

MINUTES
ZONING BOARD OF APPEALS
OCTOBER 27, 2020

The meeting was called to order by ZBA Chairperson Gregory Constantino at 7:04 p.m. Zoning Board of Appeals Members Michelle Covington, Katie Crudele, Matt Jones, Chip Miller, Reed Panther and Thomas Whalls were present. Also present were Planner Katie Ashbaugh, Associate Planner Jackson, Trustee Liaison Kelli Christiansen and Recording Secretary Lindsey Kaminsky.

Chairperson Constantino stated tonight's meeting is called pursuant to notice by statue that was published in the Daily Herald on October 12, 2020 and all property owners affected by the variations being requested were notified by mail.

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) 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.

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 Glen Ellyn Zoning Board of Appeals is advisory in nature and the actual variances 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.

MOTION TO ALLOW REMOTE PARTICIPATION

ZBA Member Whalls moved, seconded by ZBA Member Covington, to allow the members of the ZBA to participate remotely. The motion was carried with a roll call vote of 7 "yes" votes and 0 "no" vote. The "yes" votes are as follow: ZBA Chairperson Constantino, ZBA Member Covington, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls.

MINUTES

ZBA Member Covington moved, seconded by ZBA Member Miller, to approve the draft minutes of the October 13, 2020 meeting. The motion was carried with a roll call vote of 7 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Covington, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls.

On the agenda was a public hearing regarding the property located at 342 Taylor Avenue and a public hearing regarding the property located at 491 Ridgewood Avenue.

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

A motion was made by ZBA Member Miller and seconded by ZBA Member Whalls to open the public hearing for 342 Taylor Avenue at 7:11 p.m. The motion was carried with a roll call vote of 7 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Covington, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls.

PUBLIC HEARING – 342 TAYLOR AVENUE

PETITIONERS JOSH AND AMY STORM ARE REQUESTING APPROVAL FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: 1. VARIATION FROM SECTION 10-4-8(D)3 TO ALLOW AN INTERIOR SIDE YARD SETBACK OF 4.08 FEET IN LIEU OF THE 6.6 FEET REQUIRED. 2. VARIATION FROM SECTION 10-4-8(E)1 TO ALLOW A LOT COVERAGE RATIO OF APPROXIMATELY 25.75% IN LIEU OF A MAXIMUM LOT COVERAGE RATION OF 20%. 3. ANY OTHER ZONING RELIEF NECESSARY TO CONSTRUCT THE PROJECT AS DEPICTED ON THE PLANS PRESENTED OR REVISED AT THE PUBLIC HEARING OR AT THE PUBLIC MEETING OF THE VILLAGE BOARD.

(Josh and Amy Storm, owners of the property located at 342 Taylor Avenue.)

Staff Presentation

Associate Planner Cole Jackson was present to speak regarding the proposed variation request and was sworn in.

Associate Planner Jackson stated the petitioners are Josh and Amy Storm, owners of the property at 342 Taylor Avenue. He described the subject property, 342 Taylor Avenue, as corner lot with frontage on Taylor Avenue and Turner Avenue and the property is located on the west side of Taylor Avenue and the north side of Turner Avenue. He said the subject property and all surrounding properties are zoned R2- Single Family Residential District and are all improved with single family homes.

Associate Planner Jackson stated the petitioners are requesting a recommendation of approval of the following variations from the Glen Ellyn Zoning Code:

1. A variation from Section 10-4-8(D)3 to allow an interior side yard setback of 4.08 feet in lieu of the 6.6 feet required; and
2. A variation from Section 10-4-8(E)1 to allow a lot coverage ratio of approximately 25.75% in lieu of the maximum lot coverage ratio of 20%; and
3. Any other zoning relief necessary to construct the project as depicted on the plan presented or revisited at the public hearing or at a public meeting of the Village Board.

