



Village of Lemont  
*Planning and Zoning Commission*

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418 Main Street · Lemont, Illinois 60439  
phone 630-257-1595 · fax 630-257-1598

**PLANNING & ZONING COMMISSION**  
**Regular Meeting**  
**Wednesday, September 17, 2014**  
**6:30 p.m.**

**Planning and Zoning  
Commission**

Anthony Spinelli,  
Chairman

**Commission Members:**

Ryan Kwasneski  
David Maher  
Jerry McGleam  
Jason Sanderson  
Phil Sullivan  
Debra Arendziak

**Planning & Economic  
Development Department  
Staff**

Charity Jones, AICP, Director  
Martha M. Glas, Planner

- I. CALL TO ORDER
  - A. Pledge of Allegiance
  - B. Verify Quorum
  - C. Approval of Minutes August 20, 2014 meeting
- II. CHAIRMAN'S COMMENTS
- III. PUBLIC HEARINGS
  - Lemont 2030 Comprehensive Plan
- IV. ACTION ITEMS
- V. GENERAL DISCUSSION
  - Pioneer Award announcement
- VI. ADJOURNMENT



Village of Lemont  
*Planning & Economic Development Department*

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418 Main Street · Lemont, Illinois 60439  
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TO: Planning & Zoning Commission  
FROM: Martha M. Glas, Village Planner  
THRU: Charity Jones, AICP, Planning & Economic Development Director  
SUBJECT: Lemont 2030 Comprehensive Plan  
DATE: September 12, 2014

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Lemont's comprehensive plan update began in late 2011 with a residential survey. Over 400 people took time to provide input on their vision for Lemont's future. Village staff used the survey responses to develop draft vision statements for the plan and for the plan's major focus areas. A public workshop was held in November 2011 to gather input on the proposed vision and guiding principles.

From early to mid-2012, research continued for needed topics, in particular housing and economic development. In July 2012, staff began bringing draft chapters to the PZC for review. Staff worked during this period to translate the vision and guiding principles into specific recommendations, revising the original vision as needed, based upon the findings of the completed data and analysis

Early this year the Village also conducted public workshops to receive input on the development of the Lemont 2030 future land use map. Workshop participants learned about the proposed future land use categories and helped provide direction for the development of Lemont's future land use map.

The update process has resulted in the development of the following chapters:

- Our Civic Life*
- Our Community Character (including Future Land Use Map)*
- Our Homes*
- Our Mobility*
- Our Economic Prosperity*
- Our Natural Resources & Recreation*

A Conservation Design Overlay has been added to the Future Land Use Map. The definition of Conservation Design Overlay and the areas designated for conservation development are included in Exhibit A.

As a way to celebrate the nearing completion of the Comprehensive Plan, the Village sponsored a Pioneer Award. The community was asked to nominate individuals in Lemont that have either contributed to shaping the Lemont of today or exemplify the vision and guiding principles of Lemont's tomorrow as outlined in the Comprehensive Plan. Recipients of the award will be featured in the Lemont 2030 Comprehensive Plan in the form of an honorary profile in the area for which they were awarded.

Draft chapters of the plan are available online at: <http://www.lemont.il.us/lemont2030>

Attachments:

- 1) Exhibit A – Conservation Design Overlay definition and map
- 2) August 20, 2014 draft minutes

