



Agenda
Village of Glen Ellyn
Zoning Board of Appeals
Regular Meeting
Tuesday, December 11, 2018
7:00 PM

Glen Ellyn Civic Center, Galligan Board Room

Individuals with disabilities who plan to attend the hearing and who require certain accommodations in order to allow them to observe and participate, or who have questions regarding the accessibility of the meeting or facilities, are requested to contact the Village at least 24 hours before the meeting.

A. Call to Order

B. Approval of Draft Minutes from the September 11, 2018 Zoning Board of Appeals Meeting

1. September 11, 2018 Zoning Board of Appeals Meeting Minutes

C. 1N480 Swift Road - Fence Height Variation

1. Public Hearing to consider a zoning variation request to allow the construction of a fence as tall as 9 feet in some areas, to be located on the property at 1N480 Swift Road.

D. 689 Lake Road - Rear Yard Setback

1. Public Hearing to consider a zoning variation request to allow the construction of an addition over an attached garage that is non-conforming to the rear yard setback.

E. 787 Crescent Boulevard - CNV for Impervious Surface Setback and Accessory Structure Setback

1. Public Hearing to consider a construction necessitated variation to allow a walkway and a patio to remain closer to the lot line than is permitted by Code at 787 Crescent Blvd.

F. Village Board Trustee Report

G. Staff Report

1. Next scheduled ZBA meeting(s): No pending applications at this time

H. Adjournment

I. Agenda Items

This note provides you with information regarding what happens to a petition after it has appeared before the Zoning Board of Appeals. After the Board makes a recommendation on a

petition, a report of the meeting is prepared. Then, the petition, along with the summary report and all pertinent material, is scheduled for consideration by the Village Board. The Village Board meets on the second and fourth Mondays of each month at 7:00 p.m. in a meeting room on the third floor of the Civic Center, 535 Duane Street. Questions regarding petitions scheduled for review by the Village Board should be directed to the Planning and Development Department at (630) 547-5250.



Zoning Board of Appeals
535 Duane Street
Glen Ellyn, IL 60137

Meeting: 12/11/18 07:00 PM
Department: Zoning Board of Appeals
Department Head: Kelly Purvis
Category: Minutes
Prepared By: Kelly Purvis

SCHEDULED

AGENDA ITEM (ID # 3726)

DOC ID: 3726

September 11, 2018 Zoning Board of Appeals Meeting Minutes

ATTACHMENTS:

- September 11, 2018 Zoning Board of Appeals Meeting Minutes (PDF)

DRAFT MINUTES
ZONING BOARD OF APPEALS
MINUTES
SEPTEMBER 11, 2018

The meeting was called to order by Chairperson Greg Constantino at 7:00 p.m. ZBA Members Matt Jones, Steve Lucchesi, John Micheli, Chip Miller, Tom Whalls and ZBA Student Intern Maddie Greenleaf were present. ZBA Member Reed Panther was excused. Also present were Village Planner Kelly Purvis, Recording Secretary Debbie Solomon and Village Trustee Mark Senak.

Chairperson Constantino explained the procedures of the Zoning Board of Appeals (ZBA).

MINUTES

ZBA Member Micheli moved, seconded by ZBA Member Jones, to approve the minutes of the June 12, 2018 meeting. The motion carried unanimously with a voice vote.

On the agenda was a public hearing regarding the property at 680 Grand Avenue.

Chairperson Constantino stated all members of the Zoning Board of Appeals have visited the property and are aware of the proposed plans.

A motion was made by ZBA Member Micheli and seconded by ZBA Member Whalls to open the public hearing for 680 Grand Avenue at 7:04 p.m. The motion carried unanimously with a voice vote.

PUBLIC HEARING – 864 BEMIS ROAD

MIKE AND CHRISSY CRNKOVIC ARE REQUESTING APPROVAL FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS TO ALLOW A SECOND DRIVEWAY APPROACH ON A LOT THAT DOES NOT HAVE A WIDTH OF 132 FEET FOR THE PROPERTY LOCATED AT 680 GRAND AVENUE: 1. SECTION 10-5-11 (B) 3 TO ALLOW AN EXISTING DRIVEWAY APPROACH TO REMAIN ON THE SUBJECT PROPERTY, WHICH IS NOT AT LEAST 132 FEET WIDE, AFTER A SECONDARY APPROACH HAS BEEN CONSTRUCTED. 2. ANY OTHER ZONING RELIEF NECESSARY TO CONSTRUCT THE PROJECT AS DEPICTED ON THE PLANS PRESENTED OR REVISED AT THE PUBLIC HEARING OR AT A PUBLIC MEETING OF THE VILLAGE BOARD.

(Mike and Chrissy Crnkovic, owners of the property at 680 Grand Avenue)

Staff Presentation

Village Planner Kelly Purvis was present to speak regarding the proposed variation request and was sworn in. Village Planner Purvis stated petitioners Mike and Chrissy Crnkovic are the owners of the property at 680 Grand Avenue.

Village Planner Purvis stated the petitioners are proposing variations from the Glen Ellyn Zoning Code to allow a second driveway approach as follows:

1. Section 10-5-11(B)3 to allow an existing driveway approach to remain on the subject property, which is not at least 132 feet wide, after a secondary approach has been constructed; and
2. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

Village Planner Purvis stated that the subject property is located in the R2 Zoning District on the corner of Essex Road and Grand Avenue just north of Lake Ellyn Park. Village Planner Purvis stated the zoning and land use immediately surrounding the subject property is R2 Single Family Residential and CR Conservation Recreation.

Village Planner Purvis stated notice of the public hearing was published in the August 23, 2018 edition of the Daily Herald, mailed to property owners within 250 feet of the subject property, and a placard was placed on the property.

Village Planner Purvis stated Village records indicate that there were no prior variations granted for this property, and Village records indicate that the following permits have been issued for this property: SF Residence in 1935, HVAC in 1985 and Garage, Patio, and Interior Remodel in 2018.

Village Planner Purvis showed an exterior picture of the property and stated along with an interior remodel and the construction of a new patio, Mike and Chrissy Crnkovic have constructed a detached garage and a new driveway behind their home, which is accessible from Essex Road. Village Planner Purvis stated they are proposing to leave an existing driveway in place (off of Grand Avenue), which used to provide access to the attached one-car garage on the front of the home. Village Planner Purvis stated as part of the interior remodel, the one-car garage was converted into habitable space; however, the property owners would like a place for guests to park that would allow them to enter the home from the front entrance. Village Planner Purvis stated the petitioners have suggested that it may be dangerous for guests to park in the street on Grand Avenue, at the front of the home, since it is on a corner with less

visibility. Village Planner Purvis stated Village Code will allow 2 driveway approaches when a lot is 132 feet wide; however, the property at 680 Grand Avenue has a lot width of 100 feet. Village Planner Purvis stated in order for the second driveway approach to remain, the petitioners will need to be granted a variation.

Village Planner Purvis stated a letter was received by the Planning & Development Department on September 4, 2018 objecting to the variation request. Village Planner Purvis stated an adjacent property owner is concerned that the existing driveway off of Grand Avenue will be extended into the backyard, which he feels would affect the character of the neighborhood. Village Planner Purvis stated this letter was included in the ZBA Members' packets.

Questions from the Zoning Board of Appeals

ZBA Member Miller asked if a water survey was done due to the elevation change in the property. Village Planner Purvis stated that the square footage of the driveway and garage would trigger a stormwater review. Village Planner Purvis stated that a secondary review (including the second apron) would not be required since no additional land is being disturbed as they are only asking to leave the existing driveway.

Chairperson Constantino asked if the petitioners could have a secondary driveway if the frontage on Grand Avenue was 132 feet to which Village Planner Purvis stated they could.

Petitioners' Presentation

Petitioner Mike Crnkovic was sworn in. Mr. Crnkovic stated he and his wife have been in and out of Glen Ellyn since 1989. Mr. Crnkovic stated they are happy with the location of the property and will live in the home for many years. Mr. Crnkovic stated the home needed a good deal of work.

Jamie Simoneit, Principal Architect with z+o Architecture and Interiors, was sworn in. Mr. Simoneit stated the current garage door is only 6 feet, 6 inches tall so it does not work and is obsolete. Mr. Simoneit stated they swung the garage project around to the side of the home as they would have need to take a chunk out of the hill to create an underground garage that would work. Mr. Simoneit stated they could have torn down the home, but decided to work with the property's topography and constraints instead. Mr. Simoneit stated the project is under construction, and they have had the driveway engineered two different ways, and the drainage and stormwater issues have been approved by DuPage County for both options. Mr. Simoneit stated they filed their second option which would allow a set of stairs down and an apron to remain. Mr. Simoneit stated the last 30 feet of the existing driveway is very steep, but they will eliminate this as they return the hill to its natural state. Mr. Simoneit stated they could not do a driveway around the back of the home as it would be too steep. Mr. Simoneit stated

the letter from the concerned neighbor involves the door on the back of the garage which is only for getting lawn-mowing equipment out and not to add additional driveway.

Mr. Simoneit showed a picture of the property's front elevation and stated the steepness and grade of the property necessitate these changes. Mr. Simoneit stated they will be eliminating the 65-foot run of stairs to the front door, and the intent would be that guests could park in the front of the home and still be able to go in the front door with the re-engineered steps.

Mr. Simoneit showed a rendering of the proposed front elevation and stated they would be eliminating over 51 linear feet of sidewalk in the front and keeping the apron would allow a gentle slope. Mr. Simoneit stated on-street parking is dangerous due to the curve which is why they want to keep the existing apron for guests to park on.

Additional Questions from the Zoning Board of Appeals

Chairperson Constantino asked if this project has been discussed with the neighbors. Mr. Simoneit stated they have not as they have not seen the concerned neighbor. Mr. Simoneit stated he is working with another neighbor on their property, and this neighbor is fine with the project. Chairperson Constantino asked if there was any other opposition to which Mr. Simoneit stated they have not heard of any.

Chairperson Constantino asked how many cars could park on the existing driveway. Mr. Simoneit stated this apron will accommodate one car and be only one guest parking spot. Mr. Simoneit stated they are looking to avoid the long staircase, and they will physically make it so you cannot park more than one car on this apron.

Chairperson Constantino asked if the petitioners would be willing to establish a restrictive covenant to not extend the driveway to the backyard. Mr. Simoneit stated they would be willing.

ZBA Member Lucchesi stated this will be a benefit for one guest and asked what the other benefits will be. Mr. Simoneit stated this will be a parking space off the street that will lead to the front door. Mr. Simoneit stated they will be disturbing less soil and will eliminate 25 risers off the front stairs.

Student ZBA Member Greenleaf stated she does get nervous driving around the bend on Grand Avenue as there are always a lot of cars parked there. Student ZBA Member Greenleaf stated she thinks leaving the existing driveway is a good idea.

ZBA Member Jones asked what the width is of the existing driveway. Mr. Simoneit stated it is a standard apron, but he does not have the specific width. Mr. Simoneit stated the apron will not exceed 12 feet wide.

ZBA Member Micheli asked if the length and width of the apron were submitted with the plans. Village Planner Purvis stated these were not in the submission as it is an existing driveway. Mr. Simoneit stated graphically shown, it is 32 feet in length and 13 feet wide. ZBA Member Micheli asked what the hardship is for this variance request. Mr. Simoneit stated the home would have no front presence on the street to where its address is. Mr. Simoneit stated this property is unique as there is a dramatic situation on the site due to the elevation and the hair-pin turn on the corner. Mr. Simoneit stated this would allow guests to come to the front door on Grand Avenue and give ease of access. ZBA Member Micheli asked if curb appeal is high on the list to which Mr. Simoneit stated it is. ZBA Member Micheli stated he is not sure if the petitioners have articulated a hardship for this variance as a garage on the side of the home is not unique in Glen Ellyn. ZBA Member Micheli stated he can see the desirability to leave the existing driveway, but not a hardship for this.

ZBA Member Whalls asked if they would be willing to use pavers instead of asphalt to which Mr. Simoneit stated they would.

ZBA Member Miller stated there is a unique circumstance on the property, but not a hardship. ZBA Member Miller stated the home is over 80 years old and has been the same way for years. ZBA Member Miller stated he likes the design, but the petitioners have not given anything the ZBA can use in a motion to approve the request. ZBA Member Miller stated they can't recommend this just because it makes the neighborhood look nice. Mr. Simoneit stated this would enhance the neighborhood and be a benefit to the homeowner as well. Mr. Simoneit stated the garage was unusable due to the height, and the existing driveway is very steep.

ZBA Member Micheli asked if they can grant a variance for a hardship if the hardship is self-created. Village Planner Purvis stated one of the standards for granting a variance is that the hardship was not created by the owner of the property, but a variation can be granted for a hardship or unique circumstance.

Persons in Favor of or in Opposition to the Variation Requests

George Heidenreich, who resides at 704 Grand Avenue, was sworn in. Mr. Heidenreich stated he has lived five doors north of this property for 28 years and is also representing his neighbors at 696 Grand Avenue. Mr. Heidenreich stated he is very familiar with the property. Mr. Heidenreich stated they are doing a great job on the property, and this property will be an enhancement to the neighborhood. Mr. Heidenreich stated leaving the existing driveway will not be good for aesthetics, parking issues and water issues. Mr. Heidenreich stated a parking pad in that neighborhood would not be an enhancement, and this pad would only benefit the petitioners but no one else in the neighborhood. Mr. Heidenreich stated leaving the existing driveway would also eliminate a public on-street parking spot that would have been created if the existing driveway was removed. Mr. Heidenreich stated he is aware of the water problems

in this neighborhood, and the parking pad will not help deal with the water even if they use permeable pavers.

ZBA Member Micheli stated it was good insight about the value of losing public on-street parking.

ZBA Member Miller asked if Mr. Heidenreich had anything in writing from his neighbors about their opposition. Mr. Heidenreich stated he does not currently, but the neighbors can submit this. ZBA Member Miller asked if Mr. Heidenreich would feel better if a new, full water survey was done. Mr. Heidenreich stated this would not make a difference.

Robert Hildebrand, who resides at 4 Winner's Cup Circle in Wheaton, was sworn in. Mr. Hildebrand stated he is here representing his parents Bob and Ann Hildebrand who live at 680 Essex Road. Mr. Hildebrand stated his father wrote the letter that is in the ZBA Members' packets. Mr. Hildebrand stated the previous owner of 680 Grand Avenue lived in the home into his 90's, and Mr. Hildebrand does not remember hearing any complaints from the previous owner about issues with the existing driveway. Mr. Hildebrand stated it was mentioned there are no complaints from the homeowners to the east; however, there is no home to the east, but across the street. Mr. Hildebrand stated his parents have concerns regarding the possible construction of a driveway from the northeast corner of the property around the perimeter to the southwest corner of the property which would create a drive-thru effect on the property. Mr. Hildebrand stated this drive-thru effect would be a disturbance to the neighbors and could have a negative economic effect on the neighborhood as well.

ZBA Member Jones asked if Mr. Hildebrand's father's biggest concern is a driveway into the backyard. Mr. Hildebrand stated trees would need to be removed, and a car's headlights could extend into the bedrooms at 680 Essex Road. ZBA Member Jones asked if plantings between the homes would mitigate this to which Mr. Hildebrand stated it might.

ZBA Member Micheli referred to Mr. Hildebrand's letter and stated there seems to be adequate parking on Grand Avenue. ZBA Member Micheli stated leaving the existing driveway could take 8 to 9 parking spots from the public. Mr. Hildebrand stated he thinks his father was referring to that the previous owner had no parking issues. There was a discussion about the width of the new driveway on Essex and how many public parking spots might be affected. Mr. Simoneit stated the two driveways would not take away 8 to 9 parking spots, but more accurately 2 to 3.

Chairperson Constantino stated if the variance is done as requested, they should add a condition regarding no driveway around the back of the property. Mr. Simoneit stated if a new owner of the home wanted to connect the driveways, a new variation request would have to be approved due to the amount of impervious surface that would be created. Village Planner Purvis stated this is correct. ZBA Member Miller stated if the ZBA does do a motion to recommend approval, they will add in a condition for this.

Richard Vincennes, who resides at 1107 N. Cross in Wheaton, was sworn in. Mr. Vincennes passed around pictures on the property in question and stated he is the son-in-law of the Hildebrands who live at 680 Essex Road. Mr. Vincennes stated a concrete or asphalt pad would not be in keeping the character of the neighborhood. Mr. Vincennes stated the concerns about the slope of the property and the distance of the stairs should have been planned ahead. Mr. Vincennes stated keeping the existing driveway is not a good idea and removing this driveway would open a public parking spot on Grand Avenue.

Findings of Fact

ZBA Member Jones stated that petitioners Mike and Chrissy Crnkovic, owners of the property at 680 Grand Avenue, are proposing variations from the Glen Ellyn Zoning Code Section 10-5-11(B)3 to allow an existing driveway approach to remain on the subject property, which is not at least 132 feet wide, after a secondary approach has been constructed.

ZBA Member Jones stated that the subject property is located in the R2 Zoning District on the corner of Essex Road and Grand Avenue just north of Lake Ellyn Park. ZBA Member Jones stated the zoning and land use immediately surrounding the subject property is R2 Single Family Residential and CR Conservation Recreation.

ZBA Member Jones stated notice of the public hearing was published in the August 23, 2018 edition of the Daily Herald, mailed to property owners within 250 feet of the subject property, and a placard was placed on the property.

ZBA Member Jones stated Village records indicate that there were no prior variations granted for this property, and Village records indicate that the following permits have been issued for this property: SF Residence in 1935, HVAC in 1985 and Garage, Patio, and Interior Remodel in 2018.

ZBA Member Jones stated they heard from Village Planner Purvis with the Staff Presentation. ZBA Member Jones stated the Village did receive a letter of objection from neighbor Robert Hildebrand and there were questions about a stormwater review being done.

ZBA Member Jones stated the ZBA heard from petitioner Mike Crnkovic and Architect Jamie Simoneit who have said the home will be the petitioners' main residence for years to come. ZBA Member Jones stated Mr. Simoneit spoke to the garage being substandard and not functional. ZBA Member Jones stated Mr. Simoneit said the property is a challenge due to the steep grade and elevation of the property, and the existing driveway will be replaced and regraded for easy access to the front of the home. ZBA Member Jones stated the driveway will be then designated for one car. ZBA Member Jones stated they want to keep the driveway to

help identify the home at 680 Grand Avenue so it will not be confused with the home at 680 Essex. ZBA Member Jones stated this driveway will not exceed 12 feet in width. ZBA Member Jones stated this driveway will act as a parking space as well as act as a ramp to the front stairs.

ZBA Member Jones stated the ZBA heard from members of the public. ZBA Member Jones stated neighbor George Heidenreich, who resides at 704 Grand Avenue, spoke against the variance being granted due to aesthetics and possible water problems, and this would take away from street parking. ZBA Member Jones stated Robert Hildebrand, who resides at 4 Winner's Cup Circle in Wheaton, spoke at the meeting in opposition of the variance on behalf of his father Robert Hildebrand who lives at 680 Essex. ZBA Member Jones stated Mr. Hildebrand indicated his father is concerned the two driveway approaches being connected, and a drive-thru effect happening in the yard. ZBA Member Jones stated Richard Vincennes, who resides at 1107 N. Cross in Wheaton, spoke in opposition to the variance on behalf of his father-in-law Robert Hildebrand, due to poor planning and the creation of fewer parking spots on Grand Avenue. ZBA Member Micheli stated Mr. Heidenreich also spoke about the truncation of the driveway was not in keeping with the architectural character of the neighborhood which is full of established homes by Lake Ellyn.

Motion

ZBA Member Micheli moved, seconded by ZBA Member Miller, that the Zoning Board of Appeals recommended approval of the Findings of Fact.

The motion carried unanimously with a voice vote.

Additional Comments from the Zoning Board of Appeals

ZBA Member Lucchesi stated he is not in favor of this variance as removing a public parking spot is important. ZBA Member Lucchesi stated he does not see a hardship in having a parking spot for one car.

Student ZBA Member Greenleaf stated she would be in favor of this if she could vote. Student ZBA Member Greenleaf stated she lives next to a home with two driveways, and her family has no issue with these two driveways.

ZBA Member Jones stated he is in favor of this due to what the Village has done in the past; however, the reasons to not grant the variance seem to outweigh the reasons to grant the variance. ZBA Member Jones stated this is a unique property, but he is not sure about the hardship.

ZBA Member Micheli stated he is opposed to this variance as he sees no hardship. ZBA Member Micheli stated the character of the neighborhood needs to be respected. ZBA Member Micheli stated a few neighbors have expressed their opposition to the variance, and there could be more neighbors who will express their opposition as well. ZBA Member Micheli stated this is a very public area by Lake Ellyn and granting this variance would remove a significant number of parking spots.

ZBA Member Whalls stated he is reluctantly in support of this variance due to the unique property's steep grade and topography.

ZBA Member Miller stated he respects ZBA Member Whalls' opinion as someone who lives in that neighborhood. ZBA Member Miller stated the homeowner at 690 Grand Avenue has come before the ZBA before with variance requests, and the ZBA has denied these variance requests due to water issues. ZBA Member Miller stated there is a huge elevation change on the property and on Grand Avenue which the Village has tried to fix. ZBA Member Miller stated he does not support this variance. ZBA Member Miller stated if the Village Board does approve this variance, he urges the Village Board to require a covenant that there would be no more building than what is asked for, require the homeowner to dimension out the apron better so the Village Board can see this and to require an additional water survey. Mr. Simoneit stated the site was fully engineered for both scenarios. ZBA Member Miller stated this should be presented as a part of the Village Board's packet.

Chairperson Constantino stated he is not in favor of this variance as he does not see a particular hardship or unique circumstance. Chairperson Constantino stated the ZBA should not recommend a variance for one parking space. Chairperson Constantino stated there is over a 30-foot difference in the linear feet required for a secondary driveway. Chairperson Constantino stated he is concerned about the permeability issue. Chairperson Constantino stated if the ZBA does deny the recommendation of approval, the petitioner can present to the Village Board, and the Village Board will take another look at this. Chairperson Constantino stated since the ZBA is not recommending this variance, the Village Board would need a 2/3 majority vote for approval.

Mr. Simoneit stated he is working with the neighbor next door to create a swale between the properties. Mr. Simoneit stated the apron will be 18 feet long by 13 feet wide and will be a parking spot, not a through-way. Mr. Simoneit stated this will be aesthetically pleasing and part of a path to the front of the home. ZBA Member Jones asked if the driveway could be 8 feet wide. Village Planner Purvis stated a driveway cannot be less than 9 feet wide.

Motion

A motion was made by ZBA Member Miller and seconded by ZBA Member Jones to close the public hearing for 680 Grand Avenue at 9:05 p.m.

The motion carried unanimously with a voice vote.

A motion was made by ZBA Member Miller and seconded by ZBA Member Micheli that the Zoning Board of Approvals recommend to deny the request for the variation as requested by petitioners Mike and Chrissy Crnkovic from the Glen Ellyn Zoning Code Section 10-5-11(B)3 to allow an existing driveway approach to remain on the subject property, which is not at least 132 feet wide, after a secondary approach has been constructed due to the following reasons:

1. The ZBA does not find any hardships or unique circumstances; and
2. The ZBA was concerned about possible water issues; and
3. There are neighbors who oppose this variation request.

The motion carried with four (4) “yes” and two (2) “no” votes. The “yes” votes are as follows: ZBA Members Lucchesi, Micheli, Miller and Chairperson Constantino. The “no” votes are as follows: ZBA Members Jones and Whalls.

ZBA Member Micheli stated he would like the application packet amended when it goes to the Village Board to show the specific length and width dimensions of both driveways. Village Planner Purvis stated she will ensure this is done.

Chairperson Constantino stated the ZBA has voted to recommend denial, and this should come before the Village Board at the September 24, 2018 meeting.

Village Board Trustee Report

Trustee Senak stated the Village Board passed a 1.5% food and beverage tax that will go into effect in 2019. Trustee Senak stated this tax will help with many Capital Projects, including a Parking Garage, the Central Business District Streetscape, Roosevelt Road improvements and the possible Train Station and Pedestrian Underpass.

ZBA Member Miller stated the Civic Betterment Party is looking for candidates for the Village Board and Library Board.

Staff Report

Associate Planner Purvis stated there are no applications pending at this time.

Adjournment

At 9:18 p.m., a motion was made by ZBA Member Jones and seconded by ZBA Member Whalls to adjourn the meeting. The motion carried unanimously by a voice vote.

Respectfully submitted,

Debbie Solomon
Recording Secretary

Reviewed by: Kelly Purvis, Planner



Zoning Board of Appeals
535 Duane Street
Glen Ellyn, IL 60137

Meeting: 12/11/18 07:00 PM
Department: Zoning Board of Appeals
Department Head: Kelly Purvis
Category: Public Hearing
Prepared By: Kelly Purvis

SCHEDULED

AGENDA ITEM (ID # 3724)

DOC ID: 3724

Public Hearing to consider a zoning variation request to allow the construction of a fence as tall as 9 feet in some areas, to be located on the property at 1N480 Swift Road.

PETITIONER: The petitioner is Minhaj Uddin Ahmed Trust, owner of the property at 1N480 Swift Road.

REQUEST: The property owner is requesting approval of a variation from the Glen Ellyn Zoning Code as follows:

1. Section 10-5-5(B)4: Fence - to allow the construction of a fence at a maximum height of 9 feet along the rear lot line and extending 100 feet along the interior side lot lines easterly; the fence will continue at 8 feet in height for approximately 65.5 feet along the north property line and approximately 214.8 feet along the south lot line. Approximately 24.6 feet of fence will be 8 feet in height from the southeast corner of the principal structure to the south lot line. The remainder of the fence will be compliant with the Zoning Code. The permitted height for a fence, no closer to the street than the principal structure is 6 feet.
2. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

ZONING/ USE: The property is located on the west side of Swift Road between St. Charles Road and North Avenue (just north of the Georgetown by the River condominium development) in the R4 Single Family zoning district in unincorporated DuPage County. The land use immediately surrounding the subject property is largely comprised of unincorporated multi-family residential, with one single-family residential property to the north of it.

PUBLIC NOTICE: Notice of the public hearing was published in the November 26, 2018 edition of the Daily Herald, mailed to property owners within 250 ft. of the subject property, and a placard was placed on the property.

PERMIT HISTORY: The property is currently located in unincorporated DuPage County; the

Village does not have a record of any building permits for the property.

**VARIATION
HISTORY:**

The Village does not have a record of any previous variations for the property since it is located in unincorporated DuPage County currently.

**PROJECT
SUMMARY:**

Village staff have been negotiating an annexation agreement with the property owner of 1N480 Swift Road for the better part of a year. The Village has annexation agreements in place with the single family property as well as the two townhome developments (68 units) to the north of the subject site. It is anticipated that all of the properties will be annexed into the Village in the early part of 2019.

Mr. Ahmed has been constructing the single family home on the lot through a building permit issued by the County and will likely finish that process with the County prior to annexing to the Village. He has requested as part of the negotiation of his annexation agreement that the Village grant a fence height variation that would allow him to construct a fence that would provide a buffer between his new single family home and the multi-family developments surrounding his property. Upon annexation, his property will be zoned R2; the construction of his home meets the requirements of the Village's R2 zoning district otherwise.

As is noted above, the petitioner is proposing to construct a 9 foot fence along the rear (west) property line, which abuts a large apartment complex (8 buildings, 3 stories tall plus parking lots and dumpsters). The fence will continue to be 9 feet for approximately 100 feet easterly along the north and south property lines. The fence height will be reduced to 8 feet along the remainder of the south lot line (adjacent to the garages for the Georgetown by the River condominium development). The fence will step down in height to 8 feet for 65.5 feet along the north lot line and then will step down in height again to a code compliant 6 feet where it abuts the single-family home to the north.

The petitioner has suggested that a grade drop of about 14 feet from the front to the rear of the property intensifies the appearance of the height of the westerly apartment development. As part of the variation application, the petitioner has provided a narrative statement which further details the conditions surrounding the site. Please note, while the application requests a variation for a basketball hoop as well, there is not a need for this variation request. The Village Board approved a Zoning Code text amendment eliminating regulations for basketball hoops earlier this year.

ZBA**ACTION:**

The ZBA should consider the testimony presented during the public hearing and review the written evidence presented as part of the petitioners' application packet. The ZBA should make findings of fact and determine if a practical difficulty or particular hardship exists and if the essential character of the neighborhood is maintained.

The ZBA may choose to make a recommendation to the Village Board for the approval, approval with conditions or denial of the variation to allow the proposed fence in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code.

ATTACHMENTS:

- § Variance Application
- § Plat of Survey/Site Plan
- § Location & Zoning Map
- § Aerial View
- § Applicable Section of Zoning Code
- § Notice of Public Hearing
- § Location Map for Public Hearing Notice
- § Mailing Addresses for Public Hearing Notice
- § Certificate of Publication

CC:

Staci Springer, Director of Planning & Development
 Steve Witt, Building and Zoning Official
 Paula Moritz, Plan Examiner
 Minhaj Ahmed, Property Owner
 Mark Daniel, Petitioner's Legal Counsel

X:\Plandev\BUILDING\ZBA\VARIATION BY ADDRESS\SWIFT\1N480 Swift\Staff
 Report - Fence Ht.doc

ATTACHMENTS:

- Variance Application (PDF)
- Plat of Survey - Site Plan (PDF)
- Location & Zoning (PDF)
- Aerial View (PDF)
- Applicable Section of Code 10-5-5(B)4 (PDF)
- Public Hearing Notice (PDF)
- Location Map for Public Hearing Notice (PDF)
- Mailing Addresses for Public Hearing Notice (PDF)
- Certificate of Publication (PDF)



- MWJ COPY -

VILLAGE OF GLEN ELLYN

Zoning Variation Request Packet

**Ahmed, 1N480 Swift Road
Lombard, Illinois**

*Planning & Development Department
535 Duane Street – Glen Ellyn, IL 60137 – Telephone 630.547.5250 – Fax 630.547.5370*



VILLAGE OF GLEN ELLYN
535 Duane Street
Glen Ellyn, Illinois 60137
(630) 547-5250

APPLICATION FOR VARIATION

CLEAR PAGE

For the property at 1N480 Swift, Lombard, IL 60148 Glen Ellyn, IL 60137

Note to the Applicant: This application should be filed with, and any questions regarding it, should be directed to the Director of the Village Planning and Development Department.

You may attach separate sheets as needed to answer any of the following questions.

The undersigned hereby petitions the Village of Glen Ellyn, Illinois, for one or more variations from the Glen Ellyn Zoning Code (Ordinance No. 3617-Z, as amended), as described in this application.

I. APPLICANT INFORMATION:

(Note: The applicant must comply with Section 10-10-10(B) of the Zoning Code).

Name: Minhaj Ahmed, as Trustee

Address: 1N720 Swift Road, Lombard, IL 60148

Home Phone No.: N/A Cell Phone No.: 630-770-1051

Fax No.: N/A

E-mail: imam.minhaj@gmail.com

Ownership Interest in the Property in Question:

Trustee of the Minhaj Uddin Ahmed Trust dated February 24, 2015.

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

CLEAR PAGE

II. INFORMATION REQUIRED BY SECTION 10-10-10(B) OF THE ZONING CODE, IF APPLICABLE:

NOTE: All parties, whether petitioner, agent, attorney, representative and or organization et al. must be fully disclosed by true name and address in compliance with Section 10-10-10(B) of the Zoning Code. Disclosure forms are attached for your convenience.

Name and address of the legal owner of the property (if other than the applicant):

Minhaj Uddin Ahmed Trust dated February 24, 2015
1N720 Swift Road
Lombard, IL 60148

Name and address of the person or entity for whom the applicant is acting (if the applicant is acting in a representative capacity):

Is the property in question subject to a contract or other arrangement for sale with the fee owner? (Choose "Yes" or "No")

YES ☐

NO ☒

If YES, the contract purchaser must provide a copy of the contract to the Village and must either be a co-petitioner to this application or submit the attached Affidavit of Authorization with the application packet.

Is the property in question the subject of a ~~land~~ trust agreement? (Choose "Yes" or "No")

YES ☒

NO ☐

If YES, (1) either the trustee must be a co-petitioner or submit the attached Affidavit of Authorization from the trustee to represent the holders of the beneficial interests in the trust and (2) the applicant must provide a trust disclosure in compliance with "An Act to Require Disclosure of All Beneficial Interests", Chapter 148, Section 71 et seq., Illinois Revised Statutes, signed by the trustee.

