

MINUTES OF THE PLANNING & ZONING COMMISSION
 VILLAGE OF ADDISON
 WEDNESDAY, JULY 12, 2023

The Planning & Zoning Commission meeting of the July 12, 2023 meeting was called to order at 7:00 p.m. by Chair Fotopoulos.

Present: Fotopoulos, Cargill, McComb, Medina, Schmitt, Turk
 Absent: Ariano
 Also Present: Mike Crandall and Jennifer Henaghan, Village of Addison and Village Attorney Miner

PUBLIC HEARING

I. CALL TO ORDER – ROLL CALL

II. CONSIDERATION TO APPROVE THE MINUTES OF THE JUNE 14, 2023 P&Z COMMISSION MEETING

Mr. Medina made a motion to approve the minutes of the June 14, 2023 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-23-07**, consideration regarding approval of a variation to allow outside storage with a side yard setback of zero feet where a minimum 10-foot setback is required. The property is located at 1040 W. Fullerton Avenue, Addison, IL.

P.I.N.: 03-29-304-003

Petitioner: Yiliang Wang

This file was advertised in the June 26, 2023 issue of the Daily Herald Newspaper.

Mr. Cargill made a motion to open File #PZ-23-07, seconded by Mr. Turk. Roll call was taken.

Motion passed unanimously.

Jennifer Henaghan, Village of Addison stated the petitioner is requesting a variation to allow them to place shipping containers directly along each of their side property lines where there is currently car parking. The Zoning Ordinance requires outside storage to be at least 10 feet from the property line so a variation would be required. Engineering had some concerns regarding the 20-foot access aisle between the storage containers and the building is not adequate for two way traffic. The open container doors and equipment they feel would block the access aisle. The Fire Department had some concerns as well. They feel the storage containers would impede the ability for large firefighting equipment to operate on the west or east sides of the building.

They also had concerns due to the proximity of the containers to the electrical lines and the combustibility of materials that would be installed inside, basically wood. There would not be a parking issue, they would continue to

meet code for parking. However, Staff feels the stated hardship is of a personal nature and not related to the physical surroundings, shape or topographical conditions of the property involved. There are no unusual conditions related to the property as it is a typical industrial lot and in addition to the conditions upon which the petitioner for variation is based are applicable generally to other property within the same zoning classification. Granting the requested variations would set a precedent to allow storage along the lot line on any property within the M2 District. In order to grant the variation, the Planning & Zoning Commission must find the following findings: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located. Staff feels it has not been met. The plight of the owner is due to unique circumstances. Staff feels that this finding has not been met. The variation if granted will not enter the essential character of the locality. Staff finds that this would create a precedent within the Industrial District. Therefore, staff recommends denial of the requested variation as it does not comply with the standards set forth in the Zoning Ordinance.

The petitioner was present and sworn. Mr. Wang said they are a wood floor distributor and wholesaler since 2016. The warehouse is about 8500 in square feet.

Chair Fotopoulos asked if the Plan Commission had any questions.

Mr. Cargill asked if the trailers in the back of the property are full. Mr. Wang said they are repair trailers and that the building is divided into two half's. The back belongs to a trailer doctor and the front to the landlord. Mr. Cargill said you lease part of the front part, the big square. Mr. Wang said yes. Mr. Medina asked is it 18 or 25 trailers, which one is it. Mr. Wang said in the warehouse we can still put six or seven containers, a total of 25 containers. Mr. Medina said the additional eight would be containers stored within the building. Mr. Wang said no. Mr. Medina asked did you always have 8500 square feet or did you have more of the building? Mr. Wang said our lease has always been 8500 square feet. Mr. Cargill asked if that 8500 square foot is sprinkled correctly. Mr. Wang said yes. Chair Fotopoulos said your inventory you currently aren't using, what you plan to do with it. Mr. Wang said they are considering liquidating it. Mr. Turk asked what is in those containers. Mr. Wang said boxes of flooring. Chair Fotopoulos asked is your customer based direct to the consumer or big box store like Home Depot? Mr. Wang said they are wholesalers. Chair Fotopoulos said 25 pallets in a container is a lot and 25 containers with 20 to 25 pallets is also a lot, and if we allow this we then set a precedence.

