

MINUTES OF THE ZONING BOARD OF APPEALS
January 12, 2026

The regular meeting of the Zoning Board of Appeals was called to order by Chairman Gregory Wheeler at 7:00 p.m. at the Village Hall, 118 W. Cook Avenue.

Members present: Chairman Gregory Wheeler, Amy Flores, Richard Pyter, Thomas Rankin, Dale Sherman, Eric Steffe, and Aaron Zych.

Members absent: None.

A quorum was established.

Village Staff present: Tony Repp, Deputy Director of Community Development; Jeff Cooper, Deputy Director of Public Works/Village Engineer; and Crystin Gindorf, Administrative Services Coordinator.

Others present: Brooke Lenneman, Village Attorney.

Board Member Zych moved, seconded by Board Member Flores, to approve the December 8, 2025, Zoning Board of Appeals minutes.

Motion carried 7 - 0.

Chairman Wheeler sworn in all those who will address the Zoning Board of Appeals at this meeting.

OLD BUSINESS: None.

NEW BUSINESS:

**ZBA 26-01 Daniel P. Weinkauff, Applicant
732 Thomas Court**

Request is for a variation to increase the maximum permitted lot coverage from 35% to 40.25% in order to maintain the existing driveway area and construct additional site improvements, including a patio, pool deck and hardscape, for property located in an R-3 Single Family Residential District.

Mr. Tony Repp, Deputy Director of Community Development, introduced the variation request to the Zoning Board of Appeals.

Mr. Kevin Lewis, agent for the applicant, described the proposed project and the requested variation. Mr. Lewis clarified the existing conditions of the lot. Mr. Lewis indicated the survey that was submitted for staff review did not show the correct impervious area on the lot due to snow coverage when the survey was done. Mr. Lewis highlighted the details of the detention area that will provide storage to handle the proposed impervious area changes. Mr. Lewis provided details

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on the hardscape, a grade drop on the property, and what is being changed and proposed for the project.

Chairman Wheeler opened the public hearing and asked any speakers to come forward. No one came forward to speak, and Chairman Wheeler closed the public hearing.

Mr. Lewis indicated that neighbor notices were sent out regarding the project and only one neighbor called with questions.

Board Member Pyter voiced concerns regarding standards for the variation, especially the hardship requirement. Board Member Pyter didn't think the project met the unique physical conditions for a variation. Board Member Pyter also pointed to the standard that it be not self-created, and indicated that this is man made. Board Member Pyter indicated he does not support the variation and would like to see the project meet code at 35%. Board Member Pyter said he would not vote to approve this variation for the reasons he stated.

Board Member Rankin asked for clarification about the steps and what changed on the project from the original submittal to now.

Mr. Lewis said the project evolved and the addition caused changes in the project overall.

Board Member Rankin asked if certain areas of hardscape were critical to the project. Mr. Lewis said the areas asked about weren't critical, but preferred.

Board Member Rankin said as the project is now, he would not support the variation.

Board Member Zych indicated the job of this Board is to set a precedent. Board Member Zych said the project needs to get closer to 35% as originally proposed. Board Member Zych said approving this would set up for a precedent that would cause issues down the road for the Board. Board Member Zych agreed with the other Board Members and would not approve the variation request.

Mr. Lewis said that he was provided information on other variances that already set the precedent within the range of what the Board has the authority to grant. Mr. Lewis brought up Mr. David Smith, retired Senior Planner, as the one who guided the applicant toward a variation request.

Board Member Zych agreed that there were individual situations that were granted, but this circumstance is not a situation where the Board needs to grant the variation especially because this project was previously approved closer to the required 35%. Board Member Zych indicated that items can be adjusted to meet standards.

Board Member Steffe echoed the comments from the other Board Members regarding setting the precedence. Board Member Steffe indicated that this project has moved forward and now they're asking for forgiveness with the variance.

Mr. Lewis indicated that the bait and switch idea was not the thought process of this project.

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Board Member Steffe indicated that the applicant did not fulfill the original permit conditions. Board Member Steffe said he was really concerned about establishing a precedence.

