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**MINUTES OF ZONING AND PLANNING COMMISSION / ZONING BOARD OF APPEALS MEETING**

February 12, 2016

7:00 P.M.

1. Roll Call/Call to Order
2. Approval of minutes of Zoning and Planning Commission / Zoning Board of Appeals meetings held on January 28, 2016.
3. Public Comment
4. Case Number 16 ZBA 01/Berthold Variation  
Request for a Variation from the front yard setback requirement for the purpose of constructing a covered unenclosed front porch on property commonly known as 225 West Claremont (PIN 06-02-401-033).  
**Public Hearing – All properties within 500 feet have been notified.**
5. Case Number 16 P-02/ Opus Conditional Use and Associated Variations  
Request for approval of a Conditional Use and Associated Variations for the purpose of allowing the construction of a sixty-five (65) foot tall residential/retail structure (73' to top of rooftop appurtenances) on property commonly known as 100 N. Addison Avenue (PIN 06-02-220-017, 019, 020, 023, 024 & 025).  
**Public Hearing – All properties within 500 feet have been notified.**
6. Other Business

Commission Members Present: Callaway, Garland, Rose, McCoyd, Mushow, Uditsky, Warnke, Whistler

Commissioner Members Absent: Corrado,

City Staff Present: Werner, Franz, Kopp

After a roll call establishing a quorum, Chairman Whistler requested a motion to approve the Zoning and Planning Commission/Zoning Board of Appeals meeting minutes of January 28, 2016. Commissioner Callaway moved to approve the minutes of the January 14, 2016 Zoning and Planning Commission/Zoning Board of Appeals meeting as written. Commissioner Rose seconded, and with a voice vote being all ayes, the motion passed.

Chairman Whistler explained that the Public Comment agenda item is for anyone to speak on any matter, but that comments will not be included in the public record for a specific case on an agenda. There was no public comment.

Chairman Whistler opened the public hearing for Case # 16 ZBA 01, which is a request by Mr. Richard Barnes for a Variation from the front yard setback requirement for the purpose of constructing a covered unenclosed front porch on property commonly known as 225 West Claremont. After all testimony was received relating to this case, Chairman Whistler closed the public hearing portion of this case. Commissioner Callaway made a motion to deliberate Case 16 ZBA 01 this evening and Commissioner Rose seconded the motion.

Chairman Whistler opened the deliberation for Case # 16 ZBA 01. The Commission discussed the Standards for a Variation as they relate to this request. Commissioner Rose made a motion to approve the request as presented; Commissioner Callaway had seconded the motion. The Commission voted 8-0 to recommend approval of the request as presented. It was noted that the Zoning & Planning Commission has final approval authority for the requested variation.

Chairman Whistler opened the public hearing for Case # 16 P 02, which is a request by the Opus Group for approval of a Conditional Use and Associated Variations for the purpose of allowing the construction of a sixty-five (65) foot tall residential/retail structure (73' to top of rooftop appurtenances) on property commonly known as 100 N. Addison Avenue. After all testimony was received relating to this case, and interested parties spoke, Chairman Whistler closed the public hearing portion of this case. Chairman Whistler announced that the record will remain open until 5:00 p.m. on Thursday February 18, 2016 and that deliberation is scheduled for March 10, 2016.

Zoning Administrator Werner advised the Commission on the agenda for the next meeting.

The meeting was adjourned at 9:45 P.M.

Submitted by: Eileen Franz AICP, Assistant Planning and Zoning Administrator