

LAKE COUNTY PLANNING BOARD
June 21, 2006
Proposed Zoning Amendments
Meeting Minutes

MEMBERS PRESENT: Steve Hughes, Fred Mueller, Jerry Winkley, Clarence Brazil, Ken Miller, John Fleming, Bob Kormann

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

John Fleming called the meeting to order at 7:05 pm

John overviewed the meeting. The Board is meeting tonight to do a 5-year review on 3 zoning districts: Swan Sites, Upper West Shore and Finley Point. Staff will present the changes for proposed for each district. There have been prior scoping meetings, prior to this one. The Board will have a chance to ask questions, and it will be opened for public comment. The Board will make a recommendation to the County Commissioners. The meeting for the Commissioners is not yet scheduled.

SWAN SITES

Sue Shannon explained that meetings with the Swan Sites Homeowners Association had been held to consider the 5th year review in Dec 2005. The proposed changes are a result of those meetings. Many of the changes are for clarification, information, administrative, or were requested by the Homeowners Association. Some changes involve changing definitions so they are the same in the different zoning districts. She covered the suggested amendments, as shown in the most recent draft. *For IV.B.4, add a change to the draft so it reads "Double-wide mobile homes older than 10 years on all lots." IV.C.6 should be moved to 'Prohibited Uses', which is covered by IV.C.13.* Section 8 and 9 deal with administrative items.

The Board had an opportunity for questions.

Jerry offered comments.

On II.2 it should read zoning regulations and lakeshore protection.

On page 15, IX.B.1.c and IX.B.1.f, depending on what is being proposed for an amendment, if it applies district-wide, to get all the names of all the property owners and to mail them notices might be cumbersome. Public notice is given anyhow. We may not want to mail them to everyone, although certainly adjacent property owners should be noticed. For amendments to the official zoning map, it requires a petition of request signed by the real property owners representing at least 65% of the land area. We might be able to refer to that procedure on a district-wide amendment.

Ken asked if people in the district are members of the Homeowners Association. Jerry replied that this appears in the other two zoning districts, so it would be good to have consistency. Sue commented that the 'amendment area' referred to could be the zoning district or it could be a

sub-unit within the zoning. *For zoning district-wide amendments, require a petition to be submitted showing that 65% that the people in the district are in favor.*

Sue explained in response to Bob's questions:

The density in Swan Sites is based on the original covenants, so it's hard to say. It's outlined in the sub-unit section on pg. 5.

Regarding the sewage disposal or treatment facilities on pg. 4, IV.C.17, it doesn't prevent someone from running a sewer line if you had 3 or 4 owners. It says facilities, not infrastructure. This could be clarified.

A woman (unidentified) felt that if they bought lots, and ran a private pipe through Swan Sites lots, that could be considered something for another subdivision or another person's usage of Swan Sites, similar to the funneling issue. If they were to use County maintained roads and easements, then that's not Swan Sites anyway. The intent was not to prevent the running of lines for someone that wanted an offsite sewer system for another subdivision. The intent was if they bought property in Swan Sites and used, for example, the Kootenai for their sewage disposal site and not allow anyone in Swan Sites.

Sue clarified in response to Fred's question that if an existing mobile home turns greater than 10 years, it becomes grandfathered. You would not have to remove it. If you wanted to replace it, you would have to come into compliance.

She clarified regarding John's inquiry on IV.B.1 (pg. 3) that gift shops were removed, because they wanted uses that were more community based, to support the community living there, rather than tourist-based.

Ken and Sue discussed the high water mark. With the high-water mark, the elevation is ambiguous. It fluctuates, which has been a struggle for years. A good way to do it has been laid out. Nailing a number down would be nice but it varies along the lake. There should be a standard spot for setbacks for construction. Jerry added that this has been encountered in Lower Bug Creek zoning area as well.

The elevation of the high water mark is different in the north section of the lake from the south end. Sometimes inconsistencies come up between two adjacent lots. Alex suggested that perhaps numbers could be found for sections of the lake (north, central, south, etc), and a contour could be created, and a buffer zone established. Sue offered to talk about this with Don Wood and with the Conservation District, and see what ideas they might have. It would be easier to make decisions if this were nailed down.

