



**MINUTES**  
**MEETING OF VILLAGE OF FRANKFORT**  
**PLAN COMMISSION / ZONING BOARD OF APPEALS**  
**August 12, 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:** Chair Maura Rigoni, Will Markunas, Lisa Hogan, Nichole Schaeffer, Ken Guevara, and David Hogan

**Commissioners Absent:** Dan Knieriem

**Staff Present:** Senior Planner Christopher Gruba, Senior Planner Janine Farrell, and Director of Community and Economic Development Michael Schwarz

**Elected Officials Present:** None

**A. Approval of the Minutes from July 22, 2021**

Chair Rigoni stated that additional information for an addendum was received for the July 22, 2021 minutes. Copies of the redlined minutes showing the proposed changes were provided to the Commissioners. Chair Rigoni stated that these suggested edits were not from staff or a Plan Commissioner but by an elected official. Chair Rigoni stated that she was not present at the July 22, 2021 meeting and asked the Commissioners if the minutes should be revised or remain as originally presented.

Commissioner Markunas made a motion to approve as amended. Commissioner Lisa Hogan requested discussion before a vote. She asked if this was what was said and pointed to the document. Chair Rigoni responded that staff received the revisions. Commissioner Lisa Hogan requested the minutes to be tabled so they had time to review the suggested revisions. Commissioner Markunas withdrew his previous motion.

**Motion (#1):** Table approval of the minutes from July 22, 2021 to August 26, 2021.

Motion by: Schaeffer                      Seconded by: Lisa Hogan

Approved: (4 to 0)

Chair Rigoni and Commissioner Guevara abstained.

Chair Rigoni swore in all those wishing to provide public testimony and introduced the meeting process for the public. Chair Rigoni stated that items seven and eight on the agenda will be tabled in case anyone is present for those cases.

## **B. Public Hearing: 10650 Yankee Ridge Drive**

Chair Rigoni introduced the variation request. The applicants, Michael and Rima Murphy, are requesting one variation to permit a detached pool cabana. The applicants amended their original request. Instead of 288 square feet, the proposed cabana would now measure 255 square feet, whereas 144 square feet is permitted.

Farrell presented the update on the case. This proposal was first discussed as a workshop on June 24<sup>th</sup> and then a public hearing was held on July 22<sup>nd</sup>. The case was tabled at the July public hearing due to some confusion over whether or not the HOA approved the cabana. There were also two objectors present at the meeting. Since July 22<sup>nd</sup>, the applicants have reduced the cabana in size. Instead of a 18' x 16' or 288 sq. ft. structure, they are now proposing a 17' x 15' or 255 sq. ft. structure, a reduction in size of about 11.5%. The cabana's overall design or siting on the property has not changed. Also since the July 22<sup>nd</sup> meeting, staff received a revised letter from the HOA president, Ann Zarembo, which clarifies that the pool cabana has been approved contingent upon receiving variation approval. A copy of that letter was included in your packet. Staff also spoke with Ms. Zarembo to confirm the HOA approval and that no re-review was required due to the change in size. Staff also received some emails of support in addition to what was provided in the packet. Copies were distributed to the Commission and Farrell read them into the record.

- From Nonie & Charles Powell: "Hi Janine. I just wanted to send you a quick note and let you know we received the certified letter from Michael & Rima Murphy. We are backyard neighbors who share a fence line (adjacent to each other). They have a great backyard and adding this cabana will only make better. We have no objections and look forward to seeing it once completed!"
- From Jayson Polad: "I fully support the outdoor project at the Murphy household. I have reviewed all the specifics and know it will be a welcomed addition to the property."
- From Julianne Polad: "As a valued neighbor, I have looked over the backyard project, and I am confident not only is the structure being built outside absolutely stunning ...it is proportionate to the size of the property. I am in full support of the added addition to Murphy household."
- From Katherine Kahlhammer: "Hi Janine, I'm a neighbor of Mike and Rima Murphy. I do not oppose the structure that they intend to build in their backyard. Please contact me if needed for any questions or concerns."
- From Sophie Simeakis: "Can you guys please allow the Murphy's to build whatever they need in their backyard. I have known them for a long time and they are awesome people. I think the addition that they would like to do would be of great benefit to their family, and am certain that they will not disturb the peace of the neighborhood at all. Thank you for your kindness and consideration in this matter."

