## BOARD OF ADJ USTMENT PUBLIC HEARI NG

Monday, April 12, 2010
Administrative Center - County Board Room
7:00 p.m. - 8:10 p.m.

## MEMBERS PRESENT: <br> MEMBERS EXCUSED: <br> MEMBERS ABSENT: <br> OTHERS PRESENT:

Howard Raymer, Jr.(Chair), Dave Eilerson, Terry Houlihan None<br>None<br>Mike Weibel, Chad VandenLangenberg (minutes)

## CALL TO ORDER

Howard Raymer, Jr., Committee Chair, called the meeting to order at 7:00 p.m. Let the record show that this meeting is called in full compliance with the requirements of Wisconsin Open Meetings Law.

APPEAL NO. 2010-12 Mark Dalton, W5079 County Road B, La Crosse, WI 54601. Permit denied to make structural alterations and construct an addition to an existing non-conforming residence that will exceed $50 \%$ of the structure's current assessed value and will lie within the required side yard. The estimated cost for said improvements is $\$ 58,500$. The property is described as: Part of the NE-NW of Section 24, T16N, R7W. Tax parcel 9-1192-0 in the Town of Medary.

Appearing in favor: Mark Dalton, 926 LaCrosse St., La Crosse, WI.
REMARKS Dalton: Both of my parents passed away around Christmastime and out of six children, I was the one who ended up with everything. I cleared everything out and there was still a mortgage on the house. I paid $\$ 60,000$ for the house and it appraised at $\$ 50,000$ because of all of the damage. I have had some construction bids to remodel and reconstruct the house that is there and we figured between $\$ 75,000$ and $\$ 100,000$ to do that. I've been looking at alternatives. Part of the house is 100 years old and the other part was added on later. The house does have some mold problems. The addition was done by an engineer and was a bad job. The roof has leaked on this portion ever since it was built. We have discussed the ability to tear the house down which may be more feasible. When I took my project plans to the county, they indicated that I needed a variance. The walls on the back side are rotted out. We have patched the walls on that side in the past. The basement has a beaver system in it that doesn't work right, either. The reason for the addition of the garage is to be able to park my service vans in it. I own Bob's Lock and Safe and the current garage won't fit my service vans in. I plan to park one of the vehicles there.

QUESTION Raymer: I am not quite clear on this. The addition which you want to put on is going to attach the house to the pole shed?
ANSWER Dalton: Yes.
QUESTION Raymer: So, you are not going to take the pole shed down, you will just attach to it. And that is the problem because once you attach it, then you are too close to the lot line? It can be where it is now because it is detached, but once it is attached it will be too close?
ANSWER Dalton: Yes.
QUESTION Raymer: Our drawing shows this angle, has this been changed, Mike?
ANSWER Weibel: Yes, the drawing that we have before us tonight is different. The revised one shows the angle. The map on the screen is closer to being correct.

QUESTION Raymer: You say that you are going to raze and replace this section, can you explain? ANSWER Dalton: There is a real bad portion of the basement there. The newest part of the house is the kitchen, that would stay. That has a crawlspace and the utilities. We would put a basement under the new portion to put the utilities in. The furnace is now hanging from the rafters.

QUESTION Eilertson: Mark, you have a real nice lot here. Wouldn't it make sense to just take everything down?
ANSWER Dalton: I really can't affort that right now.
QUESTION Eilertson: And right now you have about \$60,000 into it?
ANSWER Dalton: Yes, and I have about another $\$ 60,000$ that I can get ahold of.

QUESTION Eilertson: Do you think that you are going to have a value of $\$ 120,000$ when you are done? ANSWER Dalton: Yes, I think that it is assessed at \$119,000 now.
QUESTION Eilertson: I thought that it was assessed at \$92,100.
ANSWER Dalton: That is just the house. With the land and everything it is $\$ 119,000$.
REMARKS Weibel: Where you see the number $\$ 92,100$ on the map. That is the assessment for just the structures on the property and does not include the land value.

REMARKS Dalton: The extra $\$ 30,000$ or $\$ 40,000$ would really strap me right now. As it is, the house cannot be lived in.

REMARKS Eilertson: The house looks to be in pretty bad shape, especially in the back.

REMARKS Dalton: The back part is the newest part.

REMARKS Eilertson: And that doesn't look that good.
REMARKS Dalton: Right, the siding doesn't, but the walls are good there. So is the crawlspace. That is the kitchen area and would be the most expensive part of a re-build.

