



WHEATON CITY COUNCIL PUBLIC HEARING MINUTES

MAYOR PHILIP J. SUESS

COUNCILMAN MICHAEL BARBIER | COUNCILWOMAN ERICA BRAY-PARKER | COUNCILMAN SCOTT BROWN
COUNCILWOMAN SUZANNE FITCH | COUNCILWOMAN LYNN ROBBINS | COUNCILMAN SCOTT WELLER

WHEATON CITY HALL, COUNCIL CHAMBERS, 303 W WESLEY STREET, WHEATON, ILLINOIS 60187

Monday, Nov. 28, 2022

I. Call to Order and Roll Call

The public hearing of the Wheaton City Council was called to order at 7 p.m. by Mayor Suess. The public hearing was held in the Council Chambers, Wheaton City Hall, 303 W. Wesley Street, Wheaton, Illinois.

Upon roll call, the following were:

Present: Councilman Barbier
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilwoman Fitch
Councilwoman Robbins
Councilman Weller

Absent: None

City Staff Present: Michael Dzugan, City Manager
John Duguay, Assistant City Manager
James Kozik, Director of Planning & Economic Development
Joseph Tebrugge, Director of Engineering
Susan Bishel, Public Information Officer
Halie Cardinal, Public Relations Coordinator

II. Public Hearing – A #22-27, Amendment to Annexation Agreement, 1501 Waldorth Court, & Daniel

a. Presentation

Gary and Karen Van Prooyen requested an amendment to the Annexation Agreement approved for 1501 Waldorth Court by City Ordinance F-1964 on October 3, 2016. Mr. Van Prooyen stated he and his wife desire to build a one-story home on 1501 Waldorth Court that will accommodate potential future mobility issues and complement the neighborhood. He stated they would like for the future home to face south and have a backyard on the north side.

Attorney Mark Daniel stated in 2016 the City entered into an annexation agreement with the prior owners of the parcel and the lot to the west at 1509 Waldorth Court. He stated, the Van Prooyens are requesting two variations to the annexation agreement: a front yard setback of 30 feet in lieu of the previously approved 40.4 feet from the east (Orchard Road) property line and a rear yard setback of 20.0 feet in lieu of the required 25.0 feet from the west property line for Lot 1.

Mr. Daniel stated the home under the annexation agreement was meant to face south, and when viewing Waldorth Court from Orchard Road to the west, every yard has an interior side yard except 1501 Waldorth Court. He stated the petitioner seeks these variations in order to preserve

mature trees, maximize green space and screening from Orchard Road, and to allow for the petitioner's desired ranch-style home design.

In response to a question from Mayor Suess, Mr. Daniel stated the neighbors to the west are aware and do not have an issue with the setback being reduced by 5 feet.

In response to a question from Mayor Suess, Mr. Daniel stated this corner lot is unique, as it was planned so that the front side of the house would be along Waldorth. He stated the onus is placed on the owners to create a box-shaped home, which will also be different than other homes in the area.

In response to a question from Mayor Suess, Director of Planning & Economic Development Kozik stated that the 40.4 feet was measured in 2016 when the annexation agreement was created, and it was on the engineering drawings.

In response to a question from Councilman Barbier, Director of Planning & Economic Development Kozik stated the rear yard setback is 25 feet. He stated in a corner lot, the front lot is the shorter of the two dimensions of the yard.

In response to a question from Councilwoman Fitch, Mr. Daniel stated the City provided information to the petitioners on the required setbacks, and some parties on the petitioners' team had this information, but the owners were not aware of the required setbacks as outlined in the annexation agreement prior to closing.

In response to a question from Mayor Suess, Mr. Daniel confirmed that it is possible to build a home on this property without variations.

In response to a question from Mayor Suess, Director of Engineering Tebrugge stated there are two general stormwater comments in regards to this property. He stated that the first is related to the required best management practice (BMP) to reduce the pollutants that are generated from that area. With the preliminary engineering, that BMP requires a BMP to be at least 10 feet away from the foundation to avoid having an infiltrative system immediately joining the foundation. The second issue is that the preliminary engineering did not factor an upland depression that exists on this lot which, upon a heavy storm, causes this lot and the one to the north to become inundated.

b. Public Comment

Elizabeth Albert, 1017 Penny Lane, stated when purchasing a vacant lot, the home design should fit the lot itself.

c. Council Comment

Councilman Barbier stated the definitions of those corners lots are rigid and that he prefers the driveway on Waldorth as opposed to Orchard Road. He stated it is noteworthy that the request is to move closer to Orchard Road as opposed to moving closer to the neighbors, and that the proposed layout is better for the property than originally envisioned in 2016.

III. Adjournment

Roll Call Vote:

Ayes: Councilwoman Robbins
Councilman Weller
Councilman Barbier
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilwoman Fitch

Nays: None

Absent: None

Motion Carried Unanimously

Respectfully submitted,

Halie Cardinal