During the Plan Commission Discussion:

- Chair Rigoni asked for input from the applicant, Rima Murphy. Ms. Murphy

noted that she had taken the Plan Commission's advice from the workshop and the public hearing and adjusted the cabana, including a reduction in size. She also noted that she had reached out to residents in the neighborhood and had received positive feedback.

- Commissioner Guevara questioned whether it was ever discussed at previous meetings to decrease the size of the cabana to under 144 square feet. Chair Rigoni noted that the Zoning Ordinance would permit a 144 square foot structure by-right, but that the Plan Commission had simply made suggestions to decrease the size of the cabana from its originally proposed size of 288 square feet.
- Commissioner Lisa Hogan questioned whether the letters of support received were adjacent neighbors or residents within the subdivision. Ms. Murphy stated that they were letters from people throughout the subdivision within 250 ft.
- Commissioner Schaeffer wanted to confirm that the proposed cabana design complied with the requirements of the HOA. Ms. Murphy stated that the proposed cabana did have preliminary approval of the HOA.
- Commissioner Lisa Hogan stated that a letter of approval from the HOA had been received.
- Chair Rigoni stated that the Plan Commission acts on its own, within the confines of the Zoning Ordinance, but that they inquire about HOA approval as a courtesy.
- Ms. Murphy stated that the HOA does not allow residents to attach structures to their house, therefore necessitating the request for a detached pool cabana structure. Commissioner Hogan stated that if the cabana were attached to the house, a variance would not be required regarding size.
- Chair Rigoni opened the public hearing regarding the request.
- Resident Todd Morgan offered some history and background of the Zoning Ordinance requirements from his time as a trustee. He stated that the regulations on accessory structures were weak in the past and to address this, they came up with the 12'x12', or 144 square-foot, regulation for accessory structures. This regulation was designed primarily for sheds in residential zones. He stated that limiting accessory structures to 144 square feet forces many requests to come before the Plan Commission for a variance, therefore providing an extra level of scrutiny for such requests. As a hypothetical example, he stated that fences in the Village were limited to 4' tall, but if a resident requested a fence taller than that, they had the ability to request one through the variance process if the need were justified. Mr. Morgan said that he supports the variance request for the proposed cabana. He also stated that many other residents have accessory structures that are similar in size to the one being proposed. By his estimate, there are at least 5-10 such structures in every subdivision. He also mentioned that one residence has an accessory structure that measures approximately 30'x70', but that it is on a larger lot and hidden in the woods so it has not drawn much attention from the public.
- Adjacent resident, Jeff Nepote, spoke before the Commission. He stated that the size restriction of 12'x12' for accessory structures is too small. He noted that there should definitely be a size maximum but wondered aloud what that maximum size should be. Mr. Nepote thought that the HOA "punted" the request for the cabana to the Plan Commission. Chair Rigoni replied that the Plan Commission abides by the Zoning Ordinance and does not enforce HOA

restrictions, and that both entities serve separate functions. Commissioner Lisa Hogan stated that there are many times when the HOA approves of a request, but then the Plan Commission denies it for a variance. Mr. Nepote asked the Commission exactly what size of an accessory structure would be too large. He stated that he still thinks that the proposed pool cabana is still slightly large at 255 square feet but does not object outright. He stated concern that approval of this request could set a precedent and also lead to continually larger accessory structures in the future. Chair Rigoni responded the Plan Commission has had many discussions in the past about the appropriate size for accessory structures. She also stated that each request is unique and is reviewed on a case-by-case basis, but that they do use the past history of approvals as a guide. She stated that she would be interested in including a landscaping requirement for any future regulatory changes regarding accessory structures.

