



Agenda
Village of Glen Ellyn
Regular Village Board Meeting
Monday, September 25, 2023
7:00 PM
Glen Ellyn Civic Center, Galligan Board Room

Meeting Procedures Statement

Visitors are most welcome to attend all meetings of the Village Board and can find copies of the Agenda at the meeting or online at www.glenellyn.org prior to the meeting. Meetings are taped and also televised on WideOpenWest Channel 6, AT&T Channel 99, and Comcast Cable Services Channel 10. Any individual with a disability requiring a reasonable accommodation in order to participate in a meeting should contact The Village of Glen Ellyn ADA Coordinator, 630-469-5000, at least five (5) business days in advance of the next scheduled meeting. All matters on the Agenda may be discussed, amended, and acted upon.

- A. Call to Order**
- B. Pledge of Allegiance**
- C. Roll Call**
- D. Audience Participation**

- 1) Open:

Members of the public are welcome to speak to any item not specifically listed on tonight's agenda for up to (3) three minutes. For those items which are on tonight's agenda, the public will have the opportunity to comment at the time the item is discussed. In either case, please complete the Audience Participation form and turn it in to the Village Clerk. It is requested that, if possible, one spokesman for a group be appointed to present the views of the entire group. Speakers who are recognized are requested to step to a microphone and state their name, their topic and the group, if any, they are representing prior to addressing the Village Board.

Individuals wishing to address the Board shall exercise proper decorum and respect for the proceedings and the business of the Village Board, and shall refrain from abusive demeanor and language. The practice of ceding time to other speakers shall be prohibited, except in the discretion of the presiding officer of the meeting.

Public officials are not obligated to respond to questions.

- E. Consent Agenda - The following items are considered routine business by the Village Board and will be approved in a single vote in the form listed below:**

- 1) Approval of the recommendation by Village President Senak that Mark Frigo be appointed to the Environmental Commission, with a term ending 7/31/26
- 2) Village Board Meeting September 11, 2023 Minutes
- 3) Village Board Special Workshop September 11, 2023 Minutes
- 4) Village Board Closed Executive Session August 28, 2023 Minutes
- 5) Village Board Meeting August 28, 2023 Minutes
- 6) Village Board Workshop August 28, 2023 Minutes
- 7) Village Board Closed Executive Session August 7, 2023 Minutes

- 8) Motion to Approve Ordinance 7059, an Ordinance Creating the Central Business District (CBD) Construction Impact Grant Program at a cost not to exceed \$100,000 for CY23 and CY24 to be expensed to the General Fund in CY23 and Corporate Reserve Fund in CY24 (Economic Development Coordinator Hannah)
- 9) Motion to Approve Ordinance No. 7060, An Ordinance Approving Variations from the Zoning Code to Allow the construction of a Detached Garage and Building Additions that Encroach into the Required Front and Side Yards and Increase the Lot Coverage Ratio on the Property Located at 660 N. Main Street (AVM/Community Development Director Rodman)
- 10) Motion to Approve Ordinance No. 7061, An Ordinance Approving Variations from the Zoning Code to Allow Dormers to Encroach in Front and Side Yards on the Property Located at 423 Ridgewood Avenue (AVM/Community Development Director Rodman)

F. Other Business

G. Reminders

- 1) Village Board Special Workshop Monday, October 9, 2023 at 5:30 pm in Room 301
- 2) Village Board Meeting Monday, October 9, 2023 at 7 pm in Galligan Room

H. Adjourn

- I. Motion to Adjourn to Closed Executive Session to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body pursuant to 5 ILCS 120/2(c)(1) not to return to open session**



Minutes
Village of Glen Ellyn
Regular Village Board Meeting
Monday, September 11, 2023
7:00 PM
Glen Ellyn Civic Center, Galligan Board Room

A. Call to Order – 7:06 PM

B. Pledge of Allegiance

C. Roll Call

Upon roll call by Clerk Cosby, President Pro tem Gould and Trustees Christiansen, Fasules, Kalinich, Simon, and Thompson answered “Present.”

Also in attendance: Village Manager Franz, Assistant Village Manager/Community Development Director Rodman, Village Attorney Mathews, Public Works Director Buckley, Interim Finance Director Brankin, Economic Development Coordinator Hannah, Human Resources Director Vonachen, Police Chief Norton.

D. Audience Participation

Mark Senak, resident and Village President, spoke about the importance of letting others perform the role of Village President so that Board members can build empathy and get practical experience as President.

Pat Van Tiem spoke about the train station project and had some questions about the need for the underpass and the funding. President Pro tem Gould suggested he attend next week’s Village Board Workshop for further information as it will include a draft of the Capital Budget. He then added comments on his support for commercial use of the Roosevelt Road property.

E. Moment of Silence

- 1) Join in a moment of silence to honor the life and service of Kermit M. Ludwig, Retired Second Assistant Chief, who served the Glen Ellyn Volunteer Fire Company for 37 years, from 1964 to 2001

President Pro tem Gould led a moment of silence to honor the life and service of Kermit M. Ludwig, Retired Second Assistant Chief.

F. Presentation

- 1) Proclamation in Honor of Constitution Week

Trustee Thompson read the Proclamation into the record and proclaimed the week Constitution Week in the Village.

- 2) Daughters of the American Revolution (DAR) presents Patriot Tree to be displayed at the Civic Center for the coming months

Representatives of the DAR talked about the real Daughters of the American Revolution from this area and presented the Patriot Tree from the local chapter to display at the Civic Center.

- 3) Proclamation in honor of Suicide Awareness Month

President Pro tem Gould read the Proclamation into the record in honor of Suicide Awareness Month.

G. Employee Recognition

- 1) Thank you letter to Police Department from Glen Ellyn Resident

President Pro tem Gould read the thank you letter from a Glen Ellyn resident into the record.

- 2) Compliment to Civil Engineer Steve Warner of Public Works from Brookdale Senior Living

President Pro tem Gould read a letter from Brookdale Senior Living complementing Steve Warner of Public Works for service beyond expectations.

- 3) Thank you letter from Norris Eber to Public Works.

Mr. Eber read his letter of appreciation to Public Works for the lighting completed this week along Taft Avenue and Nicole Way. He added some additional comments and further thanks to Public Works Director Buckley.

H. Consent Agenda - The following items are considered routine business by the Village Board and will be approved in a single vote in the form listed below:

RESULTS:	APPROVED [6 to 0]
MOVER:	Christiansen [Items 1, 3 – 9]
SECONDER:	Kalinich
AYES:	Christiansen, Kalinich, Fasules, Gould, Simon, Thompson
NAYS:	

Motion to approve the following items including Payroll and Vouchers totaling \$3,492,405.08. These agenda items have been reviewed by the Management Team and Village Attorney and are consistent with the Village's purchasing policy (Trustee Christiansen)

- 1) Total Expenditures (Payroll and Vouchers) - \$3,492,405.08
- 2) Village Board Closed Executive Session August 7, 2023 Minutes

RESULTS:	APPROVED [6 to 0] Pull for content edits
MOVER:	Christiansen [Item 2]
SECONDER:	Kalinich
AYES:	Christiansen, Kalinich, Fasules, Gould, Simon, Thompson
NAYS:	

Trustee Fasules asked that the item be pulled for content edits.

- 3) Approval of the recommendation by Village President Senak that the following actions be taken for Boards and Commissions:
Board of Fire and Police Commission
 Appointment of Katherine Borello, new Commissioner, term ending July 31, 2026
- 4) **Zoning Board of Appeals**
 Appreciation for the service of Chip Miller, Commissioner since 2013, who is stepping down
- 5) **Plan Commission**
 Appointment of Sumita Mukherjee, new Commissioner, term ending July 31, 2026
- 6) **Community Relations Commission**
 Appointment of the following new Commissioners:

 Maariya Quadri, term ending July 31, 2026
 Molly McGinnis Knapke, term ending July 31, 2026
 Robert Moorehead, term ending July 31, 2024
- 7) Motion to authorize the Village Manager to execute a 1-year contract extension with B&B Holiday Decorating LLC of Des Plaines, IL for Seasonal Decorations in a not to exceed amount of \$65,047.71 (includes 5% contingency) to be expensed to the Economic Development/Marketing Fund. (Public Works Director Buckley)
- 8) Motion to approve the Plat of Easement for the Watermain Easement & Stormwater Management Easement at the Nicor Gas Consolidated Facility at 90 N. Finley (Assistant Village Manager/Community Development Director Rodman)
- 9) Motion to authorize the Village Manager to execute a contract with JLJ Construction, LLC of Broadview, IL for the Civic Center Garage 2023 Maintenance Repairs in a not to exceed amount of \$38,700 (including a 10% contingency) to be expensed to the Parking Fund 53000-520970. (Assistant Public Works Director Hubsy)

- 10) Motion to Approve Ordinance 7059, an Ordinance Creating the Central Business District (CBD) Construction Impact Grant Program (Economic Development Coordinator Hannah)

RESULTS:	APPROVED [6 to 0] Tabled for 09/25/23 Board Meeting
MOVER:	Fasules [Item 10]
SECONDER:	Simon
AYES:	Fasules, Simon, Christiansen, Gould, Kalinich, Thompson
NAYS:	

Trustee Christiansen had concerns and questions that she wanted to address before she would be comfortable voting to approve the motion. She felt the language was too vague and should be more rigorous in verifying financials. She suggested it be tabled and revised for reconsideration at the next Board meeting.

Trustee Simon added the grant money seemed to be the best intervention for the businesses based on their feedback. She also was concerned with the timeframe involved in getting the money out. Discussion ensued.

Trustee Fasules made a motion to table for many of the same concerns as Trustee Christiansen.

Trustee Kalinich thought that it might be helpful if a Board representative talked with the business owners in the CBD about this proposal.

I. Other Business

J. Reminders

- 1) Village Board Workshop Monday, September 18, 2023 at 7 pm
- 2) Village Board Meeting Monday, September 25, 2023 at 7 pm

K. Adjourn – 7:42 PM

RESULTS:	APPROVED [6 to 0]
MOVER:	Simon
SECONDER:	Kalinich
AYES:	Simon, Kalinich, Christiansen, Fasules, Gould, Thompson
NAYS:	



Minutes
Village of Glen Ellyn
Special Village Board Workshop
Monday, September 11, 2023
6:00 PM
Glen Ellyn Civic Center, Room 301

A. Call to Order – 6:00 PM

B. Pledge of Allegiance

C. Roll Call

Upon roll call by Clerk Cosby, President Senak and Trustees Christiansen, Fasules, Kalinich, Gould, Simon, and Thompson answered “Present.”

Also in attendance: Village Manager Franz, Assistant Village Manager/Community Development Director Rodman, Village Attorney Mathews, Public Works Director Buckley, Interim Finance Director Brankin, Economic Development Coordinator Hannah, Village Engineer Daubert, and Police Chief Norton. Chris Martel and Bob Cheval were present to represent CDM Smith.

D. Audience Participation

There was no off-agenda public comment.

E. Presentation

- 1) Glen Ellyn Metra Station and Multimodal Access Improvements Project (Engineer Daubert)

Village Engineer Daubert introduced Chris Martel and Bob Cheval from CDM Smith.

Mr. Martel reviewed the steps in, and results of, the value engineering exercise that CDM Smith undertook for the Village. He pointed out funding changes that have happened since the last review.

Village Engineer Daubert added details about the funding needed for specific items that are part of the overall project.

The presentation was turned over to Mr. Cheval, who reviewed the architectural style that is currently being proposed and how this design was agreed upon. He then reviewed the value engineering revisions to the design concept.

Trustee Kalinich said she liked the 2-arch design and asked if that was still being included in the current design proposal. Mr. Cheval replied and reviewed the design options that are currently being considered.

Capital Improvements Commission Chairperson Steve Szymanski and Commissioner Joel Baldin added their comments and thoughts on the evening's presentation. Chairperson Szymanski added that he felt there was a need for the project to be done.

Village Engineer Daubert presented the next steps for the project and asked for the Board's support for completing Phase 2 engineering. He emphasized that funding is still being pursued as the project moves forward. He also asked for the Board's approval of reducing the footprint of the station in order to realize cost savings.

