



DES PLAINES PLANNING AND ZONING BOARD MEETING
November 14, 2023
MINUTES

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, November 14, 2023, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

Chair Szabo called the meeting to order at 7:00 p.m. and roll call was established.

PRESENT: Szabo, Fowler, Weaver, Catalano, Saletnik, Veremis
ABSENT: Hofherr
ALSO PRESENT: Ryan Johnson, Assistant CED Director
Samantha Redman, Senior Planner

A quorum was present.

APPROVAL OF MINUTES

A motion was made by Board Member Saletnik, seconded by Board Member Veremis to approve the meeting minutes of October 24, 2023.

AYES: Catalano, Weaver, Szabo, Saletnik, Veremis
NAYES: None
ABSENT: Hofherr
ABSTAIN: Fowler

*****MOTION CARRIES UNANIMOUSLY ****

Board Member Hofherr entered the meeting at 7:03 p.m.

PUBLIC COMMENT ON NON-AGENDA ITEM

There was no public comment.

Pending Applications:

Address: 1775 Elm Street

Case Number: 23-063-V

The petitioner has requested a standard variation to vary from the building coverage requirements to allow for construction of a garage that would result in building coverage in excess of 30 percent for an interior lot in the R-1 Single-Family Residential District.

PINs: 09-29-211-066-0000

Petitioner: Gene Johnson, 1775 Elm Street, Des Plaines, IL 60018

Owner: Gene Johnson, 1775 Elm Street, Des Plaines, IL 60018

Ward: #6, Alderman Mark Walsten

Existing Zoning: R-1, Single Family Residential

Existing Land Use: Single family residence

Surrounding Zoning: North: R-1 Single Family Residential District
South: R-1 Single Family Residential District
East: R-1 Single Family Residential District
West: R-1 Single Family Residential District

Surrounding Land Uses: North: Single Family Dwellings (Residential)
South: Single Family Dwellings (Residential)
East: Single Family Dwellings (Residential)
West: Single Family Dwellings (Residential)

Street Classification: Elm Street is classified as a local road.

Comprehensive Plan: The Comprehensive Plan illustrates the site as single family residential.

Property/Zoning History: The subject property at 1775 Elm Street currently consists of a 780 square foot, one-story house on a 3,125-square-foot lot that is non-conforming in terms of width and size for an R-1-zoned property. Based on historical records, this property was part of Ira Brown’s Subdivision recorded in the late 1800s¹ and historic aerials indicate this house, or a similar structure, have been located on the property since at least 1931, although the Cook County Assessor states the building was constructed in 1903. The property existed as the only house on the 1700 block of Elm Street for several decades.² The narrowness of the property is within the character of the original subdivision, which created 25-foot-wide, 125-foot-long lots, consistent with standard lot dimensions in the late 1800s for many urban environments. In fact, many houses in this neighborhood stretch across two 25-foot-wide lots, as the consolidation of parcels is not necessary to construct a building, provided the parcels are contiguous, with the same zoning and under single ownership (“Lot” defined in Section 12-13-3). The existing house has likely abutted property lines throughout its known history, without any setback from the side and rear lot lines.

¹ “Real Estate – Suburban Interests and the Outlook for 1875”, Chicago Daily Tribune, April 18, 1875, page 5, <https://newspaperarchive.com/chicago-daily-tribune-apr-18-1875-p-5/>

² Historic Aerials, 1931-1961 Aerials, historicaerials.com

An unimproved alley is located to the east of the property; historic aerials indicate a portion of the alley from Riverside Avenue to 1748 Illinois Avenue was improved in approximately the 1970s.³ However, the alley improvements never stretched to the portion of Elm Street behind the subject site and there are no current plans to improve this alley. A depressed curb is located in front of this property; however, no evidence of a prior driveway or garage was discovered by staff.

A portion of the house was demolished with a permit in September 2022. A permit was issued in February 2023 for interior and exterior alterations to the house, which are currently in progress. A condition of approval requires exterior maintenance to be completed and the house weatherproofed prior to issuance of permit for the garage. A hard surface permit was issued in October 2023 and concrete construction is nearing completion.