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

CLEAR PAGE

III. PROPERTY INFORMATION:Common address: 1N480 Swift Road, Lombard, IL 60148Permanent tax index number: 05-01-107-029

Legal description:

LOT 4 IN HOYLE'S ASSESSMENT PLAT OF PART OF LOT 3 OF THE PLAT ATTACHED TO THE LAST WILL AND TESTAMENT OF ISAAC BRADFORD CHURCHILL BEING A PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF HOYLE'S ASSESSMENT PLAT THEREOF RECORDED DECEMBER 18, 1943 AS DOCUMENT NO. 456996 IN DUPAGE COUNTY, ILLINOIS.

Zoning classification: Currently County (will be R-2 upon annex.)Lot size: 121 ft. x 401 ft. Area: 50,719 sq. ft.Present use: Residential (single family detached under construction)IV. INFORMATION REGARDING THE VARIATION(S) REQUESTED:

Description of the variation(s) requested (including identification of the Zoning Code provisions from which variation is sought) and proposed use(s):

Variation from Section 10-5-4(A)(4) in order to allow a basketball standard in front of the east face of the principal residence.

Variation from Section 10-5-5(B)(4), Table 10-5-5(B)(4) at (11)(b) in order to allow a maximum height of a fence of nine (9) feet along the rear lot line (west) and extending 100 feet along the interior side lot lines and to allow a maximum height of a fence up to eight (8) feet to points designated in the plan filed herewith.

Estimated date to begin construction: Fence construction +/- May 2019

CLEAR PAGE

Names and addresses of any experts (e.g., planner, architect, engineer, attorney, etc.):

Mark W. Daniel
 Daniel Law Office, P.C.
 17W733 Butterfield Rd., Suite F
 Oakbrook Terrace, IL 60181
 Office: (630) 833-3311
 Fax: (630) 833-3511
 mark@thedaniellawoffice.com

V. EVIDENCE RELATING TO ZONING CODE STANDARDS FOR A VARIATION:

The following items are intended to elicit information to support conclusions by the ZBA or PC and the Village Board that the required findings/standards for a variation under the Zoning Code have been established and met. Therefore, please complete these items carefully.

A. Standards Applicable to All Variations Requested:

1. Provide evidence that due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code:

Please see the attached narrative.

2. a. Provide evidence that the property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code (i.e., without one or more variations):

Please see the attached narrative.

OR

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- b. Provide evidence that the plight of the applicant/owner is due to unique circumstances relating to the property in question:

Please see the attached narrative.

3. Provide evidence that the requested variation(s), if granted, will not alter the essential character of the locality of the property in question:

Please see the attached narrative and aerial photographs.

- B. For the purpose of supplementing the above standards, the ZBA or PC, in making its recommendation that there are practical difficulties or particular hardships, shall also take into consideration the extent to which the evidence establishes or fails to establish the following facts favorably to the applicant:

1. Provide evidence that the particular physical surroundings, shape or topographical condition of the property in question would bring particular hardship upon the applicant/owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out:

Please see topographic information, aerial photographs and attached narrative.

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

CLEAR PAGE

2. Provide evidence that the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district:

Please see the attached narrative.

3. Provide evidence that the purpose of the variation is not based exclusively upon a desire to make more money out of the property in question:

Please see the attached narrative.

4. Provide evidence that the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property in question or by the applicant.

Please see the attached narrative.

5. Provide evidence that the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located.

Please see the attached narrative.

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

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6. Provide evidence that the proposed variation will not:

- a. Impair an adequate supply of light and air to adjacent property;

Please see the attached narrative.

- b. Substantially increase the hazard from fire or other dangers to the property in question or adjacent property;

Please see the attached narrative.

- c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village;

Please see the attached narrative.

- d. Diminish or impair property values within the neighborhood;

Please see the attached narrative.

- e. Unduly increase traffic congestion in the public streets and highway;

Please see the attached narrative.

- f. Create a nuisance; or

Please see the attached narrative.

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

CLEAR PAGE

- g. Results in an increase in public expenditures.

Please see the attached narrative.

7. Provide evidence that the variation is the minimum variation that will make possible the reasonable use of the land, building or structure.

Please see the attached narrative.

8. Please add any comments which may assist the commission in reviewing this application.

Please see the attached narrative.

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

VI. CERTIFICATIONS, CONSENT AND SIGNATURE(S)

CLEAR PAGE

I (We) certify that all of the statements and documents submitted as part of this application are true and complete to the best of my (our) knowledge and belief.

I (We) consent to the entry in or upon the premises described in the application by any authorized official of the Village of Glen Ellyn.

I (We) certify that I (we) have carefully reviewed the Glen Ellyn Zoning Variation Request Package and applicable provisions of the Glen Ellyn Zoning Code.

I (We) consent to accept and pay the cost to publish a notice of Public Hearing as submitted on an invoice from the publishing newspaper. I (we) understand that our request will not be scheduled for a Village Board agenda until and unless this invoice is paid.

<u>Oct 2, 2018</u>	<u>Minhaj Ahmed, Trustee</u>	<u>Minhaj Ahmed</u>
Date	Print Name	Signature of Applicant
 <u> </u>	 <u> </u>	 <u> </u>
Date	Print Name	Signature of Applicant
 <u> </u>	 <u> </u>	 <u> </u>
Date	Print Name	Signature of Applicant

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

AFFIDAVIT OF AUTHORIZATION

CLEAR PAGE

I, Minhaj Ahmed, as Trustee for the owner of the property described as

LOT 4 IN HOYLE'S ASSESSMENT PLAT OF PART OF LOT 3 OF THE PLAT ATTACHED TO THE LAST WILL AND TESTAMENT OF ISAAC BRADFORD CHURCHILL BEING A PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF HOYLE'S ASSESSMENT PLAT THEREOF RECORDED DECEMBER 18, 1943 AS DOCUMENT NO. 456996 IN DUPAGE COUNTY, ILLINOIS.

verify that Minhaj Ahmed and Mark Daniel
are duly authorized to apply and represent my interests before the Glen Ellyn Plan Commission, Zoning Board of Appeals and/or Village Board. Owner acknowledges that any notice given applicant is actual notice to owner.

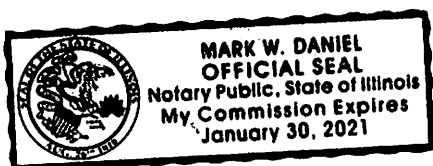
Minhaj Ahmed

Owner Signature

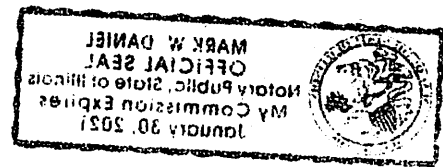
Subscribed and sworn to before me this

27 day of October, 2018
[Signature]

Notary Public



Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)



OWNERSHIP BY A CORPORATION**CLEAR PAGE**

Date: _____

Address: NOT APPLICABLE

Legal Description:

--

LIST ALL SHAREHOLDERS AND OFFICERS/DIRECTORS (AND % OF INTEREST OWNED IN EXCESS OF 5% OF STOCK)

Name: _____ Address: _____ % _____

Name: _____ Address: _____ % _____

Name: _____ Address: _____ % _____

Name: _____ Address: _____ % _____

Name: _____ Address: _____ % _____

Name: _____ Address: _____ % _____

Name: _____ Address: _____ % _____

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Name: _____ Address: _____ % _____

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

OWNERSHIP BY LAND TRUST

CLEAR PAGE

Date: _____

Address: 1N480 Swift Road, Lombard, IL 60148**Legal Description:**

LOT 4 IN HOYLE'S ASSESSMENT PLAT OF PART OF LOT 3 OF THE PLAT ATTACHED TO THE LAST WILL AND TESTAMENT OF ISAAC BRADFORD CHURCHILL BEING A PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF HOYLE'S ASSESSMENT PLAT THEREOF RECORDED DECEMBER 18, 1943 AS DOCUMENT NO. 456996 IN DUPAGE COUNTY, ILLINOIS.

TRUSTEE: Minhaj Ahmed TRUST NO. 2-24-15Address: 1N720 Swift Road, Lombard, IL 60148**LIST ALL BENEFICIARIES:**Name: Minhaj Ahmed Address: 1N720 Swift Road, Lombard, IL 60148

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

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Name: _____ Address: _____

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Name: _____ Address: _____

Name: _____ Address: _____

Mark W. Daniel, Esq.
mark@thedaniellawoffice.com

17W733 Butterfield Road, Unit F
Oakbrook Terrace, IL 60181
(630) 833-3311
Fax: (630) 833-3511

Daniel Law Office, P.C.

PROJECT NARRATIVE

1N480 Swift Road, Lombard, DuPage County, Illinois

Permanent Index No. 05-01-107-093

REQUEST FOR VARIATIONS

Applicant, the Minhaj Uddin Ahmed Trust dated February 24, 2015 (“Trust” or “Applicant”) respectfully seeks two variations from the Glen Ellyn Zoning Ordinance upon annexation of the property commonly known as 1N480 Swift Road (the “Subject Property”) and its rezoning to Glen Ellyn’s R-2 zoning classification. First, the Trust seeks approval of a taller fence along its entire rear (west) property line and portions of its north and south lot lines in order to screen adjoining uses and structures that are not of a single-family character. Second, Applicant seeks approval of a variation to permit a basketball standard in the area east of the principal residence. The Village is in the process of annexing the Subject Property pursuant to an agreement that is presently in negotiation concerning terms that include the relief sought in the application.

THE SUBJECT PROPERTY

The Subject Property is comprised of 50,719 square feet (+/-) situated along the west side of Swift Road in unincorporated DuPage County. Due to the angle of Swift Road, the Subject Property has a depth of between 401 feet (south) and 431 feet (north) and a width between 120 feet (west) and 125 feet (east). At present, Applicant is constructing a new single-family home on the Subject Property pursuant to a permit issued by the County of DuPage, and Applicant has cooperated with the Village in filing a petition for annexation subject to an annexation agreement.

The Subject Property drops from a maximum elevation of 718 feet at Swift Road and around the curtilage of the home to slightly more than 704 feet at the rear property line. There is a single family home situated north of the Subject Property. To the west of the Subject Property lies a three-story multiple family apartment complex (eight buildings) in unincorporated DuPage County. These buildings and their exterior balconies rise at least 35 feet above the rear yard elevation of the Subject Property and, due to their alignment, the apartment buildings have an apparent mass of hundreds of feet when viewed from the rear yard. Georgetown by the River Townhomes is directly south of the Subject Property. Georgetown’s common and limited common areas include two 100-foot-plus long garages and part of a third garage that line the south line of the Subject Property. The garages generally have a visual appearance roughly 18 feet above the rear yard elevation of the Subject Property.

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

PROJECT NARRATIVE

1N480 Swift Road, Lombard, DuPage County, Illinois
Permanent Index No. 05-01-107-093

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Applicant was in the process of constructing a new single-family residence on the Subject Property according to the applicable codes and ordinances of DuPage County when the Village suggested that Applicant consider annexation. Applicant and the Village have entered into the annexation process, but Applicant needs to have allowances sufficient to afford it the reasonable use of the Subject Property as was intended. A sense of privacy is a substantial component of land use for residential purposes and the fence variation serves this interest. Further, the County regulates the use of the front yard in a fashion that allows a basketball standard in front of the principal residence, and the driveway areas were planned for this purpose.

STANDARDS FOR VARIATION

While a lot can be said about the elements pertaining to recommendations of variations by the Village's Zoning Board of Appeals and approvals of variations by the Village Board, the two requested variations quite clearly meet the practical difficulties standard and the fence variation meets the particular hardship standard. Applicant respectfully notes that the approval of the variations will not change any appearance within the neighborhood. With respect to the basketball standard, the Applicant would be entitled to use the standard in front of the home simply by reason of annexation following its installation.

Practical Difficulty

Applicant is constructing a new single family residence in an area dominated by multiple family use and attached single family use (townhomes). In attempting to gain privacy for the rear yard area, Applicant has considered a screen along the south line, but the combination of tall structures adjacent to Applicant's lot lines makes doing so quite difficult. The increase in the height of the fence on the rear lot line is designed to diminish lines of sight to and from the balconies of the 130-foot long, three-story apartment building roughly 80 feet west of the rear yard. Additionally, Applicant is attempting to screen the mass of three-story multiple family structures from view in order to buffer the more intense use from Applicant's large-lot single family use. The added height of the fence is intended to allow for a reduction of noise from a parking area that serves 38-40 vehicles and unscreened dumpster operations.

With respect to the basketball standard, Applicant is concerned that an interpretation of the Glen Ellyn Zoning Ordinance could render the basketball standard a non-conforming use if this structure is installed prior to annexation or, alternatively, render the installation illegal if Applicant defers installation until after warm weather hits in 2019. It is possible that landscaping will not be fully installed until 2019 and that the basketball standard would follow this effort. In cooperating with the Village on annexation matters, Applicant has attempted to preserve his plan for buildings, structures and installations, and the basketball standard is part of this effort.

The inabilities noted above meet the standard of practical difficulty because the fence and accessory structure regulations prohibit steps necessary to meet privacy concerns and to preserve existing plans for construction under a distinct set of regulations at the County.

PROJECT NARRATIVE
 1N480 Swift Road, Lombard, DuPage County, Illinois
 Permanent Index No. 05-01-107-093

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Particular Hardship

The condition of the Subject Property as one of two detached single family lots in the most immediate 35-40 acres along and west of Swift Road presents hardship. The need to create privacy through the fence variation arises from the much higher densities of abutting and nearby properties and the sheer mass of principal buildings (the apartments) and accessory buildings (the two and one-half 100-foot long detached garages) that abut the west and south lines of the Subject Property. Grading and elevations within the rear yard could never change to the extent required to create a sense of privacy. Additionally, while one might wonder whether planting trees is an answer, the trees would have only minimal effort on the mitigation of noise from the parking lot activity and the unscreened dumpsters.

A six-foot fence between a large lot, single family use and the higher intensity uses will not afford the Applicant the privacy necessary, and indeed expected, on the Subject Property. The topography or natural conditions of the Subject Property do not allow for privacy when the residents of the Subject Property will spend most of their time at an elevation, while seated on a patio or deck or in the yard near their home, and still be able to see over a fence at the regulatory height. In most instances, berming or more buffering between uses is preferred, but the prior developments, particularly the apartments, are not sufficiently buffered or screened due the timing of their development in relation to modern planning prerogatives. This essentially leaves Applicant in the position of reasonably responding with a request to increase the height of the fence and step it down to regulatory heights as it extends east.

In any single-family setting, owners expect to have privacy. Without privacy, a property owner will experience loss as well as a lack of reasonable return from the least intensive permitted use on the Subject Property. At present, the zoning district is undefined. The lot to the north may experience the same conditions on its west lot line, but it is buffered by less intensive use and the short sides of principal buildings (as opposed to the long, accessory detached garages on the south line of the Subject Property). The feathering of this use north of the adjacent lot between that lot and the apartments creates more of a sense of single family detached residential privacy than exists on the Subject Property by breaking up the view to the apartments

Granting the requested zoning variation will not alter the essential character of the locality of the property in question. Along the south line of the Subject Property, the detached garages create a visual mass much taller than the fence proposed for the Subject Property, and the fence will drop to regulatory heights east of the garages. Along the west line, the fence does not obstruct a view to any amenity or create an appearance of having no open space inasmuch as the apartment parking area is not a common open space area that serves an purpose other than parking and waste operations. Along the north line of the Subject Property, the fence will drop to regulatory heights much earlier than on the south, and the relief is limited to that which is necessary to screen the views to and from the three-story apartments and their balconies.

PROJECT NARRATIVE
 1N480 Swift Road, Lombard, DuPage County, Illinois
 Permanent Index No. 05-01-107-093

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ORDAINED STANDARDS

Applicant presents information (above) that is sufficient to clearly show that the particular physical surroundings and topographical condition of the Subject Property bring particular hardship upon Applicant as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out. As noted above, the practical difficulty standard also applies to the fence relief and the Applicant relies on practical difficulties arising from its cooperation with the Village in seeking annexation when Applicant plans for a basketball standard in the front yard.

The conditions upon which this petition is based are not applicable generally to other property within the same zoning district. If one assumes that all residential properties along the west side of Swift Road are classified as R-2, there are only three single family detached residential properties. Applicant has addressed the property situated at 1N510 Swift Road above, but, in relation to the basketball standard, this adjoining lot has a long history of outdoor use only behind the face of the residence—be it for most of its parking or its outdoor storage. Nearly 1,400 feet to the north, 1N674 Swift Road is residential in appearance and use, but it has a connection with the religious use next door while also receiving the benefits of substantial buffering. 1N640 Swift Road is a multi-building lot that appears to host a contractor use and this lot is not one reasonably expected to develop to a single family detached residential setting.

The fence variation maintains a reasonable sense of residential privacy. The ability to place a basketball standard in front of the principal residence continues the particular expectancy of the Applicant in transitioning from DuPage County jurisdiction to Village jurisdiction. Neither variation serves to increase the profits of the owner in holding the property. Indeed, the owner is maintaining a single family lot that is larger than 50,000 square feet—something relatively uncommon in Glen Ellyn.

Applicant and its predecessors have had no role in the creation of grades and elevations in the area. Further, they have had no role in the off-site development of Georgetown by the River and the three-story apartments to the west. The difficulty and hardship were not created by any person presently having an interest in the Subject Property or by the Applicant.

Due to the circumstance that the fence steps down as it extends from west to east, the height of the fence will have an appearance of regulatory compliance. Behind the fence, taller and more massive structures will remain. The appearance in the side and rear yard areas will appear planned as a buffer rather than as an abrupt change in uses that can often conflict. As a result, the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

It can often be said that the very design of fences leads to a change in the flow of light and air. However, the increase in the height of the fence occurs only at points where there are structures that are about 18 feet tall (the garages) and 35-40 feet tall (the apartments) in direct view. No element of the additional height of the fences will impair an adequate supply of light

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

PROJECT NARRATIVE

1N480 Swift Road, Lombard, DuPage County, Illinois
 Permanent Index No. 05-01-107-093

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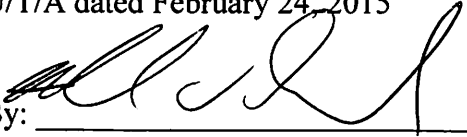
and air to adjacent property north, south or west of the Subject Property. The basketball standard will not have any impact on light and air.

Neither the fence nor the basketball standard will substantially increase the hazard from fire or other dangers to any property. The added height and the basketball standard are intended to protect the large-lot, single family residential character of the Subject Property and the use of the taller fence at certain necessary locations and the standard will not impair the public health, safety, comfort, morals or general welfare of any inhabitant of the Village. The north fence line will actually serve to buffer views from 1N510 Swift Road to the west-southwest to the three-story apartments and serve to reduce noise from parking lot operations and the unenclosed disposal area and actually provide a coincidental benefit to 1N510 Swift Road rather than diminish or impair property values within the neighborhood. The taller fence will remain below the profile of the ground level ceiling heights of the garages to the south and the apartments to the west. Neither the fence nor that basketball standard will have any impact on traffic congestion along Swift Road. Neither installation will create a nuisance. Neither installation will result in an increase in public expenditures.

As noted above, the fence height will be reduced in areas where the added height is not required to screen either the apartments or the detached garages. Regulatory fence heights will apply along the south lot line at areas east of the garages. At a point approximately 170 feet east of the west lot line, the north line of the fence will drop to regulatory heights. This transition to regulatory heights along the south lot line occurs at a point roughly north of the east extension of the garages serving Georgetown on the River. The relief is the minimum necessary to serve its purpose of allowing the reasonable use of the Subject Property for large-lot residential purposes.

Respectfully submitted,

MINHAJ UDDIN AHMED TRUST
 U/T/A dated February 24, 2015

By: 
 One of Its Attorneys

Mark W. Daniel, Esq.
 DANIEL LAW OFFICE, P.C.
 17W733 Butterfield Road, Suite F
 Oakbrook Terrace, Illinois 60181
 (630) 833-3311
 Fax: (630) 833-3511
mark@thedaniellawoffice.com
 Illinois Attorney No. 6226696

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)



This map is for assessment purposes only.

Ph# 1(630)407-5000

Email gis@dupageco.org

DuPage Maps Portal:

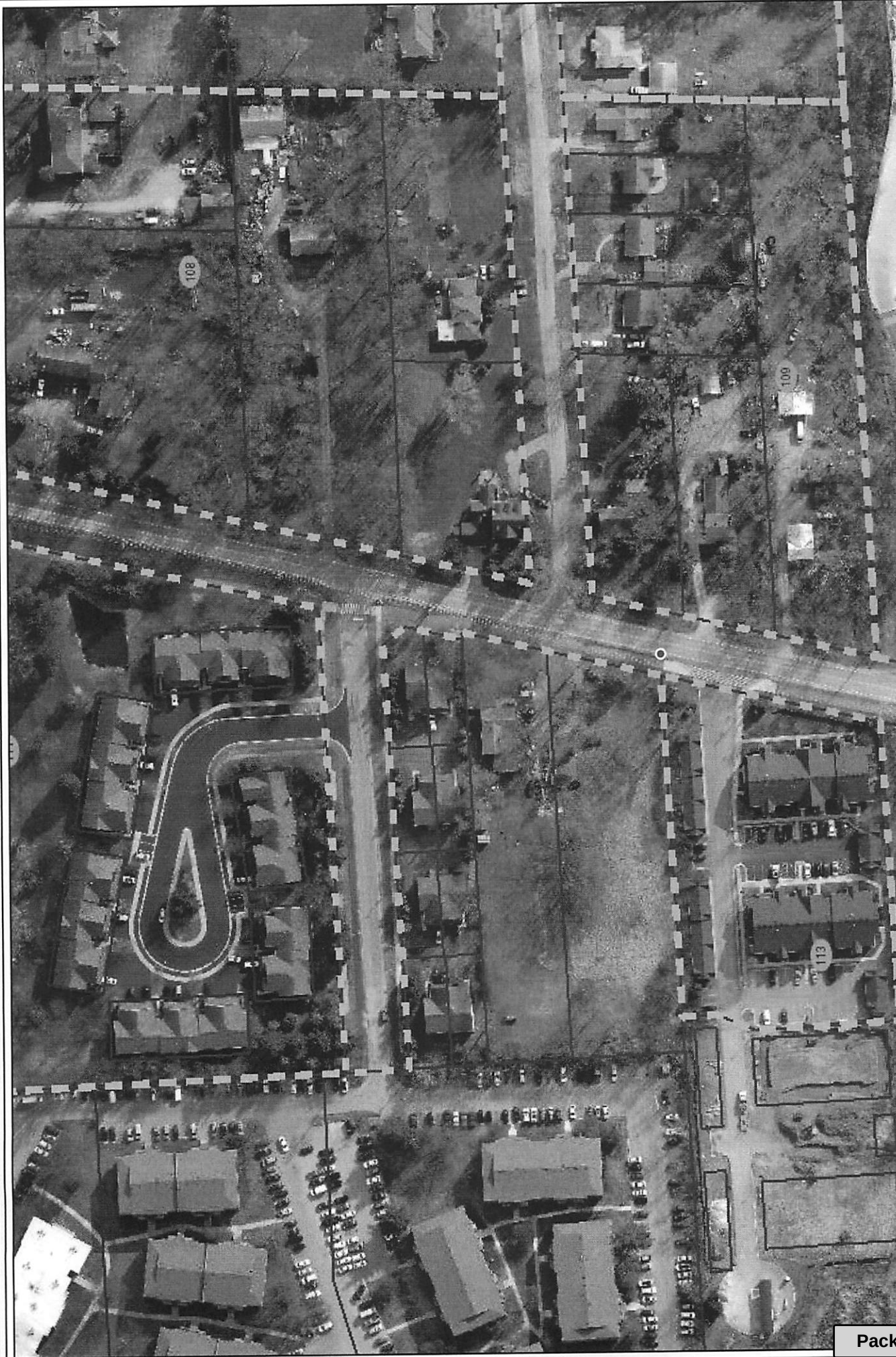
<http://dupage.maps.arcgis.com/home>

DuPage County
Information Technology Department / GIS Division
421 N County Farm Rd.
Wheaton, IL 60187

DuPage County Web Site:

www.dupageco.org

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)



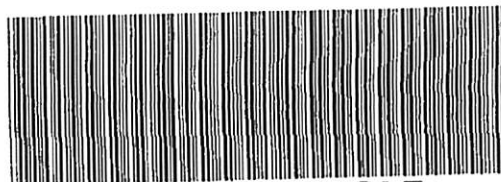
This map is for assessment purposes only.

DuPage County Web Site :
www.dupageco.org

Ph# 1 (630) 407-5000
Email gis@dupageco.org
DuPage Maps Portal :
http://dupage.maps.arcgis.com/home

DuPage County
Information Technology Department / GIS Division
421 N County Farm Rd.
Wheaton, IL 60187

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)



FRED BUCHOLZ
 DUPAGE COUNTY RECORDER
 NOV. 06, 2007 1:38 PM
 PLAT 05-01-107-030
 022 PAGES R2007-200026

21

Village Of Glen Ellyn

Ordinance No. 5567

An Ordinance Granting Approval of a
 Final Planned Unit Development, Final Plat of Subdivision
 and Subdivision Variations for Georgetown by the River
 to be Located on Property Commonly Known as 440 and 450 Swift Road

(FKA 1N440 + 1N450)

Adopted by the
 President and the Board of Trustees
 of the Village of Glen Ellyn
 DuPage County, Illinois
 This 9 Day of April, 2007.

Published in pamphlet form by the authority of the
 President and Board of Trustees of the Village of
 Glen Ellyn, DuPage County, Illinois, this 11
 day of April, 2007.

PREPARED BY AND MAIL TO:
 VILLAGE OF GLEN ELLYN
 ATTN: VILLAGE CLERK
 535 Duane Street
 Glen Ellyn, IL 60137

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

4

PLAT**FRED BUCHOLZ****Du Page County Recorder**421 North County Farm Road - Wheaton IL 60187
(630) 407-5400DATE OF
INSTRUMENT: 4/9/07☐ CASH☐ CHECK☐ CREDIT CARD**PLAT**
R2007-200026
NOV. 06, 2007
1:38 PM

DOCUMENT TYPE:

☒ SUBDIVISION☐ ANNEXATION☐ VACATION☐ DEDICATION☒ ORDINANCE☐ EASEMENT☐ DECLARATION☐ RESOLUTION☐TITLE: GEORGETOWN RIVER

1ST PARTY: _____

2ND PARTY: _____

LEGAL DESCRIPTION: L 2 HOYLES ASSMT PL 3L 3SEC. 1TWP. 39RANGE 10PIN NO. D5-01-107-030;

UNIT NO. _____

031

SUBMITTED BY:

ANDREABOOK /PAGE /NUMBER OF PAGES 2ACCOMPANYING PAPERS: ORD 55107☒ YES☐ NOMAIL TO: VILL. OF GLEN ELYN

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

**FINAL PLAT OF SUBDIVISION
GEORGETOWN BY THE RIVER**

PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

Introduction

Attenzione: VO

1001

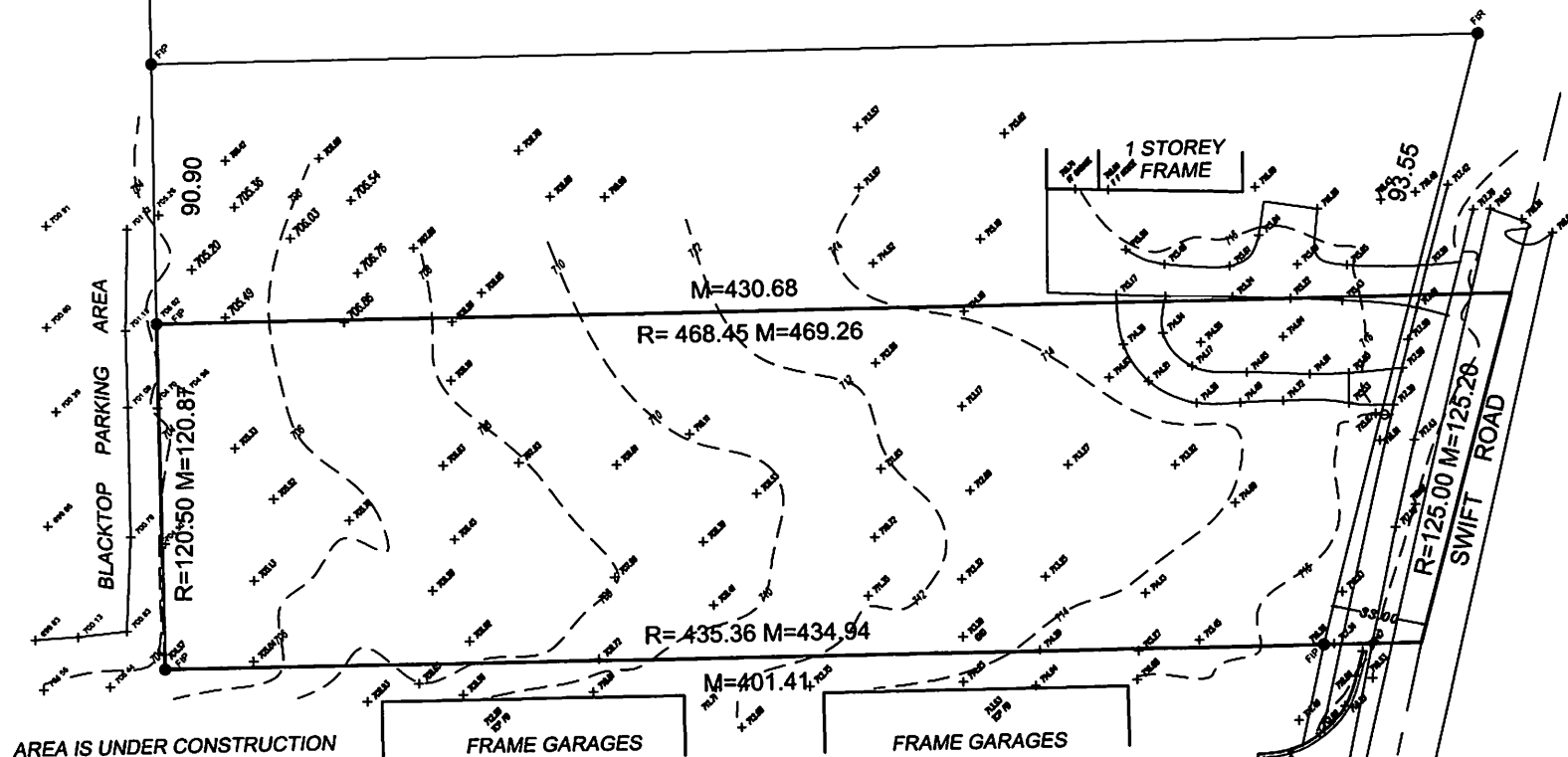
1

TOPOGRAPHICAL & PLAT OF SURVEY

LOT 4 IN HOYLE'S ASSESSMENT PLAT OF PART OF LOT 3 OF THE PLAT ATTACHED TO THE LAST WILL AND TESTAMENT OF ISAAC BRADFORD CHURCHILL BEING A PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF HOYLE'S ASSESSMENT PLAT THEREOF RECORDED DECEMBER 18, 1943 AS DOCUMENT NO 456996, IN DUPAGE COUNTY, ILLINOIS.

