

**REGULAR MEETING OF THE ZONING BOARD OF APPEALS**  
**OF THE VILLAGE OF BOLINGBROOK**  
**May 11, 2011**

**CALL TO ORDER**

Chair Fletcher called the meeting to order at 7:00 p.m., May 11, 2011.

**ROLL CALL**

Present: Chair Russ Fletcher and Board Members: Sheldon Watts, Seymore Pritikin, Paul Wonderlin, Deane Marrs

Absent: None

Staff Present: Planning & Zoning Administrator - Nicole Knapp, Planner - Matt Eastman

Press: None

**JOURNAL OF PROCEEDINGS**

Motion Wonderlin, second Watts to approve the minutes of the October 13, 2010, meeting of the Zoning Board of Appeals.

VOICE VOTE. MOTION CARRIED.

**PUBLIC HEARING**

Docket No. 11.01V-0511  
533 Emerson Circle  
Applicant: Norbert Przybylski  
Sec. 5-105(E)(1)  
Reduce the required rear yard setback

Motion Wonderlin, second Pritikin to open the public hearing.

AYES: 5 Watts, Pritikin, Wonderlin, Marrs, Chair Fletcher

NAYS: 0 None

ABSENT: 0 None

MOTION CARRIED. PUBLIC HEARING OPENED AT 7:03 P.M.

**SUMMARY**

Planner, Matt Eastman, delivered the summary. The applicant requested to reduce the required rear yard setback in order to allow for the construction of an attached deck with a ten (10) foot rear yard setback at 533 Emerson Circle. The seven thousand two hundred eighty (7,280) square foot lot is improved with an approximate two thousand one hundred thirty-one (2,131) square foot home "footprint" and a one hundred seventy-eight (178) square foot patio.

The applicant, Norbert Przybylski, requested a variance from Section 5-105(E)(1) of the Village of Bolingbrook Zoning Ordinance, which requires that all decks maintain a twenty (20) foot setback from any rear property line in residential Zoning Districts.

As was shown on Exhibit C during the meeting, the applicant was proposing to construct a two hundred fifty-six (256) square foot attached deck in the same location that the patio currently exists. The proposed deck, if approved, would encroach ten (10) feet into the required twenty (20) foot minimum rear yard setback.

It was noted that the attached deck would not be located within a Public Utility and Drainage Easement.

If approved, the lot coverage for this property would be thirty-three (33) percent and the open space would be fifty-eight (58) percent.

The proposed deck would meet all other Zoning Ordinance requirements.

Based upon the governing hardship, there was no viable hardship that would warrant the proposed variance request. However, given the fact that the principal structure was built with a twenty-six (26) foot rear yard setback to the structure, thus resulting in an unusually shallow rear yard, staff did not feel the proposed deck would have an adverse effect on the neighborhood.

**DISCUSSION**

Commissioner Pritikin asked if the deck would have the proper footings and if the concrete patio would be removed. Eastman replied that the deck would have to meet all codes, and that the concrete patio would be removed and the deck built in its place. Commissioner Marrs asked if there would be any drainage issues. Eastman said that the property would still meet the open space requirement, so there would be proper area for the water to drain.

**TESTIMONY**

None

Motion Wonderlin, second Marrs to close the public hearing.

AYES: 5 Watts, Pritikin, Wonderlin, Marrs, Chair Fletcher

NAYS: 0 None

ABSENT: 0 None

MOTION CARRIED. PUBLIC HEARING CLOSED AT 7:07 P.M.

The Board completed the Findings of Fact Worksheet.

Motion Pritikin, second Wonderlin to approve Docket No.11.01V-0511, on the property located at 533 Emerson Circle (Indian Oak Subdivision), to reduce the required rear yard setback to allow for the construction of an attached deck with a ten (10) foot rear yard setback.

AYES: 5 Watts, Pritikin, Wonderlin, Marrs, Chair Fletcher

NAYS: 0 None

ABSENT: 0 None

MOTION CARRIED. VARIANCE GRANTED.

Chair Fletcher stated the variance will become official at the next meeting.

**RESOLUTION 660**

Motion Wonderlin, second Pritikin to adopt Resolution 660 (Docket No. 10.02V-1013) granting David Brandolino a variation to increase the maximum square footage allowed for an attached garage at 632 Anne Lane, Bolingbrook, Illinois.

AYES: 5 Watts, Pritikin, Wonderlin, Marrs, Chair Fletcher

NAYS: 0 None

ABSENT: 0 None

MOTION CARRIED. RESOLUTION ADOPTED.

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**CHAIRMAN'S REPORT**

None

**BOARD MEMBERS' REPORTS**

None

**STAFF COMMENTS**

None

**CITIZENS TO BE HEARD**

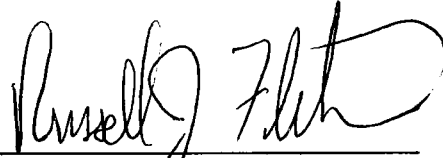
None

**ADJOURNMENT**

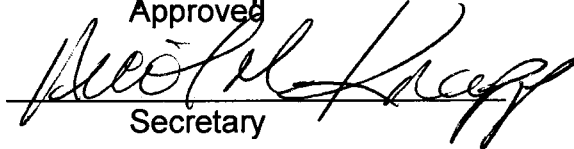
Motion Wonderlin, -second Watts to adjourn the meeting.

VOICE VOTE. MOTION CARRIED.

Chair Fletcher adjourned the meeting at 7:10 p.m.

  
\_\_\_\_\_  
Chairman

5/25/11  
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Approved

  
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Secretary