

**VILLAGE OF LAKEWOOD  
PUBLIC HEARING  
BEFORE THE PLANNING AND ZONING COMMITTEE  
AUGUST 23, 2016**

The Public Hearing was called to order at 6:39 p.m. at RedTail Golf Club. Members of the Planning and Zoning Committee in attendance were President Smith and Trustee Davis. Also present were Village Clerk Janice Hansen; Village Attorney Michael Smoron; Trustees Furey, Iden, Santowski, Serwatka, and Thomas; Deputy Village Manager Shannon Andrews; Chief of Police Leigh Rawson; and a member of the public.

Village Clerk Janice Hansen established quorum and confirmed Proof of Notice of the Public Hearing was published in the Northwest Herald on August 9, 2016.

**PUBLIC HEARING: TO CONSIDER AMENDING THE LAKEWOOD ZONING CODE REGARDING NON-CONFORMING BUILDINGS AND USES IN THE R-2 ZONING DISTRICT:** Zoning in the R-2 District has unique challenges, such as there is little uniformity to the lots and homes on the east side of the Village. East side residents met in May of 2015 with staff to explore their concerns on how to address existing non-conforming uses. Also, staff has recently received feedback from east side residents interested in investing in the renovation of their homes to improve their home's aesthetic appeal, increase efficiency of utilities, reduce maintenance costs and increase property's values within their neighborhood. The current Zoning Code restricts homes from being enlarged or expanded, even if only one setback is non-conforming. This restricts residents from investing in major renovations to their property. The proposed Zoning Code amendment allows homes to be increased in size or height provided the encroachment into the front, side or rear yard setback is not increased in terms of its existing footprint.

On August 15 the Planning and Zoning Commission met and expressed their discomfort with the text in the proposed text amendment. They believed it would remove the requirement for the neighbors to be notified prior to changing the existing character of their neighborhood. The Commission wants residents interested in making improvements to a non-conforming property to go through the variance process to be reviewed on a case by case basis. The Commission also felt full tear downs should be rebuilt in conformance with the current zoning standards or go through the variance process. The Commissioners agreed that Section 6.7-5 should be removed and any other inconsistencies should be addressed. They recommended making the language allow for maintenance, repairs or damage due to fire, which were determined to be addressed in other portions of Section 6.

**PUBLIC COMMENTS:** John Tyrell of 840 Broadway feels that the Village's variance process is cumbersome and costly and doesn't see any advantage of the process. Mr. Tyrell asked how improving a house affects the neighborhood; it would improve home values.

John Schrauf, a Commissioner on the Planning and Zoning Commission who lives at 7618 Bonnie Ridge, commented that a variance requires a public hearing which protects the neighbors.

**Planning and Zoning Committee Public Hearing Minutes  
August 23, 2016  
Page Two of Two**

It was the Commission's thought that it is a minimum cost added to the construction and protects the character of the neighborhood.

**DISCUSSION AND/OR VOTE TO RECOMMEND OR DENY TO VILLAGE BOARD:**  
Trustee Davis commented that setbacks on the east side of the Village is a real issue that creates the need for a variance to improve a home. The variance process protects neighbor rights. The current code is not completely clear regarding setbacks.

President Smith commented that the Planning and Zoning Commission recommended that the zoning code remain as is, but it is a burden for some residents. She expressed concern regarding second story additions which could change the character of the neighborhood.

Deputy Village Manager Shannon Andrews explained how to remain in conformance and stay within the building envelope which requires no variance.

It was the general consensus of the Committee to change the zoning code language to prohibit any change in the building height of the non-conformance so that it does not exceed the current height.

Trustee Davis, seconded by President Smith, moved to close the Public Hearing. Voting Aye: President Smith and Trustee Davis. Voting Nay: None. The public hearing closed at 7:07 p.m.

Trustee Davis, seconded by President Smith, moved to change the language of the R-2 zoning code to not exceed previous height of the non-conformance and forward the amendment to the Board of Trustees. Voting Aye: President Smith and Trustee Davis. Voting Nay: None. Motion declared carried.

With nothing further to discuss, Trustee Davis, seconded by President Smith, moved to adjourn the meeting. Voting Aye: President Smith and Trustee Davis. Voting Nay: None. Motion declared carried. The meeting adjourned at 7:09 p.m.

Janice S. Hansen  
Village Clerk

Approved: \_\_\_\_\_

Dated: September 13, 2016