



MINUTES OF THE ZONING BOARD OF APPEALS

VILLAGE OF TINLEY PARK,
COOK AND WILL COUNTIES, ILLINOIS

HELD AUGUST 8, 2013

The regular meeting of the Zoning Board of Appeals was held in the Council Chambers of Village Hall on August 8, 2013 at 7:30 p.m.

ROLL CALL

Present and responding to roll call were the following:

Zoning Board Chair:	Sam Cardella
Zoning Board Members:	Michael Krause Dave Samuelson Patrick Conway Tom Hanna Jerry Radecky Ed Barta
Absent Zoning Board Members:	None
Zoning Board Secretary:	Reem Hamden
Village Staff:	Amy Connolly, Planning Director Stephanie Kisler, Planner I Ron Bruning, Zoning Administrator Gregory Hannon, Village Trustee

CALL TO ORDER

Chairman Cardella called to the meeting to order at 7:32 p.m.

APPROVAL OF MINUTES

Minutes of the June 13, 2013 Zoning Board of Appeals Meeting were presented for approval. A motion was made by BOARD MEMBER CONWAY, and seconded by BOARD MEMBER KRAUSE to approve the minutes of June 13, 2013 as presented.

AYE: Board Members Michael Krause, Dave Samuelson, Patrick Conway, Tom Hanna, Jerry Radecky, Ed Barta, and Chairman Sam Cardella

NAY: None

ABSENT: None

THE MOTION WAS APPROVED UNANIMOUSLY by roll call; CHAIRMAN CARDELLA declared the motion approved.

TO: THE VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: THE VILLAGE OF TINLEY PARK ZONING BOARD OF APPEALS
SUBJECT: THE MINUTES OF THE AUGUST 8, 2013 MEETING
ITEM #1: PUBLIC HEARING: THOMAS MANZKE – 17115 ORIOLE AVENUE – VARIATION FOR A REDUCTION IN HOUSE SIZE
**GUESTS: JERRY MURPHY, MALLOW HOME BUILDERS
DEAN PETTIT, 17125 ORIOLE AVENUE, TINLEY PARK, ILLINOIS**

A Public Hearing was held on August 8, 2013 by the Zoning Board of Appeals to consider recommending that the Village Board grant the following variation from Section V.C.2 (Usable Floor Area Per Dwelling) to allow for construction of a two thousand one hundred- (2,100) square-foot, two-story, single-family home, where the minimum allowable house size is three thousand five hundred- (3,500) square feet, in the R1 Single-Family Zoning District.

Chairman Cardella administered the Oath to the Petitioner and guest and confirmed with Amy Connolly that the Public Notice had been sent to the surrounding neighbors, published, and verified.

Present and responding to roll call were the following:

Zoning Board Chair:	Sam Cardella
Zoning Board Members:	Michael Krause Dave Samuelson Patrick Conway Tom Hanna Jerry Radecky Ed Barta
Absent Zoning Board Members:	None
Zoning Board Secretary:	Reem Hamden
Village Staff:	Amy Connolly, Planning Director Stephanie Kisler, Planner Ron Bruning, Zoning Administrator Gregory Hannon, Village Trustee

DISCUSSION:

CARDELLA: Would the Petitioner please stand? Do you represent the Petitioner?

MURPHY: Yes.

CARDELLA: Would you please state your name for the record?

MURPHY: Jerry Murphy with Mallow Home Builders.

CARDELLA: You can speak for the Petitioner, correct?

MURPHY: Correct. Mr. Manzke and I have entered into a joint venture on this property to construct the home.

CARDELLA: Before we start with the Board Members, would you be willing to raise the square footage from what you are asking for?

MURPHY: Possibly.

CARDELLA: To what?

