

MINUTES OF THE ZONING BOARD OF APPEALS
August 14, 2023

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

Members present: Chairman Gregory Wheeler, Amy Flores, Richard Pyter, Thomas Rankin, Eric Steffe, and Aaron Zych.

Members absent: Walter Oakley.

A quorum was established.

Village Staff present: David Smith, Senior Planner, and Jeff Cooper, Village Engineer.

Others present: Marcus Martinez, Village Attorney.

Board Member Rankin moved, seconded by Board Member Pyter, to approve the July 24, 2023, Zoning Board of Appeals minutes.

Motion carried 6 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

ZBA 23-06 Brendan and Heather Condron, Applicants
1720 Park Crest Court

Request is for variations to: 1) locate a fence in the corner side yard beyond the rear building line; and 2) locate a fence in the corner side yard closer to the street than the front yard established for the abutting lot for property located in an R-5, Single Family Residential District.

Mr. David Smith, Senior Planner, introduced the requested fence variations to the Zoning Board of Appeals. Mr. Smith stated that the subject property is a corner lot located at the northeast corner of Forever Avenue and Park Crest Court. Mr. Smith stated that the applicant's corner side yard abuts the Forever Avenue r.o.w. Mr. Smith stated that the applicant is requesting variations to: 1) locate a fence in the corner side yard beyond the rear building line; and 2) locate a fence in the corner side yard closer to the street than the front yard established for the abutting lot for property located in an R-5, Single Family Residential District.

Mr. Brendan Condron, applicant, stated that he is seeking relief from the Zoning Code in order to create a safe backyard space for his children. He stated that traffic tends to speed by along Forever Avenue and the proposed fence line will offer some additional protection along the corner side

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yard for his children. He stated that the fence company is a reputable company and that the proper amount of consideration has been given to fence placement relative to utilities and separation from the public sidewalk that runs along Forever Avenue.

Board Member Flores stated that this is a common request and supports the requested variations.

Mr. Condrón stated that the fence extension will match his existing fence in material and type.

Board Member Rankin stated that there appears to be a retaining wall that may impede the installation of the fence.

Mr. Condrón stated that the scope of work will include the removal of a portion of the retain wall and regrading that area in order to accommodate the installation of the proposed fence line.

Board Member Zych asked if the applicant should comply with any covenants or restrictions relative to the proposed fence. Mr. Smith stated that the Village does not typically enforce subdivision covenants and that adherence to any subdivision covenants would be regulated between the H.O.A. and the homeowner.

Mr. Condrón stated that his subdivision does not have an H.O.A.

Chairman Wheeler asked the petitioner if he is ready for the Zoning Board of Appeals to make their recommendation. Mr. Condrón stated that he is ready for the Zoning Board of Appeals to render their recommendation.

In the matter of ZBA 23-06.1), Board Member Pyter moved, seconded by Board Member Flores, to recommend the Village Board of Trustees approve a variation to locate a fence in the corner side yard beyond the rear building line for property located in an R-5, Single Family Residential District, in accordance with the plans submitted.

Motion carried 6 - 0.

Ayes: Wheeler, Flores, Pyter, Rankin, Steffe, Zych
Nays: None
Absent: Oakley

In the matter of ZBA 23-07.1), Board Member Steffe moved, seconded by Board Member Pyter, to recommend the Village Board of Trustees approve a variation to locate a fence in the corner side yard closer to the street than the front yard established for the abutting lot for property located in an R-5, Single Family Residential District, in accordance with the plans submitted.

Motion carried 6 - 0.

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Ayes: Wheeler, Flores, Pyter, Rankin, Steffe, Zych

Nays: None

Absent: Oakley

STAFF COMMUNICATIONS AND DISCUSSION: None.

Board Member Zych moved, seconded by Board Member Rankin, to adjourn the Zoning Board of Appeals meeting.

Motion carried 6 - 0.

Meeting adjourned at 7:15 p.m.