



ZONING BOARD OF APPEALS
Tuesday, September 18, 2018
5:30 P.M. – City Council Chambers
Rockford City Hall, 425 East State Street

Present:

ZBA Members: Kim Johnson
Alicia Neubauer
Maurice Redd
Dan Roszkowski
Craig Sockwell
Jennifer Smith

Absent: Tom Fabiano

Staff: Scott Capovilla – Zoning and Land Use Administrator
Jeremy Carter - Public Works
Matthew Flores – Assistant City Attorney
Sandra Hawthorne – Administrative Assistant
Lafakeria Vaughn – Assistant City Attorney
Wester Wuori – Mayor’s Chief of Staff

Others: Alderman Tuffy Quinonez
Kathy Berg - Court Stenographer arrived at 5:47 PM
Applicants and Interested Parties

Sandra Hawthorne explained the format of the meeting will follow the Board’s Rules of Procedure generally outlined as:

- The Chairman will call the address of the application.
- The Applicant or Representative will come forward and be sworn in.
- The Applicant or representative will present their request before the Board
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name to the Zoning Board of Appeals secretary and the stenographer.
- The Objector or Interested Party will present all their concerns, objections and questions to the Applicant regarding the application.

- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions of the Objector or Interested Party
- No further discussion from the Objector or Interested Party will occur after the rebuttal of the Applicant.
- The Board will then discuss the application and a vote will be taken.

It was further explained to the public in attendance, applicants, Objectors or Interested parties that this meeting is not a final vote on any item. The date of the Codes & Regulations meeting was given as Monday, September 24, 2018, at 5:30 PM in City Council Chambers in this building as the second vote on these items. The public in attendance, applicants, Objectors or Interested parties were instructed that they could contact the Zoning Office for any further information and the phone number was listed on the top of the agenda, which was made available to all those in attendance. This information was also presented in written form attached to the agendas and also included with letters to Adjacent Property owners.

The meeting was called to order at 5:35 PM. A **MOTION** was made by Jennifer Smith to **APPROVE** the minutes from the August 2018 meeting as written. The Motion was **SECONDED** by Alicia Neubauer and **CARRIED** by a vote of 4-0 with Dan Roszkowski and Kim Johnsen abstaining and Tom Fabiano absent.

ZBA 018-18

Applicant
Ward 03

3475 Westminster Drive

Jake & Alison Chance

Variation to remove access off of Westminster Drive and place access on Hickory Lane in an R-1, Single-family Zoning District

Laid Over from July & August Meetings

The subject property is located on the north side of Hickory Lane and is a single-family residence. Attorney Gino Galluzzo, representing the Applicants, and Jake & Alison Chance, Applicants, were present. Attorney Galluzzo stated he did not believe that the citizens were required to get a Variance to have their drive cut and for the record voiced that he wished to reserve the right by law to argue this requirement without cause in the future. He stated Mr. Chance is in the construction business for both residential and commercial, and Mrs. Chance works as a Designer. He stated the previous owner had access from both Westminster Drive and Hickory Lane for many years. When his clients purchased the home in November of 2015 they requested the address and access be changed to Westminster Drive for safety concerns. The Applicants built additions to the home and garage, and at this time there are two driveways, although the Westminster Drive side does not have a curb cut. This property buttes up to Eisenhower School and it is difficult to pull out of their driveway on Westminster Drive which creates a public safety issue. His clients feel that by moving the driveway back to Hickory as it was originally, less traffic is created on Westminster. Attorney Galluzzo feels they become more of a part of the community if the drive is allowed on Hickory Lane because neighbors tend to look out for each others driveways. They will try to preserve most of the existing trees. Mrs. Chance stated it was a safety issue as well as there is a blind area from a small incline on Westminster when they are backing out of the driveway. She further explained that the Woman's Club did a tour of their home and approximately 200 people were in the tour. One of the major concerns by many of the Committee for the Woman's Club was the frustration that they had to walk through the back of the property to the back of the house to get in as the front door of the home is located off of Hickory. She went on to state that when their Clients and her elderly grandmother comes to the house, they have to walk all the way around the home to get into the house. She stated it is always their goal to enhance their property, and their intent is to install a

beautiful drive leading up to the home. Attorney Galluzzo passed out letters in support from David Hagny, Architect; The Woman's Club, and a neighbor at 3615 Westminster Drive, all of which are available on file.

