

REGULAR MEETING OF THE ZONING BOARD OF APPEALS
OF THE VILLAGE OF BOLINGBROOK
JUNE 26, 2013

CALL TO ORDER

Wonderlin called the meeting to order at 7:00 p.m., June 26, 2013.

MOTION

Motion Bethune, second Ali to appoint Paul Wonderlin Acting Chair of the Commission. Chair Seymour Pritikin was not in attendance as he was out-of-town on business.

AYES: 4 Ali, Bethune, Marrs, Martinez

NAYS: 0 None

ABSTAIN: 1 Wonderlin

ABSENT: 2 Chair Pritikin, Greco

Motion carried.

ROLL CALL

Present: Board Members: Mir Ali, Terri Bethune, Deane Marrs, Paul Wonderlin, and Eduardo Martinez

Absent: Chair Seymoure Pritikin and Felix Greco

Staff Present: Planning & Zoning Administrator – Nicole Knapp, Planner – Matt Eastman and Deputy Village Clerk - Maggie Sadowski

Press: None

JOURNAL OF PROCEEDINGS

Motion Marrs, second Bethune to approve the minutes of the December 12, 2012, meeting of the Zoning Board of Appeals as submitted.

Voice vote. Motion carried.

PUBLIC HEARING

Docket No. 13.03V-0626

1024 Rain Tree Drive

Applicant: Kevin Engel

Sec. 4-104(D)3.b.

To allow for construction of a two hundred (200) square foot addition to the existing attached two-car garage, thus reducing the side yard setback to five (5) feet.

Motion Bethune, second Ali to open the public hearing.

AYES: 5 Ali, Bethune, Marrs, Martinez, Acting Chair Wonderlin

NAYS: 0 None

ABSENT: 2 Chair Pritikin and Greco

Motion carried. Public Hearing opened at 7:02 p.m.

SUMMARY

Planner Matt Eastman delivered the summary. The applicant, Kevin Engel, 1024 Rain Tree Drive, requested to reduce the minimum required side yard setback for a single family residence in order to allow for the construction of a two hundred (200) square foot addition to the existing attached two-car garage, thus reducing the side yard setback to five (5) feet.

The twelve thousand, four hundred, twenty six (12,426) square foot lot was improved with an approximate one thousand, six hundred, eighty-six (1,686) square foot home "footprint", a seven hundred sixty-five (765) square foot deck and a four hundred fifty-two (452) square foot pool.

The applicant requested a variance from Sections 4-104(D)3.b. of the Village of Bolingbrook Zoning Ordinance, which required single family dwellings to maintain a minimum side yard setback of eight and one-half (8.5) feet in an R-3 Single Family Zoning District.

Per the Plat of Survey, the applicant proposed to construct a two hundred (200) square foot addition to the existing attached two-car garage, thus reducing the eight and one-half (8.5) foot side yard setback to five (5) feet for a small portion of the proposed addition. The variance would only be for a small portion of the front of the garage because of the angle of the lot. Most of the front of the garage would be within code. There were Exhibits C & D to help illustrate the proposed addition, which would be constructed of the same materials and colors of the home.

The addition would not be located within a Public Utility and Drainage Easement. If approved, the lot coverage would remain at 24.9 percent and the open space would be 67.5 percent.

The proposed addition met all other Zoning Ordinance requirements.

Based upon the governing hardship standards, there was no viable hardship that would warrant the proposed variance request. However, given that the property had no neighbors to the rear, the overall size of the property, the way in which the property line angled reducing the setback for a small portion of the front part of the proposed addition, and the fact that there would still be over twenty-seven (27) feet between the addition and the neighboring house, Staff did not feel the addition would have an adverse effect on the neighborhood.

DISCUSSION

None

TESTIMONY

None

Motion MARRS, second Ali to close the public hearing.

AYES: 5 Ali, Bethune, MARRS, Martinez, Acting Chair Wonderlin

NAYS: 0 None

ABSENT: 2 Chair Pritikin and Greco

Motion carried. Public Hearing closed at 7:05 p.m.

The Board completed the Findings of Fact Worksheet.

Motion MARRS, second Ali to approve Docket No. 13.03V-0626 on the property located at 1024 Rain Tree Drive in Twin Creeks Subdivision to reduce the minimum required side yard setback for a single family residence in order to allow for the construction of a two hundred (200) square foot addition to the existing attached two-car attached garage, thus reducing the side yard setback to five (5) feet.

AYES: 5 Ali, Bethune, MARRS, Martinez, Acting Chair Wonderlin

NAYS: 0 None

ABSENT: 2 Chair Pritikin and Greco

Motion carried. Variance granted.

PUBLIC HEARING

Docket No. 13.04V-0626
2336 Brookstone Drive
Applicant: K. Hovnanian Homes
Sec. 4-104(D)3.a.

To allow for construction of a single family home with a twenty-six (26) foot front yard setback adjacent to an existing home with a front yard setback less than thirty (30) feet.

Motion Martinez, second MARRS to open the public hearing.

