

MINUTES OF THE ZONING BOARD OF APPEALS
January 13, 2014

The regular meeting of the Zoning Board of Appeals was called to order by Chairman William Cotey at 7:01 p.m. at the Village Hall.

Members present: Chairman William Cotey, Scott Adams, Mark Moore, Walter Oakley, Kurt Schultz, and David Semmelman.

Members absent: Dan Donahue.

Village Staff present: John Spoden, Director of Community Development; David Smith, Senior Planner; and Fred Chung, Senior Project Engineer.

Board Member Adams moved, seconded by Board Member Oakley, to approve the December 9, 2013, Zoning Board of Appeals meeting minutes.

Motion carried 6 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

ZBA 14-01 Todd McDermott and Mira Hinman, Applicants
408 McKinley Avenue

Request is for a variation to reduce the minimum required front yard setback from 30 feet to approximately 10.8 feet in order to construct a house addition in an R-6, Single Family Residential District.

Mr. David Smith, Senior Planner, introduced the variation request to the Zoning Board of Appeals. He stated that the petitioner is requesting to reduce the minimum required front yard setback in order to construct a house addition in an R-6, Single Family Residential District located at 408 McKinley Avenue. He stated that the proposed rehab of the existing house includes the demo of the front covered porch and replacing it with a new open-air front wrap-around porch with structural support columns supporting metal roof overhang.

Mr. Smith stated that the R-6, Single Family Residential District requires a minimum front yard setback of not less than 30 feet. He stated that the proposed rehab involves new construction within the required front yard.

Mr. Tim Archibald, architect for the petitioner, stated that the original house was constructed in 1926. He stated that the current Code requirement of a front yard setback of 30 feet lies within the existing original house. He stated that additions have been constructed over the years onto the original 1926 house, but the current owners now feel that these previous additions do not complement the house well. He stated that they are proposing to demo the existing garage and

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rebuild it to the rear of the house, relocate the existing driveway and construct a new front covered porch. He stated that the proposed improvements will complement the street facades of the other homes along McKinley and will move the garage out of view from the street side of the house. He stated that the proposed encroachment into the front yard will exceed the existing front step setback by four more feet.

Mr. Archibald stated that the new plans fall well below the maximum allowed building and lot coverage requirements. He stated that the petitioners' hardship is that the original house was constructed without the same setback requirements and that the setback requirements changed over time bringing the original structure into nonconformity. He stated that the new front porch and steps will be Code compliant and will make the front entrance functional and allows for an outdoor use.

Mr. Archibald presented his responses to the Standards for Variation to the Zoning Board of Appeals.

Board Member Schultz asked if they can stay within the existing footprint with the new construction and not make it worse with a closer setback from the front property line. He stated that consideration can be given to a five (5') foot wide wrap-around porch instead of a seven (7') foot wide. He stated that consideration can be given to installing the new front steps on the side versus the proposed front.

Mr. Archibald stated that the proposed wrap-around porch provides function and aesthetics. He stated that as an alternative they can offer a wrap-around porch with the front steps recessed so that the encroachment is not as severe. He stated that their intent is to provide a landing at the top of the stairs with ample space.

Board Member Moore asked about an existing tree in the front yard. Mr. Archibald stated that the existing tree will not be affected by the proposed development.

Board Member Adams stated that he does not have a problem with the variation provided that the petitioner reduces the encroachment of the new front steps per his alternative plan.

Board Member Oakley stated that he does not have a problem with the variation provided that the petitioner reduces the encroachment of the new front steps per his alternative plan.

Board Member Semmelman stated that he does not have a problem with the variation provided that the petitioner reduces the encroachment of the new front steps per his alternative plan.

Chairman Cotey stated that a seven (7') foot deep porch seems to be average. He asked the petitioner what he would like for the Zoning Board of Appeals to do tonight.

Mr. Archibald stated that they are ready for a vote.

In the matter of ZBA 14-01, Board Member Oakley moved, seconded by Board Member Adams, to recommend the Village Board of Trustees approve a variation to reduce the minimum

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required front yard setback from 30 feet to approximately 14.5 feet in order to construct a house addition in an R-6, Single Family Residential District, in accordance with the plans submitted.

Motion carried 5 - 1.

Ayes: Cotey, Adams, Moore, Oakley, Semmelman
Nays: Schultz
Absent: Donahue

COMMUNICATIONS AND DISCUSSION: None.

Board Member Moore moved, seconded by Board Member Schultz, to adjourn the Zoning Board of Appeals meeting.

Motion carried 6 - 0.

Meeting adjourned at 7:40 p.m.