



**Village of Westmont
Planning & Zoning Commission
January 10, 2018 - Minutes**

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, January 10, 2018 at 7:00 p.m., at the Westmont Village Hall located at 31 W. Quincy Street, Westmont, Illinois 60559.

Chair Gregg Pill led in the following:

- 1. Call to Order**
- 2. Roll Call**

In Attendance: Chair Gregg Pill, Secretary Wallace Van Buren, Commissioners Craig Thomas, Doug Carmichael, Thomas Sharp, Janis Bartel, Christopher Lavoie, Village Planner Joseph Hennerfeind, Village Attorney John Zemenak

- 3. Pledge of Allegiance**
- 4. Swearing in of testifying attendees**
- 5. Reminder to silence all electronic devices**
- 6. Reminder to sign-in for any public testimony**
- 7. Approval of Minutes of the December 13, 2017 regular meeting**

MOTION to approve December 13, 2017 minutes.

Motion by: Thomas
Second by: Bartel

Voting A

Van Buren: Yes
Carmichael: Yes
Bartel: Yes
Thomas: Yes
Sharp: Yes
Lavoie: Yes
Pill: Yes

Motion Passed

- 8. Open Forum**



9. Review of Public Hearing Procedures

10. Open Hearing

New Business

PZ 18-001 Artisan Development - Horner Park, LTD regarding the property located at 409 North Grant Street, Westmont, IL 60559 for the following:

(A) Zoning Code Variance Request to allow for construction of a new home within the required front yard setback to mitigate an existing Heritage Tree in the R-3 Single Family Detached Residence District.

PRESENTATION: Tom Maguire, Artisan Development, stated that he is requesting a variance for 409 North Grant Street in order to move the proposed house 10' forward. There is a Heritage Tree on the property which is why he is asking to move the house forward. If the house were to be built as the plans currently show, it would only be 6' away from the tree. If the house could be moved 10' forward, then it would be at least 17' away from the root system.

STAFF COMMENT: Joseph Hennerfeind stated that the applicant is seeking a variance to move the house to the 25' setback mark. The required setback in this particular zoning district is 35'. Hennerfeind stated that about a year and a half ago, the Village came up with an administrative way to allow a 25' setback if it suited the neighborhood. However, it must be "house-forward" and not "garage-forward" and it must have neighboring properties that have a similar setback in order to match the neighborhood. The Heritage Tree Ordinance did not take into account how to work through the variance process when Village staff makes the request to move a house, and in this case, to save a large tree that could be the largest tree in the state. Hennerfeind stated that when looking at the zoning of the neighboring properties, neither house is at the 25' setback. However, the houses across the street are at roughly 19' and houses further down are much closer to the street. Therefore it does meet the character of the neighborhood, which is the primary zoning influence that we want to see.

Jon Yeater, Village Forester, stated that he is asking for this variance to be approved on the basis that the tree they are trying to move away from is potentially the biggest in the country. Yeater stated he did not know this tree existed on the property until it was shown on the tree survey during the plan review process. He stated he has never seen a crabapple tree of this size and this could potentially have high significance to the community itself. If it is determined to be the largest tree in the country, then it becomes a national champion. The hold up right now is that we do not know the specific sub-species of the tree. The state and the national level only identify crabapple species that are native to the state. Yeater said there are six species and it is potentially one of those six, but it is not guaranteed. If it is not one of those native species then technically it is not a national champion, but it is still potentially the biggest crabapple tree in the country. Crabapple trees have a big history with the settlement of this country and it has a significance with the history of this community. The plans that were originally proposed for this project show the house too close to the tree, but 17' will give the tree more working room.

John Zemenak complimented the applicant for working with Village Staff and the Village Forester to



accommodate this tree.

