

**NAPERVILLE**  
**ZONING BOARD OF APPEALS MINUTES**  
**November 10, 2009 - 7:00 P.M.**  
**COUNCIL CHAMBERS**

<b>Call to Order</b>		<u>Time:</u>	(7: 00 pm)	
<b>A. Roll Call</b>		<u>Present:</u>	<u>Yes</u>	<u>No</u>
Commissioners:		Karl Fry, Chairman	X	
		Ann Mele		X
		Carl Pelzer		X
		Robert Hedrich	X	
		Bhavani Prasad Vemuri	X	
		Gina Terrano Koscal	X	
		Robert Williams		X
Students:		Aneesh Tyle	X	
		Corey Haas	X	
Staff Present:	Katie Forystek – TED Community Planner Trude Terreberry – Code Enforcement Officer Samula McCarthy – Administrative Assistant			
<b>B. Approve Minutes</b>	<u>October 13, 2009</u>			
	Motion to Approve by: Hedrich Seconded by: Koscal		Approved (4 to 0)	
<b>C. Old Business</b>	None			
<b>D. Public Hearing</b>				
<b>ZBA - 09-1-166 Potter's Place</b>	<u>Petitioner:</u> Andrew Trasatt <u>Location</u> 29 W. Jefferson Ave.  <u>Request:</u> The petitioner proposes to construct one ground sign for Potter's Place. The following variances are sought to construct ground sign on 29 W. Jefferson Ave.: <ul style="list-style-type: none"> <li>• A variance from Section 5-4-9:1.3 (Special Areas of Control, Downtown Central Business District, Ground Signs) of the Naperville Municipal Code to increase the permitted height for a sign from 10 feet to 13 feet.</li> <li>• A variance from Section 5-4-9:1.3 to reduce the required minimum linear frontage from 50</li> </ul>			

	<p>feet to 40 feet.</p> <ul style="list-style-type: none"> <li>• A variance from Section 5-4-9:1.3 to reduce the minimum distance from an interior lot line from 15 feet to 11 feet.</li> </ul> <p>(Public hearing notice published in the Naperville Sun October 25, 2009)</p>	
	<p><b>Petitioner Presentation:</b>          Mr. Trasatt (22 West Franklin Avenue, Naperville, IL 60540) gave an overview of the request which included:</p> <ul style="list-style-type: none"> <li>• The new sign if approved would enhance the identification of the restaurant in a very active downtown area especially in the summer.</li> <li>• The owner’s desire is to identify the back entrance to the restaurant which is off of the Van Buren parking lot. The signage of the other businesses in the same vicinity prompted the restaurant to want to install signage for their business in this location.</li> <li>• A taller sign is being requested because this will hopefully prevent patrons from jumping and trying to hit the sign.</li> <li>• The proposed sign is fabricated out of steel; the lettering is raised off the sign and back lit with lowvoltage lighting.</li> </ul>	
	<p><b>Zoning Board of Appeals Discussion:</b></p> <ul style="list-style-type: none"> <li>• Board Chairman Fry received clarification of the three variances being requested.</li> <li>• Board Member Koscal stated that she agrees with the proposed sign-height variance. She feels because of the proposed height, it would not be easy to vandalize the sign .</li> <li>• Student Member Tyle agreed with Board Member Koscal on the proposed height variance.</li> </ul>	
	<p><b>Motion : Close the Public Hearing</b>          Motion by: Koscal          Seconded by: Hedrich</p>	<p>Approved          (4 to 0)</p>

