

Village of La Grange

AGENDA

ZONING BOARD OF APPEALS
of the
VILLAGE OF LA GRANGE

Village Hall Auditorium

53 S. La Grange Road, La Grange, IL

Thursday, July 19, 2018 - 7:30 p.m.



1. Call to Order and Roll Call of the Zoning Board of Appeals
2. Approval of Minutes – May 17, 2018
3. Business at Hand:

ZBA #624 – A Variation 9-105-D-2-(b) (fence height along the corner side lot line) of the Zoning Code within the R-5 Single Family Residential District, Chandra and Michael Federle, 425 E. Maple Avenue

4. Old Business
5. New Business
6. Adjournment

(Commissioners: Please call 579-2320 to confirm your attendance.)

Individuals with disabilities and who require certain accommodations to participate at this meeting are requested to contact the ADA Coordinator at 579-2315, to allow the Village to make reasonable accommodations.

Village of La Grange
Zoning Board of Appeals
Regular Meeting of May 17, 2018

A regular meeting of the Zoning Board of Appeals for the Village of La Grange was held at 7:30 p.m. on Thursday, May 17, 2018 on the second floor Auditorium Room of the Village Hall, 53 S. La Grange Road, La Grange, Illinois.

I. CALL TO ORDER AND ROLL CALL

Chairman Pappas called the meeting to order at 7:30 p.m.

Verify Quorum

Upon roll call the following were:

Present: Blentlinger, Tussing, O'Connor, Pappas

Absent: Finder and Edwards

Heather Valone, Planner, Charity Jones, Community Development Director, and Trustee Mark Kuchler were also present.

Heather Valone announced that Commissioner Pappas has been appointed as Chairman of the Zoning Board of Appeals by the Village Board.

II. APPROVAL OF MINUTES – APRIL 19, 2018

Commissioner Blentlinger made a motion, seconded by Commissioner Tussing to approve the minutes from April 19, 2018 with no changes. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

III. BUSINESS AT HAND

ZBA #622 – A VARIATION FROM PARAGRAPH 3-110-C-1 (REQUIRED FRONT YARD) OF THE ZONING CODE WITHIN THE R-4 SINGLE FAMILY RESIDENTIAL DISTRICT, BRIAN AND KERI TYRRELL, 601 S. SPRING AVENUE

Staff Presentation

Heather Valone, Planner, said the applicants are looking to construct a 10-foot-deep front porch that would encroach into the required front yard. If approved the proposed porch would have a resulting front yard setback of 25.54 feet. The applicants have applied for the porch as an entrance feature, however, as indicated in the staff report a little bit more information will need to be submitted to determine if

the proposed porch will comply with the definition of porch in the zoning code. Staff needs to make sure that it is not completely enclosed and that the screens are able to be removed.

The majority of the other homes on this block have front yards that do observe the required front yard setback. Along this block, nine of the homes do not have any type of entrance feature; six of them have a portico or some other entrance feature. Only one home on the block has a six-foot front porch. Staff did receive some comments on the application post the publishing of the staff report. Fourteen of the comments were in support the application and one was opposed. Of the 14, five were from residents who live on the 600 block of S. Spring Ave. four of the comments were in favor of the application and one was against. The fourteen comments that were in support indicated they were in favor of the application because the porch added to the character of the neighborhood, improved the appearance of the home, and added value to the home. Additionally, a number of the commenters indicated that they did not have concerns about the proposed porch obstructing the slight lines of the intersection. The one person who was opposed is concerned about vehicular site lines, that it was not keeping with the character of the neighborhood, and the setback was not consistent with the neighboring properties.

Chairman Pappas asked if anyone was planning on speaking in regards to this case to please stand and raise his/her right hand. He then administered the oath. He then called for a motion to open the public hearing.

Commissioner Blentlinger made a motion, seconded by Commissioner O'Connor to open the public hearing for case #622. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Applicant Presentation

Brian Tyrrell stated he is present tonight with his wife Keri and are the owners of the subject property. This is his childhood home and has been in his family for over 40 years. They purchased the home from his parents. They choose to raise their kids here and improve their home for their four kids. They would like to enjoy the outside during the warmer weather in a screened area with removable screens.

