

AGENDA
Glen Ellyn Zoning Board of Appeals Meeting
Tuesday, January 10, 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 November 8, 2022.

D. Public Hearing.

1. 240 Glenwood Avenue.

Zoning Variation request to allow the construction of an elevated deck with a carport.

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

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



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

Meeting 1/10/2023 7:00 PM
Department: Community Development
Department Head: Marty Scott
Category: Minutes
Prepared By: Atrin Fard

**AGENDA ITEM (ID
2023-2)**

DOC ID: 2023-2

Approval of the Draft Minutes from the ZBA Meeting November 8, 2022.

Statement of the Issue:

Please see attached draft minutes.

Analysis:

Please see attached draft minutes.

Budget Impact:

N/A

Contribution to Strategic Plan (if applicable)

Action Requested:

Please see attached draft minutes.

Attachments:

1. 11-8-22 ZBA Meeting Minutes-DRAFT

DRAFT MINUTES
ZONING BOARD OF APPEALS MEETING
November 8, 2022

Call to Order and Roll Call

The meeting commenced at 7:01 p.m., with Chairperson Greg Constantino explaining the advisory function of the Zoning Board of Appeals (ZBA) and its process of deliberation and recommendation. He related the notice given for the meeting's Public Hearing, and the roll was called. Present: Chairperson Constantino and Board Members Christine McKnight, Matthew Jones, Katie Crudele and Reed Panther. Absent: Thomas Whalls and Chip Miller. The Chairperson described Public Hearing proceeding protocols, announced that the meeting would be recorded, and introduced Village Planning Intern Brad Iwicki, Associate Planner Taylor Gendel and Recording Secretary Barb Dutton. Senior Planner Atrian Fard was also in attendance.

Approval of Meeting Minutes

A motion by ZBA Member Crudele to approve the draft minutes of the Oct. 11, 2022 meeting, seconded by Member Panther, passed unanimously by roll call vote.

Public Hearing for 432 Dawn Ave.

A motion by Board Member Jones to open the Public Hearing concerning for 432 Dawn Ave., seconded by Member Crudele, passed by voice vote.

Staff Presentation

Sworn in, Planning Intern Bradley Iwicki, 535 Duane St., introduced the Petitioner, Dave Ligman, founder of Ligman Construction Group, representing Garrett Knasko, owner of the property located at 432 Dawn Avenue. Relative to this property, Mr. Iwicki stated that the ZBA is to consider recommending approval of zoning variations to allow a corner side yard setback of 14.6 ft., to allow a chimney to project approximately 3.6 feet into the required side yard setback, and a lot coverage ratio (LCR) of 21.6 percent. 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, said Mr. Iwicki. The properties to the north are zoned R4 Multi-family Residential and CR Conservation Recreation District and improved with townhomes and a park, respectively, he noted, adding that the subject property is part of 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, continued Intern Iwicki. The house contains three bedrooms, 1.5 bathrooms, an attached one-car garage, a detached three-car garage, and two driveways, he stated. Currently, he continued, the house encroaches into the required interior side and corner side yards and is considered legal nonconforming. Furthermore, said the Intern, the Zoning Code requires all accessory structures located less than 10 ft. from the principal structure to observe the same setback requirement as the principal structure. The existing detached garage maintains a distance of 9.5 ft. from the house and therefore nonconforming to the corner side yard setback required in R2 District, noted Mr. Iwicki. 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, related Mr. Iwicki. The Petitioner proposes a 310SF, 1.5-story building addition onto the existing residence, said the Intern. The proposed building addition will connect the west portion of the residence to the existing detached garage, he said. Upon completion of the addition, the detached garage will be considered part of the principal building, explained Mr. Iwicki, who concluded that, 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 ft. into the required corner side yard setback of 30 ft. Hence, he explained, a variation from the corner side yard setback will be required. It is worth noting, said Mr. Iwicki, 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. The eastern portion of the detached garage, continued the Planning Intern, 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, he said, adding that other renovations include removal of the existing single driveway on Dawn Avenue and converting the attached one-car garage to a ground-level family room with a fireplace, resulting in a new chimney on the southern elevation. The chimney, he said, will project approximately 3.6 ft. into the required side yard setback of 9.75 ft. where a maximum projection of 2 ft. is allowed.

The project includes the construction of a 248SF permanent roof over the existing patio at the back of the house, continued Intern Iwicki. The covered patio will be constructed in compliance with the Zoning Code setback requirements, stated Intern Iwicki. Currently, related the Intern, the property has an LCR of 17 percent. The proposed building addition and covered patio increases the LCR to 21.6 percent, said Mr. Iwicki, who explained that this exceeds the maximum allowable of 20 percent. According to the Petitioner, related the Intern, 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, said Mr. Iwicki. The project will comply with all applicable building codes, he stated, adding that the applicant provided a petition containing signatures from 17 neighboring properties in support of granting the variations. Mr. Iwicki outlined ZBA action in the matter. Chairperson Constantino asked if the lot setbacks would not permit the location of the structures in the buildable area. Mr. Iwicki said this is correct, prompting the determination that the subject property is legal non-conforming.

Petitioner's Presentation

Builder Dave Ligman, 269 Newton, and Garrett Knasko, 941 Forest, both of Glen Ellyn, were sworn in. Mr. Ligman stated that while the lot is good sized, it is irregular in shape, so the request for relief represents the best option of those considered for a plan to put forward. He argued that the increased permeable surface proposed is a positive, and that razing the one-car attached garage will change the building configuration "into something much more regular." He said that a patio already exists, and that removing the one driveway (which he subsequently indicated has already been done) will provide more green space, as well as said that the design fits the neighborhood. Relating that he grew up in Glen Ellyn, Mr. Knasko suggested that the proposed is a better approach than tearing down the house.

Board Member Panther delivered proposed findings of fact. Board Member McKnight motioned to accept the findings; seconded by Member Jones, the motion passed unanimously by roll call vote.

Deliberation

Board Member Crudele said the irregular-shaped corner lot makes the proposed a “Yes” for her, adding that she appreciates the added permeable surface and that the proposed fits the character of the neighborhood. Member McKnight noted the lot has challenges posed by its shape, and said the proposed is a better use of the land by expanding indoor space and making outdoor space more sensible. Mr. Panther concurred, calling the lot shape a unique circumstance. Member Jones said he is in favor of the petition, suggesting that the proposed represents and improvement to the neighborhood. Chairperson Constantino also expressed that he is in favor of recommending granting the requested variations, as clearly the lot size creates practical difficulties and hardship, and that the neighbors’ support lends credence to the conditions. Member Crudele, seconded by Member Panther, moved to close the Public Hearing; the motion carried unanimously by voice vote. Board Member Jones moved for the following:

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 hardships: The particular physical surrounding shape or topographical conditions of the property in question would bring particular hardships upon the owner as distinguished from the 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 residents’ needs.

Seconded by Board Member Crudele, the motion passed by roll call vote with all Board members present voting YES.

