



Agenda
Village of Glen Ellyn
Zoning Board of Appeals Meeting
Tuesday, June 11, 2024
7:00 PM
Civic Center, Galligan Room

Individuals with disabilities who plan to attend the hearing and who require certain accommodations in order to allow them to observe and participate, or who have questions regarding the accessibility of the meeting or facilities, are requested to contact the Village at least 24 hours before the meeting.

A. Call to Order

B. Public Comment

C. Approval of the Minutes

- 1) Approval of the Minutes of the May 14, 2024, Zoning Board of Appeals Meeting.

D. New Business

- 1) Public Hearing - 562 Hillside Avenue
Zoning Variation Request to allow for a corner side yard setback of twenty feet (20') in lieu of the required minimum thirty-foot (30') corner side yard setback.
- 2) Public Hearing - 574 Raintree Drive
Zoning Variation request to allow for a lot coverage ratio of 24.6 percent in lieu of the required 20 percent maximum lot coverage allowed.
- 3) Public Hearing - 171 Brandon Avenue
Zoning Variation to allow for a freestanding accessory structure (detached garage) to occupy 33 percent (or 660 square feet) of the required rear yard area in lieu of the 30 percent maximum area allowed.

E. Other Business

F. Chairperson's Statement

G. Trustee Liaison's Report

H. Staff Report

I. Adjournment

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

DRAFT MINUTES
Glen Ellyn Zoning Board of Appeals Meeting
Tuesday, May 14, 2024 at 7:00 PM
Glen Ellyn Civic Center
Galligan Board Room
535 Duane Street

A. Call to Order and Roll Call

Chairperson Constantino called the meeting to order at 7:00 PM and 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.

Roll was called.

Present: Chairperson Gregory Constantino, Members Matthew Jones, Christiane McKnight and Craig Pavlich.

Absent: Members Katie Crudele, Reed Panther and Thomas Whalls.

Also in attendance: Daniel Harper, Planning Manager; Anne Gould, Village Trustee and Julie Settles, Recording Secretary.

B. Public Comment (non-agenda items)

None

C. Approval of Minutes

Member McKnight made a motion to approve the draft minutes of the February 13, 2024 ZBA meeting; seconded by Member Jones, the motion passed by voice vote.

D. New Business

1. Public Hearing – 582 Hillside Avenue

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

Staff Introduction

Sworn in, Daniel Harper, Planning Manager for the Village of Glen Ellyn, introduced the request: Zoning Variation requests to allow a two-story addition and attached garage with deck on a lot that is less than 50 feet in width and to allow side yard and impervious surface setback that is less than the required minimum for the property located at 582 Hillside Avenue.

Mr. Harper presented information as detailed in the Staff Report DOC ID: 2024-312, included in the agenda packet. Mr. Harpers presentation included: images of the home, including a current image as well as an image of the home prior to renovation; zoning (R2 Zoning District) and site topography. Mr. Harper presented images of the Site Plan that was included in the Petitioner's Application for Variation.

Mr. Harper shared the specific variation requests including:

1. Section 10-4-1(L)1 to allow for an enlargement and addition for a home located on a lot that is less than 50 feet in width
2. Section 10-4-8(D)8(a) to allow for an enlargement and addition on lot with an interior lot width of 48.80 feet in lieu of the required 66-foot minimum lot width.
3. Section 10-4-8(D)3 to allow an interior side yard setback of six feet and four inches (6'4") for the new addition in lieu of the minimum required six and one-half feet (6'-6").
4. Section 10-5-5C Impervious surface setback to reduce a setback for an existing driveway from 1' to 0'.

Mr. Harper also gave the following variation history of the property. He stated that the property was granted a variation from the minimum lot width requirement to allow for a one-story addition to the rear of the home in May of 1996 per Ordinance 4383. He stated that the current application is to allow for a two-story addition over the one-story addition that was approved by variation in 1996 as well as 240 square feet of additional two-story living space and an attached two-car garage with deck.

Member Jones asked to confirm that regarding the lot width, there was only a 2" shortage to which Mr. Harper state the lot is 48.80' and not 50'. Member Pavlich asked to confirm that the plat was dated 1906 and the addition was done in 1996 to which Mr. Harper confirmed was correct. Chairperson Constantino asked if there were other lots in the area subject to the variation to which Mr. Harper answered there were five or six lots that were not in this particular area that were approved for a variance. Chairperson Constantino asked if there were any drainage issues to which Mr. Harper replied that the Petitioner would have to provide a storm water assessment with the building permit application.

Architect Testimony

Sworn in, Mabel Nazario of Design First Builders, 1201 Norwood Ave. Itasca, IL. Ms. Nazario thanked Mr. Harper for the presentation and stated the Petitioner is applying for a variance to accommodate their growing family. The addition would be a master suite and they would have to demo the one-car garage due to the addition and would like to build a two-car garage.

Chairperson Constantino asked Ms. Nazario if she was aware of the variation history on the property to which she responded that their building permit was initially denied and she was made aware after the denial of the previous variance. Member Pavlich asked if staff was amendable and if she prepared the site plan to which she responded yes to both. Member Pavlich thanked Ms. Nazario and stated that the site plan was very clear.

Petitioner Testimony

Sworn in, Sean Driscoll, resident of 582 Hillside Ave. Glen Ellyn, IL who addressed the Board Members. Mr. Driscoll stated that he and his wife wanted an attached garage because they have three children and want to keep as much green space as possible. He stated that they love their home and want to keep the design consistent with the neighborhood.

Chairperson Constantino stated that the Board Members had seven copies of letters from neighbors all in favor of the variance application.

Member Pavlich read the findings of fact:

1. Due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code, because the subject property is 48.80 feet in width, which does not meet the R2 District's lot width requirements and would prevent the applicant from constructing enlargements and additions on the lot and the existing home and existing driveway do not meet setback requirements in the R2 Residential District.
2. The property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code because the home cannot be enlarged or have added additions as the lot does not meet the minimum lot width required in the R2 Residential District.
3. The plight of the applicant/owner is due to unique circumstances relating to the property in question because the subject lot was platted in 1906 with a lot width of 48.80 feet and is a nonconforming lot width that limits any improvements on the lot without requiring a variation.
4. The requested variation, if granted, will not alter the essential character of the locality of the property in question because the proposed addition is intended to match the architectural character of the existing home and neighborhood, comply with all other Zoning standards and have a minimal impact on the adjacent properties.
5. The particular physical surroundings, shape or topographical condition of the property in question would bring particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out because the property is platted with a nonconforming lot width which restrict any potential improvements on the lot without requiring a Zoning variation.
6. The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district because the property was originally platted with a nonconforming lot width which restrict any potential improvements on the lot without requiring a Zoning variation.
7. The purpose of the variation is not based exclusively upon a desire to make more money out of the property in question because the proposal calls for an expansion and addition to the current home to provide more living space for the occupants.
8. The alleged difficulty or particular hardship has not been created by any person presently having an interest in the property in question or by the applicant because the hardship is due to the property being originally platted with a nonconforming lot width which restrict and potential improvements on the lot without requiring a Zoning variation.
9. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located and will not impair an adequate supply of light and air to adjacent property because the proposed addition and expansion will maintain sufficient buffer from the neighboring properties.

10. The proposed variation will not subsequently increase the hazard from fire or other dangers to the property in question or adjacent property because the proposed expansion and addition will meet all applicable Building and Fire Codes.

11. The proposed variation will not otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village; diminish or impair property values within the neighborhood; or unduly increase traffic congestion in the public streets and highways because the proposed addition is for the residential use of the current property owners.

