



Agenda
Village of Glen Ellyn
Zoning Board of Appeals Meeting
Tuesday, January 12, 2021
7:00 PM
Virtual Meeting via Zoom

Meeting Procedures Statement

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/84874590291?pwd=TXlxcGtIRmtXK2FQMmg3eHFOU2VpUT09>

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*US: +13126266799,,84874590291#,,, *234012# or
+16465588656,,84874590291#,,, *234012#*

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- A. Call to Order**
- B. Chairperson's Statement of Remote Meeting Procedures**
- C. Public Comment (Non Agenda Items)**
- D. Allow Remote Participation of ZBA Members (roll call vote)**
- E. Approval of Draft Minutes from December 8, 2020 Zoning Board of Appeals Meeting**
 - 1) Draft Minutes of the December 8, 2020 Zoning Board of Appeals Meeting
- F. Old Business**

- 1) Continued from December 8, 2020 - A Public Hearing Concerning a Zoning Variation Request for the Property Located at 73 Newton Avenue

To view the video of the December 8, 2020 Zoning Board of Appeals meeting at which this hearing was initially opened and discussed, please click here:

<http://glenellynil.civicclerk.com/web/Player.aspx?id=799&key=-1&mod=-1&mk=-1&nov=0>

G. New Business

- 1) A Public Hearing Concerning Construction Necessitated Zoning Variation Requests for the Properties Located at 231 and 233 N. Park Boulevard

H. Village Board Trustee Report

I. Chairperson's Report

J. Staff Report

K. Adjournment



Glen Ellyn Zoning Board of Appeals

535 Duane Street
Glen Ellyn, IL 60137

Meeting 1/12/2021 7:00 PM
Department: Community Development
Department Head: Staci Springer
Category: Minutes
Prepared By: Katie Ashbaugh

**AGENDA ITEM (ID
2021-794)**

DOC ID: 2021-794

Draft Minutes of the December 8, 2020 Zoning Board of Appeals Meeting

Statement of the Issue:

See attached draft minutes.

Analysis:

N/A

Budget Impact:

N/A

Action Requested:

The ZBA may either approve the draft minutes as prepared, or motion to request changes during the meeting and then approve.

Attachments:

1. Draft Minutes of the December 8, 2020 Zoning Board of Appeals Meeting

DRAFT MINUTES
ZONING BOARD OF APPEALS
DECEMBER 8, 2020

The meeting was called to order by ZBA Chairperson Gregory Constantino at 7:04 p.m. Zoning Board of Appeals Members Katie Crudele, Matt Jones, Chip Miller and Tom Whalls were present. ZBA Members Michelle Covington and Reed Panther were excused. Also present were Planner Katie Ashbaugh, Associate Planner Cole Jackson 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 November 21st and 23rd, 2020 for the properties located at 73 Newton Avenue and 554 N. Park Boulevard, respectively, and all property owners affected by the requests made for each property 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 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

ZBA Member Miller moved, seconded by ZBA Member Whalls, to approve the emergency rules of procedure. The motion was carried by roll call vote with 5 "yes" votes and 0 "no" vote. The "yes" votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller and ZBA Member Whalls.

MINUTES

ZBA Member Whalls moved, seconded by ZBA Member Crudele, to approve the minutes of the November 10, 2020 meeting. The motion was carried by roll call vote with 5 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller and ZBA Member Whalls.

On the agenda was a public hearing regarding the property located at 554 N. Park Boulevard and a public hearing regarding the property located at 73 Newton 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 Jones to open the public hearing for 554 N. Park Boulevard at 7:13 p.m. The motion was carried by roll call vote with 5 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller and ZBA Member Whalls.

PUBLIC HEARING – 554 N. PARK BOULEVARD

PETITIONERS JULIE AND DAVID EVANS ARE REQUESTING APPROVAL FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: 1. A VARIATION FROM SECTION 10-4-8(D)(1) TO PERMIT A FRONT YARD SETBACK OF 23 FEET 6 INCHES WHERE 30 FEET IS REQUIRED; 2. 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.

(Julie and David Evans, owners of the property located at 554 N. Park Boulevard).

Staff Presentation

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

Planner Ashbaugh stated the petitioners are Julie and David Evans, owners of the property at 554 N. Park Boulevard. She said the subject property and the properties to the north, east and west are all zoned R2 – Residential District and are all improved with single family homes. She said the property to the south is a parking lot for a church.

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

1. Section 10-4-8 (D)(1) to permit a front yard setback of 23 feet 6 inches where 30 feet is required;
2. Any other zoning relief necessary to construct the property 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 has not granted any past variations to this property. Planner Ashbaugh stated the Village has granted three permits to this property including a detached garage and driveway (2014), driveway approach (1998) and rear deck (1998).

Planner Ashbaugh stated the petitioners are proposing to modernize their existing nonconforming enclosed front porch. She said the existing and proposed porches are both 26 feet 3 inches wide by 8 feet 6 inches in depth. She continued that existing porch has stairs that lead to the porch from the north with an exposed door to the interior of the home. She said the proposed porch completely encloses the porch area, center the door and repositions the stairs to the front of the home.

Planner Ashbaugh stated this request requires a variation because this work is proposed to occur within the required front yard setback. She said if the front porch were open sided, it would be permitted to encroach into the front yard setback an additional 7 feet 6 inches and would not require the requested variation.

Planner Ashbaugh stated at owners of 6 nearby properties also signed a petition of support for the request, which was included in the meeting materials.

Questions from the Zoning Board of Appeals

ZBA Chairperson Constantino asked if the variation is only for the porch structure, as the stairs are measured separately. Planner Ashbaugh stated stairs are permitted in a front yard if they are under 40 inches, which has been confirmed for this proposed improvement.

ZBA Chairperson Constantino asked if the variation will allow for the porch to be kept in the same location as it has been for years. Planner Ashbaugh confirmed this.

Petitioners' Presentation

Sworn in for the Petitioner's Presentation was Julie Evans, owner of the property located at 554 N. Park Boulevard.

Ms. Evans stated her family has lived in the home located at 554 N. Park Boulevard since 1994 and noted the home was built in 1913. Ms. Evans stated she is very pleased with the relocation of the two car garage on her property from the north side of the lot to the south side of the lot, and noted the relocation necessitated the change of the porch. Ms. Evans stated the proposed changes will allow for easier access to her home and cause less confusion. Ms. Evans stated the proposed changes will not diminish the look of her home and noted several other homes in her neighborhood

have similar porches and cited the properties located at 562 N. Park, 567 Forest, and 539 Hawthorne.

Additional Questions from the Zoning Board of Appeals

ZBA Member Miller asked if the change in location of the stairs will cause less confusion for emergency personnel by making it more prominent and noticeable on the front of the home. Ms. Evans confirmed this.

ZBA Chairperson Constantino asked if the current setback of the porch will remain the same. Ms. Evans confirmed this.

ZBA Chairperson Constantino asked if other homes in the neighborhood have similar porches and setbacks. Ms. Evans confirmed this.

Persons in Favor of or in Opposition to the Variation Requests

Jim Eaton, who resides at 555 N. Park Boulevard, was sworn in. Mr. Eaton stated he lives directly across the street from the Evans. Mr. Eaton stated he is in favor of the project as the porch is staying the same and there are similar porches in the neighborhood.

Elicia Viola, who resides at 646 Forest Avenue, submitted a written public comment. Ms. Viola wrote, "This will be a nice improvement and will blend in seamlessly with the historic homes around them".

Sheri Reditsch, who resides at 585 Hawthorne Boulevard, submitted a written public comment. Ms. Reditsch wrote, "Project compliments their house and the neighborhood. I vote yes".

Terri Maltby, who resides at 586 Glen Ellyn Place, submitted a written public comment. Ms. Maltby wrote, "As a resident of Glen Ellyn for 30 years and neighbor, I would propose approval for the Evan's porch project. The proposed plans of a front entry to the porch would not only enhance the street of Park Boulevard but also the historical look of Glen Ellyn. My vote is to approve this needed project".

Findings of Fact

ZBA Member Whalls stated the following findings of fact: the property in question is 554 N. Park Boulevard; the subject property is located on an interior lot located on the west side of N. Park Boulevard between Anthony Street and Glen Ellyn Place; the subject property was built in 1913; the petitioners are Julie and David Evans, the owners of the subject property; the petitioners are requesting a variation from Section 10-4-8 (D)(1) to permit a front yard setback of 23 feet 6 inches where 30 feet is required and any other zoning relief necessary to construct the property as depicted on the plans presented or revised at the public hearing or a public meeting of the Village Board; the

subject property is zoned as R2 – Residential District and is improved with a single family home; the surrounding properties are also zoned as R2- Residential District; the properties on the north, east and west are improved with single family homes and the property to the south is improved with a parking lot for the church; there were no prior variations requests for the subject property prior to tonight; there have been three permits pulled for the subject project; there is a long list of additional names of those who are in favor of the petition, three emails from neighbors who are in favor of the petition and one who spoke in favor of the petition; the front yard setback required 30 feet and the proposed set back is 23 feet 6 inches; the petitioners are proposing to modernize the existing non-conforming enclosed front porch; the existing porch and proposed porch are 26 feet three inches wide by eight feet six inches in depth; the existing stairs lead to the porch from the north with an exposed door to the interior of the home and the proposed porch completely encloses the porch area, centers the door and repositions the stairs to the front of the home; this request requires a variation to the proposed work occurring in the front yard setback and if the front porch were open sided, it would be permitted to encroach into the front yard setback an additional 7 feet 6 inches and would not require the requested variation; the petitioners provided photos of the existing conditions and photos of similar homes in the neighborhood.

Motion

ZBA Member Crudele moved, seconded by ZBA Member Jones that the Zoning Board of Appeals recommend to approve of the Findings of Fact. The motion was carried by roll call vote with 5 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller and ZBA Member Whalls.

Additional Comments from the Zoning Board of Appeals

ZBA Member Crudele stated she understands the home is an older home and that it does not make sense to keep the stairs where they currently are. ZBA Member Crudele stated the project will make it is safer for the home owners and easier for emergency vehicles to find the home. ZBA Member Crudele stated she is in favor of the variation.

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

ZBA Miller stated this is an improvement to an existing condition, the project fits the character of the home and will make it safer to enter and exit the home. ZBA Member Miller stated he is in favor of the variation.

ZBA Member Whalls stated the project will maintain the character of the home and that he is in favor of the variation.

ZBA Chairperson Constantino stated he is in favor of the variation. ZBA Chairperson Constantino stated this is an existing non-conforming building and that it will maintain the characteristics of the home. ZBA Chairperson Constantino stated the house is not centered on the lot, which makes it

difficult for changes to be made to the home. ZBA Chairperson Constantino also noted the Zoning Board of Appeals heard from neighbors who are also in favor of the variation.

Motion

A motion was made by ZBA Member Jones and seconded by ZBA Member Whalls to close the public hearing for 554 N. Park Boulevard at 7:43 p.m. The motion was carried by roll call vote with 5 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller and ZBA Member Whalls.

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

Having considered the application of Julie and David Evans, petitioners and owners of the property located at 554 N. Park Boulevard, Glen Ellyn, for a zoning variation to allow a front yard setback of 23 feet 6 inches where 30 feet is required for the replacement of an existing nonconforming, enclosed front porch on the property located at 554 N. Park Boulevard, 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 remote public hearing conducted on December 8, 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)(1), of the Glen Ellyn Zoning Code due to the following hardship(s) or unique circumstance(s):

1. The porch is an existing condition;
2. The only change is the location of the stairs, making the front entrance easier to see and use as well as making it safer;
3. It fits with the character of the neighborhood

The motion was carried by roll call vote with 5 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller and ZBA Member Whalls.

A motion was made by ZBA Member Miller and seconded by ZBA Member Crudele to open the public hearing for 73 Newton Avenue at 7:53 p.m. The motion was carried by roll call vote with 5 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller and ZBA Member Whalls.

PUBLIC HEARING – 73 NEWTON AVENUE

PETITIONERS SCOTT AND NOREEN SCHAEFFY ARE REQUESTING APPROVAL FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: 1. A VARIATION FROM SECTION 10-4-8(E)(1) TO ALLOW A LOT COVERAGE RATION OF 27.7 PERCENT WHERE A LOT COVERAGE RATION OF 20 PERCENT IS PERMITTED; 2. 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.

(Scott and Noreen Schaetty, owners of the property located at 73 Newton 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 Scott and Noreen Schaetty, owners of the property at 73 Newton Avenue. He said the subject property is zoned R2- Single Family Residential District and is improved with a single family home. He said the property to the north, south and west are all zoned R2- Single Family Residential District and are improved with single family homes. He said the property to the east is zoned CR – Conservation Recreation District and is developed as Glen Ellyn Manor Park.

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

1. A variation from Section 10-4-8(E)(1) to allow a lot coverage ratio of 27.7 percent where a lot coverage ratio of 20 percent is permitted; and
2. 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.

Associate Planner Jackson stated the Village has not granted any past variations to this property. Associate Planner Jackson stated the Village has issued three permits for the property including a rear fence (2016), deck (1996) and single family home (1995).

Associate Planner Jackson stated the petitioners are proposing to roof over a 334 square foot portion of their 641 square foot existing patio at the rear of the home. He said the property is improved with a two-story single family home and is permitted a lot coverage ratio of up to 20 percent. He said the property is currently legal non-conforming with a lot coverage ratio of 23.3 percent. He continued that by adding the 334 square foot area of roofed accessory structure to the property, the petitioners would be increasing the lot coverage to 27.7 percent. He said that to make this property improvement, a lot coverage ratio variation is needed. He concluded that the subject property is smaller than a standard R2 district lot (by approximately 1,200 square feet) and the home does not have a front porch or detached garage and therefore does not benefit from the lot coverage ratio bonuses the Village allows.

Questions from the Zoning Board of Appeals

ZBA Member Miller asked if the lot size of the subject property is similar to those in Glen Ellyn Manor Park. Associate Planner Jackson confirmed it is.

ZBA Chairperson Constantino asked if there were any concerns with stormwater drainage. Associate Planner Jackson stated there is not as this will not change the impervious surface on the subject property.

ZBA Chairperson Constantino asked if the patio would be able to be enclosed in the future and if any additional variations would be needed for that. Associate Planner Jackson stated no additional variations would be needed in relation to the lot coverage ratio.

Petitioners' Presentation

Sworn in for the Petitioner's Presentation was Scott Schaetty, owner of the property located at 73 Newton Avenue and Phillip Piscopo, attorney for the property owner.

Mr. Schaetty stated his property is uncharacteristic to the rest of Glen Ellyn and Glen Ellyn Manor Park as there are no trees in the properties backyard. Mr. Schaetty stated his family is not able to use the backyard in the summer due the heat and lack of trees. Mr. Schaetty also stated he experiences higher ComEd bills in the summer due to the lack of trees to assist in cooling the home.

Mr. Schaetty stated the proposed work meets the characteristics of the neighborhood and is in line with the setback of the neighbors to the south of the property.

Mr. Schaetty stated the front of the house/drive way slopes into Newton Avenue and Lambert Road, which causes safety issues, which is why he would like to be able to use the backyard.

Mr. Schaetty stated there are no plans to enclose the area, just to add the roof above the existing porch.

Mr. Piscopo stated the proposed work would only require a Class I addition. Mr. Piscopo stated the property to the south has an addition that extends further than where the proposed roof does. Mr. Piscopo stated the proposed work fits with the characteristics of the neighborhood. Mr. Piscopo also noted the lack of trees in the backyard proposes a hardship.

Additional Questions from the Zoning Board of Appeals

ZBA Member Jones asked if the water tower can be seen from the backyard. Mr. Schaetty confirmed it can be seen from the backyard.

ZBA Member Jones asked if the roof would help reduce the view of the water tower. Mr. Schaetty stated he would reduce some of the view.

ZBA Member Miller asked if any other option, rather than the proposed roof, has been looked at. Mr. Schaetty stated he has looked at other options including an awning and adding trees. Mr. Schaetty stated the awning would change the characteristic of their home and trees will take years to grow.

ZBA Member Miller asked if the permit in 1996 was for a deck or the patio. Mr. Schaetty stated he purchased the home in 2016 with the patio. Mr. Schaetty stated it has had a patio since at least 2013.

ZBA Chairperson Constantino asked if Mr. Schaetty would be comfortable adding a condition to state the structure will not be enclosed. Mr. Schaetty stated this is fine as there are no plans to enclose the structure in the future.

ZBA Chairperson Constantino noted a lot coverage ratio to 27.7 is a large increase. Mr. Piscopo stated while the lot coverage ration increases, the impervious surface ration remains the same.

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 Whalls stated the following findings of fact: the property in question is 73 Newton Avenue; the subject property is located on an interior lot located on the east side of Newton Avenue between Roosevelt Road and Illinois Street; the subject property was permitted to be built in 1995 and was completed in 1996; the petitioners are Scott and Noreen Schaetty, the owners of the subject property; the petitioners are requesting a variation from Section 10-4-8(E)(1) to allow a lot coverage ratio of 27.7 percent where a lot coverage ratio of 20 percent is permitted; 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; the subject property is zoned R2- Single Family Residential District and is improved with a single family home; the properties to the north, south and west are all zoned R2- Single Family Residential District and are improved with single family homes and the property to the east is zoned CR – Conservation Recreation District and is developed as Glen Ellyn Manor Park; there are no prior variation requests for the subject property; the Village has issued three permits for the property including a rear fence (2016), deck (1996) and single family home (1995); the petitioners are proposing to roof over a 334 square foot portion of their 641 square foot existing patio at the rear of the home; the property is improved with a two-story single family home and is permitted a lot coverage ratio of up to 20 percent; the property is currently legal non-conforming with a lot coverage ratio of 23.3 percent; by adding the 334 square foot area of roofed accessory structure to the property, the petitioners would be increasing the lot coverage to 27.7 percent; in order to make this property improvement, a lot coverage ration variation is needed; staff noted the subject property is smaller than a standard R2 district lot (by approximately 1,200

square feet) and the home does not have a front porch or detached garage and therefore does not benefit from the lot coverage ratio bonuses the Village allows.

Motion

ZBA Member Jones moved, seconded by ZBA Member Crudele that the Zoning Board of Appeals recommend to approve of the Findings of Fact. The motion was carried by roll call vote with 5 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller and ZBA Member Whalls.

Additional Comments from the Zoning Board of Appeals

ZBA Member Crudele stated she is in favor of the variation. ZBA Member Crudele stated the petitioner is attempting to keep the integrity of the characteristics of the neighborhood with the proposed work. ZBA Member Crudele stated the project does not affect stormwater management and there is no additional impervious surface added. ZBA Member Crudele stated she sees the lack of trees as the hardship.

ZBA Member Jones stated he is in favor of the variation. ZBA Member Jones stated the house the south of the subject property as an addition. ZBA Member Jones he sees the water tower as a unique circumstance. ZBA Member Jones stated he understands the need of shade wanted by the petitioner. ZBA Member Jones stated the lot coverage ratio is high, but he is comfortable with that as the structure is not enclosed.

ZBA Member Miller stated the home owner did a good job with the presentation, and appreciates the homeowner’s plight. ZBA Member Miller stated he cannot get over the lot coverage ratio. ZBA Member Miller stated he understands the need for change, but he can’t vote yes for a 27.7 percent lot coverage ratio.

ZBA Member Whalls stated he understands and respects the request; however, he can’t support this project due to the large lot coverage ratio.

ZBA Chairperson Constantino stated he is having an issue getting past the large increase in lot coverage ratio. ZBA Chairperson Constantino stated there may be a temporary structure that would provide coverage from the sun. ZBA Chairperson Constantino stated he does not see the hardship and that for him to vote yes for a 27.7 lot coverage ratio the hardship has to be very clear.

ZBA Chairperson Constantino stated currently 5 of the 7 ZBA Members are at the meeting. ZBA Chairperson Constantino stated if the vote were to take place right now, the ZBA would recommend denial of the variation to the Village Board. ZBA Chairperson Constantino asked the petitioner if he would like to take a vote at this meeting, or continue to public hearing to the next scheduled ZBA meeting. ZBA Chairperson Constantino stated if the public hearing is continued, it would allow the petitioners time to review and potentially make changes to the proposed plans.

ZBA Member Miller stated he would be comfortable approving a lot coverage ratio under 25 percent.

Mr. Schaetty asked how many variations have been granted with a lot coverage ratio over 25 percent in the Village over the past several years. Planner Ashbaugh stated he can obtain that information for him.

Mr. Schaetty stated he would like to continue to the public hearing to a future ZBA meeting.

Motion

A motion was made by ZBA Member Miller and seconded by ZBA Member Whalls to continue the public hearing to the January 12, 2021 Zoning Board of Appeals meeting. The motion was carried by roll call vote with 5 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller and ZBA Member Whalls.

Staff Report

Planner Ashbaugh stated that staff has received a few new applications for the Zoning Board of Appeals. Planner Ashbaugh stated she hopes to bring a few variation requests to the Zoning Board in January 2021.

Adjournment

At 8:57 p.m. a motion was made by ZBA Member Whalls and seconded by ZBA Member Jones to adjourn the meeting. The motion was carried by roll call vote with 5 “yes” votes and 0 “no” vote. The “yes” votes are as follow: ZBA Chairperson Constantino, ZBA Member Crudele, ZBA Member Jones, ZBA Member Miller and ZBA Member Whalls.

Respectfully submitted,

Lindsey Kaminsky
Recording Secretary

Reviewed by,

Katie Ashbaugh, AICP
Planner



**Glen Ellyn Zoning Board
of Appeals**

535 Duane Street
Glen Ellyn, IL 60137

Meeting 1/12/2021 7:00 PM
Department: Community Development
Department Head: Staci Springer
Category: Public Hearing
Prepared By: Cole Jackson

**AGENDA ITEM (ID
2020-715)**

DOC ID: 2020-715

**Continued from December 8, 2020 - A Public Hearing Concerning a
Zoning Variation Request for the Property Located at 73 Newton
Avenue**

**To view the video of the December 8, 2020 Zoning Board of Appeals
meeting at which this hearing was initially opened and discussed,
please click here:**

<http://glenellynil.civicclerk.com/web/Player.aspx?id=799&key=-1&mod=-1&mk=-1&nov=0>

Statement of the Issue:

Please see the staff report.

Analysis:

Please see the staff report.

Budget Impact:

Please see the staff report.

Action Requested:

Please see the staff report.

Attachments:

1. 73 Newton Avenue Zoning Variation Staff Report
2. 1. Updated Application Materials and Statements
3. 2. Zoning - Location Map
4. 3. 1' Contour Map
5. 4. Aerial Photo

6. 5. Plat of Survey
7. 6. Existing Conditions Photos
8. 7. Previous Site Plan
9. 8. Updated Site Plan with Reduced Lot Coverage
10. 9. Previous Elevations
11. 10. Updated Elevations with Reduced Lot Coverage
12. 11 Previous 3D Rendering of Proposed Rear Porch
13. 12 Updated 3D Rendering of Proposed Rear Porch
14. 13 Public Notice
15. 14 Certificate of Publication
16. 15 Buffer Map of Properties Receiving Notice
17. 16 Address List for Notice

STAFF REPORT

TO: The Zoning Board of Appeals

FROM: Kelly Purvis, AICP, Planning Manager
Cole Jackson, Associate Planner

DATE: January 5, 2021

SUBJECT: *January 12, 2021, Zoning Board of Appeals Meeting*
Continuation of a Public Hearing for a Zoning Variation Request for the Property Located at 73 Newton Avenue

This staff report relates to a continuation of a public hearing for 73 Newton Avenue from the December 08, 2020 Zoning Board of Appeals meeting. Updates from the December 08, 2020 staff report have been bolded.

PROPERTY: 73 Newton Avenue is an interior lot located on the east side of Newton Avenue between Roosevelt Road and Illinois Street.

PETITIONER: The petitioners are Scott and Noreen Schaetty, owners of the property at 73 Newton Avenue.

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

1. A variation from Section 10-4-8(E)(1) of the Zoning Code to allow a lot coverage ratio of **25.8 percent** where a lot coverage ratio of 20 percent is permitted; and
2. 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.

ZONING/USE: The subject property is zoned R2 – Single Family Residential District and is improved with a single-family home. The properties to the north, south, and west are all zoned R2 – Single Family Residential District and improved with single-family homes. The property to the east is zoned CR – Conservation Recreation District and is developed as Glen Ellyn Manor Park.

PUBLIC NOTICE: Notice of the public hearing was published in the November 21, 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:**

The Village has not granted any past variations to this property.

**PERMIT
HISTORY:**

Year	Permit No.	Type
2016	20161184	Rear fence
1996	B15843	Deck
1995	B15030	Single Family Home

EXISTING:

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

Lot Area	8,712 ft ² (0.20 acres)	7,511.50 ft ² (0.17 acres)
Lot Width	80', corner lots; 66', all other lots	50.06'
Front Yard	30' (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)	30.81'
Side Yard	6.5' required	6.67'
Rear Yard	40'	~66'

BACKGROUND:

At the December 08, 2020 meeting of the Zoning Board of Appeals, the Board opened a public hearing for consideration of a zoning variation for the subject property. The applicant originally requested a variance for a lot coverage ratio of 27.7 percent. After hearing the deliberations of the ZBA, the applicant requested that the public hearing be continued to the January 12, 2021 meeting so they could revise the plans in response to the Board's comments. The applicant reduced the size of the proposed roofed structure from 334 ft² to 186 ft². Therefore, the applicant has reduced their variation request from a 27.7 percent lot coverage ratio to a 25.8 percent lot coverage ratio where a lot coverage ratio of 20 percent is permitted by Code. An updated site plan, elevations, and rendering of the proposed porch have been attached to the staff report for the ZBA's review. The previous plans are also attached for easy comparison of the previous proposal.

PROPOSED:

The petitioners are proposing to roof over a **186 ft²** portion of their 641 ft² exiting patio at the rear of the home (see attached plans). The property is improved with a two-story single-family home and is permitted a lot coverage ratio of up to 20 percent. The property is currently legal non-conforming with a lot coverage ratio of 23.3 percent. By adding the **186 ft²** area of roofed accessory structure to the property, the applicants would be increasing the lot coverage to **25.8 percent**. In order to make this property improvement, a lot coverage ratio variation is needed. Staff notes that the

subject property is smaller than a standard R2 district lot (by approximately 1,200 square feet) and the home does not have a front porch or detached garage and therefore does not benefit from the lot coverage ratio bonuses the Village allows.

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.

Staff would suggest that, should the ZBA recommend approval of the requested variation, that the approval be conditional upon the following:

- 1. That the project be constructed in substantial compliance with the plans and testimony presented at the December 8, 2020 and January 12, 2021 ZBA meetings and before the Village Board of Trustees; and**
- 2. That the proposed roofed over structure shall not be enclosed at a future date.**

ATTACHMENTS

- 1. Petitioners' Application Materials**
2. Zoning & Location Map
3. 1' Contour Map
4. Aerial Photo
5. Plat of Survey
6. Existing Conditions Photo
7. Previously Proposed Site Plan
- 8. Updated Site Plan with Reduced Lot Coverage**
9. Previously Proposed Elevations
- 10. Updated Elevations with Reduced Lot Coverage**
11. Previously Proposed 3D Rendering of Proposed Rear Porch
- 12. Updated 3D Rendering of Proposed Rear Porch**
13. Public Notice
14. Certificate of Publication
15. Buffer Map of Properties Receiving Notice
16. Address List for Notice

CC:

Staci Springer, AICP, Director of Community Development
Steve Witt, AIA, Building & Zoning Official
Katie Ashbaugh, AICP, Planner & ZBA Staff Liaison
Paula Moritz, Plan Reviewer

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

CLEAR ALL PAGES

AMENDMENT TO
APPLICATION FOR VARIATION

For the property at 73 Newton Avenue 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: Scott Schaetty and Noreen Schaetty
Address: 73 Newton Avenue, Glen Ellyn, Illinois 60137
Home Phone No.: --- Cell Phone No.: (314) 537-6017
Fax No.: (630) 232-6180 (My attorney's fax)
E-mail: sschaetty@gmail.com

Ownership Interest in the Property in Question:

The Applicants are the Owners of the Property in fee simple, acquired by Warranty Deed in 2016. Copy of Warranty Deed is enclosed with the Application.