## EXHIBIT A

### Conservation Design Overlay

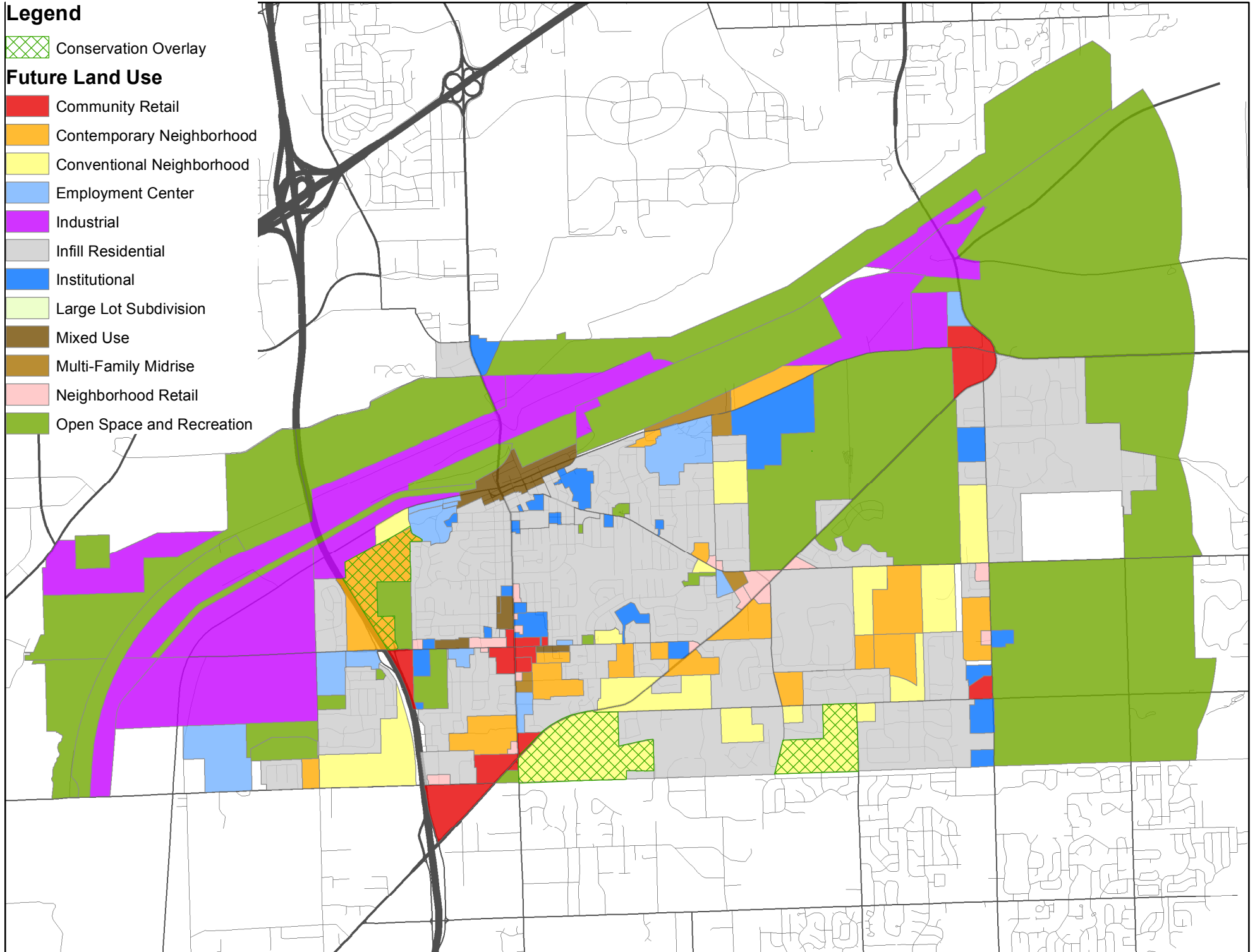
This overlay is characterized by residential development that permanently sets aside land to protect natural features on site. The remaining land is then developed in a compact fashion. This results in developments that yield the same or more lots than would be allowed if developed with conventional subdivision design, but occupying less of the total development area. Typically, conservation developments protect 40% - 50% of the available land on a site.<sup>1</sup> Conservation design is most important on land that includes environmentally sensitive features such as floodplains, significant stands of trees, highly permeable soils, and wetlands. Many conservation developments also are low impact developments that protect the natural water cycle of the landscape and reduce negative impacts of storm water runoff through implementation of green infrastructure such as bioswales, rain gardens, naturalized detention, etc.

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<sup>1</sup> Conservation Design Strategy Analysis, CMAP Go To 2040, February 2009

# Legend

- Conservation Overlay
- Future Land Use**
- Community Retail
- Contemporary Neighborhood
- Conventional Neighborhood
- Employment Center
- Industrial
- Infill Residential
- Institutional
- Large Lot Subdivision
- Mixed Use
- Multi-Family Midrise
- Neighborhood Retail
- Open Space and Recreation



**Village of Lemont**  
**Planning and Zoning Commission**  
Regular Meeting of February 19, 2014

A meeting of the Planning and Zoning Commission of the Village of Lemont was held at 6:30 p.m. on Wednesday, February 19, 2014 in the second floor Board Room of the Village Hall, 418 Main Street, Lemont, Illinois.

