

**VILLAGE OF DOWNERS GROVE  
ZONING BOARD OF APPEALS  
MARCH 23, 2016 MINUTES**

**Call to Order**

Chairperson Earl called the meeting to order at 7:00 PM.

**Roll Call**

**Present:** Mr. Domijan, Ms. Eberhardt, Mr. Kulovany, Ms. Majauskas, Mr. McCann, Mr. Werner, Ch. Earl

**Absent:** None

**A quorum was established.**

**Staff:** Rebecca Leitschuh, AICP, Senior Planner  
Swati Pandey, Village Planner

**Also Present:** Shannon Clayton, Petitioner and Owner

**Minutes of November 18, 2015 meeting**

**Mr. Kulovany moved, seconded by Mr. Werner, to approve the minutes of the November 18, 2015 meeting as presented.**

**All in favor. The Motion passed unanimously.**

**Meeting Procedures**

Chairperson Earl asked those in attendance to silence their phones. She explained the function of the Zoning Board of Appeals, and reviewed the procedures to be followed during the public hearing, verifying with Staff that all proper notices have been published with regard to the case on the Agenda. She 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. In order for a requested petition to be approved there must be a majority of four votes in favor of approval. Chairperson Earl added that the Zoning Board of Appeals has authority to grant petitions without further recommendations being made to the Village Council. She called upon anyone intending to speak before the Board on the Agenda item to rise and 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. She said that Staff would make its presentation first, followed by comments by the Petitioner. She added that if anyone in the audience wishes to speak either in favor of or in opposition to the petition, they would be able 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.

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**16-ZBA-0003:** A petition seeking a zoning exception to vertically extend a non-conforming wall. The property is currently zoned R-4, Residential Detached House 4. The property is located on Parkway Drive, approximately 100 feet east of Linscott Avenue and is commonly known as 1217 Parkway Drive, Downers Grove, IL (PIN 09-07-217-013). Shannon Clayton, Petitioner and Owner.

**Staff's Presentation:**

Ms. Swati Pandey, Planner for the Village of Downers Grove, stated that the Petitioner is seeking a zoning exception to allow the construction of a roof dormer 2.10 feet from the east property line, where five feet is required per Section 2.030 of the Zoning Ordinance. There has been substantial interior renovation to the house. The proposed roof dormer will accommodate the third story master bedroom. The property is zoned R-4 and located north of Warren Avenue at the intersection of Linscott Avenue and Parkway Drive. The property to the east of the subject property is currently vacant. Ms. Pandey displayed the site plan for the property showing the existing setback of 2.10 feet, while a 5' setback is required. There are no changes proposed to the exterior walls of the first and second floor. The exception does not extend any further beyond the existing structure, as shown in the elevation drawings as well.

Ms. Pandey then referenced Section 11.040.C.2 of the Zoning Ordinance relating to the standards and review criteria for the exception. She said there are no windows proposed on the non-conforming wall. The addition does not obstruct any further into the required setback, and all other requirements of the Zoning Ordinance will be met. She then reviewed Items (1)-(5) of the Findings of Fact as shown on pages 2-3 of Staff's report dated March 23, 2016, which items state that all standards have been met. Ms. Pandey stated that Staff finds the standards and criteria for granting an exception have been met, and recommends approval of the requested exception subject to the following condition shown on page 4 of Staff's afore-mentioned report:

1. The vertical wall exception shall substantially conform to the staff report and architectural drawings prepared by Fiorino Architects dated December 14, 2015, except as such plans may be modified to conform to the Village codes and ordinances.

A question was raised by a Board member as to the ownership of the vacant parcel immediately to the east of the subject property. It was stated that one person owns that property which is a small parcel and may be undevelopable. It is zoned R-4.

Ms. Majauskas asked if the dormer would protrude any farther than the existing regular roofline. Ms. Leitschuh responded that it does not extend farther. Ms. Pandey said that the vertical extension of the eaves match.

Ms. Pandey further responded that the proposed siding materials would match the existing materials. She also noted that if the adjacent property were eventually sold to another party, the Village would require that the adjacent lots be subdivided into one legal lot.

