

MINUTES OF A REGULAR MEETING OF THE
VILLAGE OF NEW LENOX ZONING BOARD OF APPEALS

Held in the New Lenox Village Hall, 1 Veterans Parkway

Tuesday, April 5, 2016 7:00 p.m.

#16-04-A

CALL TO ORDER

A regular meeting of the Village of New Lenox Zoning Board of Appeals was called to order at 7:11 p.m. by Chairman Mark Muehlnickel.

ROLL CALL

Upon roll call, the following were present: Chairman Mark Muehlnickel, Commissioners Gary Berner, Rob Moss, John Kuchler, Terry Schultz, Kathy Hilton and Jasen Howard.

The following were absent: None.

Mr. Muehlnickel announced there was a quorum present for this meeting.

Also present were Senior Planner Jeff Smith, Planner Jenni Neubauer and Senior Administrative Assistant Patricia Hansen.

REQUEST FOR APPROVAL OF MINUTES OF A REGULAR ZONING BOARD OF APPEALS MEETING OF MARCH 15, 2016

A motion was made by Commissioner Kuchler and seconded by Commissioner Berner to approve the March 15, 2016 minutes as presented, with Commissioners Hilton and Howard abstaining. Voice vote was taken. Motion carried.

REQUEST FOR VARIANCE

(Public Hearing)

137 W. 4th Avenue

Daniel and Deborah Murtaugh, Petitioners

Mr. Muehlnickel asked if proof of notice was presented, and Ms. Neubauer replied affirmatively. Mr. Muehlnickel asked for a motion to open the public hearing.

A motion was made by Commissioner Moss and seconded by Commissioner Berner to open the public hearing at 7:12 p.m. Voice vote was taken. Motion carried.

Petitioners Daniel and Deborah Murtaugh and their architect, Jon Ditter, were present on behalf of this request. Mr. Murtaugh explained that they will require a variance in order to add a master bedroom and bathroom addition to their home. They will also be reconfiguring some of the rooms in their existing space. As a result of the renovation, Mr. Murtaugh noted that the home

will not be any wider than it currently is, but that a portion of the existing home is already 3 feet over the 10-foot side yard setback requirement line.

Mr. Ditter explained that the existing lot is in an older part of the community, and it is non-conforming by today's standards. He said their intention is not to encroach any farther into the setback, but to place the new addition on the existing setback.

Planner Jenni Neubauer said that as the petitioner has mentioned, they are looking for a side yard setback variance. She said that in the R-2 Zoning district, the side yard setback is 10 feet and the current existing residence maintains a 7-foot side yard setback along the west property line. She said the proposed master suite addition would maintain this 7-foot setback in line with the home. Ms. Neubauer explained that existing home is approximately 992 square feet in area, which does not comply with the current R-2 Zoning District minimum dwelling unit of 1,300 square feet. She said the new addition will be approximately 405 square feet and will bring the dwelling square footage to over 1,300 square feet. Ms. Neubauer said the need for the side yard setback is due to the location, age, and limited frontage along Fourth Avenue, pointing out that this home was built in 1951. She said that in 1951, the current zoning ordinance requirements for the R-2 Zoning District did not exist. In addition, Ms. Neubauer stated that the R-2 Zoning District requires a 75 ft. minimum lot width and this lot is only 52 feet wide. She said the proposed addition would be constructed of the vinyl material and colors to match the existing home, pointing out that the proposed addition would not be very noticeable from Fourth Avenue and would not change the character or the streetscape appearance of the area.

Ms. Neubauer said it is the opinion of Staff that the requested variance satisfies the three criteria for granting the variance and therefore, Staff is recommending approval of the variance to reduce the side yard setback from 10 feet to 7 feet from the west property line to allow for the proposed addition at 137 W. Fourth Avenue.

Mr. Muehlnickel advised that he has a letter from Dawn Royland of 440 S. Pine Street supporting her neighbor's request. Mr. Muehlnickel read the letter to those in attendance.

Mr. Muehlnickel asked if anyone on the Plan Commission had questions for Staff or the petitioner.

Mr. Berner asked if there will be a new entry-way on the west side of the home. Mr. Ditter replied that there will be a stoop that will extend 3 feet from the home on the west side of the residence. He added that it will not be a covered stoop.

There being no further questions or comments, Mr. Muehlnickel asked for a motion to close the public hearing.

A motion was made by Commissioner Moss and seconded by Commissioner Kuchler to close the public hearing at 7:19 p.m. Voice vote was taken. Motion carried.

Mr. Muehlnickel asked for a recommendation from the Zoning Board of Appeals.

A motion was made by Commissioner Kuchler and seconded by Commissioner Schultz to recommend to the Village Board approval of a variance to reduce the required side yard setback for a proposed addition from 10 feet to 7 feet from the west property line for property located at 137 W. Fourth Avenue.

Upon Roll Call, the vote was:

AYES: - Commissioners Berner, Moss, Schultz, Howard, Hilton, Kuchler,
and Chairman Muehlnickel

NAYS: - None.

Motion carried.

Ms. Neubauer advised that this will go before the Village Board on April 11, 2016.

OLD BUSINESS

None.

NEW BUSINESS

None.

ADJOURNMENT

Mr. Muehlnickel asked for a motion to adjourn at 7:20 p.m. A motion was made by Commissioner Berner and seconded by Commissioner Hilton to adjourn. Voice vote was taken. Motion carried.

Patricia A. Hansen
Senior Administrative Secretary