- Commissioner Guevara stated that regardless of whether the proposed cabana were approved or not, that their action would not constitute a precedent that would have to be followed in the future.
- Commissioner Lisa Hogan stated that she takes public comment seriously regarding requests that come before the Commission. She also stated that the stance of an HOA does not impact her decision.
- Farrell stated that after the July 22<sup>nd</sup> Plan Commission meeting, she performed some research, including the cabana located on Mr. Nepote's property. She stated that his cabana measured 12'x12', or 144 square feet and abides by the current zoning regulations. She stated that she researched an existing accessory structure located at 10516 Yankee Ridge and estimated, per aerial measurements, that it was approximately 14'x15', or 210 square feet. She stated that due to the age of the structure, building permit records are no longer available.
- Commissioner Guevara stated that when a particular project does not have the support of their HOA, that this "raises a red flag" and reviews the project with more scrutiny.
- Mr. Nepote stated that he neither opposes nor supports the variance request for the proposed cabana. He did state that he believes it will be attractive and be properly landscaped.
- Todd Morgan spoke again before the Commission. He stated that when he began his term as a trustee, that there were very few HOA's in the Village. He stated that the Village began encouraging subdivisions to get HOA's in order to give them a voice at public meetings. He stated that the Walkers built their accessory structure in 2008 and that it measures 20'x20', which suggests that their request may not have been reviewed under the current Zoning Ordinance regulations. However, their accessory structure was approved by the Plan Commission and Village Board unanimously in both cases. Mr. Morgan believed that the Walkers may have skipped the building permit process, leading to concerns. Mr. Morgan stated that the proposed cabana for Rima Murphy is an investment and will add value to the neighborhood.
- Chair Rigoni closed the public hearing portion of the request and asked the Commissioners for their input.

#### During Plan Commissioner Discussion:

- Commissioner Guevara stated that he appreciated the comment that if the cabana were attached to the house, that a variance would not be required for

size. He also stated that the current Zoning Ordinance regulations came about from sheds. He also expressed approval that the structure is open on several sides, which makes the cabana appear smaller.

- Commissioner Lisa Hogan asked if landscaping would be added around the cabana. Chair Rigoni said that she believed that landscaping was illustrated on the plans. Commissioner Lisa Hogan expressed concern that the back of the pool cabana with the wall would back up to the neighbor's property, where landscaping seemed to be absent. Ms. Murphy replied that they were uncertain where their pool cabana would be placed or what the final design would be and held off on installing landscaping. She did state that she intends to complete the landscaping around her proposed pool cabana. Chair Rigoni stated that landscaping could be made a condition of approval of the cabana. Ms. Murphy questioned exactly how much landscaping would be required and the type of landscaping. She stated that her property had never been completely screened from view of Mr. Nepote's property and that it is barely visible during the summertime with foliage. She stated that some landscaping could be done but that installing several mature arborvitaes would be excessive. Commissioner Schaeffer asked to view the aerial photographs again to view the location of Mr. Nepote's property in relation to Ms. Murphy's property.
- Chair Rigoni stated that the regulation of 144 square feet was originally intended for sheds, but that it has also recently been applied to tennis courts as well, reflecting that the application of 144 square foot requirement has evolved over time.
- Commissioner Markunas stated that the Commission's comments were taken into consideration from the previous meetings.
- Commissioner David Hogan stated that he would like to see additional landscaping around the cabana.
- Chair Rigoni stated that there was a motion before the Commission to approve of the variance request and added that a condition could be added to require additional landscaping along the west and north property lines in the area of the cabana.

**Motion (#2):** Recommend the Village Board approve a variation from Article 5, Section D, Part 3 to permit a 255 sq. ft. detached pool cabana, exceeding the 144 sq. ft. permitted, for the property located at 10650 Yankee Ridge Drive, in accordance with the reviewed plans, public testimony, Standards of Variation, and with the following one (1) condition: (1) Landscaping shall be added along west and north property lines in the area of the pool cabana to provide screening.

Motion by: Markunas

Seconded by: Lisa Hogan

Approved: (6 to 0)

### **C. Public Hearing: 49 N. White Street**

Chair Rigoni introduced the variation requests. The applicants, Chris Warfield and Betsy Doogan, are requesting three (3) variations in the R-2 zoning district to alter the existing detached garage to allow a roof height of 19' whereas 15' is permitted, and to allow a new rear yard patio set back 4' from the rear property line (east) and 4' from

the side property line (south), whereas 10' is required in both instances.