P. I. N. # 05-01-107-029

COMMONLY KNOWN AS : 1 N 480 SWIFT ROAD, LOMBARD, IL 60148



STATE OF ILLINOIS)
SS

COUNTY OF DU PAGE)
THIS IS TO CERTIFY THAT I, RICHARD M. FANDEL AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THIS PLAT OF SURVEY IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS SURVEY CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY EFFECTIVE AS OF APRIL 27, 2010. ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF. CORRECTED AT 63 DEGREES FAHRENHEIT.
GIVEN UNDER MY HAND AND SEAL AT WHEATON, ILLINOIS

RICHARD M. FANDEL
ILLINOIS LAND SURVEYOR NO. 035-003054
LICENSE RENEWAL DATE 11/30/2018
PROFESSIONAL OFFICE FIRM NO. 184-003099
LICENSE RENEWAL DATE IS 04/30/2017

COMPARE LEGAL DESCRIPTION WITH DEED AND REPORT ANY DISCREPANCY IMMEDIATELY. A TITLE COMMITMENT WAS NOT FURNISHED FOR USE IN PREPARATION OF THIS SURVEY. IF A TITLE COMMITMENT WAS NOT FURNISHED, THERE MAY BE EASEMENTS, BUILDING LINES OR OTHER RESTRICTIONS NOT SHOWN ON THIS PLAT. THIS PLAT DOES NOT SHOW BUILDING RESTRICTIONS ESTABLISHED BY LOCAL ORDINANCES. LOCAL AUTHORITIES MUST BE CONSULTED REGARDING ANY RESTRICTIONS. DO NOT SCALE DIMENSIONS FROM THIS PLAT. NO EXTRAPOLATIONS SHOULD BE MADE FROM THE INFORMATION SHOWN WITHOUT PERMISSION OF FANDEL'S LAND SURVEYING, INC. THIS PLAT IS NOT TRANSFERABLE. ONLY PRINTS WITH AN EMBOSSED SEAL ARE OFFICIAL COPIES AND ARE NULL AND VOID IF SURVEYORS EMBOSSED SEAL IS NOT AFFIXED HEREON



Fandel's
Land Surveying Inc.

1N335 Morse St.
Carol Stream, IL 60188
(630) 327-4830 - Fax (630) 690-9812
Email: rick@fandels.com

LOT 4 IN HOYLE'S ASSESSMENT PLAT

Scale: 1" = 30'

Date: 3/28/2017

Revised: 3/28/2017

Prepared for: Dr. Mubahuddin Ahmed

☐ Set Iron Stake ☐ Out Cross
☒ Found Iron Stake ☐ Set B.M.

JOB # 17008

PLAT OF SURVEY

Drawn By: MJF

Approved By:

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

Damas Consulting Group
5625 MIDDLEDAUGH AVE
Downers Grove, IL 60516
Ph 630-991-3299 FAX 630-541-2382

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

1N480 SWIFT ROAD

C-1.0



LAND DESCRIPTION

LOT 4 IN HOLLEY'S ASSIGNMENT PLAT OF PART OF LOT 3 OF THE PLAT ATTACHED TO THE LAST WILL AND TESTAMENT OF EDWARD EDWARD CHANDLER, BEING A PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 36 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF HOLLEY'S ASSIGNMENT PLAT THEREOF RECORDED DECEMBER 18, 1943 AS DOCUMENT 458998 IN DU PAGE COUNTY, ILLINOIS.

PIN: 05-01-107-029

BENCHMARK
DUPAGE COUNTY BENCHMARK # BL35001 MORE PARTICULARLY DESCRIBED AS: A BRONZE DISK MONUMENT STAMPED DUPAGE COUNTY MAPS AND PLATS ON THE SOUTHEAST CONCRETE BASE OF A STEEL ELECTRIC TRANSMISSION TOWER ON THE WEST SIDE OF SWIFT ROAD 0.50 MILES NORTH OF NORTH AVENUE.

ELEV. = 729.16

TOTAL DISTURBED AREA - 0.58 AC.

TOTAL PARCEL AREA = 50.719 SF

PRE-EXISTING IMPERVIOUS SURFACES

BUILDING	2,340 SF
DRIVEWAY (TO ROW)	1,289 SF
DRIVEWAY APRON*	148 SF
SHED*	120 SF
PATIO*	54 SF
PRE-EXISTING TOTAL	4,037 SF

* INDICATES VALUES TAKEN FROM GIS AERIAL

PROPOSED IMPERVIOUS SURFACES

PROPOSED RESIDENCE	2,935 SF
ROOF OVERHANG	372 SF
COVERED PATIO	295 SF
PERMEABLE PAVERS DRIVEWAY	3,278 SF
DRIVEWAY APRON	150 SF
A/C & GEN. PAD W/INCH OH	54 SF
CONCRETE WALKS & STOODS	215 SF
PROPOSED TOTAL	4,001 SF

4,001/50,719 = 7.89% IMPERVIOUS
INCREASE = 4,001 - 4,037 = -36 SF

ABBREVIATIONS

P.U. or P.U.E. - PUBLIC UTILITY EASEMENT
B.S.L. - BUILDING SETBACK LINE
FGF - FINISHED GARAGE FLOOR
FFE - FINISHED FLOOR ELEVATION
TIF - TOP OF FOUNDATION
CPP - CORRUGATED PLASTIC PIPE

NOTE: PROPOSED DRIVEWAY WITHIN SWIFT ROAD ROW SHALL BE 1.5" BIT. CONC. SURFACE, 1.5" BIT. CONC. BINDER AND MIN. 6" CA-6 (GRADE 8) COMPACTED GRAVEL BASE.

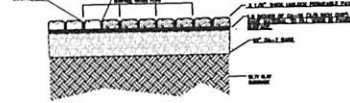
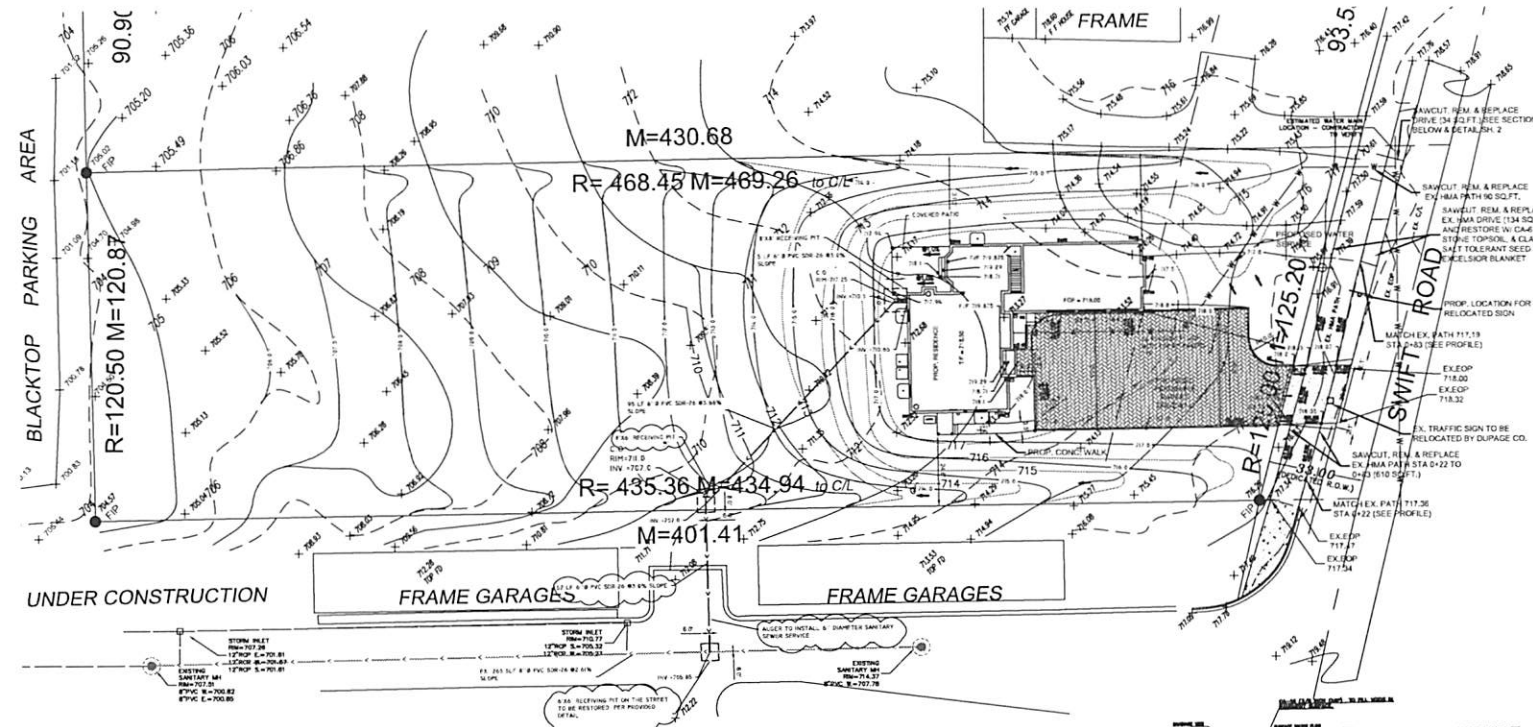
NOTE: HMA PATH REPLACEMENT SHALL BE 2" HMA SURFACE, MIX 'D', NOS. 2.25" HMA BINDER, 1.19-0.150 AND 6" AGGR. BASE, TY B, ON SHAPED & COMPACTED SUBGRADE

LEGEND

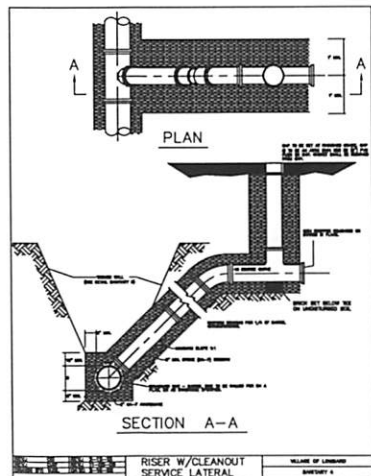
- EXISTING SPOT ELEVATION
- EXISTING DRAINAGE CONTROL
- EXISTING STORM CATCH BASIN
- EXISTING CHAIN LINK FENCE
- EXISTING BRICK FENCE
- EXISTING ASPHALT
- EXISTING CONCRETE
- PROPOSED PLANT DIRECTION ARROW
- PROPOSED SPOT ELEVATION
- PROPOSED TOP OF CURB ELEVATION
- PROPOSED DRIVEWAY LOCATION
- PROPOSED WATER SERVICE, 1-1/2" DIA. TY. & COVER
- PROPOSED SEWER SERVICE
- PROPOSED 8-INCH LOCATOR
- PROPOSED SEWER / STORM CLOSURE
- EXISTING SANITARY SEWER

PROPOSED SITE PLAN

SCALE 1:20



TYPICAL PERMEABLE PAVERS DRIVEWAY

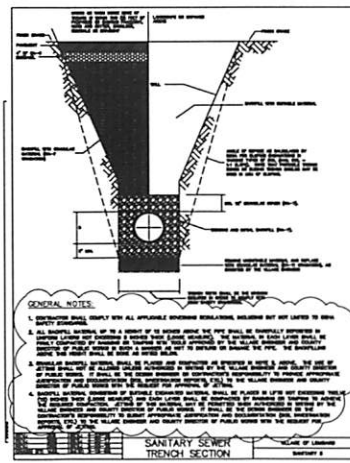


GENERAL NOTES:

1. THE OTHER SIDE SHALL BE PROTECTED FROM DAMAGE EXISTING THE LATERAL.
2. EXISTING ALIQUOT SHALL BE LESS THAN 10" IF MORE IS NECESSARY TO SECURE EXISTING IN UNDESIRABLE STATE.
3. WHEN SURFACE CONNECTION INCLUDES CORNER OR CORNER RAIL, A RISE SHALL BE PROVIDED IN UNDESIRABLE STATE.
4. WHEN SURFACE CONNECTION INCLUDES CORNER OR CORNER RAIL, A RISE SHALL BE PROVIDED IN UNDESIRABLE STATE.
5. WHEN SURFACE CONNECTION INCLUDES CORNER OR CORNER RAIL, A RISE SHALL BE PROVIDED IN UNDESIRABLE STATE.



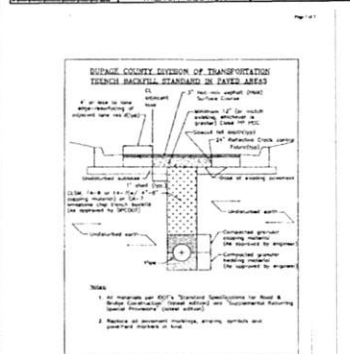
SANITARY RISER FOR SERVICE LATERAL



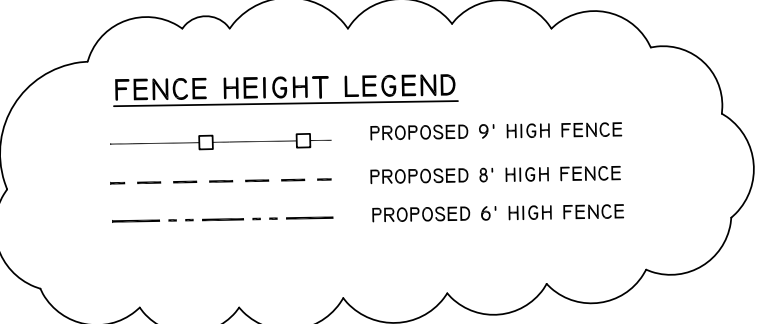
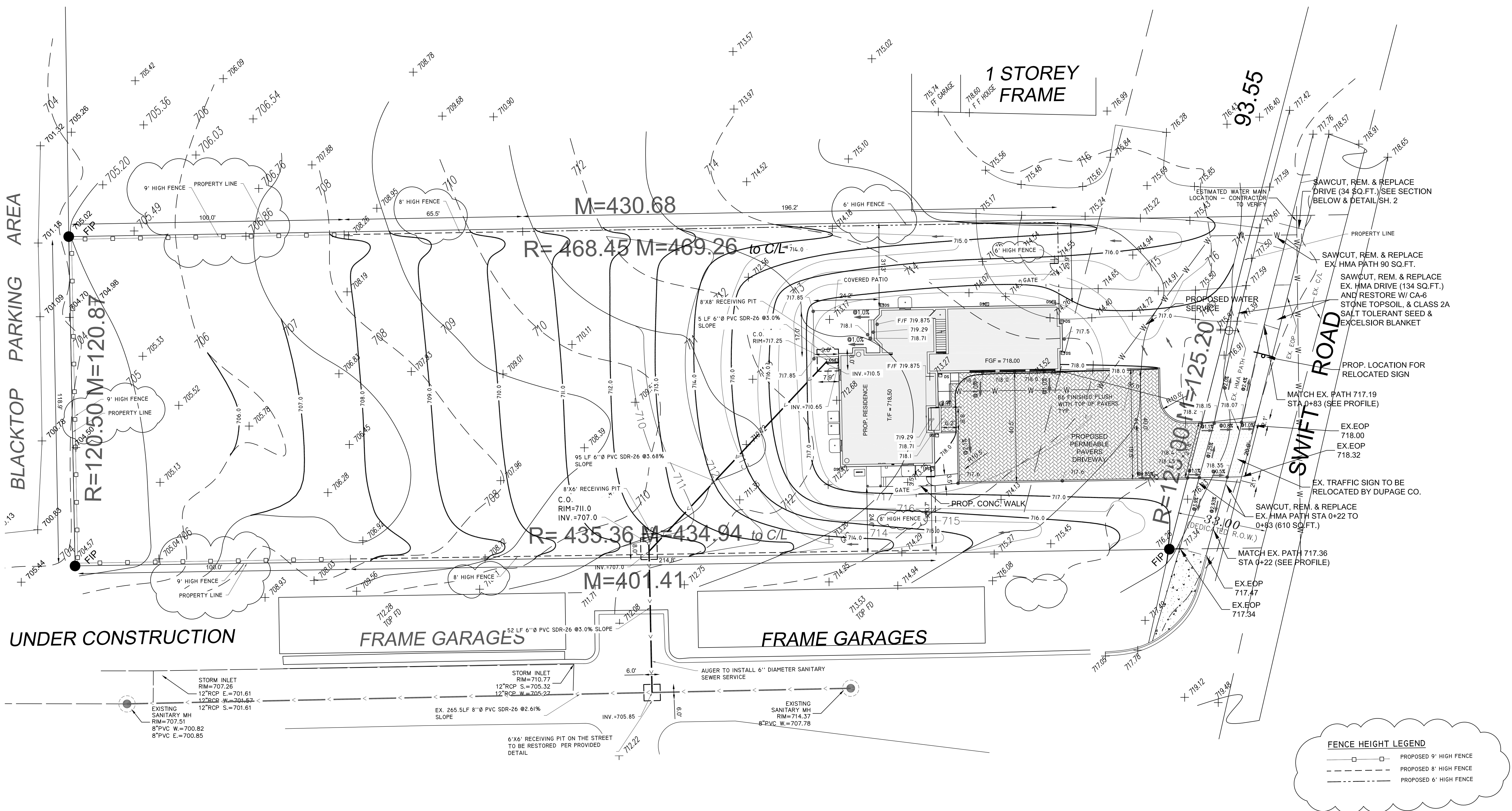
SANITARY SEWER TRENCH SECTION

GENERAL NOTES CONT.

1. THE OTHER SIDE SHALL BE PROTECTED FROM DAMAGE EXISTING THE LATERAL.
2. EXISTING ALIQUOT SHALL BE LESS THAN 10" IF MORE IS NECESSARY TO SECURE EXISTING IN UNDESIRABLE STATE.
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SANITARY SEWER TRENCH SECTION



LAND DESCRIPTION

LOT 4 IN HOYLE'S ASSESSMENT PLAT OF PART OF LOT 3 OF THE PLAT ATTACHED TO THE LAST WILL AND TESTAMENT OF ISSAC BRADFORD CHURCHILL BEING A PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF HOYLE'S ASSESSMENT PLAT THEREOF RECORDED DECEMBER 18, 1943 AS DOCUMENT 456996 IN DU PAGE COUNTY, ILLINOIS.

PIN: 05-01-107-029

LEGEND	
	- EXISTING SPOT ELEVATION
	- - - - - EXISTING GROUND CONTOUR
	⊙ EXISTING STORM CATCH BASIN
	x - - - - - EXISTING CHAIN LINK FENCE
	- - - - - EXISTING WOOD FENCE
	▒ EXISTING ASPHALT
	▒ EXISTING CONCRETE
	➔ PROPOSED FLOW DIRECTION ARROW
	PXXX.X X PROPOSED SPOT ELEVATIONS
	TCXXX.XX X PROPOSED TOP OF CURB ELEVATIONS
	DS□ PROPOSED DOWNSPOUT LOCATION
	- - - - - PROPOSED WATER SERVICE, 1-1/2" DIA. TY. K COPPER
	- - - - - PROPOSED SANITARY SERVICE
	▒ PROPOSED B-BOX LOCATION
	⊙-⊙ PROPOSED SANITARY / STORM CLEANOUT
	⊙-⊙ EXISTING SANITARY SEWER

PROPOSED SITE PLAN

SCALE 1:20

BENCHMARK
DUPAGE COUNTY BENCHMARK # BL36001 MORE PARTICULARLY DESCRIBED AS: A BRONZE DISK MONUMENT STAMPED DUPAGE COUNTY MAPS AND PLATS ON THE SOUTHEAST CONCRETE BASE OF A STEEL ELETRIC TRANSMISSION TOWER ON THE WEST SIDE OF SWIFT ROAD 0.50 MILES NORTH OF NORTH AVENUE.

ELEV.=729.16
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TOTAL PARCEL AREA = 50,719 SF
PRE-EXISTING IMPERVIOUS SURFACES
BUILDING 2,340 SF
DRIVEWAY (TO ROW) 1,289 SF
DRIVEWAY APRON* 148 SF
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PATIO* 140 SF
PRE-EXISTING TOTAL 4,037 SF
* INDICATES VALUES TAKEN FROM GIS AERIAL

PROPOSED IMPERVIOUS SURFACES
PROPOSED RESIDENCE 2,935 SF
ROOF OVERHANG 372 SF
COVERED PATIO 350 SF
PERMEABLE PAVERS DRIVEWAY 3,278 SF
DRIVEWAY APRON 150 SF
A/C & GEN. PAD MINUS OH 34 SF
CONCRETE WALKS & STOOPS 215 SF
PROPOSED TOTAL 4,056 SF
4,056/50,719 = 7.997% IMPERVIOUS
INCREASE = 4,056 - 4,037 = 19 SF

ABBREVIATIONS
P.U. or P.U.E. - PUBLIC UTILITY EASEMENT
B.S.L. - BUILDING SETBACK LINE
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NOTE: PROPOSED DRIVEWAY WITHIN SWIFT ROAD ROW SHALL BE 1.5" BIT. CONC. SURFACE, 1.5" BIT. CONC. BINDER AND MIN. 8" CA-6 (GRADE 8) COMPACTED GRAVEL BASE.

NOTE: HMA PATH REPLACEMENT SHALL BE 2" HMA SURFACE, MIX 'D', N50, 2.25" HMA BINDER, IL-19.0,N50 AND 6" AGGR. BASE, TY B, ON SHAPED & COMPACTED SUBGRADE

Damas Consulting Group
5625 MIDDAUGH AVE
Downers Grove, IL 60516
Ph 630-991-3299 FAX 630-541-2382

C.1.a

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

1N480 SWIFT ROAD
LOMBARD, ILLINOIS

DATE STARTED: 06-15-14	DRAWN BY: KM
JOB NO.	FILE NO.

SHEET NO.

C-1.0

Packet Pg. 45

**FRED BUCHOLZ****DUPAGE COUNTY RECORDER**
FEB. 27, 2018 **RHSP** **9:23 AM**
DEED **\$40.00** **05-01-107-029**
002 PAGES R2018-016908

LIMITED PARTNERSHIP DEED

THIS INDENTURE WITNESSETH,

That the Grantor, Sunshine Limited Partnership, a limited partnership duly organized and existing under and by virtue of the laws of the State of Illinois, having its principal place of business at 1N674 Swift Road, Lombard, DuPage County, Illinois, for and in consideration of Ten Dollars and other good and valuable considerations, the receipt of which is hereby acknowledged, CONVEYS AND QUIT CLAIMS to Minhaj Uddin Ahmed as Trustee of the Minhaj Uddin Ahmed Trust dated February 24, 2015, the following described real estate to-wit:

Lot 4 in Hoyle's Assessment Plat of part of Lot 3 of the plat attached to the last will and testament of Isaac Bradford Churchill being a part of the Northwest Quarter of Section 1, Township 39 North, Range 10 East of the Third Principal Meridian, according to the plat of Hoyle's Assessment Plat thereof recorded December 18, 1943 as Document No. 456996 in DuPage County, Illinois.

PIN # 05-01-107-029

Common Address: 1 N 480 Swift Road, Lombard, IL 60148

Situated in the County of DuPage in the State of Illinois, subject to real estate taxes for 2017 and subsequent years, easements and restrictions of record and apparent.

DATED this 16 day of February, 2018.

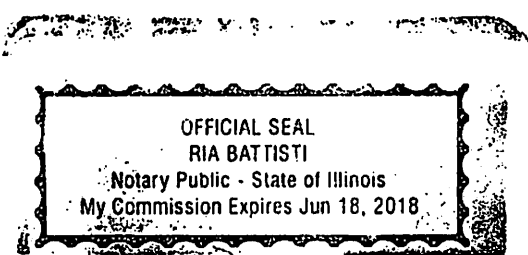
Sajida F. Ahmed.
Sajida F. Ahmed, general partner

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

STATE OF ILLINOIS)
) SS
 COUNTY OF Dupage)

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that that the above named Misbahuddin Ahmed, as a limited partner of Sunshine Limited Partnership, an Illinois Limited Partnership, and personally known to me to be the same person whose name is subscribed to the foregoing instrument as such signatory, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act, and as the free and voluntary act and deed of Sunshine Limited Partnership, for the uses and purposes therein set forth.

Given under my hand and official seal this 16 day of February, 2018.



Ria Battisti

Notary Public
 My Commission Expires: 6-18-18

This instrument was prepared by: Randall R. Chaplinski
 Attorney at Law
 624 Jeremy Drive
 Bourbonnais, IL 60914
 ARDC #3126949

RETURN RECORDED DOCUMENT TO:

GRANTEE NAME & ADDRESS & FORWARD
 TAX BILLS TO:

(Sunshine Limited Partnership)
 1 N 674 Swift Road
 Lombard, IL 60148

Minhaj Uddin Ahmed Trust
 1 N 480 Swift Road
 Lombard, IL 60148

Exempt under provisions of Paragraph (e)
 Section 4, Real Estate Transfer Act,
 Dated this 27th day of February, 2018.

Minhaj Ahmed

Buyer, Seller or Representative

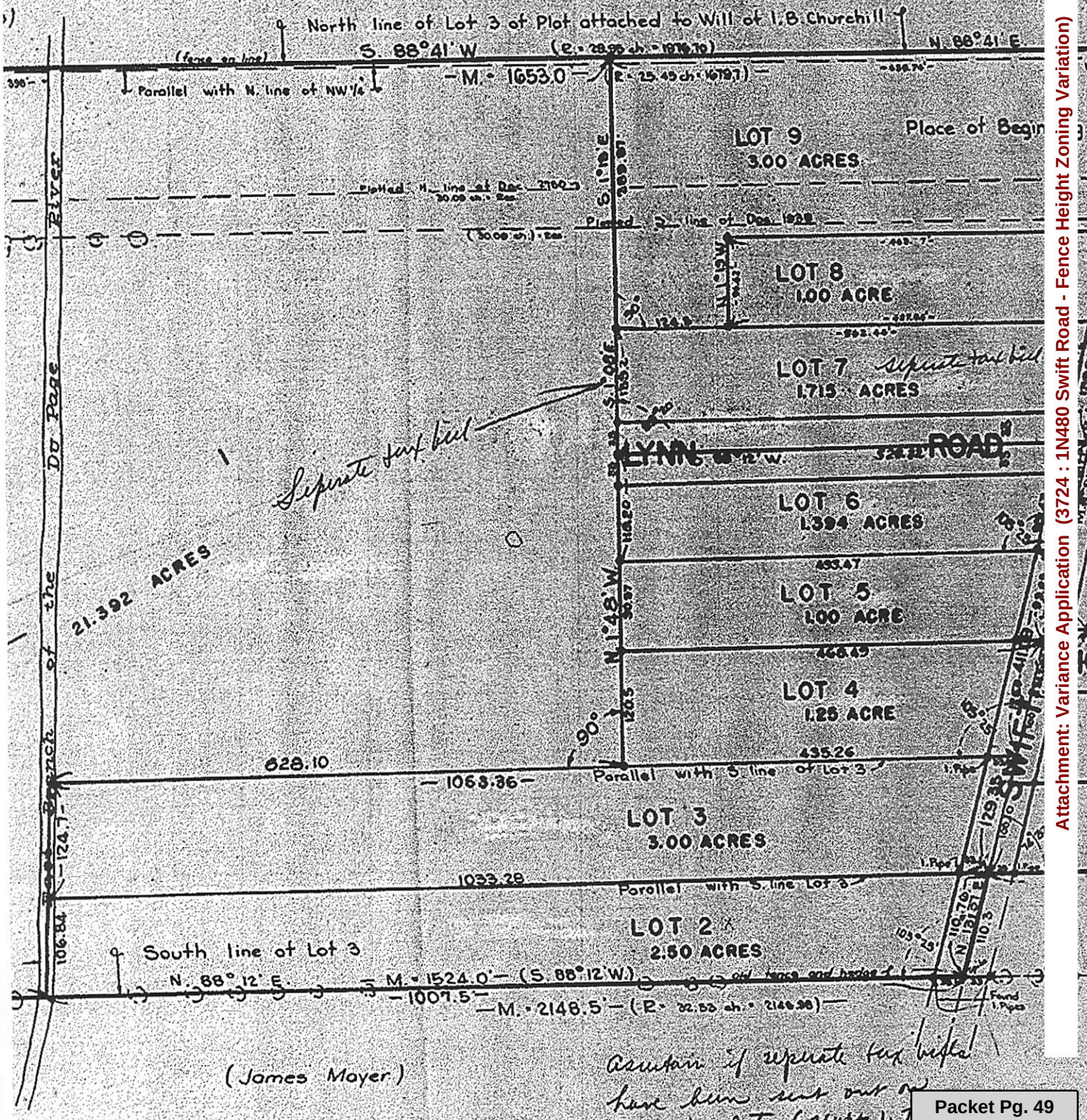
Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

HOYLE'S ASSESSMENT PLAT

C.1.a

OF PART OF LOT 3 OF THE PLAT ATTACHED TO THE LAST
WILL AND TESTAMENT OF ISAAC BRADFORD CHURCHILL

BEING PART OF THE NORTH WEST QUARTER OF SECTION 1, TWP. 39 NORTH RANGE
10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DU PAGE COUNTY ILLINOIS



Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

DRAFT SUBJECT TO REVIEW PRIOR TO NOTICE

No.	PIN/Parcel Address	Deed Info	Tax Info
1	0501107048 21W624 LYNN RD LOMBARD IL 60148	Glen River Ltd. 2901 Butterfield Road Oak Brook, IL 60523	SHREE SIDDHI VINAYAK HOUS C/O SNS DEVELOPMENT TEAM 300 S WACKER DR UNIT 200 CHICAGO IL 60606
2	0501107028 1N510 SWIFT RD LOMBARD IL 60148	DEERING, DONALD & EMMA 1N510 SWIFT RD LOMBARD IL 60148	DEERING, DONALD & EMMA 1N510 SWIFT RD LOMBARD IL 60148
3	0501107076, 077, 080, 081, 082, 088 1044 SWIFT RD GLEN ELLYN IL 60137- 2407	RSS HOMES LLC 3760 SUNSET LN NORTHBROOK IL 60062-1803	RSS HOMES LLC 3760 SUNSET LN NORTHBROOK IL 60062-1803
4	0501301002 SWIFT RD LOMBARD IL 60148	No deed found	COMMONWEALTH EDISON CO 3 LINCOLN CENTRE UNIT 4FL OAKBROOK TERR IL 60181
5	0501113015 1038 SWIFT RD GLEN ELLYN IL 60137	NICKEY, LISA 1038 SWIFT RD UNIT 1C GLEN ELLYN IL 60137	NICKEY, LISA 1038 SWIFT RD UNIT 1C GLEN ELLYN IL 60137
6	0501113005 1032 SWIFT RD GLEN ELLYN IL 60137	SHAHIRA, ERAM 1032 SWIFT RD UNIT 1E GLEN ELLYN IL 60137-2402	SHAHIRA, ERAM 1032 SWIFT RD UNIT 1E GLEN ELLYN IL 60137-2402
7	0501113002 1032 SWIFT RD GLEN ELLYN IL 60137	GORAK, THOMAS M 1032 SWIFT RD UNIT 2D GLEN ELLYN IL 60137	GORAK, THOMAS M 1032 SWIFT RD UNIT 2D GLEN ELLYN IL 60137
8	0501113007 1032 SWIFT RD GLEN ELLYN IL 60137	WALTERS, JACOB R 1032 SWIFT RD UNIT 1B GLEN ELLYN IL 60137	WALTERS, JACOB R 1032 SWIFT RD UNIT 1B GLEN ELLYN IL 60137
9	0501113021 1038 SWIFT RD GLEN ELLYN IL 60137	DANMAR HOLDINGS LLC 1038 SWIFT RD UNIT 1F GLEN ELLYN IL 60137	DANMAR HOLDINGS LLC 1038 SWIFT RD UNIT 1F GLEN ELLYN IL 60137
10	0501113003 1032 SWIFT RD GLEN ELLYN IL 60137	TRUCKSA, CASEY 1032 SWIFT RD UNIT 1C GLEN ELLYN IL 60137-2402	TRUCKSA, CASEY 1032 SWIFT RD UNIT 1C GLEN ELLYN IL 60137-2402
11	0501113018 1038 SWIFT RD GLEN ELLYN IL 60137	BYRNE, JEANETTE & DANIEL 1643 KEIM CIRCLE GENEVA, IL 60134	BYRNE, JEANETTE & DANIEL 1643 KEIM CIR GENEVA IL 60134
12	0501113017 1038 SWIFT RD GLEN ELLYN IL 60137	No Deed Found	ARSHED, RAHEEL H 1038 SWIFT RD NO 1E GLEN ELLYN IL 60137

