

**MINUTES OF THE PLANNING & ZONING COMMISSION
VILLAGE OF ADDISON
WEDNESDAY, MAY 8, 2024**

The Planning & Zoning Commission meeting of the May 8, 2024 meeting was called to order at 7:00 p.m. by Chair Fotopoulos.

Present: Ariano, Cargill, Fotopoulos, McComb, Schmitt, Turk
Absent: None
Also Present: Mike Crandall and Jennifer Henaghan, Village of Addison, Dan Medina, Addison Fire Protection District and Village Attorney Dave Freeman.

PUBLIC HEARING

- I. CALL TO ORDER – ROLL CALL**
- II. CONSIDERATION TO APPROVE THE MINUTES OF THE APRIL 10, 2024 PLANNING & ZONING COMMISSION MEETING**

Mr. Cargill made a motion to approve the minutes from the April 10, 2024 meeting, seconded by Mr. Turk. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

III. PUBLIC HEARINGS AND RECOMMENDATIONS

1. **File #PZ-24-03**, consideration regarding approval of variations. The property is located at 922 E. Lorraine Avenue, Addison, IL 60101.

P.I.N.: 03-34-206-027

Petitioner: Noel Figueroa

This file was published in the April 22, 2024 issue of the Daily Herald Newspaper.

Mr. Schmitt made a motion to open file #PZ-24-03, seconded by Mr. Ariano. Roll call was taken.

Motion carried.

Ms. Jennifer Henaghan, Village of Addison stated the petitioner in this case is requesting a number of variations to allow the construction of a new detached garage with a rooftop deck as well as a 4 ft. high fence directly along the property line. The subject property is developed with a single family home that was constructed in 1963 and annexed to Addison in 1975. At some point in time, the lot itself was platted as a 50 ft. wide lot back in 1925; however that was reduced to 43 ft. wide when Rout 83 was widened making the lots legal non-conforming. There are a number of comments in the staff report from Engineering. The Planning discussion: accessory structures are allowed to occupy up to 30% for a rear yard.

The petitioner is requesting a variation to occupy 64% of the rear yard due to the placement of the garage at the very rear of the property. If the garage was moved slightly south, the variation wouldn't be necessary. They are also requesting a setback variation to reduce the side yard setback from 12.9 feet to 5 ft., this would allow them to construct the garage at 33 ft. wide instead of 25 ft. wide as would be permitted by code. Fences are not permitted to encroach into the front yard at all. They are proposing a fence that would be a zero setback rather than a 12.9 ft. required by code. As noted by the Engineering Division, constructing the fence at a zero setback will create line of sight issues for not only the new driveway on the subject property, but also the existing driveway on the property to the north. Vehicles exiting either of these driveways would not have a clear view of traffic along the Frontage Road until their vehicles are already in the roadway. Although there is not currently a sidewalk along the frontage road, if one is constructed in the future, the proposed fence would also prevent vehicles from seeing any pedestrians on the sidewalk. The staff report we set forth the difficulties or practical hardships that must be demonstrated as well as the other evidence that the Planning and Zoning Commission should take into consideration. Staff notes that the extremely narrow lot width combined with the 7.65 ft. setback of the existing home is a unique circumstance, however there are still safety issues to consider with the proposed setback reductions. The roadway is approximately 7 feet from the property line. If the garage and the fence maintain the same setback as the residents there would be approximately 14 ½ feet for vehicles exiting the driveway to view the Frontage Road before entering the roadway.

Staff finds that the proposed variations partially comply with the standards set forth in the Zoning Ordinance and recommends approval of the requested variations subject to the condition that the garage and the fence shall maintain a minimum 7.65 ft. setback from the east property line.

Ms. Henaghan said we received additional information from the petitioner, two letters from the neighbor to the west and to the north as well as some photographs that were passed out to everyone just before the meeting.

Village Attorney Freeman addressed Ms. Henaghan that she mentioned some engineering concerns listed in the staff report, are those items normally handled through the permit process? In other words, this Commission wouldn't need to review tonight? Ms. Henaghan said that is correct, they are generally relating to stormwater requirements and some other construction requirements. The only really one that is pertinent to these variations are the sideline issues.

Chair Fotopoulos asked if the Plan Commission had any questions.

Mr. Cargill asked if the cement pad on Lorraine Avenue, is that going to be torn out. Ms. Henaghan said the petitioner would answer that.

