

VILLAGE OF DOWNERS GROVE
ARCHITECTURAL DESIGN REVIEW BOARD
VILLAGE HALL - COMMITTEE ROOM
801 BURLINGTON AVENUE

OCTOBER 19, 2016, 7:00 P.M.

Chairman Pro tem Larson called the October 19, 2016 meeting of the Architectural Design Review Board to order at 7:00 p.m. and asked for a roll call:

PRESENT: Chairman Pro tem Larson, Mrs. Acks, Ms. Chalberg, Mr. Lerner, Mr. Riemer

ABSENT: Chairman Davenport

STAFF: Rebecca Leitschuh, Senior Planner; Swati Pandey, Planner; Scott Williams, Planner

VISITORS: David and Amy Gassen, 5320 Benton Ave., Downers Grove; Byron & Charlotte Holtzen, 5226 Carpenter St., Downers Grove; Mary Ann Atkins, 6204 Janes Ave., Downers Grove; Shannon Tully, 5413 Main St. , Downers Grove; Rich Kulovany, 6825 Camden, Downers Grove; Cindy Zaeske, 1130 Franklin, Downers Grove; Jim & Maren Huber, 710 Maple Ave., Downers Grove

New members Liz Chalberg and Ken Lerner were introduced.

APPROVAL OF JULY 20, 2016 MINUTES

MOTION BY MR. REIMER, SECONDED BY MS. ACKS TO APPROVE THE JULY 20, 2016 MINUTES. MOTION CARRIED BY VOICE VOTE OF 5-0.

AYE: MR. REIMER, MS. ACKS, MS. CHALBERG, MR. LARSON, MR. LERNER
NAY: NONE

MOTION CARRIED. VOTE: 5-0

Chairman Pro tem Larson reviewed the protocol for the meeting and read the public statement. Planner Rebecca Leitschuh swore in those individuals who would speak on the following two public hearings.

PUBLIC HEARING

A. 16-ADR-008: A petition seeking a Historic Landmark Designation for the property commonly known as 4540 Highland Avenue, Downers Grove, IL (PIN 09-05-315-018). The property is located at the northwest corner of Highland Avenue and Lincoln Street. John and Patricia Orwin, Petitioners and Owners. Planner Swati Pandey summarized that the petitioners were seeking landmark designation for their 102 year-old American Foursquare home located at the northwest corner of Highland Avenue and Lincoln Street. The plat of survey was referenced, noting the original footprint of the home along with

the rear addition, added sometime in the 1980s. Ms. Pandey stated the rear addition did not have any bearing on the historic integrity of the application.

Reviewing the 1927 Sanborn Map, Ms. Pandey identified the original home, along with the front porch. The original carriage house that existed was later razed in 2006 but the current garage sat in its exact location.

Elevations and architectural details of the two-story Foursquare home were reviewed in further detail, with notation of the full width front porch. The hipped roof was also noted as a typical Foursquare trait. Photos of the home from 1981 and from 2016 were shown with Ms. Pandey pointing out that the design and form of the front facade had not changed over the 30-year period. An original oval door still existed on the front façade.

Other notable features of the home included the triple window bay located on the southeast elevation; the beveled siding, and the owners keeping the form and design of the home the same with the triple and double columns of the porch. Ms. Pandey stated the owners have taken great care to match the siding and the design for the current three-car garage.

Ms. Pandey reported that the standards under Section 12.302.A and .B were met and she recommended landmark status for the home.

No questions from the members followed. Chairman Pro tem Larson commented that the home was beautiful with the colors used and it met today's needs.

Asked how the Foursquare design was named, Mr. Dave Gassen, 5230 Benton Avenue explained that the house style did not have a name until the 1980s and the term "Foursquare" was coined by two authors and was referenced to any type of square object. Ms. Amy Gassen, 5230 Benton Avenue, added that typically there were four rooms on the first floor and four rooms located on the second floor. In later Foursquare homes, the foyer was eliminated.