III. PROPERTY INFORMATION:

Common address: 73 Newton Avenue, Glen Ellyn, Illinois

Permanent tax index number: 05-15-421-002

Legal description:

Lot 42 Block 12 in Glen Ellyn Manor, being a subdivision of part of the Southeast 1/4 of Section 15, Township 30 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded January 16, 1922 as Document 153289, in DuPage County, Illinois.

Zoning classification: R-2

Lot size: 50/06 ft. x 150.05 ft. Area: 7,511 sq. ft.

Present use:

2 Story Brick & Frame Residence with attached garage.

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):

Applicants are requesting approval from the Glen Ellyn Zoning Code as follows:

1. To allow a lot coverage of approximately 25.8%, where the maximum permitted Lot Coverage Ratio for single-family dwelling, more than one story and accessory buildings to 20% of the lot, pursuant to Section 10-4-8(E)(1) of the Zoning Code, in order to construct a covered porch structure over a portion of the Applicants' existing patio that is approximately 186 square feet.

2. 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.

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):

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

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

☐ YES

☒ NO

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

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

☐ YES

☒ NO

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

Estimated date to begin construction: February 1, 2021

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

Architect:
Rod Kelly
Design First
1201 Norwood Avenue
Itasca, Illinois 60653
(630) 877-0574
rkelly@d1builders.com

Attorney:
Philip J. Piscopo
Cooper Storm & Piscopo
117 S. Second Street
Geneva, Illinois 60134
(630) 232-6170
pjp@csp-law.com

These persons are authorized to speak on my behalf.

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

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

A. Standards Applicable to All Variations Requested:

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

The rear of our home, where the kitchen, family room and dinette areas are located, and the adjacent back patio face due east, and the back yard is adjacent to Glen Ellyn Manor Park. As a result, every morning from sunrise until late in the morning, the Sun shines directly into the back yard and patio, and into the home itself, significantly raising the temperatures in both places. Consequently, the energy usage is approximately 30% greater than that of our neighbors, and electrical bills are over \$300.00 per month in the warm months, unreasonably high for a home of this size. The current Zoning Code prevents us from rectifying this problem by building a modest patio roof that would shade the home and a portion of the patio.

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:

The unique layout of this property, with the rear of the property in full view of the Sun in the mornings, causes oppressive heat to enter into the home as well as unduly heat up the backyard in the mornings. This is a natural occurrence, but is not found in other homes because they have adequate shading caused by mature trees or other buildings.

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 proposed project is consistent with the architecture of the existing home, which itself is similar to other homes in the neighborhood. It is not a large addition and does not cover the entire patio, just a portion of it. The project would simply provide relief from the morning heat as well as a comfortable place for the property owners to sit outdoors and even invite their neighbors. Therefore, the project would contribute to the character of the neighborhood and not alter it.

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

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

The rear patio of this property faces due east, and backs into Glen Ellyn Manor Park. There are no trees or other obstructions in either the property or the park. As a result, every morning from sunrise until late in the morning, the Sun shines directly onto the back yard and patio of the property, and into the home itself, significantly raising the temperatures in both places.

It is impracticable to rectify this situation without a structure that can cover the patio allowing excessive heat to be blocked from entering the home.

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 R-2 District in Glen Ellyn is quite large. The Village has a healthy tree canopy, and therefore most properties in this District have a large number of trees that provide adequate shading to the interior of the home. Furthermore, most properties in this District do not have the combination of their backyard facing east and backing into a park which itself lacks trees on its west end.

As a result, this property, unlike most others, is wide open to the Sun on every clear morning.

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:

This is an owner-occupied single-family residence, and therefor it is not used for profit-making purposes.

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.

This home was purchased by Applicants in 2016, and is presently in the same topographical and natural condition it was in when it was purchased.

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 proposed roof covering the open-air patio is consistent with the design of the building. It is in the rear of the building and therefore is not seen from the street, and does not encroach on any setback requirements. Further, because the roof is smaller than the existing patio, it creates no new drainage issues. Water from the patio currently drains around it and to the north east corner of the property. The project would not change this.

6. Provide evidence that the proposed variation will not:

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

The Applicants do not propose to enclose the patio, thereby allowing air to freely circulate. The proposed variation is on the south and east end of the building, and is only one story, and therefore only the Applicant's home itself will receive less sunlight in the morning, the very purpose of the variation.

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

This is a small addition that meets all building code requirements, and would be situated within the required setbacks.

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

This small addition in the rear of the home, tastefully and consistently done, will not impact public health, safety, comfort, morals, or general welfare of the Village.

The design covers drainage issues because the proposed structure is smaller than the existing impervious patio, and therefore there is no additional runoff caused by this project.

d. Diminish or impair property values within the neighborhood;

This small addition is out of sight of nearly all of the nearby homes, as it is in the rear. The home to the south of the subject property is walled off with no windows, so the addition would largely not be seen by persons the nearest property thereto.

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

This is a small addition to the rear of a residence in a street that ends in a cul de sac, and does not have a purpose of drawing any additional people or traffic to the area. As a result, there is no increased traffic arising from this project.

f. Create a nuisance; or

The addition is consistent with the architecture of the existing home and does not intrude on any setbacks or cause any drainage problems. It would be situated over an existing patio and will therefore not increase the impervious area of the property.

- g. Results in an increase in public expenditures.

There are no public expenditures required for this project.

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

The Applicants, together with their architect, considered the size of the covering that would be needed in order to fulfill its purpose of preventing excessive heat and sunlight from penetrating the rear of the home, and have the structure fit with the existing patio and home architecturally, it was necessary to make the covering the size that it is.

Planting trees on the east end of the property is not practicable, as it would take decades, if ever, for them to grow to a sufficient height to provide relief to the property owners.

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

The Applicants carefully considered their options to address the oppressive heat that comes into their home in the mornings. They considered having a temporary "tent-like" structure, or awnings which would not require a building permit or a variation, but believe both would be unsightly, and would not be in the character of the Village or this neighborhood, and they would require considerably more maintenance.

The Applicants do not desire to enclose the structure in any way. Thus, the proposed structure would simply provide shelter from the morning heat and, secondarily, when it is raining.

Because the structure would be entirely cover a portion of an existing patio, it would not increase the impervious area of the property.

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.

10/26/20
Date

Scott Schaetty

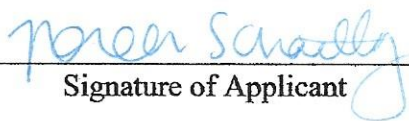
Print Name


Signature of Applicant

10/26/20
Date

Noreen Schaetty

Print Name


Signature of Applicant

Date

Print Name

Signature of Applicant

**ADDITIONAL STATEMENTS IN SUPPORT OF
AMENDMENT TO APPLICATION FOR VARIATION**

Following the hearing before the Zoning Board of Appeals on December 8, 2020, the Applicants went back to the drawing board and modified their proposed variation to make the proposed cover for their patio smaller, namely 186 square feet. This would result in a Lot Coverage Ratio of 25.8%.

Attached hereto is a revised Site Plan showing the proposed structure.

Applicants acknowledge that this proposal would create a Lot Coverage Ratio that is still higher than 25%. However, it was not possible to make it smaller and still address the issues of excessive heat on the property. Applicants respectfully submit that this proposal addresses specific and unique circumstances of hardship experienced by this property, as outlined in the original Petition. Therefore, Applicants believe that approving this project would not set a precedent within the Village because it addresses issues not found with other properties.

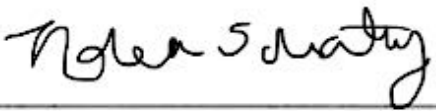
Applicants are agreeable to a condition that prohibits enclosure of the proposed roof structure.

With regard to the existence of the patio, Applicants did not create it or the home itself. Both already existed when they purchased the property in 2016.

DATED: 1/6/21



Scott Schaetty, Applicant



Noreen Schaetty, Applicant

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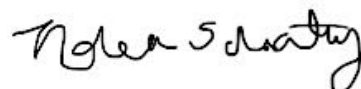
With regard to the existence of the patio, Applicants did not create it or the home itself. Both already existed when they purchased the property in 2016.

DATED: **1/6/21**

Applicant



Scott Schaetty,



Noreen Schaetty, Applicant



ARCHITECT STATEMENT

It is our professional opinion, based on the site orientation and the nature of the existing site conditions, that the size of the proposed structure cannot be decreased without compromising the functional needs of the proposed structure.

Reducing the structure any further will not mitigate the hardship nor will it improve the value of the property for the current or future occupants.

Rod J. Kelly
Senior Architect

Affidavit Affirming No Conflict of Interest

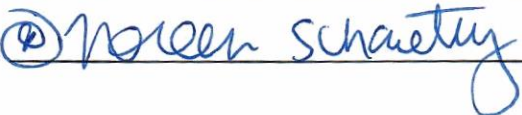
The undersigned, being duly sworn and under oath, states as follows:

1. My name is Noreen Schaetty, and I hold the position of Owner for _____ ("Owner").
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~~ ^{and} the Owner ~~to~~ make the representations and statements in this Affidavit on the Owner's behalf in support of the application for development approval ("Application") the Owner 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 Owner, the Application, or the project proposed by the Owner.
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 Owner, the Application, or the project proposed by the Owner.
6. I will immediately notify the Village if the Owner learns of the material inaccuracy of any statement within this Affidavit.

Further affiant sayeth naught.

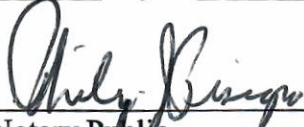
Name: Noreen Schaetty

Title: Owner

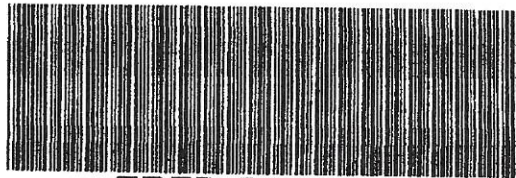
Signature: 

Subscribed and sworn to me this

11 day of November, 2020.


Notary Public



FIRST AMERICAN TITLE**FILE #** 274811 102WARRANTY DEED
ILLINOIS STATUTORY
INDIVIDUALFIRST AMERICAN TITLE COMPANY
27775 DIEHL ROAD
WARRENVILLE, IL 60555
RECORDING DEPT.Preparer File: HOYNER
FATIC No.:**FRED BUCHOLZ**
DUPAGE COUNTY RECORDER
JUN 28, 2016 RHSP 2:37 PM
DEED \$40.00 05-15-421-002
003 PAGES R2016-065420

THE GRANTOR(S) FRANK^J HOYNER divorced and not since remarried and TAMIE^R HOYNER, divorced and not since remarried, of the City of Glen Ellyn, County of DuPage, State of IL for and in consideration of Ten dollars, and other good and valuable consideration in hand paid, CONVEY(S) and WARRANT(S) to SCOTT^J SCHAETTY and NOREEN SCHAETTY, husband and wife, as tenants by the entirety, 75 Newton Glen Ellyn, IL, all interest in the following described Real Estate situated in the County of DUPAGE in the State of IL, to wit:

See Exhibit "A" attached hereto and made a part hereof

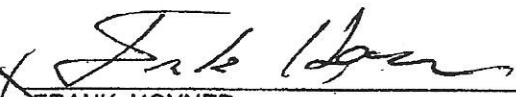
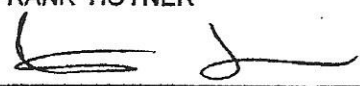
SUBJECT TO: covenants, conditions, restrictions and easements of record, general real estate tax for 2015 and subsequent years

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Real Estate Index Number(s): 05-15-421-002

Address(es) of Real Estate: 73 NEWTON AVENUE
GLEN ELLYN, IL 60137

Dated this 3rd day of June, 20 16


FRANK HOYNER
TAMIE HOYNER

Village of Glen Ellyn Real Estate Transfer Tax	
019013	
Sale \$	490,000.00
Tax \$	1,470.00
Date	06/16 Initials <u>Re</u>

First American
Title Insurance Company

Warranty Deed - Individual

FRED BUCHOLZ R2016-065420 DUPAGE COUNTY RECORDER

STATE OF ILLINOIS, COUNTY OF DuPage SS

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT FRANK HOYNER and TAMIE HOYNER, personally known to me to be the same person(s) whose name(s) are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal this 3rd day of June, 2016.



Susan Lesus
Notary Public

Prepared by:
Susan Lesus, Attorney at Law
511 W. Wesley St.
Wheaton, IL 60187

Mail to: MICHAEL J. CORNFELD
6153 N. MILWAUKEE AVE
CHICAGO, ILL 60646

Name and Address of Taxpayer:
SCOTT SCHATTY
73 Newton Ave
Glen Ellyn, IL 60137

STATE & COUNTY TAX	STATE OF ILLINOIS	# 0000013866	REAL ESTATE TRANSFER TAX
	 JUN. 28. 16		00735.00
	DUPAGE COUNTY		FP 326681

735.00

Exhibit "A" – Legal Description

LOT 41 BLOCK 12 IN GLEN ELLYN MANOR, BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 16, 1922 AS DOCUMENT 153289, IN DUPAGE COUNTY, ILLINOIS.



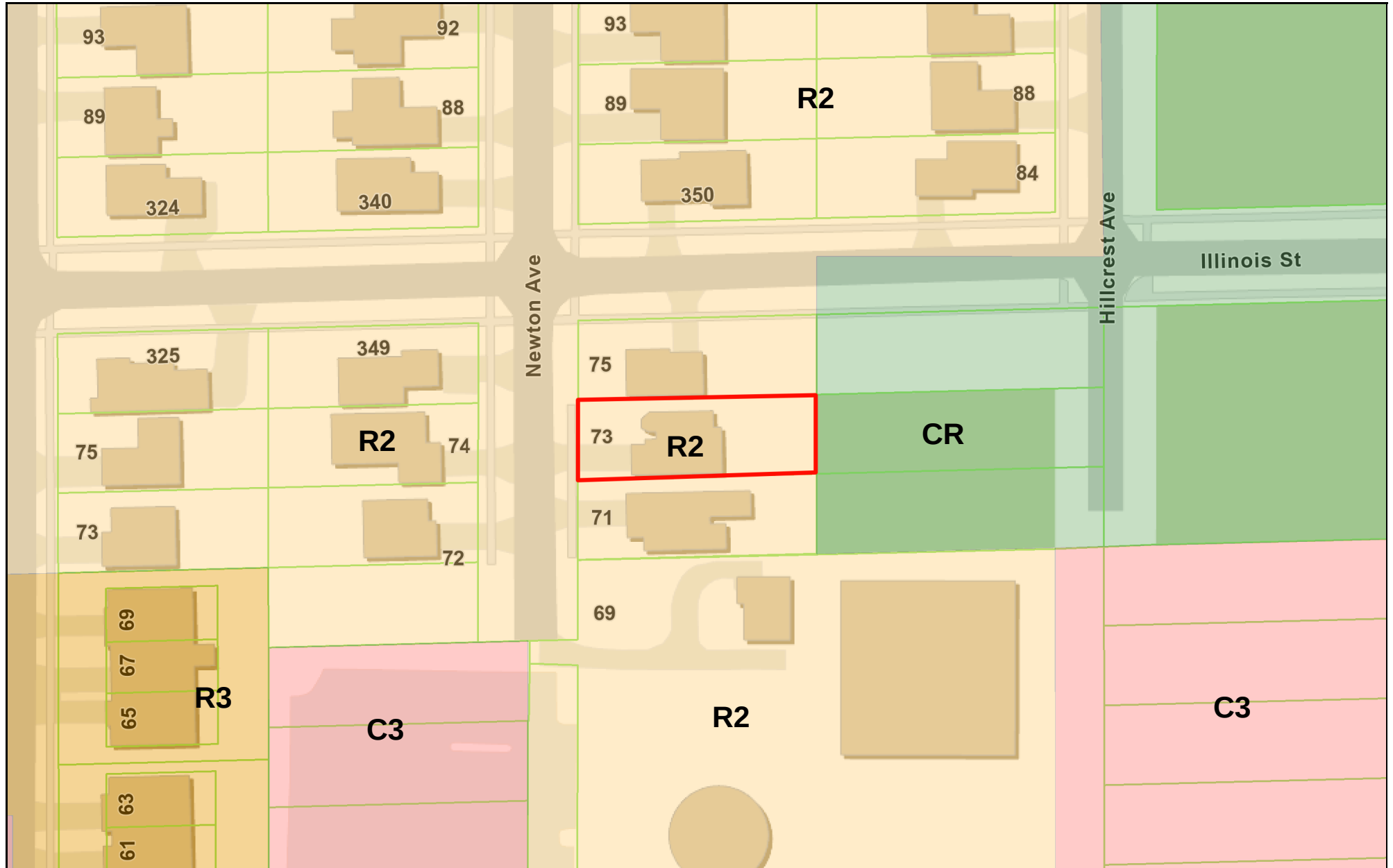
**First American
Title Insurance Company**

FRED BUCHOLZ

R2016-065420

DUPAGE COUNTY RECORDER

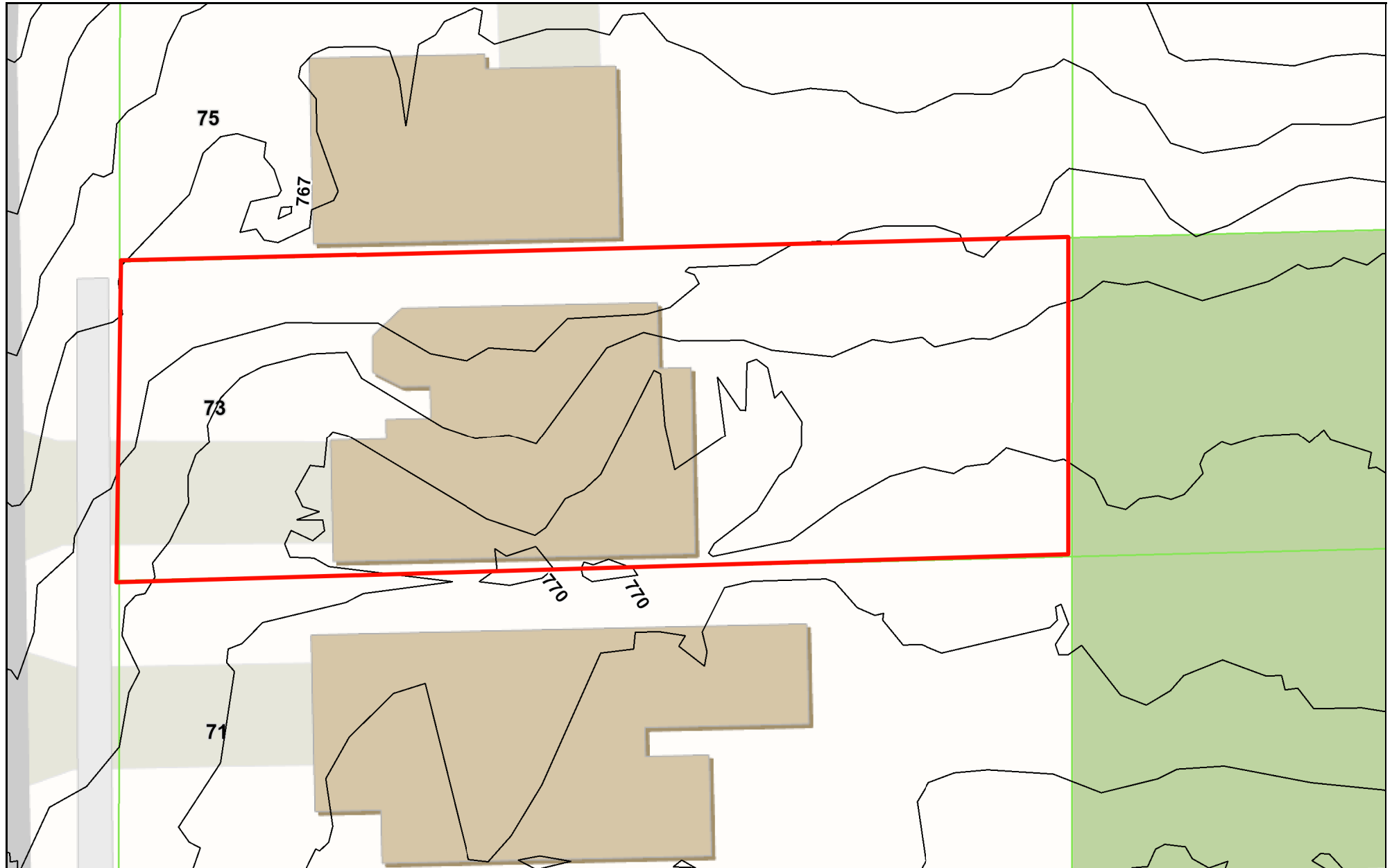
Warranty Deed - Individual



0 100 200 ft

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. 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.

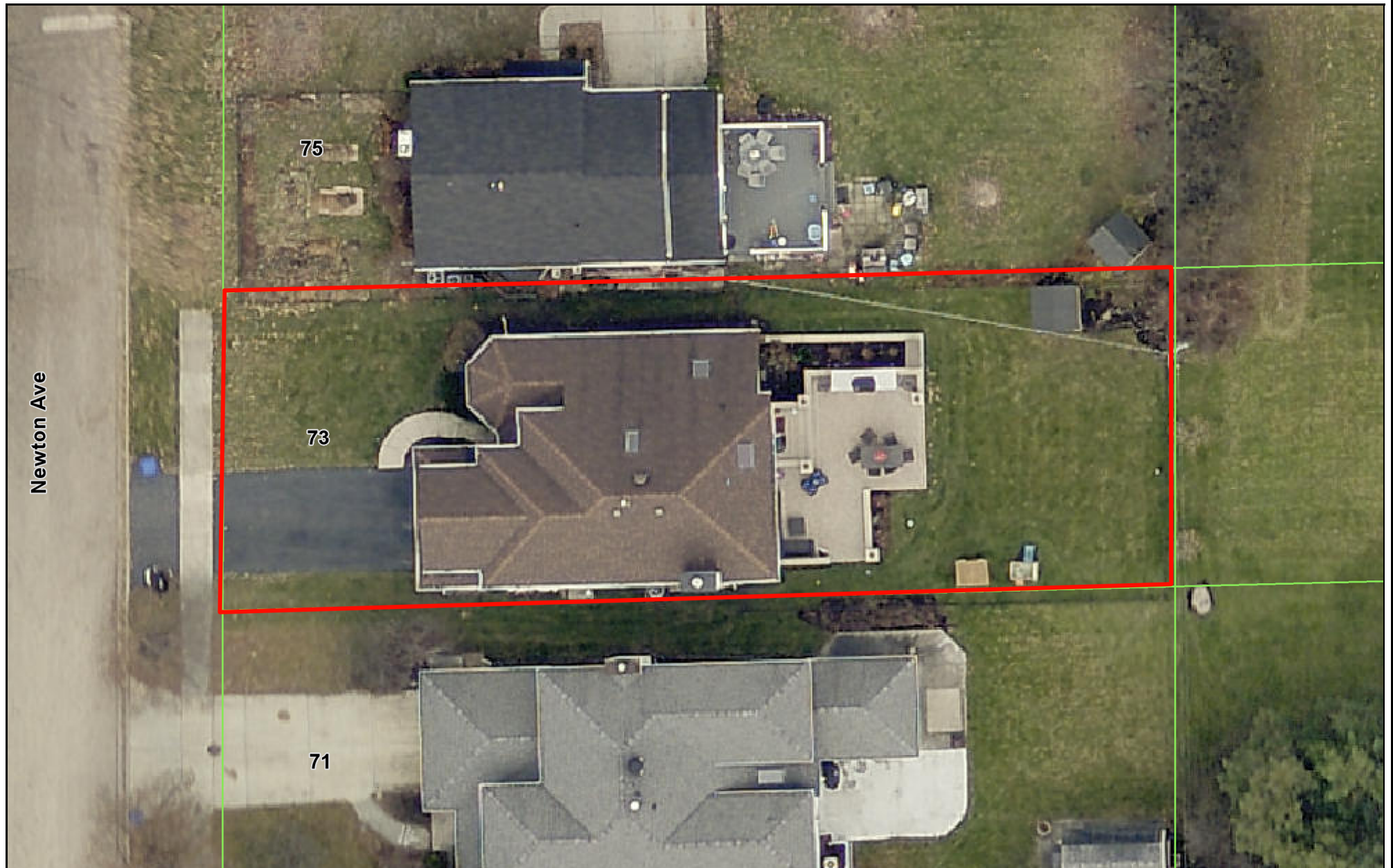
Notes



0 25 50
ft

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Notes



0 25 50
ft

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Notes

PLAT OF SURVEY

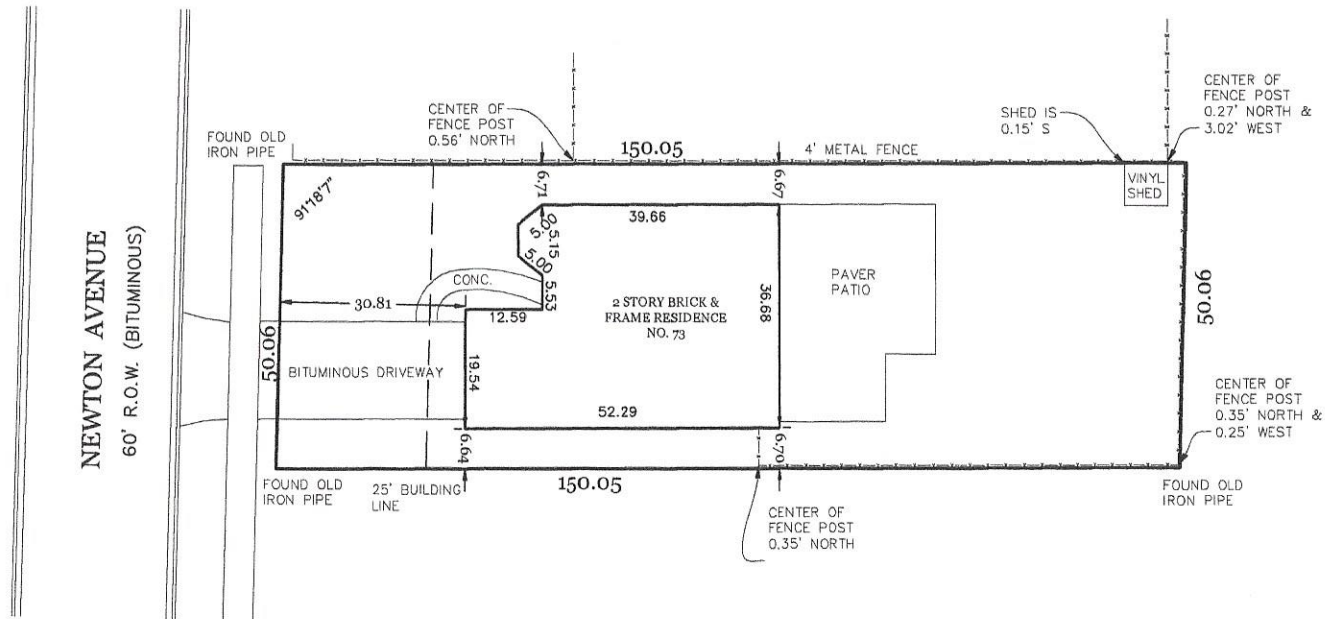
LOT 41 BLOCK 12 IN GLEN ELLYN MANOR, BEING A SUBDIVISION OF THE SOUTHEAST 1/4 SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED ON JANUARY 16, 1922 AS DOCUMENT NUMBER 153289, IN DUPAGE COUNTY, ILLINOIS.