Public comment opened:

Sue Laverty: She is a Board member of Swan Sites Homeowners Association. She thanked people for their work. The Board is in unanimous support of this document. They tried to clarify issues that have come up within Swan Sites, and yet not muck it up with other regulations. They hope the Board supports it as well.

Marrin Griffith: She is a property owner and full-time resident of Swan Sites #1. She would like the Board to approve the proposed changes. A very diverse group of property owners, along with Sue Shannon, read through the document completely and collaborated on the changes. A consensus was reached that these are positive changes that benefit all the property owners.

Public comment closed.

Motion by Bob Kormann to recommend acceptance of the proposed changes to the Swan Sites zoning district, per the staff recommendations as amended at this meeting, seconded by Fred Mueller. Vote carried unanimously.

UPPER WEST SHORE

Sue explained that the procedures for developing these amendments followed the same pattern as for Swan Sites. Some of the changes were, as with Swan Sites, to make the definitions consistent with other zoning districts. She covered the proposed changes, highlighting those proposed by the homeowners. She explained why some of the changes have been proposed, pointing out how they clarify, simplify or add to consistency. Some changes have been requested by other groups, such as the Board of Adjustment or Lake County Environmental Health.

The Board had an opportunity for questions.

On pg. 14, VIII.B.2.3.7, Jerry suggested adding 'hazardous materials'. On amendment procedures, IX.B.1.c and f, he repeated the comments for notification, as given with Swan Sites. *The same solution could be applied.*

Bob inquired if there was discussion about homes being built on the skyline in this district. Sue referred to pgs. 8-10, where disturbances meeting certain criteria on lakefront lots or on sloped lots shall be reviewed as conditional uses. Someone highlighted IV.B.7.b. Sue pointed out a difference in the regulations between building on a slope and building on top of a hill. She confirmed that they could build right on top, if the top of the hill was flat, unless the excavation was greater than 2,000 square feet. Depending on the intent of the owners, if they want more criteria for building on top of slopes, she didn't think the updated regulations address that. If there is additional input, an additional standard may need to be added. John and Jerry looked at pg. 14, VIII.B.2.e.3. It involves conditional use, but isn't specific.

On pg. 7, V.A.3.c and pg.8 V.A.3.c, John received confirmation that guest houses were moved from conditional use to permitted use, and that permitted uses is on the bottom of pg.2, IV.A. Sue added that the definition of guesthouses has been changed such that they cannot exceed one per tract. Also guesthouses permitted on a property that exceeds the allowable density unit shall not be rented.

Sue showed the statement that property owners should be aware of other local and state laws on III.A.1.b, on pg. 2, to answer John's query.

Public comment opened:

Nancy Knight: She lives on Table Bay. What is the best way to find out about these meetings, if one doesn't read the Leader or see a little notice in the post office? She acknowledged there may be no answer, but she felt it should be run in the West Shore News in Lakeside. She found out from her neighbor, who saw a tiny postage size notice in the Rollins post office. What regulation or law is there?

Jerry: Size was 8 ½ " by 11".

Unidentified: There was also one in the Lakeside post office.

John: The Leader meets the legal requirement.

Nancy: That should be changed. Having to do with the business of existing properties, are they always grandfathered in when it comes to the health of the lake and their situation on the lake? She knows of houses practically in the lake. She's concerned about where their sewage is going. Will these sorts of conditions be allowed to continue, and is this the place to bring this up?

John: The scoping meeting may have been a better place. He asked her to tell the Board what she wants, and they'll try to work it in if it sounds like it should be part of this zoning.

Nancy: She thinks it needs to be resolved, except that it's so cost-prohibitive. These may be older people who have been there for years. She's concerned about a lot of stuff that we may have no idea is going into the lake. She has about 170', and it's scummy and gunky. She doesn't know what the Board can do about it, since to have to force people with no money to have to put up some sort of amelioration isn't right either. She's casting forth her concern. She's been concerned since she was on the Park Board for 5 years.

