

MONROE COUNTY PLAT COMMITTEE



**July 21, 2022
4:00 pm**

Hybrid Meeting

In-person

Monroe County Government Center
Planning Department
501 N. Morton Street, Suite 224
Bloomington, IN 47404

Virtual

Zoom Link: <https://monroecounty-in.zoom.us/j/82305485858?pwd=c2lrWFp0eGFNQUtqK0NQOIFLazRTQT09>

If calling into the Zoom meeting, dial: 312-626-6799

Meeting ID #: 823 0548 5858

Password: 278851

A G E N D A
MONROE COUNTY PLAT COMMITTEE
of the Monroe County Plan Commission

Monroe County Planning Department
HYBRID

When: July 21, 2022 at 4:00 PM

Where: 501 N Morton St, Suite 224

Or via Zoom: <https://monroecounty-in.zoom.us/j/82305485858?pwd=c2lrWFp0eGFNQUtqK0NQQiFLazRTQT09>

If calling into the Zoom meeting, dial: 312-626-6799.
When prompted, enter the Meeting ID #: 823 0548 5858
Password: 278851

ADMINISTRATIVE: None.

OLD BUSINESS: None.

NEW BUSINESS:

- 1. SSS-22-4** **Clifford/Huntington Sliding Scale Subdivision**
Buried Utility Waiver Requested.
Plat Committee Decision.

PAGE 3

Four (4) parcels on 80.98 +/- acres in Section 28 of Richland Township at
7480 W Howard RD, Parcel no. 53-04-28-100-010.000-011
Owner: Howard Farm Partners LLC
Zoned AG/RR. Contact: dmyers@co.monroe.in.us

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Monroe County, should contact Monroe County Title VI Coordinator Angie Purdie, (812)-349-2553, apurdie@co.monroe.in.us, as soon as possible but no later than forty-eight (48) hours before the scheduled event.

Individuals requiring special language services should, if possible, contact the Monroe County Government Title VI Coordinator at least seventy-two (72) hours prior to the date on which the services will be needed.

The meeting will be open to the public.



MONROE COUNTY PLAT COMMITTEE

Public Meeting

Date:

July 21, 2022

CASE NUMBER	PROPOSED NAME	DETAIL
SSS-22-4	Clifford/Huntington Sliding Scale Subdivision	4-Lot Sliding Scale Subdivision Preliminary Plat

The Subdivision Control Ordinance shall be interpreted, administered and enforced in a manner that is consistent with Chapter 850-3.

RECOMMENDED MOTION	Approval	Planner: Drew Myers
<p>Recommended Motion Conditions or Reasoning: <u>Approve</u> based on the finding that the proposed preliminary plat meets the Subdivision Control Ordinance. <u>Deny</u> the Buried Utility Waiver based on findings of fact.</p>		

PLAT COMMITTEE DECISION

Waiver(s) Requested:	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes:	Buried Utility Waiver
Waiver of Final Hearing Requested:	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> No <input type="checkbox"/> Yes	
Plat Vacation:	<input checked="" type="checkbox"/> No <input type="checkbox"/> Partial <input type="checkbox"/> Yes:	

PETITIONER	Eric Deckard, Deckard Land Surveying	
OWNERS	Howard Farm Partners LLC	
ADDRESS	7480 W Howard Road 53-04-28-100-010.000-011	
TOWNSHIP + SECTION	Richland; 28	
PLATS	<input checked="" type="checkbox"/> Unplatted <input type="checkbox"/> Platted:	
ACREAGE +/-	80.98	
	PETITION SITE	ADJACENT
ZONING	AG/RR	AG/RR and ME
CDO ZONE	Farm and Forest	Farm and Forest, Rural Residential
USE	Residential / Agriculture	Residential / Agriculture

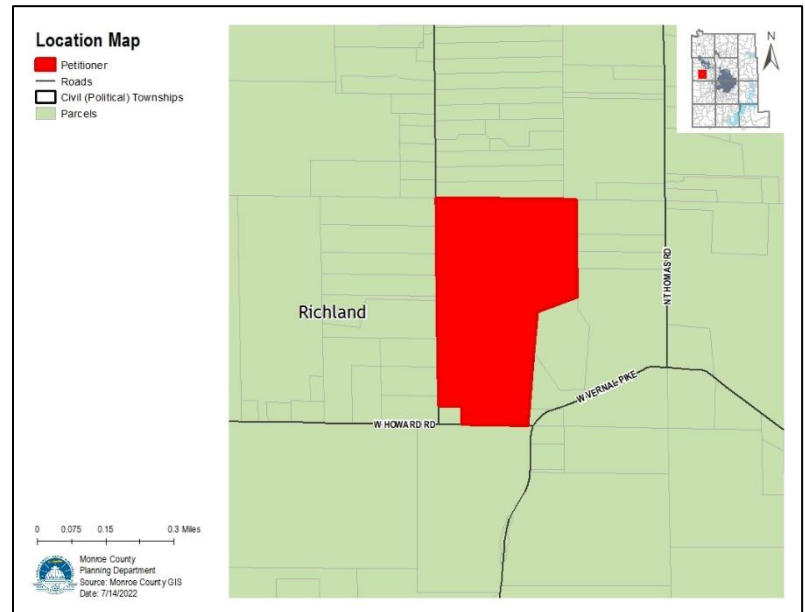
SUMMARY

The petitioner is proposing a 4-lot Sliding Scale Subdivision with no waiver requests. An existing overhead power line drop services the existing residence on proposed Lot 2. The proposed lots will be serviced by septic systems. Septic permit applications have been submitted for proposed Lot 1 and Lot 3. Lot 2 operates with an existing septic system and received a repair septic permit. Electric and water utility will be provided by South Central Indiana REMC and Washington Township Water, respectively. Each of the proposed lots is accessed via W Howard Road. Driveway permits approvals are pending the outcome of this subdivision petition.

