

## Zoning Board of Appeals Minutes

May 1, 2018

- 1) Site Inspections: Site inspection occurred at 5:05pm. Viewed the following properties:
  - a. W5622 Vans Road – Steven Sommi.
- 2) Call to Order: Meeting was called to order at 5:25pm.
- 3) Roll Call: Present: Craig Majewski, John Jung, Tom Capper, Scott Chicoine, 1 seat vacant.  
Staff present: Mark Mommaerts, AICP (Planner).
- 4) Pledge of Allegiance: Pledge was recited.
- 5) Election of Vice-Chair: Motion (Capper/Majewski) to nominate John Jung as Vice-Chair.  
Motion carried unanimously.
- 6) Election of Secretary: Motion (Capper/Jung) to nominate Craig Majewski as Secretary.  
Motion carried unanimously.
- 7) Approve Minutes: Motion (Capper/Jung) to approve the June 6, 2017 minutes. Motion carried unanimously.
- 8) Public participation: There was no public comment.
- 9) Convene Meeting and Enter Public Hearing: The Public Hearing was opened at 5:30pm. The following petitions were heard:
  - a. Variance – Steven Sommi – W55622 Vans Road. The hearing notice was read into the record. Testimony was taken from Jeff Stodola, Frontier Builders (Petitioner’s agent) and Steven Sommi (Petitioner) who spoke in favor of the variance request. Mr. Stodola stated that at first the petitioner wanted to raise the grade around the building to avoid flooding. He stated that the petitioner has owned the property since 2012 and is looking to replace the garage with a modern building that would fit into the neighborhood. He also stated that 168 sq ft would be returned to green space but the building footprint would increase. Sheila Hopfensperger, W5630 Vans Road stated that she is concerned about grading and runoff. She stated that she does not have a problem with the size of the building and that the area is low. Zoning Board member Capper asked if the infrastructure of the existing building was salvageable. Mr. Stodola stated that there is rotting on the inside and the grade

would have to be raised 12-18 inches and the plan is to use a swale to keep the water on-site. Raising the building and repouring concrete was the initial plan. Zoning Board member Jung asked if the building was a two part structure. Mr. Stodola stated that it was prior to the petitioner owning the property. Staff memo to the Zoning Board of Appeals dated May 1, 2018 was included in the record.

10) Close Public Hearing and Reconvene Regular Meeting: The Public Hearing was closed and the regular meeting reconvened at 5:44pm.

11) Items for Discussion and Possible Action: The following items were discussed:

a. Variance – Steven Sommi – W5622 Vans Road. The Zoning Board of Appeals had general discussion regarding the standards to approve a variance found in the Zoning Ordinance. The Zoning Board of Appeals found the following:

1. The variance is contrary to the public interest because the zoning code limits accessory buildings to 900 square feet for all properties in the RS-1 zoning district. The 900 square feet was determined by the Village to be the appropriate size for an accessory building in the RS-1 zoning district.
2. Special conditions and circumstances which are peculiar to the land, structure, or building do not exist because the property is not unique to other properties in the area due to lot size or use.
3. The hardship is shared generally by other land or buildings in the area because the 900 square foot limit covers all properties in the RS-1 zoning district.


Motion (Capper/Majewski) to deny the variance request. Jung asked if cost was a factor. Chicoine responded that cost is not a factor when granting variances. Motion carried unanimously.

12) Set Next Meeting Date: Next meeting set for June 5, 2018 at 5:00pm.

13) Adjourn: Motion (Jung/Capper) to adjourn at 5:54pm. Motion carried unanimously.

*Dated: May 2, 2018*

*Prepared by: Mark Mommaerts, AICP, Planner*

 6/18/19

Craig Majewski, Secretary      Date  
Zoning Board of Appeals