

**VILLAGE OF DOWNERS GROVE
ZONING BOARD OF APPEALS MINUTES
May 22, 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: Jason Zawila, Planning Manager
Flora Ramirez, Development Planner
Gabriella Baldassari, Development Planner
Devin Kamperschroer, Planning Intern

Also present: Wayne Cerne, 1134 Franklin Street, Downers Grove
James Patterson, 4835 Saratoga Avenue, Downers Grove
Mr. Kevin O'Reilly, 4224 Elm Street, 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 were two petitions before the Board for consideration. He verified with staff that the proper notifications had been made regarding posting of the petitions, 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 sites 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 – January 23, 2019

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

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

APPROVED 8-28-2019

NAYS: None
The Motion carried 6:0.

19-ZBA-0001: A petition seeking a zoning exception for vertically extending a non-conforming wall. The property is located at the northeast intersection of Saratoga Avenue and Franklin Street, commonly known as 4835 Saratoga Avenue, Downers Grove, IL. (PIN 09-08-107-009) James and Juliana Peterson, Petitioners and Owners.

Staff Presentation:

Ms. Flora Ramirez, Development Planner, stated that the petition is for a zoning exception for property located at 4835 Saratoga Avenue, northeast of Franklin and Saratoga. Ms. Ramirez provided a slide presentation showing the location of the property, as well as photos of the home and elevation drawings. The south elevation is the area of the home to be considered, as it is a nonconformity. She said the proposal only affects a 26' vertical extension to the rear of the home. She outlined the front elevation to provide a better understanding of the portion of the property that is nonconforming. Standards of Approval have all been met, the proposal meets all applicable zoning exception regulations and the horizontal length of the existing nonconforming wall is not being extended. The proposed addition meets goals of the Comprehensive Plan as well.

Ms. Ramirez said that based upon the evidence and analysis of the petition, staff believes the standards for granting the vertical exception have been met as indicated in staff's report dated May 22, 2019. She noted that staff's recommendation for approval is subject to one condition noted on Page four of staff's afore-mentioned report.

Petitioner's Statement:

Mr. James Peterson, owner of the property and petitioner, stated he and his wife purchased the property about 3-1/2 months ago with the intention of adding two bedrooms and a bath. In response to the Chairman, he stated that there was a dormer on the second floor, which they removed. He indicated that no neighbors have objected to their plan.

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

Deliberation:

Ms. Eberhardt said the presentation was clear, and the petition meets the character of the neighborhood. She thought it was a straightforward request.

Ch. McCann said there is a section of the Code passed in 2014 that gives consideration to older housing stock in the Village. He explained that amendment to the Zoning Ordinance, which provides greater discretion to the Zoning Board of Appeals in cases such as this. He commented on the window planned for the addition, noting that it looks over the street and does not look into adjacent homes.

APPROVED 8-28-2019

Mr. Peterson said the addition would not increase the size of the footprint. The house was built in 1894. He said there is a staircase window that faces the other adjacent house however it is conforming.

Ms. Eberhardt asked whether they had considered doing a full second story, and Mr. Peterson replied that the front portion of the house had a porch at one point, and he doesn't think the front part of the house would sustain a second level. Initially they thought to leave the house exactly as it was, but they soon realized that the existing bedroom space for college-aged children was not sufficient.

There being no further comments, Ch. McCann called for a Motion.

Ms. Eberhardt moved that the Board recommend approval of the requested exception based on Staff's findings and analysis, subject to the following condition listed on page 4 of Staff's report dated May 22, 2019:

- 1. The vertical wall exception shall substantially conform to the Staff Report and architectural drawings prepared by IJM Architects, dated March 27, 2019 except as such plans may be modified to conform to Village Codes and Ordinances.**

Mr. Maier seconded the Motion.

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

NAYS: None

Motion carried 6:0

.....

19-ZBA-0002 – A petition seeking a zoning exception for vertically extending a non-conforming wall. The property is currently zoned R-4, Residential Detached House 4. The property is located approximately 225 feet south of the intersection of Elm Street and 41st Street, commonly known as 4224 Elm Street, Downers Grove, IL (PIN 09-05-120-013) Kevin O'Reilly, Petitioner and Owner.

Staff's Presentation:

Mr. Devin Kamperschroer, Planning Intern, said that the home is located four houses south of 41st Street on the west side of Elm Street and is a one-story home, which the petitioners are seeking to expand vertically. He showed the plat of survey to indicate where the exception will occur. The owners wish to expand the one-story home into a two-story home. He noted the areas that are nonconforming, stating that no windows will be added to the second story. Standards of Approval have been met and the extension will comply with all building regulations, and the horizontal length of the nonconforming wall will not change. The Comprehensive Plan goals for improvement to existing properties are met. Based on analysis of the petition, staff believes the standards and criteria for granting the horizontal exception have been met, and recommends approval subject to the condition stated in Page 4 of Staff's Report dated May 22, 2019.

Ch. McCann asked about the neighbor to the north and whether they have a similar 5.5' setback. Mr. Kamperschroer said that there is a setback of about 5.5' between the homes. The petition is consistent with the neighborhood.

APPROVED 8-28-2019

Petitioner's Presentation:

Mr. Kevin O'Reilly, homeowner, said that they have been residents of the Village for over 13 years and did not want to move. They want to increase bedroom and bathroom space for their family. Their neighbors approve of their plans to expand the home. In response to Ch. McCann he said that the neighbors are aware of the tight space of their existing house, and are excited at the prospect of the improvement to the property. He verified that the wall adjacent to neighbors will have no window. He said he thinks the home was built in 1948.

There being no further comments, Ch. McCann moved to deliberation based on voice vote.

Deliberation:

A comment was made as to the initial thought that this addition would dominate the neighborhood; however, no neighbors appeared to oppose the petition.

Ch. McCann said there are several factors that come to mind, one being that the neighboring property is also a two-story home, and the plan is consistent with the wording of the Village Code. He noted that the nonconformity is less than one foot.

Ch. McCann called for a Motion.

Mr. Maier moved to approve the petitioner's request for a vertical wall exception, subject to the following condition shown on Page 4 of Staff's Report dated May 22, 2019:

1. The vertical wall exception shall substantially conform to the Staff Report and architectural drawings prepared by Brian McNichols Architect, dated May 7, 2019, except as such plans may be modified to conform to the Village Codes and Ordinances.

Mr. Foernssler seconded the Motion.

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

NAYS: None

Motion carried 6:0

New Business:

Planning Manager Jason Zawila noted that new Village ID cards were distributed to the Board, and asked if anyone did not receive their card to contact him. He also introduced the recently hired Development Planner, Gabriella Baldassari.

Adjournment

Mr. Frost moved, seconded by Ms. Eberhardt, to adjourn the meeting.

Ch. McCann adjourned the meeting by voice vote at 7:37 PM.

Respectfully submitted,

Tonie Harrington

APPROVED 8-28-2019

Recording Secretary
(transcribed from mp3 recording)