DISCUSSION

Table 1 provides a summary of the lot configurations and requirements for the Clifford/Huntington Sliding Scale Subdivision. The preliminary plat (Exhibit 3) provides more detail in regards to buildable area, site conditions, and lot dimensions. Sidewalks and street trees were not required for this subdivision.

A Construction Stormwater General Permit (CSGP) – formally known as Rule 5 – is not required for this subdivision per recent updates by made by the Indiana Department of Environmental Management (IDEM) to the language on CSGP applicability. In short, if the subdivider makes no land improvements and only sells the lots, then they do not need to submit a Stormwater Pollution Prevention Plan (SWPPP) or a Notice of Intent (NOI). The individual(s) who purchases the lot(s) and build there must submit their own SWPPP and NOI, even if land disturbance is under one (1) acre.



A note on the plat references the pre-existing nonconforming status of the existing pole barn on proposed Lot 1 and the existing single family dwelling on proposed Lot 2. Both of these structures will encroach into the required 60' front yard setback for sliding scale subdivisions along W Howard Road. The structures may not be enlarged or otherwise changed, unless a variance from the terms of the zoning ordinance is obtained from the Board of Zoning Appeals.


According to 856-41, existing utility lines servicing residential and residential accessory structures shall be removed and placed underground unless waived. Existing utility lines located above ground on public roads, rights-of-way or in easements serving other property are exempt from this provision.

According to the Indiana State Historic Architectural and Archaeological Research Database (SHAARD), the property known as "Howard Farm" is rated as "Contributing" with the primary structure dated c. 1895, but severely altered. Additional information regarding the existing outbuildings is also provided in the Indiana Historic Sites and Structures Inventory (IHSSI) County Survey. See Exhibit 4.

TABLE 1: Summary of Lot Configurations

	Lot 1 (Parent Parcel)	Lot 2	Lot 3	Lot 4
Acreage / Buildable Area (+/-)	44.62 / 32.96	5.20 / 2.83	5.21 / 3.13	25.94 / 18.02
Wastewater	New septic permit WW-22-95	Repair septic permit; WW-22-9	New septic permit WW-22-94	New septic permit WW-22-93
Utility Access / Water Capacity	Utilities District of Western Indiana REMC / Van Buren Water, INC.			
Property Access	RW-22-133	RW-22-134	RW-22-135	RW-22-136
ROW Dedication;	Yes = 25' W Howard RD	Yes = 25' W Howard RD	Yes = 25' N Loudon RD	Yes = 25' W Howard RD N Loudon RD
Environmental Conditions	Existing stream; Steep slopes; Drainage easements	Existing stream; Steep slopes; Drainage easement	Steep slopes	Steep slopes; Drainage easement
Existing Structure(s)	5 pole barns of varying size; 2 hoop houses	~1,724 sf SFR; 6 pole barns / utility sheds of varying size	Vacant	Vacant

HIGHWAY COMMENTS:



Ben Ayers
[Remove Comment](#) • Apr 22, 2022 at 6:58 am

Right of way Activity permit applications have been submitted and will be approved pending Final Plat. See RW-22-133, RW-22-134, RW-22-135 & RW-22-136.

Existing driveway entrance for Lot #1 & Lot #2 shall meet the specifications of Chapter 755 and the Manual for Construction Within and Adjacent to Monroe County Right-of-Way within (1) year of recording the Final Plat.

Existing farm entrances on Lot #4 need to be removed. Only one (1) driveway entrance allowed per Monroe County Code Chapter 755 and the Manual for Construction Within and Adjacent to Monroe County Right-of-Way.

STORMWATER COMMENTS:



Kelsey Thetonia
[Remove Comment](#) • Mar 9, 2022 at 2:01 pm

Akers Sliding Scale Subdivision

Comments uploaded. Requesting 2 other DEs. We have an 18" culvert under Brighton Rd. draining to this property. Thanks,

Kelsey



Eric Deckard
[Remove Comment](#) • Mar 15, 2022 at 8:31 am

The edits have been made.

COMPREHENSIVE PLAN

The petition site is located within the Farm and Forest Comprehensive Plan designation, which states:

Farm and Forest

Much of Monroe County is still covered by hardwood forests, in no small part because of the presence of the Hoosier National Forest, Morgan-Monroe State Forest, Army Corps of Engineers properties, and Griffy Nature Preserve. Much of the low lying floodplains and relatively flat uplands have been farmed for well over 100 years. These areas are sparsely populated and offer very low density residential opportunities because of both adjoining Vulnerable Lands and the lack of infrastructure necessary for additional residential density. This category encompasses approximately 148,000 acres including about 40,000 acres of our best agricultural property located primarily in the Bean-Blossom bottoms and western uplands of Richland Township and Indian Creek Township. It includes private holdings within the state and federal forests.

