

**SUMMARY NOTES  
OF THE  
MEETING OF THE  
ZONING BOARD OF APPEALS  
TUESDAY, FEBRUARY 7, 2006  
VILLAGE OF NORTHFIELD**

On Tuesday, February 7, 2006, the Zoning Board of Appeals met at 7:15 p.m. in the first floor Council Chambers located at 361 Happ Road to consider three (3) issues.

**Members in Attendance:**

Margaret Parcels, Acting Chair  
Bert Getz, Jr.  
Philip Jones  
Adair Waldenberg

**Members Absent:**

Josh Buchman, Chairperson  
Leonard Blinderman  
J. Patrick Doherty

Others Present: Village Planner Linnea O'Neill, Administrative Secretary Chris Stanke and others. See attached sign-in sheet.

Acting Chairperson Margaret Parcels called the meeting to order at 7:15 p.m. by introducing the Zoning Board of Appeals members.

Acting Chairperson Parcels requested a motion on the consideration of the December 6, 2005, summary notes. A motion was made by Zoning Board of Appeals member Bert Getz, Jr., seconded by Acting Chairperson Margaret Parcels to approve the December 6, 2005, summary notes.

**The following vote was taken:**

**AYES: 2**

Margaret Parcels, Acting Chair  
Bert Getz, Jr.

**NAYS: 0**

**ABSTAIN: 2**

Adair Waldenberg  
Philip Jones

**ABSENT: 3**

Josh Buchman, Chair  
Leonard Blinderman  
J. Patrick Doherty

**Motion carried.**

1. **631 HAPP ROAD:** Continuation of a request for a variance from Appendix A – Article VII, Section 7-4, of the Village of Northfield's Code for a 7.00 foot variance from the required 10.00 feet resulting in a 3.00 foot North side yard setback to allow for a detached garage in the required side yard setback, submitted by Richard P. and Lynn M. Hawley.

Mr. and Mrs. Richard Hawley, petitioners, were present. Mr. Hawley submitted paperwork and pictures supporting their request for a north side yard variance to allow for a detached garage.

Mr. Hawley explained they would like to build a single car garage at the end of the existing driveway. The existing store shed would be removed and not be replaced. According to the paperwork Mr. Hawley submitted it showed if the garage were to be placed three feet from the lot line the total added impervious surface would be 176.6 square feet. If the garage were to be placed at the back of the property where no variance would be required the added impervious surface would then be 876.6 square feet.

Member Waldenberg felt after reading the minutes from the previous Zoning Board of Appeals meeting that Member Patrick Doherty was very much against this proposed variance and asked if any of the other members present at that meeting would be able to help explain why he was not in favor of the variance.

Acting Chairperson Parcels said that Member Doherty appeared to be concerned about the future value of the adjacent properties and future property owners.

Member Waldenberg stated that whoever would purchase the property next door, would purchase it knowing that the garage was that close to the property line and if they did not like it, then they would not buy it.

Member Getz said the discussion at the last meeting centered around two options. The first was in order to be in conformance, the garage would have to be placed all the way to the back of the property and moved over five feet. So there is a viable way to be in conformance and not need a variance. However, the additional impervious surface would be the problem because it did not make a lot of sense to add 876.6 square feet compared to 176.6 square feet. The second option was putting the garage in the front of the residence, however, it would certainly negatively impact the aesthetics of the property.

Member Getz said he has come to the conclusion that what the Hawley's are proposing for the location of the garage makes the most sense.

Member Getz asked if any neighbors were present.

Lourdes Link, 625 Happ Road, was present and said she not have any objections with the location of the proposed garage. Ms. Link is the neighbor directly to the south of the Hawley's.

Acting Chairperson Parcels felt that the proposed garage would not affect the appearance of the adjacent property owners.

Member Getz said he had a concern with water run off from the garage.

Mr. Hawley explained they plan to install a french drain and it will lead to their current drainage system to prevent any water run off to the neighbors property.

Member Waldenberg asked if there will be gutters and downspouts on the garage. She did not recall seeing them on the plans submitted.

Mr. Hawley said there will be gutters and downspouts installed on the proposed garage.

Member Jones asked how high the roof is going to be on the garage. Mr. Hawley said the garage is going to be 11 feet high. Member Jones asked if there was any way to put the garage behind the house and have it be a side load garage.

Member Getz said they did explore that issue at the last meeting and the problem with that is there would not be enough room for turn around. You need approximately 30 feet turning radius to get in and out. The garage would have to be placed all the way to the south of the property and, therefore, would probably be an impractical solution.

Member Jones asked if they are planning to keep and move the existing shed that is currently on the property. Mr. Hawley said they do not plan to keep the shed. The new garage will be in place of the existing garage.

