

Culver Board of Zoning Appeals

Minutes: August 17, 2017 @ 6 : 30 P.M.

Dan Adams led the Pledge of Allegiance to our Flag.

The Culver Board of Zoning Appeals met in a called session with the following in attendance; Dan Adams President, Bill Harris Vice President, John Helphrey Secretary, Patrick Jensen, and Chuck Dewitt, Building Commissioner. Margaret Dehne absent.

Motion to approve the July 20, 2017 minutes passed unanimously 4-0.

BZA Petition No, 2017-005B: James E. Easterday, Attorney on behalf of William Hamm and Dee Ann Hamm for their property located at 233 Winfield Street to request a Development Standard Variance to build a new primary residence with a South side yard setback of 5 feet from the required ten feet and a West rear setback of 20 feet from the required 25 feet to the nearest point. Mr. Easterday introduced the property owners to the Board and explained the following; the South side yard variance is needed for three steps from an exit/entry door. Water drainage problems occur in that specific area from heavy rains even though there are catch basins. In order to avoid future problems while keeping in compliance with the height structure ordinance, the house will be raised three feet, thus the need for the steps. The West rear yard variance is needed due to an attached three car garage that will encroach into a small triangle area of the lot. The widest point being five feet. Mr. Gary Nance Builder, supplied the Board with more information including second floor plans. He stated that there is room on the property to move the structure towards the lake but the owners would prefer not to. Their plans call for removing a lot of concrete in the rear area, adding green space and a sidewalk. Total property square footage is 12,026. Total structure square footage including hard surfaces will be 5,867.25. Mr. Easterday closed their presentation by relating some positive comments from neighbors to the south, the Grants and neighbors to the west, the Kirans.

Mr. Adams asked for questions and concerns from the Board members. Issues relating to the water drainage problems were further discussed along with proposed new ordinances concerning lake views between properties. Mr. Adams introduced two letters from neighbors Joseph and Mary Camerano of 209 Winfield and Corrie and Sharon Frank who are against this project due to the size of structure, possible reduced value of their properties and lake view. Mr. Adams stressed a very valid point by questioning new construction that does not comply with the setback ordinances. The design should easily accommodate the property while providing comfortable living space. Mr. Helphrey echoed those comments and stated that builders asking for variances for new construction projects seems to be a common theme.

At this point Mr. Nance and his clients had some private conversation which resulted in the withdraw of the request for the West rear yard setback variance request. They decided to position the structure to comply. They also stated they only need four feet into the Southside yard 10 foot setback, so they would like to amend that variance. Mr. Adams confirmed that the Board will only consider the South side yard variance amended from feet to six feet for three steps that will be 30 inches in total height and four feet into the 10 foot set back. The Petitioners assured the Board that there would be nothing over the steps that would impede the lake view and they will work with the builder and Building Commissioner to resolve the water drainage problems in that area.

Mr. Adams requested public input. Gregg and Anna Caudal of 204 Winfield, Bill Githens of 210 Winfield, and Russ Mason, previous subject property owner, all had the same concerns as previously stated. After hearing from the Builder and property owners their concerns appeared to be satisfied.

Since there were no more questions or comments, Mr. Adams requested the Board vote on the South side yard variance request. Patrick Jensen made the motion to approve. The motion carried three to one. Mr. Adams voted No.

2017-006B: William Dahm for the property located at 2008 East Shore Drive, to request a Developmental Standard Variance to allow a North side yard setback of zero feet from the required 10 feet to construct a lakefront accessory structure. John Cradle and Thomas Burnworth from Milestone Construction represented the property owner. They provided the Board with plans and additional detail of the project which would be built on the current concrete base. Height will be 10 feet, Square footage will be 204 Sq.Ft. and the exterior will match the house. Structure will not impede neighbors line of sight.

There was much discussion from the Board regarding the history of this property and Mr. Adams was very hesitant to consider additional variances for it. In general, concerns focused on debris/water from the roof falling into the lake, zero feet setback, greenspace, and actual "Hardship". Mr. Easterday was in attendance to represent the property owner to the North, Tom Pence, who is against the projects location.

Mr. Adams asked for Board comments prior to a vote. Due to the above, Mr. Helphrey expressed his negative opinion. At this point Mr. Adams stated that he was not for this specific project either, so the request would be denied if voted on. He suggested the petitioner and builder table this request until the next meeting so they will have time to provide the Board with a new plan. Mr. Cradle agreed, formally tabled this variance request and thanked the Board.

Old Business : None

New Business: None

Building Commissioner Report: None

Meeting adjourned @ 7: 47 P.M.

Submitted: Secretary, John helphrey

Dan Adams

Bill Harris

John Helphrey

Patrick Jensen