Farm and Forest Residential also includes the environmentally sensitive watersheds of Monroe Reservoir, Lake Lemon, and Lake Griffy and several other large vulnerable natural features in Monroe County. There are approximately 78,000 acres of watershed area in this portion of the Farm and Forest Residential category. These natural features provide a low density residential option while protecting the lakes and the water supply resources of the County. The Farm and Forest areas comprise most of the Vulnerable Land in Monroe County.

A low residential density is necessary in order to protect associated and adjoining Vulnerable Lands and to sustain particular “quality of life” and “lifestyle” opportunities for the long-term in a sparsely populated, scenic setting. With a few exceptions like The Pointe development on Monroe Reservoir, these areas do not have sanitary sewer services and have limited access on narrow, winding roadways. Those portions not already used for agriculture are usually heavily forested and have rugged topography. They offer unique and sustainable residential opportunities that cannot be replaced.

In reviewing rezoning, subdivision and site development proposals, the County Plan Commission shall consider the following:

- Public services or improvements are not expected for these areas within the horizon of this Plan because those improvements require significant investment in roadways, sanitary sewer, private utilities, and public services for which County financial resources do not exist.
- New residential density places additional stress on nearby vulnerable natural features that cannot be mitigated by sustainable practices without additional public expense.
- Low density residential opportunities and their associated lifestyle are scarce resources that are sustained only by our willingness to protect that quality of life opportunity for residents who have previously made that lifestyle choice and for future residents seeking that lifestyle.

To maintain Farm and Forest property use opportunities an average residential density per survey section shall be established by ordinance. This average density shall preserve the rural lifestyle opportunity of this area and help protect nearby Vulnerable Lands. The grouping of more than four residential units sharing the same ingress/egress onto a County or state roadways shall not occur on rural property in this category. All property subdivided in this category must provide for adequate contiguous Resilient Land to support either two independent conventional septic fields or one replaceable mound system, sufficient space for buildings traditionally associated with this type use must also be available. In addition, public roadways shall not experience less than the Monroe County Level of Service standard designation which exists at the time this Plan is adopted as a result of subdivision. Roadways classified as state Highways, major collectors, or local arterials are exempt from this requirement.

EXHIBITS - Immediately following report

1. County Slope & Site Conditions Map
2. Aerial Pictometry
3. Clifford/Huntington Sliding Scale Subdivision Preliminary Plat
4. SHAARD IHSSI (County Survey)
5. Staff Findings of Fact for Subdivision and Buried Utility Waiver