Trustee Thompson asked if 90% design by March 2024 was the current goal. Village Engineer Daubert replied with details, with Mr. Martel adding to the conversation.

Trustee Fasules asked if funding for the soft costs of the project could be pursued. Village Engineer Daubert replied.

Attorney Mathews wanted clarification on whether the streetscape part of the station project is not included in the current streetscape project being executed in the Village. Discussion ensued regarding the streetscape improvements and its funding.

President Senak asked what the total cost of the project would be and what percentage is expected to be funded from outside sources. Village Engineer Daubert and Mr. Cheval replied. President Senak followed up by asking how much the Village will need to contribute to the project. Mr. Cheval replied.

President Senak wanted to know where the \$13M in local funds would come from. Village Manager Franz replied that it would come from the Capital Improvement Plan, with more details to come next week. Discussion ensued on where the funding would be realized.

President Senak stated that if any proposal to use property tax increases to cover the local funding was approved, he would veto it. The Board agreed that property taxes cannot be raised to pay for the Metra Station project.

Mr. Martel asked for approval to move forward with general design style, reduced footprint, and the project in general. The Board gave their opinions and direction.

F. Adjourn – 7:01 PM

Mover: Trustee Christiansen; Second: Trustee Kalinich. Unanimous vote to adjourn.



Minutes
Village of Glen Ellyn
Regular Village Board Meeting
Monday, August 28, 2023
7:00 PM
Glen Ellyn Civic Center, Galligan Board Room

A. Call to Order – 7:09 PM

B. Pledge of Allegiance

C. Roll Call

Upon roll call by Clerk Cosby, President Senak and Trustees Fasules, Kalinich, Gould, Simon, and Thompson answered “Present.” Trustee Christiansen was absent.

Also in attendance: Village Manager Franz, Assistant Village Manager Rodman, Village Attorney Mathews, Interim Finance Director Brankin, Economic Development Coordinator Hannah, HR Director Vonachen, Police Chief Norton, and Fire Chief Clark.

D. Audience Participation

Mike Formento, resident representing Glen Ellyn American Legion Post 3, gave a brief history and activities of Post 3. He then talked about the Vietnam Memorial Traveling Wall coming to Glen Ellyn and requested the Village be the lead sponsor of the wall and donate \$10,000 for this honor. President Senak thanked Mr. Formento and Post 3. He said that the Board would deliberate and get back to him with a decision.

Joel Spenadel, with Miles Evans, both residents, invited the Board, staff, and community members to the ribbon cutting of Main Street Lofts in West Chicago so they could have the opportunity to see an example of permanent supportive housing like the Roosevelt Road site proposal.

Pat Van 'Tiem, resident, spoke about development of the Roosevelt Road property. He reviewed the increase in property taxes over the past few years. He also said that the D89 test scores are down because of overcrowding in the district. He reiterated his belief that the site be used exclusively commercial for revenue and safety reasons.

Drake Cody, student and resident, spoke about his opposition of unfair wages for disabled workers in Illinois. He encouraged the Board to learn more and act in the Village.

Jacquelyn Casazza, resident representing Go Green of Glen Ellyn, presented the results of the Taste of Glen Ellyn recycling pilot. She thanked the volunteers and hoped that recycling would be part of all large events in Glen Ellyn.

Karol Sausen asked for clarification of affordable/sustainable/subsidized housing and what is being proposed for the Roosevelt Road site. President Senak replied that Village Manager Franz would follow-up with her and give her an explanation. Village Manager Franz suggested the housing study as a reference to clarify housing definitions.

E. Presentation

- 1) Letter of thanks from Patrick Bobet, Mayor of sister city Le Bouscat, France, to Village President Mark Senak

President Senak read the letter of thanks into the record. Ann Pedersen, who recently traveled to Le Bouscat, spoke about the trip and delivering gifts to our sister city. She also described visiting the roundabout named for Glen Ellyn.

- 2) Introduction of Dave Thommes, new Executive Director at Glen Ellyn Park District

Village Manager Franz introduced Dave Thommes, new Executive Director at Glen Ellyn Park District. Mr. Thommes gave brief remarks on his time getting to know Glen Ellyn and how he is looking forward to working with the Board and staff.

President Senak let everyone know that the grant program for the CBD businesses had been approved by the Board. Village Manager Franz added some information about the program as well. President Senak encouraged patronage of all Glen Ellyn businesses.

President Senak announced that the Glen Ellyn Food Pantry's new home was now open for business. He added that the Village is very fortunate to have them in Glen Ellyn as they support those in need, no matter where they live. He listed things that the food pantry gives besides food and hoped everyone would support the food pantry.

F. Employee Recognition

- 1) Thank you letter to Police Department from Glen Ellyn Public Library Foundation Development Officer

President Senak read the thank you letter into the record and he thanked Chief Norton personally.

- 2) Resident compliment to Rich Daubert regarding response to Civic Center Garage lighting concerns

Village Manager Franz read a thank you note from a resident who lives near the garage, complimented the work Village Engineer Daubert has done with lighting concerns in the neighborhood.

G. Consent Agenda - The following items are considered routine business by the Village Board and will be approved in a single vote in the form listed below:

RESULTS:	APPROVED [5 to 0]
MOVER:	Trustee Thompson [Items 1 – 19]
SECONDER:	Trustee Kalinich
AYES:	Thompson, Kalinich Simon, Fasules, Gould
NAYS:	

Motion to approve the following items including Payroll and Vouchers totaling \$3,449,039.92. These agenda items have been reviewed by the Management Team and Village Attorney and are consistent with the Village's purchasing policy (Trustee Thompson)

- 1) Total Expenditures (Payroll and Vouchers) - \$3,449,039.92
- 2) Motion to approve Trustee Gould as President pro tem for the period September - December 2023
- 3) Village Board Special Workshop August 7, 2023 Minutes
- 4) Village Board Meeting July 24, 2023 Minutes
- 5) Village Board Special Meeting June 29, 2023 Minutes
- 6) Approval of the recommendations by Village President Senak that the following actions be taken for Boards and Commissions:

Board of Fire and Police Commission

- Reappointment of Jim Meyers, Commissioner, term ending July 31, 2026
- Appreciation of Brendan Sheehy, who has served as Commissioner since 2020

7) Zoning Board of Appeals

- Reappointment of Greg Constantino as Chair, term ending July 31, 2024
- Reappointment of Katie Crudele, Commissioner, term ending July 31, 2026
- Appointment of Craig Pavlich, new Commissioner, term ending July 31, 2026

8) Recreation Commission

Appointment of the following Commissioners to Chair and Vice Chair positions:

- Carol Scott to Chair, with term ending date of July 31, 2024
- Tony Coconate to Vice Chair, with a term ending date of July 31, 2024

9) Community Relations Commission

Appreciation of Michelle Roman-Garcia who is stepping down from the Community Relations Commission

10) **Plan Commission**

Reappointment of Laura Bromann, Commissioner, term ending July 31, 2026

- 11) Motion to approve a new special event "McKee House Signing Event" hosted by SOARRING Foundation on September 23, 2023 (Village Manager Franz)

- 12) Motion to approve the purchase of parkway trees, pursuant to Section 1-10-7 of the Village Code, from Suburban Tree Consortium in the amount of \$149,800, to be expended from the Motor Fuel Tax Fund (Public Works Director Buckley)

- 13) Motion to Approve Resolution 23-11, A Resolution Authorizing the Illinois Municipal League to Continue to Collect the 2% Foreign Fire Insurance License Fee for the Village of Glen Ellyn Volunteer Fire Company (Village Attorney Mathews)

President Senak asked about who collects the fee. Attorney Mathews replied, with Village Manager Franz and Chief Clark adding clarification.

- 14) Motion to Approve Ordinance 7055-VC, an Ordinance amending the Glen Ellyn Municipal Code Chapter 7 of Title 1, Section 3 to change the method by which the Attorney for the Village is compensated to correspond with the terms of the Employment Agreement (Manager Franz)

- 15) Motion to approve Ordinance, 7056-VC, an Ordinance to repeal Chapter 2 of Title 3, Section 15 of the Village Code regarding Jukebox regulations (Village Attorney Mathews)

- 16) Motion to Approve a Vendor Cart License for Goes with Coffee, LLC (Economic Development Coordinator Hannah)

President Senak asked if businesses downtown have been spoken to about this vendor's presence in the Village. Economic Development Coordinator Hannah replied.

Motion to Approve Ordinance 7057-VC, An Ordinance to Amend Chapter 41 (Vendor Carts) of Title 3 (Business Regulations), Section 2 (License Required) and Section 6 (Application Evaluation) of the Village Code of Glen Ellyn, Illinois (Economic Development Coordinator Hannah)

- 17) Motion to Approve Ordinance No. 7058-VC, An Ordinance Granting Approval of a Special Use Permit for a Preliminary and Final Planned Unit Development with Zoning Code Deviations, Lot Consolidation, and Exterior Appearance of the B.R. Ryall YMCA of Northwestern DuPage County Located on Property Commonly Known as 49 Deicke Drive and 26 Newton Avenue (AVM/Community Development Director Rodman)

- 18) Motion to Approve a Fire Prevention Award in the Amount of \$3,750 to Eastgate SAES LLC, DBA The Playpen Glen Ellyn at 501 Duane Street, to be expended to the Central Business District TIF Fund (Economic Development Coordinator Hannah)

19) Motion to reject bid for Snow and Material Hauling Contract

President Senak asked what would happen if the Village cannot find someone to do both jobs. Village Manager Franz replied. President Senak asked a follow-up question, to which Village Manager Franz replied.

H. Presentation of the 2022 Annual Comprehensive Financial Report (Interim Finance Director Brankin) (Trustee Christiansen)

RESULTS:	APPROVED [5 to 0] Accept Audit/Report
MOVER:	Trustee Kalinich
SECONDER:	Trustee Thompson
AYES:	Kalinich, Thompson, Fasules, Gould, Simon
NAYS:	

- 1) Interim Finance Director Brankin and Jamie Wilkey from Lauterbach and Amen, LLP will present the December 31, 2022, Annual Comprehensive Financial report.

Interim Finance Director Brankin introduced Jamie Wilkey from Lauterbach and Amen, LLP, to present highlights of the audit and the annual report. Ms. Wilkey then went through the highlights and pointed out that the “executive summary” pages gave a high-level view of the important points in the document, as well as the statistical section of the report. She mentioned that there was also a management letter provided with the report.

Interim Finance Director Brankin then reviewed the report itself, highlighting specific revenue segments and the numbers associated with each.

President Senak asked about the TIF fund increments. Interim Finance Director Brankin replied, with additional information from Village Manager Franz.

President Senak asked about the real estate taxes. Interim Finance Director Brankin replied.

Trustee Thompson complimented the police and fire safety answers from Interim Finance Director Brankin.

I. Continuation of Public Hearing to consider Comprehensive Plan Adoption (Manager Franz) (Trustee Thompson)

- 1) Motion to Reconvene the Public Hearing on the Village of Glen Ellyn 2023 Comprehensive Plan Update

RESULTS:	APPROVED [5 to 0]
MOVER:	Trustee Thompson
SECONDER:	Trustee Kalinich
AYES:	Thompson, Kalinich, Fasules, Gould, Simon
NAYS:	

- 2) Comprehensive Plan (Village Manager Franz)

Julie Evans, resident, gave her thanks for adding the supportive housing to the Comprehensive Plan.

Mark Frigo, resident, referenced the sustainability section of the plan. He hoped that the plan will be implemented and not just sit with no action being taken to achieve its goals.

Trustee Kalinich addressed six of her previously submitted edits that she felt would affect the content of the plan. Village Manager Franz replied to the first two; an addition was made for the third; an addition for the fourth; an addition was made for the fifth; a clarification was made to the sixth.

Trustee Gould addressed two of her previously submitted edits. The first was agreed upon to change. The second was regarding language concerning Fire Station 61. Trustee Fasules felt that input was needed by the Fire Department. Chief Clark then added his thoughts on this site and the location's benefits and challenges. Trustee Gould's requested edit were agreed upon in a 3-2 vote. She then addressed three other edits related to the previous Fire Station edit. Discussion ensued. The requested edits on pages 22 and 24 were rejected. The requested page 25 edit was partially approved.

