

# VILLAGE OF HOMEWOOD



## MEETING MINUTES

DATE OF MEETING: July 14, 2022

### PLANNING AND ZONING COMMISSION

7:00 pm

Village Hall Board Room  
2020 Chestnut Street  
Homewood, IL 60430

### CALL TO ORDER:

Chair Pro Tem Bransky provided an overview of the agenda and procedure for the meeting. Chair Pro Tem Bransky called the meeting of the Planning and Zoning Commission to order at 7:00 pm.

### ROLL CALL:

In attendance were Commission members Bransky, Cap, O'Brien, and Castaneda. Members Johnson, Alfonso, and Chairperson Sierzega were absent. Representing Village Staff were Director of Economic and Community Development Angela Mesaros and Village Planner Valerie Berstene. There were three applicants and one member of the public present.

Chair Pro Tem Bransky confirmed that the 4 members present constituted a quorum to proceed. Staff Liaison Mesaros confirmed.

### APPROVAL OF MEETING MINUTES:

Chair Pro Tem Bransky asked for any comments, revisions, or modifications to the minutes from June 9, 2022.

Member O'Brien noted that on page 3 the minutes read that "Mr. Cook stated that he owns over 9 cars and plans to park them all over his lot." Member O'Brien suggested that "all over his lot" be replaced with "on his lot."

Member Cap made a motion to approve the minutes, as amended, seconded by Member O'Brien.

AYES: Members Cap, O'Brien, Castaneda and Chair Pro Tem Bransky

NAYS: None

ABSTENTIONS: None

ABSENT: Members Alfonso, Johnson, and Chairperson Sierzega

### PUBLIC COMMENT:

Chair Pro Tem Bransky opened the floor to any public comments, not pertaining to the cases on the agenda. No comments were made.

### REGULAR BUSINESS:

#### CASE 22-19 – Variance for a Corner Lot Fence at 18657 Cowing Court

Chair Pro Tem Bransky introduced the case and invited Staff Liaison Berstene to provide a brief presentation. Staff Liaison Berstene provided an overview of the case for the Commission and members of the public.

Chair Pro Tem Bransky invited the applicant to provide any additional information and explain in her own words the need for the variance. Chair Pro Tem Bransky swore in the applicant, Briana Gordon.

Ms. Gordon stated that she needs the 6' fence because she has a large dog who is able to easily jump over 4' gates used in the house. She added that she has a son and would like him to be able to play outside without worrying about balls going in to the street.

Member Cap clarified the proposed configuration of the fence with the fence enclosing the western portion of the yard in a U-shape. He inquired if the applicant planned for any kind of gate across the driveway.

Ms. Gordon replied that she is not planning a gate across the driveway.

Member O'Brien further clarified the layout of the fence, indicating locations on a printed copy of the packet. He stated that the drawing does not indicate any gates or doors to access the closed in area. Ms. Gordon state that the intention is to put a gate for entry, closest to the driveway.

Member O'Brien asked if she meant a door to modify the house, or a gate in the fence. Ms. Gordon said a gate.

Member Castaneda continued with Member O'Brien's line of questioning, indicating locations on her copy of the graphics in the packet. Member Castaneda inquired if the applicant intends to take the dog and her son out of the door in the house and then into a gate in the fence. Ms. Gordon indicated that she would install a gate near the window and would use that to let her dog and son into the enclosed yard.

Member Castaneda indicated to the drawings and confirmed the enclosed portion.

Chair Pro Tem Bransky inquired about the materials and style of fence. Ms. Gordon stated that she hasn't yet selected the materials while she was waiting to get approval of the variance. Chair Pro Tem Bransky asked if the intent is to install a fence with pickets that have visibility between, or if it would be a solid fence, like a wall. Ms. Gordon said she does not need it to be so private but she needs it so that a ball or the dog can't squeeze out. Chair Pro Tem Bransky restated the understanding that the fence might be wood or vinyl, depending on pricing options, and it will be some sort of picket with spacing between the pickets.