**I. CALL TO ORDER**

**A. Pledge of Allegiance**

Chairman Spinelli called the meeting to order at 6:35 p.m. He then led the Pledge of Allegiance.

**B. Verify Quorum**

Upon roll call the following were:

Present: Kwasneski, Maher, McGleam, Sanderson, Sullivan, Spinelli

Absent: None

Planner Martha Glas was also present.

**C. Approval of Minutes July 16, 2014**

Commissioner Kwasneski made a motion, seconded by Commissioner Sullivan to approve the minutes from the July 16, 2014 meeting with no changes. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

**II. CHAIRMAN'S COMMENTS**

Chairman Spinelli greeted the audience. He then asked for the audience to stand and raise his/her right hand. He then administered the oath.

**III. PUBLIC HEARINGS**

**Case 14-07 – 901 Singer Avenue Variation.**

Variation to allow a 6' privacy fence into a corner side yard setback.

Chairman Spinelli called for a motion to open the public hearing.

Commissioner McGleam made a motion, seconded by Commissioner Sanderson to open the public hearing for Case 14-07. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

Chairman Spinelli asked for staff to make their presentation.

Mrs. Glas stated this is a variation to allow a six foot privacy fence into a corner side yard setback. She presented the fence regulations on the overhead screen. She said fences are not permitted in a corner side yard. The intent of a corner side yard setback is meant to protect neighbors from having a six foot privacy fence in their front yard. This particular case it is not applicable because the lot is adjacent to an alley which is next to a parking area of an apartment building. Substantially, meeting the criteria for the variation is still applicable.

Mrs. Glas showed a picture of the subject area on the overhead. The lot is located on the corner of Singer and Norton. The applicant is requesting a variation to allow a three foot decorative fence be increased to a six foot privacy fence. The applicant constructed the home in 2010 and at that time they installed the decorative fence. The owners were concerned about privacy at that time and were advised to put a landscape barrier along the fence. The Village does not regulate the amount of landscaping on a residential lot. She stated the applicant did try to do that and were unsuccessful in keeping it alive and maintained. The existing fence is 4.2 feet into the corner side yard. The side yard setback for this particular lot is 7.2 feet.

Mrs. Glas said they did have one neighbor call concerned about visibility coming out of that alley. There is a vision triangle that stipulates that for street corners there has to be a 20 x 20 foot triangle. In its current location on the north side the three foot decorative fence is three feet from the lot line. On the east side abutting the alley it is right up to the lot line. She then showed a picture of the current fence on the east side. In its proposed location, the fence would be outside of the vision triangle.

Chairman Spinelli stated the vision triangle should be based on the lot lines and not the street lines.

Mrs. Glas said it is the street lines.

Chairman Spinelli stated that needs to be looked at. The intent when proposed was supposed to be from the lot lines because of public safety on sidewalks. He said before the 20 x 20 it used to be 6 x 6 on the property line. He stated after this case staff needs to look at regulation.

Mrs. Glas said there are three standards that have multiple components in the standards. The first standard is that it is in harmony with the general purpose and intent of the UDO (Unified Development Ordinance). The intent of the UDO for protecting your neighbor is not relevant for this particular case. However, there is a component that talks about the character of the neighborhood. Allowing a privacy fence closer to the

lot line then what is permitted may not impact it individually, but can set precedence for other requests. The second criteria are that the plight of the owner is due to unique circumstances and would impose exceptional hardships. The circumstances in this case are the applicant's desire for privacy from adjacent land uses which includes the apartment building. Also the desire to increase the height of the existing fence rather than moving it to the permitted location. Moving the fence to meet the required setback would reduce the applicant's existing yard space by about 225 square feet. The applicant has tried to screen the yard with landscape but has been unsuccessful.

Mrs. Glas stated the existing lot conditions were created by the lot owner. Meaning they constructed the house, put up the decorative fence and now want to increase the height in the same location. Additionally this request would be applicable to other lots and there are other corner lots in the general vicinity that are adjacent to apartment complexes with similar land use concerns.

Mrs. Glas said the third criteria are that it will not alter the essential character of the locality and will not be a detriment to adjacent property. Allowing a six foot privacy fence closer to the lot line than what is permitted would have negative visual impact to pedestrians. It would create a wall a lot closer to a sidewalk then if we would allow some green space in between. She stated it would not be detrimental to adjacent property which in this case would be the apartment complex. Because the variations are based on meeting these criteria, staff does not recommend approval.

