



Village of Lincolnwood Zoning Board of Appeals

Meeting
Wednesday, December 19, 2018
7:00 P.M.

in the
Council Chambers Room
Lincolnwood Village Hall - 6900 North Lincoln Avenue

Meeting Agenda

1. **Call to Order/Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Minutes**
August 15, 2018 Meeting Minutes
4. **Case #ZB-08-18: 6510 North Monticello Avenue – Variation Related to the Side Yard Setback, Rear Yard Setback, and Lot Coverage for a Single-Family Residential Addition**
Request: Consideration of a request by Noble Farhad, property owner, for Variations related to: 1) an interior side yard setback on the south lot line of approximately 5 feet, 2 inches to match the setback of the existing structure, rather than the required 6.6-foot setback; 2) a rear yard setback of approximately 21 feet, rather than the required 30-foot setback; and 3) a building coverage of approximately 42 percent, rather than the permitted maximum of 35 percent, in order to accommodate a one-story addition on the front and rear of the existing home.
5. **Discussion: 2019 Zoning Board of Appeals Meeting Calendar**
6. **Next Meeting**
7. **Public Comment**
8. **Adjournment**



DRAFT MEETING MINUTES
OF THE
ZONING BOARD OF APPEALS
AUGUST 15, 2018

LINCOLNWOOD VILLAGE HALL
COUNCIL CHAMBERS
6900 NORTH LINCOLN AVENUE
LINCOLNWOOD, ILLINOIS 60712

MEMBERS PRESENT:

Presiding Officer Martina Keller
Peter Theodore
Bruce Heller
Rizwan Hussain
Mudassir Hussaini

MEMBERS ABSENT:

Teodor Strat
Christopher Nickell

STAFF PRESENT:

Doug Hammel, AICP, Community Development Manager

I. Call to Order

Presiding Officer Keller noted a quorum of five members and called the meeting to order at 7:06 p.m.

II. Pledge of Allegiance

III. Choice of Presiding Officer

Manager Doug Hammel, noted that with the resignation of former chairperson O'Brian that a Presiding Officer was needed to move forward with the meeting. He further noted that the vote for Presiding Officer was only for this evening's meeting and had no bearing on picking the next Chair.

Commissioner Heller moved to have Commissioner Keller as Presiding Officer and Seconded by Commissioner Theodore.

Ayes: Heller, Theodore, Keller, Hussaini, Mudassir

Nays: None

Motion Approved: 5-0

IV. Approval of Minutes

Motion to approve the April 18, 2018 Meeting Minutes; Commissioner Heller moved to approve the minutes and Seconded by Commissioner Keller. The Meeting Minutes were approved by voice vote.

V. **Case #ZB-06-18: 6522 North Spaulding Avenue — Variation Related to Setback of an Accessory Structure from the Primary Structure on the Same Lot**

Presiding Officer Keller Case #ZB-06-18 for consideration of a request by the Young Ji, property owner, for a Variation needed to construct a detached garage with a setback of approximately 10.5 feet from the primary structure on the property, rather than a setback of 15 feet as required by the Zoning Code.

Development Manager Doug Hammel provided a brief overview of the property, requested approvals, and Variations. 6522 North Spaulding Avenue is in a R-4 zoning district, with a current driveway configuration coming off of Spaulding Avenue. The proposal is to create a 22'x20' Garage in the rear yard gaining access from the ally adjacent to the rear yard. The existing driveway would remain.

The owner was seeking relief from section 3.08(4)a which states that “A detached accessory building shall not be nearer than 15 feet from the nearest wall of the principal building.” The proposed structure would only grant approximately 10 feet between the garage and principle structure.

Some considerations discussed were that the existing driveway was not required to be removed but would be atypical if kept because it would create two access points for parking. Some benefits to the removal of the driveway would be to reduce the impervious surfaces to assistance in preventing localized flooding. All other zoning requirements would be met by the proposed building.

Two public inquiries were taken in but neither was in formal support or opposition. In both cases they simply requested further information of the project.

There were a series of precedent cases that generally support this type of request. The only case in which there was opposition was one in which only left 3 feet between the structures. This was centered around fire risks, dysfunctional space, and difficult maintenance causing deterioration.

After completion of the property overview, Presiding Officer Keller asked if the petitioners wished to make a statement. The petitioner was sworn in and made a brief statement in support of the need of a garage to move into the unit.

A representative of Absolute Garage Builders, contractor for the job, was sworn in and gave testimony to clarify the job specifics. First, he indicated that the exact setback from the principle

structure would be 10.47 feet which would not be unusual in other villages. Addressing several questions from Commissioner Heller, the contractor confirmed that the garage was of standard dimensions. Furthermore, the five foot setback required by the village would be a sufficient turning radius. Lastly, he clarified that the current driveway is made of concrete (instead of pavers) and would not allow for access to a rear parking structure because of a limited turning radius.