Motion to CLOSE the Public Hearing on the Village of Glen Ellyn 2023 Comprehensive Plan Update:

RESULTS:	APPROVED [5 to 0]
MOVER:	Trustee Thompson
SECONDER:	Trustee Kalinich
AYES:	Thompson, Kalinich, Fasules, Gould, Simon
NAYS:	

Motion to APPROVE the Village of Glen Ellyn 2023 Comprehensive Plan as amended:

RESULTS: **APPROVED [5 to 0] As Amended**
MOVER: **Trustee Thompson**
SECONDER: **Trustee Kalinich**
AYES: **Thompson, Kalinich, Fasules, Gould, Simon**
NAYS:

J. Other Business

K. Reminders

- 1) Village Board Meeting Monday, September 11, 2023 at 7 PM

L. Adjourn – 8:57 PM

RESULTS: **APPROVED [5 to 0]**
MOVER: **Trustee Fasules**
SECONDER: **Trustee Thompson**
AYES: **Fasules, Thompson, Gould, Kalinich, Simon**
NAYS:

Adjourn for Closed Executive Session for the purpose of discussing the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, Section 2.05, ILCS 120/2 (c)(1) not to return to open session



Minutes
Village of Glen Ellyn
Special Village Board Workshop
Monday, August 28, 2023
6:00 PM
Glen Ellyn Civic Center, Room 301

A. Call to Order – 6:05 PM

B. Pledge of Allegiance

C. Roll Call

Upon roll call by Clerk Cosby, President Senak and Trustees Christiansen, Fasules, Kalinich, Gould, Simon, and Thompson, replied “Present.” Also present were Village Manager Franz, Assistant Village Manager Rodman, Village Attorney Mathews, Economic Development Coordinator Hannah, and Acting Finance Director Brankin. Trustee Christiansen left the meeting at 6:27pm for personal reasons.

D. Audience Participation

There was no off-agenda public comment.

E. Presentation

- 1) Central Business District (CBD) Business Support Programs (Economic Development Coordinator Hannah)

Economic Development Coordinator Hannah outlined the requirement for the proposed Business Support Program, the amounts that business owners could qualify for based on lost revenue, and the source of the funding. She added that marketing support would be increased as well, with an amount to be determined.

President Senak emphasized that whatever action to take is decided upon, funds need to get out quickly.

Trustee Kalinich was appreciative that Phase One of the Streetscape construction project was included in the proposed program.

Trustee Gould asked about businesses that were included in the program. Discussion ensued on how “retail” is determined in a service business. Economic Development Coordinator Hannah added to the discussion. The impact of e-commerce was part of this discussion as well.

Trustee Simon asked what the Village would do for businesses that have suffered in other ways than monetarily throughout all four phases of construction. Discussion ensued.

Trustee Simon asked what the goal of the program is supposed to be. Trustee Fasules gave his opinion that it's compensation for the pain that the Village has caused due to the Streetscape construction.

Trustee Thompson pointed out that it's an infrastructure project, not just a beautification project. He also felt that for Phase One, the requirements should be a bit more forgiving given their circumstances. The Board discussed this idea.

Trustee Kalinich asked what money has been left on the table, if any, for any other award programs. Economic Development Coordinator Hannah replied.

Trustee Simon wondered what the businesses think about the program.

Shannon Burgess, owner of the bookstore, spoke about how her business would use the money and what the issues are with other businesses in the CBD. She explained how the shortfall in funds affects inventory for the holiday season. She felt that any amount of funding will help everyone. She also felt that accountability was a fair requirement for receiving money. She added that help with low interest loans would be helpful for some businesses.

President Senak asked Ms. Burgess if she thought a grant program, or a low interest loan, would be the best way to help business owners. Ms. Burgess replied. President Senak asked a follow up question about whether the proposed grant amount would be able to sustain the businesses. Ms. Burgess replied.

President Senak asked Attorney Mathews and Acting Finance Director Brankin if there are any legal issues that prevent the Village from making loans. They replied that they did not believe there was. Economic Development Coordinator Hannah added that one of the community banks was offering to work with businesses to take out lower interest loans.

Trustee Thompson asked about the service businesses and how to help them if they can show need for a grant at the same level as the retailers. Discussion ensued. Ms. Burgess added her thoughts on the businesses that are on the second floors of the CBD. Consensus seemed to be that storefronts should be given consideration whether retail or service.

Trustee Simon felt that treatment should be equitable due to some businesses not being down financially. Ms. Burgess gave her thoughts on this issue.

President Senak asked what the two grant amounts should be. Discussion ensued. The Board agreed to two (2) one-time grant amounts and which businesses may apply for the grants. For businesses whose revenue is down 20-30%, the grant would be \$3,000; for businesses whose revenue is down 30% or more, the grant would be \$4,500. These grants would be sourced from the General Fund.

To be eligible for the CBD Small Business Construction Impact Grant Program, the business must meet the following criteria:

- Be an existing business that is independently owned (including independent

franchisees)

- Be primarily: retail, food and/or beverage service, or entertainment
- Be able to provide the information listed in Section 2 of the Agreement, and
- Have ‘bricks and mortar’ presence in the streetscape project area (Phase I or II)
- Have regular posted walk-in hours during the construction timeline
- Have been fully open for business one year prior to the start of the applicable construction phase
- Have an approved Business Registration and Occupancy Permit on file with Village

An application for a grant request may only be submitted by a commercial business owner. The business owner must present the following documents:

- Total Business revenue for April 1 - August 31 from their construction impact period
- Total Business revenue for the same time period from the year prior to their construction impact period
- Paid in full receipts of business expenses incurred during same period for rent, payroll, utility (e.g. cannot be used for past due expenses of that period)

Economic Development Coordinator Hannah thanked Ms. Burgess for her involvement in getting feedback from business owners in the CBD.

Economic Development Coordinator Hannah asked if the existing downtown beautification program was going to continue. It was agreed that it would continue.

Village Manager Franz summarized what was agreed to as far as the parameters of the proposed grant program.

Assistant Village Manager Rodman asked if income verification would be part of the program. Village Manager Franz replied that an affidavit would be required and businesses would be trusted to submit truthful information.

Trustee Thompson asked for the timing to be adjusted. Village Manager Franz replied and it was agreed that the timeframe would be adjusted for phase one.

F. Adjourn – 7:02 PM

Mover: Trustee Gould; Second: Trustee Kalinich. Unanimous vote to adjourn.



Glen Ellyn Village Board
535 Duane Street
Glen Ellyn, IL 60137

Meeting 9/25/2023 7:00 PM
Department: Administration
Department Head: Emily Rodman
Category: Ordinance
Prepared By: Meredith Hannah

**AGENDA ITEM (ID
2023-912)**

DOC ID: 2023-912

Motion to Approve Ordinance 7059, an Ordinance Creating the Central Business District (CBD) Construction Impact Grant Program at a cost not to exceed \$100,000 for CY23 and CY24 to be expensed to the General Fund in CY23 and Corporate Reserve Fund in CY24 (Economic Development Coordinator Hannah)

Statement of the Issue:

During the September 11, 2023 Village Board Meeting, the Board tabled the ordinance until the September 25, Regular Board Meeting. Staff has taken the comments from the Board and incorporated the changes into the updated ordinance and applicaiton.

Analysis:

During the August 7 and 28, 2023 Special Village Board Workshop meetings, the Village Board heard updates from businesses in the CBD streetscape construction project area regarding the impact the project has had on foot traffic and business overall. The Board has directed staff to create a one-time grant program for businesses in the Central Business District.

Using feedback from the Board and the business community, staff has drafted the attached Grant Program for the Village Board to consider. The Central Business District (CBD) Construction Impact Grant Program as proposed, provides financial assistance of \$4,500 - \$6,000 to eligible businesses in the construction impacted zones of the CBD in the form of a one-time grant.

Business Eligibility Requirements are as follows:

1. Retail/Restaurant Local Businesses: Provide the Village with any and all financial records, specifically including ST1 documents, and other records necessary, covering a minimum of three consecutive months, and sufficient to establish total sales for retail businesses a loss in revenue when compared to preconstruction revenues.
2. Service Local Businesses: Provide the Village with any and all financial records, specifically, monthly profit and loss statements.
3. Comparable revenue from the same period as stated above during the year prior to the Construction Phase, depending on their respective phase of streetscape. Construction Impact Periods:

Phase I: March 1, 2022 – October 31, 2022

Phase II: May 1, 2023 – October 31, 2023

Phase III and Phase IV will be determined prior to the start of construction in that year.

4. All applications must be submitted by February 1 of the year following the period of construction impact.
5. When applicable, businesses must be up to date on food and beverage taxes to be eligible.

Businesses demonstrating loss in revenue year over year during the applicable construction phase, may receive a one-time only per business grant based on the following criteria:

- Revenue loss up to 19.9% is not eligible
- Revenue loss of 20-29.9% may receive \$4,500
- Revenue loss of 30% or more may receive \$6,000

Staff will review applications for complete and accurate information and provide the Village Board with recommendations for grant approvals.

Budget Impact:

This is a non-budgeted program. Funding for this program will come from the General Fund reserves. It is recommended to budget \$100,000 a year, each year for the duration of the CBD Streetscape Project from the General Fund.

Contribution to Strategic Plan

Strategic Priority: Development. Effective Stewardship of incentives to support business recruitment and retention. Implement an Economic Development strategy focused on overall commercial vitality, EAV growth and sales tax growth. Coordinate award programs and assessment of value to the business community annually. This program provides financial assistance to downtown businesses who were negatively effected during the CBD streetscape project due to lack of foot traffic and construction.

Action Requested:

Approve Ordinance 7059 creating the Central Business District (CBD) Construction Impact Grant Program contingent upon Village Attorney review.

Attachments:

1. Ord 7059 CBD Construction Grant
2. Construction Impact Grant Application



Village of Glen Ellyn

Ordinance No. 7059

**An Ordinance Authorizing a Central Business District (CBD)
Construction Impact Grant Program to help offset the impact
related to the Central Business District Construction Project**

**Adopted by the
President and the Board of Trustees
Of the Village of Glen Ellyn
DuPage County, Illinois
This _____ Day of _____, 20__.**

Published in pamphlet form by the authority
of the President and Board of Trustees of the
Village of Glen Ellyn, DuPage County, Illinois,
this _____ day of _____, 20__.

