

MINUTES OF THE ZONING BOARD OF APPEALS
January 10, 2011

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, Robert Guarnaccio, Walter Oakley, and Kurt Schultz.

Members absent: Mark Moore and Andy Robinson.

A quorum was established.

Village Staff present: John Spoden, Director of Community Development; David Smith, Senior Planner; Karen Marren, Associate Planner; and Heather Rowe, Economic Development Coordinator.

Board Member Oakley moved, seconded by Board Member Moore, to approve the December 13, 2010, Zoning Board of Appeals meeting minutes.

Motion carried 5 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

ZBA 11-01 Erin Swearingin, Applicant
533 Brainerd Avenue

Request is for variations to: 1) reduce the minimum required front yard setback from 44 feet to approximately 23'2" feet in order to construct a new front covered porch and install a new black aluminum railing to the top of a single family home roof turret; and 2) reduce the minimum required side yard setback from 19 feet to approximately 18 feet in order to construct a new rear mud room addition and install a new black aluminum railing to the top of a single family home roof turret in an R-7, Single Family Attached Residential District.

ZBA 11-02 Erin Swearingin, Applicant
533 Brainerd Avenue

Request is for a variation to increase the maximum permitted height for a principal structure from 37 feet to approximately 39 feet in order to install a new black aluminum railing to the top of a single family home roof turret in an R-7, Single Family Attached Residential District.

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Mr. David Smith, Senior Planner, introduced the petitioner's variation requests. He stated that the petitioner is requesting variations to reduce the minimum required front and side yard setback and building height in order to construct a new front porch, new rear mud room addition and install a new black aluminum railing to the top of a single family home roof in an R-7, Single Family Attached Residential District located at 533 Brainerd Avenue. He stated that the subject home is exceptionally old with historical value and was originally a single family structure, but at some point in its history, the house was remodeled and divided into two units. He stated that currently the front porch was enclosed, the front stair and covering gable was removed, and two new stairs were added to this now enclosed front porch, one to each divided unit.

Mr. Smith stated that the petitioner is proposing to restore it to a single family home for their use and convert the front porch back to its original open design with gable roof above. He stated that in addition they are proposing to install the original widow's walk railing at the top of the turret which will reach a height of 39 feet from adjacent grade which will increase the minimum yard setbacks requiring setback variations and a height variation.

Mr. Neal Gerdes, architect and agent for petitioner, discussed the history of the house subject to the variation request. He stated that this Victorian residence was originally built in 1903 as a single family home and at some point in its history it was remodeled and divided by floors into two units. He stated that during the same remodeling project the front porch was enclosed, the front stair and covering gable was removed, and two new stairs were added to this now enclosed front porch, one for each of the divided units.

Mr. Gerdes stated that they are proposing to bring the structure back to its original architecture and single family use status.

Board Member Schultz stated that he does not have a problem with the requests.

Board Member Guarnaccio stated that he does not have a problem with the requests.

Board Member Adams stated that he does not have a problem with the requests and stated that it is a good idea to bring the home back to its original architecture.

Board Member Oakley stated that he agrees with the other board members.

Chairman Cotey stated that consideration should be given to checking the existing roof structure to determine that it will support the installation of the new widow's walk railing on top of the turret roof. He asked the petitioner what they would like for the Zoning Board of Appeals do tonight. Mr. Gerdes stated that he would like for the Zoning Board of Appeals to make their recommendation to the Village Board tonight.

In the matter of ZBA 11-01.1), Board Member Oakley moved, seconded by Board Member Guarnaccio, to recommend the Village Board of Trustees approve a variation to reduce the

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minimum required front yard setback from 44 feet to approximately 23'2" feet in order to construct a new front covered porch and install a new black aluminum railing to the top of a single family home roof turret in an R-7, Single Family Attached Residential District, in accordance with the plans submitted.

Motion carried 5 - 0.

Ayes: Cotey, Adams, Guarnaccio, Oakley, Schultz
Nays: None
Absent: Moore, Robinson

In the matter of ZBA 11-01.2), Board Member Schultz moved, seconded by Board Member Guarnaccio, to recommend the Village Board of Trustees approve a variation to reduce the minimum required side yard setback from 19 feet to approximately 18 feet in order to construct a new rear mud room addition and install a new black aluminum railing to the top of a single family home roof turret in an R-7, Single Family Attached Residential District, in accordance with the plans submitted.

Motion carried 5 - 0.

Ayes: Cotey, Adams, Guarnaccio, Oakley, Schultz
Nays: None
Absent: Moore, Robinson

In the matter of ZBA 11-02, Board Member Schultz moved, seconded by Board Member Guarnaccio, to recommend the Village Board of Trustees approve a variation to increase the maximum permitted height for a principal structure from 37 feet to approximately 39 feet in order to install a new black aluminum railing to the top of a single family home roof turret in an R-7, Single Family Attached Residential District, in accordance with the plans submitted.

Motion carried 5 - 0.

Ayes: Cotey, Adams, Guarnaccio, Oakley, Schultz
Nays: None
Absent: Moore, Robinson

COMMUNICATIONS AND DISCUSSION:

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

Motion carried 5 - 0.

Meeting adjourned at 7:18 p.m.