




MEMORANDUM

TO: Timothy Sexton, Acting Village Manager

FROM: William J. Heniff, AICP, Director of Community Development 

DATE: November 7, 2013

SUBJECT: ZBA 13-06 – 521 S. Lewis Av. – Withdrawal Request & Fee Reimbursement

At the October 17, 2013 Village Board meeting, the Board continued ZBA 13-06 for the property at 521 S. Lewis Avenue. The petitioner sought a variation request to allow for an existing hedge to exceed the maximum allowable height within a clear line of sight area.

Subsequent to the meeting, a follow up meeting was held on Monday, October 28, 2013 at the site of the requested variation. Attendees included Village staff, District 5 Trustee Fitzpatrick, the petitioner (Jeff Davis), the abutting property owner and the Village's social services representative.

As a result of the discussion, the petitioner represented that he would modify the hedgerow to be no greater than two feet (2') in height, in order to be compliant with the Village's Zoning Ordinance clear line of sight regulations. Therefore, Mr. Davis is requesting a withdrawal his petition.

However, in consideration of the withdrawal of his petition, Mr. Davis is also requesting a refund of the public hearing fees paid for ZBA 13-06, in the amount of \$450.00. Village Code currently only provides for a refund of the fees prior to the public hearing itself. As such, this matter is being forwarded to the Village Board for consideration and approval, with the support of Trustee Fitzpatrick.

ACTION REQUESTED:

Please place this item on the November 7, 2013 Village Board agenda. The petitioner is withdrawing his petition and is seeking a reimbursement of the associated public hearing fees on the amount of \$450.00.