

ZONING BOARD OF APPEALS

MEETING MINUTES

Village of Roselle

June 18, 2008

Member Walloch made a motion to nominate Member Lewis as acting chair for the June 18, 2008 ZBA meeting, seconded by Member Berkshire. The Board approved the motion with a unanimous (3-0) voice vote.

Member Lewis called the June 18, 2008 Zoning Board of Appeals meeting to order at 7:07 p.m. in the Village Hall Council Chamber.

Present: Members; Cliff Lewis, Terry Walloch, Jamie Lombardi and Bruce Berkshire

Absent Members; Paul Zinni, Hiren Patel and Chairman Stare

Staff: Planner - Derek Rockwell Bob Zimmerer
Secretary - Debbie Pisano

June 18, 2008 Agenda Approval:

Motion: *Member Berkshire made a motion to approve the agenda as presented. Member Walloch seconded the motion The Board approved the motion with a unanimous (4-0) voice vote.*

March 19, 2008 Meeting Minutes Approval:

Motion: *Member Walloch made a motion to approve the March 19, 2008 meeting minutes .Member Berkshire seconded the motion.*

AYES: Members; Walloch and Berkshire

NAYS: None

ABSTAIN: Members Lombardi and Lewis

Motion Carried

April 16, 2008 Meeting Minutes Approval:

Motion: *Member Walloch made a motion to approve the April 16, 2008 meeting minutes .Member Lewis seconded the motion.*

AYES: Members; Walloch and Lewis

NAYS: None

ABSTAIN: Members Lombardi and Berkshire

Motion Carried

Motion: *Member Walloch made a motion to open the Public Hearing ZBA 08-399, seconded by Member Lombardi. The Board approved the motion with a unanimous (4-0) voice vote.*

Consideration of Petitions: ZBA 08-399

Mary Ann Allivato 1300 Waterbury Ln.

Corner-side yard fence height

Planner Rockwell stated the petitioner requests a public hearing to consider her petition for a corner-side yard fence height variation in order to replace and heighten an existing legal non-conforming fence, a portion of which will be located in the corner-side yard of the property. The Village of Roselle Code of Ordinances allows for a 3-foot fence in the corner-side yard in all residence districts. The homeowners wish to construct the proposed fence in order to increase the privacy of the property, as it is located on a busy intersection within the Village. The proposed fence will be 5' in height and located where an existing, 4' fence now exists. This is a 67% variance.

Petitioner Mary Ann Allivato 1300 Waterbury Lane testified her existing fence needs replacing is due to rotted posts. She testified she would like to replace it with a five (5) foot scalloped designed fence. She testified she had submitted three (3) letters to the board from surrounding neighbors stating they are in favor of the petition.

Audience Participation: None

Motion: *Member Berkshire made a motion to close the Public Hearing ZBA 08-399, seconded by Member Walloch. The Board approved the motion with a unanimous (4-0) voice vote.*

Motion: *Member Walloch made a motion to accept the findings of fact as valid presented by planning staff for ZBA08-399, seconded by Member Lombardi.*

AYES: Members; Walloch, Lombardi, Berkshire and Lewis

NAYS: None

ABSTAIN: None

Motion Carried.

Motion: *Member Walloch made a motion to grant the variance for a corner-side yard fence height for ZBA08-399, Member Lombardi seconded the motion.*

AYES: Members: Walloch, Lombardi, Berkshire and Lewis

NAYS: None

ABSTAIN: None

Motion Carried

Consideration of Petitions: ZBA 08- 400**Joan Kovacevich****9 E. Pine Street****Comprehensive Lot Coverage**

Planner Rockwell stated the petitioner requests a public hearing to consider her petition for a comprehensive lot coverage variation in order to enlarge an existing patio construct an outdoor seating/dining area and construct a sidewalk on the side of the property. The homeowner wish to construct the additions to the lot to increase the value of her home, add to the aesthetics and to facilitate easier garbage hauling and pickup on the site. The purpose of this sidewalk is to make rolling garbage to the front of the property for pickup easier for the petitioner.