QUESTION Raymer: So, this variance is also being requested to go above the $50 \%$ rule and the sideyard, right? If we didn't attach the pole shed, we wouldn't have to worry about the sideyard.
ANSWER Dalton: The house currently sits to close to the road.
REMARKS Raymer: But, if you tore that front section off and didn't replace it, it would back it off the encroachment more? You would be at 37-feet if you didn't add on the front or attach to the pole shed.
(Discussion regarding other alternatives)
QUESTION Houlihan: Where is the septic system on the property?
ANSWER Dalton: The current system is condemned. The well is here (points to map). And the old system is here (points to map). There is an approved new septic system which was approved here (points to map). The old system is in the right-of-way of the road.

REMARKS Dalton: I did speak to the neighbors and none of them had any issues with my plan. I was planning to pull the steel siding off the garage and replace it with matching siding from the new house. Also, I am somewhat disabled as I have a pin in my foot. I have a hard time walking long distances and would like the attached garage for this convenience.

OPPOSITION: None.
CORRESPONDENCE: None.

## Motion Eilertson/ Houlihan to deny. 3 Aye, 0 No. Motion carried unanimously.

APPEAL NO. 2010-13 Paula Jensen, 1724 LaFond Ave, La Crosse, WI 54603. Permit denied to construct a 12 -ft X 18-ft detached accessory car-port that will lie within the 50 -ft building setback from the right-of-way of LaFond Ave. The property is described as: Part of Gov't Lot 7, in Section 19, T16N, R7W. Tax parcel 4-791-0 in the Town of Campbell.

Appearing in favor: Paula Jensen, 1724 LaFond Ave, LaCrosse, WI 54603.
QUESTION Raymer: This is going to be an all metal detached type carport? ANSWER Jensen: Yes.

QUESTION Eilertson: You are going to use this for parking a vehicle underneath? ANSWER Jensen: Yes.

QUESTION Raymer: Most of the house that is there is within the setback already? ANSWER Eilertson: Yes.

REMARKS Weibel: Mr. Chairman, the setback that is shown on the map is for a detached building and not the setback for the principle structure.

QUESTION Eilertson: So, does the residence comply with the required setback?
ANSWER Weibel: The setback for the residence would be 60-feet from the centerline and I'm not sure where that would be.

REMARKS Eilertson: It appears that the northwest corner would be close, then.
QUESTION Raymer: There isn't room to put this on the south side of the house? ANSWER Eilertson: No.

QUESTION Raymer: This is to store an automobile, a boat, or what?
ANSWER Jenson: An automobile.
REMARKS Raymer: So, it will be over the existing driveway.
QUESTION Raymer: Is this an open sided structure?
ANSWER Jensen: Yes...I did bring in the brochure for the structure (Hands brochure to the board).
Appearing in favor: Theodore Swan, 1208 Oriole Ln, Onalaska, WI, 54650.
REMARKS Swan: I am purchasing the adjacent lot, the Tischer lot. We will be closing at the end of the month and we do not have any objections to Ms. Jensen constructing this carport.

Opposition: None.
Correspondence: Dated April 8, 2010, a letter from the Town of Campbell. The Town Plan Commission recommends denial of this appeal as the appellant did not appear in front of the township.

QUESTION Raymer: Were you unable to attend that meeting?
ANSWER Jensen: I was unaware that I was supposed to go.
REMARKS Weibel: When she signed her application, here is her signature dated $3 / 10 / 10$, in bold is states that she needs to contact the town. She was made aware at the time of her application that she needed to contact the town.

REMARKS Jensen: When I originally went to the township, they directed me to the Zoning Department.
REMARKS Weibel: Yes, that was to make the application, but you still needed to get on the town agenda to allow them to act on this appeal as well.
(Discussion regarding the possibility of holding this appeal over to allow the appellant the chance to meet with the township)

REMARKS Weibel: If you decide to hold this over, we would need to publish the appeal again and we would need to receive another application fee to allow us to publish this at the next public hearing. The town is an advisory body only.

REMARKS Raymer: This building really won't take up any more space than if a car is parked there in the open.

