

VILLAGE OF OAK LAWN
ZONING & PLANNING COMMISSION
Village Hall Auditorium 2nd Floor

Monday, July 20, 2020

Meeting Minutes #2020-6

I. ROLL CALL: Meeting called to order at 7:30 p.m.

A. Chairman: Rich Piazza

B. Members: Dave Bennett Pina Paruta (*ABS*)
Tom Duhig Rich Piazza
Bill Lundy Vernon Zumhagen
Mike Moriarty

C. Staff: Kevin Casey, P&DC Attorney
Kevin McGuinness, Village Planner

II. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairman Piazza.

III. APPROVAL OF PRIOR MEETING MINUTES:

A motion to approve the Regular Meeting Minutes #2020-5 dated June 15, 2020 was made by Commissioner Duhig and seconded by Commissioner Lundy.

Roll call: Bennett, abstain; Duhig, yes; Lundy, yes; Moriarty, abstain; Piazza, yes; Zumhagen, yes.

Motion passes: 4-0-2.

A motion was made by Commissioner Zumhagen to advance Pet. #2020-13 before Pet. #2020-12. The motion was seconded by Commissioner Lundy.

Roll call: Bennett, yes; Duhig, yes; Lundy, yes; Moriarty, yes; Piazza, yes; Zumhagen, yes.

Motion passes: 6-0-0.

The Oath was administered by Commissioner Piazza.

IV. MISCELLANEOUS PETITION:

A.) Pet. #2020-11 – Second Driveway Variation at 9627 S. 50th Ct., Brian Nichols, Petitioner

Mr. Brian Nichols, 9627 S. 50th Ct., Oak Lawn, Illinois.

The petitioner explained that he would like to add a 3-car garage across the back of his lot. He indicated that he would add an apron to allow for entrance into the garage from the alley. The petitioner mentioned that he has an existing side driveway and garage on his property. He said his plans are to demolish the existing garage but that he would like to keep the side driveway.

Commissioner Zumhagen said it appears that the petitioner wants to set the garage to the north side of the property. He mentioned to the petitioner if the proposed garage was built to the south of the property with doors on both sides with one continuous driveway, it would not need a variation. He asked the petitioner if there was any specific reason why he wanted to build the garage at the north end of the property. The petitioner explained that in either scenario he would *not* extend the existing side driveway which is why he decided to go to the north end of the property. He said he

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would like to eventually put on an addition at the back of the house which is another factor on the location of the proposed garage.

A motion was made by Commissioner Duhig to approve Pet. #2020 – 11 – Second Driveway Variation at 9627 S. 50th Ct., Brian Nichols

Roll call: Bennett, yes; Duhig, yes; Lundy, yes; Moriarty, yes; Piazza, yes; Zumhagen, yes.

Motion to approve passes: 6-0-0.

The Public Hearing opened at 7:40 p.m.

V. PUBLIC HEARING:

A.) Pet. #2020-13 – Rezoning from R-1 to PK with Wall Height and Wall Material Variations at 9512 S. Moody Ave., Akram Abedelal, Petitioner

Mr. Akram Abedelal, 370 Hogan Street, Bolingbrook, Illinois.

The petitioner explained that there is an opportunity to use the parking lot at 9512 S. Moody Avenue. He indicated that he hired a company to draw a layout for parking. The petitioner showed the drawing to the Commissioners and the residents in the audience. The petitioner said he would also add landscaping and asphalt the driveway. He mentioned that he considered adding a fence but if it is not feasible he would put a wall up.

Commissioner Lundy said he drove past the property a few weeks ago and he did not see the Public Hearing signage for meeting notice posted on the vacant land. The petitioner said the sign was posted on the building. Village Counsel said it should have been posted on the vacant lot. The petitioner explained that he posted on the building so it would be visible to people. Commissioner Lundy asked if the residents were notified properly. Mr. McGuinness responded yes. Commissioner Lundy asked if the sign will have to be reposted. Village Counsel responded that the petition will have to be postponed; he said the sign will have to be posted on the vacant lot and the residents will have to be noticed again. Village Counsel said there can be discussion but with the improper notice there cannot be a vote.

A motion was made by Commissioner Lundy to continue Pet. #2020-13 – Rezoning from R-1 to PK with Wall Height and Wall Material Variations at 9512 S. Moody Avenue, Akram Abedelal, Petitioner. The motion was seconded by Commissioner Duhig.

Roll call: Bennett, yes; Duhig, yes; Lundy, yes; Moriarty, yes; Piazza, yes; Zumhagen, yes.

Motion to continue Pet. #2020-13 passes: 6-0-0.

The Public Hearing closed at 7:50 p.m.

