

WHEATON PLANNING AND ZONING BOARD

I. CALL TO ORDER AND ROLL CALL VOTE

Chair Weller called the June 11, 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  
Cecilia Horejs  
Mark Plunkett  
Dan Wanzung  
Scott Weller

Absent: None

City Staff Present: Tracy Jones, Staff Planner

II. APPROVAL OF MINUTES - MAY 29, 2019

The minutes were approved as presented.

III. PUBLIC COMMENT

There was none.

IV. NEW BUSINESS

ZA #19-08/ REAR YARD SETBACK VARIATION/ 50 SOMERSET CIRCLE/ ANDREOLI

Pursuant to notice duly published on May 22, 2019 and letters mailed to neighboring property owners on May 20, 2019, Chair Weller called to order the June 11, 2019 public hearing requesting a variation to Article 3.4A.6 of the Wheaton Zoning Ordinance to allow the construction and use of a deck on the property located at 50 Somerset Circle with a rear yard setback of 14.0 feet in lieu of the required 25.0 feet.

Chair Weller stated that the subject property is located on Somerset Circle in the Loretto Club Subdivision. The property is 10,019 square feet in size with a lot width of 77.0 feet at the front setback line and a lot depth of 132.0 feet. A new house was recently constructed on the subject property with a rear yard setback of 27.5 feet.

Randall Andreoli, 50 Somerset Circle, Wheaton was sworn in. Mr. Andreoli stated that he was requesting a variation to Article 3.4A.6 of the Wheaton Zoning Ordinance to allow the construction and use of a deck on the property located at 50 Somerset Circle with a rear yard setback of 14.0 feet in lieu of the required 25.0 feet. It should be noted that the curved portion of the deck is 14.0 feet from the rear property line, but the main portion of the deck is 16.0 feet from the property line.

Mr. Andreoli stated that when he selected the Bourges Model with Pulte Homes, he was given the option of a covered rear porch or enclosing this area for additional living space. After ultimately selecting the Bourges Model with the expanded living space, he was led to believe that a sizeable deck or patio space was possible

(please see Pulte's floor plan options showing an optional patio/ deck space) beyond the footprint of the proposed home.

Instead of having Pulte Homes construct his desired deck with the house, Mr. Andreoli stated that he decided to build his own deck after construction was completed on his home. Once a permit was submitted for the deck, the rear yard setback issue came to light.

Staff Planner Jones stated that at this point, Mr. Andreoli has no possibility of constructing a deck without a rear yard setback variation. His property currently backs up to a vacant lot still owned by Pulte Homes. Prior to a new home being constructed on this lot, he plans to install extensive landscaping along his rear property line that will buffer the view of the proposed deck (please see the attached landscape plan). This landscape plan has already been approved by the homeowner's association.

Maryann Loncar, 11 Somerset Circle, Wheaton was sworn in. Ms. Loncar stated that she was the current sales consultant for Pulte Homes and she confirmed the misinformation that was provided to Mr. Andreoli at the public hearing. Bob Getz from Pulte Homes also submitted a letter of support for the rear yard setback variation request that was incorporated into the record. In this letter of support, Mr. Getz provides assurance to the City of Wheaton that they understand the setback requirements now and this situation would not happen again.

Mr. Andreoli addressed the variation 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.

To reduce the chance of this situation happening again, the Board suggested that Pulte offer only the option of a covered rear porch and eliminate the option of enclosing this area for additional living space (i.e. the sunroom option). Since this situation occurred on a lot with a curved front property line that pushed the house back further on the lot, the Board further suggested that Pulte be careful with the placement of a house on lot 42 and lot 48 which could have the same setback issues.

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

The Board decided to vote this evening.

Mr. Plunkett moved and then Ms. Aranas seconded the motion to approve ZA #19-08 granting a variation to Article 3.4A.6 of the Wheaton Zoning Ordinance to allow the construction and use of a deck on the property located at 50 Somerset Circle with a rear yard setback of 14.0 feet in lieu of the required 25.0 feet.

Roll Call Vote

Ayes: Nicole Aranas  
Christopher Dabovich  
Bob Gudmundson  
Cecilia Horejs  
Mark Plunkett  
Scott Weller

Nays: Dan Wanzung

Absent: None

Motion Passed

The dissenting board member had reservations over setting a precedent for rear yard setback variations in the Loretto Club Subdivision.

V. MISCELLANEOUS

There was none.

VI. ADJOURNMENT

Mr. Dabovich moved and then Mr. Gudmundson seconded the motion to adjourn the meeting at 8:05 p.m. On a voice vote, all voted aye.

Respectfully submitted,  
Tracy L. Jones, Staff Planner