

**ZONING BOARD OF APPEALS
JULY 19, 2017 AT 7:00 P.M.
COUNCIL CHAMBERS-RM. 201**

Call to order and Roll Call

PRESENT: Chair Michael Quinn and Members Steve Ruszczyk, Mark Hansen, Jim Lencioni, Don DeBruin, Deborah McQueen and David Brumirski

ABSENT:

ALSO PRESENT: Rasheda Jackson, Counsel; Mike Bruce, Zoning Administrator

QUORUM: Chair Quinn called the meeting to order at 7:00 p.m. and declared that a quorum was present.

Public Comment

None

Introduction and Procedure Outline

Chair Quinn explains the procedure for the evening: we have two public hearings and a third matter to be dealt with. Mr. Bruce will summarize the application after that the applicant can present whatever they wish to present; following that, anyone who wishes to speak in favor of the application is given an opportunity to do so, followed by anyone who wishes to speak in opposition of the application, followed by anyone who is neither in favor nor opposed to the application but has information that might be useful to the Board. After that the applicant has a chance to summarize and close the public hearing and then the Board will deliberate. If you are going to testify this evening, I'd like to have you sworn in. Mr. Bruce swore in those wishing to testify.

Public Hearings

Cal. No. 09-17-Z Alcuin Montessori School

The Applicant has requested that the hearing be continued to the next ZBA meeting. Member Hansen moved to continue the hearing to the next ZBA meeting on August 2, 2017. Member Lencioni seconded the motion. The motion was approved 7-0.

Cal. No. 11-17-Z 742 Linden Avenue, Oak Park Illinois

Mr. Bruce reads a Description of the Case: David and Michelle Revsine, Owners and Applicants, request that a variation be granted from section 4.10.3 (A) of the Zoning Ordinance of the Village of Oak Park, which section regulates all items and structures permitted in the required side yards, to permit the construction of an off street parking space in the required exterior side yard setback at the property commonly known as 742 Linden Avenue, Oak Park Illinois.

Mr. Revsine says that his family needs a third car and have nowhere to part the car pursuant to the zoning requirements.

Mr. Revsine states that due to large amount of travel for work, 80-100 nights per year, his family will be purchasing an additional vehicle and needs a place to park. Family will need a third car. Mr. Revsine says that over the next few years there will be 3 additional drivers in his family in addition to his wife. Mr. Revsine says that has looked into different options as to where we can park the third vehicle. Most of the people on my block have areas adjacent to the ally next to their garage where they've added an extra parking space, but because of the way our lot is configured we can't do the same; we have a garage that faces onto Thomas Street, and then the obvious solution would be trying to bump in approximately 6 feet and make a parallel parking spot due to the ally running North-South. We have two mature trees that would inhibit creating a parking space that would be in-line with the Zoning Ordinance; we don't want to lose them since the neighborhood has already lost a few trees, we don't want to lose additional trees. The trees are one of the reasons we purchased in this neighborhood and we also have an ornamental pond in the backyard that prohibits a code compliant parking space and we obviously don't want to remove the pond. Requesting a variance is really the only way to add a parking spot without having to remove the trees or the pond.

Standard One: Covered above

Standard Two:

Mr. Revsine says my family needs an additional car and has nowhere to put/park it due to existing trees and pond.

Standard Three:

Mr. Revsine says that the mature trees and pond were in place when we purchased the property.

Standard Four, Five and Six:

Mr. Revsine indicates that he plans to erect a new fence that would hide the parking space from the street. Most won't even know it's there. We also have a trampoline in the back that will be behind the fence. We will conserve the look of the neighborhood. Light will not be an issue. The proposed work is in harmony with the spirit and intent to preserve the neighborhood. Mr. Revsine says that the proposal will not alter the character of the neighborhood.

Applicant Summary: Would appreciate approval.

A ZBA member says that the Application is very much in tune with neighborhood. Unable to park on the street without a parking pass so there is no other option.

