

VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET
PALATINE, IL 60067-5339 – (847) 359-9050
<http://www.palatine.il.us>

ZONING BOARD OF APPEALS

MINUTES • JUNE 26, 2018

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Brent Larson	Commissioner	Present	
Cindy Roth-Wurster	Commissioner	Absent	
Jan Wood	Commissioner	Present	
Jerry Luszcza	Commissioner	Present	
Theodore McGinn	Commissioner	Present	
Kevin Cavanaugh	Commissioner	Present	
James Dittrich	Commissioner	Present	
John Pirog	Commissioner	Present	

Staff present: Ms. Lyn Bremanis

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Jun 12, 2018 7:00 PM

I would like to make an addition to the deliberation portion of the minutes for Stone Garden Subdivision, packet page 9. I would like to include an additional comment I made, which is bolded here: "Ms. Wood stated the Village did approve. She pointed out they were granted a lot of homes on a very small parcel of land and because of it they are encountering other problems. **She stated they were given a lot already by granting this subdivision, and if they were asking for something more extensive she could not approve but in this case she could.** She spoke to the standards stating there is uniqueness and they won't alter the character of the locality."

RESULT:	ACCEPTED AS AMENDED [UNANIMOUS]
MOVER:	James Dittrich, Commissioner
SECONDER:	Jerry Luszcza, Commissioner
AYES:	Larson, Wood, Luszcza, McGinn, Cavanaugh, Dittrich, Pirog
ABSENT:	Roth-Wurster

III. PUBLIC HEARING

1. 43 S Ash Street

Notice was published in the Daily Herald on June 11, 2018 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Variation
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Elevations
6. Public Notice

Sworn in Staff - Ms. Lyn Bremanis

Sworn in petitioner Mr. Joseph Conrad 43 S Ash Street and Mr. Andrew Venamore architect 602 Academy Drive, Northbrook.

Mr. Venamore stated owners would like to replace the existing garage with new one. The current garage is decades old and due to the run off the of neighboring property the structure has degraded due to the elevations of the garage. The owners would like to make the structure a little bit larger to be more usable from a 445 square foot to 600 square feet. The proposed garage will remain in the same location as the existing one. The owner Mr. Conrad has spoken to all the neighbors surrounding the property and everyone is in favor of the change. The accessories are currently over the allowed 700 square feet due to the pool and shed. Mr. Venamore stated the he had addressed the standards in the application and asked if the board wanted him to go over them.

Ms. Wood stated the board has ready the packet and asked if anyone had any questions.

Mr. Cavanaugh spoke of the current concerns with water damaging the current garage and asked if there were concerns of this happening to the new structure. Mr. Conrad stated that with a new garage a new concrete foundation will be installed that will have an apron that will keep the water from damaging the new garage and will allow the water to flow around the garage to the existing drainage structure.

Ms. Wood asked there were issues of flooding in the neighborhood or is this just the way the run off currently flows.

Mr. Conrad stated they are not aware of any flooding issues. This is just the nature of the run off to the drainage structure.

Ms. Wood stated she lives in the area and had not seen flooding issues.

Ms. Wood asked staff if the pool and shed are an existing condition thus an existing non-conforming condition.

Ms. Bremanis stated yes.

Mr. Cavanaugh asked if the petitioner was able to park two cars in the current garage.

Mr. Conrad stated no. He currently keeps a hot rod stored in the garage and to pull a second car in is very tight.

Mr. McGinn asked if with the new garage would he be able to store two cars comfortably.

Mr. Conrad stated yes.

Mr. Cavanaugh asked if they were planning on using the garage for anything related to a business.

Mr. Conrad stated no just for cars and storage.

Ms. Wood asked if staff had anything to add.

Ms. Bremanis stated detached garages are common in the area and the proposed garage is 12 feet in height and meets the standards and is a common size for a two car garage. Both building and lot coverage meet code. Both building and engineering have reviewed and had no issues.

STAFF RECOMMENDATION:

The petitioners are requesting to replace the existing 2 car garage with a larger 2 car garage. With existing pool and shed any garage that increased in size would require a variation. The proposed garage is not out of character in size with other garages in the area. In addition, the setbacks, building and lot coverage percentage all meet code. Therefore, Staff recommends approval of the Variation, subject to the following condition:

1. The Variation shall substantially conform to the site plan and elevations submitted by the Petitioners, Joseph & Nicole Conrad on 5/25/2018, except as such plans may be changed to conform to Village Codes and Ordinances.