PIN: 05-15-421-002

ADDRESS: 73 NEWTON AVENUE, GLEN ELLYN, ILLINOIS 60137



NORTH
SCALE: 1 IN. = 20 FT.



THIS SURVEY MEETS ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY
STATE OF ILLINOIS
COUNTY OF DUPAGE) S.S.

I, WARREN D. JOHNSON, HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED AT WHEATON, IL. THIS 25TH DAY OF AUGUST A.D. 2020.

ILLINOIS REGISTERED LAND SURVEYOR NO. 2971



3661

DJA CIVIL ENGINEERS & SURVEYORS

Dave Johnson and Associates, Ltd.
1568 Holiday Drive
Sandwich, Illinois 60548
ph. 630 752 8600 fax. 630 752 9556
e-mail: Dave@DJAonline.net



SCHAETTY RESIDENCE
73 Newton Ave, Glen Ellyn, IL 60137

first
DESIGNFIRST BUILDERS
1201 NORWOOD AVE.
ITASCA, IL. 60143
(630) 250-7777
contact@dfbuilders.com

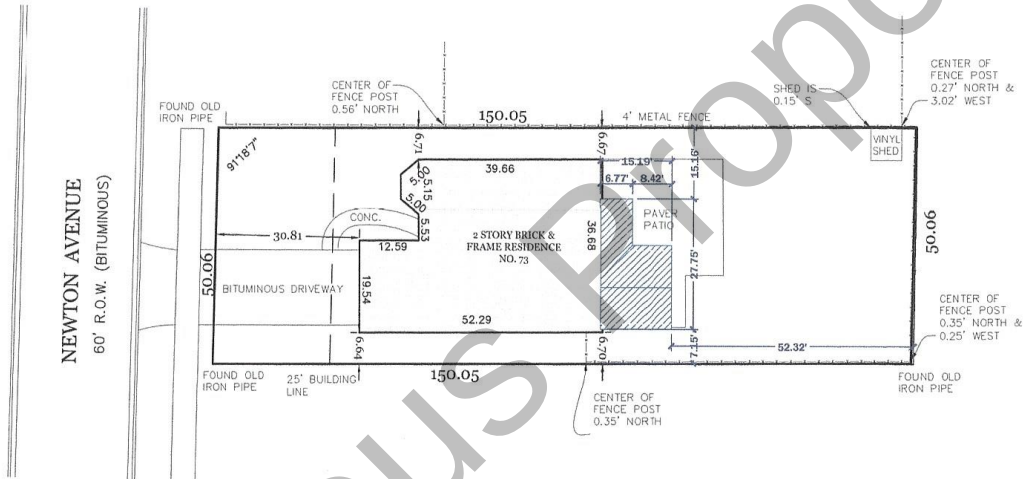


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October 26, 2020
CLIENT INITIAL: _____

PRELIMINARY

PROPOSED SITE PLAN

SCALE: 1" = 20'



Initial project design, specifications and scope presented are based on homeowner measurements and pictures, and may not be complete or accurate. Complete measurements and pictures to be done after contract by the Design First Builders architecture department which may alter the final design, specifications and scope for unforeseen work. If additional scope or design modifications are not in the original specifications, Design First Builders will discuss the scope changes with homeowner, along with options and alternatives, if available. Additional charges for unforeseen work may apply.



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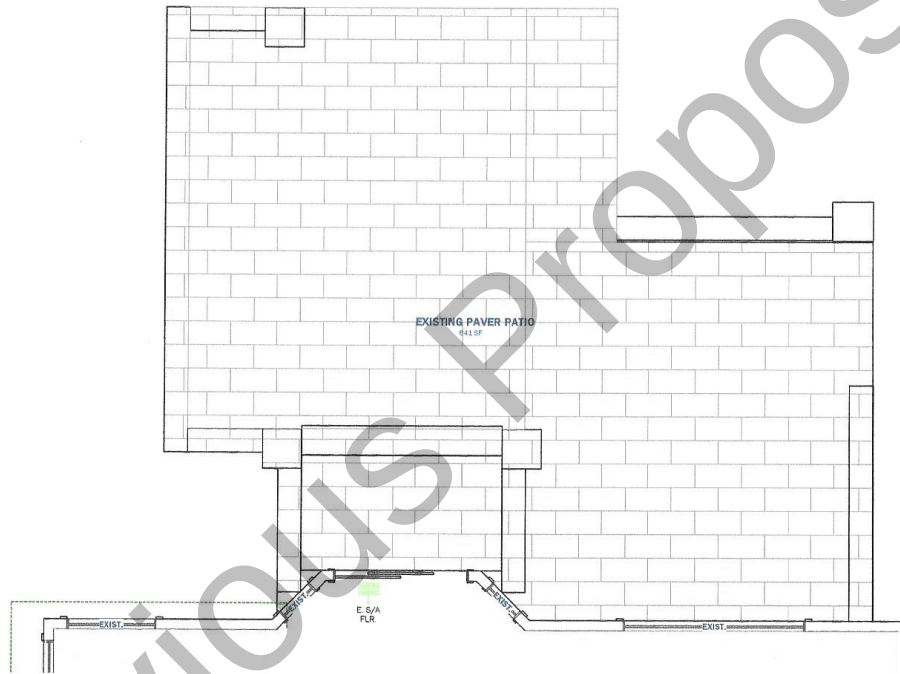
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PRINTED: Monday, October 26, 2020

CLIENT INITIAL: _____ DESIGNER INITIAL: _____

PRELIMINARY

EXISTING PATIO PLAN
SCALE: 1/4" = 1'-0"



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1201 NORWOOD AVE.
ITASCA, IL 60143
(630) 250-7777
costact@d1builders.com

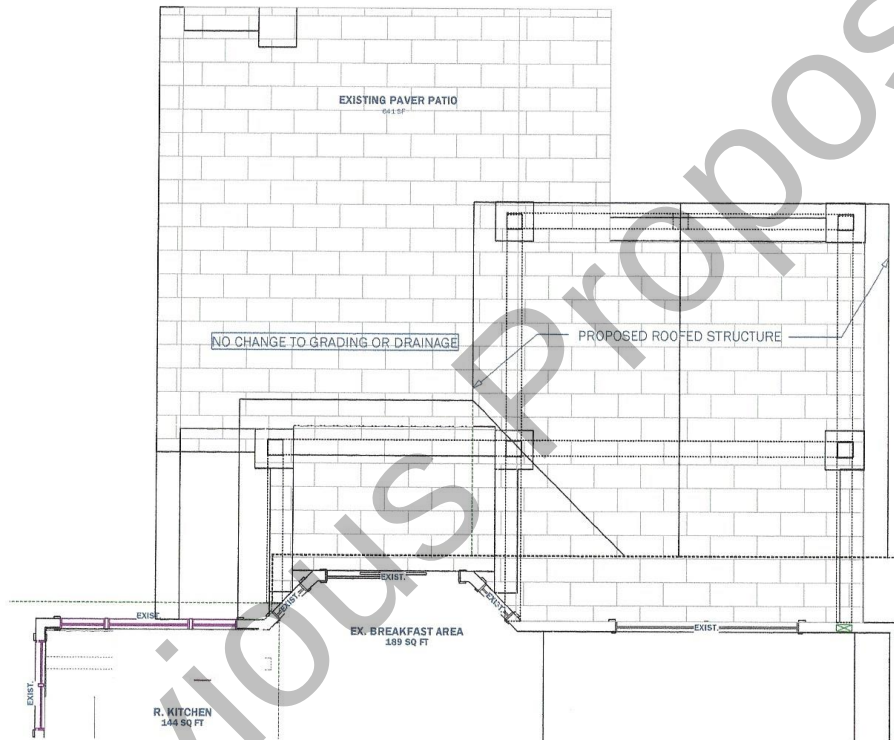
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PRINTED: Monday, October 26, 2020
CLIENT INITIAL: _____ DESIGNER INITIAL: _____

PRELIMINARY

PROPOSED PATIO FLOOR PLAN
SCALE: 1/4" = 1'-0"

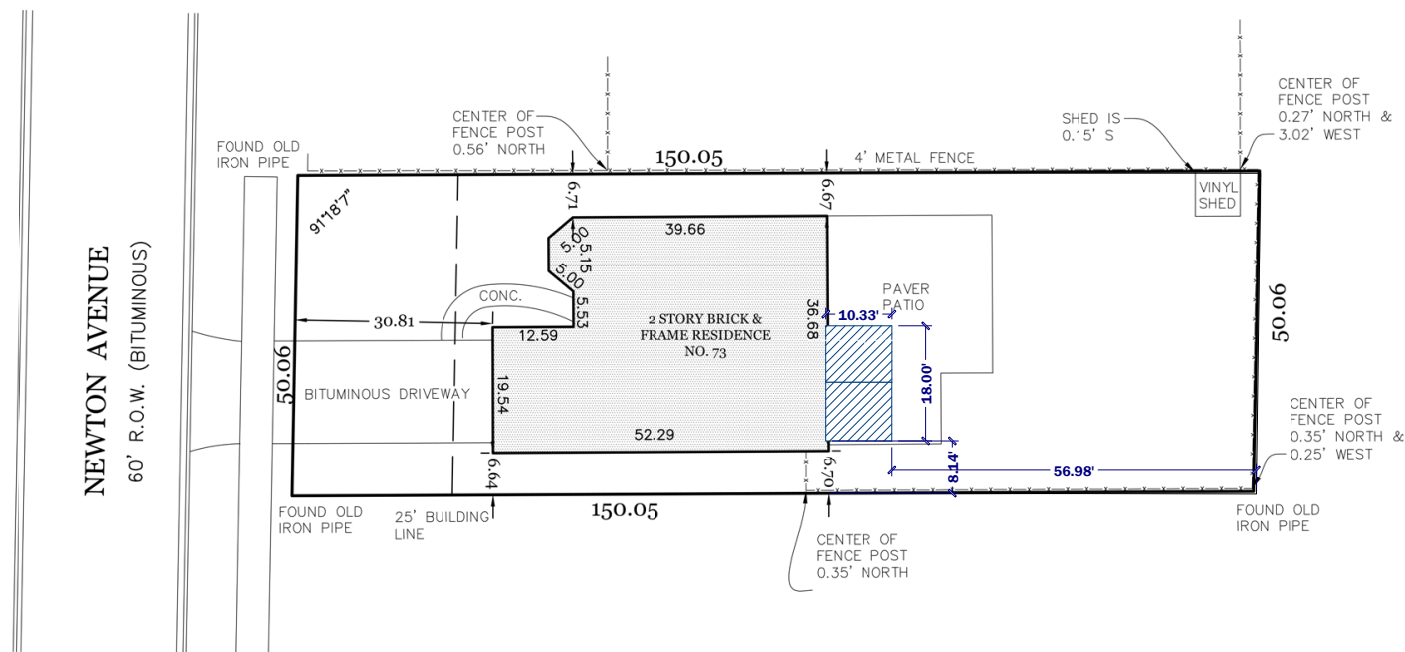


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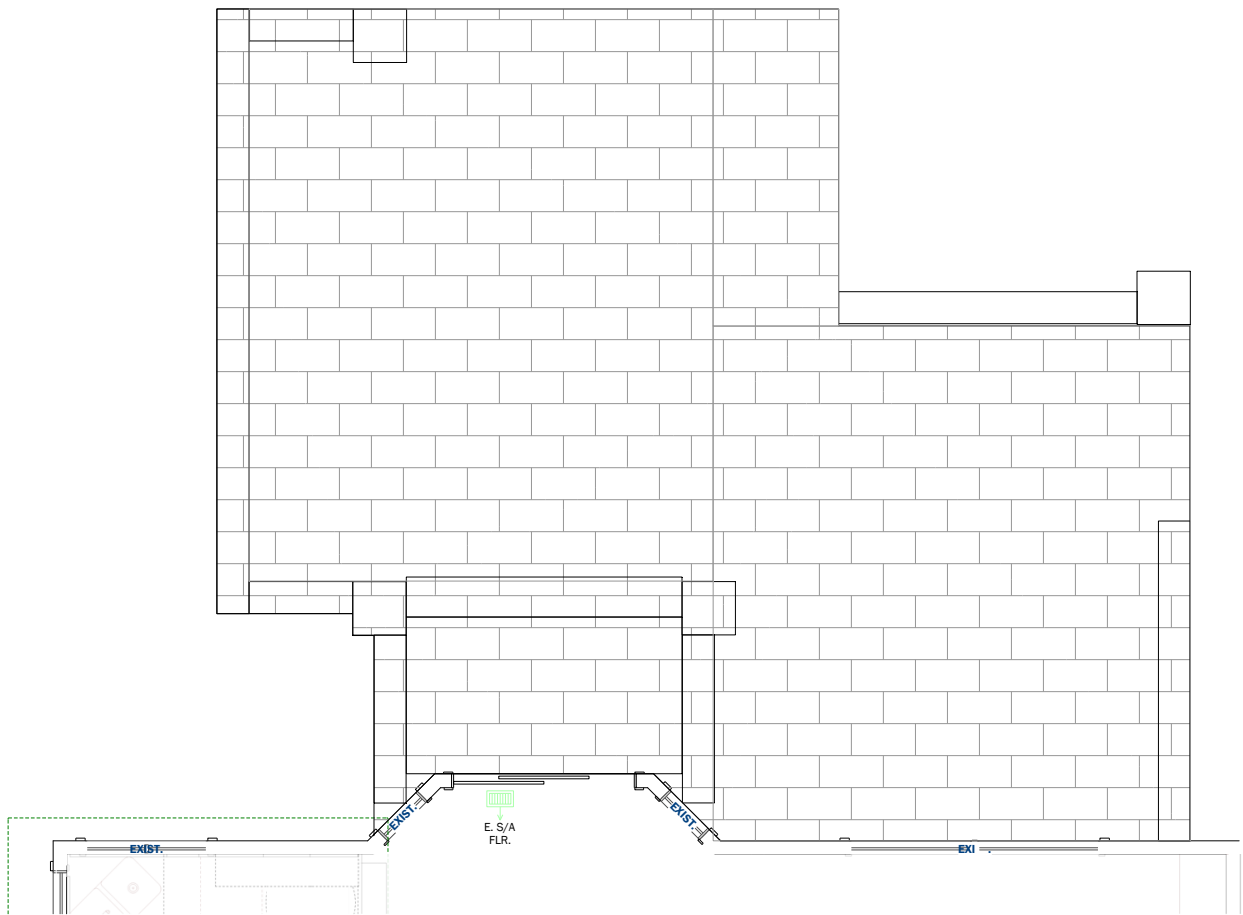
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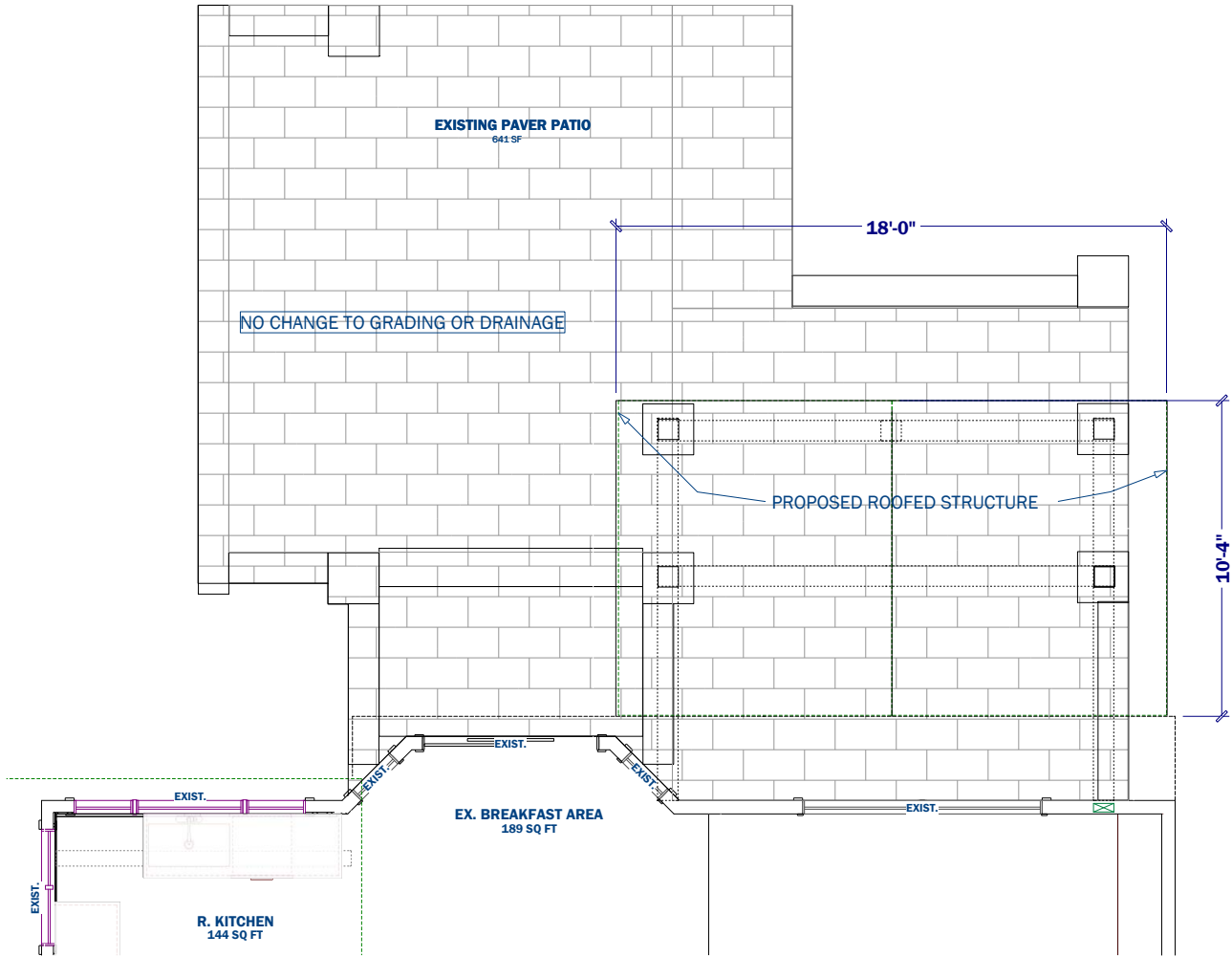
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PRELIMINARY

PROPOSED EAST ELEVATION

SCALE: 1/4" = 1'-0"



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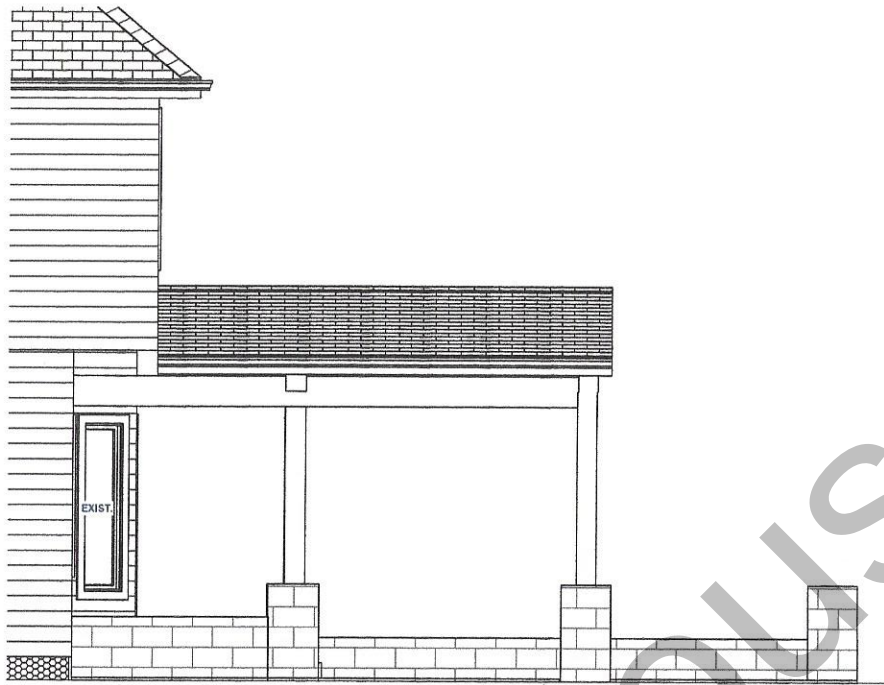
PRINTED: Monday, October 26, 2020

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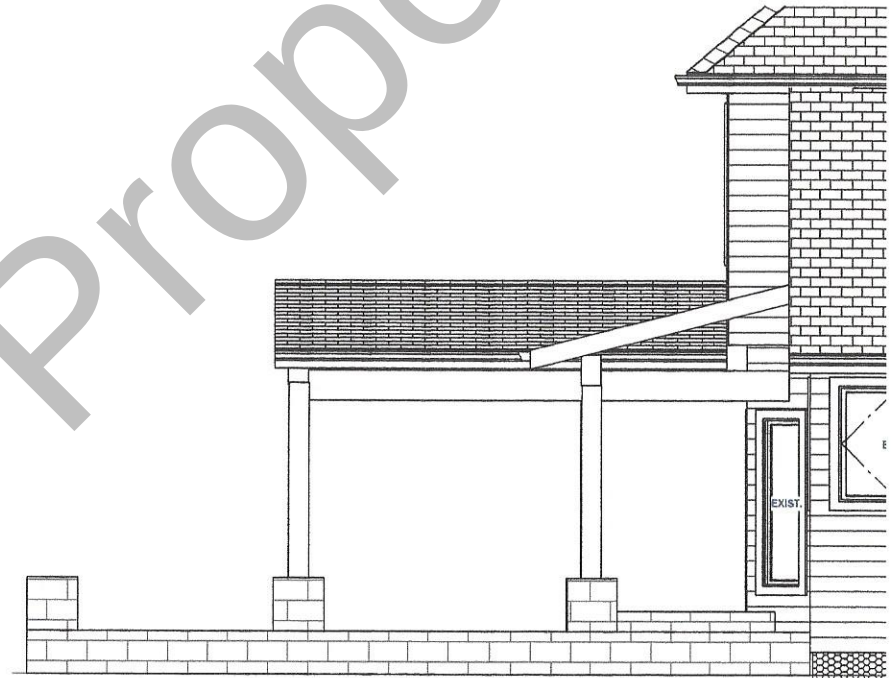
PRELIMINARY

PROPOSED NORTH & SOUTH ELEVATIONS

SCALE: 1/4" = 1'-0"



SOUTH ELEVATION



NORTH ELEVATION



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CLIENT INITIAL: _____ DESIGNER INITIAL: _____

PRELIMINARY

PROPOSED NORTH & SOUTH ELEVATIONS

SCALE: 1/4" = 1'-0"



SOUTH ELEVATION



NORTH ELEVATION



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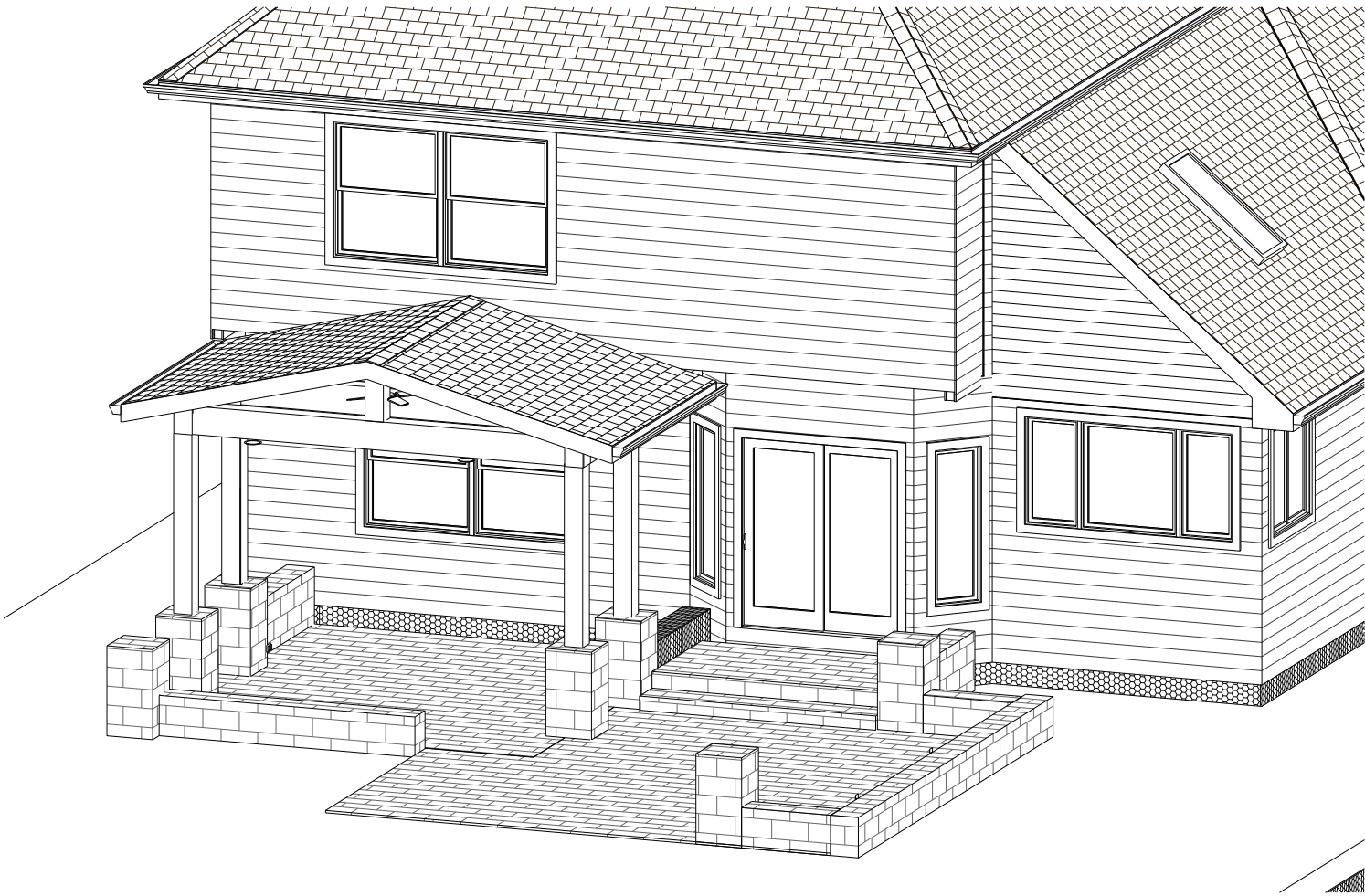


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** PERSPECTIVES ARE FOR PRESENTATION ONLY AND ARE ONLY INTENDED TO REPRESENT A CLIENT'S POTENTIAL OUTCOME. RESULTS ARE NOT TYPICAL AND SOME ITEMS MAY NOT BE IN CONTRACT.
SEE CONTRACT AND SPECIFICATIONS FOR MORE DETAILS(!) **



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NOTICE OF PUBLIC HEARING

Scott and Noreen Schaetty, owners of the property located at 73 Newton Avenue, Glen Ellyn, are requesting a public hearing for a zoning variation in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code. Before the Glen Ellyn Village Board can consider this request, the Glen Ellyn Zoning Board of Appeals must conduct a public hearing. The Zoning Board of Appeals will conduct a public hearing on **Tuesday, December 8, 2020, at 7:00 p.m. via the virtual meeting platform, Zoom.**

The property owners are requesting approval of a variation from the Glen Ellyn Zoning Code to allow the existing roof of the house to be enlarged by 334 square feet to cover part of the existing patio to the rear of the house. To accommodate this project, the property owners are requesting approval of the following zoning variations from the Glen Ellyn Zoning Code:

1. Section 10-4-8(E)(1) to allow a lot coverage ratio of 27.7 percent where a lot coverage ratio of no more than 20 percent is permitted for structures one story or greater in the R2 Residential District; and
2. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

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

LOT 41 BLOCK 12 IN GLEN ELLYN MANOR, BEING A SUBDIVISION OF PART OF THE SOUTHEAST ¼ OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 16, 1922 AS DOCUMENT 153289, IN DUPAGE COUNTY, ILLINOIS.