Petitioners John and Patricia Orwin came forward. Mr. Orwin thanked everyone who helped him and his wife through the landmark designation process. He discussed how he researched the history of the home years ago, but stated that Mr. John Venard, a postman in the village for many years, owned the home for 60 years, along with his family. He discussed the pros and cons of purchasing the home which had little to no changes made to it by the original owner. He restored the home, added the addition, and stated about a year ago someone from the village handed him some information and said his home may be eligible for landmark status.

Mr. Orwin appreciated everyone's help and hoped the landmarking program would be a way to preserve some of the older homes for years to come.

Positive comments followed from the board members. The chairman pro tem invited the public to speak.

Mr. Dave Gassen, 5320 Benton Avenue, supported the application and thanked the petitioners for landmarking their structure.

Ms. Amy Gassen, 5320 Benton Avenue, thanked the owners for restoring their home but mentioned the owners were going through the process for the historical home program offered

through the Historical Society and Downers Grove Museum. She was pleased to see another Foursquare being added to the list of landmarks in the village. She and her husband had a chance to tour the home and were amazed at how much of the original home was intact. It was also noted that the Orwin home was one of the 65 identified homes as being significant in the 2013 Survey, but since that time, three of those significant homes had been demolished and two will be preserved in less than a year.

Mr. Rich Kulovany, 6825 Camden, thanked the owners and Board for landmarking the property and stressed the importance of identifying/saving such historic homes. He appreciated efforts from the Gassens, the Downers Grove Historical Society, the Downers Grove Museum, and village staff to save historical structures.

Hearing no further comments, the chairman pro tem entertained a motion.

MR. REIMER MADE A MOTION THAT THE ADRB FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL TO RECOMMEND HISTORICAL LANDMARK DESIGNATION FOR 4540 HIGHLAND AVENUE.

MS. CHALBERG SECONDED THE MOTION. ROLL CALL:

**AYE: MR. REIMER, MS. CHALBERG, MS. ACKS, MR. LARSON, MR. LERNER
NAY: NONE**

MOTION CARRIED. VOTE: 5-0

B. 16-ADR-0009: A petition seeking a Historic Landmark Designation for the property commonly known as 710 Maple Avenue, Downers Grove, IL (PIN 09-08-401-008). The property is located on the north side of Maple Avenue, approximately 80 feet west of the intersection of Maple Avenue and Benton Avenue. James and Maren Huber, Petitioners and Owners.

Village Planner Scott Williams summarized that the owners were applying under the criteria of “owned or occupied by a person of historic significance in the community,” referencing the packet that was submitted with researched material. Mr. Williams located the site of the structure (constructed circa 1856) on the overhead (intersection of Maple and Benton), reviewed the Sandborn Map, noting the front and rear porches of the structure, and a photo of the structure currently. Architectural details and additions to the home were pointed out.

Mr. Williams reviewed a historic painting of the home approximately 20 years after it was constructed, pointing out some of the changes that had occurred at that time. He stated the original owner of the home was J. J. Cole. Of significance was the fact that Mr. Cole was a member and leader of the Plow Boys, a political/local organization, which formed Company K of the 13th Illinois regiment.

Historical facts of Mr. Cole’s military involvement followed, including the Chickasaw Bayou Assault, as part of the Vicksburg campaign. Details followed. Mr. Cole also served as supervisor for unincorporated Downers Grove and he was County Clerk whom attested to the incorporation of Downers Grove.

Staff recommended approval for landmark designation based on the fact that the home was over 50 years old and because of the material submitted by the applicant, specifically excerpts from the 1874 Atlas and History of DuPage County, the book, "Downers Grove, 1832 to 1982," the Military History of the 13th Illinois, and other assorted documentation.

Owner, Ms. Maren Huber stated that she and her husband moved into the structure in 1972 and raised their family. She reviewed a Power Point of the home's history, its interior structure, and Mr. Cole's personal history as a civilian, followed by his involvement in the military, and then in the political arena. Ms. Huber reviewed the exterior details of the home as it changed through the years. She closed by thanking all those involved in the research of her home.

A short dialog followed on the length of time it took to research the home and the various census records that were researched.

