



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

PLANNING AND ZONING COMMISSION

SEPTEMBER 12, 2022

Call to Order

The meeting was called to order at 7:30 p.m.

Roll call was answered by Commissioners Siakel, Bolton, Dixon, Swanlund, and Chairman Esposito. Absent were Commissioners Walker and Murphy.

Also present were Assistant Community Development Director Ann Marie Hess, Trustee Bill Dustin, and Recording Secretary Laura Carpenter.

Approval of Meeting Minutes

Motion to accept the Planning and Zoning Commission meeting minutes of August 15, 2022 was made by Commissioner Bolton and seconded by Commissioner Dixon. On a roll call vote, Commissioners Siakel, Bolton, Dixon, Swanlund, and Chairman Esposito voted Aye. No Nays. Motion carried 5 -0.

New Business

A. Conditional Use for an Obedience School with Dog Day Care at 9190 Pyott Road

Commissioner Esposito opened the public hearing at 7:32 p.m. and confirmed with staff that the public was given proper notice regarding it.

Staff Report

Assistant Director Hess reviewed the Request for Commission Action dated September 12, 2022.

The applicant proposed a dog obedience and training school in three of the tenant spaces at the address. The operation will consist of indoor training classes for dogs and their owners. Training will be oriented towards home protection. Day or overnight care will be limited and secondary, as most classes will have owners accompany their dog for each session. Outdoor training space and dedicated parking is also proposed to serve the business. As obedience schools and dog day care are listed as conditional uses in the M-1 zoning district, the applicant requests a conditional use permit to establish the business.

Comments by the Public, Staff, and the Planning and Zoning Commission

Sean Galavan, applicant, spoke. He noted that he chose the 9190 Pyott Road location because it would be a good space to train dogs in the capacity he wants, and that if any dogs would be kept overnight, that they would be monitored by him or another trainer. Commissioner Dixon inquired about the fencing. Mr. Galavan stated that the area out back will be fenced and monitored by a trainer for the purpose of dog exercise. Commissioner Swanlund asked about the animals' welfare being in the area, specifically the gas fumes from the surrounding areas. Mr. Galavan indicated that he has trained dogs in warehouses near O'Hare Airport, and this location is much cleaner than warehouses.

There were no public comments, and Commissioner Esposito closed the public hearing at 7:41 p.m.



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A motion to recommend approval to the Village Board to grant a Conditional Use to allow for an obedience school with dog day care at 9190 Pyott Road was made by Commissioner Siakel and seconded by Commissioner Dixon. On a roll call vote, Commissioners Siakel, Bolton, Dixon, Swanlund and Chairman Esposito voted Aye. No Nays. Motion carried 5-0.

B. Variation to Section 7.4 Residential Bulk Chart for an Attached Garage at 255 Indian Trail

Commissioner Esposito opened the public hearing at 7:42 p.m. and confirmed with staff that the public was given proper notice regarding it.

Staff Report

Assistant Director Hess reviewed the Request for Commission Action dated September 12, 2022. She explained that there was an error in the packet information in favor for the applicant. This was discussed with Administrator Andrews and the Village's attorney during the day, and permission was given to move forward with the public hearing at this time without needing to repost or re-advertise the public hearing notice.

The variation that is needed to be sought for this request needs to be to Section 4.4-2, Lot Area and Dimension, for homes that were platted prior to 1974 (not Section 7.4). Those homes are permitted to have a smaller side-yard setback because they have homesites that were platted to be only 60 feet wide. Taking into consideration the correct variance request, the homeowner now seeks a variation of a 5-foot setback instead of the 9-foot setback that the variation paperwork was prepared for.

She continued that the applicant anticipates the construction of an attached garage in a side yard. The garage will be built along the west side of the house and will be served by the existing driveway. The applicant desires an enclosed vehicle storage space and would be built on existing driveway/parking space already used for vehicle storage. The attached garage would replace the recently constructed without a permit, substandard carport. The property is located in an R-2 zoning district. The limited frontage and the existing proximity of the house next to the side lot line limit the applicant's ability to construct a side-yard addition to the main structure. The proposed garage would be built 1-foot from inside the west side lot line. Therefore, the applicant requests a 5-foot variation from the 6-foot side yard setback requirement.

Assistant Director Hess continued that the existing carport is a temporary structure that was built without a building permit a while ago, and no complaints were received from adjacent neighbors. The variance request and reconstruction needed is to get the structure in compliance with zoning approval, building code requirements for anchoring, fire separation, structural needs, and proper attachment to the home.

Comments by the Public, Staff, and the Planning and Zoning Commission

Commissioner Dixon asked for clarification of the proposed distance between the garage and existing home. Assistant Director Hess indicated it would be 8 feet.