Project Description:

Overview

The subject property consists of a single-story, single-family residence located in the R-1 zoning district. The lot and structure are both non-conforming and subject to Section 12-5-4 and 12-5-6 of the Zoning Ordinance. The petitioner is currently undergoing renovations on the exterior and interior of the house. Refer to Site and Context Photos attachment. The request is to vary from the 30% building coverage requirement for R-1 zoning districts to allow for a building coverage of 35.2% where 30% is allowed. This request is associated with a proposed 320 square foot garage (Refer to Proposed Elevations and Floor Plan attachment).

Accessory Structure Requirements and Minor Variation

A garage is classified as an “accessory structure” which is regulated by Section 12-8-1. The location and size of the garage meets most requirements for an accessory structure, with the exception of the side yard. A minor variation granted by the Zoning Administrator is required to approve a variation to reduce the side yard to allow the garage to be located 4 feet instead of the required 5 feet from the property line.

Building code requires any structure constructed less than five feet from the property line to meet certain fire rating requirements; for the proposed garage, a fire rated wall and overhangs must be installed for any portion less than 5 feet from the property line. During the building permit review process and inspection, City staff will confirm the structure will meet these requirements.

³ Historic Aerials, 1972 Aerial, historicaerials.com

Accessory structures must be located behind the “principal building line” which in this circumstance is 25 feet from the property line or the typical required front yard for an R-1 zoned property. To locate a garage on the property, the garage must be located 25 feet from the property line. The proposed site plan indicates the garage will be 25 feet from the property line to meet this requirement and to match the existing setback of neighboring buildings from the property line.

Standard Variation Request

A variation to the minimum building coverage requirement is necessary to allow for the construction of a 320-square-foot garage on this property. A standard variation allows the PZB to vary maximum lot requirements, including building coverage, by not more than 20 percent. Therefore, the maximum excess in building coverage the PZB can authorize with a standard variation is 6 percent. The requested relief is 5.2 percent to allow for building coverage of 35.2 percent. Refer to Proposed Site Plan attachment.

R-1 District Standards	Requirement	Existing / Proposed
Maximum Height	2 ½ stories to 35 feet	< 35 feet
Minimum Front Yard	25 feet	Existing House: 70.5 feet Proposed Garage: 25 feet
Minimum Side Yard	5 feet	Existing House: 0 feet ¹ Proposed Garage: 4 ft ²
Minimum Rear Yard	25 feet	Existing House: 9.5 feet ¹ Proposed Garage: 80 feet
Minimum Lot Width	55 feet	25 ft ¹
Minimum Lot Area	6,875 square feet	3,125 square feet ¹
Maximum Building Coverage	Maximum 30 percent	Existing: 780 square feet 25 percent Proposed: 1100 square feet 35.2 percent³

¹ Existing non-conformity; no changes proposed to house or lot

² Minor variation required

³ Standard variation requested

Driveway and Off-Street Parking Requirements

When the residence was constructed in the early 20th century, no zoning ordinance existed within Des Plaines. Current zoning regulations for single family residences require two off-street parking spaces. This property does not have any off-street parking, although on-street parking is allowed on both sides of Elm Street.

An unimproved alley is located adjacent to the rear property line, which was likely intended to be improved when this area was

originally subdivided in the late 19th century. An alley would have allowed for rear vehicle access to the property, which would have reduced the amount of impervious surface on the subject property. However, the lack of improved alleyway requires any off-street parking to be accessed from the front and the paving of the driveway in the front yard.

At some point in history, a depressed curb was added along Elm Street in front of this property, although Staff could not locate evidence of a previous driveway, or an apron being located on or adjacent to the property. The depressed curb combined with the lack of paved surface have contributed to several code enforcement violations for vehicles parking on the front lawn; vehicles must be parked on a dust-free hard surface pursuant to Section 12-9-6.B.3.k. and without a driveway, on-street parking is the only permitted option for parking of any vehicles associated with the property.

Staff approved a driveway permit for a 20-foot-wide driveway and associated apron. If the standard variation is not approved, the proposed accessory structure will be required to either be reduced or the permitted driveway will need to come into conformance with requirements for properties without garages. Section 12-9-6 limits driveways without a garage or carport to be up to 20 feet in width, no longer than 40 feet long, and with evergreen shrubs planted on the exterior of the driveway.

Variation Findings: Variation requests are subject to the standards set forth in Section 12-3-6.H. of the Zoning Ordinance. Rationale for how well the proposal addresses the standards is provided below and in the attached petitioner responses to standards. The Board may use the provided responses as written as its rationale, modify, or adopt its own.

