

VILLAGE OF ROSCOE ZONING BOARD OF APPEALS

MEETING MINUTES

April 20, 2016

1. **Call to Order** - The meeting was called to order at 5:36 P.M. by Chairman Durstock.
2. **Roll Call** – Present: Chairman Jay Durstock, Kathy Erickson, Jennifer Deuth-Fritts, Lori Hanke, Mike Lunde, Michael Prosser. Absent: George Wagaman

Chairman Durstock asked for a moment of silence for Vicki Krienke who is battling an illness.

3. **Approval of Minutes** - Chairman Durstock entertained a motion to approve the minutes from March 16, 2016 meeting of the Zoning Board of Appeals. Prosser moved to approve, seconded by Lunde. Roll call vote as follows:

Voting Aye: Chairman Durstock, Erickson, Deuth-Fritts, Lunde, Hanke, Prosser

Voting nay: None

Absent: Wagaman

Abstain: None

Motion passed: 6-0-1

4. **ZBA 16-019: Public Hearing on a Map Amendment from RM (Multi Family) to CG (General Commercial) District for the properties known as 5365 Bridge Street, PIN 08-04-127-001, and 10458 Mulberry Street, PIN 08-04-127-003. Ryan Swanson (Arc Design Resources): Applicant.** Chairman Durstock opened the Public Hearing at 5:38 PM. Ryan Swanson, Project Manager, Arc Design was present and sworn in. Mr. Ryan presented the site plan for Casey's. Mr. Sanders stated the zoning changes are consistent with the Village of Roscoe intended Land Use Map - with the property being shown as commercial in the future.

Dave Krause was present and sworn in. He asked if a privacy fence could be built between his property and Casey's. This will be addressed in the Design Review. Chairman Durstock stated Staff recommended approval (**Attachment 1, 4 pages**). There were no further speakers. Public Hearing closed at 5:46 PM. Chairman Durstock entertained a motion to approve. Lunde made a motion to approve; seconded by Prosser. Roll call vote as follows:

Voting Aye: Chairman Durstock, Erickson, Deuth-Fritts, Hanke, Lunde, Prosser.

Voting nay: None

Absent: Wagaman

Abstain: None

Motion passed: 6-0-1

5. **ZBA 16-020: Design Review for a Fueling Station and Convenience Store/Restaurant development 'Casey's', and Design Review for comprehensive signage package for same, located at 5365 Bridge Street, PIN 08-04-127-001, and 10458 Mulberry Street, PIN 08-04-127-003. Ryan Swanson (Arc Design Resources): Applicant.** Ryan Swanson has already been sworn in. He stated the building would be similar to Rockton, but slightly larger.

Sanders stated Mr. Swanson mentioned improvements to Mulberry. Both Mulberry and Grove are long overdue for improvements. The Village is going to do a mill and overlay on Mulberry to Bridge and Casey's will be sharing in that cost. Projects Casey's will be doing

for the Village includes financial contribution towards the mill and overlay; a brick enclosure for the trash; the turn lane and right-of-way dedication for the County. There will be curb & gutter within Casey's building site, but not on the streets as it would cause a bigger problem with storm water.

The privacy fence for Mr. Krause was discussed. He would like 6' high privacy fence along the 155 lf of his north property line (4' high in the front yard portion as required by ordinance) and 6' high privacy fence along his west property line, running south for 50 lf from the NW corner of his parcel to the back of Casey's building. Casey's agreed to accommodate that request and it will be written into the paperwork.

Signage: The total square footage is in compliance with ordinance.

Chairman Durstock stated the Design Review looked good and was all conforming - Staff recommended approval (**Attachment 2, 17 pages**). Chairman Durstock entertained a motion to approve. Durstock then made a motion to approve the Design Review and a 155' fence on the north side to the 70' mark with a 4' drop off and 50' on the west side of the property per ordinance - 6' (Mr. Krause property); seconded by Prosser. Roll call vote as follows:

Voting Aye: Chairman Durstock, Erickson, Deuth-Fritts, Hanke, Lunde, Prosser.

Voting nay: None

Absent: Wagaman

Abstain: None

Motion passed: 6-0-1

- 6. ZBA 16-021: Design Review for (2) wall mounted signs on existing building, 'Me Me's Upscale Consignment', located at 11447 2nd Street, PIN 04-33-226-021. Glenn Avery (CorPro Screentech): Applicant.** Mr. Avery was unable to attend this meeting. If the Board chooses, they can approve without Mr. Avery present. Durstock asked for discussion and stated Staff has recommended approval (**Attachment 3, 2 pages**). Chairman Durstock entertained a motion to approve. Lunde made a motion to approve; seconded by Prosser. Roll call vote as follows:

Voting Aye: Chairman Durstock, Erickson, Deuth-Fritts, Hanke, Lunde, Prosser.

