

AGENDA
Glen Ellyn Zoning Board of Appeals Meeting
Tuesday, November 8, 7:00 p.m.
Glen Ellyn Civic Center
535 Duane Street



A. Call to Order

B. Public Comment (Non-Agenda Items)

C. Approval of the Draft Minutes from the ZBA Meeting October 11, 2022.

D. Public Hearing.

1. 432 Dawn Avenue

Zoning Variation request to allow a corner side yard setback of 14.6 feet where a 30-foot corner side yard setback is required, a chimney projection of 3.6 feet into the side yard setback where a maximum 2-foot projection is allowed, and a lot coverage ratio of 20 percent is allowed.

2. 594 Hickory Road

Zoning Variation request to allow the construction of a front porch with a setback of 24 feet from the front lot line in lieu of a 37.5 feet requirement, and to allow said addition to a nonconforming building that does not conform to all regulations of the R2 district.

E. Other Business.

F. Village Board Trustee Report.

G. Chairman's Report.

H. Staff Report.

I. Adjourn.

Dear Petitioner(s) and Interested Citizens:

Once a variation request has been heard by the Zoning Board of Appeals, the Board may make a recommendation and minutes of the hearing are prepared. The variation, along with the minutes, summary report and all related material, is submitted for consideration by the Village Board at a regularly scheduled Village Board meeting. To confirm exact times and dates for Village Board consideration of a project, please call 630-547-5241.

cc: ZBA Members
Anne Gould, Trustee Liaison
Atrian Fard, Staff Liaison
Barbara Dutton-Thomas, Recording Secretary
Martin Scott, Community Development
Director

Taylor Gendel, Associate Planner
Brad Iwicki, Planning Intern
Lori Gloude, Executive Assistant
Mark Franz, Village Manager
Brian Baltudis, Facilities Manager

AGENDA
Glen Ellyn Zoning Board of Appeals Meeting
Tuesday, November 8, 7:00 p.m.
Glen Ellyn Civic Center
535 Duane Street





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

Meeting 11/8/2022 7:00 PM
Department: Community Development
Department Head: Marty Scott
Category: Minutes
Prepared By: Atrin Fard

**AGENDA ITEM (ID
2022-2850)**

DOC ID: 2022-2850

Approval of Minutes from October 11, 2022 ZBA Meeting

Statement of the Issue:

Please review draft minutes from the October ZBA meeting.

Analysis:

N/A

Budget Impact:

N/A

Contribution to Strategic Plan (if applicable)

Action Requested:

Please review draft minutes from the October ZBA meeting.

Attachments:

1. 10-11-22 ZBA Meeting Minutes-DRAFT

DRAFT MINUTES
ZONING BOARD OF APPEALS MEETING
October 11, 2022

Call to Order and Roll Call

The meeting was called to order at 7:01 p.m. by Chairperson Greg Constantino, who explained the advisory function of the Zoning Board of Appeals (ZBA) and its process of deliberation and recommendation, and the notice given for the meeting's Public Hearing. Roll was called. Present: Chairperson Constantino and Board Members Matthew Jones, Katie Crudele and Thomas Whalls. Absent: Reed Panther and Chip Miller. The Chairperson described Public Hearing protocols, announced that the meeting would be recorded, and introduced Village Associate Planner Taylor Gendel, Recording Secretary Barb Dutton and Village Board Trustee Anne Gould. Senior Planner Atrian Fard was also in attendance, and Community Development Director Martin Scott subsequently joined the meeting.

Approval of Meeting Minutes

A motion by ZBA Member Crudele to approve the draft minutes of the Sept. 13, 2022 meeting, seconded by Member Whalls, passed by voice vote.

Public Hearing for 364 Lorraine Road

A motion by Board Member Jones to open the Public Hearing concerning for 364 Lorraine Road, seconded by Member Crudele, passed by voice vote.

Staff Presentation

Sworn in, Associate Planner Taylor Gendel, 535 Duane St., stated that the Petitioners, Craig and Erin Pavlich, owners of the property at 364 Lorraine Road, are requesting approval of variations from the Glen Ellyn Zoning Code to allow all freestanding accessory structures on the zoning lot to occupy 31.9 percent of the required rear yard where a maximum of 30 percent of a required rear yard or 1,000 SF, whichever is less, is allowed to be covered by freestanding accessory structures on the lot. The property is an interior lot located in the R2 Residential Zoning District on the northwest side of Lorraine Road, between N. Kenilworth Avenue and Philips Avenue. The zoning and land use around the property, continued Ms. Gendel, is R2 single-family residential. The residence at 364 Lorraine Road currently has a lot coverage ratio (LCR) of approximately 24.4 percent. The current house and detached garage were built in 1954 and 1962, respectively.

The homeowners would like to replace their current 443.77SF detached garage with a new 658.75SF garage. In the R2 District, the minimum required rear yard is 40 ft. in depth. The subject lot has an irregularly shaped backyard, narrowing in the rearmost portion due to the adjacent curved streets bounding the block (Windsor and Chesterfield Avenues). This leads to an undersized rear yard, which restricts the required rear yard and the total area permitted for accessory structures on the lot. According to the submitted plat of survey (2013), the subject lot has a required rear yard of 2,064SF. Thirty percent of this area is 619.2SF, which is less than 1,000SF, therefore, she said, the total area of all freestanding accessory structures on the lot is limited to 619.12SF. The proposed garage would result in a total of 31.92 percent of freestanding accessory structures on the lot, exceeding the requirements by 1.92 percent, necessitating a variation.

The Petitioners offer assurance that the new garage will meet all setback, height and easement requirements and not obstruct views or light from the neighboring properties. If the variation is not granted, concluded Ms. Gendel, the Petitioners would need to build a two-story garage structure on the lot to achieve the same use and storage space; a taller structure with smaller footprint on the lot would be permitted by right but would be more visible to neighbors. Their application includes signed letters of support from four neighbors, noted Associate Planner Gendel, who outlined ZBA action to be taken on the matter. Chairperson Constantino asked how the minimum depth for a rear yard is determined. Associate Planner Gendel replied that it is 40 ft. from the rear lot line. She confirmed his assumption that if the lot in question had the same area but was rectangular it would have ample rear-yard SF for the proposed garage.

Petitioner's Presentation

Sworn in, Craig Pavlich, 364 Lorraine, stated that there are two elements at play relative to the Petitioner's request, one of these being a disagreement on interpretation of Code, though he said, regardless, he still thinks he deserves a variation. He said the layout of his house, which was designed and built by former Village President Frank Weidner, predates the Code in question. Mr. Pavlich stated that it's been the Petitioners' intent to conform to the rules and to keep the architecture consistent. He maintained that there's a question as to whether the Code as written is applicable to an interior lot, and asserted that the irregular-shaped qualifies for a variance. Arguing that the area would be appropriate for the proposed garage, Mr. Pavlich said his lot meets ancillary requirements, including green space and drainage, and the only problem is the required rear yard, due to the configuration of nearby streets. He said that the design for the garage preserves the character of the neighborhood, and stressed that he and his wife are preservationists who are trying to keep their house livable for as long as possible. Chairperson Constantino called the presentation and sizeable information package delivered by the Petitioner helpful.

Board Member Whalls delivered proposed findings of fact. Board Member Crudele motioned to accept these findings; seconded by Member Jones, the motion passed unanimously by roll call vote of all ZBA members present.

Deliberation

Board Member Crude said she is in favor of the requested variance, citing the irregular lot and the Petitioners' value on preservation. Member Jones also expressed favor, suggesting that the request is within acceptable parameters, and voicing appreciation of the Petitioners' maintenance of a Mid-Century Modern house. In agreement, Member Whalls said he likes the height of the proposed garage. Chairperson Constantino said he is in favor of recommending that the variation be granted, seeing the irregular shape of the lot as an undue hardship.

Member Whalls, seconded by Member Crudele, moved to close the Public Hearing; the motion carried unanimously by roll call vote of all ZBA members present. Board Member Jones moved for the following:

Having considered the application of Craig and Erin Pavlich, owners of the property at 364 Lorraine Road, Glen Ellyn, for zoning variations from Section 10-5-4(A)2(a) to allow all freestanding accessory structures on the zoning lot to occupy 31.9 percent of the required rear yard where a maximum of 30 percent of a required rear yard or 1,000 square feet, whichever is less, is allowed to be covered by

freestanding accessory structures on the lot, the Zoning Board of Appeals hereby adopts the findings of fact in the petitioners' application packet and presented by the petitioners at the Zoning Board of Appeals public hearing conducted on October 11, 2022, as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends APPROVAL based on the following hardships or unique circumstances: Due to the characteristic of the property in question, there are practical difficulties or particular hardships for the applicant; the adjacent curved streets bounding the block of Windsor and Chesterfield Avenues creates an irregular-shape lot that limits the rearmost portion of the subject lot as the reason presented for recommended approval.

Seconded by Board Member Whalls, the motion passed by roll call vote with all Board members present voting YES. Member Jones then motioned to close the Public Hearing portion of the meeting; seconded by Member Whalls, the motion passed by voice vote.

Other Business

Chairperson Constantino introduced a discussion about construction-necessitated variation (CNV) policy, noting that CNVs have become more prevalent in recent years, raising eyebrows and concerns. He turned the discussion over to Sr. Planner Fard, who related that Staff has been asked by the Village Board and the ZBA to revisit Glen Ellyn's requirements for a CNV, which is defined as "a variation requested after the issuance of a valid building permit related to the variation or a variation needed for any phase of construction that is in progress or has already occurred, either with or without a valid building permit and approved plans, that violates applicable Zoning Code regulations." Upon receipt of a CNV request from the Zoning Code, she said, the Village suspends the building permit and no additional work is allowed to be done until approval is granted. From January 2000 to December 2003, related Ms. Fard, the Village received 10 variation requests for construction projects that were completed contrary to approved plans and the Zoning Code. At that point, she continued, the Village Board discussed the issue and suggested that the relatively low cost of seeking the variance and the short processing time of the request, lead developers/property owners to apply for relief rather than bring the project into compliance.

Consequently, related the Sr. Planner, on March 8, 2004 the Village Board adopted Ordinance No. 5245 which requires that the following items be provided for CNVs in addition to all the prerequisites of a regular variation:

- The fee for a CNV was raised from \$450 (the cost of a regular variance at the time) to \$900.
- An escrow fee of \$2,000 was added to pay for Village out-of-pocket expenses.
- A current site survey was required to show the details of the actual variation request.
- A timeline of events that led to the violation.
- Possible alternatives with cost estimates, along with the Petitioner's preferred solution.

Since then, continued Ms. Fard, fees for regular variations increased to the current \$660 and to \$1,100 for Construction Necessitated Variations. Between 2004 and 2021, she reported, the Village has received 25 CNV requests, 12 of which were between 2018 and 2021. It is important to note, she added, that the Village has received five additional CNV requests in the first half of 2022 – which she called "a pretty large number." With the recent spike in the number of CNV applications, reported Ms. Fard, Staff was asked to survey of 11 peer communities to find a solution to reduce such cases. Ten of the 11 surveyed treat them as typical variation requests – including Lombard which, she related, only doubles the fees for such requests. Only Arlington Heights puts the project on hold and issues citations to bring projects into compliance. It appears that Glen Ellyn is the only community with regulations differentiate the procedure

and requirements of CNVs from regular variations, she stated, although the process as it stands now does not seem to be deterring homeowners from applying for relief rather than coming into compliance with the Zoning Code. Member Crudele asked if any of these communities experience an influx of CNVs, to which Sr. Planner Fard replied, “No they don’t.” Member Crudele asked how CNVs are discovered in Glen Ellyn. Mr. Fard related that majority she’s seen were found by detailed Village inspections, while some are discovered through neighbors saying they don’t see permits. Member Jones asked how many problems relative to lack of permit are seen that require additional staff work. Ms. Fard explained that infractions subject to relief from the Zoning Code cause considerable research work for planners. Chairperson Constantino asked the objectives for evaluating the situation. Indicating that the expectation is not necessarily to narrow down the approach to one solution but the ZBA could recommend a hybrid route, Sr. Planner Fard list the following potential remedies for ZBA consideration and feedback:

1. **Fees:** One solution could be increasing CNV fees (though this approach might present a burden on some residents, while not being effective against affluent ones).
2. **Number of Violations:** Another solution could be to reflect in the fees the number of requested variations (i.e., multiplying the fee by the number CNVs).
3. **Inspections:** Implementing pre-pour inspections for driveways, walkways and patios, a practice that could potentially catch a third of violations before final inspection.
4. **Remove CNV Process:** Since defining the CNV process could encourage residents to ask for relief thinking they can get a “second chance,” removing the CNV process might offer a solution.
5. **Rigorous Application of Standards:** This approach would involve rigorous application of standards (rather than applying a more liberal view to the process) to promote caution in the community.
6. **Rate of Approval:** Addressing what is seen to have been a high approval rate of CNV requests is an approach suggested to quell precedent and thereby discourage contravention.
7. **Provide a Copy of the Approved Plans to the Homeowners:** Staff suggests that if the contractor is listed as the main point of contact on the application, the Village provide a copy of approved plans to the homeowners to build their knowledge of the work to be done. (While Member Jones advocated for a method to better ensure homeowner receipt of information/comprehension, while Member Crudele suggested that homeowners entrust their paid contractors to be concerned with project details.)
8. **Disclaimer:** Having owners sign a separate form with a disclaimer section that informs them of their responsibility could serve to keep them “more kept in the loop” relative to their projects.
9. **Contractor Citation:** Staff suggests issuing a citation to the contractor to bring a violation into compliance, if the contractor was the permit applicant.
10. **Village Approval in Different Stages:** Another potential solution to reduce post-construction variation requests is to request certification surveys prior to completing certain aspects of the work.

Board Member Jones suggested making pre-pour inspections mandatory for driveways, walkways and patios. Sr. Planner Fard pointed out that while added inspections could impact permit fees and staff time, they could reduce CNVs by 34 percent. To evaluate cost trade-offs, Member Crudele asked how many permits result in CNVs. Replying that that she didn’t have handy the total number for the past year, Ms. Fard said that 34 percent from 2000 until now is a good percentage, though said there were fewer than 10 over all these years. Observing there wasn’t a lot of construction going from 2008 to 2012, Member Jones said that yet from 2012 to 2018, “We had basically zero (or we didn’t catch any).”

Acknowledging that the CNV situation presents layers of complexity, Member Crudele said she likes the pre-pour inspection idea, but in the interest of saving taxpayer dollars, suggested limiting inspections, so not every project is subject to one; Member Whalls, however, noted that changes happen post-pour. Ms. Fard said that the Village performs final inspections for such work, though requires foundation surveys. Though discouraging an overly liberal policy, Member Jones cautioned against making zoning so restrictive that it deters building activity. Chairperson Constantino asked the nature of issues prevalent among CNVs. Sr. Planner Fard attributed the rate of approval as the driving factor in CNV cases she's seen, and that as much as Staff tries to enforce compliance, the history of approvals encourages an attitude that a variance can fix a problem. Member Crudele asked the most common CNV infractions, to which Ms. Fard listed accessory structures, driveway encroachments into pervious surface setbacks, and LCR violations. She noted that once a project is done, an appeal cannot be granted administratively.

