



Agenda
Village of Glen Ellyn
Zoning Board of Appeals
Regular Meeting
Tuesday, September 22, 2020
7:00 PM

Glen Ellyn Civic Center, Galligan Board Room

A. Call to Order

B. Public Comment (Non Agenda Items)

C. Chairperson's Statement of Remote Meeting Procedures

This meeting will be conducted by audio or video conference without a physically present quorum of the Glen Ellyn Zoning Board of Appeals because of a disaster declaration related to COVID-19 and public health concerns affecting the Village of Glen Ellyn. The Chairperson of the Zoning Board of Appeals has determined that an in-person meeting at the Civic Center is not practical or prudent because of the disaster. The Chairperson, members of the Zoning Board of Appeals, Village Manager, and Village Attorney will not be physically present at the Civic Center because their attendance is unfeasible due to the disaster. Physical attendance at the Civic Center by the public is also not feasible because of the disaster.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83438734651?pwd=WUU2UlJESm9qcDhjdFViOFVhS01SUT09>

Password: 234012

Or iPhone one-tap :

US: +13126266799,,83438734651#,,,0#,,234012#
+16465588656,,83438734651#,,,0#,,234012#

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or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 834 3873 4651

Password: 234012

D. Allow Remote Participation of ZBA Members (roll call vote)

E. Approval of Draft Minutes from July 28, 2020, Zoning Board of Appeals Meeting

1. July 28, 2020 Zoning Board of Appeals Draft Meeting Minutes

F. Public Hearing: 170 Macintosh Court

1. 170 Macintosh Court | Zoning Variations for Accessory Structures

G. Village Board Trustee Report

H. Chairperson's Report

I. Staff Report

1. Next scheduled ZBA meeting(s)

J. Adjournment

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. Questions regarding petitions scheduled for review by the Village Board should be directed to the Community Development Department at (630) 547-5250.



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

Meeting: 09/22/20 07:00 PM
Department: Zoning Board of Appeals
Department Head: Katie Ashbaugh
Category: Minutes
Prepared By: Katie Ashbaugh

SCHEDULED

AGENDA ITEM (ID # 4637)

DOC ID: 4637

July 28, 2020 Zoning Board of Appeals Draft Meeting Minutes

ATTACHMENTS:

- July 28, 2020 Zoning Board of Appeals Draft Meeting Minutes (PDF)

DRAFT MINUTES
ZONING BOARD OF APPEALS
JULY 28, 2020

The meeting was called to order by ZBA Chairperson Gregory Constantino at 7:02 p.m. Zoning Board of Appeals Members Katie Crudele, Matt Jones, Chip Miller, Reed Panther and Thomas Whalls were present. Zoning Board of Appeals Member Michelle Covington was excused. Also present were Community Development Director Staci Springer, Planner Katie Ashbaugh, Senior Civil Engineer Amy McKenna and Recording Secretary Lindsey Kaminsky.

Chairperson Constantino stated tonight's meeting is called to continue the public hearing opened on June 23, 2020, by the ZBA for the property located at 727 N. Park Boulevard. A second notice as required by state statute was also published on July 13, 2020 in the *Daily Herald* to conduct a public hearing for the property located at 614 Roger Road. All property owners affected by each of variation(s) being considered tonight were also notified by mail and placards were also placed on the properties.

Chairperson Constantino stated this meeting will be conducted by audio or video conference without a physically present quorum of the Glen Ellyn Zoning Board of Appeals (ZBA) at the Civic Center because of a disaster declaration related to COVID-19 and public health concerns affecting the Village of Glen Ellyn. The Chairperson of the ZBA has determined that an in-person meeting at the Civic Center is not practical or prudent because of the disaster. The Chairperson, members of the ZBA Village Manager, and Village Attorney will not be physically present at the Civic Center because their attendance is unfeasible due to the disaster. Physical attendance at the Civic Center by the public is also not feasible because of the disaster.

Chairperson Constantino stated it is important that the cases scheduled tonight be heard to continue critical Village business which will enable ongoing construction, development, protection of property values, and the promotion of the Village's economic vitality.

Chairperson Constantino stated the ZBA is advisory in nature and the actual variations that are being requested can only be granted by the Village of Glen Ellyn Board of Trustees. The ZBA's function is to listen to whatever testimony is offered by the petitioner and others. We take significant evidence, agree on the facts which we have found from the evidence, consider and deliberate among ourselves and then we make a recommendation to the Village Board.

Chairperson Constantino stated if the ZBA makes a recommendation favorable to the granting of the variation(s) requested, then the Village Board requires a majority vote for the final approval of the ordinance to grant the variation(s). If the ZBA makes a recommendation to deny the requested variation(s), it would then require a two-thirds vote of the Trustees of the Glen Ellyn Village Board to pass an ordinance approving the variation(s) requested.

EMERGENCY RULES OF PROCEDURE

Chairperson Constantino requested a motion to allow the members of the ZBA to participate remotely. ZBA Member Jones moved, seconded by ZBA Member Whalls, to allow the members of the ZBA to participate remotely. The motion was carried by roll call vote, which carried with 6 "yes"

votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls. ZBA Member Covington was excused.

MINUTES

ZBA Member Crudele moved, seconded by ZBA Member Panther, to approve the minutes of the June 23, 2020 meeting. The motion was carried by roll call vote of 6 “yes” votes and 0 “no” votes. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls. ZBA Member Covington was excused.

On the agenda was a public hearing regarding the property at 727 N. Park Boulevard continued from June 23, 2020 and a public hearing regarding the property at 614 Roger Road.

ZBA Chairperson Constantino stated all members of the ZBA have visited both properties and are familiar with the plans that were submitted.

ZBA Chairperson Constantino explained this is a continuation of the public hearing opened on June 23, 2020 for the property located at 727 N. Park Boulevard.

PUBLIC HEARING – 727 N. PARK BOULEVARD.

PETITIONER KELLEY KALINICH IS REQUESTING APPROVAL FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: 1. TO ALLOW A LOT COVERAGE OF APPROXIMATELY 23.2 PERCENT WHERE THE MAXIMUM PERMITTED LOT COVERAGE FOR PRINCIPAL STRUCTURES GREATER THAN ONE-STORY IS 20 PERCENT. 2. TO ALLOW A RETAINING WALL OF APPROXIMATELY 36 INCHES IN HEIGHT TO BE ZERO (0) INCHES FROM THE NORTH INTERIOR SIDE LOT LINE WHERE A SETBACK OF TWO (2) FEET SIX (6) INCHES IS REQUIRED FOR RETAINING WALLS WITH A HEIGHT OF 36 INCHES OR LESS. 3. TO ALLOW A RETAINING WALL OF APPROXIMATELY 72 INCHES IN HEIGHT TO BE APPROXIMATELY FOUR (4) FEET FROM THE SOUTH INTERIOR SIDE LOT LINE WHERE A SETBACK OF FIVE (5) FEET IS REQUIRED FOR RETAINING WALLS WITH A HEIGHT GREATER THAN 36 INCHES. 4. TO ALLOW AN EAVE HEIGHT OF APPROXIMATELY 23 FEET NINE (9) INCHES FROM THE AVERAGE EXISTING GRADE WHERE THE MAXIMUM PERMITTED EAVE HEIGHT IS 22 FEET. 5. TO ALLOW A RIDGE HEIGHT OF 32 FEET FOUR (4) INCHES FROM THE AVERAGE EXISTING GRADE WHERE THE MAXIMUM PERMITTED RIDGE HEIGHT IS 32 FEET. 6. TO ALLOW ANY OTHER ZONING RELIEF NECESSARY TO CONSTRUCT THE PROJECT AS DEPICTED ON THE PLANS PRESENTED OR REVISED AT THE PUBLIC HEARING OR A PUBLIC MEETING OF THE VILLAGE BOARD.

