

LAKE COUNTY BOARD of ADJUSTMENT
May 9, 2007
Meeting Minutes

MEMBERS PRESENT: Lucille Buchmann, Jack Meuli, James McKee, Sue Lavery, Clarence Brazil

STAFF PRESENT: Sue Shannon, Joel Nelson, Alex Hogle, Lita Fonda

Lucille Buchmann called the meeting to order at 4:00 pm

Lucille and others noted the April minutes need to be amended by adding Clarence Brazil to the 'Members Present' section of the April minutes. **Motion by James McKee, and seconded by Jack Meuli, to approve the April 2007 meeting minutes as amended. Vote unanimous to approve minutes.**

THROCKMORTON CONDITIONAL USE

Joel Nelson presented the staff report.

Erik Eckert spoke on behalf of the owner. He clarified the existing structures, including decking, sheds, cabin, will be removed. (85% of it will be recycled.) James verified with him that they have no problem with the condition to remove buildings, or the driveway conditions.

Lucille checked for further public comment. None was given. Public comment closed.

Motion by James McKee, and seconded by Jack Meuli, for approval of the conditional use request for 49% impervious surface coverage with staff conditions. Motion carried unanimously.

NYGAARD/MCDERMOTT VARIANCE

Alex Hogle presented the staff report and handed out additional public comment of one letter received in support after the staff report was written.

Lucille asked if there were guest houses in that area. She thought it was all single-family houses. Alex said that he hadn't analyzed this. Jack noted that the adjoining tracts were pretty small. The largest adjoining property is 19 acres. Alex said that the lots created through H-1671 are all 5 acres in size. There are larger parcels across the street to the east and also behind.

Cameron Vert spoke on behalf of the applicant. She said there are a few guest houses across the road to the east. She reiterated that the tracts are small and 5 acre is the biggest besides the farmland to the west. A septic person did measure for the drainfield, and as best he could tell, it was not on their property. An easement has been reserved. They are willing to put the road where ever it has to be. As far as the family member issue, a name could be removed.

James asked if Mrs. Nygaard spoke with the Planning Dept before purchasing the property. Cameron didn't think there was an opportunity to call, to her knowledge. She had advised them

that they could do an attached unit, like a mother-in-law apartment. James clarified with Cameron that the applicants had gone ahead and purchased the property with the hope of putting 2 separate dwellings on it. They knew that they would have to come before the Board for that.

Sue L thought they had an excellent opportunity to create one single-family home that could accommodate the mother, so they could live in one single unit instead of 2 separate structures. They purchased the property knowing that this could be an option, but the other option that they're requesting is out of that realm.

Further public comment:

Roxanne McDermott: She said she didn't know 2 houses could not be put on the property when she bought the property. She had contacted Lake County for a different property, and thought a guest house could go on the property as long as it didn't have a stove or full-size refrigerator. They have 4 children and are expecting a 5th. She felt having her mother in with them would be difficult for everyone because the children would be too attached to her. Her mother would also need her own area for visitors, her own space and her own free time, as does the family. She wants to be close to her mother, but she doesn't think they'd be comfortable in the same house. It's hard to find something in the area large enough to do this without coming in front of the Board because it's so expensive and because they wouldn't know what to do with all the acreage. Two people across the street have relatives living there. One is in a trailer house that's moveable, with no foundation. She didn't know if that was an option. As far as where things are put on the 5 acres, it doesn't matter to them where they have to put stuff.

Public comment closed:

Sue S pointed out that with the stove and full-size refrigerator, that is an Environmental Health Department standard for a second structure and not do the sewer and water, and have an approved use for a 2nd residence on the property. It doesn't have anything to do with the density regulations. James confirmed with Sue S that for the purposes of density, it would still count as a 2nd unit.

Lucille asked if a house with a separate apartment under one roof could be built, with a breezeway in between. Sue S thought if it had a breezeway, it would be more like a duplex. It would be limited to a primarily a residence with a smaller attached apartment. Sue L noted that in the last item, the house was large: 4400 square feet. She thought a large house could accommodate sufficient private space. Lucille and Clarence agreed with her that a house with a separate apartment within it could happen, and confirmed with Sue S that this would be an option. Sue L said that they have the opportunity at this point.

Motion by James McKee, and seconded by Sue Laverty, to deny the variance for the reasons stated. The applicants have options to develop the property in a conforming way that still meets their needs. Motion to deny the variance carried, all in favor.

OTHER BUSINESS: None.

Motion by James McKee, and seconded by Sue Laverty, to adjourn. Meeting adjourned at 4:44 pm.