

**VILLAGE OF LAKEWOOD
PLANNING AND ZONING COMMISSION
MEETING MINUTES
MARCH 29, 2021**

The Zoom meeting was called to order at 7:00 p.m.. Members present were Chairman John O'Hara; Commissioners Galizi, Flanagan, Knapp, Shamoun, Wayne, and Smith. Also present were Administrative Officer Jeannine Smith, Village Deputy Clerk Karen Crowe, and a few members of the public.

Chairman O'Hara noted that we had some newer Commissioners and 20+ zoom attendees. He then explained that we would be discussing FAR (Floor Area Ratio) and impervious surfaces.

PUBLIC HEARING: TO CONSIDER THE PETITION OF DEREK DEPAUL TO GRANT AN AMENDMENT TO THE EXISTING LAKEWOOD ZONING CODE RELATIVE TO THE PROPERTY COMMONLY KNOWN AS 2120 SOUTH SHORE DRIVE, PIN 18-01-402-007 ("SUBJECT PROPERTY") IN CONNECTION WITH A REQUEST FOR THE FOLLOWING FROM SECTION 10 OF THE LAKEWOOD ZONING CODE: i) A VARIANCE FROM SECTION 10.3-6A.2 TO ALLOW FOR A 35 FOOT HEIGHT FOR A RESIDENTIAL SINGLE FAMILY DWELLING RATHER THAN THE OTHERWISE APPLICABLE 30 FOOT HEIGHT LIMITATION, ii) A VARIANCE FROM SECTION 10.3-7 TO INCREASE THE OTHERWISE APPLICABLE FAR OF .4 to .5; AND iii) A VARIANCE TO INCREASE THE OTHERWISE APPLICABLE MAXIMUM IMPERVIOUS SURFACE COVERAGE OF 35% to 40%.

The public hearing was reopened by Commissioner Knapp, seconded by Commissioner Wayne, at 7:04 p.m. Voice Vote: All Ayes. Nay: None. Motion declared carried.

Jeannine Smith commented that this is a continuation from the March 15, 2021 Public Hearing. The petitioners were asked to supply additional information in order for the Commissioners to make any sort of recommendation to the Board of Trustees. House plans, elevations for the footings and grade were requested from the petitioners.

Mark Saladin, Derek DePaul, Tiffany DePaul, and Keith DuShane remain under oath.

Commissioner Flanagan inquired about the grading being raised from 895 to 897 and how it will affect water flow from this property to the property to the west. The engineer responded that a retaining wall will be necessary to solve this issue.

Commissioner Knapp also expressed concern regarding water issues. The retaining wall falls into a variances as an accessory structure.

Commissioner Wayne asked for clarification regarding the height of the structure.

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Petitioner DePaul appreciates everyone's time over the last two weeks. A large portion of his past presentation was based on clerical errors. Builder DuShane commented that the Village should take responsibility for incorrect information given to Petitioner DePaul. Petitioner DePaul's lawyer stated that he does not feel the variances requested are not overly burdensome especially due to the fact that there were practical difficulties and misinformation.

Commissioners discussed "floor area ratio" for the proposed residence. The variance request is 50% not the suggested building code requirements.

The Commissioners general consensus was that the Petitioner did not demonstrate a hardship according the Village Code.

Commissioner Flanagan, seconded by Commissioner Galizi, moved to close the Public Hearing.

Commissioner Galizi, seconded by Commissioner Wayne, moved to deny the proposed variances. Voting Aye: Commissioners Galizi, Flanagan, Knapp, Shamoun,, Wayne, and Smith
Voting Nay: None. None. Abstain: Chairman O'Hara. Motion declared carried.

With nothing further to discuss, Commissioner Galizi, seconded by Commissioner Smith, moved to adjourn the meeting. Voting Aye: Commissioners Galizi, Flanagan, Knapp, Shamoun, Wayne and Smith
Voting Nay: None. Motion declared carried. The meeting adjourned at 7:30 p.m.

Karen Crowe
Deputy Clerk