

APPROVED
**VILLAGE OF LAKE ZURICH
ZONING BOARD OF APPEALS
JUNE 19, 2008**

The meeting was called to order by Chairman McCormack at 7:44 p.m.

ROLL CALL: *Present* - Commissioners Burch, Paulus, Rubin, and Shaw. *Excused* – Chairman McCormack and Commissioner Hagan. *Also present* - Building and Zoning Inspector Meyer and Public Works Director/Engineer Heyden.

APPROVAL OF MINUTES:

APPROVAL OF THE ZONING BOARD OF APPEALS MAY 15, 2008 MINUTES – tabled

PUBLIC HEARINGS:

300 HANBURY DRIVE – KOULOURIANOS RESIDENCE – PATIO

Variation from Zoning Code Subparagraph 3-111E6(h) to reduce the required rear yard for a patio from 15 feet to 5 feet

The public hearing was opened at 7:45 p.m. The court reporter swore in those wishing to testify.

Thano Koulourianos, 300 Hanbury Drive, requested a variation to reduce his rear yard to allow for a patio. The engineering review dated June 12, 2008, recommends for approval with stipulations. Staff recommends a revised site plan outlining the dimensions of the patio including the setbacks be submitted, prohibits using concrete or wood as patio materials, and requires a letter from the homeowner stating their understanding that they are responsible to repair damage if the easement must be disturbed. The patio must be constructed in accordance with the Village of Lake Zurich Resolution No 2007-07-02A. Mr. Koulourianos said he understood the stipulations and would agree to them.

The public hearing was closed at 7:47 p.m.

MOTION made by Commissioner Shaw, seconded by Commissioner Rubin, to recommend the Board of Trustees approve a Variation from Zoning Code Subparagraph 3-111E6(h) to reduce the required rear yard for a patio from 15 feet to 5 feet subject to engineering requirements.

AYES: 4 Commissioners Burch, Paulus, Rubin, and Shaw

NAYS: 0

MOTION CARRIED

462 N. OLD RAND ROAD – GIESE RESIDENCE – DRIVEWAY REPLACEMENT

Variation from Zoning Code Subparagraph 3-111E6(k) to reduce the required side yard for a driveway from 3 feet to 0 feet

The public hearing was opened at 7:48 p.m. The court reporter swore in those wishing to testify.

Mark Giese, owner of 462 N. Old Rand Road, presented his petition for a side yard variance to allow construction of a new single-family home. Mr. Giese inherited the property last year and

intends to demolish the existing home. During plan review it was discovered that the proposed driveway replacement does not meet the required 3-foot yard setback and was proposed with a 0-foot yard at some points. The Engineering review requests detailed plans showing the exact dimensions of the driveway, the driveway should be moved and maintain a 3-foot setback along the currently grassed island between the two drives, and detailed drainage plans should be submitted.

A letter from neighbor Tom Wesner, 474 N. Old Rand Road, states in a letter dated May 15, 2008, that he does not object to the variance and likes the driveway where it is currently located.

The public hearing was closed at 7:51 p.m.

MOTION made by Commissioner Rubin, seconded by Commissioner Burch, to recommend the Board of Trustees approve a variation from Zoning Code Subparagraph 3-111E6(k) to reduce the required side yard for a driveway from 3 feet to 0 feet subject to engineering requirements.

AYES: 4 Commissioners Burch, Paulus, Rubin, and Shaw

NAYS: 0

MOTION CARRIED

NW CORNER RAND AND COUNTRY CLUB ROADS – COUNTRY CLUB PLAZA – COMMERCIAL DEVELOPMENT

Variation from Zoning Code Paragraph 4-110F8 to reduce the required front yard from 50 feet to 25 feet for pavement - Variation from Zoning Code Paragraph 4-110C3 to reduce the required rear yard from 25 feet to 15 feet for pavement - Variation from Zoning Code Paragraph 4-110C1 to reduce the required corner side yard from 25 feet to 10 feet

The public hearing was opened at 7:52 p.m. The court reporter swore in those wishing to testify.

Paul Hammer, the attorney representing John and Lucy Jozwiak, introduced their proposal to construct a single-story 3,476 s.f. office/retail building on the vacant lot at the northwest corner of Route 12 and Country Club Road. Mr. Jozwiak and project engineer Rod Beadle were also present. The tenant will be a personal trainer that now is a tenant at another of Mr. Jozwiak's buildings. The 17,204 s.f. lot is legal conforming and exceeds the minimum requirement of 13,000 s.f. Mr. Hammer said Dr. Hoobchaak, owner of the property across the street at the southwest corner of Rand and County Club, supports the proposal. Mr. Hammer reviewed the plat of survey at the dais.

Bernard Groves, 1354 Carlisle, Inverness, said he inherited the property to the north of Mr. Jozwiak's lot 20 years ago and would like to develop it. He said he spoke with an IDOT representative who advised him that there were no plans in the foreseeable future for Route 12 expansion. He asked that this petition be approved.

David Smith, 921 Country Club Road, said he lives across from the property. He asked that zoning regulations be adhered to and was concerned that a precedent would be set for other properties in the area. Mr. Smith noted that the property was surrounded by residences that would be impacted by road noise if the trees were removed. He would prefer the property remain vacant or a home built on the lot.

Frank Crane, 940 Country Club Road, also would prefer a residence rather than a business. He is concerned that there would be cut-through traffic.

Dr. Steven Pritkin, 900 Winnetka Terrace, supports the variations. He does not believe the corner lot would be suitable for a residence. Dr. Pritkin said his building is probably sub-standard but would require a variation to allow him to improve the building. He said other businesses in the area that should be upgraded.

Linda Crane, 940 Country Club Road, said Dr. Pritkin does not sleep in his veterinary clinic.

The public hearing was closed at 8:08 p.m.

Public Works Director/Engineer Heyden said the Village arborist inspected the site and it is doubtful that the existing trees could be salvaged because of the undergrowth.

Commissioner Burch and Commissioner Rubin stated their support for the proposal. Commissioner Burch said the site plan is designed so traffic goes down Route 12 so should not impact Country Club Road. He does not foresee successful residential development at that location. The Village landscape code must be followed so landscaping will be provided.

Commissioner Rubin agreed with Commissioner Burch's comments and said the setback variations requested are not that significant. He observed that many buildings along Route 12 will be impacted if Route 12 is expanded. Commissioner Rubin asked that the petitioner adhere to all engineering requirements especially regarding landscaping. The Engineering review dated June 13 has five recommendations including a detailed landscape plan that will completely screen the parking lot and parked cars from the street.

MOTION made by Commissioner Rubin, seconded by Commissioner Burch, to recommend the Board of Trustees approve a variation from Zoning Code Paragraph 4-110F8 to reduce the required front yard from 50 feet to 25 feet, a variation from Zoning Code Paragraph 4-110C3 to reduce the required rear yard from 25 feet to 15 feet for pavement, and a variation from Zoning Code Paragraph 4-110C1 to reduce the required corner side yard from 25 feet to 10 feet for pavement subject to engineering requirements.

AYES: 4 Commissioners Burch, Paulus, Rubin, and Shaw

NAYS: 0

MOTION CARRIED

ADJOURNMENT:

MOTION was made by Commissioner Rubin, seconded by Commissioner Shaw, to adjourn the meeting.

Voice vote, AYES have it. MOTION CARRIED.

The meeting was adjourned at 8:16 p.m.

Submitted by: Janet McKay, Recording Secretary

Approved: _____ 8/21/08