

**VILLAGE OF GRAND BEACH  
SPECIAL MEETING/PUBLIC HEARING  
OCTOBER 15, 2003**

The public hearing was called to order at 7:00 PM EDT. In attendance were President Jim Bracewell, Walter Carroll, Debbie Lindley, John Boden Jr. and Bob Grim.

The purpose of the public hearing was to hear comments and questions from property owners concerning a request to vacate a portion of SkyHi Drive.

Village Attorney, Louis Desenburg explained that the Village received a request to vacate a portion of SkyHi Drive in the New Park Addition. Since we were unable to reconcile the plat map, the Village contracted with Wightman & Associates to survey the area to locate buildings, driveways, water lines and the water tower. He explained that until 1996 or 1998, the process to vacate a street was fairly simple, but was recently changed. In order to amend, modify or vacate a plat, you must go through due process and go to court and give everyone an opportunity to be heard. All property owners located within 300' of the area to be vacated, all utility companies and other entities must be named in the lawsuit in order to vacate the portion of SkyHi Drive.

Desenburg and John Kamer of Wightman & Associates agreed that an area located between one electrical pole at the corner of the Collins property and another electrical pole near the corner of lot 74 would be the best area for the Village to retain a utility easement. Wightman and Associates will need to stake the area to be retained as an easement and revise the plat map to show the same.

The Village will have access to the water tower and water lines along a section of SkyHi Drive which will not be vacated.

John Collins of Ridge Road and Richard Lindblade of Valley Road were in attendance and asked questions regarding the area to be vacated and the utility easement to be retained by the Village.

Attorney Larry Frankle was in attendance representing the buyer of the Poznanski property. Poznanski requested that the Village vacate a portion of SkyHi Drive to assure the buyer of her property that the Village would not build a road through the property. Currently the Poznanski driveway and gardens are located on the undeveloped section of SkyHi Drive. Poznanski owns lot 74 & lot 76 of the New Park Addition to Grand Beach Springs. Mr. Frankle stated that if a home were to be built on lot 76, the location of the home would depend on the location of the 25'-30' wide utility easement, explaining that a home can not be built over the easement.

Mr. Frankle asked Mr. Desenburg to provide his firm with an estimate of costs for attorney fees and survey work, as Poznanski will be paying the costs incurred to vacate the section of SkyHi. Desenburg stated that it would depend on the additional work that Wightman & Associates would be performing.

After much discussion, the public hearing was closed at 7:26 PM.

**VILLAGE OF GRAND BEACH**  
**ZONING BOARD OF APPEALS HEARING**  
**OCTOBER 15, 2003**

President James Bracewell called the Zoning Board of Appeals Hearing to order at 7:27 P.M. EDT. Present in addition to Bracewell were Walter Carroll, Debbie Lindley, John Boden Jr. and Robert Grim.

The ZBA hearing was requested by Barry London of Lonbar Development who is in violation of the zoning ordinance by building a home approximately 4' into the side yard setback.

Attorney Larry Frankle stated that Building Inspector Bill Owens warned Mr. Lonbar to make sure that the home met the side yard setback requirements. Keith Carlson removed trees and excavated the property for the home and believes that he may have made a mistake in the measurement. Frankle explained that developer Eric Hamburger angled the lots along East Arnold, which made the lots deeper on one side than the other. This may have contributed to the incorrect measurement. He added that the house was built as per planned, but the house was not set properly on the lot. The east side of the house is approximately 4' over the side setback line.

After discussion with the ZBA, Mr. Frankle offered to put a deed restriction on lot 32 which is currently owned by Grand Beach Land Development. The restriction would state that when a home is built on lot 32, the home must be 19' off the side lot line abutting lot 31. This would keep the two homes 30' apart as is required by the 15' side yard setback requirement.

Bill Owens suggested that Frankle sell 4' of lot 32 to Mr. London instead of placing a deed restriction on lot 32. Frankle stated that they have a deed restriction that states you must have a full lot to build on. If he were to sell a part of the lot, this would cause a problem with this restriction. He also stated that it would be difficult to place a price on 4' of property.

Board members were concerned with the disregard shown to the zoning ordinance. They questioned whether or not the Village may be able to fine people in violation of the code. Bill Owens said that he and John Boden Jr. will be meeting with the village attorney to refine the zoning ordinance. He also stated that if a home is being built within one to two feet of a setback line, he will now require a survey once the footings are dug. He added that the additional expense for a second survey is not a big price to pay to make sure the house is set properly on the lot.