PUBLIC COMMENT: Jim Habdas, 413 North Grant Street, stated that he has known this tree his entire life. He used to climb the tree and eat apples out of it. He stated that a crabapple tree normally lives 35 to 75 years old and this particular tree is beyond that. Habdas stated the tree has never been maintained and is likely to not survive anyways. He stated that his house sits 60' from the street, so if the house at 409 North Grant is built at 25' away from the street, it will be too close to the street. Habdas stated that back in 2006 the Village allowed Steve Vernon to knock down 60 trees at 408 North Cass, including a Black Walnut that was 30" diameter, and the Village had no problem with that. Zemenak responded that one of the reasons the Village recently enacted the Heritage Tree Ordinance is to identify and preserve those types of trees that got knocked down.

COMMISSIONER COMMENT:

Van Buren: Asked what is holding up the ability to truly identify the species of the tree. Yeater responded that there are over a thousand different subspecies of crabapple trees in the country. Even the experts have a hard time identifying a lot of the different varieties of them. The spring is the best time to go through and try to identify, as this is when they begin to flower. Van Buren asked if the bonnet of the tree is such that the root system will be cut with the foundation even at this distance. Yeater responded yes. Van Buren asked if it is true that the tree has not been maintained and is it doomed irregardless of what is done. Yeater responded no but it is true that the tree has not been maintained. He cannot say when the last time it was pruned. There is some significant deadwood in it and there are portions that are hollow. If certain protection measures are taken, such as root pruning, protective fencing, and other construction damage prevention practices, it will get the tree through the development process itself. As mentioned, these trees do not normally live this long, so this tree is special since it has lived as long as it has. The tree is very apt to the site and with the right practices, it could potentially be saved for another ten to twenty years and there is a value in that.

Thomas: Asked if it is determined in the spring that the tree is not one of the six species, could the applicant move the house back to its original location or would they just keep it as it is. Yeater responded that he would assume Mr. Maguire would already be far enough into the process and likely have the foundation in at that point. He stated that the leaves and flowers on the tree will be present around April or May and he would assume at that point the development would already be in progress. Maguire stated that as he had previously told Yeater, he would like to work with the Village and start building sooner rather than later.

Sharp: Asked Yeater to confirm if the tree is likely to survive during construction and potentially live another ten to twenty years. Yeater responded that this is not unreasonable and he would not be standing before the commissioners if he had any doubt that it could survive. Sharp asked if it is not classified as one of the "six" subspecies, would it still rank as one of the largest crabapple trees in the country. Yeater responded yes it would be. He stated it is the largest crabapple that he can find on record in this country. Sharp stated that it would be pretty cool for the homeowner to have such a tree on their property.



Bartel: Asked how old the tree is. Yeater responded that he does not have any records that indicate how old the tree is and it does have some decay in it, which makes it difficult to tell the age. Right now there really is no way to tell. He stated that he does have aeriols from the 1930's and the tree is identified in those. Bartel asked if the roots will create problems with the building, such as the sewer system. Maguire responded that he does not know if it will effect them since the house will be 17' away from the tree. It should not affect the foundation of the house, but obviously it could affect it down the road if the roots grow against the foundation. Maguire stated that he believes they will be safe enough at 17'.

