

MEETING MINUTES OF THE
PLAN COMMISSION/ZONING BOARD OF APPEALS
AUGUST 22, 2007
7:30 P.M.

LINCOLNWOOD VILLAGE HALL
COUNCIL CHAMBERS
6900 NORTH LINCOLN

MEMBERS PRESENT: Herbert Theisen, Kenneth Klint, Mark Yohanna, Sue Auerbach, Mary Couzin, Anthony Pauletto, and Joanne Angarola

ABSENT:

OTHERS PRESENT: Davorka Kirincic, Building Inspector.

I. APPROVAL OF PREVIOUS MINUTES:

Motion was made by Commissioner Pauletto, seconded by Commissioner Yohanna, to approve the minutes of July 11, 2007. Motion carried unanimously.

Motion was made by Commissioner Pauletto, seconded by Commissioner Couzin, to approve the minutes of August 8, 2007. Motion carried unanimously.

II. ORDER OF BUSINESS

6717 Keating Avenue

Chairperson Angarola swore in Seymour Turner, architect from Airoom.

Chairperson Angarola read the variation request into the record. A variation to increase the allowed building coverage by 4% (218-square feet) from the allowed 35% (2,080-square feet) to the proposed 39% (2,305-square feet).

Chairperson Angarola asked Building Inspector Kirincic to explain the nature of the variation request. Building Inspector Kirincic stated that the variation request to increase allowed building coverage is being sought in order to construct a partial second story addition and a two-story addition on the north side of the existing home. According to information provided

by the applicant, the proposed additions will provide a covered drive on the first floor, leading to the detached garage in the rear yard, and two bedrooms and bathroom on the second floor. The existing home complies with all required yard setbacks and other bulk ordinance requirements.

The variation requests to increase the allowed 35% building coverage is directly contrary to the intent and spirit of the adopted bulk zoning regulations. Given that this is a rare variation request to increase the allowed 35% building coverage by 4%, great caution should be taken due to the precedent that will be set. In the past, the PC/ZBA has granted an increase of 2% for Building Coverage, but only after adequate hardship had been shown. In the opinion of staff, the petitioner must provide strong evidence of a hardship in support of the variation request.

The first floor of the proposed two-story addition will be used as car passage/car port leading to the garage in the rear yard and will be open on two sides. Given the partially open nature of the two-story addition, the overall impacts on the neighboring property would be less, but the fact that the pass through area is covered it counts against the allowed building coverage area total. The yard setbacks of the proposed additions comply with all required yard setbacks, which provides evidence that the proposed additions will not project any further than the existing footprint of the home and will not adversely impact the properties to the north and south sides of the home.

Chairperson Angarola stated that she understood the Building Dept. objections to the variation, but asked what they could do different to comply. Building Inspector Kirincic stated they could make the first floor addition a little smaller.

Commissioner Pauletto asked if they F.A.R. was being violated. Building Inspector Kirincic stated it was not.

Commissioner Auerbach asked about the existing, attached garage being shown on the plans. It was explained by Mr. Turner that it is an overhang and that there are garage doors attached, but the doors are never used because it would block access into the house. Mr. Turner stated they use the detached three-car garage in the back. Mr. Turner explained that this would be a porte-cochere leading to the detached garage in the rear. Mr. Turner stated that they want to do a second floor addition and extend the arched wall and the area below the second floor would be open. Mr. Turner stated they were meeting all other required setbacks and bulk ordinance requirements except for building coverage.

Mr. Turner had some of the neighbors sign a document that showed the proposed addition and asked them to sign it if they had no objections. Mr. Turner only left one of the signed documents and took the rest.

Commissioner Auerbach stated that she did not see where the hardship was. Commissioner Auerbach suggested that Mr. Turner try some way to try to come closer to meeting the allowed building coverage, such as removing the deck on the second floor in the back of the house, which would free up 90-square feet. Mr. Turner stated they would still not comply even if they removed the deck.

Mr. Turner stated that the hardship is because the garage was built six years ago before the bulk ordinance was put in place and now the homeowners are being penalized. Mr. Turner kept stating that the size of the house is not the problem, but the detached garage is pushing them over.

Commissioner Pauletto stated that the garage is in the back and not seen from the street so therefore he did not see a reason not to grant the request. Commissioner Pauletto stated that it should be looked at on a case by case basis.

Commissioner Couzin stated she is against going that far over on the allowed building coverage and is concerned about setting a precedence. Commissioner Couzin also stated that she is concerned about having a laundry room on the second floor. Mr. Turner stated that the stairs to the basement are not up to code and therefore it is a safety issue to put the laundry room in the basement.

Mr. Turner stated that he would be able to do 37%, but the detached garage is still a problem.

Commissioner Yohanna stated that he could see where the hardship would justify but if you can meet 37%, then do that.

Chairperson Angarola stated that the house is not a mansion and that she would consider granting the variation.

Commissioner Klint stated that regardless they would be over on the building coverage and didn't see how they could build a better house.

Motion to grant variation request made by Commissioner Pauletto, seconded by Commissioner Klint. Ayes: Pauletto, Klint, Yohanna, Angarola. Nays: Couzin, Auerbach, Theisen. Motion passes 4 to 3 and will go before the Board of Trustees on September 20, 2007.

Chairperson Angarola asked for a motion to adjourn, but Commissioner Yohanna had questions in regard to proposed rules and procedures. Commissioner Yohanna stated that on the second page, Section 2, there was verbiage left out and that it doesn't make any sense.

Commissioner Yohanna also had questions in regard to Article 3, Section 9. Chairperson Angarola pointed out that Rules and Procedures had already passed.

Motion to adjourn was made by Commissioner Yohanna, seconded by Commissioner Klint. Meeting adjourned at 8:15 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Carrie Dick". The signature is written in black ink and is positioned below the text "Respectfully submitted,".

Carrie Dick