

MEETING MINUTES



Village of Homewood
Planning and Zoning Commission
Thursday, July 23, 2020
7:30 p.m.

Village Hall Board Room
and audio conferencing
2020 Chestnut Road
Homewood, IL 60430

CALL TO ORDER: Due to technical difficulties with Chairman Sierzega's sound, Member Planera called the meeting to order as Acting Chairman of the Planning and Zoning Commission at 7:39 p.m.

ROLL CALL: Members attended remotely via zoom: Bransky, Cap, O'Brien, Johnson, Planera and Chairman Sierzega. Present from the Village was Economic and Community Development Director Angela Mesaros and Building Department Secretary Darlene Leonard linked remotely.

NOTE: Due to the Governor's emergency order because of the COVID-19 pandemic and social distancing recommendations, and the Chairman finding that, pursuant to Public Act 101-0640, an in-person meeting was not prudent, conducted the meeting via video/audio. This meeting was open to the public. All Commissioners and the public were able to hear one another as well as all discussion.

APPROVAL OF MINUTES: Acting Chairman Planera asked if there were any corrections or changes to the minutes of April 23, 2020. Member Cap added "upgrades to the electric, gas service and fire system may be necessary according to the NFPA requirements" to paragraph 4 on page 5. A motion was made by Member O'Brien to approve the minutes of April 23, 2020 as corrected; seconded by Member Cap.

AYES: Members Johnson, Cap, O'Brien, Bransky and Acting Chairman Planera

NAYS: None

ABSTENTIONS: None

ABSENT: Member Alfonso

Chairman Sierzega (could not vote due to technical difficulties).

Motion passed.

Case No. 20-10 – Variance from Section 8.2, Table 8.1 to permit a deck at 18547 Fresno Lane:

Acting Chairman Planera introduced the petitioner and swore in Christine Brown, property owner; and Mauri Stovall, contractor; who presented the application.

Ms. Brown stated that she made a mistake and did not realize that she needed to pull a permit for the construction of the deck. When Covid hit, they began to build a patio on the side of the house. The building inspector then halted construction.

Member Johnson asked the petitioners how far along they were on the project. Ms. Brown stated they are approximately 85% done. All that remains are the stairs and the railings. Member Johnson asked the petitioners who built the deck. Ms. Brown stated it was built by a family friend.

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Member O'Brien asked Ms. Mesaros if the building inspector had approved the construction. Ms. Mesaros stated the inspector had looked at the deck that day and had no issue with the construction.

Member O'Brien asked who owns the property and the trees to the north. Ms. Brown stated the property and trees are owned by the Park District.

Member Johnson asked the petitioners why they did not build on the 8' x 25' concrete patio in the rear of the property. Ms. Brown stated the deck as located would provide access to the kitchen and that the scenery is better at that location.

Member O'Brien asked the petitioners if they planned to install a fence. Ms. Brown stated they are not planning to install a fence. Member O'Brien asked the petitioners what research they did prior to installing the deck. Ms. Brown stated that she googled "deck size without a permit" and that she thought she could build up to the property line with no permit. Member O'Brien asked the petitioners if they googled the Village of Homewood standards. Ms. Brown stated that they did not. Member O'Brien asked the petitioners if they were familiar with the "Village Key." Ms. Brown stated she had not heard of it and has lived in Homewood for 3 years. Member O'Brien stated the "Village Key" has guidelines in it and suggested the petitioners contact the Village to make sure they are on the mailing list. Member O'Brien stated that you cannot build up to the property line and that the Village should be contacted if any construction work is to be done.

Member Cap asked the petitioners how they accessed the side yard before the deck was built. Ms. Brown stated the patio door was not there, that it was a window that they changed to a door.

Member Cap asked the petitioners if they had a preference of the 3 drawings submitted with the application. Ms. Brown stated the preference was for the first drawing (as currently constructed). Member Cap asked the petitioners if they could live with either options 2 or 3. Ms. Brown stated yes.

Member Bransky stated there was a preference to options 1 or 2 and that lopping off 2.5 feet was not worth it. Member Bransky stated that if the inspector says the deck meets code then he is okay with it as it is. Member Bransky stated that the petitioners have a unique situation with a public park on the side instead of a neighbor and that it is unfortunate that the petitioners built the deck first and got the permit later.

Acting Chairman Planera asked the petitioners if the correct deck size is 7.5' x 14'. Ms. Brown stated yes. Acting Chairman Planera stated that with the French doors off the kitchen that all can appreciate the ambiance of it and of being adjacent to open land. Acting Chairman Planera stated that the deck is not brick & mortar and he has a preference for option 2 because the idea of a fence being put up by future owners or the Park District would only allow 1.9' of space between the fence and deck. Acting Chairman Planera stated that we will not know if the Park District builds a fence.

Member Johnson stated that a fence is not the issue before the Commission tonight and that it is important to get a permit for construction.

Member Cap stated the additional door presents a need for access to the ground. Member Cap stated he is more inclined to preference 2 or 3.

Member Bransky stated if Ms. Brown does not intend to have a fence then how a fence be built. Acting Chairman Planera responded stating that the owner could put up a fence and the 1.9" is a safety issue. Member Bransky stated if the petitioners chopped 2.5' off of the deck, it would make it

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difficult for emergency personnel. Member Bransky asked the petitioners if the gate access to the rear yard was on that porch side. Ms. Brown stated that the gate was on that side that was narrowed by the deck. Member Bransky asked the petitioners if the Fire Department asked, would they be willing to put a gate on the other side. Ms. Brown stated they would be willing.

Member O'Brien stated that if they had a neighbor next to the property, it would be a slam dunk denial, because of how close the deck is to the property line and emergency equipment from the Fire Department would not fit between the structures.

Member O'Brien stated that you cannot build up to the property line, only up to the required setback.

Chairman Sierzega stated that he is not happy that the deck was built without a permit and that it is too close to the property line. Chairman Sierzega stated that he has no problem with the deck the way it is as long as Building Inspector, Jerry Maicach approves it. Chairman Sierzega stated that he would have rather the deck was built properly, with a permit, but he does not have issue with it since the neighboring property could not be built upon.

Motion was made by Chairman Sierzega for approval of Case 20-10 to grant a Variance from Section 8.2 table 8.1 to permit a deck at 18547 Fresno Lane; seconded by Member Bransky.

AYES: Members Cap, O'Brien, Bransky, Johnson, and Chairman Sierzega.

NAYS: Acting Chairman Planera based on safety concerns that the deck might create.

ABSTENTIONS: None

Motion passed.

NEW BUSINESS: None

OLD BUSINESS: None

ADJOURNMENT: Member Cap moved to adjourn the meeting at 8:19 p.m., seconded by Member Bransky. Motion passed by voice vote.

Respectfully submitted,

Angela M. Mesaros
Staff Liaison