Jim Bracewell let everyone know that the council does receive mail concerning these variances and they do read the mail that they receive.

Bob Grim moved to approve the variance as presented with the deed restriction on lot 32 with support from Jim Bracewell. Unanimous 5-0.

With no further business, the hearing was closed at 7:45 PM EDT.

**VILLAGE OF GRAND BEACH  
REGULAR COUNCIL MEETING  
OCTOBER 15, 2003**

President James Bracewell called the regular scheduled meeting of the Grand Beach Village Council to order at 7:45 P.M. EDT. Present in addition to Bracewell were Walter Carroll, Deborah Lindley, John Boden Jr. and Robert Grim.

Minutes of the September 17, 2003 regular council meeting and September 17, 2003 ZBA-Killerman Hearing were approved unanimously 5-0 on a motion by B.Grim/J. Boden.

Commission reports were as follows:

**Building & Zoning:** John Boden explained that someone had removed a stop work order issued by Bill Owens. There was discussion on the disregard of the zoning ordinance.

Larry Frankle stated that Kevin Killerman had contacted Small's Landscaping to install a drain field as allowed for by a variance that was granted on September 17, 2003. He also informed Small's that Wightman Environmental must make sure that the project is done according to their plan. Killerman is aware of the 90 day time frame in which he must complete the project.

**Parks & Beaches, Streets & Water and Police:** Nothing to report. Jim Bracewell informed the council that he received a report from the DEQ concerning our water system and he would have the report and the water reliability study distributed to council members. He would like each of them to study the reports for the next council meeting.

**Pro-Shop, Golf & Presidents report:** Jim Bracewell reported that the greens and fairways were plugged, trees had been removed from the course and new trees will be planted in the near future.

**ServiScape report:** Jim Dolemba reported that aerification was completed and they would begin to work on the drainage trench on 4 & 5 next week.

The Superintendent was not in attendance. Police Chief had nothing to add to his written report. Bill Owens reported that he will be meeting with I.S.O. to review building department paperwork and building inspection procedures. Walter Carroll asked Owens to contact the homeowner on Grand Beach Road regarding the completion of the painting of the home.

A motion to pay the bills with written additions was passed unanimously 5-0 on a J. Boden/D. Lindley motion.

A motion by J. Bracewell/J. Boden to adopt a resolution as explained by the Village Attorney in order to continue the process to vacate a portion of SkyHi Drive passed unanimously 5-0.

A motion by J. Bracewell/J. Boden passed unanimously 5-0 to hire someone to clean and repair the chimney in the hall.

A motion by J. Bracewell/J. Boden to approve wage ordinance #46 as presented passed unanimously 5-0. This wage ordinance includes a 9% increase on the top end of the wage scale, so that it is not necessary to amend the ordinance each year.

A motion by J. Bracewell/B. Grim to give wage increases of 3% to the employees effective November 1, 2003 passed unanimously 5-0.

A motion by J. Bracewell/J. Boden to authorize bonuses of \$1000.00 to be divided equally among the five pro-shop employees and rangers passed unanimously 5-0.

A motion by W. Carroll/J. Boden to authorize the purchase of a new F-450 truck and equipment for the truck, not to exceed \$40,000.00 net after trade in of 1996 Pick-Up truck and sale of 1992 yellow dump truck passed unanimously 5-0.

A motion by J. Bracewell/W. Carroll to approve a budget amendment for FY 03/04 for \$8700.00 to be moved from account #965.000 (transfer to capital projects) to account #266.956 (capital outlay) passed unanimously 5-0.

Hall Rental Requests for Lisa Werner for 10/31/03 and Larry Frankle for 11/15/03 were approved unanimously 5-0 on a motion by D. Lindley with support from J. Boden.

John Boden suggested to the council that the Village purchase a generator to be used during future power outages after a power outage of approximately 17 hours occurred in some parts of the Village this week. President Jim Bracewell stated that he agreed, but would like American Electrical Power to be involved in the process. John Boden Jr. suggested that this be done during the hall renovation.

With no further business, the meeting was adjourned at 8:43 p.m. EDT.

Respectfully Submitted,

Mary J. Robertson  
Clerk/Treasurer