

**SUMMARY NOTES
OF THE MEETING OF THE
ZONING BOARD OF APPEALS
WEDNESDAY, MARCH 4, 2020
VILLAGE OF NORTHFIELD**

On Wednesday, March 4, 2020, the Zoning Board of Appeals met at 7:00 p.m. in the Village Hall first floor Board Room located at 361 Happ Road to consider one (1) issue:

Members in Attendance:

Richard Crotty, Acting Chair
James Appel
Robert Hayward
Christine Geraghty

Members Absent:

Cheryl Charnas, Chairperson
J. Patrick Doherty
Bert Getz, Jr.

OTHERS PRESENT: Building Commissioner Ron Johnson, Trustee Todd Fowler and Trustee Charlie Orth.

Acting Chairperson Richard Crotty called the meeting to order at 7:00 p.m. by introducing the Zoning Board of Appeals members.

Acting Chairperson Crotty explained to the petitioner since there are only four out of the seven members present, they will need all four members to vote yes in order for the variance request to pass.

Acting Chairperson Crotty requested a motion on the consideration of the January 2, 2020, summary notes. A motion was made by Member Robert Hayward and seconded by Member Christine Geraghty to approve the January 2, 2020, summary notes.

The following vote was taken:

AYES: 4

Richard Crotty, Acting Chair
James Appel
Robert Hayward
Christine Geraghty

NAYS: 0

ABSTAIN: 0

ABSENT: 3

Cheryl Charnas, Chair
J. Patrick Doherty
Bert Getz, Jr.

Motion Carried

1. **230 LATROBE AVENUE** - Consideration of a request for the following variations from Appendix A of the Village of Northfield's Zoning Code:
 - A) Article VIII, Section 8.4 - A northwest front yard 4.40 foot variation from the required 30.00 feet resulting in a 25.60 foot northwest front yard setback; and
 - B) Article VIII, Section 8-4 - A northeast front yard 0.12 foot variation from the required 30.00 feet resulting in a 29.88 foot northeast front yard setback; and
 - C) Article VIII, Section 8-4 - A south side yard 0.51 foot variation from the required 7.00 feet resulting in a 6.49 foot south side yard setback;

- D) **Article XVIII, Section 18.2 – An east front yard 1.11 foot variation from the required 28 feet resulting in a 26.89 foot east front yard setback for the escape window well. There is a maximum two foot encroachment into any required yard for window wells**

To allow for the construction of a second floor addition over the existing single family residence.

Mr. Pawel Czerwiec, architect, was present and outlined the petitioner, Richard Mell, request for several variations to allow for the construction of a second floor addition over the existing single family residence.

Mr. Czerwiec explained the house will be completely remodeled to the current building and energy codes adopted by the Village. The water and electric service will be replaced with new. The first floor will have an open concept. The existing walls and beams will be removed. There will be a kitchen, dining, living and family room on the first floor. The first floor will also have a study or could be used as an additional bedroom. The proposed second floor will have a new master bedroom with a bathroom and two bedrooms with a hall bathroom. The existing basement will be remodeled with a new recreation room along with a bedroom, bathroom and mudroom. The bedroom will require a new escape window. The new escape window will be modified from the existing window. The proposed remodeling and addition to the existing single family residence will improve the value of the area and match the new style of the surrounding buildings.

Acting Chairperson Crotty said it is his understanding the property is legal nonconforming. The petitioner is simply building a second story and not increasing the foot print.

Mr. Czerwiec said that is correct. The main idea is to build a second floor over the first floor and the existing setbacks do not conform to the zoning requirements.

Member Appel asked only the window wells will bump out into the setback.

Building Commissioner Ron Johnson clarified only the new escape window well on the east side requires the variation. The code allows for a two foot encroachment. They need a one foot variation.

Mr. Czerwiec added there was no other option to provide the new escape window well. This was the only wall in the basement which could accommodate the new window well.

Member Appel asked if anything will be done regarding water and flooding in the area. Is there a plan for some kind of water proofing to prevent the flooding.

Mr. Czerwiec said they are installing new drain tile, a new sump pump system and ejector pump due to the new bathroom and mudroom in the basement.

Member Hayward confirmed the existing structure does not comply with the current setbacks. They are not looking to expand the setbacks at all.

Building Commissioner Ron Johnson answered that is correct.

Acting Chairperson Crotty asked if anyone in the audience wished to speak. No one wished to speak.

Member Appel said it would be a great improvement to the neighborhood and does not have any concerns.

Acting Chairperson Crotty agreed since he lives a block from the house. He asked if the house will be remodeled and sold or if they will live there.

Mr. Richard Nell said they plan to flip the house, however, depending upon the economy they may have to hold onto it and possibly rent it out for some time.

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

A motion was made by Zoning Board of Appeals Member James Appel, seconded by Christine Geraghty to approve the following:

1. **Consideration of a request for the following variations from Appendix A of the Village of Northfield's Zoning Code:**
 - A) **Article VIII, Section 8.4 - A northwest front yard 4.40 foot variation from the required 30.00 feet resulting in a 25.60 foot northwest front yard setback; and**
 - B) **Article VIII, Section 8-4 - A northeast front yard 0.12 foot variation from the required 30.00 feet resulting in a 29.88 foot northeast front yard setback; and**
 - C) **Article VIII, Section 8-4 – A south side yard 0.51 foot variation from the required 7.00 feet resulting in a 6.49 foot south side yard setback;**
 - D) **Article XVIII, Section 18.2 – An east front yard 1.11 foot variation from the required 28 feet resulting in a 26.89 foot east front yard setback for the escape window well. There is a maximum two foot encroachment into any required yard for window wells**

To allow for the construction of a second floor addition over the existing single family residence for the property located at 230 Latrobe Avenue consistent with the site plan and Architectural exhibits received on January 23, 2020.

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 March 4, 2021. Any variation granted hereunder for any purpose shall lapse and be of no further force and effect unless a building permit has been issued by the Village for such purpose within one year after the effective date of the variation.

The following vote was taken:

AYES: 4

Richard Crotty, Acting Chair
James Appel
Robert Hayward
Christine Geraghty

NAYS: 0

ABSTAIN: 0

ABSENT: 3

Cheryl Charnas, Chair
J. Patrick Doherty
Bert Getz, Jr.

Motion Carried

There being no further discussion, a motion was made by Member James Appel and seconded by Member Robert Hayward, the Zoning Board of Appeals adjourned their meeting at 7:10 p.m.

Approved 9/2/20