

MINUTES OF THE ZONING BOARD OF APPEALS
August 10, 2015

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

Members present: Vice Chairman Mark Moore, Amy Flores, Walter Oakley, and David Semmelman.

Members absent: Chairman William Cotey, Dan Donahue, and Kurt Schultz.

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

Board Member Oakley moved, seconded by Board Member Semmelman, to approve the July 13, 2015, Zoning Board of Appeals meeting minutes.

Motion carried 4 - 0.

OLD BUSINESS:

ZBA 15-19 David and Teresa Keating, Applicant
214 Prairie Avenue

Request is for variations to: 1) reduce the minimum required front yard setback from 35.5 feet to approximately 21 feet; 2) reduce the minimum required north interior side yard setback from 12.1 feet to approximately 8 feet; 3) reduce the minimum required south interior side yard setback from 12.1 feet to approximately 5.75 feet; and 4) reduce the minimum required aggregate interior side yard setback from 20.4 feet to approximately 13.75 feet in order to construct a house addition in an R-6, Single Family Residential District.

The applicants have requested that this item be withdrawn from the agenda.

NEW BUSINESS:

ZBA 15-20 Vincent Arpino, Applicant
305 W. Maple Avenue

Request is for a variation to reduce the minimum required corner side yard setback from 30 feet to approximately 15.3 feet in order to construct a two (2) dwelling unit single family attached residential structure in an R-7, Single Family Attached Residential District.

ZBA 15-21 Vincent Arpino, Applicant
305 W. Maple Avenue

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Request is for a variation to allow garage doors to be oriented on the Zoning Lot so that the garage doors face the front and corner property lines abutting the public right-of-way in order to construct a two (2) dwelling unit single family attached residential structure in an R-7, Single Family Residential District.

ZBA 15-22 Vincent Arpino, Applicant
305 W. Maple Avenue

Request is for a variation to change the principal structure entrance orientation of the principal structure from the front property line to the corner side property line in order to construct a two (2) dwelling unit single family attached residential structure in an R-7, Single Family Attached Residential District.

Mr. David Smith, Senior Planner, introduced the requested variations. Mr. Smith stated that the petitioner, Vince Arpino, is seeking approval for a variation to reduce the minimum required corner side yard setback, a variation to allow garage doors to be oriented on the Zoning Lot so that the garage doors face the front and corner side property lines abutting the public right-of-way and a variation to change the principal structure entrance orientation of the principal structure from the front property line to the corner side property line in order to construct a two (2) dwelling unit single family attached residential structure in an R-7, Single Family Attached Residential District located at 305 Newberry Avenue.

Mr. Smith stated that the subject lot is currently improved with a two story duplex residential structure and detached garage and the petitioner is seeking to have both demolished in order to construct the proposed two (2) dwelling unit single family attached residential structure. Mr. Smith stated that the adjacent property to the west is an existing two story residential structure. He stated that to the south is an existing parking lot that serves First Presbyterian church and to the east is the church itself. He stated that to the north across Maple Avenue are additional single family homes.

Mr. Smith stated that the petitioner is proposing to construct a two story duplex residential structure with attached garages facing both to the north and to the east. He stated that the front doors of the units shall face to the north and east as well.

Mr. Mike Kollman, architect for the petitioner, stated that the owners of the property live in town. He stated that the existing house on the site was built in the late 1800's, but that there is nothing of any historical significance of the house. He stated that the existing house has structural foundation issues. He stated that the proposed new development will be designed to cater to the aging in place market and that this market is trending upward.

Mr. Kollman stated that the proposed development will incorporate LEED design elements and may be certified at the Gold or Platinum level. Mr. Kollman presented the proposed site plan and floor plan to the Zoning Board of Appeals. He stated that each unit will not exceed 980 square feet at the ground floor level. He stated that the second floor for each unit will have two bedrooms for guests or live in assistance. He stated that for both units the garage door facade will be setback behind the principal entrance facade building line.

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Mr. Kollman stated that the proposed architectural detail fits within the neighbor hood context. He stated that the style is similar to a Craftsman style. He stated that the front yard setback requirement was reduced due to the averaging with the adjacent property's setback. He stated that the garage facing north covers approximately 14.5% of the structure's north facade and that the garage facing to the east covers approximately 10% of the structures east facade. He presented alternative plans that were Zoning Code compliant relative to the unit's orientation but stated that they wouldn't work due to the increase in lot coverage that would be created.

