

ZONING BOARD OF APPEALS
MEETING MINUTES
Village of Roselle
July 18, 2012

Call to Order: Chairman Stare called the meeting to order in the Village Hall Council Chamber at 7:00 p.m.

Roll Call:

Present: Members Terry Walloch, Paul Zinni, Tom Piorkowski, Josh Bickford, Cliff Lewis, and Chairman Stare

Absent: Jamie Lombardi

Staff: Community Development Director, Patrick N. Watkins

Approval of the Agenda: Member Richard Rhode made a motion to approve the agenda. Member Walloch seconded the motion. The Board approved the motion with a unanimous (6-0) voice vote.

Approval of the Minutes:

Chairman Stare asked for a motion to approve the September 21, 2011 minutes. Motion was made by Richard Rhode and seconded by Josh Bickford. Motion carried 5-0 with Richard Rhode abstaining.

Chairman Stare then asked for a motion to approve the November 16, 2011 minutes. Motion made by Richard Rhode and seconded by Josh Bickford. Motion carried 5-0 with Richard Rhode abstaining.

New Business:

A. ZBA 12-424 – Eric Senna (220 Rush Street) – Fence Setback Variance

Chairman Stare asked to open the public hearing for ZBA 12-424. Motion made by Richard Rhode and seconded by Terry Walloch. Motion carried unanimously (6-0).

Staff provided background in regard to the request for a variance in order to build a fence on a corner side yard within inches of the property line. Staff stated that the fence being proposed will be a solid privacy fence of 4' high adjoining the sidewalk. Staff

stated that the petitioner desired to enclose his back yard due to children and the desire to have a pool and trampoline. Mr. Sierra then spoke in regard to the petition and their need for relief. They stated that the gates across the driveway would open up to the inside of the property and that the backyard still had visibility from the street due to the topography of the site. Mrs. Sierra then spoke further in regard to their desire for a fence along the corner side yard property line. Chairman Stare then asked the ZBA members if they had comments or questions in regard to the matter. Terry Walloch and Cliff Lewis expressed concern with the fence being that close. Members Tom Piorkowski, Josh Bickford did not have any questions or comments. Member Richard Rhode stated that he had concerns with the request from both a safety and aesthetic standpoint. He stated that it would stand out in the neighborhood and that he had a fear that while backing out of the driveway, an accident could occur from someone utilizing the sidewalk due to a lack of visibility. Chairman Stare told the petitioner that as it currently stands it does not appear the votes are there to obtain the variation. He asked the petitioner if there was a way to revise the plan. They stated that they could move it a couple feet off the property line. Member Rhode stated that a better solution would be to move the fence back to the tree (either behind or in front) and to put a 45 degree angle at the corner (where it meets the neighbor's fence). He stated that it would both look better and be safer. The petitioners commented that they would not be interested in doing that. CD Director Watkins stated to the petitioners that it might be a good idea to have the ZBA vote on that option in case they change their minds. Mr. Watkins stated that if they changed their minds tomorrow, it would require re-notification and another month to meet. After further discussion and explanation, it was also decided that the fence should have 45 degree angles at both corners for aesthetic purposes. The petitioners also stated that they would move the fence back to the tree that is located in the corner side yard.

A motion was then made by Richard Rhode to close the Public Hearing. The motion was seconded by Tom Piorkowski and carried unanimously (6-0).

A motion was made to approve the Findings of Fact per the revisions of the setback and angled corners of the fence by Richard Rhode and seconded by Terry Walloch. The Findings were approved with a 6-0 vote.

A motion was then made by Richard Rhode to approve the variation request subject to the conditions stated during the findings of fact. The motion was seconded by Tom Piorkowski and carried 6-0.

Old Business: There was none.

Adjournment: Chairman Stare asked for a motion to adjourn the meeting at 7:45. Motion made by Cliff Lewis and was seconded by Richard Rhode. The motion carried unanimously (6-0) by voice vote.