There were no further questions. The public hearing was closed.

Mr. Cavanaugh make a motion to approve subject to Staff's recommendations; seconded by Mr. Larson.

Cavanaugh stated the plight of the owner is simple they bought a home that was nonconforming. The garage they are requesting fits into the locality. There are many detached garages in the area. The only concern was the water but the petitioner has addressed this and is in favor of approving this.

Ms. Wood stated it does meet the standards. Unique that the property was

nonconforming when purchased and is not out of character with the neighborhood.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will be administratively reviewed.

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Brent Larson, Commissioner
AYES:	Larson, Wood, Luszcak, McGinn, Cavanaugh, Dittrich, Pirog
ABSENT:	Roth-Wurster

2. 628 N Hawk Street

Notice was published in the Daily Herald on June 11, 2018 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Variation
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Elevations
6. Public Notice

Sworn in petitioner Mr. Matthew Balough 628 N Hawk Street.

Mr. Balough stated he purchased this home one year ago and at the time he did not realize the he could not park a commercial vehicle in the driveway. He has since been informed while is cannot be parked in the driveway he can park it in the side yard if it is properly screened. Thus he would like to expand his driveway next to the garage but unfortunately there is not enough room to meet the two foot setback from property line. This will be screened by a 6 foot fence. If he cannot find a solution to store the vehicle he will have to transport it back and forth from Brookfield and as a new father it would put a lot of strain on his family to do such a long commute.

Mr. McGinn asked if he had talked to his neighbor.

Mr. Balough stated yes he spoke with the neighbor to the south and he is ok with it and is in attendance to support the project.

Mr. Pirog asked how he plans of screening the vehicle.

Mr. Balough stated he has a shed along with trees directly behind the proposed driveway and will have a 6 foot fence on the side and front. In addition, the Little Sisters of the Poor pond is behind him so no residence is affected.

Mr. Luzak asked if the pavement was going to be pavers or concrete.

Mr. Balough stated he will be putting in asphalt which matches his existing driveway. He has quote and ready to go if approved.

Mr. Luzak asked about the lot coverage.

Ms. Bremanis stated that it was under on lot coverage.

Ms. Bremanis added both Community Services and Engineering review this and did not have any issues identified.

Mr. Pirog asked if there were any drainage issues.

Ms. Bremanis stated she was not aware of any. Per elevations drainage goes to

the rear of the property where there is significant green space.

Nicolas Justin Hall of 622 N Hawk was sworn in

Mr. Hall stated he lives directly to the south which would be the most impacted. He stated he has no issue with this proposal and believes Mr. Balough is doing everything he can to meet the Village Standards in the least evasive manner.

Mr. Cavanaugh asked if he had any issues with a commercial vehicle being parked next door.

Mr. Hall stated he did not. In fact does not believe he should have to go through this process. There is a ComEd truck often parked across the street and no one has complained about it.

STAFF RECOMMENDATION:

The Petitioners have indicated they need the additional driveway space to appropriately store a commercial vehicle. Given the location of the home and existing driveway any driveway extension to the side yard would require relief. While the proposed driveway is located on the lot line, it should not alter the essential character of the locality. Therefore, Staff recommends approval of the Variation, subject to the following conditions:

1. The Variation shall substantially conform to the site plan prepared by the Petitioners, Matthew and Monica Balough, submitted on 05/25/2018, except as such plans may be changed to conform to Village Codes and Ordinances.
2. If grading changes are necessary on the neighboring property, written consent from the property owner at 622 N. Hawk Street shall be provided.

There were no further questions. The public hearing was closed.

Mr. Larson make a motion to approve subject to Staff's recommendations; seconded by Mr. Cavanaugh.

Mr. Larson stated having the neighbor to the south in support and doesn't change the character of the neighborhood.

Mr. Cavanaugh stated in addition having green space to the rear will not have a negative effect.

Ms. Wood stated the pie shape of the property does create a unique situation

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will be administratively reviewed.

