

The regular meeting of the Lake County Planning Commission was called to order at the hour of 08:00 AM in the County Commission Board Room.

ROLL CALL:

Craig Johannsen, Dale Thompson, Alan Schaefer, Don Bickett, Doug Jerlow, Aaron Johnson, Gene Anderson and Official Mandi Anderson were all present.

AGENDA/ADDITIONS:

None.

Motion by Craig Johannsen to approve the agenda. Second by Doug Jerlow. M/C All were ayes.

MINUTES/CORRECTIONS:

Motion by Dale Thompson to approve September 12th minutes sent to them by mail. Second by Gene Anderson. M/C All were ayes.

OLD/UNFINISHED BUSINESS:

None

NEW BUSINESS:

CONDITIONAL USE #18-10

Owner/Applicant: John Haman

Property Description: Lot I Exc N10' & All of Lot J of G. Spawn's Lake Shore Park in Gvt lot 1, 10-105-51, Chester Twmsp

Zoning Designation: "LP 1" –Lake Park-District 1 (Brant Lake)

Request: The applicant would like to build an addition onto an existing garage with greater dimensions than permitted

History/Issue(s):

1. He is requesting to build a 40'x 60' x 12' garage addition onto his existing 28x26x8 garage in the rear of his property.
 - a. It will be used for his own personal storage and shop space.
 - b. Newly proposed structure will contain 2,400 sq/ft. Overall 3,128 sq/ft.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building taller than 12 feet and greater than 1,200 sq/ft in the "LP 1" District.
3. He is adjacent to both a public and private road. (463rd Ave on the West side – public & South Shore Drive to the East side– private) Ordinance regulates that they must have a front yard of no less than 30 feet from the road right-of-way when adjacent to a public road, no closer than 10' to the private road and shall not be nearer than 2 feet to any side lot line. He meets all setbacks on this lot.
4. Staff recommendation – Conditional Use – **Oversized Garage**
The Planning Commission has the option to table, recommend granting of the Conditional Use to the Board of Adjustment, or recommend denial of the Conditional Use to the Board of Adjustment.

If the Planning Commission recommends granting of the Conditional Use to the BOA, it could use the following findings:

- Oversized garages/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.

- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance

Discussion:

Commissioner Aaron Johnson asked about the drainage of the land. Applicant replied that it doesn't go any one direction and that any water runoff just seems to dissipate, no standing water.

Action Item: Conditional Use – Oversized Garage

Motion by Dale Thompson to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Craig Johannsen. M/C All were ayes.

CONDITIONAL USE #18-11

Owner/Applicant: Michael Roberts

Property Description: Lot 1 & 2 Brant Lake Hills Addition, SE ¼ 3-105-51, Chester Township

Zoning Designation: "LP 1" –Lake Park-District 1 (Brant Lake)

Request: The applicant would like to build a shed/garage with greater dimensions

History/Issue(s):

1. He is requesting to build a 40'x 36' x 12' barn style storage shed onto his property.
 - a. This will be used for extra storage and will possibly have a living space in lofted area at some point.
 - b. Proposed structure to contain 1,440 sq/ft.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building taller than 12 feet and greater than 1,200 sq/ft in the "LP 1" District.
3. Ordinance regulates that they must have a front yard of no less than 10 feet from the road right-of-way when adjacent to a private road, no closer than 25' to the rear and shall not be nearer than 2 feet to any side lot line. He meets all setbacks on this lot.
4. Staff recommendation – Conditional Use – **Oversized Storage Shed**
The Planning Commission has the option to table, recommend granting of the Conditional Use to the Board of Adjustment, or recommend denial of the Conditional Use to the Board of Adjustment.

If the Planning Commission recommends granting of the Conditional Use to the BOA, it could use the following findings:

- Oversized garages/sheds/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance

Discussion:

Drainage of the land? Applicant replied that any water runoff with flow into the tree/wetland area to the Northwest of the property and then down to the lake.

Action Item: Conditional Use – Oversized Storage Shed

Motion by Craig Johannsen to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Doug Jerlow. M/C All were ayes.

CONDITIONAL USE #18-12

Owner/Applicant: Mark Barger

Property Description: Lots 5 & 6 Block 10 Chautauqua Plat, 15-106-52, Lakeview Township

Zoning Designation: "LP 1" –Lake Park-District 1 (Lake Madison)

Request: The applicant would like to build/move-in a garage with greater dimensions

History/Issue(s):

1. He is requesting to move in a 40'x 64' x 13' garage/shed onto his property.
 - a. This will be used for extra storage, wood framed with steel siding and roofing material. Coming off of Tweet Farm.
 - b. Proposed structure to contain 2,560 sq/ft.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building taller than 12 feet and greater than 1,200 sq/ft in the "LP 1" District.
3. He is adjacent to both a public and private road. (Dakota Ave on the South side – public & alley to the North side– private) Ordinance regulates that they must have a front yard of no less than 30 feet from the road right-of-way when adjacent to a public road, no closer than 10' to the rear alley way and shall not be nearer than 2 feet to any side lot line. He meets all setbacks on this lot.
4. Staff recommendation – Conditional Use – **Oversized Garage**
The Planning Commission has the option to table, recommend granting of the Conditional Use to the Board of Adjustment, or recommend denial of the Conditional Use to the Board of Adjustment.