PINs: 05-15-421-002

To view some plans related to the proposed project, please visit the Village website here: <http://www.glenellyn.org/246/Public-Notice-Portal>. Plans are also on file in the Community Development Department, Civic Center, 535 Duane Street, Glen Ellyn, Illinois. These plans and a staff report will be posted on the Village's website for public viewing on the Agendas and Minutes page for public viewing no later than Friday, December 4, 2020, linked here, <http://glenellynvillageil.iqm2.com/Citizens/default.aspx>. If you have questions, please contact Cole Jackson, Associate Planner, at either (630) 547-5246 or cjackson@glenellyn.org.

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.

All persons who are interested are invited to attend the public hearing via Zoom. Any public questions or comments regarding this request should be submitted in advance of the meeting either via the Zoning Board of Appeals public comment form, linked here, <https://glenellynil.seamlessdocs.com/f/publiccommentzba> or via email to Cole Jackson, Associate Planner, at cjackson@glenellyn.org. All public comments received by 5:00 pm on Tuesday, December 8, 2020 will be read into the record at the public hearing. The public may also observe and participate in the meeting in progress on Zoom. The Zoom information is provided below.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84874590291?pwd=TXIxcGtIRmtXK2FQMmg3eHFoU2VpUT09>

Passcode: 234012

Or iPhone one-tap:

US: +13126266799,,84874590291#,,,,,0#,,234012# or
+16465588656,,84874590291#,,,,,0#,,234012#

Or Telephone, Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 253 215 8782 or
+1 346 248 7799 or +1 669 900 9128
Webinar ID: 848 7459 0291
Passcode: 234012

International numbers available: <https://us02web.zoom.us/j/kcOzEFXgvH>

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Or iPhone one-tap:

US: +13126266799, 84874590291#,,,,,0#,,234012# or

+16465588656, 84874590291#,,,,,0#,,234012#

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+1 253 215 8782 or +1 346 248 7799 or +1 669 900 9128

Webinar ID: 848 7459 0291

Passcode: 234012

International numbers available:

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Published in Daily Herald November 21, 2020 (4554705)

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VILLAGE OF GLEN ELLYN

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

DuPage County

Daily Herald

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

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

County(ies) of DuPage

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

I further certify that the DuPage County DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 11/21/2020 in said DuPage County DAILY HERALD.

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

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY

Laurel Baltz

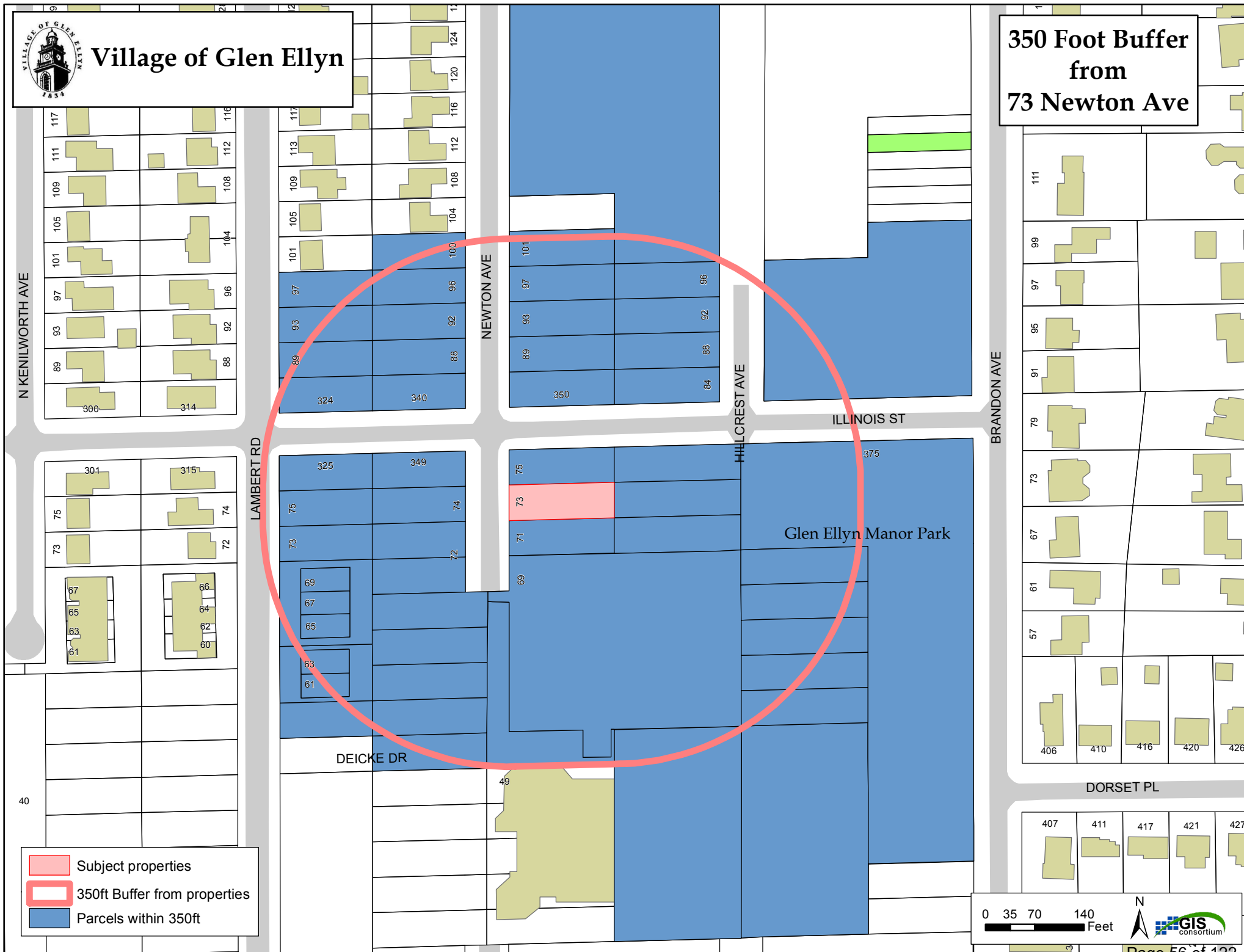
Designee of the Publisher and Officer of the Daily Herald

Control # 4554705



Village of Glen Ellyn

350 Foot Buffer
from
73 Newton Ave



List of Addresses
73 Newton Rd. Glen Ellyn, IL 60137

Recipient	Street Number	Street Direction	Street Name	City	State	Zip Code
ANDERBERG, LINDA	325		ILLINOIS ST	GLEN ELLYN	IL	60137
ANSELMO, T & M FIELMANN	93	N	LAMBERT RD	GLEN ELLYN	IL	60137
BABBITT, GLEN & NANCY	63	N	LAMBERT RD	GLEN ELLYN	IL	60137
BENNETT, BRIAN F & LISA C	88		HILLCREST AVE	GLEN ELLYN	IL	60137
BENT, BYRON & AIMEE	84		HILLCREST AVE	GLEN ELLYN	IL	60137
BRADY, TIMOTHY	349		ILLINOIS ST	GLEN ELLYN	IL	60137
BULTHUIS, DANIEL	96		HILLCREST AVE	GLEN ELLYN	IL	60137
DAVENPORT, CAROLYN T	97		NEWTON AVE	GLEN ELLYN	IL	60137
DIGIACOMA, M & L RIDINGER	74		NEWTON AVE	GLEN ELLYN	IL	60137
DORSEY, KAMERON & S	97	N	LAMBERT RD	GLEN ELLYN	IL	60137
FAGAN, DAVID J	71		NEWTON AVE	GLEN ELLYN	IL	60137
GLEN ELLYN PARK DIST	185		SPRING AVE	GLEN ELLYN	IL	60137
KELLI HOMES	93		NEWTON AVE	GLEN ELLYN	IL	60137
KOHLER RAUSCH, PAUL	350		ILLINOIS ST	GLEN ELLYN	IL	60137
KRZYSKO, RICHARD A	67		LAMBERT RD	GLEN ELLYN	IL	60137
LALOWSKI, URANIA	92		NEWTON AVE	GLEN ELLYN	IL	60137
LAMBERT TOWNHOUSE ASSOC	67	N	LAMBERT RD	GLEN ELLYN	IL	60137
LINDGREN, TODD & ERIN D	75		NEWTON AVE	GLEN ELLYN	IL	60137
MELTON, MICHAEL T	100		NEWTON AVE	GLEN ELLYN	IL	60137
MEYER, STEVEN & MAUREEN	65	N	LAMBERT RD	GLEN ELLYN	IL	60137
MURPHY, K & S OCHOA	89	N	LAMBERT RD	GLEN ELLYN	IL	60137
NOVAK, DOUGLAS & LINDA M	324		ILLINOIS ST	GLEN ELLYN	IL	60137
PAWSKI, ROLF & LOREENE	92		HILLCREST AVE	GLEN ELLYN	IL	60137
POST, CHARLES & BARBARA	96		NEWTON AVE	GLEN ELLYN	IL	60137
PREDKI, TOMASZ J	75	N	LAMBERT RD	GLEN ELLYN	IL	60137
PRISCO, CHARLES & SHARON	88	N	NEWTON AVE	GLEN ELLYN	IL	60137
RANDALL, PATRICIA A	69	N	LAMBERT AVE	GLEN ELLYN	IL	60137
SCHAETTY, SCOTT J	73		NEWTON AVE	GLEN ELLYN	IL	60137
THORNTON, MICHAEL S	101		NEWTON AVE	GLEN ELLYN	IL	60137
VAN GORP, CAROL	89		NEWTON AVE	GLEN ELLYN	IL	60137
VELAZQUEZ, JOSE	73	N	LAMBERT RD	GLEN ELLYN	IL	60137
VILLAGE OF GLEN ELLYN	535		DUANE ST	GLEN ELLYN	IL	60137
VILLAGE OF GLEN ELLYN	498		PENNSYLVANIA AVE	GLEN ELLYN	IL	60137
VP2721 TR	61	N	LAMBERT RD	GLEN ELLYN	IL	60137
YMCA OF NW DUPAGE COUNTY	49		DEICKE DR	GLEN ELLYN	IL	60137
ZIMNY, IRVIN C & MARY T	72		NEWTON	GLEN ELLYN	IL	60137
ZUR, THOMAS & KATHLEEN	340		ILLINOIS ST	GLEN ELLYN	IL	60137



**Glen Ellyn Zoning Board
of Appeals**

535 Duane Street
Glen Ellyn, IL 60137

Meeting 1/12/2021 7:00 PM
Department: Community Development
Department Head: Staci Springer
Category: Public Hearing
Prepared By: Cole Jackson

**AGENDA ITEM (ID
2021-795)**

DOC ID: 2021-795

A Public Hearing Concerning Construction Necessitated Zoning Variation Requests for the Properties Located at 231 and 233 N. Park Boulevard

Statement of the Issue:

Please see attached staff report.

Analysis:

Please see attached staff report.

Budget Impact:

Please see attached staff report.

Action Requested:

Please see attached staff report.

Attachments:

1. 231 Park Staff Report
2. 1. Application Materials
3. 2. Aerial Photo
4. 3. Zoning Map
5. 4. 2' Contour Map
6. 5. Plat of Survey
7. 6. Site Plan
8. 8. Draft Easement Exhibit
9. 7. Existing Conditions Photos
10. 9. Cost Estimate to Remove Work
11. 10. Public Notice
12. 11. Certificate of Publication
13. 12. Map of Properties Notified

- 14. 13. List of Properties Notified
- 15. 14. Ordinance 6691

STAFF REPORT

TO: The Zoning Board of Appeals

FROM: Kelly Purvis, Planning Manager
Cole Jackson, Associate Planner

DATE: January 5, 2021

SUBJECT: January 12, 2021 Zoning Board of Appeals Meeting

PROPERTY: 231 N. Park Blvd. is an interior lot on the east side of N. Park Blvd. and between Wingate Rd. and High Rd. 233 N. Park Blvd is directly north of 231 N. Park Blvd. and located on the corner of N. Park Blvd. and Wingate Rd.

PETITIONER: Cristin Foster English, trustee of the Cristin Foster English Trust, owner of the property located at 231 N. Park Boulevard, is requesting a public hearing for a construction necessitated zoning variation for the property located at 231 N. Park Boulevard. Ms. English is also requesting a public hearing for a construction necessitated zoning variation for the property located at 233 N. Park Boulevard, on behalf of Geno and Katie Mattoida, owners of the property located at 233 N. Park Boulevard.

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

1. A variation from Section 10-5-5(C)(1) of the Zoning Code to reduce the permitted impervious setback from the north interior side lot line of 0.2 feet, as granted by Ordinance No. 6691, to zero (0) feet along more than three-quarters of the existing driveway on the property located at 231 N. Park Boulevard;
2. A variation from Section 10-5-5(C)(1) of the Zoning Code to reduce the required impervious setback from approximately 1.35 feet to 0 feet along portions of the same driveway which encroaches onto the property located at 233 N. Park Boulevard; and
3. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

ZONING/USE: The subject properties and all surrounding properties are zoned R2 – Single Family Residential District and are all improved with single-family homes.

PUBLIC NOTICE: Notice of the public hearing was published in the December 28, 2020, edition of the Daily Herald, mailed to property owners within 250 feet of the subject properties, and placards were placed on each of the properties.

**ZONING
ORDINANCE
HISTORY:**

In 2019, the Village approved Ordinance 6691 granting a variation to the property located at 231 N. Park Blvd. from Section 10-5-11(F)2 and Section 10-5-5(C) to allow for the extension of a driveway with a width of 8.5 feet and impervious surface setback of 0.2 feet to provide access to a detached garage located in the rear yard. No previous variations have been granted to the property located at 233 N. Park Blvd.

**PERMIT
HISTORY:**

Year	Permit No.	Type
1927	B814	Two-story New Construction
1961	B8024	Electrical
1963	B9313	Addition
1971	B2046	Fire Loss Repair
1989	B10965	Fence
2013	20131479	Fence
2018	20182530	Residential Interior Remodel
2018	20182354	Detached Garage
2019	20190259	Residential Alteration
2020	20201462	Driveway demo/add turnaround
2020	20200526	Fence

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

Lot Area	8,712 ft ² (0.20 acres)	~7,739 ft ² (0.18 acres)
Lot Width	80', corner lots; 66', all other lots	50'
Front Yard	30' (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)	41.36' actual
Side Yard	6.5' required	6.12' (south); 8.71' (north)
Rear Yard	40'	~73'

**PROJECT
HISTORY:**

In 2019, the previous owners of the property at 231 N. Park extended the existing driveway along the north side of the property to allow access to a detached garage behind the home. Because of the narrow distance between the north property line and the house, the owners removed a small triangular piece of the home on the northeast corner to provide room for

the driveway to wrap around the edge of the home and to provide access to a detached garage (see attached plat of survey and site plan). To accommodate this project, in 2019 the Village Board adopted Ordinance 6691 (attached) granting variations permitting a driveway width of 8.5 feet where 9 feet is required and an impervious surface setback of 0.2 feet where 1 foot is required. After the work was completed, the property was sold to the new and current owners, the Cristin Foster English Trust in February 2020. A new construction company was utilized for continued work on the site.

The current property owners of 231 N. Park Blvd. indicated that the 8.5 feet wide driveway was inadequate and resulted in them driving on part of the side yard of the property directly to the north, 233 N. Park Blvd., creating muddy conditions and damaging the yard. The applicant states that they sought to remedy this situation by placing brick pavers on both sides of the driveway including portions of the sideyard of 233 N. Park Blvd. (see attached existing conditions photos). Along the length of the driveway, portions of the pavers are located on both 231 N. Park Blvd. and 233 N. Park Blvd. (see attached plat of survey and site plan). The addition of the brick pavers along the driveway reduced the impervious surface side yard setback to 0 feet for both properties.

Staff members recognized that the brick pavers had been added in May of 2020. In July of 2020, staff told the construction company that the Village needed a final grading survey to document the impervious surface additions. The Village received a final grading survey documenting the impervious surfaces in August of 2020 and began working with the property owner and construction company on meeting zoning variation requirements.

Staff requested that if a variation is to be granted to allow the brick pavers to remain between the properties, that a plat of easement be prepared to give the owner of 231 N. Park Blvd. the right to traverse the property for purposes of ingress and egress (see attached draft plat of easement). This will allow any future owners of the property at 231 N. Park Blvd. the right to drive on the brick pavers (and also establishes maintenance responsibility for the pavers) regardless of who owns either property.

PROPOSED:

The applicant is proposing to maintain the brick pavers in their existing location per the attached site plan. If the request is denied, the applicant has provided a cost estimate of \$1,200 to remove the non-conforming brick pavers and an additional \$1,700 to restore the area with topsoil and sod (estimates attached).

Per Section 10-10-12 of the Glen Ellyn Zoning Code, the petitioner is requesting approval of construction necessitated zoning variations from the Zoning Code to allow for the maintenance of an existing driveway with no impervious surface setback on the property located at 231 N. Park Blvd.,

which also encroaches onto the adjacent property located at 233 N. Park Blvd. In order for the brick pavers to remain, the abovementioned variations will need to 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 petitioner's 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 requests in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code. Should the ZBA decide to recommend approval of the construction necessitated variations staff would suggest the ZBA consider the following conditions of approval:

1. That the brick pavers be maintained in substantially the same location as indicated on the Plat of Survey, prepared by Engineering Resource Associates and dated 10-7-2020.
2. That an easement agreement in the form of the attached agreement prepared by Engineering Resource Associates and dated 10-19-2020, be recorded along with the Ordinance granting the impervious surface setback variations requested.

ATTACHMENTS

1. Application Materials
2. Property Aerial
3. Zoning Map
4. 2' Contour Map
5. Plat of Survey
6. Site Plan
7. Existing Conditions Photo
8. Easement Exhibit
9. Cost Estimate to Remove Work
10. Public Notice
11. Certificate of Publication
12. Map of properties notified by mailing
13. Mailing list
14. Ordinance 6691

CC:

Staci Springer, AICP, Director of Community Development
 Steve Witt, AIA, Building & Zoning Official
 Katie Ashbaugh, Planner & ZBA Staff Liaison
 Paula Moritz, Plan Reviewer
 Cristin Foster English

X:\Plandev\BUILDING\ZBA\5. VARIATION BY ADDRESS\P\PARK\Park 231\231

Park - Impervious Surface Setback\ZBA

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

APPLICATION FOR VARIATION

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

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

I. APPLICANT INFORMATION:

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

Name: Cristin Foster English, Trustee of Cristin Foster English Trust dated 2-14-2001

Address: 231 N. Park Blvd., Glen Ellyn, IL

Home Phone No.: 630-561-1328 Work Phone No.: _____

Mobile Phone No.: _____ Fax No.: _____

E-mail: cristie.english@gmail.com

Ownership Interest in the Property in Question: Owner

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):

231 N. Park Blvd. is owned by Applicant. 233 N. Park Blvd. is owned by Geno and Katie Mattioda

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

Geno and Katie Mattioda, 233 N. Park Blvd., as well as on its own behalf for 231 N. Park Blvd.

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

YES

NO

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

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

YES

NO

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

III. **PROPERTY INFORMATION:**

Common address: See Attached.

Permanent tax index number: _____

Legal description:
See Attached.

Zoning classification: R-2

Lot size: _____ ft. x _____ ft.

Area: 7739 (231 N. Park Blvd.) sq. ft.

Area: 7393 (233 N. Park Blvd.) sq. ft.

Present use: Both are single-family residence.

IV. **INFORMATION REGARDING THE VARIATION(S) REQUESTED:**

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

1) Variation from Section 10-5-5(c)(1) of the Zoning Code to reduce the permitted impervious setback from the north interior side lot line of 0.2 feet, as granted by Ordinance No. 6691, to zero (0) feet along more that three-quarters of the existing driveway on the property located at 231 N. Park Boulevard; and 2) Variation from Section 10-5-5(c)(1) of the Zoning Code to reduce the required impervious setback from one (1) foot to zero (0) feet along portions of the same driveway which encroaches onto the property located at 233 N. Park Boulevard.

Estimated date to begin construction: Construction complete

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

Tracy D. Kasson, attorney, Rathje Woodward LLC, 300 E. Roosevelt Rd., Suite 300, Wheaton
Jon Green, PE, CFM, Engineering Resource Associates, Inc., 3S701 West Avenue, Suite 150,
Warrenville, IL 60555

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.

<u>11-5-2020</u>	<u>Cristin Foster English, Trustee for the Cristin Foster English dtd 2-14-01</u>	<u>Cristin Foster English</u>
Date	Print Name	Signature of Applicant
<u> </u>	<u> </u>	<u> </u>
Date	Print Name	Signature of Applicant
<u> </u>	<u> </u>	<u> </u>
Date	Print Name	Signature of Applicant

AFFIDAVIT OF AUTHORIZATION

I, Geno and Katie Mattioda owner of the property described as
233 N. Park Blvd., Glen Ellyn, IL

verify that Cristin Foster English, Trustee of Cristin Foster English Trust dated 2-14-2001
is duly authorized to apply and represent my interests before the Glen Ellyn Architectural
Review Commission, Plan Commission, Zoning Board of Appeals and/or Village Board. Owner
acknowledges that any notice given applicant is actual notice to owner.



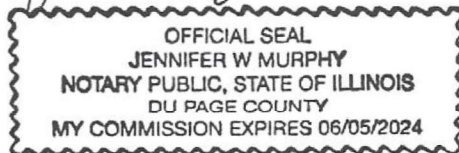
Owner Signature

Subscribed and sworn to before me this

3rd day of November, 20 20

Jennifer W. Murphy

Notary Public





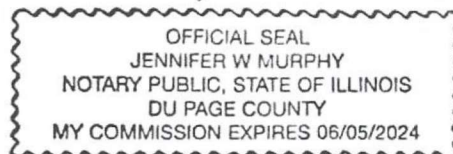
Owner Signature

Subscribed and sword to before me this

3rd day of November, 20 20

Jennifer W. Murphy

Notary Public



Affidavit Affirming No Conflict of Interest

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

1. My name is Cristin English, and I hold the position of _____ for _____ (“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.

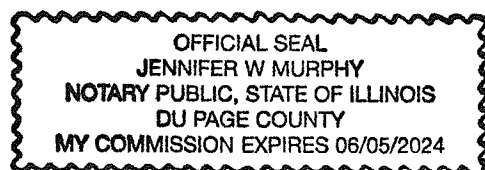
Further affiant sayeth naught.

Name: Cristin English
Title: _____
Applicant’s Name: Cristin English

Subscribed and sworn to me this

20th day of November, 2020.

Jennifer W. Murphy
Notary Public



LIVING

OWNERSHIP BY ~~LAND~~ TRUST

Date: 11/20/2020

Address: 231 N. Park Blvd., Glen Ellyn

Legal Description:

See attached

TRUSTEE: Cristin English TRUST NO. N/A

Address: 231 N Park Blvd, Glen Ellyn

LIST ALL BENEFICIARIES:

Name: Cristin English ^{PRIMARY} Address: Same as above

Name: Mike English ^{contingent} Address: Same as above

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

REIMBURSEMENT OF FEES AGREEMENT

Village of Glen Ellyn Acct: # _____
Initial Deposit Amount: _____

I. DESCRIPTION OF PROJECT: _____

II. OWNER:

- A. Owner of Property: Cristin Foster English, Trustee of Cristin Foster English Trust dated 2-14-2001
- B. Owner's Address: 231 N. Park Blvd., Glen Ellyn, IL
- C. Owner's Home Phone Number: _____ Fax: _____
- D. Owner's Work Phone Number: _____
- E. Owner's E-mail: cristie.english@gmail.com
- F. If Owner is a Land Trust or Corporation, the attached disclosures of interest should be filled out.

III. PERSON MAKING REQUEST (Petitioner):

- A. Name of Petitioner: Same as Owner
- B. Petitioner's Address: _____
- C. Petitioner's Home Phone Number: _____
- D. Petitioner's Work Number: _____
- E. Petitioner's E-mail: _____

IV. LOCATION OF PROPERTY:

- A. General Location of Property: 231 N. Park Blvd., Glen Ellyn, IL
- B. Acreage of Parcel: 7739 sq. ft. (0.18 acres)
- C. Permanent Index Number(s): 05-14-221-020
- D. Legal Description (Please attach)

V. REIMBURSEMENT OF FEES:

The Ordinances of the Village require the owners of property, or individuals seeking to utilize property, to receive approval by ordinance or the issuance of a permit to undertake various uses or improvements of property in the Village. These uses can include requests for textual or map changes in the Zoning Ordinance, applications for building permits, requests for zoning relief and other similar requests. The Village has established a fee schedule for the anticipated use of staff time in processing such petitions or applications. In many cases, however the Village cannot reasonably evaluate the validity or compliance of the petition or application with the Ordinances of the Village without the use of reports from various consultants. In some cases, the application or petition requires among other things, public hearings and associated public notice costs, preparation of minutes or transcripts from the public hearing or meeting, recording costs of Ordinances and the preparation of reports by consultants whose services require the payment of out-of-pocket expenses by the Village. These expenses would not have been incurred but for the petition or application. The Village does not intend to seek to make a profit on its utilization of such consultants, but requires that the applicant, or the person receiving benefit, shall be obligated to reimburse the out-

of-pocket expenses incurred by the Village. The Village shall seek to employ consultants who shall charge rates consistent with those paid by private parties who seek similar consulting services. The Village intends, through this Agreement, to cause the payment of out-of-pocket expenses and to require the creation of an escrow fund to guarantee that the petition or application will not result in the citizens of the Village being required to pay for costs incurred at the request of the owner or applicant.