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	Brent Larson, Commissioner
SECONDER:	Kevin Cavanaugh, Commissioner
AYES:	Larson, Wood, Luszczak, McGinn, Cavanaugh, Dittrich, Pirog
ABSENT:	Roth-Wurster

3. 1407 E. Norman Drive

Notice was published in the Daily Herald on June 11, 2018 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Variations
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Photos submitted by Petitioner
6. Public Notice

Sworn in petitioner Ms. Nicole Curylo and Mr. Bob Curylo 1407 E Norman Drive

Mr. Curylo stated the request is unique because a lot of the work has already been done when they received a letter from the village that we didn't have permit for certain items. He stated they have since met with the engineer because some complained about a drainage issue which they were unaware of. He stated they have made some changes to correct the drainage issue and are hoping to get approval on some of the improvements they have made. Mr. Curylo gave a brief summary of the request including the 56% instead of the 45% stating they have removed bricks behind their shed. He referred to the existing conditions slide.

Ms. Bremanis stated she overlapped the pictures cutting off the bricks showing the Site plan slide to indicate the area Mr. Curylo is referring to.

Mr. Curylo explained the pavers were put there because it gets so muddy but have since removed the pavers and will replace with gravel to help with the variation

Ms. Wood asked if all pavers were removed

Mr. Curylo explained they were told to remove 2ft from the fence because that is the requirement.

Mr. McGinn asked if that will reduce the percentage to 45%.

Ms. Bremanis explained she does not think that will take them down to the 45%.

Mr. Curylo spoke to the drainage that flows east to west and goes behind there so the pavers have not caused any issues but he has removed.

Ms. Curylo pointed out the uniqueness of their home because their house sits 17.5 feet back and their neighbors are in front of them. She pointed out her back yard is much smaller than their neighbors referring to the existing condition slide. She further explained they have a crosswalk to the left of their house so they sit much further from their neighbor.

Ms. Bremanis referred to the aerial to show the walkway that was constructed for

kids catching busses

Mr. Curylo stated there is approx. 10ft between the fences along the crosswalk. He stated to the drainage issue to the right caused by a pipe that has since been run to the front yard to fix the issues.

Ms. Curylo spoke to the grading of the land referring to the existing conditions slide to show the walkway and how it elevates toward Palatine Road. She stated she believes the drainage issues are due to the water flow of the higher properties behind them.

Mr. Curylo stated he has 4 letters from all of their neighbors stating they have never had any abnormal type of flooding.

Ms. Curylo stated these are the properties that would be most affected if they had any problems.

Mr. Curylo stated you can see the elevation difference from their backyard.

Ms. Curylo explained it also slopes on an angle to the west.

Mr. Larson asked about the other variations.

Ms. Curylo explained they had an existing patio when they moved in that they added on to referring to the existing conditions slide.

Mr. Pirog asked why they didn't get a permit

Ms. Curylo explained they didn't think they would need a permit for pavers because they were removable. She pointed out since then they have had all four utilities come out and have letters of approval from all of them.

Ms. Wood pointed out the board is not to look at the request on whether they have a permit but rather if they should be approved for the variations.

Ms. Bremanis gave a brief summary of the request referring to the site plan to show locations of the relief.

Ms. Wood asked if the easement is a utility easement.

Ms. Bremanis answered yes pointing out they could have gone through the minor variation process to replace the shed which just requires a sign off from the utility companies which they have now.

Mr. Curylo stated they had an existing shed that the animals got to so they replaced it with another. He explained they did not get a permit because they did not know they needed a permit to replace an existing shed.

Ms. Wood asked if they contacted the utility companies

Mr. Curylo answered yes stating they have letters from all of them.

Ms. Wood asked if all the pavers behind the easement shed are removed.

Mr. Curylo explained they have removed them 2ft from the fence

Ms. Wood asked if there are still pavers behind the shed.

Mr. Curylo stated there are some up against the shed to prevent the animals from digging underneath.

Ms. Curylo stated Mr. Ruppert from Engineering came out and he recommended removing the one row and they did it right away.

Ms. Bremanis went through the slides of the existing conditions showing the relief requested.

Ms. Wood asked about the smaller shed on the side property line.

Ms. Bremanis explained the shed didn't require a permit due to size but still was required to meet the setbacks.

Ms. Wood asked if it was a replacement shed or an additional.

Ms. Curylo stated it was additional.