(Kelley Kalinich, owner of the property located at 727 N. Park Boulevard)

Staff Presentation

Planner Ashbaugh stated the petitioner is requesting approval of the following variations from the Glen Ellyn Zoning Code:

1. Section 10-4-8(E)(1) to allow a lot coverage of approximately 23.2 percent where the maximum permitted lot coverage for principal structures greater than one-story is 20 percent;
2. Section 10-5-5(B)(4) #38 to allow a retaining wall of approximately 36 inches in height to be zero (0) inches from the north interior side lot line where a setback of two (2) feet six (6) inches is required for retaining walls with a height of 36 inches or less;
3. Section 10-5-5(B)(4) #38 to allow a retaining wall of approximately 72 inches in height to be approximately four (4) feet from the south interior side lot line where a setback of five (5) feet is required for retaining walls with a height greater than 36 inches;
4. Section 10-4-8(F)(1) to allow an eave height of approximately 23 feet nine (9) inches from the average existing grade where the maximum permitted eave height is 22 feet;
5. Section 10-4-8(F)(1) to allow a ridge height of 32 feet four (4) inches from the average existing grade where the maximum permitted ridge height is 32 feet;
6. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or a public meeting of the Village Board.

Planner Ashbaugh stated the petitioner is also proposing to install an architectural feature, a cupola with a weathervane, on top of the existing structure's ridge. Planner Ashbaugh stated per Section 10-4-8(F)(3), the maximum high shall not apply to architectural features such as weathervanes, turrets, 50 percent open guardrails or lightning rods, provided the top of the feature does not exceed five (5) feet in height. Planner Ashbaugh stated provided the elevation is updated to reflect the height above the existing ridge as being "5 feet max", not "5 feet min", no variations are required.

Planner Ashbaugh stated the DuPage County Stormwater and Floodplain Ordinance (DCSFO), as amended by the Village, is applied to all development application and building permits filed for any site improvements. Planner Ashbaugh noted the Village's requirements are stricter than those outlined in the DCSFO. Planner Ashbaugh also referred to the staff report which indicated that the size of the drywell is required for the proposed improvements is a volume of 85 ft³ and the petitioner is providing 106 ft³.

Planner Ashbaugh stated the revised plan also shows the drywell in the lower area of the yard, because the requirements or the structural engineer to construct the drywell beneath the driveway and behind the retaining wall were cost-prohibitive. Planner Ashbaugh noted Senior Civil Engineer McKenna finds that this plan is acceptable and exceeds the Village's already stringent stormwater management requirements required on all permitted projects.

Senior Civil Engineer McKenna stated she has spoken to the petitioner's engineer regarding the retaining wall and drywell placement. Senior Civil Engineer McKenna stated the plan has been updated to move the drywell from the eastern part of the lawn by the driveway to the southeast corner of the

lot. Senior Civil Engineer McKenna stated with the updated plan, the water will collect at the retaining wall and will go to the drywell on the southeast corner of the lot. Senior Civil Engineer McKenna stated she is comfortable with this plan.

Questions from the Zoning Board of Appeals

ZBA Member Crudele asked if there are any additional variations being requested. Planner Ashbaugh confirmed there are not. Planner Ashbaugh did note there was the addition of the cupola to the top of house on the plans since the last meeting, but a variation is not required for it provided that it is less than 5 feet in height. She said that if it is less than this height, it can be considered an architectural element or feature by the Zoning Code.

ZBA Chairperson Constantino asked about the ridge/eave height. Planner Ashbaugh stated the request is to maintain to same ridge/eave height of the already existing home.

ZBA Chairperson Constantino asked for confirmation that the proposed drywell is 106 cubic feet where 86 cubic feet is required. Senior Civil Engineer McKenna confirmed and stated the proposed drywell is 25 percent larger than what is required.

ZBA Member Jones asked if the variations would have been approved at the previous meeting if Senior Civil Engineer McKenna would have completed the same review process with the proposed stormwater plan. Senior Civil Engineer McKenna stated the process would have been the same for her.

ZBA Member Miller asked if any contingency should be added to the motion. Senior Civil Engineer McKenna stated no addition conditions are required as the petitioner has gone above and beyond the required stormwater requirements.

ZBA Member Whalls asked what the size of the drywell is. Senior Civil Engineer McKenna stated it is 7 feet by 14 feet and 3 feet deep.

ZBA Member Whalls asked if the underlying issue is that most of the water runs to the southeast corner of the lot. Senior Civil Engineer McKenna confirmed this.

ZBA Member Whalls asked if the owner at 708 Lenox Road has stormwater issues. Senior Civil Engineer McKenna stated the owner has made improvements to his property including a stormwater system. Senior Civil Engineer McKenna stated a connection from the drywell to the existing stormwater system is not reasonable due to the minimal amount of water that is expected to be collected in the drywell.

ZBA Member Whalls asked if this is the best solution for this situation. Senior Civil Engineer McKenna stated she believes it is.

ZBA Chairperson Constantino asked if Senior Civil Engineer McKenna has worked with the structural engineer. Senior Civil Engineer McKenna stated she was worked with the site civil engineer, Mr. Hur.

Petitioners' Presentation

Sworn in for the Petitioner's Preservation was Matt Mazza, structural engineer.

Mr. John Pcolinski stated at the last ZBA meeting was a very thoughtful meeting. Mr. Pcolinski stated at the previous meeting the ZBA expressed willingness to approve the variations, but had concerns regarding the stormwater plan. Mr. Pcolinski stated since the last meeting Senior Civil Engineer McKenna has worked with the engineers and they have created a plan that is effective as well as cost effective. Mr. Pcolinski is requesting the variations be approved.

Mr. Alecs Hur stated he has worked with Senior Civil Engineer McKenna over the last couple of weeks and has listened and addressed all of her concerns.

Mr. Matt Mazza stated he was asked to design the retaining wall that will be placed by the driveway. Mr. Mazza also noted the placement of the drywell has been moved to the southeast corner of the lot to allow for better stormwater management.

Additional Questions from the Zoning Board of Appeals

ZBA Chairperson Constantino asked Mr. Hur if he is comfortable moving forwarding with the plans as submitted to manage the runoff. Mr. Hur confirmed he is.

ZBA Member Whalls asked what plans are set in place if the proposed plan does not effectively manage the water runoff. Mr. Hur stated as their plans exceed the Village's requirements by 25 percent, he is not concerned.

ZBA Member Whalls asked about potential grading issues. Senior Civil Engineer McKenna stated the Village does a final review of the grading.

ZBA Member Whalls asked if the sump pump will be connected to the drywell. Ms. Kelley Kalinich stated she does not have a sump pump.

ZBA Chairperson Constantino asked if Mr. Mazza will be on site during the construction of the retaining wall and drywell. Mr. Mazza stated typically the designer is not on site to overview the construction of the plans and they will follow the typical structure of completing the plans where the contractor is required to follow the approved plans.

Persons in Favor of or in Opposition to the Variation Requests

No one spoke for or against these variation requests.

Findings of Fact

ZBA Member Panther stated the majority of the findings or fact will remain the same as previously approved, and the following is a continuation from the June 23, 2020 findings of fact.

ZBA Member Panther stated the following findings of fact: the ZBA heard from Planner Ashbaugh, who stated the plans show a five foot minimum architectural feature on the top of the house and it is recommended the plans be revised to show a five foot maximum architectural feature so a variation is not required.

ZBA Member Panther continued the findings of fact: the ZBA heard from Senior Civil Engineer McKenna who stated the drywell was relocated from behind the retaining wall to the southeast corner of the lot and staff indicated the petitioner's structural engineer had coordinated with stormwater improvements with Senior Civil Engineer McKenna. Senior Civil Engineer McKenna indicated that 85 cubic feet of storage was required and the petitioners are proposing 106 cubic feet of storage, which exceeds the Village Code requirements by approximately 25 percent. Senior Civil Engineer McKenna stated the runoff would be captured in a drain behind the retaining wall that will be dispersed through the outlets at the base of the wall and will flow toward the drywell. Senior Civil Engineer McKenna stated the plan does go above and beyond what is required by Village Code.

ZBA Member Panther continued the findings of fact: the ZBA heard from Mr. Pcolinski who indicated there was an opportunity for future refinement of the stormwater plan if the Village sees fit. The ZBA then heard from Mr. Hur, who confirmed Senior Civil Engineer McKenna's assessment of the drainage improvements. The ZBA then heard from Mr. Mazza who indicated there were issues with placing the drywell behind the retaining wall as discussed, and suggested the placement of the drywell at the southeast corner of the lot.

