



**Village of Westmont
Planning and Zoning Commission
November 13, 2013 - Minutes**

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, November 13, 2013 at 7:00pm, at the Westmont Village Hall, 31 W. Quincy Street, Westmont, Illinois 60559.

Chair Ed Richard led in the following:

(1) Call to Order

In attendance: Chair Ed Richard, Commissioners Steve Fedeczko, Gregg Pill, Craig Thomas, Fleet, Anton, PZ Secretary Wallace Van Buren, Village Attorney John Zemenak, Village Planner Jill Ziegler, Director of Community Development Shannon Malik.

Absent: none.

(2) Pledge of Allegiance

(3) Swearing in of testifying attendees and reminder to sign in

(4) Reminder to silence all electronic devices

(5) Approval of Minutes-none.

New Business

PZ 13-030 Marwan Baghdad regarding the property located at 724 Heath Court, Westmont, IL 60559 for the following:

(A) Zoning Code Variance Request to permit lot coverage greater than the 35% maximum allowed in the R-3 Single Family Detached Residence District for the purpose of approving a paver patio.

PRESENTATION:

Baghdan explained that there was an issue with the existing patio on the property due to a growing tree, so they decided to change the patio bricks to fix the problem. Their intent was to replace bricks with new bricks and were told to stop due to the coverage percentage. Baghdad mentioned that they have never had an issue of flooding on the property and with the addition of a large basin behind their property they do not anticipate ever having a flooding issue and also has a petition from neighbors approving their proposed changes. Mrs. Baghdad also asked for permission to build the patio.

PUBLIC COMMENT:

Doug Carmichael, 728 Heath Court, is a neighbor of the Baghdans and stated that they maintain their property very well.

STAFF COMMENT:

Ziegler commented that this lot was located in a drainage study area that was limited to 35% so



staff could not approve up to 40% but due to the subdivision's pond, the detention can handle up to 40% lot coverage for each lot so the planning engineer is comfortable with proposed request.

COMMISSIONER COMMENT:

Thomas-Staff comments answered his questions regarding the detention area. Asked if the patio will be brick for brick, it was answered that the design varied slightly which caused the expansion, bricks being used were not pervious.

Pill-ordinance was changed after the house and patio were built, supports change.

Anton-supports.

Fedeczko-has similar house nearby, has never seen water in the area, completely supports.

Fleet-no questions.

Richard-no issues.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance Request to permit lot coverage greater than the 35% maximum allowed in the R-3 Single Family Detached Residence District for the purpose of approving a paver patio.

Motion by: Pill

Second by: Thomas

VOTING A

Thomas--yes

Pill--yes

Fedeczko--yes

Anton--yes

Fleet--yes

Richard--yes

Motion passed.

PZ 13-031 Village of Westmont regarding a Zoning Code text amendment for the following:

(A) Amend Appendix A, Article VIII of the Westmont Zoning Code regarding allowing medical cannabis cultivation and dispensing facilities as special uses within the M-Manufacturing District.

STAFF COMMENT:

Ziegler outlined facts regarding the cultivation and dispensing facilities and location limits. Up to 22 cultivation centers and 60 dispensaries within the state and spread out throughout the state, no more than 1 cultivation center would be located within our area and due to distance needed from schools and daycares there is no cultivation center that would be permitted within Westmont. The



dispensaries can be regulated as to location but not prohibited so staff is recommending location in M districts 1000 ft from schools and daycares. There are 3 M districts in Westmont where dispensaries could be located. Staff has conducted research that shows other municipalities are making similar recommendations. Also, staff recommends new definitions into the zoning code as the state as defined in their new act. There are restrictions with the use of this product as there would be for any other prescription and public intoxication would still apply.

Attorney commented that the Village would need to consider a cultivation center if there was a special request it would need to be processed. Village is not saying it is not allowed as of right now there is not an appropriate district for it. Even though the state has defined 60 dispensaries and spreading them throughout the state, does not mean the Westmont could limit number of dispensaries.

COMMISSIONER COMMENT:

Richard for cultivation purposes it would be easier for someone to go to another area.

Pill commented that the M district is a good place as any to define this regulation.

Richard did not feel that these defined districts are exclusionary. There are multiple locations that are potentially available. Very well thought out recommendation.

MOTION A

Motion to recommend to the Village Board of Trustees to Amend Appendix A, Article VIII of the Westmont Zoning Code regarding allowing medical cannabis cultivation and dispensing facilities as special uses within the M-Manufacturing District.

Motion by: Fedeczko

Second by: Anton

VOTING A

Thomas--yes

Pill--yes

Fedeczko--yes

Fleet--yes

Anton--yes

Richard--yes

Motion passed.

Miscellaneous:

Commissioner commented on a person comments on permit costs not being outlined upfront when they were building. Shannon explained the process and based on details of the property and often a single residence is a listing of items, design changes, etc. that they could incur additional costs, but they do try and go over that information with the owner and /or builder. It was suggested to



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Community Development Department

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possibly make the owner and builder both copied on permit cost information.

Motion to Adjourn.

Motion by: Anton

Second by: Fedeczko

All in Favor: 6

Meeting adjourned 7:50pm.