

Long Beach Board of Zoning Appeals
Regular Meeting
Long Beach Town Hall

September 09, 2014

The Long Beach BZA's Regular meeting was held today.
President Nick Landers called the meeting to order at 7:00 p.m.

Board members present:

Mr. Nick Landers, Mr. Peter Kelly, Ms. Cleo Brodsky, Mr. Alan Hill and Mr. Rich Crain.

Approval of minutes:

Motion made by Cleo Brodsky and seconded by Rich Crain, the Board unanimously approved the minutes of the of the August 12, 2014 Regular meeting.

Old Business:

Continuation of Public hearing on Petition 2014-6-1 for Mary Anne Meyer-Annes for the property located at 1931 Edgemore, Long Beach, IN. Petitioner Nick Annes was asked if he had any further evidence or testimony he would like to present. He indicated that the only variance he is seeking is Petition #6 c) for a 9' variance into the rear yard setback (Section 154.057). Petitioner withdrew #6 a) and #6 b) requests.

Alan Hill asked Petitioner Annes if the work was still being done on the house, indicating that when he looked at the house a month ago, the first floor tools hadn't been moved from last two months prior. Nick Annes indicated the work is continuing, the basement is not yet finished.

Alan Hill asked Nick Annes if there was anyway he could get by with less than 9' of a variance into the rear yard. Nick Annes indicated it would not be practical to have steps going up to that rear door with the correct rises and the previous temporary steps extended 11' into the rear setback; he is now seeking only 9' into the rear yard setback. Mr. Landers opened any discussions, questions or comment from the Board members on the motion, as well as from the public.

Rich Crain made a motion to close the public hearing and approve the petitioner's request for a 9' variance from the 20' foot rear yard setback requirement. Seconded by Peter Kelly.

Findings and Decisions - Development Standard Variance (BZA 9)

** See Attached **

Roll call taken on the Motion to accept the variance request on Petition 2014-6-1.
Nay: Mr. Hill. Ayes: Mr. Landers, Mr. Crain, Mr. Kelly, Ms. Brodsky. Motion carries.

Old Business:

Continuation of the Preliminary hearing for Marc and Marianne Federighi for the property located at 2906 Lake Shore Drive, Long Beach, IN. Matt and Beth Howley acting as POA for petitioners.

Nick Landers asked POA Matt Howley if there was additional information to present.- The Federighi's are the actual Petitioners and their names should be inserted as the petitioners, not the Howley's.

- Specifically state how much of a variance you are requesting for the setback.
- Any and all public records/ documents supporting the vacated property.

Mr. Landers: The North lot line septic system looks like it extends past the North lot line. Mr. Howley referred to the legal description together with that portion of the vacated public property . . . that whole lot includes two parcels as determined and highlighted on the description and he believes it actually goes to the water line . . . per the legal description and the printout from surveyor, Steve Thate.

Once the POA is straightened out and the petition states that both Federighi's owners are giving POA to the Howleys, we can move forward. Mr. Howley wanted to know if the POA request is done and submitted within the next few days, could they have the Public Hearing for the next meeting.

Mr. Landers asked if they wanted this petition to move forward to a public hearing for the next meeting, which they did, reminding them that the burden of proof is the Petitioner's responsibility to support their request for a variance and all forms need to be completed to avoid a delay of the public hearing. Mr. Hill suggested that Mr. Thate be present. Motion made by Ms. Brodsky to set this petition to public hearing next month contingent that we have all of the items addressed today and that the petitioner will send Certified letters to the neighbors within the 300' radius. Motion seconded by Mr. Crain. Voice vote taken. All ayes. **Petition # 2014-9-1** will be set for Public Hearing on October 14, 2014.


New Business:


Mr. Landers informed the Board that he received a call from Councilwoman Neulieb after yesterday's Town Hall meeting, saying that Mr. de Funiak would be willing to get us a secretary. Discussion from the Board. Mr. Kelly made a motion that this Board does not need a secretary at this time. Mr. Hill seconded. Voice vote taken. All ayes. Motion carries.

Adjourn:

President Landers entertained a motion to adjourn the meeting. Motion made by Rich Crain seconded by Peter Kelly and carried, the Board unanimously agreed to adjourn this meeting. The meeting adjourned at 7:20 p.m.

The next meeting of the Long Beach Board of Zoning Appeals will take place on Tuesday, October 14, 2014.


Cleo Brodsky
Secretary BZA Long Beach


NICK LANDERS, CHAIRMAN
LB, BZA