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

DRAFT SUBJECT TO REVIEW PRIOR TO NOTICE

13	0501113022 1038 SWIFT RD GLEN ELLYN, IL 60137	KOZIJ, MICHELLE 1038 SWIFT RD UNIT 2F GLEN ELLYN IL 60137	KOZIJ, MICHELLE 1038 SWIFT RD UNIT 2F GLEN ELLYN IL 60137
14	0501113014 1038 SWIFT RD GLEN ELLYN IL 60137	HAFEZ, RIM M 1038 SWIFT RD NO 2D GLEN ELLYN IL 60137	HAFEZ, RIM M 1038 SWIFT RD NO 2D GLEN ELLYN IL 60137
15	0501113001 1032 SWIFT RD GLEN ELLYN IL 60137	DONALD STORY & DAVID KALINA 1032 SWIFT RD UNIT 1D GLEN ELLYN IL 60137	STORY, DONALD & D KALINA 1032 SWIFT RD UNIT 1D GLEN ELLYN IL 60137
16	0501113008 1032 SWIFT RD GLEN ELLYN IL 60137	Calvin Himel 1038 Swift Road, Unit 2C Glen Ellyn, IL 60137	BEKAS, PETER K 710 BEACH DR ADDISON IL 60101
17	0501113016 1038 SWIFT RD GLEN ELLYN IL 60137	HIMEL, CALVIN & ALDA 1038 SWIFT RD UNIT 2C GLEN ELLYN IL 60137	HIMEL, CALVIN & ALDA 1038 SWIFT RD UNIT 2C GLEN ELLYN IL 60137
18	0501113020 1038 SWIFT RD GLEN ELLYN IL 60137	WACH, JOHN & SUSAN 57 CITATION CIR WHEATON IL 60189	WACH, JOHN & SUSAN 57 CITATION CIR WHEATON IL 60189
19	0501113009 1032 SWIFT RD GLEN ELLYN IL 60137	Calvin Himel 1038 Swift Road, Unit 2C Glen Ellyn, IL 60137 *same as 16 deed, not sure it is correct – Calvin Himel is 2C owner from 17?	DRENDEL, PENNY D 1032 SWIFT RD NO 1F GLEN ELLYN IL 60137
20	0501113013 1038 SWIFT RD GLEN ELLYN, IL 60137	Ghazwan Sadat & Alicia Koujah 1038 SWIFT RD NO 1D GLEN ELLYN IL 60137	KOUJAH, ALICIA O 1038 SWIFT RD NO 1D GLEN ELLYN IL 60137
21	0501113006 1032 SWIFT RD GLEN ELLYN IL 60137	MARTIN, MARRIE & MICHAEL 1032 SWIFT RD, UNIT 2E GLEN ELLYN IL 60137	MARTIN, MARRIE 1032 SWIFT RD UNIT 2E GLEN ELLYN IL 60137-2403
22	0501113019 1038 SWIFT RD GLEN ELLYN IL 60137	BEY, IVAN D 1038 SWIFT RD UNIT 1B GLEN ELLYN IL 60137	BEY, IVAN D 1038 SWIFT RD UNIT 1B GLEN ELLYN IL 60137
23	0501113024 1038 SWIFT RD GLEN ELLYN IL 60137	DUNMAR HOLDINGS LLC 1038 SWIFT RD UNIT 1F GLEN ELLYN IL 60137	DUNMAR HOLDINGS LLC 1038 SWIFT RD UNIT 2A GLEN ELLYN IL 60137
24	0501113004 1032 SWIFT RD GLEN ELLYN IL 60137	NORMAN, KIMBERLY M 1032 SWIFT RD UNIT 2C GLEN ELLYN IL 60137	NORMAN, KIMBERLY M 1032 SWIFT RD UNIT 2C GLEN ELLYN IL 60137
25	0501113010 1032 SWIFT RD	KELLOWAY, RHONDA K 1032 SWIFT RD NO 2F	KELLOWAY, RHONDA K 1032 SWIFT RD NO 2F

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

DRAFT SUBJECT TO REVIEW PRIOR TO NOTICE

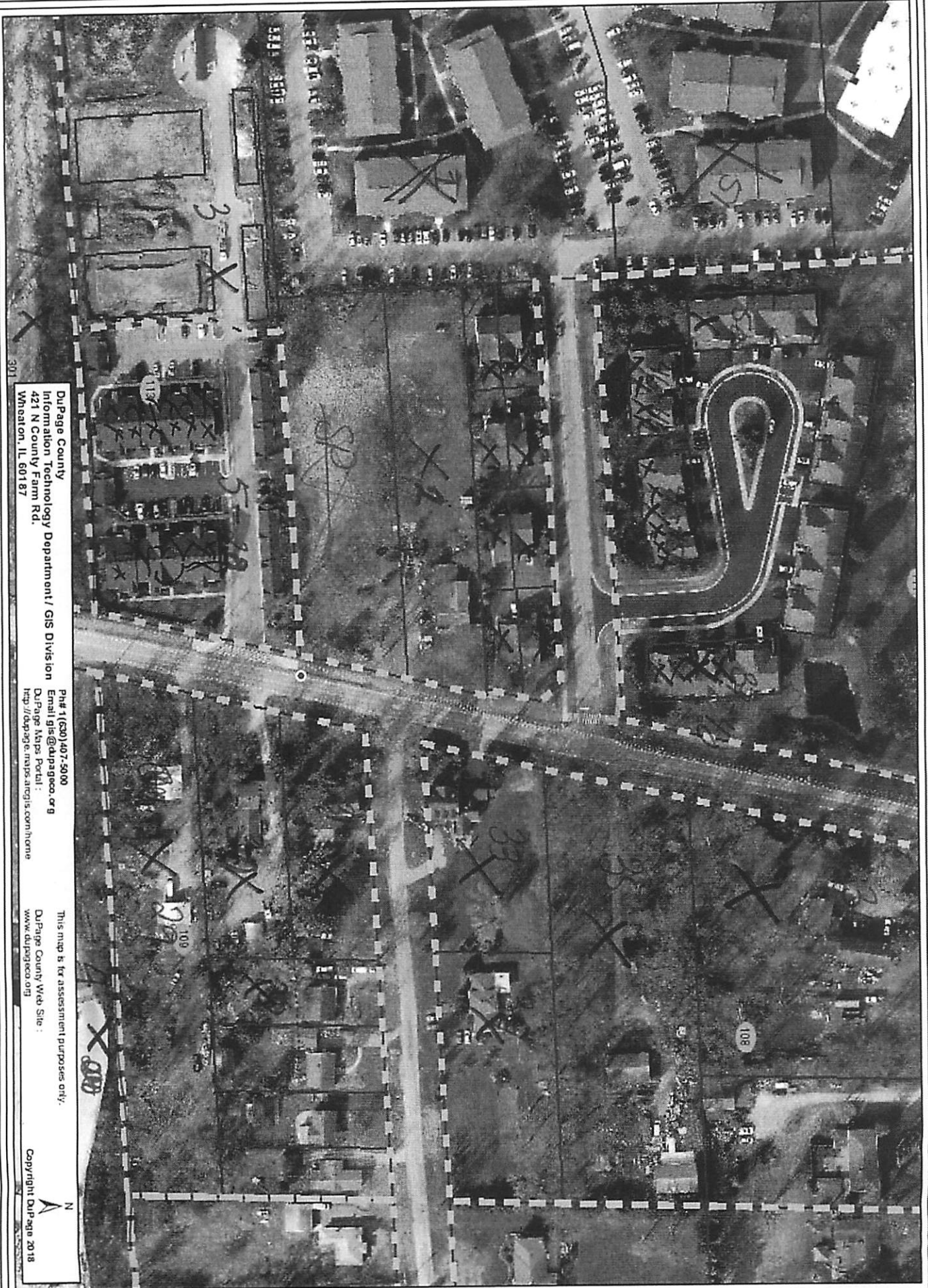
	GLEN ELLYN IL 60137	GLEN ELLYN IL 60137	GLEN ELLYN IL 60137
26	0501113012 1032 SWIFT RD GLEN ELLYN IL 60137	VANDENBERG, TIMOTHY & AMY 841 WINDSONG WAY DE PERE WI 54115-9076	VANDENBERG, TIMOTHY & AMY 841 WINDSONG WAY DE PERE WI 54115-9076
27	0501113011 1032 SWIFT RD GLEN ELLYN IL 60137	CROSKERY, PHILIP & JEANNE 1032 SWIFT RD UNIT 1A GLEN ELLYN IL 60137	CROSKERY, PHILIP & JEANNE 1032 SWIFT RD UNIT 1A GLEN ELLYN IL 60137
28	0501113023 1038 SWIFT RD GLEN ELLYN IL 60137	BOYD & CATHERINE BUCK 27W708 N. MEADOWVIEW DR. WINFIELD, IL 60190	BUCK, BOYD & CATHERINE 3S573 MELCHER AVE WARRENVILLE IL 60555
29	0501109007 1N445 SWIFT RD LOMBARD IL 60148	MEISNER, WILLIAM 1N445 SWIFT RD. LOMBARD, IL 60148	MEISNER, WILLIAM 30727 TAURUS DR ROCKY MOUNT MO 65072
30	0501109002 465 SWIFT RD LOMBARD IL 60148	CORRINE J. FERNALD, as Trustee 1N465 Swift Road Lombard, IL 60148	FERNALD, CORINNE, 1N465 SWIFT ROAD LOMBARD IL 60148
31	0501109001 1N475 SWIFT RD LOMBARD IL 60148	COUTURE, PAUL & JOANNE 505 SWIFT RD LOMBARD IL 60148	COUTURE, PAUL & JOANNE 505 SWIFT RD LOMBARD IL 60148
32	0501109003 851 HOYLE RD LOMBARD IL 60148	GARCIA, MAYRA A 851 HOYLE RD LOMBARD IL 60148	GARCIA, MAYRA A 851 HOYLE RD LOMBARD IL 60148
33	0501108002 505 SWIFT RD LOMBARD IL 60148	COUTURE, PAUL & JOANNE 505 SWIFT RD LOMBARD IL 60148	COUTURE, PAUL & JOANNE 505 SWIFT RD LOMBARD IL 60148
34	0501108003 21W430 HOYLE RD LOMBARD IL 60148	ROMANCEK, LADDIE & MARY, as Trustees 21W430 HOYLE RD LOMBARD IL 60148	ROMANCEK, LADDIE & MARY 21W430 HOYLE RD LOMBARD IL 60148
35	0501108006 1N535 SWIFT RD LOMBARD IL 60148	CISKE, WILLIAM & LISA 331 S. HARE ADDISON, IL 60101	CISKE, WILLIAM & LISA 1N535 SWIFT RD LOMBARD IL 60148
36	0501108004 1N575 SWIFT RD LOMBARD IL 60148-1455	Chicago Title Land Trust Co., Trust dated 12/8/2016 as trust no.: 80023773163 10 S. LaSalle St., Suite 2750 Chicago, IL 60603	XIANG, LIU P O BOX 87111 CAROL STREAM IL 60188
37	0501111055 1N543 CREEKSIDE CT LOMBARD IL 60148	MARTINEZ, DENISE 1N543 CREEKSIDE CT LOMBARD IL 60148	MARTINEZ, DENISE 1N543 CREEKSIDE CT LOMBARD IL 60148
38	0501111056 1N541 CREEKSIDE CT LOMBARD IL 60148	FERRARI, MARISA 1N541 CREEKSIDE CT LOMBARD IL 60148	FERRARI, MARISA 1N541 CREEKSIDE CT LOMBARD IL 60148
39	0501111059	SAQLAIN, SANA	SAQLAIN, SANA

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

DRAFT SUBJECT TO REVIEW PRIOR TO NOTICE

	1N535 CREEKSIDE CT LOMBARD IL 60148	1N535 CREEKSIDE CT UNIT 605E LOMBARD IL 60148	1N535 CREEKSIDE CT UNIT 605E LOMBARD IL 60148
40	0501111058 1N537 CREEKSIDE CT LOMBARD IL 60148	Deanna DeLuco and Daniel Killacky 1N526 Creekside Lombard, IL 60148	MC CARTHY, MARY C 1N537 CREEKSIDE CT LOMBARD IL 60148
41	0501111024 1N526 CREEKSIDE CT LOMBARD IL 60148	AKHTER, NILIMA 1N526 CREEKSIDE CT LOMBARD IL 60148	AKHTER, NILIMA 1N526 CREEKSIDE CT LOMBARD IL 60148
42	0501111023 1N524 CREEKSIDE CT LOMBARD IL 60148	DRAKE, SARA E 1N524 CREEKSIDE CT LOMBARD IL 60148	DRAKE, SARA E 1N524 CREEKSIDE CT LOMBARD IL 60148
43	0501111027 1N532 CREEKSIDE CT LOMBARD IL 60148	Mulianto Chua & Dewi Rosita 1N532 Creekside Court Lombard, IL 60148	CHUA, M & D ROSITA 2798 PALM SPRINGS LN AURORA IL 60502
44	0501111025 1N528 CREEKSIDE CT LOMBARD IL 60148	SZOT, STAN P 1N528 CREEKSIDE CT LOMBARD IL 60148	SZOT, STAN P 1N528 CREEKSIDE CT LOMBARD IL 60148
45	0501111026 1N530 CREEKSIDE CT LOMBARD IL 60148	O DONNELL, ANN M 1N530 CREEKSIDE CT LOMBARD IL 60148	O DONNELL, ANN M 1N530 CREEKSIDE CT LOMBARD IL 60148
46	0501111019 1N534 CREEKSIDE CT LOMBARD IL 60148	HARRY ALEXOPOULOS & SOTIRA MANTZAKIDES 1N534 CREEKSIDE CT LOMBARD IL 60148	ALEXOPOULOS, HARRY 1N534 CREEKSIDE CT LOMBARD IL 60148
47	0501111020 1N536 CREEKSIDE CT LOMBARD IL 60148	AHSAN MOHAMMED & MALIHA SHEREEN 1N536 CREEKSIDE CT LOMBARD IL 60148	MOHAMMED, A & M SHEREEN 1N536 CREEKSIDE CT LOMBARD IL 60148
48	0501111021 1N538 CREEKSIDE CT LOMBARD IL 60148	Iqbal Anwar & Tashmin Lopa 1N538 Creekside Ct. Lombard, IL 60148	ANWAR, IQBAL 3833 GLADSTONE DR NAPERVILLE IL 60565-1109
49	0501111022 1N540 CREEKSIDE CT LOMBARD IL 60148	LIPPOLDT, SUSAN 1N540 CREEKSIDE CT LOMBARD IL 60148	LIPPOLDT, SUSAN 1N540 CREEKSIDE CT LOMBARD IL 60148
50	0501111014 1N552 CREEKSIDE CT LOMBARD IL 60148	FERENE, JEFFREY 1N552 CREEKSIDE CT LOMBARD IL 60148	FERENC, JEFFREY 1N552 CREEKSIDE CT LOMBARD IL 60148
51	0501107042 21W575 LYNN RD LOMBARD IL 60148	SHREE SIDDHI VINAYAK HOUS C/O SNS DEVELOPMENT TEAM 300 S WACKER DR UNIT 200 CHICAGO IL 60606 Attn: Gregg Boltz	SHREE SIDDHI VINAYAK HOUS C/O SNS DEVELOPMENT TEAM 300 S WACKER DR UNIT 200 CHICAGO IL 60606

Attachment: Variance Application (3724 : 1N480 Swift Road - Fence Height Zoning Variation)

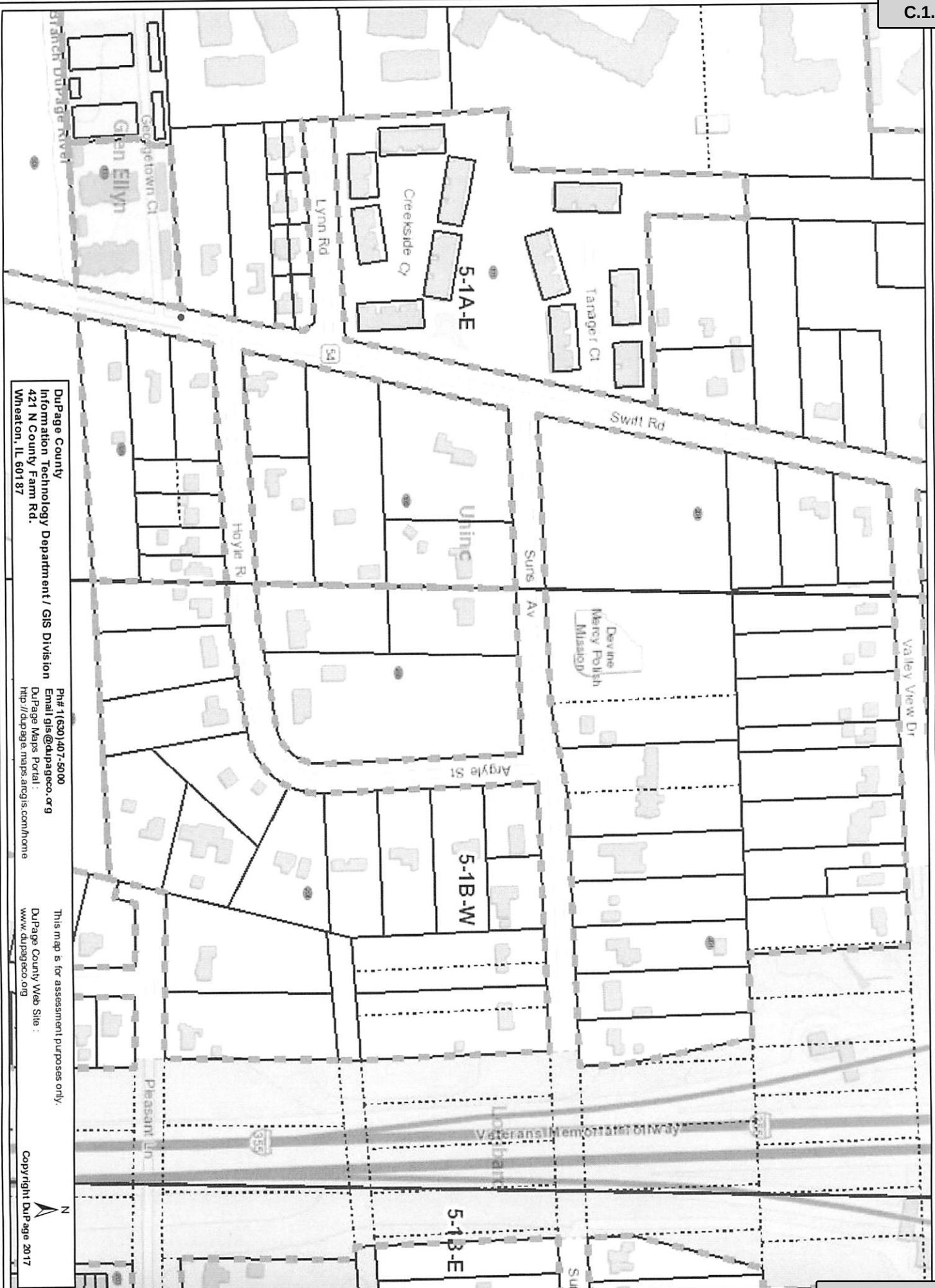


DuPage County
Information Technology Department / GIS Division
421 N County Farm Rd.
Wheaton, IL 60187

Phone: (630) 407-5000
Email: gis@dupageco.org
DuPage Maps Portal:
<http://dupage.maps.arcgis.com/home>

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www.dupageco.org

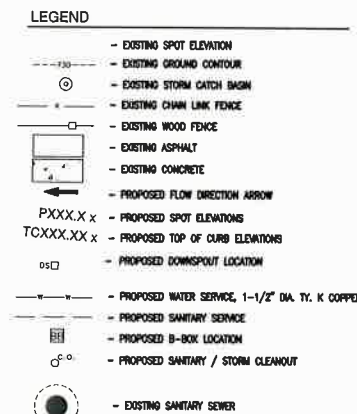
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421 N County Farm Rd.
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Pin# 11630/407-5000
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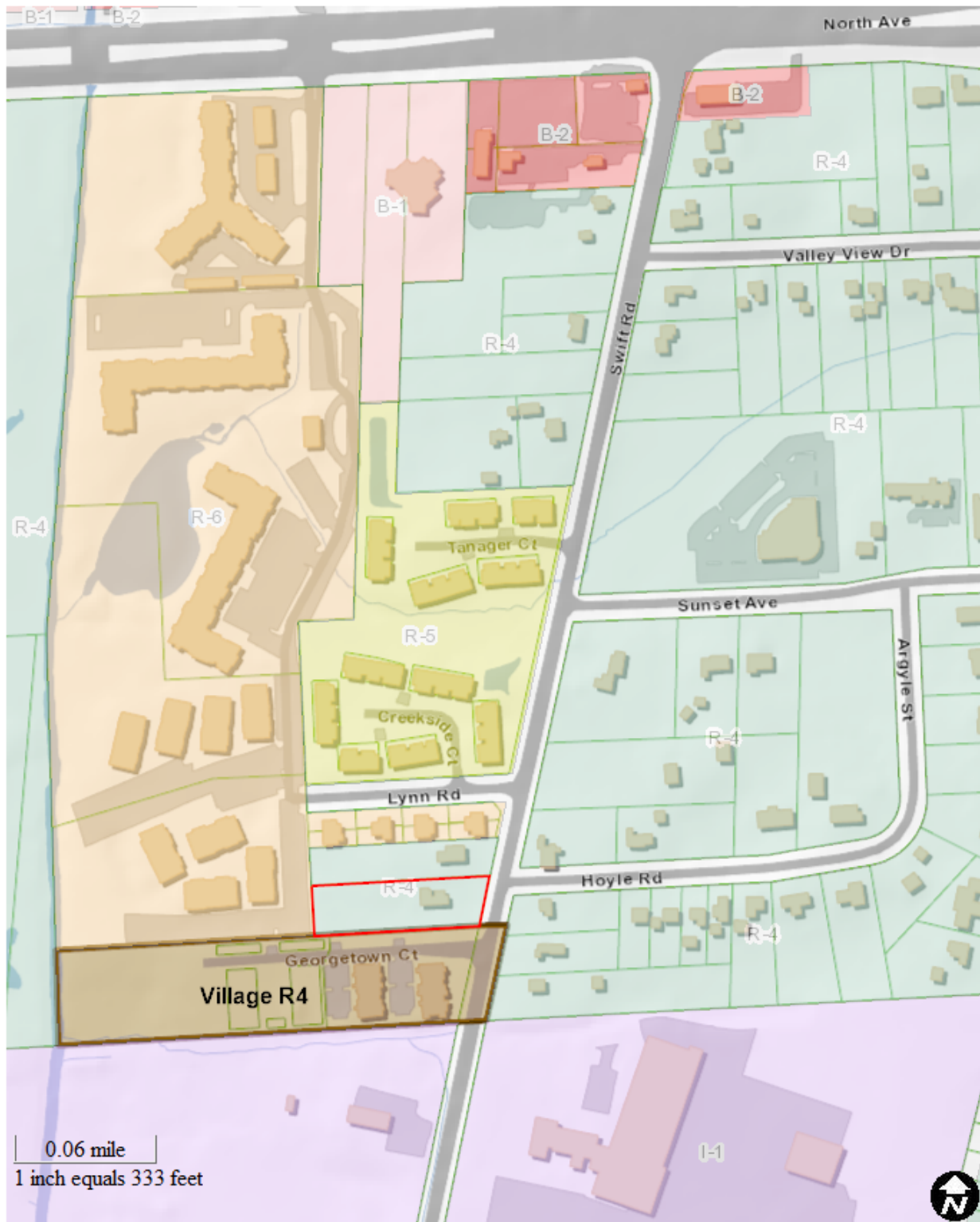
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www.dupageco.org
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PROPOSED SITE PLAN

NOTE: HMA PATH REPLACEMENT SHALL BE 2" HMA SURFACE, MIX 'D', N50, 2.25" HMA BINDER, IL-19.0, N50 AND 6" AGGR. BASE, TY B, ON SHAPED & COMPACTED SUBGRADE

PIN: 05-01-107-029



Map created on November 7, 2018.

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Map created on November 7, 2018.

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10-5-5. - Yards.

TABLE 10-5-5(B)4

PERMITTED OBSTRUCTIONS AND ACCESSORY STRUCTURES IN REQUIRED SETBACKS

Obstruction	Front (Corner)	Side	Rear	Regulations
11. Fence	X	X	X	B(a) Limitations:
				(1) 33.3% open in front and corner side yard setbacks
				(2) Material (such as barbed wire, electrified, or any matter) that creates a system that is inherently dangerous to a pedestrian using the public sidewalks or public rights-of-way is prohibited
				(3) Exposed structural elements shall face toward the property on which the fence is constructed
				(4) In the residential estate district, chain-link fences shall be prohibited in the front yard and corner side yard
				(b) Height:
				(1) Measured from ground level on the inside of the fence to the highest point of the fence
				(2) 3' maximum in visibility triangle
				(3) 6' maximum for fence located no closer to the street than the principal structure on a lot

				(4) 4' maximum all other areas of the lot
				(c) Additional allowances:
				(1) On lots fronting on 2 nonintersecting streets, a 6' tall fence shall be permitted if a "no access" provision has been recorded for that frontage and if the rear of the homes on both adjacent lots are facing the same street. Unless the fence will be located along a street that is under the jurisdiction of either DuDOT or IDOT, or is a public alleyway, such fence shall be positioned 4' inside the property and maintained with viable shrubs planted 4' on center along the outside of the fence in perpetuity.
				(2) Masonry columns no greater than 2' x 2' in size and placed no closer than 8' on center
				(3) Fence posts and top caps may extend up to 6" above the fence height. The height of a cap located on top of a masonry column shall be no higher than the height of the column or a maximum of 9' tall measured from ground level
				(4) The bottom of a fence may be located up to 4" above ground level. Such distance shall not be counted toward the fence height



NOTICE OF PUBLIC HEARING

Minhaj Uddin Ahmed Trust, owner of the property at 1N480 Swift Road, is requesting a public hearing for a variation in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code. The Glen Ellyn Zoning Board of Appeals will conduct a public hearing to consider the variation on **Tuesday, December 11, 2018** at 7:00 p.m. on the third floor in the Civic Center, 535 Duane Street, Glen Ellyn, Illinois. Anyone is welcome to attend.

The property owner is requesting approval of a variation from the Glen Ellyn Zoning Code as follows:

1. Section 10-5-5(B)4: Table – to allow the construction of a fence at a maximum height of 9 feet along the rear lot line and extending 100 feet along the interior side lot lines easterly; the fence will continue at 8 feet in height for approximately 65.5 feet along the north property line and approximately 214.8 feet along the south lot line. Approximately 24.6 feet of fence will be 8 feet in height from the southeast corner of the principal structure to the south lot line. The remainder of the fence will be compliant with the Zoning Code. The permitted height for a fence, no closer to the street than the principal structure is 6 feet.
2. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

The property is currently unincorporated but will be zoned R2, Residential District upon annexation to the Village of Glen Ellyn, and is legally described as follows:

LOT 4 IN HOYLE'S ASSESSMENT PLAT OF PART OF LOT 3 OF THE PLAT ATTACHED TO THE LAST WILL AND TESTAMENT OF ISAAC BRADFORD CHURCHILL BEING A PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF HOYLE'S ASSESSMENT PLAT THEREOF RECORDED DECEMBER 18, 1943 AS DOCUMENT NO. 456996 IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-01-107-029

Plans related to the proposed project are available for public review in the Planning and Development Department, Civic Center, 535 Duane Street, Glen Ellyn, Illinois. If you have questions, please contact Kelly Purvis at (630) 547-5371. For individuals with disabilities who have questions regarding the accessibility of the meeting or facilities, please contact the Village at least 24 hours in advance of the meeting at (630)469-5000.

