

MINUTES
ZONING BOARD OF APPEALS
JUNE 23, 2020

The meeting was called to order by ZBA Chairperson Gregory Constantino at 7:08 p.m. Zoning Board of Appeals Members Michelle Covington, Katie Crudele, Matt Jones, Chip Miller and Reed Panther were present. Zoning Board of Appeals Member Thomas Whalls was excused. Also present were Planner Katie Ashbaugh, Senior Civil Engineer Amy McKenna and Recording Secretary Lindsey Kaminsky.

Chairperson Constantino stated tonight's meeting is called pursuant to notice by state statute that was published in the Daily Herald on June 8, 2020, and all property owners within 250 feet of the subject property affected by the variations being requested were notified by mail, and a placard was also placed on the property.

Chairperson Constantino stated this meeting will be conducted by audio or video conference without a physically present quorum of the Glen Ellyn Zoning Board of Appeals (ZBA) because of a disaster declaration related to COVID-19 and public health concerns affecting the Village of Glen Ellyn. The Chairperson of the Zoning Board of Appeals has determined that an in-person meeting at the Civic Center is not practical or prudent because of the disaster. He continued that the Chairperson, members of the Zoning Board of Appeals, Village Manager, and Village Attorney will not be physically present at the Civic Center because their attendance is unfeasible due to the disaster. He stated that physical attendance at the Civic Center by the public is also not feasible because of the disaster.

Chairperson Constantino stated it is important that the case scheduled tonight be heard to continue critical Village business which will enable ongoing construction, development, protection of property values, and the promotion of the Village's economic vitality.

Chairperson Constantino stated the Glen Ellyn Zoning Board of Appeals is advisory in nature and the actual variations that are being requested can only be granted by the Village of Glen Ellyn Board of Trustees. He said the ZBA's function is to listen to whatever testimony is offered by the petitioner and others. He said they take significant evidence, agree on the facts which we have found from the evidence, consider and deliberate among ourselves and then we make a recommendation to the Village Board.

Chairperson Constantino stated if the ZBA makes a recommendation favorable to the granting of the variation(s) requested, then the Village Board requires a majority vote for the final approval of the ordinance to grant the variation(s). He said that if the ZBA makes a recommendation to deny the requested variation(s), it would then require a two-thirds vote of the Trustees of the Glen Ellyn Village Board to pass an ordinance approving the variation(s) requested.

ALLOW REMOTE PARTICIPATION

ZBA Member Crudele moved, seconded by ZBA Member Jones, to allow remote participation by the Zoning Board of Appeals members. The motion was carried with 6 "yes" votes and 0 "no" vote.

The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Covington, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller and ZBA Member Panther. ZBA Member Whalls was excused.

MINUTES

ZBA Member Covington moved, seconded by ZBA Member Jones, to approve the minutes of the May 12, 2020 meeting. The motion was carried with 6 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Covington, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller and ZBA Member Panther. ZBA Member Whalls was excused.

On the agenda was a public hearing regarding the property at 727 N. Park Boulevard.

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 Jones to open the public hearing for 727 N. Park Boulevard at 7:16 p.m. The motion was carried with 6 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Covington, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller and ZBA Member Panther. ZBA Member Whalls was excused.

PUBLIC HEARING – 727 N. PARK BOULEVARD.

