

MINUTES OF THE REGULAR MEETING OF THE AMBERLEY VILLAGE
BOARD OF ZONING APPEALS/PLANNING COMMISSION HELD AT THE AMBERLEY
VILLAGE HALL
MONDAY, DECEMBER 3, 2012

Chairperson Richard Bardach called to order a regular meeting of the Amberley Village Board of Zoning Appeals held at the Amberley Municipal Building on Monday, December 3, 2012, at 7:00 P.M.

Roll was called:

PRESENT: Richard Bardach, Chairperson
Larry McGraw
Susan Rissover
Rick Lauer

ALSO PRESENT: Scot Lahrmer, Village Manager
Kevin Frank, Esq., Solicitor
Steve Rasfeld, Public Works

ABSENT: Scott Wolf
Nicole Browder, Clerk

Mr. Bardach welcomed everyone to the meeting and led them through the pledge of allegiance.

Mr. Bardach asked if there were any additions or corrections to the minutes of the October 1, 2012, meeting that had been distributed. There being none, Ms. Rissover moved to approve the minutes. Seconded by Mr. Bardach and the motion carried unanimously.

Board of Zoning Appeals Case No. 1062

Mr. Rasfeld reported that Timothy Karr of 8605 Arborcrest Drive is seeking approval from the Board for a variance to allow for the construction of a covered front porch that encroaches into the additional required front yard setback per the Village Code of Ordinances Section 154.28.

Mr. Karr gave a presentation on the request. He noted trees will provide screening.

After general discussion, Mr. Lauer moved to approve the variance as requested. Seconded by Mr. McGraw and the motion carried unanimously.

Neighbor, Mr. Keller, was present and spoke in support of the improvement.

New business

1. North Site Zoning District

Mr. Lahrmer mentioned the Planning Commission will be receiving a request from Village Council to consider modifications to the North Site zoning regulations. The zoning regulations have been approved by Planning Commission and Council however, some residents have raised some concerns during the property rezoning. The Land Development Committee of Council will provide some direction on those aspects which the Planning Commission should review.

2. Privacy panels (privacy fences)

Mr. Lahrmer and Mr. Rasfeld asked for the Board's input on requests received for privacy panels. The Village has received a couple requests and there is nothing in our code that permits them. One option is to treat them as an accessory structure with administration having approval authority if they are within a certain height and size. One of the concerns is residents wanting to use the privacy panel in lieu of a fence. There was discussion regarding the intent of the fencing regulations, in part, to maintain the vistas. Amberley is known for its vistas and privacy panels should not be used to block views and we should preserve the rural ambiance.

The Board believed language should be developed which permits privacy panels so that the Board isn't legislating by variance. Some of the considerations should include: material, size, what side should face the adjacent property, tie it to accessory use, have some standards where they could be permitted but if a size or quantity is exceeded, it would have to go before the ZBA. There was also discussion about the allowance of chain link fences in the Village and it was recommended that this be reviewed as well. No time frame was established to complete this work but with limited staff, this will take some time to develop.

There being no further business, Mr. Lauer moved to adjourn, seconded by Mr. Bardach.

Nicole Browder, Clerk

Richard Bardach, Chairperson