

Village of San Jose  
Zoning Board of Appeals Meeting  
December 12, 2014

Zoning Board of Appeals meeting called to order by Chairman Bernard Bree at 7:00 pm. Meeting was held at Village Hall, 309 S. 2<sup>nd</sup> Street San Jose, Illinois.

Roll call taken: Present: Stuff and B. Jones                      Absent: Probasco, Hayden, Custodio and Zimmerman  
Also in attendance: Building Inspector Bob Albers and Citizen Joann Bree

Meeting agenda was posted more than forty-eight hours in advance of the meeting on the outside and inside bulletin boards at Village Hall and is attached to and made part of the minutes.

Chairman Bree acknowledged the lack of a quorum present at the meeting; therefore, there will be discussion pertaining to the matter at hand with a recommendation for the Village Board only to be determined. Bree explained the process by which a variance is approved through the Village Board to all present. Bree expressed his relationship to the citizen requesting the variance, Joann Bree, and both parties acknowledged that their relationship would not bear any impact on this meeting.

Albers handed out a written statement, which is on record, to all present for consideration and review. Albers explained why the fence permit application was denied. This denial was due to the lack of proper placement, in regards to the footage allowable by ordinance, for the erection of a fence and the safety concerns with the proposed placement for fence.

Citizen J. Bree explained her reasoning for requesting the privacy fence and asking for a variance to allow for placement of the fence to be beyond the ordinance guideline of five feet back from the front of the residence. J. Bree expressed her concerns over past and present issues regarding her neighbors for the board's consideration. J. Bree reported that her property has been professionally surveyed and the property lines staked.

There was a general discussion pertaining to the type of fence being built and the materials being used to build said fence.

Jones read ordinance 4-7-9 which gives specific reasons for the granting of variances. Chairman Bree expressed his opinion of J. Bree having probable cause for a variance. Stuff expressed concern for granting a variance due to ordinance 4-7-9 (c) stipulations.

There was further discussion pertaining to a possible compromise in placement of privacy fence with several possibilities covered. J. Bree was encouraged to attend the December 15, 2014 Village Board meeting to express her concerns to the board prior to their final vote and decision on the matter.

The Zoning Board of Appeals send the following recommendations to the San Jose Village Board for review and consideration:

1. Do not accept the application for privacy fence permit as submitted.
2. Allow Joann Bree to place "see-through" fencing, no higher than forty-two inches (42") in height, beginning two feet and eight inches (2'8") south of the sidewalk in front of her residence at 309 W. Mulberry for two (2) sections of fencing (equivalent to sixteen feet 16' in length) and then be allowed to step up to a six foot (6') solid privacy fence to extend to the car port area as indicated in the original permit.

Jones made a motion to adjourn with 2<sup>nd</sup> from Stuff. Meeting adjourned at 8:00 pm.