

**VILLAGE OF DOWNERS GROVE
ZONING BOARD OF APPEALS MINUTES
November 11, 2020**

CALL TO ORDER:

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

ROLL CALL:

AYE: Ms. Eberhardt, Mr. Maier, Mr. Foernssler, Mr. Frost, Ch. McCann

NAY: Mr. Werner, Mr. Steffes

A quorum was established.

Staff: Jason Zawila, Planning Manager

Also Present: Catherine Hazen

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 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 variations 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 petitions. Ch. McCann suggested that staff and the petitioner keep their comments brief in response to Covid-19.

APPROVAL OF MINUTES – February 26, 2020

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

Ch. McCann called for a Voice Vote. The Motion carried 5:0.

20-ZBA-0006: 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 on the west side of Fairmount Avenue, approximately 390 feet north of 55th Street, commonly known as 5418 Fairmount Avenue (PIN 09-08-414-023). Catherine Hazen, Petitioner and Owner.

Staff Presentation:

Jason Zawila, Planning Manager, stated that the petition is seeking a zoning exception to allow a vertical extension of an existing non-conforming wall on Fairmount Avenue in the R-4 zoning district. He showed the plat or survey and explained that a portion of the western wall is only 5.7 feet from the lot line where 5.8 feet is required. He also showed the front elevation and showed which small area was considered encroaching.

Mr. Zawila noted that the Standards for Approval for a building exception have all been satisfied. The overall proposal will meet the building and zoning requirements. In addition, the actual horizontal length of the non-conforming wall will not be increased. He provided an outline of the goals of the Comprehensive Plan, noting that the proposal falls in line with those goals by re-investing housing stock to prevent deterioration.

Mr. Zawila said that based on Staff's report dated November 11, 2020 and its analysis, staff believes the standards and criteria for granting the exception have been met subject to the condition noted on page 4 of Staff's report.

Petitioner's Statement:

Ms. Hazen, petitioner and owner, commented that her family loved the neighborhood and they were hopeful to make some additions to their home.

Ch. McCann asked if they petitioners had spoken to their neighbors about this.

Ms. Hazen said she had spoken to the neighbor to the south and would be happy to share with the neighbor to the north as they also have a friendly relationship but have not seen each other lately due to the pandemic. Mr. Zawila added this had been property noticed and there were no written comments.

Ms. Eberhardt asked how long the Hazen's lived in the neighborhood. Ms. Hazen said since 2014.

Ch. McCann pointed out that there are no other attendees, so there is no public comment.

Mr. Frost asked if the front porch is also encroaching into the street setback. Mr. Zawila said yes, it is a permitted encroachment.

Deliberation:

Ch. McCann said he liked the front porch and this was in keeping with the character of the neighborhood, and that there was no issue with any windows facing neighboring properties as is sometimes the case.

Ms. Eberhardt said it's commendable they like the neighborhood and want to expand rather than tearing down and building a new house.

Ch. McCann said he agreed it fell into the scope of typical exceptions and asked for a motion.

Mr. Frost moved that based on the analysis presented by Staff, that the Zoning Board recommends approval of the requested exception subject to the following condition:

- 1. The vertical wall exception shall substantially conform to the staff report and architectural drawings prepared by Vera Rice Architects, dated October 1, 2020 except as such plans may be modified to conform to the Village codes and ordinances.**

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

NAYS: None

The Motion to approve carried unanimously, 5:0.

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Adjournment

Ch. McCann adjourned the meeting by voice vote at 7:12 PM.

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