

WHEATON PLANNING AND ZONING BOARD

I. CALL TO ORDER AND ROLL CALL VOTE

Chair Weller called the July 9, 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 - JUNE 11, 2019

The minutes were approved as presented.

III. PUBLIC COMMENT

Newly elected Mayor Phil Suess introduced himself to the Planning and Zoning Board and thanked the Board for their service to the City of Wheaton.

IV. NEW BUSINESS

ZA #19-09/ CORNER SIDE YARD SETBACK VARIATION/ 704 N. BLANCHARD STREET/ RUNYON

Pursuant to notice duly published on June 21, 2019 and letters mailed to neighboring property owners on June 19, 2019, Chair Weller called to order the July 9, 2019 public hearing requesting a variation to Article 10.2.5 of the Wheaton Zoning Ordinance to allow an existing patio to remain on the property located at 704 N. Blanchard Street with a corner side yard setback of approximately 4.0 feet in lieu of the required 16.5 feet.

Chair Weller stated that the subject property is located on the northwest corner of Jefferson Avenue and Blanchard Street. The property is 5,512 square feet in size with a lot width of 52.0 feet and a lot depth of 106.0 feet. The property is improved with a ranch style home that was constructed in 1952.

Kristine Runyon, 704 N. Blanchard Street, Wheaton was sworn in. Ms. Runyon stated that she is requesting a variation to Article 10.2.5 of the Wheaton Zoning Ordinance to allow an existing patio to remain on the property located at 704 N. Blanchard Street with a corner side yard setback of approximately 4.0 feet in lieu of the required 16.5 feet. She stated that she purchased the property in 2012 and constructed the patio shortly after without a permit. Ms. Runyon was notified of this code compliance issue and she is now seeking a variation (to allow the patio to remain) as an administrative remedy.

Staff Planner Jones stated that the corner side yard setback requirement off Blanchard Street is based on the average of the standard requirement of 12.0 feet and the setback of the adjacent home to the north of 21.0

feet to determine the required corner side yard setback of 16.5 feet (12.0 +21.0/ 2). The existing house has a corner side yard setback ranging from 14.35 to 15.05 feet.

Staff Planner Jones stated that given the narrow width of the lot (52.0 feet) and the narrow depth of the lot (106.0 feet), Ms. Runyon has little ability to construct a patio anywhere on her lot without a setback variation. In addition, the larger than normal parkway width (41.0 feet) on this portion of Blanchard Street provides a significant buffer for the existing patio that makes it appear like it has more of a setback than it does.

Ms. Runyon addressed the variation standards as required by the Zoning Ordinance. She 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.

Chair Weller questioned how and when the City became aware of the patio.

Staff Planner Jones stated that the City received a complaint in 2012 when the patio was under construction.

Chair Weller questioned why the resolution of the complaint has taken so long.

Staff Planner Jones stated that Ms. Runyon was made aware of the issue in 2012 but that neither party followed up on the patio issue until earlier this year.

Mr. Gudmundson questioned whether the applicant would be comfortable with a condition that no seats walls could be added to the patio.

Ms. Runyon stated that should would be comfortable with this condition.

Staff Planner Jones stated that unfortunately Public Works did not post the zoning signs on the property prior to the public hearing as required by the Wheaton Zoning Ordinance. Thus, the Board cannot act on this item until their Tuesday, August 13th meeting in order to meet the 15 day sign posting requirement.

Chair Weller questioned whether the publication and mailing complied with the statutory notice requirements.

Staff Planner confirmed that the publication and mailing did comply with the statutory notice requirements.

Mr. Dabovich moved and then Mr. Gudmundson seconded the motion to continue the public hearing until Tuesday, August 13th to meet the 15 day sign posting requirement. On a voice vote, all voted aye.

V. MISCELLANEOUS

There was none.

VI. ADJOURNMENT

Mr. Dabovich moved and then Mr. Gudmundson seconded the motion to adjourn the meeting at 7:22 p.m. On a voice vote, all voted aye.

Respectfully submitted,
Tracy L. Jones, Staff Planner