

REGULAR MEETING OF THE ZONING BOARD OF APPEALS
OF THE VILLAGE OF BOLINGBROOK
DECEMBER 14, 2011

CALL TO ORDER

Chair Fletcher called the meeting to order at 7:01 p.m., December 14, 2011.

ROLL CALL

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

Absent: Deane Marrs and Paul Wonderlin

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

Press: None

JOURNAL OF PROCEEDINGS

Motion Watts, second Pritikin to approve the minutes of the August 24, 2011, meeting of the Zoning Board of Appeals.

Voice vote. Motion carried.

PUBLIC HEARING

Docket No. 11.06V-1214
499 Boardman Circle
Applicant: Chi Wan Chung
Sec. 54-104(D).e.1
Reduce the rear yard setback for a double frontage lot

Motion Watts, second Pritikin to open the public hearing.

AYES: 3 Watts, Pritikin, Chair Fletcher

NAYS: 0 None

ABSENT: 2 Marrs, Wonderlin

Motion carried. Public Hearing opened at 7:04 p.m.

SUMMARY

Planner Matt Eastman delivered the summary. The applicant requested to reduce the required fifty (50) foot rear yard setback for a double frontage lot in order to allow for the construction of an addition to the principal structure located at 499 Boardman Circle. The subject property was zoned R-3 Single Family Residential and was bordered on the north by the City of Naperville/Forest Preserve and south, east and west by R-3 Single Family Residential with existing residences.

The 9,120 square foot lot was improved with an approximate 1,581 square foot home "footprint", and a 500 square foot deck.

The applicant, Chi Wan Chung, requested a variance from Section 4-104 (D)3.e.1 of the Village of Bolingbrook Zoning Ordinance, which states that a principal structure within the R-3 Single Family Residential Zoning District must maintain a minimum rear yard setback of fifty (50) feet for double frontage lots.

As was shown on the Plat of Survey, the subject site was located immediately south of a dedicated right-of-way for the future development of 87th Street making it a double frontage lot. Also shown on the Plat of Survey, the applicant proposed to construct a 616 square foot single story addition to the rear of the house. The proposed addition would encroach into the required rear yard setback area nineteen (19) feet at the closest point, thus having a rear yard setback of thirty-one (31) feet. The proposed addition would be approximately twenty (20) feet in height and would be constructed of the same materials and colors of the house.

If approved, the lot coverage would be twenty-nine and one-half (29.5) percent, with an open space of sixty-three and one-half (63.5) percent.

Based upon the governing hardship standards, there was no viable hardship that would warrant the proposed variance request. However, staff felt that the proposed addition to the home would not have an adverse effect on the neighboring properties and would only affect the property owner if and when 87th Street was developed north of the subject site.

DISCUSSION

Chair Fletcher asked if the addition would encroach on the public utilities drainage easement. Planning & Zoning Administrator, Nicole Knapp, replied that the easements were on the sides of the lot, not where the addition was being built.

Chair Fletcher asked for confirmation that the Village does not have control over the floor plan of the addition, just the coverage as pertains to the lot. He asked the staff what would prohibit turning this area into a rental space in the future.

Planning & Zoning Administrator Knapp replied that the Board did not have authority to change the floor plan. Owners can add bedrooms, bathrooms and additional dining areas but only extra kitchens would cause concern. An additional kitchen would enable subsequent owners to try and rent that part of the home which would not be a permitted use. The revised plan removed the additional kitchen and had access to the original home which reduced the rental concern. The only outside access to the addition would be from the back of the house off of the deck. Knapp went on to explain that the second kitchen had been removed from the plan. The proposed addition still had access to the main portion of the house so it could never be rented out.

TESTIMONY

Rozella Cruz-Gil, 3713 South Wolcott, Chicago, gave testimony. She was the daughter representing the owners of the house. Since her parents were getting older, she planned to move in with them and they wanted to build the addition to add a bedroom, bathroom and private living space for her.

Watts asked what led to the removal of the kitchen area in the floor plan. Rozella replied that adding a kitchen caused a problem in approving the project so she just took it out and planned to use her parent's kitchen.

Motion Watts, second Pritikin to close the public hearing.

AYES: 3 Watts, Pritikin, Chair Fletcher

NAYS: 0 None

ABSENT: 2 MARRS, Wonderlin

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

The Board completed the Findings of Fact Worksheet.

Motion Watts, second Pritikin to approve Docket No. 11.06V-1214, on the property located at 499 Boardman Circle to reduce the required fifty (50) foot rear yard setback for a double frontage lot in order to allow for the construction of an addition to the principal structure.

AYES: 3 Watts, Pritikin, Chair Fletcher

NAYS: 0 None

ABSENT: 2 MARRS, Wonderlin

Motion carried. Variance granted.

RESOLUTION 666

Motion Watts, second Pritikin to adopt Resolution 666 (Docket No. 11.06V-0525) granting Chi Wan Chung variation to construct an addition to the principal structure with a thirty-one (31) foot rear yard setback on the property known as 499 Boardman Circle, 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: 3 Watts, Pritikin, Chair Fletcher

NAYS: 0 None

ABSENT: 2 MARRS, 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 Watts, second Pritikin to adjourn the meeting.

VOICE VOTE. MOTION CARRIED.

Chair Fletcher adjourned the meeting at 7:16 p.m.

Chairman

Approved

Secretary