



**MINUTES
MEETING OF VILLAGE OF FRANKFORT
PLAN COMMISSION / ZONING BOARD OF APPEALS
MARCH 11, 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, and Chair Maura Rigoni
(Commissioner Knieriem exited during 99 North White Street's Workshop)

Commissioners Absent: Ken Guevara

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

Elected Officials Present: Trustee John C. Clavio as Village Board Liaison, Mayor Holland, Trustee Petrow, Trustee Ogle and Trustee Borrelli

A. Approval of the Minutes from February 25, 2021

Motion (#1): Approval of the minutes from February 25, 2021.

Motion by: Michuda Seconded by: Knieriem
Approved: (5 to 1)

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

Commissioner Kris Michuda announced her recusal prior to the Public Hearing Request.

B. Public Hearing Request: Barz Variance (Ref. #102)

Public Hearing Request: First floor building materials variance to permit the use of non-masonry siding for an existing building addition to the existing single-family home located at 21295 Ginger Lane.

Senior Planner, Christopher Gruba, presented the staff report and provided an overview of the request noting that the home was built in 1995 and around 2016 a rear yard screened porch/3-seasons room was constructed of a Hardie board (composite) siding material without a building permit. The zoning ordinance requires that all homes within the R-2 zone district be composed of masonry along the first floor. Applicant, Thomas Barz was present and noted that he sent the certified letters to the residents within the 250 foot radius to inform them of the request. Also noted

the building materials utilized for the construction of the addition and noted the back of his home backs up to the conservation area.

During the Plan Commission Discussion:

- Commissioner Leddin questioned if the process changed since 2016 when applying for a building permit. Building Director, Adam Nielsen noted the process has been the same and added that the building code is not in question with the proposal but, rather the building materials. Mr. Nielsen noted since 2003 building materials request in the Downtown area are typical, one (1) vinyl siding request was approved in the Charrington subdivision, but none were approved in the Charrington Estates subdivision;
- Commissioner Leddin questioned the applicant if the paver patio was put in after the construction of the addition and if a permit was obtained. Applicant noted the paver patio was added after the construction of the addition and a building permit was not obtained. Applicant added Burnett builder was responsible for the construction of the addition. Applicant requested for a member of the Charrington Estates HOA to provide approval and therefore, there was no attempt to request for a building permit;
- Chair Rigoni questioned whether brick can be added to the addition now. Mr. Nielsen noted the applicant can remove the existing material and replace with a brick veneer or “thin brick”;
- Commissioner Markunas asked the applicant why he did not apply for a building permit. Applicant noted he believed Burnett builder obtained the building permit. Commissioner noted that any reputable builder would have obtained all permits required;
- Commissioner Hogan expressed concern with the applicant not obtaining the building permit. Applicant should know the process being part of several HOA’s in town and reviewing many requests. Commissioner also expressed concern that the HOA approval letter was authored by only one (1) member. Noted normally the request is presented to all HOA members for review;
- Resident, Barbara Dutton residing at 9153 Charrington Drive provided comments regarding applicant’s personal character. Chair Rigoni asked Ms. Dutton to direct her comments only as they pertain to the rear yard enclosed porch addition as per the variance request. Mrs. Dutton added Rogers Roofing was the contractor doing the addition and not Burnett builder. Also noted the HOA never had a meeting to discuss the applicant’s request;
- Resident, William Dutton residing at 9153 Charrington Drive noted he hired William Krohn Construction and obtained the building permits as required. Noted he followed the proper steps to obtain the HOA approval and building permits just as the applicant should have followed the proper steps;
- Commissioner Markunas noted that the Plan Commission makes recommendations based on the Zoning Ordinance review. As such, the

Commission could not offer comments regarding the actual construction and permitting process, but rather the type of materials that were used;

