MINUTES
CITY OF WOODSTOCK
ZONING BOARD OF APPEALS
June 9, 2014
City Council Chambers

The regular meeting of the City of Woodstock Zoning Board of Appeals was called to order at 7:00 PM by Patrick Shea on Monday, June 9, 2014 in the Council Chambers of Woodstock City Hall, 121 West Calhoun Street, Woodstock. A roll call was taken.

COMMISSION MEMBERS PRESENT: Lawrence Winters, Patrick Shea, Timothy Huffar, Howard Rigsby

COMMISSION MEMBERS ABSENT: Chairman John Schuh, Thomas Tierney

STAFF PRESENT: City Planner Nancy Baker

OTHERS PRESENT: City Clerk Dianne Mitchell

APPROVAL OF MINUTES:
Motion by L. Winters, second by T. Huffar to approve the Minutes of the February 10, 2014 Woodstock Zoning Board of Appeals meeting as presented. Ayes: P. Shea, L. Winters, T. Huffar, H. Rigsby. Nays: None. Absentees: Chairman Schuh, T. Tierney. Abstentions: None. Motion carried.

NEW BUSINESS
P. Shea opened the Public Hearing at 7:03 PM.

A. **303 Pleasant Street**—Variation to construct a deck within 12 feet of a yard abutting a street lot line.

P. Shea swore in petitioner Tyler Smith, 303 Pleasant St., Woodstock. T. Smith stated that he is looking for a zoning variance to encroach into the setback of his side yard, which runs street side of Quinlan Ave., to build a deck. He advised that the existing problem is the concrete steps which are crumbling, the run on them is short making them dangerous and there are no railings. He reported that instead of replacing the steps and putting in a railing they thought it would nice to have an improvement on the house to add a wooden deck to the side door.

P. Shea questioned what the problem is and T. Smith stated that his setback is 25 feet on the street side and the door is 23 feet from the property line so in order to build the deck they would need to encroach into the setback.

H. Rigsby questioned how close it will come to the sidewalk and T. Smith advised that it will be 12.2 feet from their property line and the sidewalk is 2.5 – 3 feet from there. He stated that it is not going to cut out any further than the actual house does. He advised that they aren't looking to go out any deeper than the house is built already. H. Rigsby questioned if the two trees will be affected and T. Smith advised that they will not.

L. Winters questioned if it is the back entrance of the house and T. Smith affirmed. P. Shea asked T. Smith to point out where the deck will be on the drawing that was provided. T. Smith

reviewed the location of the proposed deck and advised that the stairs will be going towards the garage. He reiterated that the deck won't go out any further than the house.

P. Shea asked if all of the neighbors had been contacted and N. Baker advised that they had and noted that the City did not receive any responses.

P. Shea closed the Public Hearing at 7:11 PM.

The Findings of Fact were completed by the Zoning Board of Appeals and are attached to these minutes.

Motion by L. Winters, second by T. Huffar to approve the variations of Section 7A.3, Bulk and Area Requirements of the Unified Ordinance to allow construction of a 16.2' by 8.2' deck within 12.2 feet of a yard abutting a street lot line. A roll call vote was taken. Ayes: P. Shea, L. Winters, T. Huffar, H. Rigsby. Nays: None. Absentees: Chairman Schuh, T. Tierney. Abstentions: None. Motion carried.

ADJOURNMENT

Motion by T. Huffar, second by L. Winters to adjourn the June 9, 2014 Zoning Board of Appeals meeting at 7:15 PM. Ayes: P. Shea, L. Winters, T. Huffar, H. Rigsby. Nays: None. Absentees: Chairman Schuh, T. Tierney. Abstentions: None. Motion carried.

Respectfully Submitted,

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Dianne Mitchell
City Clerk

Zoning Board of Appeals: 303 Pleasant Street

The Zoning Board of Appeals shall complete the enclosed form, which will be included with the Findings of Fact Report submitted to the City Council.

Request: Variation from the provisions of the Woodstock Unified Development Ordinance, Section 7A.3.C, Bulk and Area Requirements, to construct a deck 12.2 feet from a yard abutting a street lot line.

Section 7.3.5 states that the Board may determine and recommend to the City Council a variation of the regulations of Ordinance when it finds:	**Yes or No**	**Comments**
1. The particular surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out;	All voted yes	
2. The conditions upon which the petition for a variation are based are unique to the property for which the variation is sought and are not applicable, generally to the other property with the same zoning classification;	All voted yes	
3. The purpose of the variation is not based exclusively upon a desire to increase the monetary gain realized from the property or to alleviate financial difficulty experienced by the petitioner in the attempt to comply with the provisions of this Ordinance;	All voted yes	
4. The alleged difficulty or hardship is caused by the application of this Ordinance and has not been created by any person presently having an interest in the property;	All voted yes	
5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located;	All voted yes	
6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values with the adjacent neighborhood;	All voted yes	
7. That the granting of the variation requested will not confer on the applicant any special privilege that is denied by the Ordinance to other lands, structures or buildings of the same district.	All voted yes	