

**BOARD OF ADJUSTMENT MINUTES**  
**TOWN OF OCEAN VIEW**  
**June 23, 2016**

1. Board of Adjustment Chair Susan Kerwin called the meeting to order at 6:00 pm with the Pledge of Allegiance. Also in attendance were Board Members Jim Legates, Gene Brendel, Don Walsh and John Reddington. Town Administrative Official Charles McMullen, Town Solicitor Eric Hacker, and Town Clerk Donna Schwartz were also present. The meeting was held in the Ocean View Town Hall, 32 West Avenue.

2. **APPROVAL OF THE AGENDA**

*A motion was made by Mr. Brendel, seconded by Mr. Walsh, to approve the agenda as presented. The motion carried unanimously 5/0.*

3. **APPROVAL OF THE MINUTES**

*A motion was made by Mr. Reddington, seconded by Mr. Walsh, to approve the minutes of the May 10, 2016 meeting. The motion carried unanimously 5/0.*

4. **COMMISSION BUSINESS** – none

5. **NEW BUSINESS**

**A. V-322 - 3 JODI COURT (PIDN: 324.110/SUSSEX CTM#: 134-13.00-2007.00)**

Mr. McMullen read the application for V-322. He said the applicant is before the Board seeking a variance from Article VII, §140-50-B and Article V, §140-29 and §140-28 of the Land Use and Development Chapter (L.U.D.C.) of the Town Code. Article VII, § 140-50-B sets some dimensional regulations for Planned Communities, allows Town Council to set other dimensional regulations if they choose and indicates that dimensional regulations not defined will comply with those set in §140-29 and §140-28. The maximum lot coverage permissible for a lot with a single family home in the Residential Planned Community (R.P.C.) of Savannah's Landing is 45% which includes all buildings and structures as stated in §140-28 of the L.U.D.C.

This variance seeks to allow the applicant to maintain the current lot coverage and to construct a paver patio that will exceed the maximum allowable lot coverage of 45% on a lot zoned R.P.C.

The applicant is seeking a variance from the lot coverage requirement of the L.U.D.C. as noted above. A history of the parcel and events leading to this application are provided below:

1. March 2, 1999 - BP# 2053 issued for new dwelling unit, "BOLTON" Model. CO issued December 20, 1999.
2. January 27, 2000 - BP# 4016 issued for a new deck. No CO on file.
3. December 15, 2009 - BP# 8907 issued to add a sliding door and complete minor repairs. CO issued 081610
4. February 22, 2013 - BP# 13-019 submitted for an addition at the rear of the existing dwelling unit.

5. April 8, 2013 initial site plan as required for BP# 13-019 submitted for review by Town Engineer
6. May 1, 2013 – site plan approved.
7. May 2, 2013 – BP# 13-019 approved for release and applicant notified.
8. May 8, 2013 - Applicant retrieved BP# 13-019.
9. March 25, 2014 - BP# 13-223 issued for an 8' extension to an existing screen porch.
10. June 23, 2014 – As Built of project completed under BP# 13-019 was submitted for review by Town Engineer. The as built was disapproved after the engineer was informed that lot coverage, previously provided, did not include all structures.
11. September 10, 2014 – after property owner removed some gravel in the area adjacent to home and the surveyor, Delaware Surveying Services, indicated that lot coverage was reduced to 45% the As Built survey was approved by the Town Engineer.
12. October 15, 2014 – CO's issued for BP#'s 13-019 and 13-223 (*Pictures provided*)
13. June 8, 2015 opened an email dated June 7, 2015 from Savannah's Landing Architectural Review Board (AB) regarding work being done at property without HOA approval.
14. June 8, 2015 Town personnel went to the property and observed building materials in the driveway, a partially constructed ground deck and base for a paver patio at rear of the property and issued a STOP WORK ORDER at the property. (*Pictures provided*)
15. June 9, 2015 – Notice of Stop Work Order and Code Violation sent to property owner via USPS.
16. August 3, 2015 received an email from Savannah's Landing AB indicating that they had approved a request from the property owner to rebuild decking around shower at the rear.
17. October 16, 2015 - BP# 15-274 issued to replace existing boardwalk (deck / landing at grade) @ rear of property. No CO issued as of this report date. (*Pictures provided*)
18. November 30, 2015 BP# 15-300 submitted to Town to install paver patios at rear. Permit application denied due to lot coverage.
19. January 12, 2016 email correspondence between Town Administrative Official and attorney regarding reason for disapproval of BP# 15-300 application.