1. Hardship: No variation shall be granted pursuant to this subsection H unless the applicant shall establish that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty.

If the standard variation is not approved, it is unlikely the property will be able to construct a parking structure. The hardship is related to the size of the property, which provides limitations in terms of building coverage due to the small lot. Regardless of whether a garage is constructed, the property will encounter issues meeting the building coverage requirement if the house is expanded or any accessory structure added. The garage provides for space for both vehicles and any associated storage on the property and the building coverage is less than the maximum relief the PZB can grant with a standard variation.

2. Unique Physical Condition: The subject lot is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard

shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject lot that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

The property is a “non-conforming lot” in terms of lot width and area. The minimum required size of an R-1 property is 6,875 square feet, which is 45% larger than this lot. For an average size lot, 2,062 square feet of a property could be covered with buildings (including houses and any accessory structures). For this lot, the maximum area that could be covered with buildings is 937 square feet. The existing house is 780 square feet without a basement, smaller than most modern houses. To not exceed the 30 percent requirement, the maximum size of an accessory structure could be 157 square feet. The petitioner selected a 320 square foot one-car garage that is smaller than a typical garage and fits within the scale of the property.

3. Not Self-Created: The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this title.

The unique physical condition is not the result of the current owner or previous owners. There is not a way for the petitioner to expand the property to relieve the building coverage limitations since the property is landlocked.

4. Denied Substantial Rights: The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the subject lot of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

Carrying out the strict letter of the code would prevent the petitioner from constructing a garage to provide a covered off-street parking area, which is privilege many neighboring property owners are able to enjoy. Although it is not a right of residents to have covered parking on their property, it is a desirable feature and provides a more aesthetically pleasing environment for the neighborhood versus uncovered parking.

5. Not Merely Special Privilege: The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the subject lot:

The variation request would not provide the petitioner with any special privilege that is not already enjoyed by many of the surrounding property owners. The size and narrowness of the lot creates limitations, and the property owner intends to construct a smaller than average garage (one-car, 320 square feet total in size).

6. Title And Plan Purposes: The variation would not result in a use or development of the subject lot that would be not in harmony with the general and specific purposes for which this title and the provision from which a variation is sought were enacted or the general purpose and intent of the comprehensive plan:

The request would result in the future development of this site that would be in harmony with the surrounding neighborhood, providing an enclosed parking structure where none exists and efficiently using this space. The proposed garage will be located along the same building line as the neighboring properties and conceals vehicles and any associated materials within the garage.

7. No Other Remedy: There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject lot.

As discussed in standard 2, it would be challenging to construct any type of garage with the size limitations presented by this unique lot. The option would be to either reduce the size of the structure, so it meets the coverage requirements, or not construct the garage and revise the driveway to meet zoning requirements.

8. Minimum Required: The requested variation is the minimum measure of relief necessary to alleviate the alleged hardship or difficulty presented by the strict application of this title.

The variation request is the minimum measure of relief needed in terms of building coverage. A separate minor variation can be approved for a reduced setback of the structure.

PZB Procedure:

Standard Variation

Under Section 12-3-6(F) of the Zoning Ordinance (Standard Variations), the PZB has the authority to approve, approve subject to conditions, or deny the request. The decision should be based on review of the information presented by the applicant and the standards and conditions met by Section 12-3-6(H) (Findings of Fact for Variations) as outlined in the Zoning Ordinance.

Condition of Approval:

1. Prior to issuance of building permit for the garage, all exterior walls of the principal structure (house) shall be free of holes, breaks, and loose or rotting materials and must be weatherproof and properly surface coated where required to prevent deterioration. A city inspection is required to confirm this condition is met prior to issuance of building permit for garage.

Mr. Gene Johnson, the Petitioner, was sworn in. Mr. Johnson explained that he bought the house two years ago and he is still in the process of making repairs to the home. Mr. Johnson is requesting a garage to park his car and lawn mower.

