

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

February 10, 2015

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

Board members present:

Mr. Rich Crain, Mr. James Dehner, Alan Hill, and Mrs. Mary Lou McFadden

Approval of minutes:

Motion made by Alan Hill and seconded by James Dehner to approve the January, 2015 minutes of the regular meeting. No questions voiced over the motion. Roll call vote taken: all Ayes, motion carries. The Board unanimously approved the minutes of the January 2015 regular meeting.

New Business

Nomination of Rich Crain for Chairman by Mary Lou McFadden and seconded by Alan Hill. Unanimously approved.

Old Business:

Official open public hearing for Mark J. Roberts LLC case located at 1604 Lakeshore Drive. Mr. Thomas Godfrey proceeded.

Mr. Lukmann interceded to give us the proper procedures for an open public hearing. It is as follows:

The Petitioner states his case and when he is done, Mr. Crain will ask if anyone is in support of the petition and then he will ask if anyone is opposed to the petition. Then the Petitioner will have a chance for a rebuttal. Many times the audience is not sure whether they are in favor or not, they may just want to ask questions.

Also for clarification, there are two petitions that are the same because it is two lots.

Sean Kazmarek of 1535 Lakeshore Drive wanted clarification on the process--the petitioner states his case and then the public will get time to speak.

Tom Godfrey then introduced himself and stated the case along with his client Paul Reilly. They are asking for a variance on two lots that are 40 x 400 feet – legal description of Lots 72 and 74---1602 and 1604 Lakeshore Drive.

He described that the permit for a septic system was denied because it failed to meet the standards for the LaPorte County Health System. He had a diagram of the plot of land for review.

Mr. Godfrey has brought along Steve Thate who can speak to a kind of septic system that they are wanting to install for both lots. It is called the Presby system. Mr. Thate gave an extensive description of what the system can do and where it would be placed on each lot, etc.

See Attached letter from Mr. Godfrey.

Rich Crain then stated that we would be open to the public for those opposing the variation. Each person would be given three minutes to explain their position. First was William Powers of 1523 Lake Shore Drive. Please see attached information that he provided.

Next was Shawn Kaczmarek of 1535 Lake Shore Drive. Please see attached information.

Jim Neulieb of 2201 Flormond had three questions.

1. What is the north legal lot line with regard to the septic system?
2. Have the petitioners given evidence that the Laporte County Board of Health ruling?
3. West lot- he feels that there is enough room for the septic tank and would like that taken into consideration.

Jane Neulieb of 2201 Florimond talked about the historical value that people couldn't have a house and a septic system on a forty-foot lot. It was beautiful because they did house on one lot and then a septic on the other. She thinks that it ruins the unity. She is asking that this variance be denied.

Dave Albers of 2208 Oriole- Talked about that he has lived here for sixty years and the history of the lake level—how property owners have lost their foundation, etc. He is asking if there is a sea wall to protect this septic system. He would not like to see another incident like Stop 21 where the septic system was exposed and they put in a sea wall beyond and it ruined the view.

Joe Jogman of 2213 Florimond talked about the relevant documentation of the high water level.

Cleo Brodsky of 2202 Florimond talked about the soil boring of the area on the lots.

Aaron Tomscheck- Building Commissioner is investigating the area where the concrete patio was on the lot.

Rebuttals were then presented by Paul Reilly and Thomas Godfrey.

At 7:46 we closed the public comment.

Jim Dehner did ask if there was a sea wall on the e current property. They don't think that there is one.

A motion was made to adjourn the meeting at 7:55 p.m. Rich Crain seconded it. Unanimous vote. Next meeting is Tuesday, March 10th.

A handwritten signature in cursive script that reads "Richard A. Crain". The signature is written in dark ink and is positioned at the bottom left of the page.