

PLANNING AND ZONING COMMISSION
MINUTES OF **TUESDAY, JANUARY 03, 2023**

Pursuant to notice duly given, the regular meeting of the Planning and Zoning Commission, also sitting as the Board of Zoning Appeals, was called and held on **Tuesday, January 03, 2023 at 5:00 PM** in the Council Chambers of the Town Hall.

Members present: Craig Steinbrink; Chair, Chip AuWerter, Scott Broome, Nancy Sogg, and Jeannine Voinovich.

Members absent: Emily Hamilton and Jim Deacon.

Also present: Chris Courtney, Village Engineer
Lisa Mack, Legal Consultant.

1. Roll call.
2. The minutes of **Tuesday, October 04, 2022** regular meeting of the Planning and Zoning Commission were submitted for approval.

Mr. Broome provided spelling changes.

A motion was made to approve the minutes as *revised*.

Motion by: N. Sogg 2nd: S. Broome

Roll Call: Ayes: All others.
 Nays: None.
 Abstain: AuWerter

Motion Approved

3. Motion to adjourn the regular meeting of the Planning and Zoning Commission and convene a meeting of the **Board of Zoning Appeals**.

Motion by: S. Broome 2nd: C. AuWerter

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

4. A side yard variance request for the **BERMAN** property at **7000 Hickory Lane** was heard. Notice has been provided to adjoining property owners. Brad Camoso, Contractor and Steven Berman, Owner were present.

Mr. Camposo reviewed the variance request for the Board. He indicated the existing house is in such poor condition it would take an unreasonable amount of money to repair in order to make it habitable. The owner would like to demolish the existing structure for a new home located in approximately the same location. He stated the new house design, which is currently going through review by the ARB, sits further away from the east boundary line than the existing but does not meet the 25' minimum setback requirement. A 7'+/- side yard setback variance is required.

Mr. Steinbrink asked Mr. Biggert if he had received any comments or concerns from the adjoining property owners.

Mr. Biggert stated he had sent the Board members an email earlier. The neighbor to the west has no objection regarding the new house or the variance, does have concerns regarding his privacy.

Mrs. Sogg asked if the new house can be seen from the property to the east.

Mr. Berman stated the existing structure cannot be seen from the east and neither will the new home due to the number of trees and natural screening.

Mr. Broome reviewed the *Variance Worksheet* for the Board.

After further discussion, a motion was made to approve a 7' side yard setback variance setting the new house at approximately 19'+/- as requested.

Motion by: S. Broome 2nd: N. Sogg

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

5. A solar panel variance request for the **KABELITZ** residence at **549 Riverview Road** was heard. Notice has been provided to adjoining property owners. David Hunter, YellowLite Inc. was present.

Mr. Hunter reviewed the variance request for the Board. He indicated YellowLite is proposing to install solar panels on 2 of the roof surfaces that can be seen from the street. He indicated the remainder of the panels are located on the rear of the structure and cannot be seen from the street.

Mrs. Sogg stated the panels located on the front shed roof should not be able to be seen from the street. The only panels in question are the ones located on the south facing gable roof.

The Board agreed with Mrs. Sogg.

Mr. AuWerter stated his concern with multiple solar panel variance requests in the future. He feels solar panels on various roofs is an aesthetic concern and should be considered by the ARB.

Mr. Broome agreed.

Mr. Steinbrink stated the current code was written for a reason and is apparent the aesthetic of the Village was taken into consideration and that is why panels are prohibited on roof surfaces that can be seen from the street.

Mrs. Sogg stated the current code is outdated. The new technology has improved greatly since the code was written and the Village should allow the residents options to conserve energy.

Mr. AuWerter agreed but also stated the appearance of solar panels throughout the Village could completely change the historic appearance and should possible be considered by the ARB and even Council.

Mr. Steinbrink recommended the request should be sent onto the ARB for consideration and recommendations. He will also review the discussion with Council and see if they have any additional comments or concerns.

After further discussion, a motion was made to table the variance request.

Motion by: S. Broome 2nd: J. Voinovich

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

There being no further business the meeting was adjourned at **6:01 P.M.**

Craig Steinbrink, Chair

David Biggert, Secretary