

MINUTES OF THE ZONING BOARD OF APPEALS
July 13, 2020

The regular meeting of the Zoning Board of Appeals was conducted virtually due to public health concerns and called to order by Chairman Matthew Krummick at 7:00 p.m.

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

Members absent: Richard Pyter.

A quorum was established.

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

Board Member Oakley moved, seconded by Board Member Schultz, to approve the June 22, 2020, Zoning Board of Appeals minutes.

Motion carried 6 - 0.

OLD BUSINESS:

**ZBA 20-06 Derick Dermatology, Applicant
 950 Technology Way, #150**

Request is for a variation to increase the maximum permitted size of a wall sign from 32 square feet to approximately 135 square feet for property located in a O-2, Office, Manufacturing and Distribution Park District.

Mr. Ed Sullivan, on behalf of Derick Dermatology, summarized the previous meeting they were at in February. The initial request was for a wall sign 135.52 square foot in the sign area. The Code limit is 32 square feet. They are now requesting a variation to increase the sign area to approximately 67.56 square feet, which would follow the Appearance Review Board and Staff recommendation. Per the request at the February meeting, the petitioners have provided evidence in the form of Standards for Variation. The building has a unique physical condition; as there is a substantial distance between the building and Technology Way. Mr. Sullivan stated that these challenges were not self-created. He stated that when the applicant discussed the terms of the lease, the building management said they would be able to build a 132 square foot sign. He stated that the petitioners believe they are being denied substantial rights, and that their request is not merely a special privilege because other building tenants on Technology Way have signs that are larger than the current Code allows. Mr. Sullivan stated that recently, the Village approved multiple signs for the Dunn Museum which is adjacent to the business park Derick Dermatology is located in.

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Board Member Flores had no questions. She stated that 67.56 square feet is much more reasonable than 135 square feet and understands that clients may have a difficult time seeing a 32 square foot sign at their location.

Board Member Schultz asked if the 135 square foot and 93 square foot variance requests were off the table and if the petitioners were only asking for a 67.56 square foot variance. Mr. Sullivan responded yes.

Board Member Schultz asked how large the facility is. Mr. Sullivan stated that it is 7,500 square feet which is about 1/3 of the lower floor.

Board Member Schultz stated that he is comfortable moving forward with the 67.56 square foot wall sign.

Board Member Moore stated that Staff supports the variance request change from 135 to 67.56 square feet in wall sign area in the DRC Staff report.

Board Member Steffe stated he appreciates the petitioners downsizing the signage variance request and supports the 67.56 square foot wall sign variance.

Board Member Oakley stated he had no questions.

Mr. Dave Smith, Senior Planner, asked if the Chairman wanted to include public comments at this time. Chairman Krummick opened the public hearing for public testimony. There were no public comments.

Chairman Krummick had no further questions and recommended the Board move ahead with the vote based on the 67 square foot wall sign option.

In the matter of ZBA 20-06, Board Member Steffe moved, seconded by Board Member Flores, to recommend the Village Board of Trustees approve a variation to increase the maximum permitted size of a wall sign from 32 square feet to approximately 67.56 square feet for property located in a O-2, Office, Manufacturing and Distribution Park District, in accordance with the plans submitted.

Motion carried 6 - 0.

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

ZBA 20-12 Kurt Wilcox and Anastasia Valassis, Applicants
140 Sunnyside Place

Request is for variations to: 1) reduce the minimum required rear yard setback from five (5) feet to approximately one (1) foot; and 2) reduce the minimum

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required interior side yard setback from five (5) feet to approximately 1.4 feet in order to construct a detached garage for property located in an R-7, Single Family Attached Residential District.

ZBA 20-13 Kurt Wilcox and Anastasia Valassis, Applicants
140 Sunnyside Place

Request is for a variation to increase the maximum permitted building coverage in order to construct a detached garage in an R-7, Single Family Attached Residential District. [Withdrawn]

ZBA 20-14 Kurt Wilcox and Anastasia Valassis, Applicants
140 Sunnyside Place

Request is for a variation to increase the maximum permitted lot coverage from 45% to approximately 49.91% in order to construct a detached garage for property located in an R-7, Single Family Attached Residential District.

Mr. David Smith, Senior Planner, summarized the applicants' requests and updates that have been made to the plan since the last meeting. The applicants are now only seeking a rear yard and side yard set-back variation, as well as a lot coverage variation. The revised plan has reduced the lot coverage to be in line with the current lot coverage and has brought the building coverage to be compliant with the Zoning Code therefore removing the need for a Building Coverage variation request.

Mr. Kurt Wilcox stated that the applicants have applied all of Staff's recommendations and will apply engineering recommendations at the time of building permit application submittal. He stated that the updated plans show that the new detached garage will be in the same location as the existing garage in terms of its setbacks from the rear and side property lines.

Mr. Adam Lyons, the applicant's architect, thanked Staff and the Board for their time and effort on this project.

Chairman Krummick opened up the meeting to any public comments. There were no public comments.

Board Member Oakley had no questions and stated that the changes made to the plan look great.

Board Member Flores had no questions and mentioned that she thinks these are reasonable requests.

Board Member Schultz stated that he no questions and echoed the previous comments.

Board Member Moore had no questions.

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Board Member Steffe echoed the previous comments of the other Zoning Board of Appeals members.

Chairman Krummick asked for clarification on the site plan. He echoed the previous comments. He asked the applicant if he would be ready for the Board to vote.

In the matter of ZBA 20-12.1), Board Member Schultz moved, seconded by Board Member Steffe, to recommend the Village Board of Trustees approve a variation to reduce the minimum required rear yard setback from five (5) feet to approximately one (1) foot in order to construct a detached garage for property located in an R-7, Single Family Attached Residential District, in accordance with the plans submitted.

Motion carried 6 - 0.

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

In the matter of ZBA 20-12.2), Board Member Steffe moved, seconded by Board Member Schultz, to recommend the Village Board of Trustees approve a variation to reduce the minimum required interior side yard setback from five (5) feet to approximately 1.4 feet in order to construct a detached garage for property located in an R-7, Single Family Attached Residential District, in accordance with the plans submitted.

Motion carried 6 - 0.

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

In the matter of ZBA 20-14, Board Member Oakley moved, seconded by Board Member Flores, to recommend the Village Board of Trustees approve a variation to increase the maximum permitted lot coverage from 45% to approximately 49.91% in order to construct a detached garage in an R-7, Single Family Attached Residential District, in accordance with the plans submitted.

Motion carried 6 - 0.

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

NEW BUSINESS:

ZBA 20-18 Evan and Jennifer Giacchino, Applicants
512 Ames Street

Request is for a variation to increase the maximum permitted lot coverage in order to construct a patio and walkway replacement for property located in an R-6, Single Family Residential District.

Due to improper notification by the Village, this item will be re-noticed for the Monday, July 27, 2020, Zoning Board of Appeals meeting.

ZBA 20-19 Matthew Moodhe and Mary Gibbs-Moodhe, Applicants
752 Thomas Court

Request is for variations to: 1) reduce the minimum required front yard setback; and 2) reduce the minimum required corner side yard setback in order to construct a house addition for property located in an R-3, Single Family Residential District.

Due to improper notification by the Village, this item will be re-noticed for the Monday, July 27, 2020, Zoning Board of Appeals meeting.

STAFF COMMUNICATIONS AND DISCUSSION: None.

Board Member Moore moved, seconded by Board Member Schultz to adjourn the meeting.

Motion carried 6 - 0.

Meeting adjourned at 7:38 p.m.