

SPECIAL MEETING MINUTES OF THE
ZONING BOARD OF APPEALS MEETING
HELD AT THE ROBERT J. HOMOLA
MUNICIPAL BUILDING, DUPAGE COUNTY
201 SOUTH BLOOMINGDALE, ILLINOIS 60108 ON
MARCH 18, 2014 AT 7:00 P.M.

PLANNING, ZONING &
ENVIRONMENTAL CONCERNS

I

1. CALL TO ORDER

The Special Zoning Board of Appeals meeting was called to order by
Chairman Brice at 7:05 p.m.

2. ROLL CALL

Upon roll call by the recording secretary, the following Commissioners were:

Present: Commissioners Jaster, Linderman, Sanalidro, Smith, Zevan and
Chairman Brice

Absent: Commissioner Fangusaro

Quorum Present

Also Present: Ms. J. Hernon -Village Development & Planning
Mr. B. Sisco -Civil Engineer

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

There were no minutes to be approved.

5. CASTALDO ADDITION/359 GALWAY COURT/VARIATION TO REAR YARD
COVERAGE/FLOOR AREA RATIO - (FIRST HEARING) - 2014-001

The following exhibits were entered into the record.

Exhibit # 1 - Application for Hearing, dated February 24, 2014

Exhibit # 2 - Notice of Public Hearing, dated February 26, 2014

Exhibit # 3 - Affidavit of Compliance, dated February 24, 2014

Exhibit # 4 - Application Agreement, dated February 24, 2014

Exhibit # 5 - Affidavit of Disclosure, dated February 24, 2014

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Exhibit #6 - Notices to Surrounding Property Owners
(26) Notices Received, (20) Notices Not Received
Affidavit of Mailing, dated March 6, 2014

Exhibit # 7 - (Group Exhibit) 15 Photographs Depicting the Character of the
Neighborhood

Exhibit # 8- Layout of the Backyard and the Lot, dated March 17, 2014

Exhibit # 9 - Elevations of the Sunroom and the Rear Yard, dated March 17,
2014

The following people were sworn in for the hearing:

Mr. Michael Castaldo, Jr. – 359 Galway Court, Bloomingdale, IL

Mr. Thomas Fend – Architect with SWA Architects, 911 Rogers Street,
Downers Grove, IL

Mr. Michael Castaldo, Jr. introduced himself to the Zoning Board of Appeals Commission. He stated as the Commissioners know, he is also an attorney and the attorney for the Village of Bloomingdale. He said that the home is in trust, and he is not the beneficiary of the trust. He stated that the trust was created in 1998, and his wife and two boys are the beneficiaries to the trust.

He stated that what is being proposed to the Village at this point in time is something that his family discussed for several years and something that they regrettably did not include when they built the home and that is a sunroom right off the back of the home right by the pool. He stated that the previous design of the home included that but for some reason when they were building the home they elected not to go with that sunroom because at that time they were not quite sure if they were going to put a pool in. They moved forward to put that pool in the yard and regrettably did not put the sunroom in to have access to a bathroom and amenities for that area. He said they have considered doing this for quite some time now and have been in the process for a few years putting together the plans to do this.

He stated that what they have before the Plan Commission is what the proposed sunroom would look like. Exhibit # 7 is introduced into the record, which is a group exhibit of 15 photographs depicting the character of the neighborhood. Exhibit # 8 is introduced into the record, which is the layout of the backyard and the lot, dated March 17, 2014. Exhibit # 9 is introduced into the record, which shows the elevations of the sunroom and the rear yard, dated March 17, 2014.

He stated that he has been discussing this with the Village for a while, but just recently it has come to his attention that in order to move forward he would have to request various variances. He said those variances are for the rear yard coverage and the floor area ratio. He stated they are proposing to do this now because they also have a couple of issues with the pool where one area has kind of sunk. They are going to have to rip up the pool to repair the pool so as long as they are doing this they decided to add the sunroom. He said part of doing this, they are going to put an outside ingress and egress to the basement area so that anyone that is using the pool can go through the sunroom and down into the basement and access the shower. This will allow them the opportunity to have two separate ingress and egress in the home. He thinks this will also be good for safety reasons being right off of Medinah Road. He stated that they are going to redo the patio with a new sidewalk onto the patio. He said the room will be designed to go with the character of the house and the neighborhood. There will be mostly windows in the back.

