

**VILLAGE OF LAKEWOOD
PLANNING AND ZONING COMMISSION
PUBLIC HEARING MINUTES
JULY 19, 2017**

The meeting was called to order at 7:02 p.m. at RedTail Golf Club. Members present were Chairman John O'Hara; Commissioners Hansen, Hopkins, Knapp, Miller and Mula. Commissioner Morvay was absent. Also present were Village Clerk Janice Hansen, Village Attorney Michael Smoron, President Serwatka, Trustee Stephan, the petitioners, and a few members of the public.

APPROVAL OF MINUTES FROM THE MAY 17, 2017 MEETING. Commissioner Miller, seconded by Commissioner Knapp, moved to approve the May 17, 2017 meeting minutes. Voice Vote. All Ayes. Nays: None. Absent: Commissioner Morvay. Motion declared carried.

PUBLIC HEARING: TO CONSIDER THE PETITION OF MARGARET AND EZEQUIL VALLADARES TO GRANT A VARIATION FROM THE LAKEWOOD ZONING CODE FOR THE PROPERTY COMMONLY KNOWN AS 445 CRYSTAL COURT TO ALLOW A SINGLE-CAR GARAGE ADDITION TO ENCROACH A MAXIMUM OF 4 FEET 8 INCHES INTO THE 26 FOOT 5 INCH REQUIRED SOUTHERN SIDE YARD SETBACK:

Village Clerk Janice Hansen confirmed that the public notice was published in the Northwest Herald on July 1, 2017. All neighboring residents were notified by registered mail. All fees have been satisfied to date.

Village Attorney Michael Smoron stated that the Village is in possession of the Petitioners site plan, survey, and title of insurance for proposed variance property. The proposed variance will not have any adverse impact on any neighbors. There has been no feedback from neighbors positive or negative.

Petitioners Architect Robert Flubacker commented that the lot orientation is reversed from a typical lot creating a south side yard setback greater than a typical lot in the surrounding neighborhood would require. A required side yard in the R-2 zoning district is 10% of the width, with minimums of 8 feet on a single side yard and 16 feet total for two side yards. Due to the lot dimensions and orientation, a south side yard setback of 26 feet 5 inches is required which is three times the required minimum. The Petitioners would like to construct an additional bay to the existing two car garage making the structure a three car garage. The proposed garage will have a large overhang to match the original home structure. The proposed addition can only occur on the south end of the existing home where the current garage is located and as proposed, still maintains a side yard of at least 21 feet 9 inches.

Chairman O'Hara questioned the encroachment at the gutter line. There was much discussion among the Commissioners regarding the side yard setbacks in the R-2 zoning district which is

**Planning and Zoning Commission
Public Hearing Minutes
July 19, 2017
Page Two of Two**

10% of the width, with minimums of 8 feet on a single side yard and 16 feet total for two side yards. It was established that the maximum encroachment should be a maximum of 5 feet into the 26 foot 5 inch required southern side yard setback.

Larry Thomas of 463 Crystal Court resides south of the proposed home project. He supports the petition because the proposed garage will be next to the neighbors existing garage. If the proposed variation was living space to living space he believes it would be a different issue.

The public hearing closed at 7:35 p.m.

Commissioner Miller, seconded by Commissioner Hansen, moved to support staff recommendations and Findings of Fact modifying a 5 foot maximum encroachment and justification garage to garage instead of living space and recommended that the petition be forwarded to the Board of Trustees for approval. Voting Aye: Commissioners Hansen, Hopkins, Knapp, Miller, and Mula. Voting Nay: Chairman O'Hara. Absent: Commissioner Morvay . Motion declared carried.

PUBLIC HEARING: TO CONSIDER AMENDMENTS TO SECTION 7, ACCESSORY BUILDINGS, STRUCTURES AND USES, OF THE LAKEWOOD ZONING ORDINANCE: This Public Hearing has been continued to August 14, 2017 due to a lack of quorum of the Planning and Zoning Committee.

UPDATE ON PLANNING AND ZONING AND DEVELOPMENT ISSUES:

Commissioner Miller would like to look at the Village's current setback code and believes that perhaps they would need some clarifications.

With nothing further to discuss, Commissioner Miller, seconded by Commissioner Knapp, moved to adjourn the meeting. Voting Aye: Commissioners Hansen, Hopkins, Knapp, Miller, and Mula. Voting Nay: None. Absent: Commissioner Morvay. Motion declared carried. The meeting adjourned at 7:52 p.m.

Janice S. Hansen
Village Clerk