Member Berkshire asked staff questions about the builder's ability to build to maximum lot coverage.

Planner Zimmerer stated the builder did not build to maximum lot coverage. The builder allowed the homeowner 100 -150 sq. ft. under comprehensive lot coverage for homeowner to do some improvements.

Member Berkshire question staff if anyone had contacted the waste management firm about picking up the waste from the alley location.

Planner Rockwell stated yes staff and homeowner had and reiterated that as stated in his staffs report the Village does not have any control over Allied Waste to determine where garbage pickup should take place.

Petitioner Joan Kovacevich 9 E. Pine Street testified she was surprised to find out after she moved into her new home that she could not get her garbage picked up from her garage area. Instead, she would have to drag it from the back yard to the front street area. She testified that she had contacted the Village of Roselle and Allied Waste and was told they will not pick up from the alley.

Audience Participation: None

Members agreed due to the location of the petitioners' garage being located in the alley and not in the front of property, members were in favor of comprehensive coverage to exclude 400 sq. ft. for a driveway that would normally be added in for a single-family residential home. This would change the maximum allowable comprehensive lot coverage to 428 sq. ft.

Motion: *Member Walloch made a motion to close the Public Hearing ZBA 08-400, seconded by Member Lombardi. The Board approved the motion with a unanimous (4-0) voice vote.*

Motion: *Member Walloch made a motion to accept the findings of fact as valid presented by planning staff for ZBA08-400, seconded by Member Lombardi.*

AYES: Members; Walloch, Lombardi, Berkshire and Lewis

NAYS: None

ABSTAIN: None

Motion Carried.

Motion: *Member Walloch made a motion to grant the variance with the amended maximum allowable comprehensive lot coverage of 428 sq. feet for ZBA08-400, Member Lombardi seconded the motion.*

AYES: Members: Walloch, Lombardi, Berkshire and Lewis

NAYS: None

ABSTAIN: None

Motion Carried

Consideration of Petitions: ZBA 08- 401

Kim Biederstadt

1240 Flamingo Drive

Comprehensive Lot Coverage

Planner Rockwell stated the petitioner requests a public hearing to consider her petition for a comprehensive lot coverage variation in order to construct a 514 square foot patio in the rear yard of the property. The Village of Roselle Code of Ordinances allows for 35% maximum comprehensive lot coverage in the R-3 District. The petitioner's request would place the lot at 38.8% comprehensive lot coverage.

The homeowners wish to construct the proposed patio in order to add "curb appeal" to their home as well as to increase their outdoor living space for entertainment purposes. The property, with the existing improvements, is at or near both the building and comprehensive lot coverage maximums under the Zoning Ordinance.

Petitioner Kim Biederstadt 1240 Flamingo Drive testified she was not aware at the time purchasing of her home or thereafter living in it that the house was near maximum building lot coverage. She testified that her yard is not level and she is unable to put up a table up for entertaining therefore, she feels she cannot enjoy her back yard like so many of her neighbors.

Audience Participation Larry Pfaffenbach 37 N. Andover stated he supports the petitioner.

Motion: *Member Lombardi made a motion to close the Public Hearing ZBA 08-401, seconded by Member Berkshire. The Board approved the motion with a unanimous (4-0) voice vote.*

Motion: *Member Walloch made a motion to accept the findings of fact as valid presented by planning staff for ZBA08-401, seconded by Member Lombardi.*

AYES: Members; Walloch, Lombardi, Berkshire and Lewis

NAYS: None

ABSTAIN: None

Motion Carried.

Motion: *Member Walloch made a motion to grant the variance for a comprehensive lot coverage ZBA08-401, Member Lombardi seconded the motion.*

AYES: Members: Walloch, Lombardi, Berkshire and Lewis

NAYS: None

ABSTAIN: None

Motion Carried

Old Business: Member Walloch asked staff if there was any updated information about the handling of the calculations for floor area ratio.

New Business: Trustee Richard Rhode has been appointed our new Community Development liaison.

Adjournment: meeting adjourned at 8:10 p.m.