

# MINUTES

**Thursday, June 16, 2016**  
**Board of Zoning Appeals Meeting**  
**Council Chambers-Glennon Center Lower Level**  
**7:00 p.m.**

<p><b>1. Call to Order</b></p>	<p>Lisa Marie Johnson, Chair, called the meeting to order.</p> <p>Present: Lisa Marie Johnson, Greg Walden, Abigail Duval, Michael Cole, Walt Krasinski, Amy McKinney, Larry Franklin and Susan Britt (staff)</p> <p>Absent: None</p>
<p><b>2. Approval of Minutes</b> a. Feb. 18, 2016</p>	<p><b><u>MOTION</u></b> Greg Walden motioned to approve the minutes as presented. Walt Krasinski seconded.</p> <p><b>VOTE: Ayes, Unanimous</b></p>
<p><b>3. Review the Following Statement to be Heard: Case No. 01-16:</b> Request for Variance to Municipal Code of Ordinances, Chapter 10, Article II (Residential Waterfront Construction), Division 1—"Buildable Area" for construction of a dock extending approximately 30 feet beyond the Buildable Area limitations into the cove. a. Presentation of the Staff Findings of Fact</p>	<p>Chairman Johnson briefed the public on the procedures for the public hearing before the Board of Zoning Appeals.</p> <p>Susan Britt presented the Staff Findings of Fact (attached to the official record). In addition, Ms. Britt presented for the record all responses received from the identified property owners from all properties within 200' of the subject site.</p>
<p><b>4. Administer the Oath and Receive Testimony in the Above Case</b></p>	<p>Chairman Johnson administered the Oath to the applicant, Chad Lawrence. Mr. Lawrence presented his case for appeal. His hardship as presented is that the lot in question is a peninsula and the property's shape hinders the placement of a dock as defined by the Code. Approximately 80% of the defined Buildable Area is consumed by an unusable shoreline. In addition, the shoreline topography in that location is very steep and would benefit from the shoreline stabilization required for the dock construction and would not interfere with the Buildable Area of any adjacent properties.</p> <p>Chairman Johnson asked the appellant about the distance to the nearest adjacent dock. Mr. Lawrence stated that the distance exceeds that which is required by</p>

	<p>Duke Lake Management. Mr. Krasinski asked about the depth of the water in the proposed location and Mr. Lawrence stated that it is sufficient.</p> <p>Speaking on behalf of the Appellant: None</p> <p>Speaking on behalf of the Objectors: None</p> <p>Comments by Others Present: None</p>
<p><b>5. Motion on Appeal, Discussion and Action by the Board</b></p>	<p><b><u>MOTION</u></b>  Michael Cole motioned to approve the variance as presented.  Larry Franklin seconded.</p> <p><b>DISCUSSION:</b> Mr. Walden noted that the neighbors immediately adjacent on each side of the property had no objections to the variance. Mr. Cole also stated that he thought the identified hardship due to the shape of the lot was sufficient to grant the variance. Ms. Duval agreed.</p> <p><b>VOTES: AYES Unanimous</b></p>
<p><b>6. Review the Following Statement to be Heard: Case No. 02-16: Request for Variance to the Zoning Code, Article X, Section 19-184 “Side and Rear Yard Structure Setbacks” and the Planned Development District for River Lake Phase 3 to allow an encroachment of approximately 3’ into the side setback for one corner of the new home construction</b></p> <p>a. Presentation of the Staff Findings of Fact</p>	<p>Susan Britt presented the Staff Findings of Fact (attached to the official record). In addition, Ms. Britt presented for the record all responses received from the identified property owners from all properties within 200’ of the subject site.</p>
<p><b>7. Administer the Oath and Receive Testimony in the Above Case</b></p>	<p>Chairman Johnson administered the Oath to the applicant, Michael Corcoran, of MCOR Builders. Mr. Corcoran presented his case for appeal. His hardship as stated is the location of the adjacent rip rap and sediment pond in the County’s jurisdiction that encroaches into the established setback for this lot and therefore causes some hardship as to home placement. In addition, the property located at 711 Old Cove Road is sloping sharply from 600 feet to 580 feet in the area of the side setback line. Also, this lot abuts a cul-de-sac resulting in a narrower frontage with a wider rear property line.</p> <p>Speaking on behalf of the Appellant: None</p>

	<p>Speaking on behalf of the Objectors: None</p> <p>Comments by Others Present: None</p>
<p><b>8. Motion on Appeal, Discussion and Action by the Board</b></p>	<p><b><u>MOTION</u></b>  Abigail Duval motioned to approve the variance as presented.  Larry Franklin seconded.</p> <p><b>DISCUSSION:</b> Mr. Walden asked the appellant if the ridge of the garage would be centered with the house. Mr. Corcoran replied in the affirmative.</p> <p><b>VOTES: AYES Unanimous</b></p>
<p><b>9. Adjournment</b></p>	<p><b><u>MOTION</u></b>  Abigail Duval motioned to adjourn.  Michael Cole seconded.</p> <p><b>VOTES: AYES Unanimous</b></p>