AYES: 5 Ali, Bethune, MARRS, Martinez, Acting Chair Wonderlin

NAYS: 0 None

ABSENT: 2 Chair Pritikin and Greco

Motion carried. Public Hearing opened at 7:07 p.m.

SUMMARY

Planner Matt Eastman delivered the summary. The applicant, K. Hovnanian Homes, requested to reduce the minimum required front yard setback for a single family residence located at 2336 Brookstone Drive/River Hills Subdivision in order to allow for the construction a single family

home with a twenty-six (26) foot front yard setback adjacent to an existing home with a front yard setback less than thirty (30) feet.

The ten thousand, one hundred, eighty-six (10,186) square foot lot was proposed to be improved with a one thousand, nine hundred, twenty (1,920) square foot home footprint with a twenty-eight (28) square foot covered porch.

The applicant requested a variance from Sections 4-104(D)3.a. of the Village of Bolingbrook Zoning Ordinance, which required single family dwellings to maintain a minimum front yard setback of thirty (30) feet provided that one-half of the homes may be allowed twenty-five (25) foot front yards provided that no two twenty-five (25) foot yards be adjacent to each other.

Per the Plats of Survey, the applicant proposed to construct a single family home on Lot 211 with a twenty-six (26) foot front yard setback adjacent to an existing home on Lot 212, which also has a front yard setback less than thirty (30) feet. The entire footprint of the home on the subject property (Lot 211) would be located behind the required thirty (30) foot front yard setback, leaving only the small twenty-eight (28) square foot covered porch encroaching less than four (4) feet into the required setback.

Per the applicant, Brookstone Drive meanders as you approach the subject property. Therefore, the home would not appear any closer than either neighboring home on each side.

The newly constructed home would not be located within a Public Utility and Drainage Easement. The proposed addition met all other Zoning Ordinance requirements.

Based upon the governing hardship standards, there was no viable hardship that would warrant the proposed variance request. However, given that entire footprint of the home would be located behind the required thirty (30) foot front yard setback, Staff did not feel the the proposed location of the home would have an adverse effect on the neighborhood.

DISCUSSION

None

TESTIMONY

None

Motion Bethune, second Marrs to close the public hearing.

AYES: 5 Ali, Bethune, Marrs, Martinez, Acting Chair Wonderlin

NAYS: 0 None

ABSENT: 2 Chair Pritikin and Greco

Motion carried. Public Hearing closed at 7:12 p.m.

The Board completed the Findings of Fact Worksheet.

Motion Marrs, second Martinez to approve Docket No. 13.04V-0626 on the property located at 2337 Brookstone Drive in River Hills Subdivision to grant a variance to reduce the minimum

required front yard setback for a single family residence in order to allow for the construction of a single family home with a twenty-six (26) foot front yard setback adjacent to an existing home with a front yard setback less than thirty (30) feet.

AYES: 5 Ali, Bethune, Marrs, Martinez, Acting Chair Wonderlin

NAYS: 0 None

ABSENT: 2 Chair Pritikin and Greco

Motion carried. Variance granted.

RESOLUTION 673

Motion Ali, second Marrs to adopt Resolution 673 (Docket No. 13V.03-0626) granting Kevin Engel a variation to allow for the construction of a two hundred (200) square foot addition to the existing attached two-car garage, thus reducing the side yard setback to five (5) feet on the property commonly known as 1024 Rain Tree Drive, Bolingbrook, Illinois, subject to the following conditions and restrictions:

1. That the Applicant complies with all other applicable provisions of said Zoning Ordinance and all other Ordinances of the Village of Bolingbrook.
2. That upon the failure or refusal of the Applicant or its successors at any time in the future to comply with any of the foregoing conditions or restrictions, this variation shall become void and the Zoning Administrator is instructed to bring such Zoning Ordinance enforcement action as may be indicated under the circumstances.

AYES: 5 Ali, Bethune, Marrs, Martinez, Acting Chair Wonderlin

NAYS: 0 None

ABSENT: 2 Chair Pritikin and Greco

Motion carried. Resolution adopted.

RESOLUTION 674

Motion Martinez, second Bethune to adopt Resolution 674 (Docket No. 13V.04-0626) granting K. Hovnanian Homes a variation to allow for the construction of a single family home with a twenty-six (26) foot front yard setback adjacent to an existing home with a front yard setback less than thirty (30) feet on the property commonly known as 2336 Brookstone Drive, Bolingbrook, Illinois, subject to the following conditions and restrictions:

1. That the Applicant complies with all other applicable provisions of said Zoning Ordinance and all other Ordinances of the Village of Bolingbrook.
2. That upon the failure or refusal of the Applicant or its successors at any time in the future to comply with any of the foregoing conditions or restrictions, this variation shall become

void and the Zoning Administrator is instructed to bring such Zoning Ordinance enforcement action as may be indicated under the circumstances.

AYES: 5 Ali, Bethune, Marrs, Martinez, Acting Chair Wonderlin

NAYS: 0 None

ABSENT: 2 Chair Pritikin and Greco

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 Bethune, second Marrs to adjourn the meeting.

Voice vote. Motion carried.

Acting Chair Wonderlin adjourned the meeting at 7:18 p.m.

Chairman

Approved

Secretary