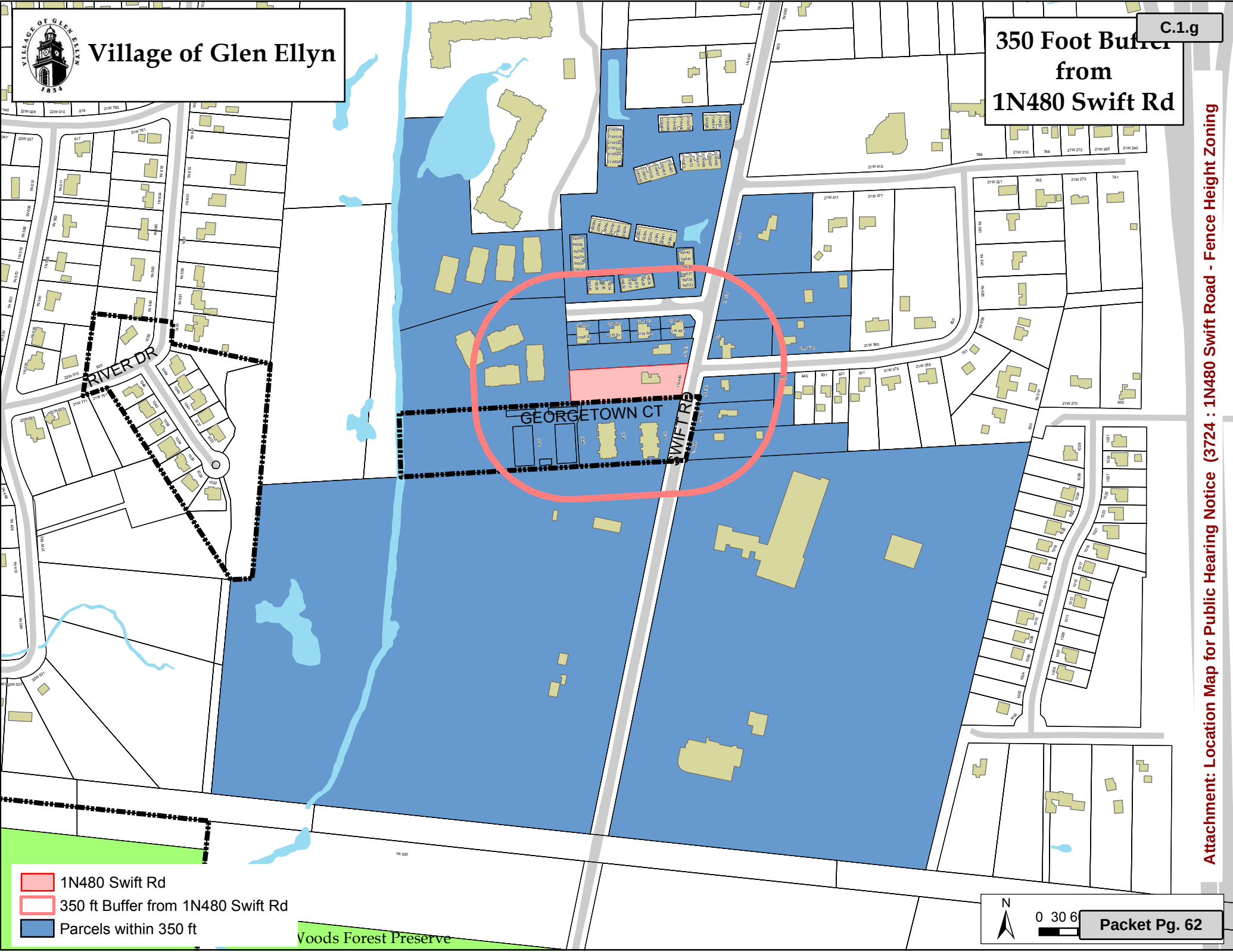
X:\Plandev\BUILDING\ZBA\VARIATION BY ADDRESS\SWIFT\1N480 Swift\Public Notice.doc



Village of Glen Ellyn

**350 Foot Buffer
from
1N480 Swift Rd**

C.1.g



SZOT, STAN P
1N528 CREEKSIDE CT
LOMBARD, IL 60148

DELUCO, DEANNA
1N526 CREEKSIDE CT
LOMBARD, IL 60148

THE, MULIANTO
2364 SHILOH DR
AURORA, IL 60503

ROSIK, ANGELA A
1N533 CREEKSIDE CT
LOMBARD, IL 60148

MC CARTHY, MARY C
1N537 CREEKSIDE CT
LOMBARD, IL 60148

WARREN, ERICKA
1N539 CREEKSIDE CT 603C
LOMBARD, IL 60148

GAJOWNICZEK, PAULINA
1N541 CREEKSIDE CT
LOMBARD, IL 60148

SCALF, F & S BOHNERT
1032 SWIFT RD 2C
GLEN ELLYN, IL 60137

POYNER, CHRISTINE M
1032 SWIFT RD 1E
GLEN ELLYN, IL 60137

KOUJAH, ALICIA O
1038 SWIFT RD 1D
GLEN ELLYN, IL 60137

BEKAS, PETER K
710 BEACH DR
ADDISON, IL 60101

BEY, IVAN D
1038 SWIFT RD 1B
GLEN ELLYN, IL 60137

CORY, BRIAN & SARA
366 CUMNOR AVE
GLEN ELLYN, IL 60137

CHARLES, VASANTH K
1032 SWIFT RD 2A
GLEN ELLYN, IL 60137

DRENDEL, PENNY D
1032 SWIFT RD 1F
GLEN ELLYN, IL 60137

GORAK, THOMAS M
1032 SWIFT RD 2D
GLEN ELLYN, IL 60137

ARSHED, RAHEEL H
1038 SWIFT RD 1E
GLEN ELLYN, IL 60137

LIPPOLDT, SUSAN
1N540 CREEKSIDE CT
LOMBARD, IL 60148

ANWAR, IQBAL
1N538 CREEKSIDE CT
LOMBARD, IL 60148

HIMEL, CALVIN & ALDA
1038 SWIFT RD 2C
GLEN ELLYN, IL 60137

DANMAR HOLDINGS LLC
1038 SWIFT RD 1F
GLEN ELLYN, IL 60137

COOPER, JUSTIN J
1038 SWIFT RD 1C
GLEN ELLYN, IL 60137

HAFEZ, RIM M
1038 SWIFT RD 2D
GLEN ELLYN, IL 60137

KHAN, HUDA
17318 HEIGHTS LN
RIVERSIDE, CA 92503

BASEMAN, JIMMY
1032 SWIFT RD 1B
GLEN ELLYN, IL 60137

GARCIA, MAYRA A
851 HOYLE RD
LOMBARD, IL 60148

ZESSEMO, MICHAEL T
1N535 CREEKSIDE CT 605E
LOMBARD, IL 60148

PETRY, LEROY & BARBARA
1N480 SWIFT RD
LOMBARD, IL 60148

KELLOWAY, RHONDA K
1032 SWIFT RD 2F
GLEN ELLYN, IL 60137

WACH, JOHN & SUSAN
57 CITATION CIR
WHEATON, IL 60189

GEORGETOWN BY THE RIVER
611 W JEFFERSON
SHOREWOOD, IL 60431

GEORGETOWN BY THE RIVER
611 W JEFFERSON
SHOREWOOD, IL 60431

MALAMIS, DEAN G
21W531 LYNN RD
LOMBARD, IL 60148

RAMACHANDRAN, RAJESH
1N554 CREEKSIDE CT
LOMBARD, IL 60148

GEORGETOWN BY THE RIVER
611 W JEFFERSON
SHOREWOOD, IL 60431

BUCK, BOYD & CATHERINE
27W708 N MEADOWVIEW DR
WINFIELD, IL 60190

GEORGETOWN BY THE RIVER
611 W JEFFERSON
SHOREWOOD, IL 60431

KINDL, JORDAN
1N556 CREEKSIDE CT
LOMBARD, IL 60148

COUTURE, PAUL A & JOANNE
505 SWIFT ROAD
LOMBARD, IL 60148

O DONNELL, ANN M
1N530 CREEKSIDE CT
LOMBARD, IL 60148

LAMSZUS, JOHN & E
1032 SWIFT RD 1C
GLEN ELLYN, IL 60137

MARTINEZ, DENISE
1N543 CREEKSIDE CT
LOMBARD, IL 60148

DUNMAR HOLDINGS LLC
1038 SWIFT RD 2A
GLEN ELLYN, IL 60137

MANDAPATI, JAYADEV R
21W489 LYNN RD
LOMBARD, IL 60148

MEISNER, WILLIAM
30727 TAURUS DR
ROCKY MOUNT, MO 65072

ROMANCEK, LADDIE & MARY
21W430 HOYLE RD
LOMBARD, IL 60148

GUNTHER, ROBERT C
1038 SWIFT RD 2F
GLEN ELLYN, IL 60137

LOMBARD PARK APTS LLC
LOMBARD, IL 60148

GEORGETOWN BY THE RIVER
611 W JEFFERSON
SHOREWOOD, IL 60431

FERNALD, CORINNE,
465 SWIFT ROAD
LOMBARD, IL 60148

KERBY, TREY & L HARRISON
1N536 CREEKSIDE CT
LOMBARD, IL 60148

SCHUMACHER, STEVEN
1N550 CREEKSIDE CT
LOMBARD, IL 60148

DIVINAGRACIA & TEJADA
21W503 LYNN RD
LOMBARD, IL 60148

CISKE, WILLIAM & LISA
1N535 SWIFT RD
LOMBARD, IL 60148

BAEHR, DAVID
475 SWIFT RD
LOMBARD, IL 60148

DAWIDCZYK, CRAIG S
21W501 LYNN RD
LOMBARD, IL 60148

C N C
LOMBARD, IL 60148

COMED CO
CHICAGO, IL 60690

ALEXOPOULOS, HARRY
1N534 CREEKSIDE CT
LOMBARD, IL 60148

GEORGETOWN BY THE RIVER
611 W JEFFERSON
SHOREWOOD, IL 60431

RACHUS, DAVID A
GLEN ELLYN, IL 60138

DUTCHIN, QUINCY
21W529 LYNN RD
LOMBARD, IL 60148

GEORGETOWN BY THE RIVER
611 W JEFFERSON
SHOREWOOD, IL 60431

PATEL, VISHAL & SAMEETA
1N524 CREEKSIDE CT
LOMBARD, IL 60148

MENDEZ, ISIDRO
21W533 LYNN RD
LOMBARD, IL 60148

GEORGETOWN BY THE RIVER
611 W JEFFERSON
SHOREWOOD, IL 60431

DEERING, DONALD & EMMA
1N510 SWIFT RD
LOMBARD, IL 60148

LEITZ, MICHAEL A
21W491 LYNN RD
LOMBARD, IL 60148

BOREK, LESZEK
21W535 LYNN RD
LOMBARD, IL 60148

KADIU, SHENDENT
1103 W PROSPECT ST
WHEATON, IL 60187

FERENC, JEFFREY
1N552 CREEKSIDE CT
LOMBARD, IL 60148

SHETH, VISHAL
1N560 CREEKSIDE CT
LOMBARD, IL 60148

**NOTICE OF
PUBLIC HEARING**

Minhaj Uddin Ahmed Trust, owner of the property at 1N480 Swift Road, is requesting a public hearing for a variation in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code. The Glen Ellyn Zoning Board of Appeals will conduct a public hearing to consider the variation on Tuesday, December 11, 2018 at 7:00 p.m. on the third floor in the Civic Center, 535 Duane Street, Glen Ellyn, Illinois. Anyone is welcome to attend.

The property owner is requesting approval of a variation from the Glen Ellyn Zoning Code as follows:

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Published in Daily Herald November 26, 2018 (4513708)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

DuPage County Daily Herald

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Addison, Aurora, Bartlett, Bensenville, Bloomingdale, Carol Stream, Darien, Downers Grove, Elmhurst, Glen Ellyn, Glendale Heights, Hanover Park, Hinsdale, Itasca, Keeneyville, Lisle, Lombard, Medinah, Naperville, Oakbrook, Oakbrook Terrace, Plainfield, Roselle, Villa Park, Warrenville, West Chicago, Westmont, Wheaton, Willowbrook, Winfield, Wood Dale, Woodridge

County(ies) of DuPage

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DuPage County DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published November 26, 2018 in said DuPage County DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

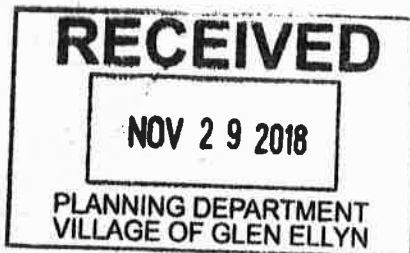
PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY

Danula Baltz

Designee of the Publisher and Officer of the Daily Herald

Control # 4513708



Attachment: Certificate of Publication (3724 : 1N480 Swift Road - Fence Height Zoning Variation)



Zoning Board of Appeals

535 Duane Street
Glen Ellyn, IL 60137

Meeting: 12/11/18 07:00 PM
Department: Zoning Board of Appeals
Department Head: Kelly Purvis
Category: Public Hearing
Prepared By: Kelly Purvis

SCHEDULED

AGENDA ITEM (ID # 3725)

DOC ID: 3725

Public Hearing to consider a zoning variation request to allow the construction of an addition over an attached garage that is non-conforming to the rear yard setback.

- PETITIONERS:** The petitioners are David and Allison Neill, owners of the property located at 689 Lake Road.
- REQUEST:** The property owners are requesting approval of the following variation from the Glen Ellyn Zoning Code:
- . Section 10-8-6(B)4 to allow the construction of a second story addition over an existing non-conforming attached garage which will have a rear yard setback of 29.1 feet in lieu of the required 30 feet; and
 - . Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.
- ZONING/ USE:** The property is an interior lot located in the R2 Zoning District on the east side of Lake Road between Oak Street and Essex Road. The zoning and land use immediately surrounding the subject property is R2 single family residential and CR conservation recreation.
- PUBLIC NOTICE:** Notice of the public hearing was published in the October 26, 2018 edition of the Daily Herald, mailed to property owners within 250 feet of the subject property, and a placard was placed on the property.
- VARIANCE HISTORY:** No Village records were found relating to the granting of any zoning variations for the subject property.
- PERMIT HISTORY:** Village records indicate that the following building permits have been issued for the subject property:

<u>Date</u>	<u>Permit No.</u>	<u>Type</u>
1988	B10416	Addition
2009	20091034	Driveway

PROJECT

SUMMARY:

David and Allison Neill, owners of the property at 689 Lake Road would like to construct an addition over their attached garage. The garage is non-conforming to the rear yard setback, with a setback of 29.1 feet in lieu of the 40 foot setback required in the R2 zoning district. The Zoning Code allows an exception for the construction of additions on non-conforming structures in Section 10-8-6(B)4 that will allow the construction of an addition above or within the perimeter of an existing structure as long as the following criteria are met:

- (a) The existing lot coverage ratio does not exceed 25 percent;
- (b) The existing front perimeter wall projects no more than 5 feet into the minimum required front yard setback for the zoning district;
- (c) The existing side perimeter walls project no more than two feet into the minimum required side yard setback for the zoning district;
- (d) **The existing rear perimeter wall projects no more than 10 feet into the minimum required rear yard setback for an interior lot or no more than 15 feet for a corner lot;**
- (e) That the sum of the first floor area and the second floor area not exceed the equivalent to a 40% lot coverage ratio; and
- (f) The addition or alteration is permitted in subsection (B)3 of this section

All requirements for this exception are met, except that the rear wall projects 10.9 feet into the rear yard setback, and is only permitted to project a maximum of 10 feet. In order to construct the addition as proposed, the petitioners will need to be granted a zoning variation.

As shown in the attached application for variation, the property at 689 Lake Road has an irregularly shaped rear yard that creates an irregular setback line. If not for this irregular shape, the property owners would not need to request relief from the Zoning Code.

**ZBA
ACTION:**

The ZBA should consider the testimony presented during the public hearing and review the written evidence presented as part of the petitioners' application packet. The ZBA should make findings of fact and determine if a practical difficulty or particular hardship exists and if the essential character of the neighborhood is maintained.

The ZBA may choose to make a recommendation to the Village Board for the approval, approval with conditions or denial of the variation to allow the proposed addition in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code.

ATTACHMENTS:

§ Petitioners' Application Packet
 § Plat of Survey
 § Zoning Compliance Table
 § Relevant Section of the Zoning Code
 § Location & Zoning Map
 § Aerial Photograph
 § 2' Contour Map
 § Public Hearing Notice
 § Location Map for Public Hearing Notice
 § Mailing List for Public Hearing Notice
 § Certificate of Publication

cc: Staci Hulseberg, Director of Planning & Development
 Steve Witt, Building and Zoning Official
 Paula Moritz, Plan Reviewer
 Jamie Simoneit, Architect
 David & Allison Neill, Property Owners

X:\Plandev\BUILDING\ZBA\VARIATION BY ADDRESS\LAKE\Staff Report.doc

ATTACHMENTS:

- Petitioner's Application Packet (PDF)
- Plat of Survey (PDF)
- Zoning Compliance Table (PDF)
- Relevant Section of Code 10-8-6(B)4 (PDF)
- Zoning & Location Map (PDF)
- Aerial View (PDF)
- 2 Foot Contour Map (PDF)
- Public Hearing Notice (PDF)
- Location Map for Public Hearing Notice (PDF)
- Mailing List for Public Hearing Notice (PDF)
- Certificate of Publication (PDF)



VILLAGE OF GLEN ELLYN

Zoning Variation Request Packet

preliminary submittal
10.05.18

*Planning & Development Department
535 Duane Street – Glen Ellyn, IL 60137 – Telephone 630.547.5250 – Fax 630.547.5370*

Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

VILLAGE OF GLEN ELLYN
535 Duane Street
Glen Ellyn, Illinois 60137
(630) 547-5250

APPLICATION FOR VARIATION

For the property at 689 Lake Road Glen Ellyn, IL 60137

Note to the Applicant: This application should be filed with, and any questions regarding it, should be directed to the Director of the Village Planning and Development Department.

The undersigned hereby petitions the Village of Glen Ellyn, Illinois, for one or more variations from the Glen Ellyn Zoning Code (Ordinance No. 3617-Z, as amended), as described in this application.

I. APPLICANT INFORMATION:

(Note: The applicant must comply with Section 10-10-10(B) of the Zoning Code).

Name: applicant: Daniel J. Simoneit (Jamie) z+o architecture + interiors
representing: property owners - David + Allison Neill

Address: property: 689 Lake Road Avenue Glen Ellyn, IL. 60137
office: 504 Hillside Avenue Glen Ellyn, IL. 6037

Phone No.: z+o office: 630.858.5888 Jamie's cell: 630.341.5888

Fax No.: z+o office: 630.858.5828

E-mail: z+o office: zplusoai@wowway.com

Ownership Interest in the Property in Question: architect for property owners

Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

II. INFORMATION REQUIRED BY SECTION 10-10-10(B) OF THE ZONING CODE, IF APPLICABLE:

NOTE: All parties, whether petitioner, agent, attorney, representative and or organization et al. must be fully disclosed by true name and address in compliance with Section 10-10-10(B) of the Zoning Code. Disclosure forms are attached for your convenience.

Name and address of the legal owner of the property (if other than the applicant):

David + Allison Neill
689 Lake Road, Glen Ellyn, IL. 60137

Name and address of the person or entity for whom the applicant is acting (if the applicant is acting in a representative capacity):

David + Allison Neill
689 Lake Road, Glen Ellyn, IL. 60137

Is the property in question subject to a contract or other arrangement for sale with the fee owner? (Circle "Yes" or "No")

~~YES~~

NO

If YES, the contract purchaser must provide a copy of the contract to the Village and must either be a co-petitioner to this application or submit the attached Affidavit of Authorization with the application packet.

Is the property in question the subject of a land trust agreement? (Circle "Yes" or "No")

~~YES~~

NO

If YES, (1) either the trustee must be a co-petitioner or submit the attached Affidavit of Authorization from the trustee to represent the holders of the beneficial interests in the trust and (2) the applicant must provide a trust disclosure in compliance with "An Act to Require Disclosure of All Beneficial Interests", Chapter 148, Section 71 et seq., Illinois Revised Statutes, signed by the trustee.

III. PROPERTY INFORMATION:

Common address: 689 Lake Road, Glen Ellyn, IL. 60137

Permanent tax index number: 05-11-216-040

Legal description: Lot 2 in Lake Road Resubdivision, being a Resubdivision of parts of Mar-Dell, Hobson's Resubdivision, Rahr's Division and Wassell's Crescent Boulevard Subdivision, Glen Ellyn, Illinois, in Section 11, Township 39 North, Range 10, East of the Third Principal Meridian, according to the Plat of said Lake Road Resubdivision recorded September 24, 1958 as Document 896062, in DuPage County, Illinois.

Zoning classification: R2

Lot size: 75 ft. x 132.5 ft. Area: 8,662 sq. ft. per plat of survey

NOTE: irregular/non-rectangular at 75' x 117.5' x 8' x 6' x 35' x 9.5' x 51.90' x 100'

Present use: 1-story walk-out existing nonconforming single-family dwelling/ private residence

IV. INFORMATION REGARDING THE VARIATION(S) REQUESTED:

Description of the variation(s) requested (including identification of the Zoning Code provisions from which variation is sought) and proposed use(s):

CHAPTER 8: NONCONFORMITIES: 10-8-6: NONCONFORMING BUILDINGS AND STRUCTURES

(B) Additions and Enlargements 4.d. The existing rear perimeter wall projects no more than 10 feet into the minimum required rear yard setback for an interior lot or no more than 15 feet for a corner lot

The Neill's are requesting a single variation: to allow for a 29.1' rear yard setback in lieu of the required 30

Thus: 30 feet required - 29.1 feet existing/ requested = .90 feet encroachment = 10 3/4 inches

Estimated date to begin construction: ASAP / late fall of 2018

Names and addresses of any experts (e.g., planner, architect, engineer, attorney, etc.):

architect: Daniel J. Simoneit (Jamie) z+o architecture + interiors 504 Hillside Avenue, Glen Ellyn, IL. 60137

civil engineer/surveyor: Carradus Land Survey, Inc. 100 Bridge Street, Wheaton, IL. 60187

V. EVIDENCE RELATING TO ZONING CODE STANDARDS FOR A VARIATION:

The following items are intended to elicit information to support conclusions by the ZBA or PC and the Village Board that the required findings/standards for a variation under the Zoning Code have been established and met. Therefore, please complete these items carefully.

A. Standards Applicable to All Variations Requested:

1. Provide evidence that due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code:

1. The existing home is non-confirming to the overlaid R2 zoning district rear and side setbacks.
2. The existing walk-out/drive-out garage foot print encroaches the required rear yard setback by 10.75"
3. The property's shape is not rectangular but a parallelogram with side yards that are not perpendicular to Lake Road while the home fronts/sits parallel to Lake Road resulting in a shortened rear yard.
4. The rear yard boarder line is highly irregular which is the cause of the need for a variation

this is due to the irregular intersections of multiple properties on an highly irregular block .

2. a. Provide evidence that the property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code (i.e., without one or more variations):

The property was originally listed as "Ripe for a total re-hab" and then downgraded to tear-down status in order to "build your Dream Home here". The property sat on the market because of it's its lack of contiguous living space due to it's funky 1956 walk-up to main living level

The property was listed and eventually sold for below the market value of it's adjacent neighbors

OR

- b. Provide evidence that the plight of the applicant/owner is due to unique circumstances relating to the property in question:

The property's topography, shape and the homes existing footprint and layout are truly the definition of unique - one of a kind.

3. Provide evidence that the requested variation(s), if granted, will not alter the essential character of the locality of the property in question:

Upon completion of the proposed addition and renovation the home will still be smaller both in footprint and building height than all of it's adjacent neighbors and just might be the smallest structure on Lake Road.

- B. For the purpose of supplementing the above standards, the ZBA or PC, in making its recommendation that there are practical difficulties or particular hardships, shall also take into consideration the extent to which the evidence establishes or fails to establish the following facts favorably to the applicant:

1. Provide evidence that the particular physical surroundings, shape or topographical condition of the property in question would bring particular hardship upon the applicant/owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out:

The primary hardship exists due an atypical rear boundary line and an existing viable foundation that was constructed in 1956 that crosses an invisible boundary that resides in a Forest of trees by a total of 10.75". The triangular encroachment yeilds less than one square foot equalling .72 SF .

2. Provide evidence that the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district:

The petition for variation is based on a very unique, if not one-of a kind situation.

3. Provide evidence that the purpose of the variation is not based exclusively upon a desire to make more money out of the property in question:

The proposed solution and the endeavor of applying for a variance is not driven by making money on the property. Both David + Allison Neill's were born and raised in Glen Ellyn, their request for this variation is driven by their desire to create an right-sized home that functions well to raise their family in.

4. Provide evidence that the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property in question or by the applicant.

The hardships were created 62 years ago by a not-so-site sensitive developer/home builder that that constructed a home under a different set of zoning rules.

5. Provide evidence that the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located

The Neill's have been working with and will be working with licensed professionals to ensure the best design solution is achieved and that their proposed project will not be detrimental or injurious to other property in their neighborhood.

6. Provide evidence that the proposed variation will not:

- a. Impair an adequate supply of light and air to adjacent property;

None expected/none imagined at the time of this application.

The new addition will not obstruct any neighbors views - the existing rear yard is heavily forested.

- b. Substantially increase the hazard from fire or other dangers to the property in question or adjacent property;

None expected/none imagined at the time of this application.

- c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village;

None expected/none imagined at the time of this application.

- d. Diminish or impair property values within the neighborhood;

The proposed project will not diminish, but improve and increase the adjacent property values.

- e. Unduly increase traffic congestion in the public streets and highway;

None expected/none imagined at the time of this application.

- f. Create a nuisance; or

None expected/none imagined at the time of this application.

- g. Results in an increase in public expenditures.

None expected/none imagined at the time of this application.

7. Provide evidence that the variation is the minimum variation that will make possible the reasonable use of the land, building or structure.

As an architect, I prefer not to request variances but desire to create conforming solutions. Please know that we have explored multiple alternative options in the effort to improve this property and meet while meeting the Neill's minimal needs. (10.75"/.72 sf)

8. Please add any comments which may assist the commission in reviewing this application.

It is David + Allison Neill's desire to make 689 Lake Road a home to last them their lifetime and to have their children walk down the street to the same High School that they both graduated from.

Their request to be allowed to construct over an existing condition not of their making is miniscule.

The proposed project will have zero impact on their new/old neighborhood and the adjacent homes.

We would encourage all the ZBA members to walk up onto the existing terrace on top of the garage to observe the property from above and to see the variation request depicted in orange on the southeast corner. A terrace access stair is located on the east/backside of the garage.

Thank you in advance for your time and effort in this matter.

David + Allison Neill
689 Lake Road
Glen Ellyn, IL. 60137

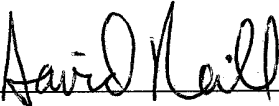
VI. CERTIFICATIONS, CONSENT AND SIGNATURE(S)

I (We) certify that all of the statements and documents submitted as part of this application are true and complete to the best of my (our) knowledge and belief.

I (We) consent to the entry in or upon the premises described in the application by any authorized official of the Village of Glen Ellyn.

I (We) certify that I (we) have carefully reviewed the Glen Ellyn Zoning Variation Request Package and applicable provisions of the Glen Ellyn Zoning Code.

I (We) consent to accept and pay the cost to publish a notice of Public Hearing as submitted on an invoice from the publishing newspaper. I (we) understand that our request will not be scheduled for a Village Board agenda until and unless this invoice is paid.



Signature of Applicant(s)

Date filed

Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

David + Allison Neill
689 Lake Road
Glen Ellyn, IL. 60137

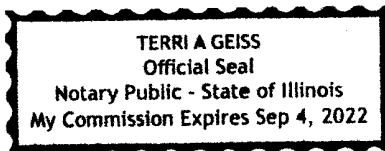
AFFIDAVIT OF AUTHORIZATION

I, David Neill owner of the property described as
689 Lake Road Glen Ellyn, IL. 60137

that Daniel J. Simoneit (Jamie) of z+o arcitecture + interiors verify is duly
authorized to apply and represent my interests before the Glen Ellyn Architectural Review
Commission, Plan Commission, Zoning Board of Appeals and/or Village Board. Owner
acknowledges that any notice given applicant is actual notice to owner.

David Neill
OWNER

Terr A. Geiss
NOTARY



Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

Neill Residence
689 Lake Road
Glen Ellyn, Illinois

Proof of Ownership 1 of 2

This instrument prepared by:
Steven K. Norgaard
Attorney at Law
493 Duane Street, #400
Glen Ellyn, IL 60137

Mail future tax bills to:
David Neill and Allison Webb
689 Lake Rd.
Glen Ellyn, IL 60137

Mail this recorded instrument to:
L. Matthew Loudenslagel
Attorney at Law
800 Waukegan Rd., Ste 201
Glenview, IL 60025

TRUSTEE'S DEED

This Indenture, made this 2nd day of May, 2018, between James Baumbich, not individually, but as successor trustee of the Thekla M. Baumbich Trust dated June 17, 1999, Grantor, and David Neill and Allison Webb, whose address is 21 E. Huron St., Unit #3802, Chicago, Illinois 60611, Grantee, not as tenants in common, but as *JOINT TENANTS WITH THE RIGHT OF SURVIVORSHIP*.

Witnesseth. That said Grantor, in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable considerations in hand paid, does hereby grant, sell, and convey unto said Grantee, the following described real estate, situated in DU PAGE County, State of Illinois, to wit:

Lot 2 in Lake Road Resubdivision, being a Resubdivision of parts of Mar-Dell, Hobson's Resubdivision, Rahr's Division and Wassell's Crescent Boulevard Subdivision, Glen Ellyn, Illinois, in Section 11, Township 39 North, Range 10, East of the Third Principal Meridian, according to the Plat of said Lake Road Resubdivision recorded September 24, 1958 as Document 896062, in DuPage County, Illinois.

Permanent Index Number(s): 05-11-216-040
Property Address: 689 Lake Rd., Glen Ellyn, IL 60137

together with the tenements and appurtenances thereunto belonging.

Subject, however, to the general taxes for the year of 2017 and thereafter, and all covenants, restrictions, and conditions of record, applicable zoning laws, ordinances, and other governmental regulations.

To Have and To Hold the same unto Grantee, and to the proper use, benefit, and behold forever of the Grantee.

This deed is executed pursuant to and in the exercise of the power and authority granted to and vested in Grantor by the terms of said deed or deeds in trust delivered to Grantor in pursuance of the trust agreement above mentioned. This deed is made subject to the lien of every trust or mortgage (if any there be) of record in said county given to secure the payment of money, and remaining unreleased at the date of the delivery hereof.

Village of Glen Ellyn Real Estate Transfer Tax	
020830	
Sale \$	445,000.00
Tax \$	1335.00
Date	5-2-18 Initials Ro

Neill Residence
689 Lake Road
Glen Ellyn, Illinois

Proof of Ownership 2 of 2

Individual Trustee(s)

In Witness Whereof, Grantor has caused its name to be signed to these presents the day and year first above written.

James Baumbich

James Baumbich, not individually, but as successor trustee of the
Thekla M. Baumbich Trust dated June 17, 1999

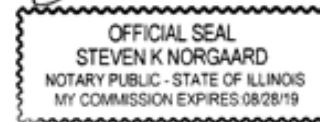
STATE OF ILLINOIS

COUNTY OF DU PAGE

)
) SS I, the undersigned, a Notary Public in and for the County and State aforesaid, DO
)
) HEREBY CERTIFY that James Baumbich, as successor trustee, personally known to me
) to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument as
) such Trustee(s), appeared before me this day in person and acknowledged that
) he/she/they signed and delivered said instrument as his/her/their free and voluntary act
) for the uses and purposes set forth therein.

Given under my hand and Notarial Seal this 2nd day of MAY, 2018.

Steven K. Norgaard
Notary Public



Neill Residence
689 Lake Road
Glen Ellyn, Illinois

Glen Ellyn Zoning Map 1 of 2



Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

Neill Residence
689 Lake Road
Glen Ellyn, Illinois

Glen Ellyn Zoning Map 2 of 2



Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

Neill Residence
689 Lake Road
Glen Ellyn, Illinois

Zillow Satellite Image - property + adjoining neighbors



Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

Neill Residence
689 Lake Road
Glen Ellyn, Illinois

Existing Conditions - front/west Photo.01



Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

Neill Residence
689 Lake Road
Glen Ellyn, Illinois

Existing Conditions - side/southwest Photo.02



Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

Neill Residence
689 Lake Road
Glen Ellyn, Illinois

Existing Conditions - back/southeast Photo.03



Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

Neill Residence
689 Lake Road
Glen Ellyn, Illinois

Existing Conditions - terrace looking east Photo.04



Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

Neill Residence
689 Lake Road
Glen Ellyn, Illinois

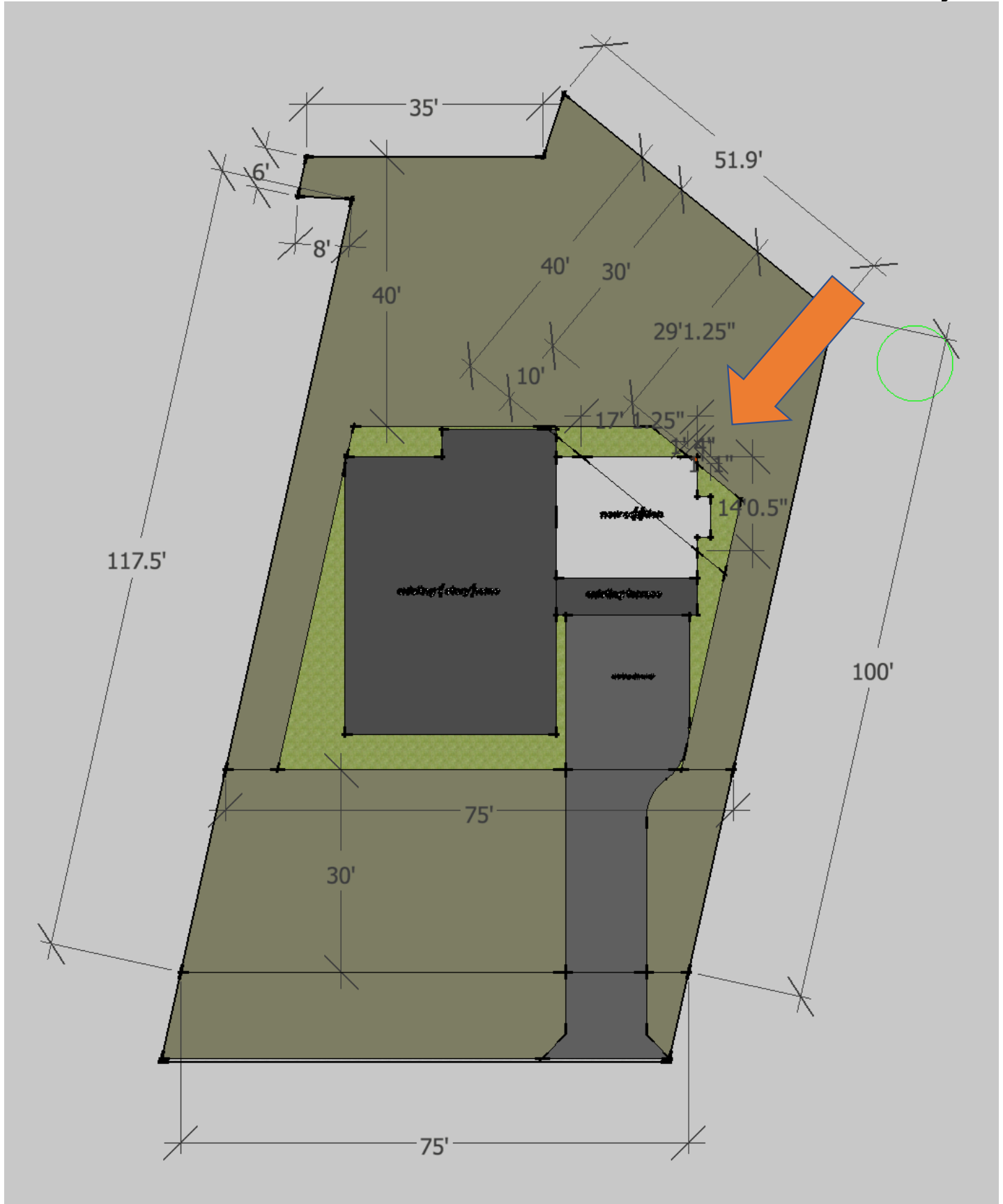
Existing Conditions - terrace/garage encroachment Photo.05



