

ZONING BOARD OF APPEALS
MINUTES
MARCH 22, 2016

The meeting was called to order by Chairperson Rick Garrity at 7:00 p.m. ZBA Members Gregory Constantino, John Micheli, Adam Miller, Chip Miller and Thomas Whalls were present. ZBA Member James Bourke was excused. Also present were Trustee Liaison Peter Ladesic, Building and Zoning Official Steve Witt and Recording Secretary Barbara Utterback.

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

On the agenda was a continued public hearing regarding the property at 716 Prairie Avenue.

PUBLIC HEARING – 716 PRAIRIE AVENUE

(CONTINUATION OF HEARING FROM MARCH 8, 2016 ZONING BOARD OF APPEALS MEETING)

A REQUEST FOR APPROVAL OF VARIATIONS FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: 1. SECTION 10-4-8(D)3 TO ALLOW THE CONSTRUCTION OF A NEW ONE-STORY ADDITION ON A ZONING LOT WITH A SIDE YARD SETBACK OF 3.93 FEET IN LIEU OF THE REQUIRED 6.50 FEET. 2. ANY OTHER ZONING RELIEF NECESSARY TO CONSTRUCT THE PROJECT AS DEPICTED ON THE PLANS PRESENTED OR REVISED AT THE PUBLIC HEARING OR AT A PUBLIC MEETING OF THE VILLAGE BOARD.

(Nina and Mahesh Hira, Owners)

Staff Presentation

Building and Zoning Official Steve Witt stated that the subject zoning variation was originally scheduled to be heard on March 8, 2016, however, was continued because of a lack of a quorum due to a recusal by a ZBA member at that meeting. Mr. Witt stated that Nina and Mahesh Hira are the owners of the subject property at 716 Prairie Avenue which is an interior lot located in the R2 Zoning District on Prairie Avenue between Maple Street and Oak Street. He added that the land use and zoning immediately surrounding the subject property is single-family residential.

Mr. Witt stated that the property owners would like to remodel and enlarge their existing one-story home in order to provide a bathroom and a closet within the existing master bedroom area. He displayed and described the existing floor plan and proposed addition. He stated that the addition is proposed to be located on the south side of the house where the existing side yard setback is 11.70 feet. He added that after construction of the addition, the side yard setback would be reduced to 3.93 feet. He also stated that the plat of survey for the subject property to the south indicates that there is slightly more than 11 feet between the common property line and the house at 712 Prairie Avenue.

Mr. Witt stated that the petitioners are requesting a variation from Section 10-4-8(D)3 of the Zoning Code to allow the construction of a new one-story addition to an existing one-story house on a zoning lot with a side yard setback of 3.93 feet in lieu of the required 6.50 feet. He added that a notice of public hearing was published on February 22, 2016 in the Daily Herald that was mailed to property owners within 250 feet of the subject property and a placard was placed on the subject property. He added that no Village records were found that granted any previous zoning variations for this property. He also stated that records indicate several building permits were issued for this house which was originally constructed in 1927, however, these permits have no effect on the area of the house under consideration for this variation request.

Petitioners' Presentation

Preston Fawcett, architect, 1201 Norwood Avenue, Itasca, Illinois, and Mahesh Hira, owner of 716 Prairie Avenue, were present to speak on behalf of the subject request.

Mr. Hira stated that his family moved into their home in 1996. He stated that the house is very old and they have been working on restoring it ever since they have owned it. He also stated that they recently considered selling the home as they are nearing retirement, however, felt they could remain in the home if they had an accessible bathroom near the master bedroom on the first floor. Mr. Hira stated that the only option that did not change the look, feel, architecture and character of the home was to build on the south side of the house which requires a variance. He added that building within the allowed area would not allow it to be accessible and they, therefore, need an additional 1.7 feet. He added that there are not many single-story houses of this character with accessible bathrooms in Glen Ellyn and he felt that keeping this home would enhance the Village stock.

Mr. Fawcett stated that many options were explored to expand this approximately 1,300-square foot home. He stated that the proposed plan made the most sense due to the layout of the house and the way it is situated on the property. Mr. Fawcett responded to Chairperson Garrity that hardships related to the proposed request are that the addition cannot be located in the driveway and the view would be destroyed if the addition was in the rear. He added that the addition could be put on the south side of the home, however, the type of construction that is now required is large and the lot sizes have not changed. Mr. Fawcett also responded to Chairperson Garrity that they reduced the addition as much as they could.

Mr. Hira added that there is a patio in the rear so if the addition was moved to the rear, the patio would also need to be moved and impervious ground would be lost. He stated that they considered building up, however, felt that would detract from the character of the house.

Questions from the Zoning Board of Appeals

ZBA Member Whalls asked if the impervious surface of the lot would be too small if the addition was added onto the rear of the home. Mr. Witt responded that the amount of square footage would be the same no matter where the addition is placed. ZBA Member Whalls then stated that he felt the addition would look better architecturally at the rear of the home. Mr. Fawcett stated that the side yard is useless, however, there is a very nice existing back yard. Chairman Garrity stated that side yards exist to protect the neighbors and Mr. Witt displayed a site plan of the house next door indicating its proximity to the subject home. Mr. Fawcett stated that the petitioners contacted their neighbors and there have been no objections regarding their proposed project.

