

ZONING BOARD OF APPEALS  
MINUTES  
NOVEMBER 9, 2010

The meeting was called to order by Chairman Richard Garrity at 7:34 p.m. Board Members Gregory Constantino, Edward Kolar, Mary Ozog and Dale SiligmueLLer were present. Board Members Barbara Fried and Michael Waterman were excused. Also present were Trustee Peter Cooper (substituting for Trustee Liaison Peter Ladesic), Building and Zoning Official Joe Kvpil and Recording Secretary Barbara Utterback.

Chairman Garrity described the proceedings of the Zoning Board of Appeals.

Board Member Kolar moved, seconded by Board Member Constantino, to approve the minutes of the October 12, 2010 Zoning Board of Appeals meeting. The motion carried unanimously by voice vote.

A continuation of the public hearing from October 12, 2010 regarding 244 Anthony Street was on the agenda. Board Member Ozog, who was not present at the October 12, 2010 meeting, verified for Chairman Garrity that she had read all material related to the variation requests at 244 Anthony Street and visited the site.

CONTINUED PUBLIC HEARING – 244 ANTHONY STREET - ATTACHED GARAGE ADDITION

A REQUEST FOR APPROVAL OF TWO VARIATIONS FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: 1. SECTION 10-4-8(D)1 TO ALLOW THE CONSTRUCTION OF A ONE-STORY GARAGE ADDITION ATTACHED TO THE PRINCIPAL STRUCTURE WITH A FRONT YARD SETBACK OF 7 FEET IN LIEU OF THE MINIMUM REQUIRED FRONT YARD SETBACK OF 32 FEET. 2. SECTION 10-4-8(D)3 TO ALLOW THE CONSTRUCTION OF A ONE-STORY GARAGE ADDITION ATTACHED TO THE PRINCIPAL STRUCTURE WITH A SIDE YARD SETBACK OF 4.9 FEET IN LIEU OF THE MINIMUM REQUIRED SIDE YARD SETBACK OF 6.5 FEET.

*(Randy and Kate Briasco, owners)*

Staff Report

Building and Zoning Official Joe Kvpil stated that this public hearing is a continuation from the October 12, 2010 ZBA meeting and that Randy and Kate Briasco, the owners of the property at 244 Anthony Street, are requesting approval of a one-story, attached garage addition. Mr. Kvpil displayed a revised architectural plan submitted at the October 12 meeting indicating the proposed garage in alignment with the west side of the residence. Mr. Kvpil stated that aligning the garage with the house requires a variation to allow the side yard setback to be 4.9 feet in lieu of the minimum required side yard setback of 6.5 feet. Mr. Kvpil also stated that the plan indicates that the width of the proposed garage is 20 feet 5 inches. Mr. Kvpil added that the width of the garage on the original plan was 19.6 feet and that the side yard setback complied with the code at 6.5

feet. Mr. Kvapil distributed Exhibits 3 and 4 to be included in the drainage study and explained that those exhibits had been received by staff after the packets had been sent to the ZBA.

#### Petitioners' Presentation

Randy Briasco, the petitioner, stated that he felt it was important for the ZBA members to review the drainage study submitted prior to this meeting.

#### Responses to Questions from the ZBA

Mr. Kvapil confirmed for Mr. Siligmuller that the drainage study submitted states that flooding of the subject property would not be alleviated even if storm sewers were installed in the area and even if a change was made in the flow path across a grassed area to the south. Mr. Kvapil added that the engineer who prepared the study feels that the proposed plan is the only feasible option available to the petitioners.

#### Persons in Favor of or in Opposition to the Petition

No persons spoke in favor of or in opposition to the variation requests.

#### Comments from the ZBA

The ZBA members present were unanimously in favor of the variations requested by the petitioners because the petitioners have experienced severe flooding several times over the past 20 years, the flooding causes health and safety issues, flood insurance costs are prohibitive, the subject property is the only property on the block below grade, the subject driveway funnels water into the lower level of the home, no storm sewers are available to tie into and engineers have stated that the current proposal is the only feasible option available to the petitioners. Board Member Siligmuller commented that the front of the proposed garage will be 27 feet from the street so there will be a significant setback. The Board Members were supportive of the side yard setback because the request is the same as others that have been recommended for approval by the ZBA in the past.

#### Motion

Board Member Constantino moved, seconded by Board Member Kolar, to recommend that the Village Board approve two (2) variations from the Glen Ellyn Zoning Code for the property at 244 Anthony Street as follows: 1. Section 10-4-8(D)1 to allow the construction of a one-story garage addition attached to the principal structure with a front yard setback of 7 feet in lieu of the minimum front yard setback of 32 feet. 2. Section 10-4-8(D)3 to allow the construction of a one-story garage addition attached to the principal structure with a side yard setback of 4.9 feet in lieu of the minimum required side yard setback of 6.5 feet. The recommendation for approval was based on the findings of fact that the variation requests will allow flooding to be alleviated that would not otherwise be

remediable and will allow the value of the petitioners' home to be retained. The recommendation for approval was also contingent on the conditions that the construction will be in substantial compliance with the plans as submitted at this public hearing and that a second story cannot be added above the garage at any time in the future.

The motion carried unanimously with five (5) "yes" votes as follows: Board Members Constantino, Kolar, Ozog, Siligmuller and Chairman Garrity voted yes.

#### Trustee Report

Trustee Cooper stated that the Village Board has begun the levy process. He also briefly summarized the Nicor project recently approved by the Village Board. Trustee Cooper also stated that issues continue between the Village and the College of DuPage. Trustee Cooper also announced that Finance Director Jon Batek recently resigned.

#### Staff Report

Mr. Kvapil briefly reviewed items scheduled for upcoming ZBA meetings.

There being no further business before the Zoning Board of Appeals, the meeting was adjourned at 8:02 p.m.

Submitted by:

Barbara Utterback  
Recording Secretary

Reviewed by:

Joe Kvapil  
Building & Zoning Official