

MINUTES OF THE ZONING BOARD OF APPEALS
September 12, 2016

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, Amy Flores, Matthew Krummick, Mark Moore, Walter Oakley, and David Semmelman.

Members absent: Kurt Schultz.

A quorum was established.

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

Board Member Oakley moved, seconded by Board Member Semmelman, to approve the August 8, 2016, Zoning Board of Appeals meeting minutes.

Motion carried 6 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

ZBA 16-17 Eric and Karin Steffensen, Applicants
1613 Pleasant Court

Request is for a variation to allow a fence to be constructed in the corner side yard where the corner side yard abuts the front yard of the abutting property in an R-5, Single Family Residential District.

Mr. John Spoden, Director of Community Development, introduced the variation request. Mr. Spoden stated that the applicants, Eric and Karin Steffensen, are requesting a variation to allow a fence to be constructed in the corner side yard in an R-5, Single Family Residential District located at 1613 Pleasant Court.

Mr. Eric Steffensen, applicant, stated that the fence will help to provide protection for their children and will add value to the neighborhood character and value to their property.

Board Member Oakley stated that the old fence should be taken down.

Board Member Moore stated that he questions whether the propose location is justified or not.

Chairman Cotey asked the petitioner what they would like for the Zoning Board of Appeals to do tonight. Mr. Steffensen stated that he would like for the Zoning Board of Appeals to render a positive recommendation to the Village Board of Trustees.

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In the matter of ZBA 16-17, Board Member Oakley moved, seconded by Board Member Flores, to recommend the Village Board of Trustees approve a variation to allow a fence to be constructed in the corner side yard where the corner side yard abuts the front yard of the abutting property in an R-5, Single Family Residential District, in accordance with the plans submitted.

Motion carried 6 - 0.

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

ZBA 16-18 Matthew and Amanda Orenchuk, Applicants
326 Grant Court

Request is for a variation to increase the maximum permitted lot coverage from 45% to approximately 53.9% in order to construct a house addition for property located in an R-7, Single Family Attached Residential District.

Mr. John Spoden, Director of Community Development, introduced the variation request. He stated that the applicants, Matthew and Amanda Orenchuk, are requesting a variation to increase the maximum permitted lot coverage in order to construct a house addition for property located in an R-7, Single Family Attached Residential District located at 326 Grant Court.

Mr. Orenchuk stated that they are proposing to make updates to their existing 1,600 square foot residential structure that includes the addition of a mud room, new family room, and additional second story floor area, a new roof, new siding, new driveway and a new patio. He stated that the existing impervious surface on the property is approximately 57%. He stated that they are decreasing the lot coverage by redesigning the configuration of their driveway.

Chairman Cotey asked the petitioner what they would like for the Zoning Board of Appeals to do tonight. Mr. Orenchuk stated that he would like for the Zoning Board of Appeals to render a positive recommendation to the Village Board of Trustees.

In the matter of ZBA 16-18, Board Member Semmelman moved, seconded by Board Member Oakley, to recommend the Village Board of Trustees approve a variation to increase the maximum permitted lot coverage from 45% to approximately 53.9% in order to construct a house addition for property located in an R-7, Single Family Attached Residential District, in accordance with the plans submitted.

Motion carried 6 - 0.

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

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**ZBA 16-20 Conventual Franciscan Friars of Marytown, Applicant
1600 W. Park Avenue**

Request is for variations for signage for property located in an IB, Institutional Buildings District.

Mr. David Smith, Senior Planner, that the petitioner, the Conventual Franciscan Friars of Marytown, has applied for an Amendment to the Zoning Code Section 11, Figure 11-5 in order to expand the Overlay District for Electronic Message Board Signs, a Special Use Permit for an Electronic Message Board Sign, and approval for certain variations for signage for property located in an IB, Institutional Buildings District at 1600 W. Park Avenue. He stated that this proposal includes the removal of the existing Chapel and Gift Shop signs and replacing them with two new signs along West Park Avenue.

Mr. Frank Klepitsch, architect for the petitioner, stated that they are proposing to replace signs at Marytown. He discussed the background and architecture of the 1929 chapel. He stated that the site layout is reminiscent of the Beaux Art Master Planning methodology. He stated that the existing sign is outdated, poorly lit, and has no relationship to the architecture of the facility. He stated that the placement of the signs will respect the row of the existing evergreen trees on the site along Route 176, except for the removal of a few specially selected trees in close proximity to the signs.

Mr. Klepitsch presented the proposed chapel monument sign, its materials, and dimensions. He presented the proposed Gift Shop/Conference Center signs, its materials, and dimensions. He stated that both will have a red brick base. He stated that the new Gift Shop/Conference Center sign will reuse the existing Marytown blue sign cabinet and will be incorporated into the overall new brick base. He stated that the existing Marytown Gift Shop/Conference Center sign stands at 15 feet in height and that the existing Chapel sign stands at 19 feet in height. He stated that the new gift shop sign will stand at 18.75 feet in height.

