

WHEATON PLANNING AND ZONING BOARD

I. CALL TO ORDER AND ROLL CALL VOTE

Chair Weller called the February 26, 2019 Wheaton Planning and Zoning Board meeting to order at 7:00 p.m. in the Council Chambers of the Wheaton City Hall, 303 W. Wesley Street. Upon roll call, the following were:

Roll Call Vote

Present: Nicole Aranas  
Christopher Dabovich  
Bob Gudmundson  
Dan Wanzung  
Scott Weller

Absent: Cecilia Horejs  
Mark Plunkett

City Staff Present: Tracy Jones, Staff Planner

II. APPROVAL OF MINUTES - FEBRUARY 12, 2019

The minutes were approved as presented.

III. PUBLIC COMMENT

Jan Kay, a member of the Wheaton Housing Commission, provided comment. Ms. Kay introduced pending House Bill 2168 to the Board. She stated that HB 2168, if enacted, would provide property tax incentives for affordable housing.

IV. NEW BUSINESS

ZA #19-02/ REAR YARD SETBACK VARIATION/ 222 E. MADISON AVENUE/ R. LAUTZ CONSTRUCTION, INC.

Pursuant to notice duly published on February 8, 2019 and letters mailed to neighboring property owners on February 6, 2019, Chair Weller called to order the February 26, 2019 public hearing requesting a variation to Article 3.4A.6 of the Wheaton Zoning Ordinance to allow the construction and use of a patio on the property located at 222 E. Madison Avenue with a rear yard setback of 7.0 feet in lieu of the required 25.0 feet. An email of support from the neighbor at 714 N. Scott Street was received and incorporated into the record.

Roger Lautz, 25W581 Plamondon Road, Wheaton was sworn in. Mr. Lautz stated that he was the builder working on the project. He stated that the subject property is located at the southwest corner of Madison Avenue and Scott Street. The property is 8,712 square feet in size with a lot width of 66.0 feet and a lot depth of 132.0 feet. The existing house is in disrepair and a new house is planned for the subject property with a rear yard setback of 22.27 feet. He added that the neighbors are fully supportive of the new house and patio.

Mr. Lautz stated that he was unaware of the patio setback requirements prior to designing the new house. He added that given the placement of the proposed house and the shallow back yard depth, he has no ability to construct a patio without a variation. He added that due to the restrictive front and corner side yard setbacks, an administrative variation was already required to construct the house in its existing location.

Mr. Lautz stated that the only outdoor living space is a covered porch on the north side of the residence. The new patio would have a total area of approximately 320 square feet, an interior side yard slightly greater than the required 5.28 feet and a rear yard setback of 7.0 feet in lieu of the required 25.0 feet.

Mr. Lautz addressed the variation evidence standards as required by the Zoning Ordinance. He stated that the proposed variation would not be detrimental to the public health, safety, morals, comfort, convenience or general welfare of the neighboring property owners. He added the new house and patio would be an improvement to the neighborhood.

Randall Jahns, 337 W. Oak Avenue, Wheaton was sworn in. Mr. Jahns stated he was the property owner. He added that he is building a new house with a first floor master bedroom due to medical reasons. He added that the patio was the minimum size necessary given the number of family members that would be using the space. He further stated that if the variation for the patio is approved, he plans to landscape both the south and west sides of the patio.

Chair Weller questioned whether the house could be moved further east to minimize the rear yard setback variation request for the patio.

Staff Planner Jones stated that an administrative variation was already granted for the east, north and west setbacks, so the house could not be moved further east.

Chair Weller questioned if the footprint of the house could be reduced.

Mr. Lautz stated that the footprint of the house could not be reduced without losing a room or two.

Mr. Wanzung questioned the proposed drainage around the patio, as it looked rather flat on this area of the property.

Mr. Lautz stated that he met the minimum slope requirements that would be reviewed by engineering staff. He added that the landscaping around the patio would be staggered to not impede the flow of drainage in this area.

Mr. Gudmundson moved and then Ms. Aranas seconded the motion to close the public hearing. On a voice vote, all voted aye.

The Board decided to vote this evening.

Ms. Aranas moved and then Mr. Dabovich seconded the motion to approve ZA #19-02 granting a variation to Article 3.4A.6 of the Wheaton Zoning Ordinance to allow the construction and use of a patio on the property located at 222 E. Madison Avenue with a rear yard setback of 7.0 feet in lieu of the required 25.0 feet.

Roll Call Vote

Ayes: Nicole Aranas  
Christopher Dabovich  
Bob Gudmundson  
Scott Weller

Nays: Dan Wanzung

Absent: Cecilia Horejs

Mark Plunkett

Motion Passed

Mr. Wanzung had outstanding concerns with drainage around the patio and setting a precedent for granting variations on corner lots.

V. MISCELLANEOUS

There was none.

VI. ADJOURNMENT

Mr. Dabovich moved and then Mr. Gudmundson seconded the motion to adjourn the meeting at 7:45 p.m. On a voice vote, all voted aye.

Respectfully submitted,  
Tracy L. Jones, Staff Planner