This document shall constitute a contract when an application is made for a license, permit, request for zoning relief or other approval involving the use of real property. Should the Village, in its sole and exclusive discretion, determine that it is necessary or desirable for the Village to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, court reporters, traffic, drainage or other consultants, including full and/or part time site inspection services during the actual construction of any required improvements, and/or to incur costs related to any required notices or recordations, in connection with any application or petition filed by the petitioner then the petitioner and owner shall be jointly and severally liable for the payment of such professional fees and costs, as shall actually be incurred by the Village. The Planning and Development Director is hereby authorized to assign the above described services to the Village staff or to consultants, as the Director deems appropriate and without prior notification to the petitioner.

Any application or petition to be reviewed by the Planning and Development Department or by the Plan Commission shall require the petitioner to establish an escrow account with the Village in an amount determined by the Planning and Development Director to reimburse the Village for all out of pocket costs associated with the request. These out of pocket costs will cover such things as services provided by the Village's consulting engineer, consulting attorney, consulting planner, traffic consultant, wetland consultant, landscape consultant, architectural consultant, appraiser and transcriber, among others, as well as reproduction costs, public hearing notice costs, recording costs, etc. Along with the application the petitioner shall also submit a signed copy of this agreement thereby acknowledging and agreeing to reimburse the Village for all out of pocket costs associated with the application or petition.

This agreement shall be accompanied by an initial deposit in an amount to be determined by the Director of Planning and Development but shall be no less than \$500. The Village will provide an itemized list of Village expenses incurred related to any charge to the escrow account, and the petitioner shall deposit funds to reimburse the Village for those expenses upon notice from the Village that the deposit has dropped below \$300. If the expenses are not reimbursed, then reviews meetings and permits associated with out of pocket costs will cease, and the request will not be moved forward through the review process. At the completion of the review process, and development of the project, if appropriate, any remaining balance from the deposit will be returned to the petitioner, without interest, after all expenses have been paid.

The Village shall deduct the incurred expenditures and costs from the funds deposited. If the remaining deposit balance falls below \$300.00, the petitioner, upon notice by the Village, shall be required to replenish the deposit to its initial amount. The Village shall mail the petitioner regular invoices for the fees and costs incurred. The petitioner shall replenish the deposit amount within thirty (30) days of issuance of each such invoice directing replenishment of the deposit.

A petitioner who withdraws his or her petition may apply in writing to the Planning and Development Director for a refund of his or her remaining escrow balance. The Planning and Development Director may, at his or her discretion, approve such refund less any actual fees and costs, which the Village has already paid or incurred relative to the application.

Upon the failure of the petitioner or owner to reimburse the Village in accordance with this Agreement, no further action shall be undertaken on the application by the Village President and Board of Trustees, or by any other official or quasi-official individual or body thereunder, including the conduct of any hearings or deliberations, reviews of any plans or applications, the granting of any relief or approvals, issuance of any permits or occupancies, performance of inspections and the execution or recording of any documents, until all such outstanding fees are paid in full and/or the initial deposit is restored to its full amount. Upon any failure to reimburse the Village in accordance with this Section, the Village may in its discretion, apply any or all of the initial deposit to the outstanding balance due.

The remedies available to the Village as set forth hereinabove are non-exclusive and nothing herein shall be deemed to limit or waive the Village's right to seek relief of such fees against any or all responsible parties in a court of competent jurisdiction.

Any remaining balance of any funds deposited pursuant to this Agreement shall be refunded at such time as the completion of Village deliberation on the petition or application, recordation of all necessary documents associated with the petition or application, issuance of a building permit, approval of a final inspection, or issuance of a final certificate of occupancy upon the real property in question whichever occurs later.

BY SIGNING BELOW, THE PETITIONER AND OWNER ACKNOWLEDGE THAT EACH OF THEM HAS READ THE FOREGOING PARAGRAPHS AND EACH OF THEM FULLY UNDERSTANDS AND AGREES TO COMPLY WITH THE TERMS SET FORTH HEREIN. FURTHER, BY SIGNING BELOW, EACH SIGNATORY WARRANTS THAT HE/SHE/IT POSSESSES FULL AUTHORITY TO SO SIGN.

THE PETITIONER AND OWNER AGREE THAT PETITIONER AND OWNER SHALL BE JOINTLY AND SEVERALLY LIABLE FOR PAYMENT OF FEES REFERRED TO IN APPLICABLE SECTIONS OF THE ORDINANCES OF THE VILLAGE OF GLEN ELLYN, AND THE OBLIGATIONS FOR PAYMENT RELATING TO THE FILING OF PETITION OR APPLICATION, AS SET FORTH HEREIN.

Cristin Foster English, Trustee
of the Cristin Foster English
dated 2-14-01

Petitioner

Cristin Foster English, Trustee
of the Cristin Foster English
dated 2-14-01

Owner

Village of Glen Ellyn

By: _____
Planning and Development Director

Date: 10-28-2020

Date: _____

III. PROPERTY INFORMATION:

Common Address: 231 and 233 N. Park Blvd., Glen Ellyn, IL

Permanent Tax Index Number(s): 231 N. Park - 05-14-221-020; 233 N. Park - 05-14-221-001

Legal Description:

231 N. Park:

THE SOUTHERLY PART OF LOT 16 IN BLOCK 7 IN ARTHUR T. MCINTOSH AND COMPANY'S ELMWOOD ADDITION TO GLEN ELLYN IN THE EAST HALF OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THIRD PRINCIPAL MERIDIAN, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT, 160.75 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT, 45 FEET; THENCE NORTHWESTERLY 71.5 FEET ALONG A LINE WHICH, IF EXTENDED, WOULD INTERSECT THE WEST LINE OF SAID LOT AT A POINT 50 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTHERLY 2 FEET IN A LINE PARALLEL TO THE EAST LINE OF SAID LOT; THENCE NORTHWESTERLY TO A POINT IN THE WEST LINE OF SAID LOT, 50 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG THE WEST LINE 50 FEET TO THE PLACE OF BEGINNING, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 18, 1924 AS DOCUMENT NO. 175398, IN DUPAGE COUNTY, ILLINOIS.

233 N. Park:

That part of Lot 16 in Block 7 of Arthur T. McIntosh and Company's Elmwood Addition to Glen Ellyn, in the East 1/2 of Section 14, Township 39 North, Range 10, East of the Third Principal Meridian, described as follows: beginning at a point on the West line of said Lot, 50 feet Northerly from the Southwest corner of said Lot; thence Southeasterly 161.5 feet to a point in the Easterly line of said Lot, 45 feet Northerly from the Southeast corner of said Lot; thence Northerly along said Easterly line, 35 feet to the Northeast corner of said Lot, thence Northwesterly along the Northerly line of said lot, 133.5 feet; thence Northwesterly and Southwesterly on a curve with a radius of 25 feet to a point in the West line of said Lot; 80.9 feet Northerly from the Southwest corner of said Lot; thence Southerly along said West line 30.9 feet to the place of beginning, excepting therefrom that part of said Lot 16, described as follows: beginning at a point on the West line 50 feet Northerly from the Southwest corner of said Lot; thence Southeasterly along the Southerly line of said premises, a distance of 90 feet; thence Northerly a distance of 2 feet; thence Northwesterly to the place of beginning, in DuPage County, Illinois

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

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

A. Standards Applicable to All Variations Requested:

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

The Subject Property was constructed in 1927. An addition in 1963 removed garage access. In 2018, a developer, Yellow Dog Homes LLC, purchased the home for renovation. Many prospective purchasers required a garage. Developer extended the driveway along the north side of the Property and removed a triangular section of the home to accommodate the driveway extension to the garage because there was only 6 feet between the northeast corner of the home and the north property line. In order to construct the garage, the Village Board, in 2019, granted a variation to allow a driveway width of 8.5 feet in lieu of the required 9-foot width and a reduction in the impervious setback from 1 foot to 0.2 feet.

The lot size and configuration of the lot are unusual. The lot lines are not 90 degrees and the lot lines are diagonal. The location and the orientation of the home makes locating a conforming driveway as to width and impervious setback impossible, which the ZBA and Village Board found in granting the 2019 variance.

After the developer completed the renovations to the home, including the new garage and driveway, Ms. English's Trust purchased the home from the Developer in

February 2020. The Englishes immediately realized that an 8.5-foot driveway was not wide enough. Vehicles entering and exiting the Property were driving onto the neighboring property located at 233 N. Park, which caused the south portion of the 233 N. Park side yard to become muddy from vehicles driving over a portion of the side yard.

In order to rectify the situation, to ensure that the neighbors to the north would not continue to have tire tracks on their Property, Applicant placed brick pavers on both sides of the driveway, as can be seen in the picture included with this Application. As the picture depicts, the narrow clearance between the house and the driveway along with the overall sub-standard width of the driveway make it impossible to not drive over the lawn on the adjoining lot to the north. These are the practical difficulties, hardships, and unique circumstances relating to the Property in question that require the variation.

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:

The Subject Property was constructed in 1927. An addition in 1963 removed garage access. In 2018, a developer, Yellow Dog Homes LLC, purchased the home for renovation. Many prospective purchasers required a garage. Developer extended the driveway along the north side of the Property and removed a triangular section

of the home to accommodate the driveway extension to the garage because there was only 6 feet between the northeast corner of the home and the north property line. In order to construct the garage, the Village Board, in 2019, granted a variation to allow a driveway width of 8.5 feet in lieu of the required 9-foot width and a reduction in the impervious setback from 1 foot to 0.2 feet.

The lot size and configuration of the lot are unusual. The lot lines are not 90 degrees and the lot lines are diagonal. The location and the orientation of the home makes locating a conforming driveway as to width and imperious setback impossible, which the ZBA and Village Board found in granting the 2019 variance.

After the developer completed the renovations to the home, including the new garage and driveway, Ms. English's Trust purchased the home from the Developer in February 2020. The Englishes immediately realized that an 8.5-foot driveway was not wide enough. Vehicles entering and exiting the Property were driving onto the neighboring property located at 233 N. Park, which caused the south portion of the 233 N. Park side yard to become muddy from vehicles driving over a portion of the side yard.

In order to rectify the situation, to ensure that the neighbors to the north would not continue to have tire tracks on their Property, Applicant placed brick pavers on both sides of the driveway, as can be seen in the picture included with this Application. As the picture depicts, the narrow clearance between the house and the driveway along

with the overall sub-standard width of the driveway make it impossible to not drive over the lawn on the adjoining lot to the north. These are the practical difficulties, hardships, and unique circumstances relating to the Property in question that require the variation.

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

This is a minimal variance to rectify a substandard driveway width with unusual lot configuration and building placement. As the picture indicates, this driveway, with the additional pavers, does not look anything different than many other driveways in the Village. Also, it prevents cars from tracking mud onto the Village streets if the pavers were not installed.

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

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

See response to A1 above.

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:

Most driveways in this district have driveways wider than the Subject Property's without pavers. Also, most have enough room on their property to place a driveway that is wide enough to accommodate vehicles that do not traverse onto the lawn of adjoining property.

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

The proposed variation has nothing to do with making more money out of the Subject Property. The variation is about keeping vehicles from driving over parts of the side yard at 233 N. Park Blvd.

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.

Applicants bought the home in the present condition. They did not create the hardship. The hardship is created by the lot size and configuration, along with the location of the homes at 231 and 233 N. Park Blvd.

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 variance will not be detrimental to the public welfare. As can be seen in the picture, the driveway width and configuration match many other in the Village with the addition of the pavers along the driveway.

6. Provide evidence that the proposed variation will not:

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

This standard is not applicable.

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

This standard is not applicable.

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

It will not.

d. Diminish or impair property values within the neighborhood;

The proposed variance will not impair property values. The pavers enhance Property values by not having tire tracks over portions of the lawn at 233 N. Park.

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

This standard is not applicable.

f. Create a nuisance; or

It will not create a nuisance. It alleviates a nuisance that is created when the pavers are not located adjacent to the driveway.

g. Results in an increase in public expenditures.

It will not increase public expenditures. This is a request to add some pavers along two side lot lines.

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

This is the minimum number of pavers necessary to keep vehicles from driving onto parts of the lawn at 233 N. Park. It has eliminated the prior problem.

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

December 2, 2020

Village of Glen Ellyn
535 Duane Street
Glen Ellyn, Illinois 60137

To Whom It May Concern,

Please accept this letter in support of the requested variance on the property line between the lots at 233 and 231 North Park Boulevard.

It is our understanding that a variance with respect to the width of the driveway for lot 231 was provided to a previous owner/contractor that was renovating the home. The variance allowed the driveway to be narrower than standard, and it also allowed the driveway to be poured without a normal setback to our lot, number 233.

Both of these previously granted variances had caused hardship to us. The narrowness of the driveway on lot 231 combined with the irregular shape of the border line between the two lots had been causing unintentional, but regular, damage to our property. As the owners at 231 attempted to egress from their garage area in the back of their lot, and navigate around the irregularly shaped lot line, their cars were falling off the driveway surface and causing damage to our yard.

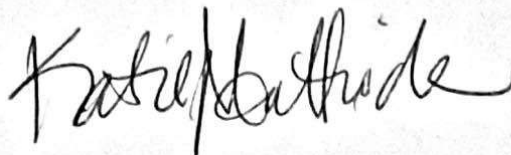
Upon moving into their new home (231), the English's discovered for the first time, the difficulty with the ingress/egress to their garage. They also noticed that visible damage had been done to our yard. They suggested installing bricks flush with the driveway. We agreed with them that this solution was preferable to tire tracks on our property. We also understand that the bricks are on our property and that a future owner may choose to remove the bricks in favor of a different solution.

To state our position concisely, the previously granted variances created a situation that was causing regular damage to our property. The solution that we have agreed to with the English's rectifies, to our satisfaction, the problem that had been caused by the previous variance.

If you have any other questions, please feel free to contact us directly.

Respectfully submitted,

Geno and Katie Mattioda



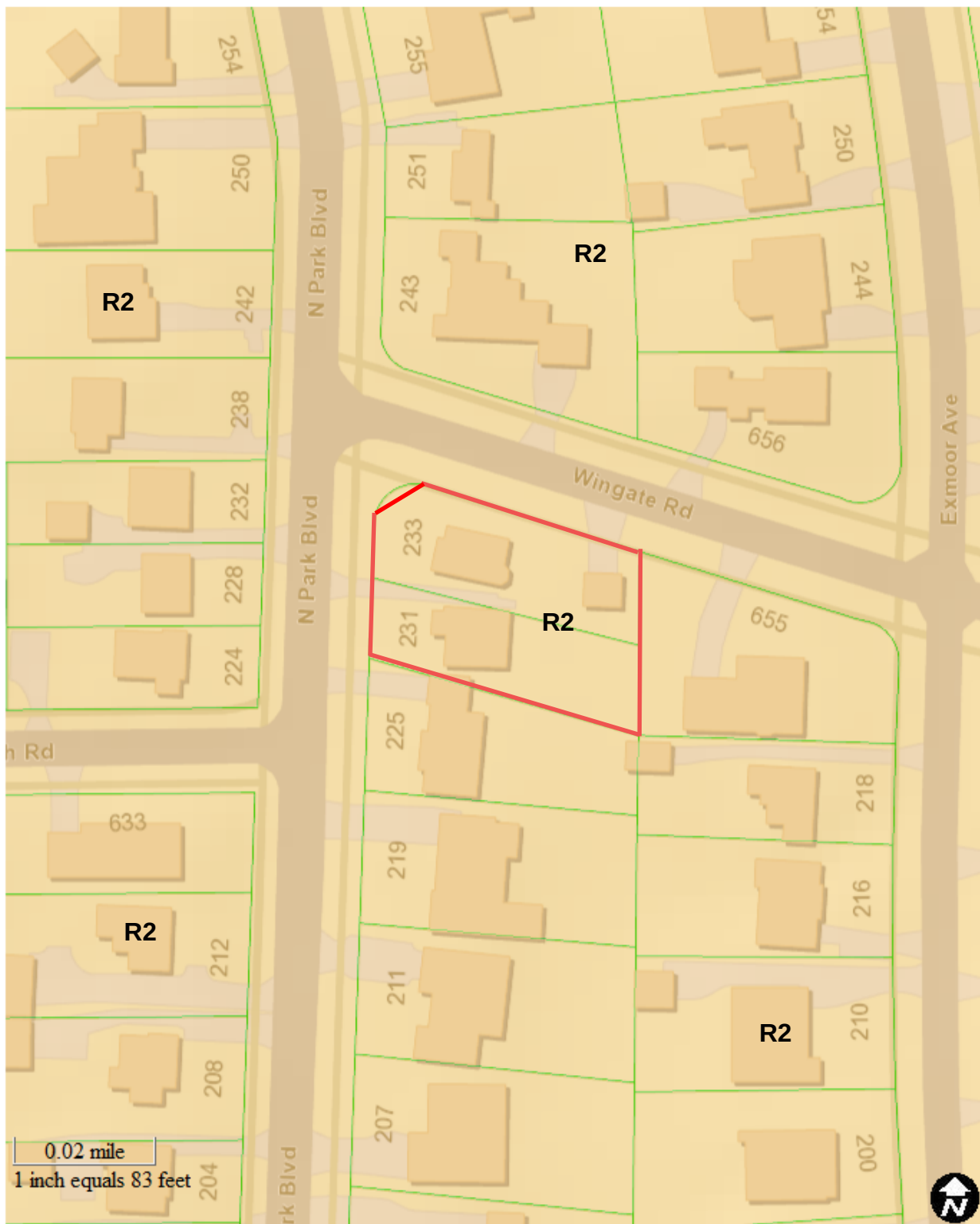


Map created on December 29, 2020.

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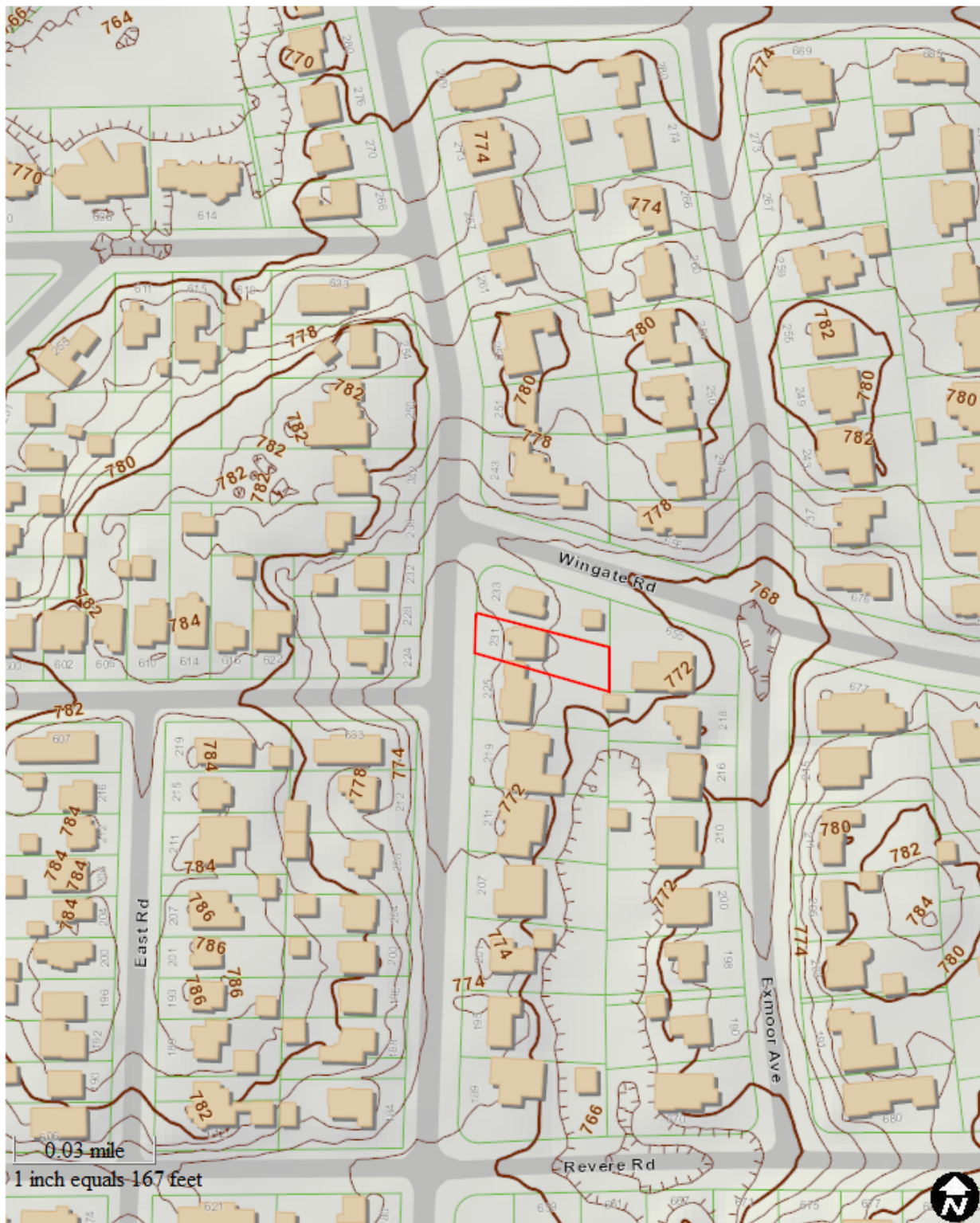
Map created on December 29, 2020.

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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.

2' Contour Map



Map created on February 26, 2019.

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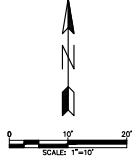
PLAT OF SURVEY

THE SOUTHERLY PART OF LOT 16 IN BLOCK 7 IN ARTHUR T. MONTOSH AND COMPANY'S ELMWOOD ADDITION TO GLEN ELLYN IN THE EAST HALF OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHERN LINE OF SAID LOT, 180.75 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT, 45 FEET; THENCE NORTHWESTERLY 71.5 FEET ALONG A LINE WHICH, IF EXTENDED, WOULD INTERSECT THE WEST LINE OF SAID LOT AT A POINT 50 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTHERLY 2 FEET IN A LINE PARALLEL TO THE EAST LINE OF SAID LOT; THENCE NORTHWESTERLY TO A POINT IN THE WEST LINE OF SAID LOT, 50 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG THE WEST LINE, 50 FEET TO THE PLACE OF BEGINNING, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 18, 1924 AS DOCUMENT NO. 175398, IN DUPAGE COUNTY, ILLINOIS

SURVEY AREA: 7,739 SQUARE FEET (0.178 ACRES±)

P.L.N.:05-14-221-002

COMMONLY KNOWN AS: 231 NORTH PARK BOULEVARD, GLEN ELLYN, ILLINOIS

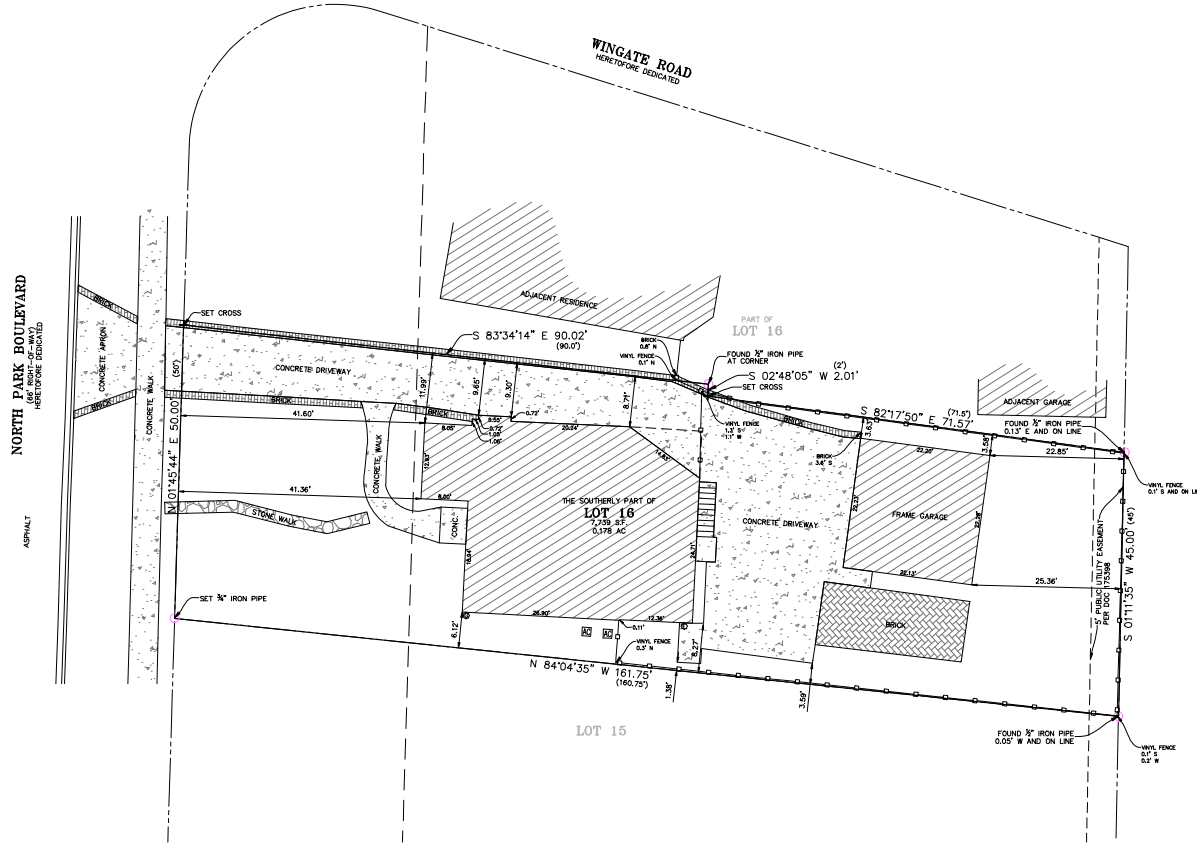


LEGEND

- = EX. PROPERTY LINE
- - - = EX. LOT LINE
- - - = EX. EASEMENT LINE
- - - = EX. BUILDING LINE
- - - = EX. CENTER LINE
- - - = EX. OVERHEAD WIRE
- = EX. VINYL FENCE
- = EX. CONCRETE CURB & GUTTER
- = FOUND IRON PIPE OR ROD

ABBREVIATIONS

- A ARC LENGTH
- B.S.L. BUILDING SETBACK LINE
- CH CHORD
- CONC. CONCRETE
- DOC. DOCUMENT
- E EAST
- FIP FOUND IRON PIPE
- FIR FOUND IRON ROD
- INV. INVERT
- N NORTH
- R RADIUS
- R.C.P. REINFORCED CONCRETE PIPE
- R.O.W. RIGHT OF WAY
- S SOUTH
- T.P. TOP OF PIPE
- W WEST
- XXX/XX RECORD INFORMATION
- XXX/XX MEASURED INFORMATION



STATE OF ILLINOIS } SS
COUNTY OF DUPAGE }

I, TIMOTHY B. MARTINEK, AN ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003782, HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

GIVEN UNDER MY HAND AND SEAL THIS 7TH DAY OF OCTOBER, 2020

Timothy B. Martinek
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003782
LICENSE EXPIRES NOVEMBER 30, 2020

DESIGN FIRM PROFESSIONAL LICENSE NO. 184.001186
LICENSE EXPIRES APRIL 30, 2021

FIELD WORK COMPLETED OCTOBER 6 2020



GENERAL NOTES

1. THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM - EAST ZONE (NAD 83).
2. CHECK LEGAL DESCRIPTION WITH DEED OR TITLE POLICY AND REPORT ANY DISCREPANCY IMMEDIATELY. BUILDING LINES AND EASEMENTS, IF ANY, SHOWN HEREON ARE AS SHOWN ON THE RECORDED SUBDIVISION OR AS INDICATED.
3. ALL AREAS LISTED IN THE AREA SUMMARY TABLE ARE MORE OR LESS.
4. ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
5. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.

