

## Kerri Waugh

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**From:** John Cedergreen [REDACTED]  
**Sent:** June 9, 2024 7:03 PM  
**To:** ACRD Administration; Planning Shared; Bob Beckett  
**Subject:** File #DVA24002, Development Variance Request for Lot 67 Haggard's Cove

**Follow Up Flag:** Follow up  
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[CAUTION] This email originated from outside of the ACRD

We are the owners of Lot 12 at Haggard's Cove, one of the three lots with existing homes closest to (and potentially most affected by) Lot 67 for which this variance is being requested. We are residents of Washington State, USA and have not yet received the written notice of these proceedings that other lot owners have received.

We have several concerns regarding the variance request:

1. **Timeliness of notice:** We have not yet received written notice of the proceedings. We only know about this matter because of information shared with us by other property owners, and have only had this information for two weeks. Our opportunity to respond has been severely limited as a result.
2. **Setting of precedent:** Lots 65 and 66 at Haggard's Cove are similar in nature to Lot 67. If this variance is granted to Lot 67, the owners of those lots could, and should expect to be granted a similar variance. At least one structure here at Haggard's Cove (Lot 45, adjacent and similar in nature to Lot 65) was forced to be moved because of improper setback, so adherence to setback requirements has already been tested here.
3. The structure described in the variance application is distinctly different than what was described to us in a conversation with Mr. Poznikoff during his visit to the property in the summer of 2023. In that conversation we understood him to say any structure he built on the property would give consideration to its impact on the adjacent existing property owners, and would probably be one story tall, not two as shown in the drawings.
4. The potentially negative financial impact of having a structure as described in the variance request built 6 feet closer to the property line, which means 6 feet closer to our property. These are all view lots and would be valued as such. It is our assumption that the taller and closer any structure is to our property the greater the negative financial impact to the value of our property.
5. The potential negative impact on Strata property (a common roadway) because of potential construction occurring 6 feet closer to the Strata roadway separating Lot 67 from Lots 10, 11, 12 and others.

If a decision on this request must be made at the ACRD Board meeting scheduled for June 12, 2024 we want to go on record as being opposed for the reasons listed above.

What we would prefer is a continuation of this matter for at least 90 days to allow time for us, and all the other affected parties, to adequately investigate and evaluate the direct impact on our property(s).

It is our intention to attend the meeting on June 12, but are not requesting to be on the agenda.

John and Gretchen Cedergreen  
Owners of Lot 12 at Haggard's Cove

Mailing address:



Phone number:



email address:



Sent from my iPad

I am writing to respectfully request the deferral of Poznikoff variance application file number DVA 24002. The current variance application process in the ACRD does not allow for effective input from adjoining homeowners until after the planning committee has made a recommendation. It is only then that the adjoining homeowners are notified of the pending variance. It is only then that the adjacent homeowners are given a very brief opportunity to express their concerns to the board. In other Regional Districts in British Columbia the notice of a variance application is reviewed by the planning department and forwarded to adjacent homeowners. If concerns are raised, an appeal board of a few expert panel members is convened to hear the input and make a decision on the variance.

In the situation of the Poznikoff variance application, the adjacent residents have not had the opportunity to express their concerns. We acknowledge that the applicant has provided a detailed proposal and is entitled to build on his property. The variance raises some significant concerns that need to be discussed so that a reasonable decision or compromise can be achieved.

I am listing some of my major concerns and I believe other adjacent residents will be separately submitting their concerns. By deferring the decision and incorporating public input the board will demonstrate its commitment to inclusive decision-making and ensure that the best interest of all affected residents are considered.

My main concern is that the granting of this variance may set a precedent for the remaining two lots in the area. Granting of the Poznikoff variance would have a very significant impact on the value of our property, if it is also granted to the other lots.

My second major concern is that the granting of this variance has a negative impact on the value of the adjacent properties with the only property gaining value being that of Poznikoff.

We propose that the adjacent residents be given the opportunity to better understand the proposed variance and it's implications which would probably best be accomplished by discussion at an upcoming meeting of the Bamfield planning committee.

We plan on having a delegation of affected residents present at the June 12 board meeting and would be happy to respond to any of your questions at that time.

Gary and Lynda Hackney

## Kerri Waugh

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**From:** Charlene Harrison on behalf of ACRD Administration  
**Sent:** June 10, 2024 8:02 AM  
**To:** Planning Shared  
**Subject:** FW: poznikoff variance June 12 board meeting File#DVA24002

**Follow Up Flag:** Follow up  
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-----Original Message-----

**From:** Alex Merlich [REDACTED]  
**Sent:** Sunday, June 9, 2024 9:04 PM  
**To:** ACRD Administration <administration@acrd.bc.ca>; Bob Beckett <bbeckett@acrd.bc.ca>  
**Subject:** Re: poznikoff variance June 12 board meeting File#DVA24002

[CAUTION] This email originated from outside of the ACRD

Hello Mr. Beckett- I have been an owner in Haggards Cove for 35 yrs. I'm contacting you to share my concerns with the variance requested by Mr. Poznikoff. The proposed variance could create major ecological and safety concerns for all at Haggard Cove, as well as financial damage to a handful of residents whose views would become obstructed.

1- the parcel has a steep drop off from the road above down to the beach. This slope has been a major source of erosion over the last 40 yrs as the Haggard Cove Strata has spent tens of thousands of dollars shoring up and maintaining the slope. In the 1980's a dirt road was built that runs up the slope and around the perimeter of the cove. Houses have been built both above and below the road. This road washed out during the winter on an annual basis. We barged in gravel every year to repair the road, and slow the erosion. Finally, after at least 25 yrs of doing this, we decided to solve the problem by building a concrete pad on the road up the slope. We barged numerous concrete trucks into Haggard Cove to build the pad. My neighbor and I personally had the same experience at our own cabins as we had a driveway that washed out every yr. as well. After repairing the driveway on an annual basis, we put in a concrete driveway between our houses.

Erosion induced by heavy winter rains has caused one house built on an adjacent slope to slide several feet down the hill. Fortunately, no one was hurt.

My main concern is that excavating into the top of the slope from the road could cause erosion and damage to the road. In addition to cutting off access to houses on the upper road, the water main which runs adjacent to the road could be damaged, cutting off water to the houses, and shutting down our fire protection system.

Should the hillside erode, it could send mud down the hill into the sensitive eel grass area in the water. Haggard Cove is very aware of the sensitivity of the eel grass in shallows of the cove as Fisheries has been monitoring the health of the water in the cove for many years.

It would be prudent to delay the variance until a complete Geotechnical Survey as well as a Fisheries report regarding the possible risks to the shoreline could be completed.

2. By approving the variance, a precedent would be set for the adjacent parcels which pose an even larger risk as the slope of concern is much closer to the road. In addition, a parcel 2 lots away has already been denied a similar variance.

3. The proposed variance would restrict the views of multiple homes causing financial damage to those properties. My understanding is that the house shown in the drawings does not have to be the final building. Once a variance is granted, a different structure could be used to apply for a building permit.
4. We were given little or no notice regarding the proposed variance. Since it is my understanding that nobody who will be making a decision on the variance has seen the property, it would be prudent to get more input from those affected.

A delay in the variance until a Geotechnical Survey and Fisheries report were completed would ensure the safety and well-being of the applicant, the residents of Haggard Cove and the shoreline.

Thanks for your consideration,

Alex and Laurie Merlich.  
Lot 13  
Sent from my iPhone