

PLANNING AND ZONING COMMISSION  
MINUTES OF **TUESDAY, MARCH 02, 2021**

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, March 02, 2021 at 5:00 PM** with the Chair presiding in a remote, virtual meeting that was livestreamed to the internet.

Members present: Nancy Sogg; Chair, Scott Broome, Sally Burke, Jim Deacon, Emily Hamilton, Craig Steinbrink, and Sandra Turner.

Members absent: None.

Also present: Chris Courtney, Village Engineer  
Todd Hunt, Law Director.

1. Roll Call.
2. The minutes of **Tuesday, January 05, 2021** regular meeting of the Planning and Zoning Commission were submitted for approval.

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

Motion by: S. Turner                      2<sup>nd</sup>: C. Steinbrink

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

**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. Burke                      2<sup>nd</sup>: C. Steinbrink

Roll Call:      Ayes: All.  
                    Nays: None.

**Motion Approved**

**Deacon Enters**

4. A side yard setback variance request for the **RUCKMAN** residence at **840 West Hill Drive** was heard. Notice has been given to adjoining property owners.

Joseph Myers, Architect attended the virtual meeting through the internet.

Mr. and Mrs. Patrick Mullin also attended the virtual meeting through the internet. The Mullins own the neighboring property to the west.

Mr. Myers reviewed the proposed side yard setback variance request for the Board. He indicated the homeowners would like to add a new master bathroom to the rear of the existing structure to make it more usable with the master bedroom. The existing structure currently meets the 25' minimum setback requirement. The new addition will also meet the minimum requirement of 25' but will not meet the 40% of the lot width requirement and therefore needs a 9' variance.

Mr. Mullin stated they did not object to the variance but had some concerns with the construction affecting their existing drive and retaining wall which currently runs along the property line. He also indicated the area between the retaining wall and the Rickman's house is fill.

Mr. Myers indicated he is aware that area along with the area the proposed addition is all fill. Because of this, a soils Engineer is involved with the project as a consultant and is preparing a soils study of the proposed construction area.

Mr. Biggert asked Mr. Myers what the access route to the construction area would be.

Mr. Myers indicated it will be along the west side close to the existing house. He also stated because of the limited space and amount of existing trees the equipment used will need to be much smaller and lighter than normal.

Mr. Courtney indicated he would like to review the soils study for the Ruckman property prior to the construction start. He also recommended a "settlement study" be completed along the Mullin's retaining wall to document the existing conditions and to verify no unexpected settlement take place along the wall during or after the construction.

Mr. Myers agreed a settlement survey will be completed and all the engineering information will be submitted to Mr. Courtney for review. Also indicated he would have the Mullins and Mr. Courtney attend a pre-construction meeting prior to the start. They are currently expecting to start construction sometime in May.

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

After further discussion, a motion was made to *approve* the 9' side yard setback variance as request contingent upon a settlement survey will be completed and all soils engineering reports will be submitted to Mr. Courtney for review. In

addition, the Mullins will be advised and attend a pre-preconstruction meeting prior to the start of the new work.

Motion by: S. Broome                      2<sup>nd</sup>: S. Turner

Roll Call:        Ayes: All.  
                     Nays: None.

### **Motion Approved**

5. A variance request to locate a detached accessory structure in the front yard for the **RECINOS** residence at **821 West Hill Drive** was heard. Notice has been given to adjoining property owners. Jeffrey Bogart, Architect and Violette Recinos attended the virtual meeting through the internet.

Mr. Bogart reviewed the proposed variance request for the Board. He indicated the homeowners would like build a detached structure next to the existing tennis court which is currently located in the front yard. He indicated because of the existing grade there really is not another location along the tennis court for the building.

Mrs. Sogg indicated she a reviewed the property prior to the meeting and asked if the trees that are currently marked are intended to be removed.

Mrs. Recinos indicated the marked trees are currently dead or dying and will be removed but will be replaced with new trees.

Mr. Broome asked if a side yard setback variance would also be needed because of the proposed building location.

Mr. Biggert indicated a side yard setback variance is not needed.

Mr. Hunt agreed and stated a location in the front yard is the only variance necessary.

Mrs. Sogg asked if any of the neighboring property owners responded to the request.

Mr. Biggert indicated he had not received any objections.

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

After further discussion, a motion was made to *approve* locating a detached accessory structure in the front yard variance request as submitted.

Motion by: S. Broome                      2<sup>nd</sup>: S. Turner

Roll Call: Ayes: All.  
Nays: None.

**Motion Approved**

6. A variance request to perform culvert and driveway work within a protected riparian zone for the **GREGORIN** residence at **1340 County Line Road** was heard. Notice has been given to adjoining property owners. Joshua Edgell, JEMM Construction attended the virtual meeting through the internet.

Mr. Edgell reviewed the proposed variance request for the Board. He indicated a new home for the property has been approved by the Village and will be starting construction soon. Currently on the property is a small drainage creek running east to west, because of the proposed house location, a stormwater culvert pipe will need to be placed in the creek in order to construct the driveway. He also indicated a wetlands study had been completed and determined the existing stream does not fall under any Federal protection requirements.

Mr. Courtney indicated the request is one of the allowable variances to be considered and approved by the Board. He also indicated under the Villages current stormwater regulations erosion control measures and protection will be required as permit of the permit approval.

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

After further discussion, a motion was made to *approve* the variance request to perform work within a protected riparian area as submitted.

Motion by: S. Broome                      2<sup>nd</sup>: C. Steinbrink

Roll Call: Ayes: All.  
Nays: None.

**Motion Approved**

There being no further business the meeting was adjourned at **5:54 P.M.**

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Nancy Sogg, Chair

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David Biggert, Secretary