



**MEETING MINUTES
OF THE
April 21, 2021
ZONING BOARD OF APPEALS**

**LINCOLNWOOD VILLAGE HALL AND
VIRTUALLY VIA GOTOMEETING**

Zoning Board of Appeals Members Present: Chairman Bruce Heller, Syed Mudassir, Teodor Strat, Peter Theodore, and Martin Youkhanna,

Absent: Rizwan Hussain and Robert Jordan

Staff Present: Doug Hammel, AICP, Community Development Manager

I. Call to Order/Roll Call

Chairman Heller noted a quorum of five members, with Commissioners being present at the Council Chambers in Village Hall and/or virtually via GoToMeeting, and called the meeting to order at 7:05 p.m.

II. Pledge of Allegiance

III. Approval of March 17, 2021 ZBA Meeting Minutes

Chairman Heller asked if any Commissioners had any comments regarding the March 17, 2021 Meeting Minutes. Hearing none, Commissioner Theodore made a motion to approve the minutes, and that motion was seconded by Commissioner Hussain.

Aye: Mudassir, Strat, Theodore, Youkhanna, and Heller

Nay: None

Motion Approved: 5-0

IV. Case #ZB-03-21: 6547 North Central Park Avenue – Approval of a Variation Related to Overall Floor Area to Allow for an Addition to a Single-Family Home

Prior to the discussion beginning Community Development Manager Doug Hammel went over different options that the public can interact with the meeting. He also conducted a staff presentation for this request. Some notes from the presentation

6547 N Central Park is located in an area that is zoned as an R-3 Residential Lot Area, the lot is approx. 8100 square feet (SF), and currently hosts a single family home with a one story garage and a 2 story main structure. The garage is only attached to the main building in the rear section with a gap between the two structures towards the front of the property. The proposed variation would be to add a second story to the garage and connect both floors to the main building along with a significant exterior renovation. The renovation would add about 1200 SF of living space and would maintain the current footprint of the home. Based on the code for maximum Floor Area Ratio (FAR) is .6 so the permitted gross floor area for this lot by code is 4899 SF, the proposed gross floor area for this renovation would be 5521 SF. The reason the variance is needed is because the proposed floor area of the renovation would be 622 SF above what is allowed by code.

Mr. Hammel stated again that the proposed renovation would stay within the current existing building footprint without encroaching any further on neighbors to the property. He went on to talk about high number of public comments and how comments along with a signed petition (of approx. 35 residents) in favor of the renovation.

Chairman Heller then asked the committee if they had any questions about the presentation. Hearing none he invited the petitioner and related parties to comment.

Attorney Gina Shemtov for the petitioner spoke about why the variance was being requested. She stated that the request was due to adherence of the code as written is impractical. She spoke about how the house was built in 1951, and when you look at the just filling in the space between the house and garage would account to around 400 SF of the requested 622 SF variance. She also talked about how the renovation would help modernize and match it to other properties in the area. The intent is to build on the existing structure and not to tear down the existing garage.

Commissioner Theodore asked if there were any objections from the Village's engineering department based on the larger roof or in regards to any other issues. Mr. Hammel stated engineering hasn't reviewed the proposed job yet but that the engineering review would occur as a part of the permit process if the variance was approved.

Commissioner Mudassir asked for more details in regards to the new livable space that is being added between the garage and the house. Petitioner Zack Ruben talked about how the questioned space would be utilized. On the first floor the area would be a hallway between the buildings.

Commissioner Mudassir then asked if a structural analysis had been done to determine if the additional weight would have any effect on the foundation of the property. Architect Sam Trachtman spoke on behalf of the petitioners and stated that without starting the work the assumption is being made that the foundation is sound as is, but if during construction it was determined not to be, then the existing foundation would be reinforced as needed. He also stated that based on everything that he has seen so far leads him to believe that the current foundation can support a second floor.

Attorney Gina Shemtov also pointed out that there would be new foundation added to the gap between the garage and house to support the new livable space. Petitioner Zack Ruben added that when plans are submitted for approval that would include the measurements from the engineers.

Mr. Hammel also spoke about how this would be reviewed and addressed as part of the permitting process.

Chairman Heller talked about his concern this ruling could be setting a precedence for other similar houses in the area. Attorney Gina Shemtov talked about how the uniqueness of how this lot is configured and that would make it difficult to use as a precedence in other variance requests.

Commissioner Mudassir suggested that the discussion not get hung up on defining what defines a hardship in regards to a variance and followed up with a question about changes in the proposed new attic space. Architect Sam Trachtman stated that it was only for design purposes and that the intention was for an unfinished attic for storage purposes only.

Commissioner Mudassir then followed up with a question for staff asking if the proposed roof was within height restrictions required by Lincolnwood. Mr. Hammel stated that based on the information provided that the proposed roof would meet current regulations. He also talked about the question of setting precedence and stated that the fact of findings should relate to the characteristics of the property in question and why the property is unable to meet the village code, and that the more specific the findings for this case the more it protects from future attempts to use this case a precedence.

With no further discussion points Chairman Heller closed the discussion by asking the board to move forward with a motion.

Motion recommending Approval: Made by Commissioner Mudassir with 2 conditions:

- 1) Prior to the Village issuing a building permit, the property needs to be assessed and documentation needs to be provided by the homeowner that shows that the existing foundation, or any modifications made to the foundation, are adequate to support the weight of the renovated structure.**
- 2) The attic remains unfinished and is not to be used as a livable space.**

The motion was seconded by Commissioner Youkhanna

Aye: Mudassir, Strat, Theodore, Youkhanna, and Heller

Nay: None

Motion Approved: 5-0

Mr. Hammel stated that this item will be in front of the Village Board on May 19, 2021 for final approval.

V. Next Meeting

The next meeting of the Zoning Board of Appeals is scheduled for Thursday, May 20, 2021.

VI. Public Comment

The public was asked if anyone participating in the meeting would like to address the Zoning Board of Appeals. Let the record state that no one came forward.

VII. Adjournment

Motion to recommend adjournment was made by Commissioner Theodore and seconded by Commissioner Mudassir. Meeting adjourned at 8:08 p.m.

Aye: Mudassir, Strat, Theodore, Youkhanna, and Heller

Nay: None

Motion Approved: 5-0

Respectfully submitted,

Marcos Classen
Community Development Coordinator
Community Development