



City of Oakbrook Terrace
Planning & Zoning Commission Meeting
Tuesday, March 15, 2016
Case #16-6

The Planning and Zoning meeting was called to order by Chairman Noble at 6:00 P.M.

Chairman Noble asked Building and Zoning / Planning and Zoning Secretary Coglianesi to take roll call.

Present: Chairman Noble, Commissioner's Schneider, Ventura, Cardenas, Donoval, Smurawski

Absent: None

Also Present: Mihaela Dragan, Building and Zoning Administrator, Peter Pacione, City Attorney, Janice Coglianesi, Building and Zoning / Planning and Zoning Secretary, and Petitioner's Bob & Debbie Shanahan, and Architect Thomas Budzik of Thomas Architects

Chairman Noble said the first order of business was to approve the minutes of November 3, 2015, Case #16-3 for the Orientation for the Planning and Zoning Commission: Planning and Zoning Commission duties, qualifications, responsibilities, and ethics, and the review of the City Code concerning rules for public hearing meetings, and for the public hearing process.

Chairman Noble asked if there was any final discussion. There was no discussion.

Chairman Noble called for a motion.

Motion

Commissioner Ventura entertained the motion to approve the minutes of November 3, 2015 for the Orientation for the Planning and Zoning Commission: Planning and Zoning Commission duties, qualifications, responsibilities, and ethics, and the review of the City code concerning rules for public hearing meetings, and for the public hearing process.

Commissioner Schneider seconded the motion.

MOTION PASSED WITH A VOICE VOTE OF 6-0.

Chairman Noble said the second order of business was to approve the minutes for the request by TR Mid America Plaza Corp, Case #16-5, for the following relief in order to replace the parking lot light poles and fixtures at 1 & 2 Mid America Plaza.

Chairman Noble asked if there was any final discussion. There was no discussion.

Chairman Noble called for a motion.

Motion

Commissioner Schneider entertained the motion to approve the minutes of the request by TR Mid America Plaza Corp for the following relief in order to replace the parking lot lighting poles and fixtures at 1 & 2 Mid America Plaza.

Commissioner Ventura seconded the motion.

MOTION PASSED WITH A VOICE VOTE OF 6-0.

Chairman Noble said the third order of business was to consider the request by Bob & Debbie Shanahan of 17W376 Karban Road for:

- A variation from Section 156.075 (F) (1) of the Zoning Ordinance to permit lot coverage to exceed 40% of the lot area, and to allow 56.3% of the lot area to be occupied by a detached single-family dwelling and related structures, including accessory buildings, pavements, driveways, and walkways.
- A variation from Section 156.075 (E) (2) (a) of the Zoning Ordinance to permit a 7'-9" side yard on the east side of the house instead of the minimum required side yard of not less than ten feet.
- A variation from Section 156.045 (B) (5) of the Zoning Ordinance to permit the deck to extend 2'-3" into the minimum required side yard of not less than ten feet.

Chairman Noble asked all those who would be speaking this evening to please stand up and be sworn in.

Petitioners Bob and Debbie Shanahan and Architect Thomas Budzik were sworn in by Janice Coglianese, Building and Zoning / Planning and Zoning Secretary.

Chairman Noble asked the Petitioners to stand and state their case.

Architect Budzik took the floor and stated that the Petitioners were here this evening to ask for the above request for their addition and deck, and to state the project, the motivation, and personal hardships accompanying this case. Architect Budzik mentioned that the Bob and Debbie Shanahan had lived in their house for the last 35 years and would like to continue to live in the same house in Oakbrook Terrace for the rest of their lives. Due to the style of home that was originally built, there are limitations to the floor plan and in order to accommodate them in their later years they are looking to have a ground floor master bedroom and other typical first floor accommodations such as kitchen, living room, and laundry room. The Shanahan's are proposing a 12' deep addition that will run the full width of the house of 49' that will accommodate their needs on the first floor. The Shanahan's are proposing to take down their existing deck that extends 14' to 15' behind their home and replace with a new deck 12' deep past the addition.

Architect Budzik stated that the addition is a one-story, wood frame construction, to match the existing style of the house in terms of materials, shape, and color. In regards to the hardship, the home was built prior to the new zoning ordinance. This is a one-story addition instead of a two-story addition so as not to have an impact on the neighbors, and the deck is to be 10' high. The lot coverage is currently 54.3% and their proposing 56.3% having an increase of 2%. The second issue for hardship is in regards to the detached garage in the rear of the yard having a substantial large driveway which adds to lawn coverage. If this were new construction there would probably be a front garage with a significant smaller driveway.