Commissioner Zevan inquired about the ratio of the space. Mr. Castaldo said the reason for that is that when the house was initially constructed (he has two boys and he built a basement area for the kids), the area off to the side, which is 20 feet by 40 feet; an area off of the kitchen area where the formal dining room and maybe a study would be, he left that floor area out of the home and put a basketball net, batting cage area to use when practicing for Bloomingdale baseball, and an area to shoot pucks. It was just a giant play area. He stated that what is being proposed as far as that, at a certain point of time, when designing the home and thinking ahead, they also put the electrical and the lighting in there anticipating they may put the floor in at a certain point of time to actually become a study and formal dining room. He said in doing this, it raised his attention, and he also wants to make sure that he gets permission to do that at a later date.

Mr. Thomas Fend introduced himself to the Zoning Board of Appeals Commission. He is the architect for the project. He said concerning the FAR questions, the area that Mr. Castaldo was describing is already figured in the square footage number. He said if that is ever filled in, that would not increase the percentages that they see.

Ms. Hernon referred to her memorandum, dated March 14, 2014. She stated that the petitioner did an excellent job of summarizing the scope of the project for both the rear yard and the interior of their home.

Ms. Hernon inquired to the actual floor area and square footage of the home. Mr. Fend stated that the floor area with the proposed addition is 5,928 square feet.

Ms. Hernon said as the petitioner states it does allow them to do the sunroom addition, as well as to cover that open area in their home with little space at some point in the future.

Ms. Hernon stated that this proposed property is over on the far eastern part of the Village and in the area off of Medinah Road on the west side. She said in that area there are a number of subdivisions; they all link together. She said at one point in the mid or late 1990's the Village was wondering how this area would be developed. It was originally supposed to be a Business Park use as was the area which is Bloomingdale Golf Club, and there was a lot of discussion between the Village and the Village of Addison to the most effective way to develop that area. The decision was made to go with high end residential homes on that part of Medinah Road. She said there are a number of subdivisions that are in there. She said going from north to south they have the Dartmoor Development and Dartmoor Eastgate; south of that is Medinah Grove's First Addition; south of that is the petitioner's subdivision, which is Medinah Grove, and the Development Ordinance for that was approved in 1997. She said going south of that is a subdivision known as Medinah Meadows; south of that is Chateaus of Medinah and then it gets them finally to Vittoria Brook at the very southern end. She said even though these are all distinct subdivisions, they are all connected with the street pattern, and they were all planned at some point to be interlocking and work together. She said what is also interesting about this is that each of them have their own set of development parameters approved. She said, for example, in Eastgate of Dartmoor, which is the northernmost one; they have lots that are smaller than these and have floor area ratios that are much larger. She said some of the floor area ratios go up to .45 and some can be larger than that. She thinks this was reflecting the intent of the Village that not only were they going to have very nice upscale homes in that part of the Village but they were going to have as many of them in there that they could and nice as they could get them. She said some of the other subdivisions, Chateaus of Medinah, have floor area ratios that would vary on the size of the lot so that the smaller the lot the larger the floor area ratio could be. It could go up to .39. Ms. Hernon said that the petitioner's request of .32 is not that large in the scheme of things and especially not with respect to that subdivision.

Ms. Hernon said when addressing the zoning criteria, the first one is always the most important, which essentially states that the property owner cannot realize an economic return on their property if it isn't used according to the requirements of the Zoning District in which it is located. She said a response has usually been to that from people who have come before them in the past is that they are really not trying to do outlandish things here; they are just trying to meet a standard that already exists for that type of home or

elsewhere in the vicinity. She thinks they can look at the homes reflected in the photographs and come to some decision about what the petitioner is trying to do.

Ms. Hernon stated that there are the three threshold criteria. She stated that the second one is that the plight of the owner is due to unique circumstances. She said another thing that is very unique and is really consistent with zoning criteria for determining whether a variation is warranted is the configuration of the property itself. She said if they look at the property, some people have called it a pie shape, but she thinks it is more of a kite shape. It is the type of the configuration that you get when you are at the end of a cul-de-sac and that makes it really hard to plat rear lot lines and side lot lines. It makes it difficult to lay out things that would be a lot easier to do if you have a more rectangular configuration. She said it is one of the more larger lots. Cul-de-sac lots tend to be a little bit larger. She stated that the configuration does contribute to the hardship that they are having in expanding their lot area, the rear lot coverage in particular.

