

DRAFT MINUTES
ZONING BOARD OF APPEALS
MINUTES
SEPTEMBER 11, 2018

The meeting was called to order by Chairperson Greg Constantino at 7:00 p.m. ZBA Members Matt Jones, Steve Lucchesi, John Micheli, Chip Miller, Tom Whalls and ZBA Student Intern Maddie Greenleaf were present. ZBA Member Reed Panther was excused. Also present were Village Planner Kelly Purvis, Recording Secretary Debbie Solomon and Village Trustee Mark Senak.

Chairperson Constantino explained the procedures of the Zoning Board of Appeals (ZBA).

MINUTES

ZBA Member Micheli moved, seconded by ZBA Member Jones, to approve the minutes of the June 12, 2018 meeting. The motion carried unanimously with a voice vote.

On the agenda was a public hearing regarding the property at 680 Grand Avenue.

Chairperson Constantino stated all members of the Zoning Board of Appeals have visited the property and are aware of the proposed plans.

A motion was made by ZBA Member Micheli and seconded by ZBA Member Whalls to open the public hearing for 680 Grand Avenue at 7:04 p.m. The motion carried unanimously with a voice vote.

PUBLIC HEARING – 864 BEMIS ROAD

MIKE AND CHRISSY CRNKOVIC ARE REQUESTING APPROVAL FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS TO ALLOW A SECOND DRIVEWAY APPROACH ON A LOT THAT DOES NOT HAVE A WIDTH OF 132 FEET FOR THE PROPERTY LOCATED AT 680 GRAND AVENUE: 1. SECTION 10-5-11 (B) 3 TO ALLOW AN EXISTING DRIVEWAY APPROACH TO REMAIN ON THE SUBJECT PROPERTY, WHICH IS NOT AT LEAST 132 FEET WIDE, AFTER A SECONDARY APPROACH HAS BEEN CONSTRUCTED. 2. ANY OTHER ZONING RELIEF NECESSARY TO CONSTRUCT THE PROJECT AS DEPICTED ON THE PLANS PRESENTED OR REVISED AT THE PUBLIC HEARING OR AT A PUBLIC MEETING OF THE VILLAGE BOARD.

(Mike and Chrissy Crnkovic, owners of the property at 680 Grand Avenue)

Staff Presentation

Village Planner Kelly Purvis was present to speak regarding the proposed variation request and was sworn in. Village Planner Purvis stated petitioners Mike and Chrissy Crnkovic are the owners of the property at 680 Grand Avenue.

Village Planner Purvis stated the petitioners are proposing variations from the Glen Ellyn Zoning Code to allow a second driveway approach as follows:

1. Section 10-5-11(B)3 to allow an existing driveway approach to remain on the subject property, which is not at least 132 feet wide, after a secondary approach has been constructed; and
2. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

Village Planner Purvis stated that the subject property is located in the R2 Zoning District on the corner of Essex Road and Grand Avenue just north of Lake Ellyn Park. Village Planner Purvis stated the zoning and land use immediately surrounding the subject property is R2 Single Family Residential and CR Conservation Recreation.

Village Planner Purvis stated notice of the public hearing was published in the August 23, 2018 edition of the Daily Herald, mailed to property owners within 250 feet of the subject property, and a placard was placed on the property.

Village Planner Purvis stated Village records indicate that there were no prior variations granted for this property, and Village records indicate that the following permits have been issued for this property: SF Residence in 1935, HVAC in 1985 and Garage, Patio, and Interior Remodel in 2018.

Village Planner Purvis showed an exterior picture of the property and stated along with an interior remodel and the construction of a new patio, Mike and Chrissy Crnkovic have constructed a detached garage and a new driveway behind their home, which is accessible from Essex Road. Village Planner Purvis stated they are proposing to leave an existing driveway in place (off of Grand Avenue), which used to provide access to the attached one-car garage on the front of the home. Village Planner Purvis stated as part of the interior remodel, the one-car garage was converted into habitable space; however, the property owners would like a place for guests to park that would allow them to enter the home from the front entrance. Village Planner Purvis stated the petitioners have suggested that it may be dangerous for guests to park in the street on Grand Avenue, at the front of the home, since it is on a corner with less

visibility. Village Planner Purvis stated Village Code will allow 2 driveway approaches when a lot is 132 feet wide; however, the property at 680 Grand Avenue has a lot width of 100 feet. Village Planner Purvis stated in order for the second driveway approach to remain, the petitioners will need to be granted a variation.