Chairman Spinelli asked if because there is an alley if the vision triangle is different.

Mrs. Glas stated with the vision triangle there are two options. One if there is a street to a street, which would be the twenty feet. The other being if there is a driveway or a driveway access or an access aisle which would be ten feet. This would be the more restrictive vision triangle because it is a street to an alley.

Chairman Spinelli asked being that it is an alley, isn't it a still dedicated access.

Mrs. Glas said yes it is.

Chairman Spinelli asked if they knew how far the new solid fence on the alley was off of the property line.

Mrs. Glas stated the solid fence off the alley is on the property line. The plat of survey shows their original decorative fence. The applicant came in a couple of months ago asking for the privacy fence in the rear yard. The applicant was not able to carry that along the whole rear lot line because of the corner side yard. The applicant moved it three feet forward at the point it was a corner side yard.

Commissioner McGleam asked if that was permitted.



Mrs. Glas said that was permitted. The rear fence can be on the lot line with a privacy fence. The corner side yard can't have a privacy fence.

Chairman Spinelli asked if the Village allows fences right on the alleyway.

Mrs. Glas said yes they do.

Commissioner Sullivan asked what was across the street from the three foot decorative fence.

Mrs. Glas stated it was residential.

Commissioner Sullivan asked how that protects the view of the apartment complex.

Mrs. Glas said their issue is with privacy and safety.

Commissioner Sullivan asked how high is the apartment building.

Mrs. Glas stated it was a two and half story building.

Chairman Spinelli asked if anyone else had questions for staff. None responded. He then asked if the applicant wanted to come up and make a presentation.

Joe Dlugopolski, 901 Singer Avenue, Lemont, passed out photos to the Commissioners of another home that is on the corner of Warner and Cass that has a six foot privacy fence on a side yard. He said initially when they put up the three foot decorative fence staff recommended using landscape as fillers for privacy. In the pictures from staff's report you can see only five bushes survived out of all of them. They had planted 40 some trees along the side and back. He stated he was well aware of the 7.2 setback. Obviously the yard is not very large and every foot counts. He felt comfortable stepping that back three feet off the sidewalk and planting the trees, but that did not work. He said if they try the trees/bushes again and they take they will be pushing out towards the sidewalk. The vision triangle will be more affected if they do the trees/bushes rather than the six foot privacy fence.

Mr. Dlugopolski said it is a high traffic street and there are a lot of people coming through the alley. He stated there is also a lot police activity and he has children that he is trying to protect and keep safe. He said he is trying to make it look nice with safety being a concern.

Chairman Spinelli asked about the police activity and traffic.

Mr. Dlugopolski stated he sees police there once to three times a week. He said there are a lot of people filtering through. Most of the people are nice but there are three to five families filtering through that cause a few a problems. He finds trash in his yard and people block cars.

Chairman Spinelli said if the trees were able to be planted on the sidewalk side of the fence, he agrees they would be encroaching on the sidewalk. Also with the 20 x 20 vision triangle, that is not only for fences but for any above ground obstruction. He stated he would be restricted planting there also. If the vision triangle is what staff reported, he would like it noted that it is not the original intent. Regardless of how this Commission makes its recommendation to the Village Board he is going to make the suggestion that the vision triangle be taken from the property line and not the street line.

Ms. Glas stated that the vision triangle is specific to fences and does not apply to landscaping.

Mr. Dlugopolski stated that a vision triangle from his lot line would cut off half his yard.

Chairman Spinelli said he is looking for public safety. Before the meeting he had visited the property and came down the alley to pull out onto the street. He stated half of his vehicle had to get onto the sidewalk in order to see down the sidewalk. He said he has always aired on the side of safety when it comes to public safety and sidewalks. He has made developers move monument signs because it is blocking the vision triangle. Regardless on how the Commission votes one of the recommendations will be that the vision triangle is adjusted based on how he feels the original intent was.

Commissioner Sullivan asked when was the rear six foot fence put in along the alley.

Mr. Dlugopolski stated it was less than two months ago.

Commissioner Sullivan asked if that was permitted and allowed.

Mrs. Glas said yes.

Commissioner Sullivan asked if the vision triangle was looked at when that was put in.

Chairman Spinelli stated he feels it was based on the way the ordinance was written.

