

ZONING BOARD OF APPEALS  
MINUTES  
MAY 9, 2017

The meeting was called to order by Acting Chairperson John Micheli at 7:00 p.m. ZBA Members Gregory Constantino, Matthew Jones, Reed Panther and Thomas Whalls were present. Chairperson Rick Garrity and ZBA Members Adam Miller and Chip Miller were excused. Also present were Trustee Liaison Mark Senak, Building and Zoning Official Steve Witt and Recording Secretary Barbara Utterback. Acting Chairperson Micheli stated that this is Trustee Liaison Senak's first ZBA meeting.

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

On the agenda was a public hearing regarding the property at 675 Revere Road.

PUBLIC HEARING – 675 REVERE ROAD

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 TWO-STORY ADDITION ON THE EXISTING RESIDENCE WITH A SIDE YARD SETBACK OF APPROXIMATELY 4.75 FEET ON THE EAST SIDE IN LIEU OF THE MINIMUM 7.5 FEET REQUIRED SIDE YARD SETBACK. 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.

(Kevin and Erin German, owners)

Staff Presentation

Building and Zoning Official Steve Witt was present to speak regarding the proposed variation request. He stated that Kevin and Erin German are the owners of the subject property at 675 Revere Road. Mr. Witt stated that the subject property is an interior lot in the R2 Zoning District on the south side of Revere Road between Exmoor Avenue and North Montclair Avenue. He stated that the zoning and land use immediately surrounding the subject property is R2 Single Family Residential and CR Conservation Recreation. He displayed and described an existing survey of the subject property.

Mr. Witt stated that the petitioners are proposing a 2-story addition with a 2-car attached garage on their home and he displayed a floor plan of the addition. He stated they would like to turn the existing garage into a home office and place a 2-car garage to the east of the existing house. He also stated that an addition will occur on the back side of the home as well as a screened-in porch. Mr. Witt stated that due to the location of the house on the lot, the petitioners are unable to build a standard 2-car attached garage on the property in the front corner because variations for side yard setbacks would be required. He added that the petitioners could potentially build a detached garage in the rear yard, however, the amount of

impervious surface would almost be doubled and there would be a loss of mature trees and green space. He stated that the petitioners feel the requested variation is the minimum request possible as it allows for only the minimum width for a standard 2-car garage and nothing more under the variation.

Mr. Witt stated the Village had some concerns regarding water drainage on the property. He stated that the topo maps the Village has indicate that water flows across the property adjacent to the 677 property and onto the 675 property. He stated a particular concern is that the addition may block this overland flow of water so the Village Stormwater Engineer reviewed the proposed plans which Mr. Witt displayed. He added that the concept would be that the water that is flowing over land in the northwest direction would be captured by a swale that would be created between the addition and the property line taking that water all the way to the front of the street. He stated there is a unique aspect to this as the petitioners have worked closely with the Public Works Department trying to relocate the driveway that is currently located in one area and try to place it between two parkway trees as well as maneuver around an existing tree and snake the driveway around each of the trees to gain access to the garage. He added that even though Public Works needs more information to finalize the drawings on this project, they are comfortable with what is being proposed at this time. Mr. Witt stated that in order to construct the addition as presented on the plans, the petitioners need a variation from the side yard setback requirements of the Zoning Code to allow a 4.75-foot side yard setback in lieu of the required 7.5-foot side yard setback and he displayed a diagram of the addition. He added that the impervious surface setback of 2-1/4 feet will be maintained by the placement of the addition. He stated that the property owners are requesting approval of the variations from Section 10-4-8(D)3 to allow the construction of a two-story addition on the house with a side yard setback of approximately 4.75 feet on the east side in lieu in lieu of the minimum 7.5 feet required side yard setback as well as any other zoning relief necessary upon review of this project.

Mr. Witt stated that notice of the public hearing was published in the April 20, 2017 edition of the Daily Herald and mailed to property owners within 250 feet of the subject property and a placard was placed on the property. He also stated that there are no records of any prior zoning variations granted for this subject property. He stated that the home was built in 1949 and several permits have been issued, however, most of the permits do not correspond to the proposed variation request. He added that an addition was added most likely to the rear of the property in 1950.