Associate Planner Jackson stated in 2010, the Village granted six variances through the adoption of Ordinance No. 5855 in order to allow the construction on an addition on the home. He said that the variances granted include a front yard setback, interior yard setback, corner side yard setback and permission for a class II alteration on a non-conforming single family home.

Associate Planner Jackson stated the petitioners are proposing to add a roof over their existing deck, where there is currently a pergola (see attached plans). He said that the proposed rear porch area would be 340 square feet and would connect the garage to the home. He said the decking material below the roof is also proposed to be replaced as part of this project.

Associate Planner Jackson stated per Code, this property is permitted a lot coverage ratio of 20%. He said that currently, the property is 332 square feet under this maximum and by replacing the open pergola structure with a roofed over deck (porch) the applicant is proposing to increase their lot coverage by 340 square feet. He said this would make the property 8 square feet over the permitted lot coverage. He further said that because the principal structure would then be connected to the existing detached garage, the lot would lose the 500 square feet detached garage lot coverage ratio bonus. He concluded that to accommodate the new roofed structure and subsequently, the attached garage, the applicants are requesting a lot coverage ratio of 25.75%. He said this equates to a request for 508 square feet more lot coverage than what is permitted by Village Code.

Associate Planner Jackson stated that additionally, because the existing garage will now be considered attached, the garage must meet the setback requirements of the principle structure on the lot. He said that the garage is setback 4.08 feet from the north property line where 6.6 feet is required. He said that other than being attached to the new rear porch, there is no work proposed to the garage.

Associate Planner Jackson also stated that there are no stormwater concerns regarding the proposed variations.

Questions from the Zoning Board of Appeals

ZBA Member Covington asked if the previously approved variation was for a side yard setback of 3.93 feet, with the new variation making it 4.08 feet.

Associate Planner Jackson stated this is correct.

ZBA Member Miller asked for clarification that the 4.08 side yard setback would not replace the previously approved setback, but would add another variation.

Associate Planner Jackson stated that is correct.

ZBA Chairperson Constantino asked if the setback requirements are due to the fact the garage will now be considered an attached garage.

Associate Planner Jackson stated that is correct.

ZBA Member Panther asked if the proposed plans are to add a roof and sides to their existing deck, or just a roof.

Associate Planner Jackson stated the proposed plans are just for the roof and no sides.

ZBA Member Whalls asked if the ZBA granted a variation of nearly 26% lot coverage, if the petitioner or future owner would be able to construct an enclosed room by adding walls to the existing deck and would not need an additional variation in relation to lot coverage.

Associate Planner Jackson stated that no additional variation would be required.

Petitioners' Presentation

Sworn in for the Petitioner's Presentation were Josh Storm and Amy Storm, owners of the property located at 342 Taylor Avenue.

Ms. Amy Storm stated they bought the home in 2004 and they were approved for several variations in 2010 due to an existing non-conforming lot. Ms. Storm stated her family is looking for the opportunity to extending their living space, and the covered deck would allow for additional space. Ms. Storm stated with the addition of the roof, there would be full coverage from the house to the garage. Ms. Storm also noted the peak of the house roof and garage room and not lined up, and are a little off center. Ms. Storm stated the addition of the roofed structure would not show how they are uneven.

Mr. Josh Storm stated in her career, Ms. Storm has taken great care of historical homes. Mr. Storm stated Ms. Storm ensures to uphold the charm of Glen Ellyn while making renovations to existing historical homes. Mr. Storm also noted there is little to no visual difference than what is currently in place.

Additional Questions from the Zoning Board of Appeals

ZBA Member Covington stated she needs to better understand what the exact hardship is.

Ms. Storm stated the whole house has been configured around the strange lot and there is also a restrictive lot size. Mr. Storm stated the lack of living space is also a hardship.

Ms. Storm stated they would like to attach the garage due to rain and snow. Ms. Storm also noted if the garage was not attached, it would not visually look as good.