Motion

ZBA Member Whalls moved, seconded by ZBA Member Crudele, that the Zoning Board of Appeals recommend to amend and approve of the Findings of Fact. The motion was carried by a roll call vote of 6 "yes" votes and 0 "no" votes. The "yes" votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls. ZBA Member Covington was excused.

Additional Comments from the Zoning Board of Appeals

ZBA Member Crudele stated she is in favor of the variations. ZBA Member Crudele stated the petitioners have done a good job at exceeding the requirements outlined in the Village Code and she has trust in Senior Civil Engineer McKenna to review the proposed stormwater plans.

ZBA Member Jones stated he is favor of the project, and the variations are similar to projects that were approved in the past. ZBA Member Jones also stated he is confident with Senior Civil Engineer McKenna to review the proposed stormwater plans.

ZBA Member Miller stated he is favor of the variations and stated the plans fit with the character of the neighborhood.

ZBA Member Panther stated he is favor of the variations and the updated drainage plans.

ZBA Member Whalls stated he is in favor of the project and variations and stated the he believes the drywell should be sufficient.

ZBA Chairperson Constantino stated he is in favor of the project and the variations that were requested.

Motion

A motion was made by ZBA Member Crudele and seconded by ZBA Member Jones to close the public hearing for 727 N. Park Boulevard at 8:11 p.m. The motion was carried by roll call vote with 6 “yes” votes and 0 “no” votes. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls. ZBA Member Covington was excused.

A motion was made by ZBA Member Miller and seconded by ZBA Member Jones, as follows:

Having considered the application of Kelley Kalinich, petitioner and owner of the property located at 727 N. Park Boulevard, for the following zoning variations: to allow a lot coverage of approximately 23.2 percent where the maximum permitted lot coverage for principal structures greater than one-story is 20 percent; to allow a retaining wall of approximately 36 inches in height to be one (1) foot from the north interior side lot line where a setback of two (2) feet six (6) inches is required for retaining walls with a height of 36 inches or less; to allow a retaining wall of approximately 72 inches in height to be approximately four (4) feet from the south interior side lot line where a setback of five (5) feet is required for retaining walls with a height greater than 36 inches; to allow an eave height of approximately 23 feet nine (9) inches from the average existing grade where the maximum permitted eave height is 22 feet; to allow a ridge height of 32 feet four (4) inches from the average existing grade where the maximum permitted ridge height is 32 feet; and any other zoning relief necessary to allow a two-story, three-level addition with an attached three-car garage to an existing principal structure, an extension to the existing driveway, and new retaining walls on the subject property, 727 N. Park Boulevard, an interior nonconforming lot in the R2 – Residential District, as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board, the Zoning Board of Appeals hereby adopts the findings of fact in the petitioner’s application packet and presented by the petitioner at the Zoning Board of Appeals public hearing conducted on June 23, 2020, and as continued to July 28, 2020, as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends APPROVAL of the requested zoning variations from Sections 10-4-8(E)(1), 10-5-5(B)(4) #38, and 10-4-8(F)(1) of the Glen Ellyn Zoning Code due to the following hardship(s) or unique circumstance(s):

1. The retaining wall needs to be in the location requested due to safety and water runoff control.
2. The lot is a non-standard width of 50 feet versus 66 feet.
3. The plans fit with the character of the neighborhood.

The motion was carried by roll call vote with 6 “yes” votes and 0 “no” votes. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls. ZBA Member Covington was excused.

ZBA Chairperson Constantino stated the ZBA has now recommended approval and this application will go to the Village Board for Approval.

A motion was made by ZBA Panther and seconded by ZBA Member Jones to open the public hearing for 614 Roger Road at 8:20 p.m. The motion was carried by roll call vote of 6 “yes” votes and 0 “no” votes. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls. ZBA Member Covington was excused.

PUBLIC HEARING – 614 ROGER ROAD.

PETITIONER DANIEL J. SIMONEIT IS REQUESTING APPROVAL FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: 1. TO ALLOW A REAR YARD SETBACK OF 29 FEET THREE (3) INCHES WHERE A REAR YARD SETBACK OF 40 FEET IS REQUIRED FOR THE CONSTRUCTION OF AN ADDITION TO AN EXISTING PRINCIPAL STRUCUTRE IN THE R2 DISTRICT. 2. TO ALLOW ANY OTHER ZONING RELIEF NECESSARYT O CONSTRUCT THE PROJECT AS DEPICTED ON THE PLANS PRESENTED OR REVISED AT THE PUBLIC HEARING OR AT A PUBLIC MEETING OF THE VILLAGE BOARD.

(Daniel J. Simoneit, petitioner on behalf of Joseph and Jessica Charron, owners of the property located at 614 Roger Road).

Staff Presentation

Planner Ashbaugh was present to speak regarding the proposed variation request and was sworn in. Planner Ashbaugh stated 614 Roger Road is an interior lot located on the west side of Roger Road, mid-block between Woodland Drive and Ellynwood Drive. Planner Ashbaugh stated the subject property, the property to the north, the property to the east across Roger Road, the property to the west and the property to the south, are all zoned R2-Residential District and are all improved with single family homes.

Planner Ashbaugh stated the petitioner is requesting a variation from Section 10-4-8(D)(2) from the Zoning Code to allow a rear yard setback of 29 feet three (3) inches where a rear yard setback of 40 feet is required for the construction of an addition to an existing principal structure in the R2 District.

Planner Ashbaugh stated the subject property is a one-story single family home with an attached garage. Planner Ashbaugh stated the lot area is approximately 14,713 square feet with a lot width of 90 feet. Planner Ashbaugh stated the home is currently 40 feet 6 inches from the front lot line, 8 feet 1.5 inches from the north interior lot line, 5 feet 10.5 inches from the south interior side lot line and 44 feet 2 inches from the rear lot line. Planner Ashbaugh stated the interior and side yard set backs are non-conforming.

Planner Ashbaugh noted the topography has a downward slope from west to east, and there is a slight bend on the rear lot line. Planner Ashbaugh also noted the current lot coverage is about 17 percent and with the addition the lot coverage will be 19.5 percent.

Questions from the Zoning Board of Appeals

ZBA Member Crudele asked what is on the other side of the west (rear) lot line. ZBA Chairperson Constantino stated there is a home that sits at a high elevation and is at least two stories.

ZBA Member Jones asked what the maximum lot coverage is for a one-story and two-story home. Planner Ashbaugh stated it is 35 percent for a one-story home and 20 percent for a two-story home. Planner Ashbaugh stated the proposed lot coverage of 19.5 percent is well under the 35 percent allowed for a one-story home.

Petitioners' Presentation

Sworn in for the Petitioner's Presentation were Joseph and Jessica Charron, owners of the property located at 614 Roger Road; Daniel J. Simoneit, petitioner on behalf of the property owners.

Mr. Charron stated he and his wife moved to Glen Ellyn from St. Louis about three years ago; and his wife is originally from Glen Ellyn. Mr. Charron stated they also have two young children. Mr. Charron stated they love the home and location, but the home is not large enough for their family. Mr. Charron stated they would like to expand their home so they can continue living there.

Mr. Simoneit stated this is a typical variation request. Mr. Simoneit stated the home was built prior to the adoption of the current code which requires a 40 foot rear yard setback. Mr. Simoneit stated the house sits oddly on the property at a skew. Mr. Simoneit also noted there is an 11 foot drop in grade from the rest/west yard to the front/east yard. Mr. Simoneit also noted the rear yard is irregular with an inward pointing crease that shortens the depth of the rear yard at its center.

Mr. Simoneit stated an addition to the front of the home was considered, but it would have been more difficult and costly as well as dramatically changing the characteristics of the home and neighborhood.

Mr. Simoneit stated the home exists today pretty much as it was build and finished in 1957 and is need of many updates. Mr. Simoneit also noted the home only has three bedrooms and one bathroom.

Mr. Simoneit stated a single point of access will be created to a mudroom and the master bathroom addition is humble in size.

