

**CITY OF MASCOUTAH
ZONING BOARD OF APPEALS
#3 WEST MAIN STREET
MASCOUTAH, IL 62258-2030**

SEPTEMBER 23, 2015

The minutes of the regular meeting of the Zoning Board of Appeals of the City of Mascoutah.

CALL TO ORDER

Meeting was called to order at 7:00 p.m.

PRESENT

Chairman Don Taylor and Board members Bob Scott, Harry Friederich, Dean Smith & Charles Jefferson.

ABSENT

Gene Haege & Jim Kuehn

ALSO PRESENT

Assistant City Manager Lisa Koerkenmeier, Executive Assistant Melissa Schanz & the applicant Ms. Jessica Brisk.

ESTABLISHMENT OF A QUORUM

A quorum of Zoning Board of Appeals members was present.

MINUTES

Minutes of the June 24, 2015 Zoning Board of Appeals were approved. All were in favor.

AMEND AGENDA

None.

BOARD BUSINESS

Public Hearing – ZBA 15-04 – Variance from 25' Front Yard Setback at 302 S. Lebanon Street.

Chairman Taylor stated that the Zoning Board of Appeals will be hearing case #15-04 this evening. Chairman asked if everyone within 150ft have been notified. Assistant City Manager Lisa Koerkenmeier said 15 properties were notified and no one had contacted staff regarding this variance request.

Assistant City Manager Lisa Koerkenmeier explained that Ms. Jessica Brisk, property owner of 302 S. Lebanon Street, is seeking a 16.5' variance from the 25' front yard setback to allow a 6' tall fence to be placed in one of the front yards of a corner lot. The applicant obtained a fence permit and recently had a privacy fence installed on her property. The property has two (2) front yards; one along E. George Street and a second front yard along S. Lebanon Street. Per the fence requirements in Section 34-3-6.

The fence installed by the applicant was 6' tall, and the fence height was lowered to 4' to allow the fence to encroach into the front yard located along S. Lebanon Street. The 4' tall fence was installed right up to the property line resulting in a 0' front yard setback. One section of the 6' tall fence, approximately 8 feet in length and located in the southwest corner of the yard, encroaches into the front yard. This section of fence should also have been constructed to 4' in height to be compliant with the present front yard fence requirements noted in Section 34-3-6(B) above. The applicant was instructed to either apply for a variance or lower this section of fence to 4'.

After considering her options, Lisa stated that the applicant desires to have a 6' privacy fence instead of lowering the height of the fence to 4' in the front yard and wishes to move the existing fence further back from the public right-of-way. The applicant is requesting a 16.5' variance from the 25' front yard setback along S. Lebanon Street. The variance of 16.5' was determined by the existing building line of the house. If the variance is granted, the applicant would install a 6' tall fence that would be placed the same distance from the street as the house sits. This would result in the entire fence being placed an additional 8.5' from the S. Lebanon Street right-of-way.

There were fifteen (15) notices sent to property owners within 150 feet of the subject property. To date, no one has contacted staff regarding this variance request.

The Board members reviewed the information provided and presented and discussed the information and variance. The Board feels not only is this what the applicant wants, but it will also look better.

Smith moved, seconded by Friederich, that the Zoning Board of Appeals approve a 16.5' variance from the 25' front yard setback for property located at 302 S. Lebanon Street with conditions.

Motion passed. AYE's – 4 – Haege, Scott, Kuehn, Taylor. NAY's – none. Abstentions – none.

MISCELLANEOUS

None.

ADJOURNMENT

The Board adjourned at 7:22 p.m. ***Motion passed.*** Passed by unanimous yes voice vote.