

**VILLAGE OF BARTLETT**

**COMMITTEE MINUTES**

**January 17, 2012**

President Airdo called the Committee of the Whole meeting to order at 7:58 p.m.

Present: Trustees Martin, Napolitano, Nolan, and Shipman

Absent: Trustee Arends

Also Present: Village Clerk Lorna Giless, Village Administrator Valerie L. Salmons, Assistant Village Administrator Paula Schumacher, Assistant to the Village Administrator Steve Bosco, Community Development Director Jim Plonczynski, Finance Director Jeff Martynowicz, Building Director Brian Goralski, Public Works Director Paul Kuester, Public Works Engineer Bob Allen, Police Chief Kent Williams, Deputy Chief Patrick Ullrich, Deputy Chief Joe Leonas, Commander Chuck Snider, Golf Course Manager/Professional Bob Gavelek, and Attorney Bryan Mraz

**BUILDING COMMITTEE**

**409 Taylor Avenue Corner Side Yard & Deck Variations**

Trustee Nolan explained that the petitioner, Shane DuLong, is requesting a corner side yard and deck variation, less than 5 feet from side property line. He asked Community Development Director Jim Plonczynski to review the request.

J. Plonczynski stated that the petitioner, who resides at 409 Taylor, purchased a corner lot at Taylor and Hale Avenue. When he purchased the property, there was a wood deck (shown on the exhibit) behind the framed garage already in place. Mr. DuLong continued to work on the deck assuming that there were adequate permits and setbacks for the deck. The Building Department found that Mr. DuLong did not have the appropriate permit and the work was stopped. Mr. DuLong immediately came in to apply for the variance. Because of the corner side yard and the lay of the property, the corner side yard is actually Mr. DuLong's rear yard and the deck is behind the garage which is the only appropriate place to put it. Mr. DuLong is asking for a corner side yard and deck variation of less than 5 feet from the property. The property is located in the SR-4 district. The house has been built for some time and Mr. DuLong has done a great job with improving the deck and adding a gazebo. The Zoning Board of Appeals reviewed the petition at their January 5, 2012 meeting and recommended approval.

Trustee Nolan stated that it appears that our ordinance would allow the garage to go right up to the fence, but it wouldn't allow a deck to go right up to the fence.

J. Plonczynski explained that it was a quirk in the ordinance and that is correct. With the new ordinance, we are correcting that to make all those setbacks 3 feet.

Trustee Nolan stated that he always has some concerns relative to variances, but with the zoning ordinance issue, it seemed odd that we would allow a garage 3 feet from a fence, but not a deck. He stated that he has no objection to the petition moving forward.

Trustee Napolitano stated that the petitioner started having a deck constructed before they were aware that a permit was required, which happens occasionally. He asked if there is anything the Village can do to make sure that the construction companies in the area know what the Village's requirements are. The information is on the website and it is relatively easy to find if you look for it, but is there a way we can be proactive with it without incurring costs – just making sure people know ahead of time.

J. Plonczynski responded that in this case, the deck was started by the previous owner and left it unfinished. Mr. DuLong bought the house as is, and began finishing the deck, making the assumption that the permit was already issued to the prior owner. The inspectors drive around and look for things such as this situation and they found it.

P. Schumacher added that we use the Bartletter as a means to encourage people to get permits and to visit the website to get all the information.

President Airdo asked when the staff's recommended changes to the code are completed, would Mr. DuLong's issue have been in compliance.

J. Plonczynski responded that we are making it a 3 foot side yard setback, so yes, it would be.

President Airdo clarified that if we had already completed the code changes, this particular variance would not be an issue.

S. DuLong stated that he appreciates the staff's input on the project. Being that the deck was started, he wanted to finish the project using the best products available. He stated that he wanted to have an outdoor space to use and with the side yard, the deck had to be constructed in its current location.

There being no further comments or questions, Trustee Nolan forwarded the item to the Village Board for consideration.

President Airdo entertained a motion to adjourn the Committee of the Whole meeting.

Moved by Trustee Shipman  
Seconded by Trustee Martin

Motion carried.

There being no further business, President Airdo adjourned the Committee of the Whole meeting at 8:07 p.m.