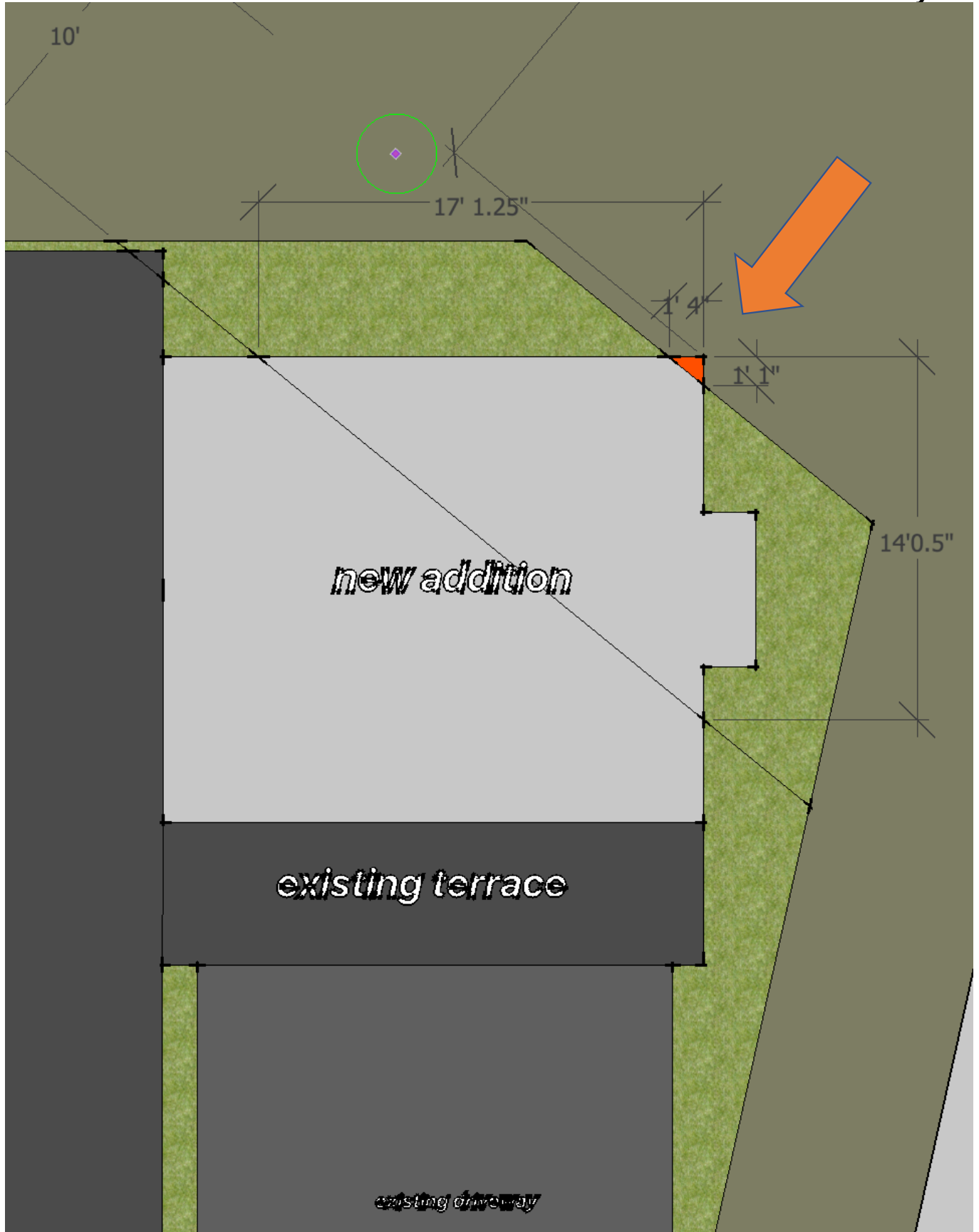
Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

Neill Residence
689 Lake Road
Glen Ellyn, Illinois

3d model study.01



Neill Residence
689 Lake Road
Glen Ellyn, Illinois

3d model study.02

Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

Neill Residence
689 Lake Road
Glen Ellyn, Illinois

3d model study.03



Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

Neill Residence
689 Lake Road
Glen Ellyn, Illinois

3d model study.04



Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

Neill Residence
689 Lake Road
Glen Ellyn, Illinois

3d model study.05



Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

Neill Residence
689 Lake Road
Glen Ellyn, Illinois

3d model study.06



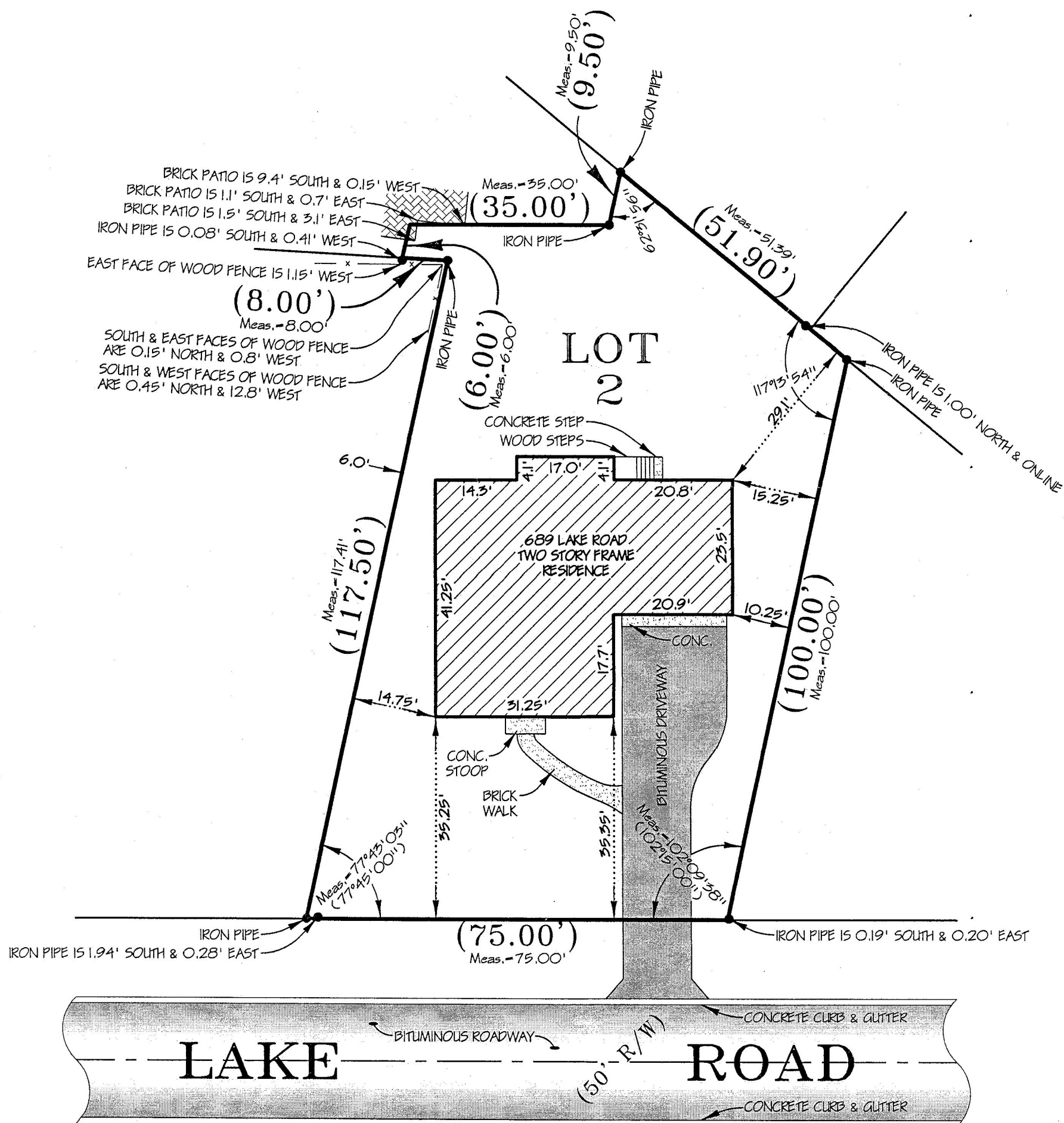
Attachment: Petitioner's Application Packet (3725 : 689 Lake Road - Zoning Variation)

- Monumentation Found
 ○ Monumentation Set
 (IRLS 35-2551)
 (50') Record Dimension
 —X— Fence Line

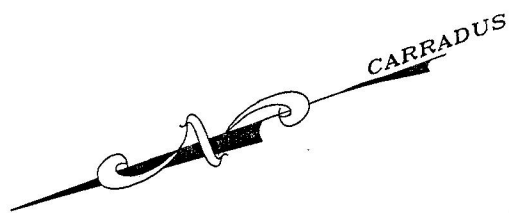
PLAT OF SURVEY

LOT 2 IN LAKE ROAD RESUBDIVISION, BEING A RESUBDIVISION OF PARTS OF MAR-DELL, HOBSON'S RESUBDIVISION, RAHR'S DIVISION AND WASSELL'S CRESCENT BOULEVARD SUBDIVISION, GLEN ELLYN, ILLINOIS, IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID LAKE ROAD RESUBDIVISION RECORDED SEPTEMBER 24, 1958 AS DOCUMENT 896062, IN DUPAGE COUNTY, ILLINOIS.

AREA OF SITE = 8,662 SQ.FT.



Attachment: Plat of Survey (3725 : 689 Lake Road - Zoning Variation)



NOTES

1. All distances shown hereon are in feet and decimal parts thereof corrected to 6
Distances shown along curved lines are Arc Measurements unless otherwise noted.
2. Compare the Legal Description, Building Lines, and Easements as shown hereon to
your Deed, Title Insurance Policy or Title Commitment.
3. Consult local authorities for additional setbacks and restrictions not shown hereon.
4. Compare all survey points and report any discrepancies immediately.
5. Consult utility companies and municipalities prior to the start of any construction.
6. Dimensions to and along buildings are exterior foundation measurements.
7. Do Not Assume distances from scaled measurements made hereon.

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

THIS IS TO CERTIFY THAT I, ALLEN D. CARRADUS, A PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF ILLINOIS, HAVE SURVEYED THE PROPERTY AS DESCRIBED HEREON AND THAT THE ANNEXED PLAT IS A CORRECT AND TRUE REPRESENTATION THEREOF, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SIGNED AND SEALED AT WHEATON, ILLINOIS THIS 20th DAY OF April, A.D. 2018

BY Allen C. Carradus ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2551.
MY LICENSE EXPIRES NOVEMBER 30, 2018.

CARRADUS LAND SURVEY, INC.

Residential & Commercial Land Surveying Services:
100 Bridge Street Suite 1, Wheaton, Illinois 60187
(630) 588-0416 (Fax) 653-7682

PREPARED FOR:

STEVEN K. NORGAARD, P.C.

DRAWN BY:
CMG

DATE OF FIELD WORK
04/20/18

SCALE: 1" = 20'

FLD.BK. - PAGE
48-00

PROJECT NO.
30536

07/19/18 ADD HOUSE TIE

Packet Pg. 95

Zoning Variation Table

Property Description		Date:	10/15/2018
Address:	689 Lake Road		
District:	R2 - Residential District		
Lot Type:	Interior Lot		
Building Type:	Single-Family		
Building Height:	2-Story		
Construction Type:	Addition		
		MAKE SELECTION FROM EACH PULLDOWN BOX AND INSERT INFORMATION INTO EACH YELLOW HIGHLIGHTED CELL	
			

Code Section	Lot Regulations	Requirement	Existing	Proposed	Compliant?	
					Yes	No
10-4-8(D)7	Lot Area	8,712 sf min	8,662 sf	8,662 sf		No
10-4-8(D)8(a), (b)	Lot Width	66.00 ft min	75.00 ft	75.00 ft	Yes	
10-4-8(D)9	Lot Depth	110.00 ft min	110.00 ft	110.00 ft	Yes	

Code Section	Principal Structure Regulations Existing and proposed dimensions to proposed area of construction	Requirement	Existing	Proposed	Compliant?	
					Yes	No
	Existing Front Yard Setback (EXFYS)					
	EXFYS of closest adjacent principal structure					
10-4-8(D)1(a), (b), (c)	Front Yard Setback	30.00 ft min ⁵	35.35 ft	35.35 ft	Yes	
10-4-8(D)2	Rear Yard Setback	40.00 ft min	29.10 ft	29.10 ft		No
10-4-8(D)3	Interior Side Yard Setback, Left Side	7.50 ft min	6.00 ft	6.00 ft		No
10-4-8(D)3	Interior Side Yard Setback, Right Side	7.50 ft min	10.25 ft	10.25 ft	Yes	
10-4-8(D)4(a), (b)	Corner Side Yard Setback	NA ft min			NA	NA
	Area of Existing Covered/Roofed Structures:					
	• Primary Structure, 1st floor footprint		1848 sf	1848 sf		
10-4-8(E)3(b)	• Porch in Front/Corner Yard - 1 Side Enclosed		0 sf	0 sf		
10-4-8(E)3(b)	• Porch in Front/Corner Yard - min 2 Sides Open		0 sf	0 sf		
10-4-8(E)3(a)	• Accessory Structure - Detached Garage	660 sf max	0 sf	0 sf	NA	NA
	• Accessory Structure - Shed		0 sf	0 sf		
	• Accessory Structure - Other		0 sf	0 sf		
	Lot Coverage Area Bonus applied?		1848.0 sf	1848 sf		
10-4-8(E)1, 2	Lot Coverage Ratio	20.00 % max	21.33 %	21.33 %		No

Code Section	Nonconforming Single-Family Dwelling 5	Change %	Class	Existing	Altered	Permitted?	
						Yes	No
10-8-6(B)3	Alterations: Exterior Surface Areas						
	• Basement Level, if exposed						
	• First Floor Level						
	• Second Floor Level			0 sf	0 sf		
	• Third Floor Level						
	• Roof						
	Total Surface Area						
10-8-6(B)3	Additions: Floor Areas						
	• Basement Level						
	• First Floor Level						
	• Second Floor Level						
	• Third Floor Level						
	Total Floor Area						
10-8-6(B)4	Existing Nonconforming Lot Coverage						
10-8-6(B)4(e)	Equivalent Lot Coverage Ratio	40.00 % max					

Code Section	Accessory Structure Regulations	Requirement			Compliant?	
					Yes	No
	Area of Rear Yard					
10-5-4(A)2(a)	• Total Accessory Structure Area	1000 sf max				
10-5-4(A)2(a)	• Lot Coverage Area Rear Yard	30 % max				
10-5-4(A)3	Number of Structures on a Lot	3 max				
10-5-4(A)3	Number of Like Structures	1 max				
	Distance to Principal Structure	10 ft min				
10-5-4(A)4(a), (b)	• Front Yard Setback	30 ft min				
10-5-4(A)4(b), (c)	• Rear Yard Setback	40 ft min				
10-5-4(A)4(a), (b)	• Corner Side Yard Setback	NA ft min				
10-5-4(A)4(b), (c)	• Interior Side Yard Setback, Left Side	7.5 ft min				
10-5-4(A)4(b), (c)	• Interior Side Yard Setback, Right Side	7.5 ft min				
10-5-4(A)4(d)	• Distance to Other Accessory Structure	5 ft min				
	Roofed Over Structures (ROS)					
10-5-5(B)4	• ROS Front Yard Setback	NP ft min				
10-5-5(B)4	• ROS Rear Yard Setback	3.75 ft min				
10-5-5(B)4	• ROS Side Yard Setback	3.75 ft min				
10-5-5(B)4	• ROS Corner Side Yard Setback	18 ft min				
10-4-8(F)1	• Principal Structure Ridge Height Bonus applied?	0 ft max ^{1,3}				
10-4-8(F)1	• Principal Eave, Parapet or LS Roof Bonus applied?	0 ft max ^{2,4}				
10-4-8(F)1	• Detached Garage Ridge Height	22 ft max				
10-4-8(F)1	• Detached Garage Eave/Parapet Height	12 ft max				
10-5-5(C)1	Impervious Surface Setback	FALSE ft max				

- Notes:
1. Setback Bonus, Ridge:

An increase of both side yard setbacks of 1 foot or more than the required setback allows 1 foot more of ridge height up to its maximum.
2. Setback Bonus, Eave:

An increase of both side yard setbacks of 1 foot or more than the required setback allows 1 foot more of eave height up to its maximum.
3. Raised Front Porch Bonus:

A 'raised front porch' of at least 2 feet above grade allows up to 2 feet more ridge height. A 'raised front porch' of at least 3 feet above grade allows up to 3 feet more ridge height.
4. Dormer Bonus, Eave:

The eave height shall not apply to dormer(s) no greater than 8 feet wide and the combined dormer width shall not exceed 25 percent of the length of the building side measured to the outside edges, provided the dormers are separated by a minimum of 5 feet.
5. Front Yard Setback:

The initial principal structure erected on a lot in a subdivision recorded with the DuPage County Recorder of Deeds Office after March 1, 1999, may be constructed to the minimum required front yard setback for the zoning district.

Comments:

10-8-6. - Nonconforming buildings and structures.

Any lawfully existing building or structure which does not conform with the regulations of the district in which it is located shall be subject to the provisions of this section:

- (A) *Repairs and alterations* : Ordinary repairs and alterations, but not including reconstruction or replacement, may be made to a nonconforming building or structure, provided that no structural alterations shall be made in or to such building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, except those required by law, or except to make the building or structure, and use thereof, conform to the regulations of the district in which it is located. For the purpose of this section, ordinary repairs, as determined by the Building and Zoning Official, shall include the replacement of storage tanks where the safety of operation of the installation require such replacement.
- (B) *Additions and enlargements*:
1. *Additions to nonconforming structures*: A nonconforming building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, shall not be added to or enlarged in any manner unless such nonconforming building or structure, and use thereof, including all additions and enlargements thereto, is made to conform to all the regulations of the district in which it is located;
 2. *Additions to nonconforming structures due to bulk*: A nonconforming building or structure other than a single-family dwelling, which is nonconforming only as to bulk, shall not be added to or enlarged in any manner unless such additions or enlargements thereto are made to conform to all regulations of the district in which it is located;
 3. *Nonconforming single-family dwelling*: A single-family dwelling which is nonconforming due to zoning bulk control regulations (setback, lot coverage ratio, height, lot width, lot area) may be modified as outlined in the following table, provided all alterations and additions thereto conform to all regulations in the district in which it is located:

	Lots Less Than 50 Feet In Width Or Less Than 6,534 Square Feet In Area		Lots With A Width Of At Least 50 Feet And With At Least 6,534 Square Feet In Area	
	Prohibited	Permitted	Prohibited	Permitted
Alteration:				
Class I		X		X
Class II	X		X	
Class III	X		X	
Addition:				
Class I		X		X

Class II	X			X
Class III	X		X	
Accessory structure		X		X

4. *Existing nonconforming lot coverage:* An addition above or within the perimeter of an existing structure that has an existing nonconforming lot coverage shall be permitted provided:

(a) The existing lot coverage ratio does not exceed 25 percent;

(b) The existing front perimeter wall projects no more than five feet into the minimum required front yard setback for the zoning district;

(c) The existing side perimeter walls project no more than two feet into the minimum required side yard setback for the zoning district;

(d) The existing rear perimeter wall projects no more than ten feet into the minimum required rear yard setback for an interior lot or no more than 15 feet for a corner lot;

(e) That the sum of the first floor area and the second floor area not exceed the equivalent of a 40 percent lot coverage ratio; and

(f) The addition or alteration is permitted in subsection (B)3. of this section;

(F) *Restoration of damaged single-family dwelling on standard sized lot:* In the event that a single-family dwelling located on a zoning lot which meets the requirements of this title is destroyed or damaged by fire or other casualty or act of God, the bulk requirements of this title shall not be applicable to the restoration or reconstruction of such single-family residence provided the restored or reconstructed dwelling is within the limits of the original foundation and original building height;

(G) *Discontinuance of use of nonconforming building or structure:* A building, structure, or portion thereof, all or substantially all of which is designed or intended for a use not permitted in the district, or which use is permitted only by the granting of a special use permit in the district in which it is located, and: 1) which is vacant, unoccupied, or not used on the effective date of this title and remains vacant, unoccupied, or not used for a continuous period of 180 days thereafter or 2) such a building, structure, or portion thereof which becomes vacant, unoccupied, or not used after the effective date and remains unoccupied, or is not used for a continuous period of 180 days, shall not thereafter be occupied or used except by a use which conforms to the use regulations of the district in which the building or structure is located;

(H) *Change of use in nonconforming building or structure:* The nonconforming use of a building or structure may be changed to a use permitted in the district in which it is located.

689 Lake Rd. - Zoning & Location



Map created on October 15, 2018.

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Disclaimer: This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.



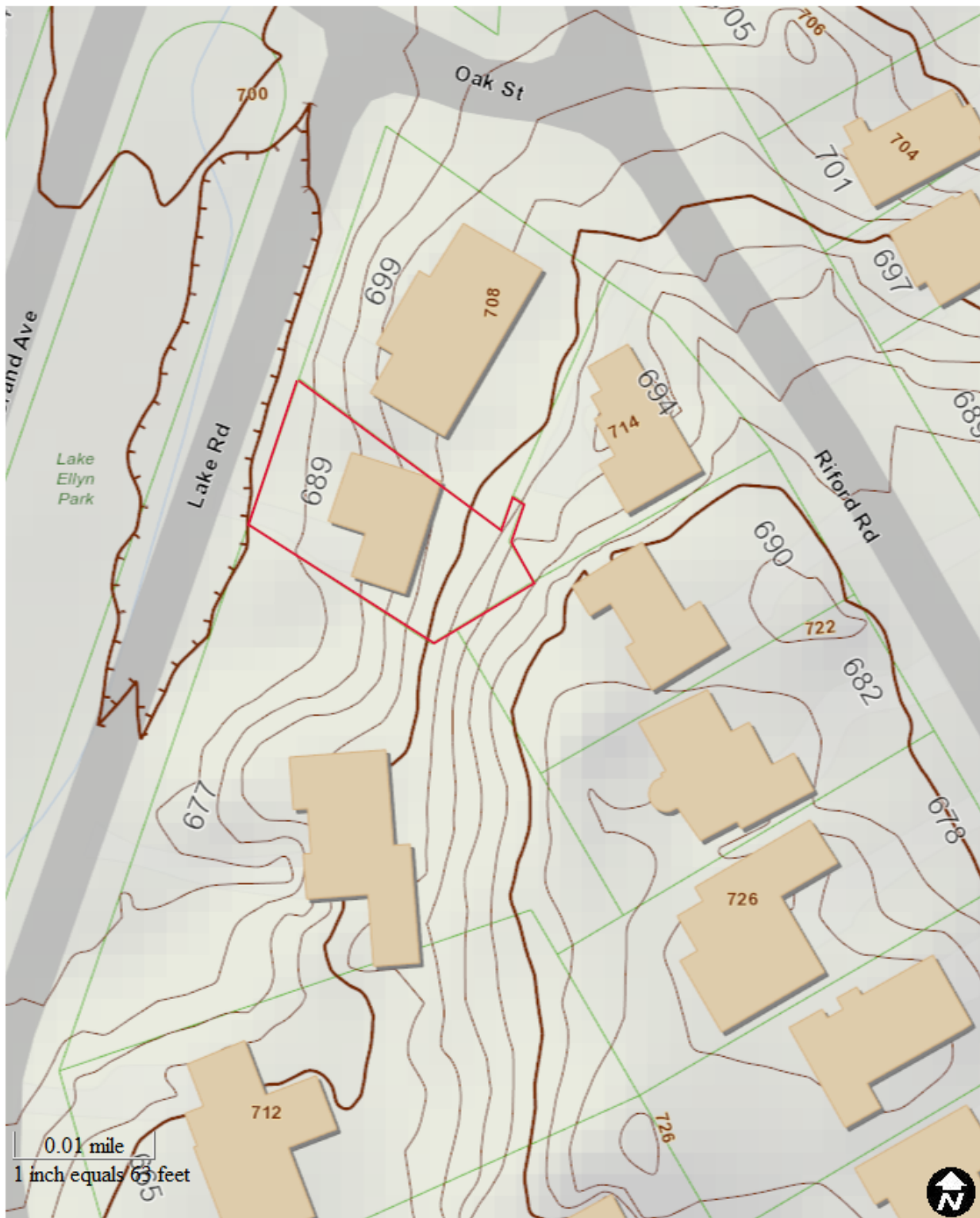
Map created on October 15, 2018.

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689 Lake Rd. - 2 Foot Contour



Map created on October 15, 2018.

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NOTICE OF PUBLIC HEARING

David and Allison Neill, owners of the property at 689 Lake Road, are requesting a public hearing for a variation in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code. The Glen Ellyn Zoning Board of Appeals will conduct a public hearing to consider the variation on **Tuesday, November 13, 2018** at 7:00 p.m. on the third floor in the Civic Center, 535 Duane Street, Glen Ellyn, Illinois. Anyone is welcome to attend.

The property owners are requesting approval of a variation from the Glen Ellyn Zoning Code as follows:

1. Section 10-8-6(B)4 – to allow the construction of a second story addition over an existing non-conforming attached garage which will have a rear yard setback of 29.1 feet in lieu of the required 30 feet.
2. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

The property is zoned R2, Residential District, and is legally described as follows:

LOT 2 IN LAKE ROAD RESUBDIVISION, BEING A RESUBDIVISION OF PARTS OF MAR-DELL, HOBSON'S RESUBDIVISION, RAHR'S DIVISION AND WASSELL'S CRESCENT BOULEVARD SUBDIVISION, GLEN ELLYN, ILLINOIS, IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID LAKE ROAD RESUBDIVISION RECORDED SEPTEMBER 24, 1958 AS DOCUMENT 896062, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-11-216-040

Plans related to the proposed project are available for public review in the Planning and Development Department, Civic Center, 535 Duane Street, Glen Ellyn, Illinois. If you have questions, please contact Kelly Purvis at (630) 547-5371. For individuals with disabilities who have questions regarding the accessibility of the meeting or facilities, please contact the Village at least 24 hours in advance of the meeting at (630)469-5000.

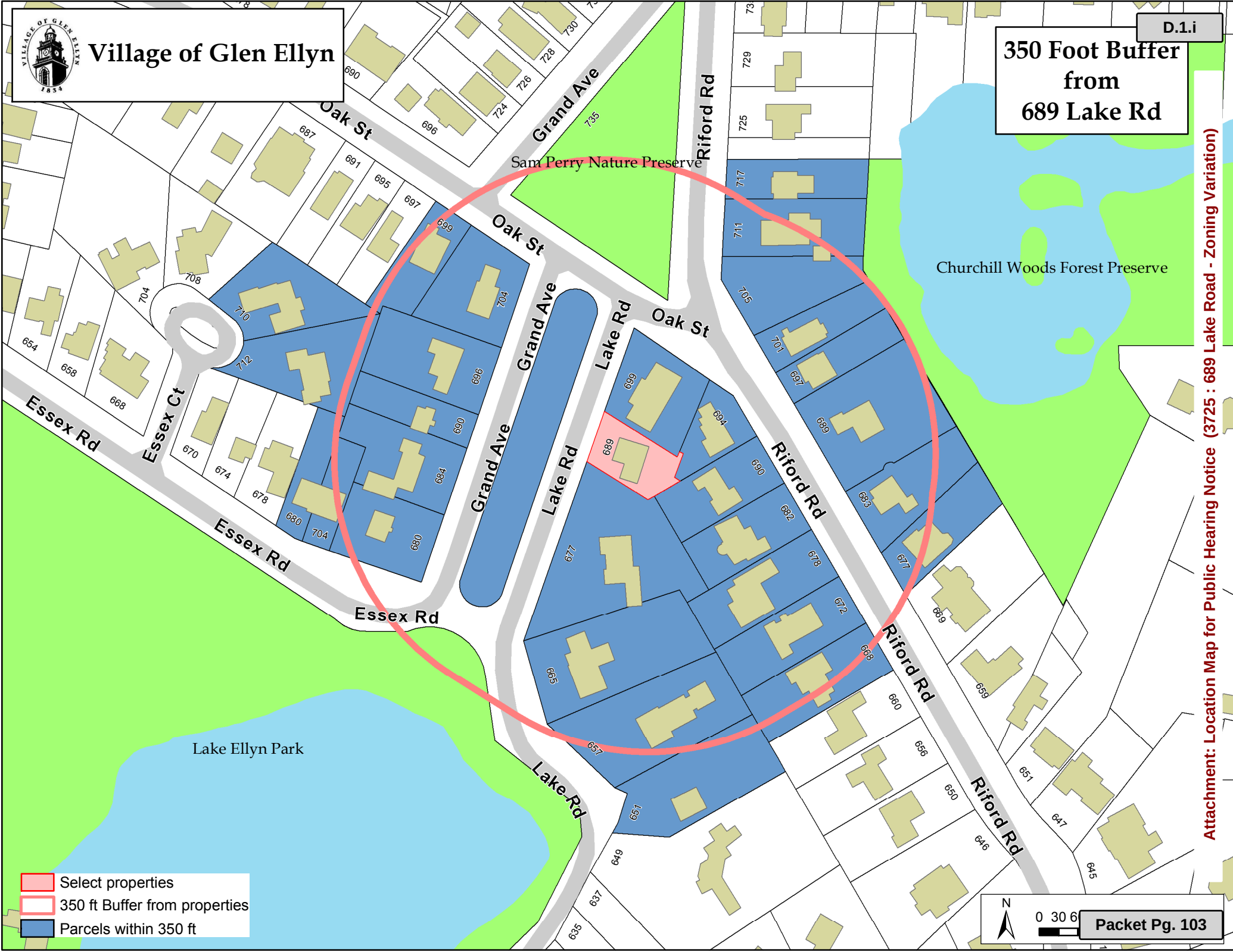
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Village of Glen Ellyn

D.1.i

350 Foot Buffer
from
689 Lake Rd



- Select properties
- 350 ft Buffer from properties
- Parcels within 350 ft



0 30 60

Packet Pg. 103

Attachment: Location Map for Public Hearing Notice (3725 : 689 Lake Road - Zoning Variation)

OWNERNAME	OR CURRENT PROPERTY OWNER	OWNERADDRESS	OWNERCITY
GLEN ELLYN PARK DIST	OR CURRENT PROPERTY OWNER	185 SPRING AVE	GLEN ELLYN
HINTZ JEFFREY P	OR CURRENT PROPERTY OWNER	717 RIFORD RD	GLEN ELLYN
OATES MARK A	OR CURRENT PROPERTY OWNER	711 RIFORD RD	GLEN ELLYN
MC NAMARA KEVIN & JULIE	OR CURRENT PROPERTY OWNER	705 RIFORD RD	GLEN ELLYN
MC HARGUE JAMES P	OR CURRENT PROPERTY OWNER	701 RIFORD RD	GLEN ELLYN
SIEWERT LARRY & SUSAN E	OR CURRENT PROPERTY OWNER	697 RIFORD RD	GLEN ELLYN
RUDOLPH DENNIS & LYND A	OR CURRENT PROPERTY OWNER	689 RIFORD RD	GLEN ELLYN
RUDOLPH DENNIS & LYND A	OR CURRENT PROPERTY OWNER	683 RIFORD RD	GLEN ELLYN
IVERSON DANIEL & BARBARA	OR CURRENT PROPERTY OWNER	677 RIFORD RD	GLEN ELLYN
VAINISI JENNIFER	OR CURRENT PROPERTY OWNER	710 ESSEX CT	GLEN ELLYN
SACKETT ROBB ALAN & MARY	OR CURRENT PROPERTY OWNER	712 ESSEX CT	GLEN ELLYN
HILDEBRAND ROBERT L	OR CURRENT PROPERTY OWNER	680 ESSEX RD	GLEN ELLYN
HILDEBRAND ROBERT	OR CURRENT PROPERTY OWNER	680 ESSEX RD	GLEN ELLYN
JENKS GARRETT & JENNIFER	OR CURRENT PROPERTY OWNER	699 OAK ST	GLEN ELLYN
HEIDENREICH GEORGE & M H	OR CURRENT PROPERTY OWNER	704 GRAND AVE	GLEN ELLYN
BERGMAN CHRISTOPHER & E	OR CURRENT PROPERTY OWNER	696 GRAND AVE	GLEN ELLYN
SIMON MARK & S ROTHSCHILD	OR CURRENT PROPERTY OWNER	690 GRAND AVE	GLEN ELLYN
GIVEN KENNETH & MARILYN	OR CURRENT PROPERTY OWNER	684 GRAND AVE	GLEN ELLYN
FOSDICK LEE B	OR CURRENT PROPERTY OWNER	680 GRAND AVE	GLEN ELLYN
VILLAGE OF GLEN ELLYN	OR CURRENT PROPERTY OWNER	535 DUANE ST	GLEN ELLYN
PETRO GEORGE & LESLIE	OR CURRENT PROPERTY OWNER	665 LAKE RD	GLEN ELLYN
WUNDERLICH DONALD & I M	OR CURRENT PROPERTY OWNER	694 RIFORD ROAD	GLEN ELLYN
DURKALSKI PETER & D	OR CURRENT PROPERTY OWNER	7394 MONTERVERDE WAY	NAPLES
CRAWFORD ED & SHIRLEY	OR CURRENT PROPERTY OWNER	672 RIFORD RD	GLEN ELLYN
OWCZARSKI DANIEL & MARY	OR CURRENT PROPERTY OWNER	668 RIFORD RD	GLEN ELLYN
BOULUS JOHN & ELIZABETH	OR CURRENT PROPERTY OWNER	651 LAKE RD	GLEN ELLYN
NYQUIST STEPHEN	OR CURRENT PROPERTY OWNER	699 LAKE RD	GLEN ELLYN
BAUMBICH JAMES J	OR CURRENT PROPERTY OWNER	689 LAKE RD	GLEN ELLYN
BOULUS JOHN & ELIZABETH	OR CURRENT PROPERTY OWNER	657 LAKE ROAD	GLEN ELLYN
O NEAL RYAN	OR CURRENT PROPERTY OWNER	677 LAKE RD	GLEN ELLYN
RINDLER JOHN & BRENDA	OR CURRENT PROPERTY OWNER	690 RIFORD RD	GLEN ELLYN
BURK BRYAN & MAUREEN	OR CURRENT PROPERTY OWNER	682 RIFORD RD	GLEN ELLYN
SCHOOL DISTRICT NO 87	OR CURRENT PROPERTY OWNER	596 CRESCENT BLVD	GLEN ELLYN

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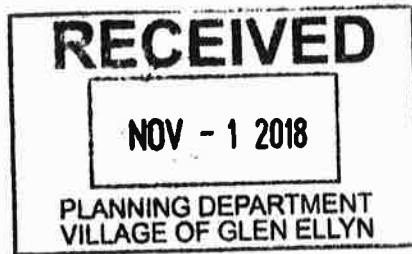
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P.I.N.: 05-11-216-040
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Published in Daily Herald October 26, 2018 (4511890)

**CERTIFICATE OF PUBLICATION**

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, North Aurora, Bannockburn, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn, East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods, Rolling Meadows, Rosemont, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow, St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood, Wilmette

County(ies) of Cook, Kane, Lake, McHenry and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the **DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published October 26, 2018 in said **DAILY HERALD**.