If the Planning Commission recommends granting of the Conditional Use to the BOA, it could use the following findings:

- Oversized garages/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance

Action Item: Conditional Use – Oversized Garage

Motion by Alan Schaefer to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Gene Anderson. M/C All were ayes.

CONDITIONAL USE #18-13

Owner/Applicant: Brian Johnson

Property Description: Lot 4 Nordstrom's Addition, SW ¼ 25-106-52, Lakeview Township

Zoning Designation: "LP 1" –Lake Park-District 1

Request: The applicant would like to build a garage with living quarters with dimensions greater than permitted.

History/Issue(s):

1. He is requesting to build a 48'x 140' x 14' shed/house on his property.
 - a. He owns a property on Evergreen Acres Drive and needs the extra storage and living space.
 - b. The proposed garage space to be 48'x100'x14'. Proposed garage space to contain 4,800 sq/ft with 14' sidewalls.
 - c. The proposed living space to be 48'x40'x9'.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building with taller than 12' sidewalls and greater than 1,200 sq/ft in the "LP 1" District.
3. He is adjacent to a private road. Ordinance regulates that they must have a front yard of no less than 10 feet from the road right-of-way, 10' rear setback and shall not be nearer than 9 feet to any side lot line. He meets all setbacks on this lot.
4. Staff recommendation – Conditional Use – **Oversized Garage**
The Planning Commission has the option to table, recommend granting of the Conditional Use to the Board of Adjustment, or recommend denial of the Conditional Use to the Board of Adjustment.

If the Planning Commission recommends granting of the Conditional Use to the BOA, it could use the following findings:

- Oversized garage/shed/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance

Action Item: Conditional Use – Oversized Garage

Motion by Dale Thompson to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Doug Jerlow. M/C All were ayes.

PLATS:

A Plat of Tract 1 Van Zanten’s Addition in the SW ¼ of SW ¼ of Section 21-105-51 in Chester Township was presented to the Planning Commission. This plat is located in the “A” District. They are subdividing land for land trade between family members. Meets Lake County Regulations and the taxes have been paid in full. Motion by Craig Johannsen to recommend the approval of this plat to the County Commission. Second by Alan Schaefer. M/C All were ayes.

A Plat of Tract 1 Van Zanten’s Addition in the SE ¼ of SW ¼ of Section 31-105-51 in Chester Township was presented to the Planning Commission. This plat is located in the “A” District. They are subdividing land away from the adjacent farmland for CAFO development. Meets Lake County Regulations and the taxes have been paid in full. Motion by Doug Jerlow to recommend the approval of this plat to the County Commission. Second by Aaron Johnson. M/C All were ayes.

A Plat of Lot 2 Hansen’s Addition in the SW¼ of Section 14-108-52 in Nunda Township was presented to the Planning Commission. This plat is located in the “A” District. They are subdividing land for land trade between family members. Meets Lake County Regulations and the taxes have been paid in full. Motion by Craig Johannsen to recommend the approval of this plat to the County Commission. Second by Alan Schaefer. M/C All were ayes.

A Plat of Lots 26, 27, 28, 29, 30, 31, 32, 33 & 34 Nordstrom’s Addition in SW ¼ of SW ¼ of Section 25-106-52 in Lakeview Township was presented to the Planning Commission. This plat is located in the “LP-1” District. Subdividing land into lots for single family residential development. Meets Lake County Regulations and the taxes have been paid in full. Motion by Craig Johannsen to recommend the approval of this plat to the County Commission. Second by Aaron Johnson. M/C All were ayes.

PUBLIC COMMENT: Commissioners started to discuss our current Lake County Zoning Ordinance, particularly the CAFO permits when it comes to trees/shrubs for buffer area between the barn and any neighbors. Also, discussion on Lake District properties as to why we see so many CU permits for garage being built over 1,200sq/ft, need to discuss changing our current Ordinance to permit applicants to build larger without having to go through this process. Zoning Official will add it to next month’s agenda to formally discuss it at the that time.

Motion by Doug Jerlow to adjure the Planning Commission Meeting. Second by Craig Johannsen. Chair Don Bickett adjourned the meeting at the hour of 8:53 AM.