

**LAKE COUNTY BOARD of ADJUSTMENT**  
**August 12, 2009**  
**Meeting Minutes**

**MEMBERS PRESENT:** Jack Meuli, Clarence Brazil, Sue Laverty

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

Sue Laverty called the meeting to order at 4:01 pm.

Jack Meuli noted a name correction to the minutes on pg. 4.

**Motion made by Sue Laverty, and seconded by Jack Meuli, to approve the July 8, 2009 meeting minutes as corrected. Vote unanimous to approve the minutes.**

**HAMLIN FLOODPLAIN VARIANCE**

Tiffany Lyden presented the staff report. (See attachments to minutes in the July 09 meeting file for staff report.)

Sue L verified with Tiffany that other permits, such as 310 permits, typically needed to be in place prior to the floodplain permit. Tiffany mentioned in this case they do have their zoning conformance permit. Lakeshore permitting did not come into play for this case. Tiffany clarified for Sue L that the reasoning behind the fill was to protect the structure by elevating it and essentially creating an 'island', so the floodwaters could go around. The fill does require engineer certification that it would stay in place during a flood. The stem walls are an alternative, to elevate in a different way, which has also been certificated by an engineer that it will withstand the flood.

Matt Nerdig spoke on behalf of the applicants. He talked about the analysis done which basically entailed filling with water all around the structure and assuming that the walls have to be able to hold out the hydrostatic pressure from that, and they won't fail due to overturning, or due to shear, or due to slide. He reiterated from last month's meeting that the floodplain as determined right now will change for Swan Lake, and he thought it would change down. He pointed out that without the 15' of fill, the actual footprint of disturbance would be much less. More vegetation would be preserved and thereby there would be less chance of water quality issues. They also design the erosion control measures that will be used during construction.

*Public comment opened:* None offered. *Public comment closed.*

**Motion made by Jack Meuli, and seconded by Clarence Brazil, to approve the variance, to adopt the findings and to adopt the staff recommendations. Motion carried, all in favor.**

**KORECHOFF FLOODPLAIN VARIANCE**

Tiffany Lyden presented highlights of the staff report. This proposal was very similar to tonight's first proposal. (See attachments to minutes in the July 09 meeting file for staff report.)

Robert Korechoff spoke on behalf of his application. He noted that Matt Nerdig, from A2Z, was also here representing him. He said the conclusions for their variance request were identical to those of Hamlin. There was no issue with the structure being able to hold back floodwaters, no sinking of the foundation under 'worst condition' loads, which were calculated with snow on the roof and floodwater on the ground. He thought everything had been adequately discussed.

*Public comment opened:* None offered. *Public comment closed.*

**Motion made by Jack Meuli, and seconded by Clarence Brazil, to approve the variance, to adopt the findings and to adopt the staff recommendations. Motion carried, all in favor.**

**ANTONSON CONDITIONAL USE—LAKE MARY RONAN**

LaDana Hintz presented the staff report. (See attachments to minutes in the July 09 meeting file for staff report.)

Sue L asked about adding the guest house to the existing septic as a dependent unit. LaDana explained it had to be without a kitchen and laundry. If it had its own septic, the guest house would be an independent unit. Right now the lot has a subdivision approval that dictates a single-family residence status. They would have to get that approval amended to have an independent unit. In that case, they still wouldn't be able to rent or lease that unit.

The applicant agreed this was confusing.

*Public comment opened:* None offered. *Public comment closed.*

**Motion made by Sue Laverty, and seconded by Jack Meuli, to approve the conditional use, to adopt the findings and to adopt the staff recommendations. Motion carried, all in favor.**

**OTHER BUSINESS**

Lita mentioned the November meeting falls on November 11, which is a holiday, and the meeting will have to be shifted if there are items for November. She suggested the Board members might look at their schedules for availability.

**Motion made by Jack Meuli, and seconded by Sue Laverty, to go into executive session to discuss litigation strategies. Motion carried, all in favor.**

**Motion made by Jack Meuli, and seconded by Sue Laverty, to exit from executive session. Motion carried, all in favor.**

**Motion made by Jack Meuli to adjourn, and Sue Laverty seconded. Motion carried, all in favor. Meeting adjourned at 7:10 pm.**