



1200 Wilmette Avenue  
Wilmette, Illinois 60091-0040

**MEETING MINUTES**

**ZONING BOARD OF APPEALS**

**WEDNESDAY, OCTOBER 21, 2020**

**7:00 P.M.**

**REMOTE MEETING**

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**Members Present:** Chairman Reinhard Schneider  
Brad Falkof  
Christine Norrick  
Ryrie Pellaton  
Bob Surman  
Maria Choca Urban

**Members Absent:** None

**Staff Present:** Lisa Roberts, Assistant Director of Community Development

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**I. Call to Order**

Chairman Schneider called the meeting to order at 7:00 p.m.

**II. Opening Remarks and Swearing In**

Chairman Schneider reviewed the meeting procedures for remote meetings and how the Zoning Board of Appeals will conduct business. All applicants and interested parties present were sworn in.

**III. 2020-Z-34 1116 Central Avenue**

See the complete case minutes attached to this document.

**IV. 2020-Z-33 2401 Glenview Road**

See the complete case minutes attached to this document.

**V. Approval of the September 16, 2020 Meeting Minutes**

Mr. Surman moved to approve the September 2, 2020 meeting minutes. Mr. Pellaton seconded the motion. Voting yes: Mr. Falkof, Ms. Norrick, Mr. Pellaton, Mr. Surman, Ms. Choca Urban, and Chairman Schneider. Voting no: None. The motion passed.

**VI. Public Comment**

There was no public comment.

**VII. Adjournment**

Ms. Choca Urban moved to adjourn the meeting. Mr. Falkof seconded the motion. Voting yes: Mr. Falkof, Ms. Norrick, Mr. Pellaton, Mr. Surman, Ms. Choca Urban, and Chairman Schneider. Voting no: None. The meeting was adjourned at 7:59 p.m.

Respectfully submitted,

Lisa Roberts  
Assistant Director of Community Development

### 3.0 COMMENTS, AND ARGUMENTS ON BEHALF OF THE APPLICANT

#### 3.1 Persons appearing for the applicant

3.11 Mr. Jae Kim, applicant  
1116 Central Avenue

#### 3.2 Summary of presentations

3.21 Ms. Roberts said this is a request for a special use for a limited service restaurant (Koya). The Village Board will hear this case on November 10, 2020.

3.22 Mr. Kim stated he has been in Wilmette for 16 years. He noted, due to the pandemic, they are rethinking their operation (regarding employee safety, etc.). The restaurant closed, was remodeled, and now has limited service (rather than having rolls, the menu has been tweaked to offer bowls) due to ease, etc. The menu will no longer include sashimi. In addition, Grubhub is no longer being used due to their 25% cut/commission. Healthy and tastier choices are being served. Biodegradable bags rather than plastic are being used. Different choices patrons may order were shared.

Mr. Kim advised they are not changing the entire menu but rather changing the way customers are being served. They are hoping to protect employees, customers, etc. Alcohol will not be served at this time. He noted this is a perfect time to transition to limited service.

3.23 Mr. Surman stated this is going from full service to limited service. He stated it appears the service line is in front thus reducing seats (like Chipotle). He asked how this would impact parking.

Mr. Kim stated the long dining hours will transition to patrons having one meal then departing the restaurant. He noted they are only serving take-out, no dine-in services now.

3.24 Mr. Pellaton referenced page 2 of the packet and stated his understanding is that parking isn't an issue.

3.25 Ms. Choca Urban read a limited service definition from the Zoning Ordinance. She asked Mr. Kim which of the elements his business would include.

- *Menu board* - yes
- *Floor plans similar to the location in Highland Park* - the restaurant in Highland Park would remain full-service; Wilmette will house their first limited service restaurant which will be very unique.
- *Customers pay in advance* – yes
- *Self-service condiment bar* – yes with utensils
- *Trash area for self-bussing* – yes, 2 to 3 trash cans are shown on the plans.
- *Stationary seating* – yes

- 3.26 Mr. Pellaton referred to drawing 1.4, asked the following, and Mr. Kim responded:
- *Most food is pre-packaged rather than made-to-order* – no, food would be made-to-order
  - *Drive-through service* – no

Mr. Pellaton asked if days and hours of operation would change and how. Mr. Kim stated hours were 11 a.m.-4 p.m. and 5 p.m.-9 p.m. New hours are 11 a.m.-8 p.m. (without a break).