There are unique physical conditions with their lot. They have a hardship because of their double front lot. They cannot put a porch in their backyard because of the attached garage, so it has to be in front of the house. The front porch will only enhance their style of living and they are trying to do what others have done with their properties. They are the only corner lot in their immediate block that doesn't have a screened in porch. He has driven around La Grange and has seen several homes with front porches that have enhanced the beauty of the home. The improvement will enhance and raise the value of their home as well as other homes in

their area. There is no variation with ground coverage or drainage problems with their plans.

Mr. Tyrrell said they are making several improvements to their home and then proceeded to list the improvements for the Commission. All of the improvements are maintaining the traditional look of their property as well as all other homes on the block. They understand that there might be mixed opinions in their neighborhood. Change can make people fearful but they don't see how their improvements on their home can simply affect any of their neighbor's homes.

Shane Connelly, contractor, stated this is a corner lot with a fireplace. The landing stone is beautiful but it is hard to access that area without building a front porch, as opposed to building a lower deck or paver patio.

Chairman Pappas asked if the garage, that is going to be added, does not increase the existing lot coverage.

Mr. Connelly said that is correct, given plus or minus ten feet. There was an existing attached garage that is being rebuilt on the proper foundation with a master suite on top.

Mrs. Valone stated they already pulled the permit for the attached garage. They increased the square footage of it. It is about four feet by twenty feet, so that was calculated in for lot coverage and building coverage. Even with the porch they will not exceed either. As a corner lot the zoning code allows it to have a higher maximum building coverage.

Chairman Pappas asked if the chimney is going to remain.

Mr. Connelly said yes it will.

Chairman Pappas asked if the tree will be affected.

Mr. Connelly stated it will not.

Chairman Pappas said he did review some of the photographs of other properties that are corner lots that have additions. Some line up with the houses next to them, but some do go beyond. Not all of them go beyond 10 feet but they do exist.

Commissioner Blentlinger asked which street are the stop signs on.

Mr. Tyrrell stated the stop signs are north and south.

Chairman Pappas asked if there was anyone else that wanted to speak in regards to this case.

Public Comment

Charlie Lawler, 607 Spring Avenue, said he lives next door to the applicant. He opposes the project because of the site lines and feels that there are some safety issues. The setback rule has been in place for many years for a reason. This block is one of the prettiest blocks in the neighborhood and feels the character of the block is the wide open spaces. The east side of the block has nine houses and the west has eight. The overload on the one side is congested. His concern is that this addition will make it look even more congested.

His main concern is the safety issues with the site lines. There is a stop sign going north and south and it is a very congested street. The people don't make a complete stop at that corner, because the site lines are so good. If you put any type of addition on there then you are going to comprise that. If this is approved he would recommend that there be an additional stop sign going east/west. They are also proposing to have the door opening up right on their driveway. If that is the case, then he would like to have a permission to put a fence up so he does not hurt anyone.

Mr. Tyrrell stated he understands the safety concern but there really is no loss of site and by no way is it impacting any site lines from Mr. Lawler's house. There are no side windows on the house and they are not proposing to go up very high with the porch. Mr. Lawler's front porch comes out about five feet and his stairs come out another five feet. They have no issue keeping the door on the front of the house.

Commissioner O'Connor said there was an email that talked about adding a porch to a stone wall will change the aesthetics to the worst.

Mr. Tyrrell stated aesthetically they are trying to conform to the house so there is no desire to include stone around the screened porch. They would want it to mimic the new siding.

Mr. Connelly said they could possibly do stone piers on the porch.

Chairman Pappas asked if there were any further questions or comments. None responded. He then called for a motion to close the public hearing.

Commissioner O'Connor made a motion, seconded by Commissioner Blentlinger to close the public hearing for Case #622. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Zoning Board Discussion

Commissioner O'Connor stated he feels the property has a unique physical condition. If approved, he would like to have a condition in there that stipulates that the rear door does not open onto the neighbor's drive-way.

Commissioner Blentlinger said she could see where the site line could be affected but she feels the house is set back far enough for it to still be efficient and the safety would not be affected.

Commissioner Tussing stated she feels that the porch fits with the sense of community. She understands how the site line can be affected, but she does not feel it is an issue here.

Chairman Pappas said he drove through the neighborhood and he feels that there are more houses than not that extend beyond the house next to it. Going beyond the standard setback is not something that is approved easily or taken lightly. The site lines and character of the neighborhood are important. It is also important seeing people fixing up their homes though. Corner lots are special with the situations they have. They do take everyone's concerns into consideration here this evening.