Additional Questions from the Zoning Board of Appeals

ZBA Member Jones asked why the door entering the house from the garage was moved. Mr. Simoneit stated currently when you enter the house from the garage you are at the landing to the basement with stairs behind and in front of you. Mr. Simoneit stated the plan is to convert that space into a pantry/storage area. Mr. Simoneit stated the remodeling of the placement of the entrance takes care of a safety issue.

ZBA Member Miller asked if the concave part of the west lot line is created from the public drainage and utility easement. Mr. Simoneit stated the concave area is caused from the arch of the street on Midway Park to the west

ZBA Member Panther asked if the addition will be built on crawl space or the basement. Mr. Simoneit stated the addition will be on crawl space as it is not possible to be completed on the basement.

Persons in Favor of or in Opposition to the Variation Requests

No one spoke for or against these variation requests.

Findings of Fact

ZBA Member Panther stated the following findings of fact: the project in question is 614 Roger Road; the owners are Joseph and Jessica Charron, represented by Daniel J. Simoneit; the petitioners are requesting a variation from Section 10-4-8(D)(2) of the Glen Ellyn Zoning Code to allow a rear yard setback of 29 feet three (3) inches where a rear yard setback of 40 feet is required for the construction of an addition to an existing principal structure in the R2 District.

ZBA Member Panther continued the findings of fact: the ZBA heard from Village Planner Katie Ashbaugh, who indicated the property is located in an R2 Zoning District located midblock between Woodland Drive and Ellynwood Drive; both of the interior side yards are non-conforming; there are no prior variations that have been granted for this property; the petitioners are proposing a 370 square foot addition to the rear of the garage; the home is located on a skew on the property; approximately 113 square feet of the addition falls within the 40 foot setback; the rear property line has a bend to it, which adds to the encroachment and the property has a significant elevation change sloping from the southwest to the northeast.

ZBA Member Panther continued the findings of fact: the ZBA heard from Daniel J. Simoneit, on behalf of the petitioners, who indicated the existing home is placed on a skew; there is approximately 11 feet of fall from the southwest to the northeast of the property, which creates a hardship; the petitioners have explored going to the front of the property but was not cost effective and would have also required a variation due to the skew on the lot; this is the minimal request for the property owners to get what they want out of the property and it does not maximize the lot coverage allowed on this property; the shape of the lot creates an additional hardship.

Motion

ZBA Member Jones moved, seconded by ZBA Member Whalls that the Zoning Board of Appeals recommend to amend and approve of the Findings of Fact. The motion was carried by roll call vote of 6 “yes” votes and 0 “no” votes. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls. ZBA Member Covington was excused.

Additional Comments from the Zoning Board of Appeals

ZBA Member Crudele stated she is in favor of this variation.

ZBA Jones stated he is in favor of this variation and he likes they are keeping a ranch in Glen Ellyn and the addition of the master bedroom. ZBA Member Jones stated he appreciates this is improving a house in Glen Ellyn.

ZBA Member Miller stated this is a very straight forward variation and is in favor of the variations.

ZBA Member Panther stated he is in favor of the variations.

ZBA Whalls stated he is in favor of the variations.

ZBA Chairperson Constantino stated he is in favor of the variations.

Motion

A motion was made by ZBA Member Panther and seconded by ZBA Member Crudele to close the public hearing for 614 Roger Road at 8:50 p.m. The motion was carried by roll call vote of 6 “yes” votes and 0 “no” votes. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls. ZBA Member Covington was excused.

A motion was made by ZBA Member Miller and seconded by ZBA Member Jones, as follows:

Having considered the application of Daniel J Simoneit, petitioner on behalf of Joseph and Jessica Charron, owners of the property located at 614 Roger Road, Glen Ellyn, for a zoning variation to allow a rear yard setback of 29 feet three (3) inches where a rear yard setback of 40 feet is required for the construction of an addition to an existing principal structure on the property located at 614 Roger Road, an interior lot in the R2 – Residential District, as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board, the Zoning Board of Appeals hereby adopts the findings of fact in the petitioner’s application packet and presented by the petitioner at the Zoning Board of Appeals public hearing conducted on July 28, 2020, as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends APPROVAL of the requested zoning variation from Section 10-4-8(D)(2), of the Glen Ellyn Zoning Code due to the following hardship(s) or unique circumstance(s):

1. The house sits at an odd angle on the lot with an 11 foot elevation change back to front.
2. The lot line is concave with the center line pushing into the property six (6) feet six (6) inches.

The motion was carried by roll call vote with 6 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls. ZBA Member Covington was excused.

ZBA Chairperson Constantino stated the ZBA has now recommended approval and this application will go to the Village Board for Approval.

Village Board Trustee Report

Trustee Christiansen stated the Village has won the lawsuit against the Save Main group, and will be moving forward with the Apex 400 project. Trustee Christiansen stated she is unsure of the next steps.

Trustee Christiansen stated a four-unit townhouse development was approved at the July 27, 2020 Village Board meeting.

Staff Report

Planner Ashbaugh stated there are several active applications, but they are not ready to move forward to a ZBA meeting.

Adjournment

At 9:57 p.m., a motion was made by ZBA Member Panther and seconded by ZBA Member Jones to adjourn the meeting. The motion was carried by a roll call vote with 6 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls. ZBA Member Covington was excused.

Respectfully submitted,

Lindsey Kaminsky
Recording Secretary

Reviewed by,

Katie Ashbaugh, AICP
Planner



Zoning Board of Appeals

535 Duane Street
Glen Ellyn, IL 60137

Meeting: 09/22/20 07:00 PM
Department: Zoning Board of Appeals
Department Head: Cole Jackson
Category: Public Hearing
Prepared By: Cole Jackson

SCHEDULED

AGENDA ITEM (ID # 4636)

DOC ID: 4636 F

170 Macintosh Court | Zoning Variations for Accessory Structures

PROPERTY: 170 Macintosh Court is a corner lot with frontage on three streets including IL-53, Sheehan Avenue, and Macintosh Court. It is defined as a through lot in the Zoning Code, and therefore has two front yards and no rear yard. The property is located east of IL-53, south of Sheehan Avenue, and west of Macintosh Court.

PETITIONER: The petitioners are Tony and Katie Crudele, owners of the property at 170 Macintosh Court.

REQUEST: The petitioners are requesting a recommendation of approval of the following variations from the Glen Ellyn Zoning Code:

1. Variation from Section 10-5-4(A)(4)(a) to allow two accessory structures closer to the front property line than the principal structure on the lot.
2. Variation from Section 10-5-5(B)(4) #15 to allow a gazebo in the front yard.
3. Variation from Section 10-5-5(B)(4) #29 to allow a shed in the front yard.
4. Any other zoning relief necessary to allow the shed and gazebo, as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

ZONING/USE: The subject property and the properties to the north, south, and east are all zoned R2 - Residential District and are all improved with single family homes. The property to the west across IL-53 is zoned R2 - Residential District but is developed as Glen Crest Junior High School.

PUBLIC NOTICE: Notice of the public hearing was published in the September 4, 2020, 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: In 1992, the Village granted a variation through Ordinance 3968 to permit a 6-foot fence in the front and corner side yard of the property.

**PERMIT
HISTORY:**

Year	Permit No.	Type
1991	B12677	New construction of single-family home
1992	B13326	Fence
1992	B13141	Deck
2003	B22237	Fence
2003	B22781	Gazebo

EXISTING:**R2 Lot Requirements [10-4-8(D)]****Subject Property Data**

Lot Area	8,712 ft ² (0.20 acres)	13,643 ft ² (0.31 acres)
Lot Width	80', corner lots; 66', all other lots	89.92'
Front Yard East Lot Line	30'	30.24'
Front Yard West Lot Line	~42' 9" required (between 30' and 50' for new construction; but no closer than the closest principal structure on adjacent lots on the same side of the street)	~54' actual
Corner Side Yard	30'	31.41'
Interior Side Yard	9' required	(6.5' or 10% of the total lot width, whichever is greater 9.19' from south interior side lot line to principal structure)
Rear Yard	40'	N/A

PROPOSED:

The petitioners propose to construct a 240 square foot (13ft high) gazebo and 80 square foot (8.2ft high) resin storage shed in the front yard of the property (between the principal structure and IL-53). The gazebo and shed would be constructed in otherwise Code compliant locations, an appropriate distance from the lot lines. The front yard along IL-53 is surrounded by a fence on three sides and for all intents and purposes is used like a rear yard. The principal structure is oriented so that the primary door to the home is on Macintosh Court and functionally the "rear" door faces IL-53. Because the Zoning Code defines the front yard on corner lots as "the shortest dimension of the lot adjacent to the street" and the property line along IL-53 is the shortest, the yard abutting IL-53 is considered the front yard despite functionally acting as a back yard. In addition, the R2 District Regulations

require through lots to provide a front yard on both streets. In this case a front yard would be required on both the Macintosh Court and IL-53 sides of the property.

