

**City of Prospect Heights
Plan/Zoning Board of Appeals
June 27, 2013**

The regular meeting of the Plan/Zoning Board of Appeals was called to order at 7:00 pm by Chairman Weidman, at City Hall, 8 N. Elmhurst Road, in Prospect Heights, Illinois.

ROLL CALL:

Present: Commissioners Frank-Watson, Jones (Arrived at 7:06pm), Roscoe, Tammen, Wyatt, and Chairman Weidman
Absent: Commissioner Dash (Absent by prior notice)

A Quorum was present. Also present at the meeting: Director of Building and Zoning Skiber, Assistant Director of Building and Zoning Cutaia, and Assistant to the City Administrator Sabo.

APPROVAL OF FEBRUARY 28, 2013 MINUTES

Motion made by Commissioner Tammen, seconded by Commissioner Roscoe, to approve the meeting minutes from February 28, 2013 as presented. The motion was approved by a roll call vote.

ROLL CALL VOTE:

AYES: Commissioners Roscoe, Tammen, Wyatt, and Chairman Weidman
NAYS: None
ABSENT: Commissioners Dash and Jones
ABSTAIN: Commissioner Frank-Watson
Motion carried.

Case No. ZBA-13-04V

Applicant: Jack Day (Represented by ALA Architects & Planners Inc., Christopher Russo, Project Manager)
Address: 203 Prospect Ct. (Pin# 03-22-300-031-0000)
Requesting a variance to allow for a required rear yard variation of 5' 9" (five feet, nine inches), and a required interior side yard variation of 8' 10" (eight feet, ten inches) for an attached garage and principle dwelling addition.

Chairman Weidman entered the following exhibits into the record:

ZBA Exhibit 1: Application
ZBA Exhibit 2: Plat of survey
ZBA Exhibit 3: Assignment to the agenda
ZBA Exhibit 4: Hardship letter
ZBA Exhibit 5: Proposed site plan
ZBA Exhibit 6: Proposed plan
ZBA Exhibit 7: Proposed front elevation
ZBA Exhibit 8: Certificate of publication
ZBA Exhibit 9: List of property owners notified
ZBA Exhibit 10: Notice to property owners
ZBA Exhibit 11: Proof of ownership 1st installment property tax bill

Mr. Dave Dolby of ALA Architects presented the green cards from the notices to Chairman Weidman.

Chairman Weidman swore in Mr. Dave Dolby, 2600 Behan Rd., Crystal Lake, Illinois.

Mr. Dolby explained that he was brought in on this project to try to figure out a design to add onto the back of the house and front of the house. The house is dated and has some features which are hurting the family at the moment which is what ALA Architects are working to fix. The proposal is to add to the back and to add to the front right corner and they are trying to get a first floor laundry and mud room, as well as expand the kitchen. The existing kitchen and family room are small. His job was to try to fit all the requirements into the house's footprint. The house is hugging a curved front yard setback on the cul-de-sac. He explained that cul-de-sac lots sometimes have a strange shape which makes it difficult to add onto a property. They went through numerous reiterations and redesigns to try to make all the homeowner's requirements work. What is before the Board is the best design they came up with. The design needs two variances, one in the back and one on the side. They are trying to increase the garage size by adding a two car garage to an existing three car garage. In the three car garage, they are using some of the space up for the laundry and mud room and also access to the second floor. In the end, the space ends up as a 3.5 (three and a half) car garage which is bigger but it also gives the ability to get the laundry and mud room in there as well as expand the kitchen and family room. Houses built around the time that this property was built tend to lack a mudroom. In this case, you walk right into the kitchen and there is no place to do anything. It is tough on a family. He did not want to push the house toward the street. He felt the best thing to do would be to push out the side and the back.

Chairman Weidman commented that on the plan that was provided, there are some dashed lines, one that represents the fifty foot (50') rear yard and he is guessing it is a half inch, not quarter inch scale on the plans.

Mr. Dolby said the plans are quarter inch scale.