Public Hearing for 594 Hickory Road

A motion by Board Member McKnight to open the Public Hearing concerning for 594 Hickory Road, seconded by Member Crudele, passed by voice vote.

Staff Presentation

Sworn in, Associate Planner Taylor Gendel, 535 Duane St., stated that the Petitioners, John and Mary Kate Stanfield, owners of the property at 594 Hickory Road, 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, said Ms. Gendel. The property owners, continued the Associate Planner, are requesting approval of variations from Zoning Code to construct a front porch including a variation to allow a setback of 24 ft. from the front lot line in lieu of a 37.5-ft. requirement; a variation to allow an addition of a front porch which does not conform to

all of the regulations in the R2 district on a structure that is nonconforming due to bulk; and any other zoning relief necessary to allow the proposed front porch to be constructed as depicted.

The subject property is an irregular-shaped corner lot with a curved front lot line, continued Ms. Gendel, who noted that the 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, and the residence was originally built in 1923 and was added to in 1979, she said. Due to the curved configuration of the front property line, stated Associate Planner Gendel, almost 54 percent of the total lot area is subject to the required front yard setback regulations, 27 percent covered by rear yard setback requirement, and 10 percent by the required corner side and interior side yards, leaving only 9 percent buildable area on the lot. As a result, she said, the house currently encroaches into the required front, corner side, interior side, and rear yard/setbacks and is technically nonconforming.

The current homeowners would like to add a front porch to their existing home, continued Associate Planner Gendel. The Petitioners' application, she related, 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, she said, as that is where their kids play outside. The proposed front porch will measure 23.91 ft. by 9.12 ft. column to column, totaling 218.05SF in area. Given the proposed location and size, the porch will qualify for the maximum 240SF lot coverage bonus and, therefore, will not impact the lot coverage ratio on the property, stated Ms. Gendel. The porch will be open on the sides, permanently roofed over, with no enclosed floor area above it, designed to comply with other standards for porches in the Zoning Code, she said. Additionally, explained Ms. Gendel, 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, which would be smaller than proposed, and requires significant interior alterations to the residence, she said. According to the Zoning Code, front porches may project up to 25 percent into the required front and corner side yards. To meet this requirement, the proposed front porch shall be set back 37.5 ft. and 16.2 ft. from the front and corner lot lines, respectively. Given the proposed front setback of 24 ft., a 48 percent encroachment, and corner side setback of 18.9 ft., a 9 percent encroachment, a variation from the maximum 25 percent 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 which restricts additions to nonconforming structures.

Accordingly, explained Ms. Gendel, 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 percent projection permitted into the required front yard in the R2 District, she noted, the second variation will be required.

Neighbors from six properties in the neighborhood signed a petition in support of the proposed front porch, related Ms. Gendel, who proceeded to outline ZBA action on the matter.

Member Jones sought clarification relative to the setback distance of the house to the south. Sworn in, Sr. Planner Fard replied that the building setback on this property is greater than 50. The requirement is 30-ft. or the closest neighbor, she explained, saying that since the neighboring setback is more than 50, the maximum has to be observed.

Chairperson Constantino sought clarification as to whether, if the lot was vacant, only 9 percent would be permissible to build on, given the curved lot line. Ms. Fard said porches can encroach by almost 25 percent into the front and corner side (but no other), which is hard to be met given the shape of the subject lot.

Petitioner's Presentation

Sworn in, Architect Tom Budzik, 2800 S. River Road., Des Plaines, Ill., pointed to the curve at the northeast corner as the culprit, as well as said that the home's positioning leaves no functional rear yard.

Board Member Panther delivered proposed findings of fact. Board Member Crudele motioned to accept these findings; seconded by Member McKnight, the motion passed unanimously by voice vote.

Deliberation

Board Member Crudele said that due to the lot shape, she is in favor of the variation. Member McKnight said she, too, is in favor, citing lot challenges, and said the improvement will match the architectural character of the existing home and of the neighborhood, and better meet owner needs. Member Panther echoed comments, citing a challenging setback, while Member Jones concurred. Saying that nothing was brought on by the owners, Chairperson Constantino expressed favor, noting limitations of the lot shape.

Member Jones moved for the following:

Having considered the application of John and Mary Kate Stanfield, owners of the property at 594 Hickory Road, Glen Ellyn, for zoning variations 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 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, 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 hardships:

- Due to characteristics of the of the property in question, there are practical difficulties or particular hardships 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 they need to limit buildable area on the lot;
- The requested variation, if granted, will not alter the essential character of the locality of the property in question.

Seconded by Board Member Panther, the motion passed by roll call vote with all Board members present voting YES.

Member Panther, seconded by Member Jones, moved to retroactively close the Public Hearing; the motion carried unanimously by voice vote.

Staff Report

Sr. Planner Fard reported that there is only one potential case – a proposed combination carport and deck – for a December 13th meeting.

Trustee's Report

Sr. Planner Fard related a report from Trustee Liaison Gould announcing several Village Board approvals: a Special Use for a medical spa on Duane; a liquor license; new lighting on Taft; two recent church cases – one to operate on Sundays 8-noon in the Main Street Recreation Center, the other to occupy an old church building at 596 Prairie; a variation for the Lorraine property previously considered by the ZBA, and the Glen Estates subdivision at Hill and Cumnor. The Board has also had budget meetings and workshops.

Adjournment

Chairperson Constantino adjourned the meeting at 8:03 p.m., following a voice vote on a motion by Member Jones and which was seconded by Member Panther.

Respectfully submitted,

Barbara Dutton-Thomas

Recording Secretary



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

Meeting 1/10/2023 7:00 PM
Department: Community Development
Department Head: Marty Scott
Category: Public Hearing
Prepared By: Atrin Fard, Taylor Gendel

**AGENDA ITEM (ID
2023-3)**

DOC ID: 2023-3

240 Glenwood Avenue: Zoning Variation request to allow the construction of an elevated deck with a carport.

Statement of the Issue:

See attached staff report.

Analysis:

See attached staff report.

Budget Impact:

N/A

Contribution to Strategic Plan (if applicable)

Action Requested:

See attached staff report.

Attachments:

1. Staff Report 240 Glenwood
2. 1. Aerial Map
3. 2. 1' Contour Map
4. 3. Application 240 Glenwood
5. 4. Plat of Survey with Plan Examiner Notes
6. 5. Plat of Survey & Site Plan
7. 6. Exterior Photos
8. 7. Renderings
9. 8. Public Notice 240 Glenwood
10. 9. Buffer Map for Public Hearing Notice
11. 10. Certificate of Publication
12. 11. Draft Findings of Fact
13. 12. Motion to Approve - 240 Glenwood
14. 13. Motion to Deny - 240 Glenwood

STAFF REPORT

TO: The Zoning Board of Appeals

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

DATE: January 6, 2023

SUBJECT: January 10, 2023 – Zoning Board of Appeals Meeting
Public Hearing – Zoning Variations to allow the construction of a carport with an elevated deck on the property located at 240 Glenwood Avenue

PETITIONERS: The petitioners are Paul and Lesa Zumbrook, owners of the property at 240 Glenwood Avenue.

