



*Community Development Department*

**BISMARCK BOARD OF ADJUSTMENT  
MEETING AGENDA  
JUNE 3, 2010**

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First Floor Conference Room                      4:00 p.m.                      City-County Office Building

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**MINUTES**

1. **Minutes.** Consider approval of the minutes of the May 6, 2010 meeting.

**REQUESTS**

2. **1414 S. 3<sup>rd</sup> Street** (Kenneth P. Connell) Request to appeal the Notice and Order issued on May 5, 2010 by the Environmental Health Administrator.
3. **4013 Heartland Drive** (Donald Rohrich) Request for a variance to reduce the rear yard setback from 50-feet to 20-feet for the purpose of constructing and accessory building on the above-mentioned property.

**OTHER BUSINESS**

4. Announce the appointment of new Board of Adjustment members.

**ADJOURNMENT**

5. **Adjourn.** The next regular meeting date is scheduled for July 1, 2010.

**BISMARCK BOARD OF ADJUSTMENT  
MEETING MINUTES  
MAY 6, 2010**

The Bismarck Board of Adjustment met on May 6, 2010 at 4:00 p.m. in the Tom Baker Meeting Room in the City-County Office Building, 221 North 5<sup>th</sup> Street. Board members present were Chair Marback, Blair Ihmels, Jennifer Clark, and Ken Heier.

Staff members present were Ray Ziegler (Building Official), Gregg Greenquist (Planner), and Kim Riepl (Office Assistant).

Others present were Chris Hambrick, Bismarck.

**MINUTES**

Chair Marback asked for consideration of the April 1, 2010 minutes. Mr. Ihmels noted the following corrections to the April 1, 2010 minutes as the minutes incorrectly identified Chair Marback as being present:

- 1.) Strike "Chair Marback" as being present in Paragraph 1, indicate that Blair Ihmels was Acting Chair;
- 2.) Strike "Chair Marback" from Paragraph 4 (under "Minutes") and replace with "Acting Chair Ihmels";
- 3.) Strike "Chair Marback" in Paragraph 1, sentence 2, under "Variance" and replace with "Acting Chair Ihmels";
- 4.) Strike "Mr. Marback" in the last sentence of Paragraph 1 under "Variance" and replace with "Mr. Ihmels".

**MOTION:** A motion was made by Mr. Ihmels and seconded by Mr. Heier to approve the minutes of the April 1, 2010 meeting with recommended amendments. With all members voting in favor, the minutes were approved as amended.

Mr. Greequist provided additional information that was not available in the staff report for the requested variance. He referenced the memorandum dated April 30th included as part of the staff report, specifically Paragraph 2, describing the need for rezoning the Hambrick property to RR-Residential in the event the variance was approved. Mr. Greenquist stated that the Hambricks have already applied for the rezoning of the property from A-Agricultural to RR-Residential and that their request will be heard as a consideration item at the May 26, 2010 meeting of the City Planning & Zoning Commission.

**VARIANCE – CHRIS & ROBERTA HAMBRICK –\$200 ARCATA DRIVE**

Mr. Hambrick requested a variance to construct a larger-than-allowed accessory building. Chair Marback read the applicant's reason for request as follows: "The applicants wish to construct a detached garage that would be larger than allowed by the ordinance. The proposed 30' x 40' building is 1200 square feet. An existing accessory

building is 1680 square feet. The maximum accessory building area for this 5-acre lot is 2178 square feet. The combined coverage of both buildings is 2880 square feet (702 square feet over the limit).” Mr. Marback asked if there was anything to be added.

Mr. Hambrick indicated a desire to clean up the appearance of the property as the lot was only 5 acres. He stated the barn was there when they purchased it, and it was their intent to remove the smaller storage buildings on the property and replace them with just one accessory building in which to store their tractor and other equipment.

Mr. Marback asked if the 12-foot by 12-foot shed as well as the 10-foot by 11-foot shed would be removed and Mr. Hambrick replied both those would be removed along with the gazebo located behind the house. Mr. Marback reiterated that the only two structures would then be the 40-foot by 40-foot barn and the proposed 30-foot by 40-foot accessory building and Mr. Hambrick stated that to be correct. He added that he had considered adding on to the garage but that the location of the septic system prevented that. He also noted that in talking with his neighbors, none of them had any objections to the proposed accessory building.

Mr. Ihmels asked if the zoning of the property affected the square footage requirements and was told it did not. It was emphasized the square footage overage was 702 square feet, regardless of the zoning.

Mr. Hambrick explained they had considered a smaller structure that would be compliant with the allowable square footage but there simply would not be enough space in it to store the equipment they had. Discussion ensued regarding the sizing options of accessory buildings but it was determined that because of the location of the septic tank and drainfield, those options were not acceptable.

The following findings were provided:

1. The need for a variance is not based on special circumstances or conditions unique to the specific parcel of land involved that are not generally applicable to other properties in this area and within the RR zoning classification.
2. The hardship is not caused by the provisions of the Zoning Ordinance
3. Strict application of the provisions of the Zoning Ordinance would not deprive the property owner of the reasonable use of the property.
4. The requested variance is the minimum variance that will accomplish the relief sought by the applicant.
5. The granting of the variance is not in harmony with the general purposes and intent of the Zoning Ordinance; however, it is doubtful that it would be injurious to the neighborhood or otherwise detrimental to the public welfare.