	<p><b>Motion:</b> To approve ZBA Case #09-1-166, three variances from Section 5-4-9:1.3, to increase the permitted height for a sign from 10 feet to 13 feet, to reduce the required minimum linear frontage from 50 feet to 40 feet and to reduce the minimum distance from an interior lot line from 15 feet to 11 feet, accept staff's findings of facts and staff's recommendation.</p> <p>Motion by: Koscal        Seconded by: Hedrich</p>	<p>Approved        (4 to 0)</p>
<p><b>ZBA #09-1-172</b></p>	<p><u>Petitioner:</u> King's Court Building Inc.  <u>Location:</u> 440 West Franklin Avenue</p> <p>1) <u>Request:</u> The petitioner requests a variance from Municipal Code 6-6C-7 (R2, Yard Requirements) and Section 6-2-3:3.2 (Permitted Obstructions in Required Yards) of the Naperville Municipal Code to permit two air conditioning compressors to extend into the required corner side yard setback for a single-family residence at 440 W. Franklin Avenue.</p>	
	<p><b>Petitioners Presentation:</b>        Pete Stefani (1827 Baybrook Ct., Naperville 60540) representing the petitioner and property owners provided an overview of the request indicating:</p> <ul style="list-style-type: none"> <li>• The homeowners prefer to place the two air conditioning units in the corner side yard encroaching 2' into the corner side yard setback.</li> <li>• The alternate location for the air conditioning compressors is the southeast corner of the residence, which would potentially pose impacts on adjacent neighbors and reduce outdoor living space .</li> <li>• Landscaping will be installed per the submitted landscape plan in order to screen the units from the right-of-way.</li> </ul>	
	<p><b>Zoning Board of Appeals Discussion:</b></p> <ul style="list-style-type: none"> <li>• Student Member Aneesh requested clarification on whether or not the landscape would screen the air condition units to their full height. The petitioner responded that a</li> </ul>	

	<p>variety of landscape has been proposed in order to provide full screening of the units from the right-of-way.</p> <ul style="list-style-type: none"> <li>• Board Member Hedrich requested staff's recommendation on the request for variances. Staff clarified support for the requested variances noting that the units are permitted in the corner side yard, but not the required corner side yard. Therefore staff finds the requested encroachment is reasonable and that the landscape proposed will mitigate the visibility of the units from the right-of-way thereby reducing impacts from the right-of-way.</li> </ul>	
	<p><b>Motion : To close the Public Hearing</b></p> <p>Motion by: Hedrich          Seconded by: Koscal</p>	<p>Approved          ( 4 to 0 )</p>
	<p><b>Motion:</b>          To approve ZBA Case #09-1-172 a request for variances from Section 6-6C-7 (R2, Yard Requirements) and Section 6-2-3:3.2 (Permitted Obstructions in Required Yards) of the Naperville Municipal.</p> <p>Motion by: Vemuri          Seconded by: Hedrich</p>	<p>Approved          ( 4 to 0 )</p>
<p><b>ZBA #09-1-176          Oil Zone</b></p>	<p><u>Petitioner:</u> Michael Strick  <u>Location:</u> 508 North River Road</p> <p><u>Request:</u> The petitioner, Michael Strick, requests a variance from Section 5-4-13 (Prohibited Signs) of the Naperville Municipal Code to maintain the location, size and height of the existing pole sign; while modifying the sign panel to accommodate a new sign face and changeable copy sign on an existing non-conforming pole sign.</p>	
	<p><b>Petitioners Presentation:</b>          Michael Strick (3827 Looking Post Court, Naperville, IL 60540) provided an overview of the request which included:</p> <ul style="list-style-type: none"> <li>• The existing pole sign was installed approximately 10 years ago within the</li> </ul>	

	<p>parameters of the Sign Ordinance. The requested change will allow Oil Zone to revise the sign face in order to accommodate a \$3 car wash sign and update the existing changeable copy portion of the sign.</p> <ul style="list-style-type: none"> <li>The petitioner noted that the property sits lower than the road and the permitted height of 10' for a monument sign would not be visible from the roadway. Additionally, the sign is not able to be moved closer to the road due to easements and a pumping station located on the property.</li> </ul>	
	<p><b><u>Discussion:</u></b>          At the request of the Board, staff provided clarification on the existing legal non-conforming status of the sign as well as the petitioner's ability to modify and revise the signage in the future.</p>	
	<p><b>Motion : To close the Public Hearing</b>          Motion by: Koscal          Seconded by: Hedrich</p>	<p>Approved          ( 4 to 0 )</p>
	<p><b><u>Motion:</u></b> To approve ZBA Case #09-1-176, a variance from Section 5-4-13 (Prohibited Signs) of the Naperville Municipal Code.</p>	
	<p>Motion by: Koscal          Seconded by: Hedrich</p>	<p>Approved          ( 4to 0 )</p>
<b>E. Motion to Adjourn</b>	<p>Motion by: Hedrich          Seconded by: Vemuri</p>	
<b>Adjournment</b>	<p>Time:</p>	<p>7:30 pm</p>