Chair Pro Tem Bransky mentioned that the packet includes information about the on-going zoning ordinance update with anticipated adoption in the fall wherein a corner lot such as the subject property will be permitted to have a 6' tall privacy fence around an exterior side yard, subject to locating the fence a minimum 3' from the property line and installing transition landscaping. With that in consideration, we are looking toward the future of what will be allowed here. He stated that he is not a big fan of having a fence in the so-called front yard, but with the situation of a corner lot it becomes difficult, and allowing that is where the zoning ordinance is heading.

Member O'Brien suggested that Chair Pro Tem Bransky explain to the applicant that she will need all four votes of the present commission members to be affirmative for her request to pass. Chair Pro Tem Bransky so restated.

Chair Pro Tem Bransky invited anyone in the audience to speak. No comments were made.

Member Cap made a motion to approve the request for a variance from Section 44-301 of the Homewood Zoning Ordinance to permit a 6' tall privacy fence around a portion of the corner front yard facing 186<sup>th</sup> Place, subject to locating the fence a minimum of 3' from the property line and installing transition landscaping as approved by the Village Arborist, and to incorporate the findings of fact into the record; seconded by Member O'Brien.

AYES: Members Cap, O'Brien, Castaneda and Chair Pro Tem Bransky

NAYS: None

ABSTENTIONS: None

ABSENT: Members Alfonso, Johnson, and Chairperson Sierzega

#### **CASE 22-21 – Special Use Permit for a Salon/Spa Establishment for Massage Therapy at 18036 Gottschalk Avenue**

Chair Pro Tem Bransky introduced the case and invited Staff Liaison Berstene to provide a brief presentation. Staff Liaison Berstene provided an overview of the case for the Commission and members of the public.

Chair Pro Tem Bransky asked if the condition of approval in the recommended motion- that the property owner consolidate two parcels held in common ownership which comprise the subject property- is a requirement. Staff Liaison Berstene explained that it is a suggested best practice to consolidate parcels in common ownership to prevent a property owner from selling one off when both are needed together to function and comply with the regulations of the Zoning Ordinance. She added that Cook County already classifies properties under common ownership as such.

Chair Pro Tem Bransky confirmed that Staff Liaison Berstene had spoken to the property owner and he seemed inclined to comply with this recommendation. Staff Liaison Berstene replied that the owner, Patrick Brady, planned to look into the lot consolidation further. She explained that he is a new owner, taking over the property from his mother, and is interested in continuing to invest in the betterment of the property and the community.

Chair Pro Tem Bransky asked Staff to pull up the slide showing the parking requirements for a question. He clarified that the calculation, shown at a total of 43, is a living calculation that depends on the use of the other units and factors in the different reductions. But, the special use permit has a static number of required parking spaces. Chair Pro Tem Bransky asked for confirmation that that will never change. Staff Liaison Berstene affirmed. Chair Pro Tem Bransky further expounded that other tenants coming in later might not have enough parking available to meet their demands. Chair Pro Tem Bransky and Staff Liaison Berstene restated that, as long as the special use is still present, the parking it requires will be allocated, which may limit potential uses of other tenant spaces. Staff Liaison Mesaros further explained that the parking spaces would only be limited if a more intensive use were to move in. Other less intensive uses may replace current uses without a problem. Chair Pro Tem Bransky asserted that the property could, at a future point in time, come in for a parking variance, like any other property. Staff

affirmed. Staff Liaison Berstene injected that if a special use were to apply for this property, the appropriateness of such special use and the required parking could be evaluated at that time. Chair Pro Tem Bransky reiterated that the parking spaces could not be taken away from the special use [case 22-16]. Staff Liaison Berstene further explained that it is up to the property owner to make wise decisions when it comes to leasing tenant spaces so that one tenant does not use up all available parking and make the other spaces un-leasable.