Mr. McGinn asked about the flooding in the neighborhood

Mr. Curylo stated they have not had any flooding explaining the water flows down. He stated at one point it settled by the walkway between the properties and the village came out and fixed right away. He referred to the existing condition slide to show the drainage direction that was recommended by Mr. Ruppert. Mr. Curylo stated there is no flooding issue with the neighbor on the other side or with their backyard.

Ms. Curylo restated the home behind is higher so they get their water flow that runs to the west and flows to a drain pipe. She restated the neighbors have signed off saying they have no drainage issues.

Ms. Wood spoke to the shed being 3ft from the principal structure so the variation is needed because 10ft is required. She asked what part of the house the shed is near.

Ms. Bremanis referred to the aerial and the plat of survey to show location.

Ms. Wood asked if the plat was accurate in measurement

Ms. Bremanis stated they had the petitioner go out and measure.

Mr. Curylo pointed out they are unique situation due to the walkway making it 10ft to their neighbor's fence. He pointed out the crosswalk was originally put it for kids to take the bus but is no longer used for that.

Ms. Wood logged into record letters in support from the neighbors as petitioner exhibit #7 and letters from the utility companies as petitioner exhibit #8.

Mr. Pirog asked why they didn't put the sheds further back so they don't need a variation.

Mr. Curylo stated the one on the side which is just a Rubbermaid 7 by 7 is on the

side lot so there is no room to push it back. He further explained it butts up to the fence which starts their front yard.

Ms. Curylo explained the other shed was put in the same place as their previous shed that they had a permit on from 1990.

Mr. Curylo pointed out in the existing condition slide the windows on their house and stated they had instances where people would look in the windows so they enclosed the area and out the shed there. He pointed out if they moved the other shed it would be right in the middle of the backyard because it so small as far as the depth.

Ms. Wood asked how many square footage of brick paver they removed.

Mr. Curylo stated they removed approx. 14 pavers that are 18x18.

Ms. Curylo stated they have before and after pictures on their cell phone from when Mr. Ruppert came out and after they removed the pavers.

Ms. Bremanis explained her and Mr. Ruppert went out to the property. She stated Mr. Ruppert went back a few times and gave them some suggestions on where they could start and later assess to see if they need to do more. She explained he didn't want them to tear out everything until after this process because it may not be necessary for drainage.

Ms. Wood asked about lot coverage.

Ms. Bremanis stated she is not comfortable giving a guesstimate. She stated she just got the information today and has not had a chance to go out and look at it yet.

Ms. Bremanis gave a brief overview of the request pointing out both sheds met the height requirements and they met the accessory square footage requirement. Ms. Bremanis stated community services reviewed and didn't have any issues. She pointed out Engineering reviewed and did add some comments on recommendations to work with them to solve the drainage issue.

Ms. Wood clarified they did the first and the fourth suggestion

Ms. Bremanis answered yes.

Ms. Wood clarified the second one they were told to hold off and see.

Ms. Bremanis stated that is her understanding with the Engineer.

Sworn in Mr. Osama Zaben 1404 E Norman Dr

Mr. Zaben stated he has lived directly across from Mr. Curylo and Ms. Curylo for 47 years. He stated they have one of the nicest and well maintained homes in the neighborhood. He added they have been the nicest people to live by and he has not seen any flooding. He stated Mr. Curylo is a little crazy and he cleans the sidewalks with his pressure hose. He stated he can't speak to the percentages but can say if you are looking for a good neighbor doesn't take Mr. Curylo because we love him. He stated the property is the best maintained and the pictures don't do it any justice. He stated he faces the little patio and he

hopes they don't remove it because it looks nice.

Sworn in Mr. Matt Emberhardt 1365 E Norman

Mr. Emberhardt agreed with Mr. Zaben. He stated Mr. Curylo and Ms. Curylo are the best neighbors and their property is meticulously maintained. He stated nothing about the different structures are off when you look at the property. He stated he is directly west and have no issues with water. He stated he moved to area a year ago and Mr. Curylo helped maintain his property while they went through the purchase process. Mr. Emberhardt stated he would hate for something like that to happen to people who take such good care of the neighborhood. He stated he doesn't think anything they did was intentional and would hate for anything negative to come from it.

Ms. Wood asked staff to speak to Engineering's recommendations and what the petitioner has done.