Between November and the receipt of the variance application, there were a number of phone calls, meetings and emails exchanged between the applicant and I, which resulted in the submission of the variance request.

The applicant is proposing to add paver patios at the rear of her property that equals or has exceeded the maximum allowable lot coverage of 45% as required by the L.U.D.C. of the Town Code. BP# 15-300 application indicates that the applicant wishes to install pavers at the rear of the house, per plans provided. Also provided with the application are approved copies of Savannah's Landing Homeowners Association Application for Architectural

Board Permit with a permit number of 2015-24 affixed along with a permit expiration date of May 19, 2016. The only noted difference is that the signatures of the review Board are in different places on the plans which might be as a result of how they documents were passed around.

The question before the Board this evening is a variance request for lot coverage in excess of the 45% permissible by Code. I recently visited the property and noted that the boardwalk area approved for construction on 10/15/15 under BP# 15-274 is not shown on the site plan provided. The site plan provided indicates that the lot coverage, as depicted, is at 45%.

The applicant is proposing to add two paver patios totaling 300 +/- square feet. This would increase the lot coverage to 48% as noted in the data column of the site plan provided. I am unsure if the boardwalk area, that is not delineated, is included in the surveyor's original calculations stating that lot coverage is 45% currently. I should note that it is not inclusive on the approved site plan for BP# 13-019 but a portion of it is seen in the CO pictures taken for BP# 13-019 on 101514. If the boardwalk square footage, shown as being 137 +/- square feet on the BP# 15-247 application, is not inclusive in the current and proposed lot coverage, then the lot coverage would increase to 4548 square feet or 50% lot coverage.

Mr. Louis McCloskey of 3 Jodi Court was sworn in by Mr. Hacker. Mr. McCloskey explained to the Board that he didn't realize that he had increased his living space by spreading extra stone at his house. He went on to say that they are requesting the patios for two reasons, one is drainage and the other is his disability. Mr. McCloskey said he has a hard time getting around and needs firm ground to walk on. He outlined his various disabilities to the Board and said he needs the variance so he can enjoy his home again.

Mr. LeGates questioned how they (McCloskey's) have been using their back yard.

Mr. McCloskey said he has been unable to use it for a while now because of his disability.

Mr. LeGates asked what kind of pavers they plan to use for their patio.

Mr. McCloskey replied individual blocks set in 3" of stone and sand that drain well. He noted that they had a drainage problem due to the loss of a swale on their property.

Mr. LeGates questioned the "loss" of the swale and the drainage in the yard.

Mr. McCloskey said the neighbor had added dirt through the years which travelled to his yard and filled in the swale. He noted they have since put in ground drains to help with the drainage and he is happy with the results.

Mr. Walsh asked if the change in the back yard would affect his neighbors.

Mr. McCloskey said there should be no problem with drainage caused by the patios and felt the patios would be an improvement to his property.

Mr. Reddington asked if the wooden deck was staying.

Mr. McCloskey replied it was staying.

Mr. Reddington said he was looking at two separate proposed paver areas and area that is not going to be paved.

Mr. McCloskey replied that he was planning to add pea gravel to the area between the patios.

Mr. McMullen commented that adding the gravel was not in the site plan submitted to the Town and by doing so would increase the living space above the 48% requested in this application.

Mr. McCloskey stated he thought it was on the plans he submitted but said he didn't have to add the pea gravel to the project. Mr. McMullen stated it was not.

Mr. Hacker asked if Mr. McCloskey removed the swale.

Mr. McCloskey said no.

Mr. Hacker asked if he had HOA approval.

Mr. McCloskey replied yes.

Mr. McMullen read three letters into the record from homeowners against the application which were included in the packet to the Board from #5 Matthew Way, #3 & #5 Kenneth Place. Mr. McMullen again noted to the Board that the addition of the pea gravel between the pavers was not included in the application, and is not included in the additional lot coverage request.

Mr. Hacker asked Mr. McMullen to clarify the current lot coverage. Mr. McMullen said it was 48 or 50% depending on whether it included the wooden walkway for the shower, and noted that this figure would increase with the addition of the pea gravel. Mr. Hacker said if the landscaping stone was included it would increase the percentage about 50%. Mr. McCloskey indicated he understood the landscape stone was not included in the application and would increase the lot coverage if used. He again stated he did not have to use the additional stone between the two patios.