Member Cap added a clarification question inquiring if the existing vacant space of almost 1,000 sf is allocated parking demand analysis. Staff Liaison Berstene confirmed that she did account for parking for the vacant space, applying a ration for a professional services use since that was a recent tenant of the building and seemed most likely to go into a smaller tenant space.

Chair Pro Tem Bransky swore in the applicant, Katrina Guthrie. Chair Pro Tem Bransky invited the applicant to provide any additional information and explain in her own words the requested special use and vision for her business.

Ms. Guthrie stated that she has been providing her massage therapy services in Homewood for 9 years. Her goal is to continue providing medical massage therapy. She is expanding to accommodate more client, though no more than two at a time. She confirmed that the special use permit is specific to the massage use. Chair Pro Tem Bransky affirmed. She continued that her goal is to build community and she hopes there to be more foot work than traffic, making parking less of an issue. She explained that her location is situated at a residential block, which she loves because she's met residents already because the walk up and down the street. She shared that her personal aspiration for her space is expanding to have a display of artwork from neighboring and local artists who may not have a place to showcase their work. In terms of mental health support, she is a certified life coach and is pursuing a degree to become a therapist but that those services are essentially an office use. She refocused that the request before the Commission at this time was for the massage therapy use.

Member Castaneda stated that her questions had been answered already and it sounds like an interesting combination of uses.

Member O'Brien asked for the town associated with Mr. Brady's address, noting that it was not provided in the application. Ms. Guthrie provided that the property owner's address is in Chicago.

Member O'Brien raised the recommended action including the condition of lot consolidation. He stated that if the property owner has not agreed to submitting an application, then the Commission should strike the condition from the motion, making the motion not subject on action by the property owner. He continued that the property owner was taking the recommendation under advisement, but there is no indication he will go forward. He raised, what is the point of having that condition of approval if there is not a guarantee that it will happen 6 months or a year from now.

Staff Liaison Berstene explained that attaching the recommended lot consolidation is a tool to strengthen the recommendation to the property owner. She acknowledged that Member O'Brien raised a good point that the special use permit for the tenant and the lot consolidation by the property owner are two separate things and suggested that if the Commission choses to remove that as a condition of approval, Staff will continue to work with the property owner to pursue the lot consolidation.

Member O'Brien expressed that the findings of fact are facts to be voted on, not suppositions, and as such the "shall" in the 9<sup>th</sup> finding of fact should be struck.

Member Cap stated that he sees this application as swapping one existing business address for a new business address, and the Commission and Board approved the existing special use, so he has no problem with that.

Member Cap continued that, amplifying what Member O'Brien was saying, the lot consolidation doesn't have anything to do with the special use permit, but he is more an advocate for insisting that owners consolidate their lots. He referenced past experience on the Zoning Board where a single family home and its garage were on two separate lots and they had two different zoning classification, which was a little bit of a mess to clean it up. He stated that he is not trying to delay approval here this evening, but he is more an advocate of insisting on a lot consolidation, however that be worked out. He emphasized that he is not trying to derail approval of the special use permit for consideration.

Chair Pro Tem Bransky stated that he wanted to take the same tack as Member O'Brien, and agrees with Member Cap, but the property owner is not present and has not given a yes or no, so I don't see how we include that in the motion; that's not fair to the applicant. And in 6 months when it isn't done, what do you do then? He agreed that it is a way to apply pressure, but is not seeing where the legal hammer is at the moment. He is more inclined to keep it clean and problem free and not attach the lot consolidation as a part of the recommendation.

Member Cap expressed that he disagreed with that. He said that we either do this or don't and the legal hammer would unfortunately be on the applicant, Ms. Guthrie, and as written in the recommended motion her special use permit would be conditional upon the lot consolidation and it is up to the property owner to do that if he wants to have a tenant like the applicant.