Mr. Lerner inquired as to how the presentation and the summary of information in tonight's minutes would be preserved and added to the historical records of the home, to which Planner Leitschuh explained the process for him. Mr. Lerner inquired whether there was consideration to refresh the survey as homes were landmarked, wherein Planner Leitschuh explained that yearly grants become available to Certified Local Governments, which the village was, and staff planned to apply for those funds to expand the survey. Details followed.

Mr. Dave Gassen, 5320 Benton Avenue strongly supported the landmarking designation.

Ms. Amy Gassen, 5320 Benton Avenue thanked the Hubers for bringing the application forward. She thanked Cindy Zaeske (phonetic spelling) for much of the research on the home. Personally, she enjoyed researching the home and remarked it was the first home where the petitioner was requesting landmark status because she was so passionate about the significance of the person that previously lived in the home and wanted to ensure the home did not get demolished. This was one of the reasons why she believed it was very valuable for people to research the history of their homes.

Ms. Cindy Zaeske, 1130 Franklin Street, referred to the home as a "diamond in the rough" and stated that if the owners had not researched the home, the village would have lost a gem. She reiterated the importance of the history the home held inside versus the outside, and the fact it was an important part of Downers Grove that no one would have known about before tonight.

Mr. Rich Kulovany, 6825 Camden congratulated the Hubers as chairman of the Friends of the Edwards House and acknowledged the work and research that went into the home. He understood that the owners were not saving the home for themselves, but preserving it for future generations, which took much determination and courage.

Hearing no further comments, the chairman pro tem entertained a motion.

MS. ACKS MADE A MOTION THAT THE ADRB FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL TO RECOMMEND HISTORICAL LANDMARK DESIGNATION FOR 710 MAPLE AVENUE.

MR. LERNER SECONDED THE MOTION. ROLL CALL:**AYE: MS. ACKS, MR. LERNER, MS. CHALBERG, MR. LARSON, MR. RIEMER****NAY: NONE****MOTION CARRIED. VOTE: 5-0**

The public hearing portion was closed by the chairman.

OLD BUSINESS – None.

PUBLIC COMMENT

Dave and Amy Gassen, 5320 Benton Avenue, provided an update on the Four Square initiative, which included the creation of a flyer in July that was delivered to approximately 130 American Four Squares that were identified on the village's survey. (Flyers were also distributed to the members.) Ms. Gassen reviewed what information existed in the flyer and said about 40 homeowners expressed interest in being part of the initiative.

Ms. Gassen also reported that in September, the Downers Grove Friends of the Gifted organization asked her to do a presentation on the history and significance of the American Four Square which was held at the Ballydoyle and was well attended. Details also followed on an upcoming tour of some Four Squares located on Forest Avenue. Per Ms. Gassen, the map of Four Squares was also updated. Her group is interested in educating the public about Four Squares and not necessarily pushing for the thematic historical districts.

Someone suggested linking the Four Square map with the village's website, which Planner Leitschuh offered to look into.

Mr. Rich Kulovany returned and announced that the Friends of the Edwards House and in cooperation with the Downers Grove Historical Society and Downers Grove Museum, will be hosting a landmarking weekend November 12 - 13, 2016, 1:00 p.m. at the Lincoln Center, explaining how to landmark a home. Invitations will be sent to 700 homes. (Members also received invitations) Mr. Kulovany agreed that the largest hurdle to overcome is the residents' lack of information and lack of knowledge about what information is available.

Ms. Cindy Zaeske, 1130 Franklin, stated on the following date, November 13, 2016, the public will be able, for the first time, to take a tour of the five landmarked homes (free event) from 11:00 A.M. to 3:00 P.M. Members could register at AmyMac518@yahoo.com. Also, this Saturday she said the public could see the honorary "Foote Avenue" signs installed above Forest Street between Franklin and Curtiss.

Staff was asked to provide an update on the projects that were grant funded this year, wherein Planner Leitschuh described how the first of four brochures was underway. Details followed. Following the first brochure, three more brochures would follow: a Sears walking home tour, a Downtown walking tour, and a user guide brochure. Mr. Lerner proceeded to describe that he attended the Chicago Suburban Preservation Alliance meeting where it was mentioned that realtors were attending and asking about architectural styles of homes, and staff's brochures were

a nice resource to have. Planner Leitschuh agreed and proceeded to explain that eventually she would like to have a mobile application developed that is interactive on a walking tour.

