

**MINUTES OF A MEETING OF THE KENILWORTH ZONING BOARD OF APPEALS HELD IN  
THE KENILWORTH VILLAGE HALL, 419 RICHMOND ROAD, KENILWORTH, ILLINOIS  
7:30P.M. ON MONDAY, DECEMBER 15, 2008**

The meeting was called to order by Chairman Frank Cavalier at 7:32 p.m., and upon roll call, the following persons were present:

Present:	Frank Cavalier	Chairman
	Kristin Casas	Member
	Mark Hinkamp	Member
	Cary Johnson	Member
	Vicki Thompson	Member
	Kathy Wilson	Member
Absent:	Dr. James Pollock	Member
Other Village Officials Present:	Susan Criezis	Community Development Director
	Stewart Weiss	Assistant Village Legal Counsel
Others Present:	Marcus Sullivan	Kudan Group
	Jeremy Kudan	Kudan Group
	David Connelly	333 Cumnor Road
	Chip Hackley	Hackley & Associates
	Nefrette Halim	633 Warwick Road
	Rob Deptula	610 Roger Avenue
	Mike Kelly	651 Brier Street
	Garrick Rice	703 Brier Street
	Dr. Wayne Edson	624 Exmoor Road

Chairman Cavalier outlined the procedure of the zoning meeting. He administered an oath to everyone who wished to speak on any items on the meeting agenda.

**Continuation of Public Hearing to Consider Variations from the Air Conditioning Equipment Regulations to Place Air Conditioning Equipment in the Required Side Yard Abutting a Street Setback – 633 Warwick Road**

Chairman Cavalier introduced the application for 633 Warwick Road which was continued from the last meeting. The application was for a variation from air conditioning equipment regulations to permit air conditioning equipment to be located in the required side yard abutting a street at 633 Warwick Road. The proposed location for the air conditioning equipment is next to the existing attached garage facing Essex Road, which is a side yard abutting a street. Nefrette Halim explained her request and the reasons the air conditioning units were moved to the other side of the house, rather than in the rear yard.

Member Thompson asked if the previous air conditioning units at this property were in conformance. Ms. Halim said they were, but a addition to the house was built in the area of the previous air conditioning units. Member Thompson asked Community Development Director Criezis to read the zoning provision for air conditioning units.

Member Casas asked the applicant why the air conditioning units were moved to the front of the property facing Essex Road in a location where they are not permitted. Member Thompson asked why the units were not returned to the original location. Ms. Halim said the Village Building Inspector told her the original location was too close to the side lot line and did not comply with the 15 foot required setback from the side lot line for air conditioning equipment. She said she didn't want to locate air conditioning units below the new master bedroom window in the house addition.

Chairman Cavalier said this is a hardship because the corner lot is irregular with property lines fronting on three streets. He said the proposed location of the air conditioning units is not offensive from the street and does not create a nuisance for the neighbors. Member Thompson said the lot is unusual and not like other lots in the Village.

**Member Thompson made a motion to approve the request for variations from the air conditioning equipment regulations for the property located at 633 Warwick Road to allow air conditioning equipment to be placed in the required side yard abutting a street setback in accordance with the plans presented. Member Wilson seconded the motion.**

Member Johnson said air conditioning locations should be watched carefully. He supported Member Thompson's motion because the proposed location is not near any neighbors.

**A roll call vote was taken as follows on the motion to approve the variance:**

**Yea: Cavalier, Casas, Hinkamp, Johnson, Thompson, Wilson**  
**Nay: None**  
**Absent: Pollock**  
**Abstain: None**

**The request for variance was approved 6 - 0.**

**Public Hearing to consider Variations from the Off-Street Parking Regulations to Provide 18.36 Parking Spaces Less Than Required – 626-630 Green Bay Road**

Chairman Cavalier introduced the next application for 626-630 Green Bay Road for a parking variance.

Marcus Sullivan, Kudan Group property management company, represented the owner of the building. He said the goal of requesting a parking variance was to remodel the existing building to bring it back to its original quality and lease the tenant spaces.

There was general discussion of the Zoning Board of Appeals members about parking in the Business District on Green Bay Road and the difficulty of dealing with this existing non-conforming building. Chairman Cavalier explained the Plan Commission's proposal in the Comprehensive Plan for parking on Green Bay Road. He said this is a Village dilemma of inadequate parking for the commercial district.

Member Johnson discussed office uses and asked where employees are currently parking.