- Commissioners discussed with Mr. Nielsen the procedures the applicants must follow to obtain a building permit and the inspection process that follows;
- Neighboring resident, Pat Esposito residing at 21307 Ginger Lane questioned if the building codes apply to season rooms also. Mr. Esposito noted his line of work is in construction and added that the foundation pier installation was done correctly and feels the building material is appropriate;
- Resident, Dana Ferracuti residing at 21398 Ginger Lane noted that he built a similar addition to his home after he built his home and obtained all that was required to meet building requirements. Mr. Ferracuti noted the applicant failed to follow the same procedures. Also, noted there's different types of masonry that can be utilized to meet the building material's requirement;
- Other neighboring residents were present and questioned the permit cost and whether a permit was issued to the applicant. Mr. Nielsen noted the permit cost varies depending on the type of construction and cost and noted no permit has been issued for the construction of the addition;
- Trustee John C. Clavio as Village Board Liaison noted that the Plan Commission is discussing the building materials request and the intent is for the public to offer their comments but is not a public debate. The applicant still has to follow the building requirements;
- Chair Rigoni read the two (2) email correspondence from Mike McNeela and Tom and Eileen Lahey;
- Chair Rigoni noted there is no excuse for the applicant to not obtain the building permit and added that there's many building materials to try to match the existing materials to meet the intent of the ordinance;
- Commissioner Leddin noted initially he was wondering if there were any building materials variance requests that were approved in the area to have some facts and make a wise decision. Staff confirmed there were none in the same subdivision. Commissioner also questioned the process if the variance request is denied. Mr. Gruba noted if the request is denied the applicant will have to meet the building guidelines;

Motion (#2): Recommend the Village Board to approve a building materials variance to permit the use of composite siding for the existing rear yard enclosed porch on the property located at 21295 Ginger Lane, in accordance with the reviewed plans and public testimony and conditioned upon final review, inspection and approval by the Building Department.

Motion by: Knieriem

Seconded by: Hogan

Denied: (5 to 0)

C. Workshop: 99 N. White Street

Future Public Hearing Request: New construction of a single-family dwelling within Downtown Frankfort, zoned R-2, requiring at least two variances.

Senior Planner, Christopher Gruba, presented the staff report and provided an overview of the request noting that the request provides for 20% lot coverage, which is the maximum permitted coverage in this zone district. The applicants, Mark Michau and Christy Bertrand, were present for discussion and noted that the request is on an undersized lot and are possibly looking to make changes to the driveway from a curved driveway to straight if able to shift everything to the west.

During the Plan Commission Discussion:

- Commissioner Michuda noted to the applicants to look at their options with the driveways since curved driveways could be difficult to some when driving in reverse;
- Chair Rigoni noted if applicants move the home further west closer to White Street, they will possibly eliminate the need for the rear yard setback variance request, but then require a front yard setback variance;
- Commissioner Markunas noted based on the site map the home will need to be moved west approximately 25 feet to clear the electrical boxes on the south side of the street;
- Commissioner Michuda questioned the applicant if there are any color renderings for the building materials. Applicant noted that at this point they are choosing earth tone colors similar to the picture provided in the staff report;
- Commissioners discussed building materials on the proposal. Applicant noted they are proposing a continuous wood shingle wall cladding on the front façade facing White Street and the corner side of the house facing East Bowen Street. Commissioners suggested to incorporate the same material on the north and east sides of the home. Applicant noted they will be using Hardie Shake and Hardie Board throughout the home;
- Chair Rigoni requested staff to provide study of similar requests for the public hearing review;
- Commissioner Michuda noted her concern with the height and scale of the proposal. Applicant noted the builder is aware of the requirements and will be working with builder to meet the requirements. Mr. Lecas noted the proposed height appeared to be 35 feet tall and noted that the home to the south of the proposal seems to be between 32-35 feet tall;
- Commissioner Markunas questioned the building materials for the columns proposed for the front entrance of the home. Applicant noted they are open to suggestions. Commissioner Markunas suggested for the builder to look at the guidelines for acceptable materials;