Samantha Redman, Senior Planner provided an overview of Mr. Johnson's request. Currently there is a permit for the driveway. This is a smaller lot that is 25 feet wide and does not meet the current minimum lot size. In Des Plaines, the City does not allow a driveway without a garage. There has been a depressed curb in front of this house for all known history, and to staff's knowledge, there has never been a paved driveway; the alley behind the house is not paved. The variation is to exceed building coverage by 5.2%, to a total 35.2% lot coverage. The proposed garage is from Menards and is proposed to be located 25 feet from the street so that it meets setback requirements. There is a side lot encroachment, on one side, where it is less than 5 feet, but this can be evaluated as a minor variation and staff would impose requirements that the garage have preventative fire protection in place. Staff have a recommended condition to ensure

that the work on the exterior of the house must be completed before the garage permit can be granted.

Member Weaver asked for clarification regarding the permit. Ms. Redman said that a permit for an accessory structure would not be issued before exterior work was completed on the primary structure.

Chairman Szabo explained that the Board could grant this property non-conformance, like a grandfather clause. In the past, houses have been approved that are exactly on the lot line, so that it's on the record as being legal non-conforming.

Member Saletnik stated that there are numerous garages that have variations for location, many that have a 0-foot offset, or have been granted variations, and feels this is justified, especially considering the hardship of a legal non-conforming lot.

Ellen Brannan, 1767 S. Elm Street, was sworn in. Ms. Brennen expressed her opposition to the variation and stated that she is concerned that if a variation is granted for the garage the project will not be completed and that if the garage is built, the Fire Department will not have access to her home because the garage will be in the way.

Member Veremis inquired if the Fire Department could use the unimproved alley behind the house for access. Senior Planner REDman stated that we cannot answer that on behalf of the Fire Department.

Member Weaver asked how can the Fire Department get around the sides of the house, considering 0' side yards? DC Foster stated that perhaps from the front, over the top, or around the side of the garage. Senior Planner Redman stated the Fire Department reviewed the plan and did not have comments.

Member Fowler asked the Petitioner when he would want to start the garage. Mr. Johnson answered that if approved he will want to start as soon as possible. The siding will begin on the house tomorrow.

A motion was made by Board Member Weaver, seconded by Board Member Hofherr pursuant to Section 12-3-6.F of the Zoning Ordinance to approve a Variation with the presented Condition for 1775 Elm Street.

AYES: Weaver, Hofherr, Veremis, Szabo, Catalano, Saletnik, Fowler
NAYES: None
ABSENT: None

*****MOTION CARRIES UNANIMOUSLY ****

2 . Address: 2174 South Chestnut Street Unit A

Case Number: 23-062-V

The petitioner has requested a standard variation to reduce the front yard from 25 to 15 feet (40 percent reduction) to allow for a patio in the R-1 Single-Family Residential District.

PINs: 09-29-409-193-0000

Petitioner: Maria Gallardo, 2174 South Chestnut Street Unit A, Des Plaines, IL 60018

Case Number: #23-062-V

Ward: #5, Carla Brookman

Existing Zoning: R-3, Townhouse Residential District

Existing Land Use: Townhouse

Surrounding Zoning: North: R-3, Townhouse Residential District
 South: R-3, Townhouse Residential District
 East: M-2, General Manufacturing District
 West: R-3, Townhouse Residential District

Surrounding Land Use: North: Townhouses
 South: Townhouses
 East: Warehouse / retail store (Restaurant Depot)
 West: Townhouses

Street Classification: Chestnut Street is classified as a local road.

Comprehensive Plan: The Comprehensive Plan illustrates the site as single family residential.

Zoning/Property History: This property currently consists of one townhouse unit within a six-unit townhouse building. The townhouse is within the Terrsal Park development, originally subdivided in 1959 and constructed in the early 1960s.⁴ The area has been zoned for townhouses since 1959.

A 4-foot-tall, chain link fence was installed around the property with a permit in 2009. Other permits approved for this unit and surrounding units have included exterior and interior repairs and repair/replacement of sidewalks. The patio requested with this standard variation was installed without a permit in 2022 and there is an open code enforcement case to address this issue. The petitioner requested a building permit in 2023 for this patio, but it did not pass zoning review due to the issues outlined in this staff report.

Project Description: *Overview*

The subject property at 2174 South Chestnut Street Unit A is a townhouse unit located within the Terrsal Park development. The building is two stories, partially enclosed by a four-foot-tall chain

⁴ Historic Aerials, 1961 Aerial, historicaerials.com

link fence and the PIN is associated with one assigned parking space in the common parking area of the development.