PETITIONER KELLEY KALINICH IS REQUESTING APPROVAL FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: 1. TO ALLOW A LOT COVERAGE OF APPROXIMATELY 23.2 PERCENT WHERE THE MAXIMUM PERMITTED LOT COVERAGE FOR PRINCIPAL STRUCTURES GREATER THAN ONE-STORY IS 20 PERCENT. 2. TO ALLOW A RETAINING WALL OF APPROXIMATELY 36 INCHES IN HEIGHT TO BE ZERO (0) INCHES FROM THE NORTH INTERIOR SIDE LOT LINE WHERE A SETBACK OF TWO (2) FEET SIX (6) INCHES IS REQUIRED FOR RETAINING WALLS WITH A HEIGHT OF 36 INCHES OR LESS. 3. TO ALLOW A RETAINING WALL OF APPROXIMATELY 72 INCHES IN HEIGHT TO BE APPROXIMATELY FOUR (4) FEET FROM THE SOUTH INTERIOR SIDE LOT LINE WHERE A SETBACK OF FIVE (5) FEET IS REQUIRED FOR RETAINING WALLS WITH A HEIGHT GREATER THAN 36 INCHES. 4. TO ALLOW AN EAVE HEIGHT OF APPROXIMATELY 23 FEET NINE (9) INCHES FROM THE AVERAGE EXISTING GRADE WHERE THE MAXIMUM PERMITTED EAVE HEIGHT IS 22 FEET. 5. TO ALLOW A RIDGE HEIGHT OF 32 FEET FOUR (4) INCHES FROM THE AVERAGE EXISTING GRADE WHERE THE MAXIMUM PERMITTED RIDGE HEIGHT IS 32 FEET. 6. TO ALLOW 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.

(Kelley Kalinich, owner of the property located at 727 N. Park Boulevard)

Staff Presentation

Planner Katie Ashbaugh and Senior Civil Engineer Amy McKenna were present to speak regarding the proposed variation request as were sworn in.

Planner Ashbaugh stated 727 N. Park Boulevard is an interior lot, located on the east side of Park Boulevard, mid-block between the Oak Street and Maple Street intersection. Planner Ashbaugh noted the subject property and the properties to the north, east, west and south are all zoned R2 – Residential District and are all improved homes. Planner Ashbaugh stated the Village does not have records of any prior variations being granted for the subject property. Planner Ashbaugh noted two permits were issued in 2001 for a second-floor addition (master bathroom) and a screened-in porch.

Planner Ashbaugh stated the subject property is improved with a two-story single-family home with a walk-out basement and one driveway leading to the rear of the home. Planner Ashbaugh said that the property does not have an attached or detached garage or any other accessory structures and the footprint of this existing principal structure is approximately 1,151 square feet. She said the first floor of the home provides 1,138 square feet of living space or finished floor area, and the second floor provides 931 square feet of living space for a total of 2,069 square feet of living space. She continued that the basement is approximately 1,032 square feet and is not counted toward the finished floor area total.

Planner Ashbaugh stated where the driveway is perpendicular to the front lot line of the subject property, it encroaches approximately two (2) feet five (5) inches onto the property to the north, 731 N. Park Boulevard. Planner Ashbaugh said it extends east the first approximately 73 feet, it tapers to meet the north interior side lot line of 727 N. Park. She said the remainder of the existing driveway continues to taper to the south and ends approximately eleven (11) inches from the north interior side lot line. Planner Ashbaugh noted there are no proposed changes to this portion of the driveway.

Planner Ashbaugh stated the grade of the parkway between the east curb of Park Boulevard and the front (west) lot line of 727 N. Park is 754 feet. She said that as you move east, the grade increases to a peak of 756 feet at the beginning of the driveway on the 727 N. Park property. She said that from this peak, the grade continues to slope down to an elevation of 744 feet at the end of the existing driveway for a total grade change of 12 feet. She continued that from the end of the driveway to the rear of the property, the grade continues to slope down to a low point of 736 feet at the rear (east) lot line for a total grade change from the peak of the property to the rear of 20 feet.

Planner Ashbaugh stated the petitioner is proposing a two-story, three-level addition with an attached three-car garage on the subject property and also a front porch. Planner Ashbaugh stated the proposed addition requires that the existing driveway also be extended east for access to the garage.