- Chair Rigoni suggested for the applicant to verify the floor plan from the preliminary site plan since the scale of the garage looks much larger on the site plan;
- Commissioner Hogan questioned the applicant if the mature trees will be preserved. Applicant noted they are looking to keep the trees;
- Commissioner Michuda suggested for the applicant to contact AT&T and find out if the electrical boxes on the South side of the street can be moved over to adjust the location of the driveway moving it further west and questioned who is responsible to pay for the relocation. Resident, Steve Lecas residing at 90 Lawndale Blvd suggested for the applicant to contact AT&T but noted it is the owner's responsibility to pay to move the feeder boxes;
- Commissioners discussed the setbacks noting that they should stay in line with the other homes and suggested for the applicant to look at their options to shift the home to the west closer to White Street and provide updated plans for the public hearing;
- Mark Adams and Danette Muscarella members of the Old Town Homeowners Association suggested for Plan Commission members to review the proposal and keep in mind the 2040 Comprehensive plan and questioned if the HOA approval was not required for the workshop. Chair Rigoni reiterated that the approval is not required for workshop but will be required for the public hearing.

D. Workshop: 613 Prestwick Drive

Future Public Hearing Request: Demolition of the existing single-family dwelling and construction of a new home, zoned E-R, requiring at least three variances.

Senior Planner, Christopher Gruba, presented the staff report and provided an overview of the request noting the existing home meets the first-floor building materials requirement. The applicants, Steve and Jarrett Lecas, were present and noted the home was owned previously by Victor Varner's father with 1970's floor plan and are now looking to build a new "old Frankfort style farmhouse" on the existing lot.

During the Plan Commission Discussion:

- Commissioner Markunas expressed concern with the proposed composite siding material and noted the building materials on the homes next to the proposal on the east and west both were constructed with all brick;
- Commissioner Hogan questioned the builder regarding the need for variance request. Builder Steve Lecas noted the owner chose their style of home with the proposed siding building materials. Builder also noted that there are many other homes in the Prestwick area that do not meet the first-floor building materials requirement;

- Commissioner Michuda noted that this home will look wonderful in the community and sees no issue with the brightness of the home displaying white siding since it will blend in well with the woodsy look of the area;
- Commissioners requested staff to provide survey of similar requests in the Prestwick area for the public hearing;
- Commissioner Michuda questioned what the hardship is on the proposal to try to understand why the building material variance and side yard setback is needed. Concerned that there was no attempt to avoid the variance requests;
- Commissioners questioned if the existing mature trees will remain on the lot, Steve Lecas noted they are trying to keep all the mature oak trees but did have an arborist do a tree study and some had to come down already. Applicant, Victor Varner noted they were trying to keep the mature trees and the contour line on the streetscape;
- Chair Rigoni noted she is having a hard time determining if it is the best location on the lot for the proposed home and to approve the variance request without a hardship. Chair Rigoni added that moving the property 2.7 feet to the east will remove the need for a side yard variance request. Builder, Steve Lecas noted that the option is a possibility and will review;
- Chair Rigoni requested for the builder to provide a better survey showing the impact to the existing trees;
- The Commission discussed the possibility of moving the house closer to the front property line in order to avoid the two side yard setback variances, as the lot is wider closer to the street.

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 Polaris Martial Arts Special Use was approved and the Wine Thief Special Use request might be coming back for a public hearing since applicants made changes to the plans.

I. Other Business

Trustee Clavio thanked the Plan Commission members for all their work especially on difficult variance requests.

J. Attendance Update

All members present confirmed their availability for the next Plan Commission meeting to be held on March 25, 2021.

Motion (#3): Adjournment (9:57 PM)

Motion by: Hogan Seconded by: Markunas

Unanimously approved by voice vote.

Approved March 25, 2021

As Presented X

As Amended

Maura A. Rigoni /s/Maura Rigoni, Chair

Christopher Spube /s/ Secretary