REVISIONS:				DRAWN BY: ONB			
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY

CHECKED BY: TBM
APPROVED BY: TBM



ENGINEERING
RESOURCE ASSOCIATES
35701 WEST AVENUE, SUITE 150
WARRENVILLE, ILLINOIS 60555
PHONE (630) 393-3060
FAX (630) 393-2152

10 S. RIVERSIDE PLAZA, SUITE 875
CHICAGO, ILLINOIS 60606
PHONE (312) 474-7841
FAX (312) 474-6099

2416 GALEN DRIVE
CHAMPAGNE, ILLINOIS 61821
PHONE (217) 355-6268
FAX (217) 355-1902

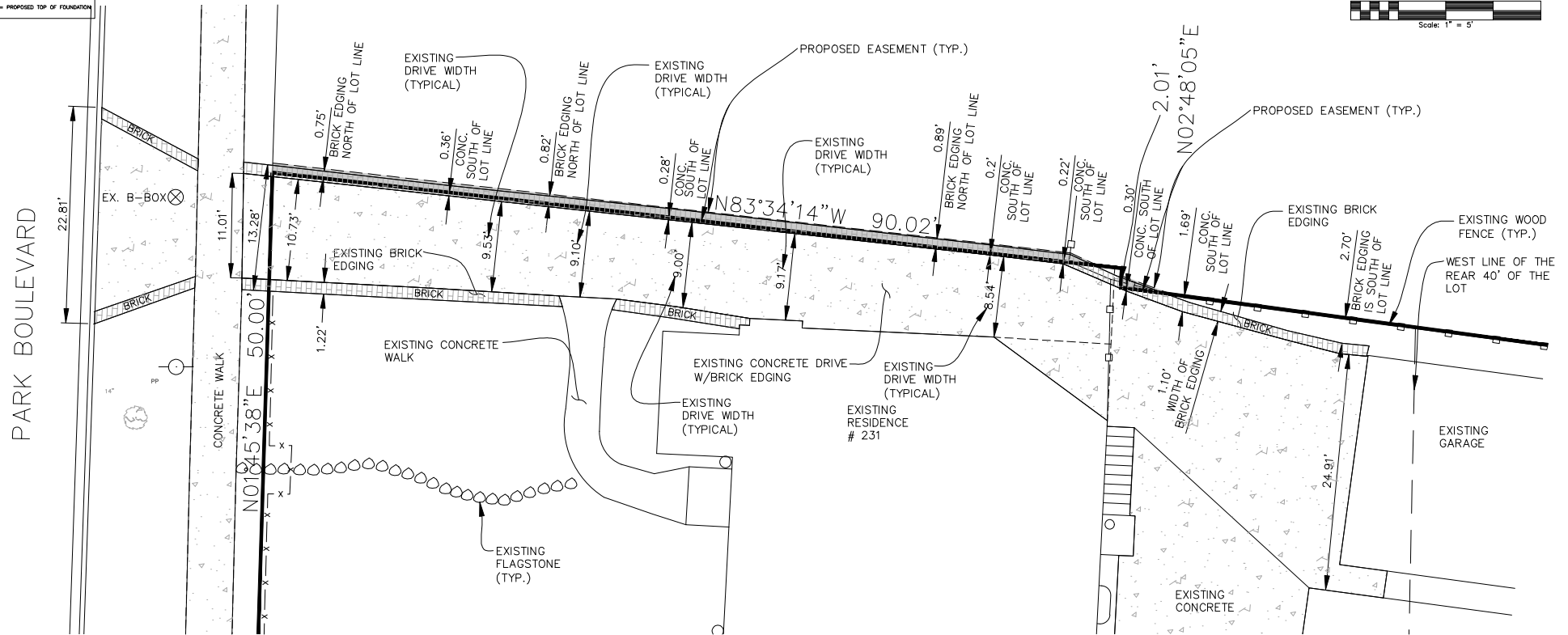
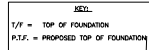
PREPARED FOR:

PATRICK J. MURPHY BUILDERS

TITLE:

PLAT OF SURVEY
231 N. PARK BOULEVARD
GLEN ELLYN, ILLINOIS

SCALE: 1"=10'
DATE: 10-07-20
JOB NO: W20028
SHEET: 1 OF 1



DRAWN BY: B.L./A.J.
CHECKED BY: J.G.
APPROVED BY: J.G.



ENGINEERING
RESOURCE ASSOCIATES

3S701 WEST AVENUE, SUITE 150
WARRENVILLE, ILLINOIS 60555
PHONE (630) 393-3060
FAX (630) 393-2152

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2416 GALEN DRIVE
CHAMPAIGN, ILLINOIS 61821
PHONE (217) 351-6268
FAX (217) 355-1902

PROFESSIONAL DESIGN FIRM NUMBER: 184.001186

CURRENT P.L.N.:
05-14-221-001 (PARCEL 1)
05-14-221-002 (PARCEL 2)

PLAT OF EASEMENT

PARCEL 1 OWNER'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF DUPAGE } SS
THIS IS TO CERTIFY THAT GEND MATTEA AND KATE MATTEA, ARE THE OWNERS OF THE PROPERTY DESCRIBED ABOVE AND AS SUCH OWNERS, HAS CAUSED THE SAME TO BE PLATTED AS SHOWN HEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH AND AS ALLOWED AND PROVIDED BY STATUTES, AND SAID OWNER, DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE AFORESAID.

DATED AT _____ CITY _____ ILLINOIS, THIS _____ DAY OF _____ MONTH _____ 20____
BY: _____ SIGNATURE _____ ATTEST: _____ SIGNATURE _____
TITLE: _____ PRINT TITLE _____ TITLE: _____ PRINT TITLE _____

PARCEL 1 NOTARY'S CERTIFICATE

STATE OF _____ }
COUNTY OF _____ } SS
I, _____ PRINT NAME _____, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY
IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT _____ PRINT NAME _____
AND _____ PRINT NAME _____, TITLE _____
OF SAID OWNER, WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE
SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH _____ AND _____
TITLE _____
_____ RESPECTFULLY, APPEARED BEFORE ME THIS DAY IN PERSON AND JOINTLY AND
GENERALLY ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY
ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID OWNER FOR THE USES AND PURPOSES THEREIN SET FORTH.

OVER UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____ MONTH _____ 20____
DATE _____
NOTARY PUBLIC SIGNATURE _____
PRINT NAME _____
MY COMMISSION EXPIRES ON _____ MONTH _____ DATE _____ 20____

PARCEL 2 OWNER'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF DUPAGE } SS
THIS IS TO CERTIFY THAT ORSTIN FOSTER ENGLISH, TRUSTEE OF THE ORSTIN FOSTER ENGLISH TRUST DATED 03-12-2001,
IS THE OWNER OF THE PROPERTY DESCRIBED ABOVE AND AS SUCH OWNER, HAS CAUSED THE SAME TO BE PLATTED AS SHOWN
HEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH AND AS ALLOWED AND PROVIDED BY STATUTES, AND SAID OWNER,
DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE AFORESAID.

DATED AT _____ CITY _____ ILLINOIS, THIS _____ DAY OF _____ MONTH _____ 20____
BY: _____ SIGNATURE _____ ATTEST: _____ SIGNATURE _____
TITLE: _____ PRINT TITLE _____ TITLE: _____ PRINT TITLE _____

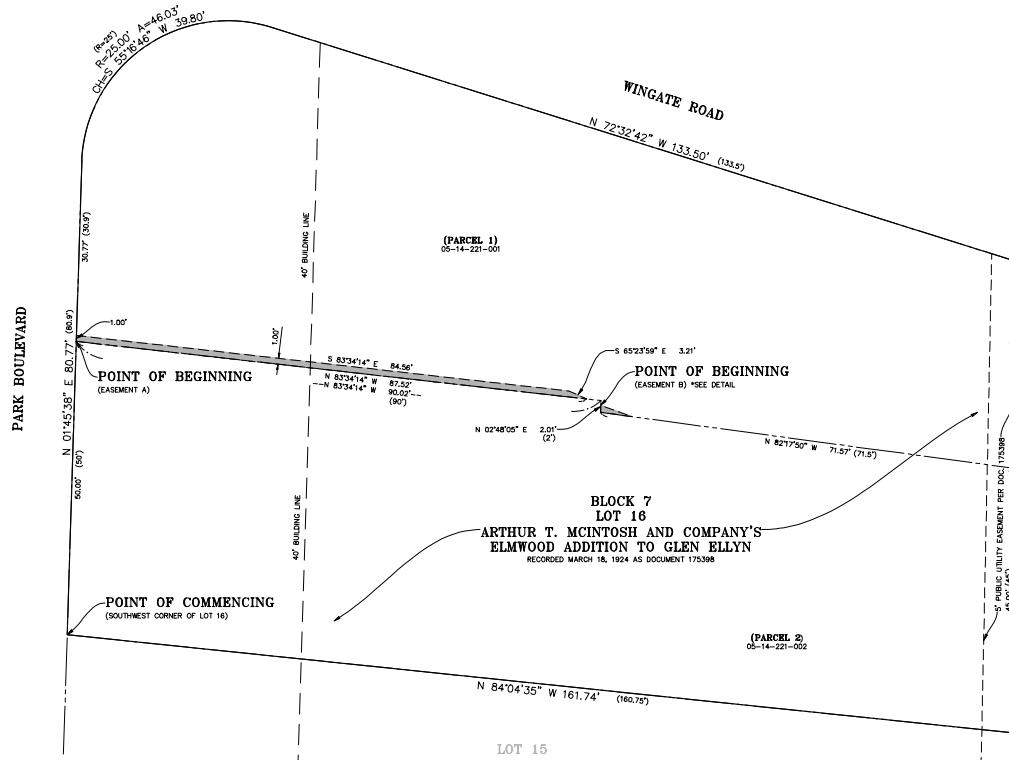
PARCEL 2 NOTARY'S CERTIFICATE

STATE OF _____ }
COUNTY OF _____ } SS
I, _____ PRINT NAME _____, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY
IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT ORSTIN FOSTER ENGLISH, TRUSTEE OF THE ORSTIN FOSTER ENGLISH
TRUST DATED 03-12-2001 OF SAID OWNER, WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS
SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH _____
_____ APPEARED BEFORE ME THIS DAY IN PERSON, ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED
THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID OWNER FOR
THE USES AND PURPOSES THEREIN SET FORTH.

OVER UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____ MONTH _____ 20____
DATE _____
NOTARY PUBLIC SIGNATURE _____
PRINT NAME _____
MY COMMISSION EXPIRES ON _____ MONTH _____ DATE _____ 20____

COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF DUPAGE } SS
THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS, ON THE
_____ DAY OF _____ A.D., 20____ AT _____ O'CLOCK _____ M., AS DOCUMENT NUMBER _____
COUNTY RECORDER _____



PARCEL 1 & 2 AREA: 15,309 SQUARE FEET (0.351 ACRES±)
EASEMENT "A" AREA: 86 SQUARE FEET (0.002 ACRES±)
EASEMENT "B" AREA: 3 SQUARE FEET (<0.001 ACRES±)

PARCEL 1 DESCRIPTION

THAT PART OF LOT 16 IN BLOCK 7 OF ARTHUR T. MCINTOSH AND COMPANY'S ELMWOOD ADDITION TO GLEN ELLYN, IN THE EAST HALF OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SAID LOT, 50 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHEASTERLY 161.5 FEET TO A POINT IN THE EASTERLY LINE OF SAID LOT, 45 FEET NORTHERLY OF THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTHERLY ALONG SAID EASTERLY LINE, 35 FEET TO THE NORTHEAST CORNER OF SAID LOT; THENCE NORTHWESTERLY ALONG THE NORTHERLY LINE OF SAID LOT, 133.5 FEET; THENCE NORTHWESTERLY AND SOUTHWESTERLY ON A CURVE WITH A RADIUS OF 25 FEET TO A POINT IN THE WEST LINE OF SAID LOT, 80.9 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG SAID WEST LINE 30.9 FEET TO THE PLACE OF BEGINNING, EXCEPTING THEREFROM THAT PART OF SAID LOT 16 DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE 50 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID PREMISES, A DISTANCE OF 90 FEET; THENCE NORTHERLY A DISTANCE OF 2 FEET; THENCE NORTHWESTERLY TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2 DESCRIPTION

THE SOUTHERLY PART OF LOT 16 IN BLOCK 7 OF ARTHUR T. MCINTOSH AND COMPANY'S ELMWOOD ADDITION TO GLEN ELLYN, IN THE EAST HALF OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT, 160.75 FEET; THENCE NORTHWESTERLY 71.5 FEET ALONG A LINE WHICH, IF EXTENDED, WOULD INTERSECT THE WEST LINE OF SAID LOT AT A POINT 50 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTHERLY 2 FEET ON A LINE PARALLEL TO THE EAST LINE OF SAID LOT; THENCE NORTHWESTERLY TO A POINT IN THE WEST LINE OF SAID LOT, 50 FEET NORTHERLY OF THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG THE WEST LINE 50 FEET TO THE PLACE OF BEGINNING, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 18, 1924 AS DOCUMENT NUMBER 175398, IN DUPAGE COUNTY, ILLINOIS.

EASEMENT "A" DESCRIPTION

THAT PART OF LOT 16 IN BLOCK 7 OF ARTHUR T. MCINTOSH AND COMPANY'S ELMWOOD ADDITION TO GLEN ELLYN, IN THE EAST HALF OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 16; THENCE NORTH 01 DEGREES 45 MINUTES 38 SECONDS EAST ALONG THE WEST LINE OF SAID LOT, A DISTANCE 50.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ON THE LAST DESCRIBED COURSE, A DISTANCE OF 1.00 FEET; THENCE SOUTH 83 DEGREES 34 MINUTES 14 SECONDS EAST, A DISTANCE OF 84.56 FEET; THENCE SOUTH 65 DEGREES 23 MINUTES 59 SECONDS EAST, A DISTANCE OF 3.21 FEET; THENCE NORTH 83 DEGREES 34 MINUTES 14 SECONDS WEST, A DISTANCE OF 87.52 FEET TO THE POINT OF BEGINNING.

EASEMENT "B" DESCRIPTION

THAT PART OF LOT 16 IN BLOCK 7 OF ARTHUR T. MCINTOSH AND COMPANY'S ELMWOOD ADDITION TO GLEN ELLYN, IN THE EAST HALF OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 16; THENCE NORTH 01 DEGREES 45 MINUTES 38 SECONDS EAST ALONG THE WEST LINE OF SAID LOT, A DISTANCE 50.00 FEET; THENCE SOUTH 83 DEGREES 34 MINUTES 14 SECONDS EAST, A DISTANCE OF 90.02 FEET; THENCE SOUTH 02 DEGREES 48 MINUTES 05 SECONDS WEST, A DISTANCE OF 0.80 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 69 DEGREES 53 MINUTES 00 SECONDS EAST, A DISTANCE OF 5.62 FEET; THENCE NORTH 82 DEGREES 17 MINUTES 50 SECONDS WEST, A DISTANCE OF 5.39 FEET; THENCE NORTH 02 DEGREES 48 MINUTES 05 SECONDS WEST, A DISTANCE OF 1.21 FEET TO THE POINT OF BEGINNING.

EASEMENT PROVISIONS

- A PERMANENT NON-EXCLUSIVE EASEMENT OVER, ON, UPON AND UNDER THE PREMISES DESIGNATED AS EASEMENT "A" AND EASEMENT "B" IS HEREBY RESERVED AND GRANTED BY THE OWNER OF PARCEL 1 TO THE OWNER OF PARCEL 2 FOR
- 1) THE PERPETUAL RIGHT AND AUTHORITY OF PARCEL 2 OWNER TO INSTALL, MAINTAIN, REPAIR AND REPLACE BRICK PAVERS OR SIMILAR MATERIALS IN EASEMENT "A" AND EASEMENT "B" AND;
 - 2) VEHICULAR INGRESS AND EGRESS OVER EASEMENT "A" AND EASEMENT "B" BY THE PARCEL 2 OWNER, AND THEIR AGENTS, LESSEES, GUESTS AND INVITEES.

STATE OF ILLINOIS }
COUNTY OF DUPAGE } SS

THIS IS TO CERTIFY THAT I, TIMOTHY B. MARTINEZ, AN ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 033-003782, HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THIS PLAT WAS PREPARED FOR THE PURPOSE OF CREATING A NEW EASEMENT, AND THAT THIS PLAT OF EASEMENT GRANT ACCURATELY DEPICTS SAID PROPERTY.

OVER UNDER MY HAND AND SEAL THIS _____ DAY OF _____ 20____

FOR REVIEW ONLY

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 033-003782
LICENSE EXPIRES NOVEMBER 30, 2020
DESIGN FIRM PROFESSIONAL LICENSE NO. 184.001186
LICENSE EXPIRES APRIL 30, 2021



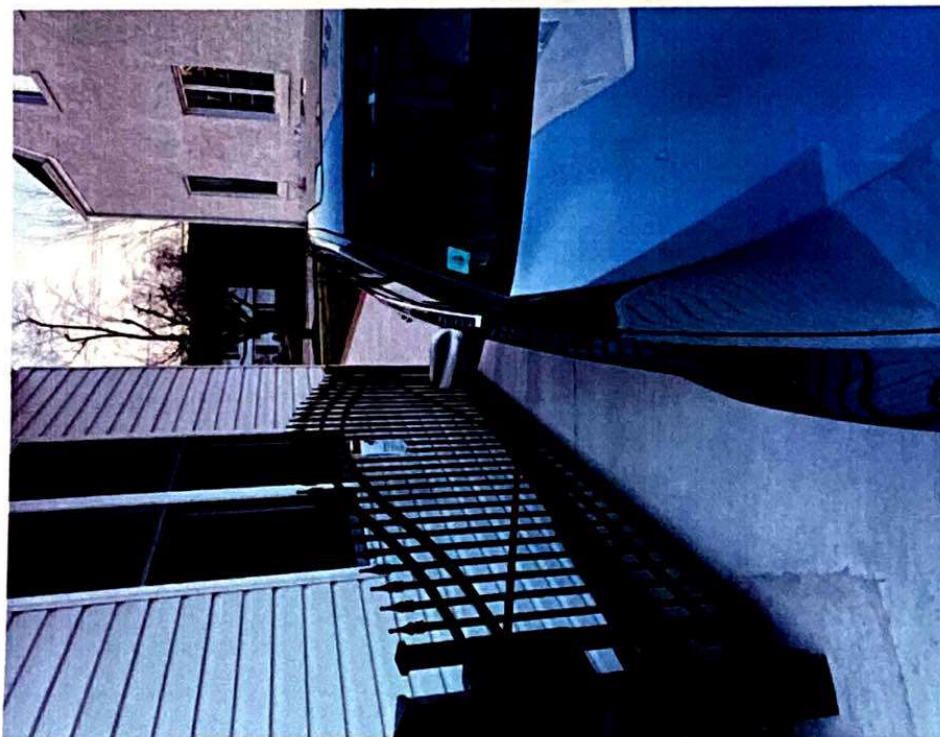
DRAWN BY: CHB		ENGINEERING RESOURCE ASSOCIATES 35701 WEST AVENUE, SUITE 150 WARRENVILLE, ILLINOIS 60555 PHONE (630) 393-3060 FAX (630) 393-2152	10 S. RIVERSIDE PLAZA, SUITE 875 CHICAGO, ILLINOIS 60606 PHONE (312) 474-7841 FAX (312) 474-6099	2436 GALEN DRIVE CHAMPAIGN, ILLINOIS 61821 PHONE (217) 351-6268 FAX (217) 355-1902	TITLE: PLAT OF EASEMENT GLEN ELLYN, ILLINOIS	REVISIONS:	SCALE: 1"=10' DATE: 10-19-20 JOB NO: W20028 SHEET: 1 OF 1		
CHECKED BY: TBM						DATE		BY	DESCRIPTION
APPROVED BY: TBM									



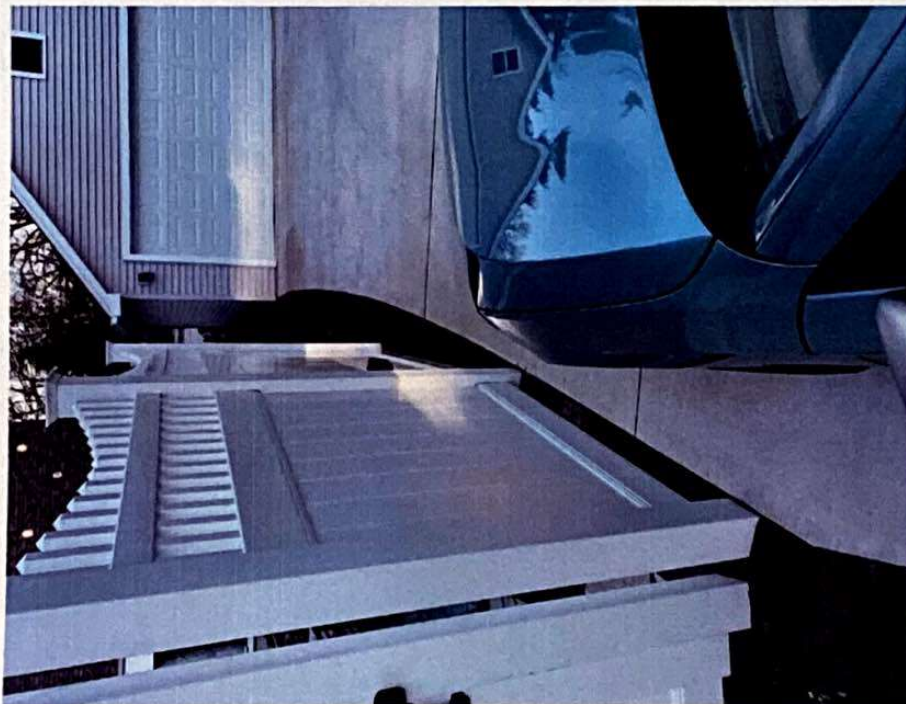
Pulling into garage area



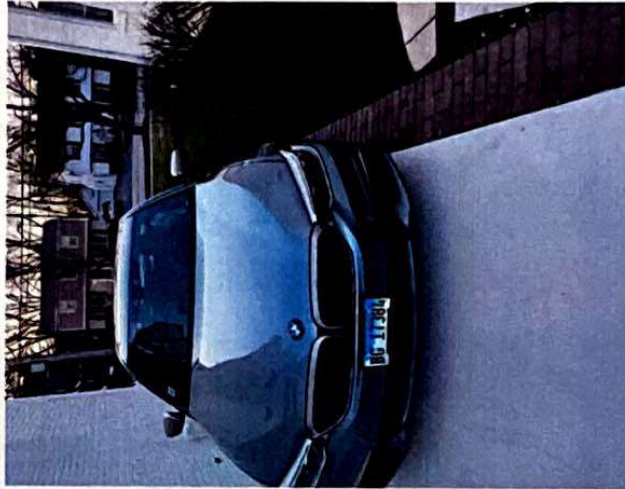
Pulling in and clearing the corner
of the house



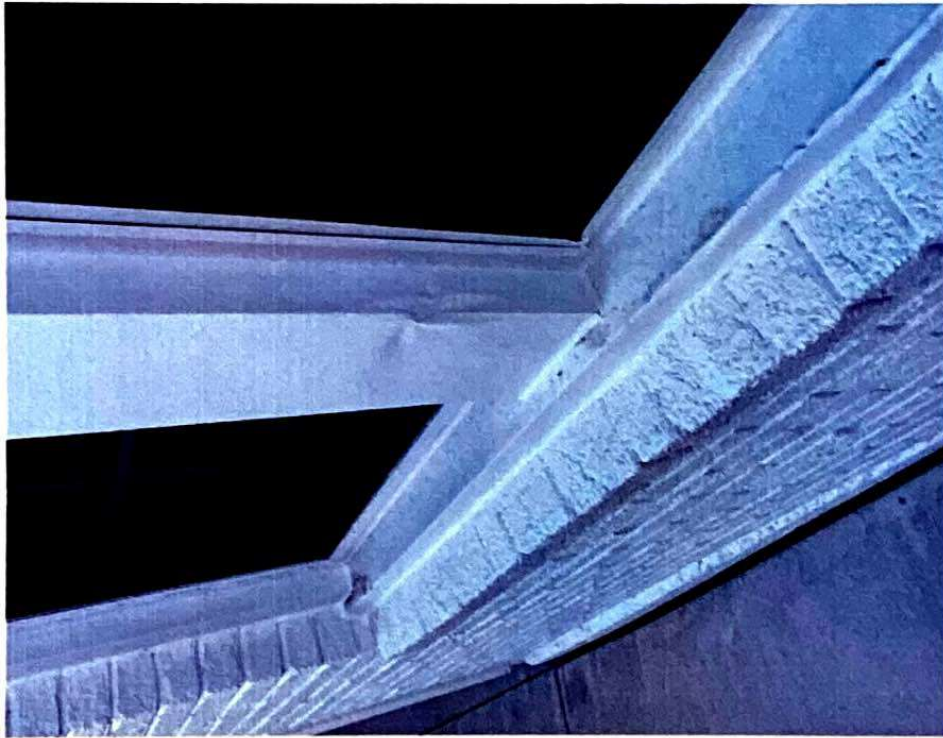
Fence post has
already been
replaced once
from damage
due to car
backing up into
post

