



CITY OF PARK RIDGE

505 BUTLER PLACE
PARK RIDGE, IL 60068
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MINUTES

ZONING BOARD OF APPEALS

**CITY COUNCIL CHAMBERS
505 BUTLER PLACE
PARK RIDGE, IL 60068**

Thursday, August 24, 2017 at 7:00 PM

Commissioner Karkhanis called the meeting to order at 7:00 pm.

I. Roll Call

Present

Garrick Bunting
Atul Karkhanis, Chairman
Missy Langan
Rebecca Leslie
Linda Nagle
Steve Schilling

City Council

Alderman John Moran, 1st Ward

Staff

Jim Brown, Director CP&D
Howard Coppari, Zoning Coordinator CP&D
Kerry Cwick, Admin Asst. CP&D

Absent

Steven Nadler

Others Present

13 audience members
1 media member

II. Approval of Minutes: July 27, 2017

Vote on the motion as follows:

AYES	<u>6</u>	Bunting, Karkhanis, Langan, Leslie, Nagle and Schilling
NAYS	<u>0</u>	
ABSTAIN	<u>0</u>	
ABSENT	<u>1</u>	Nadler

III. Appeals

None

IV. Variance: 1025 S. Knight Ave – Case Number 17-15-VA (Major)

Proposal Information

The homeowner is seeking a variance to remove and replace an existing wooden patio/deck with a new uni-lock paver patio within the backyard area. A patio is only allowed to encroach 5 feet into a rear yard setback area. The homeowner is encroaching by an additional 12 feet into the backyard area. The existing patio/deck in question is about 451 square feet in area.

Mr. John C. Wojteczko of 1705 Marlowe Park Ridge, Illinois 60068 is the attorney for the homeowners, Mr. and Mrs. Joseph and Faye Manzi, and will be representing them. Chairman Karkhanis swore in Mr. Wojteczko.

Minutes for the Zoning Board of Appeals (Cont.)

Mr. Wojteczko related the homeowners are requesting to replace their deck that is over 25 years old and deteriorating with level pavers. He went on to state that Mr. Manzi has suffered health issues including heart valve and bypass surgery and has two daughters who suffer from cystic fibrosis and they are unable to use the back yard in the state that it is in.

Mr. Manzi addressed the Board and stated he is not interested in expanding the patio beyond its current size, simply replacing with non-slip pavers so that his family can once again utilize their back yard space safely.

Commissioner Bunting asked if they are changing the grading plan. Mr. Wojteczko replied, no, only to the extent to solidify the pavers.

Commissioner Leslie asked if they spoke with the neighbors. Mr. Manzi replied, yes, they have talked to the neighbors in the immediate vicinity and all are in favor. The neighbor to the North, is in the audience.

There was discussion between the Board members and staff regarding lot coverage and calculations. Commissioners Leslie and Langan related they would have liked to have these calculations available in the packet. Mr. Coppari explained that staff approved the preliminary review and then provided the following calculations. He also related that the property complies with both open space and lot coverage requirements.

Open Space: R-2 requirement is 40% and the property is at 46%

Lot Coverage: R-2 max. allowable is 35% and the property is at 31%

The Board unanimously voted to open public comment.

Marc Mazzuca of 2600 Windsor Mall Park Ridge, Illinois 60068 and Alderman of the 6th Ward was sworn in by Chairman Karkhanis. Alderman Mazzuca addressed the Board and related Mr. Manzi reached out to him regarding this project over a year ago and understands the resident has health issues and is trying to replace his patio. Alderman Mazzuca spoke in favor of the project and hoped the commission approves this variance, as forcing him to use the current patio is the true hardship.

Joshua Nichols of 1021 S. Knight Ave Park Ridge, Illinois 60068 was sworn in by Chairman Karkhanis. Mr. Nichols is the neighbor to the north of the Manzi residence and spoke in support of the variance. He related this was a logical and sensible way to maintain the property and all the conditions are accurate.

The Board unanimously voted to close public comment.

The Board members discussed and deliberated the variance application.

Chairman Karkhanis expressed he wanted it noted that the Board recognizes and understands the medical condition as described, but if the Board is going to consider that then it would be required to request support from a medical professional. He went on to state, he would not be attaching this to his decision and would be looking at this as a replacement regardless of a medical condition.

On a motion by Commissioner Bunting, seconded by Commissioner Langan, the Board agreed to recommend to the City Council the approval of a Major variance for the applicant to build a new patio within the backyard area, which encroaches 12 feet into a rear yard setback area, as indicated on plans attached to the staff memorandum for Case Number 17-15-VA at 1025 S. Knight Ave.

Vote on the motion as follows:

AYES	<u>5</u>	Bunting, Karkhanis, Leslie, Nagle and Schilling
NAYS	<u>1</u>	Langan
ABSTAIN	<u>0</u>	
ABSENT	<u>1</u>	Nadler

Variance: 1220 W. Touhy Ave – Case Number 17-13-VA (Major)

Proposal Information:

Summary The owners and agent of a motor vehicle service station located on 1220 W. Touhy Avenue request relief from: (1) the maximum sign area for pole signs in a B-2 district of 32 square feet in order to erect a sign 72 square feet in sign area; and (2) the minimum sign setback of 10 feet in order to place the pole sign 5 feet from the property lines.

Matt Ackerman of Corporate Design & Development Group at 2675 Pratum Ave Hoffman Estates, Illinois 60192 is representing the owner and was sworn in Chairman Karkhanis. Mr. Ackerman related the property is in the process of being updated which will include eliminating the auto repair and U-Haul center, which the Appearance Commission was in favor of. There are two main reasons for the variance request, 1) to better communicate with customers and 2) safety. Signage is the number one way to get customers safely on site. Retail petroleum is one of the biggest tax revenue generators of retail uses and if customers cannot see price or get into station safely, they will move onto next station or town.

