

MEETING MINUTES



Village of Homewood
Planning and Zoning Commission
April 27, 2017
7:30 p.m.

Village Hall Board Room
2020 Chestnut Road
Homewood, IL 60430

CALL TO ORDER: Chairman Sierzega called the meeting to order at 7:30 p.m.

ROLL CALL: Members Alfonso, Bransky, Cap, O'Brien, Planera, Johnson, and Chairman Sierzega, were present. None were absent. In attendance from the Village were Village Manager Jim Marino and Economic and Community Director Angela Mesaros. There was one person in the audience.

APPROVAL OF MINUTES: Chairman Sierzega asked if there were any additions or corrections to the minutes for January 26, 2017. Member O'Brien made a motion to approve the minutes of January 26, 2017; seconded by Cap.

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

NAYES: None

ABSTENTIONS: Member Alfonso

ABSENT: None

Motion passed.

Chairman Sierzega asked if there were any additions or corrections to the March 9, 2017 minutes. Member O'Brien stated that on page 4, last paragraph "metallic main" should read "non-metallic mining" on page 5 the sentence that reads "consideration of right of entry" at the end of the sentence "enforcement" should be added; the next sentence that reads "due to the explosive materials" the words "among other things" should be added; the word "slither" should be replaced with "sliver;" page 5 "sunset to sunrise" should be changed to "sunrise to sunset," and page 6 second sentence "than" should be "then." Member O'Brien made a motion to approve the minutes of March 9, 2017 as amended, seconded by Member Alfonso.

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

NAYES: None

ABSTENTIONS: Chairman Sierzega

ABSENT: None

Motion passed.

PUBLIC COMMENT: There were no comments from the audience.

AGENDA ITEMS:

Public Hearing- Case No. 17-15:

A request filed by Steve Wlodarski, 2051 W 175th Street – Variance from Section 8.2A of the Homewood Zoning Ordinance to allow a detached garage exceeding maximum allowable square footage on the property at 2051 175th Street in the R2, Single Family Residential zoning district.

Chairman Sierzega swore in Steve Wlodarski, 2051 W 175th, Homewood.

Chairman Sierzega noted that the request was originally published in the April 12th edition of the Southtown and letters have been sent to property owners within 250 ft. There was one letter of support for Mr. Wlodarski's request from a neighbor. The Commission was provided with an application dated 04/03/2017 requesting a variance; plat of survey dated 02/23/2017 modified by the applicant to show proposed detached garage, driveway and shed; petition signed by neighbors in support of the requested variance, and photos of the proposed detached garage and shed.

Chairman Sierzega stated that Mr. Wlodarski is seeking a variance because the maximum allowable is 936 sq. ft. and the garage will be 960 sq. ft. (24 ft. wide and 40 ft. long.)

Mr. Wlodarski stated that the main reason he came before the commission is because his lot is unusual in that the last third of his backyard rises across the full width of the lot at approximately a 45-degree angle. He is required to construct a 10-inch thick foundation wall for support. Mr. Wlodarski further stated that the reason he knows about the 10-inch provision is because his neighbor directly to the east has the same terrain in his backyard, and he had to have the same thing done. The Zoning Ordinance requires that tandem parking spaces be a minimum 18 ft. in length. He plans to purchase a mid-sized pickup truck that could be 21 ft. in length, because of the volunteer work he does for Izaak Walton. Because of the foundation wall, he would only have 37 ft. of usable interior space, which would only give him 18.5 ft. per vehicle. The extra foot would give him the space he needs to move between the car and the garage area. He also needs added space to build a stairway up to the attic area of the garage. The extra space is needed, due to the lack of storage space inside the house.

Discussion ensued regarding the exhibits Mr. Wlodarski brought for the commission, which showed the current landscape and placement of the house and garage on the property. Mr. Wlodarski spoke on the improvements he plans to make to his landscape.

Mr. Wlodarski presented and spoke about the measurements that he presented on a spreadsheet included in the commission packet. Mr. Wlodarski noted that he would be well under the 60 percent of the lot coverage allowed by the zoning code. Mr. Wlodarski further stated that the blue section shows 30 percent coverage that he would be at 1008 square feet versus the 1275 square feet without the easement and 1425 square feet with the easement, which is the maximum allowable building coverage.