Mr. Lewis and Board Member Steffe continued to discuss the previously approved permit conditions, the current variance request, and setting the precedence.

Board Member Steffe said things can be done to stay within the 35% which was already agreed upon to do with the original permit. Board Member Steffe said he didn't see a hardship or something that would require a variance.

Board Member Flores indicated that there were projects not on the list provided to the applicant that were very similar types of situations that were not approved for a variance. Board Member Flores indicated that it is very hard for the Board to allow a new item to take the property over the allowed lot coverage. Board Member Flores pointed to variation requests that were trying to replace existing conditions that were already over the lot coverage allowance and how they exhausted every option before requesting a variation. Board Member Flores asked for clarification on the impervious surface percentage.

Mr. Repp pulled up the removal plan that was on file for the property.

Mr. Lewis clarified the existing conditions as 36.8% and pointed out hardscape proposed to be removed to get down from 36.8% to 35%.

Board Member Flores indicated there was a reasonable way to keep the property at 35%. Board Member Flores said in most cases the Board doesn't allow the water retention areas to offset the amount of area allowed for impervious space. Board Member Flores voiced a point of view that there is a way to keep the property at 35%.

Board Member Sherman asked Staff about the recommendation. Mr. Repp said that Staff recommended denial. Mr. Repp indicated Staff was looking for consistency with recent approvals and some sort of removal. Mr. Repp indicated the memo from Mr. Smith was likely pointing to options going forward and that it was not a recommendation from Staff. Mr. Repp said that Staff's recommendation in this case was related to the same concerns as the Board stated, like precedence and trying to gather reductions in lot coverage where possible.

Board Member Sherman asked if there were discussions with the applicant for compliance while still achieving the back yard the applicant desired.

Mr. Repp said there were no further discussions other than what was seen during the presentation. Mr. Repp indicated that Staff cannot approve anything above the 35% lot coverage and that's why the applicant was at the Board seeking relief.

Board Member Sherman had no further questions.

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Chairman Wheeler agreed with the other Board Members that there was no hardship. Chairman Wheeler gave the options on moving forward to the applicant and asked how they would like to proceed.

Mr. Lewis stated he would like to continue and meet with Staff. Mr. Lewis said they are looking for a way to compromise and make something work. Mr. Lewis asked if there is any other guidance from the Board.

Chairman Wheeler indicated that it is not the responsibility of the Board to solve engineering problems. Chairman Wheeler said that in previous scenarios, applicants have worked with their own engineering teams and Village Staff to remove impervious areas to gain space.

Chairman Wheeler, Mr. Repp, and Mr. Lewis discussed submittal deadlines and meeting dates for a continuance.

Board Member Steffe made a point that if the applicant could achieve 35%, they didn't need to come back to the Board for approval. Board Member Steffe clarified that if they made changes to lower the impervious surface percentage and it was even a little over the required 35% that it didn't mean the Board would give a positive recommendation after the continuance. Mr. Lewis understood this.

Mr. Repp reminded the Board that Village offices are going to be closed to the public on January 19, 2026, but that Staff can make arrangements for the applicant to meet the submittal deadline.

Mr. Lewis would like to proceed with the continuance and work further with Staff.

In the matter of ZBA 26-01, Board Member Pyter moved, seconded by Board Member Flores, to continue this item to the February 9, 2026, Zoning Board of Appeals meeting.

Motion carried 7 - 0.

Ayes: Wheeler, Flores, Pyter, Rankin, Sherman, Steffe, Zych

Nays: None

Absent: None

STAFF COMMUNICATIONS AND DISCUSSION:

Mr. Tony Repp, Deputy Director of Community Development, indicated there will be no meetings on January 26, 2026.

Mr. Repp mentioned that the Village is updating contact information and that each Board Member has been sent a sheet to fill out and return.

Board Member Flores said she is not going to be present for the February 9, 2026 meeting.

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Board Member Flores moved, seconded by Board Member Steffe, to adjourn the Zoning Board of Appeals meeting.

Motion carried 7 - 0.

Meeting adjourned at 7:52 p.m.

DRAFT