ADJOURNMENT

MR. RIEMER MOVED TO ADJOURN THE MEETING. MS. ACKS SECONDED THE MOTION. THE MEETING WAS ADJOURNED AT 8:30 P.M.

MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 5-0.

/s/ Celeste K. Weilandt
(As transcribed by MP-3 audio)

Approved 8/24/16

**VILLAGE OF DOWNERS GROVE
ZONING BOARD OF APPEALS
JULY 27, 2016 MINUTES**

Call to Order

Chairperson Earl called the meeting to order at 7:03 PM.

Roll Call

Present: Mr. Domijan, Mr. Kulovany, Mr. McCann, Mr. Werner, Ch. Earl

Absent: Ms. Eberhardt, Ms. Majauskas,

A quorum was established.

Staff: Rebecca Leitschuh, Senior Planner
Swati Pandey, Village Planner

Also Present: Scott Tanaka, 2430 61st St., Downers Grove, IL Owner

Minutes of June 22, 2016 meeting

Mr. McCann referred to page 6 of the minutes and the paragraph beginning “Mr. McCann said”, and asked that the sentence near the end of that paragraph beginning “He, however, sees nothing in Sec. 14.100.B” end with the words “regarding street yard setbacks.”

Mr. Kulovany moved, seconded by Mr. Domijan, to approve the minutes of the June 22, 2016 meeting as amended.

All in favor. The Motion passed unanimously.

Meeting Procedures

Chairperson Earl asked those in attendance to silence their phones. She explained the function of the Zoning Board of Appeals, and reviewed the procedures to be followed during the public hearing, verifying with Staff that all proper notices have been published with regard to the case on the Agenda. She noted that members of the Zoning Board of Appeals have had an opportunity to review the materials provided by Staff and in some cases have visited the site in question. In order for a requested petition to be approved there must be a majority of four votes in favor of approval. Chairperson Earl added that the Zoning Board of Appeals has authority to grant petitions without further recommendations being made to the Village Council. She called upon anyone intending to speak before the Board on the Agenda item to rise and be sworn in, as the public information portion of the meeting is an evidentiary hearing and comments made during this portion of the meeting are considered testimony. She said that Staff would make its presentation first, followed by comments by the Petitioner. She added that if anyone in the audience wishes to speak either in favor of or in opposition to the petition, they would be able to do so following the Petitioner’s presentation. When the public participation portion of the meeting is closed, the Board will deliberate on the information provided and vote to either approve or deny the petition.

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Approved 8/24/16

16-ZBA-0005: A petition seeking a variation to allow accessory structures on a separate lot without the principal structure. The property is currently zoned R-4, Residential Detached House 4. The property is located on a corner lot on 61st Street between Leonard Avenue and Janes Avenue and is commonly known as 2430 61st Street, Downers Grove, IL (PIN 08-13-403-017, -018). Scott Tanaka, Petitioner and Owner.

Staff's Presentation:

Ms. Swati Pandey, Planner for the Village, said this petition requests the installation of accessory structures on a lot without a principal structure. The Owner has two lots, which are corner lots, one of which faces Leonard Avenue, and the other which is a vacant lot along Janes Avenue. She displayed a plat of survey for the property for lots 8 and 9. The petitioner approached the Village requesting a variation to allow construction of a sport court for basketball and pickle ball, as well as a concrete patio on the vacant lot. He was advised that this was not allowed as an accessory structure must be located on the same lot as a principal use, and there was discussion of proceeding with an administrative lot consolidation. However, it was found that according to the Subdivision Ordinance in Section 20.507.d.3, properties cannot be consolidated that have a common lot line that is shared for less than one hundred feet. That condition is not met on this property as the lot is only 55' wide. Staff explored other options for the petitioner, and it was determined that the petitioner could apply for a variation request and present his case before the Zoning Board of Appeals.

