

**Village of Winthrop Harbor  
Planning & Zoning Board  
Minutes of Meeting  
April 13, 2010**

**I. CALL TO ORDER**

Meeting was called to order by Chairperson Bob Mosteller at 7:07 p.m.

**II. ROLL CALL**

The following members were present:

Leech  
McDowell  
Mosteller  
Stried  
Pohlman  
Levin

Absent: Member Bolt

Chairperson Mosteller declared that a Quorum was present.

Chairperson Mosteller welcomes Member Levin to PZB and asked that she introduce herself to the board. Member Levin states that she is a nine year resident of Winthrop Harbor and is honored to be a part of the PZB board.

Also in attendance were Trustee Braden and Director of Building, Planning, Zoning & Development, Pat DiPersio.

**III. APPROVAL OF MINUTES**

Motion made to approve the March 9, 2010 by Member Leech and seconded by Member Streid. Chairperson Mosteller and Pohlman vote yes. Member McDowell passes, the motion passes unanimously.

**IV. VILLAGE BOARD REPORT**

Chairperson Mosteller asks Trustee Braden if she has a report from the Board. Trustee Braden welcomes Member Levin and states the streetscape project has started.

Member Leech asked when Sheridan Road paving will begin. Mr. DiPersio states that we do not have an exact date. Mr. DiPersio also informs the board that a test strip for the colored concrete was done on the north side of 7<sup>th</sup> street by the bird sanctuary. Member Leech asks if the street will be re paved. Mr. DiPersio states no, that all the work is being done in the right of way.

## V. NEW BUSINESS

**Docket # 02-PZB-10:** William Goldstein requesting variance to allow lower level area to be occupied as apartment at 1704 7<sup>th</sup> St. He would also like permission for outdoor café at 1704 7<sup>th</sup> St during spring through fall months.

Chairperson Mosteller states that he has been advised by Mr. DiPersio that the zoning regulations for the CBD district already permit for sidewalk cafés, subject to certain standards. Chairperson Mosteller states that the sidewalk café is not an issue at this point.

Chairperson Mosteller invites William Goldstein to testify and swears him in. Mr. Goldstein asks the board to consider allowing him to rent the lower level as an apartment. Mr. Goldstein states that the person that runs the coffee shop would like to rent that space. If allowed to rent the lower level, it would allow the business owner to serve coffee at Metra station at 5am.

Mr. Goldstein states that the space has storage, windows, and a bathroom with a shower. Mr. Goldstein states the space has been used as a party room and corporate meeting room. Member Leech asks Mr. Goldstein why he was at this meeting given that there is a moratorium on apartments. Mr. Goldstein states he understood the moratorium was created for apartments that were not already built.

Chairperson Mostellers states that basement apartments are prohibited by the ordinance and is concerned about compliance with existing building codes. Chairperson Mosteller asks the square footage of the area. Mr. Goldstein states about 800 sq ft. Chairperson Mosteller states the ordinance requires 1000 sq ft. Member Stried states the space requires two escape windows for a two bedroom apartment. Mr. Goldstein states this would be used as a studio apartment and the storage room would be used as a closet.

Member McDowell states if the board did this that she could later legally rent it out. Chairperson Mosteller reviews section 151.091 of the ordinance for sq ft and window area. Chairperson Mosteller states it is prohibited because of the basement size and window area.

Mr. Goldstein states that the CBD is zoned for condos and asks the board if he changed the space to a condo if it would be allowed. Member Stried

states he could change the second floor apartment to a condo but the basement could not be used as a condo or apartment.

The PZB board votes unanimously to deny the variance. The decision was based primarily on the current moratorium. Other factors considered in the decision were; the space does not meet the minimum building code standards for a basement apartment, which include the minimum living space area of 1000 sq ft., exterior windows and fire exist. Chairperson Mosteller states there was not sufficient evidence of a hardship.

**VI. OLD BUSINESS**

**VII. OTHER BUSINESS**

The Antioch rules were up for discussion. Chairperson Mosteller states he was not aware the PZB already had Planning & Zoning Rules. Chairperson Mosteller suggests this matter be put on another agenda to give the board time to review the rules.

**VIII. PUBLIC COMMENT-BOARD MEMEBERS REMARKS**

None.

**IX. ADJOURNMENT**

A motion to adjourn was made by Member Pohlman and seconded by Member Stried.

The motion was passed unanimously.

Chairperson Mosteller declared the meeting adjourned at 7:50 PM.

Signed:

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Robert Mosteller, Chairperson

Attest:

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Sasha Villarreal, Recording Secretary

Note: These minutes are not verbatim.