

**ZONING BOARD OF APPEALS
SEPTEMBER 5, 2018 AT 7:00 P.M.
COUNCIL CHAMBERS-RM. 201**

A recording of this meeting is available on the Village of Oak Park Website: <https://www.oak-park.us/your-government/citizen-commissions/commission-tv>

Call to order and Roll Call

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

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 and indicating that we have three public hearing scheduled tonight.

Public Hearings

Cal. No. 19-18-Z: 6545 North Avenue, Matt Mercado

The Applicant Matt Mercado seeks a variation from Section 8.3 (Table 8-1: Use Matrix) of the Oak Park Zoning Ordinance, which section requires that a single-family residential dwelling shall be located above the ground floor in buildings to permit the construction of a single-family residential dwelling unit at the rear on the ground floor, inside a single-story building at the premises commonly known as 6545 North Avenue, Oak Park, Illinois.

The Applicant asks that the application be continued to the next regularly scheduled meeting held on October 5, 2018.

Member Rusczyk moved to table the application. Member Lencioni seconded the motion. The motion was approved by a 7-0 vote.

Cal. No. 20-18-Z: 500 S. Lyman Avenue, Ambrosia Homes

The Applicant Tim Pomaville, Ambrosia Homes filed an application pursuant to Section 8.3 (Table 8-1: Use Matrix) of the Oak Park Zoning Ordinance, requesting the issuance of a special use permit authorizing construction of a multiple-family dwelling building in the MS Madison Street District located at the premises commonly known as 500 S. Lyman Avenue, Oak Park, Illinois.

Tim Pomaville briefly introduces himself and his company. He gives the addresses of other homes that his company has constructed in Oak Park and indicates that Ambrosia Homes has constructed

over 100 homes since 2008. Mr. Pomaville shows the Board pictures of the Subject Property. He indicates that the proposal consists of a new construction, 23 units building. He says the unit mix will consist of 20, two-bedrooms, 2, one-bedrooms, 1, three bedroom and 23 parking spaces. The building will consist of hardie board and brick.

Mr. Pomaville says that the building will be equipped with smart cameras in common areas, which will be visible to resident's smart phones. He says that he has worked on this proposal with Village Staff and the Architectural Design has been reviewed by Floyd Anderson, the Village's consultant. He says that the proposal meets all of the Zoning Ordinance requirements except the special use permit. Mr. Pomaville reviews the standards and indicates how each standard is met.

Member Ruszczyk asks Mr. Pomaville about privacy fencing. Mr. Pomaville indicates that there will be a privacy fence at the rear of the property and that he is open to providing fencing that the neighbor would like. He also indicates that there will be wrought iron fencing along the sides of the development. A discussion ensued on the market rate of the units.

Jeff Naffziger was allowed to cross-examine the witness. Mr. Naffziger asks how many projects of this size have you constructed. Mr. Pomaville says that he has constructed many multiple-family buildings but this is the first of this size? Mr. Naffziger asks do you have any data to support that a 23 unit building is marketable. Mr. Pomaville says that he is a registered Broker and he has run the numbers and has done his homework. Mr. Naffziger asks who will own the building once it is complete. Mr. Pomaville says that he will own the building and he will hire a management company.

Rick Kuner spoke in favor of the application. He indicates that the adjacent property owner has a cardiac disease and requests that the Mr. Pomaville make accommodation to keep the dust to a minimum during construction.

Jeremy Olsen speaks as not in favor nor opposed to the proposal. Mr. Olsen indicates that he does not like material choices for the façade. He says that he feels it is an appropriate use for the site. He talks about fencing for the adjacent neighbor. He wants the Applicant to agree to height, material being spelled out in advance of receiving a building permit.

Member Brumirski moved to approve the application. Member DeBruin seconded the motion. The motion was approved by a 7-0 vote.

The ZBA Attorney presented a draft Recommendation to the Board. Member Hansen moved to approve the amended positive Recommendation to the Village Board. The Letter of support from the Madison Street Coalition was added as well as a letter of support and the conditions for the fence. Member Ruszczyk seconded the motion. The motion was approved by a 7-0 vote.

Cal. No. 21-18-Z: 446 Jackson Blvd, Kenneth Murray

The Applicants Kenneth and Janet Murray seek a variation from Section 9.3 (N) (2) (c) of the Oak Park Zoning Ordinance which require that a detached garage must be constructed so that access is from the public alley, to permit the construction of a garage that features access from an existing curb-cut from Jackson Blvd. at the premises commonly known as 446 Jackson Blvd., Oak Park, Illinois.

Ken Murray describes the proposal. He indicates that he wants to continue to use the existing curb-cut for the proposed garage. He indicates that Blue Sky Building is the contractor. He says that the 15 foot wide alley and the location of a telephone pole will make accessing the garage difficult if he must access the garage from the alley. Mr. Murray answers the Approval Standard. He says that the location of the pole, the narrow alley and the loss of garden space would impose a hardship. Mr. Murray says that he has his neighbor's support.

The contractor for Blue Sky spoke in favor of the application.

Member Lencioni moved to approve the application. Member Hansen seconded the motion. The motion was approved by a 7-0 vote.

The ZBA Attorney presented a draft Resolution to the Board. Member DeBruin moved to approve the amended Resolution approving the variance request. Member McQueen seconded the motion. The motion was approved by a 7-0 vote.

Member Hansen moved to approve the draft minutes from June 20, 2018. The motion was seconded by Member DeBruin. The motion was approved by a 6-0 vote.

The Members discussed and approved a 2019 Work Plan.

The meeting was adjourned.