

MINUTES OF THE ZONING BOARD OF APPEALS
July 14, 2014

The regular meeting of the Zoning Board of Appeals was called to order by Chairman William Cotey at 7:00 p.m. at the Village Hall.

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

Members absent: Kurt Schultz.

Village Staff present: David Smith, Senior Planner.

Board Member Oakley moved, seconded by Board Member Adams, to approve the June 9, 2014, Zoning Board of Appeals meeting minutes.

Motion carried 6 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

ZBA 14-10 Mark and Brenna Preisser, Applicants
141 E. Sunnyside Avenue

Request is for variations to: 1) allow a fence line to extend beyond the rear building line of the principal structure; and 2) allow a fence line to be located closer to the street than the front yard established for the abutting lot in an R-7, Single Family Attached Residential District.

Mr. David Smith, Senior Planner, introduced the variation request. Mr. Smith stated that the applicants, Mark and Brenna Preisser, are requesting variations to allow a fence line to extend beyond the rear building line of the principal structure and to allow a fence line to be located closer to the street than the front yard established for the abutting lot in an R-7, Single Family Attached Residential District located at 141 E. Sunnyside Avenue.

Mr. Smith stated that the applicant is proposing to construct a four (4) foot high picket fence along the corner side yard property line with the fence line established at the rear corner the principal structure. Mr. Smith stated that the subject site is located at the southwest corner of East Sunnyside Avenue and Prairie Avenue.

Ms. Brenna Preisser, applicant, stated that they are seeking to replace an existing fence in the same location. She stated that the existing fence is old and dilapidated and needs to be replaced. She stated that the fence shall serve to keep their children and dog safe in the back yard. She stated that the existing fence was permitted by the Village in 1986. She stated that the proposed fence will improve the aesthetic appeal of their property and the neighborhood.

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Chairman Cotey asked how long have they lived in their house and how much longer do they intend to live there. Ms. Preisser stated that they have lived in their house for over three (3) years and intend to continue to live in it indefinitely.

Chairman Cotey asked if they understand the DRC Staff report condition for approval that the fence height complies with the Sight Distance Triangle requirement.

Mr. Smith stated the Sight Distance Triangle is a triangular shaped portion of land which is demarcated at the driveway and street intersection in which nothing is erected, placed, planted or allowed to grow in such a manner as to exceed a height of three (3) feet in height. He stated in the case of the Preissers at 141 E. Sunnyside Avenue, the applicants can lower the fence to three (3) feet in the area of the Sight Distance Triangle or pull the fence line out of the triangle.

Chairman Cotey asked the applicant what they would like for the Zoning Board of Appeals to do this evening. Ms. Preisser stated that she would like for the Zoning Board of Appeals to render a positive recommendation to the Village Board for their fence variation requests.

In the matter of ZBA 14-10.1), Board Member Oakley moved, seconded by Board Member Adams, to recommend the Village Board of Trustees approve a variation to allow a fence line to extend beyond the rear building line of the principal structure in an R-7, Single Family Attached Residential District, subject to the following condition: 1) That the Sight Distance Triangle be maintained without visual obstructions adjacent to the driveway in accordance to the Zoning Code regulation.

Motion carried 6 - 0.

Ayes: Cotey, Adams, Donahue, Moore, Oakley, Semmelman
Nays: None
Absent: Schultz

In the matter of ZBA 14-10.2), Board Member Moore moved, seconded by Board Member Semmelman, to recommend the Village Board of Trustees approve a variation to allow a fence line to be located closer to the street than the front yard established for the abutting lot in an R-7, Single Family Attached Residential District, subject to the following condition: 1) That the Sight Distance Triangle be maintained without visual obstructions adjacent to the driveway in accordance to the Zoning Code regulation.

Motion carried 6 - 0.

Ayes: Cotey, Adams, Donahue, Moore, Oakley, Semmelman
Nays: None
Absent: Schultz

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COMMUNICATIONS AND DISCUSSION:

Mr. David Smith, Senior Planner, stated that Staff will present additional information for the proposed Zoning Code text amendment regarding the downtown parking regulations at the July 28, 2014 Plan Commission meeting. He stated that the Planned Development request by the Cedar Street company for the Manchester building is also on the July 28, 2014 Plan Commission agenda, as well as the Lakeside Transportation school bus company, as a continued item for their Special Use Permit request.

Board Member Oakley moved, seconded by Board Member Adams, to adjourn the Zoning Board of Appeals meeting.

Motion carried 6 - 0.

Meeting adjourned at 7:15 p.m.