Mr. Steve Flint, architect for the petitioner and Noel Figueroa, the petitioner were present and sworn in. Mr. Flint did a power point presentation. Mr. Flint said the current site only has a shed and no garage for cars. We are looking to add a three detached car garage and add a 4 ft. high fence. We want to keep as greener on the property as possible for the family and the kids. Mr. Flint showed the aerial and on three sides is residential and to the east is Frontage Road and also Route 83. It is a heavily traveled road. This is where the impact will be as far as the setbacks. Mr. Flint showed a picture of the existing shed and back area. To the north of the property, there is already an existing garage and fence that is right on the property line which is 6 ft. The zoning is R2 and a detached single family unit roughly over 8,000 sq. feet. The garage is off the back and the reason why we positioned the garage where it is because the petitioner wants to have front doors opened up so he can observe his kids in the back yard. Mr. Flint showed the elevation views on the overhead. Mr. Flint said the petitioner wants to remove the existing shed which was not permitted in the past, also removing the parking lot pad that was non-conforming and replace the three car garage and driveway. Mr. Flint said normally in R2 you would do a corner side yard, your minimum lot width is 80 ft., and this is actually a 43 ft. wide lot, very narrow. The 4 ft. is important not to only keep the kids out but to keep people out of there.

Mr. Figueroa, petitioner was present and sworn in. Mr. Figueroa thanked the Commission for their time and said this is all about the safety of his kids and that is why he wants to do this.

Chair Fotopoulos asked if the Plan Commission had any questions. Mr. Cargill asked if the concrete pad will be removed. Mr. Figueroa said yes it will. Mr. Cargill asked how far towards Lorraine is the fence is going to go. Mr. Flint said up to the back corner of the house and return to the home. Mr. Cargill said it is just to going to enclose the backyard. Mr. Flint said yes. Chair Fotopoulos commented about the doors facing the house.

Mr. Flint said the garage doors that can be open. Chair Fotopoulos asked why the deck? Mr. Figueroa said it's just for relaxation and keep an eye on the kids. Chair Fotopoulos said when you build a house close to Route 83, do you have to sign an agreement to take the house. Attorney Freeman said no you don't need to sign an agreement, they have a right to take that property as condemnation, which they did years ago when the widened Route 83.

Chair Fotopoulos asked if the audience had any questions.

Tim McKiernan, 923 E. Lorraine, Addison, IL asked about the fence. It will be 4 ft. high. Yes it will be right up against the street but I don't know the distance from that point to the corner, but there is a lot of room there that if a child is walking up they are going to see around that fence. I live across the street and walk my dog up and down that street all the time. The issue with the cars is crazy, people zipping up and down the street all the time and there are kids with little dirt bikes and motorcycles that are constantly riding down the street. The traffic issue is a huge concern especially when you have children. Chair Fotopoulos said have you ever reached out to the Police for speed bumps? Mr. McKiernan said no.

Chair Fotopoulos asked why a three car garage instead of two car? Mr. Figueroa said he needs the extra space and is a handyman. Chair Fotopoulos said the if you move the garage up you wouldn't need a variation. You wanted more grass space and that space would've been behind the garage and not in front of the garage. The other issue is the coverage of 64%. Ms. Henaghan said that is correct. Chair Fotopoulos said the coverage would be from 30 to 64%. Ms. Henaghan said correct.

Chair Fotopoulos asked for positive and negative testimony.

POSITIVE TESTIMONY:

Joe Lambert, 910 E. Lorraine, Addison, IL, stated his concern is with the privacy fence that is will obstruct the view going down Frontage Road. I have lived there a long time and people fly down that Frontage Road all the time. It is a bus stop; kids and neighbors can get hit pulling out of the street, people use Frontage Road as a short cut to Route 83.

NEGATIVE TESTIMONY: None

Mr. Flint said the concern with that fence being right on the property line, it's returning to the back of the house. If you are on Lorraine making a left you roughly 60 ft. away from that fence. The site line should be pretty clear down the Frontage Road. We are not bringing the fence all the way to the front yard but we are returning it to the back of the house.