MURPHY: Let me backtrack. The house we're going to build is actually a model I built in Manhattan. It's a nice house. I believe we already have a buyer for this home. We're going to meet tomorrow morning based on how this meeting goes tonight. I could probably raise it to two thousand three hundred (2,300) to two thousand four hundred- (2,400) square feet. The bigger the house gets, the more expensive it gets. The family that is interested currently lives in an older home in Tinley Park.

CARDELLA: Please clarify this for me. You don't have a buyer for this house?

MURPHY: I do.

CARDELLA: Okay.

MURPHY: Possibly; however, if I have to build a three thousand five hundred- (3,500) square-foot house, then probably not.

CARDELLA: I see where you are coming from. So, you possibly have a buyer?

MURPHY: Yes.

BARTA: I noticed all the homes in the area are way under two thousand one hundred- (2,100) square feet. It's going to be a two-story home?

MURPHY: That's correct.

CONWAY: I don't have any questions for Mr. Murphy. I want to address this document prepared by Staff—Exhibit A—which gives the Board Members the semantics of the square footage of the houses in the surrounding area. I drive through the area, so I am familiar with the subdivision. The request to me is in line with the existing properties that are already built in that subdivision. I don't have any questions.

HANNA: I agree with Ed and Sam. All the houses seem to be under the two thousand one hundred- (2,100) square-foot range. This document—Exhibit A—verifies that most of the houses are well under two thousand one hundred- (2,100) square feet.

CARDELLA: There are three or four that are over that.

HANNA: Yes, but not by much. The largest one would be three thousand- (3,000) square feet; after that, two thousand seven hundred- (2,700) square feet. It's very close to what the property is.

SAMUELSON: The house directly behind you is over three thousand- (3,000) square feet. I'm not familiar with when some of the houses were built. I'm sure awhile ago, especially your two immediate neighbors; the one that's one thousand seven hundred (1,700) to the north and one thousand one hundred sixty (1,160) to the south. I would be thinking something more in line would be about two thousand five hundred- (2,500) square feet, which would be the R3 Zoning District which is one thousand- (1,000) square feet less than the three thousand five hundred- (3,500) requirement. You only have to build it up four hundred- (400) square feet to get to that particular point. Again, it's an interior lot; it's not as if it's a corner lot where you will be losing a lot of area on having two front yard setbacks. You only have the single front yard setback. From what I can tell by driving through that area of the neighborhood, you have one of the last vacant lots in the neighborhood. This may be the last chance to get the housing size up. As other people move, they may be looking at the newer homes and the sizes built in that particular area. They may do an add-on or a tear-down and rebuild that house depending on the housing market. You have the knowledge of what that market is.

Most things I read in the findings of fact relate to the cost of the property. As the Zoning Board, we can't consider cost as our main consideration. Obviously, it's a very real world consideration. You'd like to sell the house, and it feels good to have something built on that piece of property. I would suggest, from my standpoint, that you would consider the two thousand five hundred- (2,500) square feet.

RADECKY: I was involved in the rezoning of this area. The reason we zoned it to R1 was the fact that these lots are huge. We anticipated that most of the older homes that are in the area were going to be upgraded or torn down and rebuilt. I think by reducing it down to two thousand one hundred- (2,100) square feet takes the character away from the neighborhood. You have a house behind you that's three thousand- (3,000) square feet. You have a house at 17133 Oriole that is two thousand seven hundred- (2,700) square feet. You have another one that is at 17140 Oleander that is two thousand one hundred forty-five- (2,145) square feet. I see this area as up and coming in the future. These older homes that are in there, there is a possibility that they will be torn down and bigger homes put in. I can compromise a little bit, but not a lot. I would be looking somewhere around two thousand eight hundred- (2,800) square feet. You are a builder and are out there to make a profit. I can understand that. You have to understand what our codes are. When we set the codes, we try to stay with them.

KRAUSE: I agree with Board Member Radecky. I know that area well. They are all large lots with smaller homes and everyone is blowing them out now. They are all expanding and modernizing. It's upgrading the whole area. I'm sticking with the code that we have, personally. I will agree a little bit if you went to R3 at two thousand five hundred- (2,500) square feet. That is the trend in that area.

