

**TOWN OF LONG BEACH
ADVISORY BOARD OF ZONING APPEALS
Regular Meeting**

Tuesday, September 12, 2023

6:00 p.m.

**Long Beach Town Hall With Zoom Video Conference Information On Town Website
Zoom information can be found by clicking the Board of Zoning Appeals meeting on the calendar**

AGENDA

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Approval of Minutes**
 - a. February 14, 2023; Regular Meeting**
- 5. Old Business - None**
- 6. New Business**
- 7. Preliminary Hearings**
 - a. Randall and Adria Hall – 2319 Florimond Ave.**

Developmental Standards Variance Petition requesting variance from the requirements of Section 154.130 – Nonconforming Buildings and Structures.
Petitioner is seeking to increase the nonconformance of a structure built within the setback by adding an elevator shaft in the setback.
-Preliminary hearing is set to open at the September 12, 2023 BZA meeting.
 - b. Cameron Wheeler and Laurie Schumacher – 1612 Indianapolis Ave.**

Developmental Standards Variance Petition requesting variance from the requirements of Section 154.130 – Nonconforming Buildings and Structures.
Petitioner is seeking to increase the nonconformance of a structure built within the setback by adding a walking deck in the setback.
-Preliminary hearing is set to open at the September 12, 2023 BZA meeting.
 - c. Michael and Katherine Lee – 2801 Brentwood Way**

Developmental Standards Variance Petition requesting variance from the requirements of Section 154.133 – Expansion of Nonconforming Building/Structures and Land Uses.
Petitioner is seeking to enclose an existing deck to make a screened porch on a nonconforming lot.
-Preliminary hearing is set to open at the September 12, 2023 BZA meeting.
- 8. Public Hearings - None**
- 9. Adjournment**

TOWN OF LONG BEACH
ADVISORY BOARD OF ZONING APPEALS



Long Beach Town Hall With Zoom Video Conference Information On Town Website

Meeting Minutes for September 12th, 2023

1. Call to Order

The Regular Meeting of the Town of Long Beach Advisory Board of Zoning Appeals was held Tuesday, September 12, 2023 at the Long Beach town hall with Zoom video conference information on the Town website. Chairman Meg Kanyer called the meeting to order at 6:00 p.m.

2. Roll Call

Board members attending in person: Meg Kanyer, Seth McCormick, John Mengel, and Fred Woods

Members attending by Zoom: None

Members absent: Doug Wickstrom

A quorum is present and the meeting shall proceed

Attorneys in attendance: Chris Willoughby of Braje, Nelson & Janes, LLP

Also in attendance on Zoom: Secretary Meg Collins

Building Commission representative: No representative

The public was also permitted to attend and observe via Zoom.

3. Pledge of Allegiance

4. Approval of Minutes: Seth McCormick motions, seconded by John Mengel, to approve the regular meeting minutes from February 14, 2023. All in favor, the motion carried.

5. Old Business - None

6. New Business - None

7. Preliminary Hearings

a. Randall and Adria Hall – 2319 Florimond Ave.

Developmental Standards Variance Petition requesting variance from the requirements of Section 154.130 – Nonconforming Buildings and Structures. Petitioner is seeking to increase the nonconformance of a structure built within the setback by adding an elevator shaft in the setback.

-Preliminary hearing is set to open at the September 12, 2023 BZA meeting.

Brad Adamsky of Drayton, Biege, Sirugo, and Elliott LLP representing the petitioner is present in person, as well as Architect Heidi Hornaday. Brad explains the Petition. The elevator will not be as far into the setback as the house but still in setback. The property is a corner lot. The Petitioner bought the home in May 2022. In the process Adria tore two hips, had surgery, infection, and another surgery in June. The elevator brought itself to the Halls. Randall is having back surgery later this year. Drawings have been provided and can be made larger if needed. A couple areas on the existing home will be enclosed as well. Heidi addresses the plans and shows where the elevator is being added. Heidi explains the square footage and gives measurements. Brad states they are not sure if the grey areas on the plans need to be covered by variance. The Halls feel very strongly about this classic deco house and keeping it.

John Mengel motions, seconded by Meg Kanyer, to set the petition for public hearing.

Chris Willoughby suggests including a variance for the increase in volume in the setback by covering the porches. They are not fully enclosed but volume and nonconformance are increasing. There is existing roof that is being enclosed.

John Mengel amends the motion to set for public hearing if the Petitioner files an amended petition by the deadline. All in favor, the motion carried. The petition is set for public hearing.

b. Cameron Wheeler and Laurie Schumacher – 1612 Indianapolis Ave.

Developmental Standards Variance Petition requesting variance from the requirements of Section 154.130 – Nonconforming Buildings and Structures. Petitioner is seeking to increase the nonconformance of a structure built within the setback by adding a walking deck in the setback.

-Preliminary hearing is set to open at the September 12, 2023 BZA meeting.

Brad Adamsky of Drayton, Biege, Sirugo, and Elliott LLP representing the petitioner is present in person. Brad explains the petition, including the rooftop and construction of a walkway in the setback in order to reach the deck. The walkway is the variance being requested.

Brad Adamsky responds to John Mengel that the original walkway that went to the deck has been abandoned.

Fred Woods asks if there are any drawings, there is no rail.

Chris Willoughby explains the property and work that was done previously. The Petitioner had a prior Attorney and this precedes Brad Adamsky. Permission was not given when work began. The Building Commission directed Chris to file a

lawsuit. Brad Adamsky and Chris came up with an option of this variance, along with the application for construction. A fine has been agreed to. Due to the way the construction was completed the Petitioner has been permitted to do some things and are asking for permission to do additional things. If granted the lawsuit could be dismissed and the Petitioner can move forward. Applying for a building permit is one of the options given by the Building Commission to resolve the lawsuit.

Brad Adamsky confirms for Meg Kanyer that the fines have been paid into Brad's trust account. Brad explains the size of the lot and lot coverage. The Petitioner removed sidewalk as part of the settlement. The gazebo will remain. The Petitioner wants to put a safety railing that will have to comply with building code.

Brad Adamsky explains that the only other option is to remove that structure, the Petitioner has a door that does not lead anywhere, or move the door, or abandon the deck. Brad plans to have comments from neighbors on the side that can view it. The adjacent neighbors have been supportive.

Fred Woods motions, seconded by John Mengel, to set the petition for public hearing. All in favor, the motion carried. The petition is set for public hearing.

c. Michael and Katherine Lee - 2801 Brentwood Way

Developmental Standards Variance Petition requesting variance from the requirements of Section 154.133 - Expansion of Nonconforming Building/Structures and Land Uses.

Petitioner is seeking to enclose an existing deck to make a screened porch on a nonconforming lot.

-Preliminary hearing is set to open at the September 12, 2023 BZA meeting.

Chris Willoughby spoke with the Petitioner and the Petitioner requested a continuance to put together a more thorough application.

Meg Kanyer motions, seconded by Fred Woods, to continue this petition to the October 10, 2023 BZA meeting. All in favor, the motion carried.

8. Public Hearings - None

9. Adjournment: The meeting adjourned at 6:26 p.m.

Agenda Attached.

Minutes Approved by:
BZA Secretary Meg Collins