

**Village of North Hudson
Board of Zoning Appeals
Village Hall 400 7th Street North
Tuesday, September 8, 2015 @ 7:00 p.m.**

Call to Order: roll call

Chairman Chuck Roberts called the meeting to order at 7:00 p.m. Answering the call were members Terry Felland and Mike Yell. A quorum was present and the meeting was duly noticed. It was noted that members Dave Brathal and Gary Hines were absent. Also in attendance was Recording Secretary, Melissa Luedke.

Approval of the minutes: May 12, 2015

Motion (Yell/Felland) to approve the May 12, 2015 meeting minutes as written. Motion carried.

Public Hearing –Chetan and Meena Patel-547 Galahad Road N

Motion (Felland/Yell) to open the public hearing at 7:03 p.m. Motion carried.

Applicant Meena Patel was present. She stated that while the patio was being constructed, they found out that it was not allowed within the bluff line. She is asking for permission to keep the patio. Chair Roberts stated that he has viewed the property and the patio. Roberts reviewed the layout of the property with the members and stated that the applicant's house sits back pretty far from the river. Michelle Drevnick, neighbor at 539 Galahad Road N, was present and stated that her house sits back and is not visible from the river. Roberts stated that because of the way the land is sloped, the patio is not as far forward as it appears on the drawing. Drevnick stated that the current patio is way too big and there is no evidence of a hardship. She is not in favor of the variance for the patio.

Motion (Felland/Yell) to close the public hearing at 7:17 p.m. Motion carried.

Felland stated that he has an issue with the fact that the entire patio is within the bluff line setback.

Motion (Yell/) to approve the variance request of Chetan and Meena Patel. Roberts stated a condition to the approval should be that no structure be built upon the patio. **Motion (Yell/Roberts) to approve the variance request of Chetan and Meena Patel for a patio with the stipulation that no structures be built upon the patio.** Drevnick requested that a condition be put on the variance that the applicants cannot expand the current patio. The current patio is 24 feet in diameter. Felland asked if it was acceptable for the Board of Zoning Appeals to set conditions on a variance. Roberts stated that they can set conditions. Felland asked if the patio could be moved. Due to the slope of the land, there is not room for the patio to be moved closer to the house or to either side to get the patio out of the bluff line setback. Roberts stated the structure is ground level and not too visual from the river due to it being a flat surface. He does not feel it is a bad use of the land. Felland stated it was started without permits, it is too large, and it is totally within the bluff line setback. Yell stated that he agrees with Roberts and is in favor of the variance request. Felland stated it does not pass the hardship test. **Motion passed on a roll call vote of 2-1. Felland-no, Yell-yes, Roberts-yes.**

Adjournment

Motion (Felland/Yell) to adjourn the meeting at 7:46 p.m. Motion carried.

Respectfully submitted by,

Melissa Luedke
Recording Secretary