Member Alfonso had no questions.

Mr. Wlodarski noted that the garage would be the same color and style as the house: green and tan.

Member Bransky had no questions.

Member Cap had no questions.

Member O'Brien had no questions.

Member Planera asked if the 20 feet setback meets the requirement for the backyard. Mr. Wlodarski stated that he delineated on the plat.

Member Planera asked if there was ever a thought to move the driveway to the west side, so that three cars could fit side-by-side. Mr. Wlodarski stated that it would not work, because there is only about five or six feet on the west side and it would take up the entire yard.

Member Johnson asked if the height of the garage would be an issue with the power lines. Mr. Wlodarski stated that the power lines are at the very back of the property and the garage would be 20 feet from the power lines and that his garage would only be 17 feet high.

Chairman Sierzega asked the material of the shed. Mr. Wlodarski stated that it would be like a treated wood, but it would not be made of plastic.

Chairman Sierzega asked if there would be any running water going to the upstairs part of the garage. Mr. Wlodarski stated that he would not have running water; however, there would be electric for the door opener.

There being no further comments, Member O'Brien made a motion for approval of Case No. 17-15 for a variance from Section 8.2 of the Homewood Zoning Ordinance to permit a detached garage that exceeds the allowable area by 24 square feet on the property located at 2051 W. 175th Street and incorporating the findings of fact into the record; seconded by Member Planera.

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

NAYES: None

ABSTENTIONS: None

ABSENT: None

Motion passed by a roll call vote.

Public Hearing - Case No. 17-01:

A request by the Village of Homewood to amend Section 9, "Use Standards," of the Homewood Zoning Ordinance related to home-based business permit requirements.

Village Manager Jim Marino stated that the text amendment text was originally brought to the commission in February of this year. The Village came to the commission with a request to amend the Zoning Ordinance to eliminate inspections for certain home-based businesses. There are currently 70 home-based businesses in Homewood and approximately 50 are only home offices. The Fire Chief determined that permits and inspections are not necessary, so the Village proposes to eliminate that from the code. Village Manager Jim Marino further stated that in February the village presented language to the commission and during that review the commission identified a couple of sections that the commission for staff to review again. One

area in the code raised some confusion and was questioned; Class 2 temporary and Class 1 permanent. The confusion lied in way one class is considered temporary and one is considered permanent.

Chairman Sierzega stated that there were a couple of grammatical items that needed to be corrected: page 2 section 1b, *no merchandise shall be offered for retail on the premises* the word *sale* should be placed after retail; page 3 under *Zoning Text Amendment Standards* first bullet point states *Village personnel, the Plan Commission, the Zone Board of Appeals, the Plan Commission* and *the Zone Board of Appeals* should be replaced with the *Planning and Zoning Commission*.

Chairman Sierzega stated that there needed to be corrections on page 9-1 2b, *no merchandise shall be offered for retail on the premises* the word *sale* should be placed after retail and there needs to be an 'a' added to page 9-3 number 7 where it states *The Director of Economic and Community Development may authorize the continuation of that permit without further hearing*; an 'a' should be added after *without*. There also needs to be an addition to number 8, an 'a' needs to be added after the word *after* in the sentence *Class I and Class II Permits may be revoked by the Village Board for a cause after hearing*.

Member Planera noted that the standards described what is classified as Class 1 and Class 2; Class 2 being operations, such as, something requiring or allowing vehicles or storage of equipment and then on page 9-3 section D states that *garage storage of business equipment, merchandise, inventory or heavy equipment shall be permitted* and then on 9-4 section L it states *no truck or commercial vehicle, other than class B truck or class B commercial vehicle* and asked if they can be stored in a garage. Member Planera asked if there would be room for argument where on page 9-3 section D states that garage storage of equipment is permitted and on page 9-4 section K and L states that these are the kind of trucks you can bring into the neighborhood, but can an individual park that in their garage.