Barbara Antol, 901 Singer Avenue, Lemont, said she understands that safety is the most important thing. However, what was approved before were the privacy bushes, whether it is the bushes or the privacy fence how does that change. She stated you can see the bushes that survived and what it would look like for the visibility.

Chairman Spinelli stated they had built their house in 2010 and the vision triangle had not been approved at that time.

Ms. Antol said the bushes did not go in during 2010.

Mr. Dlugopolski stated it was at the end of 2011 that they put the bushes in.

Chairman Spinelli said he does not know the exact date that this vision triangle became an ordinance.

Commissioner Maher stated the point is if you go ahead and put the same bushes in, where you have the fence stopping is where you would have to stop with the bushes as well. He said you would not be able to wrap all around this.

Mrs. Glas said the vision triangle is under fences and under development signs. Landscaping at the time they built their house and currently is not regulated for where it can and can't be placed.

Commission Sullivan stated if the owner took where the six foot fence ends now and took it on a 45 degree angle and went down he would then open up that vision triangle.

Chairman Spinelli said the fence would have to be outside of the vision triangle if it is anything more than a three foot fence.

Mr. Dlugopolski stated with that 20 x 20 vision triangle from his property line he would lose that whole back fence.

Ms. Antol said that was just put in and now they are going to be held to some standards. She stated she does not see any difference in terms of visibility if it is a six foot fence that is not going to move or six foot bushes that could grow as tall as eight feet and unruly. That would create more of a hazard and could grow onto the sidewalk. She said why would she want to cut into her yard and take away space from her kids. It would create more dead space for dogs to poop on in her neighborhood.

Chairman Spinelli asked if there was any attempt to put the trees within the fence line to provide the screening, since they didn't survive between the sidewalk and the fence.

Ms. Antol stated they spent \$5,000 to put the bushes in, by the time summer ended they were brown. They took those bushes out and have been trying to decide since then what is their best option.

Mr. Dlugopolski said the lot is small and if you are trying to put a 20 x 20 triangle in there then you are taking away half my yard. He stated moving it in to the 7.2 also decreases the yard. He does not mind cutting it at a 45 degree angle for safety concerns. He said if he puts the bushes back in then it will create a larger problem.

Commissioner Sanderson stated he agrees with him. If he is allowed to put the bushes back in then he would rather see a fence. He understands safety but a 20 x 20 triangle on that size lot is too much especially with what is adjacent to him. He said let him do a 45 degree angle, it would be much better than having bushes all around.

Chairman Spinelli said he has a problem with having a solid fence that close to a sidewalk. The last three fence requests that have come before the Commission were for pools. He stated they have made all of those fences come eight feet off the property line. There was even a gentleman in Mayfair that had to do a strange angle because of the sidewalk.

Ms. Antol asked what the concern is with the sidewalk and the fence.

Commissioner Maher stated it is with people using the sidewalk.

Ms. Antol said if there were bushes then they would not even have the three feet.

Commissioner McGleam asked if staff can clarify what the intent is for the 7.2 foot setback. He stated you passed out a picture and what they are trying to avoid is something that looks as terrible as that.

Mrs. Glas stated the intent of the corner side yard setback was to protect an adjacent house from having a privacy fence in their front yard. The criteria for a variation has other standards. The visual impact of having a fence right up along your sidewalk speaks toward character and allows for a buffer. The intent is to protect adjacent neighbors, but there are other things that they look for with the criteria for the variation.

Commissioner McGleam asked if there is a different setback depending on the type of fence.

Mrs. Glas said a decorative fence is permitted in a front yard or a corner side yard. The size was just recently changed from three feet to four feet. This allows residents to enclose the yard without having that impact of a wall next to you.

Commissioner McGleam asked if the applicant had thought of putting up a six foot ornamental fence along the sidewalk instead of a privacy fence.

Ms. Antol stated it is a busy street with everyone from the apartments parking along that street. She said as her kids are playing in the backyard there are constantly people walking back and forth. She is not saying that someone is going to try and take her kids but things can happen in nice neighborhoods. She stated she can't even turn her head for three seconds without worrying that something is going to happen. This is her home and she should feel safe and comfortable.

Chairman Spinelli asked on the decorative fence rule can the four foot fence be solid.

Mrs. Glas said it cannot, it has to be 50% opaque.

Commissioner Sullivan asked if landscaping can be planted on the inside of that fence.