Farrell presented the case. This proposal was heard as a workshop at the June 24th PC/ZBA meeting. It was tabled at the July 22<sup>nd</sup> meeting due to the notices not being sent out. At the workshop, the Commission requested clarification from the architect regarding the necessity of the height increase. The architect had stated that it was due to the new header and garage door being installed and maintaining the required roof pitch under Building Code. Commission also asked for a letter from the property owner to the south regarding the patio setbacks. A letter of support from the neighbor to the south was included in the packet. A letter from the architect was distributed along with some updated renderings. Farrell read the letter from Gabriel Garcia of Ideal Designs into the record.

"Dear Janine, Our staff created a street view rendering of the North side of the Garage/Home and also a color Site rendering. I hope this will be helpful. Please add to your presentation. Please see attached. As you requested, I have attached the Codes for the Garage Door height 8'-0" and the minimum roof pitch of 8/12 in the R-2 Zoning. Please see attached. The reasons we had to design our garage height at 19'-0" is:  
1. 8/12 Roof Pitch (Code). 2. To accommodate an 8'-0" garage door height (Code) w/ 16" header over the door, and to clear the garage door opener, therefore requiring 10' walls. 3. To architecturally match the home."

Farrell stated that none of the requests have changed since the workshop. The applicant is looking to renovate an existing detached garage and construct a new patio. The parcel is nonconforming in terms of lot size, lot depth, and lot width. The garage and residence are also nonconforming due to their age and do not meet current setback requirements, rear yard coverage, and lot coverage. With the proposed patio, the impervious coverage will be 39.3% and within the maximum of 40% permitted. The residence underwent a renovation in 2018 where a second story addition was added to the existing footprint and no variations were required for the work. The applicants now would like to renovate the garage, using the same footprint. Farrell showed the proposed garage on the screen and discussed the work proposed. A new, single Craftsman style garage door to be installed, a new window on the Bowen St. façade, new dormers, and new roof height but same hipped roof style to match the house. The increase in roof height will accommodate the applicant's taller vehicle. There will not be living space in the garage and a condition has been added for the Commission's consideration. There is only a lofted storage space. A new sliding glass door to the rear of the garage will be added which accesses the patio to the south. A fireplace will also be installed. The patio is proposed to encroach into the east and south setbacks. A 10 ft. minimum setback is required. The existing garage is only 3.41' from the eastern or rear property line, the patio would be less at 4'. Farrell discussed the Standards of Variations in brief since this is the first public hearing for the case.

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; The property could yield a reasonable rate of return with a garage height limitation of 15 ft. and with maintaining patio setbacks of 10 ft. from the eastern and southern property lines. Increasing the height would allow for modern, taller vehicles to fit inside the garage and the addition of the patio, would likely result in a greater return as it would better accommodate furniture.

2. That the plight of the owner is due to unique circumstances; The existing garage is older and nonconforming and the parcel is nonconforming. In order to add the appropriate header and maintain the required roof pitch, the overall height of the garage must be increased beyond the maximum of 15 ft. to 19 ft. In regard to the patio, if the 10 ft. setback was maintained, this would result in a 6.95 ft. wide patio. The parcel is half the width of a standard R-2 property.

3. That the variation, if granted, will not alter the essential character of the locality. Detached garages are common in this area. There were two that appeared to be taller than average just by viewing, although staff cannot confirm the exact height. In regard to the patio setbacks, staff did not find patios encroaching into the 10 ft. setback, but there are many driveways which are located at property lines, including the parcel abutting to the south.

1. That the particular physical surroundings, shape or topographical conditions of the specific property involved will bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out; In regard to the garage height variation, there is not a condition of the land which presents a hardship; it is a condition of the nonconforming structure itself. In regard to the patio variation, the parcel is almost half the lot area and lot width of a standard R-2 lot which presents a challenge to meet setbacks.

2. That the conditions upon which the petition for variation is based would not be applicable, generally, to other property within the same zoning classification; The conditions are not generally applicable. These are very specific requests related to this specific property.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property; The purpose is not based upon a desire to make money out the property. The garage and patio are for personal use.