Ms. Bremanis stated they did send her the pictures when they sent to Mr. Ruppert. She explained they did #1 and #4 and somehow she repeated #2 and #3. Ms. Bremanis explained Mr. Ruppert suggested starting with what they did and see if more is needed. She further explained if they are approved it doesn't mean they get to keep everything because it has a condition requiring the Village Engineer approval.

STAFF RECOMMENDATION:

The petitioner constructed a patio and sidewalk and replaced an existing shed without a permit. While the smaller shed did not require a permit, it is still required to meet the setback requirements for an accessory structure. Through a drainage complaint, the Village became aware of these improvements.

The Village Engineer completed several site inspections to the property and made technical recommendations to address any potential drainage issues. The petitioners have agreed to work with the Village Engineer to make these changes. Staff anticipates that completion of the recommended changes, (which will be inspected prior to approving final occupancy permit, should the relief be approved), will eliminate any drainage concerns moving forward. In addition, Staff does not have any concerns for the request for a shed in an easement which replaced an existing shed in a similar location. The Variations should not alter the essential character of the neighborhood. Nevertheless, Staff recommends action at the discretion of the Zoning Board of Appeals. If the ZBA recommends approval, Staff recommends the following conditions:

1. The Variations shall substantially conform to the site plan submitted by the Petitioner, Ms. Nicole Curylo, except as such plans may be changed to conform to Village Codes and Ordinances.
2. The site plan shall be revised in a manner acceptable to the Village Engineer, in order to address any identified storm water concerns. This should include the re-routing of the sum pump discharge and the removal of certain sections of the paver patio to achieve a setback and remove any potential impediments to the

- existing grade.
3. If any grading changes are necessary on any of the surrounding neighboring properties (with a 0 foot setback), written consent from said property owners shall be required.

There were no further questions. The public hearing was closed.

Mr. Cavanaugh made a motion to approve subject to Staff's conditions; seconded by Mr. Dittrich.

Mr. Cavanaugh spoke to the uniqueness of the property and stated he believes they replaced some existing conditions not knowing the process that was needed to go through. He pointed out their integrity is backed up by their neighbors'. Mr. Cavanaugh stated the have shown good faith by actively working with the Village Engineer and will continue to do so. He pointed out staff said if there is more that needs to be removed based on the Village Engineers recommendation they will comply with that. He stated because of all that it is an approval for him.

Mr. McGinn spoke to lot coverage and how all testimony and exhibits indicate the lack of flooding in the neighborhood. He spoke to the sidewalk buffer zone that mitigates any issues with the closeness to the lot line. Mr. McGinn pointed out they got the letters from the utilities which addresses that issue satisfactorily.

Ms. Wood stated at first glance the requests for so many variations and lot coverage makes you a little leery but that's the point of a hearing. She pointed out there is a lot of assurance given by the neighbors that spoke to what kind of neighbors they are. She stated the fact that Engineering has been giving recommendations is very helpful. Ms. Wood spoke to the uniqueness with the sidewalk. She spoke to the lots coverage and how we have to be careful with that. She pointed out they have already mitigated by removing some pavers and if Engineering determines it need to be mitigated more they will have them do so. She stated she is in support of this matter.

Ms. Wood summarized that this request has met the standards and was approved by a vote of 6-1. This item will go to council on July 17, 2018

RESULT:	RECOMMENDED TO APPROVE [6 TO 1]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	James Dittrich, Commissioner
AYES:	Larson, Wood, Luszczak, McGinn, Cavanaugh, Dittrich
NAYS:	Pirog
ABSENT:	Roth-Wurster

4. 1101 S Smith Street

Notice was published in the Daily Herald on June 11, 2018 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use & Variation
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Elevations & Floor Plans
6. Letter of Support
7. Letter of support #2- email dated June 12,2018
8. Public Notice

Sworn in petitioner Ms. Claudette Cooper and Mr. Ken Ligon 1101 S Smith St

Mr. Ligon gave a brief summary of request stating they have an existing garage between their house and their neighbor. He stated they have lived there for 32 years and the garage was in bad shape when they moved in. He explained they want to put in a larger garage because they have 3 full size pickups. Mr. Ligon stated they only can fit one car in the current garage. He stated they are asking for a second floor with a dormer which would face the neighbor's property. He pointed out the only one that would be effected is the neighbors to the south and they have signed off that they have no issues. Mr. Ligon stated it would be the exact footprint and width as current garage with the only difference being it goes from 25ft-42 ft. He further explained it would hold 3 vehicles and storage. Mr. Ligon referred to the existing conditions slide and spoke to the additions put on through the years. He stated there is no storage in the house which is why they are asking for the second floor of the garage. Mr. Ligon stated there will be a stairway to access but will not be used for living space. He stated the shed will be removed and pointed out it will not be as close to the neighbor's property as currently is.

