



# City of Aurora

5th Floor Conference  
Room  
44 E. Downer Place  
Aurora, Illinois 60507

## Planning and Zoning Commission Meeting Minutes

Wednesday

July 19, 2023

7:00 PM

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### CALL TO ORDER

*Chairman Pilmer called the meeting to order at 7:00 pm*

### ROLL CALL

*The following Commission members were present: Chairman Pilmer, Mrs. Anderson, Mr. Chambers, Mr. Gonzales, Mrs. Martinez, and Mr. Roberts.*

*Mr. Choudhury, Mr. Kuehl, and Mrs. Owusu-Safo were excused.*

### OTHERS PRESENT

*The following staff members were present: Mr. Sieben, Mr. Broadwell, Mr. Sodaro, and Ms. Burden.*

*Dina Weiss (Re: 1053 Foran Ln)*

*Stephen Wirth (Re: 1053 Foran Ln)*

*Barry Niles (Re: 1053 Foran Ln)*

*Ian Wade/City of Aurora Engineering Dept (Re: 2185 Liberty St)*

### APPROVAL OF MINUTES

**23-0543**

Approval of Minutes from 6/21/2023 Planning & Zoning Commission Meeting

*MOTION OF APPROVAL WAS MADE BY: Mr. Chambers*

*MOTION SECONDED BY: Mr. Gonzales*

*AYES: Chairman Pilmer, Mr. Chambers, Mr. Gonzales*

*NAYS: 0*

*ABSTAIN: Mrs. Anderson, Mrs. Martinez, and Mr. Roberts*

*Motion carried.*

**A motion was made by Mr. Chambers, seconded by Mr. Gonzales, that these minutes be approved and filed. The motion carried.**

## PUBLIC COMMENT

*Chairman Pilmer said if you are here for an item that does not appear on the agenda as a public hearing and you wish to speak to the Commission, we can give you 3 minutes to do so.*

*No one came forward.*

## AGENDA

### 23-0430

A Major Variance to allow for the increase in height, length, and size for a detached garage for the property located at 1053 Foran Lane (Stephen Wirth - 23-0430 / AU16/1-23.321 - V - JS - Ward 6) (PUBLIC HEARING)

*Mr. Sodaro said good evening, everybody. The subject property is currently zoned R-1, One-Family Dwelling District, and is being used as a single-family home. The lot is roughly 1.62 acres or equally about 66,310 square feet. It's approximately 98.5 feet wide and 657 feet long. The footprint of the home is approximately 2,476 square feet, including both living space and the existing attached garage. The Petitioner is requesting approval for a major variance to allow for an increase in height, length, and size for a detached garage. For some context, in a typical residential property, maximum area of any garage is 768 square feet or 75% of the footprint of the home, whichever is less, with a maximum wall length of 36 feet. In addition, vertical side walls are not to exceed 9 feet in height and the overall structure cannot be more than 21 feet tall. The garage proposed at 1053 Foran Lane is going to be 30 feet wide by 70 feet long equaling a total square foot...a total of 2,100 square feet. Vertical side walls will be 10 feet tall with a height of the overall structure being 15 feet at peak. The proposed garage lot will still not be covered with impervious surfaces by more than 40%, so that's not being waived. The proposed garage is not going to be used commercially, it's going to be used by the Petitioner as a hobby shop and storage for personal vehicles. When constructing a new detached garage, the Aurora Zoning Ordinance requires that any existing attached garage be converted to living space. The Petitioner has agreed to make this conversion, which would make the overall inhabitable space 2,476 square feet. This would make the garage approximately 84.8% of the habitable space of the home, meaning that a variance of 10% is being requested. As I mentioned before, the rule is that 75% of the home is typically the maximum that's allowed. For some additional context, a similar variance for an oversized garage was granted to the property to the south in 2014. This variance was granted to allow a 1,477 square foot detached garage that would be 95% of the footprint of the home. And just for some additional context, that lot was much smaller than this one being about 20,308 square feet whereas this one was, again, 66,310 square feet. Beyond that, we do have some images that have been shared. As you can see here, this is the site plan. There's no variance to the setbacks to the property to the north. It's going to be 3 feet, which is required at minimum. Here's the driveway as shown. Anything beyond the footprint of the...beyond the front façade of the first house, that's going to be an expanded driveway. And then, here is the elevations; 70 feet long, 30 feet wide, no higher than 15 feet. Beyond that, if you have any questions of Staff, I'd be more than happy to answer. Otherwise, we do have members of the Petitioners here to speak as well, if needed.*