Chairman Pappas asked if there were any further comments or questions from the Commission. None responded. He then called for a motion for recommendation.

Zoning Board of Appeals Recommendation

Commissioner O'Connor made a motion, seconded by Commissioner Tussing to recommend to the President and Board of Trustees approval of the variation for Case #622 with the following condition:

1. The doorway needs to be removed away from the neighbor's driveway.

A roll call vote was taken:

Ayes: O'Connor, Tussing, Blentlinger, Pappas

Nays: None

Motion passed

ZBA #623 – A VARIATION FROM PARAGRAPH 3-110E1 (MAXIMUM BUILDING COVERAGE FOR AN INTERIOR LOT) TO ALLOW THE CONSTRUCTION OF TWO PORCHES WITHIN THE R-4 SINGLE FAMILY RESIDENTIAL DISTRICT, JUDI AND TONI MOONCOTCH, 128 S. WAIOLA AVENUE

Chairman Pappas asked anyone speaking in regards to this case to please stand and raise his/her right hand. He then administered the oath. He then called for a motion to open the public hearing for Case #623.

Commissioner Tussing made a motion, seconded by Commissioner Blentlinger to open the public hearing for Case #623. A voice vote was taken:

Ayes: All
Nays: None
Motion passed

Staff Presentation

Mrs. Valone said the applicants are wishing to construct roofs over the existing front and rear decks. By constructing roofs over the decks they then meet the definition for porch which adds to the maximum building coverage of the subject property. Currently, the lot is just shy of maximum building coverage. With the porches they would be requesting to exceed maximum building coverage by 341 square feet (sf), which is about 4.78%. If the variation is granted they would still meet lot coverage requirement and set back requirements.

Along the east side there are a number of homes that have existing front porches. The subject property is located along the east side of Waiola, which are smaller lots with smaller homes than the west side. There have been a number of variations granted for building coverage over the past years. The majority of the previously requested and granted building coverage variations were to construct two-car detached garages. Additionally, the average granted building coverage variation is about 250 square feet.

Applicant Presentation

Judi Mooncotch stated she has been a member of this community her entire life. She and her wife have chosen this home as their forever home. Currently, their front and back porch are not that great to use. In the morning the front porch gets the morning sun and the back porch is hit with the evening sun, which makes it hot all day long. They enjoy sitting on their front porch in the morning greeting their neighbors as they are out walking their dogs or walking to the train station. In the evening, they like to sit out back while they are barbequing. If they are able to cover both their front and back porches it would give them a better utilization of their property and outside space.

Toni Mooncotch said in the morning the sun is so hot it makes it extremely difficult to sit on the front porch. The same thing happens in the back during the evening. They love their home and the neighborhood and would like to be able to enjoy it any time of the day.

Tim Trompeter, architect, stated staff had gone back about 20 years with their research. In 2011, La Grange had done something that has been very successful in eliminating the number of variations coming to this Board. They instituted an administrative adjustment which gave the building department the ability to add 100 sf without burdening the Zoning Board or the Village Board. The numbers from 1991 to now, 39 variances, do average out to about 230 to 250 sf. If you take it from 2011 to now, which is a better gauge, the average variance is 345 sf. The applicant is

only asking for 341 sf. The applicant is not able to apply for an administrative adjustment because their house was built after 1991 which is a criteria in the ability to apply for it.

In regards to the usability, they are just trying to add roofs over existing front and back porches. They will be blending in with the style of the house so it will look like it was always intended on being there. The house was not built by the applicants but rather by a developer who choose not to have a roof on them. They plan on doing some upgrades like improving decking material, better railings and skirting.

Chairman Pappas asked wouldn't putting a porch there now put them over the building coverage to begin with.

Mr. Trompeter said yes it would. However, he could have shrunk the house by 341 feet and not have to go for a variance. A developer does not think that way; they just design the big bedrooms and bathrooms so they can sell.

Chairman Pappas asked if there was anyone in the audience that wanted to speak in regards to this public hearing.

Public Comment

Brian Murray, 124 S. Waiola Avenue, stated he is in favor of the request. He thinks the variance would add character to the neighborhood and would look like they have been there the whole time. There are not many open decks on the block. Their kids are starting to play together and they would like to sit out on the front porch and watch the kids play.

