

BOARD OF ADJUSTMENT

MINUTES

THURSDAY
OCTOBER 9, 2008

1:00
PM

COMMISSIONER CHAMBERS,
ADMINISTRATION BUILDING

CALLED TO ORDER BY	Donald Schreiner, Chairman, noted for the record that there was a quorum present. He confirmed Proof of Publication for each case and noted that the meeting had been advertised pursuant to the Sunshine Statute.
RECORDING SECRETARY	Anna Ely
BOARD ATTENDEES	Donald Schreiner Ruth Gray Howard B. (Bob) Fox, Jr. Lloyd Atkins, Jr. Steven Berk Marie Wuenschel
NOT PRESENT	Mary Link Bennett
DEPARTMENT OF GROWTH MANAGEMENT REPRESENTATIVES	Terrie Diesbourg, Director, Zoning Division Anita Greiner, Chief Planner, Zoning Division Paul Simmons, Planner, Zoning Division Anna Ely, Public Hearing Coordinator, Zoning Division
BOARD ATTORNEY	Melanie Marsh, Deputy County Attorney Erin Hartigan, Assistant County Attorney

MINUTE APPROVAL

APPROVAL OF MINUTES OF SEPTEMBER 11, 2008 MEETING

MOTION READS:	To approve the minutes of the SEPTEMBER 11, 2008 Board of Adjustment hearing.		
MOTION BY:	RUTH GRAY	SECONDED BY	STEVE BERK
MOTION APPROVED: 6-0	FOR: Donald Schreiner Ruth Gray Howard B. (Bob) Fox, Jr. Lloyd Atkins, Jr. Steven Berk Marie Wuenschel		AGAINST: None

BOA#57-08-5

BOA #57-08-5
OWNER/APPLICANT: MICHAEL AND JULIE LIPPARELLI

MOTION READS:	TO APPROVE the withdrawal of BOA#57-08-5		
MOTION BY:	LLOYD ATKINS	MOTION BY:	STEVE BERK
MOTION APPROVED 6-0	FOR: Donald Schreiner Ruth Gray Howard B. (Bob) Fox, Jr. Lloyd Atkins, Jr. Steven Berk Marie Wuenschel		AGAINST: None

BOA #53-08-3
OWNER/APPLICANT: LAKE COUNTY BOARD OF COUNTY COMMISSIONERS

CONSENT AGENDA

BOA #55-08-2
OWNER/APPLICANT: CAGAN CROSSINGS OUTPARCELS UNIT TWO, LLC

BOA #56-08-5
OWNER/APPLICANT: HARVEY AND PHYLLIS COLEMAN

DISCUSSION	There was no objection to BOA#53-08-3, BOA#55-08-2 and BOA#56-08-5 remaining on the consent agenda.		
MOTION READS:	To approve BOA#53-08-3, BOA#55-08-2 and BOA#56-08-5 with conditions of staff.		
MOTION BY:	STEVE BERK	SECONDED BY	RUTH GRAY
MOTION APPROVED: 6-0	FOR: Donald Schreiner Ruth Gray Howard B. (Bob) Fox, Jr. Lloyd Atkins, Jr. Steven Berk Marie Wuenschel		AGAINST: None

BOA#50-08-2

BOA #50-08-2
OWNER/APPLICANT: DONNIE AND SHERRY RIFE

DISCUSSION	<p>Anita Greiner stated that Mr. Rife was not present at this time. She stated that she had spoken with him in the last couple of days.</p> <p>Ruth Gray, Board member, stated that she felt that the additional information was adequate and would be willing to make a motion to approve the variance request.</p> <p>Ms. Greiner stated that staff was recommending denial and gave a history of the past variances that had been granted. She explained the time restriction remaining for the Family Lot Split.</p> <p>Steve Berk, Board member, stated that he would second the motion with the added condition that any new owner would not be able to resell the property until the original time frame restriction for the Family Lot Split was up.</p> <p>Lloyd Atkins, Board member clarified with Mr. Berk that the restriction would be placed on any new owner.</p> <p>Ms. Greiner explained that she had asked Mr. Rife for further proof that his parents had lived there, to prove that they had met the intent of the code. She stated that at this time he has not provided that information. She explained that Mr. Rife was going to bring that information to the meeting, but was not present to submit it. She also verified for the Board that she has spoken with him and that he had been properly noticed regarding the meeting.</p> <p>Motion by Ruth Gray, seconded by Steve Berk that Mr. Rife can sell the property but that it can not be resold until May 2011.</p> <p>Mr. Atkins stated that he felt that Mr. Rife should have brought the</p>
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	<p>information to the meeting to show the additional information that Ms. Greiner had asked for.</p> <p>Don Schreiner, Board Chairman, clarified with staff what they had requested Mr. Rife to bring and stated that he felt that Mr. Rife had had sufficient time to respond with the requested information.</p> <p>Ms. Gray stated that she felt that Mr. Rife does have a hardship and even though he has shown a lack of responsibility she felt his request should be approved.</p> <p>Mr. Atkins stated that until Mr. Rife has shown intent of meeting the code he would not be in favor of the motion.</p> <p>In response to the Board, Ms. Greiner stated that Mr. Rife had requested to be put on this month's agenda.</p> <p>Mr. Schreiner clarified with Ms. Greiner that staff was requesting electrical statements showing that there had been continued usage of the property as a residence.</p> <p>Ms. Gray stated that she would withdraw her motion and Mr. Berk stated he would withdraw his second.</p>		
	<p>Motion to postpone to the next Board meeting and at that time the Board will make their final decision.</p>		
MOTION BY:	LLOYD ATKINS, JR.	MOTION BY:	RUTH GRAY
MOTION APPROVED 6-0	<p>FOR: Donald Schreiner Ruth Gray Howard B. (Bob) Fox, Jr. Lloyd Atkins, Jr. Steven Berk Marie Wuenschel</p>		<p>AGAINST: None</p>

The meeting was adjourned at 1:16 p.m.

Respectfully submitted.

Anna Ely, Recording Secretary

Donald Schreiner, Chairman