Ms. Henaghan said that Staff is recommending should the Commission choose to approve the variation, the garage and fence hold the existing 7.65 ft. setback line that currently exists with the house to give some additional space for vehicles entering and exiting the garage to view traffic along the Frontage Road. As the petitioner is requesting having the fence right up on the lot line creates no sight distance that is the safety issue that we are concerned about. Ms. Henaghan asked the petitioner for some clarification that the plans that were submitted show a 4 ft. picket fence but she has heard mention of a 6 ft. privacy fence. Mr. Schmitt said is a 6 ft. fence allowed by Code? Ms. Henaghan if it met the setback, yes. Attorney Freeman said the setback would be the same whether it is 4 or 6, correct? Ms. Henaghan said correct.

Mr. Alexis Rodriguez or Flint Architects stated the zoning code with the fence is why we are asking for the variation, because in a corner lot both Frontage and Lorraine are considered front yards and that is why we aren't allowed to have a fence there regardless of the height. The setback if this were a site, typically your setback lines are 5 ft. and the fence is for safety.

Mr. Schmitt made a motion to close File #PZ-24-03, seconded by Mr. Cargill. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-24-03 as described above.

Mr. Schmitt stated he is inclined to go with the recommendations from Staff. I think it is reasonable point and the house is what is really controlling the site plan and you really are not going to improve it any better than that. I do think pushing it out to the property line is creating a problem that is not going to help anyone that lives on Lorraine and not a safe situation. Even backing out of the driveway, I don't think it is a good situation. As far as pushing the house in the rear setback, I think it is a reasonable compromise given that the lot is fairly comprised to begin with, and to allow them to maximize their yard is a good thing especially with the back neighbor having a garage there; there is not a lot of impact to them. I would support that variance.

Mr. Schmitt made a motion for approval of the variance to reduce the minimum required setback along Route 83 Frontage Road from 12.9 feet to 5 feet; increase the allowable rear yard coverage from 30% to 64% and reduce the setback for a 6' high fence along the Route 83 Frontage Road property line from 12.9 to 7.65, seconded by Mr. Ariano. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

2. **File #PZ-24-04**, consideration regarding approval of variations. The property is located at 421 S. Addison Road, Addison, IL 60101.

P.I.N.: 03-33-200-002

Petitioner: Pete DiCianni

This file was published in the April 22, 2024 issue of the Daily Herald Newspaper.

Mr. Cargill made a motion to open File #PZ-24-04, seconded by Mr. McComb. Roll call was taken.

Motion passed unanimously.

Ms. Jennifer Henaghan, Village of Addison stated Di Cianni Graphics is requesting approval of a variation to reduce the minimum required rear yard setback from 20 ft. to 10 ft. to accommodate a 26-foot by 49-foot Addison to his building that is necessary to accommodate a 50-ft wide printing press. The property is developed with a single story masonry building that was constructed in 1963. Engineering notes that the existing property is practically 100% impervious. Replacing pavement with a building generally does not increase stormwater runoff, however stormwater runoff should be directed to the ROW and not onto adjacent properties. Staff notes that the building as it currently exist is required to provide five parking spaces. There are five parking spaces out in front of the building, as well as additional parking spaces on the side and the rear. With the construction of the new addition, they would need to provide one additional parking space for a total of six. There would be four existing parallel parking spaces on the side of the building; however, these spaces are nonconforming and that there is not a 24 ft. wide drive aisle adjacent to the spaces allowing vehicles to turn around so it is a bit unclear as to how vehicles would be getting into and out of the parallel parking spaces should those be used.

Mr. DiCianni was present and sworn in. Mr. DiCianni said there is a little niche in the rear southeast corner of our driveway that allows for a turnaround. Before we actually purchased the property, the previous owner had purchased that extra driveway portion with that little nook, which is important for this parcel because we will now be able to actually pull our trucks into that nook and actually pull right into the building. If you look at the plans that were submitted, you can see a 25 ft. RV and both of our trucks into the building. This will allow for loading and unloading the product, right now we have to do it outside. The addition will not only allow for the press that we purchased from the Chicago Tribune which is in storage but will also allow us to be actually pull our trucks into our building. We are going with a 24 ft. high wall. This addition we were in front of this Commission back in 2018 and received the same variation; variations expire so we are back again. At that time, we decided not to do the addition but to do the façade and upgrade our offices. We are in need of expansion because of the machine and the change in nature of the business. In order to compete, we want to get into some other markets and this machine will allow us to do that.