Ms. Pandey showed the site plan for the property. She described the lot location, which is primarily a residential neighborhood with single-family homes. The property to the north is vacant and is zoned R-4. Staff recommends denial for the variation request, as the Zoning Ordinance does not permit accessory uses and structures on the separate lot. She reviewed the standards for a variation request and noted that there are no particular hardships, practical difficulty or unique circumstances with the land that warrants the requested variation. Staff's reasons as stated in its report are as follows:

1) Corner lots are not unique to the neighborhood or to Downers Grove. The owner is not prevented from making reasonable use of both lots, and can legally develop both lots with a single family home and other approved uses in accordance with the Zoning Ordinance.

2) The variation could set a precedent for future requests to allow accessory structures and buildings on any vacant lot.

Ms. Pandey then reviewed the Standards and Review Criteria as noted in the staff report dated July 27, 2016, 16-ZBA-0005, 2430 61st Street, pages 2-4. She said if the Zoning Board of Appeals decides to approve the request, Staff asks that it be approved with the conditions that the sport court and patio shall comply with all plans and documents submitted by the petitioner as part of its variation application, or as amended by the Zoning Board of Appeals. She noted that Staff believes that the Standards of Approval for granting a variation have not been met and recommends denial of the requested variation.

Mr. Domijan asked about the right-of-way on 61st Street or is it vacated. Senior Planner Rebecca Leitschuh said that it has not been vacated and there is no intention to do so at this time.

Approved 8/24/16

There being no other questions for Staff, Chairperson Earl called upon the Petitioner to make his presentation.

Petitioner's Presentation:

Mr. Scott Tanaka of 2430 61st Street, Downers Grove, identified himself as Petitioner and owner of the property, which he purchased in November of 2015. He explained that he contacted the Village in May and was told there were two options available, which would be the variation or the lot consolidation. He spent \$1000 for the permit for the lot consolidation and eventually was told that there was no option other than the variation. He said that the Village was unwilling to reimburse him the \$1000, and that is why he is seeking the variation. He feels like the ignorant homeowner, particularly since he looked at Staff's report that shows he did not meet any of the variation criteria. He teaches math and is a basketball coach at a high school, and moved to Downers Grove to be close to his 5-year old son. He saw the property and considered it a great opportunity to install the basketball court for his son. He said he understands that this could set a precedent and apologized for not being as prepared as he should have been for the meeting. He spoke with neighbors and explained that this was not a public basketball court. As for a physical hardship, he joked that it is a pretty difficult lawn to mow. He doesn't want to jeopardize the surroundings, although he thinks it would enhance the surroundings. Mr. Tanaka said that no one in the neighborhood that he spoke with had any issue with his requested variation when they realized that it would not be a public court.

Mr. Domijan asked what materials would be used, and Mr. Tanaka said that it would be concrete, as it would last the longest. He would assure that the water would run off correctly. In further response to Mr. Domijan, he said he would make sure that it was approved to run off into the proper drains. If that could not be assured, he would not get it done. There are drains on Janes and on 61st Street that were recently improved. Mr. Domijan asked if there is a community park nearby, and Mr. Tanaka said there are several. He just wanted the convenience of having the court on his own property.

Mr. Kulovany asked what Mr. Tanaka's plans were for the lot when he purchased it, and Mr. Tanaka said it was for a basketball court; however, he didn't examine it properly beforehand. If this doesn't go through, he will have to have fencing installed as people use it as a public lot and have their dogs eliminating on the property. When he saw the property he saw it as a fantastic opportunity for his son to play. As a basketball coach, he wanted to be able to play with his son. In further response, he is a first-time homeowner and used his realtor's judgment that he would be able to build the sports court on the vacant parcel. In hindsight, had he known about this he still would have purchased the property. The realtor did know his plans for the property.

Mr. Kulovany then asked about using the driveway for a portable backstop. Mr. Tanaka said as a basketball junkie, that's not close to what he wanted to do for his son. But if he has to use that, he will.

