

**VILLAGE OF DOWNERS GROVE
ZONING BOARD OF APPEALS MINUTES
August 28, 2019**

CALL TO ORDER:

Chairperson (Ch.) Michael McCann called the meeting to order at 7:00 PM.

ROLL CALL:

Present: Ms. Eberhardt, Mr. Frost, Mr. Maier, Mr. Steffes, Mr. Foernssler,
Ch. McCann

Absent: Mr. Werner

A quorum was established.

Staff: Gabriella Baldassari, Development Planner
Stan Popovich, Director, Community Development

Mr. and Mrs. Hamelka, 5104 Dewitt Lane, Downers Grove

MEETING PROCEDURES:

Ch. McCann 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, noting that there was one petition before the Board for consideration. He verified with Staff that the proper notifications had been made regarding posting of the petition, and noted that members of the Zoning Board of Appeals have had an opportunity to review the materials provided by Staff and in some cases have visited the site in question. He explained that in order for a requested variation to be approved there must be a majority of four votes in favor of approval. Ch. McCann called upon anyone intending to speak before the Board on the Agenda item to be sworn in, as the public information portion of the meeting is an evidentiary hearing and comments made during this portion of the meeting are considered testimony. He explained that Staff would make its presentation first, followed by comments by the Petitioner. If anyone in the audience wishes to speak either in favor of or in opposition to the petition, they would have the opportunity to do so following the Petitioner's presentation. When the public participation portion of the meeting is closed, the Board will deliberate on the information provided and vote to either approve or deny the petition.

APPROVAL OF MINUTES – May 22, 2019

A Motion was made by Ms. Eberhardt and seconded by Mr. Maier to accept the minutes as presented.

AYES: Ms. Eberhardt, Maier, Mr. Frost, Mr. Steffes, Mr. Foernssler, Ch. McCann

NAYS: None

The Motion carried 6:0.

19-ZBA-0003: A petition seeking a zoning exception for horizontally extending a non-conforming wall. The property is currently zoned R-3, Residential Detached House 3. The property is located at the northwest corner of the Dewitt Lane cul-de-sac, commonly known as 5104 Dewitt Lane, Downers Grove, IL. (PIN 09-07-402-011) Claire Hamelka, Petitioner and Owner.

Staff Presentation:

Ms. Gabriella Baldassari, Development Planner, stated that the petitioner is seeking a horizontal zoning exception to allow for a six-foot wall extension for an existing house to be 23.14 feet from the south property line where a 28.5-foot setback is required per Section 2.030 of the Zoning Ordinance. She showed a display of where the addition is intended, and the existing façade. The existing wall is 40' with a maximum extension of six feet being requested. Ms. Baldassari said that the Standards of Approval for granting the horizontal exception have been met, including compliance with the Village's Comprehensive Plan. She noted that based on the criteria presented in the slide presentation and explained in pages 2-4 of Staff's Report dated August 28, 2019, Staff finds that the petition complies with the criteria for zoning exceptions as well as alterations and expansions and therefore recommends that the members of the Zoning Board of Appeals approve the horizontal exception as requested.

In response to Ch. McCann, Ms. Baldassari stated that notifications were sent to the neighbors, as well as signage placed on the property and notification made in the newspapers. No negative comments were received relative to the petition.

Ms. Eberhardt asked about the ruling on the encroaching roofline. Ms. Baldassari said that the roofline is included in the exception, and the eave extension is a permitted encroachment. Stan Popovich, Director of Community Development, added that the front porch to the west of the exception is also a permitted encroachment.

Petitioner's Statement:

Mr. Hamelka, owner of the property and petitioner, stated their home is on a cul de sac. He showed elevation drawings of the home and the area where they intend to extend the kitchen. They intend to replace the mudroom as part of the kitchen extension. They will also remodel other interior portions of the home. They are in compliance with the Village's regulations and zoning rules, and have had the addition designed so as not to negatively impact the existing character of the neighborhood. He noted that neighbors have seen the signage in front of their home, and have been supportive of the Hamelkas' plans for their home. He requested a positive response from the Board.

Ch. McCann clarified that the exception is on the south wall, and Mr. Hamelka said that was correct.

There being no further comments, Ch. McCann closed the public portion of the meeting to Board deliberations on a voice vote.

Deliberation:

APPROVED 9-25-2019

Ch. McCann explained that some of the discussion was focused on things not necessarily relevant to the subject petition, but since there are more petitions similar to this coming forward the Board is attempting to assure that its decisions are consistently applied to all requests.

Comments made were that the plan was well thought out, seemed relatively cut and dry, and there were no negative comments.

Mr. Frost moved that the Board adopt the findings of the Staff and moves to recommend approval of the project. Mr. Foernssler seconded the Motion.

AYES: Mr. Frost, Mr. Foernssler, Ms. Eberhardt, Mr. Maier, Mr. Steffes, Ch. McCann.

NAYS: None

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

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Adjournment

Mr. Frost moved, seconded by Mr. Maier, to adjourn the meeting.

Ch. McCann adjourned the meeting by voice vote at 7:26 PM.

Respectfully submitted,

Tonie Harrington
Recording Secretary
(transcribed from mp3 recording)