Craig Sockwell asked how the flow would be into the garage from Hickory Lane. Ms. Chance explained that the drive would go along the tree line and access the garage from the side. She further explained that they put down crushed asphalt while they were working on the addition at the City's request to prevent erosion during the construction process. There is currently a 6' fence on Westminster to match with the neighbors; however, Alicia Neubauer pointed out that only a 4' fence should be allowed in the front yard. Mr. Capovilla clarified for the Board that the Applicants put up the fence without obtaining a permit, at a height of 6' and are currently in violation of City Ordinance. This is a separate matter from the item on the agenda and is not to be discussed as if it were part of this Application. The Applicants will be required to obtain a fence permit for a fence that meets code height, or they will have to come back before the Board for a Variation.

Staff Recommendation is for Denial. Objectors and Supports were present.

Susan Lynch, who stated she lives directly west of the subject property, was present as an Objector. When the plans for the original addition to the house were shown to the neighbors, there was no objection from the neighborhood according to Ms. Lynch. She explained, however, as the project was moving along the actual size of the house was then increased greatly without notification to the neighbors and there was "mass objection" in the neighborhood. She stated she learned that this addition was for office for their workers and that they were having employees come to the home. She felt 95% of the neighbors were not in favor of the increased size. The Applicants added a new driveway off of Westminster. All of the debris from the addition and driveway were dumped onto her adjacent wooded lot. Ms. Lynch stated she spoke with the Applicants and they assured her the debris would be picked up by Easter, yet the debris still remains on her lot. She stated the applicants tried to cover the debris with mulch, but it is all still there. They also installed a drain pipe for the addition that comes 5' onto her lot which directs all the water from their addition to drain into her lot. She stated the Applicants have been told by Nelson Sjostrom, Building Inspector Administration, that it needed to be removed and a year later it is still there and draining onto her lot. They have dumped fill to cover the debris that has been on her trees for over a year, killing her trees. Ms. Lynch provided the Board with a series of pictures to justify her claims. The crushed asphalt has been there over a year allowing debris to drain off of their property. Ms. Lynch further stated that most of the neighbors are disgusted with this property. They have already removed several large trees. She further stated that she has no problems getting out of her driveway on Westminster and her driveway is right next to the Applicant's. She provided photos of Eisenhower Middle School's parking lot on a typical school day noting on the property that two of the vehicles in the lot belonged to the Applicants. Ms. Lynch went on to state that her understanding that the Applicants were approved for a 3 car garage, but built a 5 car garage. The one on the north side was not allowed but was built and there is a driveway on the north side that goes all the way up to the fence and then the mulch starts after that. There is a 5th garage with a driveway in place. Craig Sockwell asked if there was much traffic when school gets out. She replied for about 10 minutes during drop off in the morning and then again during pick up in the afternoon there is more traffic, but that is about the only time.

Kenneth Howe spoke in favor of this Application, stating he lives right across the street from the Applicants. He felt that through the entire process there have been two or three neighbors who have been upset with the progress. It is his opinion that adding a driveway off of Hickory Lane, which was the original drive, would make the property look more grand. He wondered why the two driveways were granted long ago, why wouldn't it be granted today? He stated the Chances have invested large amounts of money into their property and it is for the betterment of the neighborhood. He does not understand the concerns and resistance of the neighbors. He feels

there is nothing the Chances have done to their property that is not top notch. Regarding the drainage pipe onto Susan Lynch's lot, it is his opinion that because this lot is nothing but a wooded lot, there is no harm being done to her property.

In response, Attorney Galluzzo stated this situation is no different than construction happening at any other home. He stated there is another house in the area having construction work who also has trucks parked in the street. They have not finalized this project which is why the driveway is not complete. The drain tile that the Applicant installed as discussed by Ms. Lynch is going to the same location as the original drain tile. He stated his clients are willing to relocate this drain tile once the new driveway is completed. Regarding parking and traffic being light, Attorney Galluzzo stated he also was a former student of Eisenhower School. He stated he found it interesting that it was stated that it was not busy during drop off and pick up because when he drops off his children at their school - which is not Eisenhower School - it is also very busy during the time of drop off and pick up. Regarding the driveway, there will be no driveway connected to Westminster. There will only be a concrete pad with a fence or gate going across. There will only be one driveway.

Mrs. Chance pointed out that 8 neighbors came through their home during the Woman's Club tour and feels that invalidates Ms. Lynch's comment that over 90% of the neighbors were objecting to their property. She stated there are trucks and equipment on their property for their construction only which will be removed after construction is complete. When asked what the time frame for completion was, Mr. Chance stated he could not give a definite date due to the weather but was agreeable to the time frame of July 2019 as suggested by Attorney Galluzzo. Ms. Chance stated the drainage would be taken care at that time.

