

ZONING BOARD OF APPEALS
MINUTES
JULY 8, 2014

The meeting was called to order by Chairperson Rick Garrity at 7:00 p.m. ZBA Members Greg Constantino, John Micheli and Chip Miller were present. ZBA Members James Bourke, Edward Kolar and Larry LaVanway were excused. Also present were Trustee Liaison Pete Ladesic (arrived at 7:17 p.m.), Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

Chairperson Garrity explained the procedures of the Zoning Board of Appeals.

ZBA Member Miller moved, seconded by ZBA Member Micheli, to approve the minutes of the March 25, 2014 Zoning Board of Appeals meeting and the minutes of the June 10, 2014 Zoning Board of Appeals meeting. The motion carried unanimously by voice vote.

On the agenda was a public hearing regarding the property at 321 Grandview Avenue.

PUBLIC HEARING – 321 GRANDVIEW AVENUE

A REQUEST FOR APPROVAL OF A VARIATION FROM GLEN ELLYN ZONING CODE SECTION 10-4-8(E)1 TO ALLOW THE CONSTRUCTION OF A SCREENED PORCH ADDITION THAT RESULTS IN A LOT COVERAGE RATIO OF 22.6% IN LIEU OF THE MAXIMUM PERMITTED LOT COVERAGE RATIO OF 20% ON A LOT WITH A TWO-STORY HOME.

(Ron and Mary Ann Aubrey, owners)

Staff Presentation

Building and Zoning Official Joe Kvapil stated that Ron and Mary Ann Aubrey, owners of the property at 321 Grandview Avenue, are requesting approval of a variation from Glen Ellyn Zoning Code Section 10-4-8(E)1 to allow the construction of a screened porch addition that results in a lot coverage ratio of 22.6% in lieu of the maximum permitted lot coverage ratio of 20% on a lot with a two-story home.

Mr. Kvapil displayed a photo of the front of the subject house and stated that there is a raised wood deck at the rear of the home. He also stated that the property is located in the R2 Zoning District and is defined as an interior lot on the east side of Grandview Avenue. He added that the land use surrounding the subject property is single-family residential and he displayed a location map. Mr. Kvapil also stated that no zoning variations have been granted for the subject property and that the most significant change was a 2-story addition on the rear of the home constructed in 1997. Mr. Kvapil displayed a site plan of the subject property that shows the proposed one-story screened porch and an architectural plan that indicates the proposed screened porch will be 13 feet 9 inches x 15 feet 6 inches for a total of 213 square feet. Mr.

Kvapil added that the screened porch is flanked on both sides by proposed wood decks which comply in all respects with the Zoning Code requirements. Mr. Kvapil stated that the existing lot coverage ratio on the property is 19.6 percent and the 213-square foot screened porch increases the lot coverage ratio to 22.4% based upon the documents received by the Planning and Development Department. Mr. Kvapil stated that since the proposed roofed-over screened porch is less than 300 square feet in area, neither a drainage plan nor a tree preservation plan are required. He also stated that the subject property is not located within a designated flood area nor a local depressional area. Mr. Kvapil added that he researched the contours to verify the normal run-off direction on this property and from the contour lines, the stormwater run-off flow is to the east and runs between the subject property and the property next door and then runs out to Spring Avenue. He added that the subject lot has a moderate slope of approximately 6 feet from west to east. Mr. Kvapil also stated that the subject property is not located within a historic district, is not landmarked and is not a significant home designated by the Historic Preservation Commission nor plaqued by the Historical Society.

Petitioners' Presentation

Ron and Mary Ann Aubrey, owners of the property at 321 Grandview Avenue, and Architect Rick Rearick, 155 N. Main Street, Glen Ellyn, Illinois spoke on behalf of the proposed project. Mr. Aubrey stated they have been residents in Glen Ellyn since 1990. He stated that the original house had a sunroom and a deck and that they built an addition in 1997. He also stated that their original plan was to add a sunroom but did not do so for financial reasons and because they wanted room for a play area in their rear yard for their five children. He added that they would now like to build a sunroom as the children are all grown, however, the amount of lot coverage is now less than it was in 1997 and they need a variation in order to proceed.

Ms. Aubrey stated that their lot is sloped and that their back doors step down three stairs; therefore, any structure will be raised. She stated that the railings on the deck currently are unstable and they would like to have a roof over the deck for protection from mosquitoes and to be able to enjoy the outdoors. Ms. Aubrey stated that a variance is required as their lot is 50 feet wide instead of the required 66 feet wide. She also stated that they could add a front porch without requiring a variation but are instead asking for a roof over the rear deck.

Mr. Aubrey added that he is attacked by mosquitoes and other insects when outside which he believes is a hardship. He, therefore, feels he needs protection from the outdoors which the proposed porch will provide.

Architect Rick Rearick added that if the petitioners had a 66-foot wide lot as opposed to a 50-foot wide lot, they would probably not have an issue regarding lot coverage for the proposed project. He also stated that because of the change in lot coverage ratio several years ago, the

petitioners are unable to construct a porch without a variation which he feels is unfair as they had planned to construct a porch in the future when they purchased their home.