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

1. A variation from Section 10-4-8(E)1 to allow a lot coverage ratio of 26.5 percent for an addition of a carport with an elevated deck on a single-family dwelling of more than one-story;
2. A variation from Section 10-5-5(B)4#8(c) to allow an elevated deck to encroach approximately 5.6 feet into the required rear yard setback of 12.1 feet (10 percent of the lot width);
3. A variation from Section 10-5-5(B)4#8 to allow an elevated deck to encroach into the required front yard setback of 30.7 feet, where decks are not permitted obstructions in a required front yard;
4. A variation from Section 10-5-5(B)4#8 to allow an elevated deck to encroach into the required corner side yard setback of 30 feet, where decks are not permitted obstructions in a required corner side yard; and
5. Any other zoning relief necessary to allow the proposed carport with elevated deck 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 reversed corner lot located in the R2 Residential Zoning District on the northwest corner of Glenwood Avenue and Arlington Avenue. 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 December 23, 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>
2021	20210810	Roof replacement
2019	20190412	Fence
2016	20160698	Remove and replace concrete driveway
2008	20081665	Interior drainpipe perma-seal
2000	B19581	Sewer repair
1996	B-16504	Electrical service upgrade
1991	B12357	Fence
1955	B4901	New single-family home

**EXISTING
CONDITIONS:**

	<u>R2 Lot Requirements [10-4-8(D)]</u>	<u>Subject Property Data</u>
Lot Area:	8,712 ft ² (0.20 acres)	6,535.05 ft²
Lot Width:	80', corner lots	121'
Lot Coverage:	No more than 20% for two-story principal structures	23.16% (1,514 ft²)
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' (30.7' is 242 Glenwood's setback)	13.84'
Corner Side Yard:	30' or 30 percent of the lot width for a parcel with a nonconforming lot width (30')	17.60' actual
Interior Side Yard:	6.5' or 10% of the lot width, whichever is greater (12.1')	16.84' (north)
Rear Yard:	40'	5.24'

BACKGROUND: The property at 240 Glenwood Avenue is an irregular-shaped reversed

corner lot with a curved corner side lot line fronting Arlington Avenue. The subject lot was platted years ago and is considered legal nonconforming to the current Zoning Code's minimum lot area standards. The property is improved with a two-story brick house and an attached one-car-garage. The residence was originally built in 1955 and is also considered legal nonconforming due to the overall lot coverage and setbacks from the front, corner side, and rear lot lines.

PROPOSED:

The petitioners are proposing the addition of an elevated deck with a partial carport beneath, on the south side of their home over the existing driveway. The existing garage can only fit one car, and it would be costly for homeowners to expand it. The proposed carport will serve as an extension of their garage, providing coverage for a second vehicle parked on the driveway. There is also no buildable area in the rear yard (west of the property) for the addition to the existing attached garage or construction of a new detached garage. The proposed carport will measure 12' wide by 18' long. Due to the slope of the driveway down to the attached garage, the carport would have a 94" clearance at the garage entrance and 84" clearance at the southernmost edge or the entry point to the carport.

On top of the carport, the petitioners propose the construction of an elevated deck. The proposed deck would be L-shaped and extend beyond the area to be used as a carport. A 36" tall railing would be installed on the deck for safety purposes. The deck would be uncovered and allow for approximately 216 square feet of seating area atop the carport. A 5' wide by 10' long walkway would provide access from the outdoor seating area to a new set of French doors on the second floor. Due to the grade changes on the south and east sides of the home, the walkway portion of the deck would only have 56" of clearance from the ground level.

Given the nonconforming placement of the home on the lot, undersized rear yard, and restrictive setback requirements for corner lots, there is insufficient buildable area on the lot without requiring granting of a variation. Currently, there is only a small brick patio on the north side of the residence. This elevated deck would provide the petitioners with sufficient space for outdoor seating, which would be screened from the street view by the relatively dense foliage present on the property.

The Village's Zoning Code does not regulate carports, so the entire structure would be considered an elevated deck that would also cover a portion of the existing driveway. The Zoning Code defines a deck as "an open and roofless platform that adjoins a principal building and is supported by a means other than the principal structure." Per Section 10-5-5(B)4#8, decks are only permitted obstructions in rear yards with the following limitations: (a) must be open and uncovered; (b) shall not be

built higher than 7 feet above the average level of the adjoining ground when located in the required rear yard setback; and (c) shall be no closer to a rear property line than 10% of the lot width. The proposed deck will be open and uncovered and will comply with the height restrictions.

In terms of the location, as this elevated deck will be located on the south end of the home, it will have the potential to encroach into the required rear, corner side, and front yards. To construct the elevated deck and carport as proposed, variations from Section 10-5-5(B)4#8 will be required to allow the elevated deck to encroach approximately 5.6 feet into the required rear yard setback of 12.1 feet (10 percent of the lot width), to encroach into the required front yard setback of 30.7 feet, where decks are not allowable obstructions in a required front yard setback; and to encroach into the required corner side yard setback of 30 feet, where decks are not permitted obstructions in a required corner side yard setback. The petitioners hope to design the carport and deck to be compliant with the requested setbacks.

Furthermore, the petitioners seek a variation from Section 10-4-8(E)1 to allow a lot coverage ratio of 26.5 percent for an addition of a carport/elevated deck on a single-family dwelling of more than one story. The home is functionally one story, as seen from Glenwood Avenue, but due to the considerable changes in grade on the lot, the home appears to be two stories from the vantage point of the driveway, which carves out a path to provide access to the attached garage. Due to this feature, the home is considered two stories, and the maximum allowable lot coverage ratio is 20%, instead of the 35% that would be allowed were the home considered one story. The elevated deck/carport structure would act as a cover for a portion of the driveway and thus would be included in the overall calculation of lot coverage. The existing home's lot coverage is approximately 23.16%, which is considered legally nonconforming for a two-story residence.

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.

