

**VILLAGE OF GRAND BEACH
ZONING BOARD OF APPEALS HEARING
JULY 20, 2005**

President Jim Bracewell called the Zoning Board of Appeals Hearing to order at 6:55 p.m. EST. Present in addition to Bracewell were Pete Carroll, Debbie Lindley, John Boden Jr. and Bob Grim.

The purpose of the meeting was to hear a request from Larry & Barbara Glass to rebuild their home at 49019 E. McKean Drive which was destroyed by fire.

Attorney Larry Frankle told the Zoning Board that the home was destroyed by fire in December 2004 and their plan is to rebuild the exact house which fits into the slope of the dune very nicely.

He stated that they have the required DEQ permit which has been approved to rebuild on the exact footprint of the original house that was built in 1981. After the house was built, a new zoning ordinance was adopted that requires a minimum cross section of 24' x 24' with the intent of keeping mobile homes out of the Village according to Frankle. The Glasses home is only 18' wide with the garage on top and the house hidden down below.

Frankle explained that a hardship exists since the DEQ has issued a permit for the house to be built on the exact footprint. It would be very difficult to get a DEQ permit in order to build a larger house because of the slope involved.

A motion by B. Grim with support from D. Lindley was approved unanimously 5-0 to grant the variance request to deviate from section 9.29 of the zoning ordinance to allow for a house to be built that is 18' wide as per the plans which were presented.

With no further business, the meeting was adjourned at 7:00.

Respectfully submitted,

Mary J. Robertson
Clerk/Treasurer

**VILLAGE OF GRAND BEACH
ZONING BOARD OF APPEALS HEARING
JULY 20, 2005**

President Jim Bracewell called the Zoning Board of Appeals Hearing to order at 7:02 p.m. EST. Present in addition to Bracewell were Pete Carroll, Debbie Lindley, John Boden Jr. and Bob Grim.

The purpose of the meeting was to hear a request from Michael Murray for a variance from the maximum height allowed for an accessory building to construct a garage that would be 19' high and located at 46112 Glenwood Avenue. The zoning ordinance states that the maximum height of an accessory building in the high density zoning district is 15'.

Attorney Larry Frankle told the Zoning Board that the Murray's property had a small garage on it and that was taken down and they plan to build a two car garage with an area for the golf cart.

Frankle told the Zoning Board that when people build garages there is always a fear that there will be living quarters above the garage. He assured the board that there will not be living quarters above this garage. Mr. Murray would like to build a garage that is 19' high to include a second level to be used for a storage area and for office space.

He stated that the hardship in this case is the density issue. The garage will meet all setback requirements and will not include a bathroom or a kitchen. The access to the second level will be from outside.

A motion by B. Grim with support from P. Carroll to approve the request made by Michael Murray for a variance providing for a maximum height of 19' for the garage. This was approved 4-0 with J. Bracewell abstaining from the vote as he is a relative of Michael Murray. P. Carroll, D. Lindley, J. Boden and B. Grim voted aye.

With no further business, the meeting was adjourned at 7:10.

Respectfully submitted,

Mary J. Robertson
Clerk/Treasurer

**VILLAGE OF GRAND BEACH
ZONING BOARD OF APPEALS HEARING
JULY 20, 2005**

President Jim Bracewell called the Zoning Board of Appeals Hearing to order at 7:15 p.m. EST. Present in addition to Bracewell were Pete Carroll, Debbie Lindley, John Boden Jr. and Bob Grim.

The purpose of the meeting was to hear a request from Thomas Lindeman for several variances for a swimming pool to be located at 46102 Royal Avenue. Attorney Larry Frankle stated that the Lindemans would like to construct a pool and they have a hardship because of the unusual property which is located on three streets.

Attorney Larry Frankle stated that the Zoning Board had listened to a request for a variance for a swimming pool at the June meeting. The Board had previously requested a letter from the adjoining property owner, Bill Hartigan regarding the addition of a pool. The Board received a short note from Bill Hartigan stating that the plans looked fine.

The request is for a variance from the minimum distance between a pool and any building located on the lot, a variance from the minimum distance required between a pool wall and an adjoining property line and a variance from the minimum distance that a pool is allowed from the front property line.

A pool is required to be a minimum of 10' from any building located on the same lot. The pool will be located within 7' of the house and within 8' of the garage. A pool must be located at least 20' from an adjoining property line and this pool will be located only 9' from the adjoining property owned by Bill Hartigan. A pool must be located at least 50' from a front property line and the pool will be located 36' from Wildwood Avenue.

Frankle explained that Tom Lindeman has talked with the building inspector, Bill Owens, regarding a density issue and he is willing to comply with the recommendation to remove his driveway and replace it with pea gravel, leaving concrete strips on the outside edges.

Bill Owens stated that there is a curved concrete driveway in front of the house and that Mr. Lindeman would like to leave the driveway in until the construction of the pool is completed. Once the pool is completed he will remove the center area of the driveway, leaving a strip of concrete on the outsides of the driveway and filling the center with pea gravel.

Larry Frankle added that the village has had problems with one of Lindeman's neighbors in the past concerning lot coverage and if the board would like, Lindeman could remove the driveway before construction. Frankle stated that he will guarantee that the driveway will be removed after the pool is installed.

A motion was made by J. Boden with support from P. Carroll to grant the variances requested for the front and side setback along with the variance to allow the pool to be built within 10' of a building as per plans presented. Approved unanimously 5-0.

With no further business, the meeting was adjourned at 7:22.

