

VILLAGE OF ROCKTON ZONING BOARD OF APPEALS

Thursday, January 11, 2018
7:00 P.M.

Minutes

Chair Gary Kovanda called the meeting to order at 7:00 p.m.

I. Roll Call

Present: Tom Herschlag, Gary Kovanda, Tom Polaski, and Ryan Swift.

Absent: Ryan Gailey, Caitlin Pusateri and Sheila Ritter

Staff Present: Patricia Diduch.

II. Approval of December 14, 2017 Minutes

Motion made by Mr. Swift. Second by Mr. Polaski. Motion approved by voice vote, 4-0.

Mr. Kovanda announced to the petitioners that because of the four members present, the requests shall require four affirmative votes from the members.

III. Request for Map Amendment from the CR Commercial Retail District to the R-1 Residential Single-Family District – 401 W. Main St., Kelly Chambers.

Mr. Kovanda swore in Ms. Kelly Chambers. Ms. Chambers gave a brief description of her request, stating it originally was residential and then rezoned to commercial to operate a bait shop then a dog grooming salon. Ms. Chambers added that she currently resides in the building. Mr. Kovanda closed the public hearing. An audience member asked questions about the public hearing process, and then asked for the public hearing to reopen. Mr. Kovanda reopened the public hearing. The audience member, Gordon Johnson of 408 W. Mechanic St., stated his concerns about the unsightliness of the property in the past. Mr. Johnson stated he was concerned that there are more regulations if it remains commercial, and he expressed his concern that those regulations would lessen if the property became residential. Ms. Diduch explained the property would remain cleaned up as it has been since the summer regardless of whether it is commercially or residentially zoned. Mr. Kovanda closed the public hearing.

Motion to approve the request including the Findings of Fact made by Mr. Swift. Second by Mr. Herschlag. Motion approved by voice vote, 4-0.

IV. Request for Variances for Minimum Side Yard Setback from 12 Feet to 0 Feet and Minimum Lot Width from 75 Feet to 53 Feet in the R-2 Residential Two Family / Condo / Townhouse District – 741 and 744 Kelsey Ct., Jack R. Cook, Jr.

Mr. Kovanda swore in Attorney Jack R. Cook, Jr. Mr. Cook gave a brief history of the property and the estate's attempts to sell the condo unit and the legal issues surrounding that process. Mr. Kovanda asked Mr. Cook about the condo association, and a discussion ensued regarding the association and insurance

requirements. Mr. Kovanda the public hearing.

Motion to approve the Findings of Fact made by Mr. Herschlag. Second by Mr. Swift. Motion approved by voice vote, 4-0. Motion to approve the variances made by Mr. Swift. Second by Mr. Polaski. Motion approved by voice vote, 4-0.

V. Request for a Special Use Permit for Storage Units in the CH Commercial Highway District – 4950 E. Rockton Rd., Barry Yontz.

Ms. Diduch called to attention the Planning Commission’s recommendations from January 9, 2018. Mr. Kovanda swore in Mr. Barry Yontz. Mr. Yontz passed out brochures of the storage buildings to the ZBA members. He continued to explain his business history with these storage buildings, and that this would be his eighth location. He added that he had previously sold these in Rockton where the Aldi grocery store was built.

Mr. Kovanda asked Ms. Diduch if there are any regulations on any minimum setbacks from the other storage buildings, and Ms. Diduch stated there was not. Mr. Yontz stated he would move the storage buildings further apart from each other if requested by the Village. Mr. Kovanda then asked for clarification regarding the green-treated lumber condition, and Mr. Yontz replied it was since it tends to discolor quicker than other products. Mr. Yontz added that he would also move the units if asked to by the Village. Mr. Swift asked if the units are for sale or lease, and Mr. Yontz replied that while there is a rent-to-own option, most people purchase.

Motion to approve the requests including the amended Findings of Fact as presented by the Planning Commission made by Mr. Herschlag. Second by Mr. Polaski. Mr. Swift asked questions regarding the Findings of Fact. Motion approved by voice vote, 4-0. A motion to approve the special use permit made by Mr. Swift. Second by Mr. Herschlag. Motion approved by voice vote, 4-0.

VI. Old Business

None.

VII. New Business

Mr. Kovanda discussed the site plan requirement for special use permit, and he expressed his desire for more accurate site plans to be tied to the special use permit. Mr. Polaski added his support as he felt it would have helped situations like the trucking situation on Old River Road. Ms. Diduch added that she asks applicants for as detailed site plans as possible, and the site plans are added as an exhibit to the approval ordinance for the special use permit. Mr. Kovanda asked Ms. Diduch to review the County’s site plan requirements.

VII. Adjournment

Motion made by Mr. Herschlag. Second by Mr. Polaski. Motion approved by voice vote, 4-0. Meeting adjourned at 7:39 p.m.