12. The proposed variation will not create a nuisance or result in an increase in public expenditures because the proposed expansion and addition is for the residential use of the current property owners and is not anticipated to negatively impact neighbors.

13. The variation is the minimum variation that will make possible the reasonable use of the land, building or structure because the proposed expansion will be large enough to accommodate owners' needs and that the proposed encroachment will be built in line with the existing structure and with the minimum amount of variances possible.

Chairperson Constantino asked if there were any other comments. He stated if not, can a Board Member make a motion. **Member Jones made a motion to adopt the “(Draft) Findings of Fact to Support a motion to recommend approval of zoning variations to allow the construction of a two-story addition and attached garage with deck on a lot that is less than 50’ in width and to allow a side setback and impervious surface setback that is less than the required minimum in the R2 district for the property located at 582 Hillside Avenue, Glen Ellyn, IL. Member McKnight seconded the motion. The motion passed unanimously on a roll call vote with four Members present voting “Yes”, Constantino, Jones, McKnight and Pavlich.**

Board Members deliberated. Member McKnight stated she's in favor because it is meeting the needs of the family and she read the seven letters of support from the neighbors. Member Pavlich stated he was in favor and that the modifications are in line with the other homes in the area. Member Jones stated he was in favor stating it was an asset that the Petitioner is keeping the character of the home. Chairperson Constantino stated he was in favor and that the topography of the lot is restricted and there appears to be no drainage issues and the side yard variation is acceptable to keep the home and addition in line.

Member McKnight made a motion to close the Public Hearing for 582 Hillside Avenue. Member Pavlich seconded the motion and the motion passed by voice vote.

Board Recommendation

Member Jones moved for the following:

Having considered the application of Sean and Courtney Driscoll, owners of the property at 582 Hillside Avenue, Glen Ellyn, for zoning variations from Section 10-4-1(L)1 to allow for an enlargement and addition for a home located on a lot that is less than 50 feet in width. Section 10-4-8(D)8(a) to allow for an enlargement and addition on lot with an interior lot width of 48.80 feet in lieu of the required 66-foot minimum lot width.

Section 10-4-8(D)3 to allow an interior side yard setback of six feet and four inches (6'4") for the new addition in lieu of the minimum required six and one-half feet (6'-6"). Section 10-5-5C impervious surface setback to reduce a setback for an existing driveway from 1' to 0'. The Zoning Board of Appeals hereby adopts the finding of fact in the Petitioner's application packet and presented by the Petitioners at the Zoning Board of Appeals public hearing conducted May 14, 2024, as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends APPROVAL.

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

E. Other Business

None.

F. Village Board Trustee Report

Trustee Anne Gould stated the Village Board passed a sidewalk ordinance to not allow obstruction. She also stated Village staff is working very hard on finalizing the new Metra Station plans. She also stated that the Board is in discussions on how to generate revenue if the 1% grocery tax is taken away. She also stated that the Board has talked about raising Fire Service fees due to the Board expanding EMS services. They are also talking about moving the resident fee from the water bills to the property tax bill.

G. Chairperson's Statement

None.

H. Staff Report

Mr. Harper stated there will be three cases being presented at the June 11th ZBA meeting

I. Adjournment

Member Jones made a motion to adjourn the meeting. Member McKnight seconded the motion and the motion passed by voice vote at 7:57 PM.

Respectfully submitted,

Julie Settles



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

Meeting 6/11/2024 7:00 PM
Department: Community Development
Department Head: Emily Rodman
Category: Public Hearing
Prepared By: Daniel Harper

AGENDA ITEM (ID
2024-359)

DOC ID: 2024-359

Public Hearing - 562 Hillside Avenue
Zoning Variation Request to allow for a corner side yard setback of twenty feet (20') in lieu of the required minimum thirty-foot (30') corner side yard setback.

Statement of the Issue:

The petitioners are requesting a recommendation of approval of the following variation from the Glen Ellyn Zoning Code:

1. Section 10-4-8(E)1 to allow for a corner side yard setback of twenty feet (20') in lieu of the required minimum thirty-foot (30') corner side yard setback.

Analysis:

PROPERTY: 562 Hillside Avenue, is composed of two lots making up a corner lot, located on the northeast corner of Hillside Avenue and Forest Avenue.

PETITIONERS: The petitioners are Ralph Lauterbach and Amy Stoeffler, owners of the property located at 562 Hillside Avenue.

REQUEST: The petitioners are requesting a recommendation of approval of the following variation from the Glen Ellyn Zoning Code:

1. Section 10-4-8(E)1 to allow for a corner side yard setback of twenty feet (20') in lieu of the required minimum thirty-foot (30') corner side yard setback.

ZONING: The subject property and the adjacent properties are all zoned R2 – Single Family Residential District and are improved with single family homes. The property is located south of the C5B Zoning District.

PUBLIC NOTICE: Notice of the public hearing was published in the May 24, 2024, edition of the Daily Herald, mailed to property owners within 350 feet of the subject property, and a placard was placed on the property.

PERMIT

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

Date	Permit No.	Type
1996	B-15781	Second story expansion and addition
1986	B-8911	Alteration and new detached garage
1968	B-954	Fire damage repairs
1966	10595	Water & electric service for utilities

PROJECT SUMMARY: The property is composed of two rectangular lots (lots 6 and 7 of the Phillips Subdivision) and is improved with an existing single-family home. The property will be required to be consolidated as part of the building permit issuance process for this property. When the two lots are consolidated, the lot will be 95.92 feet in width and 149.67 feet in length with a total lot area of 14,369 square feet. The proposed consolidated corner lot would be in conformance with the R2 Residential Zoning District.

The applicant is requesting a variation from Section 10-4-8(E)1 to allow for a corner side yard setback of twenty feet (20') along Forest Avenue in lieu of the required minimum thirty-foot (30') corner side yard setback to allow for the construction of a proposed one-story ranch style single family residence.

The applicant's proposed footprint shows a 3,647 square foot one-story home with a detached garage of 660 square feet located in the northeast corner of the property. The proposed home is located near the center of the property with a corner side yard setback of 20.24 feet and an interior side yard setback of 15.75 feet. The applicant reports in their application that the variation request is to maintain a similar distance to the current distance from the home to the east of the property and to protect several large trees located on along the eastern property line.

The applicant also claims that topographical conditions of the property impacted the proposed location of the new construction as the grade in the parkway and front yard would not allow for a driveway to be utilized in that area.

Budget Impact:

The proposal is not expected to have an impact on the village's budget.

Contribution to Strategic Plan

Action Requested:

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

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

Attachments:

1. Applicant's Statement
2. Aerial Map

3. Zoning Map
4. Notification Map
5. 1-foot contour map
6. Application
7. Proposed Site Plan
8. Draft Findings of Fact
9. Draft Motion to Approve
10. Draft Motion to Deny

April 25, 2024

Ralph Lauterbach and Amy Stoeffler owners of 562 Hillside Avenue, Glen Ellyn are requesting approval of a variation from the Village of Glen Ellyn zoning code, Section 10-4-8 (D), 4, to permit the construction of a new home with a corner yard setback of 20 feet in lieu of the minimum required corner side yard setback of 30 feet. The existing home at 562 Hillside Avenue currently has a corner side yard setback of 18.4 feet. A variation would allow the new home to maintain a distance similar to the current distance from the neighboring home to the east, allow adequate light and air ventilation and likewise protect several mature trees located along the east lot line.

