



**MINUTES
MEETING OF VILLAGE OF FRANKFORT
PLAN COMMISSION / ZONING BOARD OF APPEALS
MARCH 25, 2021 – VILLAGE ADMINISTRATION BUILDING
432 W. NEBRASKA STREET**

Call to Order Chair Rigoni called the meeting to order at 6:30 P.M.

Commissioners Present: Kris Michuda, Will Markunas, Dan Knieriem, Michael Leddin, Lisa Hogan, Ken Guevara, and Chair Maura Rigoni

Commissioners Absent: None

Staff Present: Senior Planner Christopher Gruba, Building Director Adam Nielsen, Utilities Director Zachary Brown, and Utilities Executive Assistant Marina Zambrano

Elected Officials Present: Trustee John C. Clavio as Village Board Liaison and Trustee Savaria

A. Approval of the Minutes from March 11, 2021

Motion (#1): Approval of the minutes from March 11, 2021.

Motion by: Knieriem Seconded by: Hogan
Approved: (5 to 2)
Abstain: (2) Michuda, Guevara

Chair Rigoni swore in all those wishing to provide public testimony.

B. Public Hearing Request: Brown Variances (Ref. #104)

Public Hearing Request: Demolition of the existing single-family home and construction of a new single-family home within Downtown Frankfort, located at 143 Kansas Street, zoned R-2, requiring 8 variances, including a rear yard setback for a detached garage, a side yard setback for a detached garage, front yard setback for the house, a driveway setback, a side yard setback for the house, maximum lot coverage, impervious lot coverage and the use of non-masonry materials for the first floor.

Senior Planner, Christopher Gruba, presented the staff report and provided an overview of the request noting the applicant revised the site plan. The architect, Gabriel Garcia and the applicant, Amy Brown were present for discussion. Mr. Garcia noted some revisions were made to the plan per the commissioners' request from the workshop. The architect also noted The Old Town Homeowners Association architectural review committee submitted a letter of denial for the request.

During the Plan Commission Discussion:

- Commissioner Michuda questioned the applicant when they received the Old Town HOA denial letter for the request. Mr. Garcia noted it was received in the evening hours of March 24th;
- Commissioner Hogan thanked the architect for the visual rendering and noted it is very helpful for the review;
- Chair Rigoni thanked the applicant for adjusting the rear yard setback and questioned why it was increased by 0.5'. The original plans presented at the workshop provided a 0' setback from the rear property line. The updated site plan has been revised and now provides a 0.5' setback from the property line. Mr. Garcia noted the Commissioners suggested at the workshop to revise the rear yard setback and applicant decided to increase the setback but notes that did not want to lose the small yard due to the non-conforming lot size;
- Member Knieriem thanked the applicant for adjusting the rear yard setback and for providing the brick walkway in the front of the proposed home. Commissioner suggested for staff to review the drain tile material and make sure the applicant does not install corrugated pipe but rather a formal drain tile. Building Director, Adam Nielsen noted the plan for the drain tile will be reviewed to make sure it is the proper material to be installed;
- Mark Adams, Old Town Homeowners Association member noted the proposal was reviewed by the architectural review committee and recommend a denial of the request since they based their recommendation on the 2040 Comprehensive Plan (Downtown Frankfort Residential Design Guidelines);
- Michael Kirsch residing at 215 Kansas Street noted the site plan for the proposal looks great and feels the home will fit in well in the area. Mr. Kirsch noted his support for the proposal;
- Commissioner Leddin questioned the applicant on his thought if anything should be different on the property since it is a small lot. Applicant, Amy Brown noted that based on the small lot this home fits in perfectly well;
- Mark Adams, Old Town Homeowners Association member noted the property is narrow and the lot is substandard and feels the home looks taller than the 2 neighboring homes;
- Commissioner Hogan noted the home at 215 Kansas Street that was recently built is taller than the proposed home at 143 Kansas Street;
- Commissioner Michuda questioned Mark Adams why the HOA thinks width of home is excessive. Mark Adams noted the width of the home is not within standards but realizes its smaller lot and the new home will be smaller than the existing home;
- Chair Rigoni read the four (4) email correspondence from Janet and Daniel Hogan, Gordon Keuch, Ty Harvey, and Susan Aden;
- Commissioner Leddin thanked the architect for providing the overlay and thanked staff for all the work put into the proposal and providing the information for other similar variance requests;

- Commissioners thanked the applicant for moving the garage to the east providing a 2' side yard setback;
- Commissioner Hogan noted that she is pleased that the applicant has received approval from the neighboring resident at 137 Kansas St;
- Chair Rigoni and Commissioner Michuda expressed concern with the lot coverage for the proposal noting that there was a similar lot size coverage approved at 38% where the proposals' lot coverage is at 41%;
- Commissioner Guevara noted that he struggles to know where to draw the line on the lot coverage but sees the hardship on this non-conforming lot and feels the proposal will fit in well with the other homes on the street and the neighborhood;
- Commissioner Michuda questioned other plan commissioners if their concern with the lot coverage had to do with the drainage on the lot and questioned if providing a ribbon driveway option will aid in the lot coverage concern;
- Commissioner Markunas questioned the applicant if there was any consideration to meet the impervious lot coverage requirement at 40% instead of the proposed coverage at 46%. Applicant, Amy Brown noted there is not many options to meet the requirements with the non-conforming lot and feel the setbacks have improved significantly with the proposal;

Motion (#2): Recommend the Village Board approve the variance request to reduce the required rear yard setback for an accessory building from 10' to 6", on the property located at 143 Kansas Street, in accordance with the reviewed plans and public testimony.

