

MINUTES  
ZONING BOARD OF APPEALS  
JULY 28, 2020

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

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

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

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

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

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

EMERGENCY RULES OF PROCEDURE

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

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

### MINUTES

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

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

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

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

### PUBLIC HEARING – 727 N. PARK BOULEVARD.

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

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

### Staff Presentation

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

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

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

Planner Ashbaugh stated the DuPage County Stormwater and Floodplain Ordinance (DCSFO), as amended by the Village, is applied to all development application and building permits filed for any site improvements. Planner Ashbaugh noted the Village's requirements are stricter than those outlined in the DCSFO. Planner Ashbaugh also referred to the staff report which indicated that the size of the drywell is required for the proposed improvements is a volume of 85 ft<sup>3</sup> and the petitioner is providing 106 ft<sup>3</sup>.

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

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

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

#### Questions from the Zoning Board of Appeals

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

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

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

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

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

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

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

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

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

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

Petitioners' Presentation

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

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

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

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

Additional Questions from the Zoning Board of Appeals

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

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

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

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

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

Persons in Favor of or in Opposition to the Variation Requests

No one spoke for or against these variation requests.

Findings of Fact

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

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

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

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

#### Motion

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

#### Additional Comments from the Zoning Board of Appeals

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

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

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

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

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

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

### Motion

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

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

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

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

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

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

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

#### PUBLIC HEARING – 614 ROGER ROAD.

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

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

#### Staff Presentation

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

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

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

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

#### Questions from the Zoning Board of Appeals

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

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

### Petitioners' Presentation

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

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

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

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

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

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

### Additional Questions from the Zoning Board of Appeals

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

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

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

Persons in Favor of or in Opposition to the Variation Requests

No one spoke for or against these variation requests.

Findings of Fact

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

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

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

Motion

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

Additional Comments from the Zoning Board of Appeals

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

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

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

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

ZBA Whalls stated he is in favor of the variations.

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

### Motion

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

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

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

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

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

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

### Village Board Trustee Report

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

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

Staff Report

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

Adjournment

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

Respectfully submitted,

Lindsey Kaminsky  
Recording Secretary

Reviewed by,

Katie Ashbaugh, AICP  
Planner