Ms. Cooper stated it will be as wide as in the photos but will go back further.

Ms. Wood clarified it will have the same footprint on the width.

Mr. Ligon answered yes

Mr. Luszczyk clarified the variance is for the height and accessory coverage.

Mr. Ligon answered yes.

Mr. Luszczyk asked staff if the lot coverage meets code

Ms. Bremanis answered yes referring to the site plan to show the large property.

Ms. Wood asked about the height compared to the home

Mr. Ligon explained the home is approx. 26ft.

Mr. Pirog asked how many square feet is the home
Ms. Cooper stated it is approx. 2400 sq.ft.

Mr. Pirog asked if they considered a garage and a separate shed for storage.
Mr. Ligon answered no referring to the slide of existing conditions of rear yard pointing out it is really pretty. He stated this request will not encroach on anything.

Ms. Claudette Cooper stated they are always shuffling cars and they can't currently park the trucks in the garage due to the entrance being too short for the height of the vehicles.

Mr. Ligon stated the opening is approx. 6 1/2 ft. high which he clears with the one vehicle by about an inch.

Ms. Wood asked if the garage was 15 ft. high it would fit the vehicles but not the storage

Ms. Cooper answered yes. She explained the layout of the upstairs storage area.

Mr. Dittrich asked if the garage was in the rear yard would the size be permitted.

Ms. Bremanis answered no explaining in the rear yard the maximum would be 700 sq.ft.

Mr. Dittrich asked how much further back they would need to go to be considered in the rear yard.

Ms. Bremanis answered back behind the house.

Mr. Dittrich asked if it would have to be completely behind the house

Ms. Bremanis answered yes.

Ms. Wood asked if the 18ft. height would be permitted.

Ms. Bremanis stated the 18 ft. would still require relief.

Mr. Larson asked if it would be fine if attached to home.

Ms. Bremanis stated if it was attached and met the 15ft. side yard setback they would not require any relief.

Mr. Ligon stated they had plans drawn up to attach it to the home but was cost prohibitive.

Mr. Dittrich asked if this was proposed before the addition was put on would this have been measured by wherever the principal structure lays.

Ms. Bremanis answered yes.

Mr. Ligon pointed out the house to the south is the only house that will be affected and they signed off. He stated they have only one window that faces the proposed garage so it isn't a view they really have.

Ms. Wood asked how common a detached garage with 18ft. height.

Ms. Bremanis explained there have been a few lately with the second floor for storage and some with 20ft height where the second floor is for hobbies. She stated she is unsure in terms of the garages in the neighborhood. Ms. Bremanis referred to the aerial slide to point out one property that was approved for similar garage thought it was in the rear yard versus the side yard.

Ms. Wood asked if it was annexed in the way it was built.

Ms. Bremanis answered that is correct.

Mr. Ligon stated they were unincorporated cook county when they moved in. He further explained they started the permit process with cook county and in the middle of it they were annexed so had to switch over.

Ms. Wood asked if they were allowed to have this height in the side yard with Cook County

Mr. Ligon explained they were doing the rear addition at the time.

Mr. Pirog asked if the other garage is in the side yard or the back.

Ms. Bremanis referred to the slide of the aerial to show it was in the rear.

Mr. Pirog clarified in the rear they are allowed 700ft.

Ms. Bremanis answered that is correct.

Mr. Cavanaugh clarified they originally considered an attached garage but due to cost changed the plans.

Ms. Cooper stated that is correct.

Mr. Ligon explained the original plans and stated it was too expensive.

Ms. Bremanis stated community service and engineering has reviewed and did not have any issues.

Mr. Dittrich asked how frequent side garages requests are.

