



CITY OF PARK RIDGE

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DEPARTMENT OF COMMUNITY
PRESERVATION AND DEVELOPMENT

COUNCIL ACTION REQUIRED

ZONING BOARD OF APPEALS

Thursday, April 7, 2011
City Hall, Mayor's Conference Room
505 Butler Place
Park Ridge, Illinois

MINUTES

Chairman Zimmerman called the meeting to order at 7:31 p.m.

A. Roll Call

Present

Gary Zimmerman, Chairman
Kevin Barnes
Alice Borzym-Kuczynski
Atul Karkhanis
Missy Langan
Linda Nagle
Salvatore Parenti

Staff

Tom Hoff
Sophie Tidd

City Council

Alderman Joseph Sweeney, Council Liaison

Others Present

Approximately 10 citizens

B. Approval of Minutes

Chairman Zimmerman introduced new Board members, Linda Nagle and Salvatore Parenti. They replaced Anita Bloom and John Sclafani, whose terms expired in December of 2010. Ms. Nagle, an attorney, is employed by a real estate and property management company. Mr. Parenti is a twenty year resident of Park Ridge. He recently entered the legal profession after a long career as a contractor.

It was moved by Missy Langan and seconded by Atul Karkhanis that the minutes of the February 24, 2011, Zoning Board of Appeals meeting be approved. Alice Borzym-Kuczynski stated that on page four, paragraph ten, in the first sentence, the word "about" should be included following the word "staff."

Vote on the motion was as follows:

AYES	<u>4</u>	Board members Karkhanis, Langan, Borzym-Kuczynski, Barnes
NAY	<u>0</u>	None
ABSTAIN	<u>3</u>	Nagle, Parenti, Zimmerman

Our Mission: THE CITY OF PARK RIDGE IS COMMITTED TO PROVIDING EXCELLENCE IN CITY SERVICES IN ORDER TO UPHOLD A HIGH QUALITY OF LIFE, SO OUR COMMUNITY REMAINS A WONDERFUL PLACE TO LIVE AND WORK.

The minutes were approved as noted.

Chairman Zimmerman thanked Atul Karkhanis for chairing the February 24, 2011, meeting in his absence. He stated that he listened to the recording of the minutes of the February 24, 2011, meeting, pertaining to 41 South Prospect, Zoning Case Number V-11-01, and felt comfortable voting on the case.

Kevin Barnes stated that he listened to the recording of the minutes of the January 27, 2011, meeting pertaining to 41 South Prospect, Zoning Case Number V-11-01, and felt comfortable voting on the case.

Linda Nagle and Salvatore Parenti stated that they did not listen to recordings of the minutes and would abstain from voting on Zoning Case Number V-11-01.

C. Zoning Appeals – None

D. Variances

1. Zoning Case Number V-11-01: 41 South Prospect Avenue (Major Variance)

Rahul Patel, applicant and owner of Enopi Learning Center of Park Ridge, requests a variance to allow a second wall sign facing a public street, instead of one wall sign allowed by Section 14.6.F.1 of the Zoning Ordinance.

Chairman Zimmerman swore in all citizens interested in testifying about the case.

The case was heard and continued at the January 27, 2011 and February 24, 2011, Zoning Board of Appeals meetings. At the January 27, 2011 meeting, the Board requested the proposed sign be submitted to the Appearance Commission for review. At the February 17, 2011 meeting, the Commission agreed to approve the wall sign subject to aligning the sign with the base of the Pines wall sign and positioning it over the doorway in front of the transom opening.

At the February 27, 2011 meeting, the Board continued the case to April 7, 2011, pending the city attorney's interpretation of Section 14.6.F.3 of the Zoning Ordinance.

Mr. Patel stated that at the February 24, 2011, Zoning Board of Appeals meeting, there were three main reasons the Board objected to the sign. The reasons were the Board was not in favor of the size and location of the proposed sign. Additionally, the raceway did not match the façade of the building.

The applicant stated that he has addressed the Board's concerns, reducing the size of the proposed sign from 16 to seven square feet, a reduction of 40 percent. He submitted Exhibit 3, showing the location of proposed sign, which was approved at the February 17, 2011, Appearance Commission meeting. The photograph shows the sign in the proposed location with the raceway of the sign matching the limestone façade of the building. Mr. Patel stated that staff consulted with the city attorney regarding the placement of the sign in the proposed location and whether it needed a second variance for the new location.

Atul Karkhanis asked if the Exhibit 3 was the final rendering of the proposed sign, and the color of the raceway and the color of the non-operating window in front of which the sign is to be placed.

The applicant stated that Exhibit 3 is the final rendering. The color of the raceway would match the limestone façade of the building. However, he was not opposed to having a green raceway to match the painted window.