In public comment:

1. Mrs. Laurie Spalholz, 5 Jodi Court, was sworn-in and stated she would like to see them get the variance to be able to use their yard. She also noted that there is no problem with drainage into her yard.
2. Nancy Johnson, 7 Jodi Court, was sworn-in by Mr. Hacker. She stated she is in favor of the variance and would love to see them be able to use their property.
3. Michael Lawton, 5 Jodi Court, was sworn-in and stated that he was in favor of granting the variance so they can have closure to this project and use their back yard.
4. Jim Tanis, 1 Jodi Court, was sworn-in and stated he was against the application. He indicated that the McCloskey's did not follow the laws of Savannah's Landing or the Town and should not be granted a variance. There were no permits applied for nor received. Mr. Tanis said there is no exceptional practical difficulty other than the one they created for themselves. Mr. Tanis supplied a copy of his comments for the record.
5. Pete Fedorkowicz, President of Savannah's Landing HOA, said he is not for, or against the variance, however, the HOA is concerned about storm water management in the neighborhood. He stated he also is concerned about the other 194 residents who live in Savannah's Landing. Mr. Fedorkowicz asked that the Town be diligent in monitoring the completion of this application should they approve this variance.

*A motion was made by Mr. Walsh, seconded by Mr. Reddington, to approve the variance on the requested additional lot coverage. The motion carried 4/1 with Mr. Brendel voting against the application.*

**B. V-325 - 96 ATLANTIC AVENUE (PIDN: 084.000/SUSSEX CTM#: 134-12.00-430.00)**

Mr. McMullen said the applicant is before the Board seeking a Special Exception, as is required by Article IV, §140-24 of the Land Use and Development Chapter (L.U.D.C.) of the Town Code, so that office space owned by BZ Land, Inc. can be used for medical offices on property zoned GB-1.

The property owner, BZ Land, Inc., represented by Mr. Charles A. Zonko, owns property at 96 Atlantic Avenue on which there is a single structure containing three units. Unit # 103 is currently in use as a medical office, associated with Atlantic General Hospital (AGH) and the applicant wishes to rent unit #'s 101 and 102 to AGH for additional medical offices. The use is a permissible use in the GB-1 zoning district, as noted in §140-24 of the Land Use and Development Chapter (L.U.D.C.) of the Town Code with the granting of a Special Exception by the Board of Adjustment.

A Special Exception is defined in Article XVIII, §140-109 of the L.U.D.C. as follows:

- *A special exception is a use that is generally desirable for the general convenience and welfare, but, because of its nature and location, requires additional review by the Board of Adjustment to assess its impact on neighboring properties and the entire Town.*

and §140-116 of the L.U.D.C. has Required Findings as noted below:

- *The Board of Adjustment shall determine whether each special exception application meets the following conditions:*
  - A. *Is in harmony with the purposes and intent of the comprehensive plan;*
  - B. *Will be in harmony with the general character of its neighborhood considering density, design, bulk, and scale of proposed new structures;*
  - C. *Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties;*
  - D. *Will not cause objectionable noise, vibrations, fumes, odors, dust, glare, or physical activity;*
  - E. *Will have no detrimental effect on vehicular or pedestrian traffic;*
  - F. *Will not adversely affect the health, safety, security, or general welfare of residents, visitors, or workers in the area; and*
  - G. *Complies with all other applicable standards, laws, and regulations in addition to the provisions of this Chapter.*

Mr. Charles Zonko of Selbyville, Delaware, was sworn in by Mr. Hacker.

Mr. LeGates questioned whether the units were currently empty.

Mr. Zonko replied that they were.

Mr. LeGates also asked if any changes would have to be made to the inside.

Mr. Zonko replied that there would be. He said Atlantic General would like to have two doctors in one space. They currently lease one of the three units. The parking would not be

affected. Mr. Zonko noted he does not have a signed agreement yet and is still in talks with Atlantic General Hospital who is looking for a second doctor for the location.

Mr. Hacker asked if Mr. Zonko felt the change to the building would be detrimental to the character of the Town.

Mr. Zonko replied he did not.

Mr. Hacker reminded Mr. Zonko that should the special exception be approved he would have one year and one day before it expired.