The Public Hearing opened at 7:52 p.m.

B.) Pet. #2020-12– Amendment of Title 2 Chapter 1 Section 7-1, Title 2 Chapter 1 Section 8, and Title 4 Chapter 14 Section 2 Pertaining to Notice Requirements for Public Hearings on Special Use Applications & Fee Schedule for Public Hearings, Village of Oak Lawn, Petitioner

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Mr. McGuinness explained the current process for Public Hearings and Special Use permits. He said Special Use permits require a Public Hearing. He said there are two sections in the Village Code that speak to Public Hearings. He pointed out that Title 2 includes rules and regulations for the Commission itself and in that section it stipulates that Public Hearings are to be posted. He explained that the petitioner has to post their sign 15 days prior to the Public Hearing; the newspaper notice has to be posted 15 days prior; and notices to neighbors within a 300 foot radius are sent 10 days prior. Mr. McGuinness said in Title 4, Chapter 14, Section 2, Special Uses are described and that section also lists out that Special Use notices are to be sent 20 days prior to the Public Hearing. He said for special use petitions that section requirement is 20 days prior *and* 10 days prior while notices for rezoning and parking variations for other public hearings are sent only 10 days prior.

Mr. McGuinness said the notice change that is proposed is instead of sending notices 20 days and then 10 days, we would only notice 10 days prior. He commented that this meets all the notice requirements set up by the State.

Mr. McGuinness said the other section that requires an update is the fee schedule. He said the fees listed for Special Use permits is listed at \$200 in one section and \$250 in the other section. He said the proposed fee change is \$300. Mr. McGuinness said this fee covers the notice requirement that staff is required to send. He pointed out that a lot of other communities require the petitioner to send out the notices. Mr. McGuinness expressed that increasing the fee covers postage and administrative costs.

Mr. Moriarty asked the last time the fee scheduled was updated. Counsel responded that he is not sure but it is greater than 10 years. Kevin pointed out that the \$300 fee is on the low end in compared to other communities. Commissioner Zumhagen asked if the \$50 increase is for people seeking Special Uses / Public Hearings and *not* any of the other petitions that come before Zoning & Planning. Mr. McGuinness replied that is correct and explained that the other petitions are a flat \$50 fee. Commissioner Piazza asked about other communities and their fees. Mr. McGuinness said some of the communities are on the same page; he reiterated that a lot of the other communities require the petitioner to send the notices to residents.

Commissioner Lundy said the biggest turnout at our meetings is for a Public Hearing. He asked if the 300 feet radius is standard. Mr. McGuinness explained that a 300 feet radius is *not* a requirement but something that we added to our code. He explained that that requirement is for cities with a population over 500,000 but that Oak Lawn decided to take on that rule. Commissioner Lundy asked what the newspaper charges for public hearing notices. Mr. McGuinness responded that for a Public Hearing notice the legal description has to be included with other pertinent information, meeting date, etc. and the typical cost is \$70-\$80 which is directly charged to the petitioner and is separate from the \$300 fee. Commissioner Lundy asked if the ten-day window is a ten-day “postmarked” window. Kevin replied yes.

Commissioner Piazza asked Kevin if he knows the percentage of people that say they did not receive the notification. Kevin mentioned that there is a lot of return mail. He indicated that the returned mail includes vacant properties, change of address, etc. He explained that staff uses the records from the GIS data of the county on a mass scale and then those parcels are merged with the records from the Recorder’s office for the mailings.

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Commissioner Bennett asked what the radius is. Kevin replied that for Public Hearings the radius is 300 feet. He pointed out the paperwork petition for 9512 Moody included a zoning map that shows the radius. He added that for miscellaneous petitions only the abutting properties are noticed.

The Public Hearing closed at 8:02 p.m.

A motion was made by Commissioner Zumhagen to approve Pet. #2020-12– Amendment of Title 2 Chapter 1 Section 7-1, Title 2 Chapter 1 Section 8, and Title 4 Chapter 14 Section 2 Pertaining to Notice Requirements for Public Hearings on Special Use Applications & Fee Schedule for Public Hearings, Village of Oak Lawn, Petitioner. The motion was seconded by Commissioner Moriarty.

Roll call: Bennett, yes; Duhig, yes; Lundy, yes; Moriarty, yes; Piazza, yes; Zumhagen, yes.

Motion to approve passes: 6-0-0.

VI. OTHER BUSINESS:

A.) Chairman:

None.

B.) Members:

None.

C.) Staff:

None.

VII. ADJOURNMENT:

A motion to adjourn was made by Commissioner Moriarty and seconded by Commissioner Duhig.

Voice vote: All in favor, aye.

Motion carries.

The meeting adjourned 8:07 p.m.