

ZONING BOARD OF APPEALS
MINUTES
DECEMBER 14, 2010

The meeting was called to order by Chairman Richard Garrity at 7:30 p.m. Board Members Gregory Constantino, Barbara Fried, Edward Kolar, Mary Ozog and Dale Siligmuller were present. Board Member Michael Waterman was excused. Also present were Trustee Liaison Pete Ladesic, Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

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

Board Member Fried moved, seconded by Board Member Kolar, to approve the minutes of the November 23, 2010 Zoning Board of Appeals meeting. The motion carried unanimously by voice vote.

One public hearing was on the agenda for property at 538 Prince Edward Road.

PUBLIC HEARING – 538 PRINCE EDWARD ROAD

A REQUEST FOR APPROVAL OF TWO (2) VARIATIONS FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: 1. SECTION 10-4-8(E)1 TO CONSTRUCT A ONE-STORY ADDITION TO THE REAR OF THE HOME THAT RESULTS IN A LOT COVERAGE RATIO OF 20.6% IN LIEU OF THE MAXIMUM PERMITTED LOT COVERAGE RATIO OF 20%. 2. SECTION 10-4-8(D)2 TO CONSTRUCT A ONE-STORY ADDITION TO THE REAR OF THE HOME THAT RESULTS IN A REAR YARD SETBACK OF 39.6 FEET IN LIEU OF THE MINIMUM REQUIRED REAR YARD SETBACK OF 40 FEET.

(Jeff and Anne Lange, petitioners)

Staff Report

Building and Zoning Official Joe Kvapil stated that Jeff and Anne Lange, owners of the property at 538 Prince Edward Road, are requesting two (2) variations from the Zoning Code to construct a one-story addition to the rear of their home to accommodate an expanded kitchen. Mr. Kvapil displayed a map and described the location of the subject property which is in the R2 Residential zoning district and surrounded by residential uses. Mr. Kvapil indicated properties on the map where the owners had signed a petition in support of the variation requests (22 signatures). Mr. Kvapil reviewed a history of building permits issued for the subject property and stated that no prior zoning variations have been granted at this location. Mr. Kvapil displayed a site plan and indicated the areas on the plan where the variations are being requested. He stated that a variation is being requested to allow the construction of an addition that results in a lot coverage ratio of 20.6 percent in lieu of the maximum permitted lot coverage ratio of 20 percent. Mr. Kvapil explained that the .6 percent is equivalent to 57 square feet. Mr. Kvapil stated that a variation is also being requested to allow the construction of a bay window addition that results in a rear yard setback of 39.6 feet in lieu of the minimum required rear yard

setback of 40 feet. Mr. Kvapil explained that the 39.6 feet is equivalent to an encroachment of 5 inches into the rear yard. Mr. Kvapil added that a variation is required for the proposed bay window because it does not meet one of the criteria for exception which is that it must be cantilevered.

Petitioners' Presentation

Jeff and Anne Lange, the petitioners, and Eric Roldan, an architect with RS2 Architects, 107 N. Hale Street, Suite 210, Wheaton, Illinois, spoke on behalf of the subject variation requests. Mr. Roldan stated that when the petitioners bought the subject home in 2004, they had been informed by a realtor that because many homes in the area had additions constructed, the Langes' should not have a problem adding onto their home. Mr. Roldan stated that the existing kitchen is outdated and has become inadequate in size due to the Langes' growing family. Mr. Roldan added that the kitchen, which has become a main gathering space for the family, is disproportionately small compared to the other rooms on the first floor. He stated that the proposed addition is 114 square feet. Mr. Roldan stated that when the Langes' subdivision was built, some of the houses were constructed with lot coverage ratios less than 25 percent which was the allowed LCR at that time. Mr. Roldan felt that a hardship has been caused for the Langes' by the reduction of the LCR to 20% which limits any addition to their home to a maximum of 47 square feet. Mr. Roldan added that the previous 25% LCR would have allowed them to add 468 square feet to their home. Mr. Roldan stated that constructing an addition onto the front of the home rather than the rear would change the character of the house and that the impact of adding onto the rear lessens the impact. He also stated that detaching the existing garage from the front of their home and reconstructing a garage in the rear in order to gain a 500-square foot bonus is impractical and costly and would also require additional impervious surface with the construction of additional driveway area. Mr. Roldan commented that the proposed addition would add value to the Langes' home and to their neighborhood.

Responses to Questions from the ZBA

Mr. Kvapil responded to Chairman Garrity that a cantilever must have a clearance of 8 inches from the ground. Ms. Lange explained that their current window is cantilevered which causes the kitchen area to be cold and that they prefer a window with a foundation. Mr. Kvapil verified for Mr. Kolar and Chairman Garrity that the rear yard setback would be eliminated if the proposed kitchen addition was brought in 5 inches or the bay window was cantilevered. Mr. Roldan responded to Mr. Constantino that a practical difficulty is the layout of the interior space that includes a cramped kitchen area. Mr. Kolar asked if there is a unique circumstance that prevents the addition from being reduced by 5 inches in order to eliminate the rear yard setback variation. Ms. Lange explained that they hoped to save money by using the same windows from their existing cantilevered bay window for the windows in the proposed addition and that they cannot re-use the windows if the addition is reduced by 5 inches. Mr. Lange displayed two photographs of the existing bay window at the rear of their home. He also responded to Mr. Kolar that

reducing the size of the addition would not allow for sufficient walkway space around the island area in the kitchen.

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 supported the variations requested by the petitioners, citing that the variation requests were minimal, detaching and relocating the attached garage to gain a 500-square foot bonus is a practical difficulty and the configuration of the house on the lot would not allow a driveway to be constructed to a detached garage, many of the other homes in the petitioners' subdivision have a 25% lot coverage ratio, the neighbors support the variation requests, and the impact to the neighborhood is minimal. Because the variation requests were minimal, Mr. Kolar supported the requests, however, he felt that the rear yard setback variation could easily be eliminated by reducing the addition by 5 inches. Mr. Kolar did not feel the petitioners demonstrated a hardship or unique circumstances and stated that because the lot coverage ratio was changed 6 years ago, that hardship is no longer valid.

Motion

Ms. Fried moved, seconded by Ms. Ozog, to recommend that the Village Board approve two variations from the Zoning Code to allow the construction of a one-story addition to the rear of the home at 538 Prince Edward Road that results in a lot coverage ratio of 20.6% in lieu of the maximum permitted lot coverage ratio of 20% and a rear yard setback of 39.6 feet in lieu of the minimum required rear yard setback of 40 feet. The recommendation for approval was based on the findings of fact that the requests are minimal and that constructing a detached garage to earn a 500-square foot bonus is a practical difficulty. The recommendation for approval was conditioned upon the addition being constructed in substantial conformance with the plans as submitted at this public hearing and that at no time shall a second story be constructed above the proposed addition.

The motion carried unanimously with six (6) "yes" votes as follows: Board Members Fried, Ozog, Constantino, Kolar, Siligmueller and Chairman Garrity voted yes.

Trustee Report

Trustee Ladesic reviewed the status of the proposed ethics ordinance currently being reviewed by the Village Board.

Staff Report

Mr. Kvapil stated that the next two regularly scheduled ZBA meetings will be canceled.

There being no further business before the Zoning Board of Appeals, the meeting was adjourned at 8:24 p.m.

Submitted by:

Barbara Utterback
Recording Secretary

Reviewed by:

Joe Kvapil
Building & Zoning Official