

**Village of Spring Valley  
Board of Appeals May 19, 2021**

**Members Present:** Streater, Bosshart, McMaster, Thompson

**Members Absent:** Powell

**Staff present:** Luann Emerson Clerk

**Public present:** Terry and Lisa Miller

Reconvene Board of Appeals after adjournment on April 29, 2021

Murrays cannot be present as they currently live in North Carolina but have submitted a letter refuting Miller's claims of runoff and tree damage. They have met with their builder and the house cannot be turned without causing further problems with side setbacks and logistics of entry to the property. As a compromise, they have adjusted their setback request by moving the house forward on the property. The adjusted variance request is a rear-yard setback of 28 feet, a 7' variance and a front yard setback of 22', a 3' variance. \*an amendment to R-2 Ordinance 58-171(b)(2)(a) setting the front yard setback to 25' was discovered in this process.

Millers have also submitted a letter reaffirming their objection to the variance request, even at the adjusted distances.

All present were given copies of both letters. Millers were angry with the statements made by Murrays. Lisa Miller suggested that all letters submitted were subjective and should be left out of the discussion. Millers were willing to give 5' until they got to the meeting.

The board posed 2 statements to Millers: 1. Even if the house were within setback, you would still have the same area taken up by structure on the property. 2. The 7' variance is not for the entire length of the rear of the house, but a small bump-out area.

Emerson reiterated her findings from Cedar Corporation and the engineering of the drainage areas. Millers stated their objection and believe there will be tree damage, water flowing on their property.

After much discussion and suggestions for additional compromise the following motion was made:

**Motion (Streater/Thompson)** to grant a 7' variance to ordinance Sec. 58-171(b)(2)(d) by permitting Joe and Deb Murray a 28' rear yard setback; and to grant a 3' variance to ordinance Sec. 58-171(b)(2)(a) by permitting Murrays a 22' front yard setback. No further discussion. Motion Carried.

Meeting adjourned 6:35 p.m. Carried.

Respectfully submitted

*Luann Emerson* 5/20/2021

