

VILLAGE OF ROSCOE 10631
MAIN STREET ROSCOE,
ILLINOIS 61073
Zoning Board of Appeals Minutes
Wednesday, August 12, 2020

1. **Call to Order** - The meeting was called to order at 5:30 P.M. by Chairman Durstock.
2. **Roll Call** – Present: Chairman Jay Durstock, Ryan Swanson, Laura Baluch, Jennifer Deuth Fritts, and George Wagaman Absent: Mike Lunde, Michael Prosser
3. **Approval of July 8, 2020 ZBA Minutes.** Swanson made a **motion to approve** the minutes from the July 8, 2020 ZBA meeting, Seconded by Deuth Fritts. Roll Call Vote as follows:
Voting Aye: Chairman Durstock, Deuth Fritts, Wagaman, Prosser and Baluch,
Swanson Voting nay: None. Absent: Lunde. Prosser **Motion Passed: 5-0-2**
4. **ZBA 20-012:** Public Hearing for a Variance Request to increase the allowable size of an accessory structure in the R1 Zoning District from 672 SF to 840 SF, and to allow a second driveway at 9382 Rambouillet Ridge (PIN: 08-09-226-004).

The Applicant Cecil Miller presented plans for his accessory structure, which will be located at the south west corner of his property, facing Targee Trail. Having been previously unsuccessful with a Variance request in October of 2019, Mr. Miller has reduced the size of the proposed structure from 1,200 SF to 840, SF. Mr. Miller also stated that he had been working with staff to develop a more appropriate architectural style including residential style garage doors, dormers in the roof line, and an open-air covered porch section to better match the character of the surrounding residential neighborhood (Attachment A). Mr. Miller stated that the structure will house some of his ‘toys’ as well as vehicles belonging to his children who are currently serving in the armed forces.

John and Anna Wegner (9345 Corriedale Run) were present to speak in opposition to the request. They initially expressed a displeasure that the Village even allows such requests to come up for consideration, and further stated that they felt the structure was too big, would be an eyesore, and would have a negative effect on their property values. Mr. Wegner further stated that he suspected Mr. Miller intended to run a business out of the structure. Administrator Sanders stated that every resident has the right to petition the ZBA to hear a request for a Variance, and that right is protected by state statute. Sanders also stated that the applicant was able to build a structure with the proposed south facing dimension of 28’-0” as proposed, and that the variance request was to build the structure an additional 6’-0” back into the applicant’s rear yard beyond what is allowed by ordinance. Mr. Miller confirmed that he had no intention to ever run a business out of the structure, and further stated that he had done research that cited accessory structures or ‘out buildings’ as being one of the improvements contributing to the greatest increase in property value.

Rebecca Carlson (9426 Corriedale Run) was present to speak out in opposition to the request. Ms. Carlson stated that she did not feel that Mr. Miller needed such a big structure, and felt a three-car garage was unnecessary. It became evident that Ms. Carlson still thought the structure was going to be the same size as the concrete pad, which is 1,200 SF. Mr. Miller again explained that he had no intention of ever running a business, and that the structure would be utilized exclusively for storage purposes. Ms. Carlson agreed that the proposed structure looked better than she thought, and said that her remaining concern was that she did not want to see a 30' wide driveway. Mr. Miller stated that he would be constructing a 12' wide single lane driveway that would widen out at the front of the structure to serve the second door.

Diane Navickis (9414 Rambouillet Ridge) was present to speak in support of the requested action. Ms. Navickis lives next door to the applicant, and has a clear view into the Miller's rear yard. She stated that she is the only one that will have a full view of the structure, and has no problem with it whatsoever. She stated that she supports Mr. Miller's desire to store vehicles for his two adult children while they are in military service.

Stephen Carlson (9426 Corriedale Run) was present to state that if the Village is going to approve variance request for increased building sizes, they should just raise the limit.