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

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

Mr. Cargill said that we need to take into consideration the Fire Department and Building Department concerns.

Mr. Medina made a motion to close File #PZ-27-07, seconded by Mr. Cargill. Roll call was taken.

Motion passed unanimously.

Consideration of File PZ-23-07 as described above.

Attorney Miner stated whatever motion is made, please include a reason whether positive or negative recommendation.

Mr. Schmitt made a motion to **deny** the variation request based upon the Village's Staff report and testimony and the factors include in the Village Code have not been met by the petitioner, seconded by Mr. Medina. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

2. **File #PZ-23-08**, consideration of approval of a variation to allow a rear yard lot coverage of 41 percent where a maximum of 30 percent is allowed. The property is located at 807 N. Grant Street, Addison, IL.

P.I.N.: 03-21-108-009

Petitioner: Luis and Gabriela De La Rosa

This file was advertised in the June 26, 2023 issue of the Daily Herald Newspaper.

Mr. Cargill made a motion to open File #PZ-23-08, seconded by Mr. Turk. Roll call was taken.

Motion passed unanimously.

Jennifer Henaghan, Village of Addison stated the property owner is requesting a variation to increase the rear yard lot coverage to 41% to allow for the installation of a new swimming pool. They are already slightly over the maximum lot coverage of 30%, so the proposed pool would add an additional 192 square feet of coverage within the rear yard. Please note if you are looking at the plans, the submitted plans did show some pavers along the garage, those have been removed per the petitioner's statement so those aren't included in these calculations. It the garage and shed alone that count for the 30% maximum. There are some comments from engineering who raised concerns about the amount of imperviousness that is on the property as well as the way the driveway is sloped. It is back pitched and there is a map depression in front of the garage, however the run-off does seem to flow to the streets. They also noticed the rear neighbor has a depression in there rear yard likely due to their own filling, however that might be exacerbated by the addition of the pool. For these reasons, Engineering does not recommend approval of the requested variation.

Staff feels that the stated hardship of already having purchased the swimming pool is of a personal nature and is not related to other particular physical surroundings, shape or topographical conditions of the specific property involved. There are no unusual conditions related to the property as it is a typical single family lot. In addition, the conditions upon which the petition for variation is based are applicable generally to other property within the same zoning classification. Granting the requested variations would set a precedent to allow additional lot coverage on any property within the R2 District.

Staff finds that the proposed variation does not comply with the standards set forth in the Zoning Ordinance and, therefore, staff recommends denial of the requested variation.

The petitioner was present and sworn in. Ms. De La Rosa stated that she understands all the concerns that was mentioned in the recommendations and reviews. Unfortunately we were unaware of the rear yard coverage ordinance before we purchased the pool. When we purchased the pool we made a quick decision without even checking anything out before we did it. We bought the pool so that the grandkids can have a place to swim. We don't want to cause any kind of damage to our property or any of our neighbors. If the variation is approved we will make sure that we abide by everything.

Chair Fotopoulos asked if the Plan Commission had any questions.

Mr. Cargill asked is the pool in ground? Ms., De La Rosa said no, it's above ground. Mr. Medina asked is it a hard side pool or one of those you put up and take down. Ms. De La Rosa said no it will be hard side and installed. Mr. Cargill asked how many gallons? Ms. De La Rosa said she didn't know. Mr. Medina said is it rectangular in nature? Ms. De La Rosa said yes, it is more of an oval shape. Chair Fotopoulos asked when you actually purchased the pool. Ms. De La Rosa said in 2021 but we didn't do anything with it in 2022. Chair Fotopoulos said do you have possession of the pool? Ms. De La Rosa said yes it is in their garage. Chair Fotopoulos asked have you ever considered taking away your block porch to reduce the amount of coverage. Ms. De La Rosa said yes we have except there was a lot of work that was put into it so I would hate to have to take it down.