Presiding Officer Keller inquired about on-street parking. Manager Hammel indicated that the street was narrow which may limit parking. This was confirmed by the contractor. The contractor added that there are several multifamily units, including this one, which makes parking that much more difficult.

Commissioner Heller and Commissioner Theodore asked for clarification on the principle building use and how that may affect the use of the garage. The contractor indicated that there is currently another family living in one of the units but would not have access to the garage and keeping the driveway would assist in their parking needs.

Manager Hammel was asked if there was precedent to eliminate a driveway because of too much impervious surface on the lot. Manager Hammel explained that they would have to remove some portion of the driveway if it exceeded the maximum allowed but that was not the case here. The only incident he could recollect that required the removal of a front drive was when a garage was converted into living space.

Commissioner Mudassir asked a series of questions around how the structure would affect pedestrian circulation. It was indicated that there is a rear entrance on the principle building allowing for easy flow of pedestrians between the garage and living units.

After hearing no further comment, Presiding Officer Keller asked the council if they believe that the hardship requirement has been met. Commissioner Heller indicated that he was unsure that hardship has been met but that precedent would indicate that this project would meet this requirement.

Presiding Officer Keller asked if there were any public comments and there were none.

Commissioner asked if it would be possible to vote with caveat to prevent the current driveway to be made into a drive through to the rear ally. Manager Hammel, responded by saying that such a caveat could be made as a part of the vote but their current coverage would be nearly maxed out if they built the garage. But, if the Board wished to maintain the current characteristics of the property it may be worth considering. It was asked if there were other residence in the neighborhood that had pass through driveways. After looking at aerial photos Manager Hammel said that there were units with continuous driveways.

There was further inquiry about what the current use of the backyard and how the construction would impact that usage. The contractor indicated that there was some standard use by current residence and the building of the garage would not eliminate all backyard usage.

Motion to recommend approval of a Variation to allow for the two car garage, as presented, with contingency that would prevent the construction of a pass-through drive between the ally and Spaulding was made by Commissioner Heller and seconded by Commissioner Theodore. Case #ZB-06-18 will be heard at the September 4, 2018 meeting of the Village Board.

Aye: Heller, Theodore, Keller, Hussani, Mudassir

Nay: None

Motion Approved: 5-0

VI. Discussion: Upcoming Chairperson Appointment

The process of appointing Chairperson was discussed further as well as allowing the board time to present their thoughts on who may or may not want be considered.

VI. Next Meeting

The next Zoning Board of Appeals meeting is set for Wednesday, September 26, 2018. Development Manager Hammel stated there are no cases to be heard at that time. November 14th or 28th was discussed as an alternative to the November 21st meeting date. The 14th was preferred by the Commissioners present.

VII. Public Comment

Presiding Officer Keller asked if anyone in the audience would like to address the Zoning Board of Appeals. Let the record state that no one came forward.

VIII. Adjournment

Motion to adjourn was made by Presiding Officer Keller and seconded by Commissioner Heller. Meeting adjourned at 7:39 p.m.

Aye: Heller, Theodore, Keller, Hussani, Mudassir

Nay: None

Motion Approved: 5-0

Respectfully submitted,

Henry Wright
Community Development Intern



MEMORANDUM

TO: Martina Keller
Members of the Zoning Board of Appeals

FROM: Doug Hammel, AICP
Development Manager

DATE: December 19, 2018

SUBJECT: **Case #ZB-08-18: 6510 North Monticello Avenue – Variation Related to the Side Yard Setback, Rear Yard Setback, and Lot Coverage for a Single-Family Residential Addition**

Consideration of a request by Noble Farhad, property owner, for Variations related to: 1) an interior side yard setback on the south lot line of approximately 5 feet, 2 inches to match the setback of the existing structure, rather than the required 6.6-foot setback; 2) a rear yard setback of approximately 21 feet, rather than the required 30-foot setback; and 3) a building coverage of approximately 42 percent, rather than the permitted maximum of 35 percent, in order to accommodate a one-story addition on the front and rear of the existing home.

Due to recent revisions to the development plan related to the subject request, the Petitioner for Case #ZB-08-18 requests that the matter be continued to the January 16, 2019 regular meeting of the Zoning Board of Appeals.

RECOMMENDED MOTION:

Move to continue, without discussion, Case #ZB-08-18, to the January 16, 2019 regular meeting of the Zoning Board of Appeals.