Carol and Robert Herley spoke on behalf of the applicant, Mr. David Tarik, whom they said English is a second language for him, and they live down the street from him. They stated that it was important for Mr. Tarik to have his vehicle



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covered from the winter elements. They brought pictures of the property and drawings of the current carport and drawings of a future design to show the commissioners. Those pictures are attached to these meeting minutes. Assistant Director Hess indicated that she just saw the drawings a few hours prior, and upon a cursory review, they are non-code compliant. She reiterated to the petitioners that stamped plans were to be submitted by the Herley's and applicant, as previously discussed. There was discussion among the group about the property line distance line measurements, proposed garage measurements and location, and if there was or was not a garage at the home in the past. Mr. Herley said that Mr. Tarik would prefer to build a garage in front of the home, but was told he could not do that. Assistant Director Hess indicated that Village records don't show a past variation request for this at the property. Mr. Tarik may have had an informal discussion with a Village employee, and not have understood that even though that garage may not be allowed under the zoning code, he could have requested for a variation from the zoning code. Commissioner Dixon asked how long the homeowner lived in the home, and he answered it has been about five years.

Resident Dan Hirshfeld spoke. He is the next door neighbor who the home is next to the carport. He indicated that he thinks the carport is too close to his home, and it is a tight fit to get to the back of his property with lawn equipment, and impossible when the small area between homes has snow piled up in the winter. His preference is to have the new garage in the front of the home.

Resident Priscilla Chura emailed Village Hall staff earlier in the day with her comments, and they were read aloud by Recording Secretary Laura Carpenter. Her emailed comments in support of the variance are attached to these meeting minutes.

There was a consensus among the Commission that a side yard garage would not work on the site, and it would be best for the homeowner to consider a garage to be built in front of the home.

There were no further public comments, and Commissioner Esposito closed the public hearing at 8:23 p.m.

A motion to recommend approval to the Village Board a variation to Section 4.4-2, Lot Area and Dimension at 255 Indian Trail to allow for the construction of an attached garage in the side yard was made by Commissioner Siakel and seconded by Commissioner Dixon. On a roll call vote, Commissioners Siakel, Bolton, Dixon, Swanlund, and Chairman Esposito voted No. No Ayes. Motion denied 0-5.

Item for Discussion-None

Staff Report—Assistant Community Development Director reported the variation applications for 10 Chadwick Court and 1 Juniper Court were both approved by the Village Board in August 2022.

Audience Participation- None

Trustee Liaison-Trustee Dustin had nothing to report.



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Adjournment

A motion to adjourn the meeting was made by Commissioner Siakel and seconded by Commissioner Dixon. On a roll call vote, Commissioners Siakel, Bolton, Dixon, Swanlund, and Chairman Esposito voted Aye. No Nays. Motion 5-0.

There being no further business to discuss, the meeting of the Lake in the Hills Planning & Zoning Commission was adjourned at 8:31 p.m. The next Planning and Zoning Commission meeting is scheduled for October 17, 2022.

Submitted by,

A handwritten signature in blue ink that reads "Laura Carpenter".

Laura Carpenter
Recording Secretary



255 INDIAN TR - STREET VIEW



255 INDIAN TR - NW CORNER - LOOKING SOUTH EAST

DAVID AND
CHRISTINA TARK
255 INDIAN TR

CURRENT
CONDITIONS
AS OF 09/12/22



255 INDIAN TR - INTERIOR - LOOKING NORTH



255 INDIAN TR - SW CORNER - LOOKING NORTH EAST

Laura Carpenter

From: Priscilla Chura
Sent: Monday, September 12, 2022 1:19 PM
To: CD
Cc: Adrienne Chura-McGann
Subject: Fw: Public Hearing re: 255 Indian Trail

Sent from Yahoo Mail on Android

----- Forwarded Message -----

From: "Priscilla Chura"
To: "jlangen@lith.org" <jlangen@lith.org>
Sent: Mon, Sep 12, 2022 at 12:37 PM
Subject: Public Hearing re: 255 Indian Trail

Good morning,

I am responding to the letter mailed to me regarding the Notice of Public Hearing. I would like to support the request from Mr. Hui D. Tark regarding the approval of the variance of the setback requirement for his proposed garage. Mr. Tark has continually improved his property from the time he moved here in 2017. He takes great pride in his home, and is a wonderful and hard working neighbor. I live at 256 Indian Trail, and my front window is directly across the street from the proposed garage. I feel this would be an improvement for the entire neighborhood, and have absolutely no objection to this garage. Mr. Tark has done quality work in every project I have seen, and worked as a carpenter in the past. He and his wife are senior citizens, and would like a protected structure for entering and exiting their vehicle, as anyone else would. Please accept this as my testimony for consideration of approval of the requested variance.

Thank you,

Priscilla Chura

Lake in the Hills, IL 60156

Sent from Yahoo Mail on Android