

DRAFT MINUTES FOR THE VILLAGE OF SHOREWOOD HILLS ZONING BOARD OF APPEALS

Date and Time: Monday, January 9, 2023 – 5:30 P.M.

Location: Virtual Meeting via Zoom

Call to order – The meeting was called to order at 5:32 pm by Chairperson Gary Johnson.

Members present: Mr. Johnson, Gard Strother, Dietmar Bassuner, John Clancy and Meri Tepper.

Others present: Tim McCulloch, Brian Berquist of Town & Country Engineering, Administrator Sharon Eveland and Administrative Services Coordinator David Sykes.

Approval of July 21, 2022 meeting minutes: Mr. Bassuner moved and Mr. Johnson seconded a motion to approve the previous meeting minutes with a minor spelling correction.

Vote: 5-0 (approved).

Process and Procedures Orientation: Mr. Johnson explained the purpose of the Zoning Board of Appeals and the process that will be used to consider the requests submitted.

Request for a variance to exceed the fence height limitation of 4’ by 2.5” along the rear lot line adjacent to 3433 Sunset Drive

Mr. Johnson called the public hearing to order at 5:40 pm.

Mr. McCulloch explained that he would like to replace an existing fence in disrepair to the approximate height of the previous fence to obscure and old chain link fence and sheds that are also in disrepair. He added that the fence was designed to separate neighboring dogs that interact and tend to bark a lot. The lots around this property are large and the new fence should not impact the views of neighbors.

Ms. Eveland explained that an administrative review determined the only variance needed was a height variance to go above 4’ for the section of fence adjacent to the property at 3433 Sunset Drive. The rest of the fence plan can be approved administratively with written consent of the other adjacent property owners.

The Board members asked Mr. McCulloch some specific questions about the fence design and discussed alternative options that may meet the requirements of the Zoning code.

The public hearing was closed at 6:18 pm.

Mr. Bassuner moved and Ms. Tepper seconded a motion to deny the zoning appeal as presented.

Vote: 4-1 (Mr. Bassuner voting no). The variance request was denied.

Discussion of Village Code 10-1-103 Fences and possible recommendation to the Plan Commission for revision

By consensus, the Board decided it would be appropriate to discuss possible recommendations to revise this section of the Village Zoning Code at its next regularly scheduled meeting (February 16, 2023).

Mr. Johnson announced that he will be resigning from the ZBA before the summer and a new chair of the Board will need to be appointed.

Next meeting date: The Zoning Board of Appeals will meet next on Thursday, February 16, 2023 at 5:30 pm to discuss Section 10-1-103 of the Zoning Code.

Adjourn – The meeting was adjourned at 6:27 pm.

Respectfully submitted,

David Sykes
Administrative Services Coordinator

DRAFT

SEC. 10-1-103 FENCES.

- (a) No person shall erect a fence in the Village of Shorewood Hills unless a permit shall first be obtained by the owner of the premises on which said fence is to be located or his duly authorized agent from the Building Commissioner. Upon request, any applicant for such a permit shall provide the Building Commissioner, at his request, with a site plan of the property on which said fence is to be constructed showing the proposed location thereon, together with sufficient diagrams to illustrate the construction of any such fence and its height in relation to existing grade levels. Each permit shall be void if construction thereunder is not commenced within sixty (60) days after issuance.
- (b) Height and Location in Residence Districts.
- (1) Fences to be erected within the setback, side yard or rear yard areas required to be maintained on any lot shall permit the passage of light and air through forty percent (40%) of each square foot of lateral area and shall not exceed four (4) feet in height above the existing grade level at the time of application for a permit for the construction thereon.
- (2) Solid fences of a screening variety and not located within the side yard or rear yard setback of any lot may be installed to a maximum height of five (5) feet above the natural grade level of the premises on which the same are to be constructed at the time of application for a permit. Solid fences of a screening variety may be installed within side yard or rear yard areas to a maximum height of five (5) feet above the average natural grade level of the premises on which the same are to be constructed and the closest adjoining premises after first obtaining and filing the written approval and consent of the owner of any property immediately adjoining that portion of the premises upon which said fence shall be located. No solid fence of a screening variety may be installed under any circumstances within the required front yard setback.
- (c) Prohibited Fences. No fence shall be constructed which is of a dangerous condition or design, or which conducts electricity or is designed to electrically shock or which uses barbed wire.
- (d) Fences to be Repaired. All fences shall be maintained and kept safe and in a state of good repair, and the finished side or decorative side of a fence shall face adjoining property.
- (e) Temporary Fences. Fences erected for the protection of planting or to warn of construction hazard, or for similar purposes, shall be clearly visible or marked with colored streamers or other such warning devices at four (4) foot intervals. Such fences shall comply with the setback requirements set forth in this Section. The issuance of a permit shall not be necessary for temporary fences.