Chairman Noble asked if there were any comments from Building and Zoning Administrator Dragan.

Building and Zoning Administrator Dragan took the floor and stated that the Petitioners would like to demolish the existing wood deck located in the rear of the house totaling 834 square feet, and are seeking approval to build a one-story, 19 foot high addition in the rear of the house and a new wood deck. The proposed house addition totals 586 square feet, and the proposed new deck totals 492 square feet. The current City Code allows up to 40% lot coverage, and the proposed total coverage is 56.3% resulting in a request for a 2% lot coverage increase from the existing lot coverage.

Building and Zoning Administrator Dragan continued to state that the existing house provides a side yard of 7'- 9" on the east side of the house. The addition to the existing house extends 12' to the north of the existing house and will continue to be situated 7'- 9" from the property line. The proposed new wood deck extending 12' to the north will be installed on the proposed home addition. The City Code shows that decks are not permitted

obstructions in the required side yard. The minimum required side yard is 10' and needs to be maintained, and the existing and proposed side yard is 7'- 9", therefore a variation from the Zoning Code is requested. There are actually three (3) requests for variations: lot coverage of an additional 2%, side yard to remain the same, and projection of a wood deck into the required side yard.

Chairman Noble asked if there were any questions from the Commissioners.

Commissioner Ventura inquired, specifically under roof, between the house, the garage, and the new addition what percentage is covering the lot.

Building and Zoning Administrator Dragan stated she didn't have the exact figures, but looking at the prints about 27%.

Architect Budzik mentioned it was more like 32-33%.

Commissioner Schneider asked if any of the neighbors were for or against this addition.

Petitioner Bob Shanahan stated that they notified all of their neighbors by letter and word of mouth, per the City's ordinance, and said the neighbors were all in favor and very excited, since some of them were also considering the same thing to their homes as their families expand or as they become older to be able to stay in the City of Oakbrook Terrace. Petitioner Shanahan said that a few neighbors are present at the meeting this evening; however, others could not be present due to the time of the meeting and their jobs being way up north. Bob and his wife Debbie actually walked around and spoke to their neighbors, and got signatures on a petition showing in the Shanahan's favor; he then read the petition to the Commission.

Commissioner Schneider asked what is the value of Mr. Shanahan's property.

Petitioner Bob Shanahan stated, not as much as they are spending on the addition, but to be able to stay in the home that his father lived in, he lived in for 56 years, his grandfather built, and he and Debbie lived in together is worth it. When Debbie's father came and lived with him for 2 ½ years they found how difficult it was to help someone to use a toilet when there is barely enough room. Presently someone coming in the back door has to go down the stairs which leads to the basement and would be very difficult for a person in a wheel chair or on crutches.

Building and Zoning Administrator commented, in response to Commissioner Schneider's question the proposed addition value, was around \$60,000.

Petitioner Bob Shanahan stated that they are going to spend more than they can possibly sell it for; however, they are not doing this to sell it, but to stay in their home.

Chairman Noble asked if there were any other questions from the Commissioners.

Chairman Noble opened the floor for public participation.

Chairman Noble asked for any positive or negative testimony.

Mr. Mike Zeman took the floor and stated that he has known Bob and Debbie for many years and has watched their original addition form years ago go up, and he himself actually used their contractor. A good portion of their coverage is driveway which is completely allowable. Mr. Zeman said when trying to attract people to the area they look at other people's home improvements. Mr. Zeman feels people like the Shanahan's shouldn't have to jump through hoops to beautify their home and that they are an asset to the community.

Mrs. Ave Berkshire took the floor and stated that she lives next door to the Shanahan's and they have been perfect neighbors for the past 35 years. The Shanahan's have kept their house and lot in the best condition possible and always took pride in their home. Mrs. Berkshire said these are the kind of people you want living in this community. Mrs. Berkshire notice how difficult it was maneuvering Debbie's father in and out of the house, and moving forward the Shanahan's are also modernizing their home; Mrs. Berkshire and her husband are in favor of the Shanahan's addition and deck.

Mr. Bruce Almeroth took the floor and also commented that he too has known the Shanahan's for many years, they have been longtime residents which people want in this City, and as Ave Berkshire stated, the Shanahan's property is well maintained. Mr. Almeroth commented from the street view with the addition, there will be no change what so ever; nobody would even know there was an addition in the back, which is a positive thing for both the Shanahan's and the City.