Respectfully submitted,

Mary J. Robertson
Clerk/Treasurer

**VILLAGE OF GRAND BEACH
REGULAR COUNCIL MEETING
JULY 20, 2005**

President Jim Bracewell called the regular scheduled meeting of the Grand Beach Village Council to order at 7:30 PM EST. Present in addition to Bracewell were Pete Carroll, Debbie Lindley, John Boden Jr. and Bob Grim.

A motion by B. Grim/J. Boden passed unanimously 5-0 to approve the minutes of the regular council meeting of June 15, 2005. A motion by J. Bracewell/J. Boden passed unanimously 5-0 to approve the minutes of the ZBA Hearing-Lindeman of June 15, 2005.

Committee reports:

Building: J. Boden reported that everything is going fine in the building department.

Parks & Beaches: P. Carroll and J. Bracewell thanked Larry Frankle and Keith Carlson for their prompt attention and help with the beach easement at Robin Lane.

Streets & Water: B. Grim stated that he will get a bid prior to the August meeting to resurface Alpine Blvd. which is not slated for new water lines. He reported that Merritt Engineering is currently looking into a revolving fund type loan to fund the water project.

Police: D. Lindley reported that she felt the 4th of July holiday was relatively quiet.

Pro-Shop, Golf Course & Presidents Report: J. Bracewell reported that the golf course is within \$700-\$800 of last years gross revenues. He added that we have committed to leasing 4 golf carts to be used as rentals and we are within \$700-\$800 of the break even point on these carts. He stated that everything seems to be working on the water system, although he realizes that there are valves that need to be replaced.

Last month J. Bracewell made the announcement that he would be resigning from the position of golf commissioner. He appointed P. Carroll to take over the position of golf commissioner.

Clay Putnam of ServiScape reported that the three phase electrical work is finished in the pump house.

In addition to his written report, Superintendent Bob Dabbs announced that if New Buffalo Township opts to buy water from Michigan City, he has accepted the job of water sampling and reporting for the township. He added that this will not interfere with his job here at the Village.

Police Chief Dan Schroeder read a prepared statement regarding recent thefts from parked automobiles in the Village. Many things were taken from these unlocked cars

including quarters, cell phones, digital cameras, driver's licenses and a laptop computer. He urged residents to lock their cars and remove any valuable items. He also asked residents to remove keys from their golf carts.

The building inspector had nothing to add to his written reports.

Bills to be paid with written additions were approved unanimously 5-0 on a motion by B. Grim/J. Boden.

Under old business: P. Carroll discussed the results of several dog committee meetings. While the committee reviewed Village ordinances regarding dogs in the Village, they realized that some of the ordinances and/or resolutions included rules regarding the beaches also.

The committee recommended that the council rescind ordinance #10 and resolution #1991-001, re-enact ordinance #47 and create two new ordinances. He suggested that one of the ordinances be modeled after the current Village of Michiana Dog Ordinance and Amendments allowing dogs on the beaches early in the morning before the lifeguards arrive and late in the day after the lifeguards leave between May and October.

He also stated that he would like to use the fine schedule from an ordinance recently adopted by LaPorte County.

After much discussion the council recommended that he write all of the committee's recommendations down in a very clear manner and present them to the village attorney so that he may formalize something for the next meeting.

A motion by J. Bracewell/B. Grim was approved unanimously 5-0 to adopt a resolution as presented concerning state funding of the Amtrak Train.

A motion by J. Bracewell/J. Boden to approve a request from New Buffalo High School to allow use of the golf course for the golf team and cross country meets with a payment of \$600 was approved 4-0 with D. Lindley abstaining. Voting aye were P. Carroll, J. Bracewell, J. Boden Jr. & B. Grim.

Larry Frankle asked that a review of the Hamburger-Mathias Nature Preserve Subdivision Plat be tabled as they were still working on the development. He has changed the number of lots in the subdivision several times and is still not ready for the review of the plat. He invited all of the council members to join him for a golf cart ride through the property to see what he has planned for the area.

A motion by P. Carroll/J. Bracewell to accept a bid from Prentice Builders in the amount of \$1700 to replace a section of beach stairs on SkyHi was approved unanimously 5-0.

The first reading of an ordinance titled Regulation of Wild Animals Ordinance was read by J. Bracewell. This ordinance is aimed at stopping people from feeding raccoons in the Village.

Village resident Denise Medema read a prepared letter regarding the feeding of raccoons by her neighbor on Oak Street. She presented a copy of the letter to the council including copies of bills she has paid for over \$500 to have raccoons trapped and taken out of the Village. Included was a picture of the containers that are used by her neighbors to feed these animals. She and other area residents are very concerned about these raccoons which are very aggressive and have caused damage to area homes. Many residents voiced their concern over this issue.

After a few minor changes to the ordinance, the ordinance will be read a second time at the August meeting and possibly be adopted at that meeting to go into effect 30 days after adoption.

A motion by J. Bracewell/J. Boden to approve hall rental requests for Mike Kerhoulas on 8/27/05, Kathleen Byrnes on 10/8/05 and Sidney Hoover on 5/20/06 was approved unanimously 5-0.

The council received a letter from John Smith regarding the speed of traffic on a sharp curve on Crescent Road. The Superintendent painted slow signs on the road and installed new curve signs in both directions to help with the problem.

The council also received a note from Ellie Zwissler who moved away from Grand Beach over 25 years ago.

The council received letters from Anne Weigel Boyd, Susan Faul and Laretta Froelich regarding the feeding of raccoons in the village.

A motion by B. Grim/J. Bracewell passed unanimously 5-0 to adjourn.

With no further business, the meeting was adjourned at 9:07 p.m. EST.

Respectfully Submitted,

Mary J. Robertson
Clerk/Treasurer