

ZONING BOARD OF APPEALS MEETING MINUTES
Wednesday, March 21, 2018
APPROVED APRIL 18, 2018

Call to Order: Chairman Stare called the meeting to order in the Roselle Village Hall Council Chamber at 6:59 p.m.

Roll Call:

Present: Members Boos, Eckert, Eichholz, Walloch & Chairman Bob Stare

Absent: None

Staff: Caron Bricks, Planner

Approval of the Agenda: Mr. Eichholz moved to approve the agenda as presented. Ms. Eckert seconded the motion and the motion carried (5-0) by a voice vote.

Approval of the Minutes: Ms. Eckert moved to approve the minutes from January 17, 2018. Mr. Eichholz seconded the motion and the motion carried (5-0) by a voice vote.

Consideration of Petitions:

A. ZBA 18-442, Wittman, 420 E. Foster Avenue – corner side yard setback variation

Ms. Eckert made a motion to open public hearing for ZBA 18-442, seconded by Mr. Boos. The motion carried (5-0).

Planner Bricks provided an overview of the petition. The property is zoned R-2, which, per the Zoning Ordinance, requires that a privacy fence be located 30' from the corner side property line. Mr. Wittman's property is located at the northwest corner Walnut Street and Foster Avenue. He is requesting that a privacy fence be installed in the corner side yard setback. Mr. Wittman has an existing five foot (5') privacy fence that currently encroaches slightly into his corner side yard that has fallen into disrepair. Mr. Wittman would like to replace the fence in the same height, opacity, and style as the existing fence, but move the fence closer to Walnut Street to enlarge the usable back yard area of his home. The new fence would be located approximately 19 feet from the Walnut Street property line and the proposed encroachment into the corner side yard for the fence will not impact the vision triangle for the intersection of Walnut Street and Foster Avenue.

Chairman Stare swore in Terrence Wittman, 420 E. Foster. Mr. Wittman further explained the location of the proposed fence on his property and stated several corner lots in his neighborhood have been granted variations for fences in the corner side

yards previously. Mr. Boos asked about the location of the existing fence. Ms. Eckert stated that she understood the challenges of a corner lot and supported the request. Mr. Walloch stated that he is going to suggest a condition to clip the corners of the fence to make it less intrusive in the corner side yard.

Chairman Stare asked for comments from the public and there were none. Chairman Stare asked if there were any further questions from the ZBA members. There were none. Ms. Eckert made a motion to close the public hearing, seconded by Mr. Boos. The motion carried (5-0).

Mr. Boos made a motion to approve the findings of fact, seconded by Mr. Eichholz. The motion carried (5-0).

Ms. Eckert made a motion to approve the variation as presented, seconded by Mr. Boos. The motion carried (4-1).

B. ZBA 18-443, Ampol Builders Inc, 244 S. Prospect – combined side yard setbacks, rear yard setback, comprehensive lot coverage variations

Ms. Eckert made a motion to open the public hearing, seconded by Mr. Boos. The motion carried (5-0).

Planner Bricks provided an overview of the petition. Ampol Builders Inc purchased 244 S. Prospect after it had been vacant for nearly 3 years. They are proposing several additions and improvements to the existing single-family home on the property. They submitted plans and a building permit application, which is when staff discovered that the proposed additions do not meet setback and lot coverage requirements. The proposed additions include an addition to the south side of the house for a master bedroom suite and a new kitchen, and west of the master suite/kitchen addition will be an attached two-car garage addition. The existing wall on the north side of the house is non-conforming to the zoning ordinance as it is only 5.09 feet from the property line, but both sides together originally conformed to the total combined side yard setback requirement. The petitioner is not altering the existing wall on the north side of the house, so a variation is necessary to make the encroachment legally non-conforming. The proposed addition on the south side of the house would be 8.50 feet from the property line which meets the no less than 6 foot requirement for the side yard setback. The total combined side yards is only 13.59 feet, where 15 feet is required.

The attached two car garage addition is proposed for the rear (west side) of the house. The proposed garage addition is also located only 28.54 feet from the rear property line where 40 feet is required. As a note, the attached garage is proposed to be accessed by an unimproved alley. The neighbor to the south also accesses their garage from this unimproved alley.

The final requested variation is to increase the permitted comprehensive lot coverage from 40% to 42%. When calculating lot coverage, the existing house and the proposed additions are included. The driveway on the south side of the house, front walk, front porch, deck, and existing shed are all also included. Everything totals to 3,022 square feet over the 7,193 square foot lot.

Chairman Stare swore in the petitioner, Radek Ekonomiuk of Ampol Builders Inc. Mr. Ekonomiuk stated that he is requesting the variations to accommodate the additions for his aging mother to live in the house. He stated that he intends to comply with the 40% lot coverage by removing the shed and making the sidewalk and deck smaller.

Ms. Eckert asked about the extent of the renovations taking place at the house. Mr. Ekonomiuk stated that he is renovating the whole house including new siding on the exterior. Members Eckert, Walloch, and Boos stated that they support the removal of the shed from the property.

Amanda Kosiba, 333 S. Prospect, was sworn in by Chairman Stare and asked about how the additions and a possible lot coverage variation would impact the flow of water on the property. Planner Bricks stated that Mr. Ekonomiuk needs engineering approval before he can start work on the house and that engineering would not approve plans that would negatively impact neighboring properties.

Further discussion occurred regarding lot coverage. The ZBA members were in agreement that they think the plans would be an improvement upon the current condition of the house. Planner Bricks suggested that if the ZBA would like to approve the side and rear variations requested, the ZBA add a condition that a site plan be submitted showing conformance with the 40% comprehensive lot coverage. The ZBA members agreed to that condition.

Mr. Boos made a motion to approve the findings of fact for the rear yard setback variation and the combined side yard setback variation, seconded by Ms. Eckert. The motion carried (5-0).

Mr. Walloch made a motion to approve the rear yard setback variation and the combined side yard setback variation on the condition that a site plan showing conformance with the 40% lot coverage requirement is submitted to staff, seconded by Mr. Boos. The motion carried (5-0).

Old Business: Ms. Eckert asked the status regarding ZBA case 17-441. Planner Bricks provided an update that building permit plans had not yet been submitted by the petitioner.

New Business: Planner Bricks introduced new ZBA Member Chad Humphrey to the ZBA and stated that he will be sworn in by Mayor Maglio at the April 9th Village Board meeting and will be attending the ZBA's next meeting on April 18th.

Adjournment: Chairman Stare made a motion to adjourn the meeting. Mr. Eichholz seconded the motion, the motion carried (5-0) by a voice vote. The meeting concluded at 7:23 p.m.