The third essential criteria is that the variation, if granted, will not alter the essential character of the locality. She said they are staying with their pictures and the fact that the addition is going to be in the rear of the house and really will not see it. There really is no effect on the character of the locality.

Ms. Hernon stated that there are the six secondary standards, but she does not think that they really need to cover them. They are basically standards that are offered for them to help them figure out whether they have met the three criteria. She stated that light and air is always a very important criteria and does it increase or diminish the danger or fire or diminish property values. She said the fact that it does not exceed the height of the existing residence, really will not be visible from the street means that they have more than addressed that criteria.

Ms. Hernon said because it has been a little bit to calculate some of the areas of coverage in the floor area that when this does come in for permit that they look at the site plan as well as the numbers.

Ms. Hernon stated that the materials will match the existing residence. It is consistent with the architectural style of the dwelling and will look like it has always been there.

Commissioner Zevan confirms that they are not talking about any variation design with the future build out basement; it is just the sunroom and wonders if there is any way to keep it within the 30 percent.

Ms. Hernon stated that they are not far over.

Mr. Fend stated to keep it within the existing FAR, the addition would almost have to be cut in half, which what they are attempting to do, would not be possible.

Mr. Sisco referred to his engineering memorandum, dated March 13, 2014. He stated that the Engineering Division conducted an inspection of the project site and reviewed the plans considering any facts that the addition and added patio area would have on drainage of the subdivision and the stormwater storage facilities that exist. He said the drainage of the proposed improvement area is toward the northwest of the existing home and goes to an inlet between 358 and 360 Dublin Road. Portions of the rear yards of 358, 360, 362 and 357, 359 and 360 Galway Court all drain to this inlet down a swale that has a pretty good slope at 4.5 percent. The additional impervious area of this proposed development would increase the impervious contributory area to be an inlet by approximately 16 percent over what is currently contributory to that inlet. He said considering the slope of that drainage swale and the additional impervious area, they do not feel that the improvements would adversely affect the drainage patterns for the subdivision.

Moved by Commissioner Jaster, seconded by Commissioner Linderman to open the floor to the public.

Ayes: All Commissioners Present

Nays: None

Absent: Commissioner Fangusaro

Motion Declared Carried

No one came forward to address the hearing.

Moved by Commissioner Jaster, seconded by Commissioner Linderman to close the floor to the public.

Ayes: All Commissioners Present

Nays: None

Absent: Commissioner Fangusaro

Motion Declared Carried

Mr. Castaldo stated that he purchased the lot in 1998 and moved in the home in 1999. He has been a proud member of Bloomingdale and looks forward to living here a long, long time.

Moved by Commissioner Linderman, seconded by Commissioner Jaster to recommend in favor of the following zoning permission or relief in connection with the proposed addition to the principal residence at 359 Galway Court proposed by Frances A. Castaldo: (1) a variation to Subsection 11-5-11-E of the Village Code to allow a rear yard coverage of approximately 32 percent instead of the maximum allowed coverage of 30 percent; (2) a variation to Subsection 11-7F-7-B to allow a Floor Area Ratio ("FAR") of 32 percent instead of the maximum allowed FAR of 30 percent. The relief recommended herein shall be based on the site plan, dated March 17, 2014 prepared by SWA Architects and the testimony presented at the public hearing conducted by the Zoning Board of Appeals on March 18, 2014.

Ayes: All Commissioners Present

Nays: None

Absent: Commissioner Fangusaro

Motion Declared Carried

6. OLD BUSINESS - None

7. NEW BUSINESS

Ms. Hernon stated that there will be another Special Zoning Board of Appeals meeting on April 1st similar to this hearing.

8. CITIZENS TO BE HEARD - None

9. ADJOURNMENT

Moved by Commissioner Linderman, seconded by Commissioner Jaster to adjourn the March 17, 2014 Special Board of Appeals meeting at 7:36 p.m.

Ayes: All Commissioners Present

Nays: None

Absent: Commissioner Fangusaro

Motion Declared Carried

Respectfully Submitted,

Sandra Aronson, Recording Secretary
of the Zoning Board of Appeals
Commission