Lavoie: Asked how deep is the root structure for the tree. Yeater responded that 90% of the root structure is within the top foot. Roots are advantageous. All the structure roots are going to go down 3', depending on the soil conditions. The soil in this particular area is pretty good so the structure roots are probably deeper than 3' within 10' to 15' of the tree. Then 90% of the feeder roots are going to be within the top 1' of the soil. If there are locations that are high in nutrients, water, or even space, they will go to those spaces. Roots have been known to grow down 10' to 15'. The majority of the roots are going to be within the top 1' of the soil. Lavoie asked if the property is going to have a deck or a patio. Maguire responded that a patio will be installed. He stated that if he moves the house 10' forward, the patio will still be a fair distance away from the tree and should not hurt the root system. He stated that he will not be digging down too much. Yeater responded that any construction is going to have an impact on the trees and the root system itself. Typically the standards for the amount of damage a root system can take is no more than 30%. Realistically, 30% of the root system can be removed and the tree will still live on perfectly fine. Lavoie stated that if a patio is being installed, then the whole surface area is going to be disturbed during the excavation. Maguire stated that on the original plan, the house was flipped and the garage door was going out the back of the lot and that obviously would have hit the tree, which is why the house has been flipped so there is less in the backyard. Lavoie asked where the sump pump discharge is in relation to the tree. Maguire responded it is right in the center of the house. Lavoie asked if it is towards the tree. Maguire responded that no it is not. Yeater stated that when looking at the patio and foundation on the plan, it is likely that 20% of the roots will be disturbed. He stated that it is not ideal but it is better than digging out the foundation in its original location and removing all the roots. By having 17' it will make a considerable difference, even if the patio is moved closer. Certain measures can be taken in order to protect the roots. For example, cobblestone does not require a deep footing to set the patio. Lavoie asked if the Village should preserve the tree, by taking a slice of it, in case it does only live for another 5-7 years. Yeater responded that he has never heard anybody ask that. He stated that to him, that is not considered preservation. Lavoie asked who makes the decision if the tree is to be taken down or not when an applicant comes in with new house plans. For example, what if the homeowner comes in to build a house and decides they do not like the tree and wants to take it down. Yeater responded that technically under the Heritage Tree Ordinance that was recently adopted, that tree is protected. He stated that if the tree is getting to the point where it is coming to the end of its life or it does not survive the construction and may need to be removed, then the Village Forester would make that decision.

Carmichael: Asked if this tree is not one of the six subspecies, is it still considered a Heritage Tree? Yeater responded that yes it is still considered a Heritage tree. The Village identifies a Heritage Tree as certain species and anything over 35" that is not considered a weed species. Carmichael asked if there is a considerable difference with the tree being a National Champion in comparison to a Heritage Tree.



Yeater responded that even if this tree is not a National Champion, it has a certain amount of history for the community and it has a huge importance for the scientific community. Crabapples typically do not live this long and do not get this big. Yeater stated that for some reason this tree is and whether that is due to genetics or not, they can actually replicate this tree through grafting. It has a lot more importance than just the potential of being a National Champion. Carmichael asked what rights does the homeowner have if the Village or a University wants to study the tree and it is on private property. What if the homeowner does not want anyone on their property. Yeater responded that yes it could be a potential issue. He stated that he has been working with Village Attorney John Zemenak in working out the kinks in the ordinance.

Pill: Stated that all of his questions have been answered and he has no further questions.

Lavoie: Asked Zemenak if this would be similar to a deed restriction. Would it make sense to have a restriction that would be identified by an attorney at a closing? Zemenak responded that this had actually been identified at a recent staff meeting and came up as something that would be great. A homeowner would likely not want to put a conservation easement on their property that takes up more area than necessary. It is not something that the Village can legally require so we would have to work with the current property owner and see if something can be worked out. If not, then private property rights are going to trump our desire. Lavoie asked the applicant if he would be interested in that. Maguire asked if he meant incorporating an easement around the tree. Lavoie responded that it would not necessarily restrict him or any future owner, but rather it would be an identifier for any future ownership as a trigger that it is there. There is some language that is on the deed that would state the historic tree is there. The conservation easement does not have to be big, if that's the mechanism that Zemenak is recommending. If that were there, it would be something that is picked up when the lot is transferred to the next owner. Maguire responded that for a future homeowner that is going to buy the house, they may say that they do not care about the crabapple tree. He stated that he would need to sit down to discuss this with Village staff. Lavoie stated that it is a legal matter and he just wanted to make sure any future homeowner is aware. Yeater responded that Lavoie is referring to an identifier on the deed for future homeowners. This has been discussed at staff level with Zemenak, but they do not have an answer yet. They are working on a method to accommodate this but it is not going to be a conservation easement. It will be at a minimum an identifier for future homeowners. Zemenak responded that the deed could say that the property contains a crabapple tree at this location which is subject to the Village's Heritage Tree Ordinance and cannot be removed. Lavoie responded that this would take care of any issues with future homeowners. Maguire stated that this is a legal matter that he would want to discuss with his attorney.