Village Planner Purvis stated a letter was received by the Planning & Development Department on September 4, 2018 objecting to the variation request. Village Planner Purvis stated an adjacent property owner is concerned that the existing driveway off of Grand Avenue will be extended into the backyard, which he feels would affect the character of the neighborhood. Village Planner Purvis stated this letter was included in the ZBA Members' packets.

Questions from the Zoning Board of Appeals

ZBA Member Miller asked if a water survey was done due to the elevation change in the property. Village Planner Purvis stated that the square footage of the driveway and garage would trigger a stormwater review. Village Planner Purvis stated that a secondary review (including the second apron) would not be required since no additional land is being disturbed as they are only asking to leave the existing driveway.

Chairperson Constantino asked if the petitioners could have a secondary driveway if the frontage on Grand Avenue was 132 feet to which Village Planner Purvis stated they could.

Petitioners' Presentation

Petitioner Mike Crnkovic was sworn in. Mr. Crnkovic stated he and his wife have been in and out of Glen Ellyn since 1989. Mr. Crnkovic stated they are happy with the location of the property and will live in the home for many years. Mr. Crnkovic stated the home needed a good deal of work.

Jamie Simoneit, Principal Architect with z+o Architecture and Interiors, was sworn in. Mr. Simoneit stated the current garage door is only 6 feet, 6 inches tall so it does not work and is obsolete. Mr. Simoneit stated they swung the garage project around to the side of the home as they would have need to take a chunk out of the hill to create an underground garage that would work. Mr. Simoneit stated they could have torn down the home, but decided to work with the property's topography and constraints instead. Mr. Simoneit stated the project is under construction, and they have had the driveway engineered two different ways, and the drainage and stormwater issues have been approved by DuPage County for both options. Mr. Simoneit stated they filed their second option which would allow a set of stairs down and an apron to remain. Mr. Simoneit stated the last 30 feet of the existing driveway is very steep, but they will eliminate this as they return the hill to its natural state. Mr. Simoneit stated they could not do a driveway around the back of the home as it would be too steep. Mr. Simoneit stated

the letter from the concerned neighbor involves the door on the back of the garage which is only for getting lawn-mowing equipment out and not to add additional driveway.

Mr. Simoneit showed a picture of the property's front elevation and stated the steepness and grade of the property necessitate these changes. Mr. Simoneit stated they will be eliminating the 65-foot run of stairs to the front door, and the intent would be that guests could park in the front of the home and still be able to go in the front door with the re-engineered steps.

Mr. Simoneit showed a rendering of the proposed front elevation and stated they would be eliminating over 51 linear feet of sidewalk in the front and keeping the apron would allow a gentle slope. Mr. Simoneit stated on-street parking is dangerous due to the curve which is why they want to keep the existing apron for guests to park on.

Additional Questions from the Zoning Board of Appeals

Chairperson Constantino asked if this project has been discussed with the neighbors. Mr. Simoneit stated they have not as they have not seen the concerned neighbor. Mr. Simoneit stated he is working with another neighbor on their property, and this neighbor is fine with the project. Chairperson Constantino asked if there was any other opposition to which Mr. Simoneit stated they have not heard of any.

Chairperson Constantino asked how many cars could park on the existing driveway. Mr. Simoneit stated this apron will accommodate one car and be only one guest parking spot. Mr. Simoneit stated they are looking to avoid the long staircase, and they will physically make it so you cannot park more than one car on this apron.

Chairperson Constantino asked if the petitioners would be willing to establish a restrictive covenant to not extend the driveway to the backyard. Mr. Simoneit stated they would be willing.

ZBA Member Lucchesi stated this will be a benefit for one guest and asked what the other benefits will be. Mr. Simoneit stated this will be a parking space off the street that will lead to the front door. Mr. Simoneit stated they will be disturbing less soil and will eliminate 25 risers off the front stairs.

Student ZBA Member Greenleaf stated she does get nervous driving around the bend on Grand Avenue as there are always a lot of cars parked there. Student ZBA Member Greenleaf stated she thinks leaving the existing driveway is a good idea.

ZBA Member Jones asked what the width is of the existing driveway. Mr. Simoneit stated it is a standard apron, but he does not have the specific width. Mr. Simoneit stated the apron will not exceed 12 feet wide.