Mr. Capovilla gave a short description of the history on the size of the house. 3 years ago Staff and Building Inspector inspected the property and determined the Applicants met the setbacks and height requirements. A hearing was held and no Objectors showed up. The site plan submitted at that time, there was no driveway shown going out to Hickory.

A **MOTION** was made by Alicia Neubauer to **APPROVE** the Variation to remove access off of Westminster Drive and place access on Hickory Lane in an R-1, Single-family Zoning District at 3475 Westminster Drive with conditions. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Submit site plan indicating one access drive for Staff review and approval.
2. Address all code violations with City Staff and construction of new drive and demo of existing drive(s) prior to issuance of driveway permit.
3. Construction of the new drive and demo of existing drive by July 1, 2019.
4. Remove buried tile from the downspout and redirect discharge onto Applicant's property and away from the neighbors to the west.
5. Restore north access to top soil and grass seed.

ZBA 018-18
Findings of Fact for Approval of a Variation
To Remove Access Off of Westminster Drive
And Place Access on Hickory Lane
In an R-1, Single-Family Residential Zoning District at
3475 Westminster Drive

Approval of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which a petition for this Variation are based are unique to the property for which the Variation is sought and are not applicable, generally, to other property within the same zoning classification.
3. The purpose of this Variation is not based exclusively upon a desire to increase the value or income potential of the property.
4. The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property or by any predecessor in title.
5. The granting of this Variation will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.
7. The proposed Variation does comply with the spirit and intent of restrictions imposed by this Ordinance.

ZBA 027-18
Applicant

918 Broadway and 14XX South 6th Street

Marwan Al Shugaa

Special Use Permit for passenger vehicle sales

Variation to reduce the required landscaping per the submitted plan in a C-4, Urban Mixed-Use Zoning District

Laid Over from August Meeting

The subject property is located on the northwest corner of Broadway and 6th Street and is currently a vacant building. Tim Whitham, the Applicant's Attorney, and Mokhtar Mohamed Co-Applciant, were present. Attorney Whitham explained his client was look for a way to have access off of 6th Street and Broadway and still maintain the ability to install landscaping. The landscaping plan has been revised to allow a 4 foot area for greenspace. Mr. Mohamed feels this is a good location along Broadway for a used car lot. Scott Capovilla explained to the Board that Staff had met with the Applicant to discuss a way to get as much landscaping as possible and still allow the Applicant to move forward with his project. Code

requires them to keep all existing windows in the building. Attorney Whitham stated his Clients have no intention to use the back area of the building as it abuts a residential use. The Applicant is agreeable to all (11) of Staff's conditions.

Staff Recommendation is for Approval of the Special Use Permit with (11) conditions, and Denial of the Variation. No Objectors or Interested Parties were present.

A **MOTION** was made by Jennifer Smith to **APPROVE** the Special Use Permit for passenger vehicle sales and to **DENY** the Variation to reduce the required landscaping per the submitted plan in a C-4, Urban Mixed-Use Zoning District at 918 Broadway and 14XX South 6th Street. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Submittal of Building Permits for Staff's review and approval.
3. Submittal of a revised site plan with increased setback for the parking lot (existing hard surface) along Broadway, relocated display stalls, relocated parking spaces adjacent to the west side of the building, and the dumpster enclosure location for Staff's review and approval.
4. That the property be developed as per revised site and landscaping plans submitted on September 18, 2018, and that no more than (16) vehicles shall be displayed for sale or stand outside.
5. Submittal of a dumpster detail and rendering for Staff's review and approval.
6. Submittal of a photometric plan with fixture details and fixture specifications for Staff's review and approval.
7. Must obtain separate permits for signage and sign must be constructed to match building design and in accordance with plans approved by Staff.
8. No outside storage of any auto parts, equipment, materials, or inoperable vehicles.
9. There shall be no auto repair allowed.
10. All conditions must be met prior to establishment of use.

ZBA 027-18
Findings of Fact for Approval of a Special Use Permit
For Passenger Vehicle Sales
In a C-4, Urban Mixed-Use Zoning District at
918 Broadway and 14XX South 6th Street

Approval of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.

6. The special use shall, in all other respects, conform to the applicable regulations of the C-4 Zoning District in which it is located.