Planner Ashbaugh stated the petitioner is proposing to add 739 square feet of living space to the first (ground) floor and 875 square feet of living space to the second floor. Planner Ashbaugh stated because the walk-out basement will no longer meet the definition of a 'basement' or 'walk-out

basement' with the addition of the three-car garage to its rear, the new living space in the floor below grade will count toward the addition with approximately 1,047 square feet. She said that the correct total new living space added to the existing home is approximately 2,661 square feet, a Class II addition of approximately 129 percent. Planner Ashbaugh noted the information initially provided by the petitioner was used to prepare the legal notice for mailing and publication and erroneously indicated that a Class III addition of 178 percent addition where Class II additions of up to 150 percent are permitted on nonconforming lots. Planner Ashbaugh stated there are no variations required for the addition class.

Planner Ashbaugh stated that for principal structures of more than one-story in the R2 district, the maximum permitted lot coverage ratio is 20 percent. She said that the current lot coverage ratio of the subject property is 14.4 percent or approximately 1,151 square feet of the 8,000 square foot lot. She said the 20 percent lot coverage ratio permitted on the subject property allows for up to 1,600 square feet, resulting in a maximum additional lot coverage of 449 square feet. She continued that the existing conditions of the property do not use the permitted detached garage bonus of 500 square feet or the front porch bonus of 240 square feet.

Planner Ashbaugh stated the petitioner is proposing to increase the existing footprint of the home from 1,151 square feet to 1,856 square feet. She said that the proposed front porch is 54 square feet and falls within the bonus provision and therefore the proposed lot coverage ratio is approximately 23.2 percent. She said this exceeds the maximum permitted lot coverage ratio by 3.2 percent or 256 square feet and referred to attachment 8 in the meeting packet. Planner Ashbaugh stated one variation is required for the additional lot coverage.

Planner Ashbaugh stated the petitioner is proposing that the addition maintain the existing home's eave and ridge heights of approximately 23 feet eight (8) inches and 32 feet four (4) inches, respectively. The maximum permitted eave and ridge heights for principal structures on lots 66 feet or less in width are 22 feet and 32 feet, respectively. Planner Ashbaugh stated two variations are required for the building height.

Planner Ashbaugh stated the proposed addition is compliant with the required interior side yard setback of six (6) feet six (6) inches, proposed at 12 feet from the north interior side lot line, and seven (7) feet one (1) inch from the south interior side lot line. She said it also is 54 feet eight (8) inches from the rear lot line, where the required setback is 40 feet. Planner Ashbaugh stated no variations are required for the bulk setbacks.

Planner Ashbaugh stated the first 73 feet of the existing driveway on the subject property is on the north interior side lot line with no setback and that the setback of the existing driveway increases to approximately 11 inches as it ends. She cited Section 10-5-5(C)(1), wherein impervious surfaces on lots which are 66 feet or less in width are not to be closer to any lot line than two (2) percent of the lot width. She added that driveways that are closer than this setback requirement and therefore nonconforming are permitted to be maintained in their existing location in perpetuity, provided that the owner can provide a plat of survey dated before March 1, 1999, that the driveway existed in that location. She concluded that the required impervious surface setback of new impervious surfaces for the subject property is one (1) foot.

Planner Ashbaugh stated the petitioner proposes to extend the existing driveway by connecting the new driveway to the existing end that is 11 inches from the north interior side lot line and that then the driveway tapers to comply with the required impervious surface setback of one (1) foot or 12 inches. Planner Ashbaugh stated no variations are required for the driveway setbacks.

Planner Ashbaugh stated that due to the significant downward slope toward the rear (or east) half of the lot, a retaining wall is required for the driveway leading to the proposed three-car garage. She said that retaining walls that exceed 36 inches in height must be five (5) feet from all adjacent lot lines and those which are 36 inches or less in height must be two (2) feet six (6) inches from all adjacent lot lines. She described the proposed retaining walls, which the north 36 inch retaining wall is approximately one (1) foot from the north interior side lot line where a setback of two (2) feet six (6) inches is required. She said that the petitioner initially proposed to install the retaining wall zero (0) inches from this lot line and has reduced the degree of the request. She added that the south retaining wall at its southeast corner is 72 inches tall and four (4) from the south interior side lot line where a setback of five (5) feet is required. Planner Ashbaugh stated two variations are required for the retaining wall setbacks.