EXHIBIT 1: County Slope Map

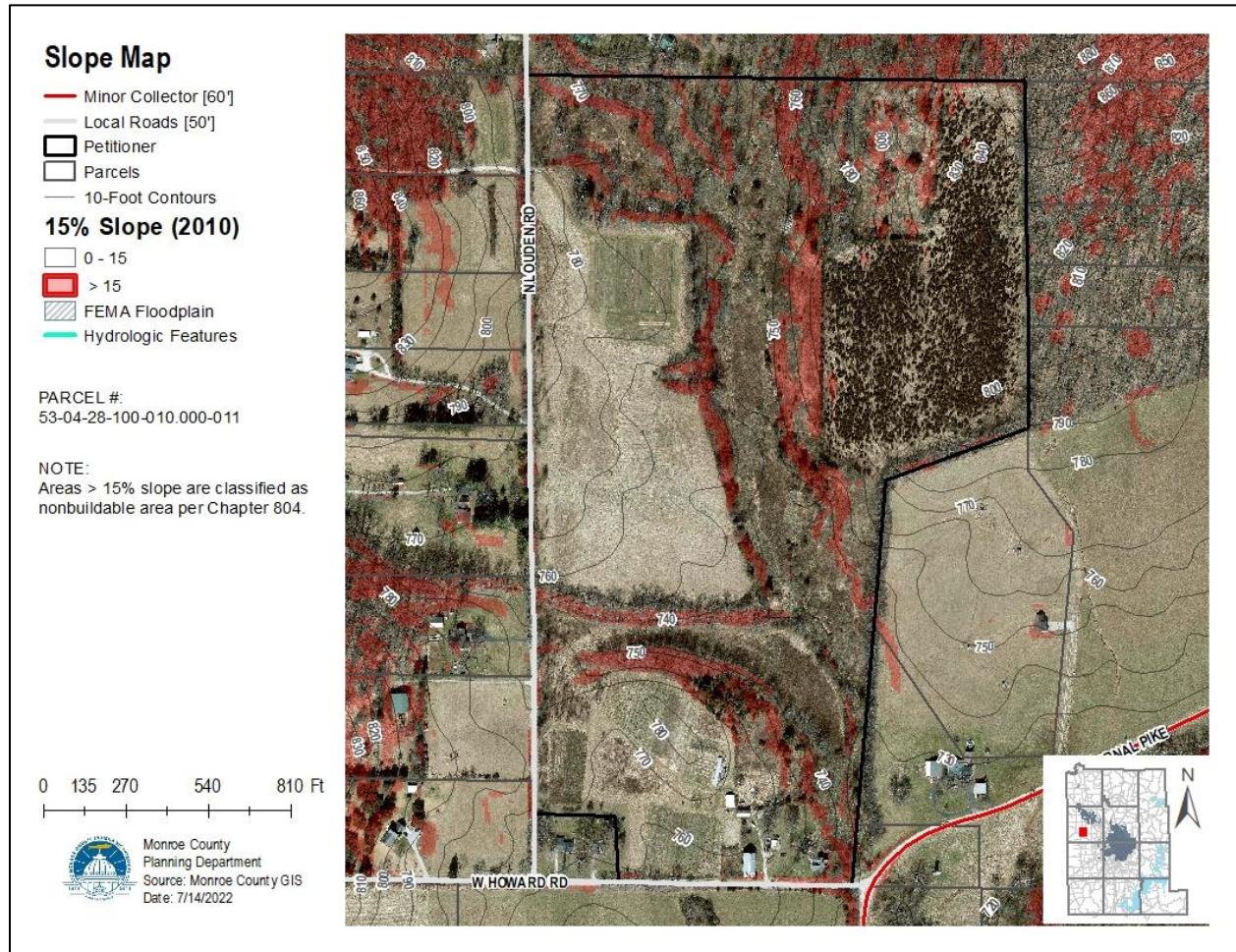


EXHIBIT 2: Aerial Pictometry



Photo 1: Aerial Pictometry from the south (2022) – southern portion of subject property



Photo 3: Aerial Pictometry from the east (2022) – entire subject property



Photo 4: Aerial Pictometry from the west (2022) – entire subject property

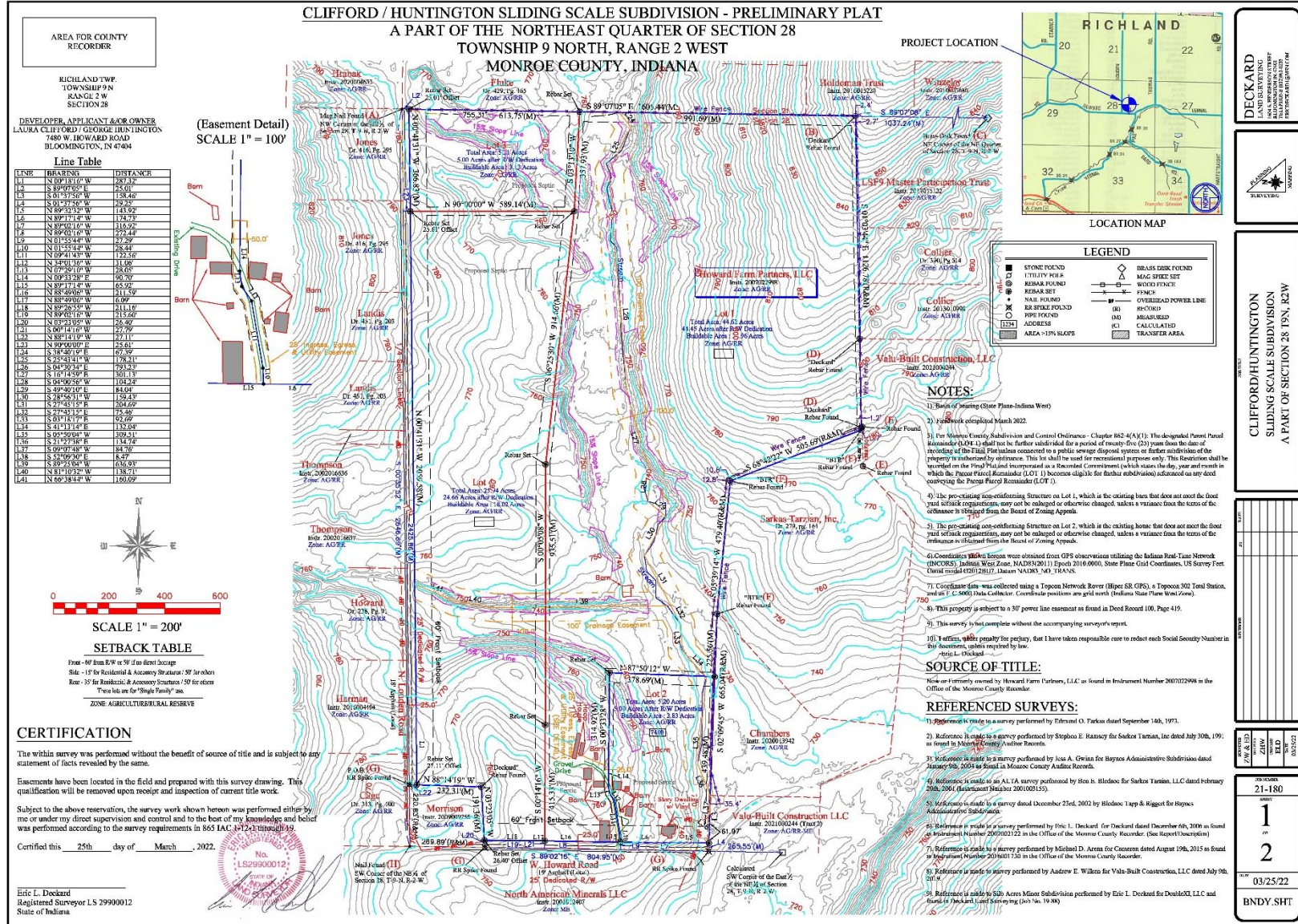


Photo 5: Aerial Pictometry from the east (2022) – all existing structures



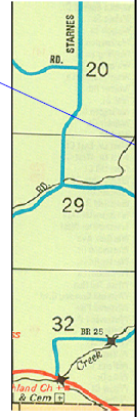
Photo 6: Aerial Pictometry from the north (2022); southern portion of subject property