The owners have recently sold their Glen Ellyn two story home and desire to build a ranch style home on the Hillside property in order to be able to continue to reside in the downtown Glen Ellyn area.



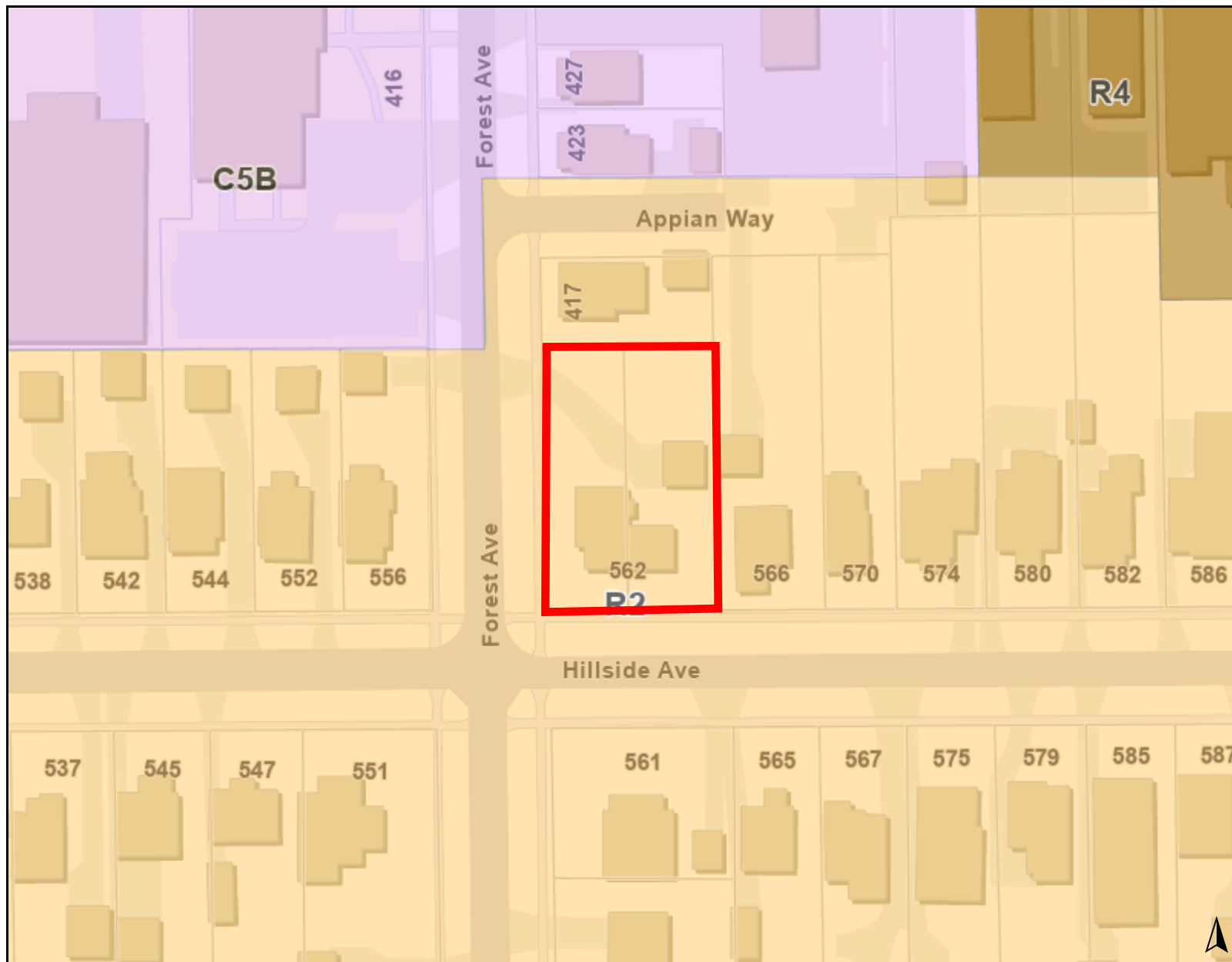
Legend

0 150 300
ft

Print Date: 6/3/2024

Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.



Legend

Zoning and Development

Zoning

- C5B: Central Business District (Service)
- R2: Single Family Residential District
- R4: Multi-Family Residential District

