

VILLAGE OF ROSCOE ZONING BOARD OF APPEALS
MEETING MINUTES
May 16, 2018

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, Mike Lunde, George Wagaman, Jennifer Deuth-Fritts and Kathy Erickson. Absent: Michael Prosser, John Deasey.
3. **Approval of April 18, 2018 ZBA Minutes.** Chairman Durstock entertained a motion to approve the minutes from April 18, 2018 meeting of the Zoning Board of Appeals. Lunde moved to approve, seconded by Erickson. Roll call vote as follows:

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

4. **ZBA 18-008: Design Review for a 24 SF Chicken Coop in an R1 single family District, located at 5981 Chestnut Street, PIN 04-33-437-001. Erik Nelson: Applicant** Erik Nelson was present and sworn in. Mr. Nelson requested a Design Review approval for a 24 SF Chicken Coop at his residence. He comes from a family of farmers and wants to have fresh eggs. Administrator Sanders pointed out that Mr. Nelson does have his Illinois Department of livestock registration and certificate. The coop falls within the allowable size range. Chairman Durstock entertained a motion to approve. Lunde made a motion; seconded by Deuth-Fritts. Roll Call Vote as follows:

Voting Aye: Wagaman, Lunde, Deuth-Fritts and Erickson
Voting Nay: Chairman Durstock
Absent: Prosser, Deasey
Abstain: None
Motion Passed: 4-1-2

5. **ZBA 18-009: Design review for a 16 SF Chicken Coop in an R Single family District, located at 11081 Meadowsweet Lane, PIN 04-31-278-003. Marcus Price: Applicant** Marcus Price was present and sworn in. Mr. Price requested a Design Review approval for a 16 SF Chicken Coop at his residence. Mr. Price comes from a family of farmers and wants his son to be able learn responsibility by helping to take care of the chickens. He has his Illinois Department of livestock registration and certificate. Mr. Price wants to be able to move his coops. The sight plan does conform to the required accessory structure set back of 10'-0". Chairman Durstock mentioned that there was a corner of the back lot that doesn't align with the fence; Administrator Sanders clarified that it only has that appearance because of the odd aerial view. Chairman Durstock entertained a motion to approve. Erickson made the motion; seconded by Lunde. Roll Call Vote as follows:

Voting Aye: Wagaman, Deuth-Fritts, Erickson, Lunde
Voting Nay: Chairman Durstock
Absent: Prosser, Deasey
Abstain: None
Motion Passed 4-1-2

6. **ZBA 18-010: Public Hearing for a Variance Request to increase the allowable height of a fence within a front yard setback from 4'-0" to 6'-0" at 5668 Montadale. PIN 008-09-202-001 Sara Calicchia: Applicant** Ms. Calicchia was present and sworn in. Ms. Calicchia requested an increase in the allowable height of a fence that is already in existence by 2'-0". She has 2 large dogs and feels that a taller fence would increase safety for her dogs as well as those around her. Ms. Calicchia's property is on a corner lot with apartment buildings behind her. Administrator Sanders commented that this is a somewhat unique situation. Typically when you turn the corner there is a continuation of a pattern of houses and driveways. That is not the case in this situation. There are only two properties and they are back to back with neither fronting the road, so it does not break a pattern of the next front yard. Another point to consider is that the fence is already set back 20'-0". It feels adequately separated from the right of way. Chairman Durstock entertained a motion to approve. Deuth-Fritts made a motion to approve; seconded by Lunde. Roll Call Vote as follows:

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

Voting nay: None

Absent: Prosser, Deasey

Abstain: None

Motion passed: 5-0-2

7. OLD BUSINESS;

Ms. Deuth-Fritts made an enquiry regarding updates on any new signage. Administrator Sanders replied that he has done three sign permits this year; Blackhawk Bank, Midland Bank and 1 for the free standing sign for McDonalds and Kelly Williamson at the intersection of 251 and Elevator Road because it pre-dated our signage ordinance. Out of the three Variance Requests that ZBA moved on the Board at the last meeting the Speedway Variance Request was withdrawn at their request. The second variance Request for the driveway was laid over and the third Request for Thornton's was approved.

Erickson requested an update on the Beehives. Administrator Sanders stated that he sent out emails and was waiting for replies.

Administrator Sanders told Mr. Wagaman that he will follow up with the Orthodontist parking lot. There has been no additional communication at this time.

Mr. Lunde said that after the last meeting, he has started having concerns regarding the trailer (without a sunset clause) for the YMCA that the ZBA approved at the last meeting. Mr. Lunde said he did not feel comfortable with his approval and wondered what the outcome was. Administrator Sanders replied that it was unanimously approved, which makes this a complicated situation. After reporting this information to the Village President, Administrator Sanders visited the CEO (Doug Britt) and the two representatives that were at the previous ZBA meeting and made them aware of the concern about the structure. Mr. Britt replied that they are at an onset of a three year facilities master planning program. At the end of the three years they will make a determination as to whether they will completely reinvest in make improvements to that property or look for a completely new property. They have asked for permission to keep that temporary facility until that time.

Mr. Lunde mentioned that the Village shut down the Flying Pig in front of Hilander (now Schnucks) because they did not want to have any portable businesses and wondered what the difference is. Administrator Sanders replied that it's everyone's individual evaluation but he sees it as being an

ancillary classroom use as part of a larger established use. The look and materials are very similar to the actual building which looks very different from a free standing trailer being used as a primary structure for a business in a commercial setting. Mr. Sanders also stated that he does not vote and that this was merely his opinion. Ms. Deuth –Fritts noted that with Schools it's very common to have the portable units brought in.

Administrator Sanders said it was up to the Board if they wanted to make a request to bring the matter back before the Board.

There was discussion regarding the restrooms and other small details. Several Board Members after voting unanimously to approve the design review said that they had too many unanswered questions and didn't feel comfortable with their vote. Chairman Durstock entertained a motion to bring the YMCA back before the Board for further review. Deuth-Fritts made the motion; seconded by Lunde. Roll Call Vote as follows:

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

Voting nay: None

Absent: Prosser, Deasey

Abstain: None

Motion passed: 5-0-2

Kathleen Erickson stated that her confusion is because she uses past voting as her guideline. She said she is having problem with her judgement based on approvals or denials that she has seen in the past. Administrator Sanders explained that he would always encourage members on a Zoning Board of Appeals to evaluate specific requests for approval on not what has been done in the past but by each individual request and the circumstances that go with it.

8. New Business:

None

9. Adjournment: Chairman Durstock entertained a motion to adjourn the meeting at 6:30 PM. Erickson made a motion; seconded by Wagaman. Roll Call Vote as follows:

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

Voting nay: None

Absent: Prosser, Deasey

Abstain: None

Motion passed: 5-0-2

Lori Taylor, Village Clerk

Approved: _____