EXHIBIT 3: Clifford/Huntington Sliding Scale Subdivision Preliminary Plat

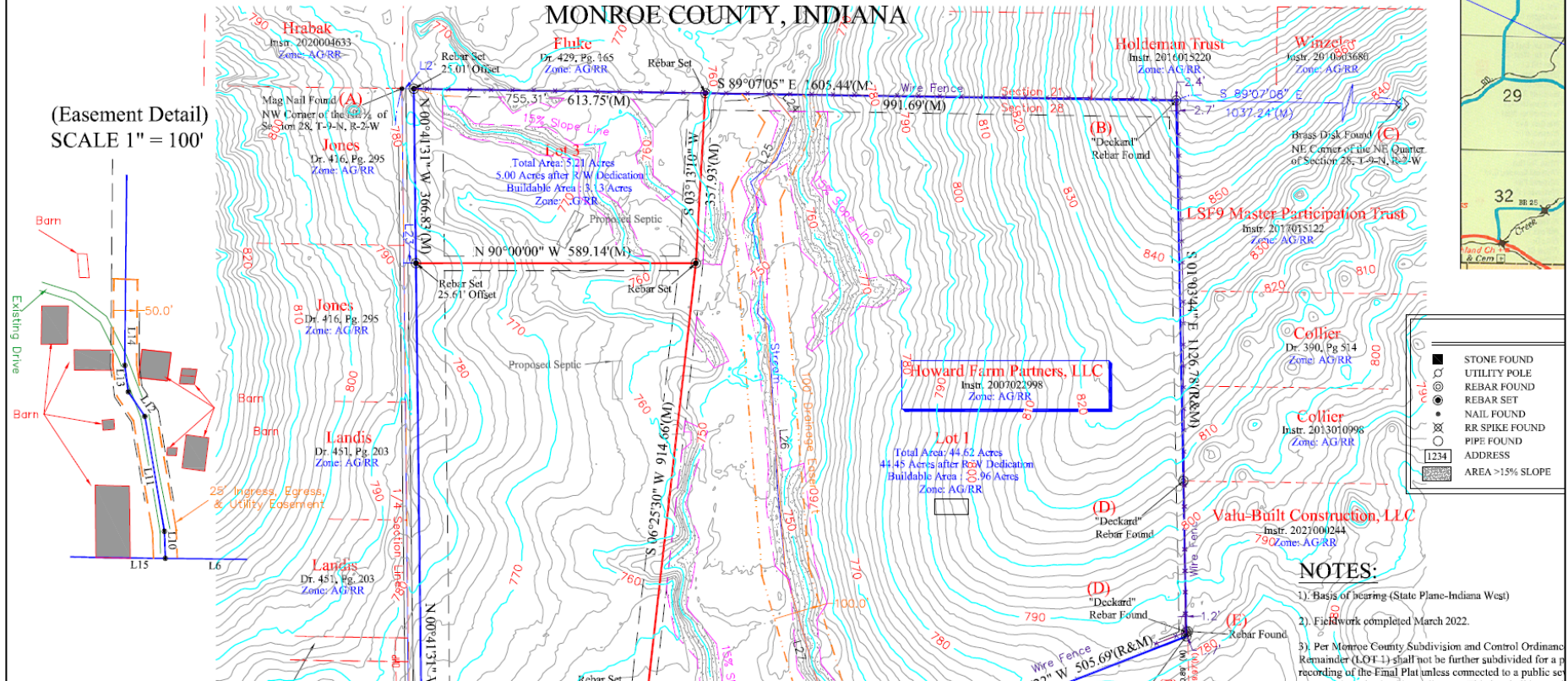


CLIFFORD / HUNTINGTON SLIDING SCALE SUBDIVISION - PRELIMINARY PLAT
A PART OF THE NORTHEAST QUARTER OF SECTION 28
TOWNSHIP 9 NORTH, RANGE 2 WEST
MONROE COUNTY, INDIANA

PROJECT LOCATION



(Easement Detail)
 SCALE 1" = 100'



