

MINUTES OF THE ZONING BOARD OF APPEALS
November 14, 2011

The regular meeting of the Zoning Board of Appeals was called to order by Chairman William Cotey at 7:02 p.m. at the Village Hall.

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

Members absent: Dan Donahue and Walter Oakley.

A quorum was established.

Village Staff present: David Smith, Senior Planner.

OLD BUSINESS:

ZBA 11-16 Michael Kerrigan, Applicant
129 N. First Street

Request is for a variation to increase the maximum permitted lot coverage in order to construct a house addition to a single family home and a detached garage in an R-6, Single Family Residential District.

ZBA 11-17 Michael Kerrigan, Applicant
129 N. First Street

Request is for variations to: 1) reduce the minimum required front yard setback; and 2) reduce the minimum required corner side yard setback in order to construct a front covered porch addition for property located in an R-6, Single Family Residential District.

ZBA 11-19 Michael Kerrigan, Applicant
129 N. First Street

Request is for a variation to reduce the minimum required corner side yard setback in order to construct a detached garage for property located in an R-6, Single Family Residential District.

ZBA 11-20 Michael Kerrigan, Applicant
129 N. First Street

Request is for a variation to increase the maximum permitted height in order to construct a detached garage for property located in the R-6, Single Family Residential District.

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The applicant has requested that these items be continued to the December 12, 2011, Zoning Board of Appeals meeting.

In the matters of ZBA 11-16, ZBA 11-17, ZBA 11-19, and ZBA 11-20, Board Member Adams moved, seconded by Board Member Semmelman, to continue these items to the December 12, 2011, Zoning Board of Appeals meeting.

Motion carried 5 - 0.

NEW BUSINESS:

ZBA 11-21 Dixon and Felicia Brandt, Applicants 720 Meadow Lane

Request is for a variation to increase the maximum permitted Lot Coverage from 45% to approximately 49.8% in order to construct a detached garage in an R-6, Single Family Residential District.

Mr. David Smith, Senior Planner, stated that the petitioner is requesting to increase the maximum permitted lot coverage in order to construct a detached garage in an R-6, Single Family Residential District located at 720 Meadow Lane. He stated that the subject lot is 50 feet wide by 165 feet in length and approximately 8,293 square feet in area. He stated that the residence currently includes an attached garage on the rear of the home that was added in 2003. He stated that the petitioner is proposing to enclose the existing attached garage and convert it into storage space and construct a new 616 square foot detached garage at the rear of his property. He stated that the proposed improvements shall increase the existing lot coverage from 45.6% to approximately 49.8%. He stated that the Zoning Code states that the maximum permitted lot coverage for an interior lot in the R-6 Single Family Residential District is forty-five percent (45%).

Ms. Irene Edgar, architect for the petitioner, stated that the variation request does not exceed the 20% above the maximum allowed that the Village Board is authorized to grant. She stated that she has brought a revised engineering plan to the public hearing that addresses some of Staff's concerns. She stated that the homeowner has had an elevator installed inside the home to assist his mother's mobility.

Mr. Dixon Brandt, petitioner, stated that the existing attached garage is difficult to navigate in and out.

Ms. Edgar stated that the lot is narrow at 50 feet wide and that the topographical grade drops towards the rear of the lot.

Mr. Brandt stated that there is an eight (8) foot drop from front to back.

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Ms. Edgar stated that screening the ground mounted generator is not necessary due to the drop in the topography of the parcel. She stated that the Village does not allow overnight parking on Meadow Lane and therefore causes a hardship for Mr. Brandt.

Chairman Cotey read two letters from two different neighbors submitted to the Village that convey objections to the requested variation.

Board Member Schultz stated that the subject site is a challenging lot. He stated that it is difficult to support the request as the proposed detached garage is large. He stated that the reason for limiting lot coverage is due to the storm water run-off.

Mr. Brandt stated that he has a French drain on his property to manage the storm water run-off. He stated that it is currently within the apron in front of the existing attached garage. He stated that he is moving the French drain in order to accommodate the proposed improvements to his property.

Board Member Schultz stated that he is concerned about a possible precedent being established. He stated that by locating the proposed detached garage so far to the rear of the lot, it creates more impervious surface. He stated that not being able to park on the street should not be considered as a hardship. He stated that the current driveway length on the subject site appears to be able to accommodate up to four vehicles. He asked the petitioner to consider designing a smaller detached garage as the current proposal is considerably over the lot coverage limit. He stated that it is difficult for him to support the variation request as currently proposed.

Board Member Semmelman asked if the petitioner has a response to the Engineering Division review comments found in the DRC Staff Report. Ms. Edgar stated that she will address Engineering's request to provide a call to applicable details for the proposed retaining wall at time of permit application. She stated that she is not sure what more she can provide regarding Engineering's request for the topographic survey to identify existing drainage patterns on the property. She stated that there are no trees on the property so the requested tree survey information is not necessary. She stated that the proposed improvements can be done over the existing underground utilities in response to the Engineering Division's request to identify the location of existing underground utilities.

Mr. Brandt stated that there is an existing pipe 8 foot below grade that the French drain feeds into.

Ms. Edgar stated that she will comply with the Building Division review comments.

Board Member Semmelman stated that Staff should have an opportunity to review the revised plan that was brought forward during tonight's public hearing.

Board Member Moore asked if the petitioner has considered alternative plans prior to submitting the proposed plan.

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Mr. Brandt stated that they have discussed several alternative plans, but none of them work as well as the proposed plan.

Board Member Moore stated that he agrees with Board Member Schultz's comments.

Board Member Adams stated that he agrees with Board Members Moore and Schultz. He stated that he is concerned about the drainage. He stated that Staff should have an opportunity to review the revised plan that was brought forward to the public hearing tonight. He stated that he cannot identify a hardship that would justify the variation.

Chairman Cotey stated that he concurs with the comments provided by the other Zoning Board of Appeals members. He stated that he cannot identify a hardship that would justify the variation. He stated that this case ought to be continued.

In the matter of ZBA 11-21, , Board Member Schultz moved, seconded by Board Member Adams, to continue this item to the December 12, 2011, Zoning Board of Appeals meeting.

Motion carried 5 - 0.

COMMUNICATIONS AND DISCUSSION:

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

Motion carried 5 - 0.

Meeting adjourned at 7:32 p.m.