*Chairman Pilmer said any questions of Staff? Hearing none, we would just ask the Petitioner if they'd like to come forward and add anything additional or anything to*

*present?*

*Ms. Weiss (from audience) said only if they have questions...(inaudible)*

*Mr. Sodaro said they really would only be looking to speak if you guys had any questions specifically of them.*

*Chairman Pilmer said are there any questions of the Petitioner?*

*Mr. Niles (from audience) said mind if I say something?*

*Mr. Sodaro said sure.*

*Chairman Pilmer said so this...I'll have to swear you in as this is a public hearing if you'll just raise your right hand.*

*Mr. Niles said hi, my name is Barry Niles...*

*Chairman Pilmer said I just need you to have you...I've got to swear you in. Do you swear to tell the truth, the whole truth, and nothing but the truth?*

*Mr. Niles said I do.*

*Chairman Pilmer said thank you, and then if you'll just state your name and address for the record. Thanks.*

*Mr. Niles said it's Barry Niles. I live in Yorkville. I'm a general contractor, retired. I'm going to help Steve and Dina with this project anyway, a little bit, and I know that ordinances are designed for the norms. This lot has nothing to do with the norms. If you put 2 football fields end to end, you'd still have another hundred feet past that, the size of their lot and I think it's more unique than...I've been building since 1980 and I've never seen a lot like this in the City, of any city that I've ever built in. So, I just want to...I know that maybe you're...you're considering based on what the norms would be, but this lot has nothing to do with what the norm...the normal lot would be like. So, that's all I have to say.*

*Chairman Pilmer said thank you. This is a public hearing, so at this time I will open it up to anyone in the audience that would like to speak to the Commission regarding this case. And then, just note for the record that no one has come forward and so I will close the public hearing and ask Staff to present the Findings of Fact.*

*Mr. Sodaro said as this is a public hearing, due public notice was given for this matter. As of the date of this memo, Staff received 1 call about the garage variance. It was a neighbor that was concerned with some of the sizing. They did not seem to have any other specific requests; they just had some concerns about what was going on. As this is a Variance petition...I'm sorry. Ed, did you...*

*Mr. Sieben said yeah, if I could just add something for the Commission. So, you know, we get Variance requests all the time. Usually, we try to discourage them, to follow the ordinance. This lot is unique in the City of Aurora. I believe it's 1.62 acres. It's probably one of the 5 largest lots, residential lots, in the City. You can see the red pin there; that lot goes all the way back. The homeowner to the south did get a variance for an oversized garage, a hobby garage you see right there. If you can zoom back out, Jake. A little more, please. So, surrounding this property...so, this lot goes*

*all the way back and touches St. Rita property to the east. To the north is a religious facility. You can see it up to the north, that large lot there is part of that property. To the south are the Richard Street condos, which is on Richard Street...or Robert...I think it's Richard right there. So, it's really a unique property surrounded by institutional or religious uses and open space all around it, so it is...it's not like it's in a typical subdivision. So, I just wanted to give that perspective to this property.*

*Mr. Sodaro said alright, then Staff would like to briefly touch upon the Findings of Fact as is required for Variance petitions:*

*1. The requested variance is based on the particular physical surroundings, shape or topographical conditions of the property which results in a particular hardship to the owner. As this lot is much larger than the average single family residential lot in Aurora, lot coverage is not an issue. And that's one of the main things we do regulate.*

*2. The requested variance is based on conditions unique to the property and for which are generally not applicable to other property within the same zoning classification. Again, this is one of the largest single family lots in Aurora, so the lot coverage is, again, not going to be an issue since it's one of the main things we regulate.*

*3. The requested variance is based on an alleged difficulty or hardship that is caused by the ordinance and has not been created by any person presently having an interest in the property. The adoption of the ordinance occurred after the creation of this lot and did not take into account such a...such a deep and wide lot.*

*4. The requested variance in all other respects is in conformance to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the city pursuant to the recommendations of the Commission. No setback variance is being requested, everything that's being requested has been given to you guys as read.*

*Chairman Pilmer said thank you. Is there a motion?*

*MOTION OF APPROVAL OF VARIANCE WAS MADE BY: Mrs. Anderson*

*MOTION SECONDED BY: Mr. Roberts*

*AYES: Chairman Pilmer, Mrs. Anderson, Mr. Chambers, Mr. Gonzales, Mrs. Martinez, and Mr. Roberts*

*NAYS: 0*

*Motion carried.*

*Chairman Pilmer said alright, move to approve is carried so as Staff...we do also have Findings of Fact that were read into the record. Are there any additions or corrections? Hearing none, is there a motion to accept the Findings of Fact?*

*MOTION OF APPROVAL OF FINDINGS OF FACT WAS MADE BY: Mr. Chambers*

MOTION SECONDED BY: Mrs. Martinez

AYES: Chairman Pilmer, Mrs. Anderson, Mr. Chambers, Mr. Gonzales, Mrs. Martinez, and Mr. Roberts

NAYS: 0

Motion carried.