PREPARED BY AND MAIL TO:
VILLAGE OF GLEN ELLYN
ATTN: VILLAGE CLERK
535 DUANE STREET
GLEN ELLYN, IL 60137

Ordinance No. 7059

**An Ordinance Authorizing a Central Business District Construction Impact Grant Program
to help offset the impact related to the
Central Business District Construction Project**

WHEREAS, the Village of Glen Ellyn is a home rule municipality as defined by Section 6(a) of Article VII of the Illinois Constitution of 1970; and

WHEREAS, in an effort to improve the aesthetics, safety and pedestrian comfort of the historic district, the Village began a streetscape project involving Main Street, between Cottage and Hillside, and Pennsylvania, between Forest and Prospect, and Crescent, between Forest and Prospect, and Duane Street between Forest and Prospect; and

WHEREAS, while the above-described project is intended to benefit the downtown business owners, serve the residents and visitors to the downtown, and to protect the safety and well-being of the public created thereby, the Village President and Village Board have determined that the construction has unintended, negative consequences for local businesses, particularly those that rely on walk-up customer traffic; and

WHEREAS, the Village President and Village Board have determined that any economic hardship experienced by local businesses is likely to have broader negative consequences for the Village and its citizens; and

WHEREAS, the Village President and Village Board have determined that it is necessary and expedient for the Village to help alleviate the economic hardships experienced by local businesses by helping such businesses with a grant program prescribed herein; and

WHEREAS, pursuant to Section 8-1-2.5 of the Illinois Municipal Code (65 ILCS 5/8-1-2.5), the Village may appropriate and expend funds for economic development purposes and make grants to any commercial enterprise that are deemed necessary or desirable for the promotion of economic development within the Village; and

WHEREAS, the Village President and Village Board have determined that it is in the best interests of the Village and its citizens to establish a CBD Construction Impact Grant Program Grant Program to permit the Village to award a one-time grant for expenses attributable to personnel costs, utilities and rent, to local businesses so as to support them during the specified periods in the grant program; and

WHEREAS, the Village President and Village Board have determined that establishing a CBD Construction Impact Grant Program to support local businesses during the construction is necessary and desirable for the promotion of economic development within the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE BOARD OF THE VILLAGE OF GLEN ELLYN, ILLINOIS as follows:

SECTION 1. All the recitals contained in the preamble to this Ordinance are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. That the Village President and the Village Board hereby establish the Village of Glen Ellyn CBD Construction Impact Grant Program (the “Program”), as follows:

1. **AUTHORITY.** The Village Board will authorize all payouts through the CBD Construction grant program by formal approval.
2. **DEFINITION OF “LOCAL BUSINESS.”** For the purposes of this Program, the phrase “Local Business” means any lawfully operating for-profit independently owned and operated business located on the first floor or basement, that sells goods or services to the community with an approved Business Registration with the Village that has its primary brick and mortar business located within the corporate boundaries of the Village of Glen Ellyn and in the CBD streetscape construction area (as defined by the village project), as designated in the Grant Program.
3. **ELIGIBILITY.** In order to be eligible for a grant pursuant to this Grant Program, an applicant must:
 - a) Retail/Restaurant Local Businesses: Provide the Village with any and all financial records, specifically including ST1 documents, and other records necessary, covering a minimum of three consecutive months, and sufficient to establish total sales for retail businesses a loss in revenue when compared to preconstruction revenues.
 - b) Service Local Businesses: Provide the Village with any and all financial records, specifically, monthly profit and loss statements.
 - c) Comparable revenue from the same period as stated above during the year prior to the Construction Phase, depending on their respective phase of streetscape. Construction Impact Periods:
 - Phase I: March 1, 2022 – October 31, 2022
 - Phase II: May 1, 2023 – October 31, 2023
 - Phase III and Phase IV will be determined prior to the start of construction in that year.
 - d) All applications must be submitted by February 1 of the year following the period of construction impact. Phase I and Phase II applications will be considered with the same deadline of February 1, 2024.
 - e) When applicable, businesses must be up to date on food and beverage taxes to be eligible.
4. **GRANT AGREEMENT:** Attached and incorporated herein is the Grant Agreement approved by the Village Board to be entered by the Owner(s)/Lessee(s) and the Village Manager. The Village Board authorizes the Village Manager to amend such Agreement as necessary and needed to administer this Program.
5. **FUNDING OF THE GRANT PROGRAM.** Annual funding for the CBD Construction Impact Grant Program, is limited to \$100,000 per budget year. The Village Board authorizes the appropriation needed and authorizes the Village Manager to take the necessary steps

for the expenditures of the grants.

SECTION 3. In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 4. That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

SECTION 5. That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 6. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

	Ayes		Nays		Absent
Fasules					
Gould					
Thompson					
Kalinich					
Simon					
Christiansen					
Senak (in event of a tie)					

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois this ____ day of

_____.

Approved by the Village President of the Village of Glen Ellyn, Illinois this ____ day of _____.

Village President

Attest:

Village Clerk

AFFIX Village Seal

(Published in pamphlet form and posted on the _____ day of _____, 20____.)



VILLAGE OF GLEN ELLYN

Central Business District (CBD) Construction Impact Grant Program

September 25, 2023

Purpose

The Village of Glen Ellyn has implemented a Central Business District (CBD) Construction Impact Grant Program for independently owned businesses (including independently owned franchises) located within the Village of Glen Ellyn's CBD Utility and Streetscape Project area. This is a one-time grant provided to businesses in recognition of their investment and commitment to the community and to support their future success. The Village Board reserves the sole right to amend, modify, add, or delete any part or subpart of this program.

The grant agreement and application are attached. If you have any questions or need additional information please contact Meredith Hannah, Economic Development Coordinator at 630.547.5345. The Economic Development Office is located at the Civic Center, 535 Duane Street, 2nd Floor, Glen Ellyn, IL 60137. Email completed Application and Exhibits to mhannah@glenellyn.org in pdf format or drop off a paper copy, attention Meredith Hannah. Applications must be submitted by February 1 for the previous year to be eligible.

I. ELIGIBILITY CRITERIA

A. To be eligible for the CBD Construction Impact Grant Program, an existing business must be for-profit independently owned, must provide the information listed in Section 2 of the Agreement, and have a 'bricks and mortar' presence with regular business hours in the Village's Central Business District Utility and Streetscape project area.

B. An application for a grant request may only be submitted by a commercial business owner. The business must have an approved and current Business Registration Application and Occupancy Permit on file with the Village for at least one year.

C. If applicable, the business must also be current on all Food & Beverage Taxes with the Village.

D. Applicants (Business) may only receive this grant one time through the entire course of the Village's Central Business District Utility and Streetscape Project, regardless of what Phase the business is located in.

II. ELIGIBLE EXPENSES

The following items are eligible for the program funds:

- Payroll
- Operating expenses, including utility payments during the time periods listed in Section IV.
- Lease or utility bills
- Other bills not otherwise able to be paid, exclusive of Ineligible Expenses

III. INELIGIBLE EXPENSES

The following items are not eligible for the program funds:

- Perishing foods
- Signage or advertising
- Construction-related capital improvements
- Past due lease, loan(s) or utility payments

IV. REVIEW CRITERIA

Every application will be evaluated based on the eligibility criteria established in Section I of the Agreement and the submitted information below. The Village will consider the following:

- a) Retail/Restaurant Local Businesses: Provide the Village with financial records, specifically including ST1 documents, and other records necessary, covering a minimum of three consecutive months, and sufficient to establish total sales for retail businesses resulted in a loss in revenue when compared to preconstruction revenues.
- b) Service Local Businesses: Provide the Village with financial records, specifically, monthly profit and loss statements.
- c) Comparable revenue from the same period as stated above during the year prior to the Construction Phase, depending on their respective phase of streetscape. Construction Impact Periods:
 - i. Phase I: March 1, 2022 – October 31, 2022
 - ii. Phase II: May 1, 2023 – October 31, 2023
 - iii. Phase III and Phase IV will be determined prior to the start of construction in that year.
- d) All applications must be submitted by February 1 of the year following the period of construction impact.

V. ASSISTANCE AVAILABLE

Businesses demonstrating loss in revenue year over year during the applicable construction phase, may receive a one-time only per business grant based on the following criteria:

- Revenue loss up to 19.9% is not eligible
- Revenue loss of 20-29.9% may receive \$4,500
- Revenue loss of 30% or more may receive \$6,000

VI. REVIEW PROCESS

- Applicant shall submit financial statements information from Section IV

- Village Staff will review the application and make a recommendation of approval to the Village Board
- Upon Village Board approval, check will be distributed
- Applicants should expect the review and approval process to take approximately 4-6 weeks.

Required Submittals With Application:

- a) Completed IRS Form W-9 Request for Taxpayer Identification Number and Certification;
- b) Retail/Restaurant Local Businesses: Provide the Village with financial records, specifically including ST1 documents, and other records necessary, covering a minimum of three consecutive months, and sufficient to establish total sales for retail businesses a loss in revenue when compared to preconstruction revenues.
- c) Service Local Businesses: Provide the Village with financial records, specifically, monthly profit and loss statements.
- d) Comparable revenue from the same period as stated above during the year prior to the Construction Phase, depending on their respective phase of streetscape. Construction Impact Periods:
 - Phase I: March 1, 2022 – October 31, 2022
 - Phase II: May 1, 2023 – October 31, 2023
 - Phase III and Phase IV will be determined prior to the start of construction in that year.
- e) All applications must be submitted by February 1 of the year following the period of construction impact. Phase I and Phase II applications will be considered with the same deadline of February 1, 2024.

VILLAGE OF GLEN ELLYN
CENTRAL BUSINESS DISTRICT (CBD)
CONSTRUCTION IMPACT GRANT PROGRAM AGREEMENT

THIS AGREEMENT, entered into this _____ day of __, 20____, (to be completed by Village Staff) between The Village of Glen Ellyn, Illinois (hereinafter referred to as the “Village”) and the following designated OWNER(s)/LESSEE(s), to wit:

(To be completed by Applicant)

Owner/Lessee Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone # _____ Email: _____

Name of Business: _____

Business Address: _____

If a corporation, any and all officers: _____

Ordinance No. 7059, passed and approved by the Village of Glen Ellyn Village Board on September __, 2023, authorizing a Grant Program to help offset the economic hardships caused by the CBD construction in the Village of Glen Ellyn, DuPage County, Illinois, is incorporated herein as Exhibit IV and made a part of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and agreement obtained herein, the Village and OWNER(s)/LESSEE(s) do hereby agree as follows:

SECTION ONE: GRANT AMOUNT—Village Staff and the Village Board will review the applications and award the grant in an amount based on the demonstrated need of the applicant in consideration of the number of other qualifying applicants, and the total available allotted funding for this Program, but in no event, shall the amount exceed the cap for such grant as prescribed in Section Four of this Agreement.

SECTION TWO: DOCUMENTATION REQUIREMENTS— Provide the Village financial records and other records necessary and sufficient to:

- a. Establish a loss in revenue when compared to pre-construction revenues by providing financial statements (revenues and expense) for the construction period and prior year.
- b. The Business's financial statements for the impact year and the previous year.

Village Staff shall, upon receipt and review of the application, determine the approved grant amount. Once recommended, applicants will be notified of the award amount presented to the Village Board. Each and every document submitted by the Applicant, which the Applicant considers as proprietary or confidential, shall be stamped or labeled as such for the purposes of compliance with and fulfillment of Section Seven below. Please note, this information may still be subject to the Freedom of Information Act, see Section Seven.

SECTION THREE: FAILURE TO USE THE FUNDS FOR APPROVED EXPENSES— If the OWNER(s)/LESSEE(s) fails to apply the funds (grant) as noted in the eligibility requirements and all terms of this Agreement, the Agreement shall terminate and the financial obligation on the part of the Village shall cease and become null and void. If money has been disbursed to the applicant, misuse of funds will trigger a requirement for immediate repayment of the total grant amount, subject to legal enforcement available to the fullest extent of the law. If such collection action undertaken by the Village either by its Village Attorney or outside legal counsel, the OWNER(s)/LESSEE(s) along

with its corporate officers shall each jointly and severally be personally liable for the total grant amount plus interest and costs related to collection action including, but not limited to, attorney fees, filing fees, and any other related costs. Such personal liability shall survive the dissolution of the corporation.

SECTION FOUR: MAXIMUM GRANT AWARDS – For a qualifying Local Business as defined in Ordinance No. 7059, the amount of the grant awarded and approved by the Village Board shall not exceed:

- 1) Revenue loss up to 19.9% is not eligible
- 2) Revenue loss of 20-29.9% may receive \$4,500
- 3) Revenue loss of 30% or more may receive \$6,000

Any grant awarded must be used or expended for eligible expenses as prescribed in this Program.

SECTION FIVE: GENERAL INDEMNIFICATION – In the event that, as a result of this Agreement, or actions taken as required hereunder, the Village is made a party defendant in any litigation arising by reason of this Agreement, and development activities contemplated hereunder, the Owners agree to defend and hold harmless the Village, the President, Village Board, Officers and Agents thereof, individually and collectively, from any suits and from any claims, demands, setoff or other action including but not limited to judgments arising therefrom. The obligation of the Owners hereunder shall include and extend to payment of reasonable Attorneys' fees for the representation of the Village and its said Officers and Agents in such litigation and includes expenses, court costs and fees; it being understood that the Owners where there shall be no applicable standards provided therein, shall have the right to employ all such Attorneys to represent the Village and its Officers and Agents in such litigation, subject to the approval of the Corporate Authorities of the Village, which approval shall not be unreasonably withheld.

