

TO: THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES
FROM: THE TINLEY PARK ZONING BOARD OF APPEALS
SUBJECT: THE MINUTES OF THE JULY 28, 2011 MEETING

A Public Hearing was held on July 28, 2011 by the Zoning Board of Appeals to consider recommending to the Village Board the approval of two (2) sign variations located at 17514 S. Oak Park Avenue and within the Downtown Core (DC) District, as follows: (1) a variation from the Zoning Code Section XII.4.E to allow a sixteen foot (16') monument sign where an eight foot (8') maximum is permitted; and (2) a variation from the Zoning Code Section XII.4.E to allow a monument sign to be located five feet (5') from a property line where a minimum ten feet (10') is required.

This notice was corrected as a result of the property being rezoned on July 19th as part of the Village's Legacy Code (Ordinance 2011-O-031). The previous notice was for variances from the B-4, Office and Service business Zoning District, which no longer applies to this property.

The Meeting was called to order at 7:58 p.m. by Chairman Sam Cardella, and roll call was taken as follows:

PRESENT: Chairman Sam Cardella and Board Members: Ed Barta, Pat Conway, Tom Hanna, Michael Krause and Dave Samuelson

GUESTS: Matt Panfil – Village Planner, Ron Bruning – Zoning Administrator and Jack Cochonour, Bettenhausen Motor Sales, 17514 S. Oak Park Avenue, Tinley Park, IL - Petitioner

ABSENT: Board Member: Jerry Radecky

Chairman Cardella administered the Oath to the Petitioner. There was no public in attendance.

Chairman Cardella called for approval of the Minutes of the May 26, 2011 Meeting. There were no changes or corrections to the Minutes. A Motion was made by Board Member Dave Samuelson, seconded by Board Member Tom Hanna, to approve the Minutes of the May 26, 2011 Meeting as presented. Motion was carried by voice call vote.

ITEM #1: BETTENHAUSEN MOTOR SALES, INC. 17514 S. OAK PARK AVENUE – SIGN VARIANCE

The Secretary read the Public Notice that had been published as required and verified.

Jack Cochonour, Bettenhausen Motor Sales, 17514 S. Oak Park Avenue made the presentation on behalf of Bettenhausen Motor Sales, Inc. Mr. Cochonour stated that this variation concerns the removal of the former Dodge sign and replacing it with the Fiat sign which is considerably smaller. The hardship is that there is a need to promote the Fiat logo.

Chairman Cardella asked if this is a requirement of the Fiat Company with regard to the type and size of the sign.

Mr. Cochonour said the Fiat Company regulations are very strict. They have had to do a complete remodeling of the interior of the Dealership to meet the requirements.

Board Member Dave Samuelson asked how far the existing Dodge sign is away from the property line with regard to the hangover versus the edge of the actual pole sign, and if this is a known factor.

Mr. Cochonour said that since the Fiat sign is so much smaller than the existing Dodge sign, they are requesting that it be visible by moving it 5 feet (5') further than the existing sign. This would be a five foot (5') setback as opposed to the required ten foot (10') setback.

Board Member Barta asked if this would be five feet (5') closer to the property line, not from where the former sign was.

Board Member Samuelson said it does speak well for the Petitioner that there are no neighbors present to comment. He feels the good neighbor policy speaks something from that particular end of it.

Mr. Samuelson asked if only the circular Fiat part of the new proposed sign would be illuminated, not the entire proposed sign. He thinks it is a better looking sign, but this has no bearing on how he sees the Zoning Ordinance. There is less illumination, as testified to by the Petitioner. The line of site mentioned in the memorandum dated July 7, 2011 notes that the Police Department stated, for the record, there were no issues. He assumes they did not see any particular issue with the line-of-sight with regard to the proposed location of the sign.

The auto dealership needs recognition in what is not particularly an automotive zoning district. A large amount of effort was spent by the Petitioner in wanting to stay on Oak Park Avenue as a viable business. Similar to the recently heard hardship by the Mini Dealership, you are under the Corporate Acts as far as getting those types of things as signage they need. People need to be able to find the facility, and it appears the overall amount of signage square footage, as compared to the lot and actual building size, is a very small ratio.

Board Member Mike Krause had no further questions.

Board Member Tom Hanna said that when discussing the line-of-sight, it appears as if, were the sign to be located five feet (5') from the sidewalk, it would be approximately eight feet (8') to the curb. He asked if the width of the driveway from the building to the sign is known.

Mr. Cochonour said the driveway is approximately two cars wide, and then there is parking next to the building that is the full length of a car. You have the double-wide driveway and additional parking for another 21' to 22', and then the sign is located approximately four feet (4') after that. The sign is at least twenty-four feet (24') from the back of the driveway where people are ingressing and egressing.

Board Member Barta said his concern was the line-of-sight for pedestrians, not so much the vehicle traffic. Public Works has a concern as to whether or not there would be a line-of-sight issue onto Oak Park Avenue. There is a full parking space from where the sign will be located. He does not feel this would be an issue.

Board Member Pat Conway said most of the discussion centered around the issues that answered his questions. For the record, he asked if Mr. Cochonour would intend to keep the parking spaces as they exist. We have grandfathered in variances on signs with a higher height than is now being discussed along 159th Street for the dealerships. Chairman Cardella said that when the signs were redone the grandfather clause goes away.

Mr. Cochonour said the parking will remain and the sign will be located in the existing landscaped area.

Matt Panfil, Village Planner, said the Village Attorneys recommended the Public Notice be corrected because the original notice was based on the existing Code at the time of submission. The variations being requested this evening are to the current Code.

Motion was made by Board Member Dave Samuelson, seconded by Board Member Ed Barta, to recommend to the Village Board to grant (1) an eight foot (8') variation to Section XII.4.E to allow for a sixteen foot (16') tall sign where eight foot (8') is the maximum permitted; and (2) a five foot (5') variance from Section XII.4.E to allow for a five foot (5') setback from the property line where a minimum ten feet (10') is required, at 17514 S. Oak Park Avenue, and within the Legacy Code Downtown Core (DC) Zoning District.

Vote by roll call as follows: Ayes: Dave Samuelson, Ed Barta, Pat Conway, Tom Hanna, Michael Krause and Chairman Sam Cardella. Nays: None. Abstain: None.

Vote 6-0-0. Motion carried.

Motion was made by Board Member Ed Barta and seconded by Board Member Dave Samuelson to close Public Hearing #1 and adjourn the meeting at 8:12 p.m. Vote by voice call. Motion carried.