

Zoning Board of Appeals
June 28, 2011 at 6:30pm
Duck Creek Conference Room

- Call to Order** The meeting was called to order by J. Kornowski at 6:30p.m.
- Roll Call** J. Kornowski, J. LeMay, M. Karcz, T. Meves, J. McGlachlin, M. Soletski-Alternate
- Also: J. Korotev
- Approve agenda** A motion was made by J. LeMay and seconded by T. Meves to approve the agenda.
Motion Carried Unanimously.
- Approve minutes** A motion was made by J. McGlachlin and seconded by M. Karcz to approve the May 31, 2011 minutes.
Motion Carried Unanimously.
- Public Hearing for variance at 2397 Yolanda Circle** L. Wittig read the public hearing scheduled for 6:30pm
- J. Korotev explained the variance petition from James A. Biening to permit the erection of a 5' high chain link fence in a front yard along the Dousman Street frontage of the property located at 2397 Yolanda Circle, VH-2030.
- A motion was made by J. McGlachlin and seconded by T. Meves to suspend the rules to hear from the audience.
Motion Carried Unanimously.
- J. Biening stated that he would like the fence approximately 1'-2' from the sidewalk to keep the pine trees in the fence area. He also stated that his house has been hit twice by vehicles and is concerned for the safety of his family and his dog.
- J. Kornowski questioned the fence being that close to the sidewalk and the Village having enough room to plow snow in the Winter.
- M. Soletski stated that the street design in this area is horrible and that it falls back onto the Village.
- Joe Chatry-2398 Yolanda Circle stated that he is concerned about the fence coming off the front of the garage and not at the back of the garage but has no other issues with height, etc. He also is concerned about the safety of the neighborhood.
- John Emery-2448 Robin Lane asked if this meeting is for a variance on the restrictive covenants or a variance on the Village Code because this neighborhood does not allow fences per the restrictive covenants.

J. Biening stated that within the restrictive covenants, it is stated that a homeowner needs 66% of signatures from neighbors in favor of allowing the construction of a fence and he received 70% of signatures.

Jenny Emery-2285 Memorial Drive appeared and had no issues with the variance.

John Emery stated that he is confident that J. Biening went through the proper steps for the restrictive covenants and he just asked that there be landscaping, etc. around the fence to make it look nice.

The members went through the Findings of Facts.

A motion was made by T. Meves and seconded by J. McGlachlin to approve the variance for J. Biening to permit the erection of a 5' high chain link fence in a front yard along the Dousman Street frontage of the property located at 2397 Yolanda Circle, VH-2030 with the following conditions:

- (1) The fence shall be located at least 18" from the sidewalk.
- (2) The owner assumes full responsibility for any damage to the fence due to snow plowing or other municipal activities.
- (3) The owner assumes full responsibility for compliance with any private restrictive covenants applicable to the property.

Motion Carried Unanimously.

FUTURE AGENDA ITEMS

None

Adjourn

A motion was made by T. Meves and seconded by J. McGlachlin to adjourn at 6:52pm

Motion Carried Unanimously.

Laurie Wittig
Administrative Assistant