

REGULAR MEETING OF THE ZONING BOARD OF APPEALS
OF THE VILLAGE OF BOLINGBROOK
AUGUST 22, 2012

CALL TO ORDER

Chair Pritikin called the meeting to order at 7:00 p.m., August 22, 2012. (Former Chair Russ Fletcher was appointed as Chair of the Plan Commission beginning August 1, 2012.)

ROLL CALL

Present: Chair Seymoure Pritikin and Board Members: Mir Ali, Terri Bethune, Deane Marrs, Eduardo Martinez and Felix Greco

Absent: Paul Wonderlin

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

Press: None

JOURNAL OF PROCEEDINGS

Changes: Correct name in Roll Call section from Alex Greco to Felix Greco.

Motion Marrs, second Bethune to approve the minutes of the May 23, 2012, meeting of the Zoning Board of Appeals as amended.

Voice vote. Motion carried.

Chair Pritikin explained to those present the hearing procedure for zoning variances brought before the Board.

PUBLIC HEARING

Docket No. 12.05V-0822
128 Springhill Drive
Applicant: Wayne Kwiat for owners Henry and Gayle Graske
Sec. 5-105(E)
To allow for construction of an attached deck with a fourteen (14) foot rear yard setback

Motion Greco, second Bethune to open the public hearing.

AYES: 7 Ali, Bethune, Greco, Marrs, Martinez, Watts, Chair Pritikin

NAYS: 0 None

ABSENT: 1 Wonderlin

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

SUMMARY

Planning & Zoning Administrator Nicole Knapp 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 fourteen (14) foot rear yard setback at 128 Springhill Drive/Indian Oaks Subdivision, Unit 4.

The lot is zoned R-3 Single Family Residential with an existing residence as are all surrounding lots to the North, South, East and West.

The 7,840 square foot lot was improved with an approximate 2,073 square foot home "footprint", and a 102 square foot shed.

The applicant, Wayne Kwiat, Sr., representing the owners, Henry and Gayle Graske, requested a variance from Section 5-105(E) of the Village of Bolingbrook Zoning Ordinance, which required that all decks shall maintain a minimum twenty (20) foot setback from any rear property line in a residential Zoning District.

As referred to in Exhibit B, the applicant proposed to construct a two hundred ten (210) square foot attached deck. The proposed deck, if approved, would encroach six (6) feet into the required twenty (20) foot minimum rear yard setback, thus leaving a fourteen (14) foot setback from the east/rear property line.

The attached deck would not be located within a Public Utility and Drainage Easement. If approved, the lot coverage for the property would be thirty (30) percent and the open space would be sixty (60) percent. The proposed deck would meet all other Zoning Ordinance requirements.

Given the fact that the principal structure was built with an approximate twenty-four (24) foot rear yard setback, thus resulting in an unusually shallow rear yard, staff did not feel the proposed deck would have an adverse effect on the neighborhood and felt that any hardship was not directly created by the applicant.

QUESTIONS

There were no questions from the Board.

TESTIMONY

Wayne Kwiat, Sr., was sworn in to answer any questions from the Zoning Board. He gave a brief history and explanation of the project.

There were no questions or comments from the Zoning Board.

Motion Ali, second Marrs to close the public hearing.

AYES: 7 Ali, Bethune, Greco, Marrs, Martinez, Watts, Chair Pritikin

NAYS: 0 None

ABSENT: 1 Wonderlin

Motion carried. Public hearing closed at 7:07 p.m.

The Board completed the Findings of Fact Worksheet.

Motion Marrs, second Bethune to approve Docket No. 12.05V-0822 on the property located at 128 Springhill Drive (Indian Oaks Subdivision Unit 4) to reduce the required rear yard setback for a deck in order to allow for the construction of an attached deck with a fourteen (14) foot rear yard setback.

AYES: 7 Ali, Bethune, Greco, Marrs, Martinez, Watts, Chair Pritikin

NAYS: 0 None

ABSENT: 1 Wonderlin

Motion carried. Variance granted.

RESOLUTION 671

Motion Ali, second Martinez to adopt Resolution 671 (Docket No. 12.05V-0822) granting Wayne Kwiat, Sr., representing the homeowners, Henry and Gayle Graske, a variation to encroach into the required rear yard setback approximately six (6) feet for an attached deck on the property known as 128 Springhill 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: 7 Ali, Bethune, Greco, Marrs, Martinez, Watts, Chair Pritikin

NAYS: 0 None

ABSENT: 1 Wonderlin

Motion carried. Resolution adopted.

OLD BUSINESS

None

NEW BUSINESS

None

CHAIRMAN'S REPORT

Chair Pritikin welcomed the new commissioners Mir Ali and Eduardo Martinez.

BOARD MEMBERS' REPORTS

Commissioner Ali stated that he was excited to be a commissioner of ZBA.

Commissioner Bethune congratulated Chair Pritikin on his appointment to Chair and welcomed the new commissioners.

Commissioner MARRS welcomed the new commissioners, also.

Commissioner Martinez thanked Mayor Claar and the Zoning Board for his appointment.

STAFF COMMENTS

None

CITIZENS TO BE HEARD

None

ADJOURNMENT

Motion Greco, second MARRS to adjourn the meeting.

Voice vote. Motion carried.

Chair Pritikin adjourned the meeting at 7:14 p.m.

Chairman

Approved

Secretary