## Motion Raymer/ Eilertson to approve.

 3 Aye, 0 No. Motion carried unanimously.APPEAL NO. 2010-14 Mark Cottrell, N6225 State Road 108, West Salem, WI 54669. Permit denied to construct a 32 -ft X 38 -ft detached accessory building that will lie within the required 110 -ft setback from the centerline of State Road 108 as required in WI Admin Code Trans 233 and within the required $50-\mathrm{ft}$ setback from the right-of-way of State Road 108 as required by the La Crosse County Zoning Ordinance. The proposed building will also exceed the 750 -sq.ft area limit for said building on this .83 acre lot. The property is described as: Lot 1 of Certified Survey Map No. 31 in Vol. 9. Tax parcel 7-688-2 in the Town of Hamilton.

Appearing in Favor: Mark Cottrell, N6225 State Road 108, West Salem, WI 54669.
QUESTION Raymer: Do you live here?
ANSWER Cottrell: Yes.
QUESTION Raymer: Other than the size, why can't you move it back the extra four feet?
ANSWER Cottrell: Actually, there is a pipe going through there for the septic system. Actually, I was hoping to ask to move it forward a couple of feet if possible. If nothing else, I will have to shrink it a couple of feet.

QUESTION Raymer: Move the building forward? ANSWER Cottrell: Yes.

QUESTION Raymer: You mean closer towards the highway?
ANSWER Cottrell: Yes. Otherwise I'll have to shrink it a couple of feet. When I laid it out, I am pretty close to that pipe. The 38 feet is just a little strong by a foot or two.

QUESTION Raymer: Is this going to be a building on a slab and how deep in the ground is that pipe? ANSWER Cottrell: Yes and I am not sure.

QUESTION Raymer: Can you not go over a pipe like that?
ANSWER Weibel: That would be a question for the Health Department.
QUESTION Raymer: I don't think that we can change the placement of the building at this point, can we? ANSWER Weibel: I think that the board would have the authority to amend or change things at the public hearing. I would caution against making any drastic changes, but a small change to a dimensional standard should be alright.

REMARKS Raymer: This building is also going to be over-sized by about 500 square feet.
REMARKS Cottrell: I am in the flooring business and would like somewhere to park my van in. I plan to heat the building so that my equipment, glues, etc. don't freeze up in the winter. Plus it would be extra room to park extra vehicles, lawnmowers, etc.

QUESTION Weibel: Mr. Cottrell, have you had the chance to talk to anyone from the DOT regarding the 110-foot setback? This setback is noted on the Certified Survey Map.
ANSWER Cottrell: No, I haven't had a chance to discuss that with any of them. I didn't know if I was supposed to or not. I thought that this is all that was needed.

REMARKS Weibel: The variance is from the 50 -foot setback required by the Zoning Ordinance and the size of the building. Under Trans 233, there is a 110 -foot setback and the DOT would have to grant a waiver to that.

QUESTION Raymer: Can you explain that extensive setback? I have never heard of it before. ANSWER Weibel: That is under chapter Trans 233, Department of Transportation. Some of that has been repealed, but whenever there is a subdivision of land along a state highway, they required this 110 -foot setback for structures, septic systems, parking areas, etc. I think that part of that has been waived.

REMARKS Cottrell: Every place along there is within that 110-foot setback.

REMARKS Weibel: But this is when a new lot is created under that chapter. That is when the 110-foot setback is required.

QUESTION Raymer: So, when the Certified Survey Map was recorded, this additional setback needed to be shown under Chapter Trans 233.
ANSWER Weibel: Yes.
QUESTION Raymer: So, how does that affect this body? If we do grant this variance, he will still need to go to the state?
ANSWER Weibel: Yes.
QUESTION Cottrell: How do I go about doing that?
ANSWER Weibel: You would need to contact the Department of Transportation and probably talk to Mike Lenz. We have had some conversations with him already regarding your request.

## Appearing in Opposition: None.

Correspondence: We do have some email correspondence which is inter-office from Nate Sampson who spoke with Pete Follansbee regarding this appeal and the state imposed 110-foot setback. Mr. Follansbee directed a phone call to Mike Lenz. Mr. Lenz, when contacted, indicated that the 110-foot setback does still apply, but since Trans 233 was revised, if the landowner appealed to the DOT, the setback could be waived.

REMARKS Raymer: So, if we act on this, one way or the other, he would still need to go to the state to get a waiver from the 110-foot setback.

REMARKS Houlihan: We can make it a condition that he checks with the DOT and the Health Department regarding the septic system

REMARKS Raymer: If he can build over that pipe, then he can move it back.
REMARKS Houlihan: I've been told that you can't travel over that pipe. I think that they are worried about compacting it and freezing.

