

LAKE COUNTY BOARD of ADJUSTMENT
October 8, 2008
Meeting Minutes

MEMBERS PRESENT: Clarence Brazil, Mike Marchetti, Sue Laverty

STAFF PRESENT: Sue Shannon, Joel Nelson, LaDana Hintz, Lita Fonda

Mike Marchetti called the meeting to order at 4:02 pm.

Motion made by Clarence Brazil and seconded by Sue Laverty to approve the September 10, 2008 meeting minutes as written. Motion carried, all in favor.

TWITE CONDITIONAL USE

LaDana Hintz presented the staff report.

Joy Twite spoke on behalf of the application and said they had no problems with the conditions of approval.

Motion made by Sue Laverty, and seconded by Clarence Brazil, to grant the conditional use with compliance to the staff recommendations and to adopt the staff report, findings of fact and application materials into the Board findings. Motion carried, all in favor.

BONNER DENSITY BONUS & CONDITIONAL USE:

Joel Nelson presented the staff report.

Mike checked his assumption that the other regulations would hold for each lot. Joel affirmed. Mike asked about the distance to the eagle's nest. Joel pointed out the rings around the eagles' nest out to 1/2 mile. As far as complying with the environmental rules, the road length was reduced so it wouldn't come quite as close to the eagles' nest as the last time the Board looked at this. Sue S asked what the average lot size was for the parcel, with 12 units. Joel replied it was 8.169166. Sue S said the reduction is that they were allowed 10 acres per units and they want to go down to 8 acres per units. Sue L asked about the open area. Joel explained it would be restricted from development. They haven't said they wanted to dedicate it to the public. He thought it would be the homeowners association. Mike checked that there would be no lot 13 proposed down the road. Clarence noted that does happen, as things change. Joel said it could happen if the density changes. Mike said if by today's rules and density, then this is appropriate and they would not be able to come back for another lot. Joel thought the subdivision would probably be approved with a requirement [inaudible].

Bob Bonner spoke on behalf of his application. Regarding the eagle's nest, he said they couldn't have any activity within 330' from January to August. They've located the drainfield outside that 330'. There's only one building lot in 660'. They have a common area with a walking path.

Marc Carsten also spoke on behalf of the applicant. By putting the common area by the highway, they have a buffer from the development at Table Bay.

Public comment closed.

Sue L thought the design helped protect the natural environment and maintain the rural character. Mike agreed. He was pleased with the differences in the proposal since the Board last saw it.

Motion made by Sue Laverty, and seconded by Mike Marchetti, to grant the request, based on the discussion as well as with compliance to the staff recommendations in #11, with a 2-year subdivision application time limit and #12, and to adopt the staff report, findings of fact and application materials into the Board findings. Motion carried, all in favor.

OTHER BUSINESS:

Sue S gave an update on the East Shore Zoning District update.

Mike noted he'd been looking through the lakeshore regulations. He thought some bad things had been allowed in the past regarding some of the seawalls. He asked if this could be clarified in the regulations regarding the seawalls and the highwater mark. He thought something could be added to the document so that even if a seawall was put in, the naturally occurring highwater mark still exists. Seawalls were intended to stop erosion, not to add property. Sue replied that the lakeshore document would be updated in January, and this was a good suggestion for it. She mentioned some issues with Swan Lake, including the floating docks.

Sue L asked about wetlands and if they could be filled in off of the reservation. Sue S explained if it's attached to state waters, an Army Corp of Engineers permit is required. If it's not attached to state water, there's no jurisdiction.

Mike asked about a project in Woods Bay. Sue S described what was happening with the project in question, which had been permitted as a lake-related structure.

Motion made by Sue Laverty, and seconded by Mike Marchetti, to adjourn. Motion carried, all in favor. Meeting adjourned at approximately 4:50 p.m.