

APPROVED
**VILLAGE OF LAKE ZURICH
ZONING BOARD OF APPEALS
AUGUST 21, 2008**

The meeting was called to order by Chairman McCormack at 7:30 p.m.

ROLL CALL: *Present* - Chairman McCormack, Commissioners Hagan, Kmiecik, Paulus, Rubin, and Shaw. *Excused* – Commissioner Burch.

Also present - Building and Zoning Inspector Meyer.

Chairman McCormack welcomed the new Zoning Board of Appeals member Gerald Kmiecik.

APPROVAL OF MINUTES:

APPROVAL OF THE ZONING BOARD OF APPEALS JUNE 19, 2008 MINUTES:

MOTION was made by Commissioner Rubin, seconded by Commissioner Shaw, to approve the minutes of the June 19, 2008 Zoning Board of Appeals meeting as submitted.

Voice vote, AYES have it. MOTION CARRIED.

The May 15, 2008 had been tabled and will be brought forth at the September 18, 2008 meeting.

PUBLIC HEARINGS:

35 LAKE ZURICH DRIVE – VUJICA RESIDENCE – DECK – VARIATION FROM ZONING CODE SUBPARAGRAPH 3-111E6(l) TO REDUCE THE REQUIRED REAR YARD FOR A DECK FROM 23 FEET TO 16 FEET

The public hearing was opened at 7:33 p.m. The court reporter swore in those wishing to testify.

Michael Vujica, property owner of 35 Lake Zurich Drive, presented his petition to construct a deck which will encroach into the required rear yard by 7 feet. He distributed and reviewed photographs of his yard, a neighbor's deck, and various nearby properties to illustrate the small and irregular lot size and shapes.

Mr. Vujica listed various reasons why he viewed this as a hardship and should be granted relief. He purchased the home last year and has been making much needed improvements to the home and property. Due to the existing three-season-room, there would not be any room for a patio or deck if a variation is not granted which would interfere with the enjoyment and use of his yard due to its small size.

Commissioner Paulus said this home is next door to him and he does not have any objections to the petition.

Dolores Mark, 336 Whitney Road, said she lives in the house behind the subject property. Although she does not object the proposed deck, she stated that she had water in her basement for the first time this winter and questioned whether the bushes Mr. Vujica removed and replaced

may have affected the drainage. She did not want to support anything that would adversely affect the drainage or result in water in her basement.

Mr. Vujica said the landscaping should have impeded drainage because the arbor vitae he planted have raised root balls, and the natural grade flows to the south.

Chairman McCormack said a deck with crushed gravel beneath it would not add impervious surface and would not affect drainage. He recommended Mrs. Mark discuss this with someone from the Engineering Department. There was agreement that this was a very wet winter.

The public hearing was closed at 7:55 p.m.

MOTION made by Commissioner Shaw, seconded by Commissioner Rubin, to recommend the Board of Trustees approve a variation to the Lake Zurich Zoning Code Subparagraph 3-111E6(1) to reduce the required rear yard for a deck from 23 feet to 16 feet.

AYES: 6 Chairman McCormack, Commissioners Hagan, Kmiecik, Paulus, Rubin, and Shaw.

NAYS: 0

MOTION CARRIED

ADJOURNMENT:

MOTION was made by Commissioner Shaw, seconded by Commissioner Rubin, to adjourn the meeting.

Voice vote, AYES have it. MOTION CARRIED.

The meeting was adjourned at 7:57 p.m.

Submitted by: Janet McKay, Recording Secretary

Approved: _____ 9/18/08