John: Just keep bringing it up.

Nancy: With these changes, there's something about not allowing a driveway to go into the lake, when you talk about a buffer. If somebody has already done almost that, is it correct that there's nothing that can be done relative to that at this juncture?

Sue: This is for new construction, when it is adopted.

John: Grandfathering is fairly well established.

Chris Cramer: She's from Rollins. Her question is about the absolute acreage as opposed to 'plus or minus'. Do you know where that's covered?

Jerry: He thought that's in the density map.

Sue: It didn't change here.

Alex: In the map regulations, it's specifically over cluster purposes in 5, 10 and 20 acre areas.

Jerry: There are a lot of areas that are just short.

Alex: Beyond that, they use the 10%.

Sue: The density regulations are not applicable to the zoning district. In Chris' area, it's 10 acres per unit. It's not the plus or minus 10%.

Chris: When she brought up a guesthouse, she was told she didn't meet the 5 acres at 4.95. For all intents and purposes, she is a 5-acre. She would like to address this problem and avoid it in the future. In the winter, it was planned to be plus or minus the 10%, or whatever.

John: Doesn't zoning supercede the density map?

Sue: Yes. If we want to do it, it needs to be put in here.

Steve Rosso: Is it possible that in the variances, we could allow the Board to issue a variance, and to allow a recommendation for the variance based on being within some percentage of the actual acreage.

Jerry: Variances are done by a different Board.

Steve R: There is a list of variances and recommendations for the Board to issue variances.

Jerry: The Board knows for a fact that a number of areas are short of the 20 or 30, and then they split and are just short of the 5 or 10.

Sue: She didn't think they'd want to do this on the lakeside, which is 1 or 1 ½ acre, and it's appropriate to keep it at that. For the highway side, where it's 10 acres and 5 acres, we could add language that says 'plus or minus 10%'

Jerry: He's not sure it needs to be 10%. 5% would probably take care of most of it.

Sue: It needs to be specific. People have tried to use the density regulations to get extra lots, when the specific intention was for lots created with, for instance, a county road easement such that it brings it below the 5.

Jerry: They have net increase and gross increase too, that comes into play.

Chris: She doesn't have roads to take property away, and these were subdivided prior to the zoning. When she needed to file for conditional use, it was an issue.

Steve R: He pointed out that a guesthouse would now be a permitted use.

Chris: It wouldn't allow her mother to live there year round. You still have to meet density.

Sue: It's without the rental of the guesthouse.

Steve R: You could let a guest live there as long as you don't rent it.

Chris: It's temporary. That was the whole issue. She got it for hardship. The issue is that she was being restricted for having 4.95. There are a lot of properties that aren't exactly 5, 10 or 20.

Sue: She suggested that in conditional uses under guest houses, "guest house rental is the property meets the density requirement of the subunit..." we could add 'plus or minus 5%' there.

Jerry: They might allow 5% regarding calculated density, but not necessarily for subdividing.

Sue: This would be physically for guesthouse rentals, not for subdivision.

Chris: She'll go for that.

John: This would be on pg. 2 under conditional use?

Sue: Actually, it's on pg. 9. She suggested doing this in the sub-district section, lower and upper highway side. On pg. 8, under conditional uses: "*Guest house rental if the property meets density requirement of the subunit plus or minus 5%*". For D, lower highway side, also on page 9, she read the same new phrasing.

Jerry: He didn't think it made a difference if it's in the sub-districts; they should all be the same.

Sue: You can't rent them in the other sub-districts.

Steve R: He pointed out a section in the Finley Point zoning district, on pg. 12 under buffer strips, they have an intent paragraph, and two paragraphs under rationale. Under the 2nd paragraph under rationale, they speak of a vegetative buffer strip at least 50' wide. Those aren't in the Upper West Shore zoning, and he doesn't think that it's clear that those need to be entirely buffer stripped. He'd like those paragraphs added to Upper West Shore. They should be added on pg. 5, E, just before the vegetation section.