Member Jones asked if the entire Zoning Code should be reviewed. Community Development Director Scott replied that a review is slated for next year, following update of the Comprehensive Plan, which guides zoning ordinances. Mr. Scott, who said he has seen variations commonly stem from the trend toward outdoor living and the desire to expand older homes, professed that tighter CNV restrictions would not significantly "chase off" builders, and that because Glen Ellyn is so attractive, stricter requirements wouldn't damper reinvestment in the way high demolition permit fees or restrictive architectural review of single-family homes can. Member Jones asked if an LCR of 25 percent substantially reduces the incidence of CNVs, to which Ms. Fard replied, "It does." Member Whalls observed that a 20-percent LCR prohibits courtyards and inlets, instead promoting architectural rectangles and boxes. Citing a case in which a copious amount of pervious pavers – an improvement – were installed, Member Crudele asserted that the Code needs to be updated to account for innovation. She said she doesn't want to be pressured to vote a certain way in considering a case, and so, if need be, would rather do away with CNVs. Acknowledging this is a potential direction, Chairperson Constantino suggested as an alternative an "a la cart" approach in which charges apply per item. Ms. Fard noted that even with Staff enforcing compliance anyone can appeal based on Code, even if its provisions are stricter. She indicated that despite Staff documentation, Board rulings can set precedent. In response, Member Whalls pointed to cases in which he said the Village was culpable, necessitating CNVs. Observing variances can run from minimal to flagrant, Chairperson Constantino supported judging violations based on degree, and in a consistent manner. Mr. Whalls endorsed an unswerving approach. To a query from Member Whalls as to an example of a town with a lower LCR than Glen Ellyn, Sr. Planner Fard said there weren't any, explaining that LCRs are established to diminish stormwater issues, and said that since Glen Ellyn is hilly a large LCR could be problematic. Member Whalls said he hopes for an LCR standard of 25 percent, to which Sr. Planner Fard said engineers would need to weigh in. Member Jones asked the LCR for DuPage County unincorporated. Sr. Planner Fard indicated that it is likely higher than the Village's in the interest of flexibility. To a question from Chairperson Constantino as to whether the Village Board has to sign off on/ initiate fee increases, Sr. Planner Fard said that if a standard is mentioned in the Code, then it needs Village Board approval. Chairperson Constantino remarked that, in talking about rigorous application of the standards and maybe looking at the rate of approval indirectly, the Boards will need to be aligned in the effort to implement policies and procedures. Director Scott asserted that educating builders should be part of the program, and urged creating a message about changes coming. Member Whalls noted that Hinsdale and Elmhurst meet with builders to elicit input. Director Scott said a focus group could be formed. Chairperson Constantino advocated for a message that conveys an understanding of honest mistakes, but doesn't encourage pushing the envelope.

Staff Report

Sr. Planner Fard reported that at least one case (a porch variation request) is expected to be on the Nov. 8th meeting agenda.

Trustee's Report

Trustee Liaison Gould related that the Board received a presentation on Phase II of the streetscape plan, with details on phasing, and that Economic Development Coordinator Meredith Hannah is working to marshal resources to support north side businesses during the work. Ms. Gould said the Board approved the Glen Estates Hill Avenue subdivision for a project to yield seven homes, and that the McChesney site apartment complex project completion date has been pushed from January 2024 to July 2024.

Adjournment

Chairperson Constantino adjourned the meeting at 9:14 p.m., following a voice vote on a motion by Member Whalls and which was seconded by Member Jones.

Respectfully submitted,

Barbara Dutton-Thomas
Recording Secretary



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

Meeting 11/8/2022 7:00 PM
Department: Community Development
Department Head: Marty Scott
Category: Public Hearing
Prepared By: Atrin Fard, Brad Iwicki

AGENDA ITEM (ID
2022-2851)

DOC ID: 2022-2851

432 Dawn Avenue: Zoning Variation request to allow a corner side year setback of 14.6 feet where a 30-foot corner side yard setback is required, a chimney projection of 3.6 feet into the side yard setback where a maximum 2-foot projection is allowed, and a lot coverage ratio of 20 percent is allowed.

Statement of the Issue:

Please see attached staff report.

Analysis:

Please see attached staff report.

Budget Impact:

N/A

Contribution to Strategic Plan (if applicable)

Action Requested:

Please see attached staff report.

Attachments:

1. Staff Report 432 Dawn Ave
2. 1. Application for Zoning Variation
3. 2. Plat of Survey
4. 3. Site Plan
5. 4. Elevation Drawings
6. 5. Floor Plans
7. 6. Narrative Statement 432 Dawn
8. 7. Existing Conditions Photos
9. 8. Zoning Map
10. 9. 1' Contour Map
11. 10. Aerial Map
12. 11. Petition of Support

- 13. 12. Notice of Public Hearing
- 14. 13. Certificate of Publication
- 15. 14. Draft Findings of Fact
- 16. 15 . Draft Motion to Approve
- 17. 16. Draft Motion to Deny

STAFF REPORT

TO: The Zoning Board of Appeals

FROM: Atrian Fard, Senior Planner
Brad Iwicki, Planning Intern

DATE: November 3, 2022

SUBJECT: November 8, 2022 Zoning Board of Appeals Meeting

PROPERTY: 432 Dawn Avenue is corner lot located at the southwest corner of Dawn Avenue and Duane Street.

PETITIONERS: The petitioner is Dave Ligman, representing Garrett Knasko, owner of the property located at 432 Dawn Avenue.

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

1. Section 10-4-8(D)4 to allow a corner side yard setback of 14.6 feet, in lieu of the required corner side yard setback of 30 feet in the R2 Residential District.
2. Table 10-5-5(B)4#7 to allow a chimney to project approximately 3.6 feet into the required side yard setback where a maximum projection of 2 feet is allowed.
3. Section 10-4-8(E)1 to allow a lot coverage ratio of 21.6%, in lieu of the maximum lot coverage ratio of 20% in the R2 Residential District.
4. Any other zoning relief necessary to construct the addition as depicted on the plans presented at the public hearing or at a public meeting of the Village Board.

ZONING: The subject property and the properties to the east, west and south are all zoned R2 Single-family Residential District and are improved with single family homes. The properties to the north are zoned R4 Multi-family Residential and CR Conservation Recreation District and improved with townhomes and a park, respectively.

PUBLIC NOTICE: Notice of the public hearing was published in the October 22, 2022 edition of the Daily Herald, mailed to property owners within 350 feet of the subject property, and a placard was placed on the property.

ZONING HISTORY: The Village does not have records of any prior variations being granted for the subject property.

PERMIT HISTORY: Village records indicate the following permits have been issued for this

property:

<u>Date</u>	<u>Permit No.</u>	<u>Type</u>
1961	B8266	New construction of single-family home
1999	B19119	New detached garage
2000	B19273	Fence

EXISTING:	R2 Lot Requirements [10-4-8(D)]	Subject Property Data
Lot Area	8,712 ft ² (0.20 acres)	12,527 ft ² (0.3 acres)
Lot Width	80', corner lots; 66', all other lots	97.5'
Lot Depth	110'	153.7'
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)	31.96'
Interior Side Yard	9.75'	7.74' (south)
Corner Side Yard	30'	14.6'
Rear Yard	40'	~85.93'
Lot Coverage	20%	~ 21.6%

**PROJECT
SUMMARY:**

The subject property is part of the Glen Terrace Subdivision and was constructed in 1961. The property is a corner lot with a configuration similar to a right trapezoid shape and improved with a split-level brick frame residence. The house contains three bedrooms, 1.5 bathrooms, an attached one-car garage, a detached 3-car garage, and two driveways. Currently, the house encroaches into the required interior side and corner side yards and is considered legal nonconforming. Furthermore, the Zoning Code requires all accessory structures located less than 10 feet from the principal structure to observe the same setback requirement as the principal structure. The existing detached garage maintains a distance of 9.5 feet from the house and therefore nonconforming to the corner side yard setback required in R2 District. The detached garage is also nonconforming to the maximum allowable area for detached garages.

The current owner purchased the property in May 2022 and would like to improve the home to accommodate family needs. The petitioner proposes

a 310-square-foot, 1.5-story building addition onto the existing residence. The proposed building addition will connect the west portion of the residence to the existing detached garage. Upon completion of the addition, the detached garage will be considered part of the principal building. Therefore, the northwest corner of the existing detached garage will be considered the closest point of the principal structure to the corner side lot line, leading to an encroachment up to 15.4 feet into the required corner side yard setback of 30 feet. Therefore, a variation from the corner side yard setback will be required. It is worth noting that the connection of the detached garage to the residence will eliminate the garage's nonconformity with other Zoning standards set forth for a detached garage, such as maximum area, as these regulations do not apply to an attached garage.

As part of the project, the eastern portion of the detached garage will be altered and merged with the new building addition to accommodate a new upper-level master bedroom and bathroom and lower-level family room. The southern portion of the building addition will also include a new ground-level mudroom. Other renovations include the removal of the existing single driveway to Dawn Avenue and converting the attached one-car garage to a new ground-level family room with a fireplace, resulting in a new chimney on the southern elevation. The chimney will project approximately 3.6 feet into the required side yard setback of 9.75 feet, where Table 10-5-5(B)4#7 allows chimneys to project up to 2 feet into a required yard. Therefore, a variation will be required.

The project also includes the construction of a 248-square-foot permanent roof over the existing patio at the back of the house. The covered patio will be constructed in compliance with the Zoning Code setback requirements.

Currently, the property has a lot coverage ratio of 17.0%. The proposed building addition and covered patio increase the lot coverage ratio to 21.6%, which exceeds the maximum allowable lot coverage ratio of 20% in the R2 District. Therefore, a variation from the maximum lot coverage ratio will be required.

According to the petitioner, the proposed addition would make better use of the existing narrow space between the house and the detached garage and increase the finished floor area of the building to sufficiently meet residents' needs while maintaining the functionality of the backyard. The petitioner adds that the proposed additions and alterations will improve the existing house that is currently in disrepair and maintain the essential character of the neighborhood. The project will comply with all applicable building codes.

The applicant supplied Staff with a petition containing signatures from 17 neighboring properties in support of granting the variations (see attached petition).

PROPOSED: In order to construct the project as proposed, the petitioner will need to be granted variations from the Zoning Code to allow a corner side yard setback of 14.6 feet in lieu of 30 feet, a chimney projection of 3.6 feet into the required side yard setback in lieu of the maximum permitted 2-foot projection, and a lot coverage ratio of 21.6% in lieu of the maximum permitted lot coverage ratio of 20%.

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 variation to allow the construction of the proposed addition in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code.

ATTACHMENTS

1. Petitioners' Application Packet
2. Plat of Survey
3. Proposed Site Plans
4. Elevation Drawings
5. Floor Plans
6. Narrative Statement
7. Existing Conditions Photos
8. Zoning Map
9. 1' Contour Map
10. Aerial Map
11. Petition of Support
12. Notice of Public Hearing
13. Certificate of Publication
14. Findings of Fact
15. Draft Motion to Approve
16. Draft Motion to Deny

CC: Paula Moritz, Plan Reviewer
Garrett Knasko, Homeowner
Dave Ligman, Petitioner

X:\Plandev\BUILDING\ZBA\5. VARIATION BY ADDRESS\D\DAWN\432 Dawn Ave\Meetings\ZBA\Staff Report 432 Dawn.docx

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

RECEIVED

OCT 04 2022

VILLAGE CLEAR ALL PAGES

APPLICATION FOR VARIATION

For the property at 432 Dawn 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: Dave Ligman

Address: 269 Newton Avenue

Home Phone No.: _____ Cell Phone No.: 630-709-6440

Fax No.: _____

E-mail: ligmanconstructiongroup@gmail.com

Ownership Interest in the Property in Question:

I am partnering on this project with Garrett Knasko, the owner of 432 Dawn Avenue.

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):

Garrett Knasko, 945 Forest Avenue, Glen Ellyn, IL 60137

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

Garrett Knasko, 945 Forest Avenue, Glen Ellyn, IL 60137

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

☐ YES

☒ NO

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

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

☐ YES

☒ NO

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

III. PROPERTY INFORMATION:

Common address: 432 Dawn Avenue

Permanent tax index number: 05-10-413-007

Legal description:

Of lot 8 (except the south 4 feet thereof, measured perpendicular to the south line of said lot) in block 3 in Glen Terrace, a subdivision of part of the southeast quarter of section 10, township 39 north, range 10 east of the third principal meridian, according to the plat thereof recorded May 29, 1913 as document 112265, in DuPage County, Illinois.

Zoning classification: R2 single family residential

Lot size: 106.3/64.0 ft. x 150.08/157.33 ft. Area: 12,482 sq. ft.

Present use:

Single family home

IV. INFORMATION REGARDING THE VARIATION(S) REQUESTED:

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

The proposed addition will require a variation due to the corner side yard setback, and additional lot coverage. This project in the R-2 zoning district has a lot size of 12,482 sq. ft. The Allowed lot coverage is 2,496 sq. ft., the actual current lot coverage is 2,125 sq. ft., and the proposed lot coverage is 2,656 sq. ft. This is a Class 1 alteration and a Class 1 addition request.

Estimated date to begin construction: 12/1/2022

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

Steve Poteracki, Studio1 Architects, Western Springs, Il.
Peter King, King Holloway Law, Chicago, Il.
Rich Steinbrecher, Steinbrecher Land Surveyors, West Chicago, Il.

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 existing lot is an irregular shape and unfortunately, portions of the existing home and the existing detached garage are positioned in the current corner side yard setback.

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):

To avoid the side-yard setback variance, we would actually have to remove portions of the existing house and garage.

OR

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

The irregular shape of this corner lot currently has the existing home and detached garage in part of the corner side yard setback.

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

We feel that the requested variation request will allow the house to be improved but will also fit the neighborhood and character of the original home. We will also be removing the concrete driveway on Dawn Ave, since a garage was added years ago on Duane Ave. This will remove the oddity of two driveways and the additional concrete coverage of approx 400sq. ft. will be returned back to yard space.

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

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

Because of the angled lot line, building in the allowed area would dominate the existing backyard and green space. Our solution will maintain the backyard and minimize lot coverage.

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:

This variation request is specific to this particular property due to its irregular shape, angles lot line, and corner position.

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

We believe that the house, in its current configuration is not in the best interest of the neighbors/neighborhood, or modern homeowners. It is currently a 3 bedroom/1.5 bathroom home with 2 separate driveways, and 2 separate garages providing 4 cars worth of inside parking. We would like to convert the home into a 4 bedroom/2.5 bathroom home with 1 driveway and an attached 2 car garage.

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 built by the original owners in 1961 on this irregular shaped property. The detached garage was added to the property in 2000.

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.

Granting the variation will allow us to remove the unusual features of the home and improve the look and function. It will also increase usable yard space by removing the front concrete driveway and apron.

6. Provide evidence that the proposed variation will not:

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

The proposed addition will not increase the existing height and will be significantly below the maximum building heights allowed.

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

The home will be improved to meet or exceed current building codes, thus improving safety to surrounding homes.

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

The proposed project will not negatively impact the above concerns.

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

The proposed project will improve property values.

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

The proposed project will not negatively impact the above concerns.

- f. Create a nuisance; or

The proposed project will not negatively impact the above concerns.

- g. Results in an increase in public expenditures.

The proposed will not result in an increase in public expenditures.

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

This request is utilizing the small space between the existing home and the existing detached garage to add functional space. It is simultaneously removing the odd scenario that currently exists of an attached garage and driveway on Dawn along with a detached garage and driveway on Duane. The result will be a much better looking, and more functional home.

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

The home was previously neglected to the point of bringing down the neighborhood, and eventually went into foreclosure. As community members ourselves, both Garrett and I are excited about the opportunity of improving both this home and the surrounding neighborhood.

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.

<u>10/3/22</u>	<u>DAVE LIGMAN</u>	<u></u>
Date	Print Name	Signature of Applicant
Date	Print Name	Signature of Applicant
Date	Print Name	Signature of Applicant

AFFIDAVIT OF AUTHORIZATION

I, Garrett Knasko owner of the property described as

Of lot 8 (except the south 4 feet thereof, measured perpendicular to the south line of said lot) in block 3 in Glen Terrace, a subdivision of part of the southeast quarter of section 10, township 39 north, range 10 east of the third principal meridian, according to the plat thereof recorded May 29, 1913 as document 112265, in DuPage County, Illinois.

verify that Dave Ligman

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

Garrett Knasko

Owner Signature

Subscribed and sworn to before me this

4th day of October, 2022
Ilaben A Patel

Notary Public



Affidavit Affirming No Conflict of Interest

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

1. My name is Dave Logman, and I hold the position of petitioner for 432 Dawn Ave. ("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.

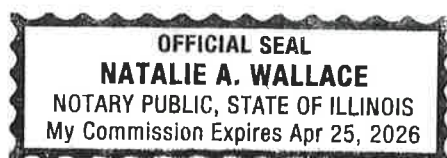
Name: [Signature]
Title: Builder

Applicant's Name: Dave Logman on behalf of Garrett Kuaske/owner

Subscribed and sworn to me this

4th day of October, 2022.

