

1 Ryan Tillman, P.E., representing the Applicant

2 **The Hearing Examiner closed the public hearing at 1:25 p.m.**

3 **TABLE OF EXHIBITS:**

4

Exhibit / Attachment	Document	Date
5 1	Staff Report together with 32 Log Items	2/25/2002
6 2	Ltr from Ryan Tillman	3/5/2002
7 3	Statement from Dick and Bev Keithahn	2/28/2002
8 4	Statement from Gary and Patty Olson	3/1/2002
9 5	Statement from Dave and Donna Kuehn	2/28/2002
10 6	Statement from Michael Holland	3/4/2002

11 **FINDINGS OF FACT**

12 1. The proposal is for an expansion to an existing residence located
13 within a Class I Wetland Buffer. The expansion will add up to 1,300-
14 square feet of impervious surface.¹ The parcel contains two existing
15 dwellings. In addition, the applicant is proposing to remove the
16 other existing accessory dwelling prior to the proposed expansion.

17 2. The parcel is legally described as Parcel #821333005 in the South
18 West $\frac{1}{4}$ of Section 33, Township 28, Range 01 East of the W.M. The
19 parcel encompasses 1.25 acres.

20 3. The site is located at 351 & 352 Margaret Street, approximately
21 600 feet south of the SR 104 and South Point Road intersection. The
22 site is at the end of Margaret Street. The record indicates that
23 Margaret Street is built on fill placed for the road and building
24 sites about 1964.² Property research by the Department indicates that
25 the buildings were constructed prior to the wetland regulations, and
26 therefore are considered legal nonconforming buildings.³

27 ¹ Log Item 18 at 1 states 1,300 SF for added roof area including overhang,
28 while Site Plan (Log Item 9) shows 720 SF building area.

29 ² Log Item 19, Wetland Delineation Report dated July 2001 at page 1 referring
to a survey conducted by W.K. Merridith.

³ Log Items 7 and 10. Staff Report at 3.