

**MINUTES**  
**GENEVA ZONING BOARD OF APPEALS**  
**July 10, 2019**  
**Council Chambers – 22 S. First Street – Meeting #2019-13**

Present: Chairman Pro tem Hood, Members Debates, Hunz, Kerfoot, Konicek, Rittenhouse  
Staff: Building Commissioner Eric Nelson  
Others Present: Applicants Stu and Stefanie Girgins, 723 Dow Avenue; Dawn and Scott Radford, 722 Dow Avenue; Robert Akers, Architectural Resources, 423 W. State Street; Ron and Kathy Leach, 739 Dow Avenue; Planet Depos Court Rptr. Joanne Ely; and Recording Secretary Celeste Weilandt

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The meeting of the Zoning Board of Appeals was opened at 7:00 p.m. by Chairman Pro tem Hood. The recording secretary called the roll and a quorum was present with six (6) voting members.

Approval of the June 26, 2019 Meeting Minutes

**Minutes of the June 26, 2019 meeting were approved on motion by Member Hunz, second by Member Kerfoot. Motion carried by voice vote of 6-0.**

**PUBLIC HEARING**

Chairman Pro tem Hood read the protocol for the public hearing and swore in those individuals that would be speaking.

**723 Dow Avenue - IN ACCORDANCE WITH Section 11-14-5 (Variations) of the Geneva Zoning Ordinance, the petitioners are requesting a variation from Section 11-5C-4 (Lot and Area Requirements in the R-1 Low Density Single-Family Residential) to decrease the rear yard setback by 8' feet 2.5" inches for the addition of a screened porch.** Building Commissioner Eric Nelson read into the record the contents of the ZBA file for this case.

Chairman Pro tem Hood opened the public hearing and invited the petitioners to come forward.

Stu and Stefanie Girgins, 723 Dow Avenue, came forward. Ms. Girgins discussed that their home currently was 1600 square feet and worked well for the family but now they were seeking additional outdoor space and some extra room when family visits. The screened porch option was more financially feasible versus adding a new addition to the home. Mr. Girgins added that initially he and his wife thought they could build the porch using the current deck; however after discussing setbacks with the architect, they learned the deck was already within the setback limit and with the screened porch they would need a variance. They did consider other options, such as the side yard but realized a variance would also be needed. Ms. Girgins provided and distributed a sketched drawing (entered as Exhibit A) of the furniture layout for the screened porch.

Mr. Akers, architect for the project, explained that Exhibit A included a sitting area/dining table.

Per Ms. Girgins, if they had tried to stay within the variance of the existing deck, all of the windows to their living space would be covered and the sunlight would be lost. She stated their yard was very private. Responding to board member questions, Ms. Girgins explained that the current deck would be cut in half and the right-hand side of the deck (in the photo) would encompass the screened deck with two additional feet. The remaining portion of the deck (left side of photo) would be removed to provide more usable yard space and add to their green space.

Member Konicek confirmed with the petitioner that the neighbor behind them was an objector. To that point, Chairman Pro tem Hood noted the objector’s letter voiced concern about setting a precedence, taking away green space and being less friendly wherein he stated the petitioners had three boys, which he believed was friendly and the petitioners were adding 172 sq. feet of green space.

Other board member questions followed as to what the porch’s material would be comprised of: wood to match existing. Petitioner, Mr. Girgins, added that the roofline of the screen porch was the most cost effective and was located below the existing home’s current roof. Per Member Debates’ question about the pre-fab fireplace and the potential for a height issue, petitioners explained the fireplace would be vented. Building Commissioner Eric Nelson confirmed the fireplace would be gas/direct-vent straight out.

Chairman Pro tem Hood invited the public to speak.

Mr. Ron Leach, 739 Dow Avenue, resides immediately to the south and stated the proposal was not intrusive to him at all. Regarding his own home, he explained the remodeling work that was done over the years and he appreciated the character and variety of home sizes within the City.

Mr. Scott Radford, 722 Dow Avenue, resides across the street and explained the petitioners have improved their home tastefully and he believed the screened porch would be an asset to their home and to the neighborhood. It was not intrusive.

**Motion by Member Rittenhouse, second by Member Kerfoot to close the public hearing. Motion carried by voice vote of 6-0.**

**Motion by Member Konicek to approve the request for 723 Dow Avenue, taking into consideration the four standards being met, and seeking a variation from Section 11-5C-4 (Lot and Area Requirements in the R-1 Low Density Single-Family Residential) to decrease the rear yard setback by 8’ feet 2.5” inches for the addition of a screened porch, second by Member Rittenhouse. Roll call:**

**Aye: Debates, Hunz, Kerfoot, Konicek, Rittenhouse, Hood**  
**Nay: None** **MOTION PASSED. VOTE: 6-0**

Special Items – None.

Other Business - Chairman Pro tem Hood relayed the short discussion he had with the mayor regarding the membership of this board.

Adjournment

**There being no further business to come before the Geneva Zoning Board of Appeals, motion was made by Member Hunz, Kerfoot to adjourn the meeting at 7:24 p.m. Motion carried unanimously by voice vote of 5-0.**

Respectfully submitted,

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Chairman Pro tem Hood

/s/ Celeste K. Weilandt  
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Celeste K. Weilandt, Recording Secretary