Chair Pro Tem Bransky asked if it would have been clear to the property owner that if he wanted to lease the space for a special use that he would be required to consolidate the lots, stating that it is the change in tenant that triggered the recognition that he is sitting on two different lots that can't be used independently. He asked, where in the Ordinance or Municipal Code does it say that to lease out the empty space, you have to do this first?

Member O'Brien responded that he doesn't think that should be a burden put on the tenant.

Chair Pro Tem Bransky agreed saying that the applicant then becomes a victim of that.

Member O'Brien continued that she has been a good commercial representative for 9 years in the Village of Homewood.

Chair Pro Tem Bransky articulated that the applicant is making a good faith effort and the property is really the one lax on it, however, how would the property owner know that this would be required to open up his space again?

Staff Liaison Berstene offered that it is by going through the special use permit process, and as a new property owner, he is only now learning of these circumstances. She affirmed that the commission members raised good points.

Member Cap reiterated that he didn't want to hold up the proceedings tonight, but he is adamant that the lots be consolidated.

Staff Liaison Berstene suggested that the commissioners adjust the motion to recommend that staff continue to work with the property owner to seek lot consolidation so that it's not a hard "he must" but that it is clearly encouraged. She added that the property owner seems open to completing the consolidation and he seems like an interested property owner.

Chair Pro Tem Bransky restated that the suggestion is to keep the lot consolidation attached, but as a recommendation only. He then asked if the special use permit will go before the Board.

Staff confirmed that it will.

Chair Pro Tem Bransky asked if the provided a time frame in which Staff could get a commitment from the property owner. He continued, in other words, could the Village Board require the commitment?

Staff Liaison Mesaros suggested that the Commission could recommend that Staff work with the owner and have a formal commitment before Village Board approval.

Chair Pro Tem Bransky summarized that the Commission could recommend to the Board approval and also want to keep the recommendation for consolidation, but isn't assigning it as a condition of the special use.

Staff affirmed.

Member O'Brien pointed out that the Commission should be careful about setting precedent for other properties that might have hidden lots in common ownership, as these lots were hidden until the special use request. He added that there could be other things that come up.

Chair Pro Tem Bransky replied that is why he asked what triggered the discovery; it was the fact that the applicant came in.

Staff Liaison Berstene offered additional context, bringing forth the last case on the agenda, slated to be continued, is a similar circumstance where the property owner holds two lots and Staff is encouraging the same thing in that one.

Staff Liaison Mesaros added that for the property to be Homewood Brewing Company, the Village, as owner, consolidated all five of those lots for the redevelopment. She explained that it is something Staff would like to see, to have the lots consolidated with these approvals.

Member O'Brien stated that, keeping with Member Cap's concern, should the applicant who is being continued be contacted and move forward on the application for consolidation so that it is done by the time it comes forward for consideration. He continued, that this case sets a precedent and the same questions will come up with subsequent cases.

Member Cap reiterated the previous experience he saw with challenges of separate lots and expressed concern that that happen in the downtown. He stated that the purpose of the lot consolidation then, and now, is to make clear that the owner doesn't have a developable parking lot, but that that is part and parcel of the leasable space he has, and they of course are within the same zoning designation.

Chair Pro Tem Bransky suggested to change the language on the findings of fact #9 from “shall be” to “should be” and make a note in the motion that the Commission carry finding of fact #9 as a strong recommendation, but the Commission is not suggesting by the approval of the special use be contingent upon that; but the Village should continue to pursue that outside of the special use permit. He stipulated that he is not trying to make a motion but is giving something to think on.

Chair Pro Tem Bransky then said he doesn’t have any questions; he read the materials and likes what the applicant is trying to do with the space. He corrected that he does have one question: the applicant mentioned what she wants to ultimately arrive at with her therapy licensure – will this space suffice for what she wants to do ultimately?

Ms. Guthrie said absolutely.