SECTION SIX: PERFORMANCE OF AGREEMENT – It is agreed that the Owners shall not have a right to recover a judgment for monetary damages against the Village, its employees or agents, and any Elected or Appointed Official of the Village for any breach of any of the terms of this Agreement. The Village reserves the right to maintain an action to recover damages or any sums which Owners have failed to pay pursuant to this Agreement and which have remained unpaid. Nothing in this Agreement shall be construed as conferring any property right or a cause of action to the OWNER(s)/LESSEE(s) against the Village, its employees or agents or elected or appointed officers,

for its sole discretion in awarding such grants and the amount of such grant as prescribed in this Agreement.

SECTION SEVEN: FOIA AND/OR DISCLOSURE - In the event that the Village receives a request under the Illinois Freedom of Information Act (5 ILCS 140/1 et seq.), or similar law for the disclosure of “public records” as defined in 5 ILCS 140/2(c) and 140/7(2) information, the OWNER(s)/LESSEE(s) shall fully cooperate with the VILLAGE to comply with the FOIA request. In the event that Village receives a request under the Illinois FOIA for the disclosure of information that has been designated or is otherwise considered by the OWNER(s)/LESSEE(s) as confidential, trade secret or proprietary, the Village shall notify the OWNER(s)/LESSEE(s) of such request and cooperate with the OWNER(s)/LESSEE(s) in opposing such request. OWNER(s)/LESSEE(s) shall indemnify and defend the Village from and against any claims arising from the Village’s opposition to disclosure of any information OWNER(s)/LESSEE(s) designates or considers as proprietary or confidential if a court or judge finds that Village is obligated to produce such information under the Illinois Freedom of Information Act.

IN WITNESS THEREOF, the parties hereto have executed this Agreement on the date first appearing above.

OWNER(s)/LESSEE(s)

VILLAGE OF GLEN ELLYN

Program Participant

Village Manager

DATE:_____

DATE:_____

Corporate Officers:

President:_____

Officers:_____

The Village Board awards the OWNER(s)/LESSEE a grant in the amount of \$_____
(to be completed by Village Staff) pursuant to the limitations of use prescribed in Ordinance No. 7059 and this Agreement.

GRANT APPLICATION

Date: _____

Local Business Address: _____

Store/Company Name: _____

Applicant Name: _____

Applicant Business Address: _____

Applicant Business Phone: _____ Home Phone: _____

Total Anticipated Grant Request: \$ _____

I hereby make application to the Village of Glen Ellyn for a Small Business Streetscape Construction Impact Grant Program in the anticipated grant amount of \$ _____. I understand that my application must be approved by the Review Committee, that it must conform to the requirements established in the Application and may not be the maximum amount requested pending a decision by the Village of Glen Ellyn Review Committee. I have read a copy of the Small Business Streetscape Construction Impact Grant Program Agreement. If approved, I understand that all financial payments utilizing the grant dollars are subject to the provisions of the Agreement.

Applicant Signature

Date

For any grant awarded, please make a check payable to:

Name/Business: _____

Address: _____

SS# or Tax ID# _____



Glen Ellyn Village Board
535 Duane Street
Glen Ellyn, IL 60137

Meeting 9/25/2023 7:00 PM
Department: Community Development
Department Head: Emily Rodman
Category: Ordinance
Prepared By: Emily Rodman

AGENDA ITEM (ID
2023-913)

DOC ID: 2023-913

Motion to Approve Ordinance No. 7060, An Ordinance Approving Variations from the Zoning Code to Allow the construction of a Detached Garage and Building Additions that Encroach into the Required Front and Side Yards and Increase the Lot Coverage Ratio on the Property Located at 660 N. Main Street (AVM/Community Development Director Rodman)

Statement of the Issue:

The petitioner is requesting variations from Sections 10-4-8(D)2, 10-4-8(D)3 and 10-4(E)1 of the Glen Ellyn Zoning Code to allow the construction of a detached garage, front porch and second floor additions on the existing home.

Analysis:

The property is trapezoidal in shape and is considered legal nonconforming with regard to lot area, and rear and side yard setbacks for homes in the R2 Residential District.

The petitioner is proposing to construct a two-car garage with additional storage. The garage will be connected to the home via a new mudroom. The addition is approximately 481.4 SQFT. To obtain the appropriate width for the garage the structure encroaches into the 7.5' required side yard by 1.17' leaving a proposed side yard of 6.33'.

The petitioner is also requesting a variation from the required 40' rear yard setback. Currently, the existing home only has a 20' rear yard setback. The existing one and a half story portion of the home is proposed to be rebuilt as a full two-stories. While not increasing the encroachment into the rear yard on the ground plane, the addition is considered to increase the existing non-conformity and therefore requires a variation. The petitioner is requesting to modify the home in order to increase the usable space in the second-floor bedroom. The existing home has a chimney on the rear elevation with a depth of 2.1', which reduces the rear yard to 17.9' from 20 (currently)'.

In summary, the petitioner is requesting a recommendation of approval of the following variations from the Glen Ellyn Zoning Code:

- Section 10-4-8(D)2 to allow a rear yard setback of 17.9' feet where the required rear yard setback is 40 feet in the R2 Residential District

- Section 10-4-8(D)3 to allow a side yard setback of 6.33 feet where the required side yard setback is 7.5 feet in the R2 Residential District
- Section 10-4-8(E)1 to allow a lot coverage ratio of 23.69%, in lieu of the maximum lot coverage ratio of 20% in the R2 Residential District

For more information, please review the Zoning Board of Appeals packet [here](#).

Zoning Board of Appeals

At the ZBA public hearing on September 12, 2023, the Board reviewed the existing conditions of the property and considered the testimony from the petitioners. The owners of properties within 350 feet of the subject property were mailed notice of the public hearing. The ZBA members voted on a motion to recommend approval of the requested zoning variations based upon the following hardships or unique circumstance:

- The lot coverage calculations regarding the front porch and the front yard setback;
- There is no effective change to the existing rear yard setback;
- Construction of a detached garage in the rear yard is not a viable option.

Recommendation

At the public hearing on September 12, 2023, the Zoning Board of Appeals voted on a motion to recommend approval of the requested variations by vote of 6-1. Since the motion carried, staff has prepared an ordinance to approve the requested variations.

Budget Impact:

N/A

Contribution to Strategic Plan

N/A

Action Requested:

Motion to Approve Ordinance No. ____, An Ordinance Approving Variations from the Zoning Code to Allow the construction of a Detached Garage and Building Additions that Encroach into the Required Front and Side Yards and Increase the Lot Coverage Ratio on the Property Located at 660 N. Main Street

Attachments:

1. Ordinance_660 N. Main Street Variations
2. DRAFT Minutes ZBA 9.12.2023

Village Of Glen Ellyn

Ordinance No. _____

**An Ordinance Approving Variations from the
Zoning Code to Allow the construction of a Detached Garage and Building Additions
that encroach into the Required Front and Side Yards
and Increase the Lot Coverage Ratio
on the Property Located at 660 N. Main Street
Glen Ellyn, IL 60137**

**Adopted by the
President and the Board of Trustees
of the Village of Glen Ellyn
DuPage County, Illinois
This ____ Day of _____, 20____.**

Published in pamphlet form by the authority of the
President and Board of Trustees of the Village of
Glen Ellyn, DuPage County, Illinois,
this _____ day of _____, 20____.

ORDINANCE NO. _____

**An Ordinance Approving Variations from the
Zoning Code to Allow the construction of a Detached Garage and Building Additions
that encroach into the Required Front and Side Yards
and Increase the Lot Coverage Ratio
on the Property Located at 660 N. Main Street
Glen Ellyn, IL 60137**

Whereas, Daryl Drake, Architect on behalf of Darren and Glenda Coombes, owners of the property at 660 N. Main Street Glen Ellyn, Illinois, which is legally described herein, has petitioned the President and Board of Trustees of the Village of Glen Ellyn for variations from Section 10-4-8(D)2 to allow a rear yard setback of 17.9 feet where the required rear yard is 40 feet; Section 10-4-8(D)3 to allow a side yard setback of 6.33 feet where the required side yard is 7.5 feet; and Section 10-4-8(E)1 to allow a Lot Coverage Ratio of 23.69% in lieu of the maximum Lot Coverage Ratio of 20% all In the R2 Single Family Residential District; and

Whereas, following due notice by publication in the Daily Herald not less than fifteen (15) nor more than thirty (30) days prior thereto, and by mailing notice to all property owners within 250 feet of the subject property at least ten (10) days prior thereto, and following the placement of a placard on the subject property not less than fifteen (15) days prior thereto, the Glen Ellyn Zoning Board of Appeals conducted a public hearing on September 12, 2023, at which the petitioner presented evidence, testimony, and exhibits in support of the variation request and a petition containing eleven signatures of nearby residents in favor of the requests and zero (0) persons appeared in favor of the variation request, and zero (0) persons appeared in opposition thereto; and

Whereas, based upon the evidence, testimony, and exhibits presented at the public hearing on September 12, 2023, the Zoning Board of Appeals adopted findings of fact and voted

on a motion to approve the variation, which carried by vote of six (6) “yes” and zero (0) “no”, resulting in a recommendation for approval to allow the construction of two dormers closer to the front and side yard lot lines than the minimum required setbacks on the subject property as set forth in its Draft Minutes dated September 12, 2023, appended hereto as Exhibit "A"; and

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

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

- a. 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 property was subdivided many years ago and the home was placed deep into the lot with a small, non-compliant rear yard. The proposed location of the attached garage is its only viable spot.
- b. The property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code, because a garage is now seen as a necessity for single family homes. Other homes in the vicinity have garages.
- c. The plight of the petitioner is due to unique circumstances relating to the property in that the homes siting in conjunction with the homesite’s shape creates a unique circumstance and limit the location of any new garage.
- d. The requested variations, if granted, will not alter the essential character of the locality of the property in question, because most home is the vicinity of the property in question have attached garages, the existing home’s rear yard at the ground plain is not changing.
- e. 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 of the size and shape of the homesite a garage could only be constructed as proposed. The second-floor addition does not affect coverage on the ground plane.

- f. 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 conditions upon which this variation request is based (non-standard trapezoidal shaped lot, home placement upon the lot, diagonal North Main Street) are specific to this property and would not be generally applicable to other property within the R2 Single Family District.
- g. The purpose of the variations is not based exclusively upon a desire to make more money out of the property in question, because a garage is now seen as a necessity for single family homes and the full height second floor bedroom allows for better space utilization.
- h. 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 subdivided in the 1920s and the difficulties existed prior to 2012 when the current owners acquired the property.
- i. 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 variations do not alter the property's use as single family in a single family neighborhood and do not unnecessarily limit light to any adjacent properties.
- j. The proposed variations will not substantially increase the hazard from fire or other dangers to the property in question or adjacent property, because the property will remain a single-family home, and the addition will be built to current day building codes.
- k. 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 increasing the livability of the home will ensure its viability into the future.
- l. The proposed variations will not create a nuisance or result in an increase in public expenditures because the use as a single-family home will remain and no additional public expenditures are required.
- m. The variations are the minimum variations that will make possible the reasonable use of the land, building or structure because the garage addition meets current day size and there are no ground plain decreases into the rear yard.

Whereas, the President and Board of Trustees, based on the aforementioned findings of fact, find it appropriate to grant the variation.

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

Section One: The Draft Minutes of the September 12, 2023, Glen Ellyn Zoning Board of Appeals meeting, Exhibit "A" appended hereto, are hereby accepted, and the findings of fact and conclusions set forth in the preambles above are hereby adopted as the findings of fact and conclusions of the corporate authorities of the Village of Glen Ellyn.

