

**MINUTES**  
**PINE COUNTY BOARD OF ADJUSTMENT**  
**June 1, 2016 4:30 p.m.**  
**Pine County Courthouse Board Room**  
**635 Northridge Dr, Pine City**

**Members Present:** David Koland, Tom Mestemacher, Richard Stepan, Gary Valvoda, Nancy Rys

**Members Absent:** none

**Staff Present:** Caleb Anderson, Land and Resources Manager; Reese Frederickson, County Attorney

**Others Present:** Edward Storebo, Melinda Storebo, David Cobb

**Call To Order:** 4:30 p.m. Chairman Mestemacher asked all to rise and recite the Pledge of Allegiance to the Flag.

**Approval of Minutes:**

Stepan/ Valvoda 5-0 to approve the Minutes of April 6, 2016 as presented.

**Staff Report:**

Staff **Caleb Anderson** reported that a variance had been applied for at Lot 2, Block 1, Rock Lake Greens (PID: 26.5319.000). However in reviewing the application it was discovered that the property had already received a variance several years ago at the time the property was platted. **Anderson** went on to state that the Department did not have any new information regarding Edward and Melinda Storebo's variance request, which was reviewed at the 4/6/16 meeting.

**Applicant's Statement:**

**Edward Storebo** shared that since the last meeting he contacted several contractors to explore moving and elevating their home. Only one contractor responded with a bid. The bid came back at a total of \$45,000 to \$50,000 to move and elevate the home to the RFPE. Mr. Storebo also shared that his insurance company was not aware of any rate increases that would affect his flood insurance. Also, Mr. Storebo contacted his mortgage company and learned that even if he elevates the house his pole shed would still require him to get flood insurance. Mr. Storebo stated that it is cost prohibitive to bring his property into compliance with today's floodplain standards.

**County Attorney's Statement**

**County Attorney Reese Frederickson** stated that he feels the applicant has demonstrated that a practical difficulty that would be legally defensible. **Frederickson** also stated he did not feel that that by granting this variance that a pattern would be shown, resulting in the community being dropped from the NFIP program.

**Discussion/Decision on Variance Request:**

**Mestemacher** stated that the variance would not allow a use that is disallowed in the zoning district.

**Valvoda** and **Mestemacher** agreed that the variance would be in harmony with the ordinance however the variance would not be in harmony with the comprehensive plan.

**Mestemacher** stated that the variance would not alter the essential character of the locality.

**Mestemacher** stated that the option of elevating the house constitutes a practically difficult given the cost. The addition was created by the landowner, however, the low elevation of the lot is not created by the landowner. Staff **Caleb Anderson** clarified that the house without the addition was a conforming structure. Denying or approving the variance will not require the Storebos to elevate their house. **Mestemacher** replied that it could also be viewed that the addition was put their by the landowner, which brought the house out of compliance and needing a variance.

**Mestemacher** shared that the applicant's proposed use is reasonable.

**Valvoda** and **Mestemacher** agreed that the variance offers a lower degree of flood protection than the RFPE. However, the whole lot is significantly beneath the RFPE.

**Mestemacher** stated that the applicant has demonstrated good and sufficient cause for the variance.

**Mestemacher** stated that denial of the variance would result in exceptional hardship for the applicant.

**Mestemacher** and **Valvoda** agreed that the variance will not result in increased flood heights or additional threats to public health and safety. Significant public expense could result if FEMA removes the community from the NFIP. Nuisances or fraud would not result. However, it would conflict with the local ordinance. However, when the homeowner bought the property the local ordinance was not this strict.

Motion by **David Koland** to approve the variance. Second by **Valvoda**.

**Valvoda** stated that approving this variance will not result in a pattern of such variances. Also, the hardship that would be caused by denial is about as bad of a zoning hardship as one could experience.

The Board of Adjustment voted 5-0 to approve variance as presented.

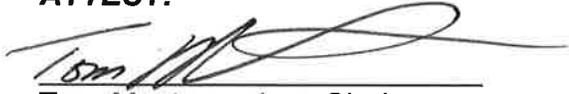
**Old Business:**

none

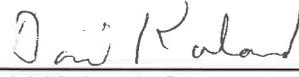
**ADJOURN**

Mestemacher/Stepan 5-0 to adjourn the meeting at 5:12P.M.

**ATTEST:**



Tom Mestemacher, Chairman



David Koland, Secretary

