

APPROVED

**VILLAGE OF DOWNERS GROVE  
ZONING BOARD OF APPEALS MINUTES  
February 23, 2022**

**CALL TO ORDER:**

Chairperson (Ch.) Peter Foernssler called the meeting to order at 7:00 PM.

**ROLL CALL:**

**AYE:** Ms. Eberhardt, Mr. Frost, Mr. Maier, Ms. Ehlers, Mr. Schwartzers,  
Ch. Foernssler  
A quorum was established.

**Staff:** Jason Zawila, Planning Manager  
Gabriella Baldassari, Development Planner

**Also Present:** Sarah Diehl, 4908 Cornell Avenue Downers Grove, IL

**MEETING PROCEDURES:**

Ch. Foernssler asked those in attendance to silence their phones for the duration of the meeting. He reviewed the procedures to be followed during the public hearing.

**APPROVAL OF MINUTES – January 26, 2022**

**A Motion was made by Mr. Maier, seconded by Mr. Schwartzers to accept the minutes as presented.**

**Ch. Foernssler called for a Voice Vote. The Motion carried 6:0.**

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**22-ZBA-0002: a petition seeking a zoning exception to horizontally extend a non-conforming wall. The property is currently zoned R-3, Residential Detached House 3. The property is located on the west side of Cornell Avenue, approximately 600 feet south of Prairie Avenue, commonly known as 4908 Cornell Avenue (PIN 09-07-106-031). David and Sarah Diehl, Petitioner and Owner.**

**Staff Presentation:**

Gabriella Baldassari, Development Planner, stated that this request was for a horizontal zoning exception for 4908 Cornell Avenue, 22-ZBA-0002. Ms. Baldassari presented slides demonstrating elevations and a site plan depicting the non-conforming walls and their proposed extensions.

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The proposal includes a horizontal zoning exception to allow for a 10-foot building wall extension on an existing house to be 5.2 feet from the north property line where a 6-foot setback is required per Section 28.2.030 of the Zoning Ordinance. The extension will include newly proposed windows which will be on the rear of the home and will not directly overlook an abutting lot. Staff supported the petition and found that it meets the standards.

Mr. Schwartzers asked when the setback changed from a five to a six foot side interior setback for that lot.

Ms. Baldassari explained that the setback likely did not change. Instead she noted that it is possible that this structure could have been built prior to this parcel being annexed into the Village of Downers Grove. Mr. Zawila also noted that different neighborhoods have different densities and so the setbacks can vary based off of that. Additionally, he noted that the horizontal exception process allows for minor extension of nonconforming walls, as outlined in the Zoning Ordinance, as opposed to a straight variance.

Ch. Foernssler agreed that he had the same question considering the home looked like it was recently built.

Ms. Eberhardt asked what year the home was built. Ms. Diehl, the property owner, added that the home was built in 1992 and that they moved there in 2002.

Ms. Eberhardt asked if the property owner had received any feedback from their neighbors. Ms. Diehl stated that her neighbors asked about the sign on the lawn and what they were proposing to construct. Ms. Baldassari explained that no one had contacted staff with any comments regarding the petition.

Mr. Schwartzers asked if the proposed work was a two-story addition. Ms. Diehl explained that the addition was limited to the rear and it was a one-story addition.

Mr. Schwartzers asked if only the small yellow section of the horizontal extension was what was being reviewed tonight. Ms. Baldassari confirmed that was correct.

Mr. Schwartzers asked if there were any stormwater drainage concerns. Ms. Baldassari explained that when the plans are formally reviewed for a building permit, the development engineers would review the proposal to ensure it is compliant with the Stormwater Ordinance.

Mr. Maier asked if an additional variance would be required for the existing building wall and newly proposed windows on that wall considering that wall was nonconforming and the windows proposed were not transom windows. Mr. Zawila explained that the transom requirements only apply to an extension of a nonconforming wall. Mr. Maier asked if because the wall was already there that meant that windows could be replaced on that nonconforming wall. Mr. Zawila confirmed that was correct.

### **Petitioner's Statement:**

Ms. Diehl explained that the reason for the petition was because they had lived in this home since 2002. At the moment their family included three children. They considered moving but they enjoyed

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living on that street and did not want to leave the neighborhood. The hope for the addition was that they would be able to have an enclosed courtyard that would allow for some privacy.

Ch. Foernssler called for any comments from the public. Hearing none, he closed the public comment period.

**Deliberation:**

Mr. Maier explained that the board had seen very similar petitions in the past and noted that all of the criteria that is normally reviewed was met. As such, he concluded that it was a very straightforward case.

Ms. Eberhardt said that the petition was a fabulous example of keeping people in the neighborhood and improving what was there and so the proposal fit with the Comprehensive Plan.

Ch. Foernssler agreed that the proposal was a fine improvement and example of what was seen in the past.

Ms. Ehlers thanked staff for their hard work with the petition.

Mr. Zawila credited the effort to Ms. Baldassari.

There being no further deliberation, Ch. Foernssler called for a motion.

A Motion was made by Mr. Frost seconded by Ms. Schwartzers that based on the petitioner’s submittal and analysis presented by staff, the Zoning Board of Appeals approves staff’s recommendation to deny the variance request.

**AYE: Ms. Eberhardt, Mr. Frost, Mr. Maier, Ms. Ehlers, Mr. Schwartzers,  
Ch. Foernssler**

**NAYS: None**

**The Motion to approve carried unanimously, 6:0:0.**

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**Adjournment**

**Ch. Foernssler adjourned the meeting by voice vote at 7:18 PM.**

Respectfully submitted,  
Community Development Staff  
(Transcribed from mp3 recording)