As noted above, a previous variation was granted to allow a 6 foot fence on what would function as the rear yard for this property. Note, the four homes to the south of the subject property are similarly situated and functionally use the yard along IL-53 as their rear yard as well. For the petitioners to move forward with the construction of the accessory structures, the abovementioned variations must be granted.

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 practical difficulty or a 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 request in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code.

ATTACHMENTS

1. Application for Zoning Variation
2. Aerial Photo
3. Zoning & Location Map
4. 2-Foot Contour Map
5. Plat of Survey
6. Proposed Site Plan
7. Public Hearing Notice
8. Location Map for Public Hearing Notice
9. Mailing List for Public Hearing Notice
10. Certificate of Publication

CC: Staci Springer, AICP, Director of Community Development
 Paula Moritz, Plan Reviewer
 Katie Ashbaugh, AICP, Planner

ATTACHMENTS:

- 1. Petitioner's Application Packet (PDF)
- 2. Aerial Photo (PDF)
- 3. Zoning & Location Map (PDF)
- 5. Plat of Survey (PDF)

- 6. Proposed Site Plan (PDF)
- 7. Public Hearing Notice (PDF)
- 8. Location Map for Public Hearing Notice (PDF)
- 9. Mailing List for Public Hearing Notice (PDF)
- 10. Certificate of Publication (PDF)
- 4. 2-Foot Contour Map (PDF)

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

CLEAR ALL PAGES

APPLICATION FOR VARIATION

For the property at 170 Macintosh Ct. 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 Community Development Department.

You may attach separate sheets if additional space is needed for the following answers.

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: Tony & Katie Crudele
 Address: 170 Macintosh Ct., Glen Ellyn, IL 60137
 Home Phone No.: 708-228-9469 Cell Phone No.: 630-398-9991
 Fax No.: _____
 E-mail: crudelehomes@gmail.com

Ownership Interest in the Property in Question:

Owners of the Property in Question; Purchased in September 2018

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):

See above - applicant.

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

Not applicable.

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.

III. PROPERTY INFORMATION:Common address: 170 Macintosh Ct., Glen Ellyn, IL 60137Permanent tax index number: 05-24-304-034

Legal description:

LOT 5 AND THE NORTHERLY 3 FEET OF LOT 6 IN ORCHARD GLEN SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 17, 1991 AS DOCUMENT R91-042556, IN DUPAGE COUNTY ILLINOIS.

Zoning classification: R-2Lot size: 150 ft. x 93 ft. Area: 13,476 sq. ft.

Present use:

Residential Home

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):

We are seeking two variations to Village Code 10-2-2 Section 10-5-4.4(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

Estimated date to begin construction: As soon as possible, by lat

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

Biango Construction - Nick Biango

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:

We purchased our home with the intention of using what we believed was our backyard with the existing gazebo structure that was in place. Additionally, we had planned to add a storage shed to the property for use of storing our equipment to maintain the home and lawn. The previous homeowners owned a landscaping company and had the luxury of not needing this

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):

OR

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

Without a variation to Village Code 10-2-2 section 10-5-4.4(a), we, as the current homeowners, would not be permitted to build any accessory structure anywhere on

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

The essential character of the locality of the property in question would not be altered as any accessory structure to the land would be an improvement. In looking around the neighborhood, there are homes with sheds, swimming pools and decks and this type of coding does not apply as we are in a unique circumstance, therefore, requiring a variance.

- 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:

Because this property is a unique through lot, surrounded by Rt. 53, Sheehan and Macintosh Ct., there is very limited privacy and limited storage space.

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 unique location of this property in that the property is a through lot with frontage on Rt. 53, Sheehan and Macintosh Ct. is the basis for a variation. Similar properties located in R-2 Zoning do not need this variation for accessory structures.

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:

As new homeowners to this property with one toddler and another baby on the way, we have every intention of this being our forever home that we raise our family in and enjoy the land. We are not looking at these improvements to the land in order to make a profit, but in order to improve the privacy to our family, the maintenance to our home and the overall well-being we hope to experience in the many years to come as Glen Ellyn residents.

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.

We are the co-owners of this property and look at these improvements as an investment into our family's well-being.

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 addition of accessory structures would not be detrimental to the public welfare or neighbors. If anything, it could provide additional privacy to our neighbors at 172 Macintosh as they have been looking for ways to make that section of their yard more private from foot traffic on Sheehan as the previous 'PLASTIC SHED' provided them additional privacy.

6. Provide evidence that the proposed variation will not:

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

The adjacent property will have adequate air and light as the Gazebo will have open-air elements (screens) and will abide by the Village's side-yard setback requirements leaving a minimum of 9.6 feet to the South property line.

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

We do not foresee any hazard impacting the neighbors to the south of our property.

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

We do not foresee impairing any public health, safety, comfort, morals or general welfare of the inhabitants of the Village.

d. Diminish or impair property values within the neighborhood;

Adding accessory structures will not diminish or impair property values.

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

The proposed structures would not have any effect on traffic congestion in the public streets.

f. Create a nuisance; or

The proposed project would not create a nuisance.

- g. Results in an increase in public expenditures.

The proposed structures will have no impact to the public expenditures.

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

This property is in a unique situation that the conditions for the variation would not be applicable generally to other properties within the same zoning district. The minimal variation would allow us, as homeowners, to make reasonable use of our land by enabling us to enjoy the land as originally intended.

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

As previously stated, we view this property as not only a piece of land, but as the land that hosts our forever home and our future with our family. We have every intention of contributing to this community and growing our family's memories here in Glen Ellyn. If these variances are granted, we will enjoy the use of our land with intended purpose and will have additional privacy for our family from the heavy traffic of Rt. 53 and the increased foot traffic up and down Sheehan as it is a common walk way for residents and a pathway for children attending the middle school across the street. We will do everything we can to abide by the standards and codes set forth by the Village as we have the utmost respect for Glen Ellyn and its residents.

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.

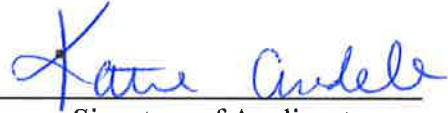
I (We) consent to accept and pay the cost to publish a notice of Public Hearing as submitted on an invoice from the publishing newspaper. I (we) understand that our request will not be scheduled for a Village Board agenda until and unless this invoice is paid.

7/16/20

Date

Katie Crudele

Print Name



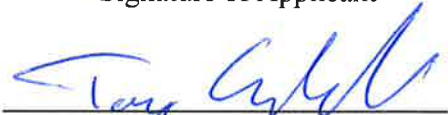
Signature of Applicant

7/16/20

Date

Tony Crudele

Print Name



Signature of Applicant

Date

Print Name

Signature of Applicant

Affidavit Affirming No Conflict of Interest

The undersigned, being duly sworn and under oath, states as follows:

1. My name is Tony & Katie Crude and I hold the position of Homeowners for 170 Macintosh Ct., ("Applicant").
2. I have personal knowledge of all facts stated in this Affidavit, and if called to testify, I could and would testify competently thereto.
3. I am authorized by the Applicant to make the representations and statements in this Affidavit on the Applicant's behalf in support of the application for development approval ("Application") the Applicant filed with the Village of Glen Ellyn ("Village").
4. To the best of my knowledge, and as of the Application's date, no individual that is employed by the Village or sits on an elected or appointed Village board or commission has a financial interest in the Applicant, the Application, or the project proposed by the Applicant.
5. To the best of my knowledge, and as of the Application's date, no individual that is related to any person that is employed by the Village or sits on an elected or appointed Village board or commission has a financial interest in the Applicant, the Application, or the project proposed by the Applicant.
6. I will immediately notify the Village if the Applicant learns of the material inaccuracy of any statement within this Affidavit.