[Signature]
Notary Public



SCALE: 1" = 20 FEET

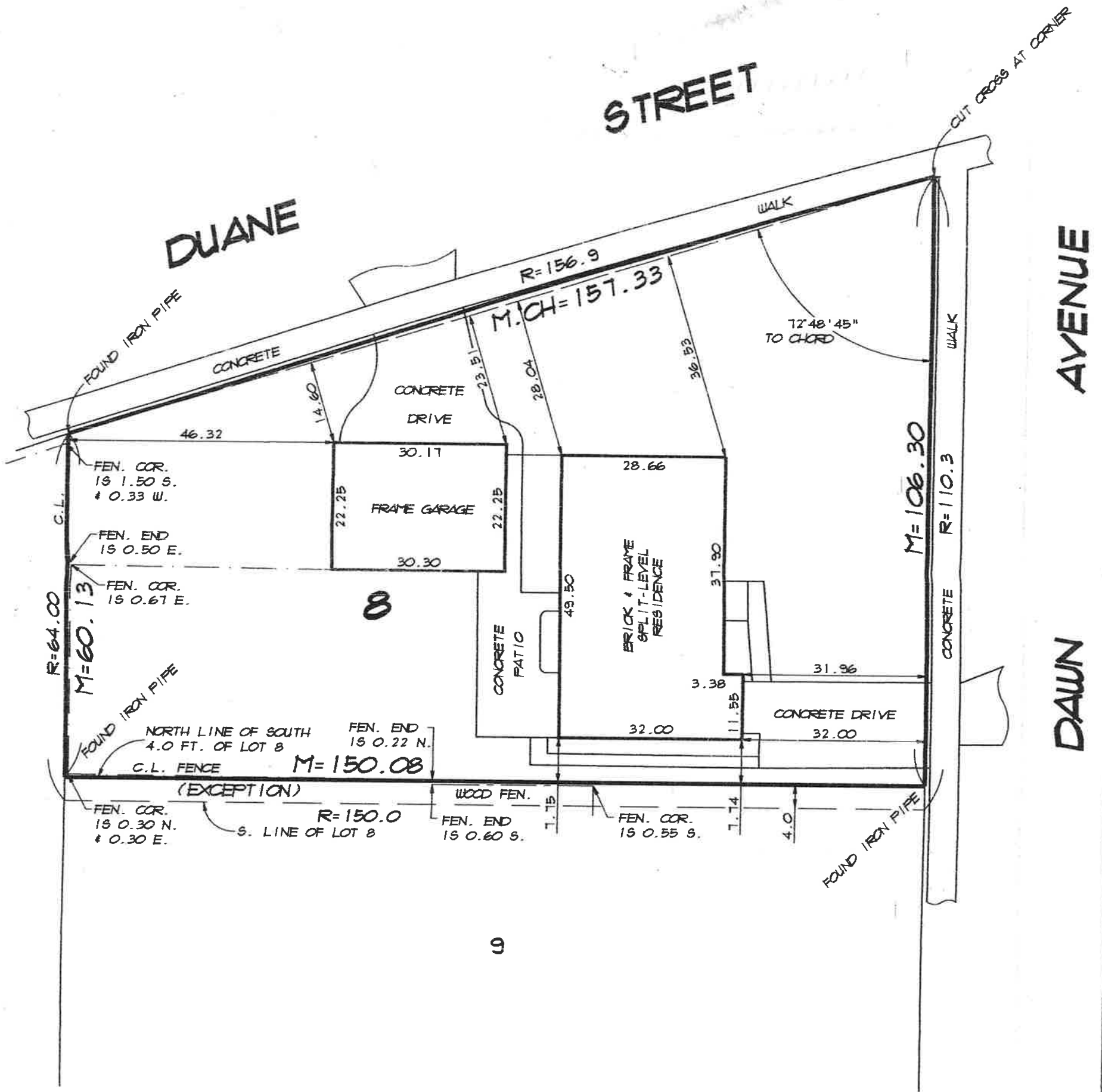


PLAT OF SURVEY

OF LOT 8 (EXCEPT THE SOUTH 4 FEET THEREOF, MEASURED PERPENDICULAR TO THE SOUTH LINE OF SAID LOT) IN BLOCK 3 IN GLEN TERRACE, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1913 AS DOCUMENT 112265, IN DU PAGE COUNTY, ILLINOIS.

This property is known as 432 Dawn Avenue, Glen Ellyn, IL.

Prepared for Dave Ligman



LEGEND

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



STATE OF ILLINOIS)
COUNTY OF DU PAGE) S.S.

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

West Chicago, Illinois, JUNE 27, 2022

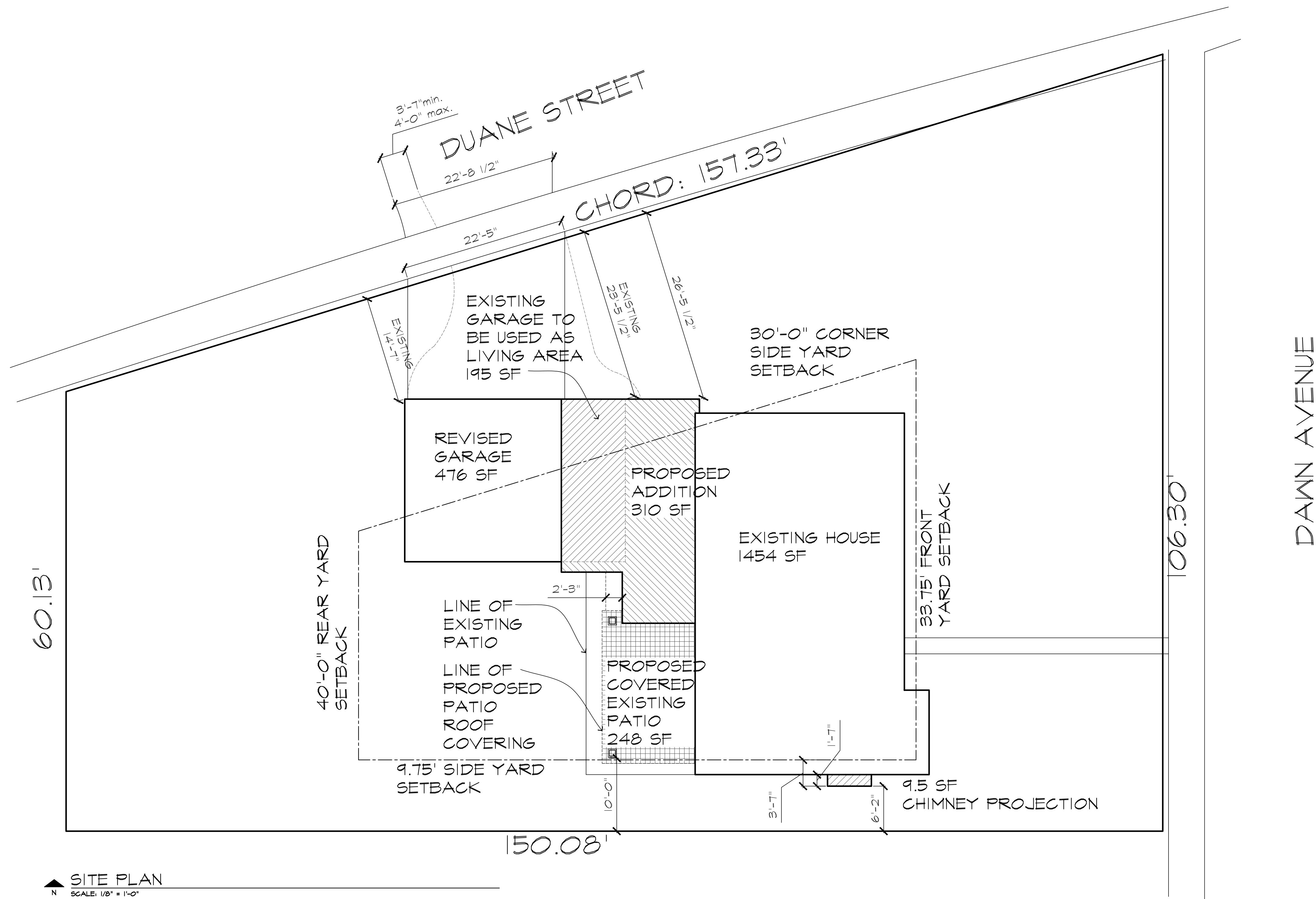
Steinbrecher Land Surveyors, Inc.



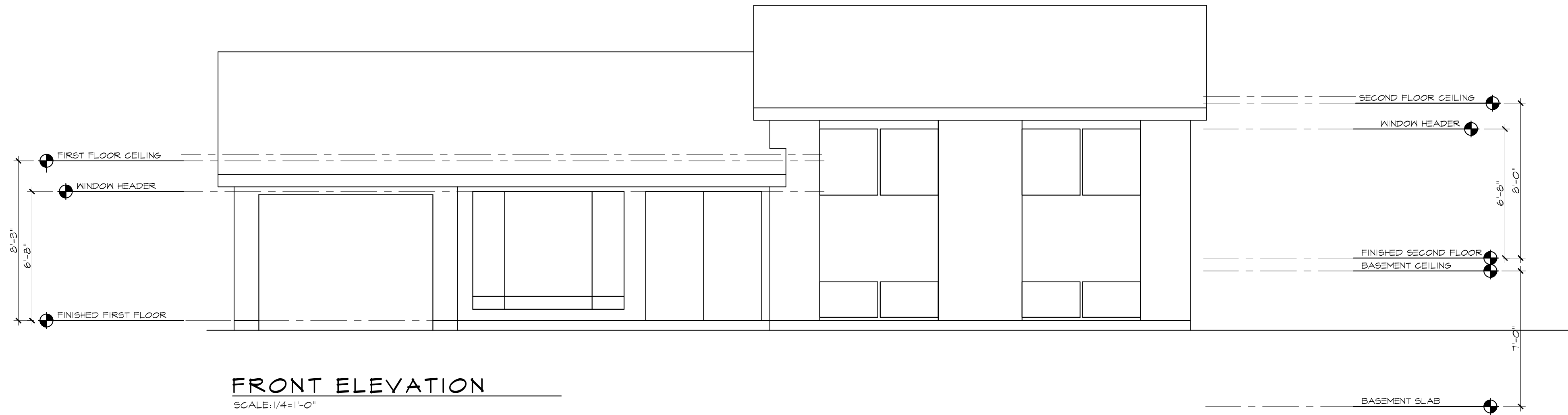
Professional Land Surveying
Design Firm Corporation No. 184-003126
141 S. Neltner Blvd., West Chicago, IL 60185-2844
(630) 293-8900 Fax 293-8902

Steinbrecher Land Surveyors, Inc. by

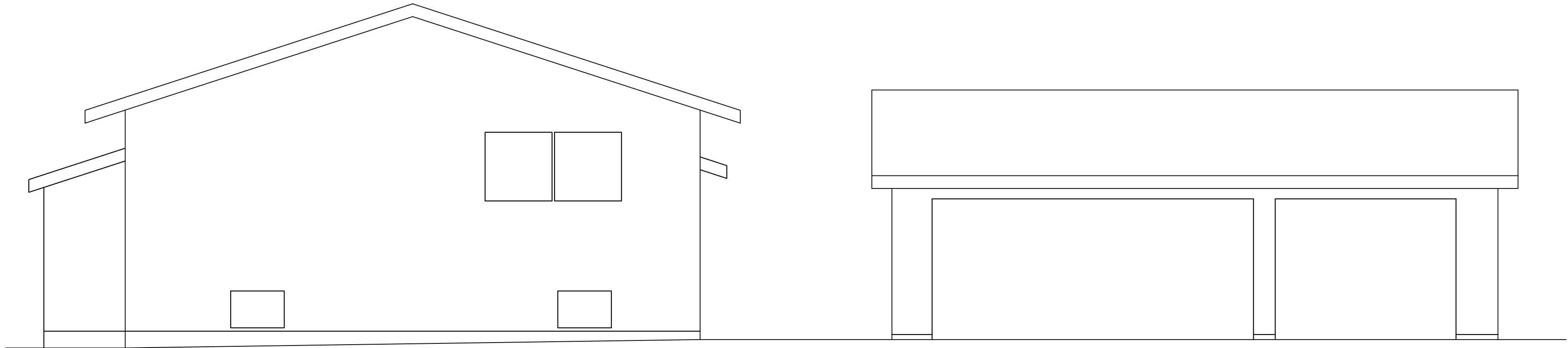
Rich Shuman
Professional Land Surveyor 3583
My license expires November 30, 2022



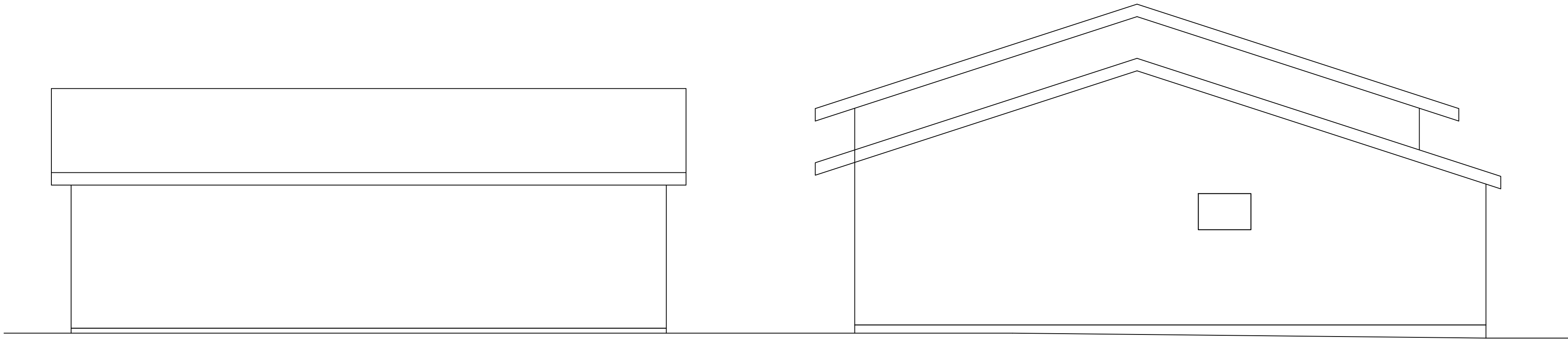
R-2 ZONING DISTRICT
LOT SIZE: 12,482 SF
LCR ALLOWED: 2,496 SF
LCR ACTUAL: 2,125 SF
LCR: PROPOSED: 2,692 SF
CLASS I ALTERATION
CLASS I ADDITION



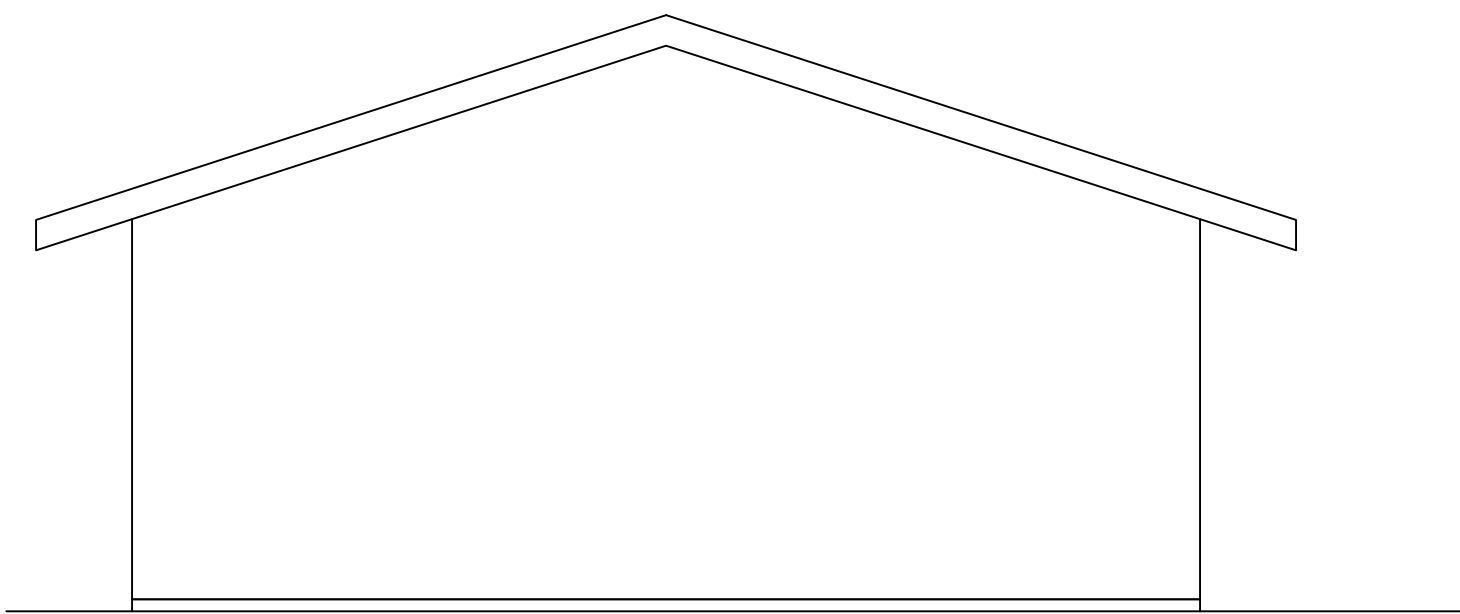
FRONT ELEVATION
SCALE: 1/4"=1'-0"



