



**Village of Westmont
Planning and Zoning Commission
November 12, 2014 - Minutes**

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, November 12, 2014 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, PZ Secretary Wallace Van Buren, Commissioners Gregg Pill, Craig Thomas, Janis Bartel, Doug Carmichael, Village Attorney John Zemenak, Village Planner Jill Ziegler.

Absent: Commissioner Steve Fedeczko

(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

(6) Approval of Minutes of the October 8, 2014 meeting.

Motion to approve the Minutes of the October 8, 2014 meeting.

Motion: Thomas

Second by: Pill

VOTING--Minutes

Van Buren--Yes

Bartel--Yes

Carmichael--Yes

Thomas--Yes

Pill--Yes

Richard--Yes

Motion passed.

New Business

PZ 14-033 Laura and Gary Michicich regarding the property located at 340 South Grant Street, Westmont, IL 60559 for the following:

(A) Zoning Code Variance Request to permit the construction of a 6' solid wood fence in the side yard adjoining the street in the R-3 Single Family Residential District.



PRESENTATION: Laura M. presented that they currently have a 3ft fence that has not lasted from the snow, etc. They would like to install something more durable, but at three foot vinyl would need to be custom made, so they are requesting that they be allowed to install a taller fence. They are also requesting a variance on the placement.

PUBLIC COMMENT: None.

STAFF COMMENT: Ziegler mentioned that applicant came in to replace fence and would like higher fence for more privacy and noise from traffic and more durability from the wood fence to the vinyl fence. The standard sizing for vinyl is either 4ft or 6ft, applicant would like to do the 6ft fence but would go with commission recommendation. There are no line of site issues, though it was mentioned that alley bushes need to be cut back.

COMMISSIONER COMMENT:

Thomas: shrubs need to be trimmed back but agrees that there are no line of site issues with the fence, inquired about applicant preference 4ft or 6ft. Response: would prefer 6ft.

Van Buren: agrees that 55th Street is a hardship, 6ft would be fine.

Pill: would support a 6ft fence and clarified that fence does not run all the way to the alley so no site issues.

Bartel: would support the 6ft fence, though did not see any other vinyl fencing in the area.

Carmichael: inquired as to whether there were other 6ft fences along 55th street, favors the 4ft. Staff response: there are a few, some have been grandfathered in, some have gotten variances.

Richard: prefers the 4ft fence, inquired about whether applicant would be willing to push fence back from 1 ft to 2 or 3ft. Response: applicant is flexible on placement, just would prefer it did not have to be 15ft back.

FINDINGS OF FACT A:

- (1) Yes-4; No-2
- (2) Yes-4; No-2
- (3) Yes-4; No-2

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance Request to permit the construction of a solid wood fence in the side yard adjoining the street in the R-3 Single Family Residential District.

Motion by: Pill

Second by: Van Buren

VOTING A

Van Buren--Yes



Bartel--Yes
Carmichael--Yes
Thomas--Yes
Pill--Yes
Richard--No
Motion passed.

MOTION B

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance Request to permit the construction of a 6' solid wood fence in the side yard adjoining the street in the R-3 Single Family Residential District.

Motion by: Van Buren
Second by: Thomas

VOTING B

Van Buren--Yes
Bartel--Yes
Carmichael--No
Thomas--Yes
Pill--Yes
Richard--No
Motion passed.

PZ 14-034 AT&T regarding the property located at 3500 Midwest Road, Oak Brook, IL 60523 for the following:

(A) Zoning Code Variance Request to permit more than three antennas on a structure in the B-3 Special Development District.

PRESENTATION: Andy Fitz presenting on behalf of AT&T, they are requesting a variance to install a total of 12 antennas. They have a hardship because their network cannot operate on three antennas, they operate on different frequencies and with different networks. They would also like to upgrade the current Cricket system. In order to accommodate AT&T's network and significantly improve service they are requesting this variance.

PUBLIC COMMENT: None.

STAFF COMMENT: Ziegler very difficult to see the antennas on the roof, good use of co-location.

COMMISSIONER COMMENT:

Pill: no questions, support it.



Van Buren: no questions, support it.

Thomas: inquired as to replacing antennas. Response: has recently acquired Cricket and will be upgrading. Antennas do not compete with other providers.

Carmichael: clarified that AT&T would be leasing the space for the antennas. Response: yes they will be assuming the lease of space that Cricket had.

Bartel: no objection.

Richard: inquired about a mono pole being cost-prohibitive. Response: AT&T would not install a mono pole.

FINDINGS OF FACT A:

(1) Yes-6; No-0

(2) Yes-6; No-0

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance Request to permit more than three antennas on a structure in the B-3 Special Development District.

Motion by: Bartel

Second by: Pill

VOTING A

Van Buren--Yes

Bartel--Yes

Carmichael--Yes

Thomas--Yes

Pill--Yes

Richard--No

Motion passed.

PZ 14-035 EFN Westmont Property LLC regarding the property located at 115 East Ogden Avenue, Westmont, IL 60559 for the following in the B-2 General Business District:

- (A) Special use permit request to construct a parking lot.
- (B) Site and landscaping plan approval to construct a parking lot on a site with an existing non-conforming building with non-conforming setbacks and screening.

PRESENTATION: Glen C. presented that their current hardship is that the business is growing and their inventory is overflowing onto residential streets and neighbors are not pleased. The owner has purchased this property and would like to make this a parking lot and be able to store vehicles. They would demolish motel but not back building.



PUBLIC COMMENT: None.