- 3.27 Mr. Falkof asked if the limited service would be temporary or permanent.

Mr. Kim said it would be permanent and is forced by Covid. Once the limited service restaurant is open, there would be no sit-down service and just take-out.

- 3.28 Mr. Falkof asked if that would change to sit-down service eventually.

Mr. Kim said they are going with what the state guidelines are, which are focused on take-out right now

- 3.29 Chairman Schneider said one of the key differences between limited service and full service is that limited service does not have wait staff. Is that what the applicant is proposing?

Mr. Kim concurred that there would be no wait staff.

- 3.30 Chairman Schneider asked if there was seating inside the Highland Park location.

Mr. Kim advised there is and limited seating also in Wilmette however this location closed in June.

- 3.31 Chairman Schneider asked Ms. Roberts if there was any other comment on the case.

Ms. Roberts said no emails were received nor is anyone on the YouTube chat.

## **5.0 VIEWS EXPRESSED BY MEMBERS OF THE ZONING BOARD OF APPEALS**

- 5.1 Mr. Surman stated he is glad they are able to develop this concept rather than close; has always been a good business in Wilmette; has minimal impact on parking and neighbors. He would support this.

- 5.2 Mr. Pellaton concurs and wishes Mr. Kim the best. He will support this.

- 5.3 Ms. Choca Urban agreed. She misses Koya, and wishes them back. She applauds Mr. Kim's family for innovating and staying ahead of the curve. She supports this.

- 5.4 Mr. Falkof stated this is different, and the owner should be commended; he looks forward to experiencing the new restaurant concept.
- 5.5 Ms. Norrick stated she supports this and wants to encourage businesses.
- 5.6 Chairman Schneider wished Mr. Kim the best and success.

**6.0 DECISION**

6.1 Mr. Surman moved to recommend granting a request for a special use for a limited service restaurant (Koya) at 1116 Central Avenue in accordance with the plans submitted. The use shall run with the use.

6.11 Mr. Pellaton seconded the motion and the vote was as follows:

Chairman Reinhard Schneider	Yes
Brad Falkof	Yes
Christine Norrick	Yes
Ryrie Pellaton	Yes
Bob Surman	Yes
Maria Choca Urban	Yes

Motion carried.

6.2 Ms. Norrick moved to authorize the Chairman to prepare the report and recommendation for case number 2020-Z-34.

6.21 Mr. Pellaton seconded the motion and the vote was as follows:

Chairman Reinhard Schneider	Yes
Brad Falkof	Yes
Christine Norrick	Yes
Ryrie Pellaton	Yes
Bob Surman	Yes
Maria Choca Urban	Yes

Motion carried.

**7.0 FINDINGS OF FACT UPON WHICH DECISION WAS BASED**

The Zoning Board of Appeals finds that the request meets the special use standards of Section 5.3.E of the Zoning Ordinance. The proposed use in this location is consistent with the goals and policies of the Comprehensive Plan. The proposed use in this location is consistent with the Comprehensive Plan to encourage a vibrant commercial district in the Village Center. The proposed use will not be detrimental to or endanger the public health, safety or general welfare nor will it be injurious to the use or enjoyment of other property.

The proposed use is a modification to the full service restaurant that previously operated there without issue. The proposed use will not impede the normal and orderly development and improvement of surrounding properties nor will it diminish property values. The proposed use will complement existing businesses. Adequate utilities, road access, and other facilities already exist. Adequate measures already exist to provide ingress and egress with the lot to the rear of the building. The proposed use will be consistent with the community character. No known archaeological, historical or cultural resources will be impacted. No buffers, landscaping or other improvements are necessary. No other standards of Article 12 apply.

## **8.0 RECOMMENDATION**

The Zoning Board of Appeals recommends granting a request for a special use for a limited service restaurant (Koya) at 1116 Central Avenue in accordance with the plans submitted. The use shall run with the use.

