

BOARD OF ZONING APPEALS - Minutes of February 23, 2021

Minutes are posted on the City Website @ www.cityofvermilion.com (meetings tab/city meeting minutes)

Roll Call: Philip Laurien, Dave Chrulski, Bob Voltz, Guy LeBlanc, Dan Phillips

Attendees: Bill DiFucci, Building Inspector; Steve Holoavacs, City Council Representative

Guests: Mayor Forthofer

NOTE: OFFICIAL ACTION REQUIRES 3 AFFIRMATIVE VOTES. See COV 1264.02(b); Therefore, *Motions will be stated in the positive (e.g., To Grant.. / To Waive.. / To Determine...); and a member=s >Yes= vote means Agree and a >No= vote means Disagree.

Dan Phillips, Chairman called the meeting of February 23, 2021 to order.

APPROVAL OF MEETING MINUTES:

G. LeBlanc MOVED, B. Voltz seconded to approve the meeting minutes of January 26, 2021. Roll Call Vote 5 YEAS. **MOTION CARRIED.**

An *Oath* of truthfulness was administered to those in attendance who planned to speak during these proceedings. *Dan Phillips* described how meetings are conducted, explained the avenue of recourse available when a variance request or appeal might be denied, and gave a reminder that it takes 3 affirmative votes for an action (motion*) to pass.

OLD BUSINESS: None

NEW BUSINESS:

[R-S] 735 Ferndale Avenue - Applicant: James & Renee Karason (Rear Setback for Swimming Pool)

Applicable City code section(s) cited: 1476.07 – Rear setback line for swimming pools not less than 10'. Proposed = 5'; Variance request – 5')

James Karason explained his request is based on installing an above-ground pool this spring. He stated he has an existing 6' vinyl fence and instead of placing it on the setback of 10' from the rear line he would like to go 5' from the rear line, which is shown on the diagram he provided to the board.

P. Laurien asked the dimensions of the pool and J. Karason said the pool will be 15' x 30'. G. LeBlanc said he assumed he did not back the pool up against the patio to give him clearance. J. Karason confirmed the patio is rounded and this is the farthest it goes as shown on the diagram, which is 6'. He said the pool will be 6' from the side

fence and 14' from the shed. D. Phillips asked if he had an opportunity to talk to his neighbors. J. Karason said he spoke with Jason Thomas who is behind him and he does not have an issue with this request. D. Phillips said the applicant has a nice fence around his back yard, so he does not have any other questions. G. LeBlanc asked the applicant his reasoning for not bringing the pool tighter to the patio. J. Karason said if he didn't move it 10' then the pool would be a foot away from the patio. He thought it was too close if somebody would fall, so his decision is based on safety reasons. D. Chrulski asked if the back patio was elevated and J. Karason said it is a flat stamped concrete patio.

G. LeBlanc MOVED, B. Voltz seconded to approve the rear setback variance request of 5'. Roll Call Vote 5 YEAS. **MOTION CARRIED**.

Adjournment:

D. Phillips adjourned the meeting after no further business was entertained.

2020 MEETINGS:

Next: Tuesday, March 23, 2021 @ 7:00 p.m. via Zoom

The administration will assess whether meetings will go back to regular session at the Vermilion Municipal Complex in April. The board expressed their comfort level with meeting in person starting in April.

Transcribed by Gwen Fisher, Certified Municipal Clerk