ZBA Member Micheli asked if the length and width of the apron were submitted with the plans. Village Planner Purvis stated these were not in the submission as it is an existing driveway. Mr. Simoneit stated graphically shown, it is 32 feet in length and 13 feet wide. ZBA Member Micheli asked what the hardship is for this variance request. Mr. Simoneit stated the home would have no front presence on the street to where its address is. Mr. Simoneit stated this property is unique as there is a dramatic situation on the site due to the elevation and the hair-pin turn on the corner. Mr. Simoneit stated this would allow guests to come to the front door on Grand Avenue and give ease of access. ZBA Member Micheli asked if curb appeal is high on the list to which Mr. Simoneit stated it is. ZBA Member Micheli stated he is not sure if the petitioners have articulated a hardship for this variance as a garage on the side of the home is not unique in Glen Ellyn. ZBA Member Micheli stated he can see the desirability to leave the existing driveway, but not a hardship for this.

ZBA Member Whalls asked if they would be willing to use pavers instead of asphalt to which Mr. Simoneit stated they would.

ZBA Member Miller stated there is a unique circumstance on the property, but not a hardship. ZBA Member Miller stated the home is over 80 years old and has been the same way for years. ZBA Member Miller stated he likes the design, but the petitioners have not given anything the ZBA can use in a motion to approve the request. ZBA Member Miller stated they can't recommend this just because it makes the neighborhood look nice. Mr. Simoneit stated this would enhance the neighborhood and be a benefit to the homeowner as well. Mr. Simoneit stated the garage was unusable due to the height, and the existing driveway is very steep.

ZBA Member Micheli asked if they can grant a variance for a hardship if the hardship is self-created. Village Planner Purvis stated one of the standards for granting a variance is that the hardship was not created by the owner of the property, but a variation can be granted for a hardship or unique circumstance.

Persons in Favor of or in Opposition to the Variation Requests

George Heidenreich, who resides at 704 Grand Avenue, was sworn in. Mr. Heidenreich stated he has lived five doors north of this property for 28 years and is also representing his neighbors at 696 Grand Avenue. Mr. Heidenreich stated he is very familiar with the property. Mr. Heidenreich stated they are doing a great job on the property, and this property will be an enhancement to the neighborhood. Mr. Heidenreich stated leaving the existing driveway will not be good for aesthetics, parking issues and water issues. Mr. Heidenreich stated a parking pad in that neighborhood would not be an enhancement, and this pad would only benefit the petitioners but no one else in the neighborhood. Mr. Heidenreich stated leaving the existing driveway would also eliminate a public on-street parking spot that would have been created if the existing driveway was removed. Mr. Heidenreich stated he is aware of the water problems

in this neighborhood, and the parking pad will not help deal with the water even if they use permeable pavers.

ZBA Member Micheli stated it was good insight about the value of losing public on-street parking.

ZBA Member Miller asked if Mr. Heidenreich had anything in writing from his neighbors about their opposition. Mr. Heidenreich stated he does not currently, but the neighbors can submit this. ZBA Member Miller asked if Mr. Heidenreich would feel better if a new, full water survey was done. Mr. Heidenreich stated this would not make a difference.

Robert Hildebrand, who resides at 4 Winner's Cup Circle in Wheaton, was sworn in. Mr. Hildebrand stated he is here representing his parents Bob and Ann Hildebrand who live at 680 Essex Road. Mr. Hildebrand stated his father wrote the letter that is in the ZBA Members' packets. Mr. Hildebrand stated the previous owner of 680 Grand Avenue lived in the home into his 90's, and Mr. Hildebrand does not remember hearing any complaints from the previous owner about issues with the existing driveway. Mr. Hildebrand stated it was mentioned there are no complaints from the homeowners to the east; however, there is no home to the east, but across the street. Mr. Hildebrand stated his parents have concerns regarding the possible construction of a driveway from the northeast corner of the property around the perimeter to the southwest corner of the property which would create a drive-thru effect on the property. Mr. Hildebrand stated this drive-thru effect would be a disturbance to the neighbors and could have a negative economic effect on the neighborhood as well.

ZBA Member Jones asked if Mr. Hildebrand's father's biggest concern is a driveway into the backyard. Mr. Hildebrand stated trees would need to be removed, and a car's headlights could extend into the bedrooms at 680 Essex Road. ZBA Member Jones asked if plantings between the homes would mitigate this to which Mr. Hildebrand stated it might.

ZBA Member Micheli referred to Mr. Hildebrand's letter and stated there seems to be adequate parking on Grand Avenue. ZBA Member Micheli stated leaving the existing driveway could take 8 to 9 parking spots from the public. Mr. Hildebrand stated he thinks his father was referring to that the previous owner had no parking issues. There was a discussion about the width of the new driveway on Essex and how many public parking spots might be affected. Mr. Simoneit stated the two driveways would not take away 8 to 9 parking spots, but more accurately 2 to 3.

