



**Village of Westmont  
Planning & Zoning Commission  
November 8, 2017 - Minutes**

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, November 8, 2017 at 7:00 p.m., at the Westmont Village Hall located at 31 W. Quincy Street, Westmont, Illinois 60559.

Chair Gregg Pill led in the following:

- 1. Call to Order**
- 2. Roll Call**

**In Attendance:** Chair Gregg Pill, Secretary Wallace Van Buren, Commissioners Craig Thomas, Doug Carmichael, Janis Bartel, Christopher Lavoie, Community Development Director Jill Ziegler, Village Planner Joseph Hennerfeind, Village Attorney John Zemenak, Village Engineer Noriel Noriega

Absent: Thomas Sharp

- 3. Pledge of Allegiance**
- 4. Swearing in of testifying attendees**
- 5. Reminder to silence all electronic devices**
- 6. Reminder to sign-in for any public testimony**
- 7. Approval of Minutes of the October 11, 2017 regular meeting**

**MOTION to approve October 11, 2017 minutes.**

Motion by: Thomas  
Second by: Bartel

**Voting A**

Van Buren: Yes  
Carmichael: Yes  
Bartel: Yes  
Thomas: Yes  
Lavoie: Yes  
Pill: Yes  
Sharp: Absent

**Motion Passed**



**8. Open Forum**

**9. Review of Public Hearing Procedures**

**10. Open Hearing**

**New Business**

**PZ 17-023 James Lesko regarding the property located at 410 North Washington Street (north lot), Westmont, IL 60559 for the following:**

(A) Zoning Code Variance request for relief from the minimum lot width for a dwelling in the R-3 Single Family Detached Residence District.

**PRESENTATION:** Applicant James Lesko stated that he has been a resident of Westmont for seven years. He is looking to build a home on the north lot at 410 North Washington. A variance is needed due to the fact that the lot width is 48'. Lesko stated that his children attend Miller School and they participate in the Dual Language Program. He anticipates that the popularity will grow for this school. He wants to ensure all his children are able to attend the school, so moving closer will be beneficial for his family. The lot is for sale by owner. The former owner sold 12' to the neighbor to the north. Lesko stated that his architect developed a site plan that is in keeping with the neighborhood. The proposed home fits within the parameters, including the side garage.

**STAFF COMMENT:** Hennerfeind stated that when the entire area was originally subdivided, the lots were 120' wide. The entire area was subsequently divided into 60' parcels. This particular lot, which is comprised with 2 parcels, was always under the same ownership. The existing house on the southern parcel sits 1' south of the lot line. When recently sold, the 48' parcel to the north was not purchased and is now on the market individually. The cause for decrease in size from 60' to 48' is unknown, but it is not uncommon for owners to deed a portion of a lot between neighbors. The applicant took measures to design a house that does not require any additional variances. There is no remedy for the house to the south that is 1' away from the property line, but the new house design specifically creates separation to minimize proximity. Pill asked when did the 12' decrease occurred. Hennerfeind responded that there was no record available that staff could find.

**PUBLIC COMMENT:** Matt and Heather Franklin, residents at 410 North Washington, stated that their home sits nearly on the lot line. Their biggest concern is that should any issues come up with the proposed home (i.e. fire), it could put their home in jeopardy. They stated that the integrity of their home could be compromised if any issues could not be worked out with the homeowners or the Village. They do not want the proposed home to affect the value of their own home. However, they stated that their intention is not to put a stop to the home. Pill stated that if anyone were to purchase this lot, the same situation would come up. Matt Franklin stated that it was their own risk for not taking the opportunity to purchase the lot. He stated that a structure so close creates an inconvenience, but they are not opposing the neighbors.

