

**VILLAGE of SUGAR GROVE
REGULAR MEETING of the
PLAN COMMISSION/ZONING BOARD of APPEALS
MINUTES of December 17, 2014**

1. **CALL TO ORDER**

The meeting of the Sugar Grove Plan Commission / Zoning Board of Appeals (ZBA) was called to order at 7:00 p.m. by Chairman Irv Ochsenschlager in the Village Hall Board meeting room.

2. **ROLL CALL**

Plan commission/ZBA members present:

Irv Ochsenschlager, Jim Eckert, Mary Heineman, John Guddendorf, Rebecca Sabo, Heidi Lendi, and Greg Wilson were in attendance.

Absent: None

Also present: Mike Ferencak, Village Planner and Walter Magdziarz, Community Development Director, Craig and Diane Zimmerman, and Jerry Janik, Welcomed new Commissioner Greg Wilson.

3. **PUBLIC HEARING**

a. Petition 14-016: 163 Meadows Court – Variances (Craig and Diane Zimmerman)

Chairman Ochsenschlager called the public hearing to order and swore in those who may testify.

Petitioner Presentation: Ferencak gave an overview on the request. This property is located in the Sugar Creek Subdivision. Two variances are being requested in relation to the addition to the house. The addition is for a three season room. The variances are to reduce the rear yard setback from the required 30' to 17.17' and the north side yard setback from the required 10' to 8.73'. The plat of survey, plan, and staff report are included in commissioners' packet. Staff did receive one phone call from a neighbor and responded. There is no staff recommendation due to the size and character of the addition into the neighborhood and that the request does not appear to satisfy the strict application of the standards required to approve a variance request.

Public Comments/Questions: Commissioners asked about the building being constructed without inspections or permit. **Magdziarz** explained that the application sat for over a month and the Building Inspector didn't initially realize it was for a three season room. It was issued as a deck only. It has since been built by the homeowner. **Commissioner Guddendorf** was concerned about the foundation and footing for size and proper support. **Magdziarz** explained that piers are an acceptable foundation. It was unknown as to whether the plans were approved by an architect. **Commissioners** felt that a precedent is being set by allowing them to go forward

without variances, permit and inspections. **Craig Zimmerman**, homeowner, stated that the piers were constructed with eight piers, 12” diameter, 42” deep and they were inspected as part of the deck permit. **Magdziarz** stated that the construction is not the subject of the variation and that construction will be handled administratively.

Chairman Ochenschlager closed the public hearing on petition 14-005.

4. **OLD BUSINESS**

None

5. **NEW BUSINESS**

a. **Petition 14-015: Janik’s Resubdivision – Final Plat (Jerry and Lori Janik)**

Petitioner Presentation: **Ferencak** gave an overview of the request. This is for 962 Pinecrest Drive and the adjacent vacant property, Lot 11. The request is to combine the two lots into one and eliminate the utility easements to allow for an addition to the home located at 962 Pinecrest Drive that would extend on to the current Lot 11. The plan for the addition will meet the setbacks so no variances will be requested. Staff is recommending approval of the plat and has no objections to the second drive way.

The top of foundation difference between the lots and the grading was discussed. The proposed addition will increase the square footage by an additional 3,000 sf. The Zoning Ordinance has no maximum on building square footage. There would be two garages and two driveways. It was also questioned whether the homeowners’ association was aware of this addition. **Jerry Janik** stated that they approved it. Staff is not aware of any utilities running between the lots and **Jerry Janik** confirmed this. Verbiage should be included on the plat of what is being vacated.

A motion was made by Commissioner Guddendorf and seconded by Commissioner Sabo to recommend approval of the preliminary and final plat of Janik’s Resubdivision.

The motion carried by unanimous voice vote.

b. **Petition 14-016: 163 Meadows Court – Variances (Craig and Diane Zimmerman)**

It was verified that the neighbor to the rear has a fenced yard. The sewer is not located in the rear yard. The only comment Craig Zimmerman has received from his neighbor to the rear is that it looks better than what was up there. No other public comments received.

A motion was made by Commissioner Heineman and seconded by Commissioner Eckert to recommend approval of the Variance to reduce the rear yard setback from the required 30 feet to 17.17 feet and the north side yard setback from the

required 10 feet to 8.73 feet for the proposed addition along with adopting the findings of fact on pages 3-5 of the staff report dated December 17, 2014.

The motion carried by unanimous voice vote.

6. PLAN COMMISSIONER COMMENTS, PROJECTS UPDATES and MISCELLANEOUS INFORMATION

Comprehensive Plan North Land Use Amendment was approved by the Village Board with the change of eliminating the northernmost areas from the plan.

ADJOURNMENT

A motion was made by Commissioner Sabo and seconded by Commissioner Wilson that the meeting be adjourned at 7:28 p.m.

The motion carried unanimously by voice vote.

Respectfully submitted,
Holly Baker
Substitute Recording Secretary