Mr. Klepitsch stated that there is approximately 720 feet of Marytown property linear frontage along Route 176. He stated that their plan will enable them to keep many trees due to the proposed sign locations. He stated that the combined sign area of the two new signs will be a reduction of 25% from the combined sign area of the existing signs.

Mr. Klepitsch stated that Marytown is a non-profit facility that provides many services 24 hours per day, 7 days per week. He stated that there are three entrances with over 600 feet separating two of the entrances.

Mr. Klepitsch stated that the proposed Electronic Message Board sign (EMB) will provide emergency alert messages as required. He stated that they are upgrading the site's landscaping as part of the scope of work.

Father John Grigus, representative of Marytown, stated that Marytown is a religious community, a National Shrine, and they bring clientele to their facility on a regular basis. He stated they are not supported by the Archdiocese. He stated that the gift shop and the chapel and their other

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services are one in the same entity and that their gift shop sales help to support their services. He stated that the two signs are important as their facility is huge and that the signs are a necessity to the people who are seeking out their services. He stated that they have invested a lot of funds into this project and that this is their one and only chance.

Board Member Oakley stated that it seems like a good project.

Board Member Flores stated that the gift shop logo seems small on the sign.

Mr. Klepitsch stated that the EMB will serve additional purposes.

Father Grigus stated that the EMB will add information such as what items are being sold in the gift shop and upcoming conferences more effectively. He stated that visitors come from all over the U.S. for conferences.

Board Member Flores stated that she has concern as to whether there is a need for an EMB when there are other mediums for advertising such as the web, emails, Facebook, etc.

Father Grigus stated that other avenues for notice may be sufficient for their members, but the EMB can reach other non-member patrons.

Father John Clote stated that there is an entire parking lot behind the facility and that the EMB would help to alleviate traffic congestion and improve safety. He stated that Carmel High School also uses their parking lot for their larger events.

Chairman Cotey asked for clarification of the requested sign variation. He asked if the petitioner would be willing to reduce the Chapel monument sign height to 7 feet as noted in the DRC Staff report. Mr. Klepitsch stated that due to the site conditions and the trees that it is imperative to have the height of the sign as proposed. He stated that Marytown is a non-profit quasi-public facility and that people do not know what is going on behind closed doors.

Chairman Cotey asked that the petitioner should fine tune their plan in response to the feedback that they have received thus far. He stated that he supports two freestanding signs. He stated that the traffic does move fast along Route 176.

Board Member Moore stated that he likes the monument sign, but questioned the justification for the setback variation request. Mr. Klepitsch stated that if the Gift Shop/Convention sign were to be interpreted as a quasi-public sign and not a business sign, then the 5 foot setback would have been permitted.

Board Member Moore stated that he does not like the taller sign. He stated that an EMB is not conducive for the area, it does not fit in. He stated that the sign is too close to the Route 176 right-of-way.

Mr. Klepitsch stated that the trees influence the proposed location of the signs. He stated that the property's front is over 760 feet wide.

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Board Member Moore stated that he is concerned about a precedent being set.

Father Grigus stated that this facility is unique as it is a National Shrine and will periodically have conferences that invite attendees from all over the U.S.

Board Member Semmelman stated that he is not supportive of the size of the signs.

Board Member Krummick stated that he is concerned about the potential for a proliferation of EMB's. He stated that the land use is particularly benign with massive frontage. He stated that he likes the architectural unification of the sign design, but that he does not like the EMB.

Mr. Spoden stated that the intent of the Overlay District established for EMB's was intended for the commercial uses along Route 45 and Route 137 for larger parcels of land. He stated that they studied the Route 176 corridor and determined that it was not appropriate for EMB's.

Board Member Moore stated that they are a recommending body and that it will be up to the Village Board of Trustees to approve the requests.

Mr. Klepitsch asked if they can poll the Zoning Board of Appeals members.

Board Member Oakley stated that he supports the proposal.

Board Member Flores stated that she supports the two signs, but not the EMB or the proposed size.

Chairman Cotey stated that he is supportive of the requests generally speaking, but is uncertain about the EMB.

Board Member Moore stated that he is supportive of the request for two signs, but does not support the EMB sign at this location or the expansion of the EMB Overlay District.

Board Member Semmelman stated that he supports the request two signs, but does not support the EMB sign.

Board Member Krummick stated that he supports the request two signs, but does not support the EMB sign.

Father Clote stated that the EMB is not a commercial sign, but is event-oriented.

Father Grigus stated that they no longer want to physically change the sign letters on their message board sign.

Mr. Klepitsch requested that the zoning requests be deferred to next month.

In the matter of ZBA 16-20, Board Member Oakley moved, seconded by Board Member Flores, to continue these items to the October 10, 2016, Zoning Board of Appeals meeting.

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Motion carried 6 - 0.

Ayes: Cotey, Flores, Krummick, Moore, Oakley, Semmelman

Nays: None

Absent: Schultz

COMMUNICATIONS AND DISCUSSION: None.

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

Motion carried 6 - 0.

Meeting adjourned at 10:30 p.m.