

May 11, 2021

WHEATON PLANNING AND ZONING BOARD

I. CALL TO ORDER AND ROLL CALL VOTE

Chair Aranas called the May 11, 2021 Wheaton Planning and Zoning Board meeting to order at 7:00 p.m. via Zoom. Upon roll call, the following were:

Roll Call Vote

Present: Nicole Aranas
Christopher Dabovich
Bob Gudmundson
Cecilia Horejs
Mark Plunkett
Dan Wanzung

Absent: None

City Staff Present: Tracy Jones, Staff Planner

II. APPROVAL OF MINUTES - April 27, 2021

The minutes were approved as presented.

III. PUBLIC COMMENT

There was none.

IV. NEW BUSINESS

ZA #21-10/ FRONT YARD SETBACK VARIATION/ 125 E. SEMINARY AVENUE/ BARTLETT LEARNING CENTER

Pursuant to notice duly published on April 23, 2021 and letters mailed to neighboring property owners on April 21, 2021, Chair Aranas called to order the May 11, 2021 public hearing requesting a variation to Article 13.2.5 of the Wheaton Zoning Ordinance to allow the construction and use of a gazebo/ pavilion structure (within the existing fenced play area) on the property located at 125 E. Seminary Avenue with a front yard setback off Cross Street of 0.0 feet in lieu of the required 20.0 feet.

John Utterback, 125 E. Seminary Avenue, Wheaton was sworn in. Mr. Utterback stated that he was representing the Bartlett Learning Center. He stated that the Bartlett Learning Center is requesting a variation to Article 13.2.5 of the Wheaton Zoning Ordinance to allow the construction and use of a gazebo/ pavilion structure with a front yard setback off Cross Street of 0.0 feet in lieu of the required 20.0 feet. The gazebo/ pavilion structure would be 12 feet by 14 feet in size with a height of 10.4 feet and would be built up to the Cross Street Property line within the existing play area. The gazebo/ pavilion structure, with a solid roof, would replace the shade from a tree that was in the same general location that had to be removed last year. This shade is needed for the students who are sensitive to light due to sensory issues.

Mr. Utterback addressed the ten variation evidence standards as required by the Zoning Ordinance. He 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.

Staff Planner Jones stated that the Bartlett Learning Center opened Clare Woods Academy at 125 E. Seminary Avenue in the spring of 2013. Later that year, they received approval of an administrative zoning variation to allow a play area with a front yard setback off Cross Street of 15 feet in lieu of the required 20 feet. Approval of a protective fence permit was subsequently granted to enclose the play area.

Mr. Wanzung questioned the color of the gazebo/ pavilion structure.

Mr. Utterback stated that the gazebo/ pavilion structure would be cedar with a blue metal roof.

Mr. Plunkett asked the applicant to provide the background of the Bartlett Learning Center (BLC) and Clare Woods Academy.

Mr. Utterback stated that the Bartlett Learning Center (BLC) was founded by the Sisters of St. Joseph, Third Order of St. Francis in 1968 to assist learning and developmentally challenged children to reach their full potential and to become responsible, respected members of family, community, and society.

Mr. Utterback stated that the Bartlett Learning Center (BLC) opened Clare Woods Academy at 125 E. Seminary Avenue in the spring of 2013. Clare Woods Academy is a non-public non-profit alternative day school providing a unique, specialized educational environment in a therapeutic day school setting. They serve children and young adults ages 5 to 21. Their programming addresses learning and behavior disabilities. Many of their students are also on the Autism Spectrum and have sensory issues. In addition to their education program, occupational therapy, speech/language, and counseling services are also provided.

Ms. Horejs questioned whether permanent seating would be installed under the gazebo/ pavilion structure.

Mr. Utterback stated that they planned to move the existing bench and a picnic table under the gazebo/ pavilion structure, but it would not be permanently installed.

Mr. Gudmundson questioned whether staff was always outside with the students. He stated that he was concerned that unsupervised students could climb on the gazebo/ pavilion structure and then over the existing protective fence.

Mr. Utterback stated that the students are always supervised when outside, but he would mention this concern to his staff.

Chair Aranas stated that the subject property has a unique triple frontage configuration, and this limits the permitted locations for the gazebo/ pavilion structure. She added that proposed variation would not change the nature or increase the intensity of the existing use.

Mr. Gudmundson moved and then Mr. Wanzung seconded the motion to close the public hearing. On a voice vote, all voted aye.

Mr. Dabovich moved and then Mr. Plunkett seconded the motion to waive their normal rules and vote this evening. On a voice vote, all voted aye.

Mr. Wanzung moved and then Mr. Gudmundson seconded the motion to recommend approval of ZA #21-10 requesting a variation to Article 13.2.5 of the Wheaton Zoning Ordinance to allow the construction and use of a gazebo/ pavilion structure (within the existing fenced play area) on the property located at 125 E. Seminary Avenue with a front yard setback off Cross Street of 0.0 feet in lieu of the required 20.0 feet as presented.

Roll Call Vote

Ayes: Nicole Aranas
Christopher Dabovich
Bob Gudmundson
Cecilia Horejs
Mark Plunkett
Dan Wanzung

Nays: None

Absent: None

Motion Passed Unanimously

V. MISCELLANEOUS

There was none.

VI. ADJOURNMENT

Ms. Horejs moved and then Mr. Dabovich seconded the motion to adjourn the meeting at 7:19 p.m. On a voice vote, all voted aye.

Respectfully submitted,
Tracy L. Jones, Staff Planner