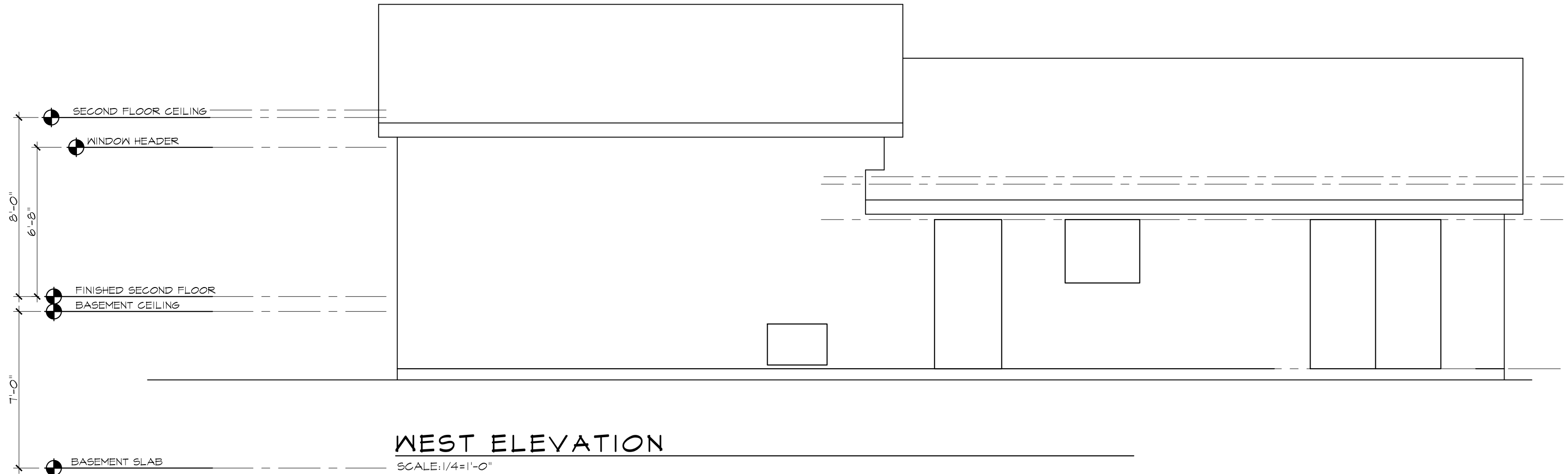
NORTH ELEVATION (HOUSE - GARAGE)
SCALE: 1/4"=1'-0"



SOUTH ELEVATION (HOUSE-GARAGE)
SCALE: 1/4"=1'-0"



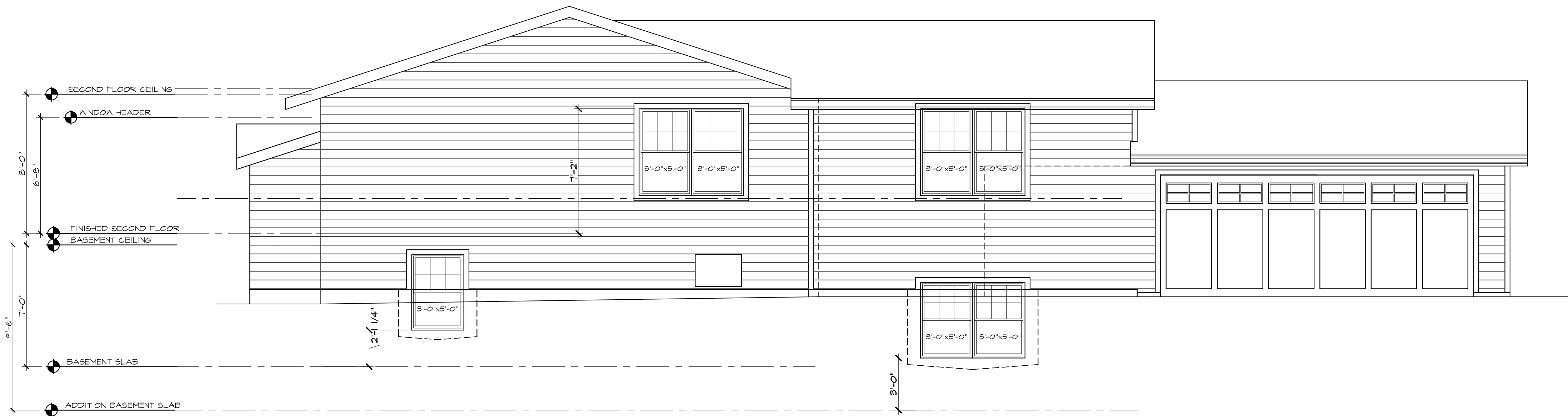
WEST ELEVATION (GARAGE)
SCALE: 1/4"=1'-0"



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

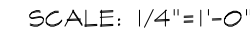
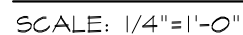


FRONT ELEVATION
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NORTH ELEVATION (HOUSE - GARAGE)
SCALE:1/4"=1'-0"



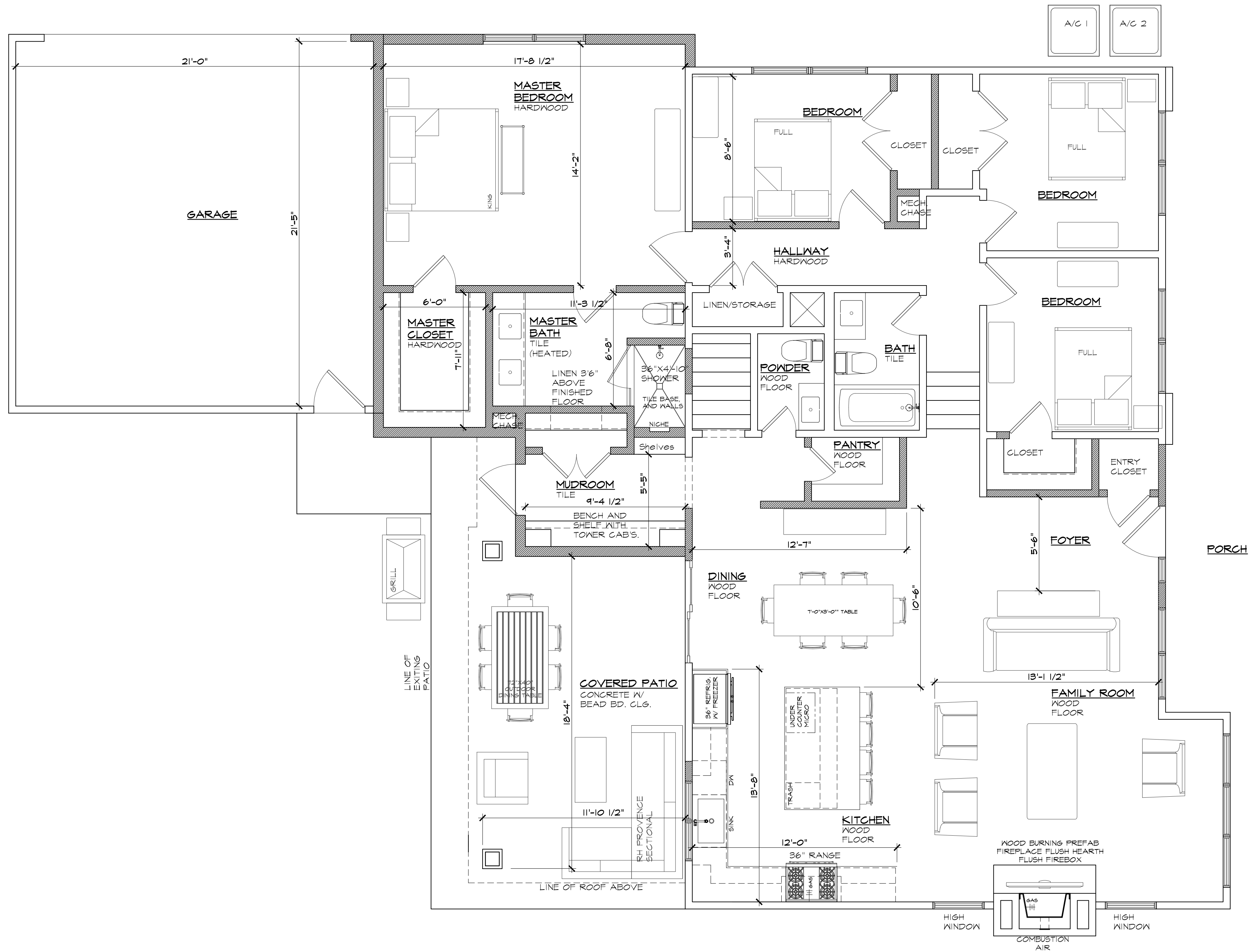


SHEET NO. _____



SHEET NO.

OF 2



FIRST FLOOR PLAN
N SCALE: 1/4"=1'-0"

ILLINOIS LICENSE #. 001.017811
EXPIRATION: 11-30-22
PROFESSIONAL DESIGN FIRM #.
184-004427
EXPIRATION: 04-30-23
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ISSUED FOR CLIENT REVIEW
DATE SEPTEMBER 30, 2022
REVISIONS

PROJECT NUMBER 221568
SHEET NO.

A1.3

To the Zoning Board of Appeals,

My name is Dave Ligman, and I am a life-long community member of Glen Ellyn. I am representing Garrett Knasko, also a life-long community member of Glen Ellyn, on the project at 432 Dawn Avenue. We both became interested in the property upon seeing it on the local foreclosure list. The house looked to be falling into disrepair for quite some time, but also looked to be a good candidate to save, instead of tearing down another house.

Our goal for this home is to add an addition, and reconfigure/update the features to make it more in line with what current homes have, while not making it too large or costly. I also did not want to renovate this home with a “cheap flip” type of approach. If done properly, we feel that this home will be a highlight of the neighborhood.

The challenges presented at 432 Dawn Avenue are the existing floorplan along with the irregular lot lines and shape of this corner property. The existing floorplan includes both a driveway and attached garage on Dawn Avenue, and a driveway and detached garage on Duane Avenue. The Home currently has 3 bedrooms and 1.5 bathrooms, and we would like to add a small addition to expand the home to 4 bedrooms with 2.5 bathrooms. We can accomplish this without tearing the home down or excessively expanding lot coverage. The plan includes converting the attached garage into living space, and reducing the detached 3 car garage into an attached 2 car garage with an addition in between. In the process, we will also update the existing home to meet current building codes and efficiencies. An added benefit to this plan is reducing non-permeable surface coverage and adding yard-space by removing the old driveway and concrete to Dawn avenue.

I have focused my building projects on avoiding tear-downs and keeping the character of Glen Ellyn homes intact. Some good examples of homes that I have renovated and/or added on to in the recent past are:

379 Greenfield Ave.

641 Hill Ave.

366 Turner Ave.

356 Anthony St.

444 Turner Ave.

228 Forest Ave.

All of these projects were also recognized by the Glen Ellyn Historical Preservation Society.

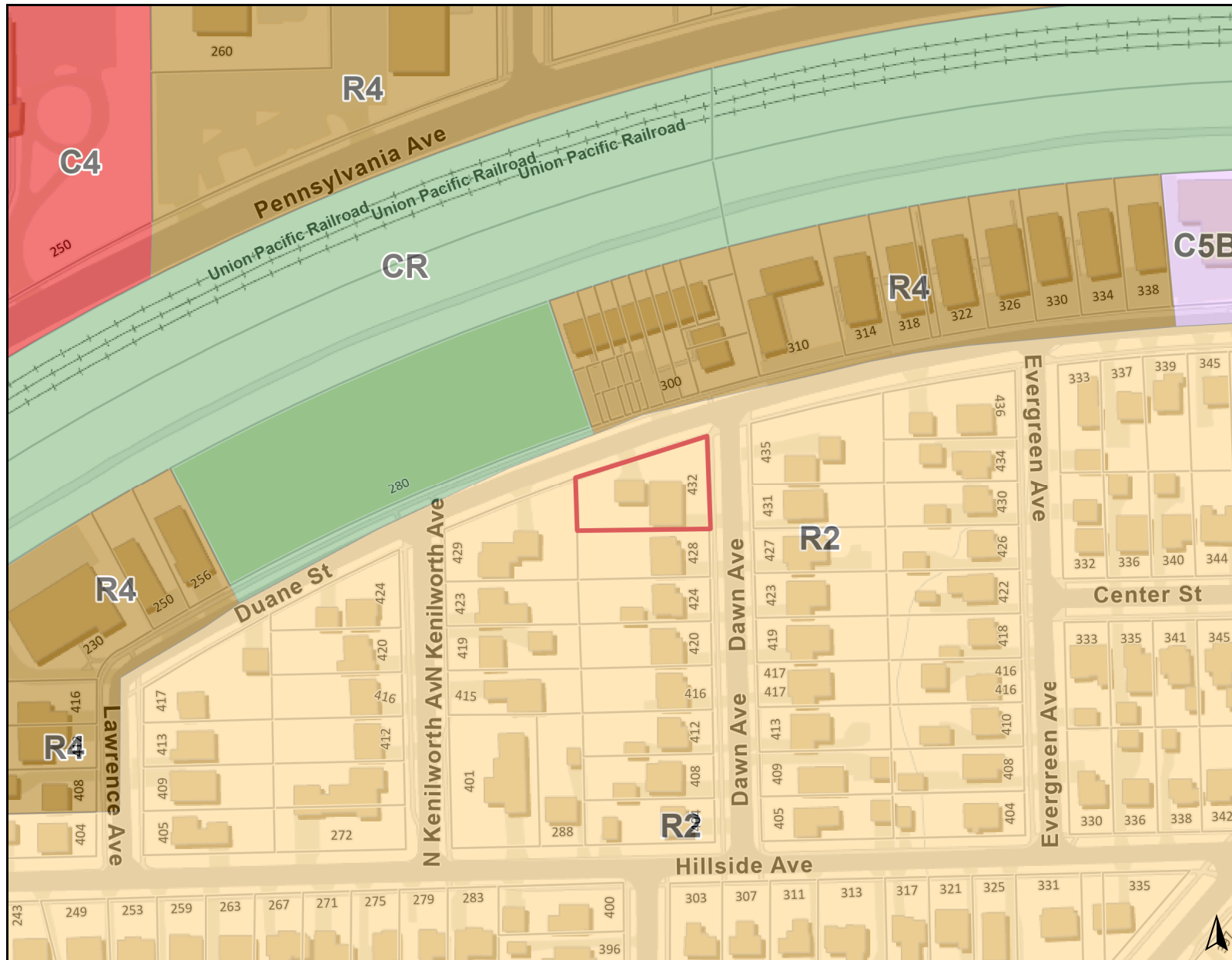
We hope to continue this trend, and complete another great project at 432 Dawn Avenue.

Thank you for your consideration in this variation request.







**Legend**

Zoning and Development

Zoning

- C4: Office District
- C5B: Central Business District (Service)
- CR: Conservation/Recreation District
- R2: Single Family Residential District
- R4: Multi-Family Residential District

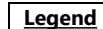
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ft

Print Date: 10/11/2022

Notes

Zoning Variaton 10/4/22

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.