CARDELLA: Would Staff please make their presentation?

CONNOLLY: The lot does meet the minimum lot size in the R1 Zoning District. It's a twenty thousand- (20,000) square-foot lot, so it's a large lot by Village standards. It is zoned R1. The zoning was changed in 2003 for the purposes of creating minimum house sizes in each residential zoning district. I wasn't here at the time, but reading through the memos, the Village was concerned about the size of the houses on the west side of town and attempting to make sure the housing sizes increased and in value. I do want to refer to the diagram, the house sizes do seem to come in at the average one

thousand five hundred- (1,500) square feet with the lowest being eight hundred sixty-four (864) square feet, and the largest being three thousand- (3,000) square feet.

We do note that sometimes inconsistencies do occur between the zoning of the district and the housing sizes of the area. Staff doesn't necessarily want to dictate what size to consider, we do think it would be time to look at the zoning in the area and determine if a new zoning district should be created that correlated more closely with the existing house sizes or made relative recommendations for that. It wouldn't be a bad thing to look at it again if we feel a need for a variation occurs here. We note that it may be difficult, but not impossible to build a three thousand five hundred- (3,500) square-foot home in this neighborhood and in this lot since this will be a two-story house. The useable floor sizes will go between two different stories.

We would urge you to look at the surrounding area and if a practical difficulty exists, that practical difficulty is with the character of the area and that is a good argument to take a look at.

CARDELLA: Is there anyone else that cares to speak on this?

PETTIT: I'd like to speak.

CARDELLA: Identify yourself for the record.

PETTIT: Dean Pettit, 17125 Oriole. I have been in that subdivision since 1957. Some of these and just about everyone on this page started out between eight hundred- (800) and one thousand- (1,000) square feet. I think that this one you are talking about at three thousand thirty-three- (3,033) square feet was built on to at about five different times. It started with about the same thing, around eight hundred- (800) square feet. All the rest of that has been added on to it throughout the years. Almost all these homes have been added to over the years. I think that three thousand five hundred (3,500) is way out of whack for the neighborhood. Every one of them, except the one that I know of, was built later. All the rest of them started out around eight hundred- (800) to one thousand- (1,000) square feet. I was back in this subdivision since 1957. This one here is going to be right beside me. The only problem I can see is drainage for this man.

CARDELLA: Thank you very much for your time. Mr. Murphy, before I bring this Commission to vote, would you care to change your square footage? Do you care to up it or go down to two thousand one hundred- (2,100) square feet? It's your choice.

MURPHY: I would consider going to the two thousand five hundred- (2,500) square feet like some of the Trustees have said to make it more compatible with R3 zoning. I believe it I can easily change this plan to add a few hundred square feet. I think the way it's drawn now is actually two thousand one hundred ninety-nine- (2,199) square feet, so it wouldn't be hard to add on two hundred- (200) square feet.

CARDELLA: So you are willing to go to two thousand five hundred- (2,500) square feet?

MURPHY: Yes.

CARDELLA: Ok, I ask the Zoning Board that we will now vote not on two thousand one hundred- (2,100) square feet, but we will vote on two thousand five hundred- (2,500) square feet. Please have that changed for the record. At this time, I will entertain a motion.

MOTION WAS MADE BY BOARD MEMBER SAMUELSON: Consider adopting findings of fact as discussed at this meeting and recommend that the Village Board grant the Petitioner a variation from Section V.C.2 (Usable Floor Area Per Dwelling) to allow for construction of a two thousand five hundred- (2,500) square-foot, two-story, single-family home where the minimum allowable house size is three thousand five hundred- (3,500) square feet in the R1 Single-Family Zoning District.

The motion was seconded by BOARD MEMBER HANNA.