IN WITNESS WHEREOF, the undersigned, the said **PADDOCK PUBLICATIONS, Inc.**, has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY *Paula Baltz*
Authorized Agent

Control # 4511890

Attachment: Certificate of Publication (3725 : 689 Lake Road - Zoning Variation)



Zoning Board of Appeals
535 Duane Street
Glen Ellyn, IL 60137

Meeting: 12/11/18 07:00 PM
Department: Zoning Board of Appeals
Department Head: Kelly Purvis
Category: Public Hearing
Prepared By: Kelly Purvis

SCHEDULED

AGENDA ITEM (ID # 3723)

DOC ID: 3723

Public Hearing to consider a construction necessitated variation to allow a walkway and a patio to remain closer to the lot line than is permitted by Code at 787 Crescent Blvd.

PETITIONERS: The petitioners are Leisha McCready and John Keel, owners of the property at 787 Crescent Blvd.

REQUEST: The property owners are requesting approval of construction necessitated variations from the Glen Ellyn Zoning Code as follows:

1. Section 10-5-4(A)4(b) to allow a patio to remain at a distance of 1.3 feet from the property line in lieu of observing the same setback required of the principal structure on the lot, in this case 13.6 feet.
2. Section 10-5-5(C)1 - to allow a walkway to remain at a distance of 1.68 feet from the property line in lieu of the required impervious surface setback of 6.8 feet (5% of the lot width).
3. Any other zoning relief necessary to allow the patio and walkway to remain where they are depicted on the plat of survey dated November 14, 2018.

ZONING/ USE: The property is an interior lot located in the R2 Zoning District on the south side of Crescent Boulevard, between Riford Road and Plumb Tree Road. The zoning and land use immediately surrounding the subject property is R2 single-family residential.

PUBLIC NOTICE: Notice of the public hearing was published in the November 26, 2018 edition of the Daily Herald, mailed to property owners within 250 feet of the subject property, and a placard was placed on the property.

ZONING HISTORY: Village records indicate that there were three variations granted by Ordinance for the property. It would appear that the 1983 and 1988 variations were granted for the same project and perhaps the variation expired prior to construction of the sunroom addition.

Year	Ord. No.	Variation Granted
------	----------	-------------------

1978	2416	Side Yard Setback 8.92 feet for an addition on the east side of the home (connected garage to the principal structure).
the 1983	2958	Side Yard Setback 4 feet for a sunroom addition on the west side of the home.
1988	3568	Side Yard Setback 4 feet for sunroom addition on the west side of the home.

PERMIT HISTORY:

Village records indicate the following permits have been applied for on the property:

Year	Permit No.	Project Type
1979	B5752	Remodel
1999	B19159	Sewer Repair
1989	B10633	Sun Room Addition
2013	20131179	Re-roof
2016	20161940	Retaining Wall & Driveway

PROJECT BACKGROUND:

The petitioners began construction on the walkway and patio on October 1, 2018. On October 17, 2018, one of the Village's building inspectors came to the property to inform the property owners that a permit was needed for the construction of the patio and walkway. The petitioners applied for the building permit on October 18, 2018 and were informed that a variation would be required for both the walkway and the patio on October 19, 2018.

The property at 787 Crescent Boulevard is triangular in shape, creating a greater lot width than would be typical. At the 30 foot setback line, the width of the lot is 135 feet. The impervious surface setback and accessory structure setback requirement for the walkway and patio are based upon a percentage of the lot width. To make matters worse, the survey that was provided to the property owners when they purchased the property in 1996 was found to be inaccurate when they had the property resurveyed as part of this process. Approximately 4 feet along the east side of the property actually belongs to the property owners to the east, making the property significantly more narrow on the east side of the house.

Prior to constructing the walkway on the east side of the property, there was a concrete walkway on the property, which is shown on the attached

(inaccurate) plat of survey. The walkway that was in this location would not be permitted today without a variation. Prior to the construction of the patio, there was a deck in this location, which would also not be permitted by today's zoning standards.

The petitioners have indicated that they were unaware that a permit was needed for the construction of the patio and the walkway. They immediately applied for the permit upon being told one was needed. The petitioners have stated that they have tried without success in the past to plant ground cover on the side of the house (where the walkway is now constructed), but were unable to get anything to grow. With two large dogs, the side of the house was always muddy. The construction of the patio and walkway was an attempt to clean up the side and back of the house and to provide a path from the back and side doors of the home.

In order for the walkway and patio to remain in their existing location, the petitioners would need to be granted variations from the impervious surface setback requirements and the accessory structure setback requirements of the Zoning Code.

**ALTERNATIVE
SOLUTION:**

If not granted a variation to allow the patio and walkway to remain, the petitioners would have to remove the entire walkway and patio. By Code, a walkway 1.42 feet in width would be permitted and the patio would be constructed several feet west of the beginning of the patio door (which would be odd in appearance). The petitioners have provided a diagram (attached) showing what a Code compliant walkway and patio would look like. The petitioners have indicated that the patio and walkway reduced in this manner would not be useful and therefore would need to be removed. The contractor that built walkway and patio, provided the petitioners with an approximate estimate of \$7,000 for the complete removal and disposal of the walkway and patio. There would be additional cost to put sod or some other plant material in the place of the walkway and patio.

**ZBA
ACTION:**

The ZBA should consider the testimony presented during the public hearing and review the written evidence presented as part of the petitioners' application packet. The ZBA should make findings of fact and determine if a practical difficulty or particular hardship exists and if the essential character of the neighborhood is maintained.

The ZBA may choose to make a recommendation to the Village Board for the approval, approval with conditions or denial of the construction necessitated variations to allow the walkway and patio to remain closer to the property lines in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code.

ATTACHMENTS:

- Petitioners' application packet
- Plat of Survey dated November 14, 2018 (as built)
- Plat of Survey (inaccurate)
- Photos - Existing Conditions
- Code Compliant Plan Diagram
- Applicable sections of Zoning Code
- Aerial photograph
- Location & Zoning Map
- 2' Contour Map
- Public Hearing Notice
- Location Map for Public Hearing Notice
- Mailing List for Public Hearing Notice
- Certificate of Publication

cc: Staci Hulseberg, Director of Planning & Development
 Steve Witt, Building and Zoning Official
 Leisha McCready & John M. Keel, Property Owners

ATTACHMENTS:

- Petitioners' Application (PDF)
- Plat of Survey dated November 14, 2018 (as built) (PDF)
- Plat of Survey - Inaccurate (PDF)
- Photos - Existing Conditions (PDF)
- Code Compliant Plan (PDF)
- Applicable Sections of Code (PDF)
- Aerial View (PDF)
- Zoning & Location Map (PDF)
- 2 ft Contour Map (PDF)
- Public Notice (PDF)
- Location Map for Public Hearing Notice (PDF)
- Mailing List for Public Hearing Notice (PDF)
- Certificate of Publication (PDF)

VILLAGE OF GLEN ELLYN
535 Duane Street
Glen Ellyn, Illinois 60137
(630) 547-5250

APPLICATION FOR VARIATION

CLEAR PAGE

For the property at 787 Crescent Blvd Glen Ellyn, IL 60137

Note to the Applicant: This application should be filed with, and any questions regarding it, should be directed to the Director of the Village Planning and Development Department.

You may attach separate sheets as needed to answer any of the following questions.

The undersigned hereby petitions the Village of Glen Ellyn, Illinois, for one or more variations from the Glen Ellyn Zoning Code (Ordinance No. 3617-Z, as amended), as described in this application.

I. APPLICANT INFORMATION:

(Note: The applicant must comply with Section 10-10-10(B) of the Zoning Code).

Name: Leisha M. McCready & John M. Keel

Address: 787 Crescent Blvd Glen Ellyn, IL 60137

Home Phone No.: 630.469.8812 Cell Phone No.: 312.545.1032

Fax No.: _____

E-mail: jmatthewkeel@gmail.com

Ownership Interest in the Property in Question:

Owners

CLEAR PAGE

II. INFORMATION REQUIRED BY SECTION 10-10-10(B) OF THE ZONING CODE, IF APPLICABLE:

NOTE: All parties, whether petitioner, agent, attorney, representative and or organization et al. must be fully disclosed by true name and address in compliance with Section 10-10-10(B) of the Zoning Code. Disclosure forms are attached for your convenience.

Name and address of the legal owner of the property (if other than the applicant):

n/a

Name and address of the person or entity for whom the applicant is acting (if the applicant is acting in a representative capacity):

n/a

Is the property in question subject to a contract or other arrangement for sale with the fee owner? (Choose "Yes" or "No")

YES ☐

NO ☒

If YES, the contract purchaser must provide a copy of the contract to the Village and must either be a co-petitioner to this application or submit the attached Affidavit of Authorization with the application packet.

Is the property in question the subject of a land trust agreement? (Choose "Yes" or "No")

YES ☐

NO ☒

If YES, (1) either the trustee must be a co-petitioner or submit the attached Affidavit of Authorization from the trustee to represent the holders of the beneficial interests in the trust and (2) the applicant must provide a trust disclosure in compliance with "An Act to Require Disclosure of All Beneficial Interests", Chapter 148, Section 71 et seq., Illinois Revised Statutes, signed by the trustee.

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III. PROPERTY INFORMATION:Common address: 787 Crescent BlvdPermanent tax index number: 05-11-219-005

Legal description:

see plat of survey

Zoning classification: R2Lot size: _____ ft. x _____ ft. Area: 13,707 sq. ft.Present use: Residential HomeIV. INFORMATION REGARDING THE VARIATION(S) REQUESTED:

Description of the variation(s) requested (including identification of the Zoning Code provisions from which variation is sought) and proposed use(s):

Requesting relief on the impervious side yard setback requirement of 5% of the lot width for a walkway. Based on a lot width of 136', the walkway would need to be 6'10" from the property line. Code 10-5-5

Requesting relief on the side yard setback requirement of 10% of the lot width for a patio in rear of property. Based on a lot width of 136', the side yard setback for the patio would need to be 13'7" from the property line. Code 10-5-5.

Estimated date to begin construction: constructed

CLEAR PAGE

Names and addresses of any experts (e.g., planner, architect, engineer, attorney, etc.):

n/a

V. EVIDENCE RELATING TO ZONING CODE STANDARDS FOR A VARIATION:

The following items are intended to elicit information to support conclusions by the ZBA or PC and the Village Board that the required findings/standards for a variation under the Zoning Code have been established and met. Therefore, please complete these items carefully.

A. Standards Applicable to All Variations Requested:

1. Provide evidence that due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code:

The triangular shape presents practical difficulties due to the fact that the side yard setback is based on a lot width of 136'. Additionally, the angle of the lot creates a setback into the existing exit point via sliding glass doors. And, the two spaces would not be able to be connected:

2. a. Provide evidence that the property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code (i.e., without one or more variations):

n/a

OR

CLEAR PAGE

- b. Provide evidence that the plight of the applicant/owner is due to unique circumstances relating to the property in question:

We believe our property has very unique circumstances that qualifies it for the requested Variances. The shape of the lot is triangular and therefore causes greater than normal side yard setbacks in the rear of the property. There is a topographical change in the rear yard that would make it impractical to put the patio in another area.

3. Provide evidence that the requested variation(s), if granted, will not alter the essential character of the locality of the property in question:

We do not believe the walkway or patio would negatively alter the character of the property. Surrounding properties have similar patios.

- B. For the purpose of supplementing the above standards, the ZBA or PC, in making its recommendation that there are practical difficulties or particular hardships, shall also take into consideration the extent to which the evidence establishes or fails to establish the following facts favorably to the applicant:

1. Provide evidence that the particular physical surroundings, shape or topographical condition of the property in question would bring particular hardship upon the applicant/owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out:

see attached

CLEAR PAGE

2. Provide evidence that the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district:

A majority of the lots in the area are rectangular in shape and relatively flat. Our lot being triangular and having topographical changes creates unique conditions.

3. Provide evidence that the purpose of the variation is not based exclusively upon a desire to make more money out of the property in question:

We have owned the home since 1996 and plan to stay in the home indefinitely.

4. Provide evidence that the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property in question or by the applicant,

The property was subdivided from a larger parcel into a triangular shape prior to our ownership.

5. Provide evidence that the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located.

The walkway and patio are consistent with other properties in the area.

CLEAR PAGE

6. Provide evidence that the proposed variation will not:

a. Impair an adequate supply of light and air to adjacent property;

Both the walkway and patio are on the surface and will not impair any light or air to adjacent properties.

b. Substantially increase the hazard from fire or other dangers to the property in question or adjacent property;

All of the materials are pavers and not flammable. Furthermore, the walkway and patio increase safe exit areas to/from the property in the event of a fire.

c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village;

No.

d. Diminish or impair property values within the neighborhood;

The walkway and patio are consistent with other properties in the area.

e. Unduly increase traffic congestion in the public streets and highway;

No.

f. Create a nuisance; or

No.

CLEAR PAGE

- g. Results in an increase in public expenditures.

No.

7. Provide evidence that the variation is the minimum variation that will make possible the reasonable use of the land, building or structure.

The requested variance regarding the walkway would permit us to clean up this previously muddy space as well as allow us access to/from the rear of the property. It is a narrow space which previously had a partial concrete sidewalk and irregularly shaped limestone pavers. Heavy vegetative coverage, from above, limits the amount of light necessary to realistically grow any groundcover and/or other plant material.

The requested variance regarding the side yard setback for the patio would connect the sidewalk/outdoor patio located off our Family Room with a wall of sliding glass doors.

8. Please add any comments which may assist the commission in reviewing this application.

VI. CERTIFICATIONS, CONSENT AND SIGNATURE(S)

CLEAR PAGE

I (We) certify that all of the statements and documents submitted as part of this application are true and complete to the best of my (our) knowledge and belief.

I (We) consent to the entry in or upon the premises described in the application by any authorized official of the Village of Glen Ellyn.

I (We) certify that I (we) have carefully reviewed the Glen Ellyn Zoning Variation Request Package and applicable provisions of the Glen Ellyn Zoning Code.

I (We) consent to accept and pay the cost to publish a notice of Public Hearing as submitted on an invoice from the publishing newspaper. I (we) understand that our request will not be scheduled for a Village Board agenda until and unless this invoice is paid.

12-7-18
Date

John M. Keel
Print Name


Signature of Applicant

12/7/18
Date

LEISHAM McCREADY
Print Name


Signature of Applicant

Date

Print Name

Signature of Applicant

B1:

The unique circumstances of the property are the triangular shape of the lot, the topographical change in the rear yard and a plat of survey that was presented at closing in 1996 that showed more distance on the east side of the house than actually exists.

The patio is located outside of the family room that has sliding glass doors which access the rear yard. We constructed the patio to replace a pre-existing, multi-tier wood deck that was built prior to when the property was purchased in 1996. We believe this patio is more appropriate than the previous deck and more fitting to the area.

If the patio was constructed per the Zoning Code, the triangular shape of the lot requires setbacks that makes having a walkway of the side of the home and a patio in the rear yard very restrictive and an inability to connect the two spaces.

Walkway

The required setback for the side walk is 6 feet 10 inches. This would allow for a walkway of approximately 1.5 feet. This would make for a very narrow walkway on the side of the house and the exit door from the garage. Not only would this be very narrow, the remainder of the space would need to be filled with vegetative materials. It has been our experience that plant material has difficulty growing on that side of the house due to tree canopy, therefore we would potentially be left with mud on the side of the house which is one of the issues we were trying to remedy in the first place.

Rear Patio

The required setback for the patio is 13 feet 8 inches. This would cause two major issues with the patio. The setback would go to approximately half way through the existing sliding glass doors that are at the back of the home and then continue at an approximate 45 degree angle. Again, the remainder of the space would need to be filled with vegetative materials. This area too has been difficult to grow in and we would potentially be left with mud.

Connection of side and rear

The triangular shape of the lot creates two different setbacks for the side yard and rear yard that would not allow us to connect the side walk from the side of the home to the rear yard.

Topographical

The area where the patio is located is outside existing sliding glass doors. There is grade change to the west of the patio location that would make it challenging to move the patio to that location.

Survey

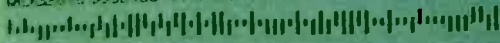
We also believe that a hardship has been created due to a plat of survey that was provided at the closing of the property in 1996. This survey showed nearly 3 feet more property on the east side of the house than we actually exists.

MAKE CHECK PAYABLE TO: DU PAGE COUNTY COLLECTOR - **SEND THIS COUPON** WITH YOUR 1ST INSTALLMENT PAYMENT OF **2017 TAX**

MAIL PAYMENT TO: P.O. BOX 4203, CAROL STREAM, IL 60197-4203

PAY ON-LINE AT: treasurer.dupageco.org
SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

MOX52018 0052483 1 AY 0378 01



05-11-219-005

MCCREADY, LEISHA & J KEEL

787 CRESCENT BLVD

GLEN ELLYN IL 60137-4263

1

ON OR BEFORE: PAY:

JUNE 1, 2018

\$0.00

PAYING LATE?

PAY THIS AMOUNT:

JUN 2 THRU 30	0.00
JUL 1 THRU 31	0.00
AUG 1 THRU 31	0.00
SEP 1 THRU 30	0.00
OCT 1 THRU 31	0.00
NOV 1 THRU 14	0.00

U.S. POSTMARK IS USED TO
DETERMINE LATE PENALTY.

PAYMENT OF THIS 2017 TAX
BILL AFTER OCTOBER 31, 2018,
REQUIRES A CASHIER'S CHECK,
CASH OR MONEY ORDER.

CHECK BOX AND
COMPLETE CHANGE
OF ADDRESS ON BACK

NO PAYMENT WILL BE ACCEPTED AFTER NOV. 14, 2018

ECT SETTLEMENT SOL has notified us of its intention to pay your real
Please contact them if you have any questions. This bill is sent for
only. No return envelopes have been included.

PAID DECEMBER 28, 2017

1051121900525036000000000001

MAKE CHECK PAYABLE TO: DU PAGE COUNTY COLLECTOR - **SEND THIS COUPON** WITH YOUR 2ND INSTALLMENT PAYMENT OF **2017 TAX**

MAIL PAYMENT TO: P.O. BOX 4203, CAROL STREAM, IL 60197-4203

PAY ON-LINE AT: treasurer.dupageco.org
SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

05-11-219-005

MCCREADY, LEISHA & J KEEL

787 CRESCENT BLVD

GLEN ELLYN IL 60137-4263

2

ON OR BEFORE: PAY:

AUG 31, 2018

\$0.00

PAYING LATE?

PAY THIS AMOUNT:

SEP 1 THRU 30	0.00
OCT 1 THRU 31	0.00
NOV 1 THRU 14	0.00

U.S. POSTMARK IS USED TO
DETERMINE LATE PENALTY.

PAYMENT OF THIS 2017 TAX
BILL AFTER OCTOBER 31, 2018,
REQUIRES A CASHIER'S CHECK,
CASH OR MONEY ORDER.

CHECK BOX AND
COMPLETE CHANGE
OF ADDRESS ON BACK

NO PAYMENT WILL BE ACCEPTED AFTER NOV. 14, 2018

igage holder will be paying your second installment,
id making a duplicate payment. Contact them if you
questions. No return envelopes have been included.

6 PAID DECEMBER 28, 2017

2051121900525036000000000002

Rate 2016	Tax 2016	Taxing District	Rate 2017	Tax 2017
		** COUNTY **		
1110	280.36	COUNTY OF DU PAGE	.1052	257.28
.0241	58.52	PENSION FUND	.0227	55.51
.0364	85.37	COUNTY HEALTH DEPT	.0340	83.15
.0133	31.19	PENSION FUND	.0130	31.79
.1417	332.37	FOREST PRESERVE DIST	.1207	295.19
.0097	22.75	PENSION FUND	.0099	24.21
.0176	41.28	DU PAGE AIRPORT AUTH	.0166	40.59
		** LOCAL **		
NO LEVY		DU PAGE WATER COMM	NO LEVY	
.0457	107.19	MILTON TOWNSHIP	.0449	109.81
.0723	169.58	MILTON TWP ROAD	.0710	173.64
.0025	5.86	PENSION FUND	.0024	5.86
.5184	1,215.95	VLG OF GLEN ELLYN	.5063	1,238.25
.3129	733.93	VLG GLEN ELLYN LIBR	.3082	753.76
.0242	56.76	PENSION FUND	.0202	49.40
.3853	903.75	GLEN ELLYN PARK DIST	.2968	725.88
.0128	30.02	PENSION FUND	.0122	29.83
.0107	25.09	GLEN ELLYN MOSQ DIST	.0106	25.92
		** EDUCATION **		
3.5300	8,279.96	GRADE SCHOOL DIST 41	3.3256	8,133.41
.0871	204.30	PENSION FUND	.0824	201.52
2.3446	5,499.49	HIGH SCHOOL DIST 87	2.2959	5,615.08
.0584	136.98	PENSION FUND	.0443	108.34
.2626	616.08	COLLEGE DU PAGE 502	.2431	594.66
8.0213	18,814.78	TOTALS	7.5860	18,553.08

Mailed to:
MCCREADY, LEISHA & J KEEL
787 CRESCENT BLVD
GLEN ELLYN IL 60137-4263

Property Location:

787 CRESCENT BLVD
GLEN ELLYN, 60137

Township Assessor:

MILTON
630-653-5220

Tax Code:

5036

Property Index Number:

05-11-219-005

CHANGE OF NAME/ADDRESS:
COUNTY CLERK 630-407-5540

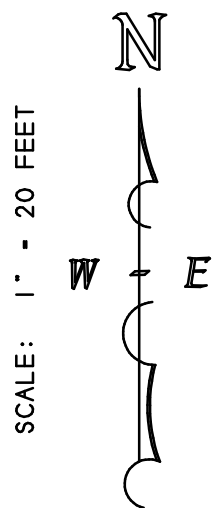
TIF Frozen Value	
Fair Cash Value	751,800
Land Value	81,020
+ Building Value	169,550
= Assessed Value	250,570
x State Multiplier	1.0000
= Equalized Value	250,570
- Residential Exemption	6,000
- Senior Exemption	
- Senior Freeze	
- Disabled Veteran	
- Disability Exemption	
- Returning Veteran Exemption	
- Home Improvement Exemption	
- Housing Abatement	
= Net Taxable Value	244,570
x Tax Rate	7.5860
= Total Tax Due	18,553.08
- Less Advance Payment	19,754.00
= Net Tax Due	-1,200.92

* S OF A FACTOR 1.0416



2017 DuPage County Real Estate Tax Bill
Gwen Henry, CPA, County Collector
421 N. County Farm Road
Wheaton, IL 60187

Office Hours - 8:00 am - 4:30 pm, Mon-Fri

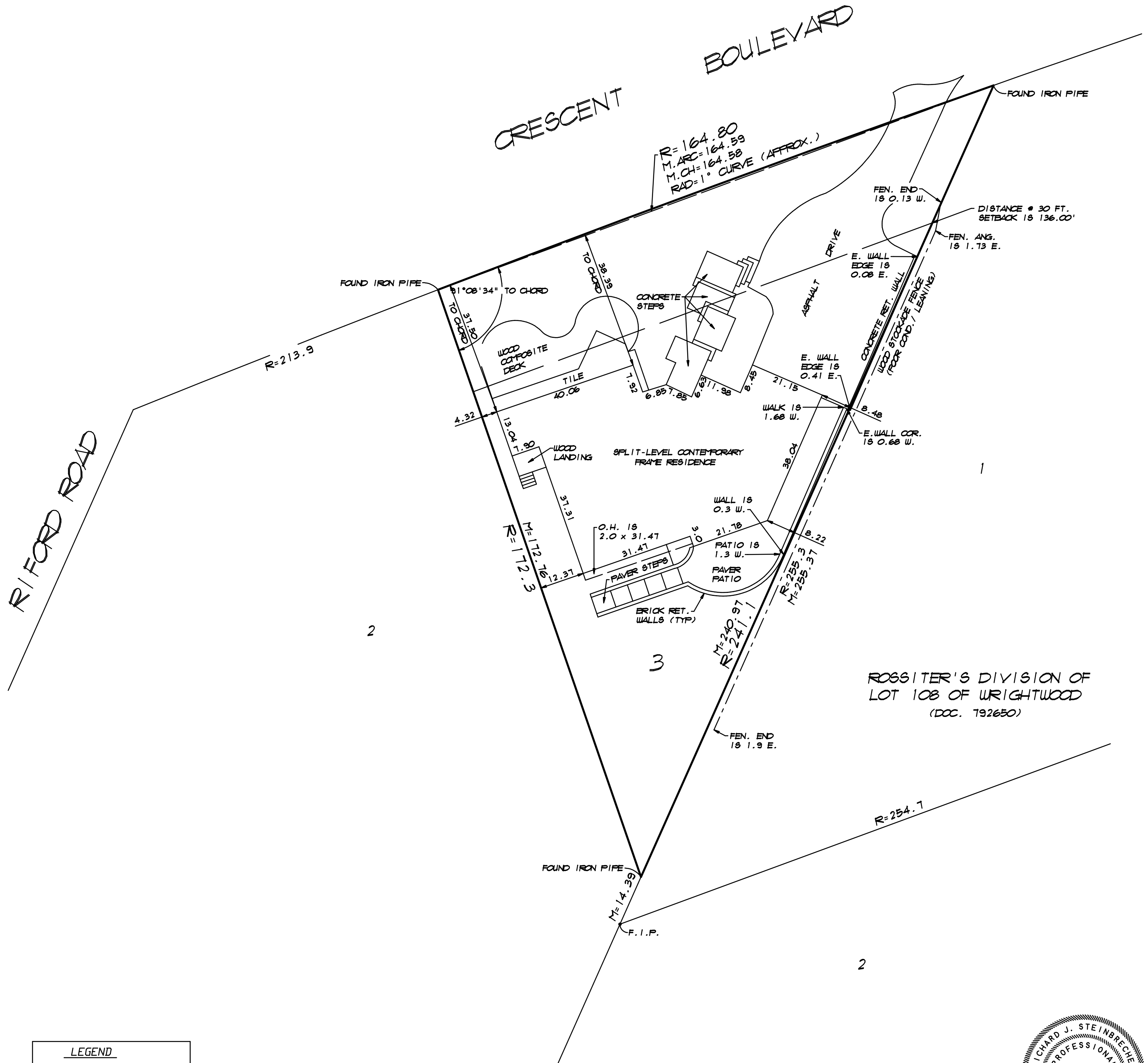


PLAT OF SURVEY

OF LOT 3 IN THE PLAT OF W.M. R. CLINES RESUBDIVISION OF PART OF LOT 1 IN H.B. BARNES SUBDIVISION, GLEN ELLYN, A SUBDIVISION OF LOTS 8 AND 11 OF COUNTY CLERK'S THIRD ASSESSMENT DIVISION OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID PLAT OF RESUBDIVISION RECORDED MARCH 15, 1949 AS DOCUMENT 564304, IN DU PAGE COUNTY, ILLINOIS.

This property is known as 787 Crescent Boulevard, Glen Ellyn, Illinois.

Prepared for Leisha McCreedy.



ROSSITER'S DIVISION OF
LOT 108 OF WRIGHTWOOD
(DOC. 792650)

LEGEND

F.I.P. = FOUND IRON PIPE
F.I.R. = FOUND IRON ROD
R = RECORDED DISTANCE
M = MEASURED DISTANCE
D = DEED
R.O.V. = RIGHT OF WAY
RAD. = RADIUS
CONC. = CONCRETE
M.H. = MANHOLE
V.V.V. = WATER VALVE VAULT
INV. = INVERT
PVC = POLYVINYL CHLORIDE PIPE
RCP = REINFORCED CONCRETE PIPE
TC = TOP OF CURB
EP = EDGE OF PAVEMENT

STATE OF ILLINOIS)
COUNTY OF DUPAGE) S.S.

This is to certify that Steinbrecher Land Surveyors, Inc., Registered Professional Land Surveying Design Firm Corporation No. 184-003126, has surveyed the property shown and described hereon, which is to the best of our knowledge and belief, a correct representation thereof. This professional service conforms to the current Illinois minimum standards for a boundary survey.