Chair Pro Tem Bransky continued, will the future growth of the business all fit under the salon/spa special use, or will it require a special use permit of a different category? Staff Liaison Mesaros clarified that all of the proposed services fall into the one use category.

Chair Pro Tem Bransky invited any members of the audience to speak.

A resident of Gottschalk Avenue came forward. She congratulated the applicant on the success of her business. She asked if it is the growth of her business that is the reason for moving from the business’s current location to Gottschalk.

Ms. Guthrie replied yes.

The resident then asked about the salon use. Ms. Guthrie cut in to clarify that it is not a salon. The resident pointed out that the hearing notice says salon/spa. Ms. Guthrie conceded that that is what the business is categorized as, but she is not operating a salon or a stylist.

Ms. Guthrie and the resident asked for further clarification about the zoning use classification. Staff Liaison Berstene explained that the “salon/spa establishment” use is an umbrella that encompasses several different types of businesses that may have similar demands, such as a nail salon, hair salon, or massage establishment. She explained that, as a special use, each business can be evaluated on a case-by-case basis and understand exactly what the business owner proposes and how it will impact the neighbors.

The resident stated that she was glad she attended, because her and her neighbors were skeptical that Homewood needs another salon. Ms. Guthrie agreed that she has felt that energy from quite a few of the residents. She advocated that massage therapy should be its own category as a use in the zoning ordinance. She defended that her business and the practice of massage therapy is a healthcare service and should not be equated with a salon. She shared that the median age of her client is 62 and she is emphasizing wellness and preventative care. She invited the resident to stop in once she has her opening.

The resident continued with another question, asking about the ownership of the space behind Johnson’s Medical Supply. She explained that she was referring to the small space between 18036 Gottschalk and the stores fronting Ridge Road. Ms. Guthrie noted that she peeked in there and it looks to be used for storage- it’s not vacant- but she’s never seen anybody over there.



The resident then asked about parking, stating that she needs 3 stickers to park on the street: the village sticker, the resident sticker, and the overnight sticker. She asked Ms. Guthrie what would happen if one of her clients didn't have a residential parking sticker. Staff Liaison stated that, from the Village's perspective, someone parking on the block without the necessary permits would be ticketed. Ms. Guthrie stated that it shouldn't be a problem because there is parking available on-site.

Chair Pro Tem Bransky added that it will be incumbent upon the business owner to let her patrons know where to park and warn them not to park on the residential street where they will get ticketed.

Ms. Guthrie described the parking available to her business, including several spaces at the rear, the adjacent lot, and on-street across the street. She assured the concerned resident not to worry. The resident expressed concerns about regular commuters parking on the block to take the train. Ms. Guthrie declared that she will make sure her patrons know where to park, understanding that it is a residential street. She noted that it is a one-way street and she sees a lot of people going the wrong way.

The resident concluded with her best wishes to Ms. Guthrie for success in her new location.

Chair Pro Tem Bransky invited a commission member to make a motion.

Member O'Brien questioned Ms. Guthrie about the meeting space available to clients. She clarified that the multi-purpose room would be for use as a part of the business, not as a rental space.

Chair Pro Tem Bransky restated that the space will be for the business's events, not for outside events to use the space. Ms. Guthrie confirmed.

Member O'Brien moved to recommend approval of case 22-21 for a salon/spa establishment in the B-1 Business District for Simply Massage the Wellness Center, LLC at 18036 Gottschalk Avenue, and that it is recommended that the property owner submit an application for a lot consolidation for the two lots held in common ownership that comprise the subject property. Motion was seconded by Member Castaneda.

AYES: Members Cap, O'Brien, Castaneda and Chair Pro Tem Bransky

NAYS: None

ABSTENTIONS: None

ABSENT: Members Alfonso, Johnson, and Chairperson Sierzega

#### **CASE 22-16 – Text Amendment to Allow a Veterinary Clinic in B-4 Shopping Center District**

Chair Pro Tem Bransky introduced the case and invited Staff Liaison Berstene to provide a brief presentation. Staff Liaison Berstene provided an overview of the case for the Commission and members of the public.

