet.

### CONSIDERATIONS:

1. The site is currently vacant. Surrounding land use is single-family residential.
2. The Recommended Land Use Map of the 2008 Campbell County Comprehensive Plan identifies the site and surrounding areas for agricultural.
3. The submitted development plan indicates the following:
  - a. An existing driveway and 20' foot passway easement along the western property line.
  - b. The plat shows an existing shed and barn.
  - c. The plat shows the proposed location of the trailer.
  - d. The proposed trailer will be 227' feet from the nearest property line and over 600' feet from the nearest home.
  - e. The plat shows a foundation from a previously demolished home.
  - f. The applicant has 75' feet of road frontage and a flag stem of 400' feet. Per the Campbell County Zoning Ordinance neither of these dimensions meets minimum lot requirements. A mobile home lot must have 150' feet of road frontage and a flag lot must be no deeper than 250' feet.
  - g. The plat shows the proposed septic tank and leach field.
  - h. Staff found that the lot was created in 1977 and did not get review and approval from the Planning and Zoning Commission.
  - i. The lot is pre-existing non-conforming.

### ALL REQUESTS:

1. The applicant shall submit and/or present factual evidence demonstrating:
  - a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or the community.

*“This property was purchased by Cliff and Joe Crail because it is adjacent to their family and we would like to live on the property we own. The mobile home would be an affordable place to live until we could save enough money to build our own house on the property. Living on the property in the mobile home would let us be close to the family farm that we help out on as well as let us continue farming the property the mobile home would be put on.”*
  - b. That such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

*“The placing of the mobile home on the property would not be detrimental to the health, safety, or general welfare of persons residing or working in the general vicinity. All things associated with the mobile home would be installed according to state regulations. This is a rural community where the mobile home would not be close to the other properties or houses and would not be injurious to other properties or to improvements.”*
  - c. That such use will comply with any regulations and conditions in this ordinance for such use.

*“Such use will comply with any regulations and conditions in this ordinance for such use and would comply fully and totally if not for the road frontage only being 75’ feet.”*

2. Per Section 18.6 Variances: Change from one nonconforming use to another, conditions governing applications: procedures.

DIMENSIONAL VARIANCES: Before any dimensional variance is granted, the Board of Adjustment must find all of the following, which shall be recorded along with any imposed conditions or restrictions in its minutes and records and issued in written form to the applicant to constitute proof of the dimensional variance. Such dimensional variance shall not be granted by the Board of Adjustment unless and until:

- a. That the requested variance arises from special circumstances exist which do not generally apply to land in the general vicinity, or in the same zone.

*The applicant stated “The land that the mobile home would be going on is 40 acres and only has 75 ft. of road frontage. No more road frontage is available for the property and the property already has a permanent driveway from Morning View Rd. to the mobile home site. The Driveway is an adequate access to the property and has been used for many years. Because the property is so large and the mobile home site would be almost 1,100’ feet off the road the required road frontage is not needed.”*

- b. That the manner in which the strict application of the provisions of this Ordinance would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant.

*The applicant stated “This property is zoned agricultural A-1 and is being used to grow corn and soy beans. This property was purchased by Cliff and Joe Crail with the intentions of putting a mobile home on the property until we could save enough money to build our own houses. There is adequate access to the site and the required road frontage would not increase this access. The mobile home would be set back almost 1,100’ feet off the road and would not bother anyone in the neighborhood. On a forty acre piece of property with existing access it does not seem sensible to not allow a mobile home because of road frontage. Not allowing a mobile home would cause us to have to find different residence until enough money was saved in the future for us to build our own homes.”*

- c. That the circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

*The applicant states “The circumstances are the result of actions of the applicants, Cliff and Joe Crail, taken subsequent to the adoption of the Zoning regulation from which relief is sought.”*

- d. Reasons that the variance will not allow unreasonable circumstance of the requirements of the zoning regulations and will not alter the essential character of the neighborhood.