Planner Ashbaugh stated the petitioner is also proposing a front porch on the front (west) elevation fronting Park Boulevard (Attachment 12). When measured, the front porch projects from the front elevation approximately six (6) feet eight (8) inches. Per Section 10-5-5(B)(4) #24.b, porches may encroach up to 25 percent of the required front yard. The required front yard for this property is approximately 45 feet ten (10) inches, as that is the front yard of the principal structure of 721 N. Park Boulevard. She said that 25 percent of the required front yard is approximately 11 feet five (5) inches and no variations are required for the front porch.

Planner Ashbaugh said that if the ZBA chooses to approve any or all of the requested variations, that they consider two conditions of approval, being that the proposed site plans be modified to show the footings of the proposed front porch on the west elevation and that the applicant shall attempt in good faith to coordinate with the adjacent property owner of 708 N. Lenox Road to connect the required drywell to an existing private sewer on the 708 Lenox Road property via an overflow pipe to minimize the impacts to downstream properties.

Questions from the Zoning Board of Appeals

ZBA Member Miller asked if the connection to a private sewer in good faith be added as a contingency to the approval. Planner Ashbaugh stated this is something the Zoning Board of Appeals could require.

ZBA Member Miller asked if there was a full water survey completed for the subject site. Planner Ashbaugh stated there has been one completed and Senior Civil Engineer McKenna has begun work to make the site compliant with the DuPage County Stormwater and Floodplain Ordinance.

ZBA Member Crudele stated she would like to hear from the owner at 708 Lenox Road regarding the potential water connection.

ZBA Chairperson Constantino asked if Planner Ashbaugh knows the lot coverage ratio for the building at 731 N. Park Boulevard. Planner Ashbaugh stated the lot coverage for the building at 731 N. Park Boulevard is over 30 percent.

Petitioners' Presentation

Sworn in for the Petitioner's Presentation was Kelley Kalinich, owner of the property located at 727 N. Park Boulevard; John Pcolinski, attorney on behalf of the petitioner; Alecs Hur, Everstone Construction; James Wand, JMB Architects.

Mr. John Pcolinski stated Ms. Kalinich is a lifelong resident of Glen Ellyn and has been in her current residence for 27 years. Mr. Pcolinski stated Ms. Kalinich wants to maintain the historical appearance of her home during this project. Mr. Pcolinski stated the unusual topography of the property including the 20 foot drop off proposes a hardship as a retaining wall is required. Mr. Pcolinski also stated the property does not currently have a garage and the three car addition was designed to match the existing eave height of the building.

Mr. Alecs Hur stated the major issues lies with the required retaining wall. Mr. Hur stated the retaining wall needs to be located in the back of the property to make the driveway usable, which is why they are requesting a variation. Mr. Hur stated the drywell to be located at the back of the property will be for stormwater management and he has been working with Senior Civil Engineer McKenna regarding the drywell.

Mr. James Wand stated with the lot coverage could not stay within 20 percent with the addition of the three car garage which dictated the rest of the design.

Ms. Kalinich stated she has resided in her home for 27 years with minimal improvements. Ms. Kalinich stated it has been her hope all along to add a garage and additional living space. Ms. Kalinich stated she has been thoughtful on existing conditions and wants to be able to preserve the architecture for her 2020 family.

Additional Questions from the Zoning Board of Appeals

ZBA Chairperson Constantino asked if Mr. Hur has addressed the stormwater and run off concerns. Mr. Hur confirmed he has.

ZBA Member Miller asked if the south retaining wall needs to be close to the lot line for safety. Mr. Hur confirmed this is correct.

ZBA Member Covington asked what the length of the addition going back from the existing east wall. Mr. Wand stated it is 24 feet.

