

BOARD OF ADJUSTMENT

The Board of Adjustment meeting was called to order at 5:30 p.m. by Chairman Cullinan.

Roll Call: Present: Muth, Verdoorn, Cullinan, Sissel  
Absent: Robinson

Motion by Muth, second by Sissel, to approve the agenda. All ayes.

Motion by Muth, second by Sissel, to approve the minutes of the 6/23/09 meeting. All ayes.

Cullinan read the following appeal: **Terry & Sue Kiewiet, 2101 S Lakeview Drive, Clear Lake, IA**, request permission to construct a new dwelling. PERMISSION DENIED: The Clear Lake Code of Ordinances Chapter 165.17 – Lake Residential. 4. Dimensional Requirements. Front Yard depth: building line closest to lakeshore. Proposed construction will not meet these requirements.

Terry Kiewiet stated he and his wife had revised building plans for their new home. They are no longer seeking 1' side yard variances on both sides of the property, but are still requesting a variance to rebuild using the same front-yard (lakeside) setback as the existing dwelling. The current Code requires that the proposed new construction be no closer to the lakeshore than the setback of adjoining property that is closest to the lake, in this case, the property to the north which is set back 9' farther than the 15' requested by the Kiewiet's.

Verdoorn noted he had voted against the variance request at the last meeting, however, after revisiting the site, said he may be more in favor of allowing the construction if the Kiewiets did not rebuild the large lakeside deck. Mr. Kiewiet stated that they now plan to build a two-story structure, but the house will sit much lower on the lot than the existing home. The new home will be approximately 24" above the level of the lake, which is only 6"-8" above the street level. A ground level patio, rather than a raised deck, will extend out to the lake.

Motion by Muth, second by Sissel, to allow the front-yard (lakeshore) variance as requested. Ayes: Muth, Sissel, Cullinan. Nays: Verdoorn.

Moved by Verdoorn, second by Muth that the meeting be adjourned at 5:40 p.m. All ayes.

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Tina Cullinan, Vice-Chairman

ATTEST:

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Sharon Springer, Secretary