

**NAPERVILLE**  
**ZONING BOARD OF APPEALS MINUTES**  
**October 13, 2009 - 7:00 P.M.**  
**COUNCIL CHAMBERS**

<b>Call to Order</b>		<u>Time:</u>	(7: 00 pm)		
<b>A. Roll Call</b> Commissioners:	<u>Present:</u> Karl Fry, Chairman Ann Mele Carl Pelzer Robert Hedrich Bhavani Prasad Vemuri Gina Terrano Koscal Robert Williams	<u>Yes</u>	<u>No</u>		
		X			
		X			
		X			
		X			
		X			
		X			
		X			X
<b>Staff Present:</b>	Katie Forystek – TED Community Planner Dina Hagen – Administrative Assistant				
<b>B. Approve Minutes</b>	<u>September 23, 2009</u>				
	Motion to Approve by: Pelzer Seconded by: Mele		Approved (6 to 0)		
<b>C. Old Business</b>	None				
<b>D. Public Hearing</b>					
<b>ZBA - 09-1-41 Iroquois Center</b>	<u>Petitioner:</u> Inland Commercial Property Management, Inc., 2901 Butterfield Road, Oak Brook, IL 60523 <u>Location:</u> 1163 E. Ogden Avenue  <u>Request:</u> The petitioner proposes to construct two new monument signs for the Iroquois Center. The following variances are sought to construct monument signs on Iroquois and Ogden Avenues: <ul style="list-style-type: none"> <li>• A variance from Section 5-4-5:2.2 (Monument Sign Area) of the Naperville Municipal Code to increase the allowable area for a monument sign on Iroquois Avenue from 45 sf to 56 sf.</li> <li>• A variance from Section 5-4-5:2.2 (Monument Sign Area) of the Naperville Municipal Code to increase the allowable area for a monument sign on Ogden Avenue from 45 sf to 204 sf, and</li> </ul>				

	<ul style="list-style-type: none"> <li>• A variance from Section 5-4-5:2.4 (Monument Sign Height) of the Naperville Municipal Code to increase the allowable height of a monument sign on Ogden Avenue from 10' to 23' on Ogden Avenue.</li> </ul> <p>(Public hearing notice published in the Naperville Sun April 27, 2009)</p>	
	<p><b>Petitioner Presentation:</b>          Mr. Mrazek (Inland Commercial Property Management, Inc., 2901 Butterfield Road, Oak Brook, IL 60523) gave an overview of the request which included:</p> <ul style="list-style-type: none"> <li>• Inland has been in support of Naperville's Ogden Avenue Corridor Beautification Project, participating in the Site Improvement Grant Reimbursement Program for such things as painting the roof, concrete upgrades for planters &amp; sidewalks and landscape upgrades.</li> <li>• The new signs if approved would greatly benefit the shopping center and tenants by improving the aesthetics and tenant identification.</li> <li>• Inland's desire is to facilitate the success of business for its tenants and generate higher tax revenues for the City of Naperville.</li> </ul> <p>Mr. Mrazek introduced Edward Pyter of Olympic Signs (1130 N. Garfield Street Lombard, Illinois 60148). Mr. Pyter presented information regarding the proposed two sign site citing:</p> <ul style="list-style-type: none"> <li>• The proposal objectives are to keep the sign size similar to the existing, make the design elements fit with the center's upgrades and utilize the signage area effectively.</li> <li>• Comparisons of signs adjacent to the property that exceed code standards have less tenants and greater sign areas granted.</li> <li>• Site constraints include no street exposure.</li> <li>• Proposed sign is similar in overall dimension to existing pylon signage at adjacent properties that benefit from street exposure and wall signage.</li> <li>• Proposed new signage would greatly benefit the tenants with needed street identification.</li> </ul>	

	<ul style="list-style-type: none"> <li>• Design and intent of signage proposed meets the Ogden Corridor Beautification plans.</li> <li>• The current sign lacks visibility and tenant space.</li> </ul>	
	<p><b>Zoning Board of Appeals Discussion:</b></p> <ul style="list-style-type: none"> <li>• Board Member Mele received clarification that the proposed sign size refers to the addition of the signage square footage area not just the additional square footage in the physical sign and stated that the proposed sign appears to be more in keeping with the other signs along Ogden Avenue.</li> <li>• Board Member Hedrich stated opposition to the proposed sign citing that he feels anchor stores are the solution to vacancies not sign identification of tenants and Mr. Mzarek explained that one of the hindrances of drawing anchors was partly due to the prospective tenants concern for poor sign visibility and identification.</li> <li>• Board Member Koscal confirmed with Mr. Mzarek that discussions were held between Inland and the city where Inland was encouraged to wait to submit their petition until 2009 resulting in an advantage with regards to the Reimbursement Grant Program; however with the passing of the 2009 Street Graphics Controls more restriction has been placed on the setback and height requirements.</li> <li>• Chairman Fry cited site constraints of a large out lot on the corner which blocks the view of the center from a busy intersection, the buildings orientation facing Iroquois Avenue rather than Ogden Avenue and being in a lower elevation than surrounding businesses as his rational for approval of the request.</li> <li>• Board Member Pelzer stated concern for the amount of tenant slots available on the proposed sign and potential traffic issues from motorist attempting identify tenants. Mr. Pyter commented that national tenants have instant sign identification. Speed limit and time spent at traffic signals was also mentioned.</li> </ul>	