Ms. Bremanis stated this is the first one she has seen since she started working here.

Mr. Dittrich asked so they are unique.

Ms. Bremanis explained it is rare that someone has the width to allow. She pointed out they do exist but this is the first she has seen come before the board.

Mr. Luszczyk asked if the detached garage has to be 10ft from the house.

Mr. Ligon explained it is 10ft 2 inches from the house.

STAFF RECOMMENDATION:

The Petitioner is proposing to replace an existing garage in the side yard with

one approximately 425 square feet larger. Per code accessory structures can only be a maximum of 150 square feet in the side yard while in the rear yard 700 square feet is permitted. Were the proposed garage attached to the existing house and met the minimum 15-foot interior side yard setback requirement, the Petitioner could obtain a building permit to complete. In support of the zoning relief, the Petitioner obtained and submitted sign off approvals from some of the surrounding property owners, including the property owner directly south of the proposed improvement.

This property is unique in that it has an existing garage in the side yard. Per the non-conforming section of the zoning ordinance, if the garage were damaged beyond 50% of the replacement cost, any repair or replacement would have to comply with the current accessory structure requirements for location, size, and setback. Staff discussed attaching the proposed garage to the home, which the Petitioner spoke to regarding cost concerns. Staff recognizes and understands the Petitioner's desire to garage the vehicles and have an additional storage area. In addition, the Petitioner has obtained approvals for the proposed garage from some surrounding neighbors.

Per Code, a detached garage of up to 700 square feet (not in consideration of the existing shed) could be either constructed off of Bryant Avenue or in the rear yard behind the existing home. In either circumstance, this would require the new construction or extension of the driveway.

Nevertheless, the Zoning Ordinance indicates the maximum accessory structure size is 700 square feet and the required location detached garages is in the rear yard. This is to both minimize any impact and likely to uniformly locate these structures similarly. Therefore, Staff recommends denial of the Variations. If the Zoning Board of Appeals recommends approval, Staff recommends the following conditions:

1. The Special Use and Variations shall substantially conform to the site plan submitted by the petitioner on 05/30/18 and elevations prepared by Muran Architects submitted on 3/22/18 except as such plans may be changed to conform to Village Codes and Ordinances.
2. The detached garage, including the second floor space, shall not be used in pursuant of any commercial business.
3. The detached garage may not be used for a dwelling unit.

There were no further questions. The public hearing was closed.

Mr. Dittrich made a motion to approve subject to Staff's conditions; seconded by Mr. Luszcak

Mr. Dittrich spoke to the standards and how the property is unique and annexed in 30 years ago. He pointed out the surrounding area have pretty big lots that give them a little leeway to build things. He stated for this property he feels approving the variation for the size is okay. Mr. Dittrich spoke to the special use

pointing out if they are allowing a garage that is over 600% bigger than what is allowed what is 3 extra feet on the height. He stated he is going for approval though the village is recommending denial.

Mr. Luszczyk agreed with Mr. Dittrich. He stated his biggest concern is lot coverage and this meets it. He pointed out the width is the same it is just longer.

Mr. Pirog stated he doesn't see how the standards for the variation have been met. He stated there is plenty of room to change the plans so doesn't see the uniqueness.

Ms. Wood stated the uniqueness is that the garage was built in the side yard and was annexed in. She pointed out sometimes it is more lax in unincorporated Cook County and you see unusual things like this. She stated because of this she is in favor of the variation. Ms. Wood stated the increase of the square footage won't affect the look of it from curbside view. She spoke to the height request and how the home is tall enough that it won't stand out. She stated she doesn't like to go along with the higher height but pointed out it is just 3ft. and there is another one in the area.

Ms. Wood summarized that this request has met the standards and was approved by a vote of 6-1. This item will go to council on July 17, 2018.

RESULT:	RECOMMENDED TO APPROVE [6 TO 1]
MOVER:	James Dittrich, Commissioner
SECONDER:	Jerry Luszczyk, Commissioner
AYES:	Larson, Wood, Luszczyk, McGinn, Cavanaugh, Dittrich
NAYS:	Pirog
ABSENT:	Roth-Wurster

IV. COMMUNICATIONS

All items for the previous meeting were approved.

The next meeting is July 10th and there will be 3 items on the agenda.

V. ADJOURNMENT