AYE: Board Members Michael Krause, Dave Samuelson, Patrick Conway, Tom Hanna, and Ed Barta, and Chairman Sam Cardella

NAY: Jerry Radecky

ABSENT: None

RADECKY: The reason I vote no was because I am sticking with the R1 until we can make some decision that the zoning in that area has to be changed.

THE MOTION WAS APPROVED by roll call; CHAIRMAN CARDELLA declared the motion approved.

A motion is needed to close Public Hearing #1 at 7:50 p.m.

Motion to close Public Hearing was made by BOARD MEMBER BARTA.

Motion SECONDED by BOARD MEMBER KRAUSE.

THE MOTION WAS APPROVED UNANIMOUSLY by roll call; CHAIRMAN CARDELLA declared the motion approved.

TO: THE VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: THE VILLAGE OF TINLEY PARK ZONING BOARD OF APPEALS

SUBJECT: THE MINUTES OF THE AUGUST 8, 2013 MEETING

ITEM #2: PUBLIC HEARING: JEFFERY L. PLUDE, JR. – 6501 WEST 177TH STREET – VARIATION FOR A FRONT YARD ENCROACHMENT ON A CORNER LOT FOR A FENCE

**GUESTS: JEFFERY L. PLUDE, JR., 6501 WEST 177TH STREET
TOM BERTRAM, 6535 WEST 177TH STREET**

A Public Hearing was held on August 8, 2013 by the Zoning Board of Appeals to consider recommending that the Village Board grant the following to variation from Section III.H.1 (Permitted Encroachments in Required Yards) to allow a twenty-two- (22) placed three (3) foot encroachment into a required twenty-five- (25) foot front yard setback to allow for a six- (6) foot vinyl fence to be feet from the front property line.

Chairman Cardella administered the Oath to the Petitioner Jeffery L. Plude, Jr. and guest and confirmed with Amy Connolly that the Public Notice had been sent to the surrounding neighbors, published, and verified.

Present and responding to roll call were the following:

Zoning Board Chair:	Sam Cardella
Zoning Board Members:	Michael Krause Dave Samuelson Patrick Conway Tom Hanna Jerry Radecky Ed Barta
Absent Zoning Board Members:	None
Zoning Board Secretary:	Reem Hamden
Village Staff:	Amy Connolly, Planning Director Stephanie Kisler, Planner I Ron Bruning, Zoning Administrator Gregory Hannon, Village Trustee

DISCUSSION:

CARDELLA: Would you please explain to the Zoning Board Members what your hardship for this case is?

PLUDE: I applied for a fence permit. As you can tell, I live on a corner lot with two front yard setbacks. My neighbor to the west has a fence that goes out twenty-two- (22) feet (indicating to an image). When I applied for the permit, I was told I could not encroach into a front yard setback. Looking at the overall neighborhood, not only does my neighbor to the west have a fence, but my two neighbors to the east have a fence.

CARDELLA: So you are saying that your neighbors to the east and west have fences?

PLUDE: It's the neighbors on the other side of 65th Avenue. My neighbor to the west of me, 65th Avenue, and then there are two other neighbors' houses that are laid out the same way. They both have the same fence setback that I am requesting. The neighbor at 6437 177th Street was granted a variance in 1993 for the same reason that I stand before you today. Right now, I am trying to fence in the west side of my property from the back of my house to the property line which is ten (10) feet. The usable space I have is on the west side and the east side of the house. I have reconsidered rearranging my plan to meet the code, but my yard will be fifty (50) percent smaller compared to neighboring properties. Not only do I have the three houses on 177th Street that are set up the same way, there are also three houses on 179th that are set up the same exact way as well. Two of those houses were granted variances in 1994 and the other in 1978. Overall, looking at the neighborhood, I am trying to keep a consistent look from my property to the other corner lots within the neighborhood.

CARDELLA: Would Staff care to speak on this?