Chairman Spinelli stated yes it can.

Mr. Dlugopolski said the lot is small and you will take away more of the lot.

Ms. Antol stated the landscaping is permitted on the outside so why would they want to bring it inside.

Mr. Dlugopolski said if that was the case he would have built at the 7.2 feet and went straight across. He stated that would have left a side yard for the apartment building to park their toys, beer bottles, or for them to walk their pets on. He said that is why the landscaping has not survived. After he planted new grass he had asked for them not to walk on it and they just yelled at him.

Chairman Spinelli stated he wondered if there was a solid four foot tall fence with an open decorative feature at the top. This way you would get the privacy you need but there will still be the openness at the top. He said he has a hard time permitting a solid six foot tall fence that close to the sidewalk.

Commissioner Sullivan asked if those cars on the street park there overnight.

Mr. Dlugopolski said yes they do. He stated the parking is not that big of a problem.

Ms. Antol stated she is not sure why they would want to do a four foot solid with the open at the top rather than the six foot privacy.

Commissioner McGleam said it helps the appearance of the side yard and the view along the parkway or street. He stated he thinks it would be a good compromise. It would make the fence tall which will provide additional security and it gives that clear vision.

Chairman Spinelli stated that was just something he was throwing out there as a compromise. He is not sure if it is even possible.

Commissioner McGleam asked if they know of any other reason other than the dogs as to why the shrubs did not take.

Ms. Antol said after spending \$5,000 the first time you are not in a rush to spend more. She stated she is not sure. She said it is something they could try, but they would still be planting it along the outside which might be defeating the purpose of what the Commission is stating. If they put up the fence then there is still three feet of space for people to walk down the sidewalk without getting scratched or for dogs to walk on.

Commissioner McGleam asked if they have ever considered a five foot solid fence.

Mr. Dlugopolski stated since the back fence was six feet they thought it would be easier to wrap around.

Chairman Spinelli asked if there was anyone else in the audience that wanted to speak in regards to this case. None responded. He then called for a motion to close the public hearing.

Commissioner Maher made a motion, seconded by Commissioner Kwasneski to close the public hearing for Case14-07. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

Chairman Spinelli asked if there were any further questions or comments from the Commission. None responded. He then called for a motion for a recommendation to the Mayor and Village Board of Trustees.

Commissioner Maher made a motion, seconded by Commissioner Sullivan to recommend to the Mayor and Board of Trustees approval of Case 14-07, variation to allow a six foot privacy fence at 901 Singer Avenue. A roll call vote was taken:

*Ayes: Kwasneski, Sanderson, Sullivan*

*Nays: McGleam, Maher, Spinelli*

*Motion failed*

#### **IV. ACTION ITEMS**

**Athen Knolls Resubdivision** – Subdivision of a single lot into two which allows an existing detention basin to become a separate lot.

Mrs. Glas said this was a previously approved subdivision. The particular lot is zoned B-1 and includes an easement which encompasses a detention area. The Village has been working with the owner of this property because there are some maintenance issues with the detention area and it was determined that the best course of action was to divide the basin from the lot.

Mrs. Glas said staff approves the plat of resubdivision. She stated they would only take over the detention basin and not the other half of the lot.

Chairman Spinelli asked if it was a wet basin with standing water.

Mrs. Glas stated it has been referenced as a “pond” so there is standing water.

Chairman Spinelli asked if the Village is willing to take on this maintenance and asked if all 16 homes were part of the Village of Lemont.

Mrs. Glas stated yes they are. She said both empty parcels will remain B1.

Chairman Spinelli asked if the commercial lot comes in and has to provide storm water detention where are they going to provide that. He stated he understands that the

Village is trying to help for this to proceed, but he has some concerns. He can't see the Village taking over this lot because the landowner is refusing to take care of it. This would set bad precedence.

Commissioner Maher asked why we are looking to take it over.

Mrs. Glas said the recommendation is for the subdividing so the detention area is on its own pin so something can be done with it.

Chairman Spinelli stated he is cautious to do this resubdivision. Even if this new lot remains with the existing owner it could become a vacant landowner and he will let it go like he is already doing.

Discussion continued in regards to the cost of cleaning up the detention area and whether to split the lot.

