



MINUTES
REGULAR MEETING OF VILLAGE OF FRANKFORT
PLAN COMMISSION / ZONING BOARD OF APPEALS
APRIL 24, 2014 – FRANKFORT POLICE STATION
20602 LINCOLN-WAY LANE

Call to Order

Chair Don Schwarz called the meeting to order at 6:30 P.M.

Commissioners Present: Don Schwarz, Bob Beeson, Dave Schumpp and Jim Matlock, Alicia Hanlon and Neil Nunamaker

Commissioners Absent: Sue Anstett

Staff Present: Assistant Director of Development Services Zachary Brown and Planner Dan Lee

Elected Officials Present: Liaison to the Village Board, Trustee Mike Stevens

A. Approval of Minutes from April 10, 2014

Motion (#1): Approve the minutes from April 10, 2014

Motion by: Hanlon Seconded by: Matlock
Approved (6 to 0)

B. Public Hearing – Hannigan Variance

Public Hearing Request: Building materials variance to allow the use of vinyl siding on the existing home located at 701 Birchwood Road.

Planner Lee presented the staff report and provided an overview of the request. He noted that following the posting of the public hearing sign on the property calls were made to the Village, some voicing concern with the request. In response staff conducted a more detailed study of the area and updated the report for the evening. The applicants, Patrick and Maribel Hannigan, were present and explained their request. They stated they wanted to improve the exterior of the home due to its exposure as a corner house and the existing siding's current condition, citing woodpecker issues in the neighborhood. They explained the request for vinyl was due to the high cost and high maintenance of Hardie Board siding. Mr. Hannigan indicated he would be installing the siding himself.

Chair Schwarz opened the floor for public comment. Diane Pieczynski of 749 Birchwood Road expressed her opposition the variance request, stating her opinion that most homes in the area were brick and that installing vinyl siding, a lesser quality material, would depreciate quality in the Village. She cited Lincoln-Way Special Education District 843 using Hardie Board siding when constructing their Transition House on Colorado Avenue.

Maura Rigoni of 832 Overlook Drive also explained her opposition to the request. She stated that she knew vinyl was prohibited when purchasing her home and noted that as a result she had been saving money to afford the installation of Hardie Board siding in the future. Mrs. Rigoni further expressed her belief that prohibiting vinyl should be enforced throughout the entire village and not just newer areas of town. Mrs. Rigoni cited a 2009 variance approval on Overlook Drive and expressed concern that if approved for the subject property a precedent would be set in her neighborhood that would continue to degrade the quality in the area.

Motion (#2): Close the public hearing

Motion by: Matlock Seconded by: Beeson
Approved (5 to 0)

During the Plan Commission Discussion:

- Planner Lee clarified the ordinance in regards to nonconforming materials. He explained that if a home has a nonconforming material, that material can only be replaced with the same, meaning vinyl siding is permitted only if it is to replace existing vinyl siding.
- Commissioner Matlock verified that the applicant also intended to replace the soffit and trim.
- Commissioner Nunamaker questioned if Ms. Pieczynski was happy with the appearance of the existing siding. Ms. Pieczynski stated she did not approve of the existing material but did not approve of the proposed materials either.
- Commissioner Nunamkaer questioned the applicant on the costs of the proposed material compared to Hardie Board siding. Mr. Hannigan stated his belief that existing siding needed to be replaced and that Hardie Board would cost him three times the amount of the proposed vinyl, not including installation.
- Commissioner Nunamaker questioned if the applicants consulted with the Village on building material requirements prior to purchasing the home. Mr. Hannigan stated that they did not.
- Commissioner Hanlon noted the difficulty of the request, citing the facts that if the existing siding was vinyl a variance would not be needed and that there are many homes throughout the Village with vinyl siding. She further noted that vinyl siding variances have been approved in the past however expressed her belief that a closer look should be taken at the ordinance.
- Commissioner Schumpp noted that numerous variances have been approved since 2006 and that staff's research found many homes in the surrounding area to be non-conforming. Citing past approvals he stated he felt the variance would make the home look better and not decrease value in the area.

- Commissioner Beeson verified that the applicant would be installing the siding himself. He stated he saw vinyl as an improvement and did not see a problem with the request.
- Commissioner Nunamaker stated that maintenance would be an issue with the siding regardless of what material is used.

Motion (#3): Recommend the Village Board approve a building materials variance to permit the use of vinyl siding on the home located at 701 Birchwood Road in accordance with the reviewed plans and public testimony.

Motion by: Hanlon Seconded by: Matlock
Approved (4 to 1)

C. Public Hearing – Aura Bella Salon and Day Spa Special Use

Public Hearing Request: Consideration of a special use permit for massage for Aura Bella Salon and Day Spa located at 20491 S LaGrange Road within the Vineyards of Frankfort.