Staff Liaison Mesaros stated that the individual could store materials and equipment in a garage, if it is enclosed but the individual cannot drive back and forth operating as a business throughout the day.

Member Cap noted on page 9-2, section 3c *professional offices of clergyman, lawyer, physician, dentist*-have been deleted- *architect, engineer or accountant* and asked if *physiatrist, psychologists, or social workers* need to be classified.

Staff Liaison Mesaros stated that they would fall under physician category, but they wouldn't have the same physician requirements, as far as equipment, so they could be added back into Class 1.

Member Cap stated that psychiatrists are medical doctors, but other types of counselors such as social workers or psychologists are not. Staff Liaison Mesaros stated that the word 'counselor' can be added to Class 1, but if they were placed in Class 2 they are required to get a special use. Village Manager stated that staff is unaware of any home-based businesses that would fit in that category.

Member Bransky added that they might be a Class 2, not only because of the plumbing, but also the amount of activity. Staff Liaison Mesaros stated that counselors would have more activity and that it would not be much different from teaching, because they would usually only have one customer.

Member O'Brien stated that clinical physiologists and psychiatrists do not normally do physical exams; however, they can prescribe medication. Staff Liaison Mesaros stated that they are generally included in the same category as physicians.

Member O'Brien asked what the problem would be if the word physician was left in the code. The word dentist is understandable and the reason that both are deleted is because of the requirement of having plumbing facilities of some type. Village Manager Marino stated that physicians may have medical equipment in the office. Member Bransky asked if a medical physician would typically have an additional employee.

Village Manager Marino asked if the commission has had any previous request or many hearings that are related to this topic. Chairman Sierzega stated that there was one physician or dentist on Park Avenue across from the train station many years ago.

Member Bransky noted that page 9-1 item C states, *no delivery or storage of business equipment, materials, merchandise, or inventory on the premises*. He asked if that was the exception that would an individual would not be required to get a permit. On page 9-3, item D defines the standards for the home-based business; therefore, it should require a permit. It is not in conflict with 9-1.

Member O'Brien expressed issue with the inconsistency of the language from the memorandum to the section 9, "Use Standards," it must be stated three or four times what the standards are and in each instance, they are stated differently to the point where words are missing or words are added. For example, on page 2 the last paragraph and then on page 4 in the written approval, the wording is different. Staff Liaison Mesaros stated that it is a summary it is not a direct quote. What the Village Board will approve is the ordinance – the part of the text in red is what will be amended and the part in black is what exists. The standards in section 9-3 apply to all home-based businesses, so they are not as specific as the exceptions. Class 1 will be reviewed by the economic and community development department and Class 2 will be reviewed by a public hearing and that is why it's less specific. Staff Liaison Mesaros added that the wording of the motion would not affect the standards that are being approved in the ordinance.

There being no further comments, Member Planera made a motion to approve the text amendments: (1) to eliminate the requirement for a home-based business permit for home occupations that have no routine visits to the residence, no merchandise offered for display or retail sale on the premises, and no delivery or storage of equipment or materials associated with the business; (2) designating home-based physician and dental offices as Class II; and 3) clarification of terms for transfer, fees and inspections. The Findings of Fact shall be included as part of the record and recommendation to the Village Board of Trustees; seconded by Member Bransky.

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

NAYES: None

ABSTENTIONS: None
ABSENT: None
Motion passed by roll call vote.

2016 Planning and Zoning Commission:

A motion was made by Member Alfonso to recommend approval of the 2016 Planning and Zoning Commission Annual Report; seconded by Member Bransky.

AYES: Members Alfonso, Bransky, Cap, O'Brien, Planera, Johnson and Chairman Sierzega
NAYES: None
ABSTENTIONS: None
ABSENT: None
Motion passed.

NEW BUSINESS: There was no new business discussed.

OLD BUSINESS: There was no old business discussed.

A motion was made by Member O'Brien to adjourn the meeting at 8:45 p.m.; seconded by Member Planera. Unanimously approved. Motion passed.

Respectfully submitted,

Angela M. Mesaros
Staff Liaison