*The applicant states “The mobile home would be in an agricultural Zoned area, in an agricultural neighborhood. A mobile home would acceptable in this area and access to the site is readily available by the established driveway and the required road frontage is not needed.”*

- e. That granting the variance requested will not confer on the applicant any special privilege that is not conferred by this ordinance to other lands, structures or buildings in the same zone. No nonconforming use of neighboring lands and structures in the same zone shall be considered grounds for the issuance of a variance.

*The applicant states "There would be no special privilege conferred, only special circumstances on a 40 acre piece of property with established road access. The land has plenty of room for a mobile home and is a perfect example of where a mobile home should be acceptable, if not for the lack of road frontage."*

- f. That the variance requested will not adversely affect the public health, safety, or welfare, will not adversely alter the essential character of the general vicinity, and will not cause a hazard or nuisance to the public.

*The applicant states "The variance will not affect public health, safety, or welfare because it would a properly installed mobile home following all codes and regulations and passing all inspections. There is adequate access to the site that would allow for emergency personnel to access to home easily. Putting the mobile home on farm land in farming community would not alter the character of the general vicinity and would not cause a hazard or nuisance to the public."*

- g. That the variance will be in harmony with the general purpose and intent of the Zoning Ordinance as well as the Adopted Comprehensive Plan for the County.

*The applicant states "The variance will be in harmony with the general purpose and intent of the zoning ordinance and adopted comprehensive plan for the county because it strictly follows the ordinance except for the lack of road frontage. There is 75' feet of road frontage on the property and there is existing access by a driveway to the site."*

- 3. Per Section 18.6, A., 2., Notice: Notice of public hearing was given in accordance with Section 18.2 of the Campbell County Zoning Ordinance.
- 4. According to Section 18.6, A., 4., the Board of Adjustment must find that the granting of the variance will be in harmony with the general purpose and intent of the Ordinance as well as the adopted Comprehensive Plan, and will not be injurious to the neighborhood, or otherwise, detrimental to the public welfare.

**Staff Recommendation:**

To approve the submitted variance request to reduce the minimum amount of road frontage needed for this mobile home to 75' feet.

**Supporting Information/Bases for Staff Recommendation:**

- 1. DIMENSIONAL VARIANCES: Before any dimensional variance is granted, the Board of Adjustment must find all of the following, which shall be recorded along with any imposed conditions or restrictions in its minutes and records and issued in written form to the applicant to

constitute proof of the dimensional variance. Such dimensional variance shall not be granted by the Board of Adjustment unless and until:

- a. That the requested variance arises from special circumstances exist which do not generally apply to land in the general vicinity, or in the same zone.

*The requested variance does not arise from special circumstances that exist on this lot.*

- b. That the manner in which the strict application of the provisions of this Ordinance would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant.

*The application of the provisions of this Ordinance would not deprive the applicant of a reasonable use of the land and would not create an unnecessary hardship on the applicant.*

- c. That the circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

*The applicant is requesting this variance subsequent to the adoption of the zoning regulations.*

- d. Reasons that the variance will not allow unreasonable circumstance of the requirements of the zoning regulations and will not alter the essential character of the neighborhood.

*This mobile home is not unreasonable and would not alter the essential character of the neighborhood.*

- e. That granting the variance requested will not confer on the applicant any special privilege that is not conferred by this ordinance to other lands, structures or buildings in the same zone. No nonconforming use of neighboring lands and structures in the same zone shall be considered grounds for the issuance of a variance.

*This variance would grant the applicant a special privilege because the lot does not meet the minimum requirements of the Campbell County Zoning Ordinance or the Subdivision Regulations.*

- f. That the variance requested will not adversely affect the public health, safety, or welfare, will not adversely alter the essential character of the general vicinity, and will not cause a hazard or nuisance to the public.

*The variance will not adversely affect the public health, safety or welfare, nor alter the character of the general vicinity and will not cause a hazard or nuisance to the public.*

- g. That the variance will be in harmony with the general purpose and intent of the Zoning Ordinance as well as the Adopted Comprehensive Plan for the County.

