

Cedar Creek Board of Adjustments
June 19, 2007
Minutes

The Cedar Creek Board of Adjustments met at 7:00 p.m., on June 19, 2007, at Village Hall. Advanced notice of the meeting was given by posting in three public places in the village. Board members present: Jeff Leach, Randy Moses, J.R. Olson, Pam Swenson, Bob Ford. Purpose of the meeting was to hear an appeal from David Ambrose, owner of Lot #207, 1008 Platteview Drive, Cedar Creek, on the Board of Trustees decision to deny a permit application to connect an unfinished garage to the dwelling on lot #207.

Chair Leach opened the meeting and requested Mr. Ambrose address the Board. D. Ambrose informed the Board of his desire to construct a connecting room between the garage and the dwelling unit. The connecting room would be used for sleeping accommodations and was perplexed as to why the Board had denied his permit request. All new construction would be above the Base Flood Elevation and in his opinion would be in compliance with FEMA regulations. Chuck Paukert, Village Floodplain Manager, informed Ambrose and the Board, if the new construction shared only a door to the existing dwelling, it would be allowed. However, if any improvements were done to the existing dwelling, FEMA's 50% rule would take effect and the entire structure would need to be elevated if the total cost of all construction was valued at 50% or more of the value of the original structure. C. Paukert also informed the Board, trustees could adopt a non conversion agreement, an agreement signed by the owner which would be attached to the deed stating no improvements would be made to the part of the structure which is below BFE. He also pointed out Ordinance 98-02 requires a waiting period of three years between permits on one property. P. Swenson stated, the requirements to grant a variance have not been met. By attaching the garage to the house, the required setbacks would not be met. B. Ford stated, setbacks were for fire safety and need to comply. Additional discussion was held on floodplain regulations, non conversion agreements, variances, fire safety, and personal plea from an owner.

Motion by Moses to allow owner to connect the garage to the dwelling as submitted on the Building Permit Application of 12-02-06 for Lot #207, 1008 Platteview Drive. Second by Olson. Vote: Moses yes, Olson yes, Swenson no, Ford no, Leach yes. Article 8, Section 8.03 of Ordinance 99-06 requires an affirmative vote of 4 out of 5. Motion failed. Property owner was given a copy of regulations for appeal procedures.

Motion by Moses to adjourn. Second by Olson. All ayes.

Mary C. Terry
Municipal Clerk/Treasurer