

MINUTES
ZONING BOARD OF APPEALS
JULY 9, 2019

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

Chairperson Constantino explained the procedures of the Zoning Board of Appeals (ZBA) and stated tonight's meeting is called pursuant to notice by statute that was published in the Daily Herald on June 24, 2019, and all property owners affected by the variations being requested were notified by mail.

MINUTES

ZBA Member Whalls moved, seconded by ZBA Member Jones, to approve the minutes of the June 25, 2019 meeting. The motion carried unanimously with a voice vote.

On the agenda was a public hearing regarding the property at 503 Carleton Avenue.

ZBA Chairperson Constantino stated all members of the Zoning Board of Appeals have visited the property and are familiar with the plans that were submitted.

A motion was made by ZBA Member Panther and seconded by ZBA Member Whalls to open the public hearing for 503 Carleton Avenue at 7:04 p.m. The motion carried unanimously with a voice vote.

PUBLIC HEARING – 503 CARLETON AVENUE

PETITIONERS JAMES A. AND ERIN TRACEY JENNER ARE REQUESTING APPROVAL FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: TO ALLOW AN ADDITION TO AN EXISTING SINGLE FAMILY HOME TO ENCROACH INTO THE REQUIRED FRONT YARD BY A GREATER AMOUNT THAN WHAT IS PERMITTED FOR THE PROPERTY LOCATED AT 503 CARLETON AVENUE: 1. SECTION 10-4-8(D)(1)(A) TO ALLOW AN ADDITION TO AN EXISTING TWO-STORY SINGLE FAMILY HOME TO ENCROACH APPROXIMATELY FIVE (5) FEET SIX (6) INCHES INTO THE REQUIRED THIRTY (30) FOOT FRONT YARD SETBACK REQUIRED FOR PRINCIPAL STRUCTURES IN THE R2 - RESIDENTIAL DISTRICT. 2. ANY OTHER ZONING RELIEF NECESSARY TO CONSTRUCT THE PROJECT AS DEPICTED ON THE PLANS PRESENTED OR REVISED AT THE PUBLIC HEARING OR A PUBLIC MEETING OF THE VILLAGE BOARD.

(James A. and Erin Tracey Jenner, owners of the property at 503 Carleton Avenue)

Staff Presentation

Village Planners Kelly Purvis and Katie Ashbaugh were present to speak regarding the proposed variation request and were sworn in.

Village Planner Ashbaugh stated petitioners James and Erin Jenner, owners of the property at 503 Carleton Avenue, are requesting a variation from the Glen Ellyn Zoning Code to allow an addition to encroach into the required front yard by a greater amount than what is permitted. Village Planner Ashbaugh stated the property is located on the east side of Carleton Avenue, just north of Duane Street, and the subject property and the properties surrounding are zoned R2 – Residential District and also are improved with single family homes. Village Planner Ashbaugh showed an aerial view of the property and the surrounding area. Village Planner Ashbaugh stated there are consistent setbacks on this street with what exists on the subject property of the request.

Village Planner Ashbaugh showed street views of the subject property, a Plat of Survey of the existing footprint from 1991 showing the three seasons room being in its current location, the site plan for the proposed addition, and the proposed elevations. She also showed photos of the existing three seasons room next to the west elevation of the proposed addition to replace the existing three seasons room, requiring the variation. Village Planner Ashbaugh stated the petitioners are proposing to replace the existing three seasons room like-for-like, as it is in poor condition.

Questions from the Zoning Board of Appeals

Chairperson Constantino asked if the staff had heard anything for or against this variation from the neighbors. Village Planner Ashbaugh stated they did not.

Petitioners' Presentation

Sworn in for the Petitioner's Presentation were James and Erin Jenner, owners of the property at 503 Carleton Avenue.

Ms. Jenner stated they just want to replace the three seasons room as is and not vary from the original structure. Ms. Jenner stated they purchased the home about 28 years ago, and the home is 100 years old this year. Ms. Jenner stated the existing three seasons room has sustained a lot of water damage so it needs to be replaced. Ms. Jenner stated the replacement of the three seasons room will not negatively affect the neighborhood. Ms. Jenner stated they will not be changing the footprint of the three seasons room in any way, and they are not doing this to add incredible value to the property. Ms. Jenner stated an open porch on the home would not have the same feel. Ms. Jenner stated they spoke with five neighbors, and these neighbors were fine with this.