Chair Pro Tem Bransky called on the applicant to speak. Chair Pro Tem Bransky swore in David Rojas and invited him to give a summary of the request for both the text amendment and special use requested.

Mr. Rojas explained that this is a standard project for Petco. They have a national program to add veterinary clinics across the nation, and this time the project is for the Homewood location. No additional area will be constructed; it will all be within the existing store.



Member O'Brien had no questions.

Member Castaneda had no questions, stating that the added use within the existing store as part of a nationwide movement of the chain all makes sense.

Member Cap asked Staff to clarify that all future requests for a vet clinic in the specified zoning districts will be a special use, requiring approval by the commission. Staff Liaison Berstene confirmed that is correct.

Chair Pro Tem Bransky had no questions and invited a motion.

Member Cap moved to recommend approval of the proposed text amendment to allow operation of a veterinary clinic in the B-4 Shopping Center district as a special use and to incorporate the finding of fact into the record, for case 22-16 Petco at the Washington Park Plaza; seconded by Member O'Brien.

AYES: Members Cap, O'Brien, Castaneda and Chair Pro Tem Bransky

NAYS: None

ABSTENTIONS: None

ABSENT: Members Alfonso, Johnson, and Chairperson Sierzega

#### **CASE 22-20 – Special Use Permit to Allow a Veterinary Clinic in Petco at 17930 Halsted Street**

Chair Pro Tem Bransky gave an introduction to the case and asked Mr. Rojas if he had anything specific to add for this request. Mr. Rojas stated he had no additional information.

Member O'Brien had no questions.

Member Castaneda had no questions.

Member Cap had no questions.

Chair Pro Tem Bransky had no questions and invited a motion.

Member Cap moved to recommend approval of case 22-20 for a special use permit to operate a vet clinic in the B-4 Shopping Center District for Petco Animal Supplies Stores, Inc. at 17930 Halsted Street, and to incorporate the findings of fact into the record. Member Castaneda seconded the motion.

AYES: Members Cap, O'Brien, Castaneda and Chair Pro Tem Bransky

NAYS: None

ABSTENTIONS: None

ABSENT: Members Alfonso, Johnson, and Chairperson Sierzega

#### **Case 22-19 – Variance for Garage Height for 17904 Park Avenue – Continuation**

Chair Pro tem Bransky provided an overview of the case and the requested continuation to the next Planning and Zoning Commission meeting on July 28, 2022. He raised the question of the lot consolidation as discussed earlier in the meeting, asking if the Commission need do anything as a part of the continuation.

Staff Liaison Berstene offered to have a conversation with the applicant, based on the recommendation from the Commission, to guide him in preparation for the pending public hearing. She stated that this

case is different from the other one discussed as the applicant is the property owner, not a tenant, and that the nature is different being a residential property rather than a commercial one.

Member Cap clarified that the question at hand is should the commission attach a requirement for the lot consolidation to the motion for continuance. He reiterated his stance as a firm advocate for lot consolidations.

Staff Liaison Berstene affirmed that she would talk to the applicant and make it clear that the lot consolidation will be discussed so he will be prepared at his hearing.

Chair Pro Tem Bransky asked if the materials generated so far in the application for a variance reveal the issue of the two lots in common ownership.

Staff Liaison Berstene responded that in looking into the property it became clear that it was two different lots. Member Cap pointed out that the packet already indicates the two different PINs for the subject property.

Chair Pro Tem Bransky asked if it were appropriate to add to the continuation motion the same “should” for lot consolidation.

Staff Liaison Berstene reiterated that the Commission could make that recommendation and that the applicant is the property owner, whereas in the other discussion the property owner was not present. She stated that requiring the lot consolidation is the Staff recommendation, but it can be hard to enforce if the variance is given prior to.