ZBA Member Jones asked that if in the winter, are there issues with ice, water or snow that make the pathway unsafe to walk on.

Mr. Storm stated the current pathway will not be impacted by the variations.

Persons in Favor of or in Opposition to the Variation Requests

No one spoke in favor or in opposition of the variation requests.

Findings of Fact

ZBA Member Panther stated the following findings of fact: the property in questions is 342 Taylor Avenue; the owners are Josh and Amy Storm; the petitioners are requesting a variation from Section 10-4-8(d)3 to allow an interior side yard setback of 4.08 feet in lieu of the 6.6 feet required, a variation from Section 10-4-8(e)1 to allow a lot coverage ratio of approximately 25.75% in lieu of a maximum lot coverage ratio of 20% and any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at the public meeting of the Village Board.

ZBA Member Panther continued the findings of fact: the ZBA heard from Associate Planner Jackson, who indicated the property and all surrounding properties are zoned R2- Single Family Residential District; six variations have been granted for a construction project in 2010 and those variances include a front yard setback, interior yard setback, corner side yard setback and permission for a class II alteration on a non-conforming single family home; currently there is an existing detached garage on the home with a deck connecting the garage to the home and a pergola covering a portion of the deck; the proposal is for a 340 square feet roofed structure with no sides on the structure; due to connecting the home to the detached garage with the roofed structure the petition will be losing to 500 square feet garage bonus.

ZBA Member Panther continued the findings of fact: the ZBA heard from petitioners Josh and Amy Storm, owners of the property, who indicated they have owned the home since 2004; the home was remodeled in 2010; the deck and pergola need to be replaced; the petitioners are looking to extend the livable space at home; the design is to minimize the appearance of the offsetting peaks of the home and garage; the placement of the existing garage was based on the location of a parkway tree; a covered walkway would create safer conditions to get from their home to the garage.

Motion

ZBA Member Crudele moved, seconded by ZBA Member Whalls that the Zoning Board of Appeals recommend to approve of the Findings of Fact. The motion was carried with roll call vote of 7 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Covington, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls.

Additional Comments from the Zoning Board of Appeals

ZBA Member Covington stated she understands the need for the request, but is not sure if there is any hardship which grants a variation.

ZBA Member Crudele stated if the petitioners go smaller, they would not need a variation. ZBA Member Crudele stated they could go one foot smaller and could enclose the deck in the future, if desired. ZBA Member Crudele stated it would make more sense for the garage to be attached. ZBA Member Crudele stated she is in favor of the variation.

ZBA Chairperson stated due to the attached garage, they would lose their 500 foot bonus, which is why the lot coverage percentage is so large.

ZBA Member Covington stated there have already been so many variances required for the home. ZBA Member Covington stated she does not see the hardship; rather it is the preference by the owners.

ZBA Member Crudele she sees the unusual lot as the hardship.

ZBA Member Jones stated he is in favor of the variances. ZBA Member Jones stated these variances are in line with other variances previously granted by the ZBA. ZBA Member Jones states having an outdoor option is needed during the times of COVID-19.

ZBA Member Miller stated the Storms have done a beautiful job with their home. ZBA Member Miller stated he is not in favor of the proposed variances. ZBA Member Miller stated to have eight variations on one home is very uncommon. ZBA Member Miller also stated the owners have already been given a garage bonus, which they are now looking to give away. ZBA Member Miller stated the lot coverage ratio is too high.

ZBA Member Panther stated he agrees with ZBA Member Miller and ZBA Member Covington. ZBA Member Panther stated he does not see the hardship. ZBA Member Panther also stated he is consistently seeing issues with roofed structures, and would like staff and the Village Board to look into better defining a roofed structure. ZBA Member Panther also stated he would like staff and the Village Board look into adding breezeways to the Zoning Code.

