

**Village of Justice
Zoning Board of Appeals
Minutes of Monthly Meeting
November 10, 2017**

CALL TO ORDER:

Meeting was called to order at 7:00pm by Chairman John Bruce.

ROLL CALL:

Present at meeting were: Rich Berkowicz, Bogdan Ogorek, Jim Brock, Chairman John Bruce, and Secretary Shirley Shilka.

John Bruce: Presented minutes from May 2016 meeting.

John Bruce: If there are no corrections, the chair would like to accept the minutes as submitted.

Rich Berkowicz: **SO MOVED**

SECOND: Jim Brock

VOTE: All Ayes

John Bruce: Presented Petition 2017-01 submitted by Gasmend Lleshi the purpose of the Petition is to subdivide 1 Lot located at 7128 S. Cork Ave, Justice, Ill PIN #18-27-203-016-0000 into 3 Lots.

Property taxes are paid and current, an engineer's report is included in packet.

John Bruce: Gasmend Lleshi is sworn in by John Bruce.

Public notice was published in Tribune on Friday, October 27, 2017.

John Bruce: Because of the variance I have the documentation showing the property addresses of the people that were notified.

In the first portion of your packet there are two modified Sidwell plats that have X's on them, those are the properties that were notified, that were within the 250 ft range as require by state law. The public notice that was published in the Tribune on the Friday the 27th as exhibit "B" and we will mark the others as "C" and "D".

Gasmend Lleshi: Explained he went door to door to get Petitions signed. He has demo'd old house and would like to build three new homes; 1 for him, 1 for daughter and 1 to be sold.

John Bruce: As stipulated in the Village Engineer's report from John Hoefflerle, the Square Footage comment is there at point 1 with a minimum Lot depth of 125 Ft., which it has on the North side but not on the South side due to the configuration of the Lot and that is what he is asking the variance for. We will probably have to redo the Mylar on this because there is no 30 Ft. setback showing for the front yard, so your engineer omitted that.

It is located within a Flood Hazard Area, as designated on the FIRM Map. I have a copy of here, however your photo copies do not show it in depth, but you can see it is in a Flood Hazard Area, and part of it is actually in a Flood Way. So there would be an issue as to what can be built near, &/or on that. There is an issue with the Elevation; you would probably have to make arrangements for Compensatory Storage, possibly in the rear of the Lots, which would be up to FEMA & the Village Engineer.

That area would probably have to have a Recorded Easement, so there will still be more engineering work to be done before I can record anything. We would also recommend that any Plat of Subdivision not be Recorded until there is FEMA Approval & Compliance, as well as the permitting process is completed and any necessary adjustments, such as Drainage Easements, have been identified.

To Board of Appeals Members 1st:

Does anyone have questions for Mr. Lleshi?

Rich Berkowicz: COULD NOT HEAR THE QUESTIONS

John Bruce: It is do'able, the issue is the Lot depth is part of the uniqueness of the property.

As shown on the plat, on the far North side you have a 245 ft depth and then it goes all the way down to 115ft, but if you do the math, the rough configuration including the triangle, you're looking at roughly 8,773 Sq. Ft., code requires 8,125 Sq. Ft. So, he has more than enough square footage to offset that 10ft shortage of the depth on one side. He would probably wind up at roughly 50 Ft. of frontage from North to South you would have your Lot depth of more than 125 Ft., I am guessing.

Jim Brock: I notice that on Lot 3 you have the 65 Ft. Frontage, but the other ones have 79 Ft., and 85 Ft. respectively. If you made Lot 3 bigger, would it give you the ability to build more.

John Bruce: I would think that the South Lot has possibly more flexibility than the middle and the North Lot as far as positioning a building.

Jim Brock: What about the set back?

John Bruce: There is 30 Ft. no matter what, so that is not an issue.

Jim Brock: Would that give him more flexibility to build on that Lot?

John Bruce: I think he might need the width for Lots 1 and 2 because of the flood plain. The closer you get to 71st Street the lower the elevation. John Hoefflerle still has the Topo.

The previous house was in the center of the total property.

Bogden Ogorek: What about the drainage since it's pretty low over there?

Ed Shilka: There is plenty of drainage there. However, he might have to dedicate one of the smaller Lots into detention, and right now it is now affecting the other properties.

John Bruce: Keep in mind nothing can be recorded until he has all the FEMA licensing and the Village and Engineers concur with that licensing. We will also have to do a new Mylar and plats based on FEMA recommendations, showing not only the 30 foot set back, but also the 10 foot rear utility easement.

However, if there is going to have to be detention then that will have to be shown on the recorded plat, plus the easements to get to that detention for maintenance. Then you have issues as far as where the drainage for that detention is going to be.

Whatever we decide to recommend, and as long as the village board concurs, one way or the other, then he can go to the building department to start his permitting process.

Ed Shilka: He will have to get all recordings done before permits can be written.

Jim Brock: Would FEMA be involved; as far as the flooding issue?

John Bruce: Yes. Are there any questions?

Jessica Tsapralis, 7125 S. Cork Ave., Justice, IL

The four gentlemen in front of me and myself are neighbors of this property, and we have some concerns. We have talked with other neighbors on Cork and past that. We are all happy that something is happening with that land and welcome new neighbors. What we are really concerned with is; that Lot Subdivided becoming three homes.

John Bruce: We do not know that it will become 3 homes.

Jessica Tsapralis: Well, 3 separate Lots, we have signatures from the home owners asking that the most it be developed is into 2 Lots.

This is for a couple reasons:

- 1.) This is a dead end street and would cause more congestion.
- 2.) Our bigger concern is overcrowding and this is a flood plain.

John Bruce: Before any final approvals, development &/or building, plans will have to be submitted to FEMA for their approval, as well as their recommendations as to management of the property's responsibilities.

John Bruce: The Chair would entertain a **MOTION**

Jim Brock: I make a **MOTION** to Approve Subdividing 1 Lot into 3 Lots, as long as owner files with FEMA, follows FEMA's recommendations as to management of the property's responsibilities, obtains all appropriate Approvals, Permits, and follows all Codes & Ordinances in the development of this property.

SECOND: Rich Berkowicz

ROLL CALL: Rich Berkowicz – yes

Bogdan Ogorek – yes

Jim Brock – yes

John Bruce – yes

Respectfully submitted

Shirley Shilka, Secretary



John W. Bruce, Chairman