ZBA Chairperson Constantino asked if requested variations would be the minimum amount requested to meet the petitioner's needs. Mr. Wand confirmed it is.

ZBA Chairperson Constantino asked if there was any practical way to reduce the lot coverage percentage. Mr. Wand confirmed there is no practical way as they are already requesting the bare minimum.

ZBA Member Covington stated she is unsure the garage needs to be 24 feet and asked if the length of the garage can be reduced to reduce the lot coverage. Mr. Wand stated the 24 feet is requested as it allows for room to move and walk around in the garage.

ZBA Member Covington asked about the even ridge height, and wanted to know why it had to be designed as it is. Ms. Kalinich stated it was designed to match the existing roofline. Mr. Wand stated it was designed to make the existing eave and ridge heights. Mr. Pcolinski stated the ridge height is the same as the average existing grade. Mr. Pcolinski also stated the average existing grade is skewed due to the 20 foot drop off. Planner Ashbaugh stated the average existing grade is taken from four locations on a property. Planner Ashbaugh stated the average existing grade for the subject property is 745.6.

ZBA Member Covington asked what the elevation of the front of the house is. Planner Ashbaugh stated the northwest corner is about 750, the southwest corner is 749, the back southeast is 741 and the back northwest is 742.

ZBA Member Jones asked if the eave and ridgeline would need a variation if the lot was flat and did not have the 20 foot drop off. Planner Ashbaugh stated if only the existing grades from the front of the lot were used to find an average existing grade, the average existing grade would be a higher number. Planner Ashbaugh stated if the eaves for example were measured from the grade at the southwest corner of the property only, the eave height would be about 20 feet or less instead of 23 feet 8 inches.

ZBA Member Covington asked what the width of the proposed garage is. Planner Ashbaugh stated it is 29.5 feet wide.

ZBA Chairperson Constantino asked if Ms. Kalinich or Mr. Hur regarding engineering of the stormwater plan, and if they are aware of the request to connect to the private sewer. Ms. Kalinich stated the drywell is included in the plan, and they have been made aware of the request to connect to their neighbor's private line.

ZBA Chairperson Constantino asked if Ms. Kalinich has spoken to her neighbor regarding the potential connection. Ms. Kalinich stated she has not yet spoken to her neighbor.

Senior Civil Engineer McKenna stated she has just recently seen the site plan with the drywell now shown. Senior Civil Engineer McKenna stated she had suggested the connection to the private sewer line at 708 Lenox Road. Senior Civil Engineer McKenna stated she would like to have further discussions regarding the placement of the drywell and that she would like the drywell to have a direct path to the sewer.

ZBA Chairperson Constantino asked if the potential connection has been discussed with the property owner of 708 Lenox Road. Senior Civil Engineer McKenna stated she has discussed and reviewed the final grading and sewer with the property owner. Senior Civil Engineer McKenna stated the property owner seemed open to the idea, but we would logistically need to make the connection work.

ZBA Member Miller asked Senior Civil Engineer McKenna if an updated contingency stating the petitioner must meet the requests and recommendations of Village Staff, would be acceptable. Senior Civil Engineer McKenna stated she is comfortable with that condition.

ZBA Chairperson Constantino asked if the drywell connection to 708 Lenox Road is the only solution, or if there are any alternate plans. Senior Civil Engineer McKenna stated she cannot think of any alternate plan at this time. Senior Civil Engineer McKenna stated she would like to see something in place to take the runoff water through a pipe to connect at 708 Lenox Road.

Persons in Favor of or in Opposition to the Variation Requests

William Housey, property owner of 708 Lenox Road, thanked those involved for the preemptive work that has taken place. Mr. Housey stated there are a few important things to consider while discussing a connection to his sewer line. Mr. Housey stated a drywell that was previously located at 721 N. Park Boulevard overflowed to the property located at 706 Lenox Road. Mr. Housey stated the drywell solution does not seem well suited for this project as they often overflow. Mr. Housey stated he is unsure how the connection will work with the retaining wall. Mr. Housey also stated that 721 N. Park Boulevard and 706 Lenox Road connect to his sewer line. Mr. Housey stated he needs to make sure that the plumbing can handle the additional water.