Chairperson Constantino stated if the variance is done as requested, they should add a condition regarding no driveway around the back of the property. Mr. Simoneit stated if a new owner of the home wanted to connect the driveways, a new variation request would have to be approved due to the amount of impervious surface that would be created. Village Planner Purvis stated this is correct. ZBA Member Miller stated if the ZBA does do a motion to recommend approval, they will add in a condition for this.

Richard Vincennes, who resides at 1107 N. Cross in Wheaton, was sworn in. Mr. Vincennes passed around pictures on the property in question and stated he is the son-in-law of the Hildebrands who live at 680 Essex Road. Mr. Vincennes stated a concrete or asphalt pad would not be in keeping the character of the neighborhood. Mr. Vincennes stated the concerns about the slope of the property and the distance of the stairs should have been planned ahead. Mr. Vincennes stated keeping the existing driveway is not a good idea and removing this driveway would open a public parking spot on Grand Avenue.

Findings of Fact

ZBA Member Jones stated that petitioners Mike and Chrissy Crnkovic, owners of the property at 680 Grand Avenue, are proposing variations from the Glen Ellyn Zoning Code Section 10-5-11(B)3 to allow an existing driveway approach to remain on the subject property, which is not at least 132 feet wide, after a secondary approach has been constructed.

ZBA Member Jones stated that the subject property is located in the R2 Zoning District on the corner of Essex Road and Grand Avenue just north of Lake Ellyn Park. ZBA Member Jones stated the zoning and land use immediately surrounding the subject property is R2 Single Family Residential and CR Conservation Recreation.

ZBA Member Jones stated notice of the public hearing was published in the August 23, 2018 edition of the Daily Herald, mailed to property owners within 250 feet of the subject property, and a placard was placed on the property.

ZBA Member Jones stated Village records indicate that there were no prior variations granted for this property, and Village records indicate that the following permits have been issued for this property: SF Residence in 1935, HVAC in 1985 and Garage, Patio, and Interior Remodel in 2018.

ZBA Member Jones stated they heard from Village Planner Purvis with the Staff Presentation. ZBA Member Jones stated the Village did receive a letter of objection from neighbor Robert Hildebrand and there were questions about a stormwater review being done.

ZBA Member Jones stated the ZBA heard from petitioner Mike Crnkovic and Architect Jamie Simoneit who have said the home will be the petitioners' main residence for years to come. ZBA Member Jones stated Mr. Simoneit spoke to the garage being substandard and not functional. ZBA Member Jones stated Mr. Simoneit said the property is a challenge due to the steep grade and elevation of the property, and the existing driveway will be replaced and regraded for easy access to the front of the home. ZBA Member Jones stated the driveway will be then designated for one car. ZBA Member Jones stated they want to keep the driveway to

help identify the home at 680 Grand Avenue so it will not be confused with the home at 680 Essex. ZBA Member Jones stated this driveway will not exceed 12 feet in width. ZBA Member Jones stated this driveway will act as a parking space as well as act as a ramp to the front stairs.

ZBA Member Jones stated the ZBA heard from members of the public. ZBA Member Jones stated neighbor George Heidenreich, who resides at 704 Grand Avenue, spoke against the variance being granted due to aesthetics and possible water problems, and this would take away from street parking. ZBA Member Jones stated Robert Hildebrand, who resides at 4 Winner's Cup Circle in Wheaton, spoke at the meeting in opposition of the variance on behalf of his father Robert Hildebrand who lives at 680 Essex. ZBA Member Jones stated Mr. Hildebrand indicated his father is concerned the two driveway approaches being connected, and a drive-thru effect happening in the yard. ZBA Member Jones stated Richard Vincennes, who resides at 1107 N. Cross in Wheaton, spoke in opposition to the variance on behalf of his father-in-law Robert Hildebrand, due to poor planning and the creation of fewer parking spots on Grand Avenue. ZBA Member Micheli stated Mr. Heidenreich also spoke about the truncation of the driveway was not in keeping with the architectural character of the neighborhood which is full of established homes by Lake Ellyn.

Motion

ZBA Member Micheli moved, seconded by ZBA Member Miller, that the Zoning Board of Appeals recommended approval of the Findings of Fact.

The motion carried unanimously with a voice vote.

Additional Comments from the Zoning Board of Appeals

ZBA Member Lucchesi stated he is not in favor of this variance as removing a public parking spot is important. ZBA Member Lucchesi stated he does not see a hardship in having a parking spot for one car.

Student ZBA Member Greenleaf stated she would be in favor of this if she could vote. Student ZBA Member Greenleaf stated she lives next to a home with two driveways, and her family has no issue with these two driveways.