Mr. Ackerman also noted safety reasons and stated the American Planning Association recommends 112 square feet, this allows the customer to recognize the sign, react to the sign and maneuver the car safely to the station. The variance request of 72 square feet is significantly less than the APA recommendation and other pole signs in Park Ridge. In addition, state law requires the price of petroleum to be posted on signs in addition to the business name. Mr. Ackerman expressed the variance was submitted respectfully in the interest of safety and equal opportunity.

Commissioner Schilling asked Director Brown to review section 14.11.G of the Zoning Ordinance and asked if the rate portion would be separate from the business name on upper portion of the sign?

14.11. G. Miscellaneous Information Signs

The following types of miscellaneous information signs:

- 1. Information appearing on gasoline pumps, and service station rate signs, including the names or grades of fuel and prices and conditions relating to prices such as full or self-service.*

Mr. Brown responded he would apply a strict interpretation and clarified that is a pole sign and is not exempt from the standards of the zoning ordinance and requires a permit application. However, we do not require permit application submission for signs on gas pumps or others listed in 14.11.G.1.

The Board unanimously voted to open public comment.

Forrest Shields of 88 Greenwood Park Ridge, Illinois 60068 was sworn in by Chairman Karkhanis. Mr. Shields is also the co-owner of the property (vacant lot) to the west on Delphia. Mr. Shields expressed that the setback is not a concern to him, however does not agree with the area of the sign increasing over 100% bigger. He stated the standard for B-2 zoning for the sign is 32 square feet and should remain that.

The Board unanimously voted to close public comment.

On a motion by Commissioner Nagle, seconded by Commissioner Langan, the Board voted unanimously to split the variance into two votes: 1) sign setback and 2) sign area.

Vote on the motion as follows:

AYES	<u>6</u>	Bunting, Karkhanis, Langan, Leslie, Nagle and Schilling
NAYS	<u>0</u>	
ABSTAIN	<u>0</u>	
ABSENT	<u>1</u>	Nadler

The Board members discussed and deliberated the sign setback aspect of the variance application.

On a motion by Commissioner Bunting, seconded by Commissioner Langan, the Board agreed to recommend to the City Council the approval of a Major variance for the applicant to have the pole sign be setback 5 feet from the intersection of N. Delphia and W. Touhy Avenues, as indicated on plans attached to the staff memorandum for Case Number 17-13-VA at 1220 W. Touhy Ave.

Vote on the motion as follows:

AYES	<u>6</u>	Bunting, Karkhanis, Langan, Leslie, Nagle and Schilling
NAYS	<u>0</u>	
ABSTAIN	<u>0</u>	
ABSENT	<u>1</u>	Nadler

The Board members discussed and deliberated the sign area aspect of the variance application.

Commissioner Leslie expressed concern with setting precedence if the sign area variance was approved and other applicants come before the Board, especially in light of the APA size recommendation.

Commissioner Langan agreed with the above and stated a great deal of time was spent on figuring out the area for signs in the ordinance. Allowing a variance for signs can create a slippery slope for others that apply. If this is going to be an issue, it's possible the sign ordinance should be revisited.

Commissioner Nagle expressed that gas stations are different and unique and include a safety element.

Commissioner Schilling stated this is a reasonable request, not a flood gate issue and each case should be heard on its own merit.

On a motion by Commissioner Bunting, seconded by Commissioner Langan, the Board agreed to recommend to the City Council the approval of a Major variance for the applicant to erect a double-sided pole sign at 72 square feet in sign area, as indicated on plans attached to the staff memorandum for Case Number 17-13-VA at 1220 W. Touhy Ave.

Vote on the motion as follows:

AYES	<u>4</u>	Bunting, Leslie, Nagle and Schilling
NAYS	<u>2</u>	Karkhanis, Langan
ABSTAIN	<u>0</u>	
ABSENT	<u>1</u>	Nadler

V. Other Items for Discussion and Updates

Chairman Karkhanis addressed the memo from City Attorney Tappendorf and agrees that the application process include a letter of permission from the owner, but relates this letter should be notarized however will leave this requirement decision up to Director Brown.

Director Brown added the current application form is being revised and will be clear regarding the owner/applicant and will include a submittal checklist.

VI. Citizens Wishing to be Heard on Non-Agenda Items

Judy Barclay of 524 Courtland Park Ridge, Illinois 60068 asked who makes the determination of what is considered "relevant" testimony in regards to City Attorney Tappendorf's memo. Several Board members responded and expressed that they would consider any and all comments presented that are relevant to the case being heard. It was also expressed that there are seven board members, each with an independent vote and none of which would strike any comments or testimony from the record.

Pat Livensparger of 413 Courtland Park Ridge, Illinois 60068 asked why the board is making a motion and voting to open and close public comment. Mrs. Livensparger expressed this procedure was unnecessary.

Alderman Moran related each board or commission can adopt their own procedure and board members may prefer this style.

VII. City Council Liaison Report

None

VIII. Adjournment

On a motion by Commissioner Bunting, seconded by Commissioner Schilling, the Board agreed to adjourn the meeting.

Vote on the motion as follows:

AYES	6	Bunting, Karkhanis, Langan, Leslie, Nagle and Schilling
NAYS	0	
ABSTAIN	0	
ABSENT	1	Nadler

The meeting was adjourned at 8:30 pm.

These minutes are not a verbatim record of the meeting but a summary of the proceedings.

9/29/2017
Date

Atul Karkhanis
Atul Karkhanis, Chairman