*The variance will be in harmony with the Zoning Ordinance and Comprehensive Plan since the mobile home is permitted in the A-1 Zone.*

Mr. Hutchinson concluded his presentation by asking the Board if they had any questions he could answer for them. Mr. Schaber asked if the lot was recorded prior to the establishment of a zoning ordinance. Mr. Hutchinson replied that was not correct. There was a Zoning Ordinance in effect in 1977 when this lot was recorded. However, zoning was being reviewed and approved by an outside agency at that time and there is no information available as to how this plat was approved without coming before the Planning Commission. We were unable to confirm how the division was performed. Ms. Reitman asked if the Zoning Ordinance in effect at that time was different than the current Zoning Ordinance. Mr. Klear stated we are unable to confirm that as we do not have a copy of the Zoning Ordinance as it appeared in 1977. Mr. Klear continued with a concern on the future of this lot. Mr. Klear noted that the applicant had expressed an interest in a future division of this property. Mr. Klear noted that there was not sufficient frontage for the existing parcel to create one or more new parcels. Ms. Reitman asked one additional question regarding emergency vehicle access to the site since the driveway access is only 20' feet wide. Mr. Hutchinson stated it was a concern that was discussed among staff as there are no fire hydrants in that vicinity and it is likely that access would be difficult for fire and emergency vehicles. Mr. Verst asked if the Board had any other questions for Staff. There being none, Mr. Verst recognized the Applicant asking they come forward and state their name and address for the record.

The Applicants identified themselves as Mr. Cliff and Joe Crail, Owners of 14191 Morningview Road. Mr. Cliff Crail stated that Mr. Hutchinson pretty much said it all. They just wanted to put a trailer on their farm so that they could continue to work their farm and save money for the future when they could build their own homes on the property. Mr. Verst stated he thought they were father and son, but they both look way too young to be that kind of relationship. Mr. Joe Crail explained they were brothers. Ms. Reitman asked them to confirm that in the future they were going to want to divide the property so that they could build individual homes. Mr. Cliff Crail confirmed that was their plan. Ms. Reitman asked if they had a plan for how they were going to accomplish this task, particularly in light of staff's concerns about the lack of frontage. Mr. Cliff Crail stated they would cross that bridge when they got to it. Mr. Bachmann asked if the parcels surrounding them were owned by family members. Mr. Cliff Crail stated that some of the land surrounding them was owned by family members, but not all. Their parents own approximately 82 acres behind them and their grandfather owns the parcel to the front left of their road frontage. Mr. Bachmann commented that they could eventually then get road frontage necessary from his grandfather potentially then. Mr. Cliff Crail explained maybe, but not likely. His grandfather's house is right next to the road access so the only way to get the road frontage they need is to tear down his grandfather's house and he doesn't see that happening any time soon. Ms. Reitman asked Mr. Crail about the previously built foundation. Was it remaining from a home that burnt down or was it torn down? Mr. Cliff Crail stated the previous owner built the foundation, but never placed a home upon it. Mr. Verst asked if there were any other questions for the applicants. There being none, Mr. Verst asked if there was anyone else in the audience that wished to speak either for or against the request for a mobile at this location.

Mr. Michael Crail of 14195 Morningview Road came forward. Mr. Michael Crail is the father of the applicants. He stated he is definitely in favor of having his sons as his neighbors and wanted to advise the Board in regards to Ms. Reitman's previous question regard emergency vehicles that they do have water trucked in to create a reservoir for their farming activity and for emergencies. Ms. Reitman asked if there had ever been an emergency at their location requiring emergency vehicles to navigate that road since he had lived there. Mr. Michael Crail stated they have not had any emergency situations.

Mr. Verst asked the Board if they had any other questions. There being none, Mr. Verst asked if the audience had any comments. There being none, Mr. Verst asked the Board for comments, discussions or a motion. Mr. Duncan made a point of clarification for the Board. The point before the Board tonight is the request to place a mobile home on the site, not the concerns regarding the existence of this legal nonconforming lot. The lot already exists and is of no concern of the Board. It is beyond your

jurisdictional concern. You are voting to approve or deny the request to allow the mobile home on the lot only.

