

**MINUTES OF THE JUNE 16, 2014
MEETING OF THE ZONING COMMISSION
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 Farkas. Secretary Sheehan called the roll.

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

Member of the Commission Absent: Khan

Village Staff Present : Nancy Radzevich, Community and Economic Development Director ,Dominick Argumedo, Zoning Administrator/Land Use Planner, John Komorowski, Building Official, Bill Porter, Director of Fire Protection

Trustees Present: John Thill, Janine Witko

Chairperson Farkas 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 Farkas then proceeded to seek approval of the minutes for May 19, 2014. Commissioner Blonz moved to approve the minutes of May 19, 2014. Commissioner Gabriel seconded the motion.

Dominick Argumedo, stated Commissioner Khan sent an email in her absence that a correction be made to May 19, 2014 minutes on page 5 replacing Commissioner Khan's questioning of the applicant. Replacement should read: Commissioner Khan questioned Ms. Fortman's concern about the height of the house and brought to everyone's attention that there are other larger structures on the block such as noted on the plat of survey.

Minutes are approved with correction.

Commissioner Gillespie voting	Aye
Commissioner Dorgan voting	Aye
Commissioner Shimanski voting	Abstain
Commissioner Gabriel voting	Aye
Commissioner Blonz voting	Aye
Chairperson Farkas voting	Aye

CASE ZBA 14-12

APPLICANT: Ms. Cynthia Knuerr
8524 Mansfield Avenue
Morton Grove, IL 60053

PROPERTY LOCATION:

8524 Mansfield Avenue
Morton Grove, IL 60053

PETITION: Request for a variation from Section 12-2-6 and 12-15-4 of Ordinance 07-07 (Village of Morton Grove Unified Development Code) to construct a garage in the rear yard on a substandard lot.

Dominick Argumedo summarized that the subject property is a non-conforming lot located mid-block on the west-side of Mansfield Avenue between South Park Avenue and Theobald Road in the R2 single-Family Residence District zoning district. The lot is non-conforming due to lot width and lot area. Specifically, the minimum lot width for properties subdivided before August 4, 1959, in an R2 District, is 45 ft. and a minimum lot area of 5,000 sq. ft. The 3,720 sq. ft. subject property has a 30 ft. lot width.

The applicant, Ms. Cynthia Knuerr, is seeking to replace an old dilapidated, detached garage, which was demolished in the fall of 2013, with a new detached garage within the required rear yard. In order to construct a new two car garage, the applicant is seeking variations and/or approval from three sections of the Unified Development code as follows:

1. Section 12-2-5-2-c - the applicant is seeking a waiver from this section of the code states an accessory structure shall not cover more than 30% of the required rear yard; the proposed 19.9 ft. x 20 ft. two-car garage that will cover 50% of the required rear yard.
2. Section 12-2-6-G-3-C - the applicant is seeking a waiver from the maximum required rear yard lot coverage. The code allows a maximum of 50% of the required rear yard to be covered with impervious surfaces; the construction of the new two car garage, with the apron, when added to the area covered by an existing concrete walkway, will result in 61% of the rear yard being covered by impervious surfaces.
3. Section 12-15-4- requires the Zoning board of Appeals to approve any development on a non-conforming lot.

Mr. Argumedo pointed out this property is non-conforming due to lot width and lot area. Staff notes that if this were a standard sized lot, with 45 ft. width, the proposed garage would constitute 30% of the rear yard coverage and the proposed rear yard lot coverage would be 41% and, as such, would be compliant. The four other sub-standard lots on this street also each have two car garages and from review of internal Village maps appear to be non-conforming.

The petitioners, Cynthia and Peter Knuerr, explained that the original garage is 85 years old and they were told by the village that they needed to take down this garage.

Commissioner Gillespie asked if this replacement garage was the exact same size as the original. Mrs. Knuerr replied that the new garage is slightly larger, going from 18 X 20 to 20 X 20.

Commissioner Blonz asked about the submitted drawings and the dimension in the middle that leads from the garage to the house. Knuerr stated that there was a wood deck that was added to the house in 2006 and a permit was issued for this deck. Blonz stated that at the time the permit was issued the garage would not have been adequate for lot coverage at that time. He continued stating the lot coverage and the green space is only 39%. Mr. Argumedo stated 61% is

required for the rear yard, there is not a total lot coverage for impervious coverage in place at this time, staff is working towards this regulation.

Chairperson Farkas asked if there was anyone present that wanted to be heard on this case. There was no response.

Commissioner Shimanski clarified that the deck is not part of the impervious surface, there is gravel underneath it and not a solid concrete base and still absorbs water.

Commissioner Gabriel stated the garage is a minimum for a 2 car garage.