Sue: You want intent, rationale and procedure?

Steve R: Sure. He repeated the location. The problem is that on pg. 3, with setbacks, it talks about B.1.a, which refers to section IV.E. IV.E starts out with buffer strip design, and doesn't talk about the 50'. The intent and rationale may answer some of the questions on problems with groundwater and storm water runoff coming into the lake and increasing nutrient loading and algae growth.

John: He asked Sue if this conflicts with what was heard at the scoping meeting.

Sue: No.

Steve R: On pg. 19, definition B on average building height, he was concerned that the measurement would not be from the highest point of the building overall. He felt the measurement should be from the highest overall point to the ground on each side, whether the highest point is on the side being measured, or somewhere else.

Discussion ensued as to how to make the intent here clearer.

John: He looked at the first sentence: “The vertical distance of a structure is computed by determining the highest point of each major side of a structure.”

Steve R: He suggested: “The vertical distance of a structure is computed by determining the average of the highest point anywhere on the building to the ground on each major side of the structure.

John: He asked about the word “average”.

Steve R: Perhaps the average can be moved to the ground.

Sue: She read another possible description of determining height.

Jerry: There were concerns from the fire dept for the height. He thought Steve had a good point, that it needs to be specific. He thought the front elevation view of the house would show this height to the highest point as visible in that elevation view.

John: For Steve’s version, you take the highest single place on the house, and then average the ground around the house.

Steve R: He explained his version again, to go from the elevation of the highest single point down to the average ground elevation for each of the sides, then take the average of those numbers resulting from each of the sides.

John: If you’re on a slope, and wanted 30’ height, then, with the front on the low side of the slope, the actual distance from the ground at the front of the house would be greater than 30’.

Steve R: You could have it 35’ on the front, 25’ on the back, and 30’ on each side, and meet the regulation.

Alex: Imagine the side of a house built on a slope. He thought it would be useful to clarify how to determine the average height of that side.

Steve R: It talks about the average height of the ground on that side of the house. You might need to take several measurements to get an average ground level. It might not hurt to require that this be reviewed in the plans. Only zoning conformance is required, rather than building

plan review. Somebody can get a conformance permit without anyone looking at what the building looks like. They see a floor plan maybe, to determine impervious surface percentage.

Sue: We do require a cross-section and elevation drawing of the structure.

Steve R: The permitter gets to review those things, and may deny based on those drawings.

Jerry: He added that this is without adjusting the ground elevation.

Steve R: He commented on pg. 4, storm drainage. Do we need to say something about the buffer strip. He hasn't studied the paragraphs to be added from the Finley Point one. He felt it was important that the storm drainage is not allowed to bypass the buffer strip. The intent of the buffer is to handle and filter that water. If somebody puts a culvert in the ground under their buffer strip to get rid of groundwater near the house, and runs that conduit straight to the lake, then that buffer strip isn't doing any good. He wasn't sure if it was appropriate here to handle the question of the rerouting of naturally occurring ground water. He knows of builders who put French drains around buildings, then daylight that French drain close to the lake or right on the lakeshore, so it bypasses the buffer strip.

Tom Moss: There are a lot of properties that won't have a buffer strip, where they're already developed.

John: He asked if this was covered by the 4th line in the same section: "...the development will not result in the deterioration of water quality..."

Steve R: Yes. This raises an enforcement issue. The person issuing a zoning conformance permit has to make a judgment, and has to see the storm water and French drain plan to know if it conforms to this water quality statement. These weren't mentioned when you review the plans. Typically you wouldn't know about a French drain they were going to build that would daylight on the lakeshore.

Sue: We could just state that.

Steve R: That you can't channel storm or naturally occurring ground water drainage any closer to the lake than the outside edge of the 50' buffer strip.

Jerry: This is contingent. This says the zoning administrator may require a written storm water plan by a professional. That gives some latitude. We may need to be specific about bypassing the buffer strip.