4. That the alleged difficulty or hardship has not been created by any person presently having an interest in the property; The applicant did not create the narrow parcel or build the nonconforming structures.

5. That the granting of the variation will not be detrimental to the public welfare or unduly injurious to other property or improvements in the neighborhood in which the property is located; The minimal increase in height and patio encroachment will not be detrimental to the public welfare or other properties.

6. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed, or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood; The remodeled garage will better match the existing residence.

7. That the proposed variation will not impair an adequate supply of air to adjacent property, substantially increase the danger of fire, otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood. The

remodeled garage and patio will not impair property values or endanger the public.

Chair Rigoni asked if there were any initial questions by the Commissioners. There were none.

Chair Rigoni asked if the applicants were present and wished to speak. Gabriel Garcia of Ideal Designs, Betsy Doogan, and Chris Warfield approached the podium and introduced themselves. Chair Rigoni stated that there was a workshop held on this case before and asked if there was anything the applicants would like to add. Mr. Warfield stated that they wish to do this project, but they also want to have a covered patio which was taken off the workshop plans. Mr. Warfield stated that he prefers to have the patio with the covering and asked how to proceed. He stated that this was brought up at the last meeting casually.

Chair Rigoni asked Farrell if she saw the revision. Farrell stated that she received the updated plans and renderings two days ago and that additional variations would be required. Farrell showed the revised renderings and plans on the screen. Lot coverage and rear yard coverage are already exceeded, and by adding the covered patio, it will exceed it further. To add the additional variations, the case would have to be tabled, re-noticed, and republished. Farrell stated in her conversation with Mr. Doogan earlier today, the applicants definitely want to proceed with the original three variation requests.

Mr. Warfield asked about the impervious lot coverage. Chair Rigoni explained the difference between lot coverage and impervious coverage. Mr. Warfield believes that the cover might better direct water to gutters instead of towards neighbors.

Chair Rigoni commented that the public hearing is functioning as a workshop but without all the details.

Mr. Warfield commented that they could move forward with this request and then come back for the other variations.

Farrell stated that currently, without the addition, the parcel has 28% lot coverage when 20% is the maximum permitted. Rear yard coverage is 39.8% when 30% is the maximum permitted. The covered roof area will increase both of those numbers and they'll both require variances.

Mr. Warfield stated that the roof would not extend past the proposed patio.

Chair Rigoni directed to the Commissioners that there is a request the applicants want to modify, so let's proceed as if it's a workshop. Chair Rigoni asked if the Commissioners have any strong feelings or have questions for staff.

Commissioner Lisa Hogan stated that in looking at the new plans, she does not feel strongly against them.

Commissioner Guevara asked if the patio would be enclosed. The applicant responded that it would not. Commissioner Guevara stated that it would be nice to know the lot coverage and impervious coverage percentages.



Commissioner Schaeffer would like to see better drawings.

Commissioner Markunas would like to see more information.

Commissioner David Hogan stated that the covered patio looks great.

Chair Rigoni disclosed that Betsy Doogan is a friend and thanked Gabriel Garcia for the renderings. Chair Rigoni asked if there will be landscaping along the south property line. The applicants stated yes, they will add landscaping.

Schwarz asked if it was clear to move forward on the request.

Chair Rigoni stated that is a question for the applicant.

Mr. Warfield stated that they'll proceed with the uncovered patio regardless.

Schwarz stated that the Commission could vote on the proposal but hold it for the Village Board. There is a deadline for the project to move forward for Board action however.

Commissioner Guevara stated that if the applicants want to start work on it now, the Commission should vote on it now. Mr. Warfield stated that they intend to wait until the spring to start construction. Commissioner Guevara asked if they would proceed with the patio before the garage. Mr. Warfield responded they would not.

Chair Rigoni recommended to table indefinitely to allow time for the updated drawings and documents to be prepared and reviewed since the case must be republished regardless.

**Motion (#3):** Table indefinitely.

Motion by: Lisa Hogan

Seconded by: Guevara

Approved: (6 to 0)

#### **D. Public Hearing Request: 11258 York Drive**

Chair Rigoni introduced the variation request. The applicants, Julie and Charles Wagner, are requesting one variation to permit a detached pool cabana measuring 240 square feet, whereas 144 square feet is permitted.