Mr. Verst asked if there were any comments or points of discussion among the Board. Mr. Schaber stated it seemed pretty straight forward and made a motion to approve case BA-05-10, Clifford & Joseph Crail, a request for a variance to place a mobile home on a 40 acre tract of land without having the minimum road frontage of 150' feet. Mr. Schaber stated that the granting of the request is not unreasonable and would not alter the essential character of the neighborhood; that the variance will not adversely affect the public health, safety or welfare, nor alter the character of the general vicinity and will not cause a hazard or nuisance to the public; and that the variance will be in harmony with the Zoning Ordinance and Comprehensive Plan since the mobile home is permitted in the A-1 Zone. Mr. Johnson seconded the motion. A roll call vote found Ms. Reitman, Mr. Bachmann, Mr. Johnson, Mr. Mason and Mr. Schaber in favor. Mr. Verst abstained. Motion passed.

Mr. Verst introduced case BA-06-10, Eric Puryear, a request for a front yard variance to construct a room addition and porch to the rear of his home. Mr. Verst asked Staff to present their report. Mr. Hutchinson presented the staff report and staff's recommendations.

**CASE:** BA-06-10  
**APPLICANT:** Eric Puryear  
**LOCATION:** The property is located at 237 Hidden Valley Road, approximately one mile southwest of Murnan Roan, Unincorporated Campbell County.  
**REQUEST:** The applicant is asking for a front yard setback variance to construct a room addition and porch to the rear of his house.

Staff has reviewed the request and finds as follows:

**DESCRIPTION OF REQUEST:**

The applicant is asking for a 4' foot 3.5" inch front yard variance for a 288 sq. ft. room addition and porch to the back of the home.

**CONSIDERATIONS:**

1. The site in question is currently occupied by a single family house. Surrounding land use is single-family residential.
2. The Recommended Land Use Map of the 2008 Campbell County Comprehensive Plan identifies the site and surrounding area for agricultural.
3. The submitted development plan indicates the following:
  - a. The drawing shows topo at a 2' foot contour.
  - b. The drawing shows the existing house and covered porch.
  - c. The drawing shows the addition of room and porch to the back of the home.
  - d. The drawing shows an existing septic system.
  - e. The applicant is asking for a 4' foot 3.5" inch front yard variance for the construction of a room and porch to the back of the home.
  - f. The plan shows overhead utilities.
  - g. The plan shows an existing gravel drive.

**ALL REQUESTS:**

1. The applicant shall submit and/or present factual evidence demonstrating:

- a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or the community.

*"The home addition is necessary to improve the current home in order to add space for raising a family. The land is beautiful and these improvements will definitely contribute to the well being of the neighborhood."*

- b. That such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

*"There would be no detrimental health / safety effects related to these improvements. It is simply a residential home improvement on a secluded rural road."*

- c. That such use will comply with any regulations and conditions in this ordinance for such use.

*"The use is simply as a home so I don't think there would be any regulations or conditions for that particular use. If so, yes, we would be happy to be in compliance."*

2. Per Section 18.6 Variances: Change from one nonconforming use to another, conditions governing applications: procedures.

**DIMENSIONAL VARIANCES:** Before any dimensional variance is granted, the Board of Adjustment must find all of the following, which shall be recorded along with any imposed conditions or restrictions in its minutes and records and issued in written form to the applicant to constitute proof of the dimensional variance. Such dimensional variance shall not be granted by the Board of Adjustment unless and until:

- a. That the requested variance arises from special circumstances exist which do not generally apply to land in the general vicinity, or in the same zone.

*The applicant stated "The home was built in 1958 and was an existing structure prior to the setback regulation."*

- b. That the manner in which the strict application of the provisions of this Ordinance would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant.