0 150 300
ft

Print Date: 6/3/2024

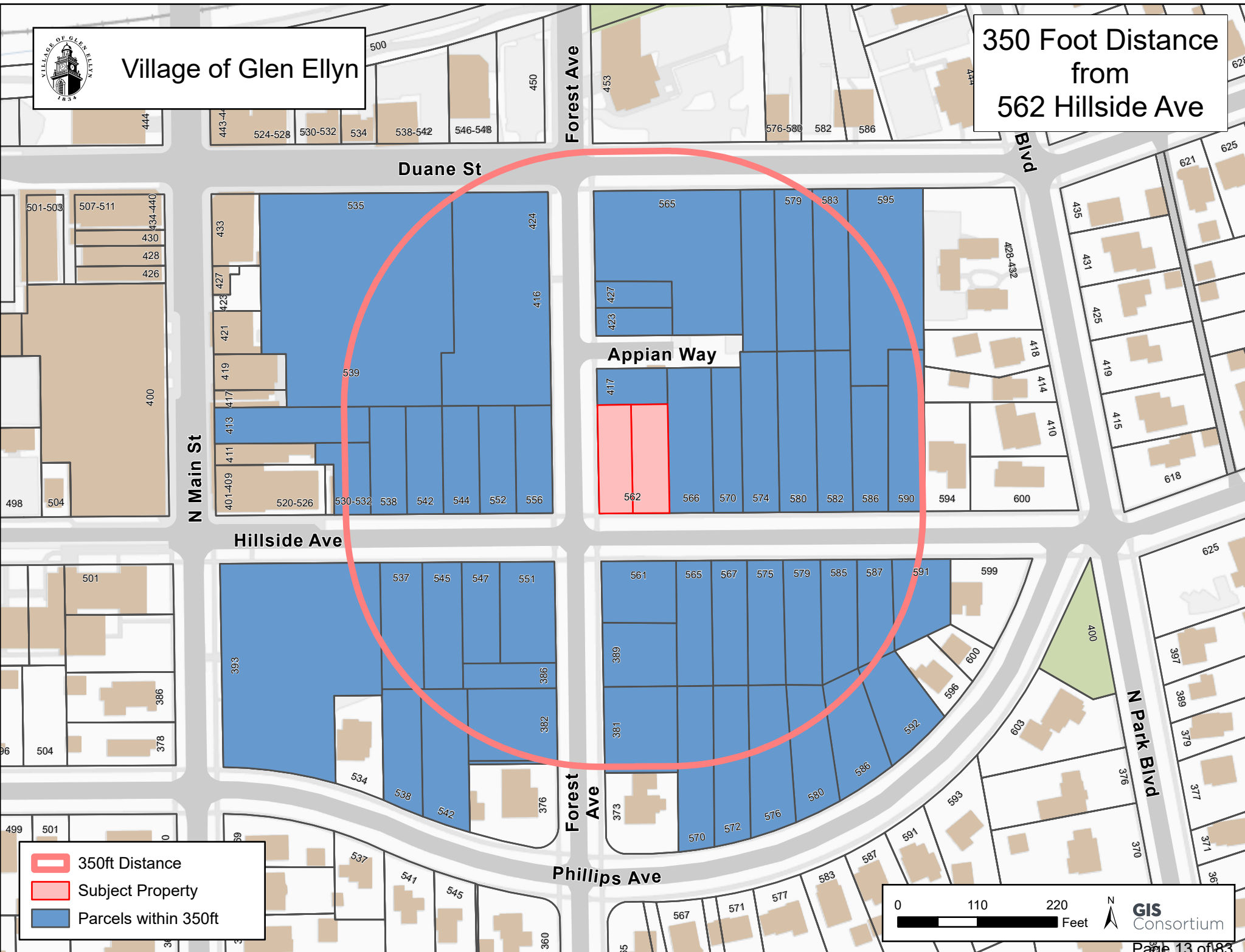
Notes

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Village of Glen Ellyn

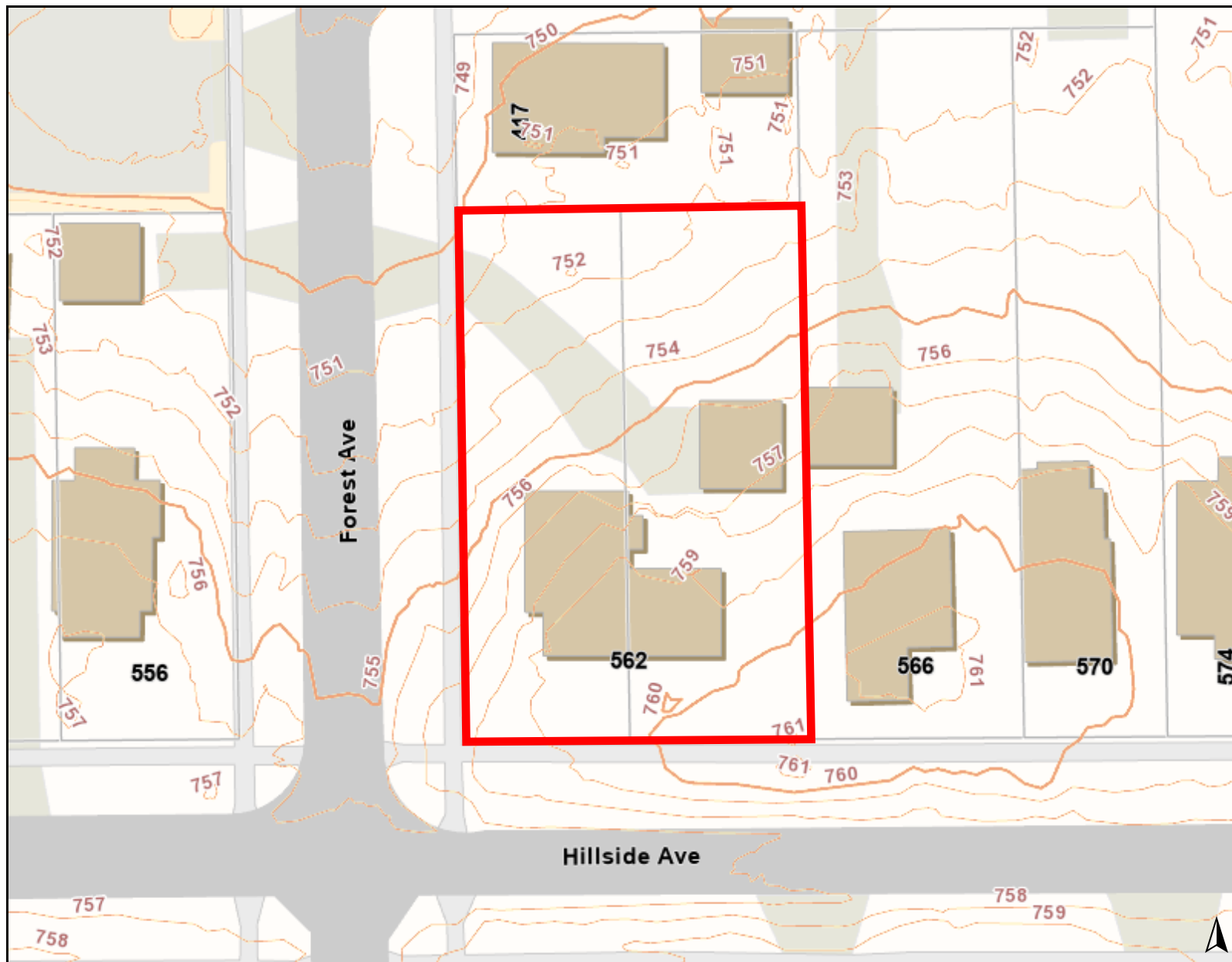
350 Foot Distance
from
562 Hillside Ave



- 350ft Distance
- Subject Property
- Parcels within 350ft

0 110 220 Feet

N
GIS Consortium



Legend

DuPage County

DuPage County 1' 2017 Contours

- Contour Line, Intermediate
- Contour Line, Major

0 50 100
ft

Print Date: 6/4/2024

Notes

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

CLEAR PAGES

APPLICATION FOR VARIATION

For the property at 562 Hillside Avenue Glen Ellyn, IL 60137

Note to the Applicant: This application should be filed with, and any questions regarding it, should be directed to the Director of the Village Community Development Department.

You may attach separate sheets of paper if additional space is needed for the following answers.

The undersigned hereby petitions the Village of Glen Ellyn, Illinois, for one or more variations from the Glen Ellyn Zoning Code (Ordinance No. 3617-Z, as amended), as described in this application.

I. APPLICANT INFORMATION:

(Note: The applicant must comply with Section 10-10-10(B) of the Zoning Code).

Name: Ralph Lauterbach and Amy Stoeffler

Address: 562 Hillside Avenue, Glen Ellyn, Illinois 60137

Home Phone No.: n/a Cell Phone No.: (630) 240-8436

Fax No.: n/a

E-mail: ralphlauterbach@yahoo.com

Ownership Interest in the Property in Question:

Ralph Lauterbach and Amy Stoeffler

II. INFORMATION REQUIRED BY SECTION 10-10-10(B) OF THE ZONING CODE, IF APPLICABLE:

NOTE: All parties, whether petitioner, agent, attorney, representative and or organization et al. must be fully disclosed by true name and address in compliance with Section 10-10-10(B) of the Zoning Code. Disclosure forms are attached for your convenience.

Name and address of the legal owner of the property (if other than the applicant):

same

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

n/a

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

YES ☐

NO ☒

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

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

YES ☐

NO ☒

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

III. PROPERTY INFORMATION:

Common address: 562 Hillside Avenue, Glen Ellyn, Illinois 60137

Permanent tax index number: 05-11-329-012 and 05-11-329-013

Legal description:

Lots 6 and 7 (except the North 50 feet thereof) in Phillips subdivision of the west 4.48 chains of block of the Village of Prospect Park, formerly Danby, now Glen Ellyn, being known as lots 4,5 and 6 of assessment division of block 11 in section 11, Township 39 North, Range 10, east of the principal meridian (except therefrom that part of said resubdivision formerly known and described as lot 5 in block 11 of the assessment division aforesaid) according to the plat of said Phillips subdivision recorded August 20, 1891 as document 46325, in DuPage County, Illinois.

Zoning classification: R-2

Lot size: 95.91 ft. x 149.67 ft. Area: 14,369 sq. ft.

Present use:

Single family residence

IV. INFORMATION REGARDING THE VARIATION(S) REQUESTED:

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

Request to permit 20' corner side yard in lieu of 30' as per zoning code section 10-4-8 (D),4 to allow the proposed side new residence to be located approximately where the current foundation exists, to maintain the current distance from the home to the east and the proposed new residence. Doing so will protect several large trees located along the east lot line and will allow adequate light and air ventilation for the neighboring property to the east.