Acting Chairperson Parcels asked if anyone else in the audience wished to speak.

Phoebe Raymond, 570 Oak Tree Lane, felt the proposed location for the garage is the best option for Northfield.

There being no further discussion, the following motion was made:

A motion was made by Zoning Board of Appeals Member Adair Waldenberg, seconded by Member Bert Getz, Jr. to approve the following:

- A) A 7.00 foot variance from the required 10.00 feet resulting in a 3.00 foot North side yard setback to allow for a detached garage in the required side yard setback located at 631 Happ Road consistent with the site plan and Architectural exhibits received October 31, 2005.**

**Subject to the following development conditions:**

- 1) An approval pursuant to any requested review by a Village consultant, staff member, Board or Commission shall be an approval of only those items specified in any motion, resolution, ordinance or written report. Under no circumstances shall such an approval be deemed to be the approval of any other matter by virtue of the fact that those other matters may appear on the supporting documents such as a site plan, engineering plan, or plat that was the subject of the review. Neither shall any such written approval be deemed to be an approval of any matter, which is within the jurisdiction of any other Village consultant, staff member, Board or Commission or any County, State or Federal Agency.**
- 2) The petitioner shall comply in all respects with the ordinances of the Village of Northfield and nothing in this variance shall be construed as a waiver of any of those requirements.**
- 3) Gutter and downspouts must be installed on new garage.**
- 4) A french drain must be installed on the property to prevent water run off to the neighbors property.**
- 5) This variation will be in effect until February 7, 2007.**

The following vote was taken:

**AYES: 4**

**Margaret Parcels, Acting Chair**

**Bert Getz, Jr.**

**Adair Waldenberg**

**Philip Jones**

**NAYS: 0**

**ABSTAIN: 0**

**ABSENT: 3**

**Josh Buchman, Chair**

**J. Patrick Doherty**

**Leonard Blinderman**

## **Motion carried**

2. **19 LONGMEADOW ROAD:** Consideration of a request for a variance from Appendix A – Article XVIII, Section 18-2, Paragraph F of the Village of Northfield's Code, from the requirement that an accessory structure be 60 feet from the front yard setback to allow an inground swimming pool to be 25'3" from the front lot line; submitted by John Wettersten.

Mr. John Wettersten, petitioner, was present and outlined their request for a variance for a front yard setback to allow an inground swimming pool. He explained his property has three front yards because he abuts Longmeadow Road on three sides. If they were to adhere to the current zoning regulations, the swimming pool would significantly affect a patio plus a wall surrounding the patio, landscaping and three sizable trees.

Mr. Wettersten added the road in question at the back of their property acts more like an alley since its only purpose is for garage access to 19 Longmeadow, 21 Longmeadow and house access to 24 Longmeadow. Each home sits on a minimum lot size of one acre.

Member Getz asked if Mr. Wettersten sent out notice to the surrounding property owners. Mr. Wettersten said he sent out notice to property owners within 250 feet.

Acting Chair Parcells asked if the neighbors at 21 and 24 Longmeadow had any comments or concerns with the variance. Mr. Wettersten said they had no concerns, but just wanted to be invited to the pool party.

Member Getz said the question that is relevant here is that the neighbors were given proper notice and they have the ability to attend this meeting if they were in support or against the variance.

Member Getz asked if there is a Village ordinance that requires property owners to have a fence around an inground pool. Mr. Wettersten said there has to be at least a four foot fence around the pool. They currently have a fence around the back yard that is four feet, but they also plan to install a fence around the pool.

There being no further discussion, the following motion was made:

A motion was made by Zoning Board of Appeals Member Bert Getz, Jr., seconded by Member Philip Jones to approve the following:

- A) A variance from the requirement that an accessory structure be 60 feet from the front yard setback to allow for an inground swimming pool to be 25'3" from the front lot line located at 19 Longmeadow Road consistent with the site plan and Architectural exhibits received January 3, 2006.**

**Subject to the following development conditions:**

- 1) An approval pursuant to any requested review by a Village consultant, staff member, Board or Commission shall be an approval of only those items specified in any motion, resolution, ordinance or written report. Under no circumstances shall such an approval be deemed to be the approval of any other matter by virtue of the fact that those other matters may appear on the supporting documents such as a site plan, engineering plan, or plat that was**

the subject of the review. Neither shall any such written approval be deemed to be an approval of any matter, which is within the jurisdiction of any other Village consultant, staff member, Board or Commission or any County, State or Federal Agency.

- 2) The petitioner shall comply in all respects with the ordinances of the Village of Northfield and nothing in this variance shall be construed as a waiver of any of those requirements.
- 3) This variation will be in effect until February 7, 2007.

The following vote was taken:

**AYES: 4**

Margaret Parcells, Acting Chair

Bert Getz, Jr.