Chairman Noble asked for any more positive testimony; there was none.

Chairman Noble asked for any negative testimony; there was none

Chairman Noble closed the public portion of the meeting.

Chairman Noble asked if the Commissioner's had any other questions or comments.

Commissioner's Smurawski, Donoval and Smurawski all gave favorable comments.

Commissioner Schneider wanted to know projection date of the project from start to finish.

Petitioner Debbie Shanahan said they would like to begin the project in May of 2016 and should be completed sometime in September of 2016 so that their son could have his wedding in the back yard in October.

Commissioner Schneider commented that many people put on additions and use different material and he is happy to hear that the Shanahan's are using the same materials on the addition as the original materials on the house.

Chairman Noble commented that the Shanahan's have been long time residents and it is nice that the Shanahan's are able to afford to make their home look more attractive for the City and there will be more taxes for the City.

Commissioner Ventura commented that the Shanahan's have a beautiful home and they themselves are an asset to the City of Oakbrook Terrace. New construction, home additions, and home improvements are an asset to the City and increase the value of the property. She, however, as she has said in the past, always had raised concerns and objections about raising the 40% from the current zoning ordinance lot coverage, the reason being the potential effects of the water run-off on properties, and also for the community as a whole for the cohesiveness and esthetics. Commissioner Ventura stated as much as she would like to stay with the 40% the City should still encourage home improvements, and the Planning and Zoning Commission should still show flexibility so that people will do additions and home improvements. One reason why Commissioner Ventura is leaning in favor of their requests is that the overall roof coverage does not exceed 30% and Commissioner Ventura proceeded to talk about other communities in the area; Elmhurst maintains 30% under roof, Lombard and Villa Park are strict with 50% lot coverage, and Westmont at 35%. Commissioner Ventura commented that since it was an addition and nothing being torn down, she wishes the Shanahan's the best of luck with their addition.

Chairman Noble asked the City Attorney Pacione if he had any comments.

City Pacione had no comments.

Chairman Noble asked for a motion to approve Case #16-6 per Bob and Debbie Shanahan's request.

MOTION Commission Schneider entertained a motion to approve the request by Bob & Debbie Shanahan of 17W376 Karban Road for:

- A variation from Section 156.075 (F) (1) of the Zoning Ordinance to permit lot coverage to exceed 40% of the lot area, and to allow 56.3% of the lot area to be occupied by a detached single-family dwelling and related structures, including accessory buildings, pavements, driveways, and walkways.
- A variation from Section 156.075 (E) (2) (a) of the Zoning Ordinance to permit a 7'-9" side yard on the east side of the house instead of the minimum required side yard of not less than ten feet.
- A variation from Section 156.045 (B) (5) of the Zoning Ordinance to permit the deck to extend 2'-3" into the minimum required side yard of not less than ten feet.

Commissioner Smurawski seconded the motion.

Chairman Noble asked if there was any final discussion from the Commissioners; there was no further discussion.

Chairman Noble asked Building and Zoning / Planning and Zoning Secretary Coglianesi to take the roll call.

Ayes: Chairman Noble, Schneider, Ventura, Cardenas, Donoval,
Smurawski
Nays: None
Absent: None

MOTION PASSED WITH A VOTE OF 6-0.

Chairman Noble asked Building and Zoning Administrator Dragan when the petition would be presented to the City Council.

Building and Zoning Administrator Dragan stated that the Letter of Recommendation will be placed on the April 12, 2016 City Council meeting agenda, and the Commission may wish to cancel the April 5, 2016 Planning and Zoning Commission meeting since there are no cases scheduled. Jan

will contact the Commission when the next public hearing packets for the meeting become available.

Chairman Noble asked for a motion to cancel the April 5, 2016 Planning and Zoning meeting.

MOTION Commissioner Schneider entertained a motion to cancel the Planning and Zoning Commission meeting of April 5, 2016.

Commissioner Ventura seconded the motion.

MOTION PASSED UNANIMOUSLY THROUGH A VOICE VOTE OF 6-0.

Chairman Noble asked for a motion to adjourn the meeting.

MOTION Commissioner Schneider entertained a motion to adjourn the meeting.

Commissioner Cardenas seconded the motion.

MOTION PASSED UNANIMOUSLY THROUGH A VOICE VOTE OF 6-0.

Chairman Noble adjourned the meeting at 6:45 P.M.

Respectfully submitted by,



Janice Coglianese
Building and Zoning / Planning and Zoning Secretary