

**VILLAGE OF DOWNERS GROVE
ZONING BOARD OF APPEALS MINUTES
September 26, 2018**

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, Ch. McCann

Absent: Mr. Werner

A quorum was established.

Staff: Flora Ramirez, Village Planner, Stan Popovich, AICP, Director of Community Development

Also present: Don Rickard, 4735 Main St., Downers Grove, IL
Amy Gassen, 5320 Benton Ave., Downers Grove, IL
David Johnson, 5336 Blodgett, Downers Grove, IL
Mr. Michael Faust, 5335 Blodgett Avenue, Downers Grove, IL
Robert Jankovic, 5333 Benton Avenue, Downers Grove, IL
David Johnson, 5336 Blodgett Avenue, Downers Grove, IL
Doug Sandberg, 6728 N. Seeley Avenue, Chicago, IL

APPROVAL OF MINUTES – May 23, 2018

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

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

NAYS: None

The Motion carried unanimously.

MEETING PROCEDURES:

Ch. McCann asked those in attendance to silence their phones for the duration of the meeting. He then 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. 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 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. 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

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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.

18-ZBA-0005: A petition seeking a zoning exception to vertically extend two non-conforming walls for a second story addition. The property is currently zoned R-2, Residential Detached House 2. The property is located 70 feet to the south of the intersection of Blodgett Avenue and Summit Street, commonly known as 5335 Blodgett Avenue, Downers Grove, IL (PIN 09-08-417-011). Michael and Michelle Faust, Petitioners and Owners.

Staff Presentation:

Village Planner Flora Ramirez stated that the petitioners are requesting two zoning exceptions at property located at 5335 Blodgett Avenue in order to construct a second floor addition to the existing home. She displayed a photo of the site and plat of survey which showed that the northernmost wall is set back 4.81 feet at the west end, and 5.42 feet at the east end from the north property line where a 7-foot interior side yard setback is required. In addition, the westernmost wall is set back 33.52 feet at the north end, and 33.44 feet at the south end, where a 35-foot setback is required from the west property line. She pointed out on the slide display where the setbacks would fall if the property were conforming. Ms. Ramirez displayed the side and front elevations depicting the required setbacks, and the sections of the addition that do not comply with the requirements.

With regard to the addition, there are no proposed windows within the non-conforming north vertical wall extension. The windows permitted on the west vertical wall extension allow views onto the public right-of-way and not onto an abutting lot occupied by a detached house.

Ms. Ramirez noted that in reviewing the Standards for Approval, Staff has found that the requested exceptions meet the standards and criteria for approval. She said that the exceptions are consistent and relevant to the purpose and intent of the Downers Grove Zoning Ordinance and the Comprehensive Plan. She reviewed Section 28.12.080.G Standards and Review Criteria of the Zoning Ordinance, and Section 28.11.040.C.2 Alterations and Expansions of the Zoning Ordinance, referencing pages 2-4 of Staff's report dated September 26, 2018 and titled 18-ZBA-0005, 5335 Blodgett Avenue.

A question was raised regarding windows on the second-story addition. Ms. Ramirez responded that the window on the west vertical wall extension is permitted because it allow views onto the public right-of-way and not onto an abutting lot occupied by a detached house.

Ms. Eberhardt said she noticed that the building to the north of the subject site was taller and asked how close it is to the property line and whether it was nonconforming as well. Ms. Ramirez said they looked at the setbacks and how they affect the proposal. Ms. Eberhardt said that she is concerned that the space between the buildings appears to be narrow.

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Mr. Steffes inquired about the historic setback and whether the building was conforming at the time it was built. Ms. Ramirez said that in the Village there are a handful of nonconforming structures. She is not sure what the requirements were of the Zoning Ordinance in place at the time the building was constructed.

Ms. Eberhardt asked whether there are windows on the neighboring house, and Ms. Ramirez said she was not certain.

Petitioner's Presentation

Mr. Michael Faust, 5335 Blodgett Avenue, owner of the property and petitioner, said he and his wife recently moved back to Downers Grove. They have three children enrolled in Whittier Elementary School. The Fausts are excited about making the proposed enhancements to their home, and are pleased that the immediate neighbors are in favor of the planned addition to the property. Their proposed plans for the expansion utilize the existing walls thereby encroaching on the current setback requirements of the property. The home will reflect the Victorian Bungalow style of the home that fits within the Randall Park neighborhood. They want to provide some diversity and style to the houses on their block.

In response to a question concerning building height, Staff stated that is not part of the petition. The petition relates to the vertical zoning exceptions necessary for the construction of a second floor addition on the property utilizing the existing walls.

Mr. Sandberg, architect for the petitioner, noted the height of the existing house would be raised be approximately seven feet on the north side of the expansion.

Mr. Faust said they have shown their immediate neighbors the plans for the addition, answered their questions, and the neighbors approved of the plans and are eager to see the construction begin. They did not speak with the neighbors across the street.

David Johnson, who lives directly across from the subject property, said that the only window on the property to the north that would face the newer home would be on the side of the house. Someone else said that there is also a basement window. Mr. Johnson said he has no objections to the proposed addition.

There being no further questions for the Petitioners or Staff, Ch. McCann closed the public portion of the hearing.

Board's Deliberation

Ms. Eberhardt said there were photographs in the file that show the surrounding houses a bit better. She referenced a window shown in one of the photos.

Ch. McCann said that there is some likelihood that buildings might be a bit closer than normal. He noted that neighbors did not object to the plans presented and that means a lot. He reviewed the history of the changes made to the Zoning Ordinance. He said he thinks this is a good thing for the community and is pleased to see the renovation being made. Somewhere in the code you can have a window even on an extension such as this, but you simply can't see through it. The

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skylights are a nice compromise. The reality of the petition is that they are not encroaching any more and will maintain the same footprint.

Ms. Eberhardt noted her only reservation would be the north line of the proposed addition. Ch. McCann noted the ZBA had allowed transom windows abutting adjacent properties but in this case, the only windows are the skylights.

There being no further discussion or comments among the Board members, Ch. McCann called for a Motion on the petition.

Mr. Maier moved, seconded by Mr. Steffes, that in case 18-ZBA-0005 the Board approves the request for two exceptions as recommended by Staff with the following condition:

The vertical wall exceptions shall substantially conform to the Staff report and architectural drawings prepared by Sandberg Architecture and Design Inc., dated August 20, 2018 except as such plans may be modified to conform to the Village codes and ordinances.

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

NAYS: None

The Motion passed unanimously.

New Business:

Stan Popovich, Director of Community Development, introduced new Village Planner, Flora Ramirez, who joined the Staff several months ago. Rebecca Leitschuh has moved with her family down to Champaign-Urbana. He added that Jason Zawilla has been hired to fill Ms. Leitschuh's position.

Director Popovich said there might be one more exception and one variance coming before the Board before year's end.

There being no further questions or comments Ch. McCann called for a Motion to Adjourn.

Adjournment

Ms. Eberhardt moved, seconded by Mr. Maier to adjourn the meeting. All in favor. The Motion passed unanimously by voice vote.

Ch. McCann adjourned the meeting at 7:30 PM.

Respectfully submitted,

Tonie Harrington
Recording Secretary
(transcribed from mp3 recording)