

CITY OF AURORA  
**BOARD OF ZONING APPEALS**  
**MEETING MINUTES**  
January 9, 2019

The Aurora Board of Zoning Appeals met in a regularly scheduled meeting Wednesday, January 9, 2019, in the Council Chambers at City Hall. The meeting was called to order at 6:28 p.m. by Chairman Terese Fennell.

*(Steven Greenberger was sworn in prior to the start of the meeting to complete the term vacated by Bernard McCarrell.)*

**ROLL CALL:**

Present: Terese Fennell  
Tony Gramm  
Steven Greenberger  
Jeff Iammarino  
Absent: Tom Carr  
Also Present: Matt Vazzana, Legal Advisor  
Meredith Davis, Asst. Director,  
Planning, Zoning & Bldg. Division  
Marie Lawrie, Clerk

Mr. Vazzana swore in those in attendance who wished to speak this evening.

**ORGANIZATIONAL/ELECTION OF OFFICERS:**

Ms. Fennell opened the floor for nominations.

Mr. Gramm nominated Jeff Iammarino for Chairman. Ms. Fennell seconded the nomination. Hearing no further nominations, Ms. Fennell closed the nominations.

**MOTION: To elect Jeff Iammarino as Chairman**

Mr. Gramm moved; Ms. Fennell seconded, and the motion carried, 4-0, on a roll call vote.

Yeas: Mr. Gramm, Ms. Fennell, Mr. Greenberger, Mr. Iammarino

Nays: None

There was a conversation among the members to explain that Mr. Iammarino and Mr. Gramm misunderstood that they were to nominate someone as chairman. Mr. Gramm meant to nominate Mr. Iammarino for Vice Chairman. The group was advised to reconsider the motion.

**MOTION: To reconsider the election of Jeff Iammarino as Chairman**

Mr. Gramm moved; Mr. Iammarino seconded, and the motion carried, 4-0, on a roll call vote.

Yeas: Mr. Gramm, Mr. Iammarino, Mr. Greenberger, Ms. Fennell

Nays: None

Mr. Iammarino nominated Ms. Fennell for Chairman. Mr. Greenberger seconded the nomination. Hearing nothing further, Ms. Fennell closed the nominations.

**MOTION: To elect Terese Fennell as Chairman**

Mr. Iammarino moved; Mr. Greenberger seconded, and the motion carried, 4-0, on a roll call vote.

Yeas: Mr. Iammarino, Mr. Greenberger, Ms. Fennell, Mr. Gramm

Nays: None

Mr. Gramm nominated Jeff Iammarino for Vice Chairman. Ms. Fennell seconded the nomination. Hearing no further nominations, Ms. Fennell closed the nominations.

**MOTION: To elect Jeff Iammarino as Vice Chairman**

Mr. Greenberger moved; Mr. Gramm seconded, and the motion carried, 4-0, on a roll call vote.

Yeas: Mr. Greenberger, Mr. Gramm, Mr. Iammarino, Ms. Fennell

Nays: None

Mr. Iammarino nominated Marie Lawrie for Clerk. Ms. Fennell seconded the nomination. Hearing no further nominations, Ms. Fennell closed the nominations.

**MOTION: To elect Marie Lawrie as the Clerk for the Board of Zoning Appeals**

Mr. Iammarino moved; Ms. Fennell seconded, and the motion carried, 4-0, on a roll call vote.

Yeas: Mr. Iammarino, Ms. Fennell, Mr. Gramm, Mr. Greenberger

Nays: None

**AMENDMENTS TO THE AGENDA:**

None

**APPROVAL OF MINUTES:**

There were not enough members present who were in attendance at the December 12, 2018 meeting to adopt the minutes. They will be considered at the next meeting.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**Carl H. Wells, 475 Jackson Road – Side Yard Setback Variance for an Accessory Structure (1812021)**

Carl H. Wells, homeowner, was present at the meeting to answer questions. He was seeking a variance to erect a 24 x 36 garage with a 12 foot side yard setback, where the Aurora Codified Ordinance Section 1155.04(d) calls for a minimum of a 50 foot side yard setback.

He explained that he has a septic system behind his home preventing the construction of a garage in that area. He planned to erect it in the side yard and comply with the ABR Residential Guidelines that call for a side-loading garage where feasible.

Mr. Wells provided the members a signed letter from the neighbor at 505 Jackson Road that stated that he was in favor of the variance request. That neighboring property would be most affected by the variance approval. The next nearest neighbor would be more than 400 feet away from the garage. There was a discrepancy between the distance of the garage from the property line between the letter from the neighbor and the site plan provided. When asked, Mr. Wells stated that he planned to erect the structure 12 feet off the side property line. The site plan indicated the garage would be erected 150 feet off Jackson Road.

It was stated that the property has a small shed that would remain on the property. Mr. Wells explained that he has 3 acres of land. Mr. Wells plans to use the same siding as his home.

There was no one present to make public comment. The board members discussed the variance request among themselves. Mr. Gramm stated that there is ample land to decrease the visual impact of this project. He stated that the garage would be 150 feet from the road. Mr. Iammarino agreed and stated that variance request was not substantial. He further stated that the applicant presented a hardship due to the septic system location and with consideration to the location of the garage doors.

Mr. Greenberger stated that relocation would be economically difficult.

Ms. Fennell stated that the predicament could not be solved in another way. She understood that the ABR Residential Guidelines do not support a front-facing garage. She also considered that moving the septic system would not be feasible.

Mr. Gramm stated that there would be no impact on governmental services if the variance was granted.

**MOTION: To grant the variance request as submitted**

Mr. Greenberger moved; Mr. Gramm seconded, and the motion carried, 4-0, on a roll call vote.

Yeas: Mr. Greenberger, Mr. Gramm, Mr. Iammarino, Ms. Fennell

Nays: None

**MISCELLANEOUS:**

None

**ADJOURNMENT:**

Mr. Gramm moved to adjourn at 6:48 p.m. Mr. Iammarino seconded, and the motion carried on a unanimous voice vote.