Planner Lee presented the staff report and provided an overview of the request. He further noted that a Village inspector had visited the property and confirmed that it was in compliance with building codes requirements for massage establishments. The applicant/owner, Sherri Sulkowski, was present and noted that Aura Bella had been in business for nine years and recently relocated to the subject property from Mokena. She noted that there were two licensed masseuses on staff and services are provided on an on-call only.

Motion (#4): Close the Public Hearing

Motion by: Hanlon Seconded by: Nunamaker
Approved (5 to 0)

During the Plan Commission Discussion:

- Commissioner Nunamaker questioned how much of their business is dedicated to massages. Ms. Sulkowski stated that it is rather small, with only a few given per week.
- Commissioner Hanlon questioned the percent of the floor plan that would be designated to massages. Ms. Sulkowski explained it would be limited to a single room.
- Mrs. Sulkowski explained the different types of massages provided.

Motion (#5): Recommend the Village Board approve a special use permit for Aura Bella Salon and Day Spa located at 20491 S LaGrange Road in accordance with the reviewed plans and public testimony.

Motion by: Matlock Seconded by: Beeson
Approved (5 to 0)

D. Public Hearing – Choppers Hair Salon Special Use

Public Hearing Request: Modification of the Village of Frankfort Zoning Ordinance Article 5 Section B to allow massage establishments via special use permit in the H1 zoning district and consideration of a special use permit massage for Choppers Hair Salon located at 13 Old Frankfort Way.

Planner Lee provided an overview of the staff report, noting that as part of the request a modification of the zoning ordinance would need to be made permitting massage establishments in the H1 district through special use permit. Dan Pikowski, owner of Choppers, was present.

Chair Schwarz opened the floor for public comment. Frank and MaryAnn Sweas of 9 Old Frankfort Way, located above Choppers, questioned the exhaust/ventilation of the room and questioned if there would be noise. Assistant Director Brown stated that the conditions listed in the ordinance regarding massage establishments are written primarily for cleanliness and operations, while Planner Lee noted that no additional ventilation was required.

Mrs. Sweas questioned the use of the word “establishment” in the certified letters for the hearing and questioned hours of operation. Planner Lee stated that ordinance refers the special use as a massage establishment however Choppers would continue to operate primarily as a Salon and that they have not indicated they would extend their hours.

Mr. and Mrs. Sweas had no objection to the requested use however noted the entry door to Choppers closed loudly. Mr. Pikowski stated he would speak with the landlord on the matter.

Motion (#6): Close the Public Hearing

Motion by: Matlock Seconded by: Hanlon
Approved (5 to 0)

During the Plan Commission Discussion:

- Commissioner Nunamaker questioned the ventilation requirements in regards to their nail care services. Mr. Pikowski stated they do not use acrylic paint and as such do not need to have increased ventilation.
- Commissioner Hanlon questioned the effects of permitting massages in the H1 district. Assistant Director Brown noted that massage services are common in connection with high end salons and exist elsewhere in the Village. Mr. Brown also noted that there were several other salons in the H1 district that, if approved could request approval to provide massage services.

- Commissioner Schwarz recommended that staff inform the 1890's Committee of the ordinance changes as they affect the Historic District.

Motion (#7): Recommend the Village Board approve a modification to the Village of Frankfort Zoning Ordinance, Article 5, Section B, Table of Permitted and Special Uses to allow massage establishments via special use permit in the H1 Zoning district.

Motion by: Matlock Seconded by: Hanlon
Approved (5 to 0)

Motion (#8): Recommend the Village Board approve a special use permit for massage for Choppers Hair Salon located at 13 Old Frankfort Way in accordance with the reviewed plans and public testimony and conditioned upon meeting the requirements for massage establishments as enumerated in the Village of Frankfort Zoning Ordinance.

Motion by: Nunamaker Seconded by: Matlock
Approved (5 to 0)

E. Committee Update: None

F. Village Board Update:

Trustee Stevens noted that the Village Board will be approving the annual budget at the upcoming April 28 meeting, noting that the levy will be reduced.

G. Other Business:

Staff noted that they will verify which Commissioners need to take courses on the Open Meetings Act. Mr. Brown provided an update on the Riverside Medical project and noted that Silver Cross is in the process of developing concept plans for their property on Route 30

H. Attendance Confirmation: All present Commissioners stated that they expected to be present at the next meeting.

Motion (#9): Adjournment: (7:45)

Motion by: Nunamaker Seconded by: Matlock
Unanimously approved by voice vote.

Approved May 8, 2014

As Presented _____

As Amended _____ X _____

/s/ Don Schwarz, Chair

/s/ Secretary