

REGULAR MEETING OF THE ZONING BOARD OF APPEALS
OF THE VILLAGE OF BOLINGBROOK
JULY 13, 2011

CALL TO ORDER

Chair Fletcher called the meeting to order at 7:03 p.m., July 13, 2011.

ROLL CALL

Present: Chair Russ Fletcher and Board Members: Seymoure Pritikin, Sheldon Watts and Deane Marrs

Absent: Paul Wonderlin

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

Press: None

AGENDA

Motion Watts, second Marrs to add Resolution 663 to the July 13, 2011, Zoning Board of Appeals Agenda.

Voice vote. Motion Carried.

JOURNAL OF PROCEEDINGS

Motion Pritikin, second Watts to approve the minutes of the May 25, 2011, meeting of the Zoning Board of Appeals.

Voice vote. Motion carried.

PUBLIC HEARING

Docket No. 11.03V-0713
1416 Columbus Drive
Applicant: Richard Jodlowski
Sec. 5-103(A)2.a
Increase maximum square footage allowed for a shed or storage structure.

Motion Pritikin, second Watts to open the public hearing.

AYES: 4 Watts, Pritikin, Marrs, Chair Fletcher

NAYS: 0 None

ABSENT: 1 Wonderlin

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

SUMMARY

Planner Matt Eastman delivered the summary. The applicant requested to increase the maximum square footage allowed for shed or storage structure in order to allow for the construction of a three hundred twenty-four (324) square foot shed twelve (12) feet in height on the property located at 1416 Columbus Drive in Heritage Heights Subdivision. The lot is zoned R-3 Single Family Residential with existing residences on the South, East and West sides of the property. On the North side of the home it is zoned E-R Estate Residential and is a Village of Bolingbrook Lift Station.

The 17,270 square foot lot is improved with an approximate 2,134 square foot home "footprint", one (1) shed totaling approximately 168 square feet, and a 375 square foot patio. The applicant owns a double-lot. However, the entire property was treated as one (1) zoning lot.

The applicant, Richard Jodlowski, requested a variance from Section 5-103(A)2.a of the Village of Bolingbrook Zoning Ordinance, which allows one (1) shed or structure used for storage that does not exceed twelve (12) feet in height and a building footprint of two hundred (200) square feet in area in residential Zoning Districts.

As was shown on Exhibit A during the meeting, the applicant proposed to construct a three hundred twenty-four (324) square foot shed which would be twelve (12) feet in height to the peak of the structure. As part of the construction, the applicant would remove the existing shed from the property.

As was shown on Exhibits A and B during the meeting, the existing shed encroached approximately four (4) feet into the fifteen (15) foot Public Utility and Drainage Easement located along the northern property line. The applicant proposed to construct the new shed in the same location but would actually be one (1) foot further out of the drainage easement. In 1991, the applicant requested and received permission from the utility companies to allow the four (4) foot encroachment.

If approved, the lot coverage for the overall zoning property would be fourteen (14) percent and the open space would be seventy-eight (78) percent.

The proposed shed would meet all other Zoning Ordinance requirements.

Based upon the governing hardship standards, there would be no viable hardship that would warrant the proposed variance request. However, given that the proposed shed meets all the required setbacks, is located well within the building envelope and the applicant owns a double lot, staff did not feel the shed would alter the essential character or have an adverse effect on the neighborhood.

DISCUSSION

Chair Fletcher stated that if the variance was granted, it would be granted in perpetuity. If the second lot should be sold at some point in the future, how would that affect the shed or the variance. He told the Board members that Staff told him the variance would go with the lot itself and, if the vacant lot was sold, the shed would be required to be removed or a permit to build a home would have to be applied for within 60 to 90 days.

Watts noted that there were quite a lot of trees. He wondered if any of them would have to be removed. Planner Eastman answered that there was already a 168 foot shed in the current location and it was his understanding that no trees would have to be cut down. He deferred the answer to the applicant who was in attendance.

Chair Fletcher stated that he saw no trees in close proximity to the proposed shed.

Planning & Zoning Administrator Knapp also commented that the shed will be expanded on the eastern side of the current shed and would not affect any trees.

TESTIMONY

None

Motion MARRS, second Watts to close the public hearing.

AYES: 4 Watts, Pritikin, MARRS, Chair Fletcher

NAYS: 0 None

ABSENT: 1 Wonderlin

Motion carried. Public hearing closed at 7:10 p.m.

The Board completed the Findings of Fact Worksheet.

Motion Pritikin, second Watts to approve Docket No. 11.03V-0713, on the property located at 1416 Columbus Drive (Heritage Heights Subdivision), to increase the maximum square footage allowed for a shed or storage structure in order to allow for the construction of a three hundred twenty-four (324) square foot shed twelve (12) feet in height.

AYES: 4 Watts, Pritikin, MARRS, Chair Fletcher

NAYS: 0 None

ABSENT: 1 Wonderlin

Motion carried. Variance granted.

RESOLUTION 662

Motion MARRS, second Pritikin to adopt Resolution 662 (Docket No. 11.02V-0525) granting Elsie Yates a variation to encroach into the required rear yard setback approximately fourteen (14) feet for a sunroom addition on the property commonly known as 153 Denver 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: 4 Watts, Pritikin, Marrs, Chair Fletcher

NAYS: 0 None

ABSENT: 1 Wonderlin

Motion carried. Resolution adopted.

RESOLUTION 663

Motion Watts, second Pritikin to adopt Resolution 663 (Docket No. 11.03V-0713) granting Richard Jodlowski a variation to allow for the construction of a three hundred twenty-four (324) square foot shed on the property commonly known as 1416 Columbus 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: 4 Watts, Pritikin, Marrs, Chair Fletcher

NAYS: 0 None

ABSENT: 1 Wonderlin

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 Pritikin, second Watts to adjourn the meeting.

VOICE VOTE. MOTION CARRIED.

Chair Fletcher adjourned the meeting at 7:18 p.m.

Chairman

Approved

Secretary