QUESTION Cottrell: Do you think that I could move it forward some?
ANSWER Raymer: I don't think that I'm in favor of moving it forward. I would prefer it if you could get an approval from the County Health Department to build over that pipe. Then I would rather see it meet the 50 -foot setback. If that was an option, then he would only need a variance for the size.

QUESTION Cottrell: What about power lines? I do have a power line that runs back there as well.
QUESTION Raymer: Is the electrical overhead or underground?
ANSWER Cottrell: Underground.
REMARKS Weibel: That is a service line.
REMARKS Raymer: If it is a service line, you would have to get the power company to approve it.
REMARKS Cottrell: If I move it back too far then I will be too close to the creek. It is low back there and I would have to raise it up, which is a possibility.

REMARKS Raymer: It appears that you would be ways away from the 75 -foot setback from the Ordinary High Water Mark. If you need to bring in fill, you do. I think that there are ways to frost protect that pipe and if the power lines need to be moved, they can be moved.

REMARKS Houlihan So, the motion would be to approve with conditions: Check with the Environmental Health Department, check with the DOT on the Trans 233 setback requirement.

QUESTION Cottrell: What if I were to shorten the building by two feet?

QUESTION Raymer: If you can do whatever you need to do to meet the 50-foot required setback, then you wouldn't need a variance. What about if you turned it on an angle?
ANSWER Cottrell: I'm too close to the septic then actually. I am right at the 10-foot.
REMARKS Eilertson: It sounds like you may have to build a smaller building.
REMARKS Cottrell: If I need to take a couple of feet of the building, I guess that would be okay, as long as I can put a building in there.

QUESTION Houlihan: So, are you saying that we should require the 50 -foot setback? ANSWER Raymer: That is what I would say. If he wants to build, and we allow a bigger building, then he should have to meet the required setbacks. And, if he contacted the county, I'm sure that there are ways around the 10 -foot septic setback and the issues with that pipe. The power company could maybe move that cable too. So, we will need a motion to approve the building with a condition that it meets the 50foot setback.

REMARKS Houlihan: Well, the motion, as stated previously is to approve with the conditions and include that the building be moved to the 50-foot setback.

QUESTION Raymer: So, we would approve the variance for the size of the building, but it would have to meet the 50-foot setback?
ANSWER Houlihan: Yes, along with the conditions that he check with the DOT and Environmental Health.

## Motion by Houlihan/ Eilertson to approve with $\underline{3}$ three conditions:

1. Building must meet the required 50 -foot setback
2. Owner must contact the Dept. of Transportation regarding the 110 -foot setback
3. Owner must contact the Env. Health Dept. regarding the septic pipe

3 Aye, 0 No. Motion carried unanimously.

APPEAL NO. 2010-15 Ron \& Sue Remus, W8356 Northshore Dr, Onalaska, WI 54650. Permit denied to construct/locate a 4 - ft $\times 8$-ft commercial sign that will lie within the required 50 -ft setback from the right-of-way of County Road "Z". The property is described as: Lot 1 of Certified Survey Map No. 46 in Vol. 7. Tax parcel 10-2016-1 in the Town of Onalaska.

Appearing in favor: Sue Remus, W8356 Northshore Dr, Onalaska, WI 54650.
QUESTION Raymer: This is a 4-foot by 8-foot sign?
ANSWER Remus: Correct. Right now it is on Mathy property and we would like to move it to our property before it is asked to be removed. I am not sure why this indicates that the sign will be two sided. I had asked for two signs because I really don't want two sided. Cars leaving the prairie really won't care about what we put on the sign. The sign right now is one-sided.

QUESTION Raymer: Where does it say two sided?
ANSWER Weibel: In the application it indicates a proposed two-sided sign. So, this would be a single sign with information on both sides?

REMARKS Remus: No, it would be a single sign. What I had asked for was two signs.
QUESTION Weibel: Mounted on the same posts?
ANSWER Remus: Correct.

QUESTION Weibel: So, 4 by 4 in the middle with a sign on each side?
ANSWER Remus: No, a sign on top and a sign below on one side. Each sign would be 4-foot by 8-foot.
QUESTION Weibel: So, there would be two separate signs on the same structure?
ANSWER Remus: Right.
QUESTION Weibel: How high off the ground will the lower sign be?

