

ZONING BOARD OF APPEALS
MINUTES
MAY 27, 2014

The meeting was called to order by Acting Chairperson Edward Kolar at 7:11 p.m. ZBA Members James Bourke, Greg Constantino, Larry LaVanway and Chip Miller were present. ZBA Member John Micheli and Chairperson Rick Garrity were excused. Also present were Trustee Liaison Pete Ladesic (who was absent for a portion of the meeting due to a Village Board meeting), Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

Acting Chairperson Kolar explained the procedures of the Zoning Board of Appeals.

ZBA Member Bourke moved, seconded by ZBA Member Miller, to approve the minutes of the May 13, 2014 Zoning Board of Appeals meeting. The motion carried unanimously by voice vote.

On the agenda were two (2) public hearings regarding the properties at 795 Hill Avenue (a continuation from a previous meeting) and 100 N. Park Boulevard.

PUBLIC HEARING – 795 HILL AVENUE

A REQUEST FOR APPROVAL OF TWO VARIATIONS FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS:
1. SECTION 10-4-1(K)1 TO ALLOW CONSTRUCTION OF A SINGLE-FAMILY DWELLING ON LOT 4 AND THE SALE OR SEPARATION OF LOT 4 FROM LOT 3 ALTHOUGH THESE LOTS CAME UNDER THE COMMON OWNERSHIP OF RICHARD AND JENNIFER ROLINSKI ON JUNE 28, 2003 IN LIEU OF THE REQUIRED DATE OF JUNE 1, 1989. 2. SECTION 10-4-1(K)2 AND SECTION 10-4-1(J)4B TO ALLOW CONSTRUCTION OF A SINGLE-FAMILY DWELLING ON LOT 4 AND THE SALE OR SEPARATION OF LOT 4 FROM LOT 3 ALTHOUGH 33% OF THE IMPROVED LOTS ON THE BLOCK FRONTING ON HILL AVENUE ARE THE SAME OR LESS LOT WIDTH THAN LOT 4 IN LIEU OF THE MINIMUM REQUIRED 75%.

(Richard and Jennifer Rolinski, petitioners)

The petitioners were not present at the meeting. ZBA Member LaVanway moved, seconded by ZBA Member Bourke to continue the meeting to July 10, 2014. The motion carried unanimously by voice vote.

PUBLIC HEARING – 100 N. PARK BOULEVARD

A REQUEST FOR APPROVAL OF TWO VARIATIONS FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS:
1. SECTION 10-4-8(D)3 TO ALLOW THE CONSTRUCTION OF A TWO-STORY ADDITION WITH A SIDE YARD SETBACK OF 4 FEET IN LIEU OF THE MINIMUM REQUIRED SIDE YARD SETBACK OF 6.5 FEET. 2. SECTION 10-4-8(D)2 TO ALLOW THE CONSTRUCTION OF A TWO-STORY ADDITION WITH A REAR YARD SETBACK OF 36 FEET IN LIEU OF THE MINIMUM REQUIRED REAR YARD SETBACK OF 40 FEET.

(Eric and Caroline McAlpine, petitioners)

ZBA Member Constantino moved, seconded by ZBA Member LaVanway, to open the public hearing. The motion carried unanimously by voice vote.

ZBA Member Bourke stated that he is acquainted with the petitioners through their son at Hadley Junior High but stated that he felt he could be fair regarding this petition.

Staff Presentation

Building and Zoning Official Joe Kvapil stated that Eric and Caroline McAlpine, owners of the property at 100 N. Park Boulevard, and their architect, Jamie Simoneit, were present regarding two variation requests for that property. Mr. Kvapil stated that the petitioners are requesting approval of two variations from the Glen Ellyn Zoning Code as follows: 1. Section 10-4-8(D)3 to allow the construction of a two-story addition with a side yard setback of 4 feet in lieu of the minimum required side yard setback of 6.5 feet and 2. Section 10-4-8(D)2 to allow the construction of a two-story addition with a rear yard setback of 36 feet in lieu of the minimum required rear yard setback of 40 feet. Mr. Kvapil displayed a map and stated that the subject property is located in the R2 Zoning District and is defined as an interior lot on the west side of Park Boulevard. He added that the zoning and land use surrounding the subject property is single-family residential. He added that the house shown on the map is on the north property line, however, the house is not located there and that the attached garage is not shown on that map.