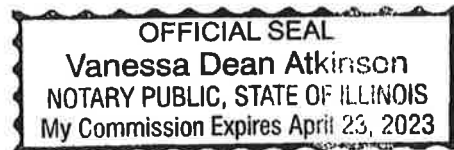
Further affiant sayeth naught.

Name: Tony & Katie Crude
 Title: Homeowners
 Applicant's Name: Tony & Katie Crude

Subscribed and sworn to me this

18 day of August, 2020.

Vanessa D. Atkinson
 Notary Public





Map created on August 24, 2020.

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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.

Parcel Line for Photo View

Parcel Line for Photo View



170 Macintosh Zoning Map



Map created on August 24, 2020.

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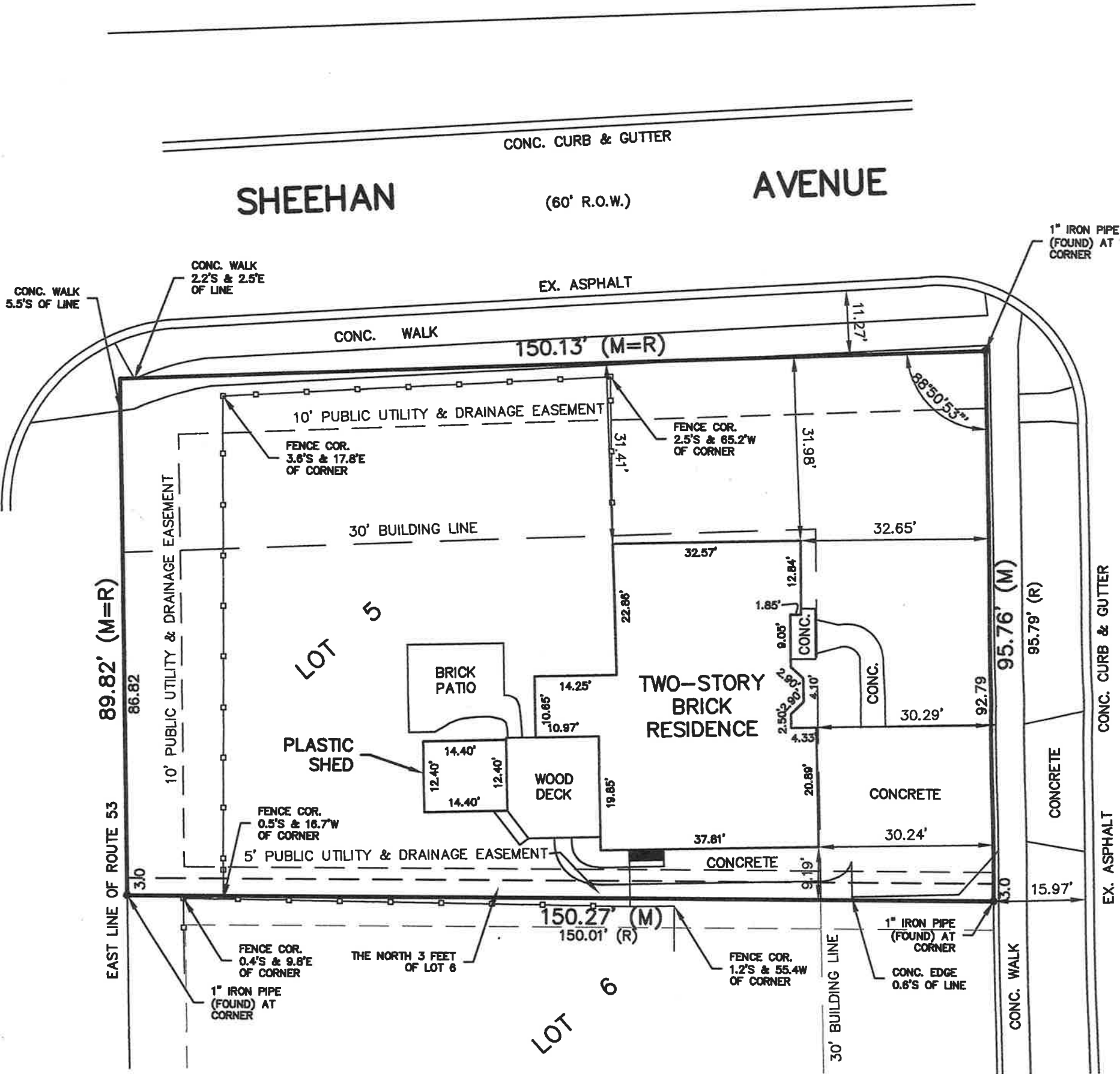
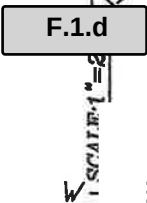
Zoning

Zoning

	CC - Community College
	C2 - Community Commercial
	C3 - Service Commercial
	C4 - Office District
	C5A - CBD Retail Core
	C5B - CBD Service
	C6 - Commercial/Multi-use
	CR - Conservation Recreation
	I1 - Light Industrial
	RE - Residential Estate
	R0 - Single Family Residential
	R1 - Single Family Residential
	R2 - Single Family Residential
	R2B - Single Family Residential
	R3 - Multi-family Residential
	R4 - Multi-family Residential
	R5 - Planned Residential
	U - Unincorporated

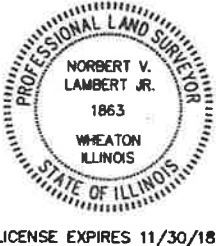
LOT 5 AND THE NORTHERLY 3 FEET OF LOT 6 IN ORCHARD GLEN SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 17, 1991 AS DOCUMENT R91-042556, IN DUPAGE COUNTY, ILLINOIS.

ADDRESS: 170 MACINTOSH CT., GLEN ELLYN
PIN: 05-24-304-034
AREA: 0.32 ACRES



COURT
MACINTOSH
(60' R.O.W.)

STATE OF ILLINOIS } S.S.
COUNTY OF DU PAGE }
THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY. FIELD WORK COMPLETION DATE: 08/30/2018.
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
GIVEN UNDER MY HAND AND SEAL AT WHEATON, ILLINOIS, THIS 4TH DAY OF SEPTEMBER, A.D., 2018.
Norbert V. Lambert Jr.
ILLINOIS LAND SURVEYOR NO. 1863; LICENSE EXPIRES 11/30/18
ILLINOIS DESIGN FIRM NO. 184-007260
REFER TO DEED OF GUARANTEE POLICY FOR RESTRICTIONS NOT SHOWN ON SURVEY.
ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF. COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY APPARENT DISCREPANCIES TO THE SURVEYOR.