*The applicant stated "Three years ago when in bought the property, it was listed as a handyman special. I have always intended on rehabbing the house and adding more living space. My fiancée and I are doing the addition together with the intention of living there permanently. We have absolutely no intention of selling this beautiful land. It would cause unnecessary hardship if we were not able to undertake this important project."*

- c. That the circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

*The applicant states "The structure pre-dates the zoning regulation. So, yes, the circumstances are subsequent."*

- d. Reasons that the variance will not allow unreasonable circumstance of the requirements of the zoning regulations and will not alter the essential character of the neighborhood.
- e. That granting the variance requested will not confer on the applicant any special privilege that is not conferred by this ordinance to other lands, structures or buildings in the same zone. No nonconforming use of neighboring lands and structures in the same zone shall be considered grounds for the issuance of a variance.

*The applicant states "Other properties along Hidden Valley Road have similar setback."*

- f. That the variance requested will not adversely affect the public health, safety, or welfare, will not adversely alter the essential character of the general vicinity, and will not cause a hazard or nuisance to the public.

*The applicant states "The home addition / variance request will result in a great improvement in character of the general vicinity. No hazard or nuisance would be caused to the public whatsoever."*

- g. That the variance will be in harmony with the general purpose and intent of the Zoning Ordinance as well as the Adopted Comprehensive Plan for the County.

*The applicant states "If granted, the variance will allow us to improve an existing structure for improved living space and quality of life. The general purpose and intent of the Zoning Ordinance would not be compromised. Hidden Valley Road is an extremely quiet and peaceful place to live. This construction would in no way interfere with nearby properties or businesses."*

- 3. Per Section 18.6, A., 2., Notice: Notice of public hearing was given in accordance with Section 18.2 of the Campbell County Zoning Ordinance.
- 4. According to Section 18.6, A., 4., the Board of Adjustment must find that the granting of the variance will be in harmony with the general purpose and intent of the Ordinance as well as the adopted Comprehensive Plan, and will not be injurious to the neighborhood, or otherwise, detrimental to the public welfare.

**Staff Recommendation:**

To approve the submitted front yard variance request of 4' feet 3.5" inches.

**Supporting Information/Bases for Staff Recommendation:**

- 1. DIMENSIONAL VARIANCES: Before any dimensional variance is granted, the Board of Adjustment must find all of the following, which shall be recorded along with any imposed conditions or restrictions in its minutes and records and issued in written form to the applicant to constitute proof of the dimensional variance. Such dimensional variance shall not be granted by the Board of Adjustment unless and until:

- a. That the requested variance arises from special circumstances exist which do not generally apply to land in the general vicinity, or in the same zone.

*The proposed location of the addition is not an unreasonable circumvention of the requirements of the zoning regulations.*

- b. That the manner in which the strict application of the provisions of this Ordinance would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant.

*The strict application of the provisions of this Ordinance would not deprive the applicant of a reasonable use of the land and would create an unnecessary hardship on the applicant.*

- c. That the circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

*The applicant is requesting this variance after the adoption of the zoning regulations.*

- d. Reasons that the variance will not allow unreasonable circumstance of the requirements of the zoning regulations and will not alter the essential character of the neighborhood.

*It is unreasonable to place the addition further back because the house already exists in the front yard setback.*

- e. That granting the variance requested will not confer on the applicant any special privilege that is not conferred by this ordinance to other lands, structures or buildings in the same zone. No nonconforming use of neighboring lands and structures in the same zone shall be considered grounds for the issuance of a variance.

*This variance would not be granting the applicant a special privilege because other homes in the area sit within the front yard setback.*

- f. That the variance requested will not adversely affect the public health, safety, or welfare, will not adversely alter the essential character of the general vicinity, and will not cause a hazard or nuisance to the public.

*The variance will not adversely affect the public health, safety or welfare, nor alter the character of the general vicinity and will not cause a hazard or nuisance to the public.*

- g. That the variance will be in harmony with the general purpose and intent of the Zoning Ordinance as well as the Adopted Comprehensive Plan for the County.

