

MINUTES OF THE VILLAGE OF JOHNSBURG
JULY 25, 2017 MEETING OF THE
PLANNING AND ZONING COMMISSION
Draft/Not Approved

CALL TO ORDER – Chairman Husby called the meeting to order at 7:00 p.m.

Commission Members Present

Kim Husby
Mark Niggemann (Absent)
Scott Letzter
Tom Benck
Curt Larsen
Beth Foreman
Bobbie Wiltse

Petitioners

Krzyzstof Lenart

LENART VARIANCE REQUEST

Krzyzstof Lenart was in attendance to request that the Planning and Zoning Commission for the Village of Johnsburg recommend a variance be granted to Section 7.2-1 Permitted Fences, to permit the placement of a fence in the front yard. Said variance is to accommodate a wood fence not to exceed 5' in height along both side property lines in the yard abutting the river. The property is commonly known as 1524 River Terrace Drive, PIN 10-18-251-024.

QUESTIONS FROM THE BOARD

Commission Member Letzter questioned if the petitioner plans to put in any additional fencing. Mr. Lenart replied that the permit was already issued and his variance request is after the fact. Commission Member Wiltse requested clarification as to the location from which the pictures were taken. It was explained that the pictures were taken from the neighboring property. Mr. Lenart provided additional pictures for review. Commission Member Wiltse questioned the purpose of the fence. Mr. Lenart explained that he installed the fence to provide a secure, enclosed area for his children and dog to play. Commission Member Wiltse questioned when Mr. Lenart realized that he needed a variance to install the fence. Lenart replied that Village staff contacted him approximately 4-5 days after the fence was installed to inform him that he needed a variance. Chairman Husby questioned if an inspector performed a final inspection on the fence. Mr. Lenart stated that a final inspection has not taken place yet. Commission Member Foreman questioned how close the fence is to the neighboring deck. Mr. Lenart replied that it is in close proximity to the deck as the deck is right next to the property line. Commission Member Benck questioned if there is anything the petitioner can do to change the look of the fence. Lenart replied that changing the boards on the fence may be a possibility. Commission member Benck asks what made him go with the cedar fence. Mr. Lenart replied that he felt it was the best design to separate his dog from the neighboring property.

QUESTIONS FROM THE FLOOR

Bob Kujawa residing at 1522 River Terrace Dr. questioned if Mr. Lenart considered different options other than the current picket fence. Mr. Lenart replied that he did plan to do a chain link fence with tall trees alongside the fence, but ultimately decided to go with the picket fencing because the height of the trees would completely block the view. Mr. Kujawa questioned if any of the fences along the river look like the one that he has now. Lenart replied that no one has the exact same fence as his but there are a variety of different fences along the river. He stated that the fence, as installed adjacent to Mr. Kujawa property, actually measures less than 5 feet in height and he reached out to Mr. Kujawa to see if he would prefer the fence painted white to match the existing fence, but did not receive a response. Lynda Zambo

from 1606 River Terrace Dr. questioned if he planned to construct a wooden fence along the side property line adjacent to her property as well. Mr. Lenart replied that he does not plan to do so.

COMMENTS FROM THE BOARD

Commission Member Larsen stated that he would have preferred to see a chain link or invisible fence for the dog. Commission Member Wiltse concurred with the preference for a chain link fence. Chairman Husby stated that she thinks the fence is visually attractive and would be acceptable elsewhere in the Village, but it is not the preferred design for use on waterfront properties. Commission Member Benck expressed concern that if the variance is granted, others will pursue similar fencing on properties along the river. Commission Member Larsen stated that even though the fence does not comply, the petitioner pursued a permit and did what he was legally supposed to do.

COMMENTS FROM THE FLOOR

Ms. Zambo from 1606 River Terrace commented that wood fences are not as nice as chain links because you cannot see through them. Ms. Zambo also stated that she is sympathetic to Mr. Kujawa's concern, as he can no longer see down the river. Mr. Zambo explained that he has a fence along his property because it marks the dividing line of two different subdivisions. Bruce Bennett from 1220 River Terrace Dr. commented that he does not believe a fence in the front yard along the river is aesthetically pleasing. Mr. Kujawa commented that his view has changed since the fence was installed. He further remarked that he would not be opposing the fence if it was in a different place and he believes his property value is affected because of the fences impact on his view. Mr. Kujawa stated that he brought the fence to the attention of Ms. Peters at the Village Hall which prompted the village to require a variance.

SUMMARY

Commission Member Foreman motioned to recommend approval of the variance to permit a fence in the front yard for property along the river to accommodate the cedar fence installed. She emphasized that the recommendation is to accommodate the fence for which a permit was issued, the fence is already installed and should not be viewed as setting a precedence. The recommendation is conditioned upon any replacement of the fence in the future will be with materials consistent with other fences approved along the river which provide for more visibility. Commission Member Wiltse seconded the motion. Commission Members Wiltse, Foreman, Larsen, and Letzter voted aye. Commission Member Benck voted no. Motion carried. Chairman Husby noted that the matter would go before the Village Board for a first read and then final decision.

ADJOURNMENT - Motion by Chairman Husby to adjourn the meeting. Seconded by Commission Member Wiltse. All Members present voted aye. Motion carried at 7:52 p.m.

Respectfully Submitted,

Timothy Haynes
Administrative Assistant/Collector