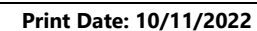


DuPage County

DuPage County 1' 2017 Contours

— Contour Line, Intermediate

— Contour Line, Major



Notes

Zoning Variaton 10/4/22

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0 200 400
ft

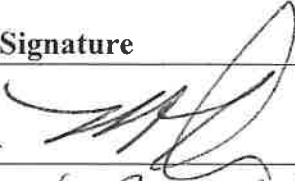
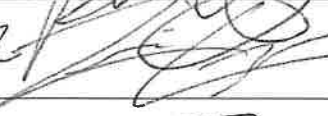
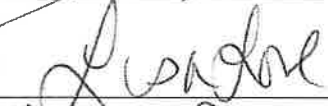
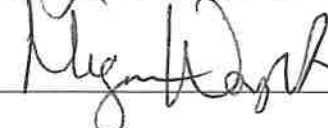
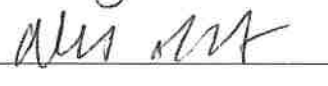
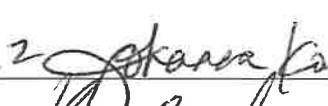
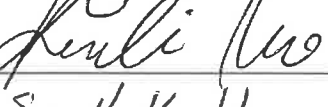
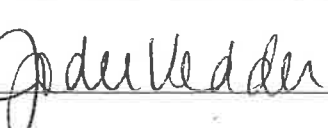
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Notes

Zoning Variaton 10/4/22

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Petition in support of the home addition and variation request at 432 Dawn Avenue, Glen Ellyn.

Name	Date	Signature	Address
Matt Tomich	10/27/22		402 Dawn Ave
Brittany Cosgrave	10/24/22		417 Dawn ave
Quinn Cosgrave	10/26/22		417 DAWN
James Loris	10/24/22		419 Dawn
Lisa Love	10/26/22		419 Dawn Ave
Mig Waynt	10/26/22		423 Dawn Ave
Abigail ELF	10/26/22		423 Dawn Ave
Johanna Koehler	10/26/22		427 Dawn
Aneta Koziarski	10/26		408 Dawn Ave
	10/26	Scott Koehler	427 Dawn Ave
David Brunnese	10/26		435 Dawn Ave
Andrzej Koziarski	10/26		408 Dawn Ave.
Jodie Vedder	10/26		423 Kenilworth
Renée Dell	10/28		419 Kenilworth

NAME	DATE	SIGNATURE	ADDRESS
ROBERT BARSCZEWSKI	10/29	[Signature]	401 KENILWORTH AVE
LYNNE BARSCZEWSKI	10/29	[Signature]	401 KENILWORTH AVE
JOHN MOSTACI	10/29	[Signature]	416 DAWN
CATHERINE TESTON	10/30/22	Catherine Teston	429 Kenilworth Ave
Wesley Petersa	10/30/22	[Signature]	300 Duane St #3
Ron Robinson	10/30/22		288 Hillside
T. Alan Taylor	10/30/22	Alan Taylor	408 Evergreen Ave
BRIAN CONDRON	10/30/22	[Signature]	416 EVERGREEN AVE



Village of Glen Ellyn

350 Foot Buffer
from
432 Dawn Ave





NOTICE OF PUBLIC HEARING

Dave Ligman of Ligman Construction Group, petitioner on behalf of the owners of the property at 432 Dawn Avenue, is requesting a public hearing for zoning variations in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code to allow the construction of an addition on the subject property. 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, November 8, 2022** at 7:00 pm on the third floor in the Civic Center, 535 Duane Street, Glen Ellyn, Illinois. Anyone is welcome to attend.

The petitioner is requesting approval of zoning variations from the Glen Ellyn Zoning Code as follows:

1. Section 10-4-8(E)1 to allow a lot coverage ratio of 21.6 percent where a maximum lot coverage ratio of 20 percent is allowed for two-story single-family dwellings in the R2 Residential District; and
2. Section 10-4-8(D)4 to allow a corner side yard setback of 14.6 feet where a 30-foot corner side yard setback is required; and
3. Any other zoning relief necessary to allow the proposed addition to be constructed as depicted on the plans presented 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:

OF LOT 8 (EXCEPT THE SOUTH 4 FEET THEREOF, MEASURED PERPENDICULAR TO THE SOUTH LINE OF SAID LOT) IN BLOCK 3 IN GLEN TERRACE, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1913 AS DOCUMENT 112265, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-10-413-007

Plans are on file in the Community Development Department, Civic Center, 535 Duane Street, Glen Ellyn, Illinois and can be requested by contacting Brad Iwicki, Planning Intern, at biwicki@glenellyn.org. All public comments received by 4:30 pm on Tuesday, November 8, 2022 will be read into the record at the public hearing.

NOTICE OF PUBLIC HEARING
Dave Ligman of Ligman Construction Group, petitioner on behalf of the owners of the property at 432 Down Avenue, is requesting a public hearing for zoning variations in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code to allow the construction of an addition on the subject property. 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, November 8, 2022 at 7:00 pm on the third floor in the Civic Center, 535 Duane Street, Glen Ellyn, Illinois. Anyone is welcome to attend. The petitioner is requesting approval of zoning variations from the Glen Ellyn Zoning Code as follows:
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Published in Daily Herald October 22, 2022 (4590222)

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

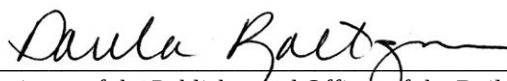
County(ies) of DuPage

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 @PUBDATES@ 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 
Designee of the Publisher and Officer of the Daily Herald

Control # 4590222

**(DRAFT) FINDINGS OF FACT TO SUPPORT A MOTION TO RECOMMEND
APPROVAL OF ZONING VARIATIONS TO ALLOW A CORNER SIDE YARD
SETBACK OF 14.6 FEET WHERE A 30-FOOT CORNER SIDE YARD SETBACK IS
REQUIRED, A CHIMNEY PROJECTION OF 3.6 FEET INTO THE SIDE YARD
SETBACK WHERE A MAXIMUM 2-FOOT PROJECTION IS ALLOWED, AND A LOT
COVERAGE RATIO OF 21.6 PERCENT WHERE A MAXIMUM LOT COVERAGE
RATIO OF 20 PERCENT IS ALLOWED FOR THE PROPERTY LOCATED AT 432
DAWN AVENUE**

The Zoning Board of Appeals hereby makes the following findings in relation to the evaluation factors set forth in Section 10-10-12(F) of the Glen Ellyn Zoning Code:

(Draft reasons, taken partially from the petitioner's application packet, as to how the project may comply with the necessary findings have been drafted by Staff; the ZBA may wish to consider the findings but should feel free to amend the below reasons to make your own findings of fact based upon information provided at the public hearing).

1. 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, because the subject lot is an irregular shape corner lot, narrowing from front to the rear due to the adjacent curve of Duane Street bounding the northern property line.
2. The property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code, because the existing detached garage and home are nonconforming to corner side yard setback and almost any reasonable and functional addition to the home and garage would require zoning variations.
3. The plight of the applicant/owner is due to unique circumstances relating to the property in question, because the placement of the existing house and detached garage would limit any functional improvement on the subject lot.
4. The requested variations, if granted, will not alter the essential character of the locality of the property in question, because the proposed addition is intended to fit the architectural character of the neighborhood and the original home, and will restore and improve the house that is currently in disrepair.
5. The particular physical surroundings, shape or topographical condition of the property in question would bring particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out, because the lot is uniquely shaped and the Zoning Code as applied restricts any reasonable potential improvements that would meet the residents' needs.
6. The conditions upon which the petition for variations is based would not be applicable generally to other property within the same zoning district, because the irregular shape of the lot and placement of the house and detached garage on the lot limit any functional improvement on the lot.

7. The purpose of the variations is not based exclusively upon a desire to make more money out of the property in question, because the proposal calls for improvements to a home that is currently in disrepair and enhance the look and functionality.
8. 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, because the petitioner purchased the subject property in 2022 and hardship is due to the irregular lot shape and the placement of the house and existing detached garage on the lot.
9. The granting of the variations 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, and will not impair an adequate supply of light and air to adjacent property, because the proposed addition is not intended to be detrimental to the neighborhood as it will add functionality to an underutilized space between the detached garage and the house. The addition will not increase the existing height and will be significantly below the maximum allowable building heights.
10. The proposed variations will not substantially increase the hazard from fire or other dangers to the property in question or adjacent property, because the home will be improved in complete compliance with applicable building and fire codes.
11. The proposed variations will not otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village; diminish or impair property values within the neighborhood; or unduly increase traffic congestion in the public streets and highway because the proposed addition does not change the current use of the parcel, removes a driveway and apron from Dawn Avenue, and will improve property values.
12. The proposed variations will not create a nuisance or result in an increase in public expenditures because the proposed addition is not anticipated to create nuisance or increase in services or public expenditures.
13. The variations are the minimum variations that will make possible the reasonable use of the land, building or structure because the addition is utilizing the narrow space between the existing home and the existing detached garage to add a functional space, while simultaneously removing the driveway on Dawn Avenue.

DRAFT "MOTION" TO RECOMMEND APPROVAL OF
ZONING VARIATIONS FOR 432 DAWN AVENUE

Having considered the application, Dave Ligman of Ligman Construction Group, representing Garrett Knasko, owner of the property located at 432 Dawn Avenue, Glen Ellyn, for zoning variations from Section 10-4-8(D)(4) to allow a corner side yard setback of 14.6 feet where a corner side yard setback of 30 feet is required in the R2 Residential District, Table 10-5-5(B)4#7 to allow a chimney to project approximately 3.6 feet into the required side yard setback where a maximum projection of 2 feet is allowed, and Section 10-4-8(E)(1) to allow a lot coverage ratio of 21.6% where a maximum lot coverage ratio of 20% is allowed for two-story single-family dwellings in the R2 Residential District, the Zoning Board of Appeals hereby adopts the findings of fact in the petitioners' application packet and presented by the petitioners at the Zoning Board of Appeals public hearing conducted on November 8, 2022, as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends APPROVAL based upon the following hardship(s) or unique circumstance(s):

Subject to the following conditions:

1. The project shall be constructed in substantial conformance with the plans as submitted and the testimony presented at the November 8, 2022 public hearing of the Zoning Board of Appeals.
2. _____.
3. _____.
4. _____.

Motion by: _____ Seconded by: _____

DRAFT "MOTION" TO RECOMMEND DENIAL OF
ZONING VARIATIONS FOR 432 DAWN AVENUE

Having considered the application, Dave Ligman of Ligman Construction Group, representing Garrett Knasko, owner of the property located at 432 Dawn Avenue, Glen Ellyn, for zoning variations from Section 10-4-8(D)(4) to allow a corner side yard setback of 14.6 feet where a corner side yard setback of 30 feet is required in the R2 Residential District, Table 10-5-5(B)4#7 to allow a chimney to project approximately 3.6 feet into the required side yard setback where a maximum projection of 2 feet is allowed, and Section 10-4-8(E)(1) to allow a lot coverage ratio of 21.6% where a maximum lot coverage ratio of 20% is allowed for two-story single-family dwellings in the R2 Residential District, for the construction of an addition to an existing principal structure, as depicted on the plans presented or revised at the public hearing, the Zoning Board of Appeals hereby recommends DENIAL of the requested zoning variations from the Glen Ellyn Zoning Code based upon the following findings of fact:

(Staff note: The ZBA may choose to approve some parts of the request and not others.)

(Choose one or more of the following):

A. That the plight of the owners is not due to a unique circumstance or a particular hardship;

B. That the variations, if granted, will alter the essential character of the locality because:

_____;

C. That the conditions upon which the variations are based would be applicable generally to other property within the same zoning district because:

_____;

D. That the purpose of the variations is based exclusively upon a desire to make more money out of the property since the applicants intend to:

_____;

E. That the practical difficulty or particular hardship has been created by persons presently having an interest in the property because:

F. That the variations will 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:

G. That the variations will substantially increase the hazard from fire or other dangers to said property and otherwise impair the public health, safety, or general welfare of the inhabitants of the Village since:

H. That the variations will diminish or impair property values within the neighborhood since:

I. That the variations will unduly increase traffic congestion in the public streets and highways since:

- J. That the variations will result in an increase in public expenditures or create a nuisance since:

- K. That the variations are not the minimum variations that will make possible the reasonable use of the land, building or structure.

Motion by: _____ Seconded by: _____



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

Meeting 11/8/2022 7:00 PM
Department: Community Development
Department Head: Marty Scott
Category: Public Hearing
Prepared By: Atrin Fard, Taylor Gendel

AGENDA ITEM (ID
2022-2852)

DOC ID: 2022-2852

594 Hickory Road: Zoning Variation request to allow the construction of a front porch with a setback of 24 feet from the front lot line in lieu of a 37.5 feet requirement, and to allow said addition to a nonconforming building that does not conform to all regulations of the R2 district.

Statement of the Issue:

Please see attached staff report.

Analysis:

Please see attached staff report.

Budget Impact:

N/A

Contribution to Strategic Plan (if applicable)

Action Requested:

Please see attached staff report.

Attachments:

1. Staff Report 594 Hickory
2. 1. Aerial Map
3. 2. Zoning Map
4. 3. Petitioners' Application Packet
5. 4. Plat of Survey with Marked Front Porch Setbacks
6. 5. Site Plan and Elevations
7. 6. Existing Conditions Photos
8. 7. Petition from Neighbors
9. 8. Public Notice 594 Hickory
10. 9. Location Map for Public Hearing Notice
11. 10. Certificate of Publication
12. 11. Draft Findings of Fact

STAFF REPORT

TO: The Zoning Board of Appeals

FROM: Atrian Fard, Senior Planner
Taylor Gendel, Associate Planner

DATE: October 24, 2022

SUBJECT: November 8, 2022 – Zoning Board of Appeals Meeting
Public Hearing – Zoning Variations to allow the construction of a front porch on the property located at 594 Hickory Road

PETITIONERS: The petitioners are John and Mary Kate Stanfield, owners of the property at 594 Hickory Road.

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

1. A variation from section 10-5-5(B)4#25(b) to allow a front porch setback of 24 feet from the front lot line in lieu of a 37.5 feet requirement; and
2. A variation from section 10-8-6(B)2 to allow an addition of a front porch which does not conform to all regulations of the R2 district on a structure that is nonconforming due to bulk; and
3. Any other zoning relief necessary to allow the proposed front porch to be constructed as depicted on the plans presented at the public hearing or at a public meeting of the Village Board.

ZONING/USE: The property is a corner lot located in the R2 Residential Zoning District on the southwest corner of Hickory Road and Edgewood Drive. The zoning and land use immediately surrounding the subject property is R2 single-family residential.

PUBLIC NOTICE: Notice of the public hearing was published in the October 22, 2022 edition of the Daily Herald, mailed to property owners within 350 feet of the subject property, and a placard was placed on the property.

ZONING HISTORY: No Village records were found related to the granting of any zoning variations for this property.

PERMIT HISTORY: Village records indicate the following permits were issued for this property:

<u>Date</u>	<u>Permit No.</u>	<u>Type</u>
2017	20170707	Fence

2014	20140955	Clearwater Connection
2010	20101575	Clearwater Connection
2008	20080794	Furnace/AC/HVAC
2001	B20645	Driveway Approach
1979	B5434	Building Addition
1975	B3693	Electrical Service

EXISTING

CONDITIONS:

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

Subject Property Data

Lot Area:	8,712 ft ² (0.20 acres)	7,461.41 ft²
Lot Width:	80', corner lots	72'
Lot Coverage:	No more than 20% for two-story principal structures	19.4% (1,450.81 ft ²)
Front Yard:	The larger of 30' and the front setback of closest principal structure on adjacent lots on the same side of the street, not to exceed 50' (50' will apply in this case)	29.76' actual
Corner Side Yard:	30' or 30 percent of the lot width for a parcel with a nonconforming lot width (21.6')	17.68' actual
Side Yard:	6.5' or 10% of the lot width, whichever is greater (7.2')	5.44' (south)
Rear Yard:	40'	23.41'

BACKGROUND:

The property at 594 Hickory Road is an irregular-shaped corner lot with a curved front lot line. The subject lot was platted years ago and is considered legal nonconforming to the current Zoning Code's minimum lot area and lot width standards. The property is improved with a two-story brick house and an attached two-car garage. The residence was originally built in 1923 and was added to in 1979. Due to the curved configuration of the front property line, almost 54% of the total lot area is subject to the required front yard setback regulations, 27% covered by rear yard setback requirement, and 10% by required corner side and interior side yards, leaving only 9% buildable area on the lot. As a result, the house currently encroaches into the required front, corner side, interior side, and rear yard/setbacks and is technically nonconforming.

