

LAKE COUNTY BOARD of ADJUSTMENT
September 14, 2005

Meeting Minutes

MEMBERS PRESENT: Fred Mueller, Jerry Winkley, Lucille Buchmann

STAFF PRESENT: Joel Nelson, Sue Shannon

Jerry Winkley called the meeting to order at 4:05 pm

Fred Mueller moved to approve the August Meeting Minutes.

Lucille Buchmann seconded.

Vote unanimous to approve minutes.

ANDERSON CONDITIONAL USE

Joel Nelson presented the Staff Report orally. Fred Mueller clarified the 25' building height staff recommendation #5 as being included in the Finley Point Zoning Regulations.

Jerry Winkley suggested that this should be an after-the-fact permit request and appropriate fees should be collected.

Dennis Anderson provided the actual dimensions of the building as 32' x 36'. He reported that he didn't know he had to have a building permit until he applied for the septic permit.

General discussion revolved around after-the-fact permitting.

Fred Mueller moved to approve as is, Lucille Buchmann seconded. *Vote Unanimous.*

NICHOLSON VARIANCE

Joel Nelson presented the staff report.

Jerry Winkley requested better drawings in the future.

Rob Nicholson explained that there are currently two houses on the property and that he understands the zoning rules; he feels that another house would not be detrimental to the area nor to the property. He stated that he would like to build in that specific location for the lake views.

Fred Mueller thought there were too many houses already, Jerry Winkley agreed and suggested that other options needed to be explored.

Fred Mueller moved to deny, Lucille Buchmann seconded without prejudice. *Vote unanimous.*

BECKER VARIANCE

Joel Nelson orally presented the staff report.

Board Member discussion explored the width of the road, actual easements, and buildable areas on the subject property.

Frank Becker said that his lawyer says there is legal access to the property. Becker expects to have a septic tank that's pumped, that he was okay with the setbacks, and he would be willing to build on lot 10 on the 5% grade. He addressed impervious surfaces and stormwater filtering. He did not feel there was a safety hazard at the turn around indicated in the Staff Report and addressed miscellaneous other Staff Report concerns.

Mel James stated he owns property contiguous to the subject property. He granted initial easement on these lots for recreational purposes only and questions whether or not there's legal access if the property use is changed to residential.

Robert Blue, owner of lot 13, expressed concern with the ground instability of the subject property (loose rocks and gravel).

Rick Bartos, owner of lot 8, said there is no easement across his lots for access to the subject property. He stated that the dock on lots 10-12 was built from the lake, using lake access only, and that no access to the dock was ever made through his land. He opposed the project and urged the Board to deny the variance.

Nan Clausen cautioned that she thought she would lose her access to her property when there was too much rain this spring because of ground instability in heavy rain.

Karen Shepard owns lot 7 and is opposed to the variance.

Yetta Laws owns lot 2 and is opposed. She says there are so many things wrong.

Frank Becker recognized the 50' lot zoning setbacks did not allow for building on this property. He expressed interest in helping improve the road.

Sue Laverty stated that the people have zoning for a purpose and urged the Board to deny the variance.

The Board discussed the project and their concerns.

Lucille Buchmann moved to deny. Fred Mueller seconded. *Vote unanimous.*

Fred Mueller moved to adjourn, Lucille Buchmann seconded. *Vote unanimous.*