

PLANNING AND ZONING COMMISSION
MINUTES OF **TUESDAY, NOVEMBER 07, 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, November 07, 2023 at 5:00 PM** in the Council Chambers of the Town Hall.

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

Members absent: Chip AuWerter.

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

1. Roll call.
2. The minutes of **Tuesday, October 03, 2023** 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. Voinovich

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

Motion Approved

3. A lot consolidation request for the **LAUER** residence at **1910 County Line Road** was heard. Jason Baylor, Payne & Payne Builders and Mr. & Mrs. James Lauer, Owner were present.

Mr. Baylor reviewed the lot consolidation request for the Commission. The request has been continued from the October meeting.

Mr. Lauer stated they had one change to the affidavit they would like to have made and if acceptable to the Commission and have time for their Attorney to review. They would like to have the ability for an out of state family member to live in the building for more than 30 days.

Mr. Hunt stated that change could be made if acceptable to the Commission.

Mr. Broome suggested the lot consolidation and variance appears to be the best option even though re-defining the current boundary lines is a challenging option.

After further discussion, a motion was made to approve the lot consolidation as submitted pending approval to locating the existing detached accessory structure in the front yard.

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

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

Mr. Hunt suggested because the same members sit on both committees, there is no need to close the meeting of one committee to convene a meeting of the other committee when discussing a request on the same property.

4. A variance request to allow an existing detached accessory structure to be located in the front yard of the previously approved consolidated lot for the **LAUER** residence at **1910 County Line Road** was heard. Notice has been provided to adjoining property owners. Jason Baylor, Payne & Payne Builders and Mr. & Mrs. Lauer were present.

Mr. Steinbrink reviewed the conversation from the previous meetings regarding this request.

After further discussion, a motion was made to approve the request to locate an existing detached accessory structure in the front yard of the consolidated lot subject to the structure only being used for purposes as stated in the affidavit filed with the County.

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

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

5. A boundary realignment for the **BROWN** residence at **1930 County Line Road** was heard. Chip Hess, Civil Engineer was present

Mr. Hess reviewed the request for the Board. He stated Scott Brown currently owns this property and the property directly to the west. The proposal is taking some area from the back lot and adding to the front lot in order to add some addition setback distance to an existing structure. He also indicated the realignment simplifies the boundaries of both lots.

After further discussion, a motion was made to approve the lot consolidation as submitted pending the approval of the following lot size variance request.

Motion by: J. Deacon 2nd: J. Voinovich

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

6. A lot size variance request for the **BROWN** residence at **1930 County Line Road** was heard. Notice has been provided to adjoining property owners. Chip Hess, Civil Engineer was present.

Mr. Hess reviewed the request for the Board. He indicated the request is to approve a lot area under the 5 acre which is necessary for the previously approved boundary realignment.

After further discussion, a motion was made to approve the lot size variance request as submitted pending.

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

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

7. 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: E. Hamilton

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

8. A side yard setback variance request for the **DAUGHERTY** residence at **7100 Robinwood Lane** was heard. Notice has been provided to adjoining property owners.

Teri Ianni, Designer and Mr. & Mrs. Patrick Daugherty were present.

Ms. Ianni reviewed the proposed request for the Board. She indicated a 12' side yard setback variance is required in order to construct a new screen porch structure on the west side of the existing house.

Mr. Steinbrink asked if the new porch could be located on the rear of the existing house and avoid a variance.

Mr. Daugherty stated it could not. The rear portion of the existing house has a large flat roof, adding more flat roof could cause problems for the new addition. He also stated the side location works best with the existing first floor plan.

Mr. Biggert asked the Daugherty's if the western boundary line between the properties is located exactly as shown on the site plan. Concerned the boundary location may not be as indicated making it necessary for a smaller or larger setback variance. He also stated his concern of the neighboring property installing a new fence in the future along the boundary line 3' away from the end of the screened porch.

Mr. Daugherty stated they are not exactly sure the location of the western boundary line.

Mr. Courtney stated it is important to know the exact location of the boundary line between the properties before making a final decision. Recommended a boundary survey be completed and the western property line be staked to verify the location and the setback variance needed.

Mrs. Daugherty stated they are not in any hurry to start the addition and they do have time to get the boundary line located.

Ms. Chiro from 1941 Chartley Road was given an opportunity to speak. She stated the Daugherty's did contact her and advised of the proposed addition. She stated her concern of the addition being so close to the property line. The Daugherty's split rail fence is currently located on her property, with permission, but does not want to have any structure located on the property.

After further discussion, a motion was made to continue the discussion at a later meeting once a boundary survey can be completed and the boundary line in question located.

Motion by: S. Broome 2nd: E. Hamilton

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 **5:47 P.M.**

Craig Steinbrink, Chair

David Biggert, Secretary