

**MINUTES  
CITY OF DARIEN  
PLANNING & ZONING COMMISSION MEETING  
December 2, 2015**

**PRESENT:** Beverly Meyer – Chairperson, Ronald Kiefer, John Laratta, Louis Mallers, Raymond Mielkus, Pauline Oberland, Kenneth Ritzert, Michael Griffith – Senior Planner.

**ABSENT:** Andrew Kelly, Elizabeth Lahey – Secretary

Chairperson Meyer called the meeting to order at 7:20 PM at the Darien City Hall – City Council Chambers, Darien, Illinois, and declared a quorum present and swore in the audience members wishing to present public testimony.

**A. Public Hearing PZC 2015-16: 125 68<sup>th</sup> Street: Petitioner seeks approval of a variation to reduce the required front yard setback from 35 feet to 25 feet for a covered front porch and to reduce the required side yard setback from 10 feet to 5 feet for an addition to the residence.**

Michael Griffith, Senior Planner, reviewed the agenda memo. He described the proposed variations. He noted the distance the current detached garage is from the side lot line, that the proposed attached garage will be 2 feet further away from the lot line.

Ryan and Christine Bazon, the petitioners, were present. Michael Meissner, their architect, was also present.

Mr. Meissner noted the covered front porch extends further across the front the home but does not extend further towards the street than the current situation. He noted the more significant issue is the proposed side yard setback.

Commissioner Mallers asked when the home was built.

Mr. Bazon stated 1959. He stated they are outgrowing the current home, noting they have small children, the need for additional bathrooms and closet space. He stated they like the lot, the area, the schools and would like to stay at their current location and renovate the home rather than move.

The Commission discussed the exterior architectural changes to the home. Mr. Meissner noted the plan includes a 2<sup>nd</sup> story to the home.

Commissioners Kiefer and Maller stated the plans looked nice.

Adam Kash, 129 68<sup>th</sup> Street, stated he is the neighbor to the west and objects to the proposed 5-foot setback for the addition. He stated the garage is being moved approximately 24 feet forward, will be 2 stories, and will block the view from his kitchen window located on the east

side of the home. He stated the addition at 5 feet from the lot line will impair adequate air and light onto his property, would decrease the value of his property. He stated a 10-foot side yard setback should be maintained. He provided photos to illustrate his objection.

Commissioner Oberland noted the proposed 5-foot setback along the side, noting the current garage is 3 feet from the side lot line. She sought clarification on Mr. Kash's objection.

Mr. Kash stated the garage will not be in the same location, stating the garage is being moved approximately 24 feet forward towards the front which will block the view from his window on the side of his home.

The Commission reviewed and discussed the photos provided by Mr. Kash.

Mr. Meissner stated the garage will not be a full two stories; there are dormers at this location. He stated attached garages are more valuable than detached garages, which increases the value of the property. He stated they took into consideration the neighbor's property. He stated the prevailing winds are from the northwest and southwest which will not be impacted by the proposed addition.

Commissioner Mallers stated older homes being improved helps to improve the value of the neighborhood.

Commissioner Laratta stated the proposed variation diminishes the neighbor's quality of life, which needs to be considered.

Commissioner Kiefer stated the Commission has always considered impacts to neighbors.

Chairperson Meyer closed the public hearing.

**Commissioner Laratta made a motion to recommend denial of the variation petition. There was not a second. THE MOTION FAILED.**

**Commissioner Mallers made a motion to recommend approval of the variation petition, seconded by Commissioner Mielkus.**

**Commissioner Ritzert stated he was not convinced there is a negative impact to the neighboring property.**

**Upon a roll call vote, THE MOTION CARRIED by a vote of 6-1.**

**AYES: Meyer, Mallers, Mielkus, Oberland, Ritzert, Kiefer**

**NAYS: Laratta**

**ABSENT: Kelly**

Mr. Griffith announced that this would be forwarded to the Municipal Services Committee.

**B. Public Hearing PZC 2015-18: 1530 Sequoia Lane: Petitioner seeks approval of a variation to reduce the required setback from an interior side lot line for a driveway from 5 feet to 3 feet.**

Michael Griffith, Senior Planner, reviewed the agenda memo. He noted there is a detached garage in the rear yard with a driveway through the side yard. He stated the petitioner is seeking to widen the driveway to provide better access to the garage.

The petitioner's son was present to answer questions. He stated backing down the driveway is difficult with the vehicle being maneuvered onto the grass through the side yard to avoid the house. He stated their neighbor has a 6-foot privacy fence along the side lot line.

No one was present to offer comments. Chairperson Meyer closed the public hearing.

The Commission did not have any objections.