Yeater stated that the term crabapple has been thrown around like it is nothing significant, but crabapples are actually the number one ornamental tree planted in the midwest. They are beautiful in the spring and it is the number one tree being planted this day.

FINDINGS OF FACT

1. YES=6 NO=1
2. YES=6 NO=1



3. YES=6 NO=1

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to allow for construction of a new home within the required front yard setback to mitigate an existing Heritage Tree in the R-3 Single Family Detached Residence District.

Motion by: Van Buren

Second by: Sharp

Question on the motion: Lavoie asked why Carmichael did not agree with the Findings of Fact. Carmichael responded that he disagrees with the variance of a 25' setback instead of a 35' setback since it will have a major impact on the neighbor's property due to possible line of sight and sunlight.

Van Buren: Yes

Carmichael: No

Bartel: Yes

Thomas: Yes

Sharp: Yes

Lavoie: Yes

Pill: Yes

Motion Passed

PZ 18-002 Itasca Bank & Trust 11267 (Donald D., Phillis J. McLean) regarding the property located at 138 North Cass Avenue, Westmont, IL 60559 for the following:

(A) Special Use Permit request to operate a barbershop on the ground floor in the B-1 Limited Business District.

MOTION A

Motion to continue PZ 18-002 to February 14, 2018 Planning and Zoning Commission Meeting.

Motion by: Bartel

Second by: Sharp

VOTING A

Van Buren: Yes

Carmichael: Yes

Bartel: Yes

Thomas: Yes



Sharp Yes
Lavoie: Yes
Pill: Yes

Motion passed.

PZ 18-003 Jewel Osco regarding the property located at 4 East Ogden Avenue, Westmont, IL 60559 for the following:

- (A) Zoning Code Variance request to increase the maximum number of signs permitted in the B-2 General Business District.
- (B) Zoning Code Variance request to increase the maximum allowable signage area in the B-2 General Business District.

PRESENTATION: John Streets, Doyle Signs, stated that he is requesting a variance for exterior signage that will advertise a new service provided by Jewel Osco that is above and beyond existing services. Streets stated that he believes it is within the intent of the sign code to allow for such signage as it has been approved for this and other locations in the past. Specifically, the hardship of this property is in what code allows. The code does not specifically call out signage requirements for larger establishments like Jewel, with expansive elevations and with many different aspects of their business to identify on the outside of their building. Specifically Jewel Osco has 327' of frontage on Ogden Avenue, the north elevation, and 258' of frontage on Cass Avenue, west elevation. Both elevations are architecturally complete and should be figured when calculating signage allowance. The site has been operating with a total of 1,156.7 square feet, including 10 wall signs and 2 free standing signs by the road. Streets stated that the sign they are proposing reads "Drive Up and Go. Online Order Pick-up" and is proposed to illuminate at night and be installed on the west elevation. The sign is 68.4 square feet and works well with the architecture of that space. It has been proven in the past that the number of signs on the site is warranted by the number of uses and services provided within the store. This request is no different and is an additional service being offered at this location. This kind of ordering is new to the store and needs to be advertised to customers. This service is not currently offered at all Jewel Osco locations. This additional one sign is necessary and is a reasonable request. He stated that this property is unique to the Village of Westmont due to the amount of frontage it has. This request is a means to identify a brand new service. If this variance is approved, it will provide a benefit to the community. If you consider the full length of both street elevations, the addition of this signage will only exceed what code currently allows by 55.4 square feet or just less than 5% of the total for both elevations.