**MOTION:** A motion was made by Mr. Ihmels to approve the request for a variance to construct a larger-than-allowed accessory building with the condition that the three existing outbuildings, the gazebo, the 12-foot by 12-foot shed and the 10-foot by 11-foot shed would be removed by the time the new accessory building construction was completed. Mr. Heier seconded the motion and with all members voting to approve, the motion to approve the request was passed.

**OTHER BUSINESS**

Mr. Greenquist informed the members of the Board of Adjustment that their April 1<sup>st</sup>, 2010 action regarding the Gary Marchus appeal had been upheld by the Bismarck Board of City Commissioners at their April 27, 2010 meeting.

Mr. Greenquist announced that the deadline for applications for the vacant positions on the Board of Adjustment was May 7, 2010, and that two applications had been received to date. He stated that Carl Hokenstad, Director of Community Development, would review the applications and forward recommendations to the Bismarck Board of City Commissioners for their appointment at the City Commission meeting of May 25, 2010.

Mr. Greenquist noted the June meeting would take place in the First Floor Conference Room of the City/County Building rather than in the Tom Baker Room.

Mr. Marback asked if there was a standard of recognition for Board members who had provided a commendable term of service, and hearing none, volunteered to initiate this effort with the Board's permission, to which the members of the Board agreed.

**ADJOURNMENT**

There being no further business, the meeting of the Bismarck Board of Adjustment was adjourned to meet again on May 6, 2010.

Respectfully Submitted,

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Kim Riepl  
Recording Secretary

APPROVED:

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Michael Marback, Chair



*Community Development Department*

**MEMO**

**DATE:** May 27, 2010

**TO:** Board of Adjustment Members

**FROM:** Gregg Greenquist 

**RE:** Connell Appeal of N & O

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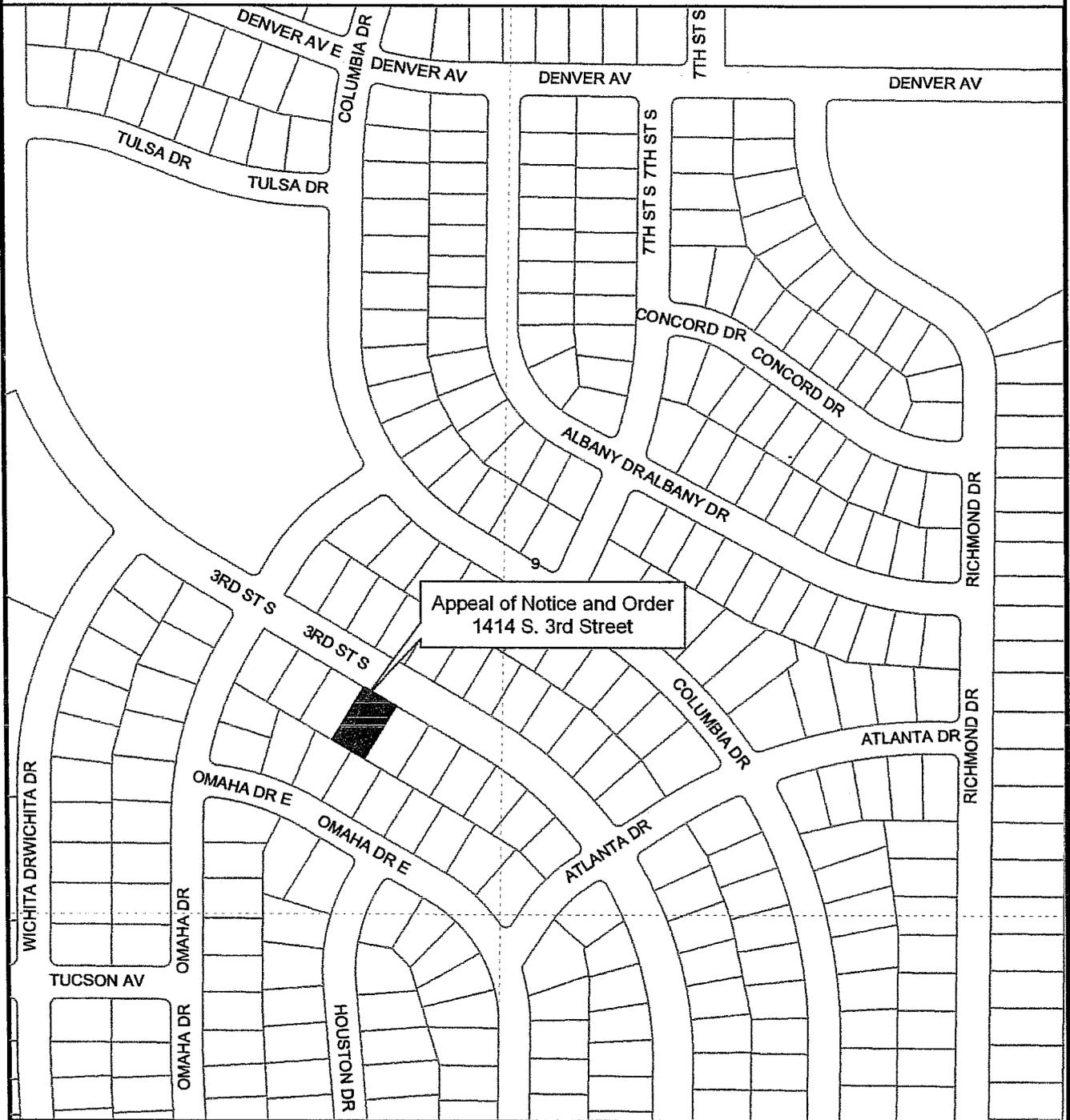
On May 18<sup>th</sup> our department received the attached letter from Kenneth Connell. We then contacted Melvin Fischer, the Environmental Health Administrator, and received the attached documentation on the Notice and Order which was issued by Mel on May 5<sup>th</sup>.

