MINUTES OF THE REGULAR MEETING OF THE AMBERLEY VILLAGE
BOARD OF ZONING APPEALS HELD AT THE AMBERLEY VILLAGE HALL
MONDAY, OCTOBER 6, 2008

Chairperson Jon Chaiken called to order a regular meeting of the Amberley Village Board of
Zoning Appeals held at the Amberley Village Hall on Monday, October 6, 2008 at 7:00 P.M.
The Clerk called the roll:

PRESENT:	Jon Chaiken, Chairperson	
	Larry McGraw	
	Susan Rissover	
	Scott Wolf	
	Elinor Ziv	
ALSO PRESENT:	Bernard Boraten, Village Manager	
	Stephen Cohen, Village Solicitor	
	Nicole Browder, Clerk	
ABSENT:		

Mr. Chaiken welcomed new member Scott Wolf and introduced him to the Board.

Board of Zoning Appeals Case No. 1029
Mr. Chaiken introduced the variance requested by Ron Regula, resident at 3225 North Whitetree
Circle. Mr. Regula is proposing a new shed in the rear yard of his property, which would require
a variance from the zoning regulation that the principal access of the accessory buildings may
not face any street, road, or highway.

Mr. Chaiken invited Mr. Regula to present his case. Mr. Regula reported to the Board that the
photos he submitted with his application provide a clear picture of the dense screening of trees
and shrubs. He stated the purpose for the sheds was for storage of garden tools. He stated that
he understood that the desired location of one of the three sheds would require approval from this
Board due to the request for the doors to face the street.

Mr. Chaiken stated that he had concern for there being a total of three sheds on the property. He
stated that it would be his recommendation to require a condition that the dense screening of
trees and shrubs be maintained in a way that continues to prevent visibility of the sheds from the
street and neighboring views. Mr. Regula was in agreement with this condition.

Mrs. Ziv pointed out that she felt that the number of sheds would be of concern should the
property be placed on the market for sale. Mrs. Ziv asked if the condition would survive the sale
of the property. Mr. Cohen confirmed that the condition would follow the property. Mr.
McGraw stated that the request is well within the maximum square footage for accessory
structures and does not have a concern with the placement of the doors due to the screening in
place. Mr. McGraw moved to accept the application with the condition of maintaining the
landscape, trees and shrubbery in a way that continues to prevent visibility of the sheds from the
street and neighboring views. Seconded by Mrs. Ziv and the motion carried unanimously.

Board of Zoning Appeals Case No. 1030

Mr. Chaiken introduced the case of a variance request made by Robert Eigel, resident at 7781 Gwenwyn Drive. Mr. Eigel is proposing a new shed in the rear yard of his property, which would require a variance from the zoning regulation that accessory structure buildings may be built in a required rear yard not nearer to the rear or side lot than the side yard requirement for such lot.

Mr. Chaiken invited Mr. Eigel to present his case to the Board. Mr. Eigel stated that his property prevents him from obtaining a shed within the code requirements and that he understands that the Board must approve his shed. Mr. Eigel explained that he felt the process in which to obtain a shed was unnecessary.

Mr. Chaiken explained that the administration staff does not have the authority to approve sheds that do not meet the code and that is the function and authority of the Board of Appeals.

Mr. Boraten informed the Board that this particular property was considered to be a nonconforming use with the code and it was built prior to the code, however, the code provides for additions and accessory structures to be approved by this Board in order to allow residents to continue to place structures on their property.

Mr. Chaiken moved to approve the application as it was submitted. Seconded by Mr. McGraw and the motion carried unanimously.

There being no other business to discuss, Mr. McGraw moved to adjourn. Seconded by Mrs. Rissover and the motion carried unanimously.

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Nicole Browder, Clerk

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Jon Chaiken, Chairperson