STAFF COMMENT: Hennerfeind stated that staff works with Doyle Signs often and we always try to see how we can work within the code first. Hennerfeind stated that this should be looked at from both old sign code standards, since this is an older building, and the new sign code standards. The old sign code would only allow the longest frontage to calculate signage. Hennerfeind stated that the old sign code would have permitted 491 square feet of signage. That signage has to be divided with what is on the walls and the ground signs. Jewel Osco did enter into a Planned Development Agreement with the Village of Westmont in 2004 when they did their last facade renovation. Overtime, more and more signage was placed on the building. The Planned Development Agreement basically solidified the signage



that was there. In reality, it was two times of what was permitted to be on site. Hennerfeind stated that when revising the sign code, he was looking to relax the standards and take corner lots into account since we were over restrictive with them in the past. Using current sign code standards, staff measures 912 square feet since we are including the second elevation. The applicant provided a letter from the architect which states the whole elevation on Cass Avenue is architecturally significant. Staff disagrees with this statement. The code states that it should have details, such as windows, entrance, finished details, etc. to be considered architecturally significant. Staff looked at the elevations for Jewel Osco and determined that one half of building is detailed and the other half is more face brick for the service area in the back. Therefore staff used half of the facade when calculating the signage allowance and determined that it was allowed 912 square feet of signage, which is a substantial amount. The issue of additional businesses inside working is very valid, which is why signs for those businesses are advertised. Hennerfeind stated that there is no way to write the code and say that if you are a user of a certain size you are permitted a number of additional business signs. Staff could look into this but we were looking to eliminate a lot of the variances, but we were never going to eliminate all of them. In this case, they are adding an additional service and not an additional business. Approval of this variance would be increasing the signage and allowing another sign on the building. Staff's concern is that we have offered options to Jewel Osco and Doyle Signs, such as working with the amount of signage that they have by reconfiguring, remove a sign off the front of the building and replace with another equal in size, or modify the existing pylon or freestanding signs. Hennerfeind stated that they still chose the route of adding an additional sign. Staff did look into the other Jewel Osco's that are offering this new service. One community did allow the addition of another sign. However, the sign was smaller and the building was much farther away from the street. This means that the sign was going to read smaller. Staff did ask Doyle Signs to see if Jewel Osco would consider a smaller sign, but they stayed with the larger size. Another community did deny the additional signage but they were unsure if a variance request would be forthcoming.

Zemenak stated that many businesses have a delivery service or online ordering component to their business and it was questioned as to whether this would set a precedent. For example, if Jewel Osco continued adding new services does that mean a new sign. Hennerfeind stated that staff has noticed over time that signage used to be for identification. Signage has ebbed into the classification for advertising and obviously every business would benefit from advertising.

PUBLIC COMMENT: None

COMMISSIONER COMMENT:

Thomas: Stated that two pictures were provided that showed Jewel Osco with the signage and the other without the signage. He asked staff to confirm if they provided the option of putting the signage on the elevation that faced Cass Avenue, but using a smaller sign. Hennerfeind responded that three options were presented to the applicant that worked within the code. He stated that the options included modifying the signage that was on that elevation, which is about 300 square feet, and figure out how to say "Jewel Osco" and whatever else they wanted to include. The other option was to eliminate a sign from the front and replace with a new sign that has the same square footage. The third option was to change the existing pole sign to add the new service. Thomas asked if the applicant said no to all the



proposed options. Hennerfeind responded that was correct. Thomas asked if there was a Jewel Osco on Cass Avenue and 75th Street and if they had a “Drive Up” sign at their location. Streets asked what town the store was in. Thomas responded that it is in Darien. Streets stated that he did not think they had a sign for the new service. Thomas stated that it caught his eye so apparently it was big enough. Streets responded that to his knowledge there is not a “Drive Up” sign at that location. He stated that the five locations that offer this service include Oak Forest, two in Chicago, Grayslake, and Westmont. Hennerfeind stated that every Jewel Osco is different because they all offer different interior services. He stated that when staff conducted research on this request, it was determined that only five Jewel Osco’s were offering this new service and Darien was not one of them. Thomas asked if they are wanting to include new signage on the pillar signs by the entrance. Streets responded no. Thomas stated that he does not think the number of signs looks overpopulated and there appears to be room on the west exposure. He suggested that they make the sign smaller as staff is bending over backwards here. Streets responded that to reduce the signage size of “Jewel Osco” is actually costly as they would have to purchase a new sign and then install it. That was not done due to a sheer cost impact to implement signage for the new service. Streets stated he is not 100% sure if that is why Jewel Osco chose not to do this but it logistically makes sense. Thomas stated that he is not in favor of the request.

