

CITY OF AURORA  
**BOARD OF ZONING APPEALS**  
**MEETING MINUTES**  
FEBRUARY 13, 2019

The Aurora Board of Zoning Appeals met in a regularly scheduled meeting Wednesday, February 13, 2019, in the Council Chambers at City Hall. The meeting was called to order at 6:30 p.m. by Chairman Terese Fennell.

**ROLL CALL:**

Present: Terese Fennell  
Tony Gramm  
Steven Greenberger  
Absent: Tom Carr  
Jeff Iammarino  
Also Present: Matt Vazzana, Legal Advisor  
Meredith Davis, Asst. Director,  
Planning, Zoning & Bldg. Division  
Jack Burge, Director of Economic & Entrepreneurial Development  
Marie Lawrie, Clerk

Mr. Vazzana swore in those in attendance who wished to speak this evening.

Ms. Fennell announced that with just three members present at this meeting approval for the agenda items would require a unanimous affirmative vote. She explained that the applicant could ask that their project be postponed until the next meeting, if they were so inclined.

**AMENDMENTS TO THE AGENDA:**

None

**APPROVAL OF MINUTES:**

There were not enough members present who were in attendance at the December 12, 2018 meeting to adopt the minutes. They will be considered at the next meeting.

**Motion: To adopt the meeting minutes of January 9, 2019 as submitted.**

Mr. Gramm moved; Ms. Fennell seconded and the motion carried on a unanimous voice vote.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**Roshon & Tanya Stewart, 954 Hawkin Ln – Accessory Structure 6 foot from the Primary Structure (1901001)**

Michael Beightol, of Exscape Designs was present at the meeting to answer questions. Also present were the homeowners. They were seeking a variance to erect an 18 x 18, 324 square foot outdoor living environment. Per Section 1155.04(c) of the Aurora Codified Ordinances, accessory structures need to be erect a minimum of 15 feet away from the

home. The outdoor living environment was said to include an arbor and gate, a pavilion and a patio area. Materials for the project would match the new home including the same roof material, same stone and same posts. The applicant explained that to erect the structure in compliance with the code would mean the pavilion was erected closer to the neighbor's home and would require significant additional hardscape. They also stated that it would feel disconnected from the environment of the overall project. The design of the project is to give the appearance that this outdoor space is an extension of the home itself.

Mrs. Stewart let the board members know that they have spoken with their neighbors and that there were no objections. She stated that the location where the structure would need to go to comply with code does not give them the ambiance that they were seeking. When asked how they would connect the structure if the variance did not get approved, the contractor stated that more pavement would be needed to create an elongated walkway to the structure. He further stated that there is not a lot of lawn. He wanted to keep the development tight to the house and have a buffer around the outdoor space.

There were no questions from the board members for the applicants. There was no one present to make public comment about this project. Ms. Fennell announced that no letters against or in support of the project were received.

The board members discussed the application. Mr. Gramm stated that he did not feel the variance request was substantial. He understood that the plan was cohesive with lots of shrubbery to screen it. He stated that it was a beautiful plan.

Mr. Greenberger stated that he saw no reason the variance should not pass. He stated that the design works well in that area.

Ms. Fennell agreed. She stated that based on the neighborhood and size of the lots, that if the structure was erected within compliance, it would affect the neighbors and change the character of the neighborhood. It would be more visible that way. She further stated that the spirit and intent of the code would still be observed if the variance was granted.

**MOTION: To grant the variance request as submitted**

Mr. Gramm moved; Mr. Greenberger seconded, and the motion carried, 3-0, on a roll call vote.

Yeas: Mr. Gramm, Mr. Greenberger, Ms. Fennell

Nays: None

**DWGM LLC, 13 New Hudson Road – Addition with 27 foot front setback (1901002)**

Jack Burge, Director of Economic & Entrepreneurial Development spoke on behalf of the project. He stated that the business has been in the depot for 35 years. He stated that the owners have been a wonderful steward of the property. He further stated that they have outgrown the space. He was aware that they wanted to remain in Aurora and in the Station District. He let the members know that the project has been in front of the Landmark Commission twice and that they were quick to respond to suggestions made by that board. He stated that the Landmark Commission was very comfortable with the site plan for this project.

George Clemens and Brian Kuck, both of Clemens Pantuso Architecture were present at the meeting. Mr. Clemens stated that this is a unique shaped lot line. The architects were dealing with a property with two frontages, and therefore two front setbacks. The original site plan intended the building to be closer to New Hudson Road. The building has been shifted back from that original spot. He further explained the project including the glass connection section and the barn-like addition. He also explained the function of the addition and the logic behind where to connect this addition to the original structure. They were seeking approval to erect this building with a 28 foot front setback, where Code Section 1155.04(c) requires a minimum of 50 feet.

Ms. Fennell stated that the most logical place to connect the structure was where the depot has a current set of double doors. Mr. Clemens agreed. He stated that if they did not use that section to connect, a new entrance would need to be cut into the historic building. Ms. Fennell also stated that having two structures that do not connect would not be ideal for the business. Mr. Clemens agreed.

Mr. Gramm was trying to envision what this addition would look like. Mr. Kuck showed a historic photo of the barns that were present in the past.

Mr. Greenberger asked about the parking. Mr. Clemens explained where the current parking is and that the owners would not be seeking significant additional parking spaces. He further explained that the use of the building will not change significantly, the employees will simply spread out to be more comfortable. The intent of this project is not based on growth of the business, but relieving the cramped quarters that exist currently.

There was no one present to make public comment.

The board members discussed the application among themselves. Ms. Fennell stated that with the unique lot and unique shape of the depot, there would be nothing that could match the structure. Due to the characteristics of the lot and the curve in the road, she did not feel the variance request was substantial. She stated that the problem could not be solved without some type of variance.

Mr. Greenberger stated that the variance should be approved immediately.

Mr. Gramm stated that this addition would not create visual clutter. He understood that there is not much to work with and that one building would connect to the other building in a logical opening, and for that reason, the variance request was not substantial.

**MOTION: To grant the variance request as submitted**

Mr. Gramm moved; Mr. Greenberger seconded, and the motion carried, 3-0, on a roll call vote.

Yeas: Mr. Gramm, Mr. Greenberger, Ms. Fennell

Nays: None

**MISCELLANEOUS:**

None

**ADJOURNMENT:**

Ms. Fennell moved to adjourn at 6:58 p.m. Mr. Gramm seconded, and the motion carried on a unanimous voice vote.

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Terese Fennell - Chairman

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Marie Lawrie - Clerk