ZBA Member Jones stated he is in favor of this due to what the Village has done in the past; however, the reasons to not grant the variance seem to outweigh the reasons to grant the variance. ZBA Member Jones stated this is a unique property, but he is not sure about the hardship.

ZBA Member Micheli stated he is opposed to this variance as he sees no hardship. ZBA Member Micheli stated the character of the neighborhood needs to be respected. ZBA Member Micheli stated a few neighbors have expressed their opposition to the variance, and there could be more neighbors who will express their opposition as well. ZBA Member Micheli stated this is a very public area by Lake Ellyn and granting this variance would remove a significant number of parking spots.

ZBA Member Whalls stated he is reluctantly in support of this variance due to the unique property's steep grade and topography.

ZBA Member Miller stated he respects ZBA Member Whalls' opinion as someone who lives in that neighborhood. ZBA Member Miller stated the homeowner at 690 Grand Avenue has come before the ZBA before with variance requests, and the ZBA has denied these variance requests due to water issues. ZBA Member Miller stated there is a huge elevation change on the property and on Grand Avenue which the Village has tried to fix. ZBA Member Miller stated he does not support this variance. ZBA Member Miller stated if the Village Board does approve this variance, he urges the Village Board to require a covenant that there would be no more building than what is asked for, require the homeowner to dimension out the apron better so the Village Board can see this and to require an additional water survey. Mr. Simoneit stated the site was fully engineered for both scenarios. ZBA Member Miller stated this should be presented as a part of the Village Board's packet.

Chairperson Constantino stated he is not in favor of this variance as he does not see a particular hardship or unique circumstance. Chairperson Constantino stated the ZBA should not recommend a variance for one parking space. Chairperson Constantino stated there is over a 30-foot difference in the linear feet required for a secondary driveway. Chairperson Constantino stated he is concerned about the permeability issue. Chairperson Constantino stated if the ZBA does deny the recommendation of approval, the petitioner can present to the Village Board, and the Village Board will take another look at this. Chairperson Constantino stated since the ZBA is not recommending this variance, the Village Board would need a 2/3 majority vote for approval.

Mr. Simoneit stated he is working with the neighbor next door to create a swale between the properties. Mr. Simoneit stated the apron will be 18 feet long by 13 feet wide and will be a parking spot, not a through-way. Mr. Simoneit stated this will be aesthetically pleasing and part of a path to the front of the home. ZBA Member Jones asked if the driveway could be 8 feet wide. Village Planner Purvis stated a driveway cannot be less than 9 feet wide.

Motion

A motion was made by ZBA Member Miller and seconded by ZBA Member Jones to close the public hearing for 680 Grand Avenue at 9:05 p.m.

The motion carried unanimously with a voice vote.

A motion was made by ZBA Member Miller and seconded by ZBA Member Micheli that the Zoning Board of Approvals recommend to deny the request for the variation as requested by petitioners Mike and Chrissy Crnkovic from the Glen Ellyn Zoning Code Section 10-5-11(B)3 to allow an existing driveway approach to remain on the subject property, which is not at least 132 feet wide, after a secondary approach has been constructed due to the following reasons:

1. The ZBA does not find any hardships or unique circumstances; and
2. The ZBA was concerned about possible water issues; and
3. There are neighbors who oppose this variation request.

The motion carried with four (4) “yes” and two (2) “no” votes. The “yes” votes are as follows: ZBA Members Lucchesi, Micheli, Miller and Chairperson Constantino. The “no” votes are as follows: ZBA Members Jones and Whalls.

ZBA Member Micheli stated he would like the application packet amended when it goes to the Village Board to show the specific length and width dimensions of both driveways. Village Planner Purvis stated she will ensure this is done.

Chairperson Constantino stated the ZBA has voted to recommend denial, and this should come before the Village Board at the September 24, 2018 meeting.

Village Board Trustee Report

Trustee Senak stated the Village Board passed a 1.5% food and beverage tax that will go into effect in 2019. Trustee Senak stated this tax will help with many Capital Projects, including a Parking Garage, the Central Business District Streetscape, Roosevelt Road improvements and the possible Train Station and Pedestrian Underpass.

ZBA Member Miller stated the Civic Betterment Party is looking for candidates for the Village Board and Library Board.

Staff Report

Associate Planner Purvis stated there are no applications pending at this time.

Adjournment

At 9:18 p.m., a motion was made by ZBA Member Jones and seconded by ZBA Member Whalls to adjourn the meeting. The motion carried unanimously by a voice vote.

Respectfully submitted,

Debbie Solomon
Recording Secretary

Reviewed by: Kelly Purvis, Planner