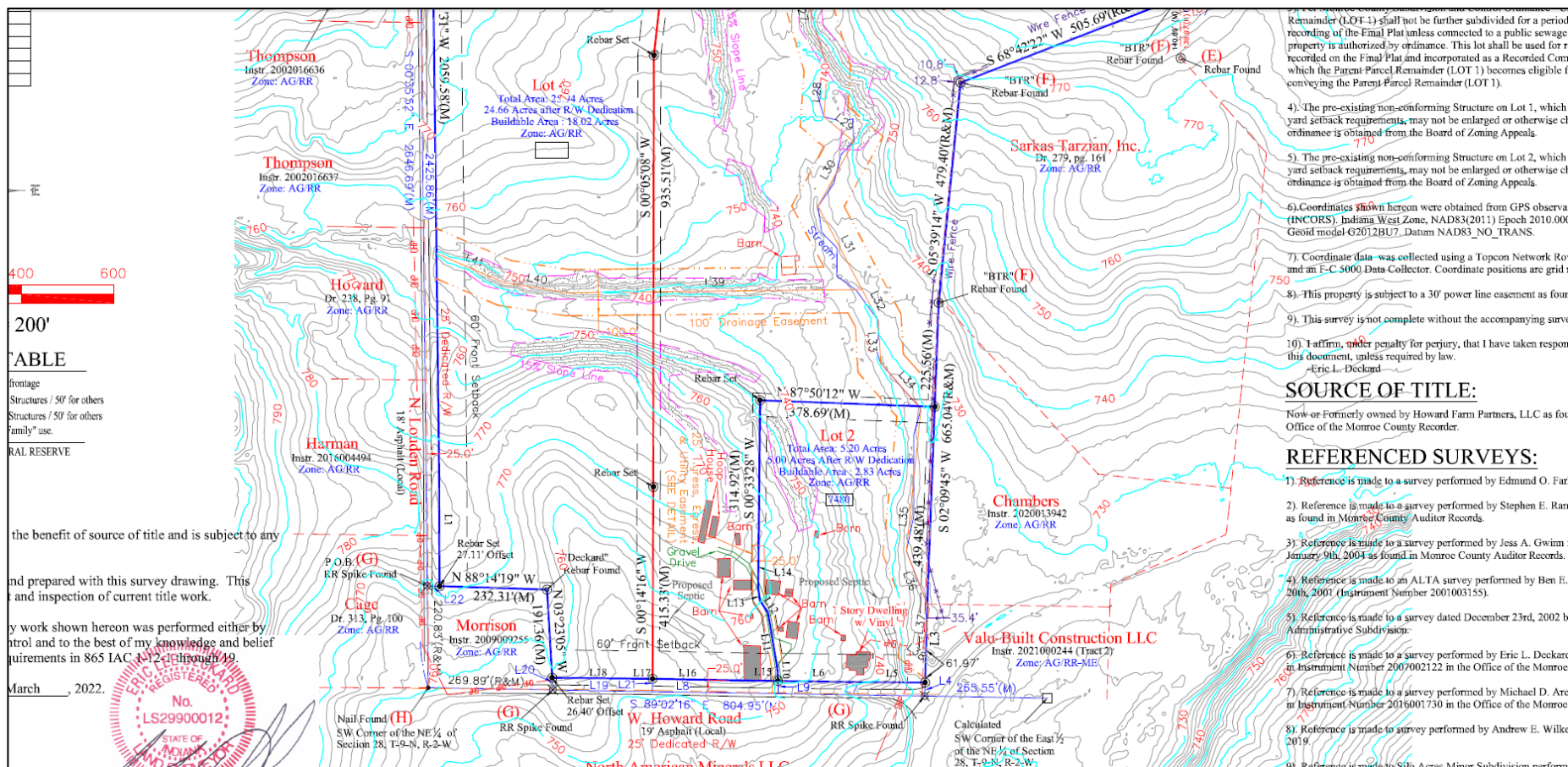


EXHIBIT 4: SHAARD IHSSI County Survey

IN.gov

SHAARD

IHSSI (County Survey)



Survey Number: 105-677-19001

Rating: Contributing

Historic Name: Howard Farm

Year Dataset Compiled: 2015

National Register File
Number: -

Survey County

County	Legal Township(s)	Quad Name(s)
Monroe	Richland	Whitehall

Address: 7480 W Howard Rd

City: -

Location Notes: -

Coordinates

Easting	Northing
531364	4337645

Common Name: Strangers Hill Organics

Category: Building

Visible?: ☐

Historic District?: ☐

Historic District Name: -

Ownership: private

Use: Present

Residence: ☒

Commercial: ☒

Vacant: ☐

Other: ☒

Describe: Agriculture

Other: ☐

Use: Past

Residence: ☒

Commercial: ☒

Vacant: ☐

Other: ☒

Describe: Agriculture

Other: ☐

Surveys/Legal Protections

National Register: ☐

State Register: ☐

Hoosier Homestead: ☐

National Historic
Landmark: ☐

Local Designation: ☐

Protective
Covenants: ☐

Other: ☐

Areas of Significance: AGRICULTURE,
ARCHITECTURE

Other Significance: -

Endangered: No

Explanation: -

Number of
Contributing
Resources: 9

Number of
Non-
contributing
Resources: 4

Environment: Rural country route

Bibliography: Site visit, Noble's "Wood, Brick and Stone Vol. 2: Barns & Farm Structures," Monroe County IHSSI and 39 degrees N

