

**VILLAGE OF GRAND BEACH**  
**ZONING BOARD OF APPEALS HEARING**  
**March 17, 2004**

President James Bracewell called the Zoning Board of Appeals Hearing to order at 7:00 P.M. EST. Present in addition to Bracewell were Walter Carroll, Debbie Lindley, John Boden Jr. and Robert Grim.

The Zoning Board of Appeals meeting was held on a request by Daniel & Patricia Joyce of 50201 Golfview for a variance from the setback requirements for a swimming pool on their property.

Attorney Larry Frankle represented Mr. & Mrs. Joyce and explained to the zoning board that the Joyces had purchased an irregular shaped lot. They would like to put a pool on the lot, but because there is a platted street (Marjeanette) on the side of their property, they would be required to meet two front yard set backs of 50' each. Mr. Frankle explained that it is not possible to put a pool on the property without a variance from the set back on Marjeanette. The Joyce's have moved the proposed pool 4' to the west to keep the pool 20' from the property line on the east side of their property. They have also agreed to cut down the size of the pool by 2'.

Attorney Terry Redamak represented Mr. & Mrs. Robert Wiesemann. At the ZBA hearing held in February Mr. Redamak stated that the Wiesemann's would be happy if the pool was moved 4' to the west which would place the pool 20' from the property line. He was later contacted by Robert Wiesemann who stated that he does not want the board to grant a variance. Mr. Redamak explained that the hardship was created by the Joyces and that when the property was purchased years ago, they should have looked at the pool ordinance to make sure that they would be able to put a pool on the irregular shaped lot.

He asked that the board not grant the variance as there is not a hardship in this case.

John Deaner, who lives in the neighborhood where the pool will be built addressed the board and stated that when he built his house six years ago, he had to follow the set backs. He stated that he chose to build in Grand Beach because of the set backs, knowing that the ordinances would be adhered to. He does not think that this is a hardship case and asked the board not to approve the variance.

After much discussion by the board, a motion was made by Robert Grim with support from Walter Carroll to grant a variance which would allow the swimming pool to be built 20' from Marjeanette rather than the required 50'. This was approved 3-2 with Robert Grim, Walter Carroll and James Bracewell voting in favor of the variance and Debbie Lindley and John Boden Jr. voting against the variance.

Jim Bracewell stated that he would like to follow through on an idea to change this section of Marjeanette into a non motorized walkway. The Village would still be in control of this section of Marjeanette, but it would be used for non motorized traffic only.

The Village already has several of the non motorized walkways.

With no further business, the hearing was closed at 7:25 p.m. EST.

Respectfully submitted,

Mary J. Robertson  
Clerk/Treasurer

**VILLAGE OF GRAND BEACH**  
**ZONING BOARD OF APPEALS HEARING**  
**March 17, 2004**

President James Bracewell called the Zoning Board of Appeals Hearing to order at 7:25 P.M. EST. Present in addition to Bracewell were Walter Carroll, Debbie Lindley, John Boden Jr. and Robert Grim.

The Zoning Board of Appeals meeting was held on a request by David Hogaboom and Colleen Gaughan of 49005 SkyHi Road for a variance from the side yard setback requirement of 10' to zero for the placement of a garage on their lot.

Attorney Larry Frankle represented the petitioners and explained to the board that the piece of property in question is a rather large piece of property in the critical dune area which borders Mrs. Shannon's property. Mr. Frankle stated that Mrs. Shannon showed no interest in selling any property to Mr. Hogaboom and Ms. Gaughan so that they would not need a variance.

He stated that the only place to put a garage is in a cut out area which is flat. The DEQ will not allow anyone to cut into a dune that is more than a three to one slope.

They would like a variance to build a garage on the property line adjoining Mrs. Shannon's property. Larry Frankle stated that they would not put living space above the garage so that they would not interfere with Mrs. Shannon's privacy.

John Boden asked if the garage could be built under the house, but Mr. Frankle stated that they would not be allowed to cut into the dune. Jim Bracewell told Mr. Frankle that he may have to come up with a compromise. He felt that the big problem was with the DEQ and not with the Village of Grand Beach. Jim Bracewell stated that he could not support a variance to build a structure right on the lot line.

The variance was not granted due to the lack of a motion.

With no further business, the hearing was closed at 7:45 pm EST.

Respectfully submitted,

Mary J. Robertson  
Clerk/Treasurer

**VILLAGE OF GRAND BEACH  
REGULAR COUNCIL MEETING  
March 17, 2004**

President James Bracewell called the regular scheduled meeting of the Grand Beach Village Council to order at 7:50 PM EST. Present in addition to Bracewell were Walter Carroll, Debbie Lindley, John Boden Jr. and Robert Grim.

