

ZONING BOARD OF APPEALS
MINUTES
JANUARY 8, 2013

The meeting was called to order by Chairman Richard Garrity at 7:35 p.m. Board Members Gregory Constantino, Gary Fasules, Edward Kolar and John Micheli were present. Board Members Barbara Fried and Dale Siligmuller were excused. Also present were Trustee Liaison Peter Cooper, Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

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

ZBA Member Kolar moved, seconded by ZBA Member Constantino, to approve the minutes of the November 27, 2012 ZBA meeting. The motion carried unanimously by voice vote.

One public hearing was on the agenda for the property at 277 Newton Avenue.

PUBLIC HEARING – 277 NEWTON AVENUE

A REQUEST FOR APPROVAL OF A VARIATION FROM THE GLEN ELLYN ZONING CODE, SECTION 10-4-8(D)3, TO ALLOW THE CONSTRUCTION OF A ONE-STORY HOME ADDITION WITH A PROPOSED 3'-0" SIDE YARD SETBACK IN LIEU OF THE MINIMUM REQUIRED 7'-6" SIDE YARD SETBACK.

(Michael and Mary Campagna, owners)

Staff Report

Building and Zoning Official Joe Kvapil stated that Michael and Mary Campagna are the owners of the property at 277 Newton Avenue and Preston Fawcett is their architect. Regarding the subject variation request, Mr. Kvapil stated that the property owners are requesting approval of one variation from the Glen Ellyn Zoning Code, Section 10-4-8(D)3, to allow the construction of a one-story addition with a side yard setback of 3'-0" in lieu of the minimum required side yard setback of 7'-6". The area of the addition is 83 square feet and increases the space within the existing kitchen at the rear of the home to provide additional space for an eating area in the kitchen. Mr. Kvapil displayed a map and plat of the subject property and stated that the property is located in the R2 Zoning District and is defined as an interior lot on the east side of Newton Avenue. He added that the zoning and land use surrounding the subject property is single-family residential.

Mr. Kvapil stated that Village records indicate that no zoning variations have been granted for the subject property and that permits have been issued for a new home, electrical service upgrade, a second floor addition, a deck, a detached garage and a roof. Mr. Kvapil stated that the subject lot is neither rectangular nor 90 degrees perpendicular to the street as typically positioned but is shaped as a parallelogram and angled 70 degrees to the street. The house was constructed parallel to the street but angled to the

side lot lines and positioned only 5.8 feet from the right side lot line. He also stated that the house is offset to the south and is nonconforming. Mr. Kvapil added that these unusual conditions result in an existing nonconforming side yard setback of the original home and this variation request for an addition.

Mr. Kvapil also stated that he discovered through research that an approximately 35-foot space exists between 277 Newton Avenue and 269 Newton Avenue.

Petitioners' Presentation

Michael and Mary Campagna, the owners of 277 Newton Avenue, and Preston C. Fawcett, their architect, of 207 Norwood Avenue, Itasca, Illinois were present to speak on behalf of the subject variation request.

Mr. Campagna stated that they moved into the subject home in 2001. He stated that the kitchen is problematic because of its configuration and a lack of counter space. He added that the kitchen is difficult to eat in because of its design and that his children could end up in the oven when they run through the kitchen. Mrs. Campagna added that storage space and a place for the children to eat are needed in the kitchen.

Architect Fawcett stated that he had tried to design the project to hold to the setback, however, everything would then need to be custom designed and would not be in a desired space in the kitchen. He also stated that he did not want to destroy the back yard by adding onto that side of the home and that a more practical layout was preferred. Mr. Fawcett added that the wall where the plumbing is located is immovable.

Responses to Questions from the ZBA

Mr. Kvapil responded to ZBA Member Fasules that the Village did not grant a variation for the original house construction in 1954 but there is an exception that allowed the second floor addition over the first floor in the existing required side yard setback construction in 1995. Mr. Kvapil also responded to ZBA Member Kolar that a second story proposed on this addition could be added only if specifically permitted by variation request. Mr. Kvapil also responded to ZBA Member Kolar that the 5'-8" right side yard setback is nonconforming. A second story may be constructed over the proposed addition if it is set back the minimum required distance of 7'-6" from the lot line. Mr. Kvapil explained that the subject lot is nonconforming in area and that the lot coverage ratio is in compliance with the code. He added that the 12.9% lot coverage ratio will increase to 13.9% with the proposed addition. Mr. Fawcett responded to ZBA Member Kolar that the enlarged kitchen will be approximately 20 feet long and 11 feet wide. Mr. Kvapil responded to ZBA Member Micheli that the addition was approximately 83 square feet in area and only 32 square feet is located within the required side yard setback. Mr. Fawcett responded to ZBA Member Constantino that the proposed square footage is the smallest amount that will meet the homeowners' goals. Mr. Kvapil responded to ZBA Member Constantino that he received no correspondence from the public regarding this variation request.

Mrs. Campagna responded to Chairman Garrity that she did not know who owned the fence on the south side of the property.

Persons in Favor of or in Opposition to the Petition

Dave Ligman, 269 Newton Avenue, Glen Ellyn, Illinois stated he has lived in the house to the south of the petitioners for one year. He stated that he had no problem with the petitioners' variation request and that the proposed addition will be an improvement.

Comments from the ZBA

ZBA Member Constantino was supportive of the petitioners' variation request. He felt that a hardship exists because the subject lot is not a typical platted zoning lot and the house is squared to Newton Avenue. He stated that the house is close to the southern boundary which is unique. ZBA Member Constantino felt the approval of the variation will not alter the essential character of the neighborhood and would have no detrimental effect on the neighborhood. ZBA Member Fasules felt the requested variation would create a significant hardship, and he was not in favor of adding a second story to the home. ZBA Member Kolar was not supportive of the variation request because the nonconformity would be expanded and the addition would be too close to the lot line. He felt that an alternative would be to have the addition go straight back to the east instead of to the south. ZBA Member Micheli stated he was inclined to support the variation request. He felt that the lot is difficult and the neighbor next door spoke on behalf of the request. He felt that moving the kitchen would not be a good solution and also felt that a 2-story addition would be acceptable. Chairman Garrity was not supportive of the variation request as he did not feel that a variation 3 feet from the lot line was acceptable. He felt that the neighbor could move and a bigger home could be built next door. He felt that building to the south should be explored prior to building 3 feet from the lot line.

Motion

Per the petitioners' request, the ZBA members voted unanimously to continue this meeting to February 12, 2013 when additional ZBA members would be present to vote.

Staff Report

The meeting was adjourned at 8:25 p.m.

Submitted by:

Barbara Utterback

Recording Secretary

Reviewed by:

Joe Kvapil

Building & Zoning Official