Structure Type

Bridge: ☐

Cemetery: ☐

Other: ☒

Time Period(s): c.1895

Condition: Good

Year Demolished: -

Integrity: Severely Altered

Date Moved: -

Alterations: -

Style: -	
Type/Vernacular: L-plan cottage	
Architect/Builder	Architectural Firm
-	-
Affiliation	
-	
Replacement	
Windows: <input checked="" type="checkbox"/>	Roof: <input type="checkbox"/>
Other: <input type="checkbox"/>	
Additions	
Siding: <input checked="" type="checkbox"/>	Wings: <input checked="" type="checkbox"/>
Other: <input type="checkbox"/>	
Removals: Original turned wood porch columns, frieze & balus	
Stories	
1: <input checked="" type="checkbox"/>	1 1/2: <input type="checkbox"/>
2: <input type="checkbox"/>	2 1/2: <input type="checkbox"/>
Other: <input type="checkbox"/>	
Plan	
Rectangular: <input type="checkbox"/>	Polygonal: <input type="checkbox"/>
L: <input type="checkbox"/>	T: <input type="checkbox"/>
Irregular: <input type="checkbox"/>	Other: <input type="checkbox"/>
X: <input type="checkbox"/>	U: <input type="checkbox"/>
Depth	
Single-Pile: <input type="checkbox"/>	Double-Pile: <input type="checkbox"/>
Irregular/Massed: <input type="checkbox"/>	Other: <input type="checkbox"/>
Number of Bays: -	
Foundation: STONE: Limestone	
Foundation Description: -	
Walls Description: -	
Other Walls: -	
Roof	
Side-Gable: <input type="checkbox"/>	Front-Gable: <input type="checkbox"/>
Cross-Gable: <input type="checkbox"/>	
Hip: <input type="checkbox"/>	Pyramidal: <input type="checkbox"/>
Mansard: <input type="checkbox"/>	
Other: <input checked="" type="checkbox"/>	Description: Crossgable w/cntrhip
Material: ASPHALT	
Features: Brick chimneys, decorative vergeboard	
Porches	
Front: <input checked="" type="checkbox"/>	Side: <input checked="" type="checkbox"/>
Back: <input checked="" type="checkbox"/>	
Notes: Wrap around frt/sd porch w/wood studs, rear enclosed frame porch	

Openings:	Original wood 2/2, 1/1 and art glass double hung windows, few metal replacement 1/1 double hung windows, original doors with wood screens
Interior:	-
Outbuildings:	Chicken House, Corn crib, Dairy barn, English barn, Garage, Shed, Other
Description:	Pole Barn
Notes:	Dairy barn w/lean-to and stone Dairy barn built c.1900; English barn, Corn Crib, Chicken House and two sheds c.1895; Detached Garage w/Lean-to constructed c.1910, 3 Utility Sheds c.1965-1977 and Pole Barn in 1980
Statement of Significance:	According to current occupant, this is the oldest, continuously operating organic farm in Indiana.
Architectural Description:	The Howard house is a good example of a vernacular, single-story Queen Anne farm house. Although it has been severely altered by synthetic siding, a few replacement windows, several small additions and a reconstructed porch; the house retains a high enough degree of integrity to warrant a Contributing rating. It was previously listed as Outstanding. The original wood scrollwork vergeboard and corner brackets remain intact, and the general massing of the porch has not changed. Images of the original, decorative wood wrap-around porch are available on 39 degrees N. Most of the original wood windows remain, and the additions have had minimal impact on the overall footprint of the house. Many of the outbuildings are intact but in need of repair. Outlines on aerial indicate the removal of a silo. One of the dairy barns has been moderately altered by siding. The English barn lies directly N of the main house and outbuildings.

EXHIBIT 5: FINDINGS OF FACT - Subdivisions

850-3 PURPOSE OF REGULATIONS

(A) *To protect and provide for the public health, safety, and general welfare of the County.*

Findings

- The petition site consists of one parcel totaling 80.98 +/- acres;
- The petition site is not in a platted subdivision;
- The site is zoned Agriculture/Rural Reserve (AG/RR);
- Approval of the subdivision would result in four (4) lots that exceed the minimum lot dimension requirements for the Agriculture/Rural Reserve (AG/RR) Zoning District;
- Approval of the subdivision would result in Lot 1 (parent parcel) = 44.62 acres, Lot 2 = 5.20 acres, Lot 3 = 5 acres, and Lot 4 = 25.94 acres;
- Neither street trees nor sidewalks are required for this petition;
- Each lot will be serviced by a private septic system;
- Each lot will receive electricity utility service via Utilities District of Western Indiana REMC;
- Each lot will receive water service via Van Buren Water, INC.;
- The overhead power line that services the existing single family residence extends for a power pole to the residence for a length of approximately 126’;
- Construction Stormwater General Permit (CSGP) – formally known as Rule 5 – is not required as the property owner is only selling the lots;

(B) *To guide the future development and renewal of the County in accordance with the Comprehensive Plan and related policies, objectives and implementation programs.*

Findings

- See findings under Section (A);
- The Comprehensive Plan designates the property as Farm and Forest;

(C) *To provide for the safety, comfort, and soundness of the built environment and related open spaces.*

Findings

- See findings under Section (A);
- The site exhibits an existing stream that traverses proposed Lot 1 and Lot 2, flowing north to south;
- The drainage area of the stream is 0.8 sq. miles;
- The MS4 Coordinator requested additional drainage easements that were added to the preliminary plat by the petitioner’s surveyor;

(D) *To protect the compatibility, character, economic stability and orderliness of all development through reasonable design standards.*

Findings

- See findings under Sections (A) & (C);
- The adjoining properties are zoned Agriculture/Rural Reserve (AG/RR);
- The use of neighboring properties is either residential or agricultural;
- W Howard Road is classified as a “Local” roadway per the Monroe County Thoroughfare Plan;
- N Loudon Road is classified as a “Local” roadway per the Monroe County Thoroughfare Plan;

(E) *To guide public and private policy and action to ensure that adequate public and private facilities will be provided, in an efficient manner, in conjunction with new development, to promote an*

aesthetically pleasing and beneficial interrelationship between land uses, and to promote the conservation of natural resources (e.g., natural beauty, woodlands, open spaces, energy and areas subject to environmental constraints, both during and after development).