Mr. Kvapil stated that Village records indicate that there have been some alterations to the subject home in the past with the largest permit being issued for a garage and that no variations have been granted for this property in the past. He also displayed a footprint of the 1-1/2 story structure and attached garage as well as the proposed second floor addition to the north, south and west sides of the existing home. He also highlighted areas that encroach into the side and rear yard setbacks. Mr. Kvapil stated that the subject home has an unusually large front yard setback at 73 feet and that some of the homes adjacent to the subject house have 70-foot setbacks which is in excess of the typical 30 to 50-foot setback of other homes in this area.

Mr. Kvapil displayed a plan of the garage which is 21.2 feet wide with a single 16-foot wide garage door. He stated that the new design shows an attached garage in approximately the same location but moved back towards the rear of the lot with two separate 8-foot wide garage doors. He added that some additional space is required to accommodate the structure between the garage doors and that the minimum for a garage with two separate 8-foot wide doors is 22 feet. Mr. Kvapil stated that the width of the proposed garage is 23.3 feet. He added that if a garage is designed with two separate doors and a car door can be completely opened from either side, a garage that is 25 feet wide would be required. He added that the subject plan is in between the most convenient width and the minimum practical width. Mr. Kvapil pointed out an error in the Staff Report distributed to the ZBA members and corrected a statement to read that regarding stormwater, the subject property is tributary to a local depressional area. He then displayed a map of the Village's depressional areas and stated that the depressional areas start at approximately two lots to the north of the subject property. He added that the stormwater ordinance requires that when a property is tributary to a depressional area (the water from 100 N. Park Boulevard flows towards the depressed area), the runoff from any development on the property must be mitigated by onsite stormwater storage or connection to the city storm sewer or in another acceptable manner. Mr. Kvapil added that if the variation is granted, there would be a review for stormwater compliance and the petitioners would be required to mitigate any additional runoff into the depressional area. He then displayed a topographical map and stated that the runoff flows away from Park Boulevard and goes from the southeast to the northwest to the depressional area.

Questions to Staff from the Zoning Board of Appeals

ZBA Member Miller asked how close the house is to the lot line at 90 Park Boulevard, and Mr. Kvapil estimated 6-1/2 to 7 feet to the setback. Mr. Kvapil verified for Acting Chairperson Kolar that the petitioners are requesting a variation for 159 square feet with 60 feet to the south and 99 feet to the west. Mr. Kvapil verified for Acting Chairperson Kolar that the addition on the north side of the subject home complies with the Zoning Code. Acting Chairperson Kolar asked if the garage would be conforming on the south side if it was slid back, and Mr. Kvapil replied that a variation would be required for less than one foot.

Petitioners' Presentation

Eric and Caroline McAlpine, owners of the property at 100 N. Park Boulevard, and their architect, Daniel James Simoneit, 504 Hillside Avenue, Glen Ellyn, Illinois were present to speak on behalf of the subject variation requests. Mr. McAlpine stated they have lived in the subject home for 12 years. He stated they have three children and moved to Glen Ellyn because it is a safe place for children. He stated they've never found a home they like as much as this home which is quaint and charming and is probably the oldest house on their block.

Mr. Simoneit stated that the subject home was built in 1918 as a 2-bedroom home and is offset on the lot. He stated that the uniqueness of the property is that it is the oldest and smallest home on the block. He stated that there is an attached garage that one enters after stepping outside but which is being taxed as an attached garage. Mr. Simoneit displayed various drawings of the existing home and proposed home. He stated that the petitioners were looking for ways in which to expand their home on a modest budget to accommodate their needs. He stated that the two bedrooms were located on the north side of the house, and an addition was constructed in the 1950's which bumped out the back of the home, removing the rear sleeping porch but retaining the stairs to the basement. He stated there is a small galley kitchen in the home and a breakfast area on the rear of the home. He also stated that a room had been removed from the front of the home and a staircase was added and the attic was converted into two bedrooms and one bath. He stated that the home was originally two bedrooms and one bathroom and was converted into three bedrooms and two bathrooms. He stated they are proposing to downsize the bathroom downstairs which is located between two public spaces to a powder room. Mr. Simoneit stated that one of the big desires for the family is a garage into which they can pull a car of today's size. He stated that the garage is currently at the minimum of 16 feet wide and only one person can get out of the car at a time when a second car is in the garage. Mr. Simoneit stated his concern is also aesthetics and the 1985 style garage engulfs the front of the house. He also stated that the modern garage door is forward of the front of the home and the roofline is also in front of the home which is a big detraction to the farmhouse style of the home. Mr. Simoneit stated that what makes the home unique is that it is the only house on the block that has a ridge line that is perpendicular to the street. All other homes on the block are from the 1960's and 1970's and are parallel to the street. He added that the subject home is the smallest home on the block and also stated that there are very few homes on this block that have detached garages. He stated that they would like to break down the front door of the garage into two doors to give the appearance of a carriage house next to a farm house. He stated that the variation request is not the petitioners' desire but that they are compromising on the size of the garage. He stated that they would like the garage to be pushed back to maintain the uniqueness of the home and to create a mud room. The petitioners also would like to have

