

Corrected

VILLAGE OF LAKE ZURICH
ZONING BOARD OF APPEALS
JUNE 18, 2009

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

ROLL CALL: *Present* - Chairman McCormack, Commissioners Burch, Kmiecik, Paulus, Rubin, and Shaw. *Absent* - Commissioner Hagan. *Also present* - Zoning Inspector Meyer.

APPROVAL OF MINUTES:

APPROVAL OF THE ZONING BOARD OF APPEALS JUNE 18, 2009 MINUTES:

Commissioner Rubin asked that the minutes reflect that he voted against both variations for the Schuster residence at 310 Knox Park.

MOTION was made by Commissioner Rubin, seconded by Commissioner Kmiecik, to approve the minutes of the May 21, 2009 Zoning Board of Appeals meeting as corrected.

Voice vote, AYES have it. MOTION CARRIED.

CONTINUED PUBLIC HEARINGS:

856 BROADWAY COURT – SARVADY RESIDENCE – ADDITION – VARIATION TO
REDUCE THE REQUIRED CORNER SIDE YARD FROM 30 FEET TO 24 FEET AND TO
REDUCE THE REQUIRED REAR YARD FROM 30 FEET TO 12 FEET

The public hearing was reopened at 7:32 p.m. Chairman McCormack swore in those wishing to testify.

Ken Sarvady, 865 Broadway, presented his revised proposal to construct an addition to allow a third stall attached garage. They now propose to reduce the size of the addition and are requesting permission to reduce the required rear yard from 30 feet to 17 feet. The previous request was for a rear yard of 12 feet. Mr. Sarvady said the suggestions made at the last meeting (a loft, pie-shaped garage, or to set the garage back) were not practical or aesthetically pleasing to them, therefore, they reduced the encroachment as a compromise. He said he had discussed the variance with his neighbors, and they no longer have any objections but did ask that the side of the garage facing them be brick sided and shrubbery added. They will work together on the drainage issues. Architect Lynde Anderson will prepare the plans for the addition.

Chairman McCormack summarized the recommendations in the memorandum from Public Works Director/Engineer Heyden dated June 10, 2009 regarding addressing a minor grading issue along the adjacent lot line and the condition that the swales be maintained during construction and returned to their original condition immediately after construction is complete. Building and Zoning Inspector Meyer said the Engineering Department will work with Mr. Sarvady on the grading issue and provide more details on how it can be addressed.

The public hearing was closed at 7:41 p.m. but Chairman McCormack reopened the public hearing and swore in Mr. Andy Cholewa, 869 Broadway Court, and asked him to repeat his comments for public record. Mr. Cholewa stated he did not have any objections to the addition and concurred with Mr. Sarvady's summary of their discussions.

The public hearing was closed at 7:42 p.m.

MOTION made by Commissioner Shaw, seconded by Commissioner Rubin, to recommend the Board of Trustees grant a variation from Zoning Code Paragraph 3-111C1 to reduce the required corner side yard from 30 feet to 24 feet and a variation from Zoning Code Paragraph 3-111C3 to reduce the required corner rear yard from 30 feet to 17 feet. In addition the petitioner must maintain the requirements stated by Public Works Director/Engineer Heyden in his memorandum dated June 10, 2009 regarding the swale and 3:1 ratio between the two homes and that the side of the garage be a brick face with landscaping added and the garage conform to the current landscaping and exterior appearance of the house.

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

NAYS: 0

MOTION CARRIED

193 FOXFIRE DRIVE – RYJKO RESIDENCE – PATIO – VARIATION TO REDUCE THE REQUIRED REAR YARD FROM 20 FEET TO 7 FEET 4 INCHES

The public hearing was reopened at 8:31 p.m. Chairman McCormack swore in those wishing to testify.

Mark and Heather Rylko, 193 Foxfire, presented their revised proposal to remove their deteriorating deck and replace it with a concrete patio. Mr. Rylko, who was unable to attend the May Zoning Board of Appeals meeting, wrote a letter dated June 12, 2009, to the Building and Zoning Department that responded to suggestions and comments made at the meeting. He did not think wrapping the patio around the side of their home, as had been suggested, was practical and presented a survey of homes in the surrounding neighborhood showing none had a deck or patio that wrapped around the house. In an attempt to compromise, they reduced their variation request to reduce the required rear yard from 20 feet to 16 feet. The previous request had been 12.75 feet.

The public hearing was closed at 7:51 p.m.

MOTION made by Commissioner Kmiecik, seconded by Commissioner Rubin, to recommend the Board of Trustees grant a variation from Zoning Code Subparagraph 3-111E6(h) to reduce the required rear yard from 20 feet to 16 feet for a patio at 193 Foxfire Drive.

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

NAYS: 0

MOTION CARRIED

PUBLIC HEARINGS:

542 CAROLIAN – LEHTINEN RESIDENCE – SCREENED ROOM – VARIATION FROM LAKE ZURICH ZONING CODE PARAGRAPH 3-111C3 TO REDUCE THE REQUIRED REAR YARD FROM 30 FEET TO 22.48 FEET.

The public hearing was opened at 7:53 p.m. Chairman McCormack swore in those wishing to testify.

James and Julie Lehtinen, 542 Carolian, presented the proposal to build an addition for a screen porch. Mr. Lehtinen said the builder put his home back farther on the lot line than he expected and mislead him about the setback requirements. He will remove the existing patio. They have not experienced any drainage issues. The tree Public Works Director/Engineer Heyden referred to is on the lot line and nowhere near the proposed addition, but he is aware that a permit is needed if he does decide to remove it. Six neighbors signed a statement in support of the proposed screen porch that had been included in the Zoning Board of Appeals packet.

The public hearing was closed at 7:57 p.m.

MOTION made by Commissioner Paulus, seconded by Commissioner Rubin, to recommend the Board of Trustees approve a variation from Lake Zurich Zoning Code Paragraph 3-111C3 to reduce the required rear yard from 30 feet to 22.48 feet for a screened-in porch.

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

NAYS: 0

MOTION CARRIED

ADJOURNMENT:

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

Voice vote, AYES have it. MOTION CARRIED.

The meeting was adjourned at 7:59 p.m.

Submitted by: Janet McKay, Recording Secretary

Approved: _____ 7/16/09