Mr. Connell was notified that the Board of Adjustment would hold an appeal hearing on June 3<sup>rd</sup> (see attached letter).

*Bismarck-Burleigh County Community Development Department*

221 North 5th Street • PO Box 5503 • Bismarck, ND 58506-5503 • TDD: 711 • [www.bismarck.org](http://www.bismarck.org)

**Appeal of Notice and Order  
1414 S. 3rd Street  
Lot 4, Block 16, Meadow Valley 4th Addition**



Appeal of Notice and Order  
1414 S. 3rd Street

DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: May 27, 2010 (ktr)

Source: City of Bismarck



1:50000

RECEIVED

MAY 18 2010

Date: May 6<sup>th</sup> 2010  
From:  
Kenneth P Connell  
1414 S 3<sup>rd</sup> St  
Bismarck ND 58504

To: Board of Adjustment,

On May 5<sup>th</sup> 2010 I received a Notice and Order from Melvin Fischer with pictures of my yard.

He stated that we have an unlicensed vehicle, a camper that appears to be occupied, a tire, vehicle parts a trailer with garbage and rubbish, and debris stored out doors. He also stated that it appears that we have more then 3 dogs.

The unlicensed vehicle is my wives 17 year old sons Jeep that we are trying to get running for his 1<sup>st</sup> car. It has 8 year old gas in it that I'm trying to get out with out getting it all over the ground. Then we got to flush the gas tank, put the new fuel pump in it, then we will be able to start it for him.

The camper is not occupied, we can't even open the slider on it where it is parked. The windows are open to air it out and let the carpet dry, we found out over the winter that the roof has a leak. We do plan to pull it out beside the garage open the slider and clean it up, repair the leak And put new flooring in it so we can start camping this year.

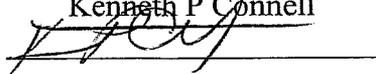
The tire we were using to push the jeep up into the spot by the garage. I put it and the car parts in the Jeep for now because we still need them.

The trailer does have garbage and rubbish in it. We did clean all the junk out of the back yard and off the back deck. Now we are using it to clean our basement out after it flooded again. Where else am I to put this junk to hall it out? We are also in the middle of remodeling the bathroom upstairs.

As far as having more then 3 dogs he's full of crap. We have 3 dogs. A 8 or 9 month old Rottweiler, a border collie about the same age as the Rotty, and a basset hound that is just old enough for her to go in heat for her 1<sup>st</sup> time and is now pregnant. Not one of our dogs is a year old yet.

We have live in our house a little less then 7 years now, and we have had nothing but harassment from this Melvin Fischer for at least the last 4 years. And it is always this time of the year. If he keeps it up I will look into a law suit against him. We are doing nothing wrong and we aren't bothering anyone. It started when my wife had a problem with our neighbor who moved out 3 or 4 years ago, but he has nothing better to do then stop by our house and nit pick at us. I know he lives down around here because he told me he drives by our house going to and from work everyday.

Thank You  
Kenneth P Connell





*Community Development Department*

May 21, 2010

Kenneth P. Connell  
1414 S. 3<sup>rd</sup> Street  
Bismarck, ND 58504

RE: Appeal of Notice and Order – 1414 S. 3<sup>rd</sup> Street (Lot 4, Block 16, Meadow Valley  
4<sup>th</sup> Addition)

Dear Mr. Connell:

The purpose of this letter is to inform you that an appeal hearing has been scheduled for the Notice and Order issued for 1414 S. 3<sup>rd</sup> Street.

The Board of Adjustment will meet on Thursday, June 3, 2010 at 4:00 p.m. in the First Floor Conference Room in the City County Office Building at 221 North 5<sup>th</sup> Street. You or your representative should attend this hearing to present your request and answer any questions the Board members may have.

If you have any questions prior to the hearing, please feel free to call me at 701-355-1845.

Sincerely,

Gregg Greenquist  
Planner

GG/klr

NOTICE AND ORDER

Date: May 5, 2010

(Certified)

Kenneth P. & Cindy L. Connell  
1414 S 3<sup>rd</sup> St  
Bismarck ND 58504-6508

LOCATION OF VIOLATION: 1414 S 3<sup>rd</sup> Street, Bismarck, ND.