We have been here before and have the same issues with parking. We still have plenty of parking to serve our employees and customers. We have been parking on the side of the building since 1991. There are no issues with getting in and out. We will be able to pull into the building with our trucks. We are also putting on a second floor on for storage and future expansion. A lot of our clients want us to house product for them and this will give us the ability to inventory product.

Chair Fotopoulos asked if the Plan Commission had any questions.

Chair Fotopoulos said she is glad that Mr. Di Cianni brought up 2018, because she could only find was 2015. If you read it, it was not approved, only the façade was. Mr. Di Cianni said he thought he actually had a permit for the addition and then had a change of heart and had come back and revised the permit taking the addition off. Ms. Henaghan said she looked back at the initial permit plans and it did show the addition basically as proposed today, but the permit that was issued that we have records of is just for the façade improvements to the front and didn't include the two-story addition. Mr. DiCianni said we did have the permit for the addition and then at the end we actually went back to the Village and decided not to do the addition. Chair Fotopoulos said the façade was the only thing that was approved. Mr. DiCianni said we had two approvals; they were ready to break ground on the addition and had a change of heart and came back and amended the permit for the façade. Chair Fotopoulos said we can't find that permit, we can only find an approval of a façade, so the subject matter is new to this Commission because it only went to BZD and at that time we did different things differently. Mr. Schmitt said the two trucks that you currently park in that space, what is the plan for the second truck? Mr. DiCianni said we currently have our trucks parked in the back, so we can keep the trucks outside currently. We can have one in the nook that actually faces the alley way that goes behind JD Muggs and one along the side. Chair Fotopoulos said the zoning regulations that allow overnight parking for trucks in that zone, do we allow that? Ms. Henaghan said no we do not. Chair Fotopoulos said that you have been parking your trucks outside not knowing that you weren't allowed to do so. Mr. DiCianni said he had no idea. Attorney Freeman said one of the concerns or questions is are they being parking there simply for loading and unloading, because we would allow that, we wouldn't just allow for instance long term storage of the vehicle but if you were loading or unloading it would be allowed. I don't know how often or how long you leave the truck there but just to be clear, if you are loading or unloading your vehicle that is allowed. Mr. DiCianni said we unload and load the vehicle and it's on private property so I would assume on a commercial/industrial parcel that would be permissible. Attorney Freeman said I still don't think you be allowed to storage the vehicle there but again that is not a question that is before this Commission, I think Chair Fotopoulos is pointing it out to you and maybe look into in the future. Chair Fotopoulos said you mentioned that you store two vehicles in the building and that you also have an RV, what are we approving? Mr. DiCianni said we are asking for a rear yard variance on the building. Mr. Cargill said because you are enlarging the building, is the building required to be sprinkled. Mr. Dan Medina, Addison Fire Protection said as the code reads in their Ordinances it would, it would fall under the exception or the portion of the code that if this building were to be constructed new, it would have to follow the sprinkling regulations with our local amendments.

Chair Fotopoulos asked if the audience had any questions. There was none.

Chair Fotopoulos asked for positive and negative testimony. There was none.

Mr. DiCianni stated he appreciated everything from Staff.

Mr. Cargill made a motion to close File #PZ-24-04, seconded by Mr. Turk. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-24-04 as described above.

Mr. Schmitt made a motion for approval of the variation to reduce the minimum required rear yard setback from 20 feet to 10 feet to accommodate a building addition, seconded by Mr. Ariano. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken. Chair Fotopoulos abstained.

Motion passed unanimously.

IV. AUDIENCE PARTICIPATION - None

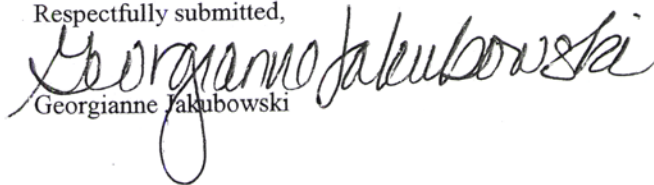
V. OTHER BUSINESS AT THE DISCRETION OF THE CHAIRMAN -None

VI. ADJOURNMENT

Mr. Schmitt made a motion to adjourn the meeting at 8:15 p.m., seconded by Mr. Turk.

Motion passed unanimously.

Respectfully submitted,


Georgianne Jakubowski