Adair Waldenberg

Philip Jones

**NAYS: 0**

**ABSTAIN: 0**

**ABSENT: 3**

Josh Buchman, Chair

J. Patrick Doherty

Leonard Blinderman

**Motion carried**

3. **1735 HARDING ROAD:** Consideration of a request for a variance from Appendix A – Article VIII, Section 8-4, of the Village of Northfield’s Code, for a 9.58 foot variance from the required 30.00 feet resulting in a 20.42 foot west front yard setback to allow for a two story addition to the existing residence; submitted by William and Ellen Morrison.

Mr. and Mrs. William Morrison, petitioners, were present and Mr. Morrison outlined their request for a west front yard variance to allow for a two story addition to the existing residence. The purpose of the addition is to provide additional living space, most importantly bedrooms, for their growing family.

The property is considered to have two front yards. The driveway and front entrance face Harding Road which is to the south. An ingress and egress easement for Multicopy is at the west side of the property and this side is considered the second front yard and is where the variance is requested. Presently the existing house is encroaching into the west front yard setback and the Morrison’s are requesting the addition to follow the width dimensions of the existing house.

The Morrison’s purchased the property in October of 2003. The proposed addition is an 18 x 24 two story structure that would go straight off the back of the existing house. There is no reasonable alternative to the variance because without the variance, the buildable area of land would be too small to make any kind of addition possible. Mr. Morrison feels the proposed addition is in character with the other homes in the neighborhood.

Member Getz said he drove past the property and it appears this house is the last property before it goes to commercial. He asked if the driveway directly to the west is considered a road or is it considered a driveway. Linnea O’Neill, Village Planner, said it belongs to Multicopy and it is classified as a road even though it is more of a drive. It is a private road for Multicopy.

Linnea O’Neill added in 1994, the former owners of this property requested and received approval from the Zoning Board of Appeals for a 15’ front yard (west) setback to construct a

two story addition to the house. The former owners did not construct the addition and the variance has since expired.

Mr. Morrison said the neighbors are pleased with the proposed addition because the house is so small and has had so many different owners they would like to see them stay for a long time.

Member Getz asked if the Zoning Board of Appeals grants the variance, are the Morrison's prepared to go forward with the project. Mr. Morrison said they are all set to go forward. The construction plans have been submitted to the Building Department for review and are just waiting for final approval from Village staff.

Acting Chairperson Parcels asked if Multicopy had any comments regarding the addition. Mr. Morrison said they spoke to Multicopy and they have been very cooperative. The Morrison's have asked if they could use their road to bring in the back hoe, cement truck, etc. and Multicopy did not have a problem with it.

Member Jones asked how many bedrooms they currently have now. Mr. Morrison said they have two and they are going to add two bedrooms. But one of the current bedrooms is really small so it is going to be more like a hallway/sitting room. So they are really going from two bedrooms to three bedrooms.

Member Jones asked if the height and width of the proposed addition are going to match the existing residence. Mr. Morrison said the height and width will match exactly what is existing now.

There being no further discussion, the following motion was made:

A motion was made by Zoning Board of Appeals Member Adair Waldenberg, seconded by Member Philip Jones to approve the following:

- A) A 9.58 foot variance from the required 30.00 feet resulting in a 20.42 foot west front yard setback to allow for a two story addition to the existing residence located at 1735 Harding Road consistent with the site plan and Architectural exhibits received January 4, 2006.**

**Subject to the following development conditions:**

- 1) An approval pursuant to any requested review by a Village consultant, staff member, Board or Commission shall be an approval of only those items specified in any motion, resolution, ordinance or written report. Under no circumstances shall such an approval be deemed to be the approval of any other matter by virtue of the fact that those other matters may appear on the supporting documents such as a site plan, engineering plan, or plat that was the subject of the review. Neither shall any such written approval be deemed to be an approval of any matter, which is within the jurisdiction of any other Village consultant, staff member, Board or Commission or any County, State or Federal Agency.**
- 2) The petitioner shall comply in all respects with the ordinances of the Village of Northfield and nothing in this variance shall be construed as a waiver of any of those requirements.**

3) This variation will be in effect until February 7, 2007.

The following vote was taken:

**AYES: 4**

Margaret Parcells, Acting Chair

Bert Getz, Jr.

Adair Waldenberg

Philip Jones

**NAYS: 0**

**ABSTAIN: 0**

**ABSENT: 3**

Josh Buchman, Chair

J. Patrick Doherty

Leonard Blinderman

**Motion carried**

There being no further discussion, upon a motion duly made, seconded and passed the Zoning Board of Appeals adjourned their meeting at 8:00 p.m.

cs 2/16/06

***Approved 5/9/06***