

**Village of Sleepy Hollow
Planning and Zoning Commission
June 26, 2023, Meeting Minutes**

Commissioners Present: Daniel Atilano Theresa Buskey Kevin Erickson William Hof
Jerome Kopacz Acting Chairman Erik Watters

Absent: Commissioner/Chairman Donald Plass

Guests: Village President Stephan Pickett, Village Attorney Mark Schuster, and Code Official Barbara J. Dettmer—taking minutes for the Commission.

Acting Chairman Watters opened the meeting at 6:30 p.m. with the Pledge of Allegiance. Roll call was taken and a quorum was established.

Approval of the Agenda:

Commissioner Buskey moved to approve the agenda with Commissioner Hof seconding the motion. The motion carried on a voice vote.

New Business:

Acting Chairman Watters called the Public Hearing to order at 6:32 p.m.

Attorney Schuster advised the Notice of Public Hearing was duly published in the Daily Herald June 9, 2023. The public hearing is for a variance requested for 903 Holly Court.

Proponents/owners Bernard and Mary Jensen presented their petition for a variance from the maximum lot area coverage in order to add a screened porch/sunroom to the back of their home. They did not realize when they purchased the home that it was at maximum coverage. The addition of the screened porch would allow them to enjoy their backyard, protected from insects and rain.

Public testimony was given by Kelly Thomas after being sworn in by the court reporter. Ms. Thomas explained she was a neighbor at the end of Jill Peak Drive, and she had walked the neighborhood and looked at the proponent's property. She found there would be no impact to view through the neighboring residences, and as a neighbor, she had no problems with the proposed variance for the sunroom.

Commissioner Atilano moved to close the public hearing with Commissioner Buskey seconding the motion. The motion carried on a voice vote and the public hearing was closed at 6:42 p.m.

The commissioners determined the following ***Findings of Fact*** in accordance with the Village Zoning Code:

1. *Strict application of the district requirements would result in great practical difficulties or hardship to the applicant and prevent a reasonable return on the property;*
Finding: There is no hardship, but it increases the value of the home and the enjoyment of the property.
2. *The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardships and allow a reasonable return on the property;*
Finding: The minimum deviation of the requirement is with the support of the surrounding neighbors.
3. *The plight of the applicant is due to peculiar circumstances not of his/their own making;*
Finding: Is not of the petitioner's making.
4. *The peculiar circumstances engendering the variance request is not applicable to other property within the district, and therefore, that a variance would be more appropriate remedy than an amendment (rezoning);*
Finding: The variance is the appropriate remedy.

5. *The variance, if granted, will not alter the essential character of the area where the premises in question are located nor materially frustrate implementation of this municipality's comprehensive plan.*

Finding: Will not alter the character of the area.

6. *The variance will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;*

Finding: The area/neighborhood is already developed and, therefore, this is not applicable.

7. *The variance will not cause a substantial detriment to the public good and without substantially impairing the general purpose and intent of the comprehensive plan as established by the regulations and provisions contained in the Village of Sleepy Hollow Zoning Code.*

Finding: The variance will not cause a detriment to the public good and will not impair the general purpose and intent of the Village of Sleepy Hollow's Comprehensive Plan.

By unanimous vote, the commissioners approved the Findings of Fact.

PZC Recommendation:

Commissioner Buskey moved to recommend approval of the petition for variance as submitted, subject to the Findings of Fact that have just been discussed. The motion was seconded by Commissioner Erickson. The motion carried on a voice vote.

Public Comment: None.

Commissioner Buskey moved to adjourn with a second from Commissioner Kopacz. The motion carried on voice vote and the meeting adjourned again at 7:00 p.m.

Respectfully submitted,



Barbara J. Dettmer, MCP
Recorder of Record