CALL TO ORDER
At 7:00 p.m., Chairman Randy Mohr called the Zoning Board of Appeals meeting to order.

ROLL CALL
Members present: Randy Mohr (Chairman), Scott Cherry, Karen Clementi, Donna McKay (Vice-Chair), Tom LeCuyer, and Dick Thompson
Members absent:
Also present was: Mike Hoffman-Teska Associates, Inc.
In the audience:

MINUTES
Motion to approve July 27, 2015 corrected minutes by Mr. Cherry, seconded by Mr. Whitfield. Approved 6-0.

PETITIONS

1. 15-13 Gary Kritzberg
Request: Variance from front yard setback for a garage
Location: 1211 Game Farm Road, Yorkville
Purpose: To construct a garage in the front yard

Mr. Hoffman stated that since the previous meeting he had been out to walk the property with Brian Holdiman, the County Code Official. Also since the previous meeting the petitioner has proposed a new spot for the garage, labeled D it the packet, for the garage. This would be a 33 feet setback, meaning only a 17 feet variance. Mr. Hoffman stated that there is a good buffer of trees and landscaping to hide the garage.

The hearing was continued from the previous meeting to give the United City of Yorkville (which surrounds the property) time to examine the variance request. Their recommendations after examining the variance are consistent with the staff recommendations.

The only outstanding issue is the request for another curb cut. Petitioner currently has two as the property has a circular driveway. He is requesting another. Yorkville is recommending denial as their code limits curb cuts per property to two.

Chairman Randy Mohr opened the meeting for public hearing at 7:14 p.m. Seeing none, he closed the public hearing.
Ms. Clementi made a motion to approve the findings of fact along with the conditions recommended by staff. Mr. Whitfield seconded. The findings of fact and recommendations are as follows:

§ 13.04.2 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant variations. They are listed below in italics. Staff has provided some preliminary findings in bold below based on our recommendation to modify the request to relocate the proposed garage to location “D” as shown on page 4 of this report and grant a 17’ variation from the required 50’ front yard setback. Depending on additional evidence provided at the public hearing and input from the City of Yorkville, these draft findings may need to be modified.

_That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out._ The topography of this property limits potential locations of any structure on this property. However, the proposed provides an alternative that considers the unique character of the property and minimizes the required variation.

_That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification._ This is a unique property within the County’s A-1 Zoning District, as it is generally surrounded by the City of Yorkville. This location, plus the unique topographic conditions of the property do not exist on most other A-1 zoned property in the County.

_That the alleged difficulty or hardship has not been created by any person presently having an interest in the property._ Recent right-of-way acquisition by the City of Yorkville which increased the setback from the original property line (center of the road) was not a hardship created by the owner. Likewise, the current owner had no influence over the unique topography of the site or the placement of the home on the property, both of which limit potential garage locations.

_That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located._ The proposed garage location will have a significant landscape buffer from both the adjacent home to the south and from Game Farm Road. The proposed variation and resulting garage setback will generally be consistent with other such structures in the area.

_That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood._ The proposed variation will not impact the supply of light or air to adjacent property. This proposed garage will have no impact on traffic, as it is for a car that is currently stored outdoors on the property. Given the existing landscape buffering and
proposed construction materials that will match the existing home, the improvements should not diminish or impair neighboring property values.

RECOMMENDATION

Given the extensive landscaping on the site and screening offered by the proposed location, coupled with the pattern of development in the area, County staff is supportive of the proposed 17’ front yard setback variance to allow for the proposed garage. Staff understands the applicant’s desire for a garage, and the selection of the proposed location given site topography and other site constraints. We would suggest the following conditions:

A. If a driveway is to be installed, written evidence shall be provided to the PBZ Department that a curb cut onto Game Farm Road in the proposed location will be allowed by the United City of Yorkville.

B. That the Evergreen Tree buffer along the south edge of the property be maintained, including replacement of trees in the future as needed.

Chairman Mohr called for a vote. **Approved 5-0; Chairman Mohr abstaining.**

**REVIEW PBZ APPROVALS BY COUNTY BOARD & CHANGES** – No changes

**NEW BUSINESS/OLD BUSINESS** –

**PUBLIC COMMENT** - There were no additional comments by members in the audience.

**ADJOURNMENT OF THE ZONING BOARD OF APPEALS** - Next meeting will be on September 28, 2015.

Ms. McKay made a motion to adjourn the Zoning Board of Appeals meeting, Mr. Cherry seconded the motion. Chairman Randy Mohr adjourned the Zoning Board of Appeals meeting at 7:16 p.m.

Respectfully Submitted,

Andrez P. Beltran
Economic Development and Special Projects Coordinator