West Chicago, Illinois, November 14, 2018
Revised December 3, 2018



Richard J. Steinbrecher
Professional Land Surveyor 3583
License expires Nov. 30, 2020

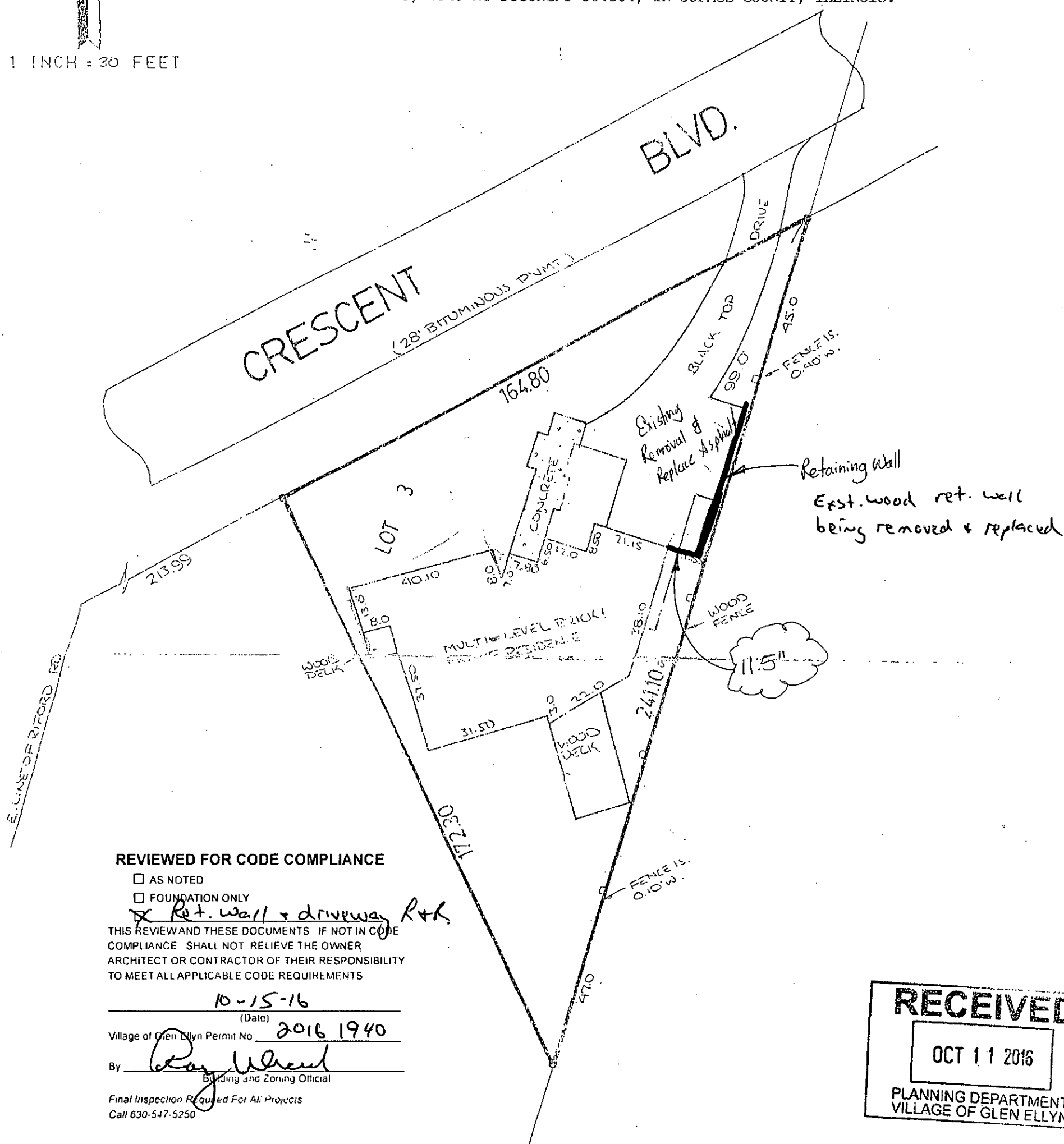
Steinbrecher Land Surveyors, Inc.



Professional Land Surveying
Design Firm Corporation No. 184-003126
141 S. Neltner Blvd., West Chicago, IL 60185-2844
(630) 293-8900 Fax 293-8902

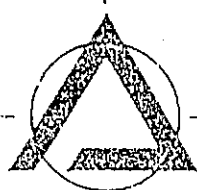
DD1737:787CRESC

1 INCH = 30 FEET



10-15-16
(Date)
Village of Glen Ellyn Permit No. 2016 1940
By Ray Ward
Building and Zoning Official
Final Inspection Required For All Projects
Call 630-547-5250

PLANNING DEPARTMENT
VILLAGE OF GLEN ELLYN



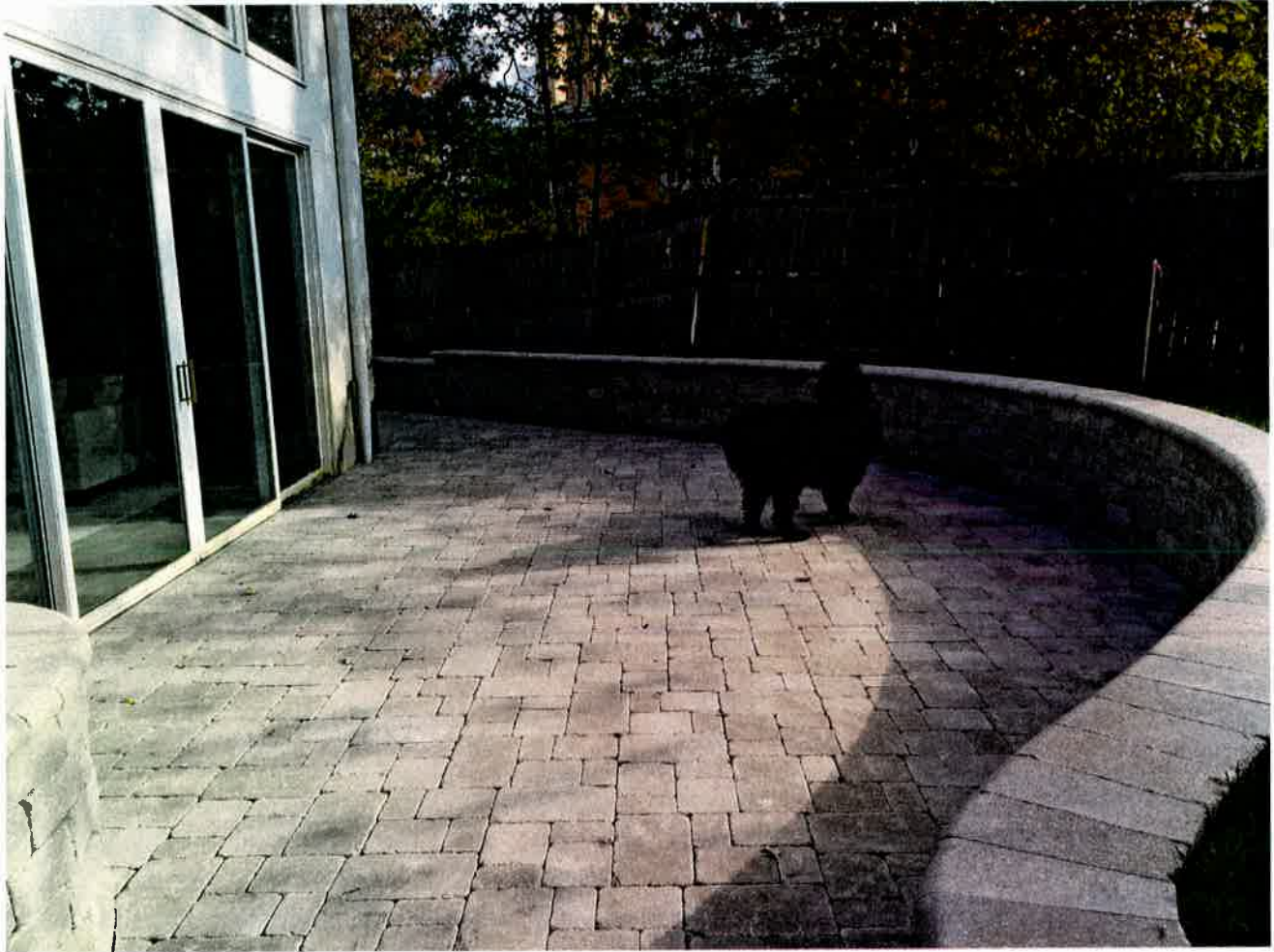
STATE OF ILLINOIS) S.S.
COUNTY OF DU PAGE) DAVID
JO BRADSTREET
WE TRI-ANGLE LAND SURVEYING HEREBY CERTIFY
THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN
SURVEYED UNDER THE DIRECTION OF A REGISTERED
ILLINOIS LAND SURVEYOR AND THAT THE PLAT IS
A CORRECT REPRESENTATION OF SAID SURVEY. ALL
DIMENSIONS ARE IN FEET AND DECIMAL PARTS
THEREOF, CORRECT AT 62 F.

David Bradstreet

ILLINOIS REGISTERED LAND SURVEYOR : 2787
DATE: JUNE 17, 1996



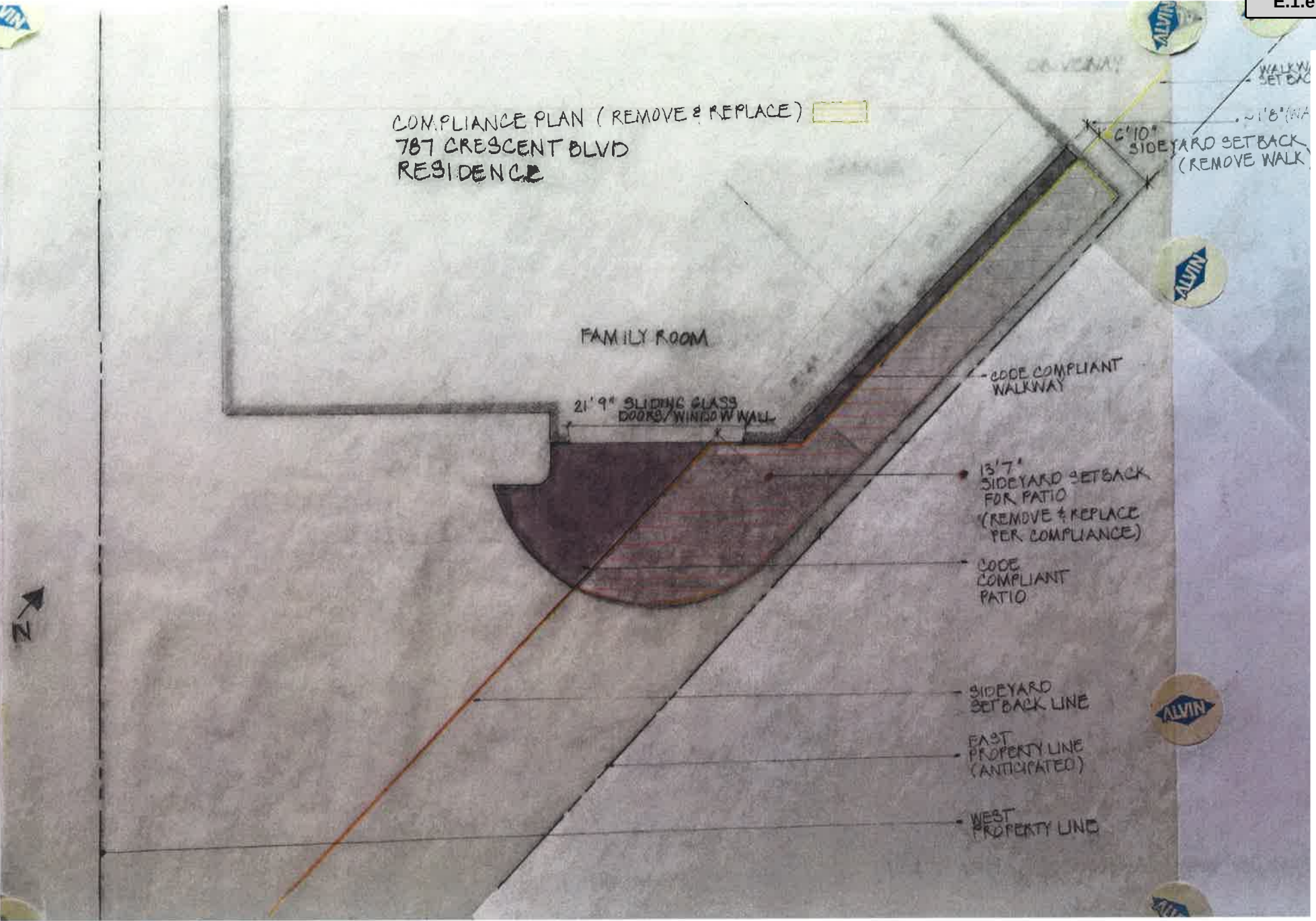
Attachment: Photos - Existing Conditions (3723 : 787 Crescent Blvd. - Accessory Structure Setback & Impervious Surface Setback - CNV)





Attachment: Photos - Existing Conditions (3723 : 787 Crescent Blvd. - Accessory Structure Setback & Impervious Surface Setback - CNV)

COMPLIANCE PLAN (REMOVE & REPLACE)
787 CRESCENT BLVD
RESIDENCE



10-5-4. - Accessory structures and uses.

(A) Accessory structure (or building):

1. **Location:** Accessory structures in required yard setbacks shall be subject to the provisions of subsection 10-5-5(B), "Permitted Obstructions In Required Yard Setbacks", of this chapter.
2. **Area:**
 - (a) The total combined area of all freestanding accessory structures on a zoning lot shall be limited to 1,000 square feet, but no more than 30 percent of a required rear yard, whichever is less. For all corner lots, the size of the rear yard shall be the area bounded by the side lot line, rear lot line, corner side lot line, and rear setback line. See Figure 15 in Section 10-11-2.
 - (b) Single-family residences constructed in the R0, R1, R2 and R3 zoning districts shall be granted an allowance of up to 100 square feet for the construction of one accessory structure with the exception of a detached garage, notwithstanding the existing lot coverage ratio provided that the total lot coverage ratio shall be no more than 25 percent for a single-family dwelling of more than one story or 35 percent for a single-family dwelling of one story. Said single accessory structure shall have a peaked roof with a ridge height of nine feet or less and be constructed so that no wall of the structure is more than 12 feet in length.
3. **Number:** The total number of accessory buildings on a zoning lot shall be limited to three, and no more than one of each type unless authorized by a special use permit.
4. **Setbacks:**
 - (a) **Location to front property line :** Accessory structures shall be located no closer to the front property line than the principal structure on the lot. On reversed corner lots, accessory structures shall observe the same setbacks as the principal structure on the zoning lot. Accessory structures located on corner lots shall be located no less than 20 feet from the corner side lot line, except in the residential estate district where all accessory structures shall be located no closer to the front or corner side yard property line than the principal structure on the lot.
 - (b) **Structures less than ten feet from principal structure :** Accessory structures less than ten feet from a principal structure shall observe the same setbacks as the principal structure on the zoning lot.
 - (c) **Structures greater than ten feet from principal structure :** Accessory structures greater than ten feet from the principal structure shall maintain a distance equal to five percent of the lot width (and no less than three feet) from the side and rear property lines, and no less than 20 feet from a corner side property line.
 - (d) **Distance between buildings:** Accessory buildings must be separated from each other by a minimum of five feet measured from wall to wall.

(B) Accessory use:

1. **Garage sale:**
 - (a) Limited to no more than two per year for each dwelling unit.
 - (b) Shall comply with all pertinent Village laws and regulations.
 - (c) Shall be limited to a period of no more than three consecutive days.

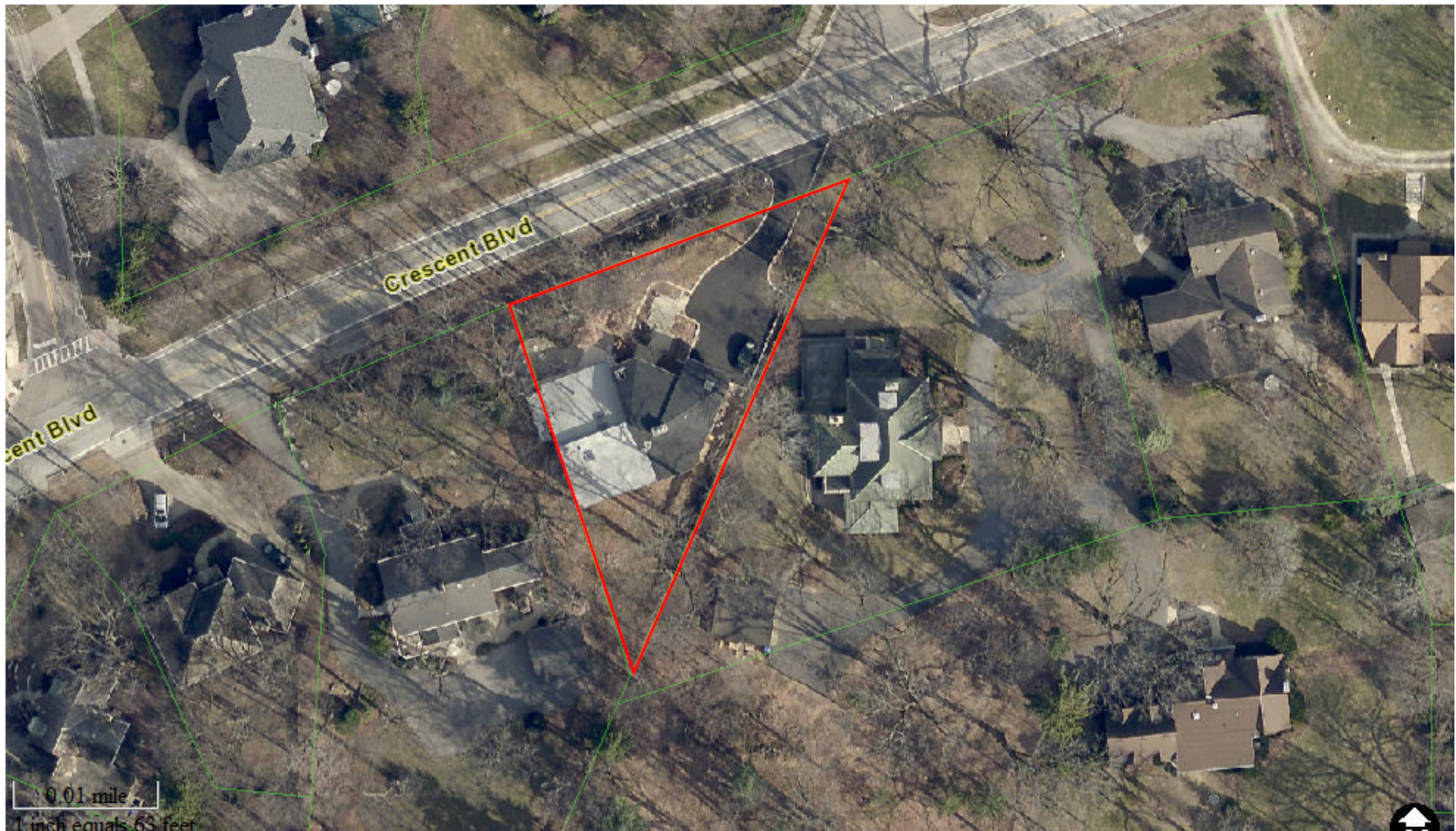
(C) Trash containers and dumpsters: All trash containers and dumpsters associated with nonresidential and multi-family uses must be enclosed in accordance with the provisions in subsection 10-5-5(B)4. of this chapter for "Wall, screen (including refuse and recycling, loading dock, and mechanical equipment)".

10-5-5. - Yards.

(C) *Impervious surfaces setback:*1. *New construction, class II and III alterations, class III additions:*

Lot Width	Distance (Between Edge Of Impervious Surface And Lot Line)
66' and less	2% of lot width
More than 66' to 90' or less	3% of lot width
More than 90' to 100' or less	4% of lot width
More than 100'	5% of lot width

787 Crescent - Aerial View



Map created on December 7, 2018.

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Disclaimer: This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

787 Crescent - Zoning & Location



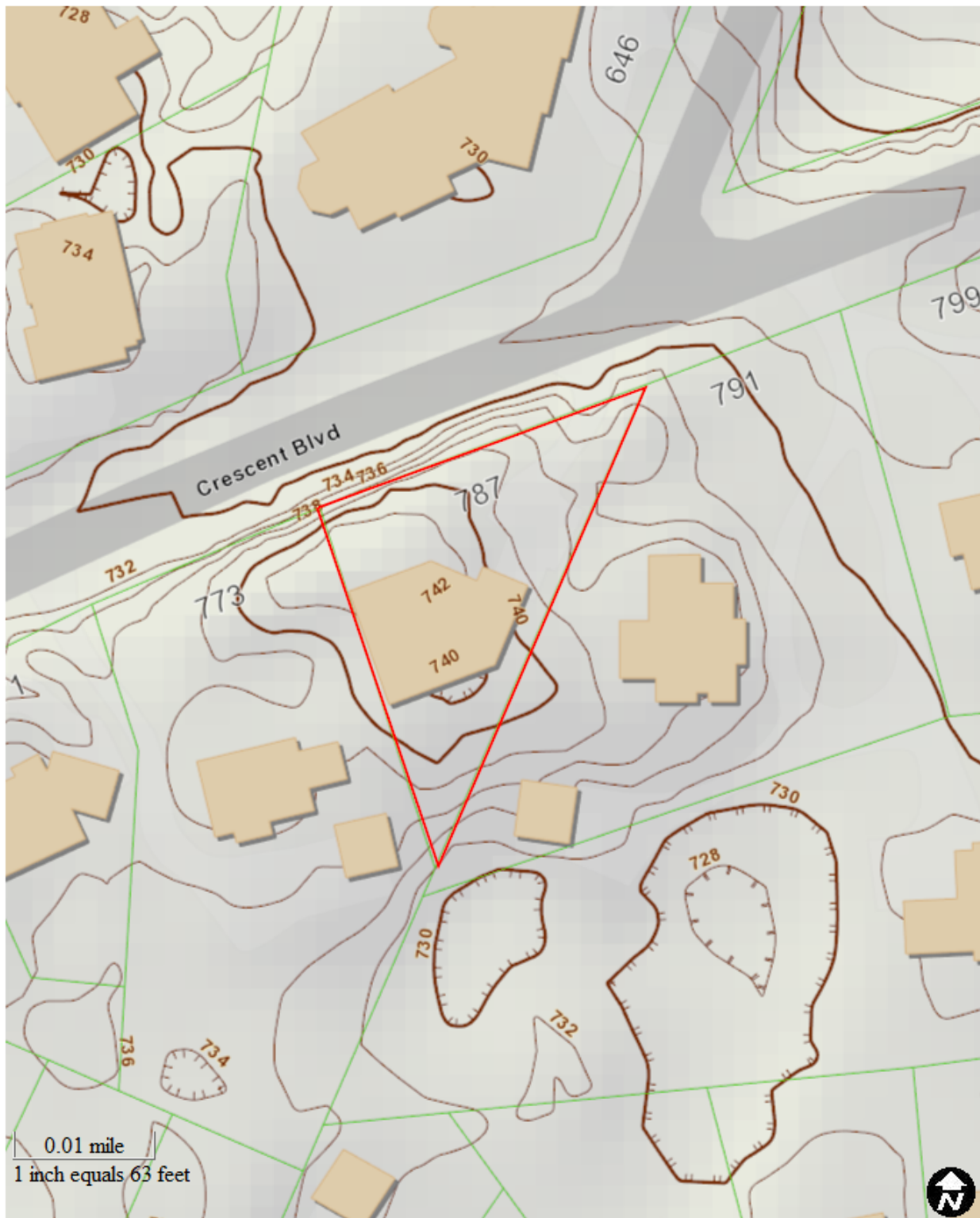
Map created on December 7, 2018.

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787 Crescent - 2 ft Contours



Map created on December 7, 2018.

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Disclaimer: This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.



NOTICE OF PUBLIC HEARING

Leisha McCready and John Keel, owners of the property at 787 Crescent Boulevard, are requesting a public hearing for a variation in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code. The Glen Ellyn Zoning Board of Appeals will conduct a public hearing to consider the variation on **Tuesday, December 11, 2018** at 7:00 p.m. on the third floor in the Civic Center, 535 Duane Street, Glen Ellyn, Illinois. Anyone is welcome to attend.

The property owner is requesting approval of a variation from the Glen Ellyn Zoning Code as follows:

1. Section 10-5-4(A)4(b) – to allow a constructed patio to remain less than 1 foot from the east property line in lieu of 13.5 feet.
2. 10-5-5(C)1 – to allow a constructed walkway to remain at a distance of less than 1 foot from the east property line in lieu of 6.75 feet
3. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

The subject property is located in the R2 Residential Zoning District and is legally described as follows:

OF LOT 3 IN THE PLAT OF W.M. R. CLINES RESUBDIVISION OF PART OF LOT 1 IN H. B. BARNES SUBDIVISION, GLEN ELLYN, A SUBDIVISION OF LOTS 8 AND 11 OF COUNTY CLERK'S THIRD ASSESSMENT DIVISION OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID PLAT OF RESUBDIVISION RECORDED MARCH 15, 1949 AS DOCUMENT 564304, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-11-219-005

Plans related to the proposed project are available for public review in the Planning and Development Department, Civic Center, 535 Duane Street, Glen Ellyn, Illinois. If you have questions, please contact Kelly Purvis at (630) 547-5371. For individuals with disabilities who have questions regarding the accessibility of the meeting or facilities, please contact the Village at least 24 hours in advance of the meeting at (630)469-5000.

X:\Plandev\BUILDING\ZBA\VARIATION BY ADDRESS\CRESCENT\787 Crescent Blvd - Imp Surface\Public Notice.doc



Village of Glen Ellyn

Archill Woods Forest Preserve

E.1.k
**350 Foot buffer
from
787 Crescent Bl**



Attachment: Location Map for PUBLIC Hearing Notice (3723 : 787 Crescent Blvd. - Accessory Structure

REIFEL, GREGORY & LAURIE
OR CURRENT PROPERTY OWNER
617 RIFORD RD
GLEN ELLYN, IL 60137

KUZYCZ, GEORGE B & TANIA
OR CURRENT PROPERTY OWNER
795 CRESCENT BLVD
GLEN ELLYN, IL 60137

JOHNSON, DOUGLAS & BETH
OR CURRENT PROPERTY OWNER
657 PLUM TREE RD
GLEN ELLYN, IL 60137

ASCHER, STEPHEN & KAREN
OR CURRENT PROPERTY OWNER
796 EDGEWOOD DR
GLEN ELLYN, IL 60137

CLARKE, PETER & CAROLE
OR CURRENT PROPERTY OWNER
647 RIFORD RD
GLEN ELLYN, IL 60137

ROSENBERG, PAUL K & KAREN
OR CURRENT PROPERTY OWNER
641 RIFORD RD
GLEN ELLYN, IL 60137

ZIPSER, MICHAEL & PAULA
OR CURRENT PROPERTY OWNER
595 RIFORD RD
GLEN ELLYN, IL 60137

MC ELVAIN, PETER & CAROL
OR CURRENT PROPERTY OWNER
587 RIFORD RD
GLEN ELLYN, IL 60137

FORD, ERIK G
OR CURRENT PROPERTY OWNER
771 CRESENT BLVD
GLEN ELLYN, IL 60137

GUNN, STUART & LYNNE
OR CURRENT PROPERTY OWNER
591 RIFORD RD
GLEN ELLYN, IL 60137

JONKHEER JR, PERRY & IMA
OR CURRENT PROPERTY OWNER
806 EDGEWOOD DR
GLEN ELLYN, IL 60137

RITE WAY CUSTOM HOMES LLC
OR CURRENT PROPERTY OWNER
640 DUANE ST 2ND FL
GLEN ELLYN, IL 60137

SCOTTINO, THOMAS & RITA
OR CURRENT PROPERTY OWNER
811 CRESCENT BLVD
GLEN ELLYN, IL 60137

CLARKE, PETER & CAROLE
OR CURRENT PROPERTY OWNER
647 RIFORD RD
GLEN ELLYN, IL 60137

MCCREADY, LEISHA & J KEEL
OR CURRENT PROPERTY OWNER
787 CRESCENT BLVD
GLEN ELLYN, IL 60137

BRENNAN, ANDREW & BRIDGET
OR CURRENT PROPERTY OWNER
749 CRESCENT BLVD
GLEN ELLYN, IL 60137

KALFAS, DIANA
OR CURRENT PROPERTY OWNER
599 RIFORD RD
GLEN ELLYN, IL 60137

CONSTANTINE JAMES & CAROL
OR CURRENT PROPERTY OWNER
807 CRESCENT BLVD
GLEN ELLYN, IL 60137

GREEN, MARY ELLEN
OR CURRENT PROPERTY OWNER
646 RIFORD RD
GLEN ELLYN, IL 60137

ITASCA BANK & TRUST
OR CURRENT PROPERTY OWNER
308 W IRVING PARK RD
ITASCA, IL 60143

DEMURO, EUGENE & P
OR CURRENT PROPERTY OWNER
799 CRESCENT BLVD
GLEN ELLYN, IL 60137

ZINDLER, ALAN & CAROL
OR CURRENT PROPERTY OWNER
615 RIFORD RD
GLEN ELLYN, IL 60137

WEAVER, JACOB & PATRICIA
OR CURRENT PROPERTY OWNER
773 CRESCENT BLVD
GLEN ELLYN, IL 60137

WANNEMAKER, JOSEPH & H
OR CURRENT PROPERTY OWNER
790 EDGEWOOD DR
GLEN ELLYN, IL 60137

PETERSON, PAUL & MICHELLE
OR CURRENT PROPERTY OWNER
579 RIFORD RD
GLEN ELLYN, IL 60137

KEMP, EDWIN & DAWN
OR CURRENT PROPERTY OWNER
611 RIFORD RD
GLEN ELLYN, IL 60137

PEARSON, SCOTT & DUSKA
OR CURRENT PROPERTY OWNER
791 CRESCENT BLVD
GLEN ELLYN, IL 60137

D AMBROSIO, JANET & JAMES
OR CURRENT PROPERTY OWNER
760 CRESCENT BLVD
GLEN ELLYN, IL 60137

SHEKLETON, MAUREEN E
OR CURRENT PROPERTY OWNER
805 EDGEWOOD DR
GLEN ELLYN, IL 60137

PETERSON, ALAN & MILDRED
OR CURRENT PROPERTY OWNER
646 PLUM TREE RD
GLEN ELLYN, IL 60137

BRZOWSKI, S & T O GRADY
OR CURRENT PROPERTY OWNER
750 CRESCENT BLVD
GLEN ELLYN, IL 60137

LANGILLE, BRUCE & VALORIE
OR CURRENT PROPERTY OWNER
612 HICKORY RD
GLEN ELLYN, IL 60137

BLOWERS, DUNCAN & JENN
OR CURRENT PROPERTY OWNER
681 DUANE ST
GLEN ELLYN, IL 60137

MARKBY, JAMES J & MAUREEN
OR CURRENT PROPERTY OWNER
618 HICKORY RD
GLEN ELLYN, IL 60137

KINNEY, MICHAEL & C B
OR CURRENT PROPERTY OWNER
645 RIFORD RD
GLEN ELLYN, IL 60137

BOGDANSKI, RONALD & D
OR CURRENT PROPERTY OWNER
660 PLUM TREE RD
GLEN ELLYN, IL 60137

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The property owner is requesting approval of a variation from the Glen Ellyn Zoning Code as follows:

1. Section 10-5-4(A)(4)(b) - to allow a constructed patio to remain less than 1 foot from the east property line in lieu of 13.5 feet.
2. 10-5-5(C)(1) - to allow a constructed walkway to remain at a distance of less than 1 foot from the east property line in lieu of 6.75 feet.
3. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

The subject property is located in the R2 Residential Zoning District and is legally described as follows:

OF LOT 3 IN THE PLAT OF W.M. R. CLINES RESUBDIVISION OF PART OF LOT 1 IN H. B. BARNES SUBDIVISION, GLEN ELLYN, A SUBDIVISION OF LOTS 8 AND 11 OF COUNTY CLERK'S THIRD ASSESSMENT DIVISION OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID PLAT OF RESUBDIVISION RECORDED MARCH 15, 1949 AS DOCUMENT 564304, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-11-219-005
Plans related to the proposed project are available for public review in the Planning and Development Department, Civic Center, 535 Duane Street, Glen Ellyn, Illinois. If you have questions, please contact Kelly Purvis at (630) 547-5371. For individuals with disabilities who have questions regarding the accessibility of the meeting or facilities, please contact the Village at least 24 hours in advance of the meeting at (630) 469-5000.

Published in Daily Herald November 26, 2018 (4513752)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

DuPage County
Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DuPage County DAILY HERALD**. That said **DuPage County DAILY HERALD** is a secular newspaper, published in Naperville and has been circulated daily in the Village(s) of:

Addison, Aurora, Bartlett, Bensenville, Bloomingdale, Carol Stream,
Darien, Downers Grove, Elmhurst, Glen Ellyn, Glendale Heights,
Hanover Park, Hinsdale, Itasca, Keeneyville, Lisle, Lombard, Medinah,
Naperville, Oakbrook, Oakbrook Terrace, Plainfield, Roselle, Villa Park,
Warrenville, West Chicago, Westmont, Wheaton, Willowbrook,
Winfield, Wood Dale, Woodridge

County(ies) of DuPage

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DuPage County DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published November 26, 2018 in said DuPage County DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY

Laurel Baetz

Designee of the Publisher and Officer of the Daily Herald

Control # 4513752

