

**VILLAGE OF LAKEWOOD  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARING MINUTES  
SEPTEMBER 20, 2018**

The Meeting was called to order at 7:00 p.m. at RedTail Golf Club. Members present were Chairman O'Hara; Commissioners Hansen, Hopkins, Knapp, Miller, and Mula. Commissioner Galizi was absent. Also present were Chief Administrative Officer Jeannine Smith; Village Clerk Janice Hansen; Village Attorney Michael Smoron; and a few members of the public.

**APPROVAL OF MINUTES FROM AUGUST 14, 2018 MEETING:** Commissioner Mula, seconded by Commissioner Hopkins, moved to approve the August 14, 2018 meeting minutes. Voice Vote: All Ayes. Nays: None. Motion declared carried.

**PUBLIC HEARING: TO CONSIDER THE PETITION OF KEVIN WISE RELATIVE TO THE PROPERTY COMMONLY KNOWN AS 245 WILTSHIRE LANE REQUESTING A VARIATION FROM SECTION 10.3-6(B)(3) OF SECTION 10 OF THE LAKEWOOD ZONING CODE TO REDUCE THE OTHERWISE APPLICABLE 8 FOOT SIDE YARD SETBACK FROM THE SUBJECT PROPERTY'S NORTHERN PROPERTY LINE TO 6.8 FEET TO ALLOW A HOUSE TO BE BUILT ON THE EXISTING FOUNDATION WALLS:**

Village Attorney Michael Smoron confirmed that the public notice was published in the Northwest Herald on August 31, 2018 and all surrounding property owners were notified by registered mail.

Commissioner Mula, seconded by Commissioner Hansen, moved to open the Public Hearing. Voice Vote: All Ayes. Nays: None. Motion declared carried. The Public Hearing opened at 7:03 p.m.

Attorney Michael Smoron swore in petitioner Kevin Wise and a few neighbors.

Chief Administrative Officer Jeannine Smith commented that the petitioners plan on demolishing the current home and constructing a two story residence using the existing foundation. The existing home has a legal non-conforming side yard set back. The proposed home will use the same footprint at the existing home.

Petitioner Kevin Wise commented that he is asking for this variance to avoid having to remove the existing foundation for two reasons: The existing foundation works for the classic home design they plan to build. A small addition on the south east side of the building and small cosmetic feature at the northwest corner of the house, maintaining the foundation will allow us to retain the proportions that should complement the lot and character of the neighborhood. Also, we hope to cause minimal disruption to our neighbors along the north side of the property by using the existing foundation. We hope to absolutely minimize any potential impact to property.

The attending neighbors have no issue with the proposed variance.

**Planning and Zoning Commission Minutes**  
**September 20, 2018**  
**Page Two of Six**

Commissioners Knapp and Hansen had no issues with the proposed variance.

Commissioner Hopkins inquired about the height of the proposed home and the existing stairwell. The petitioner noted the height of the home will conform to Village Code and the stairwell will remain legal non-conforming

Commissioner Mula asked if the new garage will be built on the same location as the existing garage. "Yes it will" the petitioner responded.

Commissioner Miller questioned if the existing foundation will hold the proposed new structure. Petitioners have consulted with engineers and all feel it will be adequate.

Chairman O'Hara commented that the requested variance is unique and complies with the standards of a hardship. He would like the petitioners to be cautious with impervious surfaces when constructing the proposed home.

Commissioner Knapp, seconded by Commissioner Miller, moved to close the Public Hearing. Voice Vote: All Ayes. Nays: None. Motion declared carried. The Public Hearing closed at 7: 16 p.m.

Commissioner Hopkins, seconded by Commissioner Miller, moved to adopt the Findings of Fact and to recommend the Zoning Variation conforming to Village Code and subject to submittal and approval of the building permit. Ayes: Commissioner Hansen, Hopkins, Knapp, Miller and Mula. Chairman O'Hara. Nays: None. Absent: Commissioner Galizi. Motion declared carried.

