

# **APPROVED MINUTES FOR THE VILLAGE OF SHOREWOOD HILLS ZONING BOARD OF APPEALS**

**Date and Time:** Thursday, February 17, 2022

**Location:** Virtual via Zoom

**Call to Order** – The meeting was called to order at 5:01 pm. by Chairperson Gary Johnson.

**Members present:** Gary Johnson, Jane Hamblen, Gard Strother, John Clancy and Dietmar Bassuner were present.

**Others present:** Village Administrator Sharon Eveland, Village Engineer Brian Berquist, Burt & Dale Kushner, Meri Tepper (ZBA Alternate) and Administrative Services Manager David Sykes.

**Note compliance with open meeting law** – Ms. Eveland confirmed the meeting was properly noticed.

**Process and Procedures Orientation** – Chair Johnson provided a detailed review of the process and procedures the Board uses when it considers appeals.

## **Request to allow a screened porch to encroach 8’ into the 25’ rear yard setback for property at 3416 Blackhawk Drive**

Ms. Eveland explained the reason for the variance. Mr. Berquist showed graphics of the shape and location of the proposed screened porch. The encroachment is a triangular-ish shape that ranges from ~1’ to 8’ from east to west.

He explained the zoning code typically allows a 24” overhang into the setback but since the existing deck is already encroaching into the setback, the Zoning Board can decide if the new screened in porch is allowed. Past history has considered with the bulk of the structure and not considered the overhang.

Mr. & Mrs. Kushner explained the reason for the variance requests. They have discussed the project with all the neighbors and all support it. It is an odd shaped lot near the intersection of Sunset and Blackhawk Drives. The deck was replaced 25 years ago in the same spot as when they bought the house in 1974. It is in disrepair and needs to be replaced. The proposed screened in porch is almost in the same location as the existing deck. The existing trellises are at the same height of the proposed porch. The rear yard is lined with arbor vitae that screen the lot from other neighbors, so there will be no impact on sight lines. They indicated that the rear yard neighbors (Kinney) received a variance for an addition several years ago, that is closer to the rear lot line than the proposed screened in porch. They supported the variance at that time.

**Public Comment:** There were no members of the public present.

## **Questions from the Board members:**

Ms. Hamblen asked about the footprint of the proposed porch. Mr. Kushner said the west end of the porch will be 1’ closer to the rear lot line as the existing deck.

Mr. Clancy asked if the 1' could be trimmed from the proposed porch. Mr. Kushner said the existing deck is a little smaller than the way the hope to use the screened in porch with respect to furniture spacing.

Mr. Bassuner asked if they evaluated other options. Mr. Kushner indicated a porch added to any other side of the home would require major interior remodeling. The size of the proposed porch is as small as they feel is functional.

Ms. Eveland suggested, since the homeowners have eliminated the second exit on the west side of the porch, they could consider reducing the width of the deck and line it up with the home. It would reduce the amount of encroachment on the east side of the deck due to the slanted lot line. Mr. Bassuner cautioned that Ms. Eveland's suggestion may have architectural difficulties that haven't been taken into consideration.

After a discussion, the Zoning Board decided, by consensus, to postpone its decision to gather additional information regarding the possible reduction of the width of the proposed porch.

The Zoning Board of Appeals will reconvene at the request of the applicants.

The meeting was then adjourned at 6:12 pm.

Respectfully submitted,

David Sykes  
Administrative Services Manager/Deputy Clerk