ZBA Member Whalls stated staff and the Village Board should look into adding breezeways to the Zoning Code. ZBA Member Whalls stated he believes it is a reasonable request, and it does not have any stormwater issues. ZBA Member Whalls stated he is in favor of the request.

ZBA Chairperson Constantino stated that he is not comfortable to go that far above what is permitted for lot coverage without a severe hardship. ZBA Chairperson Constantino stated the lot is narrow, and the current plans do not call for a change in outside appearance. ZBA Chairperson Constantino stated the biggest issue he has is with the lot coverage percentage. ZBA Chairperson Constantino stated he is not in favor of the variation as it stands.

ZBA Chairperson told the petitioners that currently, the ZBA will not approve their variation request. ZBA Chairperson asked the petitioners if they would rather have the ZBA vote on the variation, which would then go to the Village Board or if they would like to continue the Public Hearing to a future date and make changes to their proposed plans.

Ms. Storm asked if a variation would be required if they revised the plans to not have the garage attached.

Planner Ashbaugh stated a setback variation may still be needed, but a lot coverage variation would not be required.

Mr. Storm stated that within the previous year, a neighbor received a permit for a screened in porch, and wanted to know how that was approved. Mr. Storm stated their proposed plans are to make the work ascetically pleasing.

Ms. Storm stated she would like additional information on why their neighbor was able to receive a permit for a screened in porch.

Planner Ashbaugh stated staff can look into their neighbor's previously approved permit if the ZBA would like that information at this time, but stated she is unsure if that permit would impact the ZBA's decision. Planner Ashbaugh also noted if a permit was issued by the Village, it was reviewed by the Village's Plan Examiner and it met all Zoning Code requirements before being issued a permit.

ZBA Member Covington stated she does not want to look into approvals and permits for other properties. ZBA Member Covington stated the ZBA is only looking at the request and property that was brought in front of them.

ZBA Member Jones stated he feels the corner lot creates a hardship and that he likes the owners are trying to keep the house.

ZBA Member Miller stated the owners have already kept the house, and it is not a teardown. ZBA Member Miller also stated he believes the corner lot does not create a hardship for the current requests, but it did for the previous six approved variations.

Motion

A motion was made by ZBA Member Covington and seconded by ZBA Member Panther to close the public hearing for 342 Taylor Avenue at 8:19 p.m. The motion was carried with a roll call vote of

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

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

Having considered the application of Josh and Amy Storm, owners of the property at 342 Taylor Avenue, Glen Ellyn, for the following zoning variations: to allow a lot coverage ratio of 25.75% on a property with principal structure greater than one-story where a lot coverage ratio of no more than 20% is permitted and a north interior side yard setback of 4.08 feet where a minimum required interior side yard setback of no less than 6.5 feet is required at 342 Taylor Avenue, on a corner 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 recommends DENIAL of the requested zoning variation from Section 10-4-8(D)(2) of the Glen Ellyn Zoning Code based upon the following findings of fact:

- A. That the plight of the owners is not due to a unique circumstance or a particular hardship;
- B. That the variations, if granted, will alter the essential character of the locality because of the large increase in the lot coverage ratio and the loss of the previously granted garage bonus

The motion was carried with 4 “yes” votes and 3 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Covington, ZBA Member Miller and ZBA Member Panther. The “no” votes are as follow: ZBA Member Jones, ZBA Member Crudele and ZBA Member Whalls.

ZBA Chairperson Constantino stated the ZBA has denied approval and this application will go the Village Board to be reviewed.

A motion was made by ZBA Member Panther and seconded by ZBA Member Whalls to open the public hearing for 491 Ridgewood Avenue at 8:26 p.m. The motion was carried with a roll call vote of 7 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Covington, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls.

