



City of Oakbrook Terrace
Planning & Zoning Commission Meeting
Tuesday, June 1, 2021
Case #22-02

The Planning and Zoning meeting was called to order by Chairman Caslin at 6:02 P.M.

Chairman Caslin asked Building and Zoning / Planning and Zoning Secretary Lozano to take roll call.

Present: Chairman Caslin, Commissioners Ventura, Jackson, Freda, Donoval, Cardenas, Walberg

Absent: None

Also Present: Mihaela Dragan, Building and Zoning Administrator, Adam Durkin City Attorney, Addy Lozano, Building and Zoning / Planning and Zoning Secretary

Chairman Caslin said the first order of business was to approve the minutes of May 4, 2021, Case #22-01, One Oakbrook Terrace, Petitioner, EFN, OBT1, LLC.

Chairman Caslin asked if there was any final discussion.

MOTION Commissioner Freda moved, and Commissioner Cardenas seconded the motion to approve the minutes of May 4, 2021, Case #22-01, One Oakbrook Terrace, Petitioner, EFN, OBT1, LLC.

Chairman Caslin asked Building and Zoning / Planning and Zoning Secretary Lozano to take the roll call.

Ayes: Chairman Caslin, Commissioners Ventura, Donoval, Jackson, Freda, Cardenas, Walberg

Nays: None

MOTION PASSED WITH A 7-0 VOTE.

Chairman Caslin asked all those who will be speaking this evening to please stand up and be sworn in.

Robert Mattson, property owner of 17W251 Elder Lane was sworn in by Addy Lozano, Building and Zoning / Planning and Zoning Secretary.

Robert Mattson took the floor and stated, I live in the house in the corner between Elder Lane and Stillwell Road. I have been there since July 31, 2017. I don't have a garage and I bought a shed online, which has been paid for. Its sitting in my driveway at the moment. I went to City Hall to ask if I needed a permit, it was there that I found out that I was 10 square feet over what is allowed. This shed is 20 feet by 8 feet, just under 10 feet in height. I bought it not knowing there was a restriction. I'm going to take the existing shed out, it's in pretty bad shape and its rotting under the foundation. I want to put a concrete base and put in the shed. If I had a garage, I would be fine, but if I build one now, it will take up a large part on my backyard.

Commissioner Freda asked, why wouldn't you check with City Hall first before laying cement and buying a shed?

Robert Mattson answered, I didn't lay cement, I just bought the shed. I want a cement base because I don't want it to rot away.

Commissioner Freda then asked, why are you putting up two sheds?

Robert Mattson answered, the smaller one is for my push lawn mower and the bigger one is for my tools that are actually sitting in the basement. In 2017 an Alderman did work in my house, Dennis Greco, and at the time I bought a lot of tools and now they're just sitting in my basement.

Commissioner Freda then asked, did you put it on the opposite side of where your driveway is?

Robert Mattson answered, I'm going to put it where the old one is after I remove it.

Commissioner Freda commented, that shed is almost as big as a one car garage. A single car garage is 12 feet by 20 feet.

Robert Mattson answered, according to your code you're allowed to build an 800 square foot garage.

Commissioner Freda added, it's almost equivalent to what you are proposing. Is it in code for being off the property line?

Building and Zoning Administrator Mihaela Dragan answered, the original proposed concrete placement was encroaching in the side yard, but when I met with the homeowner, it was agreed that it will be in compliance.

Commissioner Freda asked, so the large shed is 10 square feet over the size, plus a small one alongside?

Robert Mattson answered, yes.

Commissioner Ventura asked, should you decide one day to build a garage, does the size of the shed affect a new garage?

Building and Zoning Administrator Mihaela Dragan answered, no, the size of a detached garage cannot exceed 800 square feet and I was told by the owner they have no plans to build a garage as they would lose a large portion of the backyard due to the lot configuration.

Commissioner Ventura added, a garage would add nice value to the property.

Robert Mattson answered, it would, but I would lose most of my backyard.

