

**MINUTES OF THE NOVEMBER 21, 2016
MEETING OF THE ZONING BOARD OF APPEALS
VILLAGE HALL 6101 CAPULINA, MORTON GROVE, IL 60053**

Pursuant to proper notice in accordance with the Open Meetings Act, the regular meeting of the Plan Commission was called to order at 7:30 pm. by Chairperson Blonz. Blonz called the role.

Members of the Commission Present: Blonz, Dorgan, Shimanski, Gabriel, Gillespie, Farkas

Members of the Commission Absent: Khan

Village Staff Present: Dominick Argumedo, Zoning Administrator/Land Use Planner, John Komorowski, Building Official

Trustees Present: Rita Minx

Chairperson Blonz described the procedures for the meeting. Anyone from the audience will be allowed to speak after the commission asks questions of the applicant. After residents comments, discussion and voting will take place.

Chairperson Blonz proceeded to seek approval of the October 17, 2016 minutes.

Commissioner Gabriel moved to approve the minutes of October 17, 2016. Commissioner Gillespie seconded the motion.

Chairperson Blonz called for the vote.

Commissioner Shimanski voting	aye
Commissioner Dorgan voting	abstain
Commissioner Gabriel voting	aye
Commissioner Gillespie voting	aye
Commissioner Farkas voting	aye
Chairperson Blonz voting	aye

Chairperson Blonz called for the first case.

CASE ZBA 16-08

APPLICANT: Mr. Emanuil Butcu
8947 Central Avenue
Morton Grove, Il 60053

LOCATION: 8947 Central Avenue

Morton Grove, IL 60053

PETITION: Request for waivers from Section 12-3-5:A and Section 12-3-5:B of the Unified Development Code to allow for a fence in the front and street side (front) yard of a lot with multiple front yards. *Continued from October 17, 2016.*

Mr. Argumedo reviewed the case that was previously petitioned for a 5 ft. high fence with 0% opacity on the property that borders 3 streets. The applicant, Mr. Butcu, has agreed to revisions and requested a fence with the height of 54" and 50% opacity and also to extend the setback on Lake Street so as to expand the useable yard.

Chairperson Blonz asked for questions from staff.

Commissioner Gabriel asked if there is a written proposal for the new request. Argumedo explained the proposal is displayed in the staff report exhibited by map #3 stating the height of 54" and the opacity of 50%.

Commissioner Farkas asked for an explanation on the opacity of the fence. Argumedo explained the opacity of 50% is board on board and is known as a picket style fence.

Mr. Emanuil Butcu was sworn in.

Butcu stated his desire to work with the Village and is in agreement with the height and opacity revision suggested by the Board. The neighbor at 8954 Central sent a letter stating agreement to the fence. (see attached)

Chairperson Blonz asked if there was anyone present that wanted to be heard. There was no response.

Chairperson Blonz asked for questions from Commissioners.

Commissioner Gillespie wanted clarification on the height. Argumedo stated the regulation for a front yard fence on a corner lot is 3 ½ ft. This case is a special use and referred to a previous case that was approved in 2015 for a 54" high fence and 50% opacity on a corner lot in an area with heavy traffic.

Commissioner Shimanski stated he felt the proposed outlay of the fence, from the middle of the residence to the street was an awkward setback, and that the unique project layout did require some relief. He suggested a fence that, in part, ran parallel to the home and was setback 5 ft. from the property line along Lake Street. Other Commissioners noted their support of the proposal.

Chairperson Blonz called for a motion to approve Case ZBA 16-08.

Commissioner Shimanski moved to approve Case ZBA 16-08 for request for waivers from Section 12-3-5:A and Section 12-3-5:B of the Unified Development code to allow for a fence in the front and street side (front) yards of a lot with multiple front yard with the following recommendations:

1. The existing 6 ft. hedges shall be permanently removed from all property lines along public rights-of-way. any future plantings within the required front yards along Central Avenue, Lake Street, and/or Harms Road shall comply with current Code requirements.
2. The applicant shall file all necessary plans for review and approval, and secure all necessary building permits prior to the commencement of construction.
3. The new fence shall be constructed so that it is 50% opacity and 54" height.
4. The fence will be set back 5 ft. off of the property line along Lake Street; shall be setback 25 ft. south along the Central Avenue property line from the corner of the intersections of the Lake Street and Central Avenue property lines; and run parallel to the existing residence to the aforementioned defined 5 ft. setback along Lake Street; and finally along the alley including the remainder of Central Avenue.

Motion seconded by Commissioner Gabriel.

Chairperson Blonz called for the vote.

Commissioner Gabriel voting	aye
Commissioner Dorgan voting	aye
Commissioner Gillespie voting	aye
Commissioner Farkas voting	aye
Commissioner Shimanski voting	aye
Chairperson Blonz voting	aye

Motion passed.