Sharp: Asked if the signage variance runs with the land. Hennerfeind responded that variances always run with the property. He stated that staff looks at the square footage and the numbers. If there is a variance request to add one more sign it means they are always allowed to add one more sign. If there is a variance to add 100 square feet then they are always allowed to add 100 square feet. Sharp stated that makes sense in most cases but with some stuff, depending on architectural arrangement, you still get the variance which may not be relevant. He asked what happens if we keep giving them more and more signage and then someday the site gets redeveloped. Would they get grandfathered in with all of this signage? Zemenak responded that if the building was removed and a new building was rebuilt, the signage would be removed and it would start all over. In the case of signage, it goes with the particular building. Pill asked if for some reason Jewel Osco was sold and a furniture store moved in, could they use the number of signs and square footage that Jewel had been allowed? Would the signage allowance carry over until the building was non-existent and a new building was constructed? Zemenak responded that is correct. Sharp stated that he agrees with staff’s approach for the westside. The northwest side is a second elevation as compared to the south elevation. Given the architecture of the south side, all of the existing signs seem very appropriate. The “Jewel Osco” sign on the west side is a fairly large sign and unfortunately there is not any particular hardship that is unique to this property. Sharp stated that they are already over on signage according to the code and at this point it is up to Jewel Osco to make something work based on the options that the Village has presented.

Bartel: Asked the applicant why they chose not to follow one of the options that was provided by staff. Streets responded that all of the signs on both elevations have a purpose and they address some service or product that is offered in the store. It was not an option to remove “Starbucks Coffee” to put up this particular sign. This applies to every sign that is currently existing. Several of those tenants pay rent and they are entitled to signage. He stated that Jewel Osco has done their best to work with what has been allowed of them over the years. Staff has always been very amazing in allowing Jewel’s requests. Having this sign on the west elevation will allow them to stay current with the online ordering and it will draw attention to the new service. There are six parking spaces in front of where this sign would be located



and will act as a beacon since this is where customers will go to park for this service. Bartel stated that she believes the monument sign could be modified to include the new signage.

Lavoie: Stated that staff has spent a lot of time revamping the sign code. He stated that the recommendations given by staff are adequate and reasonable. Lavoie stated that everyone knows where the Jewel is located and modifications could be done pretty easily. It sets precedence to other businesses. For example, what if a car dealership wanted to add an oil service or a car wash service. This could potentially open up a can of worms if the Village allows Jewel Osco to add another sign without making any modifications because then future applicants may expect the same. This would deviate from the code that Hennerfeind has worked very hard to change. Lavoie stated that he is not in favor of the request.

Carmichael: Stated that he agrees with everyone else. He does see the issue of setting a precedent that could impact other properties. Carmichael stated that the applicant should really try to work with the options that were presented to them. Streets responded that this property is unique to the Village and therefore sets it apart from setting precedent from any other business. Carmichael stated that he understands his opinion.

Van Buren: Stated that this is the way that marketing is going. Almost every big box store is going to have to revamp their marketing if they want to survive. Having said that, Jewel Osco is an important business in the community but they are going to have to be more flexible on this. Staff has come up with reasonable remedies for this situation without a great cost to the applicant. Van Buren stated that he disagrees with the request.