Estimated date to begin construction: July 2024

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

***Ray Whalen Builders, Inc. (General Contractor)
P.O. Box 3380
Glen Ellyn, Illinois 60138-3380***

V. EVIDENCE RELATING TO ZONING CODE STANDARDS FOR A VARIATION:

The following items are intended to elicit information to support conclusions by the ZBA or PC and the Village Board that the required findings/standards for a variation under the Zoning Code have been established and met. Therefore, please complete these items carefully.

A. Standards Applicable to All Variations Requested:

1. Provide evidence that due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code:

The topography of the property has a significant slope from the southeast corner toward the northwest corner. In addition, the grade in the parkway and front yard does not allow for a driveway to be utilized in that area

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

See 2 B

OR

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

The particular topographical condition of this property brings practical difficulty and particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out since the redevelopment would require a smaller interior sideyard, negatively impacting the property to the east respective to height, light and air ventilation as well as the required removal of several large, mature trees.

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

A side yard variation would help to maintain the character of the locality whereas mature trees would remain and impact on neighboring property to the east would be minimized.

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

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

The particular topographical condition of this property brings practical difficulty and particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out since the development would require a smaller interior sideyard setback, negatively impacting the property to the east respective to height, light and air ventilation as well as the required removal of several large mature trees.

2. Provide evidence that the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district:

The conditions upon which the petition for variation is based would not be applicable generally to other properties within the same zoning district since the topographic condition and lot shape are unique.

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

There is no motivation to make money out of this property, rather the intention is to maintain the character of the existing neighborhood and trees on said property despite the topographic challenges.

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

The topography of this property was not created by any person presently having an interest in the property since the practical difficulties are a result of the conditions on the property.

5. Provide evidence that the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located.

The variation creates space relief between the new home and the neighboring home to the east, maintains established trees on the east lot line. It likewise improves the management of storm water runoff while keeping the character of the neighborhood. The proposed home is a one story ranch single family residence which allows for greater light and air ventilation to the adjoining properties than a permitted two story home of greater height in the R-2 district would allow.

6. Provide evidence that the proposed variation will not:

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

The proposed home is a one story ranch single family residence that will not impair an adequate supply of light and air ventilation to adjacent property.

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

The variation will comply with all fire codes and will not substantially increase the hazard from fire or other dangers to the property in question or adjacent property and will exceed all required side and rear yard setbacks.

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

The variation will not otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village since it complies with all zoning and building code regulations.

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

The variation will not diminish or impair property values within the neighborhood as the value of the new home will exceed the value of the existing home.

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

The variation will not unduly increase traffic congestion in the public streets and highway since the occupancy continues as a residential single family use.

- f. Create a nuisance; or

The variation will not create a nuisance.

- g. Results in an increase in public expenditures.

The variation will not incur increased public expenditures.

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

The variation is the minimum variation that will make possible the reasonable use of the land, building or structure since it compensates for the practical difficulties of the property with a plan that has minimal impact on adjacent properties.

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

Thank you for your consideration of this variation request.

VI. CERTIFICATIONS, CONSENT AND SIGNATURE(S)

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

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

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

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

April 25, 2024

Date

Ralph Lauterbach

Print Name


Signature of Applicant

April 25, 2024

Date

Amy Stoeffler

Print Name

Signature of Applicant

Date

Print Name

Signature of Applicant

AFFIDAVIT OF AUTHORIZATION

I, **Ralph Lauterbach and Amy Stoeffler** owner of the property described as

562 Hillside Avenue, Glen Ellyn, Illinois 60137

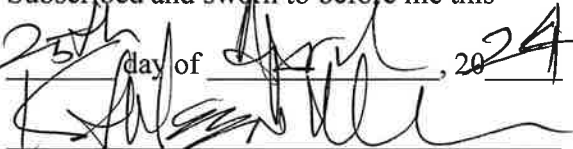
verify that **Ray Whalen Builders, Inc., by Raymond Whalen, President**

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

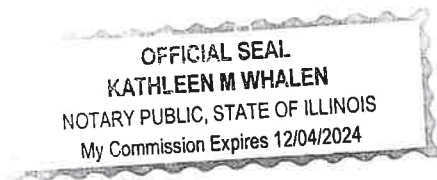


Owner Signature

Subscribed and sworn to before me this

23rd day of April, 2024


Notary Public



Affidavit Affirming No Conflict of Interest

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

1. My name is Raymond Whalen, and I hold the position of General Contractor for Ralph Lauterbach and Amy Storz ("Owner").
2. I have personal knowledge of all facts stated in this Affidavit, and if called to testify, I could and would testify competently thereto.
3. I am authorized by the Owner to make the representations and statements in this Affidavit on the Owner's behalf in support of the application for development approval ("Application") the Owner filed with the Village of Glen Ellyn ("Village").
4. To the best of my knowledge, and as of the Application's date, no individual that is employed by the Village or sits on an elected or appointed Village board or commission has a financial interest in the Owner, the Application, or the project proposed by the Owner.
5. To the best of my knowledge, and as of the Application's date, no individual that is related to any person that is employed by the Village or sits on an elected or appointed Village board or commission has a financial interest in the Owner, the Application, or the project proposed by the Owner.
6. I will immediately notify the Village if the Owner learns of the material inaccuracy of any statement within this Affidavit.

Further affiant sayeth naught.