There was no public comment for or against the application.

*A motion was made by Mr. Brendel, seconded by Mr. Reddington, to approve the special exception variance request. The motion carried unanimously 5/0.*

**C. V-326 - 68 ATLANTIC AVENUE (PIDN: 064.000/SUSSEX CTM#: 134-12.00-531.00)**

Mr. McMullen said the applicant is before the Board seeking a variance from Article V, §140-32 & § 140-31 of the Land Use and Development Chapter (L.U.D.C.) of the Town Code which require attached accessory structures to have the same front (30') & side (15') yard setbacks as the principal structure.

This variance seeks to allow the applicant to construct an ADA compliant handicap ramp that will be within the required 30' front and 15' side yard setbacks on a parcel zoned GB-1.

The applicant is requesting this variance because he is proposing to rent his GB-1 property for use as a bakery. So that handicap access is available for the new business the applicant is proposing to construct a handicap ramp. This ramp will begin in the rear at the parking lot and extend north along the west side of the structure toward Atlantic Avenue (SR26). It would then be connected to the existing front porch where the customer entrance is located. The front porch was granted a variance under application V-311 on October 15, 2015 by the Board for encroaching 28 feet into the required 30 feet front yard setback for a GB-1 zoned parcel. The ramp itself will extend 25.3 feet into the required front yard setback. This entire structure was built a number of years ago as were many structures within the older area of Ocean View. The norm was to place the structure up closer to the roadway which has caused the need for a variances when a property owner wishes to add improvements to their property. Once again this particular parcel as well as the adjacent parcel were granted variances in the past by the Board for setback encroachments and lot coverage. The property owner was required to receive these variances before moving his project before the Planning and Zoning Commission to create new businesses on SR26.

Mr. Stephen Smith of Ocean View was sworn-in by Mr. Hacker.

Mr. Walsh asked Mr. Smith if this was the only way he could do the ramp.

Mr. Smith replied it was.

Ms. Kerwin inquired about how close the frontage distance was to Atlantic Avenue.

Mr. Smith replied it was four to five feet in distance from the roadway.

Mr. LeGates questioned if the building was currently occupied.

Mr. Smith stated it was not.

Mr. LeGates asked if this was a ADA handicap compliant ramp.

Mr. Smith replied that there were two handicap accessible parking spaces at the end of the ramp and the ramp was ADA compliant.

Mr. Hacker asked if this was the minimum ramp he could do to be ADA compliant. Mr. Smith replied yes.

Mr. Hacker asked if this ramp addition was to a 90 year-old home.

Mr. Smith said that it was.

There was no public comment for or against this application.

*A motion was made by Mr. Reddington, seconded by Mr. Brendel, to grant the variance. The motion carried unanimously 5/0 in favor.*

**D. V-327 - 16 WAGON WHEEL ROAD (PIDN:003.002/SUSSEX CTM#: 134-12.00-391.03)**

Mr. McMullen said Application V-327 has been submitted by Mr. Greg Goldman, on behalf of the property owner, Goldman, LLC, seeking a variance from Article XVI, §140-100-D(12)(b)[2] of the Land Use and Development Chapter (L.U.D.C.) of the Town Code and Article II, §187-10-A of the Streets and Sidewalk Chapter of the Town Code. Article XVI, §140-100-D (12) (b) [2] and Article II, §187-10-A require driveways to be a minimum of 5' from any property line.

This variance seeks to allow the proposed driveway for a new dwelling unit to be closer than 5' to property lines on property zoned R-1.

Sussex County records indicate that the sale of this parcel to the applicant was recorded on March 9, 2016. Talks regarding construction of a new home were initiated on March 4, 2016 and a building permit application was submitted to the Town on March 18, 2016. The required single lot development grading/site plan was submitted for initial review on April 6, 2016 and returned to the applicants engineer on April 13, 2016 for revisions. Item # 10 in these revisions noted the need for a variance if the driveway was to remain as delineated on the site plan. After a series of missed phone calls by the applicants engineer and the Town engineer they were finally able to resolve some of the questions regarding the revisions. The question of the need for a variance continued and the variance application was received by the Town on May 23, 2016.