Standard Variation Request

The requested relief is to reduce the required front yard by 10 feet to allow a patio to be located in this area. A standard variation allows the Planning and Zoning Board (PZB) to reduce required yards between 30 percent and 100 percent of the required size; the requested relief is reducing the front yard from 25 to 15 feet, or a 40 percent reduction. A patio was installed in 2022 without a building permit in the required front yard and relief is necessary to allow the patio to remain. If the standard variation is not granted, the property owner will be required to remove the existing patio.

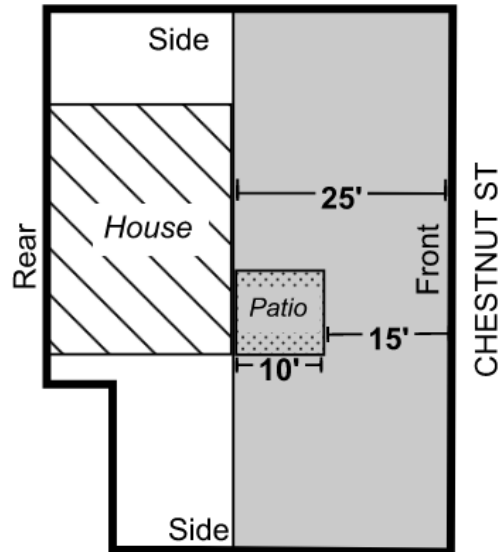
Required Yards and Permitted Obstructions

All properties have “required yards” also known as “setbacks” that are spaces intended to be free of obstruction and provide separation between buildings, structures, and other features. The definition in Section 12-13-3 reflects this purpose:

YARD: An open space on a zoning lot which is unoccupied and unobstructed from its lowest level to the sky.

To meet the intent of a yard, the zoning ordinance limits what can obstruct these areas of intended open space. Section 12-7-1.C includes a table of “Permitted Obstructions in Required Yards.” This table lists various types of structures and how much they can encroach into a required yard. Twenty-five different types of structures can encroach into a required yard, but only 14 types of structures can encroach into the required front yard. A patio is permitted to encroach inside and rear yards if located five feet from the property line, but patios are not permitted in front or corner side yards.

Identifying where the required yards are on a property is essential to understanding where buildings and structures can be located on a property during zoning processes, including reviewing building permits. The illustration below demonstrates where staff have interpreted the required front yard to be on the subject property and the area the existing patio is encroaching.



Variation Findings: Variation requests are subject to the standards set forth in Section 12-3-6.H. of the Zoning Ordinance. Rationale for how well the proposal addresses the standards is provided below and in the attached petitioner responses to standards. The Board may use the provided responses as written as its rationale, modify, or adopt its own.

1. Hardship: No variation shall be granted pursuant to this subsection H unless the applicant shall establish that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty.

The hardship for this property owner is the orientation and layout of this property. Due to the arrangement of the townhouse building, the larger yard area fronting Chestnut St cannot be used for a patio or for many other typical residential structures (sheds, gazebos, etc.) because it is within the required front yard. Functionally, this front yard serves as the only private recreational area for the inhabitants of this townhouse.

The area near the front door has some space for a patio area (Refer to Site Context Photos) but the rear of the house abuts the parking area. In addition, this townhouse shares a wall with the adjacent townhouse, further reducing the available area. However, the hardship is not atypical for a townhouse development. The other units within this townhouse building have little to no private outdoor space. Apache Park, a public park located less than 400 feet from the property, was dedicated during the original subdivision process of the Terral Park townhouse development and provides recreational space for the neighborhood, including picnic areas and a gazebo that function similarly to the patio at this subject site.

2. Unique Physical Condition: The subject lot is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject lot that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

As shown in the yard illustration above, the front yard encompasses the majority of the available private, landscaped area that would typically be available space for a property owner to recreate. The property is bounded by the shared wall of the townhouse unit to the west and the parking area to the south. However, space exists in front of the unit for a patio feature outside of the front yard setback.

3. Not Self-Created: The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this title.

The unique physical condition existed prior to the current owner and was present when the buildings were constructed.

4. Denied Substantial Rights: The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the subject lot of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

Carrying out the strict letter of the code would prevent the location of a patio in this front yard area. It is not inherently a right to have a patio on a residential property, but the property and layout of the townhouses create limitations in terms of usable space that are not present with other properties within the City.