CONNOLLY: We did a thorough Staff review. The Petitioner is asking to put a six- (6) foot fence in his front yard. As you all know, we changed the text of the ordinance about three years ago. Instead of accessory structures having certain setbacks, we now changed it to say that fences would be encroachments into required yards. The way that the code currently reads is that fences are not permitted in the front yard. That was always the intent of the Ordinance even before we changed it. We just changed the wording from a fence setback to being an encroachment.

As I put in the Staff report, there's a table in the Zoning Ordinance. There is no permitted or "P" in the column that talks about front yard fences. Staff has properly interpreted this. As you know, we deal with people at the counter many times a day who come in and want fences in various places in their yard. When someone wants a front yard fence, the typical answer is no, you cannot have a front yard fence. We've held that up for many years. I know many of you have had experience with that as well.

This is a very unique case because Mr. Plude has a neighbor who has a front yard fence. Of course he'd want to petition to ask for the same thing. Staff's position on that is just because a variation was given in the past, the Zoning Board of Appeals is not held to granting everybody a variation. You are defined to the unique facts of this case and make a determination if you feel a variation should be granted. I put in your packet a table that lists the addresses that Mr. Plude has put in his petition and as to whether or not they were permitted to have the fences in the front yard or if they did it without a permit. If they did it without a permit, we consider that to be an illegal non-conforming fence. If they did it with a permit or variation, then we consider that to be legal non-conforming fence.

Mr. Plude is here today to ask for the front yard fence. I think there will be some discussion of whether or not the neighbor has it. As I mentioned before, we need to find some practical difficulty or hardship related to this unique case and make sure if we grant a variation for this fence, it would not be available to other people in the same area. In this neighborhood, there are many houses on corner lots that don't have a backyard. That's pretty common in this subdivision. There are many houses in this neighborhood that don't have front yard fences and are in the same situation as Mr. Plude, so if we grant

Mr. Plude a variation, we would need to look at the need to grant everybody in the same exact situation a variation as well. As we are doing this tonight, I would ask you to look at the case and find the practical difficulties that are very unique to this case and make some findings of fact related to those issues.

We took some pictures of the property (indicating to an image). This is his backyard with an estimation of where the property line is. It's pretty close. You can see the extent of his backyard. You can see the situation as it exists today from across the street. This is his side yard as it exists today. This is the area that Mr. Plude is proposing to enclose. The situation for Staff is that we have to tell people every day that they can't have front yard fences. If we grant front yard fences to people and we tell them it's not permitted, it makes it very hard to come up with a reason why everybody shouldn't be granted a front yard fence. I want to ask your consideration for that as Staff is working to administer the Zoning Ordinance. I'd also let you know that normally if somebody wants to come forward for a variation when something is prohibited, we don't have to offer an opportunity for a variation. As I mentioned in my Staff report, it doesn't say in the Zoning Ordinance that front yard fences are explicitly prohibited. It says it's not permitted. Because the language was not as clear as prohibited, we decided to allow Mr. Plude to come before you and petition for a variation. If it actually said prohibited in code, we would have told him he couldn't come for a variation, because the code explicitly prohibited it and his only means of appealing it would be through a text amendment.

RADECKY: I commend the Petitioner taking the time to take all these pictures. Looking at these pictures, I can tell you right now about seventy-five (75) percent of them are fences that were put in many years ago prior to us adopting the new regulation as far as coming out ten (10) feet from the house. I can understand your plight, but the fact is that we had made some recommendations about these fences. Would you consider instead of coming out all the way from the sidewalk, coming out twelve (12) feet from the house?

PLUDE: Possibly. Possibly, yes.

RADECKY: The problem is that we've got homes still there that don't have fences. There is a precedence set there right now from years ago which shouldn't have happened.

PLUDE: Yeah, that was 2005.

RADECKY: Now we've got the stipulations in there, and we'd like to adhere to them. My suggestion is that you would come out to twelve (12) feet, and that might be something we'd consider.