Questions from the Zoning Board of Appeals

ZBA Member Constantino asked if the proposed construction will have an effect on the current drainage, and Mr. Rearick replied no. He added that the porch will be on piers and water can be moved to certain areas of the site with downspouts. ZBA Member Constantino asked if the size of the proposed porch can be reduced, and Mr. Rearick responded that the petitioners need the requested space in order to have furniture on the porch and to be able to have enough room to walk around the porch. Mr. Rearick also stated that the porch could be reduced by approximately 12 square feet. Mr. Aubrey added that they have five children and need space for the family to sit together at a table. ZBA Member Micheli asked what minimum size would be required to have the porch be functional, and Mr. Rearick responded that removing one foot would be the maximum as they need all available width. Mr. Kvapil responded to Chairperson Garrity that the proposed project would have required a variation in 1997. Mr. Kvapil displayed a map that showed residents surrounding the subject property who signed a petition in support of the variation.

ZBA Member Miller asked if the petitioners had any other hardships regarding the proposed project. Chairman Garrity stated that many residents have the same issues experienced by the petitioners such as lot size, mosquitoes and the code change regarding lot size. Ms. Aubrey responded that adding sides and a roof to the existing deck is the only difference from their existing deck. She added that the proposed porch will be in keeping with the neighborhood and will add value to their home as well as the neighborhood. She also stated they had planned to build the porch previously when a variation would not have been required. She also stated they could add a front porch of the same size as the rear porch onto their property without a variation. ZBA Member Micheli asked if the variation is granted, could the proposed porch remain and be repaired as long as the piers exist, and Mr. Kvapil responded that the porch could remain unless conditions were placed on the project.

Persons in Favor of or in Opposition to the Proposed Request

No persons were present to speak in favor of or against the proposed variation request.

ZBA Member Miller moved, seconded by ZBA Member Micheli, to approve the findings of fact.

Comments from the Zoning Board of Appeals

ZBA Member Constantino stated there is no obvious hardship related to the petitioners' variation request but was supportive because of the contour of the land, the severe slope to the rear of the back yard, the fact that the yard cannot really be used, the proposed porch would almost replace the existing footprint and there would be no adverse effects from this project on the neighborhood. ZBA Member Constantino also recommended conditions to restrict enclosing the screened-in porch or adding a second floor addition. ZBA Member Miller stated that there was a lot going on in the back yard, the subject lot is narrow, there is a large elevation change in the rear yard and the existing structure in the back yard is in disrepair so something needs to be done. He was supportive of the variation request. He also suggested conditions that no second floor is added and that the porch cannot be made habitable in the future. ZBA Member Micheli stated he was uncomfortable with the density in the rear yard and was struggling with justification for the variance. He stated he would be comfortable with a smaller deck based on the rough footprint of the existing deck as it would be in keeping with the character of the neighborhood. He also expressed concern regarding the permanence of the variation but was supportive with recommended conditions that the exterior walls will either be open or screened with no glass or solid surface to enclose the space and that 30% of the proposed porch is eliminated. Chairperson Garrity stated he agreed with ZBA Member Micheli because the petitioners have a 400+ square foot bonus for their existing garage which is approximately 27% lot coverage ratio. He felt that the request was excessive and should be reduced somewhat. Mr. Kvapil added that because no design elevations were submitted by the petitioners, it is unknown how high the steepness in the slope of the roof is which contributes to the bulk of the building and the impact on the neighbors. He suggested that a recommendation be made regarding the slope of the roof. At this point, the petitioner provided elevation plans to the ZBA for review and consideration. ZBA Member Micheli requested that the petitioners consider having the depth come out to where the stairs begin at the top. Mr. Rearick responded that they could remove 18 inches, however, removing 4 feet would create wasted space.

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

Motion

ZBA Member Miller moved, seconded by ZBA Member Constantino, that after considering the application of Ronald and Mary Ann Aubrey, the petitioners, and the testimony and evidence presented at this public hearing, the Zoning Board of Appeals recommended approval of the requested variation due to the plight of the homeowners which is unique because of the 50-foot lot versus the standard 66-foot lot, the severe slope of the back yard and the existing structure which is in disrepair. The following conditions are also recommended regarding

approval of the requested variation: That the porch cannot be made habitable as the exterior walls will be open or screened only with no solid surfaces, no second floor will be constructed over the first story addition in the future and that the existing 15-foot 6-inch dimension shown on the submitted drawings shall be no more than 14 feet 6 inches.

The motion carried unanimously with four (4) yes votes and zero (0) no votes as follows: ZBA Members Miller, Constantino, Micheli and Chairman Garrity voted yes.

Staff Report

Mr. Kvapil recommended changing the lot coverage to 25% for a 1-1/2-story home as he feels the current 20% lot coverage ratio is too restrictive when compared to the 35% lot coverage ratio for a one-story home and 20% for a full 2-story home. Mr. Kvapil also stated that the next ZBA meeting will be cancelled.

The meeting was adjourned at 8:14 p.m.

Submitted by:

Barbara Utterback
Recording Secretary

Joe Kvapil
Building and Zoning Official