LEGAL DESCRIPTION OF PROPERTY: Lot 4, Block16, Meadow Valley 4<sup>th</sup> Addition to the City of Bismarck.

FINDINGS:

You are hereby notified that your property was inspected on May 4, 2010 regarding the unlicensed vehicle, camper that appears to be occupied, tires, vehicle parts, trailer filled with garbage and rubbish, and debris stored outdoors on the property. There appears to be more than 3 adult dogs on the property. If more than 3 exist, you are required to remove those in excess of 3 to comply with the ordinance and maintain the area clean. You are ordered to remove the vehicle, camper, trailer, vehicle parts and other debris within 15 days of the receipt of this order and refrain from such practices in the future. The dog litter must be cleaned up daily. Campers may be parked on private property but not occupied. If occupied, campers must be located in properly zoned RV parks. This is the initial step in the legal process and we will require the property be maintained in satisfactory condition.

AUTHORIZATION:

Such storage constitutes violation as defined in Section 14-05-05.1 of the 1986 Code of Ordinances of the City of Bismarck, as amended "Accumulation of Certain Items Prohibited". This type of storage constitutes a violation as specified in Section 14-05-06 of the 1986 Code of Ordinances, as amended.

APPEAL:

If you desire to appeal this notice and order, you must file a written request for an appeal within fifteen (15) days of the receipt of this notice and order with the Board of Adjustment. The notice of appeal shall be filed with the Secretary of the Board of Adjustment, % Planning Department, PO Box 5503, Bismarck, ND 58502 and Bismarck Fire Department, 1020 E Central Avenue, Bismarck, ND 58501-1936. A hearing will be scheduled before the Board of Adjustment.

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Melvin Fischer  
Administrator-Environmental Health

cc: Charles Whitman, City Attorney  
Joel Boespflug, Chief

BIP090

Sanitarian Inspection Entry/Update

SCREEN10

Location	Num Add	Quad	Street Name	Desc	Additional Desc
1	1414	S	3RD ST		

Line #	Insp Date	Insp Type	Activity Desc	Inspector
1	1 / 12 / 2003	COM	GARBAGE IN TRAILER PARKED ON DRIVEWAY. N/H SENT LETTER	BP
2	3 / 15 / 2004	COM	GABAGE IN OPEN TRAILER 2ND COMPLAINT SENT SECOND LETTER	BP
3	7 / 14 / 2004	COM	BATTERY, TIRES, TREE BRANCHES DEBRIS IN TRAILER-REMOVE AND/	MF
4	7 / 14 / 2004	COM	OR STORE IN DOORS.	MF
5	7 / 22 / 2004	COM	STATUS OF CLEAN UP-NO IMPROVEMENT-SEE LETTER OF 7/22	MF

Line #	Insp Date	Insp Type	Activity Desc	Inspector
6	8 / 09 / 2004	COM	STATUS OF CLEAN UP-TREE BRANCHES MOVED FURTHER INTO BACKYARD	MF
7	8 / 09 / 2004	COM	DOOR BY GARAGE, STEREO IN DRIVEWAY, TIRES BY FENCE, MATERIAL	MF
8	8 / 09 / 2004	COM	STORED ON TARPED TRAILER-ADVISE OWNER THAT THE PROPERTY	MF
9	8 / 09 / 2004	COM	MUST BE MAINTAINED IN A MANNER THAT COMPLIES,CANNOT CONTINUE	MF
10	8 / 09 / 2004	COM	THIS MANNER OF STORAGE-NOTICE AND ORDER WILL FOLLOW IF	MF

Line #	Insp Date	Insp Type	Activity Desc	Inspector
11	8 / 09 / 2004	COM	PRACTICE CONTINUES.	MF
12	11 / 16 / 2004	COM	EXPIRED PICKUP STORAGE IN BOX TABLES BOXES COOLERS TACKLEETC	BP
13	4 / 10 / 2005	COM	OLD PICKUP SENT LETTER	BP
14	5 / 26 / 2005	COM	FOLLOW UP STILL NO COMPLINACE	BP

PICKUP AND DEBRI IN YARD

15 8 / 15 / 2005 COM FOLLOW UP PICKUP STILL PRESENT BP

Line #	Insp Date	Insp Type	Activity Desc	Inspector
16	6 / 07 / 2006	COM	REMOVE DOORS, DEBRIS NORTH SIDE OF GARAGE-KEEP VEGETAION	MF
17	6 / 07 / 2006	COM	CUT, LICENSE CAMPER-ADVISED TENANT	MF
18	8 / 15 / 2006	COM	FOLLOW UP FOR MEL FISCHER TALK ED TO ALLISON DAUGHTER GAVE	BP
19	8 / 15 / 2006	COM	CARD ASKED PARENTS TO CALL	BP
20	8 / 28 / 2006	COM	IMPROVEMENT ON CLEAN UP-SEE LETTER 08/28/06	MF

