

ZONING BOARD OF APPEALS

MEETING MINUTES

Village of Roselle

February 20, 2008

Chairman Stare called the February 20, 2008 Zoning Board of Appeals meeting to order at 7:00 p.m. in the Village Hall Council Chamber.

Present: Members; Clifford Lewis, Bruce Berkshire, Terry Walloch, Hiren Patel, Paul Zinni and Chairman Stare

Absent: Members; Jamie Lombardi

Staff: Planner - Derek Rockwell
Secretary - Debbie Pisano

February 20, 2008 Agenda Approval:

Motion: *Member Walloch made a motion to approve the agenda as presented. Member Patel seconded the motion. The Board approved the motion with a unanimous (6-0) voice vote.*

January 16, 2008 Meeting Minutes Approval:

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

AYES: Members Walloch, Lewis, Berkshire and Chairman Stare

NAYS: None

ABSTAIN: Members Zinni and Patel

Motion Carried

Consideration of Petitions:

Continuing ZBA08-395 Jeff Michael 615 Waterford Ct – Front Yard/Rear Yard Setback, Floor area ratio Variations

Planner Rockwell stated that the Zoning Board of Appeals tabled this petition during its January 16, 2008 meeting due to lack of quorum. Since that time, the petitioner has revised his plans in the following ways:

1. Reduced the dimensions of the rear room addition from **22'** x 26' to **20'** x 26', thus reducing the rear yard setback variance by two (2) feet. This reduces the requested variance from 22' to 20'. The rear yard setback variance would now

be a 50% variance, down from 55%.

2. Revised floor plans to indicate that the proposed second floor addition above the existing garage will be seven (7) feet tall. As such, it will no longer be calculated into floor area ratio, as the minimum ceiling height for floor area is 7'10". This reduces the FAR request from 4,121 square feet (32% variance) to 3,770 (20% variance). As such, it still requires a super-majority vote.
3. Reduced the front addition (eliminated the porch addition). The garage addition still encroaches into the front yard setback 1.5 feet, from the previously approved 27.5 to 26 feet. Recall that staff feels that the property qualifies for a front setback reduction to 25, to match the intent of the original PUD. As such, staff is in favor of this variation.

Petitioner Jeff Michael 615 Waterford Ct. testified he made the changes due to the increasing costs involved.

Audience Participation: None

Motion: *Member Lewis made a motion to close the Public Hearing ZBA 08-395, seconded by Member Walloch. The Board approved the motion with a unanimous (6-0) voice vote.*

Motion: *Member Lewis made a motion to accept the findings of fact as valid presented by planning staff for ZBA08-395, seconded by Member Berkshire.*

AYES: Members; Lewis, Berkshire, Patel, Zinni, Walloch and Chairman Stare

NAYS: None

ABSTAIN: None

Motion Carried.

Motion: *Member Walloch made a motion to grant ZBA08-395, Member Lewis seconded the motion.*

AYES: Members: Walloch, Lewis, Berkshire, Zinni, Patel, and Chairman Stare

NAYS: None

ABSTAIN: None

Motion Carried

Consideration of Petitions:

ZBA08-396 Jerome Pilalis (48 W. Thorndale Avenue) Multiple Sheds

Motion: *Member Berkshire made a motion to open the public hearing ZBA08-396, Member Zinni seconded. The Board approved the motion with a unanimous (6-0) voice vote.*

Petitioner Rockwell stated the subject property currently contains two (2) sheds on the premises. The Zoning Ordinance limits all residential properties within the Village to only one (1) shed per zoning lot. Consequently, the petitioner is now before the ZBA to request a variation to allow him to continue to maintain the second shed on his property. Both sheds are 120 square feet in size.

The petitioner had the second shed constructed on his property without knowledge of the Zoning Ordinance's limit or that construction of a shed required a Village permit. The petitioner applied for and received a permit to construct the first shed in June 2002. His original intention was to construct a garage addition in the rear yard. However, due to financial and convenience issues, he chose to have the second shed built. The Village's building inspector became aware of the issue and informed the petitioner. As a result, the petitioner is now coming before the Board.

Petitioner Jerome Pilalis 48 Thorndale Ave. stated it is entirely his fault. He stated he purchased the first shed from a nursery and they obtained the permit. The second shed was purchased from Home Depot, they did not mention a need for a permit and he did not think to ask.

Members stated they would like to see the sheds screened with landscaping or a fence. They also stated this now present a possible problem with other neighbors wanting the same concentration.

Audience Participation: None

Motion: *Member Patel made a motion to close the public hearing ZBA08-396, Member Zinni seconded. The Board approved the motion with a unanimous (6-0) voice vote.*

Motion: *Member Lewis made a motion to accept the findings of fact for ZBA08-396 with the condition the petitioner install a fence coming off backside of house to corner of property and along back of property and to be complete by June 15 2008, seconded by Member Walloch.*

AYES: Members; Lewis, Walloch, Berkshire, Patel, Zinni, and Chairman Stare

NAYS: None

ABSTAIN: None

Motion Carried.

Motion: *Member Berkshire made a motion to grant ZBA08-396, Member Zinni seconded the motion.*

AYES: Members: Berkshire, Zinni, Walloch, Patel, Lewis and Chairman Stare

NAYS: None

ABSTAIN: None

Motion Carried

Old Business: None

New Business: None

Adjournment: meeting adjourned at 7:32 p.m.