PROPOSED:

The current homeowners of 594 Hickory Road would like to add a front

porch to their existing home. The petitioners' application states that the purpose of the front porch is to create a space where the family can enjoy the available outdoor space. Since there is a very small rear yard, the primary objective of this project is to make their front yard feel like their backyard, as that is where their kids play outside.

The proposed front porch will measure 23.91 feet by 9.12 feet (column to column), totaling 218.05 square feet (SF) in area. Given the proposed location and size, the porch will qualify for the maximum 240 square feet lot coverage bonus and, therefore, will not impact the lot coverage ratio on the property. The porch will be open on sides, permanently roofed over, with no enclosed floor area above it, designed to comply with other standards for porches in the Zoning Code. Additionally, the petitioners have indicated that the porch addition will be designed in harmony with the existing home. The petitioners state that the location of the existing front entrance restricts the addition of a partial front porch (smaller than proposed) and requires significant interior alterations to the residence.

Per Section 10-5-5(B)4#25(b) of the Zoning Code, front porches may project up to 25% into the required front and corner side yards. To meet this requirement, the proposed front porch shall be set back 37.5 feet and 16.2 feet from the front and corner side lot lines, respectively. Given the proposed front setback of 24 feet (48% encroachment) and corner side setback of 18.9 feet (9% encroachment), a variation from the maximum 25% encroachment into the required front yard setback will be required.

The variation request from the maximum allowable porch projection into the front yard triggers an additional variation from Section 10-8-6(B)2, which restricts additions to nonconforming structures. Accordingly, a nonconforming building or structure other than a single-family dwelling, which is nonconforming only as to bulk, shall not be added to or enlarged in any manner unless such additions or enlargements thereto are made to conform to all regulations of the district in which it is located. As the proposed porch addition will not conform to the maximum 25% projection permitted into the required front yard in the R2 District, the second variation will be required.

Neighbors from six properties in the neighborhood signed a petition in support of the proposed front porch. This petition is attached along with a map of their properties in relation to the petitioner's property.

**ZBA
ACTION:**

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

the essential character of the neighborhood is maintained.

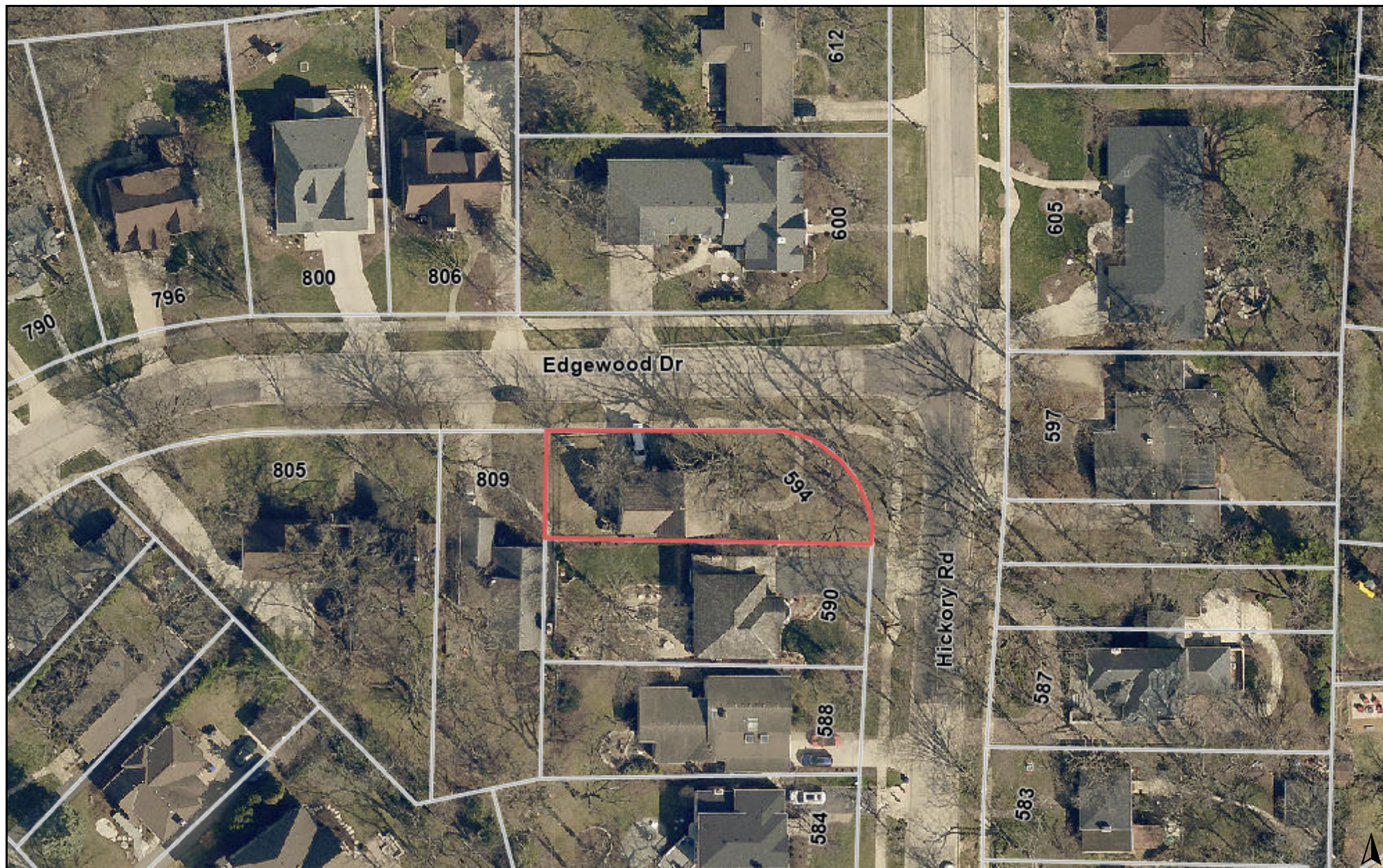
The ZBA may choose to make a recommendation to the Village Board for the approval, approval with conditions or denial of the variations to allow the proposed porch addition in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code.

ATTACHMENTS:

1. Aerial Map
2. Zoning Map
3. Petitioners' Application Packet
4. Plat of Survey with Marked Front Porch Setbacks
5. Site Plan and Elevations
6. Existing Conditions Photos
7. Petition from Neighbors
8. Public Hearing Notice
9. Location Map for Public Hearing Notice
10. Certificate of Publication
11. Draft Findings of Fact

cc: Paula Moritz, Plan Reviewer
Mary Kate and John Stanfield, Property Owners
Katie Fitzgerald, Thomas Architects

*X:\Plandev\BUILDING\ZBA\5. VARIATION BY ADDRESS\H\HICKORY\Hickory 594\ZBA\Staff Report 594
Hickory.doc*



0 100 200
ft

Print Date: 10/26/2022

Notes

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.

GIS Consortium | 594 Hickory Rd - Zoning Map



Legend

Zoning and Development

Zoning

- CR: Conservation/Recreation
- District
- R2: Single Family Residential District

0 300 600
ft

Print Date: 10/26/2022

Notes

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.

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

CLEAR ALL PAGES

APPLICATION FOR VARIATION

For the property at 594 HICKORY RD 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: John & Mary Kate Stanfield

Address: 594 HICKORY RD, GLEN ELLYN, IL 60137

Home Phone No.: _____ Cell Phone No.: 630-408-0164

Fax No.: _____

E-mail: jpstanfield@gmail.com, mstanfield20@gmail.com

Ownership Interest in the Property in Question:

John & Mary Kate Stanfield are the current homeowners and occupants.

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.

III. PROPERTY INFORMATION:

Common address: 594 HICKORY RD, GLEN ELLYN, IL 60137

Permanent tax index number: 05-12-300-007

Legal description:

LOT 83 OF WRIGHTWOOD, GLEN ELLYN, A SUBDIVISION OF PART OF SECTIONS 11 AND 12 TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 1927 IN BOOK 17, PAGE 75 AS DOCUMENT 237389, IN DU PAGE COUNTY, ILLINOIS.

Zoning classification: R2

Lot size: — ft. x — ft.

Area: 7,230.89 sq. ft.

Present use:

RESIDENTIAL

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 to Village Code 10-5-5(B)4-25 - Permitted obstructions in required yard setbacks; Porches
2. Variation to Village Code section 10-8-6(B)2 - Additions to nonconforming structures due to bulk

Estimated date to begin construction: 04/2023

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

Architect:
Thomas Architects
2800 S River Rd, Suite 305
Des Plaines, IL 60018

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 size and shape of this lot, and it's subsequent setbacks, make it impossible to build a front porch that complies with the Zoning Code. Please see Exhibit B for the site plan markups from Staff.

Specifically, the curved property line results in a lot width and front setback that is highly restrictive with a relatively small buildable footprint.

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

n/a

OR

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

The siting of the existing home on the property is such that the rear yard space is quite small. Thus, the front yard is the most utilized yard by the Owners and their children. The existing home is non-conforming with regards to several setbacks.

Additionally, the curved property line has the effect of artificially increasing the lot width effecting the required front setback, further reducing the buildable area of the lot.

Lastly, the location of the existing front entrance and style of the home is such that a partial front porch would be incompatible with the style and require significant interior alterations to the residence.

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 existing home is set back much farther than the other homes on the block. The front porch will extend out approximately to the same level as the neighboring home to the south.

Additionally, the front porch was designed so that it is compatible with the existing style of the home. Please see Exhibit A for exterior elevations.

- 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:

Due to the unique shape and size of the lot, and it's subsequent setbacks, it is impossible to build a front porch that complies with the Zoning Code sections 10-5-5(B)4-25 and 10-8-6(B)2. Please see Exhibit B for the site plan markups from Staff.

Specifically, it is the curved property line that greatly reduces the buildable area and would prevent a front porch along the entire front facade.

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:

This lot is unique in size and shape. Please see Exhibit B for the site plan markups from Staff. Most lots do not have a curved property line in this configuration.

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 applicants are the current homeowners and occupants of the property. The lack of a rear yard means that they spend the majority of their time with their children in the front yard. The front porch is meant to make the front yard more comfortable and secure for their family.

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

The hardship comes from how the original lot was platted, and the construction of the original home. This predates the ownership by the applicant.

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.

This front porch addition will not have any detrimental impacts on the public or neighborhood. The lot is unique in size and shape. The large front yard will still provide a buffer zone between public walking spaces and the private front porch and home. Please see the Site Plan in Exhibit A.

6. Provide evidence that the proposed variation will not:

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

The front porch addition is designed to be the height of the existing first floor and will also be open on all sides. Please see Exhibit A for Exterior Elevations. The front porch will have no impact on the neighbor to the south.

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

The front porch addition will be offset from the edge of the house, so it will have a larger setback than the existing house does. Please see Exhibit A for the Proposed Site Plan.

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

The front porch addition will not affect any of the values listed above.

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

The front porch addition will not diminish/impair neighborhood property values as it is designed to match the aesthetics of the existing home. Please see Exhibit A for Exterior Elevations

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

The front porch addition has no impact on traffic

- f. Create a nuisance; or

The front porch addition will not create a nuisance.

- g. Results in an increase in public expenditures.

The front porch addition will have no impact on public expenditures.

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

Due to the unique size and shape of this lot, the interpreted setbacks make it impossible to build a front porch along the front of the home that is compliant with sections 10-5-5(B)4-25 and 10-8-6(B)2 of the Zoning Code. Through conversations with Staff, these are the minimum variances required for this project. Please see Exhibit B for the site plan markups from Staff.

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

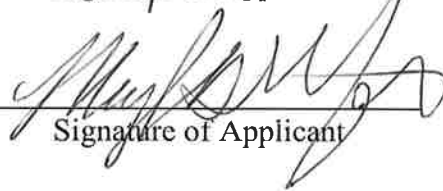
VI. CERTIFICATIONS, CONSENT AND SIGNATURE(S)

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.

<u>9/4/22</u> Date	<u>John Stanfield</u> Print Name	<u></u> Signature of Applicant
<u>9/6/22</u> Date	<u>Mary Kate Stanfield</u> Print Name	<u></u> Signature of Applicant
<u> </u> Date	<u> </u> Print Name	<u> </u> Signature of Applicant

RECEIVED

SEP 2, 2022

VILLAGE OF GLEN ELLYN

AFFIDAVIT OF AUTHORIZATION

I, John Stanfield owner of the property described as

594 Hickory Road
Glen Ellyn, IL 60137

verify that Thomas Architects

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

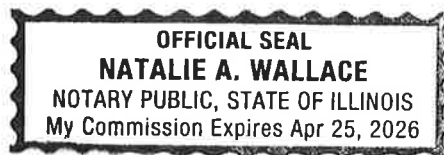

Owner Signature

Subscribed and sworn to before me this

22ND day of September, 2022

Natalie A. Wallace

Notary Public



AFFIDAVIT OF AUTHORIZATION

I, Mary Kate Stanfield owner of the property described as

594 Hickory Rd
Glen Ellyn, IL 60137

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


Owner Signature

Subscribed and sworn to before me this

22ND day of September, 20 22
Natalie A. Wallace

Notary Public



Affidavit Affirming No Conflict of Interest

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

1. My name is THOMAS BUDZIK, and I hold the position of ARCHITECT OF RECORD for MARY KATE + JOHN STANFIELD ("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: [Signature]

Title: ARCHITECT

Applicant's Name: THOMAS BUDZIK
MARY KATE + JOHN STANFIELD

Subscribed and sworn to me this

31st day of August, 20 22.

[Signature]
Notary Public

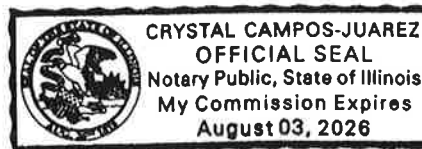


EXHIBIT B

594 HICKORY RD – ZONING VARIANCE SETBACKS EXHIBIT

8/29/2022

The next page contains the markup, from the Plan Reviewer, showing the interpretation of the setbacks on this lot. The setbacks shown on our drawings now reflect these markups.

LOT 83 OF WRIGHTWOOD, GLEN ELLYN, A SUBDIVISION OF PART OF SECTIONS 11 AND 12, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 1927 IN BOOK 17, PAGE 75 AS DOCUMENT 237389, IN DUPAGE COUNTY, ILLINOIS.

