

MINUTES OF THE ZONING BOARD OF APPEALS
June 25, 2018

The regular meeting of the Zoning Board of Appeals was called to order by Chairman Kurt Schultz at 7:00 p.m. at the Village Hall.

Members present: Chairman Kurt Schultz, Amy Flores, Mark Moore, Walter Oakley, Richard Pyter, and Eric Steffe.

Members absent: Matthew Krummick.

A quorum was established.

Village Staff present: John Spoden, Director of Community Development; David Smith, Senior Planner; and Jeff Cooper, Village Engineer.

Board Member Oakley moved, seconded by Board Member Flores, to approve the June 11, 2018, Zoning Board of Appeals minutes.

Motion carried 6 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

ZBA 18-09 Swigert Enterprises LLC, Applicant
716 S. Milwaukee Avenue

Request is for a variation for signage for property located in a C-3, General Commercial District.

The applicant requested this item be continued to the July 23, 2018, Zoning Board of Appeals meeting.

In the matter of ZBA 18-09, Board Member Pyter moved, seconded by Board Member Steffe, to continue this item to the July 23, 2018, Zoning Board of Appeals meeting.

Motion carried 6 - 0.

Ayes: Schultz, Flores, Moore, Oakley, Pyter, Steffe

Nays: None

Absent: Krummick

ZBA 18-10 John Massarelli, Applicant
920 S. Milwaukee Avenue

Request is for variations to: 1) increase the maximum permitted number of freestanding signs from one (1) to three (3) on a single Zoning Lot; 2) increase the

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maximum permitted number of business wall signs from one (1) to three (3); 3) increase the maximum permitted number of Accessory Service wall signs from one (1) to three (3) on the front facade of the subject building; 4) increase the maximum permitted sign area from 24 square feet to approximately 110 square feet for a freestanding business sign; and 5) increase the maximum permitted height for a freestanding business sign from 20 feet to approximately 25 feet in order to replace the Liberty Nissan freestanding pylon sign for property located in a C-4, Shopping Center Commercial District.

Mr. David Smith, Senior Planner, introduced the petitioner's sign variation requests. He stated that the petitioner, Liberty Nissan, is requesting approval for a variation for signage in order to replace and install new signs for their Vehicle Dealership facility in a C-4, Shopping Center Commercial District located at 920 S. Milwaukee Avenue.

Mr. Smith stated that the Zoning Code states that not more than one business sign, except for blade signs, shall be permitted to be attached to a facade or storefront. Not more than a total of two (2) business signs are permitted per business occupancy including not more than one (1) freestanding sign per zoning lot. He stated that the applicant, Liberty Nissan, is proposing to replace existing signs with additional logos to their property located at 920 S. Milwaukee Avenue.

Mr. Rodrigo Gutierrez, architect and agent for the petitioner, stated that the Liberty Nissan dealership has not remodeled their facility for over 15 years and is well overdue. He stated that the Nissan Corporation has required certain architectural and sign design and sign number requirements which have brought the Libertyville dealership to the Zoning Board of Appeals to request certain sign variations. He stated that part of the scope of work includes a front building façade replacement. He stated that the existing freestanding Nissan pylon sign stands at 25 feet. He stated that they will maintain the height with the new sign improvements. He stated that the new pylon will be a little narrower for the full height of the sign structure.

Mr. Craig Rawlinson, 920 Cambridge Drive, asked if the signs will be illuminated. He stated that the car dealers typically cast a lot of glare. He stated that they often hear the truck delivery noise at 5:00 a.m. Mr. Gutierrez stated that the illumination will not increase with their new sign package. He stated that he will inform the owner of the dealership about the noise complaints.

Ms. Debbie Murphy, 919 Cambridge Drive, stated that she is concerned about the impact that the car dealership has on the quality of life in the community. She stated that the delivery truck noise is a nuisance. She stated the fence separating the Nissan dealership from the residential property is in disrepair and there is a substantial amount of weeds growing next to the fence.

Mr. John Spoden, Director of Community Development, will forward the complaints to the Village's Code Enforcement inspector.

