

Regular Meeting of the
LAKE COUNTY BOARD of ADJUSTMENT
March 8, 2006

Meeting Minutes

MEMBERS PRESENT: Jack Meuli, Jerry Winkley, Lucille Buchmann, James McKee

STAFF PRESENT: Sue Shannon, Alex Hogle, Joel Nelson, Pam Reznak

Jerry Winkley called the meeting to order at 4:00 pm

Jack Meuli moved to approve the February Meeting Minutes.

Jerry Winkley said he meant anytime, not anything, at the bottom of page 3 about four lines up.

Jack Meuli moved to approve as amended.

Lucille Buchmann seconded.

Vote unanimous to approve February minutes.

HURLBERT CONDITIONAL USE

Joel Nelson presented the Staff Report for the requested guest house in the Upper West Shore Zoning district. Nelson read aloud most of the conditions of approval.

Jerry Winkley asked if addressing was for the main house because an address would not be issued for houses without phones. Joel Nelson asked Craig Hurlbert if he planned on installing a telephone and Hurlbert said probably not. Jerry Winkley expressed that the house needed to be numbered. Craig Hurlbert said the house was already numbered.

Joel Nelson said that condition number one should specifically state that the building will be 28' x 38'. Sue Shannon expressed concern that the plans show a 25' building width and suggested the Board may need updated plans.

Craig Hurlbert expressed his and his wife's wish to follow the rules in this project. They wish to have extra space for summer guests and have no problem with a deed restriction prohibiting rentals. He said the 28' width would not add any costs to the project nor encroach on setbacks and he would like to take advantage of that. The Hurlberts will abide by the 17 conditions of approval.

Jack Meuli asked if the 28' building width changed anything concerning the setbacks. Joel Nelson indicated no, it would not.

Jerry Winkley said the shake-roofed house to the north was a concern to the fire chief.

James McKee moved to approve the Conditional Use request with the 17 conditions that the staff recommended and with the additional condition that the Hurlberts submit an updated plan before the permit is issued.

Jack Meuli seconded. Vote unanimous to approve.

Craig Hurlbert stated that his eight-year-old thanked the Board.

QUINN EXTENSION REQUEST

Joel Nelson provided the history of the permit and discussed lakeshore setbacks. The Board discussed previous approvals which allowed reduced driveway width and further discussed the difference between approving a new plan or granting a time extension for the present approval.

Sue Shannon stated there was no notice of this request in the paper, so if the Board is considering allowing the building to be placed closer to the lake, the public would need to be noticed.

Jerry Winkley said the drainfield was experimental. James McKee asked the grade of the land above the house. Joel Nelson thought it was about 45%. Sue Shannon said the only area on the property less than 25% grade is homesite, which had been blasted out.

Jerry Winkley said the original approval required a turnaround for an ambulance. Sue Shannon stated that the plan would not meet the impervious surface coverage requirements in the zoning district. The permitted coverage would be approximately 1200'. Jerry Winkley had trouble with the applicant's ability to build in that small space and accommodate an emergency services to turn around in the driveway.

The Board members expressed their confusion about what they were supposed to be considering. Sue Shannon explained that to grant an extension the Board would be restricted to remaining with the previously approved plan. Changes would require additional legal notice.

Jerry Winkley encouraged a smaller house in both width and depth to eliminate encroachment. Sue Shannon suggested removing 10' from the length of the building for safety.

Jack Meuli moved to approve a one-year extension with a new plan submitted without further setback encroachment. He recommended a smaller house. Sue Shannon said the plans show parking and turnaround.

Marevonne Quinn introduced Lawrence Kenmille who has given her much advice concerning renewing the hillside and such. The 26' setback was for the deck, not the structure of the house. She is not going to have a deck. The previous Planning Director indicated that the permit provided the guidelines for this proposal. The house is about 1500' square on the main floor. She has reduced the width and would like to review it with her developer. She wanted a "t" area as opposed to a turnaround area.

Jerry Winkley said the turnaround is not level. Quinn agreed and further stated that the "t" needs to be expanded and reinforced.

Lawrence Kenmille said that Quinn wants an extension to be able to continue. If she needs to re-submit plans that's okay. He stated that Quinn is trying to meet all the qualifications to please the Board & Staff. He expects Quinn to submit alternate plans later.

Jack Meuli stated that's the way he thinks: Extend the permit, but she has to come back before the Board if there are any changes.

Sue Shannon suggested denying the extension and require that Quinn submit a final set of plans showing the parking, turn-around area, building setbacks & percentage of impervious surface area coverage. Quinn could pay legal notice costs and other fees will be waived.

Quinn expressed fear at losing the setback.

Sue Shannon said that the approved plan shows 32' building setback from the highwater mark with a deck 24' from the highwater mark. Quinn can't just amend the plan without review. Jerry Winkley stated that earlier approval shows 32' setback.

Marivonne Quinn asked for the extension now and additional review with any changes later. Sue Shannon said that could be made a condition of extension, and suggested setting a time limit for completion of Quinn's proposal.

Marivonne Quinn stated that she has paid for electricity for her neighbors and will gravel the road. Jerry Winkley stated the subject property is not on the reservation. Board, Staff & Applicant discussed resubmitting plans suitable for the limitations of the property.

Jack Meuli moved to grant a year's extension with a new plan to be submitted and that the new plan does not enlarge on any of the setbacks currently approved. He recommended a smaller house also but recognized that he could not put that into his motion.

Sue Shannon suggested showing the turnaround and parking on the revised plans.

Marivonne Quinn stated that the deck and structure were one in the same because the deck could be enclosed as part of the house. Sue Shannon countered that there is a difference because a deck has slats, which would allow rainwater to pass through, and therefore the deck would not be an impervious surface area.

Jack restated his motion as granting the year's extension, require a new plan that meets or exceeds the set backs on the approved plan.

James McKee seconded. Vote unanimous to approve.

OTHER BUSINESS

None.

Lucille Buchmann moved to adjourn, Jack Meuli seconded, vote unanimous.

Meeting ended at 4:53pm.