Chairman Weidman commented that the plans also show a line of three foot (3') encroachment. The board can allow three feet (3'). On the west side, there is a dashed line showing a fifteen foot (15') side yard and to the west of that, there is language of a line of three foot (3') encroachment but the dashed line is inside it.

Mr. Dolby said something must be moved on the drawing.

Chairman Weidman commented that he brings this up because he wants to see how much of the garage is encroaching.

Mr. Dolby commented that he has a letter from the neighbor to the left of the property next to where the garage addition is going.

Director of Building and Zoning Skiber commented that staff had met with the property owner to the left of the property and that individual prepared a written statement which he would like to have read into the record.

Assistant Director of Building and Zoning Cutaia commented that the hardship for this property is due to the lot shape specifically the lot line on the west. There have been cases in the past similar to this one which the board has addressed. Staff met with the neighbor who expressed concern with drainage and the appearance. During the building permit process, staff will address those issues closely with respect to down spouts and grading.

Chairman Weidman read the written statement from Mr. Paul R. Moe, 205 Prospect Ct., Prospect Heights, IL. and entered the document as exhibit 12 of the record.

Commissioner Roscoe commented that he feels the change will add a nice visual effect to the house with no adverse effect to the neighborhood.

Chairman Weidman commented that the hardship is always on the cul-de-sac. It is easy when the original planners are setting up the zoning requirements of the town to say they want fifteen feet (15') on each side and fifty foot (50') rear setback. The reality is with cul-de-sacs, there are some odd shaped lots. There have been several cases in front of the Plan/Zoning Board of Appeals with people wanting to expand the small garages that were originally built. He feels the letter from Mr. Moe is important as that neighbor is most impacted. He feels this is a good plan. He does not see the fifty foot (50') setback in the rear to be adversarial.

Commissioner Frank-Watson commented that she supports this case. In the past, she did not support variances of this size however that was because the two applicants in the past did not have actual hardships. In this case, the hardship is the irregular shaped lot.

Director of Building and Zoning Skiber asked if there will be a landscape plan included with the permit application. He commented that drainage and landscape are a concern.

Mr. Dolby commented that they can provide a landscape plan and there will be windows on the side of the garage. He wants the neighbors to like it.

Chairman Weidman swore in Mr. Frank Laux, 204 E. Circle Ave., Prospect Heights, IL.

Mr. Laux commented that the rear corner of the property at question touches the rear corner of his property and his father in law's property backs up to the property at question. By profession, he is a licensed architect and engineer. He asked if the variances being requested are clear of the utility easements in the rear.

Director of Building and Zoning Skiber commented that there is a ten foot (10') easement in the rear of the property which will remain intact and has no bearing on the petition.

Mr. Laux asked if the proposal meets the requirements for percentage of build out versus lot size.

Director of Building and Zoning Skiber commented that they don't have that calculation yet but it must be lower than .25.

Chairman Weidman commented that since there has been no relief that has been requested for that, he would be fine with the FAR.

Mr. Laux commented that they have no issues with what is being requested in the variance.

Motion made by Commissioner Tammen, seconded by Commissioner Roscoe, to approve case ZBA-13-04V as presented. The motion was approved by a roll call vote.

ROLL CALL VOTE:

AYES: Commissioners Frank-Watson, Jones, Roscoe, Tammen, Wyatt and Chairman Weidman

NAYS: None

ABSENT: Commissioner Dash

Motion carried.

COMMUNICATIONS

Director of Building and Zoning Skiber reported that there is no applicant to date for the next month's Plan/Zoning Board of Appeals meeting.

OLD BUSINESS

Director of Building and Zoning Skiber commented that City Council is caught up on all past Plan/Zoning Board of Appeals action. ZBA-13-04V will go to the City Council upon approval of the meeting minutes.

NEW BUSINESS

There was none.

ADJOURNMENT

The June 27, 2013 Plan/Zoning Board of Appeals meeting was adjourned by unanimous voice vote, at 7:22 pm with a motion by Commissioner Tammen, seconded by Commissioner Roscoe.

Respectfully Submitted,

Robert Sabo, Recording Secretary