Motion by: Hogan
Approved: (7 to 0)

Seconded by: Guevara

Motion (#3): Recommend the Village Board approve the variance request to reduce the required side yard setback for an accessory building from 10' to 2', on the property located at 143 Kansas Street, in accordance with the reviewed plans and public testimony.

Motion by: Guevara
Approved: (7 to 0)

Seconded by: Michuda

Motion (#4): Recommend the Village Board approve the variance request to reduce the required driveway setback from 5' to 2', on the property located at 143 Kansas Street, in accordance with the reviewed plans and public testimony.

Motion by: Hogan
Approved: (7 to 0)

Seconded by: Guevara

Motion (#5): Recommend the Village Board approve the variance request to reduce the required front yard setback for the primary structure from 30' to 10', on the property located at 143 Kansas Street, in accordance with the reviewed plans and public testimony.

Motion by: Knieriem Seconded by: Guevara
Approved: (7 to 0)

Motion (#6): Recommend the Village Board approve the variance request to reduce the required side yard setback for the primary structure from 13' to 5', on the property located at 143 Kansas Street, in accordance with the reviewed plans and public testimony.

Motion by: Hogan Seconded by: Markunas
Approved: (7 to 0)

Motion (#7): Recommend the Village Board approve the variance request to exceed the maximum lot coverage to allow 41% instead of 20%, on the property located at 143 Kansas Street, in accordance with the reviewed plans and public testimony.

Motion by: Markunas Seconded by: Hogan
Approved: (6 to 1)
Yay: (6) Guevara, Hogan, Markunas, Knieriem, Michuda, Leddin
Nay: (1) Rigoni

Motion (#8): Recommend the Village Board approve the variance request to exceed the maximum impervious lot coverage to allow 46% instead of 40%, on the property located at 143 Kansas Street, in accordance with the reviewed plans and public testimony.

Motion by: Hogan Seconded by: Markunas
Approved: (5 to 2)
Yay: (5) Knieriem, Markunas, Leddin, Guevara, Hogan
Nay: (2) Michuda, Rigoni

Motion (#9): Recommend the Village Board approve the variance request for first-floor building materials to allow non-masonry siding on the property located at 143 Kansas Street, in accordance with the reviewed plans and public testimony.

Motion by: Hogan Seconded by: Michuda
Approved: (7 to 0)

C. Public Hearing Request: Lighthouse Pointe Phase 3 Townhomes Major PUD Change (Ref. #108) (Tabled until April 8, 2021)

Public Hearing Request: Major Planned Unit Development Change to the Lighthouse Pointe Phase 3 Townhomes to revise the site plan regarding the lot layouts and revise the architectural designs for the development approved for 87 units. Other Request: Plat of resubdivision approval

Senior Planner, Christopher Gruba noted that this item should be tabled due to lack of a complete submittal, being rescheduled for April 8, 2021.

Motion (#10): Table the public hearing to April 8, 2021.

Motion by: Michuda

Seconded by: Knieriem

Approved: (7 to 0)

D. Workshop: Captain Cook Special Use – 9500 W. Lincoln Highway, Suite 1 (Request withdrawn)

Future Public Hearing Request: Special Use to allow a carry-out restaurant in the B-2 zone district (Am. Ord 2495, passed 8.4.08).

Senior Planner, Christopher Gruba noted the Special Use request was withdrawn permanently per applicants' request.

G. Public Comments

None.

H. Village Board and Committee Update

Trustee Clavio discussed items covered at the various committee meetings of the Village noting the Director of Economic Development has been selected and will be coming on board on April 26, 2021.

I. Other Business

Adam Nielsen, Director of Building department noted The Wine Thief has revised the patio addition plans due to the elevated deck area failing to provide handicap accessibility and other ADA compliance concerns. The revised plans were discussed at the Historic Preservation Commission on March 25, 2021 prior to the Plan Commission meeting and voted 4-0. Applicants, Edward and Valerie Thelen were present at the Plan Commission meeting and discussed the revisions.

The Plan Commission performed a straw poll, in which all commissioners were in favor of the revised plans.

J. Attendance Update

All members present confirmed their availability for the next Plan Commission meeting to be held on April 08, 2021.

Motion (#11): Adjournment (7:57 PM)

Motion by: Michuda

Seconded by: Markunas

Unanimously approved by voice vote.

Approved April 08, 2021

As Presented X

As Amended _____

Maura A. Rigoni /s/Maura Rigoni, Chair

Christopher DeLuca /s/ Secretary