Findings

- See findings under Sections (A) & (C);
- There are no visible karst features on the property;
- There is no floodplain on the property;

(F) *To provide proper land boundary records, i.e.:*

(1) *to provide for the survey, documentation, and permanent monumentation of land boundaries and property;*

Findings:

- The petitioner has submitted a preliminary plat drawn by a registered surveyor;

(2) *to provide for the identification of property; and,*

Findings:

- The petitioner submitted a survey with correct references, to township, section, and range to locate parcel. Further, the petitioner has provided staff with a copy the recorded deed of the petition site. County Surveyor has also reviewed the plat for survey accuracy;

(3) *to provide public access to land boundary records.*

Findings

- The land boundary records are found at the Monroe County Recorder's Office and, if approved, this petition will be recorded there as a plat. The plat must comply with Chapter 860 - Document Specifications to be recorded;

FINDINGS OF FACT – Waiver of Overhead Utility Requirement

The petitioner has requested a waiver from Chapter 856 *Sliding Scale Option Subdivision* outlined in 856-41 (Utilities). The standard states:

All utilities, including but not limited to gas, sewer, electric power, telephone and CATV shall be located underground throughout the subdivision.

Existing utility lines located above ground on public roads, rights-of-way or in easements serving other property are exempt from this provision.

Existing utility lines servicing residential and residential accessory structures shall be removed and placed underground unless waived.

Waivers from these provisions for existing utility lines may be granted subject to the waiver modifications in Chapter 850-12, Sections A through D, excluding sections 5, 8, and 9. Waivers may be granted via the following process:

1. *for Subdivisions of more than 4 Lots by the Plan Commission*
2. *for Subdivisions of 4 Lots or Less by the Plat Committee*

All utility lines and other facilities existing and proposed throughout the subdivision shall be shown on the preliminary plat. Underground service connections to the street property line of each platted lot shall be installed at the Subdivider's expense. At the discretion of

the Commission, the requirement for service connections to each lot may be waived in the case of adjoining lots that are to be retained in single ownership and that are to be developed for the same primary use.

Section 850-12 of the Monroe County Subdivision Control Ordinance states: “The Commission may authorize and approve modifications from the requirements and standards of these regulations (including the waiver of standards or regulations) upon finding that:

1. Practical difficulties have been demonstrated:

Findings:

- The petitioner has requested a buried utility waiver for the existing overhead utility line that requires undergrounding;
- According to SHAARD and IHSSI, the existing home on proposed Lot 2 was built c.1895;
- The above ground electric line requires undergrounding, as per 856-41;
- An existing overhead power line extends from a utility pole that traverses the southeast corner of the petition site and services other adjacent properties;
- The existing utility service line extends from the power pole to the residence for approximately 126 feet;

2. The requested modifications would not, in any way, contravene the provisions of the Zoning Ordinance, the Comprehensive Plan or the Official Map of the County;

Findings:

- See findings under Section 1;
- The Subdivision Control Ordinance calls for utilities to be placed underground in all subdivisions, except on public roads and rights-of-way or in easements serving other property;

3. Granting the modifications waiver would not be detrimental to the public safety, health, or welfare and would not adversely affect the delivery of governmental services (e.g. water, sewer, fire protection, etc.):

Findings:

- See findings under Section 1;
- Occupants of the petition site served by the overhead utility will continue to be serviced regardless of the location of the lines above or below ground;
- Advantages and disadvantages exist in undergrounding electric lines both of which involve safety hazards;
- The approximate length of the electric line to be buried is 126 feet;

4. Granting the modifications would neither substantially alter the essential character of the neighborhood nor result in substantial injury to other nearby properties;

Findings:

- See findings under Section 1;
- Waiver approval would permit existing conditions to persist;
- Approval of the waiver would not substantially alter the essential character of the neighborhood;

5. The conditions of the parcel that give rise to the practical difficulties are unique to the parcel and are not applicable generally to other nearby properties;

Findings:

- There are no practical difficulties unique to the parcel or its existing condition;

- 6. Granting the requested modifications would not contravene the policies and purposes of these regulations;**

Findings:

- See findings under Sections 2 and 3;

- 7. The requested modifications are necessary to ensure that substantial justice is done and represent the minimum modifications necessary to ensure that substantial justice is done;**

Findings:

- See findings under Sections 1, 2, and 3;
- The improvement is required due to the proposed subdivision of the property;
- The Subdivision Control Ordinance calls for utilities to be placed underground in all subdivisions – existing utility lines located above ground on public roads, rights-of-way or in easements serving other property are exempt from this provision;
- Existing utility lines servicing residential structures shall be removed and placed underground unless waived for existing and future structures;
- Occupants of the petition site served by the overhead utility lines will continue to be serviced regardless of the location of the lines above- or below ground;

- 8. The practical difficulties were not created by the Developer, Owner, Subdivider or Applicant; and,**

Findings:

- Current owner purchased the property in 2007 and the existing residence was built in the c.1895 according to SHAARD and IHSSI;

- 9. The practical difficulties cannot be overcome through reasonable design alternatives;**

Findings:

- See findings under Sections 1, and 5;

In approving modifications, the Commission may impose such conditions as will in its judgment substantially secure the objectives of these regulations.