Line #	Insp Date	Insp Type	Activity Desc	Inspector
21	9 / 05 / 2006	COM	REMINDED OWNER TO REMOVE MOTOR HOME, CUT TALL GRASS & WEEDS	MF
22	9 / 05 / 2006	COM	REMOVE VEHICLE IN BACKYARD.	MF
23	9 / 12 / 2006	COM	CAMPER & VEHICLE IN BACKYARD-REMOVED, CALLED OWNER TO	MF
24	9 / 12 / 2006	COM	REMOVE OBJECT (BOXSPRING?) BY FENCE, SHELVING UNIT AND TABLE	MF
25	9 / 12 / 2006	COM	ON DECK AND DRIVEWAY-REFRAIN FROM PLACING MATERIAL OUTSIDE	MF

Line #	Insp Date	Insp Type	Activity Desc	Inspector
26	12 / 14 / 2006	COM	PICKUP FILLED WITH MATERIAL-TIRES FLAT, UNLICENSED, POOL	MF
27	12 / 14 / 2006	COM	TABLE, LUMBER-ADVISED TENANT TO REMOVE, WILL DO-SHE	MF

28	12 / 14 / 2006	COM	INDICATED THEY WERE AWARE OF ORDINANCE AND PRIOR HISTORY	MF
29	4 / 10 / 2007	COM	LETTER TO REMOVE 04102007	MF
30	4 / 17 / 2007	COM	DOG LITTER NOT VALID IN REAR Y ARD	BP

Line #	Insp Date	Insp Type	Activity Desc	Inspector
31	8 / 07 / 2007	COM	REMOVE CAMPER AND TRAILER IN DRIVEWAY-CAMPER WILL BE MOVED	MF
32	8 / 07 / 2007	COM	TO SALES LOT, TRAILER IS USED FOR TOOL STORAGE-WILL REMOVE	MF
33	9 / 06 / 2007	COM	CHICKENS IN REAR YARD	BP
34	9 / 11 / 2007	COM	CHICKENS SENT LETTER TO REMOVE IMMEDIATLY	BP
35	6 / 25 / 2008	COM	DOG LITTER WEEDS JUNK SENT LET TER	BP

Line #	Insp Date	Insp Type	Activity Desc	Inspector
36	7 / 08 / 2008	COM	RECHECK SENT WEED CONTRACTOR I NTO REAR YARD DOG KENNEL	BP
37	8 / 21 / 2008	COM	STATUS OF ORDER-NEAR COMPLETION	MF
38	8 / 22 / 2008	COM	STATUS OF ORDER-OWNER INDICATE PROJECT COMPLETE BY 8/25	MF
39	8 / 26 / 2008	COM	STATUS OF ORDER-ACHIEVED COMPLIANCE	MF
40	9 / 25 / 2008	COM	INDICATED 4 DOGS AND WEEDS 3 DO GS NOTED WEEDS LESS 8" HIGH	BP

Line #	Insp Date	Insp Type	Activity Desc	Inspector
41	4 / 21 / 2009	COM	DOG LITTER & NUMBER OF DOGS- ADVISED TENANT TO CLEAN YARD	MF

42	4 / 21 / 2009	COM	TURN MUSIC DOWN, AND MAINTAIN CLEAN-SHE DAUGHTER INDICATED	MF
43	4 / 21 / 2009	COM	SHE WOULD BE CLEANING YARD IN THE AFTERNOON-INFORMED HER	MF
44	4 / 21 / 2009	COM	OF HISTORY ON PROPERTY AND IT MUST BE MAINTAINED.	MF
45	7 / 02 / 2009	WEED	LETTER TO CUT	MF

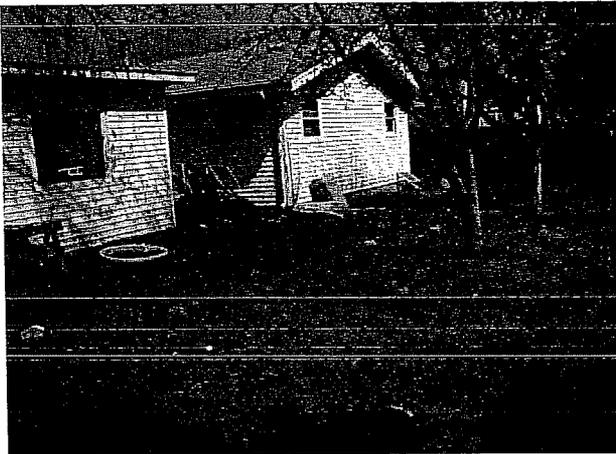
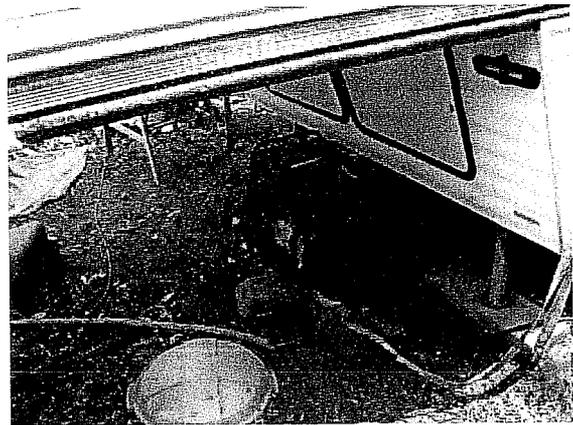
Line #	Insp Date	Insp Type	Activity Desc	Inspector
46	7 / 22 / 2009	WEED	FOLLOW UP REAR EASMENT CUT	BP
47	8 / 26 / 2009	COM	OBSERVED REFRIGERATOR IN FRONT YARD, DEBRIS & MATERIAL ON	MF
48	8 / 26 / 2009	COM	FRONT DECK, DRIVEWAY-DOG LITTER-CLEAN AND KEEP CLEAN	MF
49	8 / 26 / 2009	COM	INFORMED YOUNG MAN TO REMIND HIS FATHER THERE IS A HISTORY	MF
50	8 / 26 / 2009	COM	OF PROBLEMS WITH THIS PROPERTY NEIGHBORHOOD SHOULD NOT BE	MF