Chairman Spinelli said his personal opinion is that it would not be right to split this lot at this time. He stated when someone comes in with a site plan for the commercial lot then they could look at it if they want to split it. Right now the landowner is not maintaining it and he will not maintain it in the future. The landowner wants to put that cost on the Village which is wrong. This is a bad idea and it will set precedence.

Chairman Spinelli asked if there were any further questions or comments in regards to this action item. None responded. He then called for a motion.

Commissioner Maher made a motion, seconded by Commission McGleam to recommend to the Mayor and Board of Trustees approval of the Athen Knolls Resubdivision. A roll call vote was taken:

*Ayes: None*

*Nays: McGleam, Kwasneski, Sanderson, Maher, Sullivan, Spinelli*

*Motion failed*

## **V. GENERAL DISCUSSION**

### **A. Future Land Use Map**

Mrs. Glas stated in the staff report there was an updated Future Land Use Map that was a result of having been before the Committee of the Whole. There was one change that was made to the area of Bell Road. She showed on the overhead projection where the change was made. She asked the Commission to take a look at the map again to see the changes that have been made.

Chairman Spinelli said he would have thought Contemporary would have gone adjacent to the power lines and north of the Glens of Connemara. This would have tied into the Contemporary along Bell Road that wraps around the fire station.

Chairman Spinelli said he feels it make for a better flow because you are then bringing the Contemporary part of it east of the power lines and connecting it west of the lines. He stated he does not see the planning aspect of it by having the Contemporary flagged on both sides of Conventional. He understands having the Conventional on the west side because of the existing developments there but you still have some butting up there that is Contemporary.

Mrs. Glas stated she will look into what the reason was as to why they changed this. She asked but in terms of where they are putting these areas, they are the categories that they had decided on.

Chairman Spinelli said yes. He does not have a strong opinion either way. He just does not agree with the planning of it and seems that it would be splitting it incorrectly.

Mrs. Glas stated she will find out what the rational was. She said if there are any other questions or comments to please contact her.

## **B. Pioneer Award**

Mrs. Glas said years ago when the Comprehensive Plan was in thought process of what the document was going to look like, there was a desire to have one page highlights of people in the community to represent that chapter of the Comprehensive Plan. She stated they are at that point and have thought how they are going to do this. Jim Brown had a couple of people in mind but after talking with staff they felt it would be better to open it up to the community and have them pick. She stated they came up with the theme of the Pioneer Award. They had sent this out three weeks ago to taxing districts, staff, Commissioners, facebook, the Patch, and is out in the lobby of the Village Hall. She asked if the Commission had any other names to add.

Commissioner Maher stated for economic prosperity he was thinking of John Fairclough. He said he is a business owner and lives in Lemont.

Commissioner Maher said for mobility they can look at Dan Ganzer.

Chairman Spinelli asked if they could nominate the Boy Scouts in Lemont.

Mrs. Glas stated they were trying to nominate individuals rather than groups but could look into finding a contact.

Commissioner Maher said Jeanette Virgilio is very active in the Quarries and might know of one of the Den Leaders for the Boy Scouts that has been very active.

Commissioner Kwasneski stated there is Bill or Ann Lash who works with Bethany Food Pantry.



Mrs. Glas thanked them for the different names. She said one thing that is not on the agenda but she did pass out, was the flier for the APA Conference that is coming up in October. She stated if anyone is interested in going to please contact either her or Mrs. Jones.

Chairman Spinelli said there is a truck that is parked at Hardees 24/7 with the condensing unit running that needs to be looked at. He stated J-Stack has a dumpster on the property that needs an enclosure.

Mrs. Glas said code enforcement has been out there, but she will look into it.

Commissioner McGleam asked if the vision triangle needs to be relooked at.

Mrs. Glas stated she will send the page out that is in the ordinance.

Commissioner McGleam asked if they should be looking at the 7.2 foot side yard setback when it is next to an alley like this. He said the original intent was so you would not have a fence in someone's front yard.

Commissioner Maher stated the intent was so you would not have a solid six foot fence along a sidewalk.

Mrs. Glas said in general the intent is so someone does not have a six foot fence in their front yard. However, the variation standards cover the other things like character or a fence right up to a sidewalk.

Chairman Spinelli asked if there were any other questions or comments. None responded. He then called for a motion to adjourn the meeting.

## **VI. ADJOURNMENT**

Commissioner McGleam made a motion, seconded by Commissioner Kwasneski to adjourn the meeting. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

*Minutes prepared by Peggy Halper*