Mr. Michael Murphy, 919 Cambridge Drive, stated that the Nissan dealership's mechanic staff speed down the adjacent alley.

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Board Member Flores stated that the proposal is a nice improvement and that the sign program seems similar to the other new vehicle dealers.

Board Member Steffe stated that it seems like a nice plan. He asked if all five (5) variations are required by the Nissan Corporation. Mr. Gutierrez stated that the proposed sign plan is required by Nissan.

Board Member Pyter stated that various towns and villages have varied sign regulations. He stated that it would seem that the automobile dealers would be able to accommodate the Village's sign regulations.

Mr. Gutierrez stated that they had initially included a directional sign package, but they waived it in the end. He stated that the current proposal is the bare minimum that Nissan will require of its dealer.

Chairman Schultz asked for clarification regarding the commercial tenant space identified as Auto Service on the Site Plan, but is not connected to the Liberty Nissan tenant space. He asked if this was space that Nissan is asking to expand into this space currently occupied Fire Stone. Mr. Gutierrez stated that no expansion is planned.

Board Member Moore asked if there is an opportunity to consolidate the business wall signs from three (3) to two (2). Mr. Gutierrez stated that the local dealer would have to request the wall sign consolidation of Corporation, but they do not anticipate that Nissan would agree.

Chairman Schultz asked if the petitioner would like for the Zoning Board of Appeals to render their recommendation at this time. Mr. Gutierrez stated that he would like for the petitioner to give their recommendation at this time.

In the matter of ZBA 18-10.1), Board Member Steffe moved, seconded by Board Member Oakley, to recommend the Village Board of Trustees approve a variation to increase the maximum permitted number of freestanding signs from one (1) to three (3) on a single Zoning Lot for property located in a C-4, Shopping Center Commercial District, in accordance with the plans submitted.

Motion carried 6 - 0.

Ayes: Schultz, Flores, Moore, Oakley, Pyter, Steffe
Nays: None
Absent: Krummick

In the matter of ZBA 18-10.2), Board Member Steffe moved, seconded by Board Member Oakley, to recommend the Village Board of Trustees approve a variation to increase the maximum permitted number of business wall signs from one (1) to three (3) for property located in a C-4, Shopping Center Commercial District, in accordance with the plans submitted.

Motion failed 3 - 3.

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Ayes: Flores, Oakley, Steffe
Nays: Schultz, Moore, Pyter
Absent: Krummick

In the matter of ZBA 18-10.3), Board Member Flores moved, seconded by Board Member Steffe, to recommend the Village Board of Trustees approve a variation to increase the maximum permitted number of Accessory Service wall signs from one (1) to three (3) on the front facade of the subject building for property located in a C-4, Shopping Center Commercial District, in accordance with the plans submitted.

Motion failed 3 - 3.

Ayes: Flores, Pyter, Steffe
Nays: Schultz, Moore, Oakley
Absent: Krummick

In the matter of ZBA 18-10.4), Board Member Oakley moved, seconded by Board Member Steffe, to recommend the Village Board of Trustees approve a variation to increase the maximum permitted sign area from 24 square feet to approximately 110 square feet for a freestanding business sign for property located in a C-4, Shopping Center Commercial District, in accordance with the plans submitted.

Motion carried 6 - 0.

Ayes: Schultz, Flores, Moore, Oakley, Pyter, Steffe
Nays: None
Absent: Krummick

In the matter of ZBA 18-10.5), Board Member Oakley moved, seconded by Board Member Pyter, to recommend the Village Board of Trustees approve a variation to increase the maximum permitted height for a freestanding business sign from 20 feet to approximately 25 feet in order to replace the Liberty Nissan freestanding pylon sign for property located in a C-4, Shopping Center Commercial District, in accordance with the plans submitted.

Motion carried 6 - 0.

Ayes: Schultz, Flores, Moore, Oakley, Pyter, Steffe
Nays: None
Absent: Krummick

STAFF COMMUNICATIONS AND DISCUSSION: None.

Board Member Oakley moved, seconded by Board Member Steffe, to adjourn the Zoning Board of Appeals meeting.

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Motion carried 6 - 0.

Meeting adjourned at 7:30 p.m.