PUBLIC HEARING – 491 RIDGEWOOD AVENUE

PETITIONERS CECIL AND AGATHA BARBATO ARE REQUESTING APPROVAL FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: 1. VARIATION FROM SECTION 10-4-1(L) TO ALLOW THE CONSTRUCTION OF A DETACHED GARAGE ON A PROPERTY LESS THAN 50 FEET IN WIDTH AND LESS THAN 6,534 SQUARE FEET IN AREA IN THE R2 RESIDENTIAL ZONING DISTRICT. 2. VARIATION FROM SECTION 10-8-69(B)(3) TO ALLOW THE CONSTRUCTION OF A DETACHED GARAGE ON A PROPERTY LESS THAN 50 FEET IN WIDTH AND LESS THAN 6,534 SQUARE FEET IN AREA IN THE R2

RESIDENTIAL DISTRICT. 3. VARIATION FROM SECTION 10-5-4(A)(2)(a) TO ALLOW THE CONSTRUCTION OF A 600 SQUARE FOOT DETACHED GARAGE ON A PROPERTY WHERE THE MAXIMUM TOTAL SQUARE FOOTAGE FOR ALL ROOFED OVER ACCESSORY STRUCTURES IN THE REQUIRED REAR YARD IS 456 SQUARE FEET. 4. 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.

(Cecil and Agatha Barbato, owners of the property located at 491 Ridgewood Avenue.)

Staff Presentation

Planner Katie Ashbaugh was present to speak regarding the proposed variation request and was sworn in.

Planner Ashbaugh stated the petitioners are Cecil and Agatha Barbato, owners of the property located at 491 Ridgewood Avenue. She said that 491 Ridgewood Avenue is an interior lot, located on the south side of Ridgewood Avenue, just east of the intersection with Glenwood Avenue. She said that the subject property and the properties to the north, east, west and south are all zoned R-2 – Residential District and are all improved with single-family homes.

Planner Ashbaugh stated the petitioners request a recommendation of approval of the following variation from the Glen Ellyn Zoning Code:

1. Section 10-4-1(L) to allow the construction of a detached garage on a property less than 50 feet in width and less than 6,534 square feet in area in the R2 Residential District;
2. Section 10-8-6(B)(3) to allow the construction of a detached garage on a property less than 50 feet in width and less than 6,534 square feet in area in the R2 Residential District;
3. Section 10-5-4(A)(2)(a) to allow the construction of a 600 square foot detached garage on a property where the maximum total square footage for all roofed over accessory structures in the required rear yard is 456 square feet; and
4. 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 Village does not have records of any prior variations being granted for the subject property.

Planner Ashbaugh stated the existing home, per the petitioners' application packet was constructed in 1909. The original neighborhood, or block area, was platted in 1884. She said the lot width is 38 feet which is 42 percent less than the required minimum lot width of 66 feet for interior lots in the R2 district. She said the lot area is 5,700 square feet, which is 35 percent less than the required minimum lot area of 8,712 square feet for interior lots in the R2 district.

Planner Ashbaugh stated the existing home on the subject property is approximately 881 square feet or 15.5 percent lot coverage. She said the existing detached garage is approximately 297 square feet,

which is less than the 500 square-foot 'bonus' for detached garages and does not count toward total lot coverage. She said no other freestanding accessory structures are located on the subject property

Planner Ashbaugh stated in 1989, the Village Board adopted comprehensive amendments to the Zoning Code, which included the adoption of Section 10-4-1 and Chapter 10-8 to create the minimum size of 'buildable lots' in the Village and regulations for nonconforming uses and structures. She said that Section 10-4-1(L) states that any single family home located on a zoning lot which lawfully existed on or before October 28, 1974, may be modified, repaired, or otherwise altered, given that the subject zoning lot is not less than 50 feet in width and less than 6,534 square feet in area. She concluded that 491 Ridgewood has a lesser width and area than each of these minimums.

Planner Ashbaugh provided additional information regarding the requested variations. She said that the first two variations were to allow the detached garage to even be constructed, since these provisions made the lot "un-buildable" and the third was to allow the size of the garage they were proposing. She said that the maximum permitted area for a detached garage is otherwise 660 square feet on most other 'buildable' lots, whereas the petitioners are requesting a 600 square foot detached garage.