#### Questions from the Zoning Board of Appeals

ZBA Member Whalls stated that the swale has a 5-foot difference from south to north and he expressed concern regarding the neighbor to the east. Mr. Witt responded that the swale starts at approximately 779 and by the time it reaches the front of the neighbors' house, it is approximately 776 which is approximately a 3-foot drop. He added there is approximately a

1-foot drop along the length of the garage, another foot about 3/4 of the way up to the neighbors' house and another foot to go another approximately 8 feet plus or minus past the front of the neighbors' house. ZBA Member Jones asked if the sidewalk currently located in the petitioners' front yard where their driveway will be and the sidewalk across the street will both be removed and Mr. Witt responded yes. Mr. Witt also responded to ZBA Member Jones that he believes the petitioners will not be required to install fire sprinklers for this project. Mr. Witt estimated for ZBA Member Jones that the setback off the lot line for the home to the east is approximately 9 to 10 feet and the lot dimension is approximately 75 feet. ZBA Member Constantino asked if the width of the proposed garage is the average size of a 2-car garage. Mr. Witt responded that a typical 2-car garage is generally 22 feet x 24 feet and the proposed garage is being shown as 20 feet 10 inches x 24 feet 2 inches which is slightly smaller than the average garage. Acting Chairperson Micheli asked at what point the swale would fail because water is being channeled through there causing the neighbors' properties to flood. Mr. Witt responded that should occur every 100 years, however, it seems to occur more often in recent years.

#### Petitioners' Presentation

Kevin German, owner of the property at 675 Revere Road, and Steve Poteracki, architect, Studio 1 Architects, 1105 Burlington Avenue, Western Springs, IL were present to speak on behalf of a variation request for a two-story addition on the east side of the subject home at 675 Revere Road. Mr. Poteracki stated that the best location for a garage on the subject site is on the east side of the home and that the requested garage is the minimum size garage that could be built based on the location of the house and the lot line. He added that building a garage in the rear yard made no sense due to the amount of impervious surface there. Mr. Poteracki stated they have worked with the Village regarding drainage flow at the site and that the Village Engineer feels that the swale at that location will not fill up and overflow to the neighbors.

#### Additional Questions from the Zoning Board of Appeals

ZBA Member Whalls asked if the petitioners had considered building a second garage in the rear yard, however, Mr. Poteracki responded that additional impervious surface would be created by that design and their goal was to not have garages on both sides of the property. Mr. Poteracki responded to ZBA Member Panther that the existing garage will be converted to a room. ZBA Member Jones asked if the petitioner had considered building a side-load garage at the front of the house in order to meet the 7-1/2-foot setback. Mr. Poteracki responded that probably would be an option, however, they do not want an attached garage in front of the home and would also like to be essentially in character with the neighborhood. Mr. Poteracki responded to ZBA Member Jones that a tandem garage could work, however, they are not interested in a tandem garage because tandem garages are not as functional as standard 2-car

garages. Mr. Poteracki responded to ZBA Member Jones that the second floor of the proposed addition could perhaps be softened to meet the code, however, esthetically the look might be "hodge-podgey." ZBA Member Constantino asked Mr. Witt if the width of the garage could be reduced any more than the 20.10 feet listed on the grading plan. Mr. Witt responded that a 16-foot garage door would need to be used with two feet of wall on either side to provide stability for the front of the house at that location which would leave 10 inches. Mr. Poteracki confirmed for ZBA Member Whalls that the garage door is 18 feet which leaves approximately 1 foot 5 inches for support for the garage and that an engineer will be hired to stabilize the garage door. Mr. Poteracki responded to ZBA Member Whalls that there was concern from the neighbors to the east regarding drainage and hopefully that has been remedied via the engineer. ZBA Member Whalls stated that the swale is fine. Mr. German stated that the neighbors to the northwest were fine with the project and the neighbors to the east were present at this meeting. Although in favor of most of the proposed project, Acting Chairperson Micheli asked if it was possible to soften the project by reducing the depth to have it farther from the street. Mr. Poteracki responded that the addition could be pushed back a little without harming the project although true functionality could be lost by pushing it back too far. ZBA Member Whalls asked if Mr. Witt had a proposed swale or topo or any other information as far as the rim of the swale being below the rim of the petitioners' cellar. He added that if that rim ended even an inch above Mr. German's rim, there would be an issue on Mr. German's property. Mr. Witt responded that the ground has dropped approximately three inches from what it currently is.

Mr. Witt responded to ZBA Member Jones that the petitioners' garage floor is 778 and the stairwell is 775.12. He also responded that the existing grade is 777.5 which is the width mark. Mr. Witt stated that a concern is the elevation of the sidewalk level which is consistent with the top of the top stair which is slightly higher than grade at that point. He added that according to the swale shown on the proposed drawing, there would be an approximate 3-inch drop from that location to about 2-1/2 feet away. Mr. Witt responded to Trustee Liaison Senak that the relationship of the height of the existing sidewalk and the proposed driveway is 778.1 and 777.5 at the front of the house. He added that the elevation mark of the swale at the base is 778 and the pavement on the garage would typically drop down about a half-inch. Trustee Liaison Senak asked if the proposed driveway is higher or lower than the sidewalk. Mr. Witt indicated a point at which the driveway elevation is 777 and another point where the sidewalk is about .57 feet higher than the driveway. He also stated that the door at the basement is at 770. Trustee Liaison Senak expressed concern regarding where the water will flow when the swale overtops and stated ideally it should go onto the neighbors' driveway and out to the street. He added that if the driveway is kept lower than the sidewalk with the swale, the swale will handle it. Trustee Liaison Senak asked if this could be engineered in a way to accomplish the driveway being below without the design being affected. ZBA Member Jones suggested having an 8-foot garage door instead of a 7-foot garage door and lowering the foundation and driveway one foot and Mr. Poteracki agreed. Mr. Witt stated that all the petitioners need to do would be to increase the pitch of the garage floor slab which would lower the foundation elevation at the

door. He added that the slab goes over the top and pavement could be set at almost any elevation to accomplish Trustee Senak's suggestion.

