



Meeting Minutes

Planning and Zoning Commission

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Wednesday, October 16, 2019

7:00 PM

Council Chambers

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**A. CALL TO ORDER:**

**B. ROLL CALL:**

**Present** 8 - Manas Athanikar, Bruce Hanson, Anthony Losurdo, Andrew Margulies, Bill Habel, Oriana Van Someren, Adam Walsh, and Juan Campolargo

**Absent** 2 - Krishna Bansal, and Brett Fessler

**C. PUBLIC FORUM:**

**D. PUBLIC HEARINGS:**

4. Conduct the public hearing to consider a variance from Section 6-2-12:1.4 in order to permit a 7' and 8' tall privacy fence along the rear property lines at the subject property located at 5615 Rosinweed Lane, Naperville - PZC 19-1-101

Chairman Hanson announced a change in the agenda. Item D.4 will be heard before Item D.1.

Gabrielle Mattingly, Planning Services Team, gave an overview of the request.

The homeowners, Anthony and Janina Ducato, provided an overview of the request.

Public Testimony:

Deborah Landman spoke as a representative of the South Pointe HOA board of directors and stated that the HOA processed a variance to allow the homeowners to have a 6' privacy fence, but have not received an application from the homeowners for a 7' or 8' tall fence. The HOA is concerned with the overall height of the existing fence.

Commissioner Van Someren inquired about HOA regulations. Mattingly stated that Homeowners Associations can adopt regulations that are more restrictive than the Municipal Code.

Commissioner Habel inquired regarding the aesthetics of the fence and

questioned if the fence is structurally sound. Mattingly clarified that a fence permit application would be submitted following approval of the fence request and an inspection of the fence would be conducted at that time.

Commissioner Athanikar inquired about enforcement of HOA regulations clarifying that the City does not enforce HOA regulations.

Chairman Hanson inquired about staff's position and the timing of the installation of the taller fencing. Mattingly stated that staff found the fence had no adverse impact on surrounding property owners given its location at the rear of the property. Mattingly also stated that a fence permit was approved and an inspection was conducted at the subject property for a 6' tall fence, the taller fence was installed after completion of the inspection.

PZC closed the public hearing.

**A motion was made by Commissioner Athanikar, seconded by Commissioner Losurdo to adopt the findings of fact as presented by the petitioner and approve PZC 19-1-101, a variance to allow for the 7' and 8' tall privacy fence located along the rear property line to remain on the subject property located at 5615 Rosinweed Lane, Naperville.**

**Aye: 5 - Athanikar, Habel, Losurdo, Margulies, Van Someren  
 Nay: 1 - Hanson  
 Absent: 2 - Bansal, Fessler**

1. Conduct the public hearing to consider a variance from Section 6-16-5:2.2.3 to allow for the installation of an 80-square foot electronic message board at the subject property located at 955 W. 75th Street, Naperville, PZC 19-1-054

Gabrielle Mattingly, Planning Services Team, gave an overview of the request.

Jeff Barmueller, North Shore Sign and Jonathan Keret of Garden Fresh Market, spoke on behalf of the petitioner.

Public Testimony:

Carol and Doug Large live in the subdivision behind Hobson Plaza and raised concern for the proposed illumination of the sign and requested the sign only be operated during business hours.

The PZC inquired about:

Commissioner Losurdo inquired about staff's calculation for the maximum permitted percentage of an EMB. Mattingly stated that the maximum permitted EMB size is 50% of the overall maximum square footage permitted for monument signs.

Commissioner Athanikar inquired whether the petitioner would be willing to restrict the EMB to run only during normal business hours. Barmueller stated the owner would be willing to add this restriction.

PZC closed the public hearing.

**A motion was made by Commissioner Margulies, seconded by Commissioner Losurdo to adopt the findings of fact as presented by the petitioner and approve PZC 19-1-054, a variance to allow for the installation of an 80 square foot electronic message board at the subject property located at 955 W. 75th Street, Naperville.**

**Aye: 6 - Athanikar, Habel, Hanson, Losurdo, Margulies, Van Someren  
Absent: 2 - Bansal, Fessler**

- 2. Conduct the public hearing to consider variances related to the subdivision of the property located at 204 Route 59 (Westridge Court Shopping Center) - PZC 19-1-078

Sara Kopinski, Planning Services Team, gave an overview of the request.

Joe Wight, Owner Representative and Andrew Scott, Attorney, spoke on behalf of the petitioner.

Public Testimony: None

Chairman Hanson found the case to be straightforward and voiced support.

PZC closed the public hearing.

**A motion was made by Commissioner Van Someren, seconded by Commissioner Losurdo to adopt the findings of fact as presented by the petitioner and approve PZC 19-1-078, FAR, loading berth and parking variances related to the subdivision of the property located at 204 S. Route 59 in Naperville.**

**Aye: 5 - Athanikar, Habel, Hanson, Losurdo, Van Someren  
Nay: 1 - Margulies  
Absent: 2 - Bansal, Fessler**

- 3. Conduct the public hearing to consider a major change to the conditional use to approve variances to reduce the required building and parking setbacks on the subject property located at 1620 W. Diehl, Naperville (Naperville Area Humane Society) - PZC 19-1-083

Sara Kopinski, Planning Services Team, gave an overview of the request.

Brad Hoefner, Architect, spoke on behalf of the petitioner.

Public Testimony: None

PZC closed the public hearing.

**A motion was made by Commissioner Habel, seconded by Commissioner Losurdo to adopt the findings of fact as presented by the petitioner and approve**

PZC 19-1-083, a major change to the conditional use to approve variances to reduce the required building and parking setbacks on the subject property located at 1620 W. Diehl, Naperville.

Aye: 6 - Athanikar, Habel, Hanson, Losurdo, Margulies, Van Someren  
Absent: 2 - Bansal, Fessler

**E. REPORTS AND RECOMMENDATIONS:**

1. Approve the minutes of October 2, 2019 Planning and Zoning Commission meeting.

A motion was made by Commissioner Habel and seconded by Commissioner Losurdo to approve the regular meeting minutes of October 2, 2019.

Aye: 6 - Athanikar, Habel, Hanson, Losurdo, Margulies, Van Someren  
Absent: 2 - Bansal, Fessler

**F. OLD BUSINESS:**

**G. NEW BUSINESS:**

**H. ADJOURNMENT:**

8:34PM