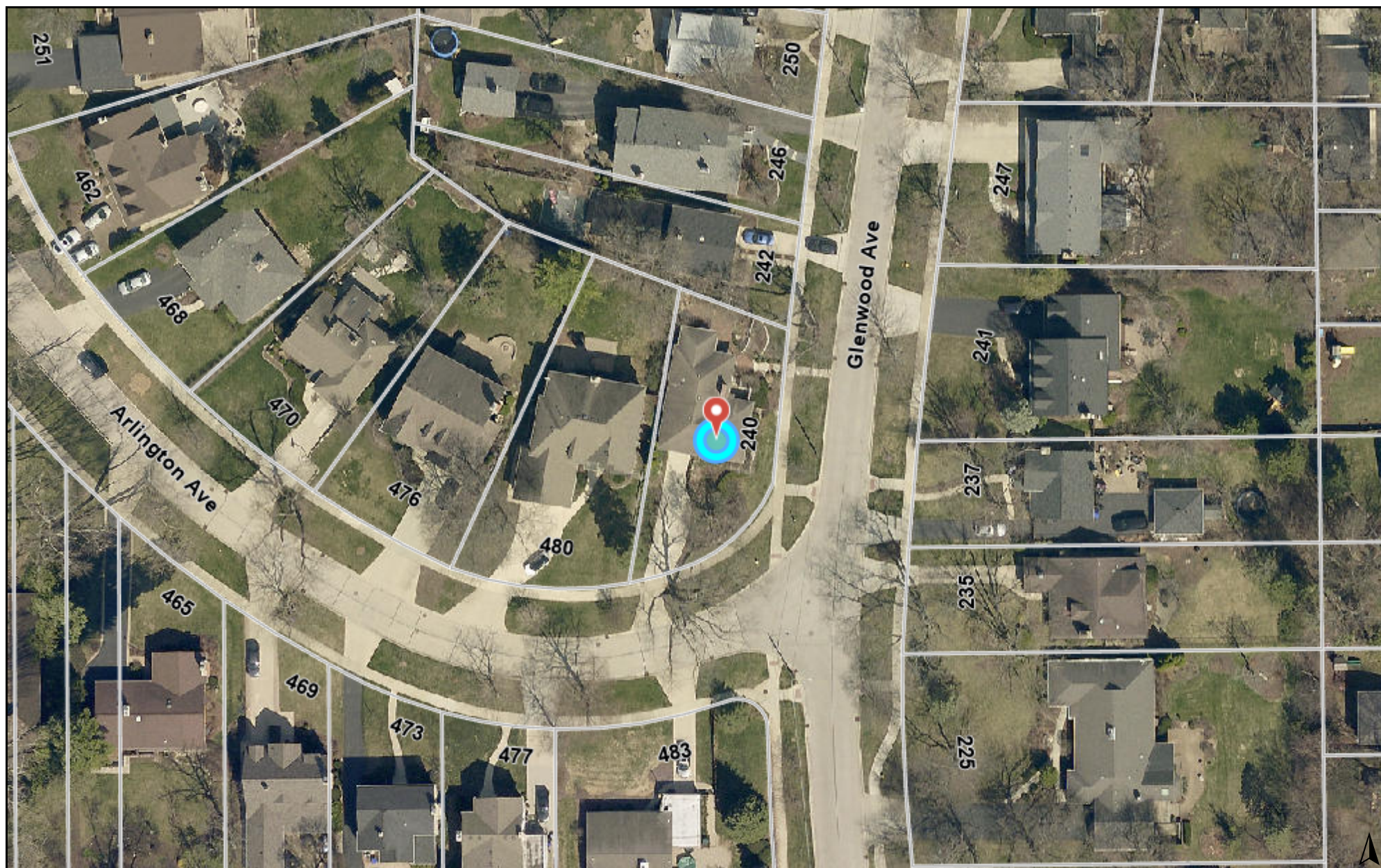
ATTACHMENTS:

1. Aerial Map

2. 1' Contour Map
3. Petitioners' Application Packet
4. Plat of Survey with Plan Examiner Notes
5. Site Plan on Plat of Survey
6. Exterior Photos
7. Renderings
8. Public Hearing Notice
9. Buffer Map for Public Hearing Notice
10. Certificate of Publication
11. Draft Findings of Fact
12. Motion to Approve
13. Motion to Deny

cc: Paula Moritz, Plan Examiner
Paul and Lesa Zumbrook, Property Owners

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Staff Report 240 Glenwood.doc*



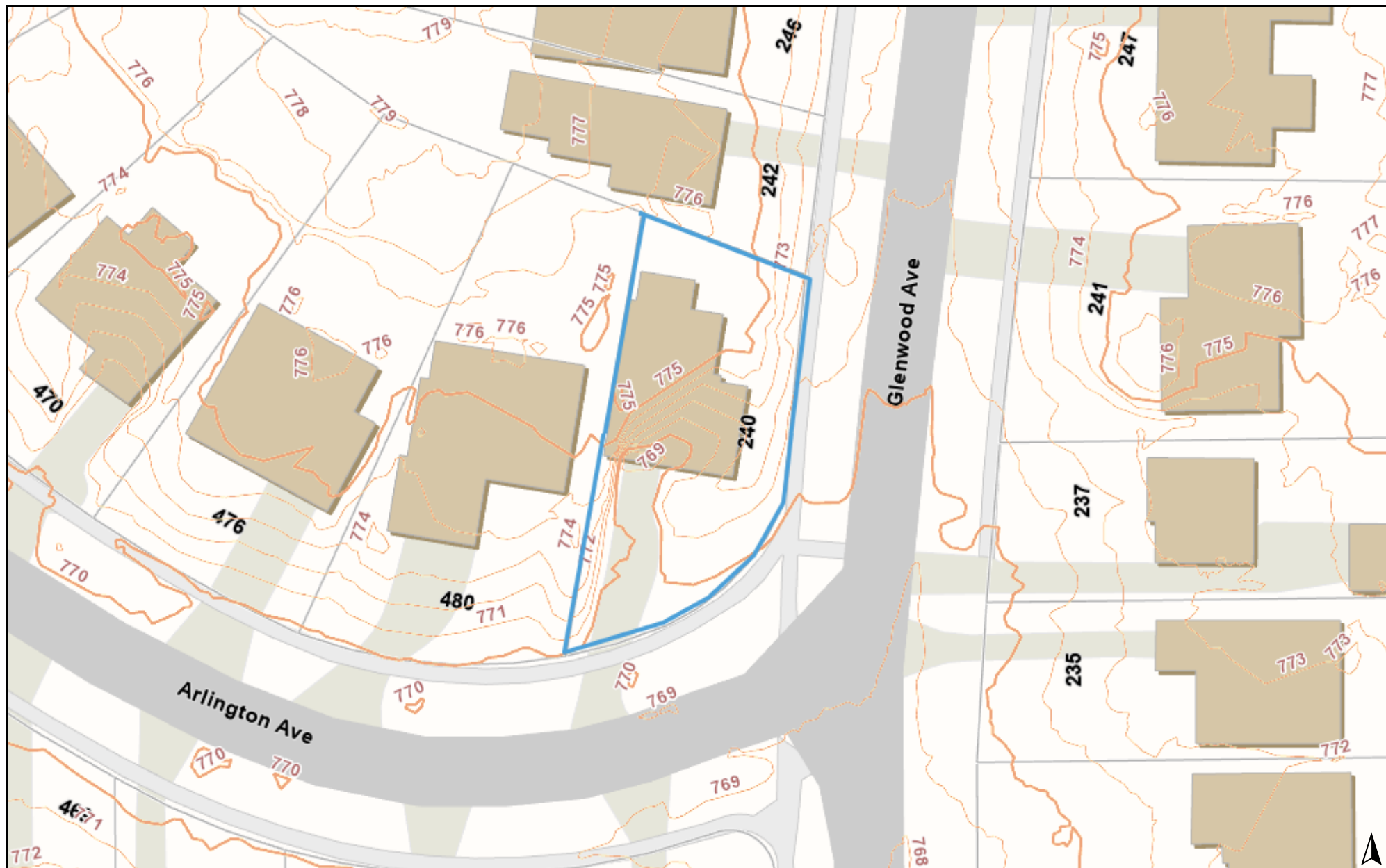
0 100 200 ft

Print Date: 12/29/2022

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 | 240 Glenwood 1' Contour Map



0 50 100
ft

Print Date: 12/29/2022

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.