ZBA Member Miller stated that water concerns are always his biggest concern with projects. ZBA Member Miller asked Mr. Housey if he is comfortable with the proposed language in which the petitioner must meet the request and recommendations of Village Staff. Mr. Housey stated he trusts Senior Civil Engineer McKenna and Village Staff but also wants his concerns to be considered.

ZBA Member Jones asked if the project was being built to code and did not require zoning variations, if the same drywell requirements would exist. Senior Civil Engineer McKenna stated an increase to an impervious surface is what makes the drywell required. Senior Civil Engineer McKenna stated some type of structure would still be required.

ZBA Member Jones asked if the house was to be rebuilt what type of stormwater management would be required. Senior Civil Engineer McKenna stated a drywell is meant to capture runoff water from a storm. Senior Civil Engineer McKenna stated the drywell is not perfect, but it does help mitigate the situation.

ZBA Member Jones asked Mr. Housey if he currently gets a lot of runoff water at his property. Mr. Housey stated he has spent a lot of money to prevent runoff water.

Senior Civil Engineer McKenna asked Mr. Hur if he has calculated the expected additional runoff water.

Mr. Housey stated he wants the opportunity to explore and completely understand the connection before agreeing to it.

ZBA Member Jones asked if there are storm sewers in that area of Park Boulevard. Senior Civil Engineer McKenna stated there is a sewer line located at 715 Park Boulevard that runs to Lenox Road. Senior Civil Engineer McKenna stated there are not a lot of sewer lines in that area.

ZBA Member Jones asked Ms. Kalinich if her property has a sump pump. Ms. Kalinich stated it does not.

Mr. Hur stated the proposed addition requires a drywell that provides 85.4 cubic feet in additional storage and what is proposed provides 20 cubic feet above what is required. Mr. Hur stated they are trying to save trees by installing the drainage under the driveway. Mr. Hur stated he has begun discussion with Village Staff and Senior Civil Engineer McKenna and will continue to have discussions regarding drainage and drywell.

Senior Civil Engineer McKenna stated this may have to be a compromised solution, and they will continue to work on the flow and length of the drywell.

ZBA Chairperson Constantino stated he would like to know how long it would take the review the drainage issues, and come up with viable plans. ZBA Chairperson Constantino stated he would like to see these issues address rather than just accept the petitioner's best efforts. ZBA Chairperson Constantino stated he is not sure he is ready to make a recommendation to the Village Board without addressing this major stormwater issue.

Mr. Hur stated it is possible to review and have a solution within a few days depending on what the Village is requiring.

Senior Civil Engineer McKenna stated the overall concept can work, but it may need modifications. Senior Civil Engineer McKenna stated the plan meets minimum code requirements, but the large slope creates a special circumstance. Senior Civil Engineer McKenna stated she is unsure how above and beyond the requirements should be.

ZBA Member Covington stated she is asking for something above and beyond the code requirements with the requested variation and should provide that for stormwater the given circumstance.

ZBA Member Panther stated he agrees with ZBA Member Covington, and believes the stormwater concerns needs a resolution.

ZBA Chairperson Constantino stated he is not against the project, but would like more time to review the stormwater issues and to consider additional plans.

ZBA Member Jones stated the Zoning Board of Appeals has previously granted variations without stormwater plans in place.

