



CITY OF PARK RIDGE

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ZONING BOARD OF APPEALS

Thursday, January 24, 2013
City Hall, Council Chambers
505 Butler Place
Park Ridge, Illinois

MINUTES

Chairman Gary Zimmerman called the meeting to order at 7:30 p.m.

**Draft Minutes
Not for
Publication**

A. Roll Call

Present

Alice Borzym-Kuczynski
Atul Karkhanis
Missy Langan
Linda Nagle
Gary Zimmerman, Chairman

Staff

Jim Testin
Laura Kleiner

City Council

Alderman Sweeney, Council Liaison

Absent

Steven Nadler
Salvatore Parenti

Others Present

Approximately 2 citizens

B. Approval of Minutes

On a motion by Missy Langan, seconded by Atul Karkhanis, the Board unanimously agreed to approve the minutes from the October 25, 2012 meeting, subject to making changes to pages 2, 4, 5, 6, 7, 8, 9, and the findings of fact for 212 Gillick Avenue and eliminating the findings of fact on page 18.

On a motion by Atul Karkhanis, seconded by Missy Langan, the Board unanimously agreed to approve the minutes from the November 8, 2012 meeting, subject to making changes to pages 2, 3, 4, 5, 6 and 7.

On a motion by Missy Langan, seconded by Linda Nagle, the Board unanimously agreed to approve the minutes from the December 6, 2012 meeting, subject to making changes to page 1 and 2.

Chairman Zimmerman suggested discussing the case listed on the agenda under E. Items for Discussion, before addressing the Variance. The Board agreed.

C. Appeals – None

D. Variances

1. Variance at 5 North Wisner Street, Case Number V-13-01 (Minor)

Chairman Zimmerman explained the public hearing process and swore in all those wishing to testify.

Agata Zgiet and her husband, Lucas Belda, 5 North Wisner Street, applicant and owner, stated that she was requesting a variance to allow the construction of a six-foot high fence in the corner side yard of the property, which borders Touhy Avenue. She stated that Touhy Avenue was a busy street and she would like to erect the six-foot high fence to provide more privacy and also allow her children to more safely play in their yard. She stated that the case was unique because she had a corner lot that bordered a busy street and that the side yard was similar to the back yard on these types of properties. In addition, her lot sits across the street from the Whole Foods development. She suggested that there would be no negative impact on the neighborhood and cited other houses along Touhy Avenue in Chicago and Oakton Avenue that had six-foot high fences.

Gary Zimmerman questioned the location of the fence pictured in Exhibit 8. Ms. Zgiet responded that the cross street was Ozanam.

Alice Borzym-Kuczynski asked what the materials would be used for the fence. Ms. Zgiet answered that it would be a cedar fence with a metal frame and added that it would be nicely landscaped.

Ms. Borzym-Kuczynski asked where the fence would be located and whether it would extend across the driveway. Gary Zimmerman noted that the survey showed it would extend across the driveway and a few feet beyond. He noted that if this were a rear yard, a six-foot high fence would be permitted and suggested that changes to the Zoning Ordinance should be considered to allow a higher fence along the side yard along a busy thoroughfare.

Jim Testin remarked that if a six-foot high gated fence were allowed to cross the driveway there could be problems with ingress and egress to the property and also block the vision of pedestrians using the sidewalk.

Gary Zimmerman questioned if a fence was permitted to cross a driveway. He asked if the gate would open electronically. The applicants responded yes.

Linda Nagle stated that the visibility issue could be handled by a mirror that would help to enhance the vision triangle. Ms. Zgiet stated that there were eight-foot high bushes along the property now and that they did not seem to obstruct the line of vision.

Alderman Sweeney remarked that when he was on the Zoning Board of Appeals,

there was a similar case on Canfield Avenue involving a fence across a driveway that was denied. Alice Borzym-Kuczynski added that she recalled a similar case as well and stated that it occurred in either 2007 or 2008.

Chairman Zimmerman stated that he was not prepared to make a decision on this case and would like more information on the Canfield case and also research safety issues in allowing a six-foot high fence that crosses the driveway. He asked Jim Testin to look into this. He suggested that this case could set a precedent for other requests for six-foot high fences along Touhy Avenue.

Missy Langan and Atul Karkhanis questioned whether or not the Zoning Ordinance a five-foot high fence to cross the driveway. Jim Testin agreed to look into this further.

Chairman Zimmerman suggested continuing the case to the next meeting. Alderman Sweeney reminded the Board that since this was a minor variance, it would not go to the City Council and the Board's decision would be final.

On a motion by Atul Karkhanis and seconded by Missy Langan, the Board

AGREED to continue a variance to allow the construction of a six-foot high fence in the corner side yard at 5 North Wisner Street, Case Number V-13-01, to the February 28, 2013 meeting.

Vote on the motion was as follows:

AYES	<u>5</u>	Borzym-Kuczynski, Karkhanis, Langan, Nagle, and Zimmerman
NAYS	<u>0</u>	None
ABSTAIN	<u>0</u>	None
ABSENT	<u>2</u>	Nadler and Parenti

E. Other Items for Discussion

1. Variance at 1 South Washington Avenue/ 225 West Touhy Avenue, Case Number V-12-07 (Major).

Gary Zimmerman read the withdrawal request from Whole Foods for that portion of the request to allow a retaining wall to encroach into the setback. Since the sign variance was approved, Mr. Zimmerman noted that the recommendations for the portions related to signage would move forward to the Council. He stated that the letter withdrawing the retaining wall request should be added as an exhibit to the City Council packet.

Jim Testin stated that the case would probably be heard at the February 1, 2013 City Council meeting.

F. Citizens Wishing to Be Heard on Non-Agenda Items- None

G. City Council Liaison Report

Alderman Sweeney reported that Steve Cutaia had resigned from the Community Preservation and Development Department. He also stated that the City Council would

be starting the budget process.

H. Adjournment – The meeting was adjourned at 8:42 p.m.

Date

Gary Zimmerman, Chairman

Laura Kleiner

Recording Secretary

These minutes are not a verbatim record of the meeting but a summary of the proceedings.