Pill: Asked if there are going to be five locations that offer the new online ordering service. Streets responded that yes there are currently five locations that offer this service. Pill asked the applicant if he knows the rollout expansion plan for this service. Will they be increasing to 10 stores next, etc.? Streets responded that he does not know what the expansion plan is. Signage is up at three of the five locations. The Planning and Zoning Commission in Grayslake did approve the request to allow for additional signage at the Grayslake Jewel Osco. He stated that Westmont is the last location to address signage. Pill asked the applicant if he knows the approximate area that this Jewel is servicing with their delivery trucks. Streets responded that he does not know the service area. Traditionally this service works by driving up to one of the designated parking spots and then via smartphone or other device they notify the store that they are there and the food is brought out to them. Pill responded that he believes they are also offering an additional service at this location which includes the delivery of groceries. He stated that he understands that particular service area is relatively large and asked the applicant if he is familiar with that service area. Streets responded that is he not. Pill stated that there are five businesses within the Jewel Osco that include TCF Bank, Starbucks, a medical center, a dry cleaner, and UPS so there is a need for those signs to identify these businesses. Pill stated that he felt staff presented some great ideas and it seemed like it went nowhere. On the other hand, he stated that he is pro business and he understands that the concept is new. This is a cornerstone development in our community as it is one of our largest businesses that draws in people from other communities. Pill stated that he looked at the shopping center that is directly north of this establishment. Their frontage is way less than the combined two sides of the Jewel Osco. He stated that it looks abominable in terms of the amount of signage.



Everyone is maxed out of signage across the entire front. If you look at the front of Jewel Osco, this is orderly and well displayed and it is not overpowering at night. Right now there is a banner in place of where the proposed sign would go and it does not look like it would be crammed. Pill stated that he is leaning towards being in favor because he understands it is beneficial to the community. He stated that he wishes Jewel would have worked with the options presented, considering how much work was put into the revised sign code.

Sharp: Stated that he agrees with some of the other comments that have been made. The south elevation does not leave much room for eliminating signs since most of them are dedicated for businesses. The "Rx" sign on the west side of the elevation and the large "Jewel Osco" sign would be the best options to reduce and keep the square footage or modifying the monument sign. Sharp stated that he just wanted to throw that out there in case this does not make it through Village Board. He stated that unless they are convinced that this is a unique case, it does set precedence for future applicants. Sharp stated that he does not see it as a unique hardship.

Lavoie: Stated that he wanted to point out that in the package received by staff, he agrees with five of the six considerations presented. Hennerfeind responded that if there is a concern that the whole elevation should be included in signage, staff has already done that calculation and there would be 13.3 square feet eligible to add, so they would still be exceeding the 916 that would be permitted. If this was strictly based on the number of signs, then this would be a different case but staying within the allowed square footage is the issue. Hennerfeind stated that he believes the elevations are EFIS and therefore there is concern with moving the signs and causing damage to the stucco. Adding a new sign also means that new sign would not come down.

Sharp: Stated that he has done an EIFS repair before and it would likely not be noticeable by the public. It won't be noticed that it was patched. Hennerfeind stated that he has noticed some bad repairs on other properties.

FINDINGS OF FACT

1. YES=1 NO=6
2. YES=1 NO=6
3. YES=1 NO=6

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to increase the maximum number of signs permitted in the B-2 General Business District.

Motion by: Bartel
Second by: Sharp

VOTING A



Van Buren: No
Carmichael: No
Bartel: No
Thomas: No
Sharp No
Lavoie: No
Pill: Yes

Motion Not Passed

MOTION B

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to increase the maximum allowable signage area in the B-2 General Business District.

Motion by: Thomas
Second by: Carmichael

VOTING B

Van Buren: No
Carmichael: No
Bartel: No
Thomas: No
Sharp No
Lavoie: No
Pill: Yes

Motion Not Passed

11. Miscellaneous Items

Pill wished everyone a Happy New Year and reminded everyone that the next meeting is on Wednesday, February 14, 2018 at 7:00 PM.

12. Motion to Adjourn

Motion by: Bartel
Second by: Thomas

Meeting adjourned at 8:20 PM