The parcel in question (Sussex CTM# 134-12.00-390.01) was subdivided from Sussex CTM# 134-12.00-390.00 under application P-59, submitted to the Town by the property owner John Graver on June 3, 1999. The Administrative Official, who at the time, had authority to grant minor subdivisions and lot combinations signed the application but never dated with his approval. The subdivision was subsequently recorded in Sussex County on August 18, 1999. The deed also referenced a conveyance of land for a triangular piece of land from Sussex CTM# 134-12.00-391.00 that had been recorded in Sussex County on June 15, 1999. There is no record that this subdivision was approved by the Town which was not unusual at that time. This triangular piece of land is what has precipitated the applicant's need for a variance.

As I explained to the property owner even assuming that the subdivision of land was approved by the Town it does not mean a variance is not necessary. The land as subdivided then may have met with Town Code however additional laws have been enacted since then that the applicant is required to comply with and one of those laws is the distance that a driveway must be from property lines. The previously noted sections of the Code require that a driveway be a minimum of 5 feet from any property line. As one can see on the applicants site plan that is not possible unless he were to reduce the width of the driveway and then it would not be in compliance with the minimum width requirement for a driveway of 10 feet.

The applicant is requesting that he be granted a variance to place the driveway as delineated on the suite plan so that he can improve the parcel. Without a variance the applicant would have no driveway access to his property which is required by Code.

Mr. Greg Golden, 36 Brighton Street, was sworn-in by Mr. Hacker. He stated he purchased the property to build a home and then learned of the issue with a driveway. Mr. Golden commented that the property is unusable without this driveway.

Mr. LeGates asked Mr. Golden if the deed is shown "as is?"

Mr. Golden replied that it is.

Mr. LeGates questioned whether anything was close to the property line.

Mr. Golden replied a neighbor's shed.

Mr. LeGates asked if there was any right of way to widen driveway.

Mr. McMullen explained how driveways were approved in the Town in 1999, adding that it cannot be widened.

Mr. Reddington questioned whether Mr. Golden planned to live at the property.

Mr. Golden stated he did not intend to live there.

Mr. Hacker questioned whether Mr. Golden was involved in the 1999 property division.

Mr. Golden replied that he was not.

During public comment Mr. Ted Kopey, 8 N. Horseshoe Drive, also owns 2 Winchester, said he was not for or against the application. He stated was concerned about the placement of the driveway with regard to his property and the sewer line. Mr. McMullen stated there was a water/sewer easement in place and Mr. Golden's driveway would not interfere with his property or the sewer.

*A motion was made by Mr. Walsh, seconded by Mr. Reddington, to approve the variance request. The motion carried unanimously 5/0.*

**E. V-328 - 17 S. HORSESHOE DRIVE (PIDN:002.340/SUSSEX CTM#: 134-12.00-790.00)**

Mr. McMullen said application V-328 has been submitted by the property owner, Mr. Chris Sullivant, seeking a variance from Article V, §140-28, §140-32 and §140-33 which require principal structures and attached accessory structures to maintain minimum setbacks of 15' in the side yard, 30' in the rear yard and 25' in a side yard abutting a street, detached accessory structures to maintain minimum setbacks of 10' in the rear yard, 15' in the side

yard and 5' from any other structure, limits lot coverage to 35% in the R-1 Zoning District, restricts projections of uncovered steps to a maximum of 4' into the required setback of the Land Use and Development Chapter (L.U.D.C.) of the Town Code and from Article XVI, §140-100-D(12)(b)[2] & [3] of the L.U.D.C. and Article II, §187-10-A of the Streets and Sidewalks Chapter of the Town Code each of which require driveways be a minimum of 5' from any property line and have a maximum width of 20' through the Right of Way (R.O.W.).

This variance seeks to allow the applicant to maintain an existing principal structure with attached accessory structures that encroach into the required setbacks of 15' in the side yard, 30' in the rear yard and 25' in a side yard abutting a street, erect an attached accessory structure that will further encroach into the required 30' rear yard setback, erect a detached accessory structure that will encroach into the required 10' rear lot line and 15' side lot line setback, maintain and increase lot coverage that will exceed 35%, maintain an existing driveway that is closer than 5' to property lines and wider than 20' through the Right of Way (R.O.W.) on property zoned R-1.

The applicant is in the process of improving his property by constructing two additions to the front of the existing dwelling unit as delineated on the site plan provided (Proposed Garage and Proposed Addition). These improvements do not require a variance. During the course of my review for this building permit I informed the applicant that any change to the existing non-conforming driveway would require a variance because of its proximity to the adjacent property line (within 5 feet).