Findings of Fact

ZBA Member Panther stated the following findings of fact: the property in question is 727 N. Park Boulevard; the petitioner is Kelley Kalinich; and the petitioner is requesting approval from the Glen Ellyn Zoning Code as follows: to allow a lot coverage of approximately 23.2 percent where the maximum permitted lot coverage for principal structures greater than one-story is 20 percent; to allow a retaining wall of approximately 36 inches in height to be zero (0) inches from the north interior side lot line where a setback of two (2) feet six (6) inches is required for retaining walls with a height of 36 inches or less; to allow a retaining wall of approximately 72 inches in height to be approximately four (4) feet from the south interior side lot line where a setback of five (5) feet is required for retaining walls with a height greater than 36 inches; to allow an eave height of approximately 23 feet nine (9) inches from the average existing grade where the maximum permitted eave height is 22 feet; to allow a ridge height of 32 feet four (4) inches from the average existing grade where the maximum permitted ridge height is 32 feet; to allow 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.

ZBA Member Panther continued the findings of fact: the ZBA heard from Planner Ashbaugh, who stated the subject property is located in a R2 Zoning District on the east side of N. Park Boulevard between Oak and Maple; there is an approximately 20 foot drop in elevation from the street to the rear of the property; the existing basement is not considered part of the living space of the home as defined by the Zoning Code; the proposed addition will carry the existing basement in the finished portion of the home as defined by the Zoning Code; the notice for tonight's hearing indicated this was for a Class III addition but it has been further clarified this is for a Class II addition; a variation is not required for proposed addition's side yard setback on the south side of the property; the petitioner changed the proposal on the north side of the lot to move the retaining wall in one foot to minimize the variation needed for the retaining wall setback; a drywell will be needed and is recommended to tie into a private sewer at 708 Lenox Road; the property to the north has similar lot dimensions and has a lot coverage ratio of approximately 30 percent.

ZBA Member Panther continued the findings of fact: the ZBA heard from Mr. John Pcolinski, the petitioner's attorney, who stated the petitioner has lived at the home for 27 years and would like to retain the historic character of the home; the hardship comes from the unusual topography of the property. The ZBA next heard from Mr. Aleks Hur, the petitioner's engineer, who indicated the location of the south retaining wall was needed in order to give a level of safety to prevent vehicles from backing up over the wall. The ZBA next heard from Mr. James Wand, the petitioner's architect, who indicated the main desire of the petitioner was to put a three car garage on the property and this proposal has the minimum footprint in order to allow for the three car garage. The ZBA next heard from the petitioner Ms. Kelley Kalinich who stated the goal was to add a garage

and additional living space on the home; to keep the historical character of the property; drywells are included in their plans and she has not had any discussions yet with Mr. Housey, property owner of 708 Lenox Road, to discuss the potential connection to the sewer.

ZBA Member Panther concluded the findings of fact: the ZBA heard from Senior Civil Engineer McKeena who indicated she would prefer to see the drywell located to the east of the retaining wall and not below the driveway; would need additional review of the plans to resolve any additional stormwater issues; would ultimately like to see runoff water taken from the property through a pipe to Lenox Road.

ZBA Member Panther continued the findings of fact: the ZBA heard from Mr. Bill Housey, property owner of 708 Lenox Road, who stated he has some concerns that the drywell would frequently overflow; the private sewer on his property is already taking drainage from the properties at 721 N. Park Boulevard and 706 Lenox Road; had additional concerns that the sewer could not take on additional drainage from the subject property.

ZBA Member Panther continued the findings of fact: the ZBA heard from Mr. John Belcher, the petitioner's architect, who indicated they want to keep the architecture consistent with the existing home; the team met with the engineer of the retaining wall to discuss the wall design and stormwater storage requirements and will continue to work with the engineer.

Motion

ZBA Member Miller moved, seconded by ZBA Member Covington, that the Zoning Board of Appeals recommend approval of the Findings of Fact. The motion was carried with 6 "yes" votes and 0 "no" vote. The "yes" votes are as follow: ZBA Chairperson Constantino, ZBA Member Covington, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller and ZBA Member Panther. ZBA Member Whalls was excused.

