

Village of Germantown Hills Zoning Board of Appeals

July 28, 2020 Meeting with Public Hearing 6:00 p.m.

Variance-James & Christine Sinclair

2020-01

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

ZBA Members	RC	1	2	3
Randy Nash	P	Y	Y	Y
Joe Maier	A	-	-	-
Glen Riley	P	Y	Y	Y
Dan Mair	P	Y	Y	Y
Justin Roberts	P	Y	Y	Y
Ron Schneider	A	-	-	-
Ed Rainville	P	Y	Y	Y

Randy Nash noted the purpose of the meeting was to consider the following:

A proposed variance to the Village's setback requirements for an accessory structure as contained in Title 9, Chapter 6A, Section 3 (f) of the Village Code pertaining to the zoning regulations for the property located at 906 Highland Court, Germantown Hills, Illinois.

Anyone wishing to speak will be heard. James and Christine Sinclair, 906 Highland Court were in attendance and were sworn in.

Christine Sinclair explained their property and the special conditions that they feel should allow the approval of a variance. They have a boat and extra vehicle they would like to be able to put inside a garage for storage. They feel building a nice garage will increase the property value. The Sinclair's presented their evidence on how they meet each condition.

Randy Nash explained that the Zoning Board of Appeals shall Grant a variance when it is determined in specific cases that there are practical difficulties or particular hardships in the way of carrying out the strict letter of any of the regulations and standards of this title. A variance from the terms of this title shall not be granted by the board unless and until:

a. That special conditions and circumstances exist which are peculiar to the land or structure involved which are not applicable to other lands or structures in the same district.

Christine Sinclair stated all the houses in the area have space for an additional garage but because of the configuration of their lot it is too narrow to use the side or rear yards.

Other homes have space to run a driveway to the side or rear of their properties but this property does not.

Randy Nash noted the odd shape of the lot and the two front yards. He asked if they considered attaching the garage to the house as this would be allowed as a part of the present code.

Christine noted they did but felt it would look strange on the lot and the neighbor is supportive of what they are proposing with the makeup of the lot.

Dan Mair stated he felt the evidence presented supports meeting this condition.

Randy Nash discussed the dimensions and layout of the proposal.

b. That the literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other lands or structures in the same district under the terms of this title.

Christine noted the majority of the neighbors have 3 car garages and they don't have to store things outside. She noted she is trying to be able to be a good neighbor and have things out of sight and out of the weather both for being unsightly and for the detriment to the boat.

Glen Riley noted concern of setting a precedent for the future.

Ann Sasso noted the lot is a unique configuration and also has two front yards but the Zoning Board needs to make sure the conditions are being met.

c. That the special conditions and circumstances do not result from the actions of the applicant.

The Sinclair's purchased the house March of 2019 and inherited the current configuration and didn't have input in the layout of the structures on the lot.

d. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands or structures in the same district.

No nonconforming use of neighboring lands or structures in the same district and no permitted use of land or structures in other districts shall be considered grounds for the issuance of a variance.

Christine noted the new garage would meet the code requirement of being 30 feet off the property lines and would be accessed via the present driveway.

The Zoning Board felt the unique configuration of the lot with the two front yards meets the conditions.

A motion was made by Dan Mair to approve the variance to the Village's setback requirements for an accessory structure as contained in Title 9, Chapter 6A, Section 3 (f) of the Village Code pertaining to the zoning regulations for the property located at

906 Highland Court, Germantown Hills, Illinois. The motion was seconded by Ed Rainville. **Motion passed #1.**

Minutes Approval-November 12, 2019-A motion was made by Glen Riley to approve the November 12, 2019 Zoning Board of Appeals minutes. The motion was seconded by Justin Roberts. **Motion passed #2.**

A motion was made by Justin Roberts to adjourn the meeting at 6:30 p.m. The motion was seconded by Dan Mair. **Motion passed #3.**

Ann Sasso, Village Clerk