**PUBLIC HEARING: TO CONSIDER THE PETITION OF ANTHONY J. AND SARAH LOESSL RELATIVE TO THE PROPERTY COMMONLY KNOWN AS 760 BROADWAY AVENUE, REQUESTING A VARIATION FROM SECTION 5.12-3€ OF SECTION 5 OF LAKEWOOD ZONING ORDINANCE TO ALLOW A FENCE TO BE INSTALLED ON THE WESTERN SIDE OF THE YARD:**

Chief Administrative Officer Jeannine Smith confirmed that the public notice was published in the Northwest Herald on September 5, 2018 and all surrounding property owners were notified by registered mail

Commissioner Mula, seconded by Commissioner Knapp moved to open the public hearing. Voice Vote: Ayes: Commissioner Hansen, Hopkins, Knapp, Miller and Mula. Chairman O'Hara. Nays: None. Absent: Commissioner Galizi. Motion declared carried. The Public Hearing opened at 7:23 p.m.

Attorney Smoron swore in petitioner Anthony Loessl.

**Planning and Zoning Commission Minutes**  
**September 20, 2018**  
**Page Three of Six**

The petitioner Anthony Loessl commented that the petitioner has an existing chain link fence and would like to replace it with a four foot black aluminum style fence.

Chief Administrative Officer Jeannine Smith noted that front yard or side yard fences are not allowed in any residential zoning district. Petitioner Loessl has asked neighbors for their opinions regarding the proposed fence and none of them had any objections.

Commissioner Hopkins inquired about the front and side yard locations. The front of the home is on Broadway and the side yard is on Essex.

Commissioner Mula commented that the proposed fence will be extremely visible and would like landscaping to soften the look.

Commissioner Miller commented that residents need to adhere to Village Code and there needs to be consideration of neighborhood aesthetics.

Commissioner Hansen agreed and believes that the proposed fencing needs to blend within the neighborhood.

Chairman O'Hara does not believe that the petitioner demonstrates a hardship.

CAO Smith commented that the home is on a corner ½ acre lot with unusable backyard space.

Commissioner Miller, seconded by Commissioner Hopkins, moved to close the Public Hearing. Voice Vote: All Ayes. Nays: None. Motion declared carried. The Public Hearing closed at 7:42 p.m.

Commissioner Hopkins, seconded by Commissioner \_\_\_\_\_, moved to adopt the Findings of Fact and to recommend the Zoning Variation conforming to Village Code and subject to submittal and approval of the building permit. Ayes: Commissioner Hansen, Hopkins, Knapp, Miller and Mula. Chairman O'Hara. Nays: None. Absent: Commissioner Galizi. Motion failed due to no second by any Commissioner.

There was general discussion to vote against the variance or continue the hearing to a date certain.

Commissioner Miller, seconded by Commissioner Mula, moved to continue the public hearing to October 15, 2018 at 7 p.m. at RedTail Golf Club to request the petitioner produce a landscaping plan, the actual location of the fence, and a picture of the proposed fencing materials. Ayes: Commissioner Hansen, Hopkins, Knapp, Miller and Mula. Nays: Chairman O'Hara. Absent: Commissioner Galizi. Motion declared carried.

**Planning and Zoning Commission Minutes**  
**September 20, 2018**  
**Page Four of Six**

Chairman O'Hara commented that he voted "nay" because he believes that there should be no side yard fences in the Village. Also, a landscape plan is not part of the Zoning Code.

**CONTINUED PUBLIC HEARING: TO CONSIDER A TEXT AMENDMENT TO THE LAKEWOOD ZONING ORDINANCE BY AMENDING SECTION 7.4A., NUMBER OF ACCESSORY BUILDINGS AND STRUCTURES. THE PURPOSE OF THE AMENDMENT IS TO CONSIDER THE NUMBER OF ACCESSORY STRUCTURES PERMITTED:**

Public Notice was published in the Northwest Herald on June 8, 2018.