Norbert V. Lambert Jr
2018.09.09 14:23:44 --5

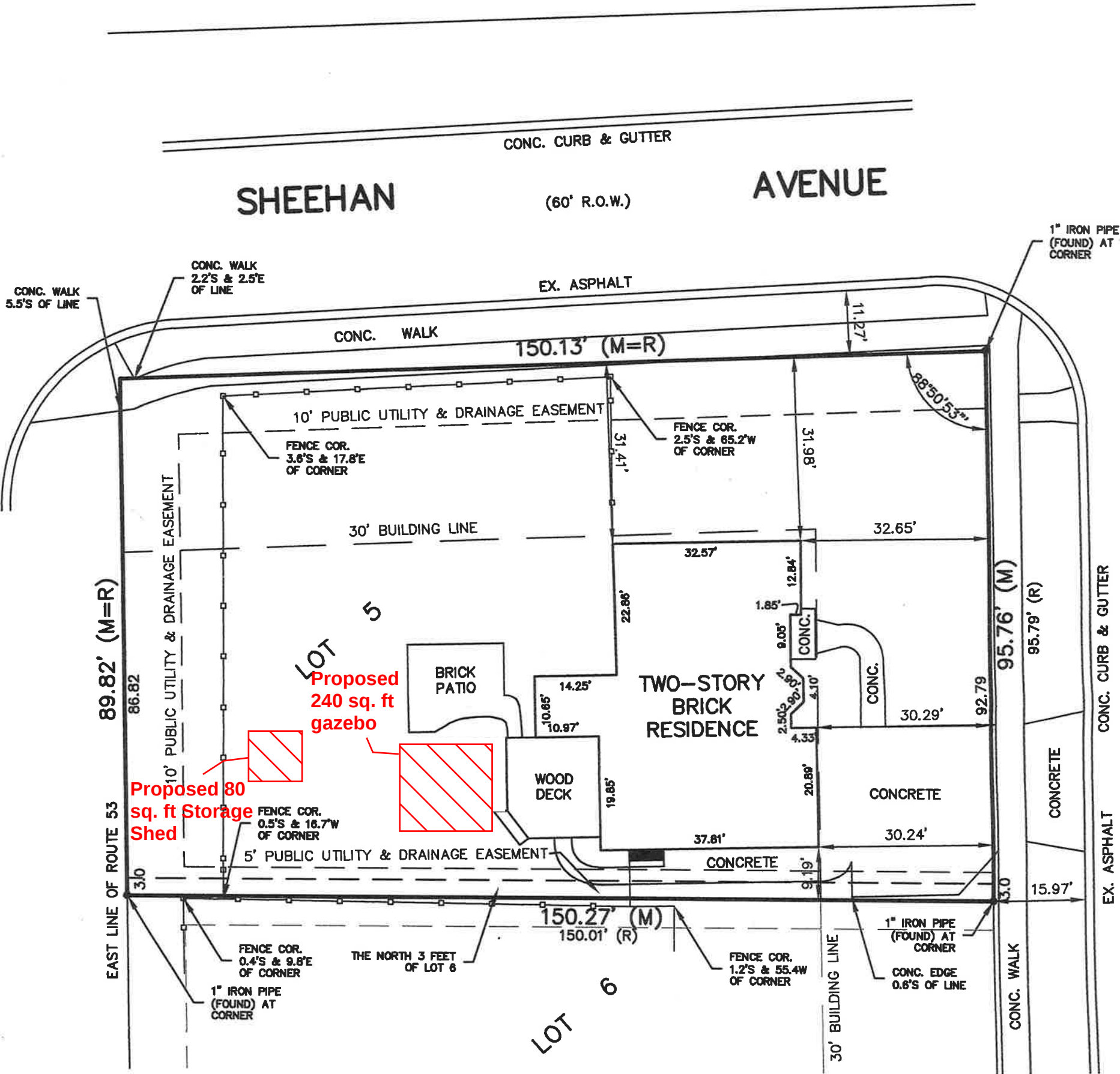
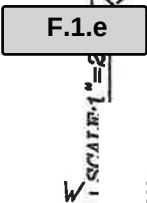
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- = SET IRON STAKE

ORDERED BY: SCOTT BROMANN-ATTY. ORDER NO. 18 H 52 FILE NO. 18-05

LAND SURVEYING AND CIVIL ENGINEERING LAMBERT & ASSOCIATES 955 W. LIBERTY DR WHEATON, IL 60187 P: (630)653-6331 F: (630)653-6396 E: INFO@LAMBERTSURVEY.COM	LAND TECHNOLOGY 3922 W. MAIN STREET McHENRY, IL 60050 P: (815)363-9200 F: (815)363-9223 E: LANDTECH@LT-PE.COM
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LOT 5 AND THE NORTHERLY 3 FEET OF LOT 6 IN ORCHARD GLEN SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 17, 1991 AS DOCUMENT R91-042556, IN DUPAGE COUNTY, ILLINOIS.

ADDRESS: 170 MACINTOSH CT., GLEN ELLYN
PIN: 05-24-304-034
AREA: 0.32 ACRES



COURT
MACINTOSH COURT
(60' R.O.W.)

STATE OF ILLINOIS } S.S.
COUNTY OF DU PAGE }
THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY. FIELD WORK COMPLETION DATE: 08/30/2018.
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Norbert V. Lambert Jr.
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PROFESSIONAL LAND SURVEYOR
NORBERT V. LAMBERT JR.
1863
WHEATON
ILLINOIS
STATE OF ILLINOIS
LICENSE EXPIRES 11/30/18
Norbert V. Lambert Jr
2018.09.09 14:23:44 --5

● = FOUND IRON STAKE
○ = SET IRON STAKE

ORDERED BY: SCOTT BROMANN-ATTY. ORDER NO. 18 H 52 FILE NO. 18-05

LAND SURVEYING AND CIVIL ENGINEERING	
LAMBERT & ASSOCIATES 955 W. LIBERTY DR WHEATON, IL 60187 P: (630)653-6331 F: (630)653-6396 E: INFO@LAMBERTSURVEY.COM	LAND TECHNOLOGY 3922 W. MAIN STREET McHENRY, IL 60050 P: (815)363-9200 F: (815)363-9223 E: LANDTECH@LT-PE.COM



NOTICE OF PUBLIC HEARING

Tony and Katie Crudele, owners of the property located at 170 Macintosh Court, are requesting a public hearing for zoning variations 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 these variations on Tuesday, September 22, 2020 at 7:00 p.m. via the virtual meeting platform, Zoom.

The applicants are requesting approval of variations from the Glen Ellyn Zoning Code to allow a 240 sq. ft. gazebo and 80 sq. ft. shed in their front yard. The lot is a corner, through lot with frontage on three streets. The location proposed for the shed and gazebo act functionally as the rear yard of the property. The petitioners are specifically requesting the following variations from the Zoning Code:

1. Variation from Section 10-5-4(A)4(a) to allow two accessory structures closer to the front property line than the principal structure on the lot.
2. Variation from Section 10-5-5(B)4-15 to allow a gazebo in the front yard.
3. Variation from Section 10-5-5(B)4-29 to allow a shed in the front yard.
4. Any other zoning relief necessary to allow the shed and gazebo, as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

The property commonly known as 170 Macintosh Court is zoned R2, Residential District, and is legally described as follows:

LOT 5 AND THE NORTHERLY 3 FEET OF LOT 6 IN ORCHARD GLEN SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHWEST ¼ AND THE SOUTHWEST ¼ OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPLE MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 17, 1991 AS DOCUMENT R91-042556, IN DUPAGE COUNTY, ILLINOIS.

PIN: 05-24-304-034

Plans related to the proposed project are on file in the Community Development Department, Civic Center, 535 Duane Street, Glen Ellyn, Illinois. These plans a staff report will be posted on the Village's website for public viewing no later than Friday, September 18, 2020. If you have questions, please contact Cole Jackson, Associate Planner, at (630) 547-5246.

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Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83438734651?pwd=WUU2ULJESm9qeDhjdFViOFVaS01SUT09>
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Or Telephone, dial (for higher quality, dial a number based on your current location):

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Password: 234012

On June 12, 2020, Governor Pritzker signed PA 101-0640 (SB2135) into law. This new law amends the Open Meetings Act ILCS 120 to expressly authorize public bodies to meet remotely without the otherwise required quorum present at the meeting place while a disaster declaration is in place. The Covid-19 disaster declaration satisfies this condition, allowing Zoning Board of Appeals members to participate electronically in meetings at this time. The public is welcome to observe and participate in all meetings of the Zoning Board of Appeals.



