

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF ZONING, PLANNING AND APPEALS**

CASE NUMBER: 18-ZPA-05-001

HEARING DATE: June 14, 2018

PROPERTY ADDRESS: 156 Sherwood Drive

PETITIONER: Anne Borscha

PROPERTY OWNER: Anne Borscha

PIN NUMBER: 20-07-353-030

REQUEST 1. Variance to Increase the Maximum Permitted Lot Coverage (Sec. 17.20.040)

MEMBERS PRESENT: Khoury
Williams
Pippen
Graziano

MEMBERS ABSENT: O’Laughlin, Kretschmer, Jasper

STAFF MEMBERS PRESENT: Brian Simmons, AICP
Community Development Director

Chairman Khoury called the meeting to order at 7:30 PM. After approving the minutes of two previous cases, Chairman Khoury called Village Case No. 18-ZPA-05-001.

Director Simmons stated the Petitioners are seeking to construct a new above ground pool and deck within the rear yard of the property located at 156 Sherwood Drive. The proposed improvements will increase the Petitioner’s impervious surface coverage from 3,298 square feet (33.3%) to 3,906 square feet (39.5%). A lot coverage variance is required as the proposed coverage will exceed the maximum of thirty-five (35) percent permitted by code. The ZPA hearing was properly noticed to the public.

Ms. Anne Borscha was present to discuss the petition. Ms. Borscha stated Director Simmons’ review of the proposal was complete. The purpose of the request is to improve their backyard to provide better enjoyment of their property. Ms. Borscha stated there has been no feedback from the surrounding property owners.

Chairman Khoury opened the floor to Public Comment. With no comment from those present, Chairman Khoury closed the Public Comment portion of the meeting.

Discussion:
None

Chairman Khoury entertained a motion.

Member Graziano moved, seconded by Member Pippen , to recommend to the Village Board of Trustees, approval of a of a variance to allow an increase in the required lot coverage from thirty-five (35) percent to forty (40) percent for the property located at 156 Sherman Dr.

Aye: Graziano, Khoury, Williams, Pippen

Nay: None

Abstain: None

Absent: O'Laughlin, Kretschmer, Jasper

Motion Passed: 4-0

Chairman Khoury entertained a motion to adjourn at 7:46 pm. Member Williams moved, seconded by Member Graziano to adjourn at 7:46 pm.

All Ayes by Voice Vote

Motion Passed

Respectfully submitted,



Susan Greene, Deputy Village Clerk

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF ZONING, PLANNING AND APPEALS**

CASE NUMBER: 18-ZPA-05-002

HEARING DATE: June 14, 2018

PROPERTY ADDRESS: 880 Feinberg Drive

PETITIONER: PIRHL Developers, LLC

PROPERTY OWNER: Kosandra Cohen Herrendorf Gift Trust

PIN NUMBER: 19-12-301-043 and 19-12-301-044

REQUEST Plat of Subdivision, Plat of Dedication

MEMBERS PRESENT: Khoury, Chairman
Pippen
Graziano
Williams

MEMBERS ABSENT: O'Laughlin
Kretschmer
Jasper

STAFF MEMBERS PRESENT: Brian Simmons, AICP
Community Development Director

Chairman Khoury called the meeting to order at 7:30 PM. After approving two sets of minutes from previous hearings and hearing one additional case, Chairman Khoury called case 18-ZPA-05-002.

Director Simmons stated the Petitioners are proposing to resubdivide the approximately 3.9 acres of land which comprises the property for the proposed Cary Senior Living facility. In 2016 the Village Board approved a conditional use for a senior housing development on the subject property. A condition of the approvals granted was to require the consolidation of the two parcels which comprise the property into a single lot of record. Per Section 17.10.083 of the Zoning Ordinance, every structure erected shall be located on a single lot or zoning lot. The consolidation was required to be recorded prior to the issuance of a certificate of occupancy in order to comply with this requirement. The proposed Final Plat of Subdivision will consolidate the subject parcels into a single lot of record and will dedicate appropriate easements to serve this property and adjacent development.

A plat of dedication is also proposed for a portion of the Feinberg Drive roadway. Presently, the entire length of Feinberg Drive is not constructed within formally dedicated right-of-way. A portion of this roadway is constructed over a parcel identified as Outlot A (PIN 19-12-301-036) and is approximately 15,000 square feet in area. The parcel is located to the east of the Cary Square Shopping Center and is owned and maintained by the Village of Cary. The proposed plat of dedication will clean up the records regarding this parcel and formally dedicate the land as right-of-way ensuring access to the subject property is maintained.

Chairman Khoury opened the floor to Public Comment. With no comment from those present, Chairman Khoury closed the Public Comment portion of the meeting.

Discussion:

Member Graziano noted that Feinberg Court was labeled incorrectly on the plat and was listed as Feinberg Drive.

Chairman Patrick Khoury entertained a motion.

Member Graziano moved, seconded by Member Williams, to recommend to the Village Board of Trustees, approval of the final plat of subdivision for the Cary Senior Living Subdivision and plat of dedication for Feinberg Drive.

Aye: Khoury, Pippen, Williams, Graziano

Nay: None

Abstain: None

Absent: O'Laughlin, Kretschmer, Jasper

Passed: 4 -0

Chairman Khoury asked if members had any items to discuss. With no discussion from the Board of Zoning, Planning and Appeals, Chairman Khoury entertained a motion to adjourn at 7:46 pm. Member Williams moved, seconded by Member Graziano to adjourn at 7:46 pm.

All Ayes by Voice Vote

Motion Passed

Respectfully submitted,



Susan Greene, Deputy Village Clerk