Line #	Insp Date	Insp Type	Activity Desc	Inspector
51	8 / 26 / 2009	COM	EXPOSED TO THESE CONDITIONS	MF
52	5 / 04 / 2010	COM	DOG LITTER JUNK TRASH AND PEOP LE LIVING IN CAMPER TOOK PICS	BP

Cmd09 - Previous Display  
 Cmd11 - Bypass Display  
 Roll Up/Down - Paging

Start Line Num  
 Update Line Num

1414 S. 3<sup>rd</sup> ST.  
5/4/2010

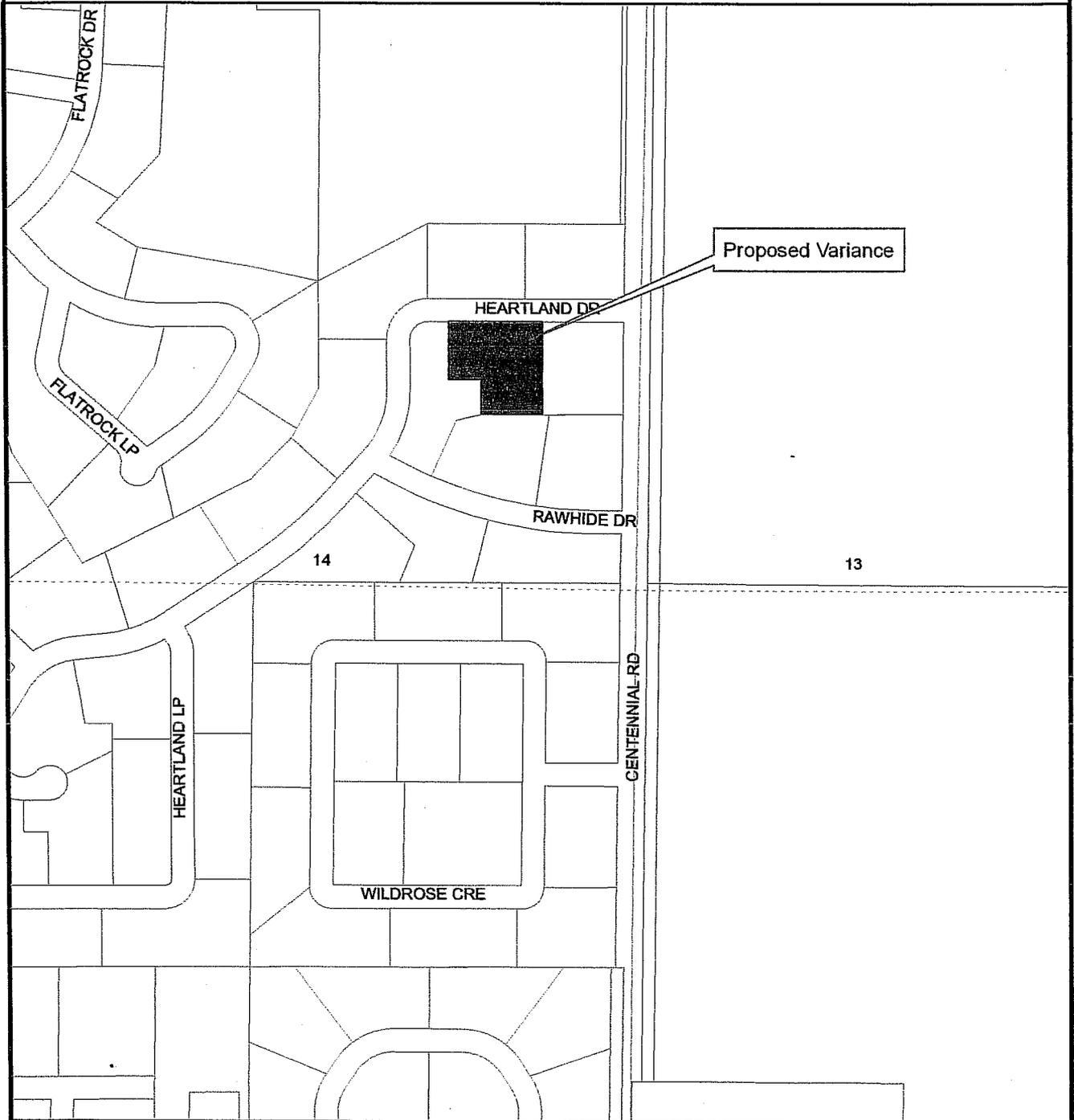




**BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>	
<b>Title:</b> 4013 Heartland Drive – rear yard setback for a shop (from 50-feet to 20-feet) (Lot 2, Block 4, Grand Prairie Estates Third Subdivision)	
<b>Status:</b> Board of Adjustment	<b>Date:</b> June 3, 2010
<b>Owner(s):</b> Donald Rohrich	
<b>Reason for Request:</b> The applicant wishes to construct a detached 30' x 40' shop to be located 20-feet from the rear property line to be on high ground, away from a drainage ditch that runs through his lot, and to accommodate snow drifting and a related water problem (see the applicant's written statement).	
<b>Location:</b> Northeast of Bismarck. Heartland Drive is on the west side of Centennial Avenue, 1.7 miles north of Century Avenue. Rohrich's place is the second house west of Centennial on the south side of Heartland Drive (see the location map).	
<b>Applicable Provision(s) of Zoning Ordinance:</b> 14-04-01(6). Rear yard. Each lot or premises shall have a rear yard depth of not less than fifty (50) feet or twenty (20) per cent of the depth of the lot or premises whichever is the larger, but need not exceed seventy-five (75) feet.	
<b>FINDINGS:</b>	
<ol style="list-style-type: none"> <li>1. The need for a variance is not based on special circumstances or conditions unique to the specific parcel of land involved that are not generally applicable to other properties in this area and within the RR zoning classification.</li> <li>2. The hardship is not caused by the provisions of the Zoning Ordinance.</li> <li>3. Strict application of the provisions of the Zoning Ordinance would not deprive the property owner of the reasonable use of the property.</li> <li>4. The requested variance is the minimum variance that will accomplish the relief sought by the applicant.</li> <li>5. The granting of the variance is not in harmony with the general purposes and intent of the Zoning Ordinance; however, it is doubtful that it would be injurious to the neighborhood or otherwise detrimental to the public welfare.</li> </ol>	
<b>RECOMMENDATION:</b>	
