



Village of Lincolnwood Zoning Board of Appeals

Meeting

Wednesday, March 15, 2017

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**
May 18, 2016 Meeting Minutes
4. **Case #ZB-01-17: Public Hearing: 3944 West Touhy Avenue – Wall Signs Variations**
Request: Consideration of a request by Damien Kardaras, Property Owner, for Variations to permit two new wall signs on the east façade of the building at 3944 West Touhy Avenue. The requested Variations are: 1) to allow two wall signs on a facade where a wall sign is not permitted and to exceed the maximum number of signs on one wall; 2) to allow a wall sign that is not located within a permitted signable wall area; and 3) to allow a wall sign that exceeds the maximum permissible height.
5. **Case #ZB-02-17: Public Hearing: 3500 West Arthur Avenue – Residential Special Fence Request and Variations for Natural Screening Height And Deck Setback**
Request: Consideration of a request by Steven Macklin of Fleck's Landscaping, on behalf of The Hartman Family Trust, Property Owner, to allow a Special Fence on the property and in the public right-of-way and a new deck in the Rear Yard. The requested zoning relief is: 1) Special Fence approval for Natural Screening in the public right-of-way; 2) a Variation to permit Natural Screening in the Front and Corner Side Setbacks that exceeds the maximum permitted height; and 3) a Variation to permit a deck less than the required Minimum Rear Setback.
6. **Next Meeting**
7. **Public Comment**
8. **Adjournment**



DRAFT MEETING MINUTES OF THE
ZONING BOARD OF APPEALS
MAY 18, 2016 – 7:00 P.M.

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

MEMBERS PRESENT:

Chairman Herbert Theisen
Paul Grant
Jean Ikezoe-Halevi
Martina Keller
Christopher Nickell
Kathy O'Brien
Kirill Vorobeychik

MEMBERS ABSENT:

STAFF PRESENT:

Aaron N. Cook, AICP, Community Development Manager

I. Call to Order

II. Pledge of Allegiance

Chairman Theisen noted a quorum of seven members and called the meeting to order at 7:05 p.m.

III. Approval of Minutes

Motion to approve the March 16, 2016 meeting minutes was made by Commissioner O'Brien and seconded by Commissioner Grant.

Aye: O'Brien, Grant, Ikezoe-Halevi, Keller, Nickell, Vorobeychik, and Theisen

Nay: None

Motion Approved: 7-0

IV. Case #ZB-04-16: Public Hearing – 6440 North Leroy Avenue – Residential Building Setback Variations

Chairman Theisen announced Case #ZB-04-16 for consideration for Variations associated with a second floor addition to the existing single family structure to allow a new two-story addition to encroach into the required 25-foot front yard setback and to allow a second floor addition to match the existing nonconforming first floor to encroach into the required 7.5-foot side yard setback. Chairman Theisen swore in the Petitioner, Mr. Florin Cimpean.

Development Manager Cook stated that this request is for an encroachment into the required front yard setback for the purpose of a second floor addition above an existing garage. The Zoning Code requires a minimum front yard setback of 25 feet, and the proposed addition is to match the existing setback of the garage which is at 24 feet 11 inches; an encroachment of one inch. There was one letter of objection from Wayne and Roselyn Chernow. The majority of Chernow's concerns relates to the requested Minor Variation. The ZBA does not review Minor Variations; these requests are reviewed by the Development Manager.

The Minor Variation request is for the side yard addition. Mr. Cook outlined the Minor Variation process as well as the differences between the Minor and Major Variation process. There are six Variation request types that do not require a full public hearing before the Zoning Board and a recommendation from the Village Board. These residential only request types are allowed to go through a modified process which are approved by the Development Manager. If the Development Manager's decision is appealed, the request would come back to the Zoning Board for review.

The two-story addition is proposed to match the existing nonconforming structure at five feet six inches from the south lot line. The Zoning Code requires a minimum side yard setback of seven feet six inches.

The site plan, elevations, and floor plans were presented for review. Mr. Cook also reviewed the Standards for Granting Relief with special emphasis on the Sections applicable to this request.

Mr. Cimpean said the Variation is required to keep the integrity of the property. They are new residents to Lincolnwood and would like to improve their property. Mr. Cimpean stated they were not aware of the front yard setback requirement when the plans were created, and changing the plans would cause a monetary hardship. Mr. Cimpean stated he was aware of the Chernow's concerns and does not want to cause harm to any of their neighbors but believes that this addition would not affect their property negatively.

Mr. Wayne Chernow, 6430 Leroy Avenue, addressed the Zoning Board that this addition would impact their property in a significant way. Their one-story ranch home has a small patio in their backyard and do not want to look at a two-story brick wall which will be two feet closer to their property. Mr. Chernow objected to the Major Variation as well.

Chairman Theisen asked if there was anyone in the audience who would like to address the Zoning Board regarding this Public Hearing. Let the record state no one came forward.

Motion to approve the Front Yard Setback Variation was made by Commissioner O'Brien and seconded by Commissioner Nickell.