Member Lencioni moved to approve the Application. Member McQueen seconded the motion. The motion was approved 5-2. Member Hansen and Member Brumirski voted against the proposal.

Approval of Recommendation

Cal. No. 11-17-Z: 742 Linden Avenue, Dave Revsine

Rasheda Jackson, the ZBA attorney, drafted a Resolution approving the variance. Member DeBruin moved to approve the Resolution. Member Lencioni seconded the motion. The motion was approved 5-2. Member Hansen and Member Brumirski voted against the Resolution.

Cal. No. 12-17-Z: 834 S. Cuyler Avenue, Stephanie Socall

Mr. Bruce reads a Description of the case: Applicant Stephanie Socall is requesting that a variation be granted from Section 3.5.4 (B)(1) which requires a front yard setback for the principle building of not less than 20 feet. However the project will feature an enclosed front porch addition with an approximate 15 ft. and 9 inch front yard setback. The Applicant is seeking to construct a new

enclosed front porch to the existing principle building and the proposal will attempt to be compatible with the original design of the residence that featured an enclosed porch based on the style and age of the residence.

The Applicant thanks the Board for their consideration. In response to the standards - I will go through them individually, 1- 7.

Standard One:

The Applicant says that the Zoning Ordinance was put in place after the original development of the area. There are no homes on the 800 block of South Cuyler with original front porches that meet the required 20 feet setback. This property is not primarily an investment vehicle but is intended for use and enjoyment as a primary residence. The inability to restore the homes original front porch and current nonconforming appearance affects the property's curb appeal and the surrounding property values.

Standard Two:

The Applicant says that the variation is not meant to serve as a convenience. 834 S. Cuyler is an American Four square constructed in 1908 and had a setback uniform with the rest of the houses on the block. The requested variance is not intended as a convenience but as the only avenue available to restore the homes historic porch. All of the other 100 year old plus homes on the block are noncompliant and we are requesting a variance to maintain the character of the home and the neighborhood.

Standard Three:

The Applicant says that the hardship has not been created by the owner. The home at 834 South Cuyler was purchased on December 10, 2014. The home's historic porch was demolished prior to that sale, most likely in the mid-20th century by the previous owners. A new deck was added probably to avoid the zoning appeals process to the front of the home – it looks unsightly and historically inappropriate; although it was not subject to setback requirements because it has no roof.

Standard Four:

The Applicant says that we believe it will be beneficial to the public or surrounding properties by restoring the attractive original front porch matching the appearance of neighboring properties.

Standard Five:

The Applicant argues that this variation will have no effect on any adjacent properties. Both have similar porches. The porch will be setback more than 15 feet from the property line with no effect to the public. The variation does not alter the essential character of the neighborhood.

Standard Six:

The Applicant says that the restoration of the historic appearance of 834 South Cuyler will bring the existing property in line with the essential character of the neighborhood, which is the primary reason for this request.

Standard Seven:

The Applicant says that there's no increase in density or change in use associated with this request. In all respects the property will remain in harmony with all regulations as they apply to existing homes in the district.

A ZBA member asks: compared to the present porch, are you coming out further forward than what the present porch is? The Applicant says No. It is approximately the same distance at approximately 9 feet from the house.

Questions: On the site plan it looks as though your new proposed 10 foot deep porch aligns with the front of the enclosed porch to the North; is that true that 10 feet is based on lining up with the other porch?

Answer: I think the drawings actually ended up at 9 feet. Yes. The 9 feet is in line with the porch to the North – South is less deep but is not an original porch.

Deliberations

A ZBA member says bringing property back to it's originally is a step in the right direction. This is the type of flexibility that the zoning code was meant to enable.

Member Brumirski moved to approve the Application. Member Lencioni seconded the motion. The motion was approved 7-0.

Rasheda Jackson, the ZBA attorney, drafted a Resolution approving the variance. Member Brumirski moved to approve the Resolution. Member Lencioni seconded the motion. The motion was approved 7-0.

Minutes

None

Adjournment