

VILLAGE OF ROSCOE ZONING BOARD OF APPEALS
MEETING MINUTES
April 19, 2017

1. **Call to Order** - The meeting was called to order at 5:40 P.M. by Chairman Durstock.
2. **Roll Call** – Present: Chairman Jay Durstock, John Deasey, Deuth-Fritts, Mike Lunde, George Wagaman. Absent: Kathy Erickson, Michael Prosser.
3. **Approval of March 15, 2017 ZBA Minutes.** Chairman Durstock entertained a motion to approve the minutes from March 15, 2017 meeting of the Zoning Board of Appeals. Deasey moved to approve, seconded by Deuth-Fritts. Roll call vote as follows:
 - Voting Aye: Chairman Durstock, Deasey, Deuth-Fritts, Lunde, Wagaman
 - Voting nay: None
 - Absent: Erickson, Prosser
 - Abstain: None
 - Motion passed: 5-0-2

Let the records reflect Michael Prosser is present at 5:47 PM.

4. **ZBA 17-006: Design Review for a 5,607 SF fueling station and convenience store at 13XXX Willowbrook Road, PIN: 04-15-300-017, 04-15-300-018, Thorntons, Inc.: Applicant.** Andrew Zazofsky, Engineer, Thorntons, Inc. and Ryan Swanson, ARC Design were present and sworn in. Mr. Zazofsky described in detail the project. There are approximately 10 acres. The project will comprise of three components: a convenience store and auto fuel station; a diesel fueling station; and a proposed out lot next to the Bakker property. Upon exiting I-90 at Rockton Road is a right-in, right-out entrance off Rockton Road. The road will go left for cars with trucks going right to circle back around to the diesel fueling station and parking lot and then exit at the entrance/exit off Willowbrook Road.

Mr. Swanson then spoke about the design and materials for the project. He stated their travel center is different from a truck stop, as there are no showers, locker rooms or a sit-down restaurant. They are not catering to truck drivers who want to park overnight. They are a convenience store for quick in and out.

The circle road that connects both entrances off Rockton Road and Willowbrook within the property will be dedicated to the Village and become a public road. Mr. Swanson stated there would be no issue with an agreement for Thorntons taking over the mowing and landscaping the green space along the road right of way. The out lot would not be designed as a detention pond, but be used for a future business prospect. Staff recommends approval of the Design Review (**Attachment 1, 9 pages**) with five conditions. A sixth stipulation will be added in the motion to include applicant assumes landscape responsibility and maintenance up to road pavement.

Chairman Durstock entertained a motion to approve. Lunde made a motion to approve with Thorntons being required to take care of the landscaping up to the edge of the pavement as a sixth condition; seconded by Wagaman. Roll Call Vote as follows:

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

5. **ZBA 17-007: Public Hearing for a Variance Request to increase the allowable height of a freestanding pylon sign from 30'-0" to 75'-0", to increase the total number of signs from 5 to 11, and to increase the total combined area of signage from 450 SF to 859 SF, all for a fueling station and convenience store at 13XXX Willowbrook Road, PIN: 04-15-300-017, 04-15-300-018, Thorntons, Inc.: Applicant.** Andrew Zazofsky, Engineer, Thorntons, Inc. and Ryan Swanson, ARC Design were present and already sworn in. Chairman Durstock opened the public hearing at 6:12 PM.

Mr. Zazofsky stated with Staff questioning the 30' sign on Willowbrook, they would be willing to put in a monument sign.

As no one was present to speak at the public hearing, Chairman Durstock closed the public hearing at 6:23 P.M. The Board reviewed the *Findings of Fact (Attachment 3)* for the variance. Staff recommends approval of variance request to increase the number of signs and height of free standing sign (**Attachment 2, 9 pages.**)

Chairman Durstock entertained a motion to approve with the monument sign change on Willowbrook. Prosser made a motion to approve contingent on having the Willowbrook sign be a monument sign; seconded by Deuth-Fritts. Roll Call Vote as follows:

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

Mr. Sanders clarified on the directional signage, the business segment identification portion; the business name can occupy no more than 2 SF of the sign.

6. **ZBA 17-008: Design Review for a 4,875 SF three family residential structure at 5789 Crocker Court, PIN: 04-28-476-003, Mark Payne: Applicant.** Mr. Sanders stated this is the northern most lot of a cluster of five parcels that have been rezoned from CR to RM. Mark Payne was present and sworn in. Mr. Payne stated structure would be 3-family unit with 2-car garages and no basements, similar to what has already been built. Staff recommends approval of Design Review with conditions (**Attachment 4, 6 pages.**)

Chairman Durstock entertained a motion to approve. Deasey made the motion; seconded by Lunde. Roll Call Vote as follows:

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

7. **ZBA 17-009: Design Review for a 7,054 SF three family residential structure at XXX Willow Creek Lane, PIN: 04-2-426-004, Mark Payne, Applicant.** Mark Payne was present and already sworn in. Mr. Sanders added a site plan to the attachments. Construction on Lot 5 has been completed, but the remaining property has gone undeveloped for the past nine years. Mr. Payne's proposal was to build a 3-family on Lot 7 as Lots 2 and 6 were duplex lots. Mr. Sanders asked as a request, but not a requirement, if Mr. Payne had given consideration to building on Lot 1 instead of Lot 7. Sanders was only asking from a buildability standpoint as Mr. Payne would be building his way back out using public roads to go back and forth from construction site traveling past a completed project. Mr. Payne

understood and was agreeable to build on Lot 1 instead of Lot 7. Staff recommends approval of Design Review with conditions (**Attachment 5, 6 pages**).

Chairman Durstock entertained a motion to approve. Deuth-Fritts made a motion to build on Lot 1 in lieu of Lot 7 on the submitted site plan; seconded by Deasey. Roll Call Vote as follows:

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

8. Old Business:

None

9. New Business:


- The ZBA Board recognized and thanked Chris for her work the past four years. The new Clerk will be seated in May.
- The ZBA Board congratulated Mr. Sanders as the new Village Administrator. He will continue working with the Board as Zoning Administrator.

10. Adjournment: Chairman Durstock entertained a motion to adjourn the meeting at 6:42 PM. Lunde made a motion; seconded by Dueth-Fritts. Roll Call Vote as follows:

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

Christina K. Marks, Village Clerk

Approved: _____


ZONING ADMINISTRATOR
5/17/17

MOTION: PROSSER
SECOND: DEASEY

PASSED: 6-0-1