Section Two: Based upon the above findings of fact, the President and Board of Trustees hereby approve a variations from Sections 10-4-8(D)2, 10-4-8(D)3 and 10-4(E)1 of the Glen Ellyn Zoning Code to allow the construction of a garage, front porch and second floor additions on the existing home with a rear yard setback of 17.9 feet and side yard setback of 6.33 feet in lieu of the required rear yard setback of 40 feet, side yard setbacks of 7.5 feet and a lot coverage ratio of 23.89% in lieu of the required maximum lot coverage ratio of 20% in the R2 Single Family Residential District, for the property at 660 N. Main Street, Glen Ellyn, Illinois, which is legally described as follows:

LOT 4 IN C.L. MOULTON'S SECOND SUBDIVISION, A SUBDIVISION OF LOT 1 IN BLOCK 17 IN GLEN ELLYN ADDITION TO PROSPECT PARK, IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID C.L. MOULTON'S SECOND SUBDIVISION RECORDED MARCH 29, 1928 AS DOCUMENT NUMBER 254775, IN DUPAGE COUNTY, ILLINOIS

P.I.N.: 05 - 11 - 117 - 012

Section Three: This grant of variation is conditioned upon the fence being constructed in substantial compliance with the testimony and exhibits provided at the September 12, 2023,

Zoning Board of Appeals public hearing.

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

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

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

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

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois,
this ____ day of _____, 2023 .

	Ayes	Nays	Absent
Fasules			
Gould			
Thompson			
Kalinich			
Simon			
Christiansen			
Senak (in event of a tie)			

Approved by the Village President of the Village of Glen Ellyn, Illinois, this _____ day
of _____, 2023.

Village President of the
Village of Glen Ellyn, Illinois

Attest:

Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the _____ day of _____).

DRAFT MINUTES
Glen Ellyn Zoning Board of Appeals Meeting
Tuesday, September 12, 2023 at 7:00 p.m.
Glen Ellyn Civic Center
Galligan Board Room
535 Duane Street

A. Call to Order and Roll Call

Chairperson Gregory Constantino called the meeting to order at 7:04 PM, and roll was called.

Present: Chairperson Gregory Constantino and Board Members Katie Crudele, Matthew Jones, Christiane McKnight, Reed Panther, and Craig Pavlich.

Absent: Board Member Thomas Whalls.

Also in attendance: Anne Gould, Trustee; Audrey Savikas, Recording Secretary; and Scott Viger, Planning Consultant.

Chairperson Constantino explained the advisory nature of the Zoning Board of Appeals (ZBA) and its process for deliberation and recommendation. He described the Public Hearing protocols and announced that the meeting was being recorded.

B. Public Comment (non-agenda items)

There were no public comments for non-agenda items.

C. Approval of Minutes

Member Crudele made a motion to approve the draft minutes of the July 11, 2023 meeting. Member McKnight seconded the motion, and the motion passed by voice vote.

D. New Business

1.) Public Hearing — 423 Ridgewood Avenue

Member McKnight moved to open the Public Hearing. Member Jones seconded the motion, and the motion passed by voice vote.

Staff Introduction

Scott Viger, Planning Consultant for the Village of Glen Ellyn, introduced the request: Zoning Variation requests to allow for the construction of two second story dormers. Mr. Viger presented information as detailed in the Staff Report dated September 5, 2023, included in the agenda packet. Mr. Viger's presentation included a description of the existing conditions of the home; the zoning and surrounding zoning; the property's Plat of Survey; and existing elevations. Mr. Viger presented the proposed project, including the site plan; floor plans; and elevations. Mr. Viger described the ZBA Action.

Mr. Viger responded to Board Member questions, including confirming that the proposal would not change the overall footprint of the home. Mr. Viger and Members discussed the property's status as legal nonconforming and considered whether Variations are required for this subject property. Mr. Viger noted in the Staff Report that "These new dormers while not increasing the Lot Coverage or the setbacks at the ground level do require variations as 'increasing the nonconformity.'" Mr. Pavlich referred to Zoning Code 10-4-1 (N) which allows for certain existing nonconforming properties to construct over the perimeter walls of the house, if not extending the footprint of the house. Mr. Viger responded to additional Board Member questions, confirming that no eaves or ridge Variances are required for this proposal, and that no public comments were received in support or opposition to the request.

Petitioner Testimony

Sworn in, Petitioner Patrick Reinke, owner of 423 Ridgewood Avenue, addressed Board Members. He discussed his family's history in Glen Ellyn and their intent to improve the home to accommodate their growing family.

Mr. Reinke responded to Board Member questions, including confirming that he has received no comments or concerns from neighbors regarding the proposal.

Public Testimony

There was no public testimony.

Board Member Deliberation

Member Panther summarized the Findings of Fact from the hearing, including:

- The public hearing is regarding 423 Ridgewood Avenue. The petitioner is David Raino-Ogden, Architect, on behalf of Patrick and Melissa Reinke, owners of the property.

- The Petitioners are requesting two Variations from the Zoning Code:
 1. Section 10-4-8(D)1 to allow for the proposed dormer on the front of the existing single-family building to have a front yard setback of 24.7 feet, whereas the required front yard setback is 30 feet in the R2 Residential District.
 2. Section 10-4-8(D)3 to allow for the proposed dormers on the front and back of the existing single-family building to have a side yard setback (west side) of 4.25 feet, whereas the required side yard setback is 6.5 feet in the R2 Residential District.
- The Board heard from Scott Viger, Planning Consultant, who shared that the home is existing non-conforming; that the proposal would add a bedroom and an en-suite bathroom to the home; and that the proposed addition would not increase the footprint of the home.
- The Board heard from Patrick Reinke, the homeowner, who shared that the proposal would increase the livability of the home for his family.

Member McKnight made a motion to adopt the findings of fact. Member Crudele seconded the motion. The motion passed unanimously on a roll call vote, with six Members present voting “Yes”: Chairperson Constantino and Members Crudele, Jones, McKnight, Panther, and Pavlich.

Board Members deliberated. They shared their positions regarding the request, all expressing support for the proposal. Areas of support included: no change to the existing footprint; the requests are modest; the existing non-conforming nature of the home is a hardship; the proposal may be allowable under Zoning Code 10-4-1 (N).

Board members recommend that Village Staff review the Zoning Code and confirm that Variations are required.

Member Crudele made a motion to close the Public Hearing for 423 Ridgewood Avenue. Member McKnight seconded the motion. The motion passed unanimously on a roll call vote, with six Members present voting “Yes”: Chairperson Constantino and Members Crudele, Jones, McKnight, Panther, and Pavlich.

Board Recommendation

Member Crudele moved for the following:

Having considered the application of David Raino-Ogden, Architect on behalf of Patrick and Melissa Reinke, owners of the property located at 423 Ridgewood Avenue, Glen Ellyn, for zoning variations from

1. Section 10-4-8(D)1 to allow for the proposed dormer on the front of the existing single-family building to have a front yard setback of 24.7 feet,

whereas the required front yard setback is 30 feet in the R2 Residential District, and

2. Section 10-4-8(D)3 to allow for the proposed dormers on the front and back of the existing single-family building to have a side yard setback (west side) of 4.25 feet, whereas the required side yard setback is 6.5 feet 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 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 September 12, 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): existing nonconforming; location of the home on the lot; no change to the footprint; modest request.

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 September 12, 2023, public hearing of the Zoning Board of Appeals.

Additionally, the Zoning Board of Appeals recommends that Village Staff review Zoning Code 10-4-1 (N) to better understand the need for Variations for this proposal.

Member Jones seconded the motion. The motion passed unanimously on a roll call vote, with six Members present voting "Yes": Chairperson Constantino and Members Crudele, Jones, McKnight, Panther, and Pavlich.

2.) Public Hearing — 660 N. Main Street

Member Pavlich moved to open the Public Hearing. Member Panther seconded the motion, and the motion passed by voice vote.

Staff Introduction

Scott Viger, Planning Consultant for the Village of Glen Ellyn, introduced the request: Zoning Variations to allow for the construction of a two-car garage and home addition. Mr. Viger presented information as detailed in the Staff Report dated September 8, 2023, included in the agenda packet. Mr. Viger's presentation included: a description of the existing conditions of the home; the zoning and surrounding zoning; and the property's Plat of Survey. Mr. Viger described the proposed addition in detail, including the floor plan, elevations, and perspective drawings. Mr. Viger described the ZBA Action.

Mr. Viger responded to Board Member questions, including clarifying Lot Coverage Ratio calculations and Staff's interpretation of Code with regard to the inclusion of the proposed front porch in lot coverage calculations. Mr. Viger confirmed that this could be considered a unique circumstance for the Petitioner. Mr. Viger confirmed that the proposed removal of the backyard shed was factored into the Lot Coverage Ratio calculations as well. Mr. Viger responded to additional Board member questions, including discussion regarding the feasibility of alternative garage types and locations. Mr. Viger shared that he received a petition supporting the proposal with 11 signatures representing eight neighboring properties. He said he did not receive any public comments in opposition to the proposal.

Petitioner Testimony

Sworn in, Darryl Drake, of Drake Design Co., representing Darren and Glenda Coombes, owners of the property, addressed Board Members. Mr. Drake described his history working with current and prior homeowners of the property to design a garage solution. He discussed unique circumstances and hardships, including the irregular-shaped lot; the position of the home on the lot; and the unique setbacks. Mr. Drake discussed his Lot Coverage Ratio calculations and how they differed from that of Village Staff. He described his attempts to limit the need for Variations by designing a narrow garage, and ensuring the rear wall of the garage achieved a 40-foot rear yard setback. He discussed his design goals and described proposed building materials.

Mr. Drake responded to Board Member questions, including confirming there would be no increase in impervious surface, and clarifying his Lot Coverage Ratio calculations.

Sworn in, Darren Coombes, owner of the property, addressed Board members and described his family's experience without a garage and their intent to improve the home to accommodate their family.

Public Testimony

There was no public testimony.

Board Member Deliberation

Member Panther summarized the Findings of Fact from the hearing, including:

- The public hearing is regarding 660 N. Main Street. The petitioner is Darryl Drake, of Drake Design Co., representing Darren and Glenda Coombes, owners of the property.
- The Petitioners are requesting three Variations from the Zoning Code:

1. Section 10-4-8(D)2 to allow a rear yard setback of 17.9 feet where the required rear yard setback is 40 feet in the R2 Residential District;

2. Section 10-4-8(D)3 to allow a side yard setback of 6.33 feet where the required side yard setback is 7.5 feet in the R2 Residential District;

3. Section 10-4-8(E)1 to allow a lot coverage ratio of 23.69%, in lieu of the maximum lot coverage ratio of 20% in the R2 Residential District.

- The Board heard from Scott Viger, Planning Consultant, who indicated the Variance request for the rear yard setback extends an existing nonconformity from the chimney and that the proposal does not increase the footprint to the rear yard. He shared that the lot is trapezoidal, shaped with an unusually large front yard setback.
- The Board heard from Darryl Drake, of Drake Design Co., representing Darren and Glenda Coombes, owners of the property. He indicated that a detached garage would not work in a rear yard of the property for multiple reasons. He shared that the Lot Coverage percentage is not entirely clear based on differing interpretations of Code (21.9% vs. 23.6% as determined by Staff). He also noted that the addition would preserve the existing character of the home and minimize Variations; he said there would be no increase in impervious surfaces.
- The Board heard from Darren Coombes, homeowner, who described his family's need for a garage and more livable space.

Member Jones made a motion to adopt the findings of fact. Member McKnight seconded the motion. The motion passed unanimously on a roll call vote, with six Members present voting "Yes": Chairperson Constantino and Members Crudele, Jones, McKnight, Panther, and Pavlich.

Board Members deliberated. They shared their positions regarding the request, all expressing support for the requests. Areas of support included: the rear yard setback request is related to a pre-existing condition; there are differing interpretations regarding the Lot Coverage ratio calculations; there are unique circumstances regarding the shape of the lot and the location of the principal structure on the lot; the proposal would increase the livability of the home in a manner that is consistent with its character and is aesthetically pleasing.

Member Jones made a motion to close the Public Meeting for 660 N. Main Street. Member Pavlich seconded the motion. The motion passed unanimously on a roll call vote, with six Members present voting "Yes": Chairperson Constantino and Members Crudele, Jones, McKnight, Panther, and Pavlich.

