

# TOWN OF WINDERMERE

## Development Review Board Meeting Minutes

October 18, 2022

Present were Chair Frank Chase, Board Members; Norma Sutton, Stephen Withers, Roger Heinz (arrived 6:33pm), Gregg Anderson, and Jennifer Roper. Town Council Liaison Bill Martini, Town Planner Brad Cornelius, and Town Clerk Dorothy Burkhalter were also present. Town Manager Robert Smith and Member Peter Fleck were absent.

Chair Chase called the meeting to order at 6:31pm. He then led everyone in the Pledge of Allegiance. Chair Chase stated that Member Fleck was not present to read his voting conflict form into the record.

Liaison Martini questioned the vote from the previous meeting regarding the pool setback Ordinance. Clerk Burkhalter stated she verified that the vote was 5-2. The two “no” votes were Heinz and Fleck. Member Heinz confirmed his vote was for the Ordinance. Member Fleck was absent.

### 1. OPEN FORUM/PUBLIC COMMENTS:

There were no public speakers.

### 2. NEW BUSINESS:

#### a. MINUTES:

##### i. September 20, 2022, Meeting Minutes

Member Withers made a motion to approve the minutes. Member Sutton seconded the motion. All were in favor.

#### b. General Items for Consideration:

##### i. Z22-08: 525 Lake Street – Ross & Kara Barker – Variance to allow a screen enclosure with a 5-foot side setback to cover a proposed new swimming pool and deck

Chair Chase turned the floor over to Mr. Brad Cornelius. Mr. Cornelius presented variance request Z22-08, to allow a screen enclosure with a five-foot side setback to cover a proposed new swimming pool and deck. He explained that the pool is compliant, but the screen enclosure needs to meet the setback as the principal structure. Due to the shape of the lot (three frontages) the variance will be needed. Mr. Cornelius stated that notices were mailed out, nine returned in favor and zero returned in objection. Member Withers questioned if the “dotted line” item on the plan is existing, which is currently five feet. Mr. Ross Barker, owner of 525 Lake Street, introduced himself. He stated that the dotted line is existing from when the home was purchased over a year ago. Member Withers then commented on a past issue with the drain field/septic on this lot. He further stated that without those being identified on the plans, he cannot determine if there is a hardship or not. Mr. Barker explained that the drain field is not working up to one hundred percent and will be looked into. Discussion was made regarding setbacks, three fronts, property lines, location of drain field and septic tanks, and hardships. Member Withers stated that his interpretation would be that the front of the house would parallel to the street. He also stated he does not see a hardship. Some discussion followed. Member Roper made a motion to recommend approval of the variance request. Member Sutton seconded the motion. All were in favor. Chair Chase stated that the DRB is a recommending board. He stated that the Town Council will vote on the item November 14, 2022, at the Town Hall.

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Member Withers questioned the action at the past Town Council meeting. Member Martini stated that Mr. Ata will be back before this board and the pool setback Ordinance will have a second reading/public hearing at the next Town Council meeting.

4. ADJOURN:

Member Heinz made a motion to adjourn. Member Roper seconded the motion. All were in favor.

The meeting adjourned at 6:51pm.



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Dorothy Burkhalter, Town Clerk



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Frank Chase, Chair