Questions from the Zoning Board of Appeals

ZBA Member Jones asked what the current lot coverage of the house is.

Planner Ashbaugh stated it is about 15.5%

ZBA Member Miller stated if the petitioners were to build the garage at 20 feet by 22 feet, instead of 20 feet by 30 feet, a 3rd variation would not be needed. Planner Ashbaugh answered affirmatively.

Petitioners' Presentation

Sworn in for the Petitioner's Presentation was Cecil Barbato, owner of the property located at 491 Ridgewood Avenue.

Cecil Barbato provided a background of the house and stated is has had the same footprint since 1909. Mr. Barbato stated the home has had substantial improvements prior to moving in. Mr. Barbato stated there are several issues with the current garage and also noted if he knew the lot was considered a non-buildable lot, he would have not purchased it.

Mr. Barbato stated the lot is approximately 38 feet by 150 feet.

Mr. Barbato stated an issue in lot size was created by updates to the Village Code in 1984 and 1989.

Mr. Barbato stated the garage was non-conforming. Mr. Barbato stated there are several issues with the garage including water running into the garage and ice the builds up inside and outside of the

garage. Mr. Barbato also stated the foundation of the garage is rotting. Mr. Barbato stated with the current setback the garage is 9 inches away from the property to the west and the garage also leans towards the west. Mr. Barbato also compared the size of the existing garage to the size of vehicles used during that time period, compared with the size of vehicles driven today and the need for a larger garage.

Mr. Barbato stated many of the homes in his neighborhood also have 2 car garages and shared various photo examples. Mr. Barbato noted that the placement of the garage would reduce dead space behind the garage.

Additional Questions from the Zoning Board of Appeals

ZBA Member Covington asked when the home was first purchased, if they knew it was non-conforming and was on a non-buildable lot.

Mr. Barbato stated that when they purchased the home, they were really looking to live in Glen Ellyn in a traditional American four-square. Mr. Barbato stated they purchased the home contingent to renovations being complete. Mr. Barbato stated they knew the garage would have to be replaced, and they made the decision to complete the garage at a later time.

ZBA Chairperson Constantino asked if any objection statements have been received by any neighbors.

Mr. Barbato stated no objections have been made. Mr. Barbato also stated he received letters of support from the neighbors he shares a lot line with.

Persons in Favor of or in Opposition to the Variation Requests

No one spoke in favor or in opposition of the variation requests.

Findings of Fact

ZBA Member Panther stated the following findings of fact: the property in question is 491 Ridgewood Avenue; the owners are Cecil and Agatha Barbato; the petitioners are requesting a variation from section 10-4-1(l) to allow the construction of a detached garage on a property less than 50 feet in width and less than 6,534 square feet in area in the R2- Residential Zoning District, a variation from Section 10-8-69(b)(3) to allow the construction of a detached garage on a property less than 50 feet in width and less than 6,534 square feet in area in the R2- Residential district, a variation from Section 10-5-4(a)(2)(a) to allow the construction of a 600 square foot detached garage on a property where the maximum total square footage for all roofed over accessory structures in the required rear yard is 456 square feet and 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.

ZBA Member Panther continued the findings of fact: the ZBA heard from Planner Ashbaugh who indicated no prior variances have been issued from this property; explained the rationale of the difference between the first two variations; if this was considered a buildable lot a 660 square foot roofed structure would be allowed.

ZBA Member Panther continued the findings of fact: the ZBA heard from petitioner Cecil Barbato, owners of the property, who indicated has been in its existing footprint for over 100 years; the home has been fully renovated; the existing garage is in a state of disrepair and indicated a number of issues including structural issues, rotting and flooding concerns around the interior and exterior of the garage; the lot is approximately 38 feet in width; existing setback from the garage to the property to the west is currently 9 inches; the lot coverage ratio is no near the max amount in an R2 Zoning District; all the neighbors that are adjacent to the property and in direct view of the garage have been contacted and there are no concerns.