Member Thompson asked how many parking spaces exist at the property. Mr. Sullivan said there are 9 parking spaces. Chairman Cavalier said the issue is office workers and where they park.

Member Casas asked the applicant what is the plan for leasing the building. Mr. Sullivan said each rental apartment will have 1 parking space and the remainder of the parking spaces will be allocated to office tenants. Chairman Cavalier asked Mr. Sullivan how many tenants are expected to be in the building. Mr. Sullivan did not have an exact number.

**Member Casas made a motion to approve the request for variations from the off-street parking regulations for the property located at 626-630 Green Bay Road to allow 18.36 parking spaces less than required in accordance with the plans presented. Member Johnson seconded the motion.**

Rob Deptula said he was concerned about the impact of the Last Detail business at 624 Green Bay Road. He is worried there will be more cars parking on his street, Roger Avenue. Member Casas asked Chairman Cavalier about parking recommendations in the Comprehensive Plan. Member Johnson asked about reconfiguring Roger Avenue, Sterling Road, and Green Bay Road. He wants the Plan Commission to solve the parking problem on Green Bay Road. Chairman Cavalier responded with issues of parking on Green Bay Road and the lack of adequate land. Member Thompson said parking is a problem in many places of Kenilworth. Member Casas said her concern is redevelopment. She wants the Village Board to be forced to deal with the issue.

Member Thompson said she didn't want the 626-630 Green Bay Road building to be vacant. She said it's not in the Village's interest to have this situation continue. Member Johnson agreed.

**A roll call vote was taken as follows on the motion to approve the variance:**

**Yea: Casas, Hinkamp, Wilson, Thompson, Johnson**  
**Nay: Cavalier**  
**Absent: Pollock**  
**Abstain: None**

**The request for variance was approved 5 - 1.**

**Public Hearing to consider Variations from the Floor Area Regulations to exceed the Maximum Floor Area by 115.29 square feet – 333 Cumnor Road**

The next application for 333 Cumnor Road was presented by the owner's architect, Chip Hackley. He read a letter explaining the variance request, cited the history of the house, and discussed the late 19<sup>th</sup> century architecture. Mr. Hackley described the hardships of the existing house with its original stone foundation. He said storage is not possible in the basement due to water issues. He said the basement has flooded many times ruining appliances and nothing can be done to stop the water issues.

Chairman Cavalier said he was troubled there was no mention of hardship in the application materials submitted and did not see in the floor plans information to understand the hardship issues presented at this meeting. Member Wilson agreed with this.

Member Wilson asked what would go into the proposed closet. Mr. Connelly said it would be storage that would typically go into a basement, such as a fan and Christmas decorations.

Member Hinkamp said it is an old house and he understood that. Chairman Cavalier said the application wasn't clear in explaining the issues. Member Wilson said initially the variation request looked frivolous, but she now understood the issue. Member Johnson said he also understood the reason for a variance and supports the request.

**Member Hinkamp made a motion to approve the request for variations from the floor area regulations for the property located at 333 Cumnor Road to allow the maximum Floor Area Regulations to be exceeded by 115.29 square feet in accordance with the plans presented. Member Casas seconded the motion.**

**A roll call vote was taken as follows on the motion to approve the variance:**

**Yea: Cavalier, Casas, Hinkamp, Johnson, Thompson, Wilson**

**Nay: None**

**Absent: Pollock**

**Abstain: None**

**The request for variance was approved 6 - 0.**

The minutes of the October 20, 2008 Zoning Board of Appeals meeting were placed before the Board. No corrections were made.

**Member Hinkamp made a motion to approve the minutes. Member Casas seconded the motion which was unanimously carried, and the October 20, 2008 Meeting Minutes were approved as presented.**

Chairman Cavalier presented the 2009 Schedule of the Regular Meetings of the Zoning Board of Appeals. A date change was proposed by the members to the 2009 Zoning Board of Appeals meeting schedule since three members are unavailable for the proposed February 17, 2009 meeting. Tuesday, February 24, 2009 was selected as the revised date. Member Johnson will run the meeting because Chairman Cavalier will be gone.

**Member Hinkamp made a motion to approve the 2009 Schedule of the Regular Meetings of the Zoning Board of Appeals as amended. Member Thompson seconded the motion which was unanimously approved as amended.**

**Member Casas made a motion to adjourn. Member Wilson seconded the motion, and the meeting was adjourned at 8:26 p.m.**

Respectfully submitted,  
Susan Criezis