Name: Ray Whalen

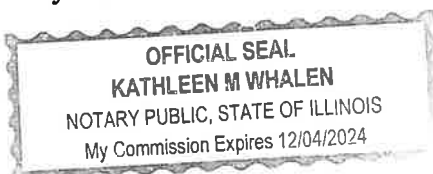
Title: General Contractor

Owner's Name: Ralph Lauterbach Amy Storz

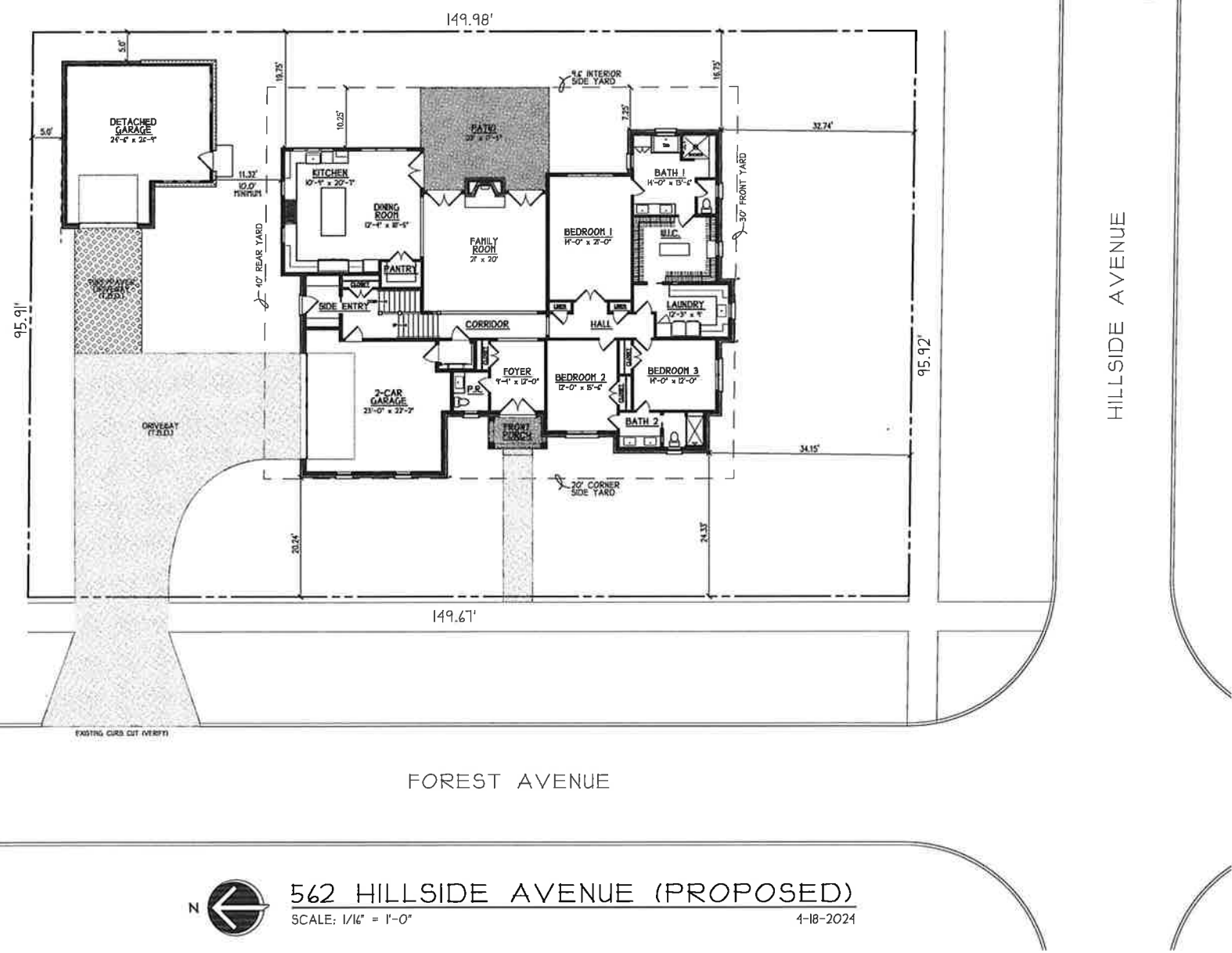
Subscribed and sworn to me this

25th day of April, 2024.

[Signature]
Notary Public



562 HILLSIDE AVE. SITE INFORMATION:	
ZONED:	R2
LOT SIZE:	14,349 S.F.
LOT COVERAGE RATIO: (ROOFED FOOTPRINT AREAS OF ALL STRUCTURES)	
ALLOWABLE LOT COVERAGE (RANCH):	35 x 14,349 S.F. (LOT) = 5,029 S.F. (MAX.)
PROPOSED LOT COVERAGE:	3,560 S.F. (SEE BELOW) / 14,349 S.F. (LOT)=25%
HOUSE (w/ CHIMNEY)	3,023 S.F.
ATTACHED GARAGE	584 S.F.
DETACHED GARAGE	440 S.F.
FRONT PORCH	51 S.F.
TOTAL = 4,308 S.F.	



HILLSIDE AVENUE

FOREST AVENUE



562 HILLSIDE AVENUE (PROPOSED)

SCALE: 1/16" = 1'-0"

4-18-2024

**(DRAFT) FINDINGS OF FACT TO SUPPORT A MOTION TO RECOMMEND
APPROVAL OF A ZONING VARIATION TO ALLOW THE CONSTRUCTION OF A
SINGLE-FAMILY STRUCTURE WITH A CORNER SIDE YARD SETBACK OF
TWENTY FEET (20') IN LIEU OF THE REQUIRED MINIMUM THIRTY FOOT (30')
CORNER SIDE YARD SETBACK IN THE R2 DISTRICT, FOR THE PROPERTY
LOCATED AT 562 HILLSIDE AVENUE, GLEN ELLYN, IL.**

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

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

1. Due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code, because the subject property has topographical condition that have impacted the proposed location of the new construction and that the proposed new construction would be a similar distance to the eastern property line as the existing home and would protect several large trees on the property.
2. The property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code, because the intention of the applicant is to maintain the character of the neighborhood and protect the trees of the property despite the topographic conditions.
3. The plight of the applicant/owner is due to unique circumstances relating to the property in question, because the topography
4. The requested variation, if granted, will not alter the essential character of the locality of the property in question, because the proposed home is intended to match the character of the neighborhood and reduce the impact on the neighboring property to the east.
5. The particular physical surroundings, shape, or topographical condition of the property in question would bring particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out, because the property's topography creates practical difficulties and the development would require an interior side yard setback that would negatively impact the eastern property respective to height, light and air ventilation.
6. The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district, because the property's topography restricts practical building area and would be better served with the character of the community with a reduced corner side yard setback.

7. The purpose of the variation is not based exclusively upon a desire to make more money out of the property in question, because the intention of the construction is maintaining the character of the existing neighborhood and protect trees on the property.
8. The alleged difficulty or particular hardship has not been created by any person presently having an interest in the property in question or by the applicant, because the topography was not created by any person having an interest in the property.
9. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located and will not impair an adequate supply of light and air to adjacent property, because the proposed corner side-yard setback allows for the new home to create distance between the home east of the property and improves stormwater management.
10. The proposed variation will not substantially increase the hazard from fire or other dangers to the property in question or adjacent property, because the proposed building will meet all applicable Building and Fire Codes.
11. The proposed variation will not otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of the Village; diminish or impair property values within the neighborhood; or unduly increase traffic congestion in the public streets and highway because the proposed home is for the residential use of the current property owners.
12. The proposed variation will not create a nuisance or result in an increase in public expenditures because the proposed home is for the residential use of the current property owners and is not anticipated to negatively impact neighbors.
13. The variation is the minimum variation that will make possible the reasonable use of the land, building or structure because the proposed variation will make it possible to reasonably develop the property with its topographical challenges and will have a minimal impact on adjacent properties.

DRAFT "MOTION" TO RECOMMEND APPROVAL OF
ZONING VARIATIONS FOR 562 HILLSIDE AVENUE

Having considered the application of Ralph Lauterbach and Amy Stoeffler, owners of the property at 562 Hillside Avenue, Glen Ellyn, for a zoning variation from Section 10-4-8(E)1 to allow for a corner side yard setback of twenty feet (20') in lieu of the required minimum thirty-foot (30') corner side yard setback, 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 June 11, 2024, as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends APPROVAL based upon the following hardship(s) or unique circumstance(s):

Subject to the following conditions:

1. The project shall be constructed in substantial conformance with the plans as submitted and the testimony presented at the June 11, 2024, public hearing of the Zoning Board of Appeals.
2. A Building Permit shall be obtained for the work.
3. Engineering approval as part of the Building Permit is required.
4. _____.

