

APPROVED

12-4-12

Robert Purrott Minutes
13-2-11.22
7-9-2012

The meeting was called to order at 7:00 pm by Chairman Barto.

Roll Call attendance :

Present were Pete Keefer
Ford Knight
Steve Barto
Julie Thompson

Absent was Mike Cleere

Ford Knight motioned with a second from Pete Keefer to approve the minutes from the Mulvey-Teague meeting in May. Vote 3 yes, 1 Abstained

Julie Thompson motioned with a second from Pete Keefer to open the public hearing for Robert Purrott at 7:02 pm. Vote 4/0

Mr. Purrott spoke first explaining the purpose of his variance request. Dwaine Aldrich (neighbor to the south) spoke next reading from a letter which he passed out to the Board. See attachment #1. He said it is the job of the board to protect everyone's view of the lake and that he does not feel Mr. Purrott should go any closer to the front of the lake. Diane Wu spoke next mentioning when they did their addition about 10 years ago they followed the zoning and stayed within the dimensions. She thinks the variance should be denied for the front. Next Jimmy Johnson (neighbor to the north) inquired about hardship and being self-created. He said the original plan had no doors on the north side. Chairman Barto and Julie Thompson clarified the difference between a use variance and an area variance and the job of the Zoning Board of Appeals.

Dave Harrington commented on his declined application 6 years ago and questioned how they could get a variance for a deck in that zone. It is self-inflicted pain of not getting into the house. Mr. Purrott explained that the builder made an error, not on purpose. The house is set 15" over to the left (north.) He added that it would be a danger to have a 2' 9" landing because the house was planted in the wrong spot. In talking about the front deck, Jimmy Johnson advised that the measurement is taken from the high water mark, not the break wall.

Several times the conversation was led away from the presented application and had to be curtailed by Chairman Barto.

Ford Knight motioned to close the public hearing at 7:24 pm with a second from Julie Thompson. Vote 4/0

Julie Thompson motioned to discuss the application with a second from Pete Keefer. Vote 4/0

Chairman Barto offered a solution presenting an open deck concept with tier down steps. This would not need a variance, but could not put up a railing or go over 4' high. Mr. Purrott said he was fine with this and the contractor understands this.

Discussion changed to the side decks. Discussion started with looking at tier down steps. Mr. Liddell, the contractor, said he would need 5 steps plus the whole side would have to be graded. Mr. Purrott again mentioned needing a railing for his wife. Pete Keefer said the house should have been built smaller. They claimed that it is basically the same footprint that it was, just squared off. Chairman Barto added that it is a self-created hardship. They should have come to the board beforehand. Ford Knight asked Mr. Liddell how wide of a landing would have to be to be safe? He replied 3' x 4'. Ford Knight noted that the landing is adequate and safe, since the door opens in. Mrs. Wu questioned the contractor when he saw the footprint and framed up the house where was he going to put the entrance to those 2 doors? He stated his "contract was long gone with that house." Mr. Aldrich added that this is a self-imposed problem. It is a hardship to tear down a wall, but there are alternatives. Things can be "unbuilt, rebuilt, restructured" other alternatives that nobody is looking at. It has to be safe to get in and out. It was noted that the current steps are temporary. Are the steps adequate? No. Conversation continued concerning the tight space on the lake and being good neighbors. Chairman Barto talked about pre-formed steps. Mr. Liddell added that the treads were 10" and steps come out 3'7". Chairman Barto said a 4' x 6' landing is not necessary and wants it to be 4' x 3'. Discussion and measurements took place.

Criteria for Area Variance

1. Will there be any undesirable changes in the character of the neighborhood, or detriment to nearby property? Pete Keefer said yes. The remaining members of the Zoning Board of Appeals in attendance said no.
2. Can the applicant achieve this benefit from some other feasible means other than the area variance? Chairman Barto and Pete Keefer said yes. All other members of the Zoning Board of Appeals in attendance said no.
3. Is the area variance requested substantial? All Zoning Board of Appeals members in attendance agreed that the area variance requested is not substantial.
4. Will the variance have an adverse affect on the physical and environmental condition of the neighborhood? Pete Keefer said yes. All other

members of the Zoning Board of Appeals in attendance agreed there will be no adverse affect.

5. Is this a self-created hardship? All Zoning Board of Appeals members in attendance agreed that this request was a self-created hardship.

Julie Thompson motioned to act on the application, as written, for approval or decline, seconded by Ford Knight.

Roll call vote:

Pete Keefer	declined
Ford Knight	approved
Steve Barto	approved
Julie Thompson	approved

6' x 4' landings on the north side have been granted.

Ford Knight motioned to adjourn at 8:24 pm with a second from Pete Keefer.
Vote 4/0