Mr. McCann asked about the options given by the Village for an administrative consolidation, and whether the Village said it could be done. Mr. Tanaka said he was definitely told it could be done and that's why he spent the money for that option. He said that apparently Staff missed the 100' requirement. Had that not happened, he would not be requesting the variation. He assumed the administrative consolidation was going to work and that is why he paid that much money for the application fee, the plat of survey, etc. The application fee was reimbursed. Mr. Tanaka said

Approved 8/24/16

he did everything they asked him to do, which took a lot of time to have the drawings prepared, etc.

There being no further questions from the Board, Chairman Earl called upon anyone from the public who wished to make a statement. There being none she closed the opportunity for future public comment.

Mr. Tanaka said he appreciates the Board coming to the meeting to hear his request. He said he hoped his neighbors understood that he didn't want to upset the neighborhood.

Board Deliberation:

Chairperson Earl explained that the rules for variations are much stricter than for exceptions. She said they need four positive votes for approval.

Mr. Kulovany asked Staff whether there is a contingency for a homeowner when the Village makes a mistake that costs them a \$750 charge. Ms. Leitschuh replied there is nothing to cover that situation. She said it is unfortunate because there was an amendment to the Subdivision Ordinance in 2012 and since this doesn't come up very often, Staff went with the previous understanding and interpretation. However, they later realized that the amendment in 2012 prohibited this type of construction. As a result, the fee for coming before the Zoning Board of Appeals was waived.

There was some discussion as to whether a fence would be allowed. Mr. Kulovany said that it looks as though the Petitioner was forced to spend the \$750, but if they need a Plat of Survey in order to get a fence installed, the Petitioner would have to spend that amount anyway.

Mr. McCann asked what is actually seen as a structural use in the Code, and the definition of structure seems to include a walkway, or parking lot. The only provision in the Code that he's been able to find is for parking that serves the primary lot, but that is for commercial use rather than residential use. He could not find any justification for an accessory structure on a residential lot.

Mr. Domijan said that for a while flag lots were becoming prominent in the Village and that is what he thinks drove the amendment to the Subdivision Ordinance.

Mr. McCann said he doesn't see this as a unique situation; however, there seems to be no other way around it. He said a while back a petitioner wanted to put up a shed but it could not be granted for largely the same situation as this.

Mr. Werner noted that to allow this is beyond a reasonable interpretation of the Code, and would set a precedent. The Board is limited on what it can do, based on its effect on future requests.

Mr. Domijan further noted that the variation would stay with the land if another person bought that property.

Ms. Earl said if there was something truly unique with the land the Board would be able to grant it; however, without that unique status the Board cannot grant it.

Approved 8/24/16

Mr. McCann moved to approve the variation as requested. Mr. Kulovany seconded the Motion.

AYES: NONE

NAYS: Mr. McCann, Mr. Kulovany, Mr. Domijan, Mr. Werner, Ch. Earl

The Motion to approve was defeated unanimously.

Mr. Tanaka expressed his appreciation to the Board for trying to find a way to approve this. He said if they can find any way for him to recoup the \$750 he would appreciate that. Mr. Domijan explained that if he is considering the fencing, he would need to have the Plat of Survey done and he has already had it done for the lot consolidation.

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CASE 16-ZBA-0003

Ms. Leitschuh said that Case 16-ZBA-0003 specific to 5400 Janes Boulevard was granted a variation for on-site storage adjacent to a residential area. The Board reviewed the petition. Ms. Leitschuh said they are now requesting a six-month extension as they are working with the Illinois EPA and the results from the on-site testing have not yet come back. Their legal staff has advised them until all the information comes back from the EPA not to do anything on the site.

Mr. McCann moved to approve the extension on case 16-ZBA-0003 as requested. Mr. Kulovany seconded the Motion.

AYES: Mr. McCann, Mr. Kulovany, Mr. Domijan, Mr. Werner, Ch. Earl

NAYS: NONE

The motion was approved unanimously.

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Ms. LEITSCHUH said that there is a variation request for next month's meeting.

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ADJOURNMENT:

Mr. Kulovany moved to adjourn the meeting, seconded by Mr. McCann.

All in favor. The Motion carried unanimously.

Chairperson Earl adjourned the meeting at 7:55 PM.

Respectfully submitted,

Tonie Harrington
Recording Secretary

Zoning Board of Appeals

July 27, 2016

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