



**ZONING BOARD OF APPEALS SPECIAL MEETING
VILLAGE OF HAWTHORN WOODS
2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS
OCTOBER 18, 2011
6:00 P.M.**

MINUTES

VI. Call to Order and Roll Call

The meeting was called to order by Chairperson Kosik at 6:03 p.m. Roll call indicated the following members were present: Chairperson Kosik, Mr. Johnston, Ms. Scaletta and Mr. Schildkraut. Absent was: Mr. Sedlacek. Also present were Chief Administrative Officer Donna Lobaito and Acting Village Attorney Patrick Brankin.

II. Opportunity for the Public to Address the Board

None this month.

III. Public Hearing

A. Public Hearing for a Variance Request – Side Yard Setback, 8 Acorn Drive - Fella

Motion by Schildkraut, second by Johnston to open the public hearing. Upon a voice vote, the motion carried unanimously.

Ms. Lobaito read the staff memorandum into the record. Tim and Dawn Fella, 8 Acorn Drive, and David Berryhill of Archideck were sworn in. Mr. Fella presented pictures of his back yard to the ZBA members for review. Mr. Barryhill stated that many options were examined for the installation of a three season room with therapeutic pool for the Fella's wheelchair bound son. Cedar material will be used to match the existing siding on the home.

Mr. Fella indicated the size of the room addition was necessary to accommodate the therapeutic pool and the required access to move the wheelchair about, as well as a small sitting area.

Mr. Fella read his response to the required three standards into the record. There was no discussion by the ZBA members as to the responses by the Fella's to these standards.

Motion by Schildkraut, second by Scaletta to close the public hearing. Upon a voice vote, the motion carried unanimously.

Motion by Schildkraut, second by Scaletta to recommend to the Village Board that the variance be requested.

Mr. Schildkraut noted that given the size, location, shape and minimal variance request he had no issues with recommending the granting of the request. Ms. Scaletta noted that this action would legalize the non-conforming structure.

Mr. Kosik noted that the Village Board will review the information and look for evidence, therefore, he commented that Ms. Scaletta's notation that this would legalize an existing non-conforming structure was well put. An existing home addition is already built over the building line with no evidence of a variance ever being granted. This was done by a previous owner, not the Fella's. This non-conformity could affect the value of their home, so the granting of this variance would cure this issue. The ZBA members discussed how the Fella's may not be able to derive a reasonable return on their home with this legal non-conforming condition.

Mr. Johnston agreed and stated furthermore, he believed the Fella's exhibited a hardship due to their son being handicapped.

Mr. Kosik noted that the addition will not be very visible from the road and it will enhance the use of the owner. He stated it was designed well and it did not appear to be objectionable.

Mr. Johnston stated that it was important to note that no one stepped forward to object. Ms. Lobaito confirmed that she received several phone calls from the surrounding neighbors and none of them objected.

Upon a roll call vote, all members voted in favor of recommending to the Village Board that the legal non-conformity be legalized, and the granting of the variance request.

IV. New Business

A. None this month

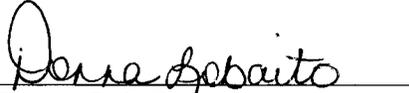
V. Old Business

B. None this month

VI. Adjournment

Motion by Schildkraut, second by Scaletta to adjourn the meeting. There being no further business, the Zoning Board of Appeals adjourned at 6:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Donna Lobaito", is written over a horizontal line.

Donna Lobaito
Chief Administrative Officer