QUESTION Raymer: To the top of it, or to the bottom?
ANSWER Remus: To the bottom.
QUESTION Eilertson: The sign will advertise your produce stand?
ANSWER Remus: No, it is not a produce store anymore. This will advertise the Prairie Pub and Eatery which is in the old store. This used to advertise the produce stand. The sign is getting pretty dilapidated and needs to be redone. The posts need to get redone.

QUESTION Raymer: So, that will be a sign with an arrow pointing in whatever direction? ANSWER Remus: Yes there will be an arrow pointing to County Road ZN.

## Appearing in Opposition: None.

Correspondence: Letter from the clerk from the Town of Onalaska received on March 29, 2010. The letter indicates that they received notice of the variance but the town does not have a planning commission meeting scheduled prior to the county meeting. The town will not be able to advise.

Discussion regarding the variance appeal among committee members.

## Motion by Eilertson/ Houlihan to approve. 3 Aye, 0 No. Motion carried unanimously

QUESTION Remus: So, is that one sign, $4-\mathrm{ft}$ by 8 - ft , or two signs, $4-\mathrm{ft}$ by 8 - ft ? ANSWER Weibel: Given the testimony tonight, that would be for two signs.

APPEAL NO. 2010-16 Thomas \& Brigett Griffith, 2409 Prospect St, La Crosse, WI 54603. Permit denied to construct a single family residence with attached garage and attached deck that will lie within the required 25 - ft rear yard. The property is described as: Lot 40 , Marvin Gardens II. The property is located at Sobkowiak Road and Schultz Lane. Tax parcel 10-3071-0 in the Town of Onalaska.

## Appearing in favor: Thomas Griffith, 1123 Cardinal St., Bangor, WI

REMARKS Griffith: (Hands out packet of information) The first page is an overview of the Marvin Gardens II subdivision plat. Our lot is lot \#40 and is highlighted. Page two is our proposed residence. We are proposing this residence and it would not meet the 25 -foot rear setback. One of the unique characteristics of this lot is the gentle slope from the south to the north and the best way to take advantages of this slope would be to have the home constructed parallel to Schultz Lane. This would allow for egress windows in the back and additional bedrooms in the basement of the home. It would allow two additional bedrooms in the basement. The reason it is in question is because we are proposing a side loading garage with a driveway off of Sobkowiak Ln. By definition the side of the lot closest to \#41 would be our sideyard. I had a chance to speak with Jesse Walters the owner of that lot. He could not be here, but he did sign a memo for me to read into the record.
(Memo from Walters read into the record and a copy obtained for the public hearing file. Letter dated April 6, 2010 signed by Jesse Walters)

Under different circumstances the home could be allowed in the proposed location with the 10 -foot sideyard. Aesthetically, we feel that the home with the side loading garage with the drive off of Sobkowiak would be better than a drive off of Schultz Lane, going around to the side. Sobkowiak Road is also a less busy road. Also, there are three other homes in that area which have side-loading garages.

QUESTION Eilertson: Did any of those other homes require variances?
ANSWER Griffith: No, I do not believe so because the driveways come from the front of the lot. We are kind of unique there because we have a corner lot. If the driveway comes straight up off of Schultz Lane, by definition the part of the lot to the north would be the rearyard. The other lot on the corner of

Sobkowiak and Schultz, if they came off of Sobkowiak, then they would not be able to have their home where it is located and would be within the 25 -foot setback.

QUESTION Eilertson: Do you recall receiving this variance standards sheet when you applied for the variance?
ANSWER Griffith: Yes.
REMARKS Eilertson: This board has standards and guidelines which are set by the state. I'll read the first part: generally a variance is not warranted if the physical characteristics of the property would allow a landowner to build in compliance with the zoning ordinance. This means that if you turn your house and face Sobkowiak Road, then it will comply.

REMARKS Griffith: We had thought about that, but unfortunately then we would not be able to use that lot to allow for egress from the basement. As it stands right now, we can then use the lot to have a lookout basement. I don't want to have a walkout, but we now have full size windows in the basement. If we turn that house, then the garage would be on the lowest part, not allowing us to use any of that lot for basement egress.

REMARKS Raymer: You purchased this lot and have an opportunity to design the house to fit the lot. I don't see any reason why you couldn't design the house to fit the lot. I feel that you could draw up a set of plans to utilize everything you want to utilize without the need for a variance. We have an obligation to not grant variances so that you can use the setback portion of the lot.

