

**LAKESIDE COMMUNITY COUNCIL MEETING – December 2012 – open to the public**

DATE: 12/18/2012 TIME: 7:00pm

PLACE: Lakeside Sewer District Meeting Room; 253 Bierney Creek Rd.

NOTICED: County P&Z website Calendar of Events page; posters in Library and Post Office in Lakeside, submitted to DIL Daybook column.

**AGENDA:**

1. Call to order and Sign-in sheet passed.
2. Public Comment for items not on the agenda
3. Approve Agenda: Approve agenda for 12/18
4. Approve prior meeting minutes: Approve meeting minutes from 11/27/2012
5. Review/recommendations on any County applications in the Lakeside planning area (if any are scheduled):
  - a. A request by Fred McKnight, with technical assistance by Mark Buckwalter, for a Zoning Variance to property within the Caroline Point, R-2 (One-Family Limited Residential), Zoning District. The applicants are requesting a variance to Section 3.10.040(3)(A), Bulk and Dimensional Requirements, of the Flathead County Zoning Regulations, which requires a 20-foot front yard setback, to allow for a newly constructed deck off an existing residential structure located directly on the property line. The new deck would expand the existing non-conforming structure further into the setback and over the property line. The property is located at 357 Caroline Point Road.
6. Guest presentations or reports (listed below, if any are scheduled): none
7. Sub-committee reports from any LCC authorized subcommittees (listed below, if any are scheduled):  
No sub-committees currently active.
8. Procedural discussions or items (listed below, if any are scheduled)
  - a. Update on Craig Koontz (David)
9. Begin selection and prioritization of Lakeside Plan Implementation Strategies (Workshop discussion)
10. Meeting adjourned

NOTE: Public comment will be accepted on any agenda item when that item is being discussed.

**MEETING MINUTES:**

Council Members attending: Barb Miller, David Fetveit, Meredith Coopman, Mike Wilson, Gene Shellerud

Council Members not attending: Janet Conroy, Criag Koontz

P&Z attendees: BJ Grieve, Bailey Minnich

Public: Don Hines, Craig Seminoff, Marti Siminoff, David Altic, Allen D. Potts, Fred McKnight

MINUTES: (note: meeting was video recorded. Copies of the the DVD may be obtained from Flathead County Planning & Zoining)

1. Call to order at 7:00pm.
2. Public Comment for items not on the agenda:
  - a. Resident on Adams Street spoke regarding safety at the top of Adams St. Road maintenance was previously paid for by Charles Lapp, but most properties there are now bank owned. Spurwing has 4 permanent residents. Lapp had no ongoing maintenance agreement.  
The road is very icy and an accident recently occurred where a truck slid off the road. County

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*Persons with a disability may request a reasonable accommodation by contacting Elaine Nelson at the Flathead County Commissioner's Office at 758-5501 or TTY (800) 335-7592, or call Montana Relay at 711. Requests should be made as early as possible to allow time to arrange the accommodation.*

has denied responsibility and will not plow the road. Gene Shellerud indicated he had spoken before the Commissioners, noting that the county truck goes up the road, lifts it blade on the road in question and then puts the blade back down when back on a county road. Gene also indicated that the county maintains Deer Creek Rd.

David Altic and Craig Seminoff pointed out safety hazards. The accident occurred on Craig's property. Both David and Craig pointed out that many children walk this road to school and it is dangerous if now maintained for snow and ice.

David Fetveit committed to make a call to the county on behalf of public safety.

- b. Don Hines of 365 Caroline Pt. indicated he wanted to put in a kayak/canoe (public access) on the 35' county owned property (same property McKnight is asking a variance for). Don was told he needs to contact the County Roads department. It is a dedicated county road owned by the county (not an easement or park).
3. Barb moved, Meredith seconded and passed unanimously to approve agenda.
4. Barb moved, Meredith seconded and passed unanimously to approve November meeting minutes.
5. McKnight applications for variance:
  - a. BJ provided background information. The applicant was told prior to construction what the setback and non-conforming structure restrictions were in a 4/19/2010 letter from P&Z which he acknowledged receiving in a 5/18/2010 Commissioners meeting. However despite P&Z and Commissioner recommendations that he asked for a variance or road abandonment by the county, he proceeded with construction and but didn't apply for the variance until November 2012 (the county had to issue a "stop work" order).
  - b. Bailey reviewed the criteria for variance indicating whether criteria were or were not met. None of the criteria seemed to be met.
  - c. Applicant was asked for his presentation/comments; he had none.
  - d. Board discussion:
    - i. Gene suggested that perhaps a compromise could be reached – i.e., support the variance on the setback for the deck, but not the walkway constructed on county property.
    - ii. Mike indicated he was not in favor and that the applicant, though informed of restrictions, proceeded with construction and then asked for the variance later.
    - iii. Barb agreed with Mike.
  - e. Barb moved that the council recommend against approval of the variance. Mike seconded. Meredith wished more discussion after which the vote was taken: In favor of recommending against approval: Mike, Meredith, Barb. Not in favor: Gene. Motions carried 3 to 1.
6. No guest presentations.
7. No sub-committees.
8. Update on Craig Koontz: David spoke with Craig and Craig will be submitting a letter of resignation.
9. Prioritization of Lakeside Plan implementation: Barb motioned, Meredith seconded and passed unanimously to defer this agenda item to the January 2013 meeting.
10. Meeting adjourned at 8:30pm