

**MINUTES
CITY OF WOODSTOCK
ZONING BOARD OF APPEALS
July 13, 2015
City Council Chambers**

A meeting of the City of Woodstock Zoning Board of Appeals was called to order at 7:00 PM by Chairman John Schuh on Monday, July 13, 2015 in the Council Chambers of Woodstock City Hall, 121 West Calhoun Street, Woodstock. A roll call was taken.

COMMISSION MEMBERS PRESENT: Timothy Huffar, Howard Rigsby Chairman John Schuh, Patrick Shea, Lawrence Winters

COMMISSION MEMBERS ABSENT: Richard Bellairs, Thomas Tierney

STAFF PRESENT: City Planner Nancy Baker

II. APPROVAL OF MINUTES:

Motion by T. Huffar, second by P. Shea, to approve the Minutes of the October 13, 2014 meeting of the Zoning Board of Appeals as presented. Ayes: P. Shea, L. Winters, T. Huffar, Chairman Schuh, T. Tierney. Nays: None. Absent: R. Bellairs, T. Tierney. Abstentions: None. Motion carried.

III. PUBLIC COMMENT:

There was no public comment.

IV. ELECTION OF VICE CHAIRMAN

Motion by T. Huffar, second by H. Rigsby to elect P. Shea as Vice-Chairman for the Zoning Board of Appeals. Ayes: P. Shea, L. Winters, T. Huffar, Chairman Schuh, T. Tierney. Nays: None. Absent: R. Bellairs, T. Tierney. Abstentions: None. Motion carried.

V. PUBLIC HEARING—

A. 129 E. South Street—Variation of rear yard setback for a shed

Chairman Schuh opened the public hearing for 129 E. South Street and swore in petitioner Michael Stanard, 1524 Hillside Drive, Woodstock. Mr. Stanard stated that his wife is the owner of the property and he is the tenant. The property was formerly a gas station. After acquiring the property and remodeling it for his design studio, he realized he needed storage space and had a shed constructed behind the building. The shed is 1.5 feet too close to the property line.

Chairman Schuh asked neighbors were notified and if he had received any negative comments. Mr. Stanard responded that neighbors were notified and that he has amicably worked out differences with his neighbor to the north. At Chairman Schuh's request, Mr. Standard said he email copies of his correspondence with the neighbor to be included in the file.

Chairman Schuh asked if there was anyone with comments or objections and noted that there was no objectors present.

T. Huffar asked if the shed is attached to the principal building. Mr. Standard confirmed that it is free-standing.

H. Rigsby if vehicles were able to drive through behind the building prior to construction of the shed. Mr. Standard stated that there is an existing driveway that is about 30 feet long but it terminates before the shed. H. Rigsby asked if the additional encroachment blocks anything. Mr. Standard stated that the shed does not block anything and that the dumpster belongs to the neighboring property. He further explained that the dumpster location initially caused confusion but he has resolved the location with his neighbor.

L. Winter asked when the shed was built. Mr. Stanard said it was approximately two years ago. L. Winter commented that without a variation, there are three options: tear it down, move it, or rebuild it. Mr. Standard explained that the present location was selected because it was the least visible and relocating the shed would be a much less attractive solution.

There being no further comments, Chairman Schuh closed the hearing and the Zoning Board completed the Findings of Fact. A copy of the Findings of Fact is attached to these minutes.

Motion by T. Huffar, second by H. Rigsby to approve the variation request as presented. Ayes: P. Shea, L. Winters, T. Huffar, Chairman Schuh, T. Tierney. Nays: None. Absent: R. Bellairs, T. Tierney. Abstentions: None. Motion carried.

B. 2241 Sweetwater Drive—Variation or rear yard setback to allow a screened porch.

Chairman Schuh called the meeting to order and swore in petitioners Robert and Cindy Ridley who reside at 2241 Sweetwater Drive.

Ms. Ridley explained that when they were looking for a home they liked the Sweetwater Subdivisions and one of the homes they looked had a screened porch. It was not until after they purchased what they hope will be their “forever home” that they realized there was a setback issue with the home they purchase. Their home was a former ranch model and occupies more of the lot than many homes in the subdivision.

Chairman Schuh asked if the pond behind them is a retention pond or a detention pond. Mr. Ridley stated it is a detention pond—there is always water in it.

P. Shea noted that there have been setback concerns in this subdivision before because of the small lot sizes. Ms. Ridley responded that they could actually build further out with a deck without needing a variation of the setback requirement.

L. Winters noted that there is no one behind them who will be impacted by the screened porch.

In response to a question regarding HOA requirements, Mr. Ridley said they have not contacted the HOA with specific plans but they plan to do so. N. Baker confirmed that the HOA is aware of the request based on a phone call she received from the Association president. The president did not offer an opinion regarding the request and was not present at the hearing.

Ms. Ridley provided Zoning Board with a photo of the design concept they have in mind.

Kathy Pemberton, 3116 Hidden Lakes Dr., was sworn in. Mrs. Pemberton testified that she was with her daughter when they looked at homes and that another home had a screened porch. She stated that her daughter and son in law had improved the home significantly since they purchased it and that the porch will be very attractive and a big home improvement.

There being no further comments, Chairman Schuh closed the hearing at 7:27. The Findings of Fact were completed by the Zoning Board of Appeals and are attached to these minutes.

Motion by H. Rigsby to approved the variation, second by L. Winters. Ayes: P. Shea, L. Winters, T. Huffar, Chairman Schuh, T. Tierney. Nays: None. Absent: R. Bellairs, T. Tierney. Abstentions: None. Motion carried.

ADJOURNMENT

Motion by L. Winters, second by H. Rigsby to adjourn the July 13, 2015 Zoning Board of Appeals meeting at 7:30 p.m. Ayes: P. Shea, L. Winters, T. Huffar, Chairman Schuh, T. Tierney. Nays: None. Absent: R. Bellairs, T. Tierney. Abstentions: None. Motion carried.

Respectfully Submitted,


Nancy Baker, City Planner