

PLANNING AND ZONING COMMISSION
MINUTES OF **TUESDAY, MAY 07, 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, May 07, 2024.**

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

Members absent: Jeannine Voinovich.

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

1. Roll call.
2. The minutes of **Tuesday, March 05, 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: S. Broome 2nd: J. Deacon

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

3. Building demolition request for the **LANE** property at **1405 Echo Glen Road**. Scott Lane, Owner was present.

Mr. Lane reviewed the proposed demolition request for the Board. He indicated the existing house is in such poor condition and currently has major structural issues causing the foundation walls and masonry fireplace to shift. He continued by stating a contractor had previously looked at the building and estimated it would take over \$500,000 to restore the building. The proposed estimate did not include any cost to repair or correct the foundation structural issues.

Mr. Biggert stated the demolition request has been reviewed and approved by the Historic District Subcommittee and the Architectural Review Board with no objection.

After further discussion, a motion was made to approve the building demolition request as submitted.

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

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

4. Boundary realignment and lot size variance requests for the **KIRSCHENBAUM** residence at **2080 Woodstock Road** and **JOHNSON** residence at **2070 Woodstock Road** was heard. Notice has been provided to adjoining property owners.
Dan Kirschenbaum, Owner was present.

Mr. Kirschenbaum explained the boundary realignment and lot size variance requests to the Board. He stated he owns the front lot on Woodstock Road and his sister owns the lot behind his. For many years, he has been using the existing detached garage on his sister's property. The purpose for the boundary realignment is so the detached garage is on his lot. The realignment will also redraw the lot line so that Mr. Kirschenbaum's sister's existing septic system will be on her property instead of on his property as is the current situation.

Members of the Board agreed having the existing septic system on the correct lot is important and hopefully will prevent any issues in the future if one or the other properties are sold and transferred.

Mr. Kirschenbaum stated the lot areas being swapped are very similar and the lot sizes are almost unchanged once completed. The only real difference is the lot configurations.

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

After further discussion, a motion was made to grant the lot size variances for lot "C" and lot "D" and the boundary realignment as requested based on the facts as stated in the variance worksheet and the fact there will be no significant differences in the lot sizes and configuration once completed.

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

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

5. A variance request to locate solar panels on roofs visible from the street for the **SOLWITZ** residence at **1809 Berkshire** was heard. Notice has been provided to adjoining property owners.
Dr. Richard Solwitz, Owner was present.

Dr. Solwitz reviewed the solar panel variance request for the Board. He submitted photographs from the street of the roof planes the proposed solar panels will be located. He stated in his opinion the panels will not be seen from the street because of the existing vegetation. He also stated he and his wife are trying to be environmentally friendly and currently have an electric vehicle which the panels will aid in charging and reduce energy costs.

Mr. Biggert stated he drove Berkshire Road in both directions multiple times and while the existing natural vegetation might help screen the panels from the street, the panels will be visible especially during the winter. Also stated he is concerned about relying on the current vegetation to act as the screening, in the past, variances have been granted on the condition screening is planted and then the next owner removes the screening and it becomes an agreement with the Village.

Mr. Steinbrink agreed the panels would be visible from the street even with the existing vegetation.

Dr. Solwitz indicated he would be willing to plant additional trees to help conceal the panels.

Mr. Courtney stated a landscape plan with a longitudinal section would have to be completed in order to determine if any proposed planting plan would really be effective in screening the panels. Based on the fact the street sits higher than the house location, he estimated the trees would have to be a minimum of 12' to 15' tall.

Mr. Steinbrink suggested the purpose for the current ordinance is clear, the Village does not want to see solar panels located on roofs that can be seen from the street, with or without natural screening. The ordinance is meant to prevent a significant change in appearance and character of the Village. He also explained that the solar panel ordinance had been recently considered by Council for evaluation of whether it should be changes. After considering the matter Council decided not to change the ordinance which is an endorsement of its current language and its current effect.

Mr. AuWerter asked if the panels could be re-arranged in some way so they are not visible from the street.

Dr. Solwitz stated it would not be economically viable with a different design or fewer panels.

Mr. Biggert stated he did receive a response from a neighbor across the street objecting to the approval of the variance to locate panels that can be seen from the street.

Mr. Steinbrink explained to Dr. Solwitz it does not appear the Board is willing grant such a request to locate solar panels that can be seen from the street. Suggested if a motion is made and a vote taken, the variance is very likely to be denied. Asked Dr. Solwitz if he would like the Board to call a vote or would he prefer to withdrawal the current variance request and submit a revised request at a later date.

Dr. Solwitz stated he would like to withdraw the current request.

No Action Taken

Refer to audio recording for additional detail.

There being no further business the meeting was adjourned at **6:03 P.M.**

Craig Steinbrink, Chair

David Biggert, Secretary