Staff recommends reviewing the above findings and modifying them as necessary to support the decision of the Board. If granted, the variance must be put to use within 24 months or it shall lapse and the landowner must reapply.	

**Proposed Variance  
Rear Yard Setback Reduction  
Lot 2, Block 14, Grand Prairie Estates 3rd Subdivision**



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: May 21, 2010 (kbr)

Source: City of Bismarck



1:50000

7. Your application has been reviewed. It has been:

Approved

Denied

Reviewed By:

Ray Egan

Date:

6-11-09

8. Reason for denial:

Ord. man required a 50' rear yard

Please make the corrections and resubmit the application

Please note that an application for a permit is deemed to be abandoned 180 days after the date of filing, unless the application has been pursued in good faith or a permit has been issued. Therefore, supply us with the required plans at your earliest convenience.

6/11/09 - Left message on cell #.

**CITY OF BISMARCK/ETA & BURLEIGH COUNTY  
APPLICATION FOR APPROVAL OF A VARIANCE  
WRITTEN STATEMENT**

1. Property Address or Legal Description: 4013 Heartland Dr. Bism. ND
2. Location of Property:     City of Bismarck     ETA     Burleigh County
3. Type of Variance Requested: for Shop to be set Back further than 50 Feet.
4. Applicable Zoning Ordinance Chapter/Section: \_\_\_\_\_

5. Describe how the strict application of the requirements of the Zoning Ordinance would limit the use of the property. (Only limitations due to physical or topographic features – such as an irregularly shaped, narrow, shallow or steep lot or other exceptional physical or topographic condition – that are unique characteristics and not applicable to other properties in the neighborhood are eligible for a variance. Variances cannot be granted on the basis of economic hardship or inconvenience.)

The Reason for this is that the Shop needs to be AS FAR Back from the drainage Ditch AS possible. There is A Lot of water Run off that comes through there in the Spring. In the winter the Snow needs to bleed back AS FAR AS possible Because So AS real to plug up the Drainage Ditch more than it has to be plugged up. →

6. Describe how these limitations would deprive you of reasonable use of the land or building involved and result in unnecessary hardship.

this is the only place I can put this on my property. If I can't do this I can't use the property like I had planned when I bought the house. I don't want to take the chance that snow will plug up more than it does and it will plug