We then discussed other areas of the structure that encroached into required setbacks and the steps at the rear of a sliding door that now require a platform be adjacent to the door per the building Code. The applicant indicated his desire to construct a landing for the steps to be Code compliant and incorporate that into a deck along the rear of his home.

I reviewed the Town property file for the parcel and determined the following:

1. Mr. Sullivant purchased the property on April 11, 2014.
2. There are no building permits on file.
  - a. This would indicate that the structures on the lot were most likely built before the Town had oversight for construction and permits were issued only by Sussex County or the property owner(s) never acquired permits which is unlikely.
3. If the home was built before the Town issued permits the setbacks would have been different then they currently are and possibly even different than they were in the previous Code for an R-1 zoned parcel such as this.
  - a. The previous Town Code required corner lots to have a front yard setback of 25 feet, a setback of 12.5 feet on the other frontage, a 15' side yard setback and a 15' rear yard setback because corner lots were deemed to have no rear yards.
4. The following areas of the existing structures encroach into setbacks required by today's L.U.D.C.:
  - a. 3.5 +/- foot and 4.5 +/- foot encroachments of the dwelling unit, a 3.9 +/- foot encroachment of the outside shower and a 6.9 +/- foot encroachment of the rear deck on the north side of the parcel, adjacent to Lot 35, into the required 15' side yard setback.

- b. 1.7 +/- foot encroachment of the deck into the required 30' rear yard setback.
  - c. A .6 +/- foot encroachment of the existing steps off the deck and a 5.3 +/- foot encroachment of the rear steps from the dwelling unit into the required 30' rear yard setback after factoring in the permitted 4 foot projection into the rear setback by uncovered steps.
  - d. 9.9 +/- foot encroachment of the dwelling unit into the required 25' side lot line abutting a street setback.
  - e. A minimum 5 foot separation between driveways and property lines.
5. The applicant is proposing to remove:
- a. The existing deck with steps, the steps from the rear of the dwelling unit, relocate the existing outside shower at the side and reduce the size of and move the existing driveway.
6. The applicant is proposing to construct a deck / porch with steps and an outside shower on the deck as shown on the site plan. To do so the applicant is seeking the following variances:
- a. Encroachments of 7.2 +/- feet for the existing dwelling unit and 16.7 +/- feet for the proposed deck / porch into the required 30' rear yard setback.
  - b. Encroachment of 8.6 +/- feet into the required rear yard setback for the proposed steps from the deck / porch.
  - c. A 7.9' +/- foot encroachment of the proposed deck / porch into the required 15' side yard setback.
  - d. A variance allowing the existing dwelling unit to remain 4.5 +/- feet into the required 15' side yard setback.

Variance requests noted as being necessary or the existing dwelling unit above are required because the applicant would be enlarging and extending an existing non conformity.

Mr. Chris Sullivant, 17 S. Horseshoe Drive, was sworn-in by Mr. Hacker. He stated that he purchased the property two-years ago with the idea he was going to expand and improve it. He went to the HOA with his ideas and got HOA approval. Mr. Sullivant said he was trying to be compliant with the Town, however the way the house is situated kind of askew on the corner lot, and he needs these variances to make the improvements he wants.

Mr. Walsh inquired as to what was behind the property.

Mr. McMullen responded another single family house.

Mr. Hacker questioned whether this variance would increase or decrease the non-conformity.

Mr. McMullen replied that it was increasing the non-conformity.

Mr. Hacker asked Mr. Sullivant if he had HOA approval.

Mr. Sullivant replied yes.

Mr. Hacker asked if this was the minimum variance he could request to improve his property.

Mr. Sullivant replied yes.

During public comment Mr. Bill Kunst, 26 S. Horseshoe Drive, spoke in favor of the application. He stated he knew the original owners who did not make any improvements to the property. He stated he was very excited about Chris improving the house which is a good thing for the neighborhood.

*A motion was made by Mr. Walsh, seconded by Mr. Brendel, to approve the requested variance. The motion carried unanimously 5/0.*

6. **ADJOURNMENT**

*A motion was made by Mr. Brendel, seconded by Mr. Reddington, to adjourn the meeting at 8:10pm. The motion carried unanimously 5/0.*

Respectfully submitted, Donna M. Schwartz, CMC