

ZONING BOARD OF APPEALS  
MINUTES  
MARCH 22, 2011

The meeting was called to order by Chairman Richard Garrity at 7:32 p.m. Board Members Gregory Constantino, Edward Kolar, Mary Ozog, Dale SiligmueLLer and Michael Waterman were present. Board Member Barbara Fried was excused. Also present were Trustee Liaison Peter 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 Kolar moved, seconded by Board Member Waterman, to approve the minutes of the December 14, 2010 Zoning Board of Appeals meeting. The motion carried unanimously by voice vote.

A public hearing was on the agenda for the property at 333 N. Park Boulevard.

PUBLIC HEARING – 333 N. PARK BOULEVARD

A REQUEST FOR APPROVAL OF TWO (2) VARIATIONS FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: 1. SECTION 10-8-6(B)3 TO ALLOW THE CONSTRUCTION OF A SECOND FLOOR AND A REAR ADDITION THAT ALTERS 70% OF THE EXISTING EXTERIOR WALL AND ROOF AREA (CLASS II) IN LIEU OF THE MAXIMUM PERMITTED ALTERED EXISTING EXTERIOR WALL AND ROOF AREA OF 50% (CLASS I). 2. SECTION 10-5-5(B)4 TO ALLOW THE CONSTRUCTION OF A FRONT AND REAR PORCH WITH A SIDE YARD SETBACK OF 5.92 FEET IN LIEU OF THE MINIMUM REQUIRED SIDE YARD SETBACK OF 7.6 FEET.

*(Jason and Anna Loebach, owners)*

Staff Report

Building and Zoning Official Joe Kvapil stated that Jason and Anna Loebach, the owners of the property at 333 N. Park Boulevard, are requesting two (2) variations from the Zoning Code to allow the construction of a second floor and a rear addition that alters 70% of the existing exterior wall and roof area (Class II) in lieu of the maximum permitted altered existing exterior wall and roof area of 50% (Class I) and to allow the construction of a front and rear porch with a side yard setback of 5.92 feet in lieu of the minimum required side yard setback of 7.6 feet. Mr. Kvapil explained that the subject lot has a nonconforming lot area and nonconforming front yard and side yard setbacks. Mr. Kvapil stated that Village records indicate no variations have been granted for this property and he listed building permits previously issued. Mr. Kvapil stated that the subject property is in the R2 Residential zoning district, and he described the surrounding land uses. Mr. Kvapil displayed photographs of the subject property, a location map and a site plan that showed the areas of the variation requests. Mr. Kvapil explained that the owners would like to modify their existing one-story home by removing the existing

attached one-story garage and addition and constructing a new second-floor addition over the entire first floor plus constructing a new two-story addition on the rear of the home. He added that just the removal of the roof on a house such as the subject house exceeds the 50% limit of surface area removal allowed for a Class I Alteration and a variation is required.

#### Petitioners' Presentation

Jason and Anna Loebach, the owners of the subject property, spoke on behalf of their variation requests. Mr. Loebach stated that they would like to construct a straight-up addition and move their garage to the rear yard. He stated that the proposed addition would be consistent with other homes in the area and would maintain the integrity of the neighborhood. Ms. Loebach stated that the addition is necessary to accommodate their large family. The existing house has three bedrooms and 1-1/2 baths, and the house with the proposed addition will have five bedrooms and 3-1/2 baths. No alternate plans have been considered. She added that prior to deciding to construct an addition, they had tried to sell their home but were unsuccessful.

#### Responses to Questions from the ZBA

Mr. Kvapil clarified for Board Member Constantino that a variation would be required for almost any type of addition to the existing house because the lot is nonconforming. Mr. Kvapil explained for Board Member Kolar that the code makes an exception for a concrete driveway at a property line. Mr. Loebach explained for the Board Members that the side yard setbacks are being requested to line up the addition and the porch with the house for aesthetic purposes. Ms. Loebach responded to Board Member Ozog that no patio or deck is proposed, and Mr. Loebach responded to Board Member Ozog that the proposed garage is 528 square feet. Mr. Loebach responded to Board Member SiligmueLLer that some neighbors had expressed concern regarding stormwater. Mr. Kvapil added that the subject site will be reviewed for stormwater management because more than 1,500 square feet of land is proposed to be disturbed. Mr. Loebach responded to Board Member Ozog that water runs southeast across the property and that the shed in the southeast corner of the property will be removed.

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

Tad Skirvin, 325 N. Park Boulevard, expressed a concern regarding water run-off increasing in the area when the additions to the subject home are constructed.

#### Comments from the ZBA

All of the ZBA members were in favor of recommending approval of the requested variations because the nonconforming lot requires a variation for almost any type of addition/alteration. The ZBA members were also supportive of the additions because the variations are minimal and the proposed additions will not alter the essential character of

the neighborhood. Board Member Ozog reminded the owners to remove the shed in the southeast corner of the property and to adhere to all stormwater requirements.

### Motion

Board Member Ozog moved, seconded by Board Member Waterman, to recommend that the Village Board approve two variations from the Glen Ellyn Zoning Code as follows: Section 10-8-6(B)3 to allow the construction of a second floor and a rear addition that alters 70% of the existing exterior wall and roof area (Class II) in lieu of the maximum permitted altered existing exterior wall and roof area of 50% (Class I) and Section 10-5-5(B)4 to allow the construction of a front and rear porch with a side yard setback of 5.92 feet in lieu of the minimum required side yard setback of 7.6 feet. The recommendation for approval was based on the findings of fact that a hardship is caused by the nonconforming lot, the variations are minimal, and the proposed additions will not change the essential character of the neighborhood. The recommendation for approval was based on the condition that the construction is in compliance with the plans as submitted at this public hearing.

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

### Trustee Report

Trustee Ladesic stated that the Village Board is currently in the budget process. He also announced that a new kitchen store will soon open in Glen Ellyn.

### Staff Report

Mr. Kvapil stated that the next ZBA meeting will be cancelled. Mr. Kvapil also distributed information regarding a combined ZBA and Plan Commission meeting to be held on April 26 at which Planning Consultant Pete Pointner will speak.

There being no further business before the Zoning Board of Appeals, the meeting was adjourned at 8:29 p.m.

Submitted by:

Barbara Utterback  
Recording Secretary

Reviewed by:

Joe Kvapil  
Building & Zoning Official