Questions were raised as to the shuttered area in the proposed dormer, and Ms. Leitschuh said that the applicant has proposed the shutter to simply be a superficial treatment that would not be an operable window.

One concern expressed by a Board member was whether the Village would prevent a window from being opened on that third floor dormer should the owner decide to do that, and Ms. Leitschuh replied that code enforcement program would prevent that dormer area from being opened. If the owner were to choose to put any type of window in that dormer area, they would have to come back to the Village with a formal request.

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Ms. Eberhardt asked if the dormer complied with Table 2.2, note 4 and Ms. Leitschuh said that the Village Code standard practice looks at dormer width restrictions only on the front façade.

**Petitioner's Presentation:**

Ms. Shannon Clayton, Petitioner and homeowner of the subject property said she and her husband moved into Downers Grove in 2008. They loved the brick streets, historic homes and proximity to the Village downtown area, and moved into the Prince Pond area. Over the eight years they have resided in their home, they have outgrown the space and need an additional bedroom and bathroom, as they now have two children. They prefer to stay in their home, and invest in it by adding the dormer and staircase. Their intent is not to have a window in that room, but for aesthetic purposes they chose to have the shutters installed, which basically cover up the wall and siding, because that is what people expect to see in a dormer.

In response to a question from the Board, Ms. Clayton said that the home was built in 1898. She said she would like to obtain more information about landmarking their home.

Mr. Domijan asked whether they've contacted the homeowners to the east to acquire any additional setback. Ms. Clayton said they have informed the homeowner of their plans and the neighbor is not ready to sell the property at this time.

Ms. Clayton said that she believes that the subject property was originally a barn, based on what they have learned from neighbors and the former owner.

Mr. Domijan asked if they have considered any kind of natural light, such as a skylight, in the dormer. Ms. Clayton said that they have thought about it, but the Ordinance does not allow for a window in the area. They might consider a skylight in the future.

There being no further questions from the Board, Ch. Earl asked for comments from the public.

1. The owner of 1225 Parkway Drive said she was the prior owner of the Clayton home. They live in Prince Pond two doors away from the subject site. She said that they support the Clayton's petition, and noted that many other neighbors from Prince Pond were present in support of the petitioner. They believe this is a good idea for the property, and will keep this beautiful home salable well into the future.

2. Scott Furlane said they have lived in the area for 30 years and the Clayton's have kept the property up very well. He stated that they have no problem with the Clayton's petition.

There being no further comments, Chairman Earl closed the opportunity for further public comment.

**Board's Deliberation:**

Mr. Werner said that the petition falls within the requirements of the Code and he thinks it makes sense. Prince Pond is a beautiful area, and the home was built in 1898. This is a good way to expand the home.

Ms. Eberhardt said she appreciates the effort that was made to make this dormer look nice, even going so far as to add the shutter.

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Mr. Domijan said he agrees with the comments already made. He thinks this is a good concept and he is in favor of the exception.

Mr. McCann said this does make this a more salable house, and given the age of the house he would not like to see this become a teardown at some future time.

Mr. Kulovany added his support of this proposal, saying it is good to see the home being expanded. He noted that there was another house that had shutters instead of windows, and that was the Brady Bunch House.

Ms. Majauskas called for a Point of order saying that everyone seems to be in agreement that they like the aesthetics involved; however, that is not part of the deliberation. A lot of time has been spent on how beautiful the house is, but that is not relevant to the request before the Board.

Chairman Earl said she was pleased to see this new tool of an exception being used by the Board. She then called for a Motion.

**Mr. Domijan moved that in case 16-ZBA-0003 the Board approves the petition for a zoning exception as presented. Mr. McCann seconded the Motion.**

**All in favor, the Motion passed unanimously.**

Chairman Earl thanked the neighbors who took the time to come out and support the petition.

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Ms. Leitschuh said that, as of this date, there are no cases for next month's meeting. She noted to the Board that she has printed copies of the updated Zoning Map available for them.

**ADJOURNMENT:**

**Mr. Domijan moved to adjourn the meeting. Ms. Eberhardt seconded the motion.**

**All in favor. The Motion carried unanimously.**

Chairperson Earl adjourned the meeting at 7:44 PM.

Respectfully submitted,

Tonie Harrington  
Recording Secretary