**Commissioner Kiefer made the following motion, seconded by Commissioner Laratta, that based upon the submitted petition and the information presented, the request associated with PZC 2015-18 is in conformance with the standards of the Darien City Code and, therefore, I move the Planning and Zoning Commission approve the petition as presented.**

**Upon a roll call vote, THE MOTION CARRIED by a vote of 7-0.  
Commissioner Kelly was absent.**

Mr. Griffith announced that this would be forwarded to the Municipal Services Committee.

**C. Public Hearing PZC 2015-17: 8408 Wilmette Avenue, Units B & C: Petitioner seeks approval of the following:**

- 1. A Text Amendment to Section 5A-9-3-4 of the Darien Zoning Ordinance listing "garages for storage, repair and servicing of motor vehicles, including body repair, painting and engine rebuilding" as a special use within the OR&I Office, Research and Light Industry zoning district; and**
- 2. Special use approval for a garage for storage, repair and servicing of motor vehicles, including body repair, painting and engine rebuilding within the OR&I zoning district.**

Michael Griffith, Senior Planner, reviewed the agenda memo. He noted the proposed use is neither a permitted use nor a special use at this location, that the Zoning Ordinance needs to be amended for the use to be approved at this location, that if the Commission finds the proposed use acceptable at this location then staff recommends the use should be a special use noting special uses always trigger a public hearing and approval of the use by the City Council.

Mr. Griffith noted the letter provided by the petitioner describing the proposed use.

Joshua and Marsha Wyett, petitioners, were present. Joshua Wyett stated he currently does auto repair at dealerships but is looking to establish his own location. He stated they do small, light auto body repair, such as scratches and dings. He stated the space was previously a woodshop.

Chairperson Meyer asked about parking and the number of vehicles serviced at any given time.

Mr. Wyett stated vehicles coming for repair will be driven to the location and brought inside. He stated vehicles may be parked outside when they do the work write-up. He stated all vehicles will be drivable, that vehicles and repairs will occur inside.

Commissioner Laratta asked how long they have been in business, number of employees.

Mr. Wyett stated since 2006. He stated they do work for several area dealerships, including Pugi and Continental. He stated they have 4 employees.

Barbara Jo Miller, stated she owns commercial condo units in the building to the north. She stated her concern with an auto repair facility in the area; the use does not fit with the other businesses in the area, such as offices, cleaning companies. She asked the Commission to reject the proposed use.

Commissioner Kiefer asked Ms. Miller if her objection would remain if all activity took place inside the building.

Ms. Miller stated yes.

The Commission discussed the proposed use, noting that if all activity and vehicles are inside there should not be an issue. The Commission noted that if those conditions were imposed and the petitioner did not comply, the special use could be revoked.

No one else was present to offer public comments. Chairperson Meyer closed the public hearing.

**Commissioner Mallers made the following motion, seconded by Commissioner Oberland, that based upon the submitted petition and the information presented, the request associated with PZC 2015-17 is in conformance with the standards of the Darien City Code and, therefore, I move the Planning and Zoning Commission approve the petition as presented, subject to:**

- 1. All auto repair activity shall be restricted to inside the building.**
- 2. All parts and equipment shall be stored inside the building.**

**Upon a roll call vote, THE MOTION CARRIED by a vote of 7-0.  
Commissioner Kelly was absent.**

Mr. Griffith announced that this would be forwarded to the Municipal Services Committee.

**MINUTES:**

**Commissioner Laratta made a motion and it was seconded by Commissioner Oberland to waive the reading of the November 4, 2015, Regular Meeting Minutes.**

**Upon a roll call vote, THE MOTION CARRIED UNANIMOUSLY 7-0.**

**Commissioner Laratta made a motion and it was seconded by Commissioner Oberland to approve the November 4, 2015, Regular Meeting minutes.**

**Upon a roll call vote, THE MOTION CARRIED UNANIMOUSLY 7-0.**

**CORRESPONDENCE:**

None.

**OLD BUSINESS/PLANNERS REPORT:**

Mr. Griffith provided the 2016 meeting schedule.

**NEXT MEETING:**

Mr. Griffith announced the next meeting is scheduled for Wednesday, December 16, 2015, at 7:00 PM.

**ADJOURNMENT:**

**With no further business before the Commission, Commissioner Mielkus made a motion and it was seconded by Commissioner Ritzert to adjourn.**

**Upon a voice vote, THE MOTION CARRIED UNANIMOUSLY 7-0. The meeting adjourned at 9:00 PM.**

**RESPECTFULLY SUBMITTED:**

**APPROVED:**

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Michael Griffith  
Senior Planner

Beverly Meyer  
Chairperson