



Staff recommends denial of this application, as it does not appear that a practical difficulty has been demonstrated.

Machacek asked how long the Beauregard's have owned the property. Lientz referred the question to the applicants. Sara Beauregard, applicant, answered since September 2017.

Sara and Brandon Beauregard, 1000 4<sup>th</sup> St, spoke. She stated that the Planning & Development staff conceded that they had special constraints relating to the property.

Machacek asked if the applicants could build the garage behind the house. Beauregard explained why she felt the garage could not go behind the house, citing the mature trees and topography of the property as her main reasons. She further stated that there are two easements in the back yard that make putting a building there difficult. She stated the house is set back very far from the road. The back yard is very hilly, with mature oaks. She stated she doesn't feel she can put the detached structure behind the house without destroying both the trees and the value of the property. She stated that they own 8 vehicles, some of them classic cars, and their insurance requires the cars be stored inside. Right now they are renting off-site storage space for the cars. She said that the 1,080 square foot garage will barely be big enough for their needs.

There were no comments from the public.

In her closing statement, Lientz stated that the special exception is related to the size of the building allowed by code in front of the house.

The Board deliberated. Machacek stated he had driven by the property and it is very attractive. He noted the placement of the flags where the building would be, and stated that the building looks in proportion to the rest of the property. He further stated the house is very far back from the road, so he understands why they can't put the accessory structure in the back.

**Motion by Machacek to accept the Findings of Fact, Conclusions of Law, and Decision & Order as developed by the Board of Adjustment for the Special Exception JSE18-0003, and to approve case JSE18-0003. Second by Grace.**

<b>Cerka</b>	<b>Nay</b>
<b>Machacek</b>	<b>Aye</b>
<b>Harstad</b>	<b>Absent</b>
<b>Stone</b>	<b>Aye</b>
<b>Grace</b>	<b>Aye</b>

<b>JSE18-0004</b>	<b>Mike Tertinger</b>	<b>Luke Woods ,</b>	<b>Special Exception --</b>
		<b>Owner</b>	<b>Front yard setback</b>

Tertinger presented the staff report. The applicant is requesting a special exception from the 50' front yard setback requirement in an AG (Agricultural) zoning district. The applicant is proposing to build a

7' wide, covered, wrap-around porch on an existing dwelling. Currently, the dwelling is 26' from the front property line at its closest point. The proposed porch begins at 26' from the front property line, and will not encroach any further into the front yard than the existing dwelling.

A demonstration of a practical difficulty appears to have been shown in this case due to the existing floor plan and location of the dwelling in proximity to the front property line.

Staff recommends approval of this application as it appears that a practical difficulty has been demonstrated.

**Motion by Cerka to accept the Findings of Fact, Conclusions of Law, and Decision & Order as reflected in the staff report for the Special Exception JSE1 8-0004, and to approve case JSE1 8-0004.**

**Second by Machacek.**

<b>Cerka</b>	<b>Aye</b>
<b>Machacek</b>	<b>Aye</b>
<b>Harstad</b>	<b>Absent</b>
<b>Stone</b>	<b>Aye</b>
<b>Grace</b>	<b>Aye</b>

#### **IV. OTHER BUSINESS**

#### **V. APPROVAL OF MINUTES**

The minutes of March 28, 2018 Board of Adjustment meeting were approved as submitted.

#### **VI. ADJOURNMENT**

The meeting was adjourned at 7:05 p.m.

Respectfully submitted,

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Herb Stone, Chair

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Sue Bennett, Recording Secretary