Additional Questions from the Zoning Board of Appeals

Chairperson Constantino asked if there is currently enough leaking and the room is damaged enough to replace. Ms. Jenner stated the roof on the three seasons room is sagging and pulling away from the flashing, and cited the photo of the west elevation where this condition is

visible. Ms. Jenner stated they have not been able to use the three seasons room for the past couple of years due to the water damage. Ms. Jenner stated they are concerned this is also starting to damage the main part of the home structure. Chairperson Constantino asked if the proposed three seasons room would look like the existing. Ms. Jenner stated it will be sided to match the house, and it will have the same series of windows. Chairperson Constantino asked if this would change the character of the home or the neighborhood, to which Ms. Jenner stated it would not. Chairperson Constantino asked if the proposed three seasons room is moving any closer to the street than it is currently, to which Ms. Jenner stated it is not.

ZBA Member Panther asked if the three seasons room is the primary entrance to the home. Ms. Jenner stated it is, with the other entry being around the back of the home as well. ZBA Member Panther asked if there were problems getting in and out of the door on the three seasons room. Ms. Jenner stated the storm door is out of alignment now with the door frame.

ZBA Member Jones asked if they could get in and out of the three seasons room fine. Ms. Jenner stated they can, and it is not a safety hazard to get in and out. Ms. Jenner stated that they also have containers catching water when it rains, as the existing three seasons room presents safety issues.

ZBA Member Lucchesi asked if the petitioners could improve the existing three seasons room. Village Planner Ashbaugh stated because the existing three seasons room is beyond what can be fixed with what the code considers maintenance and repair, and requires structural repair, a variation is then required.

Mr. Jenner stated that there are no footings to the three seasons room, so this is causing the existing three seasons room to sink as well. Mr. Jenner stated both sides of the roof on the three seasons room are rotted, and they have substantial water coming in even inside of their house. Ms. Jenner stated they never intended for the porch to get this bad, but they have not had the means to fix this until now.

Village Planner Purvis stated this room is not considered a porch from a zoning perspective, but is considered part of the home as the principal structure, as the room is completely enclosed.

Persons in Favor of or in Opposition to the Variation Requests

None

Findings of Fact

ZBA Member Panther stated petitioners James and Erin Jenner, owners of the property at 503 Carleton Avenue, are requesting a variation from Section 10-4-8(D)(1)(a) to allow an addition to an existing two-story single family home to encroach approximately five (5) feet six (6) inches into the required thirty (30) foot front yard setback required for principal structures in the R2 - Residential district.

ZBA Member Panther stated the ZBA heard from Village Planners Katie Ashbaugh and Kelly Purvis. ZBA Member Panther stated the property is located on the east side of Carleton Avenue, just north of Duane Street, and the subject property and the properties surrounding are zoned R2 – Residential District. ZBA Member Panther stated there have been no prior variations approved for the property.

ZBA Member Panther stated the petitioners are proposing to replace the existing three seasons room in kind. ZBA Member Panther stated the addition is considered part of the primary structure because it has more than two walls and is roofed. ZBA Member Panther stated the addition as proposed would require a setback of approximately twenty-four (24) feet and six (6) inches. ZBA Member Panther stated the proposed addition would have the same dimensions and setbacks as the existing structure. ZBA Member Panther stated the homes along Carleton Avenue do have a setback consistent with the subject property from the street. ZBA Member Panther stated the staff indicated the Village has not heard anything from the neighbors for or against this proposed addition.

ZBA Member Panther stated the ZBA heard from the property owners James and Erin Jenner. ZBA Member Panther stated the petitioners indicated the condition of the existing roof is in disrepair and is causing water damage into the three seasons room and into the home structure. ZBA Member Panther stated the petitioners have no intention to gain any value from the addition, but to preserve the integrity of the home. ZBA Member Panther stated the petitioners have spoken to several neighbors, and the neighbors have no concerns over the proposed addition. ZBA Member Panther stated the petitioners indicated they would use similar materials and windows as the existing three seasons room, and this will not change the character of the neighborhood. ZBA Member Panther stated the petitioners indicated this is the primary entrance to the front of the home, and this has become a safety issue as the existing addition further deteriorates and causes water damage inside the home as well.

