Meeting Agenda

Skokie Zoning Board of Appeals
Wednesday, October 18, 2023 at 7:30 P.M.
Village of Skokie
5127 Oakton Street
Skokie, IL 60077

I. Call to Order

II. Roll Call

III. Approval of Minutes

IV. Public Hearings & New Business:

2023-02Z – 4233 Main Street
Minas Gharibian, on behalf of Melvin and Jazmine Dillard, request a variation in order to operate a dentist office resulting in 10 off-street parking spaces provided rather than the 12 off-street parking spaces required by Section 118-218(4) of the Zoning Chapter of the Skokie Village Code in a B1 Commercial district.
PINs: 10-22-402-009-0000 and 10-22-402-010-0000

V. Old Business:

VI. Public Comment (for non-agenda items)

VII. Adjourn
A motion was made by ZBA member Perlin and seconded by ZBA member Jacobson to approve the minutes of the August 17, 2022 meeting.

Case Description:

2023-01Z – 3500 Dempster Street

Chester Klos of DC&L LLC requests a variation in order to operate a dentist office resulting in 9 off-street parking spaces provided rather than the 12 off-street parking spaces as required by Section 118-218(4) of the Zoning Chapter of the Skokie Village Code in a B2 Commercial district.

PIN: 10-14-421-039-0000

Discussion and Interested Parties

Legal notice was advertised, posted and delivered to property owners in the area as prescribed by the Zoning Chapter. Corporation Counsel determined that notice was proper and correct.

Dr. Chester Klos presented the case to the board. He purchased this vacant property last year to move his general dental office from Chicago. He used the services of the previous business when it was a vacuum cleaner repair shop. He needs to build it out to fit his needs and was quite surprised to learn that 9 off-street parking spaces is deficient according to Village Code. He hoped to make arrangements with the neighboring locksmith to “borrow” 3 spaces, if needed. Unfortunately for him, the neighbor is in compliance for his own required parking needs leaving no spaces to spare. The realtor has reached out to the property owner of the closed CVS site to lease out the spaces but hasn’t gotten a response back. The building is useless to Dr. Klos without securing a parking variance and he will be forced to sell it.

In their written remarks, Traffic Engineering noted that there is on-street parking on the east side of Lincolnwood Drive which customers can easily access. However, the following items need to be addressed when the applicant submits plans for a permit:

- The accessible parking spaces must be 8’ wide with an 8’ access aisle with R7-8 and R7I-101 signs installed in front of the space.
- Parking space sizes need to be noted on the plans. 9-foot wide width and 18-foot depth are required.
- Removal of unnecessary wheel stops along Lincolnwood Drive.

A ZBA member commented that she sees no issues and that there is adequate parking in the neighborhood. The chairman advised the petitioner that the observations from Traffic Engineering will be required conditions of approval. Dr. Klos is in agreement with all recommendations. He complimented the Village staff for their helpful and professional assistance.
Recommendations and Voting
A motion was made to grant a variance, with conditions, to operate a dentist office resulting in 9 off-street parking spaces provided rather than 12 off-street parking spaces as required by Section 118-218(4) at 3500 Dempster Street.

Motion: Roos-Kirkpatrick                    Second: Solovy

Ayes: 9
Nays: 0

A covenant is required.
To: Brian O’Donnell, Chairman, Zoning Board of Appeals
From: Brian J. Augustine, Zoning Administrator
Re: 4233 Main St - Parking Variation

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<th>General Information</th>
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<tbody>
<tr>
<td><strong>Location</strong></td>
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<td><strong>Request</strong></td>
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<td><strong>Zoning Requirement</strong></td>
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<td><strong>Petitioner</strong></td>
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<td><strong>Existing Zoning &amp; Land Use</strong></td>
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<td><strong>Assigned to</strong></td>
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SITE INFORMATION

- The building on site was constructed around 1966.
- The parking on site currently have driveways to Main St and Tripp Ave.

PETITIONER’S SUBMITTAL

The petitioner is requesting a variation in order to operate a dentist office and provide 10 off-street parking spaces rather than the 12 as required per Village Code.

APPEARANCE COMMISSION

If the petitioner alters the exterior façade, they will be required to appear before the Appearance Commission for a certificate of appropriateness.

STAFF ANALYSIS

Staff Comment and Review sheets were sent to all pertinent departments. The Fire Department, Community Development Department and Traffic Engineering Division were the only department/divisions to comment.
Fire Department

Most comments from the Fire Department related to the construction portion of the project. The Fire Department noted the removal of the driveway to Main Street will reduce access to the site, but with access from Tripp Ave and the public alley, access to the site is no way prohibited.

Traffic Engineering Division

The Traffic Engineering Division normally recommends compliance with the code, but the tenant is making improvements to add parking on site and add one additional parking space on Main St. The closing of the driveway to Main St. will reduce a vehicular/pedestrian intersection point.

Traffic Engineering had two additional notes. The first comment was when plans are submitted, the sidewalk walk along Main St will need to get replaced per Village of Skokie standards. The second comment was that the gravel area in the Main St right-of-way will need to be replaced with grass (topsoil and seed or sod) to be consistent with the right-of-way west of the subject site.

Community Development Department

The Community Development Department concurs with the Traffic Engineering Division’s comments. Ideally staff would like to see compliance with the parking requirement for new uses in town. In this case the plan is to add additional legal parking spaces to the site, remove the driveway to Main Street which in turn will add an additional on street parking space. Although not officially, with the addition of the parking space on Main St, the use is really one parking space short.

Staff feels the overall parking demand will be met on a day-to-day basis on site. In the event that there is overflow, parking is allowed on Main St. and Tripp Ave. The on-site and nearby parking should ensure employees and customers will not be parking throughout the neighborhood.

STAFF RECOMMENDATION

Based on the proposed Findings of Fact, Staff recommends that the petitioner’s request to operate a dentist office be approved with the following conditions:

1) The sidewalk along Main St will need to get replaced per Village of Skokie standards.

2) The gravel area in the Main St right-of-way must (west of the existing driveway) be replaced with grass (topsoil and seed or sod).

ATTACHMENTS

1. Proposed Findings of Fact
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<tr>
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<th><strong>Consideration</strong></th>
<th><strong>Finding</strong></th>
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<tr>
<td>1</td>
<td>Limitation on the use of the property due to physical, topographical, and geologic features.</td>
<td>There are no limitations on the property due to physical, topographical or geologic features.</td>
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<tr>
<td>2</td>
<td>The applicant can demonstrate that without a variance there can be no reasonable use of the property.</td>
<td>Staff feels the applicant can most likely have a reasonable use of the property without a variation.</td>
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<td>3</td>
<td>The granting of the variance is not based solely on economic reasons.</td>
<td>The variance request appears to be based on the desire to operate a dentist office at an available commercial space on Main St.</td>
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<td>4</td>
<td>The necessity for the variance was not created by the property owner.</td>
<td>Staff feels the necessity for the variance is due to a lack of parking on site and site constraints.</td>
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<td>5</td>
<td>The variance requested is the minimum variance necessary to allow reasonable use of the property.</td>
<td>Based on the site constraints, staff feels the variance requested is most likely the minimum variance necessary to allow for a reasonable use of the property.</td>
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<td>6</td>
<td>The granting of the variance will not be injurious to the public health, safety, or welfare.</td>
<td>Staff feels the granting of the variance will not be injurious to public health or safety.</td>
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<td>7</td>
<td>The property subject to the variance request possesses one or more unique characteristics generally not applicable to similarly situated properties</td>
<td>There are no unique characteristics to the subject site.</td>
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