

TOWN OF LONG BEACH
ADVISORY BOARD OF ZONING APPEALS

Long Beach Town Hall

Meeting Minutes for October 9th, 2018

1. Call to Order

The Regular Meeting of the Town of Long Beach Advisory Board of Zoning Appeals was held in the Long Beach Town Hall on Tuesday, October 9, 2018. Vice Chairman Wall called the meeting to order at 7:00 p.m.

2. Roll Call

Board members in attendance: Vice Chairman John Wall, Rich Jercich, Meg Kanyer, and John Kocher.

Members absent: Chairman Mike Gorman

A quorum is present and the meeting shall proceed

Attorneys: Christopher Willoughby of Braje, Nelson & Janes, LLP

Also in attendance: Secretary Meg Collins

Also in attendance: Building Commission representative Bob Lemay

Also in attendance: Court Reporter Rebecca Lempa and Videographer Marilyn Jones, hired by a private individual

3. Pledge of Allegiance

4. Approval of Minutes: Upon motion by John Kocher, seconded by Rich Jercich, the regular meeting minutes from September 11, 2018 were approved.

5. Old Business – None.

6. New Business

a. Update of BZA Rules of Practice and Procedure and related Forms

Chris Willoughby is researching and will work with Mike Gorman to present something to the entire Board at a future date.

7. Preliminary Hearings

a. Kevin and Linda Hnatusko – 2503 Lake Shore Drive

Developmental Standards Variance Petition requesting variance from the requirements of Section 154.134 – Nonconforming Residential Dwelling Alteration Permitted – seeking to modify an existing porch through the addition of screens with vinyl-flex windows.

Preliminary hearing was opened September 11, 2018 and continued to October 9, 2018.

John Wall mentions notes Mike Gorman left with the Board for this meeting. John tells Petitioner the Board typically sees a map with a pinpoint of the mailing addresses within 300 feet. John asks the Petitioner to make statement that the address list generated by the Petitioner is representative of all mailing addresses within 300 feet, since the typical map was not submitted.

Kevin Hnatusko mentions a photograph from the last meeting and states that all of those addresses are representative of the 42 properties within 300 feet.

John Wall mentions the Board can continue the preliminary hearing or schedule for public hearing. If set for public hearing the Petitioner needs to provide notice to mailing addresses within 300 feet prior to deadline and post a sign in the front yard.

John Wall inquires about the survey and deed provided to the Board, and deck length and width of the old existing deck shown in the survey.

Chris Willoughby clarifies the reference in the deed is in access. The Petitioner owns Lot 335. The homeowner when the old Survey was completed owns Lot 332 for beach access. Lot 332 is separate from this variance. Lot 335 is the Lot in question before the Board.

Kevin Hnatusko confirms the prior owner owned Lot 332. Hnatusko's have easement recorded at closing for Lot 334.

John Wall mentions the Board is looking for the actual building permit application, including information relative to measurements, increases. John requests the building permit application packet so the Board can review calculations. Rich Jercich agrees that the Board does not have what the Building Commission had and wants to get a better understanding of the plans.

John Wall mentions lot coverage issues and the previous existing deck compared to the proposed deck. The proposed deck is larger than the original deck.

Kevin Hnatusko explains the previous deck was over driveway for the most part. The driveway size decreased. Kevin explained there was a corresponding decrease in lot coverage out of the backyard.

John Wall confirmed the drawing plan submitted to the Board was for the deck that was submitted to the Building Commission. Meg Kanyer stated the Petitioner was approved for open deck and roof, as long as the porch was open.

Kevin Hnatusko agrees. The Petitioner was told they would need a variance if they wanted to enclose.

Bob Lemay states the Building Commission denied the request due to volume because the property is non-conforming.

John Wall requests the Petitioner to re-word Page 6, section 3 of the Findings and Decisions to state the Petitioner is precisely requesting a variance for volume increase.

Chris Willoughby states the real process is notice to the public. When notice goes out, public need to understand what the Petitioner is requesting.

John Wall states the deadline for submitting items is Tuesday October 30, 2018 by 10 a.m.

Rich Jercich motions, seconded by Meg Kanyer, to set this matter for public hearing at the November 13, 2018 regularly scheduled BZA meeting, with the Petitioner meeting all requirements of public hearing and submitting Findings and Decisions with revised language in Section 3 and submitting the original building permit application.

8. Public Hearings - None

9. Adjournment: Motion to adjourn by John Kocher, seconded by Rich Jercich. The meeting unanimously adjourned at 7:25 p.m.

Agenda Attached.

Minutes Approved by:
BZA Secretary Meg Collins



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

**Regular Meeting
Tuesday, October 9, 2018
7:00 p.m.**

Long Beach Town Hall

AGENDA

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Approval of Minutes**
 - a. September 11, 2018; Regular Meeting
- 5. Old Business**
 - a. Update of BZA Rules of Practice and Procedure and related Forms
- 6. New Business – None**
- 7. Preliminary Hearings**
 - a. **Kevin and Linda Hnatusko – 2503 Lake Shore Drive**

Developmental Standards Variance Petition requesting variance from the requirements of Section 154.134 - Nonconforming Residential Dwelling Alteration Permitted - seeking to modify an existing porch through the addition of screens with vinyl-flex windows.
-Preliminary hearing opened September 11, 2018 and continued to October 9, 2018.
- 8. Public Hearings - None**
- 9. Adjournment**