

**VILLAGE OF LAKEWOOD  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARING MINUTES  
MAY 17, 2017**

The meeting was called to order at 7:00 p.m. at RedTail Golf Club. Members present were Chairman John O'Hara; Commissioners Hansen, Hopkins, Knapp, Miller, Morvay, and Mula. Also present were Deputy Village Manager Shannon Andrews, Village Clerk Janice Hansen, Village Attorney Michael Smoron, the petitioners, and President Serwatka and Trustee Stephan.

**APPROVAL OF MINUTES FROM THE AUGUST 15, 2016 MEETING.** Commissioner Hopkins, seconded by Commissioner Hansen, moved to approve the August 15, 2016 minutes. Voice Vote. All Ayes. Nays: None. Motion declared carried.

**PUBLIC HEARING: TO CONSIDER A PETITION FROM MICHELLE BETO REVOCABLE TRUST AT 8680 BELFIELD FOR A PROPOSED VARIATION FROM PARAGRAPH B OF SECTION 7.2, LOCATION OF ACCESSORY BUILDINGS, STRUCTURES, AND USES OF THE LAKEWOOD ZONING CODE TO ALLOW A MASONRY PRIVACY WALL, A GAZEBO, A PUMP HOUSE, AN EQUIPMENT HOUSE, AND A BRIDGE**

Village Clerk Janice Hansen confirmed that the public notice was published in the Northwest Herald on March 25, 2017. All neighboring residents were notified by registered mail. All fees have been satisfied to date.

Petitioners Architect Robert Flubacker commented that the existing grading of the property falls away as you move towards the rear yard. This existing change in elevation from the street to the existing pond is down 15 feet. Given this, the proposed structures should be minimally visible from the street and no other structures are in close proximity to these proposed locations.

The property for the proposed three accessory structures was recently consolidated from three separate lots to one parcel. If left as individual lots, a total of three accessory structures would be permitted; one on each lot. The proposed three accessory structures are not increasing the allowed density of accessory structures in the subdivision.

**Gazebo accessory structure:** The proposed roof height of the Gazebo is 18 feet 6 inches or 3 feet 6 inches above the allowed 15 feet. This roof height is related to the clerestory roof, which has a lower pitch roof and matches the existing house Family Room which has a total peak height of 20 feet 2 inches. The architectural design also maintains an architectural compatibility with the existing house.

**Pump House accessory structure:** This structure is to contain electric controllers and panels related to existing landscape pumps, aerators and fountains. The hardship comes from these electric controllers and panels need to be installed in an enclosed structure protected from the elements and within a certain maximum distance from the related landscape equipment in the existing pond. The aesthetics has been designed to be compatible with the existing house.

**Equipment House accessory structure:** This structure is to contain necessary equipment for the maintenance of the property. The hardship addressed is to provide access to required maintenance equipment near the location where it is to be utilized. Without the use of this structure, any needed equipment would have to be continually brought from the house and back each time regular upkeep and maintenance was performed in the northern area of the lot. Taking into account grade elevation differences and landscaping this structure will not be seen from the street.

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**Bridge Element:** The bridge element is a replacement for an existing deteriorating railroad tie bridge. Since the new bridge is not sheltered, it's exposed to the elements and does not provide any habitable space, the petitioner views this as a landscape feature and not a true accessory structure. Given the size and location of the existing pond, a crossing bridge at the narrowest point of the pond, near its center, makes the north end of the property much more usable and accessible, as otherwise the owner would have to walk around the entire pond to reach the north end of the property. The replacement of the existing bridge is for safety as well as aesthetics of the property.

**Masonry privacy wall:** *Location:* this privacy wall is to be located in the front of the proposed home addition. However, only a portion of this wall will actually encroach (6 feet) into the front yard; that portion in front of the nearest line of the building. This privacy wall does return and become attached to the primary structure and is actually a direct continuation of the house wall and could therefore by definition be considered to be a part of the primary structure and would therefore be allowed as shown without a variance. The intended purpose of this privacy wall and its location in the front yard is to maximize a private outdoor courtyard space for the owner which has access to direct sunlight, as the rear of the house faces north and will never receive the direct sun. By contrast, the petitioner could fill this space with a larger enclosed house addition which would be permitted by the code. *Height:* the height of the privacy wall (6 feet 4 inches and 8 feet at the corner piers), as well as the masonry construction is to maintain architectural compatibility with the rest of the house while achieving the desired private courtyard space exposed to direct southern sunlight.

Commissioner Hansen commented that the proposed project is well done, not a detriment to the neighborhood and has no objections.

Commissioner Knapp also had no issues with the proposed project.

Commissioner Miller would like any references to fence changed to masonry wall. All agreed.

Commissioner Hopkins commented on stormwater issues and the possibility of fencing around the pond. No fencing is required around the pond.

Commissioner Mula expressed concerns about the location of the equipment house being within the rear easement.

Chairman O'Hara asked for confirmation that there are no easement issues, which there are none, and no issues with the setback restrictions for the privacy masonry wall, which there are none.

Commissioner Knapp, seconded by Commissioner Miller, moved to close the public hearing. Voice Vote: All Ayes. Nays: None. The public hearing closed at 7:20 p.m.

Commissioner Miller, seconded by Commissioner Hansen, moved to recommend that the petition with an amendment of the references to fence changed to wall and forwarded to the Board of Trustees for approval. Voting Aye: Commissioners Hansen, Hopkins, Knapp, Miller, and Mula and Chairman O'Hara. Voting Nay: None. Absent: Commissioner Morvay. Motion declared carried.

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**UPDATE ON OTHER PLANNING, ZONING AND DEVELOPMENT ISSUES:** Deputy Village Manager Shannon Andrews commented that Taylor Morrison builders for Woodland Hills are proposing new models. A contractor has expressed interest in obtaining existing lots within Autumn Ridge. Also, a dance studio has expressed interest within Lakewood Commons.

With nothing further to discuss, Commissioner Knapp, seconded by Commissioner Hansen, 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 7:30 p.m.

Janice S. Hansen  
Village Clerk