*The variance would be in harmony with the Zoning Ordinance or Comprehensive Plan.*

Mr. Hutchinson concluded his report by asking the Board if they had any questions he could answer for them. Mr. Verst asked if Hidden Valley was a county maintained road. Mr. Hutchinson replied it was not a county maintained road, but a private road. Ms. Reitman asked for the name of the nearest county road. Mr. Klear replied it was "Trapp-Murnan Road" before it was renamed. Mr. Verst asked if there were any other questions for staff. There being none. Mr. Verst asked the applicant to come forward and identify himself.

Mr. Eric Puryear identified himself as the owner's contractor, an employee of Beck Architecture. Mr. Puryear stated that they approached this job from many different angles. Would it be better to demolish the existing structure and rebuild? Do an extensive remodel with an addition? What materials could be trucked in? What could be constructed on site? Due to the site conditions, the best solution was to do an extensive remodel with an addition which includes basically gutting the existing structure and updating all utilities which adding on to provide the necessary space to allow for a growing family to live in this home. Mr. Puryear asked if there were any questions he could answer for the Board. Mr. Verst asked if there were any questions for the applicant's representative.

There being none Mr. Verst asked the Board for any comments or points of discussion. Mr. Mason stated he didn't have any questions, but he did want to make a motion to approve case BA-06-10, Eric Puryear, a request for a front yard setback variance to construct a room addition and porch to the rear of his house. Mr. Mason stated the bases for his motion is that the proposed location of the addition is not an unreasonable circumvention of the requirements of the zoning regulations; that the strict application of the provisions of this Ordinance would not deprive the applicant of a reasonable use of the land and would create an unnecessary hardship on the applicant; that this variance would not be granting the applicant a special privilege because other homes in the area sit within the front yard setback; that the variance will not adversely affect the public health, safety or welfare, nor alter the character of the general vicinity and will not cause a hazard or nuisance to the public; the variance will not adversely affect the public health, safety or welfare, nor alter the character of the general vicinity and will not cause a hazard or nuisance to the public; and that the variance would be in harmony with the Zoning Ordinance or Comprehensive Plan. Mr. Bachmann seconded the motion. A roll call vote found Ms. Reitman, Mr. Bachmann, Mr. Johnson, Mr. Mason and Mr. Schaber in favor. Mr. Verst abstained. Motion passed.

There being no other items of action before the Board, Mr. Verst recognized Mr. Klear to present the Director's Report.

## **DIRECTOR'S REPORT**

Mr. Klear began reintroducing Mr. Paul Johnson to the Board. Mr. Johnson introduced himself to his fellow board members and they in turn introduced themselves to him. Mr. Bachmann was particularly grateful to no longer be known as the "new guy".

Mr. Klear notified the Board that there will not be a December meeting.

Upon review of the By-Laws, Mr. Klear notified the Chair that in December, he was due to notify members of the Board that he was to appoint in December as members of an "Ad Hoc" committee to nominate members to the officer positions for elections to be held in January. Mr. Verst asked if he could do so tonight since there was no meeting in December. Mr. Duncan stated that would be acceptable. Mr. Verst announced that all Board members present were hereby notified that they were appointed to the Ad Hoc committee. After a very general discussion, Mr. Duncan advised they could make a general decision of whom they were likely to nominate for election in January, but no official nomination could be made until their January meeting. The Board decided they would likely keep the officers as they currently stand with: Mr. Verst as Chair, Mr. Schaber as Vice Chair and Mr. Mason as TPO.

Mr. Verst asked if the Board had any other matters to discuss. There being none, Mr. Verst called for a motion to adjourn. Ms. Reitman made a motion to adjourn the meeting. Mr. Schaber seconded the motion. An oral vote found all in favor and none opposed. Motion passed. Meeting adjourned at 8:02 PM.

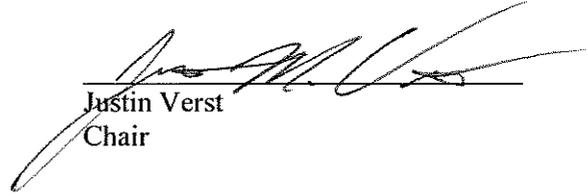
Prepared by:



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Peter J. Klear, AICP  
Director, P&Z

Approved:



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Justin Verst  
Chair