ZBA Member Chip Miller stated he was struggling to find practical difficulties or unique circumstances for the petitioners' request and stated that the driveway does not constitute an excuse to move the addition over more. He added that he would prefer the addition at the rear of the house and cannot find a reason to allow a variation. Mr. Hira stated that an addition to the rear of the home would not look as good as if it was located on the side of the house. Mr. Hira also stated that it would be extremely burdensome to build onto the rear of the home because he would have to move the existing patio which is significant in size. ZBA Member Constantino felt that the better location for the addition would be in the rear as it would not then be seen from the street. Mr. Fawcett responded that they are trying to enhance the long elevation on that side and that adding the addition to the rear will make it even longer. Mr. Hira added that the look of the home would be destroyed and would look extremely odd architecturally because some windows would be removed and the windows would then be unevenly matched. Mr. Fawcett added that the view to the backyard from their bedroom windows would also be eliminated. Chairperson Garrity stated that there is space for the addition to the rear and rather than infringe on a neighbor, one needs to enhance his property in the best way possible. He added that the hardships presented are not the typical hardships seen by the ZBA. ZBA Member Constantino asked what additional considerations are planned to be sure that the new drainage is not overly burdensome on the neighbor if the addition was built on the side of the home. Mr. Fawcett responded that the downspouts would spill in the same areas and Mr. Hira added that water spills toward the front of his property. Mr. Witt clarified that the patio will be able to be maintained at 50% without an issue.

Persons in Favor of or in Opposition to the Proposed Request

No persons spoke in favor of or in opposition to the proposed request.

Findings of Fact

ZBA Member Constantino stated that the petitioners, Nina and Mahesh Hira, owners of the property at 716 Prairie Avenue, are requesting approval of a variation from Section 10-4-8(D)3 of the Glen Ellyn Zoning Code to allow the construction of a new 1-story addition to an existing 1-story house on an interior lot with a side yard setback of 3.93 feet in lieu of the required 6.50 feet. He stated that the subject lot is in the R2 zoning district surrounded by single-family residential properties. ZBA Member Constantino stated that Building and Zoning Official Steve Witt described the petitioners' request to add a bath and closet off the master bedroom. He stated that the existing side yard setback on the south side of the house is 11 feet with a required 6.5 foot setback and the requested variation is 3.9 feet. He also stated that several building permits have been issued for this property over the years. ZBA Member Constantino stated that the impervious area created by this requested addition would be the same as that located in the side yard. ZBA Member Constantino stated that Mahesh Hira, the owner, and Architect Preston Fawcett were present to speak on behalf of the proposed project. ZBA Member Constantino stated that the owners moved into the subject home in 1996 and would like a master bathroom in the master bedroom as one does not currently exist. He stated that other configurations were considered for the addition, however, were too burdensome and the location of the side yard addition of the present plan would preserve the character of the home. ZBA Member Constantino stated that Mr. Fawcett explained that they had explored other options, however, felt it made the most sense architecturally to place the new addition in the side yard on the south side of the house. ZBA Member Constantino stated that the petitioners described the hardship as the actual layout of the house, problems with the impervious area and possible drainage issues. ZBA Member Constantino stated that the petitioners felt there would be a loss of windows, sight lines to the rear and some light if the addition was placed in the rear yard of the house. He also stated that the petitioners felt the requested design would maintain the structural integrity of the house. He added that Mr. Hira explained if the addition was placed in the rear of the home, the back yard configuration would be upset and the patio would need to be relocated. He stated that Mr. Hira stated the side yard is useless space and the addition would make use of that area. The petitioners also stated that drainage regarding this project will not adversely affect other properties in the neighborhood.

ZBA Member Miller moved, seconded by ZBA Member Whalls, to approve the findings of fact. The motion carried unanimously by voice vote.

Comments from the Zoning Board of Appeals

ZBA Member Whalls stated that if the petitioners put the addition on the other side of their home in the rear, it would still be within the 50 percent impervious surface. He stated that he felt the petitioners' side yard was generous at 12 feet and that the side yard two feet does not need to happen. He also stated that the bathroom would cover up

at least one window. He was not supportive of the variation as requested as he did not feel there were hardships.

ZBA Member Adam Miller was in favor of the addition being built on the back of the house, however, stated he could work with the addition being built on the side of the home.

ZBA Member Chip Miller stated he understands the plight of the homeowners wanting to do the best that can be done architecturally. He stated, however, that he cannot find any practical difficulties or hardships, however. He stated he understood that the neighbors approve of the variation request but future neighbors must also be taken into consideration.

ZBA Member Constantino agreed with the other ZBA Members and added that he has not seen a true hardship or unique circumstance in this case. He added that convenience is not enough reason for him to support a variance request. He stated that he would like more exploration regarding constructing the addition in the rear yard. He stated that the existing fence on the south side obstructs the open area.

After some discussion, the petitioner decided that he would like to keep this variation request open at this time and possibly return to the ZBA at a later date. Mr. Hira added that it would be very awkward for him to have a bathroom next to the patio in his back yard if they were required to build their addition onto the rear of their home. He stated that he will focus his plan on the side yard for his next appearance at the ZBA. ZBA Member Chip Miller stated that he did not feel he would support the proposed variation request unless the variation amount was extremely small. ZBA Member Constantino added he would probably be amenable to a 6-inch variation request.

Motion

ZBA Member Whalls moved, seconded by ZBA Member Chip Miller, to continue the public hearing to a future date. The motion carried unanimously by voice vote.

Trustee Report

Trustee Liaison Pete Ladesic reviewed items heard at the Village Board meeting last night.

Chairperson Report

Chairperson Garrity thanked some Glenbard West students for attending this meeting.

Staff Report

Building and Zoning Official Steve Witt stated that there will be two items on the next ZBA agenda.

The meeting was adjourned at 8:05 p.m.

Submitted by:

Barbara Utterback
Recording Secretary

Steve Witt
Building and Zoning Official