Board Recommendation

Member Jones moved for the following:

Having considered the application of Daryl Drake, Architect, Petitioner on behalf of Darren and Glenda Coombes, owners of the property at 660 N. Main Street, Glen Ellyn, for zoning variations from

1. Section 10-4-8(D)2 to allow a rear yard setback of 17.9 feet where the required rear yard setback is 40 feet in the R2 Residential District;
2. Section 10-4-8(D)3 to allow a side yard setback of 6.33 feet where the required side yard setback is 7.5 feet in the R2 Residential District;
3. Section 10-4-8(E)1 to allow a lot coverage ratio of 23.69%, in lieu of the maximum lot coverage ratio of 20% 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 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 September 12, 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): lot coverage calculations regarding the front porch and the front yard setback; no effective change to the existing rear yard setback; a detached garage in the rear yard is not a viable option.

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 September 12, 2023, public hearing of the Zoning Board of Appeals.

Member Pavlich seconded the motion. The motion passed unanimously on a roll call vote, with six Members present voting "Yes": Chairperson Constantino and Members Crudele, Jones, McKnight, Panther, and Pavlich.

E. Other Business

None

F. Village Board Trustee Report

Ms. Gould Thompson discussed the following:

- Trustees adopted the 2023 Comprehensive Plan.
- Board Workshops were held to discuss the train station development and the streetscape project's impact on local businesses.

G. Chairperson's Report

Chairperson Constantino welcomed Craig Pavlich to the Zoning Board of Appeals.

H. Staff Report

Mr. Viger discussed potential agenda items for upcoming meetings.

I. Adjournment

Member Jones made a motion to adjourn the meeting; Member Crudele seconded the motion, and the motion passed by voice vote at 8:30 PM.

Respectfully submitted,

Audrey Savikas
Recording Secretary



Glen Ellyn Village Board
535 Duane Street
Glen Ellyn, IL 60137

Meeting 9/25/2023 7:00 PM
Department: Community Development
Department Head: Emily Rodman
Category: Ordinance
Prepared By: Emily Rodman

AGENDA ITEM (ID
2023-914)

DOC ID: 2023-914

Motion to Approve Ordinance No. 7061, An Ordinance Approving Variations from the Zoning Code to Allow Dormers to Encroach in Front and Side Yards on the Property Located at 423 Ridgewood Avenue (AVM/Community Development Director Rodman)

Statement of the Issue:

The petitioner is requesting variations from Section 10-4-8(D)1 and 10-4-8(D)3 of the Zoning Code in order to accommodate the addition of two large dormers to the existing home.

Analysis:

The home is a two-story home featuring a “Cape Cod” style roof line. The petitioners are proposing to remove an existing dormer and replace it with a larger dormer spanning the north side of the home and a second large dormer spanning the south side of the home (front and rear). The dormer additions will increase the useable space on the second floor and allow for the creation of a third bedroom and an en suite bathroom for the primary bedroom.

In order to accommodate the two dormers, the petitioner is requesting variations from the following sections of the Zoning Code:

- Section 10-4-8(D)1 to allow for the proposed dormer on the front of the existing single-family building to have a front yard setback of 24.7 feet, whereas the required front yard setback is 30 feet in the R2 Residential District.
- Section 10-4-8(D)3 to allow for the proposed dormers on the front and back of the existing single-family building to have a side yard setback (west side) of 4.25 feet, whereas the required side yard setback is 6.5 feet in the R2 Residential District.

For more information, please review the Zoning Board of Appeals packet [here](#).

Zoning Board of Appeals

At the ZBA public hearing on September 12, 2023, the Board reviewed the existing conditions of the property and considered the testimony from the petitioners. The owners of properties within 350 feet of the subject property were mailed notice of the public hearing.

The ZBA members voted on a motion to recommend approval of the requested zoning variations based upon the following hardships or unique circumstance:

- The lot is nonconforming with regard to lot area, front yard and side yard setbacks;
- The location of the home on the lot;
- The second-floor dormer additions do not affect the footprint (i.e. lot coverage);
- The petitioners request is modest in nature.

Recommendation

At the public hearing on September 12, 2023, the Zoning Board of Appeals voted on a motion to recommend approval of the requested variations by vote of 6-1. Since the motion carried, staff has prepared an ordinance to approve the requested variation

Budget Impact:

N/A

Contribution to Strategic Plan

N/A

Action Requested:

Motion to Approve an Ordinance Approving Variations from the Zoning Code to Allow Dormers to Encroach in Front and Side Yards on the Property Located at 423 Ridgewood Avenue

Attachments:

1. Ordinance_423 Ridgewood Variations
2. DRAFT Minutes ZBA 9.12.2023

Village Of Glen Ellyn

Ordinance No. _____

**An Ordinance Approving Variations from the
Zoning Code to Allow Dormers
To Encroach in Front and Side Yards
on the Property Located at 423 Ridgewood Avenue
Glen Ellyn, IL 60137**

**Adopted by the
President and the Board of Trustees
of the Village of Glen Ellyn
DuPage County, Illinois
This ____ Day of _____, 20____.**

Published in pamphlet form by the authority of the
President and Board of Trustees of the Village of
Glen Ellyn, DuPage County, Illinois,
this _____ day of _____, 20____.

ORDINANCE NO. _____

**An Ordinance Approving Variations from the
Zoning Code to Allow Dormers
To Encroach in Front and Side Yards
on the Property Located at 423 Ridgewood Avenue
Glen Ellyn, IL 60137**

Whereas, David Raino-Ogden, Architect on behalf of Patrick and Melissa Reink, owners of the property at 423 Ridgewood Avenue Glen Ellyn, Illinois, which is legally described herein has petitioned the President and Board of Trustees of the Village of Glen Ellyn for variations from Section 10-4-8(D)1 and Section 10-4-8(D)3 to allow the construction of two dormers with one having a front yard setback of 24.7 feet rather than the required 30-foot front yard setback and both having a side yard setback of 4.25 side yards rather than the required 6.5-foot setback in the R2 Single Family Residential District; and

Whereas, following due notice by publication in the Daily Herald not less than fifteen (15) nor more than thirty (30) days prior thereto, and by mailing notice to all property owners within 250 feet of the subject property at least ten (10) days prior thereto, and following the placement of a placard on the subject property not less than fifteen (15) days prior thereto, the Glen Ellyn Zoning Board of Appeals conducted a public hearing on September 12, 2023, at which the petitioner presented evidence, testimony, and exhibits in support of the variation request and zero (0) persons appeared in favor of the variation request, and zero (0) persons appeared in opposition thereto; and

Whereas, based upon the evidence, testimony, and exhibits presented at the public hearing on September 12, 2023, the Zoning Board of Appeals adopted findings of fact and voted on a motion to approve the variation, which carried by vote of six (6) “yes” and zero (0) “no”, resulting in a recommendation for approval to allow the construction of two dormers closer to

the front and side yard lot lines than the minimum required setbacks on the subject property as set forth in its Draft Minutes dated September 12, 2023, appended hereto as Exhibit "A"; and

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

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

- A. Due to the characteristics of the property in question, there are practical difficulties or particular hardship for the petitioner in carrying out the strict letter of the Zoning Code, because the property was subdivided many years ago and the home was placed less than the currently required 30' front yard; and
- B. The property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code, because the dormer allows for expanded living space, adding an additional bedroom and an en suite bathroom for the primary bedroom, on the second floor without the limitations of knee walls with slanted upper walls; and
- C. The plight of the petitioner is due to unique circumstances relating to the property in the historic siting of the home on the lot; and
- D. The requested variations, if granted, will not alter the essential character of the locality of the property in question, because the property will remain a single-family home and the proposed design is consistent with the existing structure; and,
- E. The particular physical surroundings, shape or topographical condition of the property in question would bring particular hardship upon the petitioner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out, because the second-floor dormer additions does not affect coverage on the ground plane; and
- F. 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 conditions upon which this variation request is based are specific to this property and would not be generally applicable to other property within the R2 Single Family District; and
- G. The purpose of the variations is not based exclusively upon a desire to make more money out of the property in question, because the petitioner wishes to remain in the home and neighborhood reworking the second floor to include a third bedroom and an en suite bathroom for the primary bedroom allows them to do so; and

- H. 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 subdivided in the many years ago and the difficulties existed prior to the current petitioner acquiring the property; and
- I. 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 variations do not alter the property's use as a single-family home in a single-family neighborhood and do not unnecessarily limit light to any adjacent properties; and
- J. The proposed variations will not substantially increase the hazard from fire or other dangers to the property in question or adjacent property, because the property will remain a single-family home, and the addition will be built to current day building codes; and
- K. 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 increasing the livability of the home will ensure its viability into the future; and
- L. The proposed variations will not create a nuisance or result in an increase in public expenditures because the use as a single-family home will remain and no additional public expenditures are required; and
- M. The variations are the minimum variations that will make possible the reasonable use of the land, building or structure because today a two-bedroom single family detached home is unusual and variation necessary to create a three-bedroom home do not impact the overage lot coverage ratio.

Whereas, the President and Board of Trustees, based on the aforementioned findings of fact, find it appropriate to grant the variation.

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

Section One: The Draft Minutes of the September 12, 2023, Glen Ellyn Zoning Board of Appeals meeting, Exhibit "A" appended hereto, are hereby accepted, and the findings of fact

and conclusions set forth in the preambles above are hereby adopted as the findings of fact and conclusions of the corporate authorities of the Village of Glen Ellyn.

Section Two: Based upon the above findings of fact, the President and Board of Trustees hereby approve a variation from Sections 10-4-8(D)1 and 10-4-8(D)3 of the Glen Ellyn Zoning Code to allow the construction of two dormers on the existing home with a front yard setback of 24.7 feet and side yard setbacks of 4.25 feet in lieu of the required Front Yard setback of 30 feet and Side Yard setbacks of 6.5 feet in the R2 Single Family Residential District, for the property at 423 Ridgewood Avenue, Glen Ellyn, Illinois, which is legally described as follows:

PARCEL 1: LOTS 5 AND 6 IN BLOCK 3 IN PHILLIPS 3RD ADDITION TO PROSPECT PARK, BEING A SUBDIVISION OF PART OF THE NORTHWEST ¼ OF SECTION 14, AND THE NORTHEAST ¼ OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 19, 1887 AS DOCUMENT 38112, IN DUPAGE COUNTY, ILLINOIS

PARCEL 2: THE NORTH ½ OF THE VACATED ALLEY LYING SOUTH OF AND ADJOINING LOTS 5 AND 6 IN BLOCK 3 IN PHILLIPS 3RD ADDITION TO PROSPECT PARK, BEING A SUBDIVISION OF PART OF THE NORTHWEST ¼ OF SECTION 14, AND THE NORTHEAST ¼ OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 19, 1887 AS DOCUMENT 38112, IN DUPAGE COUNTY, ILLINOIS.

PIN: 05-14-109-003

Commonly known as 423 Ridgewood Avenue, Glen Ellyn, IL 60137

Section Three: This grant of variation is conditioned upon the fence being constructed in substantial compliance with the testimony and exhibits provided at the September 12, 2023, Zoning Board of Appeals public hearing.

Section Four: The Building and Zoning Official is hereby authorized and directed to issue building permits for the subject property, consistent with the variations granted herein, provided that the condition set forth hereinabove has been met and that the proposed construction is in compliance with all other applicable laws and ordinances. This grant of variations shall

expire and become null and void twenty-four (24) months from the date of passage of this Ordinance unless a building permit to begin construction in reliance on this variation is applied for within said twenty-four (24)-month time period and construction is continuously and vigorously pursued provided, however, the Village Board, by motion, may extend the period during which permit application, construction, and completion shall take place.

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

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

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

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this day of _____, 2023 .

	Ayes	Nays	Absent
Fasules			
Gould			
Thompson			
Kalinich			
Simon			
Christiansen			
Senak (in event of a			

tie)			
------	--	--	--

Approved by the Village President of the Village of Glen Ellyn, Illinois, this _____ day
of _____, 2023.

Village President of the
Village of Glen Ellyn, Illinois

Attest:

Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the _____ day of _____).

DRAFT MINUTES
Glen Ellyn Zoning Board of Appeals Meeting
Tuesday, September 12, 2023 at 7:00 p.m.
Glen Ellyn Civic Center
Galligan Board Room
535 Duane Street

A. Call to Order and Roll Call

Chairperson Gregory Constantino called the meeting to order at 7:04 PM, and roll was called.