Commissioner Jackson directed his question to Building and Zoning Administrator Mihaela Dragan, there is still an opportunity to build a garage with the shed in place?

Building and Zoning Administrator Dragan answered, yes.

Robert Mattson answered, I don't plan on building a garage.

Commissioner Jackson answered, I understand that, but what do we say to the next owner of the property who says I want to build a garage and the Zoning Commission allowed the former owner to do something out of code, and it hinders his ability to build a legal garage.

Commissioner Ventura added, it wouldn't hinder, they could build a garage and have the shed because they are not related.

Commissioner Cardenas added, as far as I can see, it's not a whole lot that he is requesting. I know it's out of code, but I think it's something to consider.

Commissioner Donoval added, I don't have any objections, but maybe you should consider a garage and attach the shed to it.

Commissioner Walberg answered, are two sheds allowable on a parcel?

Chairman Caslin answered, not by square footage. I believe the ordinance only says one.

Building and Zoning Administrator Dragan added, one shed up to 150 square feet.

Chairman Caslin added, the last year a couple of Commissioners, myself, and the Zoning Administrator went over our zoning laws and made changes, specifically sheds, and we jumped up pretty generously in shed size and now were in here with you, wanting to go up to 190 square feet. So, at what point do we draw the line. Esthetics has nothing to do with it. You can have esthetically pleasing anything but that doesn't count in the book of rules. Number two, is the size of the shed and the way it's designed, sets a precedence for someone to buy a cargo container which they sell 8 feet by 20 feet. There is no way I can stop them. Third, I don't understand the size, I have 12 feet by 10 feet shed and I am able to store a lot and still have room. A 30 foot shed makes no sense to me. If you're going to do that, you should build a single car garage. There are ways to build a garage on this lot, it can be turned around and face Stillwell Road. We try to be generous with people and even look at other towns as well.

Robert Mattson added, to be technical the floor is actually 154.7 square feet, in the air its 20 feet by 8 feet. I looked through the whole City, and found three properties, I'm not going to say where, that have sheds that are over what is allowed.

Commissioner Jackson added, we are given three reasons that we have to satisfy to recommend this variation, and one of them is that the plight of the

owner is due to unique circumstances not of its own creation. That would say to me that we cannot recommend it.

Commissioner Ventura added, I think 10 square feet over the 150 square feet allowed, and considering that the shed has been purchased already, maybe that should be considered but not the additional 30 square feet shed.

Chairman Caslin open the floor for any positive/negative testimony from the audience.

Aiden Finkly commented, he bought the shed before looking at the guidelines, I'm sure if he looked at the guidelines first, he would have bought the right shed. To me 10 feet does not really seem like it would be a big difference.

MOTION Commissioner Ventura moved to allow the shed that was purchased but not the additional shed that is 30 square feet.

MOTION FAILED DUE TO LACK OF SECOND VOTE

Commissioner Ventura asked, can we make a motion to approve and then vote?

Attorney Adam Durkin answered, yes,

MOTION Commissioner Ventura moved, and Commissioner Jackson seconded for Case #22-02 to approve a variation pursuant to Section 156.023 of the Zoning Ordinance with an additional 30 square feet shed.

Chairman Caslin asked Building and Zoning / Planning and Zoning Secretary Lozano to take the roll call.

Ayes: Commissioner Donoval

Nays: Chairman Caslin, Commissioners Ventura, Jackson, Freda, Cardenas, Walberg

Absent:

MOTION FAILED WITH A 6-1 VOTE

Building and Zoning Administrator Mihaela Dragan added, the Letter of Recommendation will be placed on the agenda for the June 8th City Council meeting at 7:00 p.m.

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Commissioner Walberg commented to Robert Mattson, we are a recommending body, we do not make the final decision, the City Council does.

MOTION TO ADJOURN MEETING WAS PASSED UNANIMOUSLY
THROUGH A VOICE VOTE OF 7-0

Chairman Caslin adjourned the meeting at 6:26 P.M.

Respectfully submitted by,

Addy Lozano
Building and Zoning / Planning and Zoning Secretary