Aye: O'Brien, Nickell, Ikezoe-Halevi, Keller, Vorobeychik, and Theisen

Nay: Grant

Motion Approved: 6-1

V. Case #ZB-05-16: Public Hearing – 6540 North Lincoln Avenue – Wall Sign Variation

Chairman Theisen announced Case #ZB-05-16 for consideration to allow two new wall signs for a total of five wall signs on a corner lot where a maximum of two wall signs are allowed. Chairman Theisen swore in the Petitioner Mr. John Allen, on behalf of NBRE Healthcare.

Development Manager Cook stated this request is for consideration for a wall sign Variation to exceed the maximum number of wall signs. The Zoning Code allows a maximum of one wall sign per street frontage. The property is on a corner lot and is allowed two wall signs. A Variation was granted in 2013 allowing three wall signs. They are seeking to add two additional wall signs for a total of five wall signs. The proposed signs are for the Advocate Medical Group and the Illinois Bone & Joint Institute. The first proposed sign for the Advocate Medical Group will be added to the south elevation below the existing sign for the Illinois Bone &

Joint Institute. The second proposed sign is combined sign above a secondary entrance on the west elevation facing the parking lot. This sign is proposed to be 60-square feet in area; the Code allows a maximum of ten square feet.

The Standards for Granting Relief were presented for review with specific emphasis on the Sections applicable to this request.

Staff did receive a phone call from a nearby resident indicating concern over light pollution and that the signs should be on a timer. Mr. Allen said the signs would only be illuminated from 5:00 p.m. to 10:00 p.m.

Mr. Allen indicated the hardship is actually on their users. Mr. Allen stated that there has been some confusion from their customers as to where the entrance is located from the back parking lot. A secondary sign over the entrance in the parking lot announces the entrance into the facility. A two-tenant sign could not fit on ten-square feet of signage.

There was discussion regarding the hardship to the Petitioner if this request was not granted and also if the existing signs would be transferrable to another owner or if an additional tenant occupied the building wanted their own signage.

Mr. Allen inquired whether they could seek approval for one sign. Mr. Cook replied that the ZBA could vote on approval of only one of the signs if that is their preference. Mr. Allen indicated that it would be their preference to seek sign approval for the secondary entrance on the west elevation. There was discussion as to whether to allow more signage in the future, including signs that are exempt from the Zoning Code, i.e. directional signage, Mr. Cook stated that the recommended motion could contain explicit language excluding any additional signage. Mr. Allen agreed that no other signage would be sought in the future.

Commissioners O'Brien and Nickell feel that the signage over the secondary entrance could be better served with a smaller sign or a canopy over the entrance. Commissioner Nickell felt that the proposed sign below the existing Illinois Bone & Joint sign would better serve their signage needs. Additionally, Commissioner Nickell felt they could install an entrance sign that is code compliant. Commissioners Keller and O'Brien agreed with Commissioner Nickell.

Chairman Theisen asked if there was anyone in the audience who would like to address the Zoning Board regarding this Public Hearing. Let the record state no one came forward.

Motion to deny the 60-square-foot secondary entrance sign facing the parking lot (Sign 1) was made by Commissioner O'Brien and seconded by Commissioner Nickell.

Aye: O'Brien, Nickell, Grant, Ikezoe-Halevi, Keller, and Theisen

Nay: None

Motion Approved: 6-0

Motion to approve the Advocate Medical Group sign facing Hamlin Avenue (Sign 2) was made by Commissioner Nickell and seconded by Commissioner Keller.

Aye: Nickell, Keller, Grant, Ikezoe-Halevi, and Theisen

Nay: O'Brien

Motion Approved: 5-1

VI. Other Business

Commissioner Ikezoe-Halevi asked Mr. Cook to explain why some recent recommendations made by the Zoning Board have been reversed, specifically Lou Malnati's, the Mobil Sign Variation, and the Off-Street Parking Variation for 7370 North Cicero Avenue. Development Manager Cook explained that Malnati's made

significant changes to their original plan. Subsequently, Malnati's did receive approval from the Plan Commission. For the dental office at 7370 North Cicero Avenue, this was a change in the way the Village views and considers parking in front of a building. The Plan Commission and the Village Board adopted a text amendment that off-street parking lots be viewed as a Special Use instead of a Variation. The Mobil sign was a difference in view toward the application.

VII. Next Meeting

The next meeting of the Zoning Board of Appeals is scheduled for Wednesday, July 20, 2016.

VIII. Public Comment

Chairman Theisen asked if there was anyone in the audience who would like to address the Zoning Board. Let the record state no one came forward.

IX. Adjournment

Motion to adjourn was made by Commissioner Grant and seconded by Commission Ikezoe-Halevi. Meeting adjourned at 9:00 p.m.

Aye: Grant, Ikezoe-Halevi, Keller, Nickell, O'Brien, and Theisen

Nay: None

Motion Approved: 6-0

Respectfully Submitted,

Kathryn M. Kasprzyk
Community Development Coordinator