Jul 19 2022

SCALE: 1"=20'

lot width $\angle 90^\circ$, therefore:

$$72 \times .3 = 21.6$$

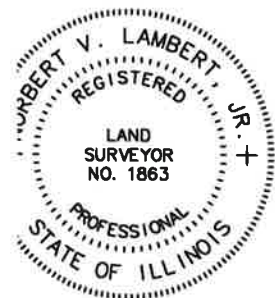
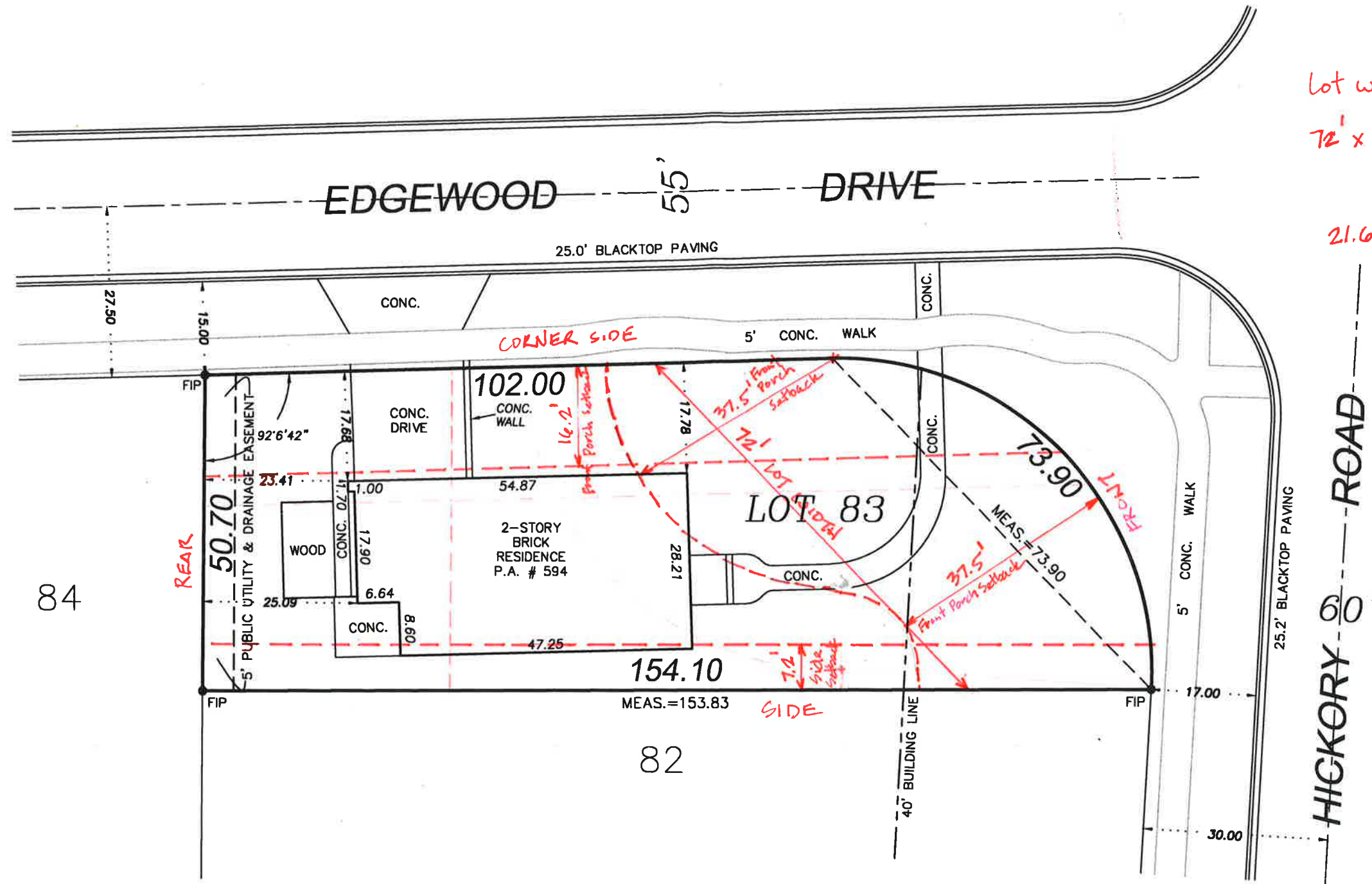
Corner side setback

$21.6' \times .75 = 16.2'$ porch setback at corner side PL.

Front setback = 50'
due to house at
590 Hickory.

Therefore:

Therefore:
 $50' \times .75 = 37.5'$ front porch setback from front PL



OF ILLINOIS } S.S.
' OF DU PAGE }

TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR,
SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT
THE NEXT PLAT IS A CORRECT REPRESENTATION OF SAID

PROFESSIONAL SERVICE CONFORMS TO THE CURRENT
MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

UNDER MY HAND AND SEAL AT WHEATON, ILLINOIS,
17TH DAY OF JUNE A.D. 2014.

Volbert F. Lambuth

LAND SURVEYOR NO. 1863; LICENSE EXPIRES 11/30/14
DESIGN FIRM NO. 184-00651

2 DEED OR GUARANTEE POLICY FOR RESTRICTIONS NOT SHOWN

ALL POINTS BEFORE BUILDING AND REPORT ANY APPARENT

● = found iron stake
○ = set iron stake

LAMBERT & ASSOCIATES

LAND SURVEYORS
955 WEST LIBERTY DR., WHEATON, IL. 60187
PHONE: (630) 653-6331 FAX: (630) 653-6396

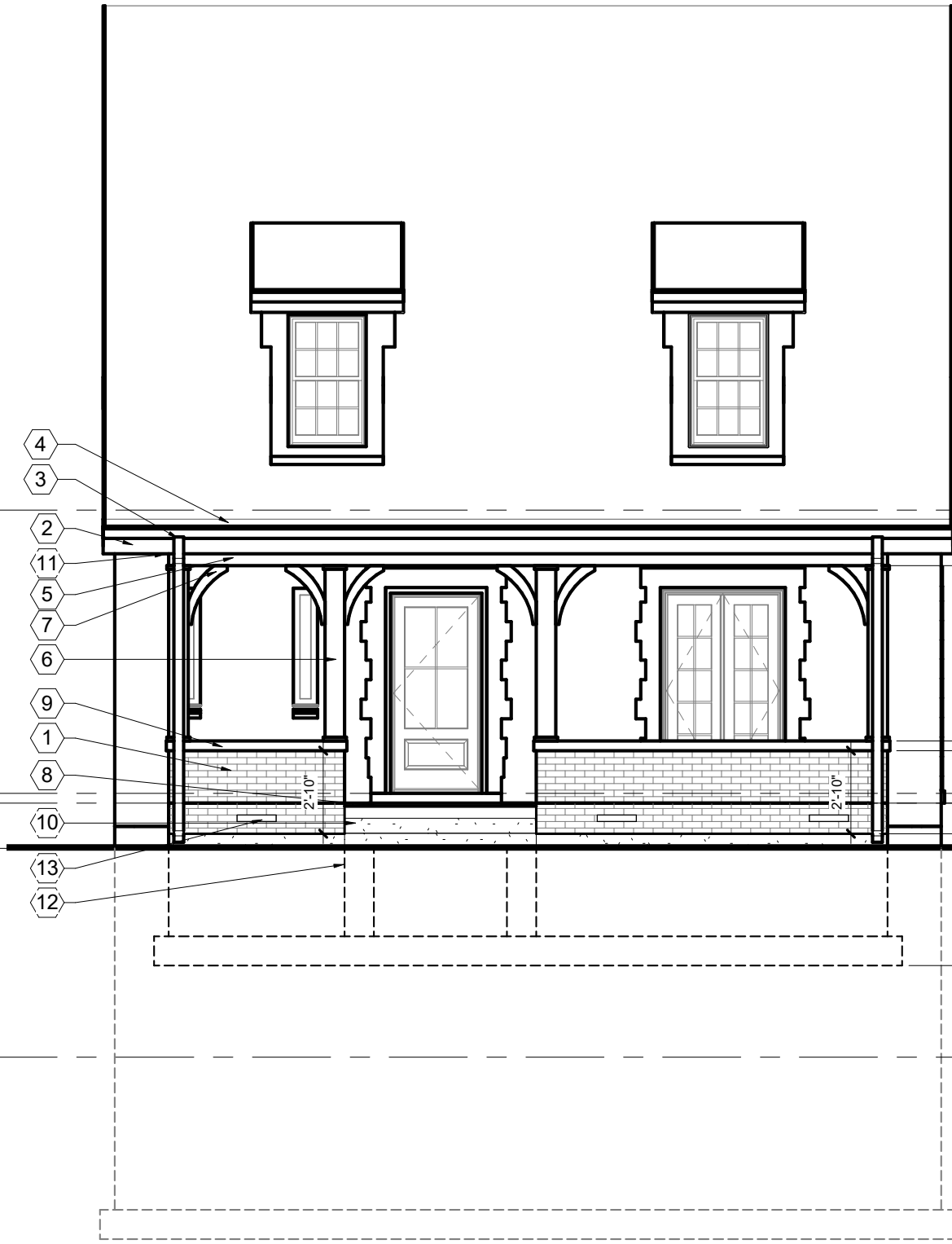
ORDERED BY: NORGAARD STEVEN

ORDER NO. 14-5-034 FILE NO. 140301

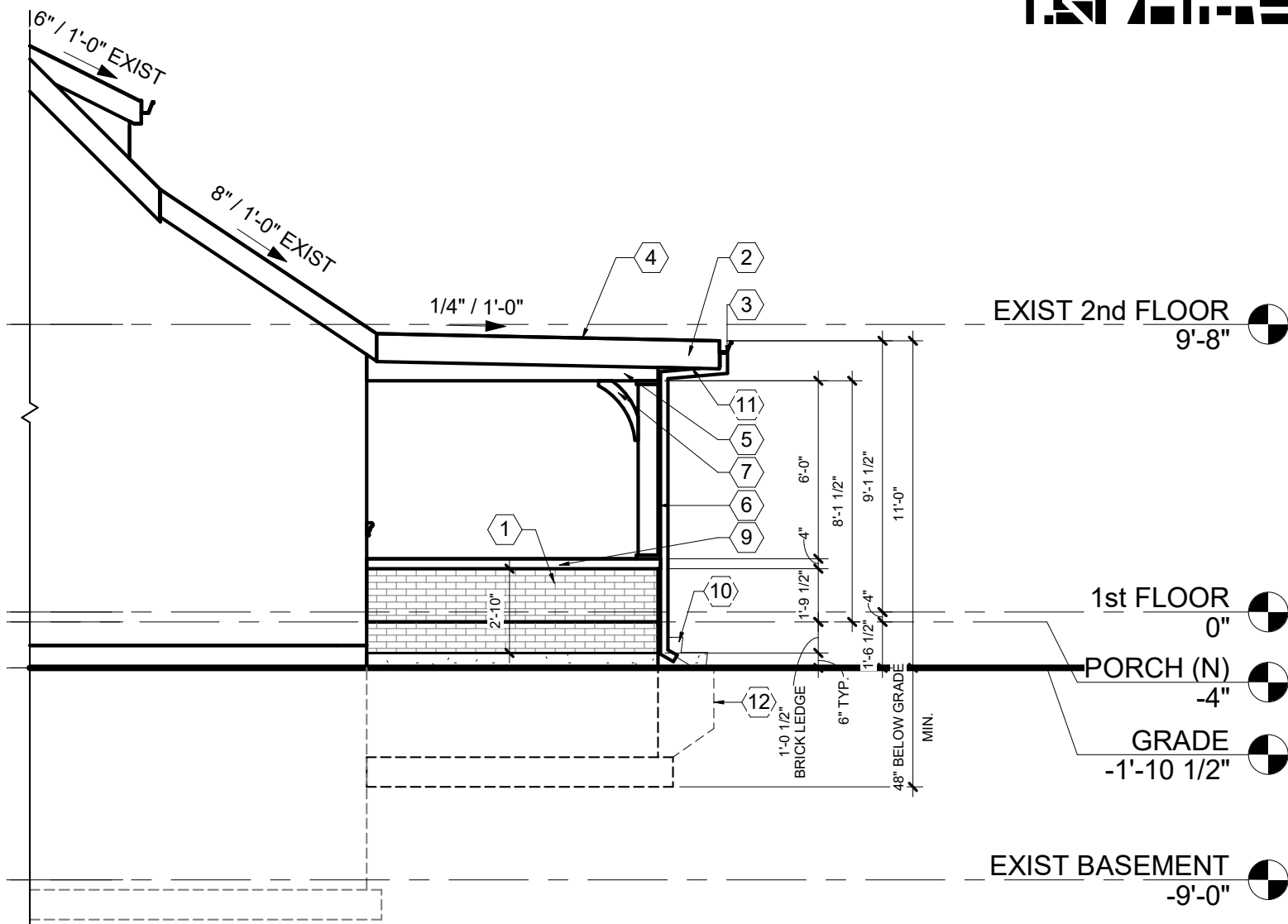
C:\Users\kmsel\OneDrive - Thomas Budzik Architecture PC\Documents\4_TA WFH Files\22-033 Stanfield Residence\5 Revit Project Files\22-033 Stanfield Residence-Porch Addition.rvt



4 SIDE (R) ELEVATION
3/16" = 1'-0"



5 FRONT ELEVATION
3/16" = 1'-0"



3 SIDE (L) ELEVATION
3/16" = 1'-0"

KEYNOTES - 1ST FLOOR

- CONCRETE PORCH. VERIFY FINISH WITH OWNER.
- CONCRETE STEPS. VERIFY FINISH WITH OWNER.
- MASONRY VENEER HALF WALL. SEE ELEVATIONS FOR HEIGHT. VERIFY FINISH WITH OWNER.
- CONCRETE CAP
- 8" SQUARE PREFINISHED COLUMN WRAP, w/ 1X2 TRIM AT TOP AND BOTTOM. SEE FRAMING PLANS FOR POST SIZE. VERIFY HEIGHT IN FIELD.

WALL SCHEDULE

MARK	WALL DESCRIPTION
E1	EXTERIOR MASONRY WALL: 2-WYTHE BRICK HOR & VERT TIES @ 16 O.C.

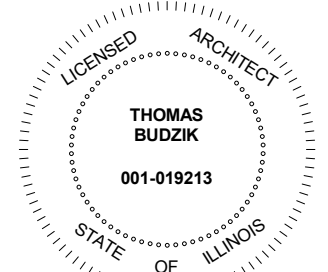
KEYNOTES - ELEVATION

- MASONRY HALF WALL, MATCH EXISTING
- 10"H FASCIA - ALUM CLAD WD, MATCH EXISTING
- GUTTER & DOWNSPOUT - ALUM, MATCH EXISTING
- EPDM LOW SLOPE ROOF
- DECOR BEAM WRAP
- 8" SQUARE PREFINISHED COLUMN WRAP, w/ 1X2 TRIM AT TOP AND BOTTOM. SEE FRAMING PLANS FOR POST SIZE. VERIFY HEIGHT IN FIELD.

KEYNOTES - ELEVATION

- MILLWORK BRACKET
- CONC. PATIO, VERIFY FINISH WITH OWNER
- CONC. CAP
- CONC. STAIR
- CEDAR SOFFIT
- CONC. HAUNCH @ STEPS
- DRAINAGE HOLES IN MASONRY