ZBA 027-18
Findings of Fact for Denial of a Variation
To Reduce the Required Landscaping Per the Submitted Plan
In A C-4, Urban Mixed-Use Zoning District At
918 Broadway and 14XX South 6th Street

Denial of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, no particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which a petition for this Variation are based are not unique to the property for which the Variation is sought and are applicable, generally, to other property within the same zoning classification.
3. The purpose of this Variation is based exclusively upon a desire to increase the value or income potential of the property.
4. The alleged difficulty or hardship is not caused by this Ordinance and has been created by any persons presently having an interest in the property or by any predecessor in title.
5. The granting of this Variation will be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed Variation will impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.
7. The proposed Variation does not comply with the spirit and intent of restrictions imposed by this Ordinance.

ZBA 033-18

Applicant
Ward 04

4979 Rundquist Court

Ronald & Virginia Whittington

Variation to reduce the required side yard setback from (6) feet to (4) feet (1) inch along the east property line for a (28) feet by (14) feet addition to the residence and attached garage in an R-1 Single-family Residential Zoning District.

The subject property is located approximately 170 feet east of the Sage Drive and Rundquist Court intersection. Ron Whittington, Applicant, reviewed his request for Variation. He stated his desire to enlarge his residence as well as the garage. He would like to enlarge the garage enough to allow room for his corvette and motorcycle. The contractor told the Whittington’s that the cost of the improvement is not going to increase the value of the home so Mr. Whittington stated he is not doing the addition to improve the value of their home as stated in Number (3) of the Findings of Fact. Mr. Whittington explained that with all the improvements they have done in the past, they have exceeded the value of the property. He stated the only neighbor that would be in a position to view or be affected by the addition is one neighbor. This neighbor had a concern that the air conditioning unit would be close to his property, and the Applicants worked with this him to relocate the unit to the satisfaction of both parties. Mr. Whittington stated the addition will look as though it has always been there. The driveway will remain the same.

Staff Recommendation is for Denial. No Objectors or Interested Parties were present.

During discussion, several members of the Board did not feel there was a hardship proven by the Applicant. Staff explained they would support an addition that was (28) feet by (12) feet, as this size addition would comply with the required side yard setback.

A **MOTION** was made by Craig Sockwell to **Deny** the Variation to reduce the required side yard setback from (6) feet to (4) feet (1) inch along the east property line for a (28) feet by (14) feet addition to the residence and attached garage in an R-1 Single-family Residential Zoning District at 4979 Rundquist Court. The Motion was **SECONDED** by Alicia Neubauer and **CARRIED** by a vote of 6-0.

ZBA 033-18
Findings of Fact for Denial of a Variation
To Reduce the Required Side Yard Setback
From (6) Feet to (4) Feet (1) Inch Along the East Property Line
For a (28) Feet by (14) Feet Addition To the Residence And Attached Garage
In a R-1, Single-Family Residential Zoning District at
4979 Rundquist Court

Denial of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would not result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which a petition for this Variation are based are not unique to the property for which the Variation is sought and are applicable, generally, to other property within the same zoning classification.

3. The purpose of this Variation is based exclusively upon a desire to increase the value or income potential of the property.
4. The alleged difficulty or hardship is not caused by this Ordinance and has been created by any persons presently having an interest in the property or by any predecessor in title.
5. The granting of this Variation will be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed Variation will impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.
7. The proposed Variation does not comply with the spirit and intent of restrictions imposed by this Ordinance.

ZBA 034-18

Applicant

4816 Skokie Circle

Randal Anderson

- (A) **Variation** to reduce the required front yard setback from (35) feet to (22) along the west property line for a (22) feet by (8) feet front porch
- (B) **Variation** to reduce the required side yard setback from (6) feet to (5.05) feet along the south property line for an attached garage
- (C) **Variation** to reduce the required rear yard setback from (30) feet to (27.03) feet along the east property line for an attached garage in an R-1, Single-family Residential Zoning District

The subject property is located approximately 195 feet east of the Skokie Drive and Skokie Court intersection. Randal Anderson, Applicant, reviewed his requests for Variations. He explained that he and his wife have lived here 26 years and a recent fire destroyed the home. They wish to rebuild at the same location and would like to add a porch. Mr. Anderson stated his Architect has worked with Staff on the proposed footprint. All that is left of the home is a foundation. Mr. Anderson further explained that the proposed home is actually less encroaching on the neighbors to the south than the original construction.

