

**MINUTES  
CITY OF DARIEN  
PLANNING & ZONING COMMISSION MEETING  
April 5, 2017**

**PRESENT:** Beverly Meyer, Robert Cortez (7:02 pm), Bryan Gay, Andrew Kelly, Ron Kiefer, Ray Mielkus, Steven Manning - City Planner, Elizabeth Lahey - Secretary

**ABSENT:** John Laratta, Lou Mallers, Ken Ritzert

Chairperson Meyer called the meeting to order at 7:00 p.m. at the City Hall – City Council Chambers, Darien, Illinois and declared a quorum present and swore in the audience members wishing to present public testimony.

**A. Public Hearing Case: PZC 2017-01 902 Walnut Drive (Rolowicz) Petitioners John and Toni Rolowicz, owners of the house at 902 Walnut Drive, seek approval of a variation to Section 5A-5-11 of the Darien Zoning Code to allow storage of their boats in their front yard.**

Mr. Steven Manning, City Planner reported that the petitioners John and Toni Rolowitz plan to store a boat on the front yard. He reported that the Zoning Ordinance requires that the boat be stored in the rear or interior side yard.

Mr. Manning reported that the PZC has a report in the packet listing the standards and state statutes. He further reported that he received correspondence from Commissioner Mallers that he was not in favor of this petition. Mr. Manning also reported that he received correspondence from Melissa Spauss that the boat was an eyesore and that she was not in favor of the petition.

The petitioner, Mr. John Rolowitz stated that he has two boats stored in the front yard along the house wall. He stated that the storage area is gravel about 9 feet wide and that he would like to pave it with concrete along with his driveway.

Mr. Rolowitz stated that 17 years ago the City of Darien approved the request to store his boat but that the City did not have record. He reported that a copy of the letter which he had was submitted into the staff packet. He further reported that they were selling one of the boats and that only one boat would be stored.

Chairperson Meyer opened the public hearing to anyone wishing to present public comment.

Mr. Leonard Janda stated that he has known the petitioners 12 years and that they are very conscientious and that the driveway will be an improvement.

Chairperson Meyer stated that it appears that the storage area is in front of the house.

Mr. Rolowitz stated that the house is “L” shaped and that the area cannot be accessed from the short or side yard on the west and that it would look very tacky.

Mr. Manning reported that the front door of the house faces Walnut and that the existing gravel is technically in front of the house.

Commissioner Cortez stated that he lived on the corner of Nantucket and Walnut and he knows the home. He stated that it is “L” shaped and well-manicured with landscaping. He further stated that he does not have a big boat and that concrete would be an improvement.

Mr. Rolowitz stated that the boat is not big and that it does not even have a motor.

Commissioner Kelly asked for a copy of the letter.

Mr. Manning reported that it was in the packet on page 7.

Commissioner Kelly asked staff what has changed since 2000.

Mr. Manning reported that the Ordinance changed since he has been employed with the City from 2014- present and that this is not considered to be a grandfathered situation.

Commissioner Gay questioned if there is concern regarding lot coverage.

Mr. Manning stated that there was no concern and that he is still under 50%.

Commissioner Mielkus questioned if the petitioner could fit the boat on the west side.

Mr. Rolowitz stated that the west side is too wet and that he would tear u the grass backing it up and that the boat would not fit there. He further stated that the trailer is 4 feet wide and the axle 8 feet wide and that he could not fit them through the fence or he would have to put up a new fence.

Mr. Rolowitz reported that he provided a bid from Fortis Concrete. He stated that this project started because his concrete is sinking and cracking.

Commissioner Kelly stated that the City approved the storage of the boat and that the petitioner is improving the area and now we are telling them no. He stated that the boat is fairly concealed and that he believes that this is a grandfathered situation.

Mrs. Toni Rolowitz stated that they own 5 cars and that the cars are in front of the boat versus having the cars all over the driveway. She stated that the boat is not an eyesore and that their request will improve the property.

Commissioner Cortez stated that there is a picture in the packet explaining the area and clearly notated. He stated that he is in favor of allowing the rock area and making it concrete.

Mr. Manning reported on the notes regarding the site plan and relocation of the driveway on Comstock even though it is not an ideal situation.

Commissioner Kiefer stated that the improvements will be aesthetically pleasing but that the PZC is concerned with setting a precedent. He stated that this request is unique and that he agrees with Commissioner Kelly that this should be grandfathered in.

Commissioner Kiefer asked why this is not a grandfathered request.

Mr. Manning reported that the intent of the Ordinance is to eliminate front yard recreational vehicle storage. He reported that the existing area can continue but that the improvements no longer justify being grandfathered in.

Commissioner Kiefer stated that this is a unique situation and that he is willing to approve.

Chairperson Meyer stated that she was concerned with setting a precedent.

Mr. Rick Crooks stated that there are companies that lift the concrete. He too stated that he was concerned about setting a precedent.

Mr. Rolowitz stated that several years ago he had the driveway raised to level it and it sunk again and that now it is cracked and peeling excessively.

At 7:26 p.m., Chairperson Meyer closed the public hearing.

Mr. Manning asked the petitioner if he will replace the dying Arborvitae screening the area.

Mr. Rolowitz stated that he will replace as needed with the same type of screening.

**Commissioner Kiefer made a motion and it was seconded by Commissioner Cortez to recommend approval to the City Council of petition PZC 2017 -01 approval of a variation to Section 5A-5-11 of the Darien Zoning Code to allow storage of their boats in their front yard and to maintain a landscape fence of 2 of the 3 sides.**

**Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 5-0. Commissioner Laratta, Commissioner Mallers and Commissioner Ritzert were not present.**

Mr. Manning reported that this would be forwarded to the Municipal Services Committee on April 24<sup>th</sup> at 6:30 p.m.

#### **CORRESPONDENCE**

None.

#### **OLD BUSINESS**

None.

#### **NEW BUSINESS**

None.

#### **MINUTES**

**Commissioner Kiefer made a motion and it was seconded by Commissioner Mielkus to waive the reading of the December 7, 2016 Regular Meeting Minutes.**

**Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 5-0. Commissioner Laratta, Commissioner Mallers and Commissioner Ritzert were not present.**

**Commissioner Kelly made a motion and it was seconded by Commissioner Kiefer to approve the December 7, 2016 Regular Meeting Minutes.**

**Upon roll call vote, THE MOTION CARRIED UNANIMOUSLY 5-0. Commissioner Laratta, Commissioner Mallers and Commissioner Ritzert were not present.**

#### **NEXT MEETING**

Mr. Manning announced that the next meeting is scheduled for Wednesday, April 19, 2017 at 7:00 p.m.

**ADJOURNMENT**

**With no further business before the Commission, Commissioner Gay made a motion and it was seconded by Commissioner Kelly. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 7:42 p.m.**

**RESPECTFULLY SUBMITTED:**

**APPROVED:**

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**Elizabeth Lahey  
Secretary**

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**Beverly Meyer  
Chairman**