Farrell presented the case. This proposal was first discussed as a workshop on June 24th. Two design options were presented at that meeting. Both measured 360 sq. ft. and exceeded the 15' maximum height permitted. The shorter option was 17'6" in height and the taller option was 26'7" in height. At the meeting, the Commission provided feedback that the structure may be too massive in size and scale in relation to the property and along the Dublin Court streetscape. Since that meeting, the applicant has revised the plans and is presenting the following option. Farrell displayed the plans

on the screen. The pool cabana is now 15 ft. in height and the maximum height variation is no longer required or being requested. The pool cabana has also been reduced in size by 33%. The proposed structure is now 12' x 20' or 240 square feet. Based upon the Commission's feedback, the structure also incorporates design elements from both of the previously submitted design proposals. Farrell presented images on the screen comparing the designs. There are grey asphalt roofing shingles, dark brown trim board, gutters, and soffits, stone fireplace, stone for lower portion of walls with remainder dark brown engineered wood, glass French doors at north and south sides, and motorized overhead screens at east and west sides. The proposed pool cabana meets minimum lot coverage, impervious coverage, rear yard coverage, and setback requirements. HOA approval for the proposed structure was received and that correspondence was included in your packet. Farrell stated that the full details of the Standards of Variation were provided in the packet and read through them in brief.

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; The property could yield a reasonable rate of return with a 12 ft. x 12 ft. pool cabana. A larger size cabana, however, would likely result in a greater return.

2. That the plight of the owner is due to unique circumstances; There is not a unique circumstance in this instance. As seen in the previous pool cabana case, the Zoning Ordinance limits the size of pool cabanas for all properties, regardless of their size, to 144 sq. ft.

3. That the variation, if granted, will not alter the essential character of the locality. 2020 Will County GIS arials did not show any detached accessory buildings in this area, but with the cabana, the essential character of the area will remain residential.

1. That the particular physical surroundings, shape or topographical conditions of the specific property involved will bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out; There are no hardships caused by the physical surroundings or the land in this instance.

2. That the conditions upon which the petition for variation is based would not be applicable, generally, to other property within the same zoning classification; The conditions upon which the petition for variation is based would be generally applicable to other R-2 zoned properties as seen with the request earlier this evening.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property; The proposed pool cabana is for personal use and is not based upon a desire to make more money out of the property.

4. That the alleged difficulty or hardship has not been created by any person presently having an interest in the property; The difficulty or hardship in this instance is the limited size of pool cabanas permitted under Zoning Ordinance regulations which cannot comfortably accommodate seating areas or the intended use.

5. That the granting of the variation will not be detrimental to the public welfare or unduly injurious to other property or improvements in the neighborhood in which the

property is located; The granting of the variation will not be detrimental to the public welfare or injurious to other properties in the area.

6. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed, or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood; The proposed pool cabana will match the primary residence on the subject site in terms of the materials used and should not negatively impact neighboring properties.

7. That the proposed variation will not impair an adequate supply of air to adjacent property, substantially increase the danger of fire, otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood. The additional 96 square feet of the proposed pool cabana beyond 144 sq. ft. will not endanger the public's safety or diminish property values. The applicant will be required to secure a building permit and meet Building Codes.

Chair Rigoni asked if the applicants were present and wished to speak. Charles and Julie Wagner approached the podium and introduced themselves. Mr. Wagner stated he had nothing to add. He said he appreciated the Commission's feedback from the workshop, talked to his architect, and he hopes that the architect designed a good solution.

Chair Rigoni asked if the public had any comment on the case. There was no public present.

Chair Rigoni asked the Commissioners to begin discussion of the case.