Sue: She suggested "Storm water cannot be channeled to bypass the buffer strip." With natural drainage, if someone is building a boathouse, for instance, they may have to do that.

Steve R: Maybe it needs to be put in as a conditional use or a variance.

Sue: The Conservation District looks at when they change natural drainage. If they're going to put in a culvert and direct it right towards the lake, it's supposed to be reviewed and approved by the Lake County Conservation District. She explained that we need to check with them and find out what their parameters for permitting are, before she starts making changes.

Nancy: We don't have building inspections per se. Forrest Sanderson and Jerry Sorenson were very specific and extremely careful. With her home, she put in twice what was needed in the form of drains. The Planning Dept came and made sure that it was done, 15 years ago.

Jerry: He didn't think the inspection has changed appreciably, unless it's stricter. We don't have building inspectors as such, but we do have planning staff that look at projects to ensure compliance.

Fred: Were those Sanitation people?

Nancy: It was everyone.

Bob Kormann: The problem with that is there were only 20 to 25 houses built in Lake County then [per year]. Now the staff is challenged. Maybe put in the document to have a building review committee of the people that live in this district. Then you can at least police your own neighborhood and bring it to the attention of the staff. Mission Bay has standards, and you have written standards. Things slip through. The neighbor doesn't want to tell on the new guy and cause a problem. If the standards are in the document, you review the structure. When someone brings in a set of plans and you look and the elevations, the plans are sometimes purchased and don't show the land contours.

Sue: We go on site. If the land is slope we can ask for additional information.

Bob: People are saying the staff and County should take care of this. Is it possible for the County staff to review all these, go on site, and also check the progress as the project is being built?

Sue: Typically the progress is not regularly checked. After construction, it's checked for construction to what is on the permit, unless you happen to stop in.

Nancy: These houses aren't all being built at the same time. You're supposed to file something at the County when you're going to put up a house. There should be somebody.

Bob: Mission Bay community, for example, has a design review committee.

Nancy: There's enough dissention around without that. She thinks it's better that there be somebody as part of the government to get out there at least twice during the procedure to make sure that things are according to regulation.

Bob: It sounds good, and it sounds like it should happen, but it won't happen. He knows of 2 Kings Point structures that are supposedly boathouses. They are large structures with no septic.

There's a line under a tram that he's going to use as sewer and water. One of his neighbors came to Bob. That's neighbor telling on neighbor.

Nancy: There's still something to be said for fining people. It can be anonymous.

Tom Moss: Two points on the review requirements that are administrative additions on pg. 16, for variances. There are a. through h. findings that are to be made by the Board. He thinks it's nice that it's here. Regarding finding b, he doesn't think it's quite appropriate. He thinks something like "The Board shall recognize that property owners own and purchase property with the understanding that these regulations apply. Therefore, hardships resulting from lot size, shape or topography do not qualify as circumstances over which the applicant has no control." His concern is that potentially someone buys a lot, knowing that it's not buildable. The owner sells it for that market price, because it isn't buildable. Then the new owner gets a variance.

Steve R: When you buy a lot of a particular size and a particular slope that doesn't meet the regulations, you should know that you aren't going to be able to build on it. Or go in and ask for a hardship.

Jerry: We see that every month.

Steve R: And you deny it.

Jerry: In some cases, yes. That statement primarily deals with pre-existing lots.

Sue: We are not going to allow lots to be created that cannot be developed in compliance. When a subdivision in the Upper West Shore is reviewed, they are going to ensure that every lot can be developed in compliance and they aren't going to have to get a variance. This is more for addressing lots that were in existence at the time the zoning regulations went into place.

Steve R: Even though those lots may have changed hands recently, since these regulations. The new owner knew these regulations existed. They bought a lot they knew was unbuildable, and now apply for a variance.

Jerry: The 'buildable' determination may not have been made.

Clarence Brazil: The real estate people don't always tell these people.

Sue: We're walking a fine line there, taking property value.