Motion

ZBA Member Crudele moved, seconded by ZBA Member Covington that the Zoning Board of Appeals recommend to amend and approve of the Findings of Fact. The motion was carried with 7 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Covington, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls.

Additional Comments from the Zoning Board of Appeals

ZBA Member Covington stated she is in favor of the variations. ZBA Member Covington stated hardships were presented, and a functional garage is very important.

ZBA Member Crudele stated she is in favor of the variations. ZBA Member Crudele also stated Mr. Barbato gave a great presentation.

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

ZBA Member Miller stated he is in favor of the requests. ZBA Member Miller stated Mr. Barbato did a fantastic job with his presentation.

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

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

ZBA Chairperson Constantino stated he is favor of the variations. ZBA Chairperson sated that even though the Village prohibits building on small lots, the surrounding neighbors have two car garages. ZBA Chairperson Constantino stated Mr. Barbato gave a great presentation and did a great job showing the hardships.

Motion

A motion was made by ZBA Member Crudele and seconded by ZBA Member Whalls to close the public hearing for 491 Ridgewood Avenue at 9:08 p.m. The motion was carried with a roll call vote of 7 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Covington, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls.

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

Having considered the application of Cecil and Agatha Barbato, owners of the property located at 491 Ridgewood Avenue, Glen Ellyn, for the following zoning variations: to allow the construction of a detached garage on a property less than 50 feet in width and less than 6,534 square feet in area and to allow the construction of a 600 square foot detached garage on a property where the maximum total square footage for all roofed over, freestanding accessory structures in the required rear yard is 456 square feet structure on the property located at 491 Ridgewood Avenue, 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 October 27, 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 10-4-1(L), 10-8-6(B)(3), and 10-5-4(A)(2)(a) of the Glen Ellyn Zoning Code due to the following hardship(s) or unique circumstance(s):

1. The lot is a non-buildable lot
2. The garage is in bad shape and needs to be repaired
3. A two car garage fits the characteristics of the neighborhood

The motion was carried with a roll call vote of 7 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Covington, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls.

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 Plan Commission will hold a Public Hearing on November 12, 2020 to review the plans submitted for the former McChesney & Miller property.

Trustee Christiansen stated the Apex project is moving along.

Trustee Christiansen stated Avere is expected to have occupancy in January 2021.

Trustee Christiansen stated the Civic Center Parking Garage is expected to be complete in May 2021.

Trustee Christiansen stated a COVID-19 mitigation plan is in place due to an increase of cases in DuPage County.

Trustee Christiansen stated the tent on Main Street is expected to stay upon until November 8, depending on weather.

Trustee Christiansen stated trick-or-treating hours are from 3-7 PM on Halloween and the Village is asking resident to be safe and wear a mask. Trustee Christiansen also encouraged everyone to check out the Scarecrow Rows in downtown Glen Ellyn.

ZBA Member Miller and ZBA Member Whalls asked several questions regarding the Civic Center Parking Garage pedway design.

Trustee Christiansen stated there are several different levels of designs, each costing a different range of money. Trustee Christiansen stated the Village Board would like the pedway to be more than just an alley, but to have other uses as well.

Staff Report

Planner Ashbaugh stated there will be two construction necessitated variation requests at the November 10 ZBA meeting.

Adjournment

At 9:25 p.m. a motion was made by ZBA Member Crudele and seconded by ZBA Member Covington to adjourn the meeting. The motion was carried with 7 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Covington, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller, ZBA Member Panther and ZBA Member Whalls.

Respectfully submitted,

Lindsey Kaminsky
Recording Secretary

Reviewed by,

Katie Ashbaugh, AICP
Planner