ZBA Member Panther asked if the petitioners had considered minimizing the deck as it will be very close to the proposed garage. Mr. German responded that the situation is not ideal but is acceptable.

ZBA Member Jones questioned how snow would be removed from the subject driveway and ZBA Member Whalls explained how he removes snow in his similar situation.

#### Persons in Favor of or in Opposition to the Variation Request

Eric and Anne Gaertner, who live at 677 Revere Road, Glen Ellyn, Illinois, are the petitioners' neighbors to the east. Mr. Gaertner stated he and his wife are supportive of what the Germans want to do, however, their main concern is water. Mr. Gaertner stated that Revere Road is on a hill and he displayed and described fourteen (14) photographs of the area, some of which showed water in the area. He also described how water in the area flows. Mr. Gaertner stated they have never had flooding during the 21 years they have lived in their home and they want to be sure they do not have flooding in the future. Mr. Gaertner responded to Trustee Liaison Senak that they have water as indicated in the photographs several times per year in varying degrees. Mr. Gaertner stated that he is glad to hear the petitioners are designing a swale and stated he does not want to be negatively impacted by his neighbors' design. Ms. Gaertner also wanted to be sure that the location of the gutters/downspouts on the petitioners' property are thought through. She also stated that she wanted to be sure that water will go through the fence in the petitioners' back yard. Ms. Gaertner asked if there will be a downspout on the corner gutter near the cellar door and Mr. Poteracki responded yes, adding that it would be pulled out as far as possible to the street below ground and moving above ground at some distance away from the house. ZBA Member Whalls suggested that the petitioners add some grates to the side of the house in order to tie into the storm sewer which would allow the properties to be very dry. Mr. Poteracki responded to ZBA Member Whalls that gutters will be on the north and south sides of the house and the downspouts will run down the northeast corner most likely on the south and the north. He also stated that some of the water has been re-directed to a swale that will go out to the storm sewer, and ZBA Member Whalls added that the gutters on the northeast and southeast sides can be tied under and be put into the storm which would be very helpful.

#### Findings of Fact

ZBA Member Constantino stated that Kevin and Erin German, the owners of 675 Revere Road, are seeking a variation from Section 10-4-8(D)3 of the zoning ordinance to allow a side yard setback of 4.75 feet in lieu of the required minimum 7.5-foot setback on the east side of their property. He stated that Building and Zoning Official Steve Witt described the subject property

as an interior lot in the R2 zoning district on the south side of Revere Road between Exmoor and Montclair Avenues. He added that the zoning and land use immediately surrounding the subject properties are R2 Single Family Residential and CR Conservation Recreation. ZBA Member Constantino also stated that Mr. Witt stated there is an adequate space on the east side of the existing home for constructing a larger garage and the plan calls for a two-story addition, including a two-car garage versus an existing one-car garage. He stated that the plan calls for the garage to be placed on the east side of the house which has additional space that would be needed for the two-car garage. ZBA Member Constantino stated that the general topography is such that water flows onto the property from the east. He added that the Village Engineer has reviewed plans for drainage and the owner intends to create a swale to take water to the front of the lot to go around the addition. He also stated that Public Works has reviewed the plans with the new driveway and are generally supportive but subject to the final plan submission. He stated that Mr. Witt believes the house to the east is approximately 9 feet east of the lot line. He also stated that an average garage is 22 feet x 24 feet and the proposed garage is 20.1 feet.

ZBA Member Constantino stated that Architect Steve Poteracki of Studio One Architects offered various options and felt the best location for an addition was on the east side of the existing structure. He stated that the petitioners would like to place the minimum size garage on the property but would like to maintain the utility and functionality of a standard garage. He stated they considered placing the garage in the rear of the subject property, however, that was not a good option because of the loss of trees and additional impervious surface being created and loss of area in the rear lot. ZBA Member Constantino stated that drainage issues were addressed with the Village Engineer who believes that the proposed swale would adequately move water to the front and would not overflow onto the neighbors' property. He stated the petitioners did not consider a one-car garage or a second one-car garage in the rear as it would create more impervious surface. He also stated they did not consider a side-load garage as it would not be in keeping with the neighborhood. He stated they would not be able to build farther out toward the front of the lot toward Revere Road. He stated they considered a tandem garage but did not see it as functional as a two-car garage. He stated that the petitioners agreed that the setback would also extend to the second story and they would not want to reduce the size of the second story to create a 7-1/2-foot setback on the second floor because it would not be aesthetically proper in light of the surrounding properties. He stated that Mr. Poteracki said if they pushed the garage more to the south (to the street) and reduced the area to the front, the garage would be less of a standard garage.

