

MINUTES OF JULY 18, 2012
MEETING OF THE LINCOLNWOOD
ZONING BOARD OF APPEALS (ZBA)

The regular meeting of the Zoning Board of Appeals was called to order on July 18, 2012 at 7:00 p.m. In attendance were Mary Couzin, Paul Gordon, Paul Grant, Christopher Nickell, Kathy O'Brien, Herbert Theisen and S.J. Malkin.

Also present: Community Development Manager/Zoning Officer Aaron Cook

Chairman Malkin then called for any comments or corrections regarding the minutes of the last ZBA meeting on June 20, 2012 and, there being none, on motion duly made and seconded, the minutes were unanimously approved.

A public hearing was then held on the application of Dean Scherwinski for variation from Article IV, Section 4.11 of the Zoning Code to permit the principal building and proposed detached garage at the rear of the property to exceed the maximum of 35% building coverage on the property at 6531 N. Drake Avenue. After discussion, by a vote of 4 to 3 (Chairman Malkin and Members Gordon and Nickell dissenting), ZBA recommended that the requested variation to permit a detached garage of 528 square feet at the rear of the property, thereby exceeding the 35% building coverage limitation in the Zoning Code, be denied.

(For details, see report filed by Chairman Malkin)

A public hearing was then held on the application of Iftekhar Shareef for variation from Article IV, Section 4.11 of the Zoning Code to permit a proposed second story addition to encroach into the required side yard on property at 7227 N. Kenneth Avenue. After discussion, by a vote of 7 to 0, ZBA recommended that the requested variation be granted so as to permit the proposed second floor addition to be erected above the existing attached garage with the south wall of the addition to be flush with the south wall of the existing residence and garage (being 4.9 feet from the south property line).

(For details, see report filed by Chairman Malkin)

Also with regard to the property at 7227 N. Kenneth Avenue, a discussion was held regarding the suggestion of the staff that, since the north elevation of the existing residence on the property is set back 5.1 feet from the north property line (which is less than the 6.6 foot side yard setback required by the Zoning Code), ZBA also consider recommending a variation relative to that setback as well, even though Applicant did not specifically request such a variation and was not presently contemplating any change to the north elevation. After discussion, it was unanimously decided that, in the absence of a specific request for variation, ZBA should not make any such recommendation. However, by unanimous consent, ZBA acknowledged that the existing side yard encroachment on the north side of the property was in legal nonconformity with the Zoning Code, since that encroachment has existed since the residence was constructed in approximately 1965.

A discussion was then held regarding the proposed annual report which Chairman Malkin intended to present to the Village Board, at its request, on August 21, 2012. The ZBA members unanimously approved the summary report prepared by Chairman Malkin and authorized him to submit said report to the Village Board on that date.

Chairman Malkin then announced that the next meeting of ZBA will be held on August 15, 2012.

There being no further business, on motion duly made and seconded, by unanimous consent the meeting was adjourned.

Sherwin J. Malkin, Chairman