

PLANNING AND ZONING COMMISSION
MINUTES OF **TUESDAY, MARCH 05, 2024**

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 05, 2024.**

Members present: Craig Steinbrink; Chair, Chip AuWerter, Scott Broome, Jim Deacon, Emily Hamilton, Christine Riley, and Jeannine Voinovich.

Members absent: None.

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

1. Roll call.
2. The minutes of **Tuesday, February 06, 2024** regular meeting of the Planning and Zoning Commission were submitted for approval.

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

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

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

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

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

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

4. Permission to extend a legal non-conforming residential structure within an existing U-3 commercial district for the **BOYKIN** residence at **1671 Epping Road.**
Charles Fazio, Architect was present.

Mr. Hunt explained to the Commission the request is not a variance. The current Village ordinance, Section 1157.05, allows for this type of consideration to take

place. The legal standard the Commission needs to follow to approve the extension of this type of use is that it is both a reasonable request and will cause no detrimental effect on any of the surrounding properties. If the Commission approves the request, it is then submitted to Council for the final consideration and approval.

Mr. Fazio explained the request to the Commission. He stated the property has been recently purchased by the Boykin's who intend to add on to and renovate the existing structure in order to meet their needs. He also stated the existing side porch is being removed to allow for wider access along the drive and improve access to the property for emergency vehicles.

Mr. AuWerter asked if the property and the similar surrounding properties were previously owned by the Hunt Club which is why it is zoned U-3.

Mr. Hunt stated the zoning map seemed to indicate the properties have always had this U-3 zoning and there was no real way without extensive research to determine if the zoning designation had ever been changed.

After further discussion, a motion was made to grant the extension of a current legal non-conforming use and structure in a U-3 Commercial District as requested.

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

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

5. A fence height variance request for the **YOUNG** residence at **7510 Old Mill Road** was heard. Notice had been previously provided to adjoining property owners.
David Young, Owner was present.

Mr. Young reviewed the proposed fence height variance request for the Board. He indicated the existing 8' high shared fence between his property and Mrs. Oppmann needs replacement. At the March meeting the Commission continued the discussion until a survey of the properties could be completed and the location of the existing fence verified. He submitted copies of the survey and stated the existing fence is clearly located on his property as will the new one.

Mr. Steinbrink asked if the neighbor wants a white fence in lieu of the current fence color, concerned the change in color and shine will be brighter than she expects.

Mr. Young stated he will see if more of a matte finish is available. He showed the Board a sample of the proposed fence material and stated some natural plantings will be installed along both sides of the fence.

The Board reviewed the material sample and felt the material had a reasonable dull finish.

Mr. Hunt recommended the fence should be built away from the property line by a few feet so Mr. Young has the ability to maintain both sides of the fence without going onto the neighbor's property. He suggested the current offset of the existing fence should be enough to allow for this.

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

After further discussion, a motion was made to grant a 2' fence height variance for a new 8' high fence as submitted.

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

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

Refer to audio recording for additional detail.

There being no further business the meeting was adjourned at **5:31 P.M.**

Craig Steinbrink, Chair

David Biggert, Secretary