Chris: She was under the impression when they wrote that language that there's a lot, it's been built on for years, and for some reason there's a disaster. You will comply with the regulations to rebuild as long as it's capable to do this. Hardship was that if the lot were of a size or topography where they could still rebuild but not comply 100%, you would review it and see what the best they could, would be.

Jerry: That's a little different. We've had lots that we knew didn't comply with the requirements when zoning districts were created. There was an attempt to protect these people's rights to build on those lots with a reasonable variance. That's where the Board of Adjustment comes into play.

Tom: This is addressing adjustments.

Jerry: It's primarily talking about preexisting lots before the zoning.

Steve R: Maybe it should say preexisting lots.

Tom: It's as though it negates all that's been said about lot size, shape and topography. Those are addressed and then it's as though those are hardships.

Jerry: People certainly think they are entitled to develop their lots. Some have been in their ownership since 1910. If you say they can't, they're probably going to try to sue the County. It's a thin line. He thought it was okay the way it was written.

Clarence: Wasn't this particular language part of a court decision as to how you could grant a variance?

Jerry: A lot is taken from other documentation.

Tom: His other point is with (pg. 16) finding h. If the variance doesn't meet that, how could you grant a variance? A variance is a special privilege--either it's a variance, or everybody can do it.

Sue: They make findings that there is some sort of hardship owing to that lot which is part of why the variance is granted.

Clarence: He thought this would prevent other people from coming in and saying you did it for him, and mine is similar, and you gave him special permission to do it, you're not doing it for me

Sue: Take it out.

Public comment closed.

Sue summarized the changes, including:

- add the intent, rationale, and procedure to the buffer strip section
- add the plus or minus 5% to the guesthouse [inaudible] section in subunits C and D
- storm water cannot be channeled to bypass the buffer strip
- add hazardous materials on pg. 14
- take out h on pg. 16
- add language to the procedures, take out the requirement to mail notice to all property owners and add language if it's a district-wide change that they have to submit a petition showing that 65% of the people in the district are in agreement

- change the average building height definition

Motion by Jerry Winkley to recommend the adoption as written and amended, and with the items enumerated. Seconded by Fred Mueller. Vote carried unanimously.

FINLEY POINT

Sue highlighted the significant changes added by the homeowners.

She responded to Jerry's question that the distinction between commercial and community commercial is that community commercial benefits and convenience for area residents. It's not necessarily exclusive for the residents. John and Steve felt that if the area residents had the concept and wanted it, they could have it and see how it works. Jerry said it's under conditional uses so would fall under the Board of Adjustment.

John reminded that on pg. 16-17, Variance, 2.c.2.h, that will be scratched, as with the Upper West Shore zoning district. Sue added that the changes Jerry suggested about the amended procedure for notification would also go into this zoning district.

Clarence received calls, and also discussed with Lucille, about how duplexes came into the area. She thought it was originally designed for the people on the Highway Mountain side. Now it's in all the sections, which defeats the zoning and density, if you have a duplex and guesthouse. He suggested removing it in all sub-units.

Public comment opened:

Lucille Buchman: She thought the idea [for duplexes] was brought up by someone who wanted to build an apartment for aged parents in their home.

Clarence: It could be changed to an allowance for mother-in-law apartment instead of a duplex.

Lucille: If the aging parents apartment come up again, the Board of Adjustment could wrestle with it.

Virgil Dupuis: He concurred with Clarence's point on duplexes, since multiple-family is prohibited. It doesn't make sense to allow two families under conditional uses. It would make sense to address the mother-in-law apartment. He supports thinking about how to address this. He asked if guesthouses are now a permitted use, if they meet density, setbacks, sewer.

Sue: They have to meet setbacks, sewer and you can only have 1 per lot. It doesn't have to meet density.

Jerry: It allows the staff to make the decision, rather than bringing it to the Board of Adjustment.

Virgil: He asked if this doubles the density, without review.

Jerry: Most of the requests for guesthouses were approved.