Chairman Pilmer said motion carries. And then I believe this is final.

Mr. Sodaro said correct, the decision of Planning and Zoning Commission is final.

Chairman Pilmer said alright. Thank you.

**A motion was made by Mrs. Anderson, seconded by Mr. Roberts, that this agenda item be approved. The motion carried.**

**23-0547**

A Resolution Approving the Final Plat for Department of Public Works Subdivision, located at 2185 Liberty Street

Mr. Broadwell said hi everyone. It's good to see you all again, my name is Stephen Broadwell. I'm here with the City of Aurora Zoning Division. So, yes, this is the Final Plat of the Public...Department of Public Works Subdivision. You can see the...an aerial of the property up there on the screen highlighted. So, the property right now consists of...it's approximately 26 acres. You can see the majority of...majority of the northern portion is there and then there is a smaller lot down on East New York Street. So, essentially what's happening here is that the City is proposing to consolidate these 2 lots into 1 lot and then have some easements dedicated there and then also some, I think about 40 feet of right of way dedicated on the northern frontage along East New York Street.... or, excuse me...Liberty Street. So, a little bit about the background of the property; you'll remember that this property was annexed and rezoned, both approved I believe in the fall of 2021 to the current M-1 zoning. Let me see...I'll pull up the Final Plat for you real quick. So, this will just show the entire lot. So, you can see there's in addition to the new lot, there will be City Easements, a Watermain Easement, a Stormwater Management Easement kind of in the southeastern portion of the property, just north of East New York Street, and then a Fire Lane along kind of the western, southwestern property line for emergency access for the property directly to the west. I would say that's really the scope of the project. I don't know if...are there any questions for Staff? We do have a representative here from the City's Engineering Department who can answer some technical questions you may have for him. But if you have any questions for Zoning, I'd be happy to answer them.

Chairman Pilmer said any questions of Staff or of the Petitioner? Hearing none, I'm just going to ask Staff for the recommendation.

Mr. Broadwell said Staff would recommend approval of the resolution approving the Final Plat for the Department of Public Works Subdivision, located at 2185 Liberty Street.

Chairman Pilmer said you've heard Staff's recommendation. Is there a motion?

MOTION OF APPROVAL WAS MADE BY: Mr. Chambers

MOTION SECONDED BY: Mr. Gonzales

AYES: Chairman Pilmer, Mrs. Anderson, Mr. Chambers, Mr. Gonzales, Mrs. Martinez, and Mr. Roberts

NAYS: 0

*Motion carried.*

*Chairman Pilmer said motion carries. And this will next be heard?*

*Mr. Broadwell said this will next be heard at the Building, Zoning, Economic Development Committee, Wednesday, July 26th at 4:00 pm, 5th floor City Hall Conference Room B.*

*Chairman Pilmer said alright, good luck. Any announcements?*

**A motion was made by Mr. Chambers, seconded by Mr. Gonzales, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 7/26/2023. The motion carried.**

## ANNOUNCEMENTS

*Mr. Sieben said the next regular meeting is August 2nd. I'm not sure we're going to have anything, so we'll...Sharon will send an announcement out. Otherwise, it'll likely be August 16th.*

*Chairman Pilmer said alright, good.*

*Mr. Sieben said so, go on vacation next...you know, next 2 weeks.*

*(Laughing)*

*Mr. Roberts said already scheduled.*

*Mr. Sieben said you just got back, right?*

## ADJOURNMENT

*Chairman Pilmer said if there's nothing further, is there a motion to adjourn?*

MOTION OF ADJOURNMENT WAS MADE BY: Mrs. Martinez

MOTION SECONDED BY: Mr. Gonzales

*Motion carried by voice vote.*

*Chairman Pilmer adjourned the meeting at 7:16 pm*

**A motion was made by Mrs. Martinez, seconded by Mr. Gonzales, that this meeting be adjourned. The motion carried.**

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