REMARKS Griffith: I do understand that. In actuality, that home can sit right where we have proposed it if it were to have a front loading garage. Some of the other homes in the area have side-loading garages and we feel that aesthetically, this would be pleasing. You look at the front of the home and do not see three garage doors. The main reason why we purchased and liked this lot was for that reason and the slope of the lot which allows for the basement egress. Also, we feel that this proposal looks better than to have a long driveway off of Schultz Lane which curves along the side and into the garage. We would then need a concrete pad for backup and turnaround. We also feel that this driveway location is safer, coming onto Sobkowiak Lane.

Appearing in favor: Dave Stoehr, W3919 Bostwick Ln., LaCrosse, WI.
REMARKS Stoehr: I am the designer of the building and the plans. I am also a builder. I'm sure that you understand, but I would like to reiterate that this house can sit exactly where it is without a variance.

QUESTION Raymer: Did you understand the setbacks and the minimum requirements when you drew the plans up?
ANSWER Stoehr: What we are asking for is that we thought that this driveway entry was safer and aesthetically more pleasing.

QUESTION Raymer: We have heard that prior. I just want to make sure, for the record, that you knew what the setbacks and minimum requirements were when you designed this.
ANSWER Stoehr: I did draw it, I don't know if this was my plan.
REMARKS Raymer: Well, the house was designed and they immediately needed a variance in order to build it.

REMARKS Stoehr: I just don't know if it was real clear that the house as drawn meets the minimum requirements and can be built that way. The house, not the driveway. By definition, the address of the house and front is where you approach the house. On a corner lot, that makes sense for $90 \%$ of the lots. In this case, by moving the driveway to the side, it changed our sideyard into a rearyard.

REMARKS Raymer: We understand that completely.
REMARKS Stoehr: And, I just wanted to make sure that you did. This was just an option for us.

REMARKS Raymer: What I am trying to get on record is that you had a bare lot with no other limitations or restrictions when you designed it and it ended up not fitting and immediately needed a variance.

REMARKS Stoehr: I designed it to fit. The first house we designed didn't fit, this is the second design.
REMARKS Raymer: But, it doesn't fit.
REMARKS Stoehr: Yes it does.
REMARKS Raymer: It doesn't fit the way it is presented.
REMARKS Stoehr: The option here was to request a variance to allow the side-loading garage.
QUESTION Eilertson: Dave, could you draw up a plan on that lot for a 1,930 square foot house and 1090 square foot attached garage that would comply with the zoning ordinance? Could you do it?
ANSWER Stoehr: The house and garage do comply. What doesn't make them comply is the driveway.
QUESTION Eilertson: I'll ask you again. Can you draw a 1930 square foot house and 1090 square foot attached garage on that lot whereby you would not need a variance?
ANSWER Stoehr: That is really up to the owners. I can do it yes.
Appearing in Opposition: Lance Schmidt, W5999 Schultz Ln., Onalaska, WI.
REMARKS Schmidt: I live directly across from this lot. First of all, I do not have any problems with Tom or Brigett and they are friends of friends. I feel pretty strongly about this. There are several ways for this house to be turned or changed to fit on the property facing Sobkowiak. I have measured all of the houses that are in there and the distances between the homes average 62 or 65 feet. With this house 10 feet from the line and the next house is at 10 feet, then they are only 20 feet apart. The neighborhood was set up for larger, rural setting lots, not cramped city lots. The minimum sideyard I measured was over 20 feet and approaching 30.

QUESTION WEIBEL: You are talking about as built homes, correct?
ANSWER Schmidt: Correct.
REMARKS Schmidt: This will also take a good portion of my view. In my opinion, this is just too tight.
CORRESPONDENCE: Email received March 29, 2010 from the Town of Onalaska. The town has received a request on this, but they will not meet until after April 27, 2010. Also received the letter from Jesse Walters which was read into the record and submitted tonight.

REMARKS Schmidt: Not that it means anything, but Mr. Walters is a co-worker of Tom's and is not just a neighbor.

## Discussion regarding appeal.

## Motion Houlihan/ Eilerson to deny. 3 Aye, 0 No. Motion carried unanimously.

Motion by Eilertson/ Houlihan to Adjourn at 8:10pm. 3 Aye, 0 No. Motion carried unanimously.