**350 Foot Buffer
from
170 Macintosh Ct**

F.1.g

Attachment: 8. Location Map for Public Hearing Notice (4636 : 170 Macintosh Court | Zoning Variations

Subject properties

350ft Buffer from properties

Parcels within 350ft

0 50 100 200

Packet Pg. 38

BILLNAME	BILLSTNUM	BILLSTNAME	BILLAPT	BILLCITY
AMBER RIDGE HOMEOWNERS AS	3041	WOODCREEK DR	100	DOWNERS GROVE
BALLANEY, DINESH	178	CORTLAND CT		GLEN ELLYN
BARTUS, VLADIMIR & Y	855	GLENBARD RD		GLEN ELLYN
BELONOG, A & K ZIULYS	171	RTE 53		GLEN ELLYN
BIEKE, DIANN D	874	SHEEHAN AVE		GLEN ELLYN
CHHABRA, SARNAGAT & D	176	MACINTOSH CT		GLEN ELLYN
CRUDELE, TONIO & KATHRYN	170	MACINTOSH CT		GLEN ELLYN
DE PALMA, JOANN	175	MACINTOSH CT		GLEN ELLYN
GURNANI, KAILASH & LAJU	876	SHEEHAN AVE		GLEN ELLYN
JASCULCA, ANDREW	878	SHEEHAN AVE		GLEN ELLYN
KAY, DOUGLAS & LAURA	177	MACINTOSH CT		GLEN ELLYN
LEONARD, RICHARD	175	RT 53		GLEN ELLYN
MACK, STEPHEN & DEBRA	875	SHEEHAN AVE		GLEN ELLYN
MANNING, JASON & CARRIE	179	MACINTOSH CT		GLEN ELLYN
MILANO, ERIC & SUZANNE	873	SHEEHAN AVE		GLEN ELLYN
MOHSIN, MOHAMMED	173	MAC INTOSH CT		GLEN ELLYN
MOTE, JOHN KEITH JR	880	SHEEHAN AVE		GLEN ELLYN
MOZOCKIE, RAYMOND & M.A.	865	GLENBARD ROAD		GLEN ELLYN
NARDELLA, NICHOLAS & M	836	ABBAY DR		GLEN ELLYN
O BRIEN, TIMOTHY J	863	GLENBARD RD		GLEN ELLYN
OSTERKORN, EUGENE & ANDREA	872	SHEEHAN AVE		GLEN ELLYN
PEASLEY, MATTHEW & LISA	172	MC INTOSH CT		GLEN ELLYN
PELLEGRINO III, V & S	879	SHEEHAN AVE		GLEN ELLYN
SCHOOL DISTRICT NO 89	789	SHEEHAN AVE		GLEN ELLYN
SCHUMACHER, JOSEPH	22W020	MC CORMICK AVE		GLEN ELLYN
SEMMER, GARY R	176	CORTLAND CT		GLEN ELLYN
SHULTZ, WILLIAM & BARBARA	174	CORTLAND CT		GLEN ELLYN
TENCONI, JONATHAN & S	877	SHEEHAN AVE		GLEN ELLYN
WESCOTT, JAMES	178	MAC INTOSH CT		GLEN ELLYN
WIDICUS, MICHAEL & AMY	174	MAC INTOSH CT		GLEN ELLYN

NOTICE OF PUBLIC HEARING

Tony and Katie Crudele, owners of the property located at 170 Macintosh Court, are requesting a public hearing for zoning variations 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 these variations on Tuesday, September 22, 2020 at 7:00 p.m. via the virtual meeting platform, Zoom.

The applicants are requesting approval of variations from the Glen Ellyn Zoning Code to allow a 240 sq. ft. gazebo and 80 sq. ft. shed in their front yard. The lot is a corner, through lot with frontage on three streets. The location proposed for the shed and gazebo act functionally as the rear yard of the property. The petitioners are specifically requesting the following variations from the Zoning Code:

1. Variation from Section 10-5-4(A)4(a) to allow two accessory structures closer to the front property line than the principal structure on the lot.
2. Variation from Section 10-5-5(B)4-15 to allow a gazebo in the front yard.
3. Variation from Section 10-5-5(B)4-29 to allow a shed in the front yard.

4. Any other zoning relief necessary to allow the shed and gazebo, as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board. The property commonly known as 170 Macintosh Court is zoned R2, Residential District, and is legally described as follows:

LOT 5 AND THE NORTHERLY 3 FEET OF LOT 6 IN ORCHARD GLEN SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHWEST ¼ AND THE SOUTHWEST ¼ OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPLE MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 17, 1991 AS DOCUMENT R91-042556, IN DUPAGE COUNTY, ILLINOIS.
PIN: 05-24-304-034

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Published in Daily Herald September 4, 2020 (4550743)

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VILLAGE OF GLEN ELLYN

CERTIFICATE OF PUBLICATION

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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:

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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 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 notice 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 09/04/2020 in said DuPage County DAILY HERALD.

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

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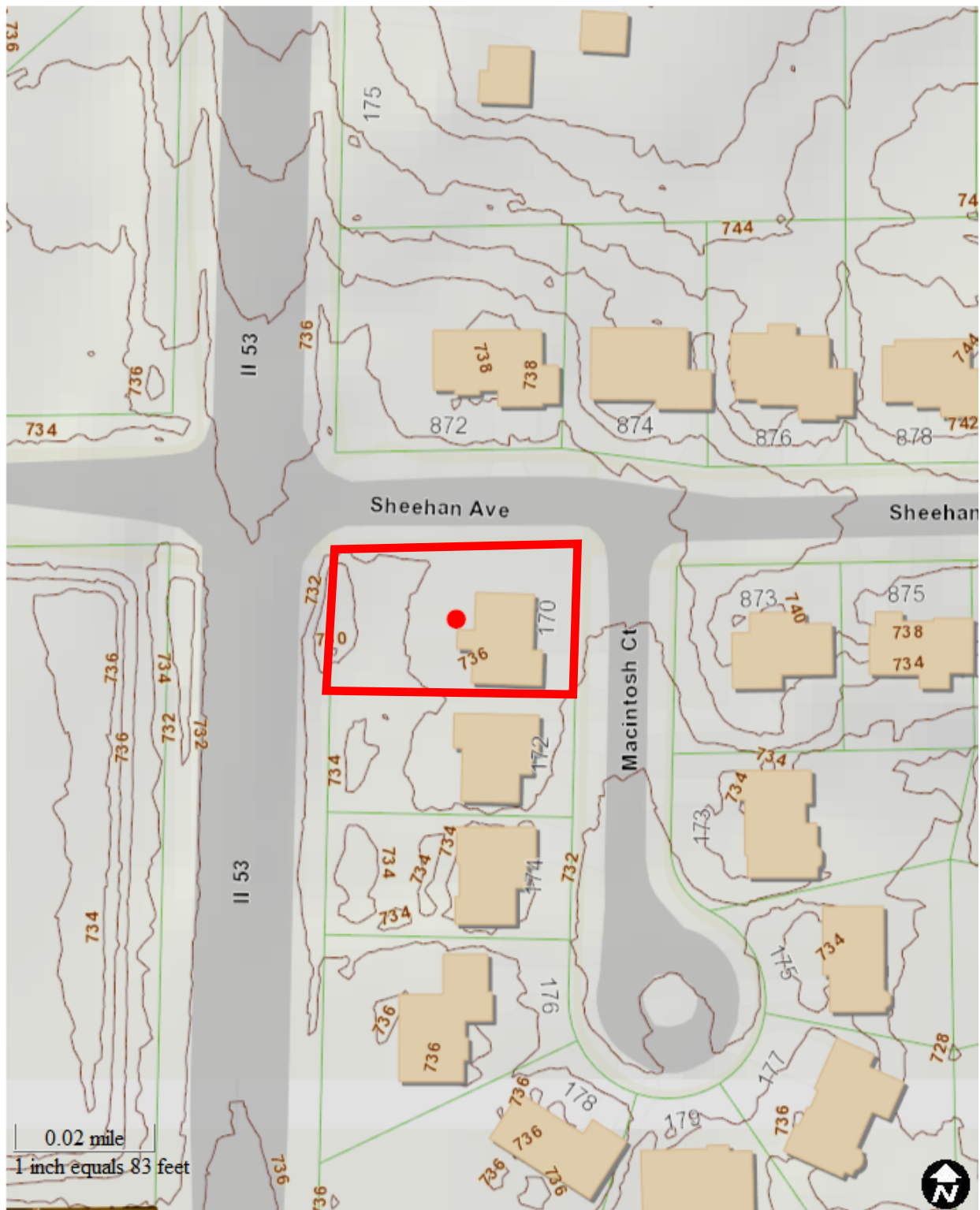
BY

Daule Baltz

Designee of the Publisher and Officer of the Daily Herald

Control # 4550743

no escrow.



Map created on September 18, 2020.

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