

City of Aurora
BOARD OF ZONING APPEALS
MEETING MINUTES
May 9, 2018

The Aurora Board of Zoning Appeals met in a regularly scheduled meeting on Wednesday, May 9, 2018, in Council Chambers of Aurora City Hall. The meeting was called to order at 6:28 p.m. by Jeff lammarino.

(Mr. Carr, who was appointed to a new term, was sworn in prior to the roll call).

ROLL CALL:

Present: Tom Carr
Tony Gramm
Jeff lammarino
Absent: Terese Fennell
Bernard McCarrell

Also Present: Matt Vazzana, Legal Advisor
Meredith Davis, Asst. Director,
Planning, Zoning & Building Division
Corinne Craine, Clerk

Mr. Vazzana swore in those in attendance who wished to speak this evening.

Mr. lammarino announced to the applicants that although there were only three members in attendance tonight, the Board had a quorum and, therefore, the meeting would proceed. He then pointed out that the variance request would require all three members voting in favor of it otherwise it would be denied. He explained that the applicants had the option to table their variance requests until the next meeting in June when more members would be present.

SUBMISSION OF SUPPLEMENTAL INFORMATION:

MOTION: To accept the resident letter as supplemental information for the property at 242 Harmon Road

Mr. Carr moved; Mr. Gramm seconded, and the motion carried, 3-0, on a roll call vote.
Yeas: Mr. Carr, Mr. Gramm, Mr. lammarino
Nays: None

APPROVAL OF MINUTES:

The meeting minutes of April 11, 2018, could not be approved because there were not enough members present who attended that meeting.

AGENDA ITEMS:

Mark Croy, 242 Harmon Road – Accessory Structure (1804006): Combined Accessory Structure Square Footage Variance

The property owner, Mark Croy, was present to discuss the application. He is proposing to build a 576 square foot detached garage behind his house at 242 Harmon Road, which is located in an R-3 residential district. He explained that the new garage would be considered a second accessory structure since a small 10' x 14' shed already exists on his property. When he submitted his permit application for the new garage, he found out that it exceeded the combined square footage limit for accessory structures. Because he needs the storage space of both structures, he is seeking a 140 square foot variance from Code Section 1153.05(b)(2) to allow the combined total square footage of 716. He pointed out that he already spoke to his surrounding neighbors and no one had a problem with the variance.

Mr. Iammarino confirmed that the members received letters in support of the variance request from the applicant's next door neighbors and there were no letters or comments from anyone who was opposed to it.

Mr. Carr asked about the location of the new garage. Mr. Croy stated that the garage would actually be located where the shed is now situated and the shed would be moved to the other side of the yard.

Mr. Iammarino asked for further questions or comments and there were none. The members then discussed the variance request among themselves.

Mr. Iammarino had visited the site and thought that the variance request was not substantial and would not adversely impact the character of the neighborhood. Mr. Carr agreed and noted that the surrounding neighbors were not opposed to it. Mr. Gramm believed that it would be beneficial in reducing clutter and improving the appearance of the neighborhood.

Mr. Vazzana presented resolution 2018-09 for the variance and the members voted on the request.

MOTION: To grant the variance request as submitted

Mr. Gramm moved; Mr. Carr seconded, and the motion carried, 3-0, on a roll call vote.
Yeas: Mr. Gramm, Mr. Carr, Mr. Iammarino
Nays: None

Ruth Frank, 1014 East Blvd. – Fence (1804007): Variances for (a) Fence Height and (b) Solid Fence Abutting Public Right-of-Way

The property owner's son, Wiley Frank, was present for the discussion. He explained that the property at 1014 East Blvd. is located at the corner of East Blvd. and Michigan Street and it has both a front and side yard abutting a public right-of-way. He is proposing to erect a 6-foot high

board-on-board fence in the front and side yards for privacy and pet containment. In order to install this type of fencing, he is requesting two variances from Code Section 1153.05(e)(2)(A)(2) which states that fences abutting a public right-of-way shall be no taller than 4 feet in height and shall be at least 50% air. Mr. Frank pointed out that the fence would be installed two feet within the side property line that runs along Michigan Street and thirty feet back from East Blvd. in order to comply with all setback and line of sight requirements.

Mr. Carr wanted clarification on the 50% air requirement. Ms. Davis explained that there could be line of sight safety issues relating to fencing abutting public right-of-ways, especially when corner lots are involved and that is the reason for the 50% air requirement. She noted that staff reviewed this application and did not feel that there were any line of sight issues present.

Mr. Iammarino asked for further comments and there were none. The members then discussed the variance requests among themselves.

Mr. Iammarino had visited the site and he did not have any issues with the variance requests. Mr. Gramm thought that the variances were not substantial and the fence would not affect the character of the area since there was similar fencing already in this neighborhood.

Mr. Vazzana presented resolution 2018-10 for the height variance and the members voted on the request.

MOTION: To grant the variance request as submitted

Mr. Gramm moved; Mr. Carr seconded, and the motion carried, 3-0, on a roll call vote.
Yeas: Mr. Gramm, Mr. Carr, Mr. Iammarino
Nays: None

Mr. Vazzana presented resolution 2018-11 for the solid fencing variance and the members voted on the request.

MOTION: To grant the variance request as submitted

Mr. Carr moved; Mr. Gramm seconded, and the motion carried, 3-0, on a roll call vote.
Yeas: Mr. Carr, Mr. Gramm, Mr. Iammarino
Nays: None

MISCELLANEOUS:

Ms. Davis announced that Mrs. Craine was retiring and this would be her last meeting with the Board of Zoning Appeals. The members congratulated her and wished her the best on her retirement.

ADJOURNMENT:

Mr. Gramm moved to adjourn at 6:44 p.m.; Mr. Carr seconded, and the motion carried on a unanimous voice vote.

Jeff lammarino, Chairman Pro Tem

Corinne Craine, Clerk