EXHIBIT A



No.	Description	Date
5	ISSUE FOR ZONING VARIANCE	08.29.2022

Project Name and Address

STANFIELD RESIDENCE FRONT PORCH ADDITION

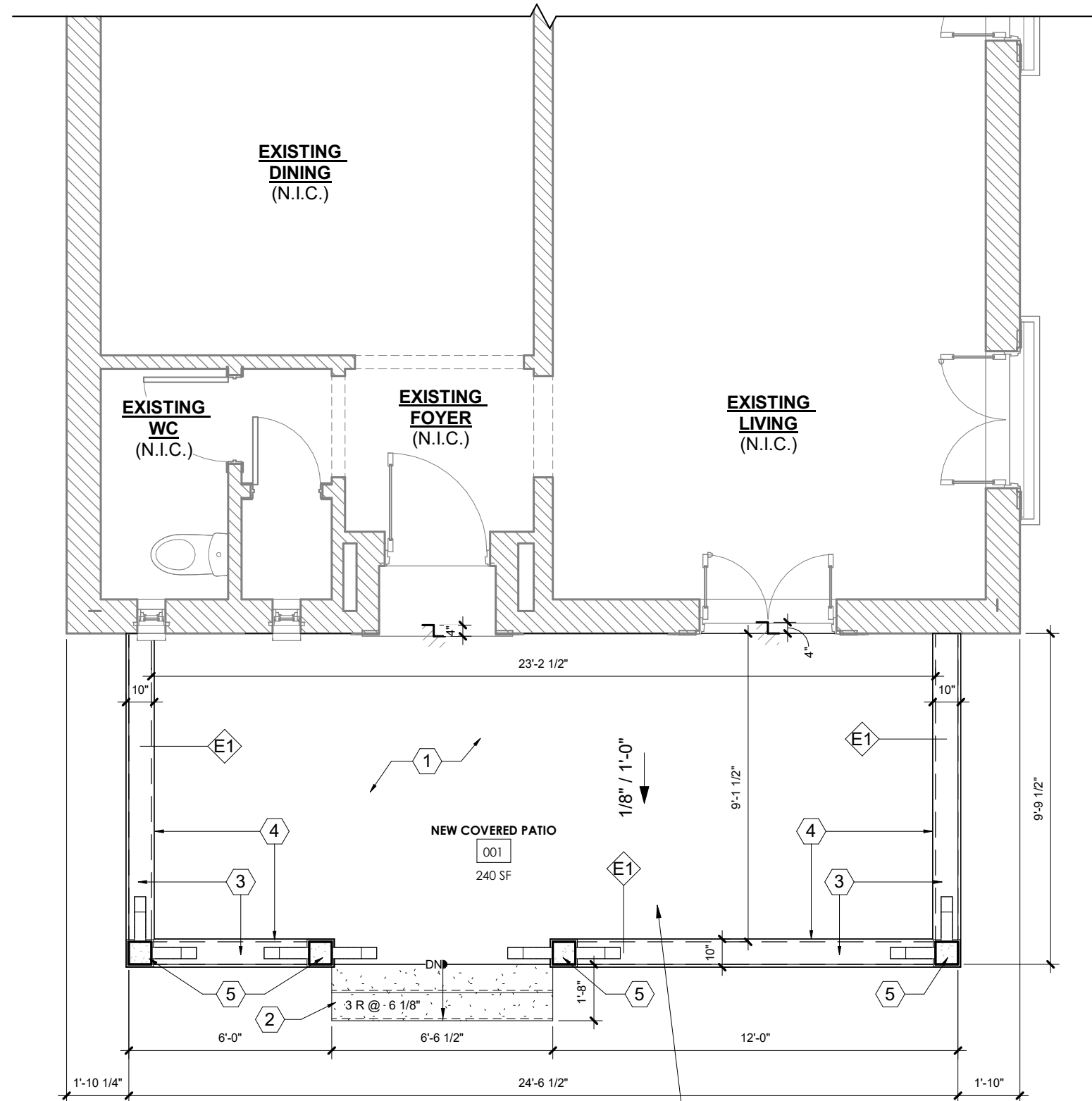
594 HICKORY RD
GLEN ELLYN, IL 60137

Project No. 22-033

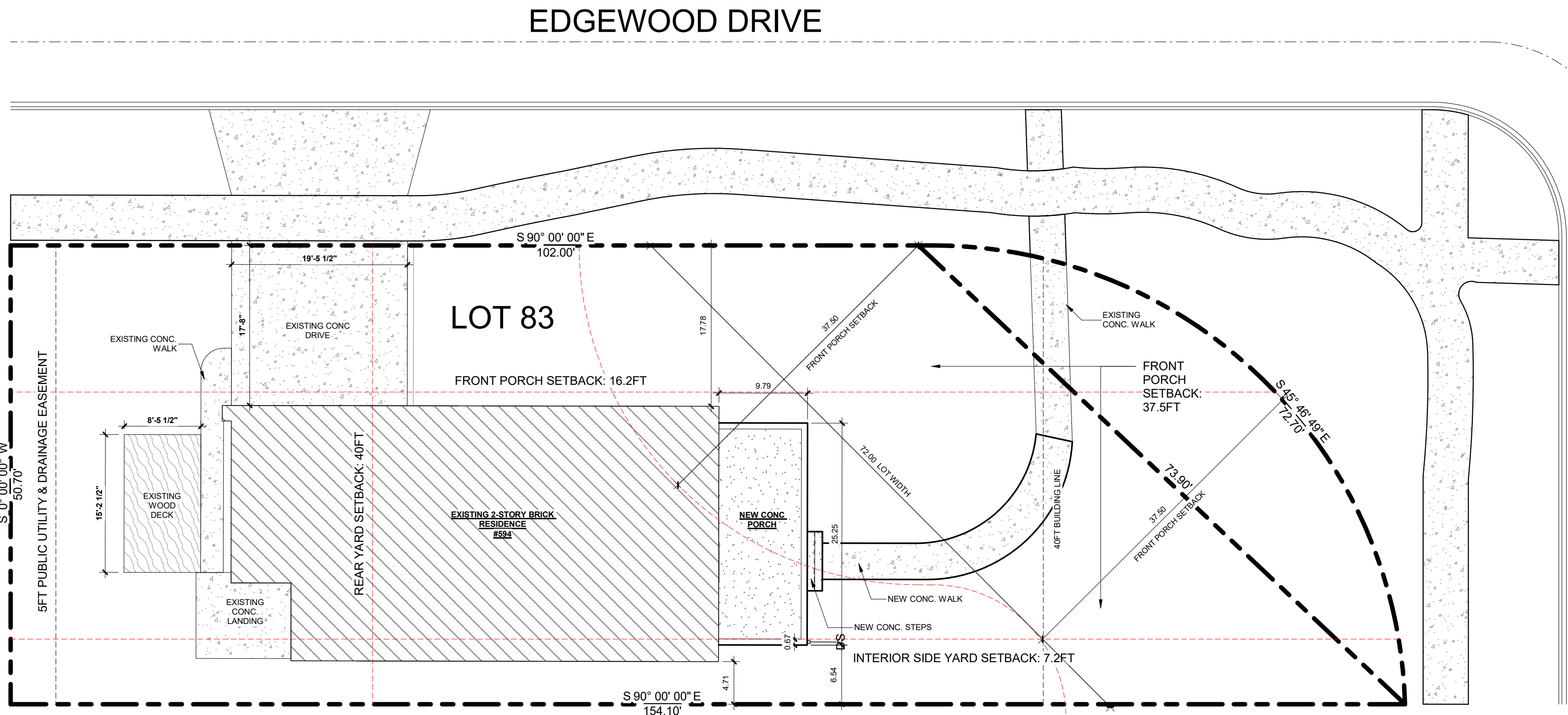
Description SITE PLAN

Sheet

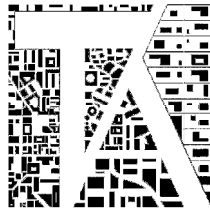
AZ-1



2 1st FLOOR - PROPOSED
1/4" = 1'-0"



1 SITE PLAN PROPOSED
1" = 10'-0"



THOMAS ARCHITECTS

www.thomasarch.com

594 HICKORY RD – ZONING VARIANCE SITE PHOTOS



2800 S River Rd, Suite 305
Des Plaines, IL 60018
O | 877 . 205 . 3799
F | 877 . 260 . 7209



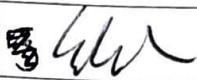
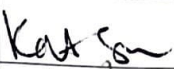
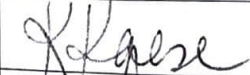
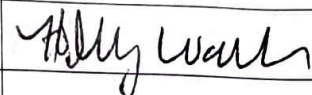
2800 S River Rd, Suite 105
Des Plaines, IL 60018
O | 877 . 205 . 3799
F | 877 . 260 . 7209

594 HICKORY RD – FRONT PORCH VARIANCE

Hello! We're John and Mary Kate Stanfield, the homeowners of 594 Hickory Rd. We're having to go through the Zoning Variance process to build a front porch on our home. Since we basically don't have a back yard, and the front yard is so large, our children enjoy and play outside in that yard. We wanted to create a space that we can enjoy as a family that's connected to where the kids play.

The front porch has been designed to meet the square footage requirements set by the Village and has also been designed to be in aesthetic harmony with the home. Because our lot is so unique size and shape, the required setbacks have created complications which require this Zoning Variance Process.

We ask for your support in this process! Please sign below to show your support!

	NAME	SIGNATURE	ADDRESS	DATE
1.	Sarah Bush		579 Hickory Rd	10-18-22
2.	Katherine Smart		584 Hickory Rd	10-18-22
3.	Katelyn Kaese		583 Hickory Rd	10-18-22
4.	Rhiannon Apps		600 Hickory Road	10-18-22
5.	Duncan Blowers		800 Edgewood Dr	10-18-22
6.	Holly Wannemaker		790 Edgewood Dr	10-18-22
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				





NOTICE OF PUBLIC HEARING

John & Mary Kate Stanfield, owners of the property at 594 Hickory Road, are requesting a public hearing for zoning variations in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code to allow the construction of a front porch. 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, November 8, 2022** at 7:00 p.m. in the Galligan Board Room, Glen Ellyn Civic Center, 535 Duane Street, Glen Ellyn, Illinois. The public is welcome to attend.

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

1. A variation from section 10-5-5(B)4#25(b) to allow a front porch setback of 24 feet from the front lot line in lieu of a 37.5 feet requirement; and
2. A variation from section 10-8-6(B)2 to allow an addition of a front porch which does not conform to all regulations of the R2 district on a structure that is nonconforming due to bulk; and
3. Any other zoning relief necessary to allow the proposed front porch to be constructed as depicted on the plans presented 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 83 OF WRIGHTWOOD, GLEN ELLYN, A SUBDIVISION OF PART OF SECTIONS 11 AND 12 TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 1927 IN BOOK 17, PAGE 75 AS DOCUMENT 237389, IN DU PAGE COUNTY, ILLINOIS.

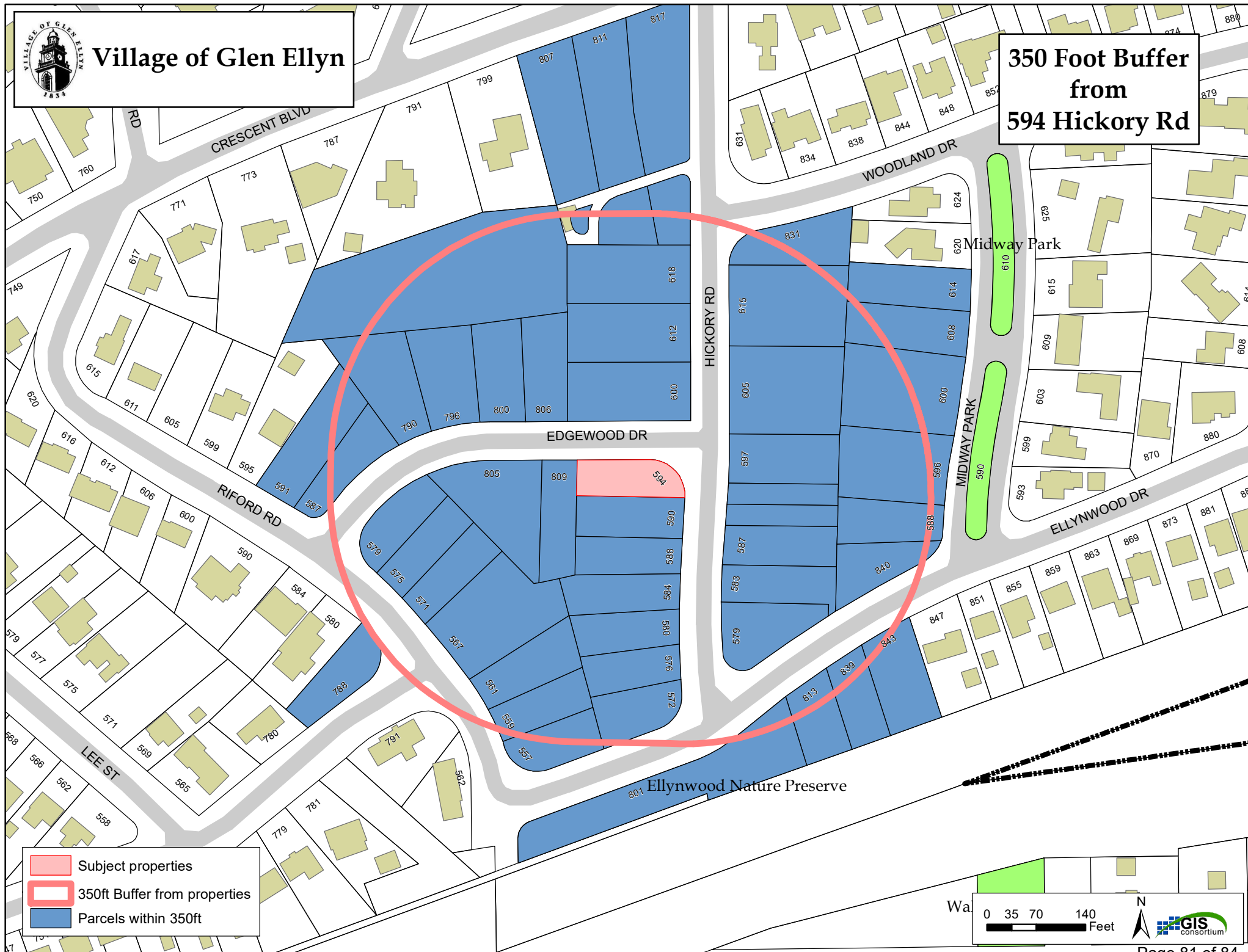
P.I.N.: 05-12-300-007

Plans are on file in the Community Development Department, Civic Center, 535 Duane Street, Glen Ellyn, Illinois and can be requested by contacting Taylor Gendel, Associate Planner at tgendel@glenellyn.org. All public comments received by 4:30 pm on Tuesday, November 8, 2022, will be read into the record at the public hearing.



Village of Glen Ellyn

350 Foot Buffer
from
594 Hickory Rd



**NOTICE OF
PUBLIC HEARING**

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Published in Daily Herald
October 22, 2022 (4590225)

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 10/22/2022 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



Designee of the Publisher and Officer of the Daily Herald

Control # 4590225

(DRAFT) FINDINGS OF FACT TO SUPPORT A MOTION TO RECOMMEND APPROVAL OF ZONING VARIATIONS TO ALLOW THE CONSTRUCTION OF A FRONT PORCH WITH A SETBACK OF 24 FEET FROM THE FRONT LOT LINE IN LIEU OF A 37.5 FEET REQUIREMENT, AND THAT THE ADDITION TO A NONCONFORMING BUILDING DOES NOT CONFORM TO ALL REGULATIONS OF THE R2 DISTRICT, FOR THE PROPERTY LOCATED AT 594 HICKORY ROAD

The Zoning Board of Appeals hereby makes the following findings in relation to the evaluation factors set forth in Section 10-10-12(F) of the Glen Ellyn Zoning Code:

(Draft reasons, taken partially from the petitioner's application packet, as to how the project may comply with the necessary findings have been drafted by Staff; the ZBA may wish to consider the findings but should feel free to amend the below reasons to make your own findings of fact based upon information provided at the public hearing).

1. 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, because the subject property is an undersized irregular-shaped corner lot, which does not meet the R2 District's lot requirements, and subsequent building setbacks, leading to a limited buildable area on the lot.
2. The property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code, because there is a limited buildable area on the lot to construct a front porch that would be of a size large enough to accommodate owners' needs without granting of a variation.
3. The plight of the applicant/owner is due to unique circumstances relating to the property in question, because the subject lot was platted many years ago with a curved front lot line creating an irregularly shaped lot with nonconforming lot width, area, and the subsequent building setbacks that further limit any improvements on the lot without requiring a variation.
4. The requested variation, if granted, will not alter the essential character of the locality of the property in question, because the proposed front porch is intended to match the architectural character of the existing home and neighborhood, comply with all other Zoning standards, and have a minimal impact on the adjacent properties. It is worth noting that the petition has been supported by several nearby residents.
5. The particular physical surroundings, shape or topographical condition of the property in question would bring particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out, because the property is uniquely shaped with nonconforming building setbacks, which restrict any potential improvements on the lot without requiring a Zoning variation.
6. The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district, because the curved front lot line creates an irregular-shaped corner lot with an undersized yards/setbacks.

7. The purpose of the variation is not based exclusively upon a desire to make more money out of the property in question, because the proposal calls for a front porch, due to limited available open space in the backyard. The proposed porch is purposed for outdoor residential use, which will allow them to spend time in their front yard more comfortably and securely.
8. 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, because the hardship is due to the unique shape of the subject lot that was platted years ago and the undersized building setbacks that do not allow for improvement of a standard-sized front porch without a variation on the lot.
9. 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, and will not impair an adequate supply of light and air to adjacent property, because the proposed porch's 24-foot front yard setback will maintain sufficient buffer from the street intersection and public sidewalk.
10. The proposed variation will not substantially increase the hazard from fire or other dangers to the property in question or adjacent property, because the proposed front porch will meet all applicable Building and Fire Codes and will have a smaller width than the principal structure with larger setbacks from the side property line and the closest neighbor to the south.
11. The proposed variation will not otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village; diminish or impair property values within the neighborhood; or unduly increase traffic congestion in the public streets and highway because the proposed front porch addition is for the residential use of the current property owners and maintains a larger side yard setback than the existing home from the adjacent neighbor to the south.
12. The proposed variation will not create a nuisance or result in an increase in public expenditures because the proposed front porch is for the residential use of the current property owners and is not anticipated to negatively impact neighbors.
13. The variation is the minimum variation that will make possible the reasonable use of the land, building or structure because the proposed front porch would measure 218.15 square feet, large enough to accommodate owners' needs, and will be built with the minimum amount of variances possible. Additionally, the location of the existing front entrance is such that a partial front porch would require significant interior alterations to the residence.