Kevin Barnes questioned whether the sign would project beyond the façade of the building.

Mr. Patel said the sign would be flush with the façade of the building.

Mr. Karkhanis stated that he would like a final determination from the Appearance Commission.

Commissioner Zimmerman asked Mr. Hoff to present a letter from the Appearance Commission.

Judy Barclay, 524 Courtland, stated that whether the window was used or not, was irrelevant. She stated that there was no memo from the city attorney on file.

Tom Hoff stated that he is comfortable with his conversation with the city attorney stating that the Section 14.6.F.3 of the Zoning Ordinance does not apply, however, if the Board would like a letter from Mr. Hill, he would obtain one.

Chairman Zimmerman stated that he read the minutes and the letter from the building manager confirming that the window was always painted over and never used.

Ms. Barclay stated that she was present at the Appearance Commission meeting, where she read the Ordinance. Although she sympathizes with the applicant, you may not place a sign within the opening.

Mr. Karkhanis agreed with staff's interpretation of the Zoning Ordinance. The old window is a non-used, opaque surface.

Missy Langan read Section 14.6.F.3 of the Zoning Ordinance.

Pat Livensparger, 513 Courtland, stated that there was an apparent conflict with the Zoning Ordinance, and the city attorney's opinion should have been given in writing for the record.

Chairman Zimmerman stated that he trusts in Mr. Hoff's ability, along with his communication of the city attorney's opinion that Section 14.6.F.3 does not apply in this situation. He asked that the opinion of the city attorney be memorialized for the file.

Alice Borzym-Kuczynski suggested the Board motion the sign to be 7 square feet in area with color approval by the Appearance Commission.

No other residents addressed the Board regarding the case.

The Board closed the public hearing.

Ms. Langan stated that she had mixed feelings. The variance request is for a second floor business that had objections from other second floor businesses. The situation was not unique to the building or other tenants in the building. She said she believed the applicant should be able to advertise his business but has other options.

Mr. Karkhanis acknowledged the detail the applicant put forth. The proposed location of the sign was the most appropriate option. The window is an opaque surface. If other applicants wanted to

apply for a variance to advertise their respective businesses, the Zoning Board of Appeals is an open forum. He is not going to hold it against the applicant.

Salvatore Parenti asked if the variance ran with the applicant.

Chairman Zimmerman stated that it was impossible to enforce, however wall signs are different. A sign is for a specific business.

Chairman Zimmerman stated that the subcommittee is needed for signs. He planned to raise the question at the upcoming workshop with the city attorney.

On a motion by Alice-Borzym-Kuczynski and seconded by Missy Langan, the Board

CITY
COUNCIL
ACTION
REQUIRED

AGREED to recommend City Council approval of a variance for a second wall sign facing a public street, approximately 7 square feet in area, with color approval by the Appearance Commission, instead of one wall sign allowed by Section 14.6.F.1 of the Zoning Ordinance at 41 South Prospect Avenue, Case Number V-11-01.

Vote on the motion was as follows:

AYES	<u>4</u>	Board members Barnes, Borzym-Kuczynski, Karkhanis, Zimmerman
NAY	<u>1</u>	Langan
ABSTAIN	<u>2</u>	Nagle, Parenti

2. Zoning Case Number V-11-05: 760 Busse Highway (Major Variance)

Mariusz Koziol, applicant, requests a variance to allow a second wall sign facing a public street, instead of one wall sign allowed by Section 14.6.F.1 of the Zoning Ordinance.

Chairman Zimmerman swore in all citizens interested in testifying about the case.

Dr. Koziol is subletting medical office space at the Vein Clinic one day a week. In order to advertise his business, the applicant requests a second wall sign on the property to be located beneath the existing sign facing the public street. The existing wall sign is 45 square feet in area; the proposed sign will be 27 square feet in area. The combined area of both signs will be 72 square feet in area. Section 14.6.F.1 allows one wall sign on any wall facing a public street. Dr. Koziol submitted Exhibit 13, a photograph of the existing sign. The proposed sign will be the same color, background, and width of the existing sign, and half the height. Exhibit 14 showed the proposed sign directly under the original sign.

Chairman Zimmerman asked the applicant if the exhibits presented were an exact depiction of the proposed sign. He stated he was uncomfortable proceeding without seeing specific details on the sign.

On a motion by Alice-Borzym-Kuczynski and seconded by Missy Langan, the Board

AGREED to continue the public hearing for 760 Busse Highway, Zoning Case Number V-11-05 to the May 26, 2011, meeting.

Vote on the motion was as follows:

AYES	<u>7</u>	Board members Barnes, Borzym-Kuczynski, Karkhanis, Zimmerman, Langan, Nagle, Parenti
NAY	<u>0</u>	None