CASE ZBA 16-09

APPLICANT: Mr. Richard Hook
5929 Washington Rd.
Morton Grove, IL 60053

LOCATION: 5929 Washington Rd.
Morton Grove, IL 60053

PETITION: Request for waivers to Section 12-4-2:D.3 and 12-7-2:F of the Unified Development code to allow for the replacement of an attached garage within the required 5 ft. side yard setback with tandem parking.

Mr. Argumedo reviewed the application for a single family residence that is located midblock between Austin and Marmora Ave. on the south side of Washington Street. The property is in the R2 Single Family Residence District and surrounded by single family residences to the east, west and south and Austin Park to the north.

The existing single-family residence is set back 3 ft. from the east side yard setback. The Unified Development Code requires a minimum 5 ft. side yard setback and as such the existing structure is non-conforming. The rest of the improved property complies with all other R2 bulk and dimensional controls.

Mr. Argumedo further explained that the applicant, Mr. Hook sought approval from the ZBA to replace an existing 49 ft. long attached garage, which is 11 ft. wide at the north end and 12 ft. wide at the south end, and with a new 41.33 ft. long X 12 ft. wide attached 2 car garage on the east side of the existing residence. Both the existing and proposed garage structures, which include space for 2 cars to be parked in tandem will be 3 ft. from the east side yard property line. The Unified Development Code requires a minimum 5 ft. side yard setback in the R2 District.

The applicant proposed to construct a new 2-season room at the south end of the garage and along the rear of the existing structure. The proposed 2 season room setback 5 ft. from the east side property line and would be compliant with all other bulk and dimensional controls.

The applicant, Mr. Hook and architect Mr. Piotr Naklicki were sworn in.

Mr. Hook explained the current structure is rotting and he requested a waiver to allow more room for the garage so when the car is parked inside the garage the car door can fully open.

Mr. Naklicki reviewed the plans to replace the existing garage with a 2 ft. waiver with brick to match the house. Changes would be made to the roof to give curb appeal and a sun room would be added to the rear of the house which would be compliant with Village regulations.

Commissioner Farkas inquired about the flat roof and if there will be any overhang. Mr. Naklicki replied the roof will be sloped in the front and in the back will be flat with an 18" soffit. The wall would be 3 ft. setback and the soffit would be 1 ½ ft. Argumedo added that gutters and encroachments are allowed to go 20% into setbacks so this is 6" over, so the requested setback is 3 ft. 6" for this aspect.

Chairperson Blonz asked if the low brick wall in front on the east side of the property line will be removed. Naklicki replied it will be removed. Blonz directed questions about fire safety and if there would be any problems with this wall. Komorowski consulted with Bill Porter, Director of Fire Safety, and the only concerns were the walls of the garage and the fire rating because it is so close to the property line.

Commissioner Gabriel asked about the windows that are in the interior on one side of the

garage. Naklicki stated those windows will be removed and bricked.

Chairperson Blonz asked if there was anyone present that wanted to be heard.
There was no response.

Chairperson Blonz asked for a motion to approve Case ZBA 16-09

Commissioner Gabriel moved to approve Case ZBA 16-09 request for waivers to the Section 12-4-2:D.3 and Section 12-7-2:F of the Unified Development code to allow for the replacement of an attached garage within the required 5 ft. side yard setback that accommodates tandem parking with the following requested waivers to Unified Development Code Section 12-4-2:D.3. and Section 12-7-2:F, granting a 2 ft. waiver to the 5 ft. side yard setback requirement to allow the construction of a new 41.33 ft. x 12 ft. 2-car attached garage that is constructed in a manner that results in tandem off street parking at 5929 Washington Road , with the following conditions:

1. The new addition and modification shall be constructed and located in accordance with the plans prepared by Piotr Naklicki, architect, dated 10/28/2016 unless noted:
 - a. Site Plan, Sheet A-0
 - b. Proposed First Floor Demolition Plan, Sheet A-1
 - c. Proposed First Floor Plan, Sheet A-2
 - d. Proposed Elevations, Sheet A-3
 - e. Proposed South Elevation, Sheet A-4
 - f. Plat of Survey, dated May 27, 2016, Jens K. Doe
2. The applicant shall file all necessary plans for review and approval, and secured all necessary building permits prior to the commencement of construction.

Motion seconded by Commissioner Dorgan.

Chairperson Blonz called for the vote.

Commissioner Shimanski voting	aye
Commissioner Gillespie voting	aye
Commissioner Farkas voting	aye
Commissioner Dorgan voting	aye
Commissioner Gabriel voting	aye
Chairperson Blonz voting	aye

Chairperson Blonz asked for any other business or discussion. Hearing none, Commissioner Gabriel moved to adjourn the meeting. The motion was seconded by Commissioner Gillespie and approved unanimously pursuant to a voice vote at 8:26 pm.

Minutes By: Janet Sheehan