Present: Chairperson Gregory Constantino and Board Members Katie Crudele, Matthew Jones, Christiane McKnight, Reed Panther, and Craig Pavlich.

Absent: Board Member Thomas Whalls.

Also in attendance: Anne Gould, Trustee; Audrey Savikas, Recording Secretary; and Scott Viger, Planning Consultant.

Chairperson Constantino explained the advisory nature of the Zoning Board of Appeals (ZBA) and its process for deliberation and recommendation. He described the Public Hearing protocols and announced that the meeting was being recorded.

B. Public Comment (non-agenda items)

There were no public comments for non-agenda items.

C. Approval of Minutes

Member Crudele made a motion to approve the draft minutes of the July 11, 2023 meeting. Member McKnight seconded the motion, and the motion passed by voice vote.

D. New Business

1.) Public Hearing — 423 Ridgewood Avenue

Member McKnight moved to open the Public Hearing. Member Jones seconded the motion, and the motion passed by voice vote.

Staff Introduction

Scott Viger, Planning Consultant for the Village of Glen Ellyn, introduced the request: Zoning Variation requests to allow for the construction of two second story dormers. Mr. Viger presented information as detailed in the Staff Report dated September 5, 2023, included in the agenda packet. Mr. Viger's presentation included a description of the existing conditions of the home; the zoning and surrounding zoning; the property's Plat of Survey; and existing elevations. Mr. Viger presented the proposed project, including the site plan; floor plans; and elevations. Mr. Viger described the ZBA Action.

Mr. Viger responded to Board Member questions, including confirming that the proposal would not change the overall footprint of the home. Mr. Viger and Members discussed the property's status as legal nonconforming and considered whether Variations are required for this subject property. Mr. Viger noted in the Staff Report that "These new dormers while not increasing the Lot Coverage or the setbacks at the ground level do require variations as 'increasing the nonconformity.'" Mr. Pavlich referred to Zoning Code 10-4-1 (N) which allows for certain existing nonconforming properties to construct over the perimeter walls of the house, if not extending the footprint of the house. Mr. Viger responded to additional Board Member questions, confirming that no eaves or ridge Variances are required for this proposal, and that no public comments were received in support or opposition to the request.

Petitioner Testimony

Sworn in, Petitioner Patrick Reinke, owner of 423 Ridgewood Avenue, addressed Board Members. He discussed his family's history in Glen Ellyn and their intent to improve the home to accommodate their growing family.

Mr. Reinke responded to Board Member questions, including confirming that he has received no comments or concerns from neighbors regarding the proposal.

Public Testimony

There was no public testimony.

Board Member Deliberation

Member Panther summarized the Findings of Fact from the hearing, including:

- The public hearing is regarding 423 Ridgewood Avenue. The petitioner is David Raino-Ogden, Architect, on behalf of Patrick and Melissa Reinke, owners of the property.

- The Petitioners are requesting two Variations from the Zoning Code:
 1. Section 10-4-8(D)1 to allow for the proposed dormer on the front of the existing single-family building to have a front yard setback of 24.7 feet, whereas the required front yard setback is 30 feet in the R2 Residential District.
 2. Section 10-4-8(D)3 to allow for the proposed dormers on the front and back of the existing single-family building to have a side yard setback (west side) of 4.25 feet, whereas the required side yard setback is 6.5 feet in the R2 Residential District.
- The Board heard from Scott Viger, Planning Consultant, who shared that the home is existing non-conforming; that the proposal would add a bedroom and an en-suite bathroom to the home; and that the proposed addition would not increase the footprint of the home.
- The Board heard from Patrick Reinke, the homeowner, who shared that the proposal would increase the livability of the home for his family.

Member McKnight made a motion to adopt the findings of fact. Member Crudele seconded the motion. The motion passed unanimously on a roll call vote, with six Members present voting “Yes”: Chairperson Constantino and Members Crudele, Jones, McKnight, Panther, and Pavlich.

Board Members deliberated. They shared their positions regarding the request, all expressing support for the proposal. Areas of support included: no change to the existing footprint; the requests are modest; the existing non-conforming nature of the home is a hardship; the proposal may be allowable under Zoning Code 10-4-1 (N).

Board members recommend that Village Staff review the Zoning Code and confirm that Variations are required.

Member Crudele made a motion to close the Public Hearing for 423 Ridgewood Avenue. Member McKnight seconded the motion. The motion passed unanimously on a roll call vote, with six Members present voting “Yes”: Chairperson Constantino and Members Crudele, Jones, McKnight, Panther, and Pavlich.

Board Recommendation

Member Crudele moved for the following:

Having considered the application of David Raino-Ogden, Architect on behalf of Patrick and Melissa Reinke, owners of the property located at 423 Ridgewood Avenue, Glen Ellyn, for zoning variations from

1. Section 10-4-8(D)1 to allow for the proposed dormer on the front of the existing single-family building to have a front yard setback of 24.7 feet,

whereas the required front yard setback is 30 feet in the R2 Residential District, and

2. Section 10-4-8(D)3 to allow for the proposed dormers on the front and back of the existing single-family building to have a side yard setback (west side) of 4.25 feet, whereas the required side yard setback is 6.5 feet 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 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 September 12, 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): existing nonconforming; location of the home on the lot; no change to the footprint; modest request.

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 September 12, 2023, public hearing of the Zoning Board of Appeals.

Additionally, the Zoning Board of Appeals recommends that Village Staff review Zoning Code 10-4-1 (N) to better understand the need for Variations for this proposal.

Member Jones seconded the motion. The motion passed unanimously on a roll call vote, with six Members present voting "Yes": Chairperson Constantino and Members Crudele, Jones, McKnight, Panther, and Pavlich.

2.) Public Hearing — 660 N. Main Street

Member Pavlich moved to open the Public Hearing. Member Panther seconded the motion, and the motion passed by voice vote.

Staff Introduction

Scott Viger, Planning Consultant for the Village of Glen Ellyn, introduced the request: Zoning Variations to allow for the construction of a two-car garage and home addition. Mr. Viger presented information as detailed in the Staff Report dated September 8, 2023, included in the agenda packet. Mr. Viger's presentation included: a description of the existing conditions of the home; the zoning and surrounding zoning; and the property's Plat of Survey. Mr. Viger described the proposed addition in detail, including the floor plan, elevations, and perspective drawings. Mr. Viger described the ZBA Action.

Mr. Viger responded to Board Member questions, including clarifying Lot Coverage Ratio calculations and Staff's interpretation of Code with regard to the inclusion of the proposed front porch in lot coverage calculations. Mr. Viger confirmed that this could be considered a unique circumstance for the Petitioner. Mr. Viger confirmed that the proposed removal of the backyard shed was factored into the Lot Coverage Ratio calculations as well. Mr. Viger responded to additional Board member questions, including discussion regarding the feasibility of alternative garage types and locations. Mr. Viger shared that he received a petition supporting the proposal with 11 signatures representing eight neighboring properties. He said he did not receive any public comments in opposition to the proposal.

Petitioner Testimony

Sworn in, Darryl Drake, of Drake Design Co., representing Darren and Glenda Coombes, owners of the property, addressed Board Members. Mr. Drake described his history working with current and prior homeowners of the property to design a garage solution. He discussed unique circumstances and hardships, including the irregular-shaped lot; the position of the home on the lot; and the unique setbacks. Mr. Drake discussed his Lot Coverage Ratio calculations and how they differed from that of Village Staff. He described his attempts to limit the need for Variations by designing a narrow garage, and ensuring the rear wall of the garage achieved a 40-foot rear yard setback. He discussed his design goals and described proposed building materials.

Mr. Drake responded to Board Member questions, including confirming there would be no increase in impervious surface, and clarifying his Lot Coverage Ratio calculations.

Sworn in, Darren Coombes, owner of the property, addressed Board members and described his family's experience without a garage and their intent to improve the home to accommodate their family.

Public Testimony

There was no public testimony.

Board Member Deliberation

Member Panther summarized the Findings of Fact from the hearing, including:

- The public hearing is regarding 660 N. Main Street. The petitioner is Darryl Drake, of Drake Design Co., representing Darren and Glenda Coombes, owners of the property.
- The Petitioners are requesting three Variations from the Zoning Code:

1. Section 10-4-8(D)2 to allow a rear yard setback of 17.9 feet where the required rear yard setback is 40 feet in the R2 Residential District;

2. Section 10-4-8(D)3 to allow a side yard setback of 6.33 feet where the required side yard setback is 7.5 feet in the R2 Residential District;

3. Section 10-4-8(E)1 to allow a lot coverage ratio of 23.69%, in lieu of the maximum lot coverage ratio of 20% in the R2 Residential District.

- The Board heard from Scott Viger, Planning Consultant, who indicated the Variance request for the rear yard setback extends an existing nonconformity from the chimney and that the proposal does not increase the footprint to the rear yard. He shared that the lot is trapezoidal, shaped with an unusually large front yard setback.
- The Board heard from Darryl Drake, of Drake Design Co., representing Darren and Glenda Coombes, owners of the property. He indicated that a detached garage would not work in a rear yard of the property for multiple reasons. He shared that the Lot Coverage percentage is not entirely clear based on differing interpretations of Code (21.9% vs. 23.6% as determined by Staff). He also noted that the addition would preserve the existing character of the home and minimize Variations; he said there would be no increase in impervious surfaces.
- The Board heard from Darren Coombes, homeowner, who described his family's need for a garage and more livable space.

Member Jones made a motion to adopt the findings of fact. Member McKnight seconded the motion. The motion passed unanimously on a roll call vote, with six Members present voting "Yes": Chairperson Constantino and Members Crudele, Jones, McKnight, Panther, and Pavlich.

Board Members deliberated. They shared their positions regarding the request, all expressing support for the requests. Areas of support included: the rear yard setback request is related to a pre-existing condition; there are differing interpretations regarding the Lot Coverage ratio calculations; there are unique circumstances regarding the shape of the lot and the location of the principal structure on the lot; the proposal would increase the livability of the home in a manner that is consistent with its character and is aesthetically pleasing.

Member Jones made a motion to close the Public Meeting for 660 N. Main Street. Member Pavlich seconded the motion. The motion passed unanimously on a roll call vote, with six Members present voting "Yes": Chairperson Constantino and Members Crudele, Jones, McKnight, Panther, and Pavlich.

Board Recommendation

Member Jones moved for the following:

Having considered the application of Daryl Drake, Architect, Petitioner on behalf of Darren and Glenda Coombes, owners of the property at 660 N. Main Street, Glen Ellyn, for zoning variations from

1. Section 10-4-8(D)2 to allow a rear yard setback of 17.9 feet where the required rear yard setback is 40 feet in the R2 Residential District;
2. Section 10-4-8(D)3 to allow a side yard setback of 6.33 feet where the required side yard setback is 7.5 feet in the R2 Residential District;
3. Section 10-4-8(E)1 to allow a lot coverage ratio of 23.69%, in lieu of the maximum lot coverage ratio of 20% 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 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 September 12, 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): lot coverage calculations regarding the front porch and the front yard setback; no effective change to the existing rear yard setback; a detached garage in the rear yard is not a viable option.

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 September 12, 2023, public hearing of the Zoning Board of Appeals.

Member Pavlich seconded the motion. The motion passed unanimously on a roll call vote, with six Members present voting "Yes": Chairperson Constantino and Members Crudele, Jones, McKnight, Panther, and Pavlich.

E. Other Business

None

F. Village Board Trustee Report

Ms. Gould Thompson discussed the following:

- Trustees adopted the 2023 Comprehensive Plan.
- Board Workshops were held to discuss the train station development and the streetscape project's impact on local businesses.

G. Chairperson's Report

Chairperson Constantino welcomed Craig Pavlich to the Zoning Board of Appeals.

H. Staff Report

Mr. Viger discussed potential agenda items for upcoming meetings.

I. Adjournment

Member Jones made a motion to adjourn the meeting; Member Crudele seconded the motion, and the motion passed by voice vote at 8:30 PM.

Respectfully submitted,

Audrey Savikas
Recording Secretary