



Meeting Minutes

Location:

Village Hall -
10631 Main Street
Roscoe, IL 61073

Zoning Board of Appeals
Wednesday, October 09, 2024
5:30 PM

CALL TO ORDER

The meeting was called to order at 5:30pm by Chair Durstock.

ROLL CALL

PRESENT

Chairman Jay Durstock
Member Laura Baluch
Member Dayne Mead
Member Ryan Swanson
Member George Wagaman

ABSENT

Member Brad Hogland
Member Melissa Smith
Village Clerk Stephanie Johnston

STAFF

Josef Kurlinkus - Village Administrator
Evan Hoier - Zoning Administrator (Vandewalle & Associates)

APPROVAL OF MINUTES

1. **Approval of the Minutes** for the meeting of the Zoning Board of Appeals from **September 11, 2024**.

Motion: A motion was made to approve the Minutes of the **September 11, 2024** ZBA Meeting.

Motion made by Member Baluch, Seconded by Member Wagaman.

There were no additions or corrections.

Voting Yea: Chairman Durstock, Member Baluch, Member Mead, Member Swanson, Member Wagaman

Minutes approved 5-0-0.

Zoning Board of Appeals
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NEW BUSINESS

2. ZBA 2024-009: **Design Review** for Approval of a **5,616 SF Storage Building** located at **5313 Ross Lane** (PIN: 04-28-377-006).

[Property Owner: Forest City Gear Co. (Fearless Fred LLC)]

Applicant Jared Lyford, Director of Operations for Forest City Gear and Dwight Bond from Morton Buildings introduced the project, explaining construction of the 5,616 square foot building is needed due to space constraints at the Forest City Gear manufacturing facility. They stated that they need a climate controlled building for storage of materials, and that there will be no employees at building.

Mr. Hoier presented the staff report , noting that the building would be permitted under light industrial use and meets most of the bulk requirements for the district. He explained that the Forest City Gear property has multiple parcels, which has caused some confusion and complications in the development process. However, Forest City Gear does own all of the surrounding parcels, and intends to consolidate the parcels in the near future.

The only issue is the landscaping plan the landscaping plan, which does not meet the technical sections of the landscape sections of the code. Mr. Hoier suggested that the ZBA may wish to consider being more lenient on this requirement, and making its compliance a condition of the approval.

MOTION: A motion was made by Member Mead, Seconded by Member Baluch to approve of a **5,616 SF Storage Building** located at **5313 Ross Lane** (PIN: 04-28-377-006) subject to the two conditions identified in the staff report.

Voting Yea: Chairman Durstock, Member Baluch, Member Mead, Member Swanson, Member Wagaman

Motion Approved: 5-0-0

3. ZBA 2024-010: **Design Review** for Approval of a **160 SF Accessory Storage Structure** located at **4767 Bluestem Road** (PIN: 04-29-428-004).
[Property Owner: Tony Pipitone (Little Mariano Inc.)]

The Application was presented by Applicant John Beeman - representing property owner Tony Pipitone. Mr. Beeman explained that the request is to build a 160 square foot accessory storage structure at 4767 Blue Stem Road. The structure will be a steel shed built on 10 inch piers, with a total height of 14 feet.

Mr. Hoier presented the staff report, and stated that this projects meets all requirements of the Village's Zoning Code. He recommends approval with the following conditions: 1) the siding color matches the principal building, 2) no curb cut shall be allowed for access into the shed, and 3) the shed shall only be used for storage of maintenance equipment.

MOTION: A motion was made to approve Design Review for Approval of a 160 SF Accessory Storage Structure located at 4767 Bluestem Road (PIN: 04-29-428-004), subject to the conditions set forth in the staff report.

Motion made by Chairman Durstock, Seconded by Member Baluch.

Voting Yea: Chairman Durstock, Member Baluch, Member Mead, Member Swanson, Member Wagaman

4. ZBA 2024-011: **Public Hearing for a Variance** request to waive the requirement for installation of a **fence surrounding ground-mounted solar panels** located at **11380 Main Street** (PIN: 04-33-127-002).
[Property Owner: Michael Miller]

Chairman Durstock opened the public hearing.

The Application was presented by Applicant Michael Miller who discussed his plans to install solar panels on his wooded property, opting for a ground mount due to the impracticality of a roof mount.

Mr. Miller explained that he wants to put in solar due to the rising cost of energy. He says he cannot do roof mount because of the size of his roof, and he is in a heavily wooded lot. He stated that the solar incentives are going away at the end of the year, so needs to install them before December 31, 2024. He will be installing 26 panels for a total of 500 square feet. The total height of the panels will be 13 -14 feet high, and will be installed on an umbrella like system at 30 degree angle. Mr. Miller further argued that the fence would be an eyesore and would obstruct the view of the sun for the solar panels. He also mentioned that the fence would need to be 65 feet long and would not obstruct the view from the road or their house.

The Board also heard testimony from Brian Black, the owner of the neighboring parcel, who stated that the solar panel will be way at the back, and he rather have that than a fence along his property line.

Mr. Hoier presented the staff report stating that the Village Code requires a fence around ground mounted solar systems, because the maximum fence height in a back yard is 6 feet, ground mounted solar panels are capped at 5 feet high for the maximum allowable height. He explained that village staff initially considered this as an extra accessory structure, but now it's being treated as a variance request. Evan explained the theory of variances in zoning, emphasizing that they are more restrictive rather than permissive, and recommended denial of the application, but the final decision lies with the Zoning Board of Appeals (ZBA).

The Public Hearing was closed.

The Board then discussed if it was desirable to have ground mounted solar panels in residential yards. With a particular focus on the desirability of a 15-foot high solar panel system on a property. The Board acknowledged that there are valid reasons that the current code restricts residential solar panels due to height limits, but agreed that for cases with larger lots, and where

there are natural visual barriers, it may be desirable to amend the code to allow taller panels when appropriate.

In this specific case, involving tall trees and their visibility from the road, the Board acknowledged that the tall trees may be a hardship, but wanted to ensure that if the hardship (the trees) no longer exists, suggesting that of the conditions should be that the property owner maintain the screen related to the trees.

MOTION: A motion was made to approve a **Variance** from the requirement for installation of a **fence surrounding ground-mounted solar panels** located at **11380 Main Street** (PIN: 04-33-127-002) with the conditions as stated.

Motion made by Chairman Durstock, Seconded by Member Baluch.

Voting Yea: Chairman Durstock, Member Baluch, Member Mead, Member Swanson, Member Wagaman

OLD BUSINESS

Chairman Durstock requested that staff look at the number of recreational vehicles that can be parked in a residential drive.

Mr. Hoier stated that there will be several text amendments being presented in upcoming meetings, including retail sales in out lot buildings, and better defining accessory structures.

PUBLIC COMMENT (Limited to 3 minutes per speaker)

There was no interested party wishing to participate in public comment.

ADJOURNMENT

A motion to adjourn was made by Member Baluch, Seconded by Member Mead.

Voting Yea: Chairman Durstock, Member Baluch, Member Mead, Member Swanson, Member Wagaman

The meeting was adjourned at 6:54 PM.