

May 10, 2012

Planning & Zoning Regular Meeting, 9:30 AM, Lakeview City Hall

Present:

Sherman Fine

Chuck Birmes

Cindy Stephens

Absent:

Ron Elchesen

Bill Funk

I. New Business

- A. To hear a request for variance of setback Ordinance for the residence of William Dye at 396 Lake Drive, Lakeview.
1. Mr. Dye failed to get a building permit to build a deck on the front of his house. The deck, which was professionally built by contractor Mike Sandoval, exceeds the 25' setback requirements from a street.
 2. Mr. Dye stated that he had no complaints from his neighbors and when he hired Mr. Sandoval to construct the deck Mr. Sandoval stated that since the deck was under \$3,000 there was no need to apply for a permit.
 - a. There is no dollar figure set for requirements for a building permit in the City, only a need to attain a permit for any construction.
 3. Photos were presented to Planning and Zoning to assess construction and the distance from the street.
 4. Cindy Stephens made a motion to grant the variance under the condition that no additional construction be allowed on the deck. Chuck Birmes 2nd the motion, motion approved.
- B. Mayor Behling had presented proposed changes to some of the Planning and Zoning handbook to Sherman Fine for review and suggestions by the commission.
1. The proposed changes may need to be addressed at a meeting earlier than the regular August 9th meeting. Scheduling will need to be evaluated.

II. Meeting adjourned 10:00 AM

TO: Chairman, P&Z

**FROM: Maynard Gadway
Building Inspector**

**SUBJECT: Set-back violation
At 396 Lake Drive**

To Wit: Mr. Dye built a deck, or extended an existing one, which was permitted and met the front yard set-back at 25' the 10' extension sits just 14'-15' from the R.O.W. (see drawing)

Facts: Mr. Dye failed to get a building permit. The deck is well built and meets code, but violates our Planning & Zoning ordinance concerning set backs. Mr. Dye is asking a variance of 10' to make this legal. If Planning & Zoning approves this he will need to get a permit, and I ask that a condition be placed on this variance that NO further construction be allowed on this deck, i.e. roofs, enclosures, etc.

William Holt Dye
396 Lake Drive
Lakeview, AR 72642

April 4, 2012

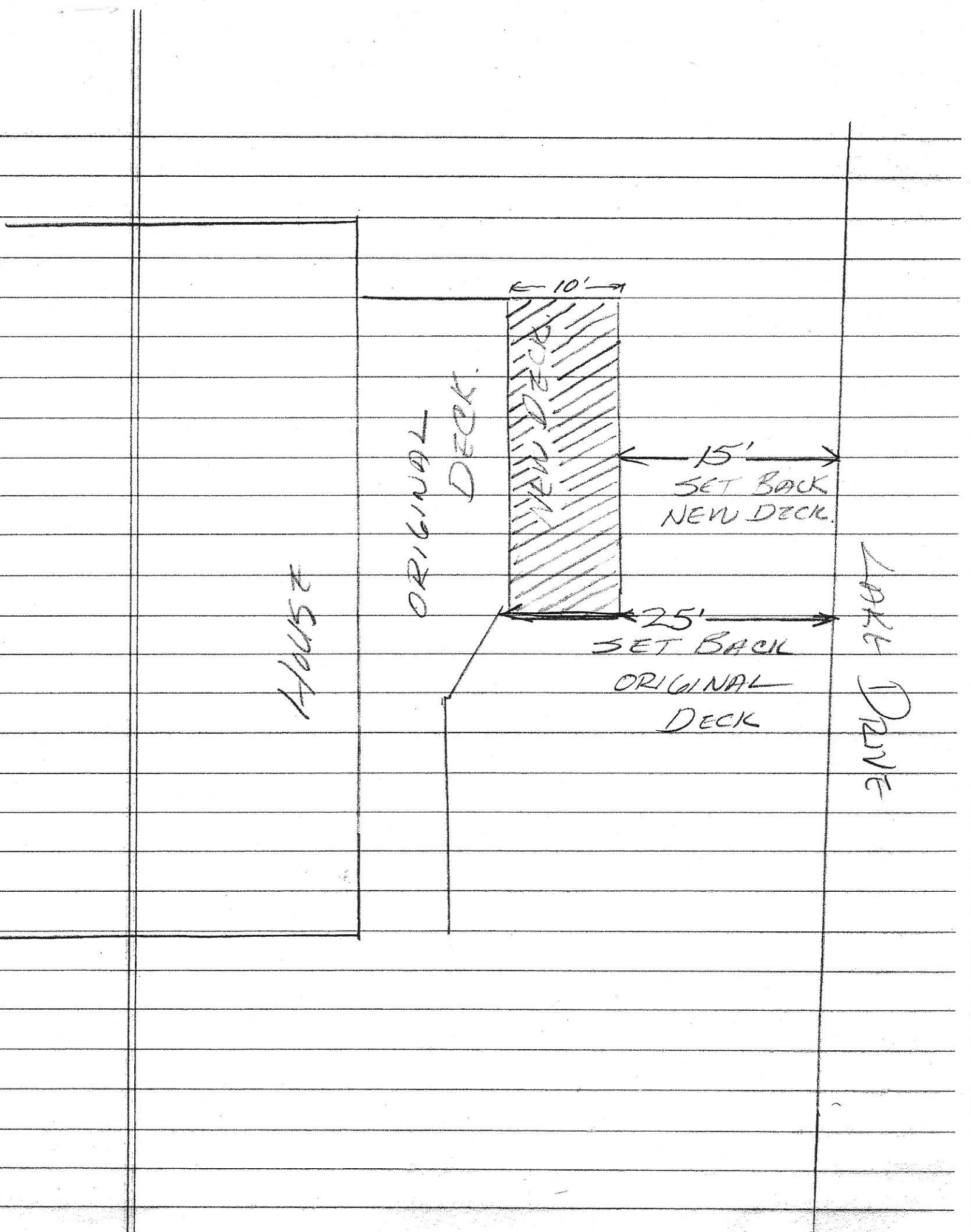
Dear Mr. Dye,

I have noticed that you extended the deck on the front of your house. It looks good and is well constructed and meets the requirements of our building code.

However, a permit was not issued for this project, and there is an issue with front yard setbacks. A permit was issued on 6/8/09 for the original deck and that satisfied our setback requirements. Please call me.

Sincerely,

Maynard Gadway
Building Inspector
City of Lakeview



HOUSE

ORIGINAL DECK

10'

NEW DECK

15'
SET BACK
NEW DECK

25'
SET BACK
ORIGINAL
DECK

LAKE DRIVE