Mr. Vincent Arpino, applicant, stated that he has had his dental business on the same block for over 14 years. He stated that he will not flip the property on the subject site. He stated that the proposed duplex fits into the neighborhood scale.

Mr. David Asper, 322 Brainerd Avenue, asked about the material of the proposed siding for the structure. Mr. Kollman stated that the siding will be made of fiber cement, composite material, and will appear as wood.

Mr. Michael Womack, 320 West Maple Avenue, asked if the proposal will comply with the front yard setback requirement. Mr. Kollman stated that the proposal will comply with the front yard setback requirement.

Mr. Womack stated he supports an architectural style that includes gable fronts. He stated that much of the neighboring architectural is influenced by ancient Greece design which is a great thing.

Mr. Ernest Tolli, 115 West Maple Avenue, stated that Vince Arpino has made a vast improvement to his dental business property and expects that he will keep up all of his properties.

Board Member Oakley stated that the proposal appears to be a super project. He stated that he has concerns about the unwritten policy of requiring on site detention for this property and other residential properties in the Village.

Mr. Kollman stated that he met with representatives from the Storm Water Management Commission. He stated that he agrees to comply with any on-site detention requirements. He stated that he wants to catch as much rain water on the property as possible. He stated that this is achieved through landscaping and rain barrels.

Board Member Oakley asked for clarification as to how the storm water will be managed or detained on-site after the proposed residential development is constructed.

Mr. Kollman stated that there will be less water leaving the site after it is developed. He stated that they will comply with SMC even without an ordinance in place at the Village level.

Mr. John Spoden, Director of Community Development, stated that the Engineering Division has been meeting with builders in town, as well with the Water and Sewer Committee. He stated that the Village is looking to adopt an ordinance that is a little more restrictive relative to storm water management. Village Staff is very much in favor of projects where less water leaves the

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site after their development than what leaves the site today. He stated that the current requirement is that you cannot increase water drainage onto your neighbor's property which is a State law. He stated that the current discussion is to be more conservative. He stated that the Engineering Division has requested on-site detention for specific sites if they see a drainage issue that needed to be addressed. He stated that it may have been a rain garden or some other type of structure that was requested to be built on the site. He stated that another meeting has been scheduled with some of the local builders to talk through some of these issues. He stated that the Village is able to do this through the Storm Water Management Ordinance that the Village has adopted from the county. He stated that this ordinance states that the Village has the right to add more restrictive storm water management regulations as they deem appropriate. He stated that the issue is really to protect neighboring properties. He stated that one of the suggestions to be considered is for builders to pay a fee so that the Village can construct larger storm sewers, but this so far has not been the direction given by the Village Board.

Chairman Moore stated that the proposal appears to be a very well thought out design. He asked the petitioner what they would like for the Zoning Board of Appeals to do tonight. Mr. Kollman stated that they would like for the Zoning Board of Appeals to render a positive recommendation to the Village Board for their variation requests.

In the matter of ZBA 15-20, Board Member Oakley moved, seconded by Board Member Flores, to recommend the Village Board of Trustees approve a variation to reduce the minimum required corner side yard setback from 30 feet to approximately 15.3 feet in order to construct a two (2) dwelling unit single family attached residential structure in an R-7, Single Family Attached Residential District, in accordance with the plans submitted.

Motion carried 4 - 0.

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

In the matter of ZBA 15-21, Board Member Oakley moved, seconded by Board Member Flores, to recommend the Village Board of Trustees approve a variation to allow garage doors to be oriented on the Zoning Lot so that the garage doors face the front and corner property lines abutting the public right-of-way in order to construct a two (2) dwelling unit single family attached residential structure in an R-7, Single Family Residential District, in accordance with the plans submitted.

Motion carried 4 - 0.

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

In the matter of ZBA 15-22, Board Member Flores moved, seconded by Board Member Oakley, to recommend the Village Board of Trustees approve a variation to change the principal structure entrance orientation of the principal structure from the front property line to the corner

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side property line in order to construct a two (2) dwelling unit single family attached residential structure in an R-7, Single Family Attached Residential District, in accordance with the plans submitted.

Motion carried 4 - 0.

Ayes: Moore, Oakley, Flores, Semmelman

Nays: None

Absent: Cotey, Donahue, Schultz

COMMUNICATIONS AND DISCUSSION:

Mr. John Spoden, Director of Community Development, stated that the application for the proposed parking deck to located on the Civic Center parking lot has been submitted and that he anticipates that the public hearing for the new deck will take place in front of the Plan Commission in September.

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

Motion carried 4 - 0.

Meeting adjourned at 7:45 p.m.