7. Describe how the variance requested is the minimum variance necessary to allow reasonable use of the property.

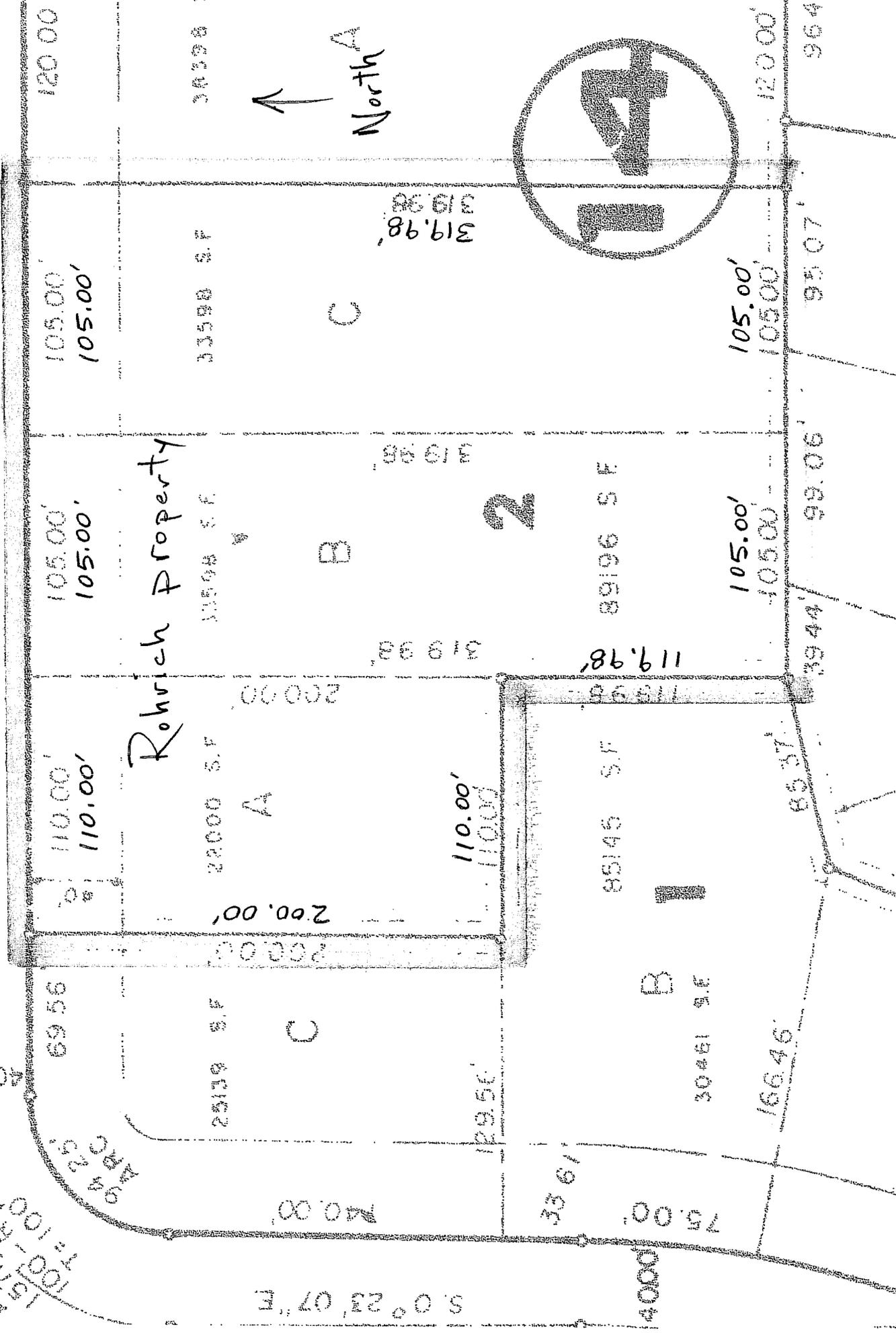
There is plenty of Room Back there to do what I Am Asking. There is nothing Else Back there ~~But~~ But some trees. If I can't push it Back I ~~can't~~ can't have A shop up to store my other stuff therefore I can't use the property At All. The shop would hold storage for Boat, dirt bikes, mower, snow mobile, cars stuff like that. 01/07 And Also would be used to work on my ~~car~~

#5) the water comes through my ditch before  
All the snow is melted thru the Drainage Ditch.  
The more snow there is in the Ditch the more the water  
will back up. If I build it back as far as possible  
the snow can have more room to build up. Between  
my Drainage Ditch and my shop, there is a lot  
of snow that blows through that piece of land.  
On my map it shows the shop would be about 55 feet  
from the Ditch, that to me is still pushing it. A little  
to close. my basement has flooded because of this and  
I cannot make it worse, if I keep it back as far as  
possible I believe this will work out pretty good.

#6) up more now that the shop is there. But if I give  
it room to lay where it wants to I should be all right  
Even if it is five feet or more up along side my building  
the snow needs a place to go pile up and in my drainage  
Ditch. ~~It~~ It needs to blow past it as far as possible  
I've been here for 12 years I know how it lays  
in there I worked for S&B handscoping for 21  
years I know this is how this needs to be done.  
If it is done right.

DRIVE

100' 100' 100' 100' 100' 100'





Rohrich Property

proposed shop

drainage way

Intermediate

Intermediate

Index 1800

1798

1794

1798

1800

1801

Index

1800

1796

Intermediate

Depression

1792

1792

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1798

1808

1810

1814

1814

Intermediate

1812

Intermediate

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Intermediate

Intermediate

1800

1801

1800