

Yanez, Chris

From: Birkner, Donald
Sent: Wednesday, June 09, 2010 4:57 PM
To: Yanez, Chris
Subject: 2700 Edgewater Dr.

Chris,

You asked that I provide some background on this project. This project involves several issues including the construction of a single family residence, construction of a bulkhead, and construction of a pier. The project is currently under a "Stop Work Order" from the Building Official. The reason that the project is under a "Stop Work Order" is because it is staff contention that the actual construction of the bulkhead exceeded the construction granted under a site plan exemption for the bulkhead. To be specific, we believe that the site plan exemption that was given to the applicant was to replace the existing bulkhead that had failed in its original location. The bulkhead portion of this project was completed while lake levels were very low allowing work to proceed on dry land.

Rather than replacing the existing bulkhead with another bulkhead in the same location, the applicant constructed a new bulkhead out in front of the old bulkhead (toward the lake) matching the bulkhead to one of his neighbors bulkheads and then filled the area between the land and the new bulkhead gaining about 1000 square feet for the lot. Despite several complaints and partial investigations by environmental and Code Compliance inspectors, the expansion of the lot was not picked up. Residential Review did not pick up the expansion of the lot when it issued approval for a building permit until complaints from neighbors prompted a more thorough investigation by the Director. The owner claims that confusion over the investigations meant that he had permission to construct the bulkhead where it now exist and extend the lot size.

At the time of the "Stop Work Order", the owner had already poured the slab for the construction of their new home. Without the new land created by the fill and the new bulkhead the slab would have extended over the location of the old bulkhead into the lake.

The owner has been required to submit the project for a full site plan review. It is expected that the owner will have to ask for variances to fill the lake and expand their lot from PARD, the Environmental Board, and Planning and Zoning.

The current building plans and water/wastewater permits are based on the expanded lot size. If the lot size is ultimately allowed to remain as is (with the new bulkhead where it is), then building coverage, impervious cover, and water/wasterwater systems would meet code as designed. However, if the variance for the expansion of the lot size and bulkhead location were denied, the owner would still have a buildable lot (the lot size is well above the minimum requirement), but would be required to down size the residence to meet building coverage requirements and impervious cover requirements and redesign there water/wastewater system for the smaller lot size.

I assume if the owner did not get the variances requested they would be required to relocate the bulkhead to the "old" location and remove the fill, the new bulkhead, and a portion of their slab.

The issues from the neighbors so far focus on the expansion of the lot, the destruction of their view, the removal of trees, whether the wastewater system is adequate, the size of the residence, and proposed parking.

Please let me know if this is what you need or if there is any other information I can provide.