Chairman Pappas asked the applicant if they have thought about doing one or the other instead of doing both.

Toni Mooncotch said it would be hard if they had to make that decision but right now they can't utilize either. She loves sitting on the front porch and the sun has caused damage to their front door.

Judi Mooncotch stated she agrees. Having both covered lets them utilize both spaces at different times of the day. Having them covered would help with drainage issues. It would help with safety issues in the front during the winter with snow melting off the roof. They tend to get a lot of ice on their front porch. To place a value on one or the other would be very difficult.

Chairman Pappas wanted to confirm with staff that any house built after 1991 could not apply for the administrative assistance.

Mrs. Valone said that is correct but their 341 sf request would have been over anyways.

Chairman Pappas stated the regulations with lot coverage and setbacks with the Village are put in place for a reason. It was mentioned about runoff regulations; he asked if they could elaborate on that.

Mr. Trompeter said that is required on all new homes to have a storm dissipation system. If there was a concern on building coverage with drainage, they could increase the storage capacity in the backyard by diverting all the water to the existing system and increase its current capacity. It is not required, but they could enhance it to help with their application.

Commissioner Tussing asked would they consider just choosing one.

Commissioner O'Connor stated before they choose they should understand with the roof they would lose a lot of natural sunlight coming into the home.

Judi Mooncotch said they have looked at other alternatives but with the chimney it is too difficult. They have added skylights over the back and most of the windows are on the south side of their home.

Chairman Pappas asked if there were any further questions for the applicant. None responded. He then called for a motion to close the public hearing.

Commissioner Blentlinger made a motion, seconded by Commissioner Tussing to close the public hearing. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Zoning Board Discussion

Chairman Pappas stated they were given the history of past variations. Lot coverage variances are to be considered very carefully because of drainage in the Village which is a serious issue. This is an interesting case because it is not just one structure but two. The recommendation that they make should be one that they think the Village Board will approve along with being within limits of the zoning code.

Commissioner Blentlinger asked if this was approved would they have to change the dissipation system.

Mrs. Valone said they are not required to change the dissipation system, but they will be required to submit a grading survey to show the stormwater will be directed into dissipation system.

Chairman Pappas stated he is concerned about the size of the variance. He feels if they choose one over the other that would be a good compromise.

Commissioner Tussing said she would also agree. After looking at the front porch, she feels the roof is almost necessary to finish it and be able to utilize it. She is concern about the coverage. She understands that they want to be able to utilize their home completely; however, she does not want them to lose out completely.

Commissioner O'Connor stated he would hate to have them come back and reapply. He does not feel that this lot is not unique to justify that large of a variance.

Discussion continued in regards to what options the Commission had for a recommendation.

Chairman Pappas said they could recommend approval for 220 sf which would then give the owner the option to choose one over the other.

Mrs. Jones, Community Development Director, stated that is a perfectly viable option. In the interim between now and the Village Board meeting, staff would direct the applicant to pick which porch they are going to proceed with. So if approved by the Village Board it would have an exhibit attached to it that shows the improvement that is being approved.

Discussion continued in regards to the amount of square footage the Commission should recommend.

Chairman Pappas called for a motion for recommendation.

Zoning Board of Appeals Recommendation

Chairman Pappas made a motion, seconded by Commissioner Tussing to recommend to the President and Board of Trustees approval of the variation for Case #623 with the following condition:

1. The variance cannot exceed 230 square feet.

A roll call vote was taken:

Ayes: Pappas, Tussing, Blentlinger, O'Connor

Nays: None

Motion passed

IV. OLD BUSINESS

Mrs. Valone said the Village Board did approve the 429 S. Park Avenue and the 419 S. Park Avenue cases. The application for 316 9th Ave. that was heard last month for lot coverage was withdrawn before going to the Village Board.

V. NEW BUSINESS

Commissioner O'Connor asked if they were still looking to fill the vacant spots on the Board.

Mrs. Jones said Village President is looking to fill the vacancy spots for several Commissions.

VI. ADJOURNMENT

Commissioner Tussing made a motion, seconded by Commissioner O'Connor to adjourn the meeting at 8:40 p.m. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Minutes prepared by Peggy Halper