a master bedroom upstairs over the garage. Mr. Simoneit also stated that a utility easement on the property is another hardship for the petitioners. He also stated that the petitioners desire green space in the back yard as Park Boulevard is the busiest street in town and this requires the garage to be brought forward on the lot. Mr. Simoneit stated that water on the site flows from the southwest corner across the lot and that, with the addition, he can capture the water on the lot and send it down the driveway to properly drain. Mr. Simoneit added that they would like to keep the farm house vernacular. Mr. Simoneit also stated that another hardship issue is that the existing home, as is, has a finished attic used as bedrooms but which no longer functions well for their growing children. He stated that the roof will be raised to accommodate a second floor of habitable space.

Mr. Simoneit stated that the downstairs rooms of the home are very charming and that the galley kitchen will be enlarged to accommodate space for cooking. He stated that the minimum width on the inside of the proposed addition is 16 feet.

Responses to Questions from the ZBA Members

Mr. McAlpine responded to ZBA Member Constantino that all of their neighbors are supportive of their variation requests, including those residents at 90 and 102 N. Park Boulevard (next door neighbors). Mr. Simoneit responded to Acting Chairperson Kolar that the proposed project will increase the pavement in front of the home but that there would be twice as much pavement if the garage was detached. Mr. Simoneit responded to Acting Chairperson Kolar that uniqueness and hardship include the original home on the property that was built prior to the existing codes and an existing nonconforming side yard (which the garage is already located in).

Persons in Favor of or in Opposition to the Requests

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

Comments from the Zoning Board of Appeals

Four of the five ZBA Members present were in favor of the proposed variation requests. ZBA Member Constantino was supportive of the proposed project and felt that the house has unique characteristics involving the size and the current location of the footprint of the existing structure. He stated that the practical difficulties are the easement in the rear of the site, a detached garage would affect the ability to have living area above the garage, open space would be reduced by a garage in the back yard and drainage issues caused by the depressional area would be created instead of alleviated. He also stated that these conditions were not caused by the applicant and will allow them to reasonably use the land. He added that the 1950's addition could become a hazard and stated that the variations will not cause adverse effects to the neighbors and drainage issues will be addressed with this project. ZBA Member Bourke was supportive of the proposed variations. He felt that the appearance of the proposed project will be attractive to those passing by the home. He added that the green space desired by the petitioners in the back yard will be maintained and will prevent an encroachment in the corridor back yard area. ZBA Member LaVanway was supportive of the proposed project and felt that unique hardships exist. He stated that the petitioners have made a good faith effort to keep their rear yard open and all of their neighbors signed off on a petition supporting the variation requests. He also stated that by shifting the garage back, it doesn't seem as large from the street. ZBA Member Miller

was supportive of the proposed variations. He said he understood why the side yard setback was necessary and stated that the petitioners have done the best job they can to reduce that setback. He stated that the house does not sit square on the lot and the garage cannot be moved back because of the 10-foot utility easement in the rear. He added that the 73-foot setback also creates issues. Acting Chairperson Kolar was not supportive of the variation requests because he felt they could build a garage with a side yard setback requirement. He also stated that neither economics nor aesthetics are part of the justification for this project.

A motion was made and carried to close the public hearing.

Motion

ZBA Member Miller moved, seconded by ZBA Member Bourke, that after considering the application of Eric and Caroline McAlpine of 100 N. Park Boulevard, Glen Ellyn, Illinois and the testimony and evidence presented at this public hearing, the Zoning Board of Appeals recommended the approval of the variations requested after deliberations and the following: The plight of the homeowner is unique due to circumstances including that the subject house is not square on the lot, the garage cannot be moved in the back because of a 10-foot utility easement in the rear and the modern garage size and style and the lot has a very deep front, and that the variation, if granted, will not alter the essential character of the locality because the homes on the block have deep setbacks.

The motion carried with four (4) yes votes and one (1) no vote as follows: ZBA Members Miller, Bourke, Constantino and LaVanway voted yes; Acting Chairperson Kolar voted no.

The meeting was adjourned at 8:27 p.m.

Submitted by:
Barbara Utterback
Recording Secretary

Reviewed by:
Joe Kvapil
Building and Zoning Official