Minutes from the regular council meeting of February 18, 2004 were approved unanimously 5-0 on a J. Bracewell/D. Lindley motion. Minutes of the ZBA Hearing-Joyce of February 18, 2004 were approved unanimously 5-0 on a J. Bracewell/J. Boden motion. Minutes of the ZBA Hearing-Hogaboom of February 18, 2004 were approved unanimously 5-0 on a J. Bracewell/J. Boden motion. Minutes of the Election Commission meeting of February 13, 2004 were approved unanimously 5-0 on R. Grim/J. Boden motion.

The certification of election results received from the Board of Canvassers was approved unanimously on a J. Bracewell/J. Boden motion. The results were James Bracewell 58 votes, Walter Carroll 50 votes and Charles Joyce 25 votes. Walter Carroll and James Bracewell were elected to another 2-year term on the council.

A motion by R. Grim/J. Boden to nominate D. Lindley to run the nomination of officers was approved unanimously 5-0.

John Boden nominated James Bracewell for president of the council with support from Robert Grim. Unanimous 5-0.

Robert Grim nominated Walter Carroll for president pro tem with support from John Boden. Unanimous 5-0.

President James Bracewell appointed Mary Robertson to the clerk/treasurer position. He named the following commissioners:

Building and Zoning:	John Boden
Parks and Beaches:	Walter Carroll
Street and Water:	Robert Grim
Police:	Debbie Lindley
Pro-Shop and Golf:	James Bracewell

The superintendent and police chief had nothing to add to their written report.

Building inspector Bill Owens reported that he and Larry Frankle met at Kevin Killerman's property regarding the zoning violation facing Mr. Killerman. Mr. Owens asked that all interior bricks be removed from the walkways and be replaced with pea gravel. Mr. Frankle will suggest this to his client and hopes that by the next council meeting this will be taken care of. If not, the Village Attorney and Building Inspector will be made aware of what Mr. Killerman intends to do. Bracewell asked Bill Owens to put this in writing, so that Mr. Frankle can share it with his client.

Bill Owens also stated that he will be meeting with the renter of the property on Grand Beach Road that is in need of repair and clean up. He sent a certified letter out stating that as per the court agreement, there must be completion dates agreed upon for the project. If the project doesn't get completed, it will be turned back over to the Village Attorney.

In his president's report, James Bracewell thanked all of the village residents for voting in the recent election. He also thanked all of the council members for their hard work and dedication over the past year.

Bills to be paid with written additions were approved on a J. Bracewell/R. Grim motion. Unanimous 5-0.

A motion by J. Bracewell/R. Grim was approved unanimously 5-0 to give the authority to sign village checks to John Boden Jr., James Bracewell, Mary Robertson and Marjorie Royce.

A motion by J. Bracewell/J. Boden was approved unanimously 5-0 to set the council meeting dates for the year. The meetings will be held on the third Wednesday of each month at 7:30 PM EST.

A motion by J. Bracewell/J. Boden to extend the contract with Fishbeck, Thompson, Carr & Huber for the years 2005 and 2006 in the amount of \$2802.00 per year passed unanimously 5-0. The contract is for the continued implementation of the NPDES Phase II Storm Water.

A motion by J. Bracewell/J. Boden passed unanimously 5-0 to approve the Village insurance premium allocations as presented by the clerk. The insurance carrier has decided not to break down the premiums by department, as was done in the past. The clerk has calculated the past percentages of premium by department and will use these percentages for allocation purposes each year.

A motion by J. Bracewell/J. Boden passed unanimously to purchase three picnic tables for the Village. The tables are made out of recycled plastic and will cost approximately \$560.00 each, including the cost of shipping. Two tables will be purchased by the Golf Fund and will be placed near the pro-shop with the third table to be purchased by the Parks Department and placed in the park.

The council discussed the bids for the hall renovation. They realize that the bids are not all complete and not all of the contractors bid on everything that was asked for. The council asked that John Boden Jr. and Mary Robertson work on the bids and come up with what each contractor has bid on and what was not bid on. They suggested that the results be put into a spreadsheet format. They would then like them to meet with the individual contractors to discuss these issues.

A motion by J. Bracewell/J. Boden was approved unanimously 5-0 for a hall rental to Robert Trainor Sr. on June 12, 2004.

A motion by J. Bracewell/J. Boden to allow the family fest to take place in the Village on Saturday, July 3, 2004 was approved unanimously 5-0.

The council received a request from the Galien River Conservation District for a donation towards an educational program for grade school children. There was no motion made to make this donation.

James Bracewell stated that the ServiScape Superintendent, Jim Dolemba had undergone open heart surgery and he hoped it had gone well. Another ServiScape employee will replace Jim while he is recovering from his surgery.

With no further business, the meeting was adjourned at 8:30 PM EST.

Respectfully Submitted,

Mary J. Robertson  
Clerk/Treasurer