

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

CASE NUMBER: 18-ZPA-08-001

HEARING DATE: September 13, 2018

PROPERTY ADDRESS: 119 Pearl Street

PETITIONER: Audrey Bastidas, OASIS Management Group, LLC

PROPERTY OWNER: Senseless, LLC

PIN NUMBER: 20-18-105-022

REQUEST:

1. Variance to reduce the front yard setback from thirty (30) feet to twenty-eight (28) feet (Sec. 17.20.040)
2. Variance to reduce the interior side yard setback from eight (8) feet to five and a half (5.5) feet (Sec. 17.20.040)
3. Variance to increase the permitted lot coverage from 35% to 45% (Sec. 17.20.040)
4. Waiver of nonconforming lots requirement (Sec. 17.60.030)

MEMBERS PRESENT: Khoury, Kretschmer, Graziano, Jasper, Phippen, Williams

MEMBERS ABSENT: O’Laughlin

STAFF MEMBERS PRESENT: Brian Simmons
Director of Community Development

Chairman Khoury called the meeting to order at 7:30 PM. After approving the minutes of one previous case, Chairman Khoury called Village Case No. 18-ZPA-08-001.

Director Simmons stated the Petitioner, Audrey Bastidas of OASIS Management Group LLC, is the contract purchaser of the vacant property located at 119 Pearl Street. The Petitioner is proposing to construct two single-family detached homes on the two lots which currently comprise the property and is also seeking approval of three variances for each lot. Director Simmons reviewed the requests; Variances to reduce the required front yard setback from thirty (30) feet to twenty-eight (28) feet, reduce the required interior side yard setback from eight (8) feet to five feet six inches (5.5 ft), and increase the lot coverage from 35% to 45% are being requested. The ZPA hearing was properly noticed in the August 29, 2018 edition of the Northwest Herald newspaper. In addition, the Petitioner has completed the required written notice to surrounding property owners and staff posted a public hearing sign on the subject property.

The Petitioner, Audrey Bastidas of OASIS Management Group, LLC was present to discuss the petition. Ms. Bastidas stated Director Simmons’s review of the proposal was complete. Ms. Bastidas stated she has not received negative feedback from 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:

Member Jasper asked for confirmation on the distance between the proposed structures with existing buildings. Director Simmons reviewed each of the proposed property setbacks. Director Simmons stated the proposed structures are placed to allow for each to have a driveway similar to others in the neighborhood.

Ms. Bastidas introduced the project developer, Michael Graft of MJG Construction to discuss the building plans proposed.

Chairman Khoury asked if the updated Village Unified Development Ordinance would allow for the items requested on this petition to be conforming uses for the property. Director Simmons stated as proposed, the petitioner would require only one variance under the draft UDO, if approved in its' current form.

Member Kretschmer asked Mr. Graft if the proposed plan could include a six-foot setback to allow for a more even building placement on the property. Mr. Graft stated the five-and-a-half-foot request is to allow the buyer an option for a side yard deck or patio.

Member Kretschmer questioned the feasibility of granting setback variations for a side yard patio when the plan shows a planned backyard patio. Mr. Graft stated that today's buyers are looking for an open floor plan with many windows and outside options.

Member Williams asked what the price point will be for the homes. Mr. Graft stated the homes will be marketed for the surrounding neighborhood.

Ms. E. Syed, 115 Perth St. asked if the trees and landscaping on the petitioners' property would be trimmed and maintained. Mr. Graft stated the large trees along the back of the property will be cleared or trimmed.

Chairman Khoury presented an email received from resident Mr. Gene Schroeder, 108 N. Second St., which stated he was not in favor of the petition.

Chairman Khoury entertained a motion.

Member Phippen moved, seconded by Member Jasper, to recommend to the Village Board of Trustees, approval of a waiver to the requirements of Section 17.60.030 to allow for the construction of two single-family detached homes on Lots 4 and 5 of the Weaver's Second Addition to Cary Subdivision, and variances to reduce the required front yard setback from thirty (30) feet to twenty-eight (28) feet, reduce the required interior side yard setback from eight (8) feet to five and a half (5.6) feet, and increase the maximum permitted lot coverage from thirty-five (35) percent to forty-five (45) percent for the property located at 119 Pearl Street subject to the following conditions:

- 1) The proposed improvements shall substantially conform to the attached plans and exhibits submitted as part of this petition, except as they may be changed to conform to Village Codes and all conditions of approval.***
- 2) A porch or canopy near the front entrance to each structure may be constructed, at or near grade, and may project into the required front yard a maximum of six feet and shall remain unenclosed.***
- 3) Prior to the issuance of a building permit a new PIN number shall be assigned to lot 4 and/or lot 5 to uniquely identify each parcel.***

Aye: Khoury, Williams, Phippen, Jasper

Nay: Graziano, Kretschmer

Abstain: None

Absent: O'Laughlin

Motion Passed: 4-2

After holding a public workshop, Chairman Khoury entertained a motion to adjourn at 9:37 pm. Member Graziano moved, seconded by Member Phippen to adjourn at 9:37 pm.

All Ayes by Voice Vote

Motion Passed

Respectfully submitted,



Susan Greene, Deputy Village Clerk