Jennifer Henaghan said the block porch and frame porch, those aren't considered part of the required rear yards, so those don't count towards the lot coverage. It is strictly the garage and the shed that are within that rear 30 feet. Attorney Miner asked Ms. Henaghan the staff report indicates that the current rear lot coverage, she is looking for 41% and that she is currently at 30.4 and the 30.4 figure is that calculated after the block porch has been removed. Ms. Henaghan said that includes the removal of the brick pavers next to the garage. Ms. De La Rosa said the brick pavers behind the garage have been removed and grass is now there. Mr. Schmitt asked is it possible for it to be configured that the pool be moved forward that you can you actually comply. Ms. Henaghan said if the pool were moved adjacent to the block porch and the shed were removed it would comply. Mr. Medina said moving the pool to the west, where is her 30% line end at. Mr. Schmitt said the garage is almost 22 feet and you have 12 feet behind that. Ms. Henaghan said they would have to remove the shed and move the pool as far west as possible adjacent to that block porch. Chair Fotopoulos said would you consider that? Ms. De La Rosa said she would have to talk it over with her husband. Mr. Mike Crandall, Village of Addison said that area is served by overhead electrical service, you have overhead wires and do you know where those come in to the house from the back because that would affect where the pool could be. Ms. De La Rosa said it is on the opposite side. Mr. Cargill said do the people to the north of you have a pool? Ms. De La Rosa said yes. Chair Fotopoulos asked if they or her neighbors have ever flooded. Ms. De La Rosa said no. Chair Fotopoulos said if you moved your shed it will be so much easier for you to do this. Mr. Medina said could you relocate the shed outside that 30%. Ms. De La Rosa said we probably could and maybe find a spot where we can put it. Mr. Medina said would consider moving your shed closer to your home. Ms. De La Rosa said we could consider that but would have to get back to the Village once she spoke with her husband.

Jennifer Henaghan stated the case could be continued to the August meeting if she would like to discuss it with her husband.

Mr. Medina made a motion to close File #PZ-23-08, seconded by Mr. Turk. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-23-08 as described above.

Mr. Cargill made a motion to table File #PZ-23-08 until next month's meeting on August 9, seconded by Mr. Medina. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

3. **File #PZ-23-09**, consideration of text amendments to the Zoning Ordinance to allow trade schools as a permitted use in the M1 Limited Manufacturing District and to establish a parking lot standard for trade schools.

Petitioner: Village of Addison

This file was advertised in the June 26, 2023 issue of the Daily Herald Newspaper.

Ms. Medina made a motion to open File #PZ-23-09, seconded by Mr. Cargill. Roll call was taken.

Motion passed unanimously.

Ms. Jennifer Henaghan, Village of Addison stated Staff has received a number of inquiries from businesses trade schools looking to locate to Addison within the industrial district, doing plumbing, HVAC and automotive. However, contractor's offices and shops are permitted in manufacturing districts, trade schools are not, and they are permitted in our commercial district primarily along Lake Street. We feel that is sort of a mismatch that the industrial districts would be the ideal location so we are proposing it to be added to the M1 District and by extension the M2 and M3 Districts. Although trade schools are already permitted uses with the B3 District, we don't have any parking standards for trade schools so we thought it would be best to establish one. We sent out surveys to other municipalities to see what they require and there was a bit of a range so we kind of split the difference and came up

with one parking space for each three students according the building capacity plus one parking space per employee. Staff finds that the proposed text amendments comply with the standards set forth in the Zoning Ordinance and, therefore, staff recommends approval of the requested actions.

Chair Fotopoulos asked if there was any discussion. There were none.

Mr. Medina made a motion to close File #PZ-23-09, seconded by Mr. McComb. Roll call was taken.

Motion passed unanimously.

Consideration of File #PZ-23-09 as described above.

Mr. Medina made a motion to approve the text amendments as presented, seconded by Mr. Cargill. Chair Fotopoulos asked if there was any discussion. There was none. Roll call was taken.

Motion passed unanimously.

IV. AUDIENCE PARTICIPATION

None

V. OTHER BUSINESS AT THE DISCRETION OF THE CHAIRMAN

None

VI. ADJOURNMENT

Mr. Turk made a motion to adjourn the meeting at 8:20 p.m., seconded by Mr. Medina.

Motion passed unanimously.

Respectfully submitted,

Georgianne Jakubowski