Chairman Durstock entertained a **motion to approve**. Baluch made a motion to **approve**, Seconded by Swanson. Roll Call Vote as follows:

Voting Aye: Chairman Durstock, Deuth Fritts, Wagaman, Prosser and Baluch,
Swanson Voting nay: None. Absent: Lunde. Prosser **Motion Passed: 5-0-2**

5. ZBA 20-013: Public Hearing for a Variance Request to reduce the required front yard setback from 33'-0" to 15'-0" at a property commonly known as 916 Brandy Bend Road (PIN 08-06-156-001).

The Applicant Britny Dittmar presented her planned Garage addition (Attachment B) and described their desire to expand to a three-car garage which would eliminate an existing accessory structure. Ms. Dittmar The members of the ZBA examined aerial imagery of numerous corner lots throughout the Hawks Pointe subdivision, and expressed a collective opinion that this lot was unique in its relationship to the other residential structures, and that the addition was not likely to visually stand out as encroaching into the front yard setback.

Rebecca Carlson (9426 Corriedale Run) was present to speak, and expressed no opposition to the request, but asked whether the addition would block vision at the intersection. Mr. Sanders stated that the requirement is that a clear vision triangle be maintained at least 30'-0" from any intersection, and that the proposed addition was approximately 60'-0" back from either leg of the intersection.

Chairman Durstock entertained a **motion to approve**. Baluch made a motion to **approve**, Seconded by Swanson. Roll Call Vote as follows:

Voting Aye: Chairman Durstock, Deuth Fritts, Wagaman, Prosser and Baluch,
Swanson Voting nay: None. Absent: Lunde. Prosser **Motion Passed: 5-0-2**

6. ZBA 20-014: Public Hearing for Text Amendment to revise §155.046 (F)(2)(a) to allow for construction of residential driveways in the side yard setback and establishing a pavement setback of 3’-0” from side and rear property lines.

Administrator Scott Sanders informed the Board that staff has identified two sections of current Ordinance that directly contradict one another on the issue of paved driveways in the required side yard setback. §155.017(C)(6) Site Area and Dimensions, Side and Rear Yards’ specifically states that driveways ‘may occupy a side yard, while ‘§155.046(F)(2)(a) Driveways’ states that ‘no driveway shall be set within the minimum side yards’

Sanders stated The Village has for years now been permitting the paving of portions of the side yard along the sides of garages as an extension of an existing driveway. This has been allowed only when there is sufficient space to maintain a minimum 3’-0” setback from the property line, and only when the expansion is contained entirely within the parcel (not in the public r.o.w.) Sanders further stated that The rationale for allowing, and even encouraging this, is to acknowledge that people often store vehicles and/or trailers along the sides of their garage, and that a paved surface will provide ease of maintenance, eliminating the issue of grass growing around the vehicle, and reducing the potential for any potential soil contamination.

Chairman Durstock entertained a **motion to approve**. Wagaman made a motion to **approve**, Seconded by Swanson. Roll Call Vote as follows:

Voting Aye: Chairman Durstock, Death Fritts, Wagaman, Prosser and Baluch,
Swanson Voting nay: None. Absent: Lunde. Prosser **Motion Passed: 5-0-2**

Chairman Durstock then suggested amending §155.046(F)(2) further by adding (e) that would state that ‘no vehicles, trailers, boats, or mechanical equipment shall be stored in the front or side yard setback unless done so on an approved driveway surface’.

Chairman Durstock entertained a **motion to approve**. Baluch made a motion to **approve**, Seconded by Swanson. Roll Call Vote as follows:

Voting Aye: Chairman Durstock, Death Fritts, Wagaman, Prosser and Baluch,
Swanson Voting nay: None. Absent: Lunde. Prosser **Motion Passed: 5-0-2**

11. Adjournment: Chairman Durstock entertained a motion to adjourn the meeting at 6:46 PM.

Durstock made a **motion**; seconded by Swanson. Roll Call Vote:

Voting Aye: Chairman Durstock, Death Fritts, Wagaman, Prosser and Baluch,
Swanson Voting nay: None. Absent: Lunde. Prosser **Motion Passed: 5-0-2**

Scott L Sanders: Zoning Administrator

Approved: SEPT 9, 2020

