

**Village of Rockdale  
Zoning Board of Appeals Minutes  
September 6, 2022 & September 19, 2022**

**1. Order of Business**

- a. **Call Meeting to Order.** President Nelles called the Public Hearing to order at 6:00 p.m. at the Rockdale M. Smithback Community Center.
- b. **Roll Call**  
Zoning Board of Appeals Members Present: Brian Boden, Marilyn Gunderson, Todd Sackmann, Eleanor Schemenauer and Dawn Williams.  
Zoning Board of Appeals Members Absent: None  
Absent: Lukasz Lyzwa, General Engineering  
Others Present: Nancy Bishell & Ann Gerlich
- c. **Proof of Posting/Publication.** Clerk-Treasurer Gerlich confirmed the meeting had been properly posted and published.
- d. **Discussion and possible approval of Zoning Board of Appeals draft minutes of November 16, 2016.**  
**Motion** by Nelles, second by Sackman, to approve the draft minutes of November 16, 2016. Motion carried 5-0.

**2. General Hearing**

- a. **Statement of the nature of the case by the Chair.** Request by James & Alicia Hynes, an application for a variance per the terms of the Village of Rockdale Code of Ordinances to modify the requirements and allow for construction/upgrade of an accessory structure without primary residence. Located at 115 Benton Street, reviewed under Residential zoning district, Parcel #: 0612-231-6710-1, this is a part of the SE ¼ of the NE ¼, Section 23, T06N R12 E. The property is zoned R-1.
- b. **Appellant's side of the case.** Alicia Hynes stated that although the ordinance states that a "new" structure is not allowed on a lot without a primary residence, the existing structure has been grandfathered in and the structure would be only be made larger. The Hynes' had received approval to increase the lot size to make it a buildable lot. Expansion of the existing structure would still allow a future home to be built on the lot, and within the building code, thus creating future tax revenue for the village.
- c. **Questions by Zoning Board Members to Appellant.**  
The Zoning Board needed more information from Lukasz Lyzwa, Project Engineer of General Engineering Company, to address all concerns.

**3. Adjournment.**

**Motion** was made by Gunderson, second by Sackmann to reconvene when Mr. Lyzwa could be present. Motion carried 5-0. Meeting adjourned at 6:52 pm.

**4. Order of Business**

**a. Call Meeting to Order.** Zoning Board member, Todd Sackmann called the Public Hearing to order at 5:01 p.m. at the Rockdale M. Smithback Community Center.

**b. Roll Call**

Zoning Board of Appeals Members Present: Brian Boden, Marilyn Gunderson, Todd Sackmann, and Eleanor Schemenauer.

Zoning Board of Appeals Members Absent: Dawn Williams

Others present: Lukasz Lyzwa, General Engineering & Ann Gerlich

**5. Administrator's side of the case.** ZBA member Sackmann cited criteria for approving a variance. Property has limitations. No harm to public interest.

**a. Questions by Zoning Board Members to Zoning Administrator.**

The Zoning Board asked Mr. Lyzwa if there was any concerns, as to granting the permit. He stated that although this type of situation is unusual, he has seen many instances like this and there was no issue in going ahead and granting the application.

**b. Statements by interested persons such as neighbors or abutting landowners.** None

**c. Questions by Zoning Board Members to interested persons.** None

**d. Appellant's or applicant's rebuttal.** None.

**6. Discussion/deliberation/decision.**

Committee reviewed decision form – discussion and decision from above.

**Motion** by Gunderson, second by Sackmann to approve the application by James & Alicia Hynes for a variance per the terms of the Village of Rockdale Code of Ordinances to modify the requirements and allow for construction/upgrade of an accessory structure without primary residence. Located at 115 Benton Street, reviewed under Residential zoning district, Parcel #: 0612-231-6710-1, this is a part of the SE ¼ of the NE ¼, Section 23, T06N R12 E. The property is zoned R-1. Motion passed 4-0.

**7. Adjournment.** Motion by Sackmann, second by Gunderson, to adjourn at 5:50 p.m. Motion carried 4-0.

Respectfully Submitted,  
Ann E Gerlich  
Clerk-Treasurer

Approved: \_\_\_\_\_