Lucille: They were approved with the idea they can't be rented. If the lot is big enough to qualify for two houses, then it could be rented. If your lot is 3.5 acres and you build a guesthouse you can't rent it. If you have 7 acres, then you could build a guesthouse and rent it.

Sue: She read the definition. "Guesthouses shall not be used for rental purposes and shall never be independently rented or offered for rent." It doesn't give the option for rental.

Lucille: That's the way she feels.

Ken: If you take out the duplexes, everyone who wanted a duplex will build a guesthouse.

Clarence: They'd have a guesthouse and a duplex the other way.

Jerry: The guesthouse is a temporary use. A duplex is a full-time use.

Ken: With enforcement, it's a temporary use.

Sue: A guesthouse can be attached.

Virgil: He asked what a state license for a short-term vacation rental involves.

Sue: Talk to the Environmental Health Dept. regarding the criteria. They do look at the septic system. She clarified that it's a license for renting on short-term basis, less than 30 days. Historically, these have been allowed. We're putting the language in to let people know they need to get a license.

Virgil: He asked if independent rental of property brought in for approval, as referred to on pg. 3 IV.A.5 require approval to rent. One can obtain a state license to do short-term rental or seek approval from the governing body?

Sue: She suggested that it say "No independent rental or habitation of more than one living unit on a property."

Virgil: So if someone rents 4 bedrooms out on a short-term basis, they need approval.

Sue: There's what's called subdivision for rent or lease. This is an existing thing.

Virgil: On the Gilman Lane change, resorts are still in there, on pg. 9. He thought some of the landowners in that area wanted to change it from commercial to residential, with resorts remaining as a conditional use. It is commercial now to residential.

Sue: As a conditional use, it allows for commercial. It's primarily residential, which is a permitted use. Commercial is a conditional use.

Clarence: We've effectively done that by limiting it to 500' back from the highway.

Virgil: He's wondering about back 500' to Gilman Lane and Findley Point. Conditional use is resorts, and that's not that hard to get. He thought the landowners' intent was to make it residential from Gilman Lane to the 500' area. Pg. 9, F.1.1 says resorts are okay in that area. He can't speak for the landowners, but he doesn't know that resorts were in their vision as a conditional use.

Lucille: Resorts were for up on the highway.

John: He asked if Virgil was asking for l to be dropped.

Lucille: Across the highway, on the north side, was where we came up with that. The Board of Adjustment had someone who wanted to put a resort in up there, above the highway.

Virgil: That's a separate issue. This is down on Finley Point itself.

John: He asked for clarification on the area being discussed.

Virgil: He's talking about below the highway and the turnoff on Findley Point Road. For 500' it's been determined to be Community Commercial. Beyond the 500', and turning north, this is the area.

Location was further delineated by the group.

Clarence: At a March meeting, he got the impression that they wanted it strictly residential.

Virgil: He understood that they wanted very similar language as that for the Finley Point interior.

Clarence: He agreed.

Sue: She asked about recreational vehicle campgrounds.

Lucille: She described a section that used to be an RV park.

Sue: That's within 500'. We don't want to exclude Chefflebein.

Clarence: That's grandfathered in.

Virgil: They have a grandfathered campground. Regarding recreational vehicle campgrounds, he did not recall the landowners wanting those.

Sue: She suggested they put 'resorts and recreational vehicle campgrounds within 500' of the center line'. That would push them towards the highway.

Virgil: The resort and RV park would be within 500' of the highway and would be considered community commercial. He thought the homeowners were thinking residential. He'll try to call a couple of them to see.

Lucille: So resorts are changing?

Sue: She reiterated that for resorts, retreat centers and RV campgrounds, they shall be located within 500' of centerline of highway 35.

John: He checked for additional comments.

Public comment closed.

Motion by Steve Hughes to recommend acceptance of the proposed changes to the Finley Point Zoning District, per the staff recommendations as amended at this meeting, seconded by Fred Mueller. Vote carried unanimously.

OTHER BUSINESS

The site visits to Dayton on Friday July 7 was highlighted. A sign up sheet was circulated.

John Fleming adjourned the meeting at 9pm.