Motion

ZBA Member Whalls moved, seconded by ZBA Member Lucchesi, 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 the requested addition requiring the variation will blend in with the other homes in the neighborhood and conform with the other properties. ZBA Member Lucchesi stated the petitioners have been put in a hardship as the current structure is dilapidated. ZBA Member Lucchesi stated he is fine with recommending the removal and rebuild of this.

ZBA Member Whalls stated there are no rear yard or side yard setback issues. ZBA Member Whalls stated there are no petitions against this request, and no one spoke at this meeting in opposition to the request. ZBA Member Whalls stated there will be no sunlight impairment to

the neighbors. ZBA Member Whalls stated the roof is a dangerous situation, and this will help maintain the value of the home.

ZBA Member Jones stated this will fit the character of the neighborhood and the style of the home. ZBA Member Jones stated this is what this house has been like this for at least 28 years.

ZBA Member Panther stated he is fine with this requested variation.

Chairperson Constantino stated he is in favor of granting this requested variation as there is a safety and functionality issue. Chairperson Constantino stated the existing three seasons room is not on the footings and is detaching from the main structure. Chairperson Constantino stated this will not encroach further into the setbacks and will match the setbacks of the surrounding properties.

Motion

A motion was made by ZBA Member Whalls and seconded by ZBA Member Lucchesi to close the public hearing for 503 Carleton Avenue at 7:30 p.m. The motion carried unanimously with a voice vote.

A motion was made by ZBA Member Jones and seconded by ZBA Member Whalls.

Having considered the application of James and Erin Jenner, for a zoning variation to allow an addition to an existing two-story single family home to encroach approximately five (5) feet six (6) inches into the required thirty (30) foot front yard setback required for principal structures in the R2-Residential District, on an interior lot of the property located at 503 Carleton Avenue, the Zoning Board of Appeals hereby adopts the Findings of Fact in the petitioners' application packet and presented by the petitioners at the July 9, 2019, Zoning Board of Appeals public hearing as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends approval of the requested zoning variation from Section 10-4-8(D)(1)(a) of the Glen Ellyn Zoning Code due to the following hardships and unique circumstances:

1. The current addition is beyond repair and for safety reasons needs to be replaced to allow access in and out of the home; and
2. Granting the variance will be in keeping with the character of the home and of the neighborhood.

Subject to the following conditions:

1. The project shall be constructed in substantial conformance with the plans as submitted and the testimony presented at the July 9, 2019 public hearing of the Zoning Board of Appeals.

The motion carried with five (5) “yes” votes .The “yes” votes are as follows: ZBA Members Jones, Lucchesi, Panther, Whalls and Chairperson Constantino.

ZBA Chairperson Constantino stated the ZBA recommended this and will now go to the Village Board for approval, and Village Planners Ashbaugh and Purvis can tell you when this will be.

Village Board Trustee Report

Trustee Christiansen stated the Village Board approved the Avere on Duane project at last night’s meeting. Trustee Christiansen stated there is fencing around the Giesche property as the demolition permit was approved, and the demolition could start later in July. Trustee Christiansen stated the Capital Improvements Commission is still talking about the Streetscape project. Trustee Christiansen stated there are still ongoing discussions about the update to the Comprehensive Plan.

Village Planner Purvis stated the Historic Preservation Commission has a meeting on July 18th where there will be a discussion regarding the Giesche building as a local landmark.

Staff Report

Village Planner Ashbaugh stated there will not be a meeting on July 23, 2019.

ZBA Member Whalls asked about new residential construction from this year versus last year. Village Planner Purvis stated she does not know this information, but will ask the Building Department. ZBA Member Whalls asked about the McChesney site. Village Planner Ashbaugh stated the developer is working on pre-application items, but has not sent in plans yet.

Adjournment

At 7:38 p.m., a motion was made by ZBA Member Panther and seconded by ZBA Member Jones to adjourn the meeting. The motion carried unanimously by a voice vote.

Respectfully submitted,

Debbie Solomon
Recording Secretary

Reviewed by,

Katie Ashbaugh
Village Planner