Chair Pro Tem Bransky identified that the continuation does not need to be contingent on anything.

Member Cap pointed out that the approval could be contingent on the consolidation and that by bringing it up today, the applicant has two weeks to rectify the lots in common ownership before the hearing on the variance request.

Chair Pro Tem Bransky suggested that the lot consolidation be pursued ahead of the next meeting to hear the variance, so there’s no surprises.

Member Cap advocated for leaving the completion of the lot consolidation to Staff to work out with the petitioner.

Staff Liaison Berstene added that it will take more than 2 weeks to prepare an application for consolidation because it requires having a plat drawn. She suggested having an application form submitted while the plat is being completed.

Member Cap suggested that the applicant is likely trying to beat the end of construction season.

Member Cap moved to continue case 22-17 to the next regular meeting of the Planning and Zoning Commission on July 28, 2022; seconded by Member Castaneda.

AYES: Members Cap, O’Brien, Castaneda and Chair Pro Tem Bransky

NAYS: None

ABSTENTIONS: None

ABSENT: Members Alfonso, Johnson, and Chairperson Sierzega

### **OLD BUSINESS:**

None.

### **NEW BUSINESS:**

Chair Pro Tem Bransky welcomed Staff Liaison Berstene as the new Village Planner.

Chair Pro Tem Bransky pointed out that the brief staff overview presentations were a different approach to this meeting, included due to some of the shortened time frame for Commissioners to review the cases. He invited input from the other commissioners about that point of process.

Member Cap expressed gratitude for the quality of information provide by Staff Liaison Mesaros, in comparison to other staff members they have worked with in the past, and that the facts presented help to alleviate many clarifying questions through the hearing.

Member O'Brien stated that there is a time factor for presenting the information that commissioners already have in their packets, and as experience commission members have gone to the site to investigate on their own time. He stated that the recounting of the case information during the hearing is more for the applicants and the record than it is for the benefit of the commission members.

Member O'Brien raised a question from the meeting packet, pointing out a sentence stating "the applicant currently operates their massage therapy business" and asked if there is anyone else with Ms. Guthrie. Staff Liaison Berstene stated it was written as gender neutral. Member O'Brien clarified that he wanted to know if there are other members of the business, not stated on the application. Staff Liaison Berstene confirmed that to her knowledge, there is only Ms. Guthrie operating the business.

Member O'Brien asked if Ms. Guthrie raised a good point, while re-doing the zoning ordinance, to consider massage therapy separate from salons. Staff Liaison Mesaros stated that the new code will change that.

Member Cap suggested that it might be considered a personal service in the new code. Staff Liaison Mesaros indicated that new use categories will include professional services and massage therapy as its own distinct use.

Member O'Brien pointed out that the resident who attended came to the meeting because she thought it was going to be a salon. Staff Liaison Berstene shared that she talked at length with the applicant about her concerns of being perceived as a spa or salon.

Member Castaneda raised a question about fence variances, and the reaction and perception for a 6' fence variance in a "front yard." She suggested changing the terminology to a "side" yard. Staff Liaison Mesaros affirmed that it will be changed to "exterior side yard" in the new code.

Staff Liaison Berstene shared that she heard from one neighbor for the fence variance case who had concerns but when he understood the request was for the side yard was okay with it. Member Castaneda shared her similar experience with neighbors when installing her own corner lot fence.

Chair Pro Tem Bransky asked to have a heading for comments from neighbors included in the memo format as a reminder to ask Staff about any feedback from the notifications.

**ADJOURN:**

Member O'Brien moved to adjourn at 8:28 pm; Member Cap seconded.

AYES: Members Cap, O'Brien, Castaneda and Chair Pro Tem Bransky

NAYS: None

ABSTENTIONS: None

ABSENT: Members Alfonso, Johnson, and Chairperson Sierzega