



WINFIELD BOARD OF ZONING APPEALS

MEETING MINUTES

SEPTEMBER 10, 2020 @ 5:30PM

The Winfield Board of Zoning Appeals held their regularly scheduled meeting on Thursday, September 10, 2020 at the Winfield Town Hall at approximately 5:30 p.m. Those present: Jim Hajek, Mark Nelson, Austin Holtz, and Sash Becvarovski. Also present was Nick Bellar, Zoning and Planning Administrator; and Attorney Ryan Deutmeyer.

MINUTES: August 13, 2020 – Austin Holtz made a motion to accept the August 13th Minutes as written, seconded by Jim Hajek. The motion carried with all in favor 4-0.

OLD BUSINESS

1. Docket BZA 2020-01 – Findings of Fact

Nick Bellar explained this is the official record documenting the actions of the BZA for the Docket. Jim Hajek made the motion to approve the Findings of Fact for Docket BZA 2020-01. Sash Becvarovski seconded the motion, the motion carried with all in favor 4-0.

NEW BUSINESS

1. Public Hearing: Docket BZA 2020-02 – Variance from Development Standards

Owner: Tiffany Craig
Petitioner: Tiffany Craig
Vicinity: 10379 Price Street
Request: Variance from §156.039(B) to install a pool within 10 feet of the property line.

Nick Bellar stated the petitioner is asking for a variance on the installation of a pool. The Town Code requires pools to be 10 feet away from side and rear property lines. They do not have 10 feet from the rear property line where the pool will be in their back yard. There is only about seven and one half feet. They are not proposing to place the pool in the rear drainage easement, which is a good thing. Nick noted this Public Hearing was properly published and advertised. All parties have been notified, he received one remonstrance from a neighbor located at 10372 Player St., Sharon Maguire, who was against it citing concerns about drainage. This property is located behind to the north, not directly adjacent to Tiffany Craig's property.

Mark Nelson opened the Public Hearing at 5:34p.m. No public comments were made. After asking three times for someone willing to speak for, or against, the proposed Variance, Mark closed the Public Hearing.

Tiffany Craig and Scott Hinko explained their request. Mr. Hinko stated the pool will be 10 feet away from the house, 10 feet away from the side property line and 7.5 feet away from the rear property line. This is not going into any drainage easement and should not affect drainage in the area. There is a storm water drain in the back corner behind their fence. The fence is not installed directly on the property line, it is a bit outside their property and was installed by the previous owner. He knows the importance of keeping the pool 10 feet from the house for electrical safety standards. He also plans to build a deck next to the pool to the north but wants the pool installed first. Mark Nelson asked where the pool pump is going. Mr. Hinko said it will be on the south side for electrical purposes. Mark asked if that is where most of the drainage comes through. Mr. Hinko said it is, and he is planning to adjust the drainage in the area to create more of a swale. He said he can move the pump to either side of the pool. Austin Holtz asked what the base of the pool will be. Mr. Hinko said they were told sand by the pool company. The pool will also be partially sunk on the one side since their back yard is sloped. The pool is 54 feet deep, about a foot and a half will stick out from the ground on the one side. Dirt will be hauled away by the contractor. He would like to use some of the dirt to address that drainage on the side of the property. Austin stated he is worried about the side washing out. He has been in the area and has seen flooding over there. Mr. Hinko stated they have never experienced any flooding since they have lived there. Their property is higher up than the neighbors behind them and they have a stormwater drain he keeps clean. The north side is fine, there is sometimes pooling along the property line between their neighbor's house but it still flows well. Jim Hajek stated he does not have a problem with it as long as they are not changing any elevation or drainage in the area. Austin stated he does not think the homeowner should do anything about the swale at the moment either. Nick Bellar stated that will be a separate project reviewed by Tony Clark and Mike Duffy. Austin recommended waiting a few weeks before backfilling

after the pool is installed to give it time to settle. Mr. Hinko stated they might not start installing the pool until next spring. Sash Becvarovski recommended installing the pool now to help restore their landscaping by the spring. Mark agreed with the Board's comments and did not have any further questions. Sash Becvarovski made the motion to approve Docket BZA 2020-02, Variance from Development Standards. Jim Hajek seconded the motion, the motion carried with all in favor 4-0.

STAFF/ATTORNEY REPORT:

No report.

With no further business before the Board, Jim Hajek made a motion, seconded by Austin Holtz to adjourn. The motion carried with all in favor 4-0.

ADJOURNMENT: 5:50 pm

Attest:

Board of Zoning Appeals Secretary

Board of Zoning Appeals Chairman

Transcriber: Kim Wachowski
Administrative Assistant

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