Additional Comments from the Zoning Board of Appeals

ZBA Member Crudele started both the designers and owners are willing to do their due diligence in regards to a stormwater plan. ZBA Member Crudele stated she is in favor to approve the variations as it appears everyone is willing to work together for a solution.

ZBA Member Panther stated he is in favor of the project and does not have any issues with the eave and ridge height. ZBA Member Panther stated we should require more than the code requirements in regard to the stormwater management. ZBA Member Panther stated he is in favor as long as the ZBA makes sure the stormwater issues are addressed.

ZBA Member Jones stated he is favor of the project and it is consistent with other variations that were previously approved. ZBA Member Jones stated he does not have any issues with the garage due to the large slope. ZBA Member Jones is in favor as long as there are provisions in the motion regarding the stormwater management. ZBA Member Jones stated this can be brought forward to the Village Board once the stormwater plans are approved by Senior Civil Engineer McKenna.

ZBA Member Miller stated he believes he has enough to make a motion. ZBA Member Miller stated the variations are not that severe. ZBA Member Miller stated he is not comfortable moving forward until the stormwater issues are resolved.

ZBA Chairperson Constantino stated he is in favor of the variations as requested and the lot coverage is based on the bare minimum needed based on the topography. ZBA Chairperson Constantino stated the property currently has no garage, and the eave and ridge height match the existing heights. ZBA Chairperson Constantino stated he is glad the north retaining wall is off the property line by a foot, and noted the south retaining walls are for safety. ZBA Chairperson Constantino stated he is not prepared to approve the variations with the stormwater issues existing. ZBA Chairperson Constantino suggests we continue this public hearing to the next Zoning Board of Appeals meeting to allow for time to address the stormwater issues.

Mr. Pcolinski stated he is personally in favor of continuing the public hearing to the next meeting. Planner Ashbaugh stated there are Zoning Board of Appeals meeting scheduled for July 14 and July 28.

Ms. Kalinich stated she is more than happy to work through the stormwater issues, but does not want this to get pushed past the July 14 meeting.

Planner Ashbaugh stated the agenda packet would have to be completed by July 9 for the July 14 meeting. Senior Civil Engineer McKenna stated she would require input from a structural engineer and is not sure how long that will take.

ZBA Chairperson Constantino stated it may be better to plan for the July 28 Zoning Board of Appeals meeting.

Mr. Pcolinski stated he is willing to work with the Village's schedule.

Planner Ashbaugh stated she would need the additional information by July 20 so the agenda packet can be completed by July 23.

Motion

A motion was made by ZBA Member Miller and seconded by ZBA Member Jones to continue the public hearing for 727 N. Park Boulevard to the July 28, 2020 Zoning Board of Appeals meeting. The motion was carried with 6 "yes" votes and 0 "no" vote. The "yes" votes are as follow: ZBA Chairperson Constantino, ZBA Member Covington, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller and ZBA Member Panther. ZBA Member Whalls was excused.

Village Board Trustee Report

Trustee Christiansen stated the Civic Center is scheduled to open to the public on July 1, and is hoping that in person meetings can resume soon.

Trustee Christiansen provided an update on Stage 4 of the Restore Illinois Plan.

Trustee Christiansen stated the McChesney & Miller site was discussed at a Village Board Workshop held on June 22. Trustee Christiansen stated the proposed development is still in initial phases, and the Village Board discussed potential financial incentives for the project.

Trustee Christiansen stated the McKee House has been up for discussion by the Village Board. Trustee Christiansen stated the Village Board passed a Resolution encouraging the Forest Preserve District to allow the Village to lease the McKee House to the American Legion Post 3 and Legacy Makerspace.

Trustee Christiansen also noted the Apex 400 project is still under litigation.

Staff Report

Planner Ashbaugh stated there are several active applications, but they are not ready to move forward to a ZBA meeting.

Adjournment

At 9:49 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,

Lindsey Kaminsky
Recording Secretary

Reviewed by,

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Planner