Commissioner Knapp, seconded by Commissioner Mula, moved to open the public hearing. Ayes: Commissioner Hansen, Hopkins, Knapp, Miller and Mula. Chairman O'Hara. Nays: None. Absent: Commissioner Galizi. Motion declared carried. The Public Hearing opened at 8:11p.m.

Chief Administrative Officer Jeannine Smith stated that in the last few months minor building permits have increased as is usual and customary in the spring. Many of the petitioners have applied for permits to construct outdoor living areas that would be prohibited by the current code as they are in excess of the limited number of accessory structures permitted. Some examples are the installation of a pool and built-in fire pit in addition to two at grade patios; above grade deck, patio, and built-in fire pit. Residents are displeased with the limitations of accessory structures within the Village Code. Staff suggests a limit of three uses.

Staff requested feedback from the Commissioners regarding whether the definition of patio with living space be included in the Village Zoning Code and all the elements within the patio area be considered one use whether at or above grade. Also, whether the area used to consider maximum rear and side yard coverage should remain at 50% with regard to accessory uses. And the total number of accessory uses should remain at one.

Commissioners Hansen and Miller believe a deck with assorted accessories should be one use.

Chairman O'Hara believes that impervious surface should be considered when considering accessory structures.

Commissioner Hopkins believes lot size should be considered when defining accessory structures.

Commissioner Knapp agreed that lot coverage and the number of allowable accessories should be considered.

**Planning and Zoning Commission Minutes**  
**September 20, 2018**  
**Page Five of Six**

CAO Smith asked for clarification of living space and the need for structures to be contiguous, complementary, and/or connected.

After much discussion trying to define accessory use structures, it was determined to have lot coverage separate from the actual accessory uses. Structures are defined at 15 feet maximum height. Allowable accessory structures will remain one.

The amendment to the ordinance will state one accessory structure per home, and include complementary contiguous structures will be allowable per the Chief Administrative Officers judgment.

Commissioner Knapp, seconded by Commissioner Hopkins, moved to close the Public Hearing. Voice Vote: All Ayes. Nays: None. Motion declared carried. The Public Hearing closed at 9:00 p.m.

Commissioner Mula, seconded by Commissioner Miller, moved to adopt the Findings of Fact and to recommend the Zoning Amendment to read “7.4.A There shall be a limit of one (1) of any kind of accessory building or structure permitted on a lot in a residential zoning district to include complimentary contiguous structures not exceeding 15 feet.” Ayes: Commissioner Hansen, Hopkins, Knapp, Miller and Mula. Chairman O’Hara. Nays: None. Absent: Commissioner Galizi. Motion declared carried.

**UPDATE ON PLANNING, ZONING, AND DEVELOPMENT ISSUES:** Chairman O’Hara would like an amendment to the Village’s Zoning Code to address lot coverage ratio, floor area ratio, and impervious surface ratio. The Commissioners discussed a 40% ratio for these items. Attorney Smoron will publish a public notice in the Northwest Herald for the October 15, 2018 P & Z meeting to discuss these items.

The potential developers for Cambria II are planning to begin construction in the Spring 2019.

CAO Smith is going to apply for a grant to update the Village’s comprehensive plan.

Attorney Smoron and CAO Smith will conduct a training session for the Commissioners in the near future to ensure they are ready for up coming Village projects.

Chairman O’Hara and CAO Smith believe there should be three minimum fee schedules for variances to include \$500 minor; \$2,500 regular; and \$5,000 major. Commissioners all agreed.

Commissioner Mula commented on the possibility of solar farms within the Village’s boundaries. It is his opinion for the Commissioners not to proceed with any solar requests until the State of Illinois has issued their opinions or rulings.

**Planning and Zoning Commission Minutes**  
**September 20, 2018**  
**Page Six of Six**

With nothing further to discuss, Commissioner Hopkins, seconded by Commissioner Miller, moved to adjourn the Meeting. Ayes: Commissioner Hansen, Hopkins, Knapp, Miller and Mula. Chairman O'Hara. Nays: None. Absent: Commissioner Galizi. Motion declared carried. The meeting adjourned at 9:34 p.m.

Janice S. Hansen  
Village Clerk