PLUDE: For me, at the end of the day, I'm just trying to get a consistent look across all the houses.

RADECKY: I understand that. I know it's not going to look right. The fact is that somebody else down the block is going to come in in two (2) weeks and say you got the variance.

PLUDE: That's why I am here today. There are six (6) other houses in the neighborhood that were granted a variance.

RADECKY: If you look at some of the pictures that I see here, some of these fences are out ten (10) to twelve (12) feet from the house. Those were granted.

PLUDE: I would consider going out twelve (12) feet out from the corner of the house.

RADECKY: That would be from your building line.

PLUDE: Yes.

SAMUELSON: I do want to thank the Petitioner for providing us the pictures. I do understand where your request is coming from. As a member of this Board, even the term non-conforming is an oxymoron

because it should be a non-conforming use. Non-conforming structures remediate itself over time. That's the thinking behind it. It eventually gets worn, gets replaced, and goes away. It's the nature of what non-conformity is. A lot of times people repair replacement fences so those non-conforming uses never do go away which is why some of these fences built in 1970s and 1980s continue to come on. As a person like myself driving by looking at those fences, I'd think it was a new fence that was just built whereas forty (40) years ago, it might have been built. Somebody may have just repaired it which may or may not have a required permit. There are a lot of those.

PLUDE: That's one of the houses that is on 179th. They were granted a variance in 1977 and redid the fence in 2007 and since it was already there, it was accepted.

SAMUELSON: Your reasoning behind it in the facts is for future family safety which is what most people's concerns are. Whether your fence comes out five (5) feet, ten (10) feet, or twenty-two (22) feet, you are still serving the family protection in the overall picture.

PLUDE: On 177th Street, there is a lot of traffic, so you want to provide a safe environment. That's what I am looking to achieve. I understand why the code is in place. I am willing to drop down to twelve (12) feet. You only have so much usable space on your property. Going east of the house, there's another street side I want to stay away from.

SAMUELSON: Part of the semi-built-in hardship is you have a corner lot. If this was an interior lot, you probably wouldn't be sitting here.

PLUDE: Exactly.

SAMUELSON: In your original request, were you looking to connect to your neighbor's fence?

PLUDE: I am looking to come right towards it (indicating to an image).

CONWAY: Board Member Radecky addressed the same problems I had. The reason our Zoning Ordinance prohibits front yard fences is because there are line of sight issues and safety issues. You can't have a fence going up to the property line where you can't see people. There are a lot of children in that neighborhood. I live in that neighborhood. We have a lot young families in the neighborhood and kids on bikes, and they may not see you, and you might not see them. That's one of the specific reasons the zoning ordinance is as such. If you go along with Board Member Radecky's suggestion, it's a moot point then, and there are no line of sight issues. Otherwise, there is a severe line of sight issue. I can't see granting a variance of that nature.

PLUDE: At the end of the day, the fence is going to be one hundred (100) feet away from the corner. It's going to be a good distance.

CONWAY: No, I'm talking about backing out of your driveway. I'm not talking about the corner. I'm talking about backing out of your driveway with pedestrians. That's the line of sight issue for the property. That's a severe line of sight issue, sir.

PLUDE: That's why I was going to go in four (4) feet so I can see.

CONWAY: If Mr. Plude sees Board Member Radecky's request to change his variance request from twelve (12) feet off the property line instead of twenty-two (22), it's a much different issue we are

talking about. If it's twenty-two (22) feet, I have to tell you, sir, that's why the Zoning Ordinance is in place. You can't have vinyl fences where you can't see pedestrians walking out that are right up to the property line. I'm not talking about car traffic, I'm talking about pedestrian traffic.

BARTA: What he's talking about—four (4) feet—isn't enough. When you are backing out of the driveway and the sidewalk is only four (4) feet, you can be all the way up to the sidewalk before you see somebody at the edge of the fence with your side view mirror.