	<ul style="list-style-type: none"> <li>Board Member Vemsri commented on the variations of the graphics on the sign and questioned whether or not sizes could be reduced. Mr. Mzarek stated the need for flexibility and that signage agreements have been predetermined in tenants' leases.</li> </ul>	
	<p><b>Motion : Close the Public Hearing</b>          Motion by: Mele          Seconded by: Pelzer</p>	<p>Approved          (6 to 0)</p>
	<p>A decision to do a separate vote on the requests was made by Chairman Fry and staff concurred.</p>	
	<p><b>Motion:</b> Approve a variance from Section 5-4-5:2.2 (Monument Sign Area) of the Naperville Municipal Code to increase the allowable area for a monument sign on Iroquois Avenue from 45 sf to 56 sf.</p> <p>Motion by: Mele          Seconded by: Pelzer</p> <p><b>Motion:</b> Approve a variance from Section 5-4-5:2.2 (Monument Sign Area) of the Naperville Municipal Code to increase the allowable area for a monument sign on Ogden Avenue from 45 sf to 204 sf, and a variance from Section 5-4-5:2.4 (Monument Sign Height) of the Naperville Municipal Code to increase the allowable height of a monument sign on Ogden Avenue from 10' to 23' on Ogden Avenue.</p> <p>Motion by: Pelzer          Seconded by: Fry</p>	<p>Approved          (6 to 0)</p> <p>Approved          (4 to 2)</p> <p>Dissenting votes          Hedrich and Pelzer</p>
<p><b>ZBA #09-1-145          12 S. Loomis          Street</b></p>	<p><u>Petitioner:</u> Glen and Lois Landgraf 12 S. Loomis Street, Naperville 60540  <u>Location:</u> 12 S. Loomis Street</p> <p><u>Request:</u> The petitioner proposes to demolish the existing detached garage and construct a new detached garage in the rear yard at 12 S. Loomis Street. The proposed garage necessitates approval of</p>	

	<p>the following variances:</p> <ol style="list-style-type: none"><li>1) A variance from Section 6-2-10:1 (Accessory Buildings, Structures and Uses of Land: Location) for the proposed garage to be located at a distance of 3.5' from the south lot line, encroaching into the 5' required setback.</li><li>2) A variance from Section 6-2-10:3 (Accessory Buildings, Structures and Uses of Land: Height Limitations) for the proposed garage to be 19.75' in height, exceeding the 18' height limitation.</li></ol>	
	<p><b>Petitioners Presentation:</b> Steve Carr, (8 N. Loomis Street, Naperville 60540) representing the petitioners gave an overview of the request indicating:</p> <ul style="list-style-type: none"><li>• The property is located in the Historic District, the request has a recommendation for approval from the Historic Sites Commission.</li><li>• The proposal is for a three car garage relatively in the same location existing garage designed to be cohesive with the neighborhood, aesthetically pleasing with functionality for storage.</li><li>• The variance is desired to achieve entrance room for a side load design and allow the maximum amount of distance for entering on the north side of the lot.</li></ul>	
	<p><b>Zoning Board of Appeals Discussion:</b></p> <ul style="list-style-type: none"><li>• Board Member Pelzer inquired as to the impact of existing trees near the proposed structure and Mr. Carr confirmed that the maple tree noted as a dead tree in the HSC public comments will be brought down. Mr. Pelzer also noted concern for a right of way reduction having an impact on utility lines in the alley and Ms. Forystek responded that the city's utility department has reviewed the application and has determined that current NEC codes will have to be met prior to construction.</li></ul>	

	<p><b>Motion : To close the Public Hearing</b></p> <p>Motion by: Pelzer                  Seconded by: Mele</p>	<p>Approved                  ( 6 to 0 )</p>
	<p><b>Motion:</b></p> <p>1.) Approve a variance from Section 6-2-10:1 (Accessory Buildings, Structures and Uses of Land: Location) for the proposed garage to be located at a distance of 3.5' from the south lot line, encroaching into the 5' required setback and</p> <p>2.) Approve a variance from Section 6-2-10:3 (Accessory Buildings, Structures and Uses of Land: Height Limitations) for the proposed garage to be 19.75' in height, exceeding the 18' height limitation.</p> <p>Motion by: Pelzer                  Seconded by: Hedrich</p>	<p>Approved                  ( 6 to 0 )</p>
<p><b>E. Motion to Adjourn</b></p>	<p>Motion by: Mele                  Seconded by: Hedrich</p>	<p>Approved                  ( 6 to 0 )</p>
<p><b>Adjournment</b></p>	<p>Time:</p>	<p>7:50 pm</p>