RECEIVED

OCT 13 2022

VILLAGE OF GLEN ELLYN



Attn:

Atvin Rhodadadi Favel

VILLAGE OF GLEN ELLYN

cc: Paula Moritz

Zoning Variation Request Packet

Community Development Department
535 Duane Street – Glen Ellyn, IL 60137 – Telephone 630.547.5250 – Fax 630.547.5370

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

CLEAR ALL PAGES

APPLICATION FOR VARIATION

For the property at 240 Glenwood Ave 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: Paul and Lesa Zumbrook

Address: 240 Glenwood Ave

Home Phone No.: 7087125900 Cell Phone No.: 6305693056

Fax No.: _____

E-mail: pzumbrook@sbcglobal.net

Ownership Interest in the Property in Question:

owned outright with deed and title

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: _____

Permanent tax index number: _____

Legal description:

Zoning classification: _____

Lot size: _____ ft. x _____ ft. Area: _____ sq. ft.

Present use:

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):

Estimated date to begin construction: _____

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

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:

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

OR

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

There is no potential to build on rear of home due to unusual shape of lot, however, there is ample setback room on side of home for proposed build.

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 profile of the proposed build built as dual/purpose car port / deck does not rise more than grade of ground surface at entrance to the garage on the west, as noted in the attached photo, and does not extend to the street entrance any farther than the beginning of curve on corner side of lot. The proposed build will double covered parking space and provide additional use of common structure that will enhance the character of the property while not altering the essential character of the locality. Note the

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

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

The inability to build on in the rear of property and/or add reasonable additional covered parking and storage would bring particular hardship.

The garage height does not permit parking for two of our cars (SUVs).

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:

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:

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.

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.

6. Provide evidence that the proposed variation will not:

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

Note elevation of proposed build by comparison to adjacent property at 480 Arlington. The car port roof is actually lower than adjacent property foundation.

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

Proposed material for build would not substantially increase fire hazard.

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

There are no characteristics of proposed build that would impair public health, safety, comfort, morals or general welfare of the Village inhabitants.

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

The proposed build would presumably improve parcel and neighborhood property values.

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

No increase to traffic congestion would occur from a private car port.

- f. Create a nuisance; or

Limited visibility of proposed build would likewise limit any potential for nuisance.

- g. Results in an increase in public expenditures.

No public expenditures required

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

I believe the location of the proposed build is less than 3' over the 30' corner side yard setback, requiring the minimum variation to make possible reasonable use , as proposed.

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

We are planning to make a fairly significant investment in the aesthetics of the proposed build, including the addition of french door access to deck, and additional landscape grading at garage door access, all of which should improve both the property and the neighborhood values.

VI. CERTIFICATIONS, CONSENT AND SIGNATURE(S)

I (We) certify that all of the statements and documents submitted as part of this application are true and complete to the best of my (our) knowledge and belief.

I (We) consent to the entry in or upon the premises described in the application by any authorized official of the Village of Glen Ellyn.

I (We) certify that I (we) have carefully reviewed the Glen Ellyn Zoning Variation Request Package and applicable provisions of the Glen Ellyn Zoning Code.

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

10/12/2022

Date

Paul R. Zumbrook

Print Name



Signature of Applicant

10/12/2022

Date

Lesa R. Zumbrook

Print Name



Signature of Applicant

Date

Print Name

Signature of Applicant

PLAT OF SURVEY

550 E. ST. CHARLES PLACE
LOMBARD, ILLINOIS 60148
PHONE : (630) 916-6262



BY
GENTILE AND ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

LOT 17 IN GEORGE M. NICOLL THIRD SUBDIVISION, BEING A RE-SUBDIVISION OF LOTS 1, 2 AND 6 TO 11, INCLUSIVE, IN BLOCK 2 OF J.W. TURNER'S ADDITION TO GLEN ELLYN, BEING A SUBDIVISION IN SECTION 14, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID GEORGE M. NICOLL THIRD SUBDIVISION, RECORDED JANUARY 8, 1926 AS DOCUMENT 205847, IN DUPAGE COUNTY, ILLINOIS.

TOTAL AREA: 6,535.05 SQ. FT., 0.15 AC. MORE OR LESS

PROPERTY COMMONLY KNOWN AS: 240 GLENWOOD AVENUE, GLEN ELLYN, ILLINOIS.

R2 Residential District

Front of lot is on Glenwood since lot line measurement of 73.84' is less than 81.84' chord measurement at Arlington lot line.

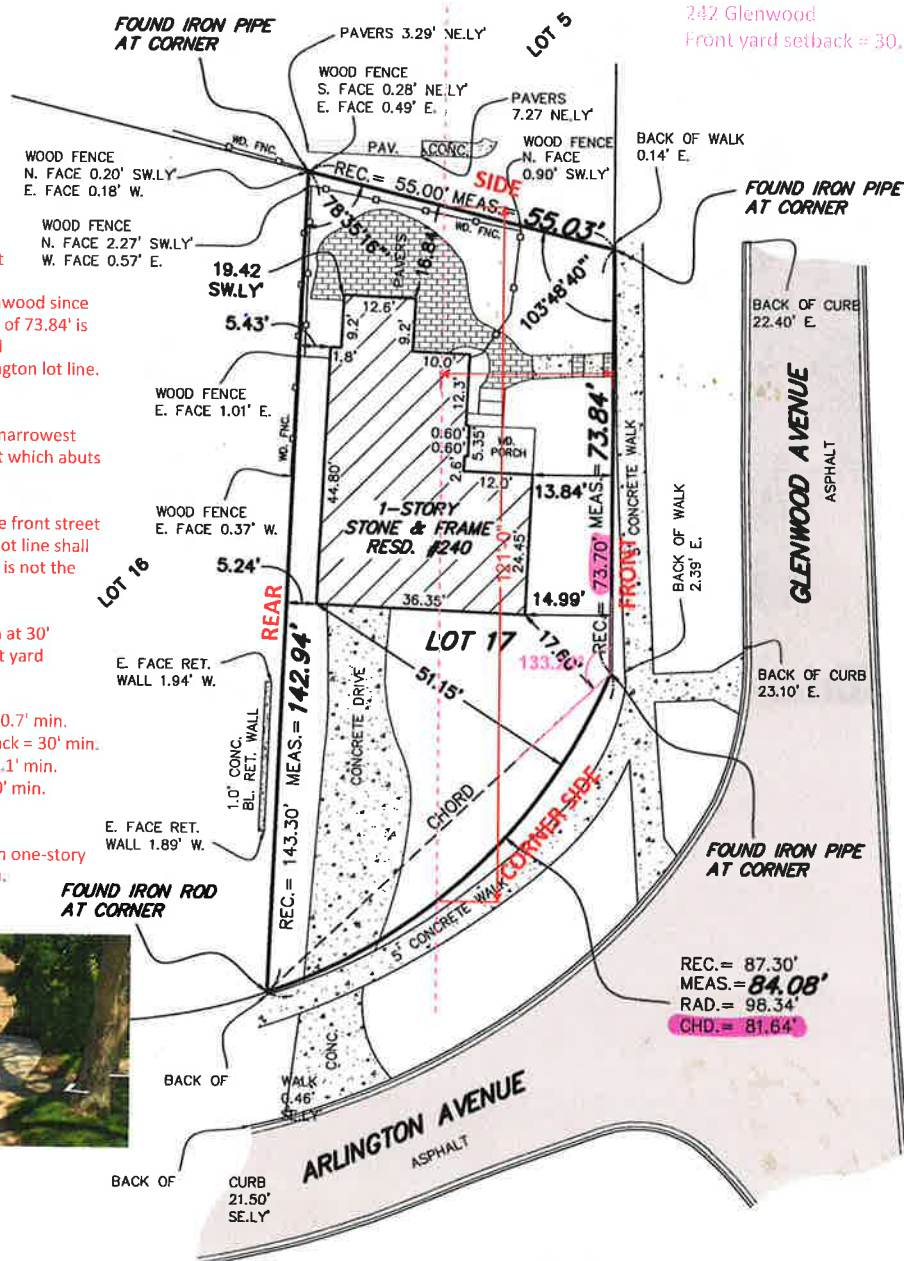
Village Definitions:
LOT, FRONT OF: The narrowest portion of a zoning lot which abuts a street.

The front lot line is the front street line. The corner side lot line shall be the street line that is not the front lot line.

Lot width = 121' taken at 30' district minimum front yard setback

Front yard setback = 30.7' min.
Corner side yard setback = 30' min.
Side yard setback = 12.1' min.
Rear yard setback = 40' min.

Note:
The home is more than one-story as seen from Arlington.



BASE SCALE : 1 INCH = 20 FEET
DISTANCES ARE MARKED IN FEET AND DECIMAL PARTS THEREOF
ORDERED BY : **CHRIS J. AIELLO, P.C.**
DRAWN BY : **RWG**
CHECKED BY : **JFG**
SURVEYED BY : **RWG**

COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE
REPORT ANY DIFFERENCE. FOR BUILDING LINE AND OTHER
RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR ABSTRACT DEED,
CONTRACT, AND ZONING ORDINANCE.

ORDER NO. **22-22518**

STATE OF ILLINOIS
COUNTY OF DuPAGE S.S.

WE, GENTILE AND ASSOCIATES, INC. HEREBY CERTIFY THAT A SURVEY HAS BEEN MADE AT AND UNDER MY DIRECTION, OF THE PROPERTY DESCRIBED ABOVE, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PLAT CONFORMS TO THE MINIMUM STANDARD REQUIREMENTS FOR A BOUNDARY SURVEY.

MAY 2, A.D. 20 22

BY :
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2925
MY LICENSE EXPIRES NOVEMBER 30, 2022
ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 184.002870

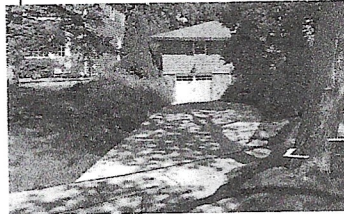


550 E. ST. CHARLES PLACE
LOMBARD, ILLINOIS 60148
PHONE : (630) 916-6262

LOT 17 IN GEORGE M. NICOLL THIRD SUBDIVISION, BEING A RE-SUBDIVISION OF LOTS 1, 2 AND 6 TO 11, INCLUSIVE, IN BLOCK 2 OF J.W. TURNER'S ADDITION TO GLEN ELLYN, BEING A SUBDIVISION IN SECTION 14, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID GEORGE M. NICOLL THIRD SUBDIVISION, RECORDED JANUARY 8, 1926 AS DOCUMENT 205847, IN DUPAGE COUNTY, ILLINOIS.

TOTAL AREA: 6,535.05 SQ. FT., 0.15 AC. MORE OR LESS

PROPERTY COMMONLY KNOWN AS: 240 GLENWOOD AVENUE, GLEN ELLYN, ILLINOIS.

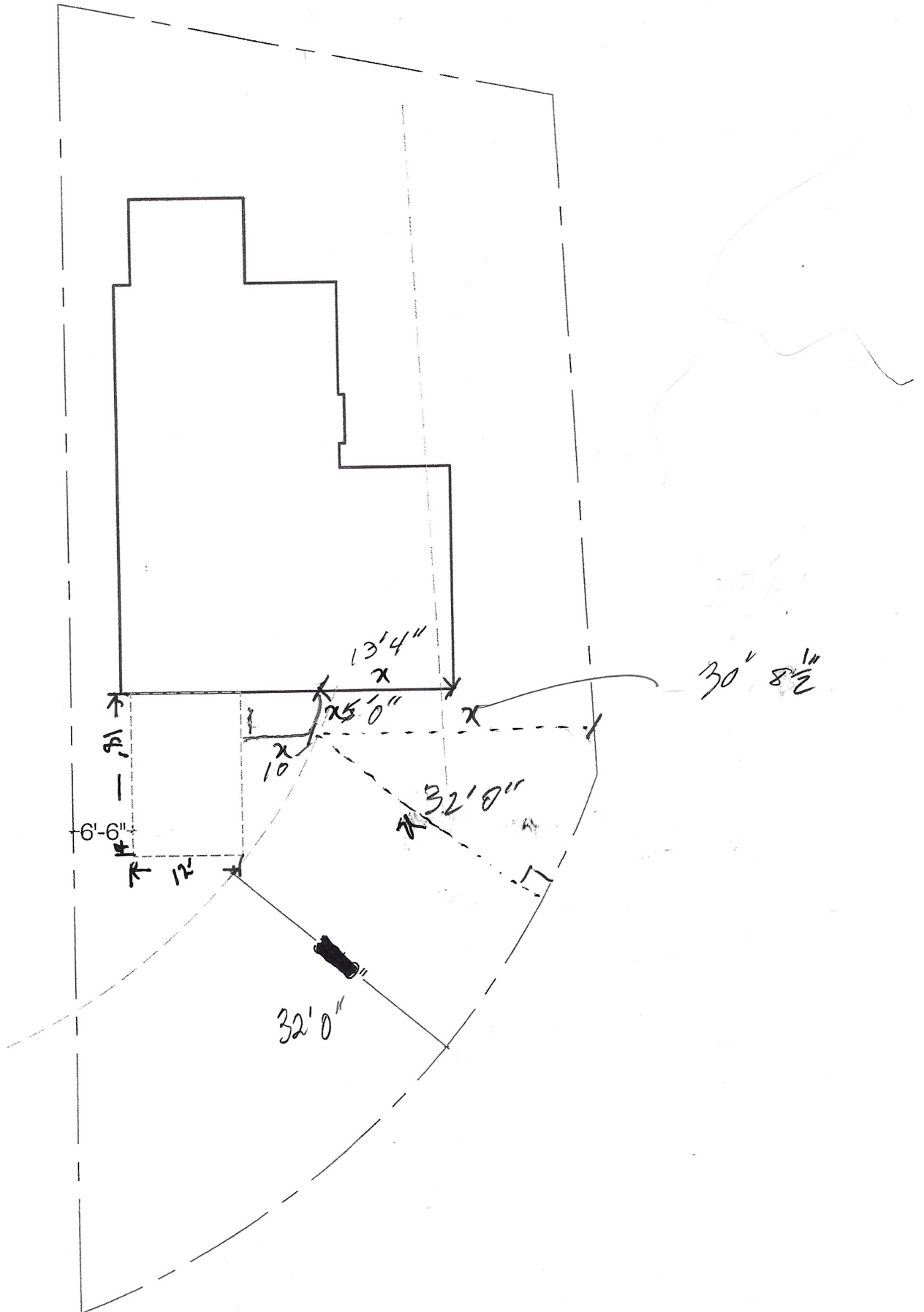


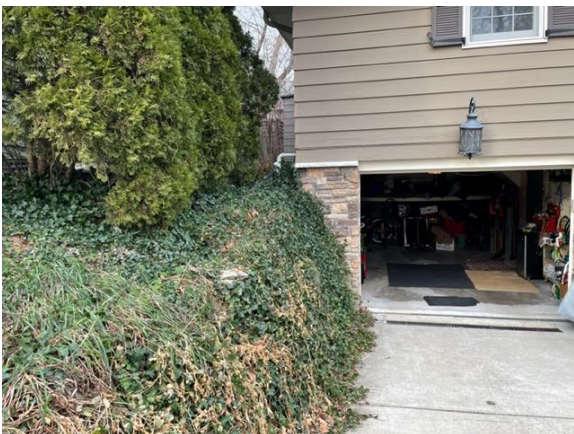
COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE
REPORT ANY DIFFERENCE. FOR BUILDING LINE AND OTHER
RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR ABSTRACT DEED,
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MAY 2, A.D. 20 22

BY : _____
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2925
MY LICENSE EXPIRES NOVEMBER 30, 2022
ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 184.002870







Handwritten notes at the top of the page, likely describing the structure or measurements shown in the photograph.





↖ Driveway slopes downward towards house from this point



NOTICE OF PUBLIC HEARING

Paul and Lesa Zumbrook, owners of the property at 240 Glenwood Avenue, 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 carport with an elevated deck. 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, January 10, 2023** 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 10-4-8(E)1 to allow a lot coverage ratio of 27.1 percent for an addition of a carport with an elevated deck on a single-family dwelling of more than one-story;
2. A variation from Section 10-5-5(B)4#8(c) to allow an elevated deck to encroach approximately 5.6 feet into the required rear yard setback of 12.1 feet (10 percent of the lot width);
3. A variation from Section 10-5-5(B)4#8 to allow an elevated deck to encroach into the required front yard setback of 30.7 feet, where decks are not permitted obstructions in a required front yard;
4. A variation from Section 10-5-5(B)4#8 to allow an elevated deck to encroach into the required corner side yard setback of 30 feet, where decks are not permitted obstructions in a required corner side yard; and
5. Any other zoning relief necessary to allow the proposed elevated deck with carport 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 17 IN GEORGE M. NICOLL THIRD SUBDIVISION, BEING A RE-SUBDIVISION OF LOTS 1, 2 AND 6 TO 11, INCLUSIVE, IN BLOCK 2 OF J.W. TURNER'S ADDITION TO GLEN ELLYN, BEING A SUBDIVISION IN SECTION 14, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID GEORGE M. NICOLL THIRD SUBDIVISION, RECORDED JANUARY 8, 1926 AS DOCUMENT 205847, IN DUPAGE COUNTY, ILLINOIS.

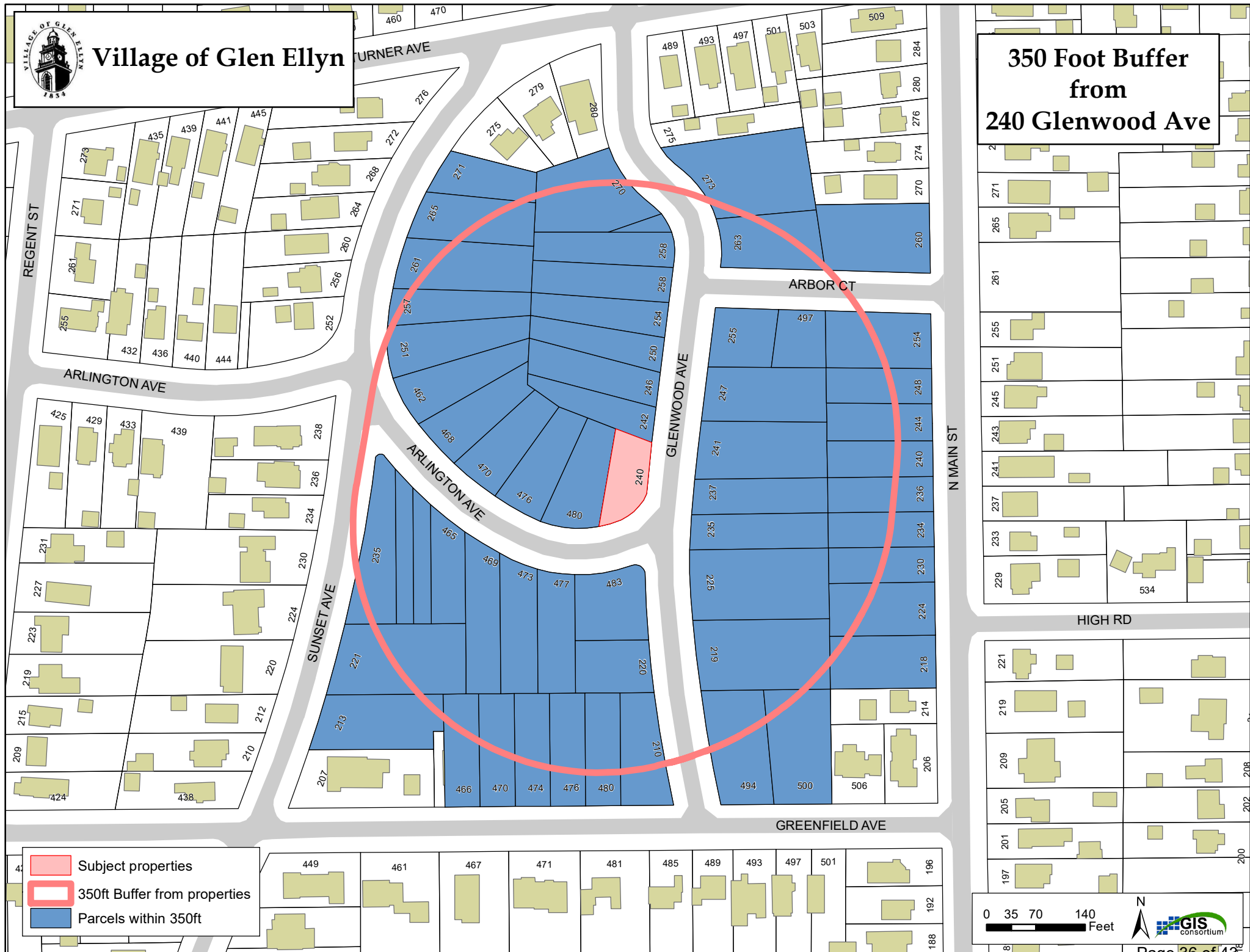
P.I.N.: 05-14-121-014

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, January 10, 2023, will be read into the record at the public hearing.