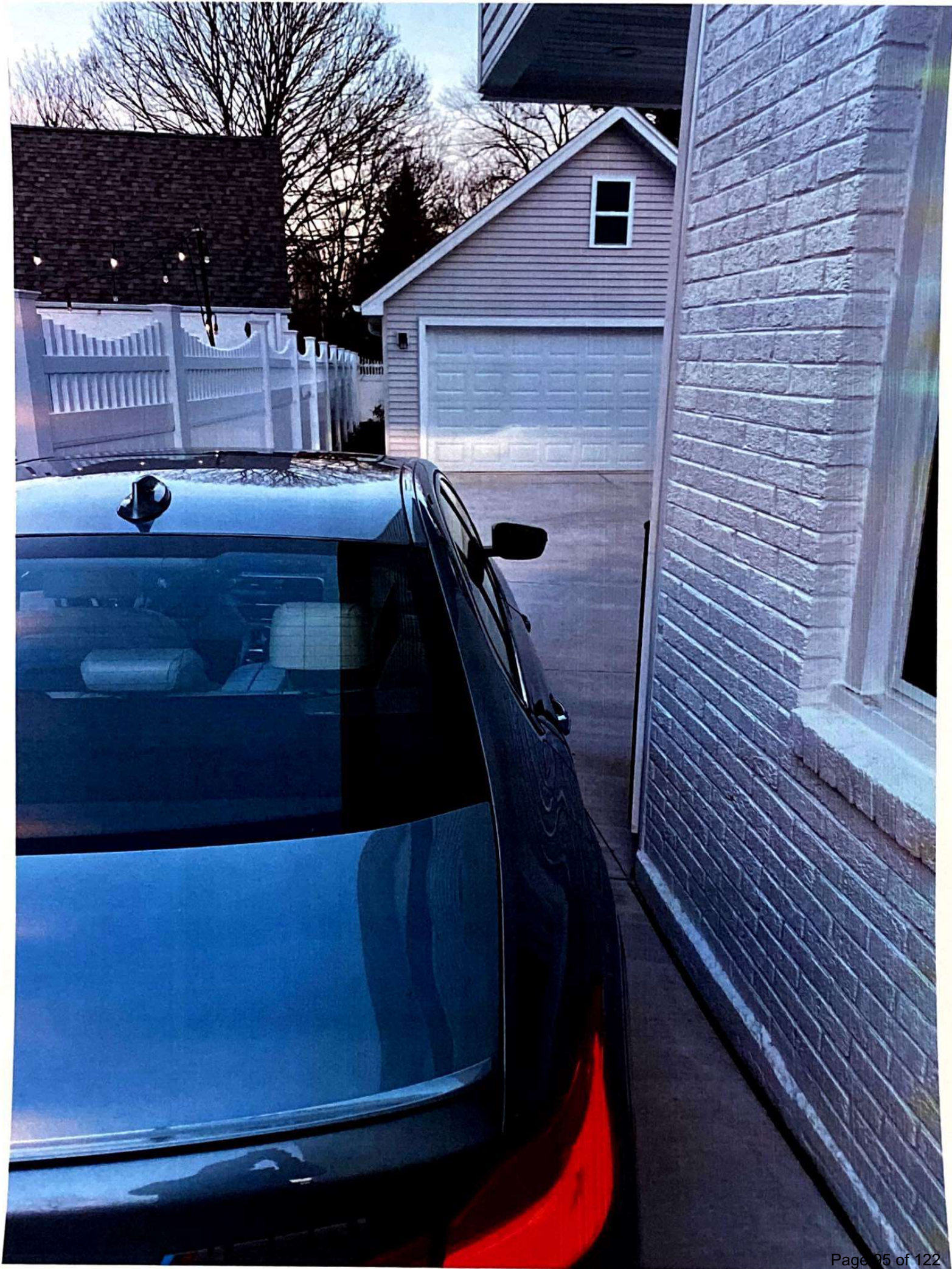


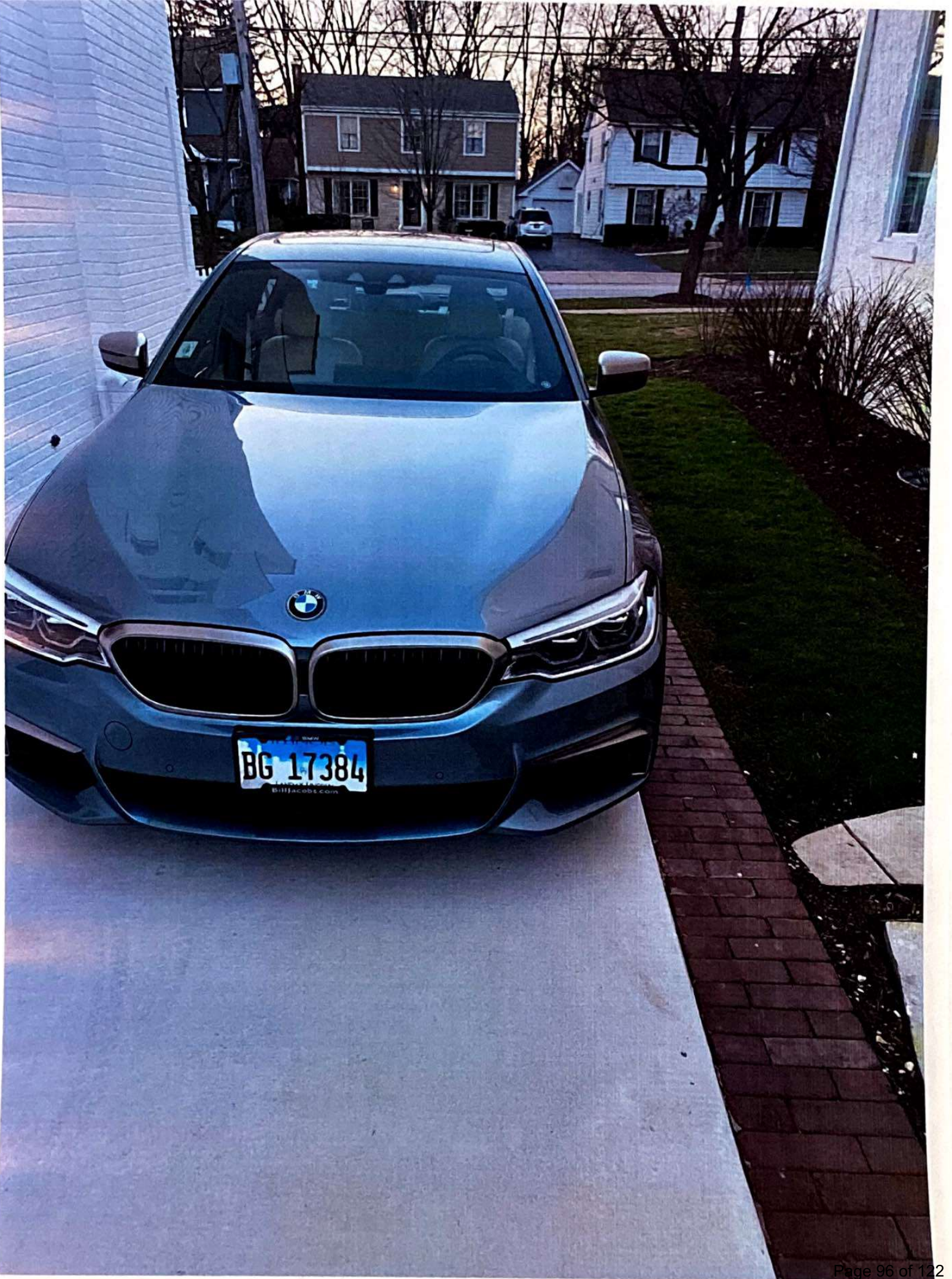
Backing car out of driveway



**Damaged window
from service truck
attempting to back
into driveway**



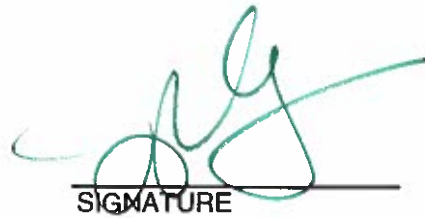




11/6/2020

Engineer's Opinion of Probable Cost to Restore Property to Conformity
231 Park Avenue Glen Ellyn English Residence

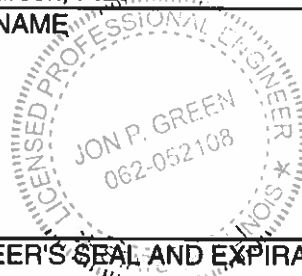
ITEM	COST
1. Remove existing paver bricks	\$1,200.00
2. Restore disturbed area w/6" topsoil and sod	\$1,700.00
TOTAL: \$2,900.00	



SIGNATURE

Jon P. Green, P.E.
PRINT NAME

ENGINEER'S SEAL AND EXPIRATION
DATE OF LICENSE





NOTICE OF PUBLIC HEARING

Cristin Foster English, Trustee of the Cristin Foster English Trust and owner of the property located at 231 N. Park Boulevard, is requesting a public hearing for a construction necessitated zoning variation for the property located at 231 N. Park Boulevard. Ms. English is also requesting a public hearing for a construction necessitated zoning variation for the property located at 233 N. Park Boulevard, on behalf of Geno and Katie Mattoida, owners of the property located at 233 N. Park Boulevard. The Glen Ellyn Zoning Board of Appeals will conduct a public hearing to consider the requested construction necessitated zoning variations on Tuesday, January 12, 2021 at 7:00 p.m. via the virtual meeting platform, Zoom.

In accordance with Section 10-10-12 of the Glen Ellyn Zoning Code, the petitioner is requesting approval of construction necessitated zoning variations from the Glen Ellyn Zoning Code to allow for the maintenance of an existing driveway with no impervious surface setback on the property located at 231 N. Park Boulevard, which also encroaches onto the adjacent property located at 233 N. Park Boulevard. To accommodate this project, the petitioner is specifically requesting the following:

1. A variation from Section 10-5-5(C)(1) of the Zoning Code to reduce the permitted impervious setback from the north interior side lot line of 0.2 feet, as granted by Ordinance No. 6691, to zero (0) feet along more than three-quarters of the existing driveway on the property located at 231 N. Park Boulevard;
2. A variation from Section 10-5-5(C)(1) of the Zoning Code to reduce the required impervious setback from one (1) foot to zero (0) feet along portions of the same driveway which encroaches onto the property located at 233 North Park Boulevard; and
3. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

The property, commonly known as 231 N. Park Boulevard, is zoned R2 Residential District, and is legally described as follows:

THE SOUTHERLY PART OF LOT 16 IN BLOCK 7 IN ARTHUR T. MCINTOSH AND COMPANY'S ELMWOOD ADDITION TO GLEN ELLYN IN THE EAST HALF OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THIRD PRINCIPAL MERIDIAN, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT, 160.75 FEET TO THE SOUTLIE AST CORNER OF SAID LOT; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT, 45 FEET; THENCE NORTHWESTERLY 71.5 FEET ALONG A LINE WHICH, IF EXTENDED, WOULD INTERSECT THE WEST LINE OF SAID LOT AT A POINT 50 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTHERLY 2 FEET IN A LINE PARALLEL TO THE EAST LINE OF SAID LOT; THENCE NORTHWESTERLY TO A POINT IN THE WEST LINE OF SAID LOT, 50 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG THE WEST LINE 50 FEET TO THE PLACE OF BEGINNING, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 18, 1924 AS DOCUMENT NO. 175398, IN DUPAGE COUNTY, ILLINOIS.

The property, commonly known as 233 N. Park Boulevard, is zoned R2 Residential District, and is legally described as follows:

THAT PART OF LOT 16 IN BLOCK 7 OF ARTHUR T. MCINTOSH AND COMPANY'S ELMWOOD ADDITION TO GLEN ELLYN, IN THE EAST 1/2 OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SAID LOT, 50 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHEASTERLY 161.5 FEET TO A POINT IN THE EASTERLY LINE OF SAID LOT, 45 FEET NORTHERLY FROM THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTHERLY ALONG SAID EASTERLY LINE, 35 FEET TO THE NORTHEAST CORNER OF SAID LOT, THENCE NORTHWESTERLY ALONG THE NORTHERLY LINE OF SAID LOT, 133.5 FEET; THENCE NORTHWESTERLY AND SOUTHWESTERLY ON A CURVE WITH A RADIUS OF 25 FEET TO A POINT IN THE WEST LINE OF SAID LOT; 80.9 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG SAID WEST LINE 30.9 FEET TO THE PLACE OF BEGINNING, EXCEPTING THEREFROM THAT PART OF SAID LOT 16, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE 50 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID PREMISES, A DISTANCE OF 90 FEET; THENCE NORTHERLY A DISTANCE OF 2 FEET; THENCE NORTHWESTERLY TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS

To view some plans related to the proposed project, please visit the Village website here: <http://www.glenellyn.org/246/Public-Notice-Portal>. Plans are also on file in the Community Development Department, Civic Center, 535 Duane Street, Glen Ellyn, Illinois and can be requested by contacting Katie Ashbaugh, Planner at kashbaugh@glenellyn.org. All plans and a staff report will be posted on the Village's website on the Agendas and Minutes page for public viewing no later than Friday, January 8, 2021, on the Village's website on the Agendas and Minutes page, linked here, <http://glenellynvillageil.iqm2.com/Citizens/default.aspx>. If you have general questions, please contact Cole Jackson, Associate Planner, at (630) 547-5246 or cjackson@glenellyn.org.

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.

All persons who are interested are invited to attend the public hearing via Zoom. Any public questions or comments regarding this request should be submitted in advance of the meeting either via the Zoning Board of Appeals public comment form, linked here, <https://glenellynil.seamlessdocs.com/f/publiccommentzba> or via email to Cole Jackson, Associate Planner, at cjackson@glenellyn.org. All public comments received by 5:00 pm on Tuesday, January 12, 2021 will be read into the record at the public hearing. The public may also observe and participate in the meeting in progress on Zoom. The Zoom information is provided below.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84874590291?pwd=TXIxcGtIRmtXK2FQMmg3eHFoU2VpU>

Passcode: 234012

Or Telephone: Dial(for higher quality, dial a number based on your current location):

Webinar ID: 848 7459 0291

Passcode: 234012

International numbers available: <https://us02web.zoom.us/j/8441111111>

NOTICE OF PUBLIC HEARING

Cristin Foster English, Trustee of the Cristin Foster English Trust and owner of the property located at 231 N. Park Boulevard, is requesting a public hearing for a construction necessitated zoning variation for the property located at 231 N. Park Boulevard, Ms. English is also requesting a public hearing for a construction necessitated zoning variation for the property located at 233 N. Park Boulevard, on behalf of Geno and Katie Matfolds, owners of the property located at 233 N. Park Boulevard. The Glen Ellyn Zoning Board of Appeals will conduct a public hearing to consider the requested construction necessitated zoning variations on Tuesday, January 12, 2021 at 7:00 p.m. via the virtual meeting platform, Zoom.

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THE SOUTHERLY PART OF LOT 16 IN BLOCK 7 IN ARTHUR T. MCINTOSH AND COMPANY'S ELMWOOD ADDITION TO GLEN ELLYN IN THE EAST HALF OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THIRD PRINCIPAL MERIDIAN, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT, 160.75 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID LOT, 45 FEET; THENCE NORTHWESTERLY 71.5 FEET ALONG A LINE WHICH, IF EXTENDED, WOULD INTERSECT THE WEST LINE OF SAID LOT AT A POINT 50 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTHERLY 2 FEET IN A LINE PARALLEL TO THE EAST LINE OF SAID LOT; THENCE NORTHWESTERLY TO A POINT IN THE WEST LINE OF SAID LOT, 50 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG THE WEST LINE 50 FEET TO THE PLACE OF BEGINNING, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 18, 1924 AS DOCUMENT 17598, IN DUPAGE COUNTY, ILLINOIS.

The property, commonly known as 233 N. Park Boulevard, is zoned R2 Residential District, and is legally described as follows:

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Passcode: 234012
Or iPhone one-tap: US: +13126266799, 84874590291#...234012# or +16465588656, 84874590291#...234012#
Or Telephone: Dial (for higher quality, dial a number based on your current location):
US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 9128
Webinar ID: 848 7459 0291
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International numbers available:
<https://us02web.zoom.us/j/84874590291?pwd=TXlxcGZlRmR1K2ZlQmMqZjEhF0VpU1R0>
Published in Daily Herald December 24, 2020 (4556199)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

DuPage County

Daily Herald

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

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

County(ies) of DuPage

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

I further certify that the DuPage County DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 12/24/2020 in said DuPage County DAILY HERALD.

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

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY

Laurel Baitz

Designee of the Publisher and Officer of the Daily Herald

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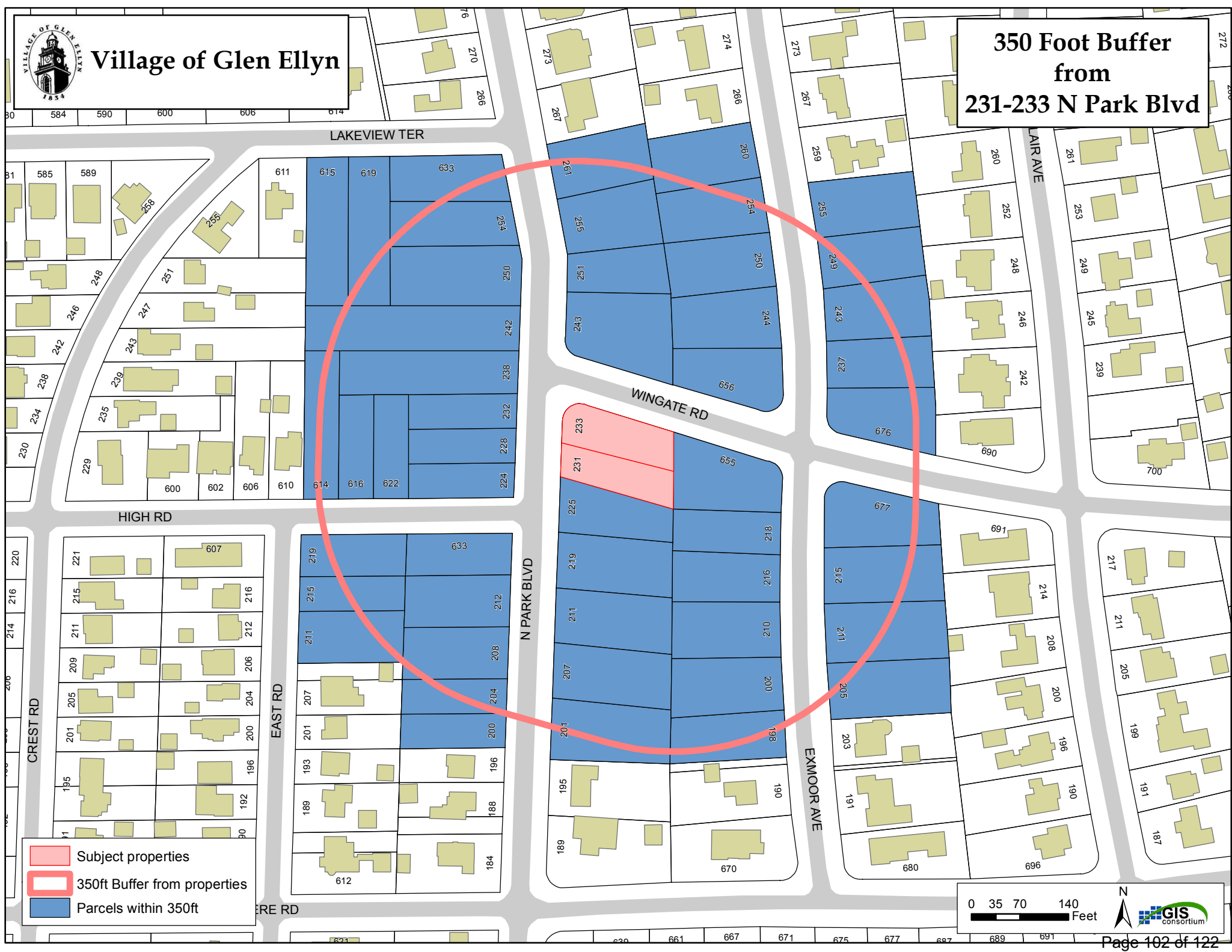
JAN 04 2021

Control # 4556299

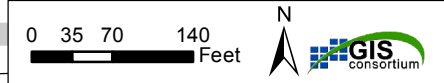


Village of Glen Ellyn

**350 Foot Buffer
from
231-233 N Park Blvd**



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



**List of Addreseses for Public Hearing Notice
231-233 N Park Blvd**

Recipient Name	Street Number	Street Direction	Street Name	City	State	Zip
ADDUCI, JOSEPH & K	201	N	PARK BLVD	GLEN ELLYN	IL	60137
BENEVENTI, THOMAS & DAWN	200	N	PARK BLVD	GLEN ELLYN	IL	60137
BISHEA, ERIC & MARY RITA	242	N	MONTCLAIR AVE	GLEN ELLYN	IL	60137
BONDE, WYNNNOAH E	615		LAKEVIEW TER	GLEN ELLYN	IL	60137
BRIZOLARA, EDWARD & J	215		EAST RD	GLEN ELLYN	IL	60137
BUCHTA, JOHN & KYLE	255	N	PARK BLVD	GLEN ELLYN	IL	60137
CARAVELLO, JASON & ELAINE	242		PARK BLVD	GLEN ELLYN	IL	60137
CONSTANTINE, ANDREWS W	238	N	PARK BLVD	GLEN ELLYN	IL	60137
CUNNIFFE, MARY & J MCMANUS	254	N	PARK BLVD	GLEN ELLYN	IL	60137
DONOVAN, ELIZABETH K	216		EXMOOR AVE	GLEN ELLYN	IL	60137
DRURY, JAMES E & GAIL A	244		EXMOOR AVE	GLEN ELLYN	IL	60137
E REALTY & DEVELOPMT LLC	20817	N	HORATIO ST	PRAIRIE VIEW	IL	60069
FIGLIULO, DONALD	250		EXMOOR AVE	GLEN ELLYN	IL	60137
GLASS, MICHAEL S	205		EXMOOR AVE	GLEN ELLYN	IL	60137
GORMAN, ROBERT & KATHLEEN	243		EXMOOR AVE	GLEN ELLYN	IL	60137
GRIFFIN, J D & A DARROW	224	N	PARK BLVD	GLEN ELLYN	IL	60137
HOGANSON, MATTHEW & M	633		LAKEVIEW TERR	GLEN ELLYN	IL	60137
HOHEISEL, RANDY & CECILIA	204	N	PARK BLVD	GLEN ELLYN	IL	60137
HORNELL, WILLIAM & DEBRA	211	N	PARK BLVD	GLEN ELLYN	IL	60137
IKENS, CRAIG & JENNIFER	207	N	PARK BLVD	GLEN ELLYN	IL	60137
ILIC, STEFAN & REBECCA	261	N	PARK BLVD	GLEN ELLYN	IL	60137
JENKINS, JAMES & PHYLLIS	225	N	PARK BLVD	GLEN ELLYN	IL	60137
JENSEN, B & C DEL VECCHIO	212	N	PARK BLVD	GLEN ELLYN	IL	60137
KINNEY, TIMOTHY E	254		EXMOOR AVE	GLEN ELLYN	IL	60137
KISER, PAUL S & KATHLEEN	655		WINGATE RD	GLEN ELLYN	IL	60137
LARSEN, JOHN & VIRGINIA	208	N	PARK BLVD	GLEN ELLYN	IL	60137
LEAMY JR, RICHARD J	676		WINGATE RD	GLEN ELLYN	IL	60137
LEUER, JAMES & LISA	614		HIGH RD	GLEN ELLYN	IL	60137
LOVE, BRIAN M & MELISSA P	243	N	PARK BLVD	GLEN ELLYN	IL	60137
MAGNAN, B & T BAYER	656		WINGATE RD	GLEN ELLYN	IL	60137
MATSON, JAMES H & S M	210		EXMOOR AVE	GLEN ELLYN	IL	60137
MC DEVITT, PAUL & K	249		EXMOOR AVE	GLEN ELLYN	IL	60137
MC PHERREN, PATRICK M	633		HIGH ST	GLEN ELLYN	IL	60137
METZGER, MICHAEL A & E M	677		WINGATE RD	GLEN ELLYN	IL	60137
MICHEL, MARION C	219	N	PARK BLVD	GLEN ELLYN	IL	60137
MORRISSY, EUGENE V	228	N	PARK BLVD	GLEN ELLYN	IL	60137
NOTHVOGEL, WM & MICHELLE	260		EXMOOR AVE	GLEN ELLYN	IL	60137
PEREGUDOV, MIKHAIL	616		HIGH RD	GLEN ELLYN	IL	60137
POTTS, JOHN RYAN & ALISON	200		EXMOOR AVE	GLEN ELLYN	IL	60137
PURDOM, CANDACE G	619		LAKEVIEW TERR	GLEN ELLYN	IL	60137
QUICK, STEVEN & KIMBERLY	250	N	PARK BLVD	GLEN ELLYN	IL	60137
REINWALD, PETER & DIANE	251	N	PARK BLVD	GLEN ELLYN	IL	60137
RUHSTORFER, ROBT & JOANNIE	237		EXMOOR AVE	GLEN ELLYN	IL	60137
SAJDAK, DEBORAH	211		EAST RD	GLEN ELLYN	IL	60137
SMID, MICHAEL & AMY	255		EXMOOR AVE	GLEN ELLYN	IL	60137
SMITH, DAVID & ANN	211		EXMOOR AVE	GLEN ELLYN	IL	60137
VERSCAJ, JOHN & VALERIE	218		EXMOOR AVE	GLEN ELLYN	IL	60137
WEAVER, SAM	232	N	PARK BLVD	GLEN ELLYN	IL	60137
WILD, CRAIG & JENNIFER	215		EXMOOR AVE	GLEN ELLYN	IL	60137
WILLIAMS, J & J HALPERIN	219		EAST RD	GLEN ELLYN	IL	60137
YELLOW DOG HOMES LLC	1670		EAGLE BROOK DR	GENEVA	IL	60134



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Tx:40031798

FRED BUCHOLZ, RECORDER
DUPAGE COUNTY ILLINOIS
04/30/2019 09:41 AM

DOCUMENT # R2019-032074

Village Of Glen Ellyn

Ordinance No. 6691

**An Ordinance Approving Variations from the
Driveway Width and Impervious Surface Setback Requirements
of the Zoning Code
to Provide Access to a New Detached Garage
on the Property Located at
231 N. Park Boulevard,
Glen Ellyn, IL 60137**

**Adopted by the
President and the Board of Trustees
of the Village of Glen Ellyn
DuPage County, Illinois
This 8 Day of April, 2019.**

Published in pamphlet form by the authority of the
President and Board of Trustees of the Village of
Glen Ellyn, DuPage County, Illinois,
this 9 day of April, 2019.

Prepared By & Mail To:
(Village of Glen Ellyn)
Attn: Village Clerk
535 Duane Street
Glen Ellyn, IL 60137

ORDINANCE NO. 6691

**An Ordinance Approving Variations from the
Driveway Width and Impervious Surface Setback Requirements
of the Zoning Code
to Provide Access to a New Detached Garage
on the Property Located at
231 N. Park Boulevard,
Glen Ellyn, IL 60137**

Whereas, Yellow Dog Homes, LLC., owner of the property at 231 N. Park Boulevard,

Glen Ellyn, Illinois, which is legally described as follows:

OF THE SOUTHERLY PART OF LOT 16, BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 160.75 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 45 FEET; THENCE FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTHERLY 2 FEET ON A LINE PARALLEL TO THE EAST LINE OF SAID LOT; THENCE NORTHWESTERLY TO A POINT IN THE WEST LINE OF SAID LOT, 50 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG THE WEST LINE 50 FEET TO THE POINT OF BEGINNING; ALL IN BLOCK 7 IN ARTHUR T. MC INTOSH AND CO.'S ELMWOOD ADDITION TO GLEN ELLYN, BEING A SUBDIVISION IN THE EAST HALF OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 18, 1924 AS DOCUMENT 175398 IN IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-14-221-002

have petitioned the President and Board of Trustees of the Village of Glen Ellyn for a variation from Section 10-5-11(F)2 and Section 10-5-5(C) to allow for the extension of a driveway with a width of 8.5 feet and impervious surface setback of 0.2 feet to provide access to a detached garage located in the rear yard; and

Whereas, following due notice by publication in the Daily Herald not less than fifteen (15) nor more than thirty (30) days prior thereto, and by mailing notice to all property owners within 250 feet of the subject property at least ten (10) days prior thereto, and following the

placement of a placard on the subject property not less than fifteen (15) days prior thereto, the Glen Ellyn Zoning Board of Appeals conducted a public hearing on March 5, 2019, at which the petitioners presented evidence, testimony, and exhibits in support of the variations requested and zero (0) persons appeared in favor or opposition thereto; and

Whereas, based upon the evidence, testimony, and exhibits presented at the public hearing on March 5, 2019, the Zoning Board of Appeals adopted findings of fact and voted on a motion to approve the variations, which carried by unanimous vote of six (6) "yes" and zero (0) "no", resulting in a recommendation for approval as set forth in its Draft Minutes dated March 5, 2019, appended hereto as Exhibit "A"; and

Whereas, the President and Board of Trustees have reviewed the exhibits and evidence presented at the aforementioned public hearing and have considered the findings of fact and recommendations of the Zoning Board of Appeals; and

Whereas, the President and Board of Trustees make the following findings of fact:

- A. That the plight of the owner is due to the unique shape of the lot and the orientation of the house in relation to the street and adjacent homes; and
- B. That the variations, if granted, will not alter the essential character of the locality as the driveway is not being widened and the home is being reduced in size to create the widest driveway possible; and
- C. That the conditions upon which the variations are based would not be applicable generally to other property within the same zoning district due to the unique shape of the lot and the placement of the home on the lot; and
- D. That the purpose of the variations is not based exclusively upon a desire to make more money out of the property since the petitioners are asking for the minimum

variation required to provide a garage on the lot to make the home saleable in today's current market; and

- E. That the practical difficulty or particular hardship has not been created by any person presently having an interest in the property; and
- F. That the variations will not be detrimental to the public comfort, morals, and welfare or injurious to other property or improvements in the neighborhood in which the property is located since the use is permitted in the zoning district and the driveway will be constructed in accordance with all applicable zoning code regulations other than the variations being granted; and
- G. That the variations will not substantially increase the hazard from fire or other dangers to said property and not otherwise impair the public health, safety, or general welfare of the inhabitants of the Village since the driveway will be constructed in accordance with all applicable building code regulations; and
- H. That the variations will not diminish or impair property values within the neighborhood since the variations allow property improvements that may increase property values; and
- I. That the variations will not unduly increase traffic congestion in the public streets and highways, as the traffic pattern on site will not be changed; and
- J. That the variations will not result in an increase in public expenditures or create a nuisance since this is an improvement to the existing single-family residential use in a residential zoning district; and
- K. That the variations are the minimum variations that will make possible the reasonable use of the land, building or structure; and

Whereas, the President and Board of Trustees, based on the aforementioned findings of fact, find it appropriate to grant the variations as recommended by the Zoning Board of Appeals.

