

**Village of Commercial Point  
Special Council Meeting-Schuh Pool Variance  
September 18, 2017**

Mr. Sadler called the meeting to order. Fiscal Officer Hastings took roll call with the following members present: Mr. Townsend, Mr. Sadler, Mr. O'Neil, Ms. Blevins and Mr. Geiger. Mayor Joiner, Mr. Laxton, Village Administrator Crego and Engineer Grosse were absent.

Mr. Townsend made a motion, seconded by Ms. Blevins to suspend the procedural rules. All members approved. The motion passed.

Variance for pool: Mr. Sadler reminded the council this is a variance meeting regarding a pool located at 203 Silver Maple Road. He said the resident has provided us with a letter from the pool company. Fiscal Officer Hastings said she spoke with Engineer Grosse today and he said what was written in the letter, he is ok with. He said going forward he would like to meet with Zoning Inspector McCoskey to discuss items, but he is ok with this one. Mr. Sadler said in the previous meeting we discussed Solicitor Hess drawing up paperwork regarding any potential issues in the future for the resident to sign. Fiscal Officer Hastings said she has not received any paperwork, but she will get with Solicitor Hess in the morning. Mr. Sadler asked for discussion. Zoning Inspector McCoskey said he suggested having a different size pool but it was rejected by the family. Mrs. Schuh said it wasn't rejected, it was suggested by the pool company to go through the variance for this pool due to the landscaping. Mr. O'Neil said his only thought is where the pool wall is against the easement. The wall of the pool is right on the easement. He has a concern if the easement has to be dug out for any reason, all of the dirt may be removed which may or may not be enough support for the pool. He said they do not know what the pool wall is made of. Mrs. Schuh said it is a fiberglass pool. Mr. Sadler said while the homeowner owns the property, the village has the right to access that to put in utilities and do they understand they are accepting responsibility and or risk if they would have to dig it out. Mrs. Schuh said yes. Mr. O'Neil said there was a resident who called and expressed their disapproval. Mr. Sadler confirmed with the homeowner that she did receive the papers with signatures that agreed and was ok with the pool. She said yes. Fiscal Officer Hastings has a copy of all the forms submitted by all neighbors that touch their property. She also said all neighbors received the public notice regarding the meeting. Ms. Blevins asked if everyone responded that she sent the notice to. Fiscal Officer Hastings said no, 4 out of 6 responded. Mr. O'Neil asked Zoning Inspector McCoskey if he knew of any other pools that needed a variance. Zoning Inspector McCoskey said not since he took over the job. Fiscal Officer Hastings said if council wanted to wait until we have something in writing, they can wait and vote on it during the October 2<sup>nd</sup> meeting. Mr. Sadler asked if Mrs. Schuh was ok with signing a paper that says if after completion there are draining issues they are responsible to correct them. Mrs. Schuh said yes. Mr. Sadler asked for a motion to approve the variance. Ms. Blevins made a motion to approve, seconded by Mr. Townsend. Roll call taken: Mr. O'Neil-No, Mr. Townsend-Yes, Ms. Blevins-Yes, Mr. Sadler-Yes, and Mr. Geiger-Yes. Motion approved.

Mr. Geiger made a motion, seconded by Mr. Townsend to adjourn. All in favor. Meeting adjourned.

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Gary Joiner, Mayor



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Wendy Hastings, Fiscal Officer

\*\*Minutes provided by Paula Baldwin, Administrative Assistant.