Grant Buma stated that he lives in the lot to the north. He is currently in the process of building his home. He stated that he is concerned with the smaller size lot and how it could affect the character of



the neighborhood. He stated that he is also concerned with stormwater and the nature of water running off, which could present an issue. Zemenak asked if staff could touch on stormwater and the rebuild issue of the house. Lesko responded that they are intending on routing any water flow. The water should flow away from the houses since the grade goes down towards the northeast. Noriega responded that an engineering plan had not been submitted yet. However, vacant lots require stormwater management. He stated that detention will not be required for this lot. Hennerfeind stated that staff had reviewed legally conforming versus legally non-conforming in regards to the re-build issue. He stated that as soon as it becomes two lots, it becomes legal non-conforming. For this particular lot, if the home had to be rebuilt, it would need to be decided whether it should be built on the 6' mark or the 1' mark. The residents would have the option of requesting a variance. Zemenak stated that if over 50% of the house was damaged, it would need to be rebuilt in a conforming manner, but the resident could request a variance for the setback.

**COMMISSIONER COMMENT:**

Bartel: Stated that her biggest concern was what would happen with all the extra water, but that question had been answered. She stated she is supportive of the project.

Lavoie: Asked staff if there could be a jog on the lot line that could meet the setback requirements. He stated that this would not pose a hardship to the neighbor to the south. The lot line could jog around the building to meet the minimum standard so that if the house had to be rebuilt it would meet the setbacks and relieve the potential hardship on the property owner. Hennerfeind responded that the Village tries not to have jogs in lot lines. This change would also create a subdivision since the lot would be changing. Zemenak responded that changing the lot line would trigger the subdivision ordinance which would invoke detention. This type of change usually occurs as a private transaction between property owners and staff does not condition approval. Lavoie asked Noriega if creating a subdivision would trigger stormwater requirements since it would increase impervious area. Noriega responded that it would trigger a subdivision, but it would not be creating a new lot. This would create a hardship for the owner. He stated that since it is an existing lot, the Village would adhere to DuPage County ordinances.

Carmichael: Stated that this is a unique lot and he had no questions or comments.

Van Buren: Stated that there are many lots which are 50' x 200'. The length of this lot is much larger, so the applicant would have a lot of area. He stated that he is all for it.

Lesko stated if the neighbor's home was destroyed, he would not protest a variance. He does not want to create a hardship for anyone.

Thomas: Stated that his initial thought was how is the applicant going to get around there since the area is so tight. However, the architect did a good job and he has no issues with it.

Pill: Stated that he is impressed with the architectural drawings. He told the applicant that he assumes some risk since the value could decrease down the road. He stated that the neighborhood is a nice area and the backyards don't have many fences, which creates a huge back area. He is supportive of the



request.

#### FINDINGS OF FACT

To be presented at the next meeting.

#### **MOTION A**

Motion by: Carmichael

Second by: Van Buren

Van Buren: Yes

Carmichael: Yes

Bartel: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Absent

**Motion Passed**

#### **PZ 17-024 PH OBH Hotel Owner, LLC and WCW Landowner, LLC regarding the property located at 3500 Midwest Road, Oak Brook, Illinois, 60523 for the following:**

- (A) Comprehensive Plan Amendment request to redesignate approximately 67 acres of Open Space to approximately 27 acres of General Commercial and approximately 40 acres of Single Family Detached Residential.
- (B) Map Amendment request to rezone approximately 40 acres from B-3 Special Business District to R-1 Single Family Detached Residence District.
- (C) Text Amendment request to amend various subsections of Appendix A, Section 7.06 of the Westmont Zoning Code regarding residential uses in the B-3 Special Business District.
- (D) Text Amendment request to amend Appendix A, Article XI of the Westmont Zoning Code to permit Electronic Message Board signs in the B-3 Special Business District.
- (E) Map Amendment request to rezone approximately 27 acres from B-3 Special Business District to a Planned Development Overlay District in the underlying B-3 Special Business District.
- (F) Special Use Permit request to permit residential dwelling units in the B-3 Special Business District.
- (G) Zoning Code Variance request to increase the maximum number of signs permitted in the B-3 Special Business District.
- (H) Zoning Code Variance request to reduce the total required number of parking spaces in the B-3 Special Business District.
- (I) Preliminary Concept Plan approval for the new construction of a natatorium and a multi-family residential apartment building including a phased site and landscaping plan.
- (J) Preliminary Plat of Subdivision approval.