During the Plan Commission Discussion:

- Commissioner David Hogan had no questions. He stated that the applicants put thought into the redesign. Commissioner Hogan stated that the proposed cabana looks nice from Dublin Court and fits better size-wise with the house.
- Commissioner Markunas thanked the applicants for making the changes. He stated that the new design fits with surrounding area and is a good compromise from the original proposal.
- Chair Rigoni thanked the applicants for taking the Commission's comments into consideration and remarked that not all applicants do that. Chair Rigoni stated she did not like the massiveness of the original proposal and the wood helps reduce the dense heavy feel. Chair Rigoni would prefer to see the sides open, but is ok with the French doors instead. Chair Rigoni asked if there were any landscaping plans along Dublin Court. The applicants responded that the house was a model home when they moved in and there was no landscaping. They added small beds along Dublin Court. Farrell presented photos of the property on the screen to illustrate. The applicants stated that they intend to add more landscaping along the fence line when the pool project is completed and have already hired a landscape architect to design it. Chair Rigoni requests that the variation be conditioned upon adding landscaping along the west and north

sides in the area of the pool cabana, but this condition could be removed before the case goes to the Village Board if the applicants show staff the landscape plan and it is deemed sufficient.

- Commissioner Lisa Hogan commended the applicants on a job well done altering the plans.
- Commissioner Guevara had no comments.
- Commissioner Schaeffer stated that “mashup” was her word used at the workshop and thanked the applicants for taking it to heart and incorporating design elements from both proposals.
- Commissioner David Hogan asked the applicants if they were happy with the new design. The applicants responded that they were.

**Motion (#4):** Recommend the Village Board approve a variation from Article 5, Section D, Part 3 to permit a 240 sq. ft. detached pool cabana, exceeding the 144 sq. ft. permitted, for the property located at 11258 York Drive, in accordance with the reviewed plans, public testimony, Standards of Variation, and with the following one (1) condition: (1) Landscaping shall be added along west and north property lines in the area of the pool cabana to provide screening.

Motion by: Guevara

Seconded by: Lisa Hogan

Approved: (6 to 0)

**E. Public Hearing Request: 10315 Vans Dr., Units C, D, E**

Chair Rigoni introduced the special use request. The applicant is requesting a special use for indoor recreation and entertainment to operate Cheer City, a cheerleader training facility. Chair Rigoni stated that there is a request to table this case until August 26, 2021.

**Motion (#5):** Table until August 26, 2021.

Motion by: Lisa Hogan

Seconded by: Guevara

Approved: (6 to 0)

**F. Public Hearing Request: Village of Frankfort Zoning Ordinance Text Amendments**

Chair Rigoni introduced the request for proposed text amendments to the Village of Frankfort Zoning Ordinance to create a new use category, beer garden. Chair Rigoni stated that there is a request to table this case until August 26, 2021.

**Motion (#6):** Table until August 26, 2021.

Motion by: Guevara

Seconded by: Markunas

Approved: (6 to 0)

**G. Public Comments**

There were no public comments.

**H. Village Board & Committee Updates**

Schwarz stated that the Village Board did not take action on any cases since the last meeting.

**I. Other Business**

- **Notification of minor PUD change approval for Jameson's Pub, 9545 W. St. Francis Rd./PIN 19-09-15-103-003-0000**

Chair Rigoni introduced the item. Farrell stated that this agenda item is for informational purposes only, there is no action required by the Plan Commission. In accordance with Zoning Ordinance section Article 3, Section F, Part 12, e, "the Code Official may approve minor changes in the planned unit development which do not change the concept or intent of the development and shall convey all decisions to the Plan Commission in writing. Minor changes are defined as any change not defined as a major change." Jameson's Pub is proposing a small addition to the east side of the structure to permit the expansion of bathroom facilities for guests and staff, and the inclusion of a private office. Farrell showed a photo and the plans on the screen. The expansion only equates to 9.8% of the total floor area. A 10% expansion would trigger a major PUD change.

Chair Rigoni asked the Commissioners if there were any questions of staff. There were none.

**J. Attendance Confirmation (August 26, 2021)**

Chair Rigoni asked if Commissioners cannot make the next meeting, please notify staff.

**Motion (#7):** Adjournment (8:00 PM)

Motion by: Schaeffer

Seconded by: Guevara

Unanimously approved by voice vote.

Approved August 26, 2021

As Presented   X  

As Amended

Maura a Rigoni /s/Maura Rigoni, Chair

Christophe Drake /s/ Secretary