Motion by: _____ Seconded by: _____

DRAFT "MOTION" TO RECOMMEND DENIAL OF
A ZONING VARIATION FOR 562 HILLSIDE AVENUE

Having considered the application of Ralph Lauterbach and Amy Stoeffler, owners of the property at 562 Hillside Avenue, Glen Ellyn, for zoning variations from

Section 10-4-8(E)1 to allow for a corner side yard setback of twenty feet (20') in lieu of the required minimum thirty-foot (30') corner side yard setback.

in the R2 Residential District, the Zoning Board of Appeals hereby adopts the findings of fact in the petitioners' application packet and presented by the petitioners at the Zoning Board of Appeals public hearing conducted on June 11, 2024 as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends DENIAL of the requested Zoning Variation from Section 10-4-8(E)1 of the Glen Ellyn Zoning Code based upon the following findings of fact:

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

(Choose one or more of the following):

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

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

_____;
_____;

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

_____;
_____;

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

_____;
_____;

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

F. That the variations will be detrimental to the public comfort, morals, and welfare or injurious to other property or improvements in the neighborhood in which the property is located since:

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

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

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

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

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

Motion by: _____ Seconded by: _____



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

Meeting 6/11/2024 7:00 PM
Department: Community Development
Department Head: Emily Rodman
Category: Public Hearing
Prepared By: Daniel Harper

AGENDA ITEM (ID
2024-360)

DOC ID: 2024-360

Public Hearing - 574 Raintree Drive
Zoning Variation request to allow for a lot coverage ratio of 24.6 percent in lieu of the required 20 percent maximum lot coverage allowed.

Statement of the Issue:

The petitioners are requesting a recommendation of approval of the following variation from the Glen Ellyn Zoning Code:

1. Section 10-4-8(E)1 to allow for a lot coverage ratio of 24.6 percent in lieu of the required 20 percent maximum lot coverage allowed.

Analysis:

PROPERTY: 574 Raintree Drive, is an interior lot, located on the north side of Raintree Drive.

PETITIONERS: The petitioners are Stephen and Nina Mahalick, owners of the property located at 574 Raintree Drive.

REQUEST: The petitioners are requesting a recommendation of approval of the following variation from the Glen Ellyn Zoning Code:

1. Section 10-4-8(E)1 to allow for a lot coverage ratio of 24.6 percent in lieu of the required 20 percent maximum lot coverage allowed.

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

PUBLIC NOTICE: Notice of the public hearing was published in the May 24, 2024, edition of the Daily Herald, mailed to property owners within 350 feet of the subject property, and a placard was placed on the property.

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

Date	Permit No.	Type
2013	20131610	Tearoff/Reroof

2007	B-27499	Water/Sewer Connection
2005	B-24412	Fence
2003	B-23031	Furnace Replacement
1971	B-1751	Framing

PROJECT SUMMARY: The subject property was annexed in 1968 by the Village of Glen Ellyn and recorded in 1972. The lot is rectangular and improved with a single-family home. The property is seventy-five (75) feet in width and one-hundred and twenty-five (125) feet in length with a total lot area of 9,375 square feet.

The applicant is requesting a variation from Section 10-4-8(E)1 to allow for the lot coverage ratio of 24.6 percent in lieu of the required 20 percent maximum lot coverage allowed for the construction of a freestanding accessory structure (gazebo). The proposed gazebo would be 240 square feet with the dimensions of 12 x 20 feet and a height of 10.2 feet. The permit was denied as Zoning Variations would be needed to build the accessory structure as proposed.

The proposed gazebo would be in compliance with other restrictions on gazebos in the Village code limiting them to having primarily open sides, a maximum height of fifteen (15) feet and not exceeding two-hundred and fifty (250) square feet in area. (10-5-4 (B)4-16).

The property currently has a lot coverage of 22% or 2,066.65 square feet due to existing lot coverage of the home as it was constructed in 1972. The property would not be allowed to accommodate any more additions, primary or accessory, without a variation from the lot coverage requirement. The exception to this, is that single-family residences constructed in the R2 zoning district are granted an allowance of up to 100 square feet for the construction of one accessory structure, except a detached garage, notwithstanding the existing lot coverage ratio provided that the total lot coverage ratio shall be no more than 25 percent for a single-family dwelling. Said single accessory structure shall have a peaked roof with a ridge height of nine feet or less and be constructed so that no wall of the structure is more than 12 feet in length. (10-5-4. (A)2. (b)) – Accessory Structure and Uses) The proposed gazebo could be constructed in compliance with this regulation and not require a variation if reduced in size and height.

Budget Impact:

The proposed variation is not expected to have an impact on the village's budget.

Contribution to Strategic Plan

Action Requested:

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

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

Attachments:

1. Aerial Map
2. Zoning Map
3. Notification Map
4. Application
5. Site Plan
6. Renderings
7. Draft Findings of Fact
8. Draft Motion to Approve
9. Draft Motion to Deny



Legend

0 150 300
ft

Print Date: 6/3/2024

Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.



Legend

Zoning and Development

Zoning

R2: Single Family Residential District

0 150 300
ft

Print Date: 6/3/2024

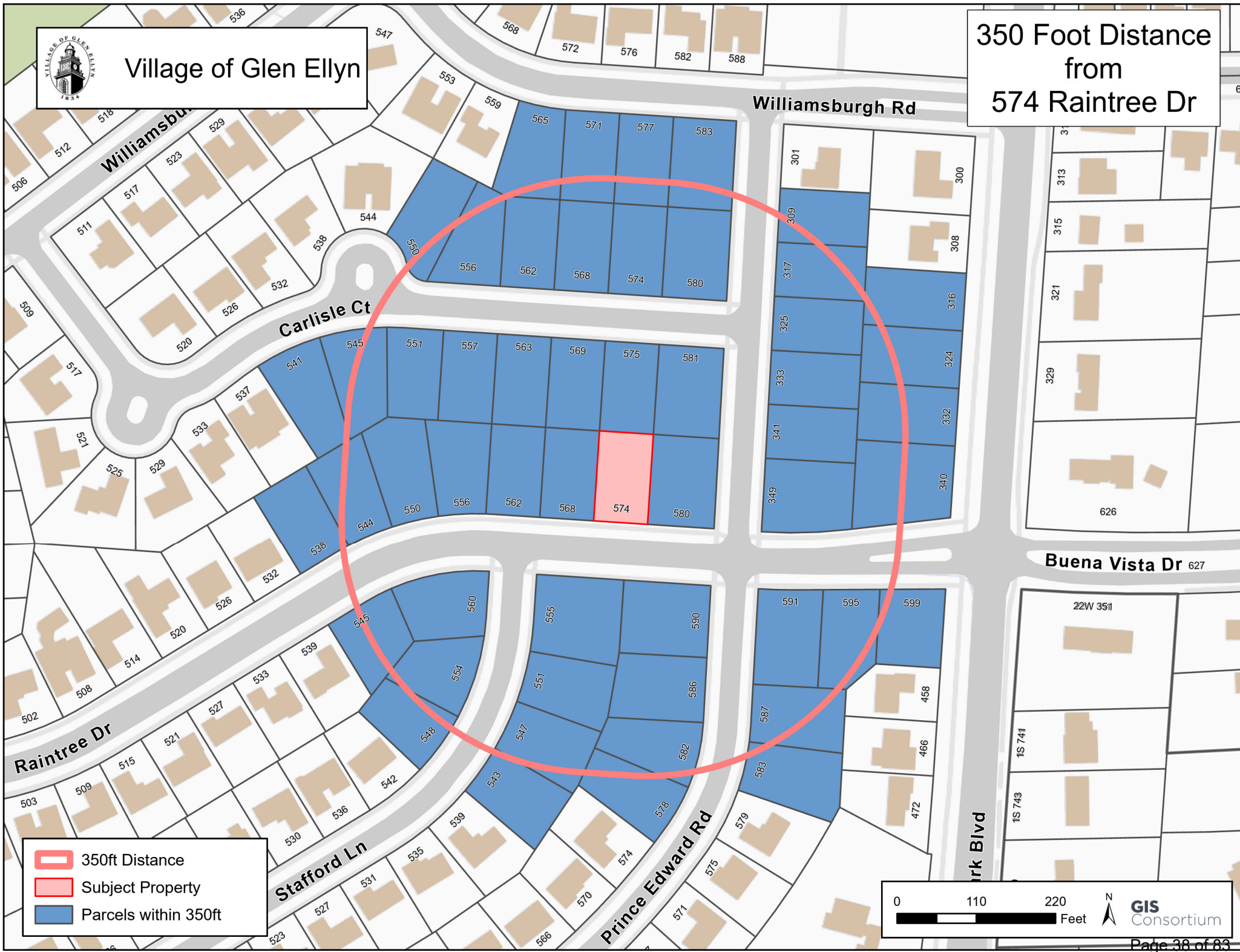
Notes

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Village of Glen Ellyn

350 Foot Distance
from
574 Raintree Dr



- 350ft Distance
- Subject Property
- Parcels within 350ft

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

CLEAR PAGES

APPLICATION FOR VARIATION

For the property at 574 Raintree Drive Glen Ellyn, IL 60137

Note to the Applicant: This application should be filed with, and any questions regarding it, should be directed to the Director of the Village Community Development Department.