### **3.0 COMMENTS, AND ARGUMENTS ON BEHALF OF THE APPLICANT**

#### **3.1 Persons appearing for the applicant**

3.11 Mr. John Meehan, applicant  
2401 Glenview Road

#### **3.2 Summary of presentations**

3.21 Ms. Roberts said this is a request for a 14.0' front yard setback variation and a 207.3 square foot (4.55%) front yard impervious surface coverage variation to permit the construction of a shed on the legal non-conforming structure. The Village Board will hear this case on November 10, 2020.

Mr. Meehan stated he would like to construct a garden shed in the northwest corner of his lot; this is the only practical location as the backyard lot is irregular in shape. There's pavement in the front yard for a driveway, parking, and basketball area. The backyard has large trees, a large existing patio, and an underground sprinkler system so it would be difficult to place a garden shed there. He advised this was just as he purchased it in 2017. There is no other place for storage on the lot.

Mr. Meehan noted this is a ranch house with no second floor and a partial basement with room for laundry, a furnace, a hot water tank, and a sump pump area. There is only room in the garage for one car.

Mr. Meehan advised there are quite a few sheds in clear view on Glenview Road. He noted his would not be in clear view due to landscaping. This would be approximately 60 feet from the neighboring house at 430 Vine Street. It would not impair any lighting. Mr. Meehan said he would like to construct this shed with the best materials and an attractive style. Neighbors to the west have a shed close to this proposed shed.

3.22 Mr. Surman asked if Mr. Meehan has had contact with the neighbors.

Mr. Meehan stated there are no objections. He shared that the neighbor directly to the west lives in India; tenant has no objections.

3.23 Mr. Surman stated there is a concern to create more impervious area and noticed this would be on asphalt thus not increasing impervious area.

3.24 Mr. Falkof asked why there is a 4.55% impervious surface variation as this would sit on the asphalt section of the driveway.

Ms. Roberts stated, going by the plat of survey, existing paving is not shown so if the shed sits atop, there is no expansion of the paving.

- 3.25 Mr. Surman asked if the impervious coverage part of the request could be removed.
- Ms. Roberts said that if the shed is on existing paving and no new paving is being added, that request could be removed.
- 3.26 Ms. Choca Urban stated there have been many legal non-conforming homes and many times the request is more than what's being added because the existing home exceeds what the parameter is. She wonders if because the existing home exceeds the impervious surface, this would need to be stated as a matter of course.
- Ms. Roberts said no variation is necessary if the applicant is not adding to the coverage.
- 3.27 Chairman Schneider summarized that this structure is being constructed on an impervious surface that already exists so the variation can be approved. The only issue of substance is the 14' front yard setback.
- 3.28 Mr. Surman stated the shed was not 207 square feet so there was already an overage; a new calculation could be taken.
- Ms. Roberts concurred and will review.
- 3.29 Chairman Schneider said the asphalt surface continues to the western fence. He asked if this was included in the 207 square foot variation or was it just the area of the shed.
- Ms. Roberts said that because the asphalt is not shown on the plat of survey, it is not included in the coverage. If the shed was placed on top of existing asphalt, this would not be called out as new coverage.
- 3.30 Ms. Choca Urban asked what the date of the plat of survey is.
- Mr. Meehan stated the date should be indicated on the plat.
- Ms. Roberts said she does not have a copy of the entire plat of survey and there is no date visible on her copy.
- 3.31 Ms. Choca Urban asked when the asphalt was laid.
- Mr. Meehan stated before he purchased the house. A staff member with the Water Department recalled this was a passageway to Vine Street perhaps in the late 1950s.
- 3.32 Mr. Surman stated no matter the date, what was there is not properly reflected on the survey.
- 3.33 Mr. Pellaton asked why the shed cannot be placed in the side yard rather than the

front yard.

Mr. Meehan said to the east there's a fence with an attractive park on the other side so it would be in clear view in this wide-open space. In the front yard, it would not be noticeable and would be concealed.