STAFF COMMENT: Ziegler mentioned that demolishing the building and making into parking will alleviate a much needed parking issue, they have received lots of complaints from residents. They would like to make employee parking a condition of approval. The back building would not be occupied or would need to be brought up to code. There have been a lot of moving parts on this property, using demo as a training for fire department, leases for long term motel residents, etc. Engineer will be reviewing the stormwater plant and they have asked for snow removal plan to be outlined. Idot will need to be involved with this project.

Attorney: there would be some conditions attached to the approval which would mean there would be no customers on the lot, only used for inventory and employee parking and the other conditions for a car dealer such as no car stacking, balloons, etc. Also mentioned that this may be an opportunity for the other building to be demolished.

COMMISSIONER COMMENT:

Pill: inquired about why leave the back building at all, asked about lighting request and other plans for the development. Inquired about whether this is sufficient parking for employees. Response: it is just an option for the owner to possibly redevelop later, but they understand that they would need to get a permission for occupancy. Parking lot will be gravel and paved in the spring, two curb cuts will be left. Staff addressed that they are putting in stormwater for just area that you are disturbing until the property is completely redeveloped. The whole detention would be triggered with the full development with adjoining properties. Attorney mentioned that on site plan there should be indicated spaces designated for the employees to make sure they are not using spaces for inventory.

Van Buren: proposal seems very loose and would like to see some of the items tied down, concerned about water runoff on the parking lot, not comfortable with proposal.

Thomas: there are a lot of loose ends, and is concerned about the back building and trouble happening there.

Carmichael: inquired about lighting. Response: they would have temporary flood lighting for the property area. Staff added that they will be reviewing lighting plan to make sure they have the zero candle requirements.

Bartel: mentioned that the building will need to be secured so that no bad activity takes place in the building, happy the building is being torn down, not comfortable with the back building remaining and concerned about water issues.

Richard: asked if time was a constraint and if they postponed until next month. Recommended that the back building be secured and possibly alarmed and monitored. Flooding is definitely a concern and asked about inventory being unloading. Staff asked if they could work with applicant to have those loose ends in place before the board meeting. Response: yes semi-trailers are used to deliver vehicles, he envisions the trailer unloading on the dealer property and cars being driven over to this lot. It will currently be used for employee parking.

Additional discussion took place on how to outline the motions and conditions on the property and



possibly a sunset clause.

FINDINGS OF FACT A:

- (1) Yes-6; No-0
- (2) Yes-6; No-0
- (3) Yes-6; No-0
- (4) Yes-6; No-0
- (5) Yes-6; No-0

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Special use permit request to construct a parking lot.

Motion by: Bartel

Second by: Pill

VOTING A

Van Buren--Yes

Bartel--Yes

Carmichael--Yes

Thomas--Yes

Pill--Yes

Richard--Yes

Motion passed.

MOTION B

Motion to recommend to the Village Board of Trustees to approve a Site and landscaping plan approval to construct a parking lot on a site with an existing non-conforming building with non-conforming setbacks and screening.

Motion by: Van Buren

Second by: Thomas

VOTING B

Van Buren--Yes

Bartel--Yes

Carmichael--Yes

Thomas--Yes

Pill--Yes

Richard--Yes

Motion passed.

MOTION C



Motion to recommend to the Village Board of Trustees to include a sunset clause, security for remaining building or demolishing, lighting review, stormwater review and employee parking designated, lighting.

Motion by: Pill

Second by: Thomas

VOTING C

Van Buren--Yes

Bartel--Yes

Carmichael--Yes

Thomas--Yes

Pill--Yes

Richard--Yes

Motion passed.

PZ 14-036 Village of Westmont regarding a Zoning Code text amendment as follows:

(A) Amend Appendix A, Section 4.17 of the Westmont Zoning Code regarding Temporary storage pods.

PRESENTATION: Ziegler presented that this item was discussed in October at a Building and Zoning meeting, that the temporary storage pods were a little too restrictive. Originally the fee was \$250 and \$225 was refunded, eventually costing applicant \$25. The thought is to change to a \$25 permit fee, so it is less of a burden to homeowner. They also propose to clean up language, only one pod allowed at a time, placed on paved property, can request a timeline extension, store personal property only.

PUBLIC COMMENT: None.

STAFF COMMENT: None.

COMMISSIONER COMMENT:

Thomas: supports the change.

Van Buren: supports the change.

Pill: inquired about how many of these we are seeing. Response: estimated 10-20 per year.

Van Buren: inquired about the bags. Response: those are more for disposing like a dumpster.

Bartel: inquired if they are locked. Response: that is up to the homeowner.

Carmichael: asked about non-offensive in the language. Attorney: does not recall the concept that the language was created for.

Richard: asked about including perishable foods in the language, also asked about non-conforming driveways. Response: did not think this would be an issue that needed to be included. The intent is



that is be placed on a driveway and not on front lawn, so change wording to driveway instead of paved driveway.

FINDINGS OF FACT A:

(1) Yes-7; No-0

(2) Yes-7; No-0

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Amend Appendix A, Section 4.17 of the Westmont Zoning Code regarding Temporary storage pods.

Motion by: Pill

Second by: Bartel

VOTING A

Van Buren--Yes

Bartel--Yes

Carmichael--Yes

Thomas--Yes

Pill--Yes

Richard--Yes

Motion passed.

Action Item: Commissioner Van Buren asked if there was a way to get a follow up summary on the items that come before this commission.

Chairman Richard suggested review of the fencing ordinances and number of requests. Ziegler pulled statistics, there were 9 variance requests in 10 years and 2 since the changes were made to the corner lot ordinance, there have also been several that have gone through and complied with the new language. So it appears right now that the new ordinance is working very well.

Motion to adjourn.

Motion by: Thomas

Second by: Bartel

Meeting adjourned 8:45pm.