

VILLAGE OF HUNTLEY
ZONING BOARD OF APPEALS PUBLIC HEARING
October 14, 2009
MINUTES

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CALL TO ORDER

Chairman Jack Tures called to order the meeting of the Zoning Board of Appeals of the Village of Huntley on Wednesday, October 14, 2009 at 7:00 p.m. at the Municipal Complex Village Board Room at 10987 Main St, Huntley, Illinois 60142. The room is handicap accessible.

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ATTENDANCE

MEMBERS PRESENT: Members Donald Bond, Lou Stanczak, Joe Manning, Lee Linnenkohl, and Chairman Jack Tures.

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MEMBERS ABSENT: Members Christopher Habel and Terri Martin.

ALSO PRESENT: Senior Planner Charles Nordman and Planner James Williams.

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APPROVAL OF MINUTES

A. Approval of the September 30, 2009 Planning Commission and Zoning Board of Appeals Joint Meeting Minutes

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Chairman Tures asked if there were any corrections to the minutes. There were none.

A MOTION was made to approve the September 30, 2009, Joint Planning Commission and Zoning Board of Appeals Meeting Minutes as presented

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MOVED: Member Bond
SECONDED: Member Manning
AYES: Members Donald Bond, Lou Stanczak, Joe Manning, Lee Linnenkohl and Chairman Jack Tures
NAYS: None
ABSTAIN: None
MOTION CARRIED 5:0:0

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40 PETITIONS

A. Petition No. 09-10.1 Steven Hall and Ellen Semon, 14052 Redmond Drive, Simplified Residential Zoning Variance for rear yard setback relief.

A public hearing was held in accordance with all applicable rules and regulations of the Village of Huntley and the State of Illinois.

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Chairman Tures asked that anyone wishing to be heard on this petition step forward to state their name and address for the record. The following people were sworn in, under oath:

- 5 1. James Williams Village of Huntley
 2. Steven Cohn 310 Era Dr., Northbrook, IL 60062

Planner James Williams outlined the petitioner's request.

10 The petitioners are requesting approval to encroach 5 feet into the required 20-foot rear yard setback to accommodate a screen room addition on the west side of an existing deck on the rear (north side) of the residential structure.

15 The petitioners are requesting relief from Village of Huntley Zoning Ordinance No. 97-07-24-01, (Annexation Agreement for Del Webb's Sun City) which stipulates Site Standards for Premier Single Family Lots. Specifically, the Site Standards require a 20-foot rear yard setback for Premier Lots.

20 The petitioners are requesting approval of five (5') feet in relief from the required 20 foot rear yard setback to allow a sunroom addition at the rear of their residence which backs up to an outlot/wetland adjacent to Neighborhood 25. The proposed 13'-4" x 8'-0" sunroom addition would enclose the west half of the deck which was built when the house was constructed in late 2006.

25 The petitioners cited insects and animals from the nature area to the rear of the residence and the shallow depth of their rear yard relative to neighboring lots as reason for requesting the setback relief. The house at 14052 Redmond is approximately 23' off the rear lot line, while the average rear yard depth for the four adjacent lots (the two to the east and the two to the west) is approximately 28.5 feet.

30 When evidence in a specific case shows conclusively that literal enforcement of any provision of the Zoning Ordinance would result in a practical difficulty or particular hardship because of unusual surroundings or condition of the property involved, or by reason of exceptional narrowness, shallowness or shape of a zoning lot, or because of
35 unique topography, underground conditions or other unusual circumstances, the Zoning Board of Appeals may recommend, and the Village Board may grant a variation to permit just enough relief from literal enforcement as will allow a reasonable use of the property.

40 Before recommending any variation the Zoning Board of Appeals shall first determine and record its findings that the evidence justifies conclusions that the proposed variation:

- Will not impair an adequate supply of light or air to adjacent property.
- Will not unreasonably diminish the values of adjacent property.
- Will not unreasonably increase congestion in the public streets or otherwise endanger
45 public safety.
- Is in harmony with the general purpose and intent of the Zoning Ordinance.

Request for Motion

5 A motion is requested of the Zoning Board of Appeals, by the petitioner, to recommend approval of Petition No. 09-10.1, Steven Hall and Ellen Semon, 14025 Redmond Drive, Simplified Residential Zoning Variation for five (5') feet relief from the 20' rear-yard setback requirement.

10 Staff recommends the following conditions be applied should the Zoning Board of Appeals forward a positive recommendation to the Village Board:

1. No building permits or Certificates of Occupancy are approved as part of the Simplified Residential Zoning Variation.

15 Steven Cohn, Paradise Rooms Vice President and petitioner's representative, addressed the Zoning Board of Appeals presenting a poster with photos of the rear of the subject residence and the deck, upon which the addition is proposed to be built.

20 Mr. Cohn referenced the petitioner's desire to have the additional "under-roof" space to avoid insects as well as animals emerging from the nature area adjacent to the rear of the property.

Chairman Tures asked if anyone had questions for the petitioner.

25 Member Bond confirmed that construction of the addition had not begun prior to the submittal of the request.

30 Mr. Cohn confirmed plans have been submitted to the Village's Building Department, but no construction has started.

Planner Williams stated the building addition plans have been reviewed and approved by the Building Department, but a permit has not been issued.

35 Chairman Tures asked if the deck had been built upon piers or a foundation.

Mr. Cohn stated the deck is built upon piers and plans include fortifying the structure to accommodate the greater load presented by the sun room addition.

40 Chairman Tures asked if there were any additional comments from audience members. There were none.

45 A MOTION was made to recommend approval of Petition No. 09-10.1, Steven Hall and Ellen Semon, 14025 Redmond Drive, Simplified Residential Zoning Variation for five (5') feet relief from the 20' rear-yard setback requirement, subject to the following condition:

