

AGENDA
Glen Ellyn Zoning Board of Appeals Meeting
Tuesday, April 11, 2023, 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 March 14, 2023.

D. Public Hearing.

1. 612 Riford Road.

Zoning Variation request to allow an addition to an existing single-family home to encroach into the required rear yard and exceed lot coverage ratio by a greater amount than what is permitted

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
Barbara Dutton-Thomas, Recording Secretary
Martin Scott, Community Development
Director

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 4/11/2023 7:00 PM
Department: Community Development
Department Head:
Category: Minutes
Prepared By:

AGENDA ITEM (ID # 2023-394)

DOC ID: 2023-394

Draft Minutes from the ZBA Meeting March 14, 2023

Statement of the Issue:

Analysis:

Budget Impact:

Contribution to Strategic Plan (if applicable)

Action Requested:

Attachments:

1. 3-14-23 ZBA Meeting Minutes-DRAFT

DRAFT MINUTES
ZONING BOARD OF APPEALS MEETING
March 14, 2023

Call to Order and Roll Call

The meeting commenced at 7:20 p.m., with Chairperson Greg Constantino explaining the advisory nature of the Zoning Board of Appeals (ZBA) and its process of deliberation and recommendation. After he related the notice given for the meeting's Public Hearing, roll was called. Present: Chairperson Constantino and Board Members Christiane McKnight, Katie Crudele and Reed Panther; Board Members Chip Miller, Matthew Jones and Thomas Whalls were absent. The Chairperson described the Public Hearing protocols, announced that the meeting is being recorded, and introduced Village Senior Planner Atrian Fard, Recording Secretary Barb Dutton and Village Board Liaison Anne Gould.

Approval of Meeting Minutes

A motion by ZBA Member Crudele to approve the draft minutes of the Feb. 28, 2023 meeting, seconded by Member Panther, passed unanimously by roll call vote, with all ZBA members present voting, "Yes."

Public Hearing for 734 Highland Avenue

A motion by Board Member McKnight to open the Public Meeting for 734 Highland Ave., seconded by Member Crudele, passed by roll call vote, with all members present voting, "Yes."

Staff Presentation

Sworn in, Atrian Fard, Senior Planner, 535 Duane, stated that the Petitioners, Timothy and Anne Payne, owners of the property at 734 Highland Avenue, request approval of variations to allow expansion of a detached garage. The property, she said, is an interior lot located in the R2 Residential Zoning District on the west side of Highland Avenue between Oak Street and Maple Street. The zoning and land use immediately surrounding the subject property is R2 single-family residential, she said. The property is improved with a two-story house and a detached one-car garage with an attached shed in the back, attributing to a lot coverage ratio (LCR) of 22.13 percent, stated Ms. Fard. The Petitioners built the garage in 2007, she said, noting that at the time, a foundation was poured for a two-car garage in accordance with the 2007 Building and Zoning Codes. However, only a one-car garage with a back storage shed, totaling 404SF, was built on that foundation, along with an adjacent carport partially covered by a pergola. The carport area measures approximately 242SF, said the Sr. Planner. The design intended to cut the construction costs and use the open carport space as a patio but eventually to cover and enclose the carport area to create a detached two-car garage, related Ms. Fard.

Since 2007, continued the Senior Planner, the Zoning Code has been amended, reducing the maximum allowable LCR from 25 percent to 20 percent for a residence with more than one story in R2 District. The current lot coverage regulations make the existing residence with a one-car garage and shed nonconforming, even without the addition to the garage, she noted. Overall, explained Ms. Fard, the home is considered legal nonconforming due to the LCR, lot area, lot width, and interior side yard setback from the south property line. The Petitioners, she related, propose to remove the existing carport with pergola and expand the existing detached garage for 242SF (11-ft.-wide by 22-ft.-long of an addition) to create a two-car garage.

The Zoning Code, explained Ms. Fard, considers pergolas as uncovered freestanding accessory structures, which are not included in the calculation of LCR. So, she said, the conversion of the existing carport with pergola to a covered garage addition will increase the current legal nonconformity of LCR by approximately 2 percent, leading to a total LCR of 24.1 percent, which requires a zoning variation. Code permits freestanding accessory structures located anywhere on a zoning lot to cover up to 30 percent of a required rear yard or 1,000SF, whichever is less. The property has a required rear yard of 2,000SF due to the 50-ft.-wide lot and 40-ft.-deep required rear yard setback, leading to a maximum allowable accessory structure coverage of 600SF, stated Sr. Planner Fard. As proposed, she continued, the new footprint of the garage will be 646SF, which exceeds the 600SF by 46SF, or 2.3 percent. The proposed garage footprint would be within the existing garage foundation, so there would be no expansion of the impervious surface, concluded Ms. Fard. With keeping the footprint unchanged, she stated, Staff believes that the proposed improvement will not negatively impact the drainage of the property when compared with the existing conditions. However, as part of the building permit, she said, the drainage of the property will be checked by the Village's stormwater engineers. The Petitioners note that the expansion would be modest and unnoticeable to their neighbors and surrounding community, reported Ms. Fard, who said that, as of completion and preparation of this report, there have been no comments received in support or opposition of the variations requested from the neighbors. To construct the garage addition as proposed, the Petitioners would need to be granted a variation from the Zoning Code to allow a LCR of 24.1 percent and a total combined area of all freestanding accessory structures on a zoning lot to be 646SF or 32.3 percent of the required rear yard. The outcome of the project provides. Sr. Planner Fard outlined ZBA action to be taken on the case.

Board Member McKnight asked if in 2007 the plans were approved for a two-car garage or for the one-car garage with the pergola/carport. Ms. Fard said she believes that at the time the Petitioners received approval for the impervious surface, but did not submit for building permit for a two-car garage but rather for a one-car. She added, however, that actual foundation was approved for an intended two-car garage, which, based on the building and zoning code at the time, could have been constructed without a variance. Subsequently, Chairperson Constantino discerned that the Petitioners "got caught between the original approval and the time of construction with the interim zoning approval."

Petitioners' Presentation

Steven Poteracki, Studio 1 Architects, 1105 Burlington Ave., Western Springs, Ill., and Tim Payne, 734 Highland Ave., Glen Ellyn, and were sworn in. Mr. Poteracki explained that the garage expansion was designed to keep in character with the house and the scale down. He stated that the foundation that was poured was meant to hold the two-car structure, but said that the project "took a hit" with the LCR change. He also said the garage expansion is not increasing the impervious surface. Chairperson Constantino asked him if the design intent for the new structure is to blend in with the house and not alter the appearance/style other than enclosing the pergola area. The Architect indicated it will probably make it more cohesive and more detail-oriented towards the existing house. Mr. Payne invited questions about the hardship aspect of the request, and pointed to neighbor who was present at the meeting to offer moral support. Mr. Payne suggested that the LCR increases seem like small numbers to the Petitioners, but acknowledges that they represent big decisions for the ZBA, which is responsible for applying standards consistently. Mr. Payne said that his family been in the community since 1996 and that they want to maintain the character of the Village, "street by street, block by block, square foot by square foot."

Going “beyond the numbers,” however, Mr. Payne said he wished to present these hardships he identified: 1.) Financial, 2.) Enjoyment, and 3.) Hindsight. He explained that he thinks the house is worth more with a two-car garage. He also argued that, having spent money already on the foundation, the Petitioner has to augment the structure in a way to try to get closer to a better square footage is a hardship, given that their shed is needed for storing garden supplies. An additional enjoyment factor he suggested is having a two-car garage, which supports a safer, more convenient parking environment. He indicated that, in hindsight, while the Petitioners could have built the two-car garage in 2007, the decision was made to focus instead on college costs for four children. With the youngest now a sophomore, he stated, the project is more affordable. He concluded his presentation by asserting that the request is “very measured” and modest.

Public Comment

Sworn in, Brett Herand, 738 Highland, Glen Ellyn, stated that he fully supports the petition for variance, and has no concerns whatsoever.

Informed by Ms. Fard that the draft findings of fact could be referenced in (and attached to) the final motion, Board Member Crudele expressed the desire to identify the subject property’s characteristics (e.g., narrow width) as a hardship.

Deliberations

Member McKnight said she tends to be in favor of approving the request citing the purchase of the property prior to the Code change, and the foundation being put in at a time when [the two-car garage] would have been permitted by Code. She added that the expansion would not increase the impervious surface, and deemed the requests to be relatively minor. Ms. Crudele said she is in favor for these same reasons, as well as the lot’s narrow width, and noted that if the Petitioners had done the full project in 2007, it would have been there today. Board Member Panther said he views the substandard lot area as a hardship, so is in favor of the petition. Remarking that he is in favor for all of the reasons mentioned, Chairperson Constantino emphasized that there are no drainage issues nor increased impervious surface to be introduced by the proposed. He also noted not hearing any objections to the petition, and expressed appreciation of the support of the neighbor who gave testimony at this evening’s hearing.

Member McKnight moved to close the Public Hearing for the evening. Seconded by Member Panther, the motion passed following roll call vote, with all ZBA members present voting, “Yes.”

Member Panther moved for the following:

Having considered the application of Timothy and Anne Payne, owners of the property at 734 Highland Avenue, Glen Ellyn, for zoning variations from Section 10-4-8(E)1 to allow a lot coverage ratio of 24.1 percent where a 20 percent maximum lot coverage ratio for two story single-family dwellings is allowed in the R2 Residential District, and Section 10-5-4(A)2(a) to allow the total combined area of all freestanding accessory structures on a zoning lot to be 646 square feet, where total combined area is limited to 1,000 square feet, but no more than 30 percent of a required rear yard, whichever is less, the Zoning Board of Appeals hereby adopts the draft findings of fact in the petitioners’ application packet and presented by the petitioners at the Zoning Board of Appeals public hearing conducted on March 14, 2023, as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends APPROVAL based upon the following hardship or unique circumstances:

1. The lot width is substandard compared to the minimum lot width in the Zoning Code;
2. The lot area is substandard compared to the minimum required in the Zoning Code;
3. The unique circumstance that the Village lot coverage ratio decreased from 25 percent to 20 percent after the applicants had expanded their residence and reconstructed the garage, with a foundation poured ultimately for a two-car garage;
4. That the existing footprint in the rear yard will not be expanded; and
5. This is subject to the condition that the project shall be constructed in substantial conformance with the plans as submitted and testimony presented at the March 14, 2023, public hearing of the Zoning Board of Appeals.

Seconded by Member McKnight, the motion carried unanimously by roll call vote with Members Panther, McKnight and Crudele, and Chairperson Constantino voting, "YES."

Trustee's Report

Village Board Trustee Gould related that expenses were approved for Phases 2 and 3 of the Streetscape project, as well as was an updated agreement with the Forest Preserve concerning the McKee House, for which a user group has been identified. A second phase of engineering was also approved for the train station and underpass.

Staff Report

Sr. Planner Fard reported that the next ZBA meeting might feature a case involving a fence. And, while other cases are under review, she said she doesn't know if any will make the agenda, given staff shortages. She said her last day at the Village is March 24th, to which Chairperson Constantino wished her best of luck and expressed appreciation for her efforts.

Adjournment

Chairperson Constantino adjourned the meeting at 7:56 p.m., following a voice vote on a motion by Member Crudele 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 4/11/2023 7:00 PM
Department: Community Development
Department Head: Marty Scott
Category: Public Hearing
Prepared By: Marty Scott, Brad Iwicki

**AGENDA ITEM (ID
2023-372)**

DOC ID: 2023-372

612 Riford Road

Zoning Variation request to allow an addition to an existing single-family home to encroach into the required rear yard and exceed lot coverage ratio by a greater amount than what is permitted

Statement of the Issue:

Please see attached staff report.

Analysis:

Please see attached staff report.

Budget Impact:

Please see attached staff report.

Contribution to Strategic Plan (if applicable)

Action Requested:

Please see attached staff report.

Attachments:

1. Staff Report 612 Riford Rd
2. Zoning Variation Application
3. Aerial Map
4. Zoning Map
5. Contour Map
6. Proposed Site Plan
7. Public Notice
8. Mailing Buffer Map
9. Certificate of Publication
10. Existing Conditions Photo
11. Plat of Survey
12. Draft Findings of Fact
13. Draft Motion to Approve

STAFF REPORT

TO: The Zoning Board of Appeals

FROM: Brad Iwicki, Planning Intern

DATE: March 27, 2023

SUBJECT: *April 11, 2023, Zoning Board of Appeals Meeting*
Public Hearing – Zoning Variation request to allow an addition to an existing single-family home to encroach into the required rear yard and exceed lot coverage ratio by a greater amount than what is permitted.

PROPERTY: 612 Riford Road, is an interior lot, located on the west side of Riford Road, between Edgewood Drive and Crescent Boulevard.

PETITIONERS: The petitioner is Steve Poteracki, of Studio 1 Architects, representing Donna and Bill Neill, owners of the property located at 612 Riford Rd.

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)2 to allow a rear yard setback of approximately 28.5 feet where the required rear yard setback is 40 feet in the R2 Residential District;
2. Section 10-4-8(E)1 to allow a lot coverage ratio of 24.2%, in lieu of the maximum lot coverage ratio of 20% in the R2 Residential District;
3. Any other zoning relief necessary to construct the addition as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

ZONING: The subject property and the adjacent properties are all zoned R2 – Single Family Residential District and are improved with single family homes.

PUBLIC NOTICE: Notice of the public hearing was published in the March 26, 2023 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>
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1953	B3719	Building construction
1962	B8495	Electrical Services
1980	B6096	Chimney Repair
1999	B18577	Driveway Approach
2003	B22280	Electric Improvements
2005	B25079	Water Line Repair
2019	20191334	Addition and Remodel
2020	20200586	Deck
2020	20200684	Driveway Repaving

EXISTING:	R2 Lot Requirements [10-4-8(D)]	Subject Property Data
Lot Area	8,712 ft ² (0.20 acres)	7,953 ft² (0.18 acres)
Lot Width	80', corner lots; 66', all other lots	70.4'
Lot Depth	110'	115.75'
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)	33'
Interior Side Yard	7'	5.7' (southeast) and 6.15' (northwest)
Rear Yard	40'	~36.5'
Lot Coverage	20%	~21.8%

**PROJECT
SUMMARY:**

The subject property is part of the H.B. Barnes Subdivision and was constructed in 1953. The lot is irregular-shaped and improved with a split-level frame single-family home with an attached garage that is oriented parallel to the side lot lines and angled from the front lot line and slightly curved street. Currently, the property is legal nonconforming due to the lot area, interior side yard setback, rear yard setback, and lot coverage ratio, which all exceed the maximum allowed in the R2 Residential District.

The current residents first occupied this home in 2019 and have improved the home with a 2nd floor addition and 1st floor remodel, driveway improvement, and construction of a deck with a pergola. The petitioner is proposing to remove the existing deck and pergola at the rear of the home and replace it with sunroom addition within the same footprint and atop the existing deck foundation. The sunroom will have direct access to the

existing kitchen and dining area in the principal structure. The addition will measure 16-foot-wide by 12-foot-deep, totaling 192 square feet and resulting in a lot coverage ratio of 24.2%. The sunroom will feature materials and design to match the home, windows on 3-sides, and no access to the rear yard from the sunroom. Rear yard access from within the principal structure will be provided from the study room.

Due to the location of the property adjacent to Riford Road, which features a unique curve, the property consists of a trapezoid shape. Typically, the front facing plane of the principal structure is parallel with the right-of-way, this structure was constructed parallel to the side lot lines. The shape of the lot and skew of the structure causes the setback to vary between 36.5 feet at the northwest corner and 52 feet at the southwest corner. The proposed sunroom location, nearer to the north interior lot line is set to encroach into the rear yard setback 11.5 feet and the south-most point is set to encroach 5.66 feet into the required rear yard setback. The requested variation to allow encroachment into the required rear yard setback would be less significant if the home was constructed parallel to the front lot line.

The Village Stormwater Engineer does not anticipate that the proposed addition would negatively impact the natural flow of water drainage due to the drop in elevation between the principal structure rear lot line and the existing plants and trees in the rear yard providing effective water retention and absorption. However, if variations are granted, the plans will be further reviewed and evaluated by Village's Stormwater Engineer as part of the permitting phase.

Staff received two letters from adjacent neighbors in support of granting the variations.

In order to construct the project as proposed, the petitioner will need to be granted variations from the Zoning Code to allow a rear yard setback of 28.5 feet in lieu of 40 feet rear yard setback and a lot coverage ratio of 24.2% 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. Aerial Map
3. Zoning Map
4. 1' Contour Map
5. Proposed Site Plan
6. Public Hearing Notice
7. Map of Properties Notified for Public Hearing
8. Certificate of Publication
9. Plat of Survey
10. Existing Conditions Photos
11. Draft Findings of Fact
12. Draft Motion to Approve

CC: Martin Scott, Community Development Director
Paula Moritz, Plan Reviewer
Amy McKenna, Senior Civil Engineer
Donna and Bill Neill, Property Owners

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

CLEAR ALL PAGES

APPLICATION FOR VARIATION

For the property at 612 riford Road
_____ 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).

Bill and Donna Niell

Name: _____
612 Riford Road

Address: _____

Home Phone No.: _____ Cell Phone No.: _____

Fax No.: **N/A**
wneill@gmail.com (Bill), donnaf.neill@gmail.com (Donna)

E-mail: _____

Ownership Interest in the Property in Question:

Property is owned by William and Donna Neill. There are no other ownership interests

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):

N/A

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

N/A

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:

612 Riford Road

Common address: _____

05-11-408-020

Permanent tax index number: _____

Legal description:

See attached survey

R-2

Zoning classification: _____

70.1

120.5

7,953

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

Present use:

Single Family 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):

We are requesting a zoning vaiance of the lot coverage under seciton 10-4-8(E)
(1) of 24.2% where 20% is allowed to allow the owners to cover an existing ar
ea that is occupied by a deck with pergola. The conversion of the space will b
e utilized for a new sun room/
expansion to the exiting living space in the home. The increase in the square
footage will be 12'-0" x 16'-0". (192 sq./
ft.) This is the area of the existing deck. Our request is based on the practical
difficulties and hardships created through the strict compliance to the zoning c
ode. We would also note that the lot is not a standard rectangular lot and the
home was sited to be parallel to the side lot lines instead of the front lot line th
ereby skewing the front and rear yard setbacks inrelation to the front and rear
of the building.
We are also requesting a zoning variance of the rear yard setback under secti
on 10-4-8(D)
(2) of 28.5' where 40'-0" is allowed. Due to the nature of the lot mentioned ab
ove we have to deal with the hardship of a non rectangular back yard and a di
minishing buildable area.

Late Spring 2023

Estimated date to begin construction: _____

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

Steven K. Poteracki
Principal Architect
Studio 1 Architects
steve@studio1architects.com
708.783.1124
www.studio1architects.com

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:

We are seeking the variation to allow us to cover the existing deck with pergola. Strict compliance with the zoning code would require us to not be able to add usable square footage for any additional living space that would not incur large costs to redo the existing renovation to the home. The home has a modest ground floor living space square footage of 1,420 sq./ft.. When the second floor was designed that footprint was not purposely used to keep the home smaller and manageable.

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):

We plan to remain in the home for the foreseeable future, so yielding a reasonable return on the property is not primarily what is driving this request. In the new sun room we are looking to be able to entertain our growing family.

OR

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

The site is not a standard shape and the home is skewed to run parallel with the sides and not the front creating angled buildable area at the rear that does not line up with the existing living space. In regards to the lot coverage variation the owners may have chosen to do the sun room first so that the 1-story lot coverage could have been utilized and then only ask for the rear yard setback variation. With a one-story lot coverage on this particular lot the LCR could be 35% or 2,783 sq./ft.

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

As outlined in the plans prepared by Steven K. Poteracki at Studio 1 Architects, the current deck and pergola already exist. Construction of a sun room in its place will not create any visual impairment to the area or alter the essential character of the area. The ground will not need to be covered with any additional concrete and the visual impact of the addition to the garage structure will be negligible. It is worth noting that Steve at Studio 1 Architects designed the addition to our home and we have asked him to help us create a structure that will be consistent with the character of our residence and the surrounding area as well.

- 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 shape of the lot and the orientation of the existing home on the lot creates the hardship by adhering to strict compliance of the zoning code.

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:

To the best of our knowledge, our property with it's skewed property lot lines, and in turn, skewed building is not generally applicable to other properties because of how the house was set on the site and the curved street. The rear and side yard setbacks also do not meet todays zoning code minimums. The lot requires a variation to put on a meaningful addition to the home that isn't just slapped on and does not relate to the interior spaces. At this stage in our lives, having a sun room is more practical and more safe as well.

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 currently have no plans to sell our home and we are not being driven by a profit motive. Family lives generally close by in the area.

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 home was built many many years ago. The current owners did not build the home and therefore were not involved in how big it was or how it was sited on the property.

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.

We don't believe this will adversely impact our neighbors or our community, nor will it obscure the current use or enjoyment of the property of the surrounding homes. On the contrary, we think our neighbors would prefer seeing a space that is covered and framed that compliments the existing homes architecture.

6. Provide evidence that the proposed variation will not:

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

The sun room would be added on to the current west side of the home. The structure would not obscure the sunlight or air for any neighbor's property, nor will it cast any new shadow onto any adjacent lands.

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

The proposed sun room would not create any new risk or danger as it would merely be expanding the living space to the first floor of the home.

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

We think the expanded living space to our property will be safer during any inclement weather for us. We do not believe that the room will impair the public's health, safety, comfort, morals or welfare.

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

The sun room is a modest addition and will in no way impair the surrounding property values.

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

We see no increase to traffic or congestion in the public streets due to this small addition.

- f. Create a nuisance; or

After construction is completed, which will take only a few months, the new structure will not create any new noise, the visual impact will be negligible, and we think the new space will actually help to beautify the area around it, for both us and our neighbors.

- g. Results in an increase in public expenditures.

We are not requesting any public expenditures to support this project. All expenses for design and construction will be paid by us, and the project will not create any additional work directly or indirectly by the village.

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

We are not asking to add a large ground floor addition. This is a modest addition that takes the place of a small deck with pergola. The structure is basically there just imagine adding windows and a roof to the existing space and you have a room. The impervious surface is negligible at 192 sq./ft. and does not require a grading plan or drainage plan since it is under 300 sq./ft. of disturbed area. All building codes will be followed to construct the room.

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

We ask that you please consider approving our variation request to build a sun room in place of our existing deck with pergola. It is a modest addition to the home and plan to live here for many years to come entertaining family friends and grand kids!

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.

2/15/23 William C Neill William C Neill
Date Print Name Signature of Applicant

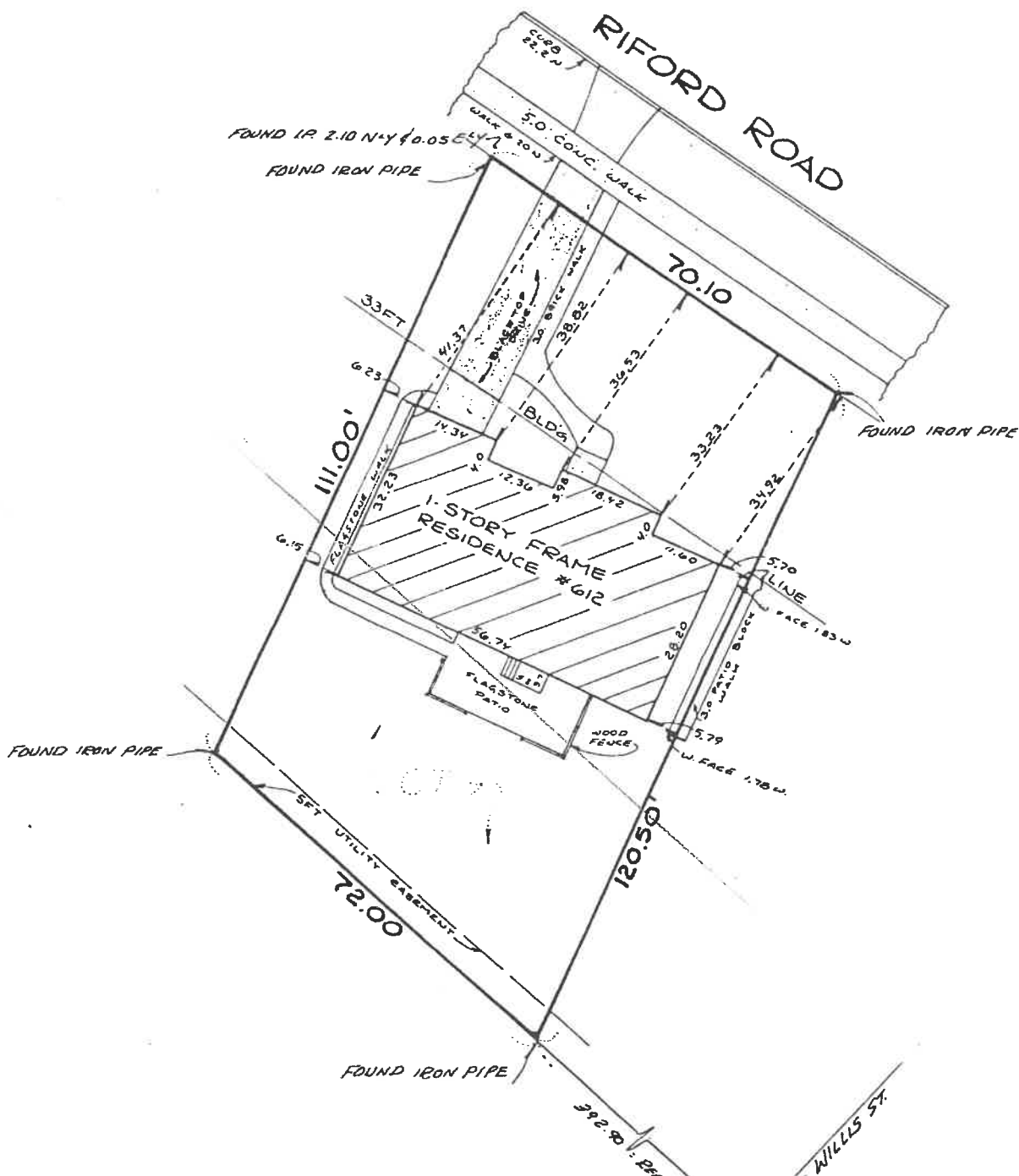
2/15/23 DONNA NEILL Donna Neill
Date Print Name Signature of Applicant

Date Print Name Signature of Applicant

354 N. ARDMORE AVE
VILLA PARK, ILLINOIS 60181
PHONE (312) 530-0780

registered land surveyors

ALSO KNOWN AS: 612 RIFORD RD. GLEN ELLYN, IL.





0 150 300
ft

Print Date: 3/20/2023

Notes

Zoning Variation request in order to construct a sunroom in the rear of the property

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 | 612 Riford Rd. - Zoning Map



Legend

Zoning and Development

Zoning

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

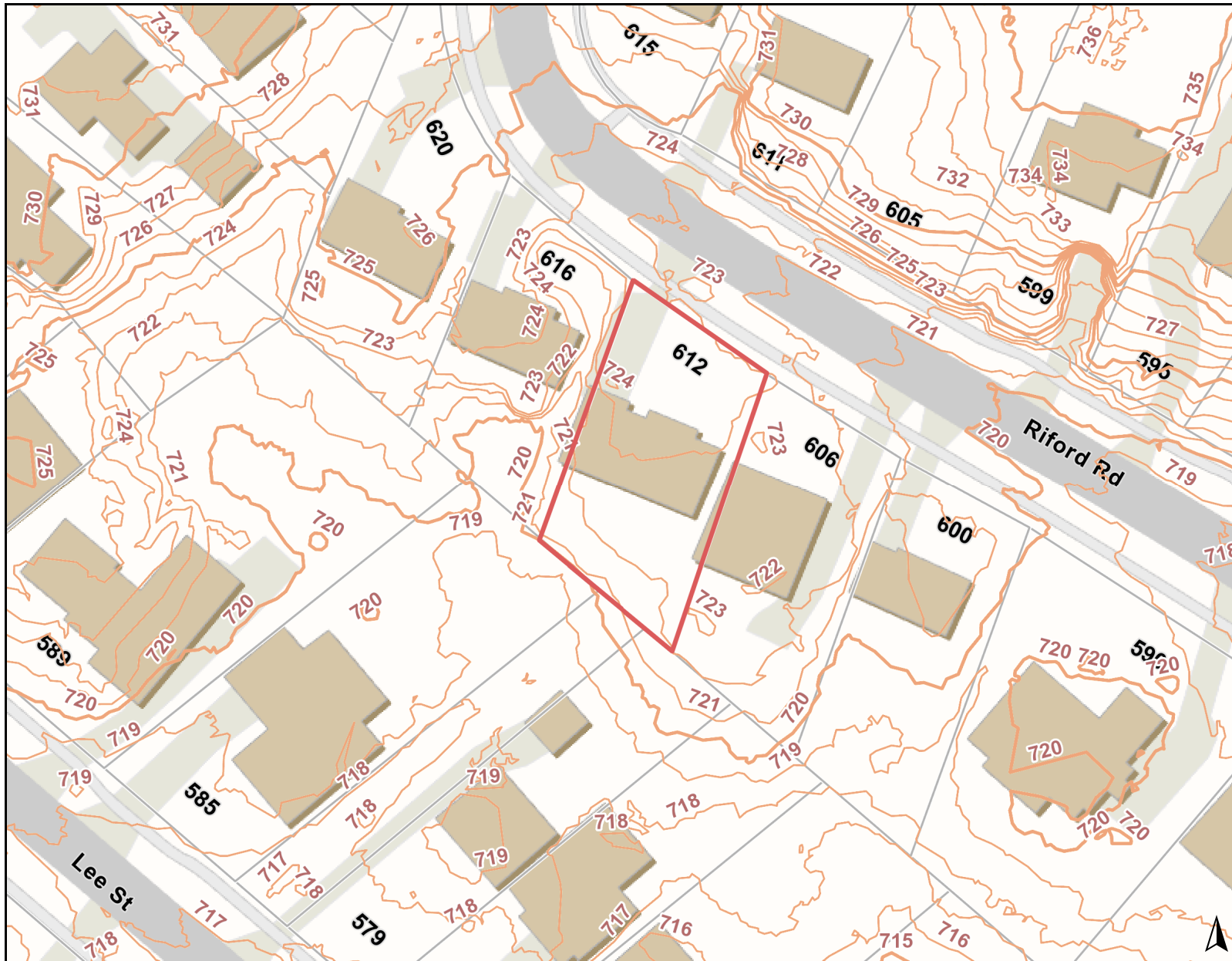
0 300 600
ft

Print Date: 3/20/2023

Notes

Zoning Variation request in order to construct a sunroom in the rear of the property

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.

**Legend**

DuPage County

DuPage County 1' 2017 Contours

- Contour Line, Intermediate
- Contour Line, Major

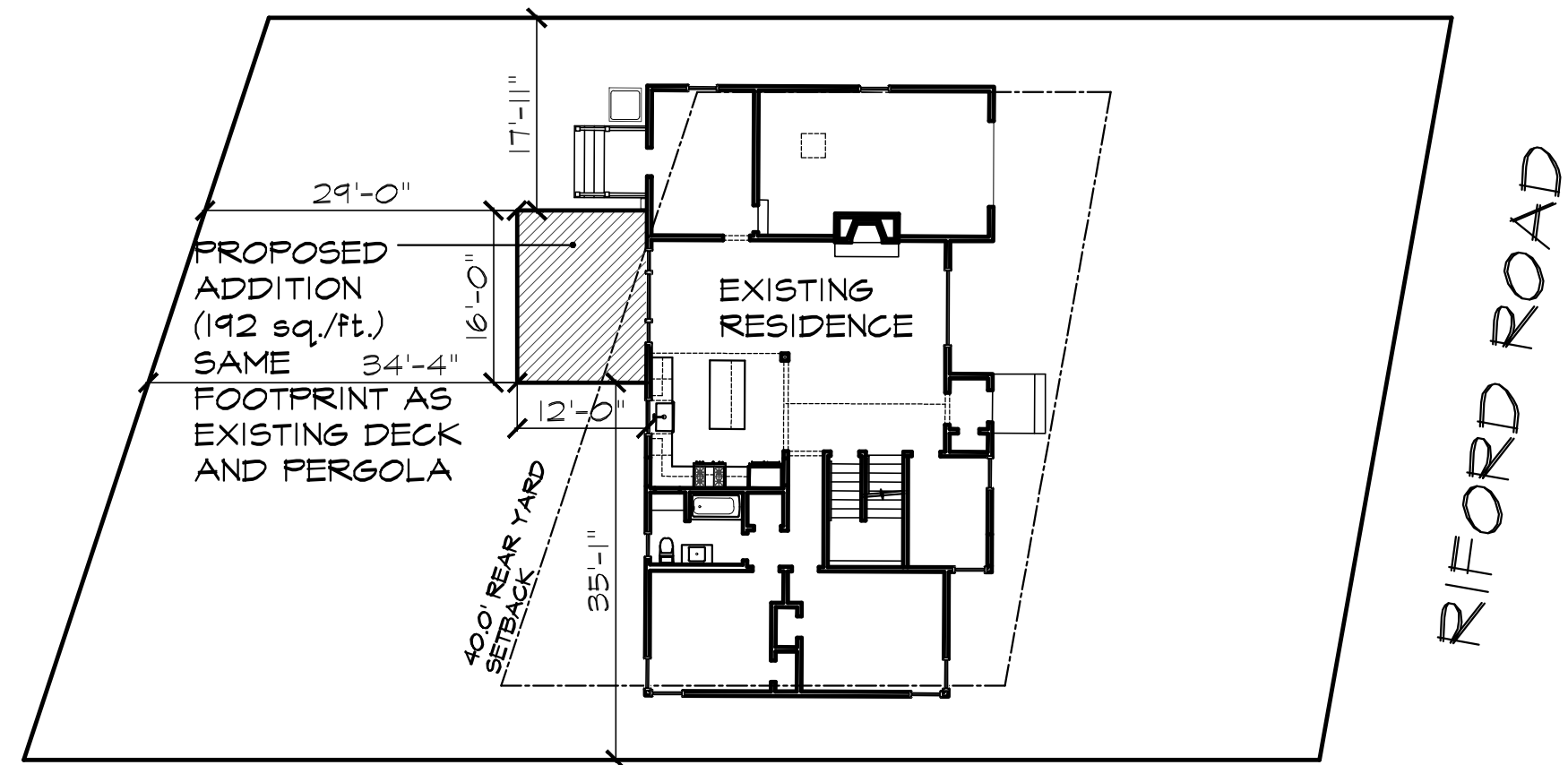
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ft

Print Date: 3/20/2023

Notes

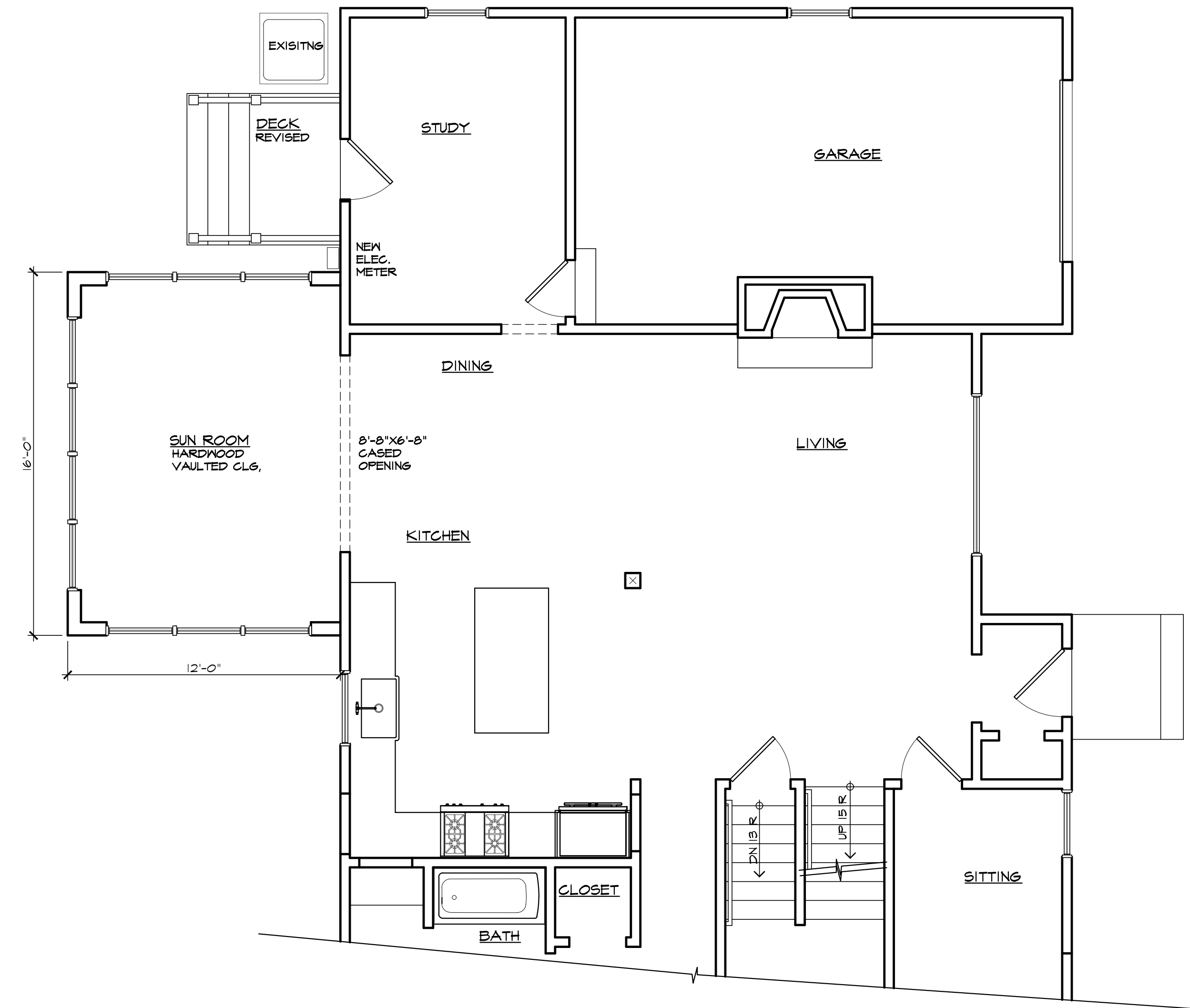
Zoning Variation request in order to construct a sunroom in the rear of the property

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.



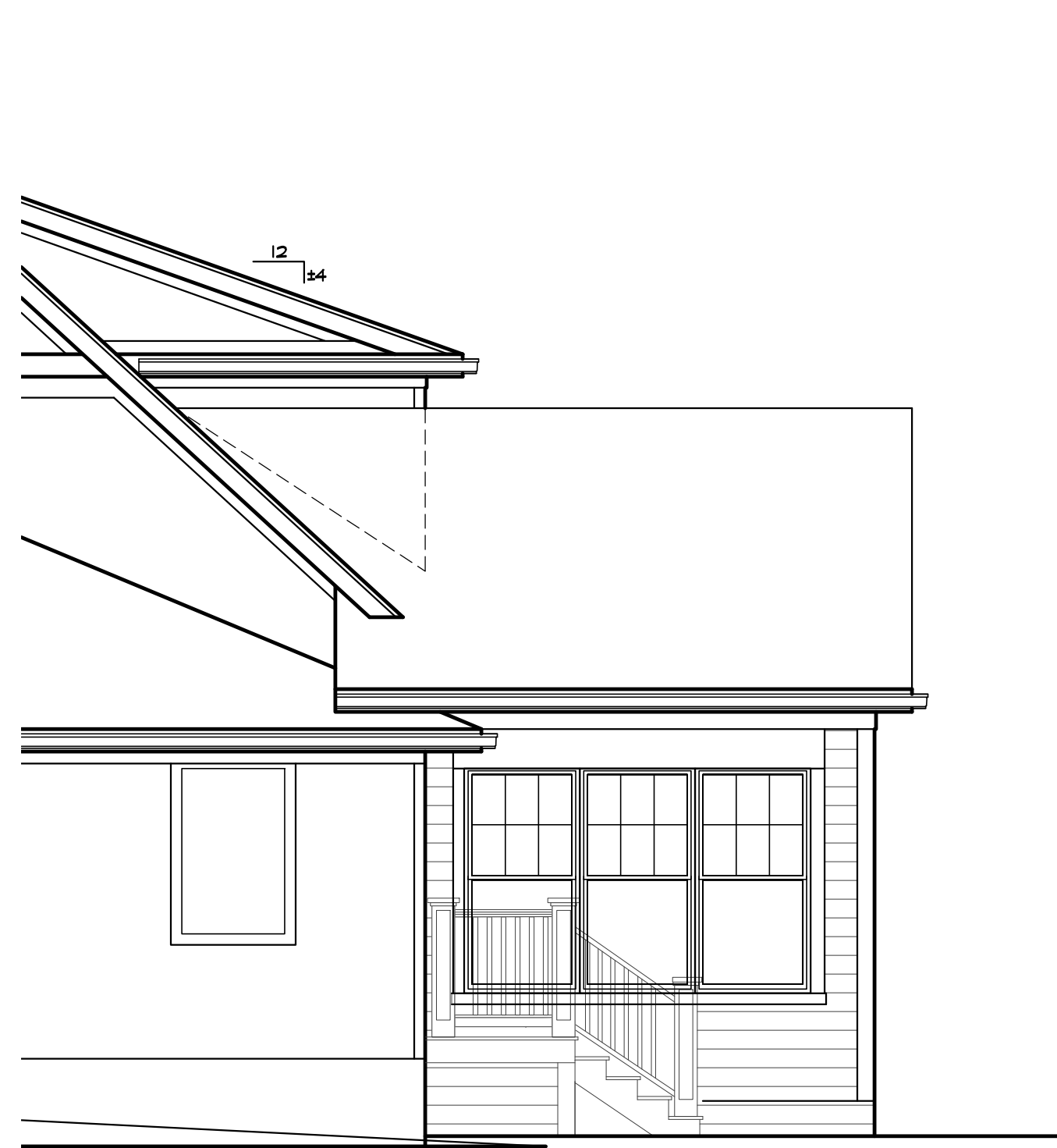
LCR WITH SUN ROOM:
1,926 SQ./FT. (24.2%)

LOT SIZE: 7953 SQ./FT.
LCR ALLOWED: 1590.6 SQ./FT. (20% - 2 STORY HOME)
LCR ALLOWED: 2783 SQ./FT. (35%) - 1 STORY HOME
LCR EXISTING: 1,735.3 SQ./FT. (21.8%)
LCR WITH ADDITION: 1,926 SQ./FT. (24.2%)



FIRST FLOOR PLAN

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



RIGHT SIDE ELEVATION

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



REAR ELEVATION

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



LEFT SIDE ELEVATION

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

STUDIO 1
ARCHITECTS

1105 Burlington Avenue
Western Springs, IL

P 708.783.1124

studio1architects.com

THE NEILL RESIDENCE
612 RIFORD RD, GLEN ELLYN, ILLINOIS

ILLINOIS LICENSE #: 00101871
EXPIRATION: 11-30-20

PROFESSIONAL DESIGN FIRM #:
04-204427

EXPIRATION: 04-30-21

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STUDIO 1 ARCHITECTS, LTD.

ISSUED FOR PERMIT / BIDDING

DATE JUNE 27, 2019

REVISIONS

VILLAGE COMMENTS: 7-31-19

PROJECT NUMBER 191410

SHEET NO.

V.I.



NOTICE OF PUBLIC HEARING

Bill and Donna Neill, owners of the property at 612 Riford Road, Glen Ellyn, 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 sunroom addition to the existing single-family dwelling. 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, April 11, 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(D)2 to allow the existing single-family a rear yard setback of approximately 28.5 feet where the required rear yard setback is 40 feet in the R2 Residential District;
2. A variation from Section 10-4-8(E)1 to allow a maximum lot coverage ratio of 24.2% where a maximum lot coverage ratio for a single-family dwelling greater than one story is 20%;
3. Any other zoning relief necessary to allow the proposed addition to the existing single-family dwelling 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 9 IN H.B. BARNES' SUBDIVISION OF LOTS 8 AND 9 IN COUNTY CLERKS' 3RD ASSESSMENT DIVISION OF PARK OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID H.B. BARNES' SUBDIVISION RECORDED AUGUST 31, 1927 AS DOCUMENT 242131, IN DUPAGE COUNTY, ILLINOIS.

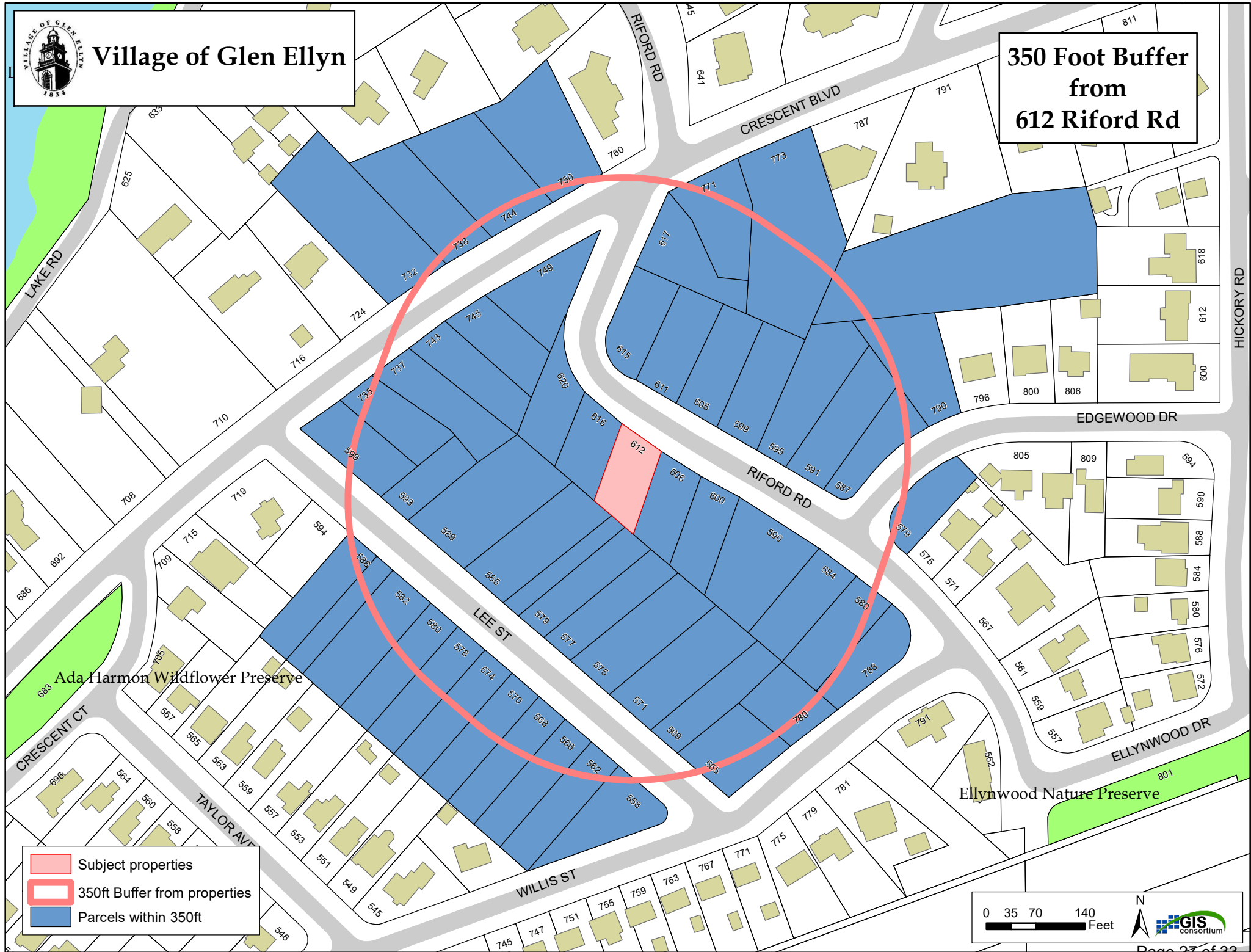
P.I.N.: 05-11-408-020

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, April 11, 2023, will be read into the record at the public hearing.

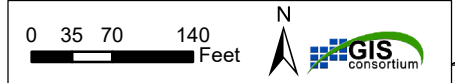


Village of Glen Ellyn

350 Foot Buffer
from
612 Riford Rd



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



NOTICE OF PUBLIC HEARING
Bill and Donna Neill, owners of the property at 612 Riford Road, Glen Ellyn, 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 sun-room addition to the existing single-family dwelling. 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, April 11, 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:
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2. A variation from Section 10-4-8(E)1 to allow a maximum lot coverage ratio of 24.2% where a maximum lot coverage ratio for a single-family dwelling greater than one story is 20%;
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Published in Daily Herald March 26, 2023 (4597496)

RECEIVED

APR 03 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, DuPage County, State of Illinois, and has been in general circulation daily throughout DuPage County, continuously for more than 50 weeks prior to the first Publication of the attached notice, and a newspaper as defined by 715 ILCS 5/5.

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 03/26/2023 in said **DuPage County DAILY HERALD**. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

BY *Danila Baltz*
Designee of the Publisher of the Daily Herald

Control # 4597496







Plat of Survey

by

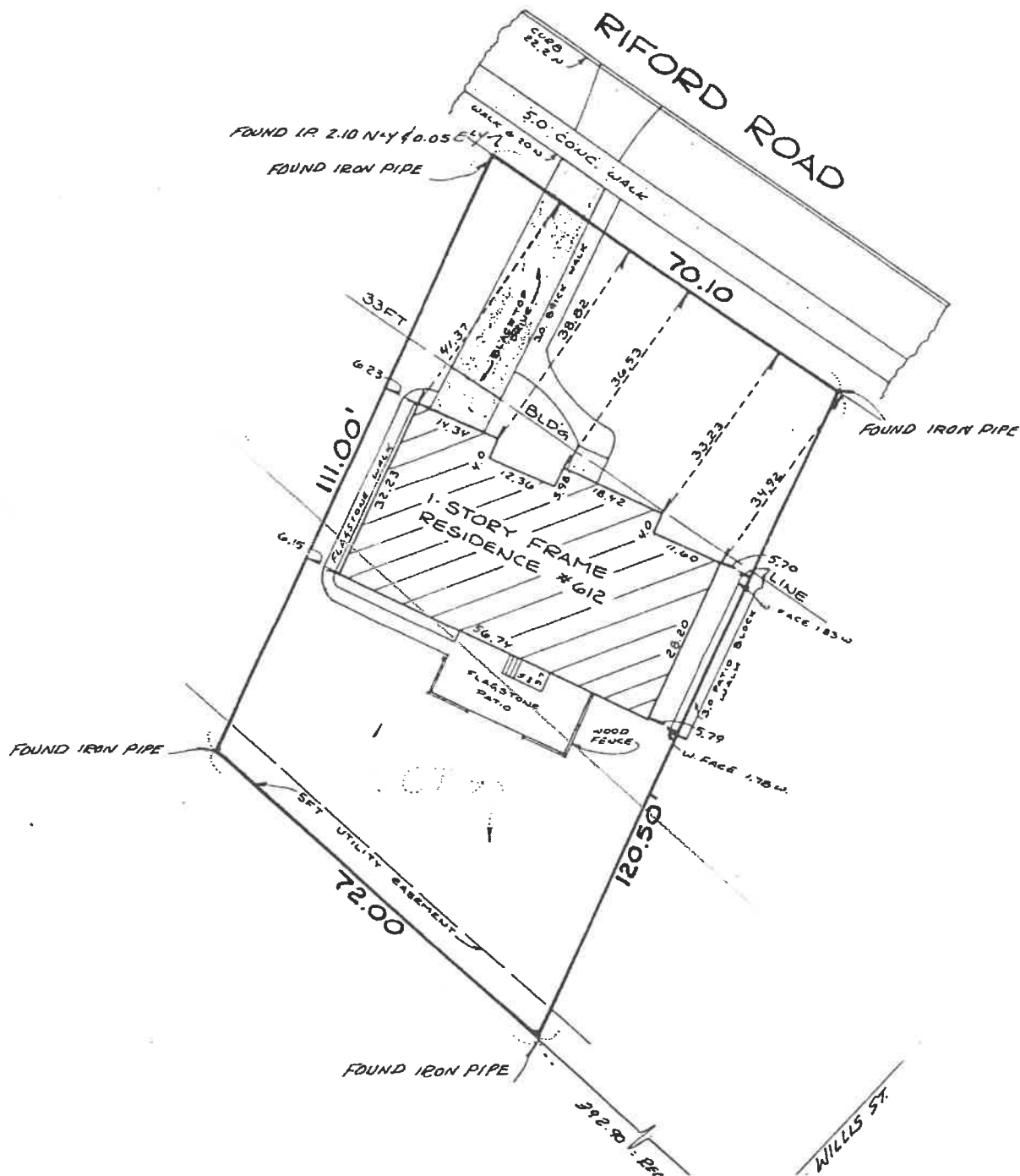
GENTILE and ASSOCIATES, INC.

registered land surveyors

354 N. ARDMORE AVE.
VILLA PARK, ILLINOIS 60181
PHONE (312) 530-0780

LOT 9 IN H.B. BARNES' SUBDIVISION OF LOTS 8 AND 9 IN COUNTY CLERKS' 3RD. ASSESSMENT DIVISION OF PART OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID H.B. BARNES' SUBDIVISION RECORDED AUGUST 31, 1927 AS DOCUMENT 242131, IN DUPAGE COUNTY, ILLINOIS.

ALSO KNOWN AS: 612 RIFORD RD. GLEN ELLYN, IL.



**(DRAFT) FINDINGS OF FACT TO SUPPORT A MOTION TO RECOMMEND
APPROVAL OF ZONING VARIATIONS TO ALLOW THE ADDITION OF A
SUNROOM FOR THE PROPERTY LOCATED AT
612 RIFORD 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 it would prohibit the homeowner from adding usable space to the existing home which features a modest ground floor living space.
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 property owners plan to remain in the home for the foreseeable future so yielding a reasonable return is not a factor in the variation requests as they look to use the space to entertain their growing family.
3. The plight of the applicant/owner is due to unique circumstances relating to the property in question, because the property was platted before the Village's Zoning Code existed an irregular-shaped lot and the home situated parallel with the side lot lines, creating an angled buildable area in the rear yard.
4. The requested variations, if granted, will not alter the essential character of the locality of the property in question, because the proposed sunroom is being designed by the same architect who designed the home's second-floor addition and will not create any visual impairment and will be designed to complement the character of the residence and surrounding locality.
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 subdivision was platted many years ago and the home was constructed before the current Zoning Code with nonconforming lot area, rear yard setback and side yard setback, which restricts potential improvements on the lot without requiring a variation. The nonconformity with the current lot coverage ratio is due to the second-floor addition, altering the allowable lot coverage ratio from 35% to 20%.
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 property has an irregular shape, partially due to the curved nature of Riford Road, and the principal structure is situated at an angle to the street and front lot line with a narrow side yard setback on each lot line.

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 petitioners do not have plans to sell their home and do not have a motive to gain profit.
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 property was platted and the home was constructed in a way that created hardship due to the nonconforming lot and principal structure prior to the current homeowners purchasing the property.
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 sunroom addition will be constructed on the west side of the property, will not obscure sunlight, air, or cast new shadow on neighboring properties, will comply with the required side yard setbacks and will not require an expansion of impervious surface, as a foundation has been laid for the existing deck.
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 sunroom addition will only expand the living space on the first floor, will adhere to the required side yard setbacks for a principal structure, and will meet all current 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 garage expansion is for the use of the current property owners, will not increase impervious surface, is modest in size, and will provide a space sheltered from inclement weather.
12. The proposed variations will not create a nuisance or result in an increase in public expenditures because the proposed sunroom addition is for residential use and paid for by the current property owners, will not impact public expenditures, and is 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 addition is modest in size and replaces an existing pergola within the original footprint, will not increase impervious surface area or require a drainage plan since the area is less than 300 square feet, and will be constructed according to all current Building and Fire Codes.

DRAFT "MOTION" TO RECOMMEND APPROVAL OF
ZONING VARIATIONS FOR 612 RIFORD ROAD

Having considered the application of Bill and Donna Niell, owners of the property at 612 Riford Road, Glen Ellyn, for zoning variations from Section 10-4-8(D)2 to allow a rear yard setback of approximately 28.5 feet where the required rear yard setback is 40 feet in the R2 Residential District, and Section 10-4-8(E)1 to allow a lot coverage ratio of 24.2 percent where a 20 percent maximum lot coverage ratio for two story single-family dwellings is allowed 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 April 11, 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 April 11, 2023, public hearing of the Zoning Board of Appeals.
2. _____.
3. _____.
4. _____.

Motion by: _____ Seconded by: _____