Staff Recommendation is for Approval of all (3) requests with (3) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Alicia Neubauer to **APPROVE** the (A) Variation to reduce the required front yard setback from (35) feet to (22) feet along the west property line for a (22) feet by (8) feet front porch; to **APPROVE** the (B) Variation to reduce the required side yard setback from (6) feet to (5.05) feet along the south property line for an attached garage; and to **APPROVE** the (C) Variation to reduce the required rear yard setback from (30) feet to (27.03) feet along the east property line for an attached garage in an R-1, Single-family Residential Zoning District at 4816 Skokie Circle. The Motion was **SECONDED** by Kim Johnson and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. Submittal of Building Permit for Staff review and approval prior to construction.
3. Must develop the site and garage addition in accordance with Exhibit D and Exhibit E approved by Staff

ZBA 034-18
Findings of Fact for Approval of a Variation
To Reduce the Required Front Yard Setback from (35) Feet to (22) Feet
Along the West Property Line for a (22) Feet by (8) Feet Front Porch
In an R-1, Single-Family Residential Zoning District at
4816 Skokie Circle

Approval of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which a petition for this Variation are based are unique to the property for which the Variation is sought and are not applicable, generally, to other property within the same zoning classification.
3. The purpose of this Variation is not based exclusively upon a desire to increase the value or income potential of the property.
4. The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property or by any predecessor in title.
5. The granting of this Variation will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.
7. The proposed Variation does comply with the spirit and intent of restrictions imposed by this Ordinance.

ZBA 034-18
Findings of Fact for Approval of a Variation
To Reduce the Required Side Yard Setback from (6) Feet to (5.05) Feet
Along the South Property Line for an Attached Garage
In an R-1, Single-Family Residential Zoning District at
4816 Skokie Circle

Approval of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

2. The conditions upon which a petition for this Variation are based are unique to the property for which the Variation is sought and are not applicable, generally, to other property within the same zoning classification.
3. The purpose of this Variation is not based exclusively upon a desire to increase the value or income potential of the property.
4. The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property or by any predecessor in title.
5. The granting of this Variation will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.
7. The proposed Variation does comply with the spirit and intent of restrictions imposed by this Ordinance.

ZBA 034-18
Findings of Fact for Approval of a Variation
To Reduce the Required Rear Yard Setback from (30) Feet to (27.03) Feet
Along the East Property Line for an Attached Garage
In an R-1, Single-Family Residential Zoning District at
4816 Skokie Circle

Approval of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which a petition for this Variation are based are unique to the property for which the Variation is sought and are not applicable, generally, to other property within the same zoning classification.
3. The purpose of this Variation is not based exclusively upon a desire to increase the value or income potential of the property.
4. The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property or by any predecessor in title.
5. The granting of this Variation will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.

7. The proposed Variation does comply with the spirit and intent of restrictions imposed by this Ordinance.

ZBA 035-18

Applicant
Ward 12

821 Camlin Avenue

Tom Rotello

- (A) Variation** to allow chain-link fence material in the front yards along Camlin Avenue and Logan Street
- (B) Variation** to increase the maximum allowed fence height from (4) feet to (6) feet in the front yards along Camlin Avenue and Logan Street in an R-2, Two-family Zoning District

Neither Applicant nor Representative was present.

A **MOTION** was made by Craig Sockwell to **LAY OVER** the Variation to allow chain-link fence material in the front yards along Camlin Avenue and Logan Street and to **LAY OVER** the Variation to increase the maximum allowed fence height from (4) feet to (6) feet in the front yards along Camlin Avenue and Logan Street in an R-2, Two-family Zoning District at 821 Camlin Avenue to the October 16th meeting. The Motion was **SECONDED** by Maurice Redd and **CARRIED** by a vote of 6-0.

ZBA 036-18

Applicant
Ward 11

1418, 1422 Broadway

Octavio Marquez

Special Use Permit for an auto repair shop and tire service with towing in a C-4, Urban Mixed Use Zoning District

Prior to the meeting, a request was received from the Applicant to Lay Over this item to the October 16th meeting.

A **MOTION** was made by Kim Johnsen to **LAY OVER** the request for Special Use Permit for an auto repair shop and tire service with towing in a C-4, Urban Mixed Use Zoning District at 1418, 1422 Broadway. The Motion was **SECONDED** by Jennifer Smith and **CARRIED** by a vote of 6-0.

With no further business to report, the meeting was adjourned at 9:30 PM

Respectfully submitted,
Sandra A. Hawthorne, Administrative Assistant
Zoning Board of Appeals