ZBA Member Constantino said that Eric and Anne Gaertner, owners of the property to the east at 677 Revere Road, are generally in favor of the proposed construction and are most concerned about water flow and stormwater drainage. He stated that the current swale between the two houses appears adequate with no flooding during the times they have been there. He added that the general topography creates a water flow from east to west, mostly in the rear of the properties, and eventually out to Revere Road. He added that with heavy rains,

the ground becomes very saturated and there will be pooling of water a couple of times a year. Their concern is that if there is any new construction with a garage being built on the site, the current swale will be reduced and will affect the current drainage. He added that the main concern is to ensure that adequate planning and construction are made on site so as not to reduce the drainage they experience. He added they do not want to be negatively impacted by the new construction and the reduced drainage area and stated they just want to be sure this is a properly engineered project.

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

#### Comments from the Zoning Board of Appeals

ZBA Member Constantino stated that a tremendous amount of planning has gone into the project. He stated that the main concern appears to be the stormwater drainage and how to address it. He was struggling regarding a hardship for the subject property as not everyone is entitled to a two-car garage by a matter of right. He added that a detached garage in the rear would create a loss of trees, a loss of area and an increased impervious surface. ZBA Member Constantino stated that generally he would be in favor of recommending granting the subject variation subject to the condition that there be additional plans and adequate engineering to create a swale that will be able to handle the stormwater adequately to avoid any negative impact on the properties.

ZBA Member Jones did not see a hardship related to the proposed project, adding that the petitioners could build a side-load garage and would need to receive a variance but not for an encroachment which creates a problem with the water. ZBA Member Jones stated his issues would be water and fire. He stated they would be 3 feet closer to the neighbor with the encroachment and, therefore, in order to be in favor of the variation, he would want to see the driveway located below the lip of their stairwell and sprinklers installed in the house.

ZBA Member Panther stated that he recognized the efforts to preserve the trees and the open space in the rear yard. He felt that what is being proposed creates the least amount of impervious area that would be required for the building of the 2-car garage and said he recognizes that this is the minimum size for creating a functional 2-car garage. He stated he is supportive of granting the requested variation with the caveat that there is some sort of improvement to the drainage to address the neighbors' concerns. He also wondered if the crosswalk on the north side of Revere Road could remain instead of being removed. Trustee Liaison Senak responded that issue can be taken up with the Village engineers.

ZBA Member Whalls felt that the petitioners have shown a lot of effort to do what is best regarding the impervious surface. He stated that he would like to include in the motion putting in a storm sewer system on the east side of the house with as many grates as the Village deems

necessary (probably two) and to tie the northeast and southeast gutters into that underground which he felt would eliminate any future issues.

Acting Chairperson Micheli stated he does not readily see the hardship and practical difficulty however, taking everything as a whole, such as looking at keeping within the character of the neighborhood and making adjustments to keep within the character of the neighborhood, he is borderline but the addition of the storm sewer system and tying gutters in is helpful. He also expressed concern regarding the distances between homes being narrowed. ZBA Member Jones responded to Acting Chairperson Micheli that he did not like that the home will be 4-1/2 feet from the neighbor on both the first and second floors, adding that the garage is on the first floor but there is no hardship for the second floor. ZBA Member Constantino responded to Acting Chairperson Micheli that he does not see the 4-1/2-foot side yard as being as large of a problem as the drainage.

#### Motion

The petitioner decided to continue this request to the next ZBA meeting when more members would be present. ZBA Member Jones moved, seconded by ZBA Member Panther, to continue the meeting to the next ZBA meeting.

The motion carried unanimously with five (5) yes votes as follows: ZBA Members Jones, Panther, Constantino, Whalls and Acting Chairperson Micheli voted yes.

#### Trustee Report

Trustee Liaison Senak stated that the swearing in of the new President and Trustees occurred at the last Village Board meeting. He stated that the 825 N. Main project was the subject of a number of meetings and was approved at one of the Village Board meetings.

#### Chairperson Report

No Chairperson Report was given.

#### Staff Report

Mr. Witt stated that the variation from this meeting will be continued at the next ZBA meeting.

ZBA Member Jones moved, seconded by ZBA Member Whalls, to adjourn the meeting at 8:51 p.m. The motion carried unanimously by voice vote.

Submitted by:

Barbara Utterback  
Recording Secretary

Steve Witt  
Building and Zoning Official