- 3.34 Chairman Schneider asked if the 207 square foot variation minus the 80 square foot shed would be 127 square feet.

Ms. Roberts said the overage excludes the asphalt.

- 3.35 Mr. Surman asked if anyone had difficulty with the front yard setback. In the backyard, more impervious surface would be added. In the front yard, no more impervious surface would be added; the shed is on coverage that already exists.

- 3.36 Ms. Choca Urban stated she is concerned with the size of the setback however by placing the shed in the front yard, no impervious surface is added.

- 3.37 Mr. Falkof agrees this is the only house in the 2400 block of Glenview Road; the shed would not be in clear view; no other neighbor would be bothered by it.

- 3.38 Ms. Norrick concurred. On the east side of the lot, the shed would be more visible.

- 3.39 Mr. Pellaton stated he's not sure this would be discreet; probably is best location.

- 3.40 Mr. Surman said it's noticeable due to the blue roof.

- 3.41 Ms. Choca Urban stated the hardship is the shape of the lot and location of the house on the lot; the shed on the other property is near the property line.

- 3.42 Mr. Meehan stated he is trying to be a good neighbor and keep up the property.

- 3.43 Chairman Schneider asked Ms. Roberts if there was any other comment on the case.

Ms. Roberts said no emails were received nor is anyone on the YouTube chat.

## **5.0 VIEWS EXPRESSED BY MEMBERS OF THE ZONING BOARD OF APPEALS**

- 5.1 Ms. Choca Urban will support this due to the asphalt already being there; hardship is the size and shape of the lot.

- 5.2 Mr. Pellaton will support this though he is not normally in favor of sheds in front yards.

- 5.3 Mr. Surman concurred with everyone.

- 5.4 Mr. Falkof concurred.

5.5 Ms. Norrick concurs as well.

5.6 Chairman Schneider concurs also.

**6.0 DECISION**

6.1 Ms. Choca Urban moved to recommend granting a a 14.0' front yard setback variation and a 207.3 square foot (4.55%) front yard impervious surface coverage variation to permit the construction of a shed on the legal non-conforming structure at 2401 Glenview Road in accordance with the plans submitted.

6.11 Mr. Pellaton seconded the motion and the vote was as follows:

Chairman Reinhard Schneider	Yes
Brad Falkof	Yes
Christine Norrick	Yes
Ryrie Pellaton	Yes
Bob Surman	Yes
Maria Choca Urban	Yes

Motion carried.

6.2 Ms. Choca Urban moved to authorize the Chairman to prepare the report and recommendation for case number 2020-Z-33.

6.21 Mr. Pellaton seconded the motion and the vote was as follows:

Chairman Reinhard Schneider	Yes
Brad Falkof	Yes
Christine Norrick	Yes
Ryrie Pellaton	Yes
Bob Surman	Yes
Maria Choca Urban	Yes

Motion carried.

**7.0 FINDINGS OF FACT UPON WHICH DECISION WAS BASED**

The Zoning Board of Appeals finds that the request meets the variation standards of Section 5.4.F of the Zoning Ordinance. The physical conditions of the property, the lot size and shape and the condition of the home as a single-story with a limited basement, impose upon the owner a practical difficulty. The plight of the owner was not created by the owner and is due to the unique development of the lot and house. The difficulty is peculiar to the property in question. The difficulty prevents the owner from making reasonable use of the property with adequate household storage. The proposed variations will not impair an

adequate supply of light and air or otherwise injure adjacent property. The proposed shed is installed on existing non-conforming paving; to locate in a more conforming location would increase the impervious coverage on the property. The proposed shed is located near a shed on the adjoining property and not near neighbors' living space. The variations, if granted, will not alter the essential character of the neighborhood as the shed is minimally visible as sited and is adjacent to a neighboring shed.

## **6.0 RECOMMENDATION**

The Zoning Board of Appeals recommends granting a request for a 14.0' front yard setback variation and a 207.3 square foot (4.55%) front yard impervious surface coverage variation to permit the construction of a shed on the legal non-conforming structure at 2401 Glenview Road in accordance with the plans submitted.