Voting nay: None

Absent: Wagaman

Abstain: None

Motion passed: 6-0-1

- 7. ZBA 16-022: Design Review for exterior alteration and accessory structure at existing bar/restaurant building 'Jimez Bar & Grill', located at 11677 Main Street, PIN 04-28-376-005. Steve Papesh (Steve M Papesh & Associates): Applicant.** Steve Papesh was present and sworn in. Scott Sanders had attached a police report for Jimez, (**Attachment 4, 3 pages**) and stated from this point forward he would be doing this for every design review for businesses. There is no Staff recommendation for approval (**Attachment 5, 5 pages**); however, Mr. Sanders acknowledged the uniqueness of the application as the work in question has been completed for many years. Jimez has to satisfy Winnebago County's inspection with respect to structural and electrical issues and the Board must make their decision on whether or not to approve the Design Review portion for the zoning clearance. After much discussion, Lunde made a motion to approve the design review and to let Winnebago County make the final permitting decision; seconded by Prosser. Roll call vote as follows:

Voting Aye: Chairman Durstock, Erickson, Deuth-Fritts, Hanke, Lunde, Prosser.
Voting nay: None
Absent: Wagaman
Abstain: None
Motion passed: 6-0-1

NOTE: Hanke left the meeting at 6:42 PM.

- 8. ZBA 16-023: Design Review for (1) wall mounted sign on existing building, 'Busy Beaver Tree Care', located at 13075 N 2nd Street, PIN 04-21-151-003. Joe Collins: Applicant.** Joe Collins was present, but left before coming before the Board. Chairman Durstock stated Staff recommends approval (**Attachment 6, 2 pages**). Mr. Sanders stated at the time of application, Mr. Collins asked if it would be permissible to display and advertise storage sheds for sale for someone else across the front of his property. Mr. Sanders stated no, because Mr. Collins is already operating under a special use permit in an industrial light district and another business would not be covered. Mr. Collins was also given a warning to not bring in outside tree trimmings to burn on the property. Mr. Collins asked if he could put up a free mulch sign.

Chairman Durstock entertained a motion to approve. Lunde made a motion to approve the Busy Beaver Tree Care sign and the "Free Mulch" sign NTE 32 sq. ft. on a permanent hard surface sign; seconded by Prosser. Roll call vote as follows:

Voting Aye: Chairman Durstock, Erickson, Deuth-Fritts, Hanke, Lunde, Prosser.
Voting nay: None
Absent: Hanke, Wagaman
Abstain: None
Motion passed: 5-0-2

9. Old Business:

- YMCA vinyl sign – The YMCA thought the sign could be their permanent sign; however, after three calls to the Y to remove the sign, with no response on their part, Code Enforcement will issue a warning to remove within ten days or they will be cited.
- There is a home on Linden Blossom Lane in foreclosure and was damaged in the last storm. More than half of the siding is blown off the house – what can be done about it? Lunde stated he would look into getting it fixed.
- Dueth-Fritts asked if free newspaper carriers needed a permit to deliver. The reason for asking is that free paper is thrown on the ground and flying all over the neighborhoods. Not sure this is a zoning issue, but Mr. Sanders will look into it.
- Chairman Durstock questioned why the Attorney is not at the meetings. Mr. Sanders stated the Attorney has offered to be at the meeting, but Mr. Sanders feels most times there is very little legal issues to be discussed; therefore his presence is not required. Mr. Sanders does talk to the Attorney before meetings on case by case issues.

10. New Business:

- The new Google Chromebooks have been ordered and will be available at the next meeting. Everyone will be assigned a villageofroscoe email address. The IT person will set up a training session. The Board meeting packets will now be distributed through Dropbox. The Board members can use the Chromebook as they see fit, but it is Village property and subject to FOIA.

11. Adjournment: Chairman Durstock entertained a motion to adjourn the meeting at 7:04 PM.

Lunde made a motion; seconded by Prosser. Roll Call Vote as follows:

Voting Aye: Chairman Durstock, Erickson, Deuth-Fritts, Prosser, Wagaman

Voting nay: None

Absent: Hanke, Wagaman

Abstain: None

Motion passed: 5-0-2

Christina K. Marks, Village Clerk

Approved: _____