

Town of Clear Lake
5950 Gecowets Drive
Fremont IN 46737

MINUTES of the June 21, 2010 Board of Zoning Appeals

Present: Ron Kummer, President
Jon Fitzenrider
Chris Folland
Eric Tyler
Bonnie Brown-alternate
Neal Blythe, Town Attorney
Bruce Snyder, Zoning Administrator
Laura Farquhar, Record the Minutes of the Meeting

Absent: Gerald McArdle

Visitors: 14 people signed the guest register.

The meeting was called to order at 7:00 p.m. by Ron Kummer, President.

2010-03 Variance Request for Clear Lake Marina. They want to construct a patio in the lake yard. The Marina District Rule 2.24 requires a minimum of 50 feet lake yard. Rule 5.57 sets out exceptions to the setback standards but none allow for patios in the lake yard.

Jim and Joann Stanley were present to speak of what they want to do at the Marina which requires them to apply for a variance.

President Ron Kummer asked if there were any comments for or against the variance requests from the audience. There were several that spoke in favor of the Marina constructing a patio in the lake yard, no one spoke against it.

There was a discussion amongst the Board on the matter.

The Board voted 5-0 to approve the variances based on the Findings of Fact (attached).

The Clear Lake Town Council had to appoint three alternates to hear the Yacht Club variance due to the fact that all the BZA Board members, except for Chris Folland, recue themselves because they are members of the Yacht Club.

2010-04 Clear Lake Yacht Club. They want to construct a patio and sidewalk in the lake yard. Neighborhood Commercial District Rule 2.22 requires a minimum of 50 feet lake yard. Rule 5.57 sets out exceptions to the setback standards but none allow for patios in the lake yard. They also want a variance to the maximum lot coverage of 35%.

Chad Korte was present to represent the Clear Lake Yacht Club and what they want to do which requires them to apply for a variance.

Chris Folland, who was conducting the meeting at this time, asked if there were any comments for or against the variance requests from the audience. There were several that spoke in favor of the Yacht Club constructing a patio and sidewalk in the lake yard, no one spoke against it.

A motion was made by Larry Armstrong to close the Public Meeting for the Yacht Club variance hearing. Barb Disser seconded the motion. With all in favor of the motion, the motion carried.

There was a discussion amongst the (acting) Board on the matter.

The (acting) Board voted 4-0 to approve the variances based on the Findings of Fact (attached).

2009-01 Mr. Waterfield requests an extension for the variances that he was approved for during the June 5, 2009 meeting.

There was discussion amongst the Board. The will grant an extension of one year. The Board will require Mr. Waterfield to submit his new plans for the Boards review.

A motion was made by Bonnie Brown to grant the one year extension for Variance 2009-01. Eric Tyler seconded the motion. With a 4-1 vote (Chris Folland opposing the motion) the motion carried.

President Ron Kummer asked that everyone take a minute to look over the Minutes for the February 15, 2010 meeting.

A motion was made by Chris Folland to accept the minutes as amended. Eric Tyler seconded the motion. With a vote of 3-2 vote (two abstained because they did not read the minutes before the meeting) the motion carried.

Old Business:

Jon Fitzenrider presented the Board with BZA Board Rules changes.

A motion was made by Chris Folland to accept changes as proposed. Eric Tyler seconded the motion. With all in favor of the motion, the motion carried.

A motion was made by Chris Folland to change Zoning "Inspector" to Zoning "Administrator". (The Board gave Chris Folland permission to change these throughout the document). Ron Kummer seconded the motion. With all in favor of the motion, the motion carried.

A motion was made by Chris Folland to accept the Variance Development Standards Application for Appeal Hearing as presented by Jon Fitzenrider. Eric Tyler seconded the motion. With a 3-2 vote the motion carried. Ron Kummer and Bonnie Brown voted against because of lack of time to review the document before the meeting.

A motion was made by Chris Folland to accept the Variance of Use Application for Appeal Hearing as presented by Jon Fitzenrider. Eric Tyler seconded the motion. With a 4-1 vote the motion carried. Bonnie Brown abstained due to lack of time to review the document before the meeting.

A motion was made by Chris Folland to accept the Special Exception Application for Appeal Hearing as presented by Jon Fitzenrider. Ron Kummer seconded the motion. With a 4-1 vote the motion carried. Bonnie Brown abstained due to lack of time to review the document before the meeting.

A motion was made by Chris Folland to accept the Application for Administrative Appeal Hearing as presented by Jon Fitzenrider. Eric Tyler seconded the motion. With a 4-1 vote the motion carried. Bonnie Brown abstained due to lack of time to review the document before the meeting.

A motion was made by Eric Tyler to adjourn the meeting. Chris Folland seconded the motion. With all in favor of the motion, the meeting was adjourned.

The next regular scheduled meeting of the BZA will be held August 16, 2010 at 7:00 p.m.

Attested:

Christopher Folland, Secretary of BZA

Attachments: Agenda
Public Notice of Meeting verification
Findings of Fact for Clear Lake Marina
Findings of Fact for Clear Lake Yacht Club
Copy of Board Rules adopted 6-21-10
Copy of Variance from Development Standards App.
Copy of Variance of Use App.
Copy of Special Exception App.
Copy of App. For Administrative Appeal Hearing
Sign-in sheet
Hand written minutes

lmf

BZA June 21, 2010

Please Sign In

Cottage #	Name
1220	Bryan & Imogene LeForge
182	Leo Hebert
1004	Larry Armstrong
858	Dick Watfield
	Bruce Elter (MILLGROVE LANDSCAPE)
776	Don Oden
598	RIK ECKERT
1206	JACK & LANA Woodring
332	MARY JO FITZGERALD
950	ALAN HORTÉ + Sue
302	Bob Lewis