Now, Therefore, Be It Ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in exercise of its home rule powers, as follows:

Section One: The Draft Minutes of the March 5, 2019 Glen Ellyn Zoning Board of Appeals meeting, Exhibit "A" appended hereto, are hereby accepted, and the findings of fact and conclusions set forth in the preambles above are hereby adopted as the findings of fact and conclusions of the corporate authorities of the Village of Glen Ellyn.

Section Two: Based upon the above findings of fact, the President and Board of Trustees hereby approve variations from Section 10-5-11(F)2 to allow a driveway with a width of 8.5 feet in lieu of the minimum required 9 foot width and a variation from Section 10-5-5(C) to allow an impervious surface setback of 0.2 feet in lieu of the required 1 foot setback for the property at 231 N. Park Boulevard, Glen Ellyn, Illinois, which is legally described as follows:

OF THE SOUTHERLY PART OF LOT 16, BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 160.75 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 45 FEET; THENCE FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTHERLY 2 FEET ON A LINE PARALLEL TO THE EAST LINE OF SAID LOT; THENCE NORTHWESTERLY TO A POINT IN THE WEST LINE OF SAID LOT, 50 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG THE WEST LINE 50 FEET TO THE POINT OF BEGINNING; ALL IN BLOCK 7 IN ARTHUR T. MC INTOSH AND CO.'S ELMWOOD ADDITION TO GLEN ELLYN, BEING A SUBDIVISION IN THE EAST HALF OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 18, 1924 AS DOCUMENT 175398 IN IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-14-221-002

Section Three: The granting of these variations is conditioned upon the driveway being constructed in substantial compliance with the plans and the application for variation received

and dated January 16, 2019, and the testimony and exhibits provided at the March 5, 2019 Zoning Board of Appeals public hearing.

Section Four: The Building and Zoning Official is hereby authorized and directed to issue building permits for the subject property, consistent with the variations granted herein, provided that all conditions set forth hereinabove have been met and that the proposed construction is in compliance with all other applicable laws and ordinances. This granting of these variations shall expire and become null and void twenty-four (24) months from the date of passage of this Ordinance unless a building permit to begin construction in reliance on these variations is applied for within said twenty-four (24) month time period and construction is continuously and vigorously pursued provided, however, the Village Board, by motion, may extend the period during which permit application, construction, and completion shall take place.

Section Five: The Village Clerk is hereby authorized and directed to cause a copy of this Ordinance approving the variations to be recorded with the DuPage County Recorder of Deeds.

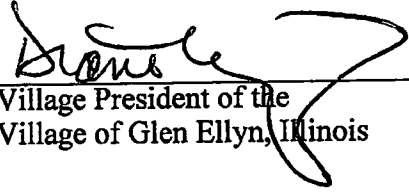
Section Six: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

Section Seven: Failure of the owner or other party in interest or a subsequent owner or other party in interest to comply with the terms of this Ordinance, after execution of said Ordinance, shall subject the owner or party in interest to the penalties set forth in Section 10-10-18 "A" and "B" of the Village of Glen Ellyn Zoning Code.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this
day of 8 April, 2019.

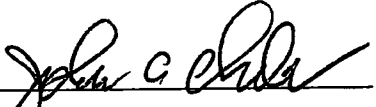
Ayes		Diane McGinley	☒	Pete Ladesic	☒	Mark Senak
	☒	Craig Pryde	☒	Bill Enright		Gary Fasules
	☒	John Kenwood				
Nayes		Diane McGinley		Pete Ladesic		Mark Senak
		Craig Pryde		Bill Enright		Gary Fasules
		John Kenwood				
Absent		Diane McGinley		Pete Ladesic		Mark Senak
		Craig Pryde		Bill Enright	☒	Gary Fasules
		John Kenwood				

Approved by the Village President of the Village of Glen Ellyn, Illinois, this 8 day
of April, 2019.



Village President of the
Village of Glen Ellyn, Illinois

Attest:



Village Clerk of the
Village of Glen Ellyn, Illinois

AFFIX VILLAGE SEAL

(Published in pamphlet form and posted on the 9 day of April 2019).

Exhibit "A"

DRAFT MINUTES
ZONING BOARD OF APPEALS
MINUTES
MARCH 5, 2019

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

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

MINUTES

ZBA Member Micheli moved, seconded by ZBA Member Whalls, to approve the minutes of the January 22, 2019 meeting. The motion carried unanimously with a voice vote.

On the agenda was a public hearing regarding the property at 231 N. Park Boulevard.

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

A motion was made by ZBA Member Micheli and seconded by ZBA Member Miller to open the public hearing for 231 N. Park Boulevard at 7:02 p.m. The motion carried unanimously with a voice vote.

PUBLIC HEARING – 231 N. Park Boulevard

PETITIONER YELLOW DOG HOMES, LLC ARE REQUESTING APPROVAL FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS TO ALLOW TO ALLOW A DRIVEWAY WITH A WIDTH OF LESS THAN 9 FEET AND AN IMPERVIOUS SURFACE SETBACK OF LESS THAN 1 FOOT TO PROVIDE ACCESS TO A NEW DETACHED GARAGE ON THE PROPERTY LOCATED AT 231 N. PARK BOULEVARD: 1. SECTION 10-5-11(F)2 - TO ALLOW A DRIVEWAY WITH A WIDTH OF 8.5 FEET IN LIEU OF THE REQUIRED 9 FOOT WIDTH. 2. SECTION 10-5-5(C) - TO ALLOW AN IMPERVIOUS SURFACE SETBACK OF 0.2 FEET IN LIEU OF THE REQUIRED 1 FOOT SETBACK.

(Yellow Dog Homes, LLC owner of the property at 231 N. Park Boulevard)

Staff Presentation

Village Planner Kelly Purvis and Planning Intern Evan Clements were present to speak regarding the proposed variation request and were sworn in.

Planning Intern Clements stated petitioner Yellow Dog Homes, LLC is the owner of the property at 231 N. Boulevard. Planning Intern Clements stated notice of the public hearing was published in the February 15, 2019, edition of the Daily Herald, mailed to property owners within 250 feet of the subject property, and a placard was placed on the property.

Planning Intern Clements stated the petitioners are requesting zoning variations to allow a driveway with a width of less than 9 feet and an impervious surface setback of less than 1 foot to provide access to a new detached garage on the property.

1. Section 10-5-11(F)2 - to allow a driveway with a width of 8.5 feet in lieu of the required 9 foot width.
2. Section 10-5-5(C) - to allow an impervious surface setback of 0.2 feet in lieu of the required 1 foot setback.

Planning Intern Clements stated Village records indicate that there were no prior variations granted for this property. Planning Intern Clements stated Village records indicate that the following permits have been issued for this property:

<u>Date</u>	<u>Permit No.</u>	<u>Type</u>
1927	B814	Two-story New Construction
1961	B8024	Electrical
1963	B9313	Addition
1971	B2046	Fire Loss Repair
1989	B10965	Fence
2013	20131479	Fence

Planning Intern Clements stated the property is an interior lot, located in the R2 zoning district on the east side of N. Park Boulevard with the intersection of N. Park Boulevard and Wingate Road to the north and the intersection of N. Park Boulevard and High Road to the west. Planning Intern Clements stated the land use immediately surrounding the subject property is R2 single-family residential.

Planning Intern Clements showed an overview picture of the property and stated Yellow Dog Homes, LLC, owner of the property at 231 N. Park Boulevard, would like to extend the existing driveway along the north side of the property to allow for the construction of a detached

garage in the rear of the home. Planning Intern Clements stated a concrete slab currently exists in the backyard of the property (which may have been a garage foundation at some point) that will be removed to make way for the detached garage. Planning Intern Clements stated an addition was added to the house in 1963, cutting off vehicular access to the backyard and leaving only 6.05 feet between the northeast corner of the home and the north property line. Planning Intern Clements stated the owner is proposing to remove a small triangular piece of the same corner of the building addition to provide room for the driveway to wrap around the edge of the home to provide access to the backyard. Planning Intern Clements stated after the removal of the corner piece of the addition, the building will be approximately 9 feet from the north property line; however, at the narrowest point, the driveway will be 8.5 feet wide with an impervious surface setback of only 0.2 feet. Planning Intern Clements stated the part of the home adjacent to the narrowest part of the driveway would be much more difficult to alter, as it is part of the original brick construction. Planning Intern Clements stated the proposal also includes a new, 22 foot x 22 foot garage and a new 20 foot wide concrete access drive. Planning Intern Clements stated in order for the garage to be constructed as proposed the petitioners will need to be granted a variation to allow the driveway to be 6 inches narrower and the impervious surface 9.6 inches less than the Code requires.

Questions from the Zoning Board of Appeals

ZBA Member Panther asked if there is any proposed modifications to the stairwell in the rear of the home. Planning Intern Clements stated in regards to what was given to the Planning Department, there are no proposed modifications to the stairwell.

ZBA Member Whalls asked about the distance from the west elevation of the garage to the east elevation of the home. Mr. Teipel stated it is 25 feet.

ZBA Member Micheli asked to hear a summary of the applicant's basis for a hardship. Planning Intern Clements stated this hardship is due to the ability to resell the home as almost all the homes in the neighborhood either have attached or detached garages. Planning Intern Clements stated without a garage on the property, it would be hard to resell the home.

ZBA Member Miller asked to see the picture of the property again. ZBA Member Miller asked about the fence follows the property line as it is notched out by the home to which Planning Intern Clements stated it is.

Village Planner Purvis stated she received a minimum of 4 phone calls regarding this property from prospective buyers, asking about how they could provide a garage on this property. Village Planner Purvis stated the property has been vacant for a long time, and this is the first set of plans that she has seen that have actually tried to make the driveway wider to meet the requirements of the Code. Village Planner Purvis stated there is no way to provide a garage on this lot without requesting some sort of variation. ZBA Member Micheli asked if the variation is

needed only as the building is constructed now to which Village Planner Purvis stated it is. Village Planner Purvis stated if you were to tear down the building and start from scratch, you could probably get a Code-compliant driveway.

Petitioners' Presentation

Sworn in for the Petitioner's Presentation were Alex Teipel, architect at 427 W. State Street in Geneva, Illinois, Brian Weppner, co-partner of Yellow Dog Homes, LLC at 1617 Eaglebrook Drive in Geneva, Illinois, and David Cilio, co-partner in Yellow Dog Homes, LLC at 1617 Eaglebrook Drive in Geneva, Illinois.

Mr. Teipel stated it is critical in this day and age to have a garage, and if you cannot get past the corner of this home, you cannot have a garage. Mr. Teipel stated they are proposing to cut the corner of the home as this is the only option, and if they cut back more to the west, they would be cutting into the original home which is a solid brick structure. Mr. Teipel stated this is functional and why they chose this point. Mr. Teipel stated the buyers did not create the hardship, but this hardship was created when the home was built.

Additional Questions from the Zoning Board of Appeals

Chairperson Constantino asked if they are only removing this portion of the home without affecting the structural integrity of the home. Mr. Teipel stated the rear stairway is also a mitigating factor as they did not want to move this. Mr. Teipel stated they will be removing the first floor, but keeping the second floor above.

ZBA Member Jones asked if they had looked at moving the driveway from the north side of the property to the south side of the property. Mr. Teipel stated it is the same issue on either side of the home, and they would need a variation.

ZBA Member Micheli stated they knew about the problem when they purchased the home, and per Code, the ZBA cannot recommend approval for a hardship of a financial incentive so ZBA Member Micheli feels this is a non-starter. Mr. Teipel stated this hardship was created by the existing condition of the property and also created by the market today. Mr. Teipel stated they are trying to make the home in fitting with the neighborhood as there is a necessity to have a garage and not just create value. ZBA Member Micheli stated the ZBA heard a similar case to this a few blocks from this property.

Mr. Weppner thanked the ZBA for coming out on a different night as the petitioners want to start this project as soon as they can. Mr. Weppner stated they are seeking less than a 6-inch variance for a home that has been vacant for two and a half years already. Mr. Weppner stated

they will be putting the garage where the current concrete pad is. Mr. Weppner stated the lot is on a bias so the lot is a different angle than the home. Mr. Weppner stated they do have a letter of support from the neighbor at 225 N. Park Boulevard. Mr. Weppner stated they feel this is a fair request to ask for a variance to put a 2-car garage in.

Chairperson Constantino asked if they would need a variation period if they build a 1-car garage or 3-car garage to which Mr. Weppner stated they would. Mr. Weppner stated this addition built on the home eliminated the access to the back of the property. Mr. Weppner stated they did drop off letters with other neighbors, but did not hear back from any of them.

ZBA Member Miller stated Village Planner Purvis has been receiving calls on this property and asked why the petitioners are coming now if they have been working on this for a while. Mr. Weppner stated they thought the 8.5 feet was enough. Mr. Cilio stated they bought the property in August 2018 and have been going through the permitting process and are now coming to the variance process. Mr. Cilio stated they have not started any construction, but have only done some demolition. Mr. Cilio stated they have not received any building permits until this variance request goes through the ZBA and Village Board. ZBA Member Miller asked if there are any other hardships to which Mr. Weppner stated none other than not having a garage.

Mr. Teipel stated they have no other option as they cannot put the garage on the south side of the property. Mr. Cilio stated if this variation is not approved, they would have to sell this property at a lower price point because there would be no garage. Mr. Cilio stated he is the day-to-day operator of Nobel House.

ZBA Member Jones stated the orientation of the lot as it is not east-west or north-south and is on a diagonal. ZBA Member Jones stated if you build the home with the orientation of the lot, you would have a cockeyed home. ZBA Member Jones stated he sees the hardship that if you build any home on this lot, there is going to be an orientation problem.

ZBA Member Micheli stated as a point of order, 233 N. Park Boulevard does not appear on the list of notified neighbors. Village Planner Purvis stated the homeowner does know about this as she came into the Planning Office and talked to Village Planner Purvis about this variation request. Village Planner Purvis stated the homeowner seemed to have concerns, but Village Planner Purvis does not see her at this meeting. Village Planner Purvis stated the homeowner seemed concerned about the garage, but this is not an issue for discussion with the variation. Village Planner Purvis stated the homeowner also seemed concerned about the added triangle of impervious surface.

Planning Intern Clements stated the notices would have gone to the homeowner's current address. Village Planner Purvis stated the notice goes to the address on the property tax bill.

ZBA Member Miller asked about the width of the cut-in. Chairperson Constantino stated it states this is 2 feet in the legal description of the survey.

Persons in Favor of or in Opposition to the Variation Requests

No one spoke in favor or in opposition to this request.

Findings of Fact

Chairperson Constantino stated petitioner Yellow Dog Homes, LLC, owner of the property at 231 N. Park Boulevard, is requesting a variance to allow a driveway with a width of 8.5 feet in lieu of the required 9 foot width and an impervious surface setback of 0.2 feet in lieu of the required 1 foot setback. Chairperson Constantino stated the property is located in the R2 Zoning District, and the land use immediately surrounding the property is R2 Residential as well. Chairperson Constantino stated the ZBA heard from Planning Intern Clements about the condition of the property, the request made for the variance and the proposed extension of the existing driveway to the rear of the property. Chairperson Constantino stated the petitioners are also seeking to remove a portion of the existing building on the property to allow the extension of the driveway to the rear of the home. Chairperson Constantino stated the petitioner also seeks to add a concrete apron which will affect the impervious surface setback of the property, and this will require a variation of 0.2 feet to the setback.

Chairperson Constantino stated there are no other proposed additions to the property, and the discussion for the need of a garage for sale purposes. Chairperson Constantino stated the ZBA heard from architect Alex Teipel, and Mr. Teipel reviewed the proposed alteration to the existing building and the request for the variations. Chairperson Constantino stated Mr. Teipel says there is no way to provide for a garage or new driveway on the property without the variation. Chairperson Constantino stated the existing market conditions require that a home have some form of garage on the property to make it saleable.

Chairperson Constantino stated they are looking to obtain the minimal space for the driveway to access the proposed detached garage. Chairperson Constantino stated the petitioners believe this is a functional option without affecting the structural integrity of the building by removing a portion of the northeast corner of the building. Chairperson Constantino stated neither the north side nor the south side of the home would be able to accommodate a driveway, and the north side where the driveway is proposed is the best option.

Chairperson Constantino stated the condition of the building itself was not created by the petitioner, but was purchased as is. Chairperson Constantino stated the home has been vacant for over two years. Chairperson Constantino stated the ZBA heard from the homeowners, Brian Weppner and David Cilio, who will remove a portion of the existing addition to widen the driveway.

Chairperson Constantino stated the lot size and the configuration of the lot is unusual, and with these circumstances, the home is aligned north-side to match the alignment of the surrounding properties. Chairperson Constantino stated the lot itself is diagonal, and it would be impossible to have the home lined up north-south and still have a geometrically-aligned building with the lot. Chairperson Constantino stated there is also a financial issue involved and also a hardship concern relating to the lot size, the building configuration, the location of the home on the lot and their inability to put a garage on this lot. Chairperson Constantino stated there was no audience participation.

Mr. Teipel stated they are asking for the minimum to make this.

Motion

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

The motion carried unanimously with a voice vote.

Additional Comments from the Zoning Board of Appeals

ZBA Member Panther stated he is struggling with this variation request as it seems they are trying to maximize the profitability of the home. ZBA Member Panther stated there is an issue that the property currently has no garage and not way to put a garage in. ZBA Member Panther stated the home has a lot of character and unique qualities so he would like to see the home stay instead of the other option of tearing the home down. ZBA Member Panther stated he can see both side of this, but he is leaning toward granting the variance even though he does have some concerns. ZBA Member Panther stated he is struggling to see the hardship, but does appreciate the unique circumstances.

ZBA Member Whalls stated the other hardship is why you would not want to keep another historic home. ZBA Member Whalls stated the orientation of the lot versus the home will always be an issue. ZBA Member Whalls stated the home was built in 1927 when no one cared about garages at that point. ZBA Member Whalls stated this is a new paradigm. ZBA Member Whalls stated no one spoke against this variation. ZBA Member Whalls stated he likes the

ingenuity used for how they are going to make this happen. ZBA Member Whalls stated the imperious surface piece is still less than 50%, and he supports this variation request.

ZBA Member Jones stated he likes keeping the older home as it diversifies the architecture in the Village. ZBA Member Jones stated there are unique circumstances with the orientation of the lot, and even new construction would be an issue. ZBA Member Jones stated the Village gave variances to the Apex development to make the parking stalls smaller in width. ZBA Member Jones stated the driveway should be wider, but this is not possible unless they tear down more of the home. ZBA Member Jones stated he is in favor of this variance.

ZBA Member Micheli stated they do need to color in the lines, and in the Village Code, the ZBA is prohibited to grant a variance based on financial profitability. ZBA Member Micheli stated they do need to look at each project individually in its own realm. ZBA Member Micheli stated the home exists as is, and this was a self-inflicted hardship that the petitioners knew when they purchased the home. ZBA Member Micheli stated there is a point for the unusual lot and the configuration, but he does not see the hardship yet.

ZBA Member Miller stated he likes the engineering on this, and he does understand the unique circumstance. ZBA Member Miller stated the ZBA cannot grant a hardship for a financial reason. ZBA Member Miller stated this is an odd lot size, the location of the home is odd on the lot, a narrow odd-shaped lot, and there is an area cutting in at 2 feet. ZBA Member Miller stated there is a hardship for the Village as this home has been vacant for over 2 years, and the home could be headed toward a tear down.

ZBA Member Miller stated he is struggling with this for a different reason because he feels this request is coming to the ZBA after the fact as many other people have done this year as well. ZBA Member Miller stated he has an issue with people not going before the ZBA before they purchase and buy on contingency instead to see if this variation was possible. ZBA Member Miller stated if a petitioner then found they could not get the ZBA to agree on the variation, then a petitioner could lose the home and walk away from the home. ZBA Member Miller stated he has a real problem as that the ZBA as a group are setting a precedent here as this is the third time in the last six to eight months the ZBE has had to review something previously done. ZBA Member Miller stated he does not have a problem approving the driveway as it will be much better for the neighbors to the north to have a garage on this property. ZBA Member Miller stated the ZBA keeps having this type of issue as people should have come forth right away and not wait until several months in. ZBA Member Jones stated the petitioners did not come in after the fact as this has not been done yet.

ZBA Member Miller stated he will vote yes for the project as it is better for the neighbors, the neighborhood and the Village to have this done; however, the next time someone comes before the ZBA with a late request after the fact, you cannot this one against him that he voted

yes on this because he feels this is a big problem. ZBA Member Miller stated in this case, it is truly better for the neighborhood and the Village.

ZBA Member Micheli asked if the variation would go away if the notch is blended. Village Planner Purvis stated it could be, but the petitioner is only asking for 6 inches, and they still have to cut a portion of the building.

Chairperson Constantino stated he agrees with all that has been previously said. Chairperson Constantino stated if this request was based solely on a financial circumstance then the ZBA would not recommend this. Chairperson Constantino stated there is a hardship with the lot and the location of the building on the property, and an added garage is the highest and best use of the property in a residential sense. Chairperson Constantino stated there are unique circumstances and a hardship involved with this, and he will recommend the variance.

ZBA Member Miller stated as a point of order, this is not a hardship, but rather a unique circumstance which will be put in the motion.

Motion

A motion was made by ZBA Member Whalls and seconded by ZBA Member Jones to close the public hearing for 231 N. Park Boulevard at 8:00 p.m. The motion carried unanimously with a voice vote:

A motion was made by ZBA Member Miller and seconded by ZBA Member Micheli.

Having considered the application of Yellow Dog Homes, LLC, for zoning variations to allow a driveway with a width of less than 9 feet and an impervious surface setback of less than 1 foot to provide access to a new detached garage on the property located at 231 N. Park Boulevard, the Zoning Board of Appeals hereby adopts the Findings of Fact in the petitioners' application packet and presented by the petitioners at the March 5, 2019, Zoning Board of Appeals public hearing as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends approval of the following requested zoning variations:

1. Section 10-5-11(F)2 - to allow a driveway with a width of 8.5 feet in lieu of the required 9 foot width.
2. Section 10-5-5(C) - to allow an impervious surface setback of 0.2 feet in lieu of the required 1 foot setback.

Due to the following unique circumstances:

1. The lot size; and

2. The location of the home on the lot; and
3. The narrow shaped lot; and
4. The two (2) foot notch at the chokepoint.

The motion carried with six (6) "yes" votes. The "yes" votes are as follows: ZBA Members Jones, Micheli, Miller, Panther, Whalls and Chairperson Constantino.

ZBA Chairperson Constantino stated the ZBA recommended this unanimously and will now go to the Village Board for approval, and Village Planner Purvis can tell you when this will be. ZBA Chairperson Constantino stated he advises the petitioners coming to the Village Board meeting just in case this variance request is not on the Consent agenda.

Village Board Trustee Report

Trustee Senak stated the Village Board did approve the preliminary approval phase of the Apex 400 development. Trustee Senak stated the Comprehensive Plan is undergoing revisions, and the staff is working on grants for the potential Trail Station and Underpass project. Trustee Senak stated Raising Cane's was approved for construction on the old Arby's site. Trustee Senak stated the Horse Trough has been moved and is on its way to Iowa in order to make a bronze replica of the trough. Trustee Senak stated the bronze replica of the trough will be placed as the Village Board works on the Streetscape Project. Trustee Senak stated if the ZBA members have thoughts on the upcoming Streetscape project, the ZBA members should come to the meetings or email their comments to the staff.

ZBA Member Whalls asked when the Civic Center parking garage would be done. Trustee Senak stated this should be done at the end of summer, but the sequence is up in the air still. Trustee Senak stated they are in talks with the Methodist Church for possible access through the church's parking lot to the parking garage.

ZBA Member Jones stated he heard the Village is in talks to buy the U.S. Bank building to which Trustee Senak stated he is not sure on this.

ZBA Member Miller stated he supports the Apex project, but does not like the architecture. ZBA Member Miller stated he has an issue with how it will look as it does not fit the character of the downtown. Trustee Senak stated he did not vote to approve this project as he had problems with this piece too. ZBA Member Micheli stated they are going to run into problems with traffic with this development. There was a discussion about parking in the Central Business District.

Staff Report

Village Planner Purvis stated there will be no meeting on March 12, 2019.

Adjournment

At 8:22 p.m., a motion was made by ZBA Member Jones and seconded by ZBA Member Whalls to adjourn the meeting. The motion carried unanimously by a voice vote.

Respectfully submitted,

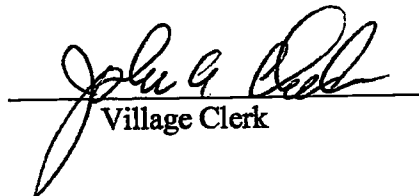
Debbie Solomon
Recording Secretary

CERTIFICATION

I, John Chereskin, duly elected Village Clerk of the Village of Glen Ellyn, Illinois, do hereby certify that the attached is a true and correct copy of Ordinance No. 6691, passed by the Board of Trustees of the Village of Glen Ellyn, Illinois, at the Regular Meeting of said Board held on the 8 day of April 2019, and that the same was signed and approved by the President of said Village on the 8 day of April 2019.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as Village Clerk of said Village for safekeeping and that I am the lawful custodian and keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Glen Ellyn, Illinois, this 8 day of April, 2019.


Village Clerk

CORPORATE SEAL