

MINUTES OF THE ZONING BOARD OF APPEALS
September 8, 2014

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

Members present: Chairman William Cotey, Dan Donahue, Amy Flores, Mark Moore, Walter Oakley, Kurt Schultz, and David Semmelman.

Members absent: None.

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

Board Member Oakley moved, seconded by Board Member Schultz, to approve the August 11, 2014, Zoning Board of Appeals meeting minutes.

Motion carried 7 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

ZBA 14-11 Lee and Diane Muraoka, Applicants
688 Valley Park Drive

Request is for a variation to reduce the minimum required rear yard setback from 40 feet to approximately 27 feet in order to construct a house addition for property in an R-5, Single Family Residential District.

Mr. David Smith, Senior Planner, introduced the variation request. Mr. Smith stated that the petitioners, Lee and Diane Muraoka, are requesting a variation to reduce the minimum required rear yard setback in order to construct a house addition to the rear of their house for property in an R-5, Single Family Residential District located at 688 Valley Park Drive. Mr. Smith stated that if approved, the variation will allow for the construction of a 15' by 17' sunroom/mudroom on the existing footprint of a deteriorating screened porch. Mr. Smith stated that the existing screened porch has a rear yard setback of approximately 27 feet as will the new house addition proposed to replace the screened porch. Mr. Smith stated that a minimum of 40 feet is required for the rear yard in the R-5, Single Family Residential District.

Ms. Michelle Gautsch, 689 Valley Park Drive, stated that she is a neighbor of the petitioners' and that she fully supports the proposed addition by the Muraoka's. She stated that she anticipates that this project will enhance the property values of the area.

Chairman Cotey asked for clarification regarding where the exterior steps are to be located on the house addition. Mr. John Spoden, Director of Community Development, stated that the

Minutes of the September 8, 2014, Zoning Board of Appeals Meeting
Page 2 of 4

proposed steps will extend from the side and not the rear of the addition so this should not increase the degree of rear yard encroachment.

Chairman Cotey asked the petitioners what they would like for the Zoning Board of Appeals to do this evening. Mr. Muraoka stated that he would like for the Zoning Board of Appeals to render their positive recommendation to the Village Board tonight.

In the matter of ZBA 11, Board Member Donahue moved, seconded by Board Member Schultz, to recommend the Village Board of Trustees approve a variation to reduce the minimum required rear yard setback from 40 feet to approximately 27 feet in order to construct a house addition for property in an R-5, Single Family Residential District, in accordance with the plans submitted.

Motion carried 7 - 0.

Ayes: Cotey, Adams, Donahue, Flores, Moore, Oakley, Schultz, Semmelman
Nays: None
Absent: None

ZBA 14-12 David and Nancy Lothspeich, Applicants
421 W. Cook Avenue

Request is for variations to: 1) reduce the minimum required side yard setback from five (5) feet to approximately 0.93 feet as measured from the west wall for an accessory structure; and 2) reduce the minimum required rear yard setback from five (5) feet to approximately 1.5 feet for an accessory structure in order to construct a detached garage addition in an R-6, Single Family Residential District.

Mr. David Smith, Senior Planner, introduced the requested variation to the Zoning Board of Appeals. He stated the petitioners, David and Nancy Lothspeich, were before the Zoning Board of Appeals at their August 9, 2010 meeting requesting variations to increase the maximum permitted height for an accessory structure, and to reduce the minimum required rear and side yard setbacks in order to construct a detached garage addition to an existing detached garage in an R-6, Single Family Residential District at 421 West Cook Avenue. He stated that the Zoning Board of Appeals recommended approval to the Village Board who subsequently approved the requested variations at their September 14, 2010 meeting.

Mr. Smith stated that the approved variations allowed for the construction of an addition to their one car garage in order to expand it into a two car garage with a 0.93 foot setback from the interior side yard property line and a 1.5 foot setback from the rear yard property line. Mr. Smith stated that the height variation request was withdrawn upon the condition that the proposed height of the structure would not exceed the maximum permitted height of 20 feet.

Mr. Smith stated that the petitioners had not applied for or received a building permit for construction within the approved time frame; therefore, the approved variations expired. Mr.

Minutes of the September 8, 2014, Zoning Board of Appeals Meeting
Page 3 of 4

Smith stated that the petitioners have again applied for the same setback variations for a 20 foot high detached garage.

Mr. David Lothspeich, petitioner, stated that it is his intent to use the existing foundation and to preserve the existing trees as much as possible.

Mr. Cotey asked the petitioner what he would like for the Zoning Board of Appeals to do this evening. Mr. Lothspeich stated that he would like for the Zoning Board of Appeals to render a positive recommendation to the Village Board for his requested variations.

In the matter of ZBA 12.1), Board Member Oakley moved, seconded by Board Member Semmelman, to recommend the Village Board of Trustees approve a variation to reduce the minimum required side yard setback from five (5) feet to approximately 0.93 feet as measured from the west wall for an accessory structure in order to construct a detached garage addition in an R-6, Single Family Residential District, subject to the following conditions:

- 1) *Elevation plans shall be revised to show that overhangs, located within 2' of the lot lines, can only project 4" from the wall & shall be rated with 1 hour construction from the underside. All other Building Codes shall be complied with.*
- 2) *Attic space above the first floor in the detached garage shall not be habitable space per the Zoning Code Section 4-7.4(a)(5). Habitable is defined as a space in a building for living, sleeping, eating or cooking. Storage spaces are not considered habitable.*

Motion carried 7 - 0.

Ayes: Cotey, Adams, Donahue, Flores, Moore, Oakley, Schultz, Semmelman
Nays: None
Absent: None

In the matter of ZBA 12.2), Board Member Oakley moved, seconded by Board Member Schultz, to recommend the Village Board of Trustees approve a variation to reduce the minimum required rear yard setback from five (5) feet to approximately 1.5 feet for an accessory structure in order to construct a detached garage addition in an R-6, Single Family Residential District, subject to the following conditions:

- 1) *Elevation plans shall be revised to show that overhangs, located within 2' of the lot lines, can only project 4" from the wall & shall be rated with 1 hour construction from the underside. All other Building Codes shall be complied with.*
- 2) *Attic space above the first floor in the detached garage shall not be habitable space per the Zoning Code Section 4-7.4(a)(5). Habitable is defined as a space in a building for living, sleeping, eating or cooking. Storage spaces are not considered habitable.*

Motion carried 7 - 0.

Minutes of the September 8, 2014, Zoning Board of Appeals Meeting
Page 4 of 4

Ayes: Cotey, Adams, Donahue, Flores, Moore, Oakley, Schultz, Semmelman
Nays: None
Absent: None

COMMUNICATIONS AND DISCUSSION:

Mr. John Spoden, Director of Community Development, stated that the applicant Cedar Street's proposal for a Planned Development to construct apartments on the second and third floors of the Manchester Square building will go in front of the Village Board at their second meeting in September.

Mr. Spoden stated that Staff is currently reviewing a preliminary plan proposal from Advocate Condell to construct a new medical clinic building at the southwest corner of Condell Drive and Milwaukee Avenue.

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

Motion carried 7 - 0.

Meeting adjourned at 7:21 p.m.