5. Not Merely Special Privilege: The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the subject lot:

It can be argued the petitioner would experience a special privilege by allowing a patio in the front yard where many other properties in the City are not permitted to have this type of yard feature. However, the uniqueness of the lot limits locations for these types of structures and limits the use of the grassy front yard. As noted in the Patio Exhibit attachment, most other properties along this street have a similar patio in the same location, also installed without permits.

6. Title And Plan Purposes: The variation would not result in a use or development of the subject lot that would be not in harmony with the general and specific purposes for which this title and the provision from which a variation is sought were enacted or the general purpose and intent of the comprehensive plan:

The request would result in the future development of this site that would be in harmony with the surrounding neighborhood, as most properties along this street have a patio (Refer to the Patio Exhibit attachment). It is important to note that there are no permits for the existing patios on neighboring properties, but they are generally in the same location and scale as the patio at this subject site.

7. No Other Remedy: There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject lot.

Another remedy would be to relocate this patio near the front door, outside of the front yard, which would technically fit the 10 by 10 patio. In addition, covered or open decks, porches and landings can encroach into a front yard by 5 feet. A patio is defined as constructed of a “hard surface”, which means if the deck or porch remedy is pursued, the structure would need to be constructed of a different material. Reasonable use of the property is still possible without this variation.

8. Minimum Required: The requested variation is the minimum measure of relief necessary to alleviate the alleged hardship or difficulty presented by the strict application of this title.

The variation request is the minimum measure of relief necessary.

PZB Procedure:

Standard Variation

Under Section 12-3-6(F) of the Zoning Ordinance (Standard Variations), the PZB has the authority to approve, approve subject to conditions, or deny the request. The decision should be based on review of the information presented by the applicant and the standards and conditions met by Section 12-3-6(H) (Findings of Fact for Variations) as outlined in the Zoning Ordinance.

Conditions of Approval:

1. A plat of survey prepared by a licensed land surveyor must be submitted with the building permit for the subject site.
2. Outdoor storage on the patio is limited to patio furniture and associated yard features like barbecues or movable playground equipment. All other storage must be indoors. No items may be stored on or behind the air conditioning condenser or associated concrete pad.

Applicant Martha Garcia was sworn in. Ms. Garcia stated that family members installed the patio, without a permit, about a year ago. Although the area is considered the front yard this is the only area to install a patio and spend their time outdoors.

Chairman Szabo inquired if neighbors had any concerns. Ms. Garcia replied that their only concern was that they thought the hearing involved the whole building not only her unit.

Senior Planner Redman reviewed the presentation slides. This request is considered a standard variation. The property fronts one City street, so that is the side that is technically the front yard, and the patio is located in the front yard. Tonight’s request is to reduce the size of the front yard, as patios are not allowed in front yards. There are other patios in this area, along this street, however no permits were located.

Member Hofherr recommended that staff should pursue the other front yard patios. Senior Planner Redman explained that staff could ask the others to present permits for their work, to see if the patio was legal at the time of installation; if not the owner would be asked to remove the patio or go through the standard variation process.

Member Saletnik thinks the four other non-conforming properties should be addressed.

Senior Planner Redman reviewed the two recommendations of approval.

A motion was made by Board Member Weaver, seconded by Board Member Fowler to approve Section 12-3-6(F) of the Zoning Code, including both presented conditions, and approve a standard variation to reduce the front yard from 25 to 15 feet (40 percent reduction) to allow for a patio in the R-1 Single-Family Residential District.

AYES: Weaver, Veremis, Fowler, Hofherr, Szabo, Saletnik, Catalano
NAYES: None
ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY ****

The Proposed Planning and Zoning Board Hearing Dates and Application Deadlines were reviewed.

A motion was made by Board Member Weaver, seconded by Board Member Fowler to Approve the presented 2024 Planning and Zoning Board Hearing Dates and Application Deadlines.

AYES: Weaver, Veremis, Fowler, Hofherr, Szabo, Saletnik, Catalano
NAYES: None
ABSTAIN: None

ADJOURNMENT

The Cumberland Crossing workshop is scheduled for Tuesday, November 28, 2023.

Chairman Szabo adjourned the meeting by voice vote at 7:41 p.m.

Sincerely,

Laura Fast, Deputy City Clerk/Recording Secretary

cc: City Officials, Aldermen, Planning & Zoning Board, Petitioners