Komoroski stated that the village required that this garage be torn down for property maintenance issues and at that time the applicant was under the impression that they could rebuild without any zoning regulations.

Chairperson Farkas for any further discussion. There was no further discussion.

Chairperson Farkas asked for a motion to approve Case ZBA 14-12.

Commissioner Shimanski moved to approve Case ZBA 14-12 with the following recommendations.

Should the Zoning Board of Appeals approve AZB Case # 14-12, with a 20% waiver 12-2-5-B-2-c to allow the proposed garage to cover 50% of the required rear yard, an 11% waiver to Section 12-2-6-G-3-c to allow a rear yard lot coverage of 61% for the property at 8524 Mansfield Avenue, and approval of development on a sub-standard lot, staff recommends the following condition:

1. The new garage shall be constructed in accordance with the location shown on the site plan submitted by the applicant with the variance application dated 5/21/2014 and the building permit filed on 4/18/2014.
2. The applicant shall not add any additional impervious surface within the required rear yard.

Commissioner Dorgan seconded the motion.

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

Motion passed.

CASE ZBA 14-13

APPLICANT:

Mr. Robert Webber
7047 Wilson Terrace
Morton Grove, IL 60053

PROPERTY LOCATION:

7047 Wilson Terrace
Morton Grove, IL 60053

PETITION: Requesting a variation from Section 12-2-5 of Ordinance 07-07 (Village of Morton Grove Unified Development Code) to construct a garage in the rear yard.

Mr. Argumedo summarized the applicants request for a 342 sq. ft. "L" shaped garage that is currently situated in the southwest corner of the property. The existing garage is non-conforming as it is located 8.44 ft. from the principal structure. In addition, the garage encroaches onto a 5 ft. utility easement that runs along the rear property line. The applicant proposes to construct a 280 ft. garage (14 ft. wide by 20 ft. deep) in the same general location as the existing structure. Because the proposed garage is wider than the existing garage (14 ft. versus 12.5 ft.) and is pulled forward to avoid encroaching on the utility easement, the proposed garage would be slightly closer (7.5 ft.) from the principal structure than the existing garage. Due to the Unified Development Code's requirement of 3 ft. side and the rear yard utility easement of 5 ft., the proposed garage cannot be placed any farther away from the principal structure than proposed without requiring additional variances. The proposed garage meets all other aspects of the dimensional controls. The reduction in the size of the garage results in a reduction the amount of rear yard lot coverage which improves the overall site conditions.

Mr. Argumedo stated that proof of ownership is on file.

Mr. Andrew Vennamore of Danley Garage and Mr. Webber were sworn in.

Mr. Vennamore stated the goal is to replace existing detached garage that is structurally unsound and non-conforming. By doing this, it will reduce the size of the structure by 62 ft. The structure will not adhere to the 10 ft. required setbacks between structures. The garage currently is 9 ft. setback. It would be impractical to build the structure based on all requirements as it would reduce the depth to 18 ft. and would not be adequate for use of vehicle storage. The 20 ft. depth is basic for a garage.

Chairperson Farkas asked for questions from staff.

Chairperson Farkas directed a question to Mr. Porter if there would be trouble in terms of fire safety.

Mr. Porter responded that the garage would have drywall that is fire rated and if there was a fire it would be self-contained.

Mr. Komoroski explained that the permit would require the rated drywall as it is within the 10 ft.

Chairperson Farkas asked if there was anyone present that wanted to be heard on this case.

There was no response.

Chairperson Farkas called for a motion to approve Case ZBA 14-13.

Commissioner Gabriel moved to approve Case ZBA 14-13 with the following recommendations:

1. The new garage shall be constructed in substantial compliance with the location, height, dimensions, and style per the following plans:
 - A. Proposed Site Plan, submitted by Danley's Garage World, date 5/5/2014
 - B. Proposed Floor Plan and Building Section, by Danley's Garage World, dated 5/5/2014
 - C. Proposed Elevations, By Danley's Garage World, dated 5/5/2014

Mr. Komoroski stated that the plans that were resubmitted after 5/5/2014 for the drywall.

Ms. Radzevich stated that the variance is only for the location of the structure and how its being designed. The life safety and fire aspects of this is covered by building codes.

Commissioner Dorgan seconded the motion.

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

Motion passed.

CASE ZBA 14-14 Applicant requests a continuance

This case will be continued on the August 18, 2014. This continuance was accepted.

Chairperson Farkas asked for any other business or discussion. Commissioner Dorgan moved to adjourn the meeting. The motion was seconded by Commissioner Blonz and approved unanimously pursuant to a voice vote at 8:02 pm.

Minutes by: Janet Sheehan