

Village of Germantown Hills Zoning Board of Appeals

January 15, 2019 Meeting with Public Hearing 6:00 p.m.

Vehicular Surfaces Proposed Amendments

2019-01

Call to Order/Roll Call-Don Schaffer called the meeting to order at 6:00 p.m.

ZBA Members	RC	1	2	3	4	5
Don Schaffer	P	Y	Y	Y	Y	Y
Randy Nash	P	Y	Y	Y	Y	Y
Joe Maier	A	-	-	-	-	-
Glen Riley	P	Y	Y	Y	Y	Y
Dan Mair	A	-	-	-	-	-
Justin Roberts	P	Y	Y	Y	Y	Y
Ron Schneider	P	Y	Y	Y	Y	Y

Don Schaffer noted the purpose of the meeting was to consider the following:

- 1) A request from Peter Nichols for a variance to the Village’s sign code as contained in Title 8, Chapter 3, Section 8-3-10, N, of the Village Code pertaining to the sign regulations for the property located at 511 Ten Mile Creek Road, Germantown Hills, Illinois. Dr. Nichols would like to increase the height of the sign of not more than forty percent (40%) of the maximum permitted under the applicable regulation.
- 2) Recommendation to the Village Board to consider proposed amendments to the Village of Germantown Hills Code regarding zoning regulations concerning screening requirements
- 3) Recommendation to the Village Board to consider proposed amendments to the Village of Germantown Hills Code regarding zoning regulations concerning the requirements for solar energy systems.

Anyone wishing to speak will be heard.

Dr. Peter Nichols and Dr. Christine Slagel were in attendance and were sworn in.

- 1) A request from Peter Nichols for a variance to the Village’s sign code as contained in Title 8, Chapter 3, Section 8-3-10, N, of the Village Code pertaining to the sign regulations for the property located at 511 Ten Mile Creek Road, Germantown Hills, Illinois. Dr. Nichols would like to increase the height of the sign of not more than forty percent (40%) of the maximum permitted under the applicable regulation.**

Dr. Nichols explained his need to update his signs and was planning on doing it prior to the Germantown Grille opening but thankfully had held off. When the Video World was next to him, he never had any problems with his ground sign being hit but since Germantown Grille moved into the building he has. Recently a delivery truck backed into his sign and did some damage to the sign. He asked the Grille to put up some parking blocks but they haven't put them up on the north side which would have helped the situation. Dr. Nichols explained the water detention area between their two lots. He is proposing to get a new sign and raise it up to keep it more visible to all the traffic in the area. He will also be doing some new landscaping to hopefully keep people from hitting the sign. The Zoning members mentioned the idea of including some type of pole as a barrier to keep the sign from being directly hit.

The Zoning Board may grant a variance to permit an increase in the height of a sign of not more than forty percent (40%) of the maximum permitted under the applicable regulation.

The Zoning Board of Appeals shall not vary the regulations of this chapter, as authorized in this section, unless it shall make findings based upon the evidence presented to it in each specific case that:

Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out;

Dr. Nichols noted his property is limited on space due to it being a flag lot. Because of the traffic and restricted visibility, the sign needs to be closer to the road.

The conditions upon which a petition for a variation is based are unique to the property for which the variance is sought and are not applicable, generally, to other property within the same zoning classification;

Dr. Nichols noted the unique situation with the configuration of the lots, parking and traffic.

The purpose of the variation is not based exclusively upon a desire to make more money out of the property;

Dr. Nichols stated the purpose is to give the sign more visibility in order to minimize future damage.

The alleged difficulty or hardship is caused by this chapter and has not been created by any persons presently having an interest in the property;

The hardship has been created by traffic and the other business and not Dr. Nichols himself.

The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and

There were no issues seen as being detrimental to the public or any other property.

The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public street, or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.

There were no issues seen.

A motion was made by Randy Nash to grant the variance to Dr. Nichols to increase the height of his ground sign of not more than forty percent (40%) of the maximum permitted under the applicable regulation. The motion was seconded by Ron Schneider.
Motion passed #1.

2) Recommendation to the Village Board to consider proposed amendments to the Village of Germantown Hills Code regarding zoning regulations concerning screening requirements

The ZBA reviewed the proposed draft of the screening ordinance recommended by the Planning Commission. Ann Sasso explained other communities' ordinances were utilized in order to create an ordinance to fit the needs of Germantown Hills. The Ordinance allows for a fence, garden wall, berm and plantings as combinations for the green space barrier between residential property and commercial and industrial property. Ann Sasso noted the Village code would address noise, lighting, erosion and stormwater concerns. The members questioned if a green space definition was needed and when there's a plantings and berm combination if both had to be 6 feet in height. The Clerk will confirm with the attorney.

A motion was made by Justin Robert to recommend to the Village Board the proposed amendments to the Village of Germantown Hills Code regarding zoning regulations concerning screening requirements. The motion was seconded by Randy Nash.
Motion passed #2.

3) Recommendation to the Village Board to consider proposed amendments to the Village of Germantown Hills Code regarding zoning regulations concerning the requirements for solar energy systems.

Ann Sasso explained the Planning Commission had recommended the proposed solar energy system draft to the ZBA. The ordinance was drafted using other community's ordinances along with an expert from a solar company and Marty Clinch was able to give input through the process as he has experience with solar systems.

The members recommended some typographical changes but overall had no other recommended changes. The ZBA questioned if wind energy should be considered.

A motion was made by Glen Riley to recommend to the Village Board the proposed amendments to the Village of Germantown Hills Code regarding zoning regulations concerning the requirements for solar energy systems. The motion was seconded by Randy Nash. **Motion passed #3.**

4) Minutes Approval-October 24, 2017-A motion was made by Randy Nash to approve the October 24, 2017 Zoning Board of Appeals minutes. The motion was seconded by Glen Riley. **Motion passed #4.**

A motion was made by Ron Schneider to adjourn the meeting at 7:12 p.m. The motion was seconded by Justin Roberts. **Motion passed #5.**

Ann Sasso, Village Clerk