CIVIC CENTER 535 DUANE STREET GLEN ELLYN, IL 60137 630.469.5000 FAX 630.469.8849



Village of Glen Ellyn



NOTICE OF PUBLIC HEARING

Paul and Lesa Zumbrook, owners of the property at 240 Glenwood Avenue, 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 carport with an elevated deck. 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, January 10, 2023 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.

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2. A variation from Section 10-5-5(B)4#8(c) to allow an elevated deck to encroach approximately 5.6 feet into the required rear yard setback of 12.1 feet (10 percent of the lot width);
3. A variation from Section 10-5-5(B)4#8 to allow an elevated deck to encroach into the required front yard setback of 30.7 feet, where decks are not permitted obstructions in a required front yard;
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5. Any other zoning relief necessary to allow the proposed elevated deck with carport 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 17 IN GEORGE M. NICOLL THIRD SUBDIVISION, BEING A RE-SUBDIVISION OF LOTS 1, 2 AND 4 TO 11, INCLUSIVE, IN BLOCK 2 OF J.W. TURNER'S ADDITION TO GLEN ELLYN, BEING A SUBDIVISION IN SECTION 14, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID GEORGE M. NICOLL THIRD SUBDIVISION, RECORDED JANUARY 8, 1926 AS DOCUMENT 205847, IN DUPAGE COUNTY, ILLINOIS.

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Published in Daily Herald December 23, 2022 (4593120)

RECEIVED

JAN 04 2023

VILLAGE OF GLEN ELLYN

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

DuPage County

Daily Herald

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

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

County(ies) of DuPage

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

I further certify that the DuPage County DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 12/23/2022 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 # 4593120

**(DRAFT) FINDINGS OF FACT TO SUPPORT A MOTION TO RECOMMEND
APPROVAL OF ZONING VARIATIONS TO ALLOW THE CONSTRUCTION OF A
CARPORT WITH AN ELEVATED DECK FOR THE PROPERTY LOCATED AT
240 GLENWOOD 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 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 expand or construct a garage 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 area and the subsequent building setbacks further limit any improvements on the lot without requiring a variation.
4. The requested variations, if granted, will not alter the essential character of the locality of the property in question, because the proposed car port is intended to match the architectural character of the existing home and neighborhood, comply with all other Zoning and Building standards, and have a minimal impact on the adjacent properties.
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 variations 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 variations is not based exclusively upon a desire to make more money out of the property in question, because the proposal calls for a carport with an elevated deck, due to

limited available open space in the backyard and limited covered car space in their existing attached garage. The elevated deck is purposed for additional outdoor residential use allowing homeowners to spend time in their yard more comfortably and securely. The proposed carport will provide a cover for the second car parked on the driveway.

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 rear yard that do not allow for improvement of a detached garage or expansion of the existing garage without a variation.
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 carport and elevated deck will maintain sufficient distance from neighbors and will be screened from the street intersection and public sidewalk.
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 proposed carport and elevated deck will meet all 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 carport and elevated deck are for the residential use of the current property owners and will not increase impervious surface as it will be installed over the existing driveway. The new structure will not impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village.
12. The proposed variations will not create a nuisance or result in an increase in public expenditures because the proposed carport and elevated deck are for the residential use of the current property owners and are not anticipated to negatively impact neighbors.
13. The variations are the minimum variations that will make possible the reasonable use of the land, building or structure because the proposed carport will only be large enough to accommodate owners' needs for another covered parking spot, and will be built with the minimum amount of variances possible.

X:\Plander\BUILDING\ZBA\5. VARIATION BY ADDRESS\G\GLENWOOD\240 GLENWOOD\ZBA\10. Draft Findings of Fact.docx

**DRAFT "MOTION" TO RECOMMEND APPROVAL OF
ZONING VARIATIONS FOR 240 GLENWOOD AVENUE**

Having considered the application of Paul and Lesa Zumbrook, owners of the property at 240 Glenwood Avenue, Glen Ellyn, for a zoning variation from Section 10-4-8(E)1 to allow a lot coverage ratio of 27.1 percent for an addition of a carport with an elevated deck on a single-family dwelling of more than one-story; a variation from Section 10-5-5(B)4#8(c) to allow an elevated deck to encroach approximately 5.6 feet into the required rear yard setback of 12.1 feet (10 percent of the lot width); a variation from Section 10-5-5(B)4#8 to allow an elevated deck to encroach into the required front yard setback of 30.7 feet, where decks are not permitted obstructions in a required front yard setback; and a variation from Section 10-5-5(B)4#8 to allow an elevated deck to encroach into the required corner side yard setback of 30 feet, where decks are not permitted obstructions in a required corner side yard setback, the Zoning Board of Appeals hereby adopts the findings of fact in the petitioners' application packet and the presented by the petitioners at the Zoning Board of Appeals public hearing conducted on January 10, 2023, 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 January 10, 2023 public hearing of the Zoning Board of Appeals.
2. _____.
3. _____.
4. _____.

Motion by: _____ Seconded by: _____

**DRAFT "MOTION" TO RECOMMEND DENIAL OF
ZONING VARIATIONS FOR 240 GLENWOOD AVENUE**

Having considered the application of Paul and Lesa Zumbrook, owners of the property at 240 Glenwood Avenue, Glen Ellyn, for a zoning variation from Section 10-4-8(E)1 to allow a lot coverage ratio of 27.1 percent for an addition of a carport with an elevated deck on a single-family dwelling of more than one-story; a variation from Section 10-5-5(B)4#8(c) to allow an elevated deck to encroach approximately 5.6 feet into the required rear yard setback of 12.1 feet (10 percent of the lot width); a variation from Section 10-5-5(B)4#8 to allow an elevated deck to encroach into the required front yard setback of 30.7 feet, where decks are not permitted obstructions in a required front yard setback; and a variation from Section 10-5-5(B)4#8 to allow an elevated deck to encroach into the required corner side yard setback of 30 feet, where decks are not permitted obstructions in a required corner side yard setback, 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: _____