

MINUTES
NAPERVILLE ZONING BOARD OF APPEALS
March 10, 2009 - 7:00 P.M. – COUNCIL CHAMBERS

Call to Order (7:03 p.m.)

A. Roll Call

Board Members Present: Chairman Karl Fry, Board Members Ann Mele, Carl Pelzer
Gina Terrano Koscal, Robert Hedrich and Robert Williams

Board Members Absent: Bhavani Prasad Vemsri

Student Members Present: Aneesh Tyle, Cory Haas and Matt Lavieri

Staff Present: Community Planner – Katie Forystek
Project Assistant – Samula McCarthy

B. Approve Minutes from January 13, 2008.

Motion to approve by: Hedrich Seconded by: Williams
Approved (6 to 0)

C. Old Business - None

D. Public Hearings

ZBA Case # 1183: Seabreeze West Remodeling

Petitioner: Leann and Steven Sparks

Location: 2624 Gateshead Drive, Naperville, IL 60564

Request: The petitioner seeks approval of a variance from Section 6-6C-7 (R2, Yard Requirements) of the Naperville Municipal Code, to encroach into the required rear yard to construct an addition to an existing single-family residence. In conjunction with this request, the petitioner seeks approval of a variance from Section 6-6C-7 (R2, Yard Requirements) of the Naperville Municipal Code, to encroach into the required front yard to construct a covered porch.

(Official notice published in the Naperville Sun on Thursday, February 23, 2009.)

Keith Drucek from Seabreeze West Remodeling, 8821 Ramm Drive, Suite 2, Naperville, IL 60564, spoke on behalf of the owner of 2624 Gateshead Drive. Mr. Drucek noted:

- The existing laundry room is in the center of the home that creates several safety concerns.
- There are curvatures, mechanical and electrical components obscuring the straight path for the dryer's vent to exit outdoors. There were two dryer

fires noted in the home which consequently causes fire safety endangerment to the family.

- The proposal will eliminate the large deck and add a small room addition that would allow the laundry and mud room to be relocated to the rear of the home.
- The existing deck is oversized and obtrusive and extends about 12 ft. beyond the building line.
- A second variance is request for a 2.1 ft. encroachment in the front of the home to extend the roof line and replace the front porch to create a gathering space in the front yard.
- Drucek provided pictures showing the existing home.

Board Member Mele questioned the compliance of the existing covered front porch. Drucek responded indicating that it is six inches within the building line.

- Public testimony was provided by Ms. Michelle Hamilton of 1251 Brook Crossing in support of the variance.
- Steve Sparks owner of 2624 Gateshead spoke on behalf of the requested variance.

Katie Forystek of staff responded that staff does not support the requested front or rear yard variance due to the lack of a land based hardship. Staff specifically does not support the front porch due to the capacity to replace the existing porch within the provisions of the Zoning Ordinance.

Board Member Williams requested staff's response to the petitioner's safety concern regarding the dryer vent wiring.

Forystek indicated that the petitioner presented two options for relocating the laundry room. It was noted that the cost would prohibit the owner from relocating the laundry room to the basement. Staff reviews the request from the land based hardship not financial hardship perspective.

Board Member Pelzer questioned why the laundry/mud room could not be relocated in another area of the home. Drucek responded indicating each area had safety concerns with the venting system needed.

Board Member Mele commented that the front yard variance should be examined separately and should be denied based on staff's findings of facts. The rear yard setback request identified should be approved based on its hardship. Chairman Fry agreed and also suggested that the board and staff be pro-active and set a precedence recommending a 5 ft. encroachment for front porches.

Motion: Close the public hearing.
 Motion by: Hedrich Seconded by: Pelzer
 Approved (6 to 0)

Motion: Recommend denial of a variance to allow a covered front porch to encroach 2.1' in the required front yard setback.

Motion by: Mele Seconded by: Williams

Board Members	Aye	Nay	Rationale
Karl Fry		X	
Hedrich		X	
Koscal	X		
Williams	X		Contrary to the zoning ordinance
Mele	X		
Pelzer	X		
Motion Recommend to Deny (4 to 2)			

Motion: Recommend approval of a variance to allow an addition to encroach 2.1' into the required rear yard setback.

Motion by: Mele Seconded by: Fry

Board Members	Aye	Nay	Rationale
Karl Fry	X		
Hedrich	X		
Koscal	X		
Williams	X		
Mele	X		
Pelzer	X		
Motion Recommend to Approve (6 to 0)			

ZBA Case # 1184: Moser Highlands Subdivision
Petitioner: Suzette Long
Location: 325 Osage Lane

Request: The petitioner requests approval of a variance from Section 6-6A-7 (RIA, Yard Requirements) of the Naperville Municipal Code, to reduce the minimum required interior side yard setback to construct an addition to an existing single-family residence.

(The Official Notice for ZBA Case #1184 was published in the Naperville Sun on February 23, 2009).

An overview of the request was presented by the owner Suzette Long. Ms. Long noted:

- An expansion of the side yard setback to accommodate a two car garage would not affect the property owners to the north or west and the property on the east is separated by the owner's fence with a driveway on the opposite side of the lot. The south property's view will not be compromised as it is a one story structure.
- The land related hardship is addressed as the home has an unusual shape with the garage built inside of the structure. The way the home sits on the lot prohibits construction of a detached garage. The position of the house does not allow driveway depth. The garage cannot be extended as there is a bathroom that was built in the original garage.
- Parking on the street creates a safety hazard for the pedestrians that cross Osage Lane. Osage Lane is not a through street therefore a lot of children utilizes the space as a play area.
- Without the 2.5 ft. encroachment, the twenty foot width interior minimum to allow the opening of doors is not feasible. The architects' recommendation is a 24 ft. width to also allow for storage. The request is for a 21 ft. width garage to allow for a wider driveway and reflect ample parking without parking on the street.

Board Member Koscal confirmed the children using Osage Lane as a play space and pedestrian safety is a valid concern. Board Members Mele and Williams concurred.

No one provided public testimony.

Motion: Close public hearing.

Motion by: Mele

Seconded by: Williams

Approved (6 to 0)

Motion: Approve the request to allow for a 2.5' encroachment into the 8' required interior side yard to construct a two car garage and adopt the petitioner's Findings of Facts.

Motion by: Williams

Seconded by: Hedrich

Board Members	Aye	Nay	Rationale
Karl Fry	X		
Hedrich	X		
Koscal	X		
Williams	X		
Mele	X		
Pelzer	X		
Motion Recommend to Approve (6 to 0)			

E. Reports – None

F. Correspondence – Street Graphics Control Ordinance (Title 5, Chapter 4)

H. Motion to Adjourn

Motion by: Williams Seconded by: Mele
Approved (8 to 0)

I. Adjournment - 7:45 pm