PLUDE: When I purchased the house, I pulled up the whole line of sight was blocked, as you know Mr. Conway, since you live in the area. That whole corner was blocked. I pulled out all the bushes my first week of owning the house, so I understand the line of sight issues.

CONWAY: You had hedges there.

PLUDE: They were six- (6) feet-tall.

BARTA: When you are talking about the fences that were put up years ago, they were grandfathered. Even with grandfathered fences, if somebody goes to replace that fence, it has to be exactly the same or they would have to follow our ordinance now.

PLUDE: That's what I gathered when someone applies for a permit for a re-fence in the same area.

CONNOLLY: Actually no. If you have a front yard fence and you come in and want to replace that fence and you haven't been granted a variance for that or put it up without a permit, you can't have the fence in the same location. We make you tear it down and put up a fence in the correct location. The only time that you are even remotely grandfathered is if you were previously granted a variation and in that situation you replace the fence to the specifications of the variation.

BARTA: I'm sorry, you are right. Thanks for clarifying that.

CONNOLLY: I just wanted to clarify that. A lot of fences in that neighborhood are illegal non-conforming and if they ever came in for a permit to replace that fence and they didn't have a variation, we'd say that the fence has to come down.

BARTA: I feel that if you do reduce it to twelve (12) feet, that would be a safety factor.

HANNA: The only question I had was the line of sight. I think you would be better off if you do twelve (12) feet like Board Member Radecky suggested. It would eliminate the line of sight problem and still get a descent size yard.

KRAUSE: I agree with Board Member Radecky. That was my concern and it was addressed early on. Thank you, Sam.

CARDELLA: Before we take a vote, would you be willing to change it to twelve (12) feet from the building line?

PLUDE: Yes.

CONNOLLY: It's twelve (12) feet from the house. I'd say a twelve- (12) foot encroachment. So when you rephrase it, you say a twelve- (12) foot encroachment into the required twenty-five- (25) foot front yard setback.

CARDELLA: So, we will vote on that.

MOTION WAS MADE BY BOARD MEMBER SAMUELSON: Consider recommending to the Village Board to grant the Petitioner a variation from Section III.H.1 (Permitted Encroachments in Required Yards) to allow a twelve- (12) foot encroachment from the existing residence into the required twenty-five- (25) foot front yard setback to allow for a six- (6) foot vinyl fence to be placed on the subject property.

The motion was seconded by BOARD MEMBER BARTA.

AYE: Board Members Michael Krause, Dave Samuelson, Patrick Conway, Tom Hanna, Jerry Radecky, and Ed Barta, and Chairman Sam Cardella

NAY: None

ABSENT: None

THE MOTION WAS APPROVED UNANIMOUSLY by roll call; CHAIRMAN CARDELLA declared the motion approved.

A motion is needed to close Public Hearing #2 at 8:11 p.m.

Motion to close Public Hearing was made by BOARD MEMBER BARTA.

Motion SECONDED by BOARD MEMBER HANNA.

THE MOTION WAS APPROVED UNANIMOUSLY by roll call; CHAIRMAN CARDELLA declared the motion approved.

GOOD OF THE ORDER

Amy introduces our new Planner, Stephanie Kisler, to the Zoning Board of Appeals.

ADJOURNMENT

There being no further business, CHAIRMAN CARDELLA requested a motion to adjourn. A motion was made by BOARD MEMBER BARTA to adjourn the regular meeting and Public Hearing of August 8, 2013 at 8:12 p.m.

The motion was seconded by BOARD MEMBER KRAUSE.

AYE: Board Member Michael Krause, Dave Samuelson, Patrick Conway, Tom Hanna, Jerry Radecky, Ed Barta, and Chairman Sam Cardella

NAY: None

ABSENT: None

THE MOTION WAS APPROVED UNANIMOUSLY by voice call. CHAIRMAN CARDELLA declared the meeting ADJOURNED.