

MINUTES OF ZBA MEETING ON JULY 16, 2018

The meeting was convened at 10:00am.

Present: Jim Thorburn, John Klein, Walt Mikula, Mike Briggs, Barb Stauffer
Excused Absence: Tom Kizer

Chairperson Jim Thorburn called the meeting to order.

Persons present included the above noted board members and applicants (Mr. & Mrs Charles Hoover).

The Pledge of Allegiance was recited.

The Minutes of July 2, 2018 were approved with the denoted corrections; motion by Klein, seconded by Mikula, carried (5-0).

The Chairperson then convened the hearing on the appeal and request for variance filed in No. 18.07 to seek a setback variance. The current setback of the applicants' existing home is 65' from the lake high water mark. They are seeking to add a deck to the house that would extend to 55' from the lake high water mark. However, they are required to seek a variance because one neighbor's house (east side) has a setback of 88' from the high water mark making the required setback distance of 71' based on the average setback distance of the houses on the east and west side of the property (not including the raised patio and deck that extends towards the water on the respective neighbors' houses).

The appeal was read into the record by Thorburn.

The members of the Board affirmed they each had no conflict in considering this appeal. Commissioner Briggs did state that he resides several blocks from this residence, but had not previously met the applicants.

Two communications were received and read into the record from: (1) Mr. George J. Currier at 208 Lakewood Ave, dated June 25, 2018; and (2) Ms. Patricia Mulder for the Gerald M. Mulder Estate at 204 Lakewood Ave, dated June 26, 2018. Both communications were opposed to the variance requested.

The Board reviewed the 7 factors and the applicant's written responses and discussed them. Applicant's responded by answering questions and clarifying their requested variance and its purpose.

Following the discussion, a motion was made by Thorburn, seconded by Mikula as follows:

Motion to approve the requested zoning variance. The lakefront setback will not be less than required of 50 feet. It will be 55 feet after the construction. The home owner has a physical need for a walking surface at the same level as the house floor. The variance will not affect the lakeview of houses on either side of this lot. The Eastside neighbor is the only home with an unusually deep setback at 88 feet, not counting their large raised

patio that projects toward the lake. We have reviewed the standards and considered their impact on the requested variance.

Roll call vote occurred: Mikula, Klein, Stauffer, Briggs, and Thorburn supported the motion. Carried unanimously (5-0).

No 'precedent set' and '30-day window' was explained by the Chair.

No further business to come before the meeting, it was adjourned at approximately 11:37 a.m.

Dated: July 17, 2018

Michael B. Briggs, Acting Secretary