You may attach separate sheets of paper if additional space is needed for the following answers.

The undersigned hereby petitions the Village of Glen Ellyn, Illinois, for one or more variations from the Glen Ellyn Zoning Code (Ordinance No. 3617-Z, as amended), as described in this application.

I. APPLICANT INFORMATION:

(Note: The applicant must comply with Section 10-10-10(B) of the Zoning Code).

Name: Stephen Mahalick and Nina Mahalick

Address: 574 Raintree Drive, Glen Ellyn, IL 60137

Home Phone No.: 630-849-0924 Cell Phone No.: 815-263-2794

Fax No.: _____

E-mail: s.mahalick@gmail.com; nmahalick@gmail.com

Ownership Interest in the Property in Question:

100% ownership

II. INFORMATION REQUIRED BY SECTION 10-10-10(B) OF THE ZONING CODE, IF APPLICABLE:

NOTE: All parties, whether petitioner, agent, attorney, representative and or organization et al. must be fully disclosed by true name and address in compliance with Section 10-10-10(B) of the Zoning Code. Disclosure forms are attached for your convenience.

Name and address of the legal owner of the property (if other than the applicant):

same as applicant

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

same as applicant

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

YES ☐

NO ☒

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

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

YES ☐

NO ☒

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

III. PROPERTY INFORMATION:

Common address: 574 Raintree Drive, Glen Ellyn, IL 60137

Permanent tax index number: 05-23-312-035

Legal description:

LOT 79 IN RAINTREE, UNIT 1, BEING A SUBDIVISION IN THE SOUTH 1/2 OF SECTION 23, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED JUNE 6, 1968 AS DOCUMENT R68-23219 IN DUPAGE COUNTY, ILLINOIS

Zoning classification: Residential

Lot size: _____ ft. x _____ ft. Area: 9375 sq. ft.

Present use:

Owner occupied as primary residence

IV. INFORMATION REGARDING THE VARIATION(S) REQUESTED:

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

We are requesting a variation to the lot coverage ratio for single family dwellings which are more than one story and their accessory buildings, code 10-4-8(E)1 - from 20% to 25%. Proposed use is for a freestanding accessory structure (Gazebo) that is 240 square feet and has dimensions of 12x20' with a height of 10.2'.

Village Code 10-5-4(A)2(b) allows for 100 square feet and height of 9 feet. We are requesting an additional area of 140 square feet and 1.2 feet of height and would still be under a 25% lot coverage ratio ft.

Existing single-family dwelling has an area of 2,066.65 sq. ft. which is 22.0% of the lot and already non-conforming. Including the proposed accessory structure the new area would be 2,306.65 and the lot coverage ratio would be 24.6%. The proposed freestanding accessory structure would be 240 square feet and 2.6% of the lot area.

We will further be in compliance with Gazebo requirements in Village Code TABLE 10-5-5 (B)4.

- Limitations: constructed primarily of open sides that may have screens**
- Height: 15' maximum above its finished grade**
- Area: shall not exceed 250 sq. ft. in area.**

Estimated date to begin construction: ***as soon as possible***

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

CONTRACTOR
The Landscaping Experts Inc.
Alex Guzman - Owner/CEO
Office - (815) 207-3481

V. **EVIDENCE RELATING TO ZONING CODE STANDARDS FOR A VARIATION:**

The following items are intended to elicit information to support conclusions by the ZBA or PC and the Village Board that the required findings/standards for a variation under the Zoning Code have been established and met. Therefore, please complete these items carefully.

A. **Standards Applicable to All Variations Requested:**

1. Provide evidence that due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code:

We are not able to enjoy our property to its fullest capacity based on no action or fault of our own. The hardship is a result of the way the property was developed. The existing structure already in non-conforming.

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

The way the home is constructed on the lot and lot itself prevents any further additional or structure.

OR

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

We are a growing family with 3 children and have elderly family visiting daily. An allowance of 100 square feet is not big enough to allow our growing family to enjoy the property to its fullest capacity.

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

Multiple homes in the Raintree subdivision have freestanding accessory structures (sheds, gazebos, pergolas, etc.) and three season rooms. An additional 140 square feet for a gazebo would not alter the character of the property and we believe it would enhance the property.

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

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

We are not able to enjoy our property to its fullest capacity based on no action or fault of our own. The hardship is a result of the way the property was developed. The existing structure already in non-conforming.

2. Provide evidence that the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district:

Every property has unique characteristics and a different lot coverage ratio.

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

We are a growing family with 3 young children. We have other family members living in Glen Ellyn and in the nearby area. We plan to raise our family in this home.

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

We are not able to enjoy our property to its fullest capacity based on no action or fault of our own. The hardship is a result of the way the property was developed. The existing structure already in non-conforming.

5. Provide evidence that the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located.

The proposed accessory structure will be within our backyard lot area and an additional size variance will not change its character.

6. Provide evidence that the proposed variation will not:

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

The purpose of the structure is to provide shade to our backyard and it will not impair adjacent properties.

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

Proposed variance will have no impact on hazards.

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

Proposed variance will have no impact on impairments.

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

We believe it will enhance our property.

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

Proposed variance will have no impact on traffic.

- f. Create a nuisance; or

Proposed variance would not cause a nuisance.

- g. Results in an increase in public expenditures.

Proposed variance will have no impact on public expenditures.

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

Please see number 8 below.

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

We are a young family of five who moved to Glen Ellyn three years ago to be in close proximity to relatives. With family members residing in Glen Ellyn and neighboring towns, including my mother in the Raintree condos, and my sister-in-law and her children residing across from Glen Crest Middle School, our home serves as a hub for frequent family gatherings. To facilitate these gatherings, particularly during warmer months, a larger shaded outdoor space would allow us to enjoy our property to its fullest capacity and provide a comfortable and safe environment for both our elderly parents and young children within the safety of our property.

My mother is a skin cancer survivor undergoing periodic treatments. She visits daily and has orders from her doctor to limit sun exposure. We have three energetic boys under the age of five, who thrive on outdoor play, especially our three year old who is currently being evaluated for ADHD, anxiety and Austism. Our current home structure and lot does not offer adequate shade, necessitating the variance to provide shelter from the sun and prevent overheating during extended play sessions.

Without the variance, it would be difficult for our family to safely and comfortably spend time outdoors through no fault or making of our own. Thank you for your time and consideration.

VI. CERTIFICATIONS, CONSENT AND SIGNATURE(S)

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

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

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

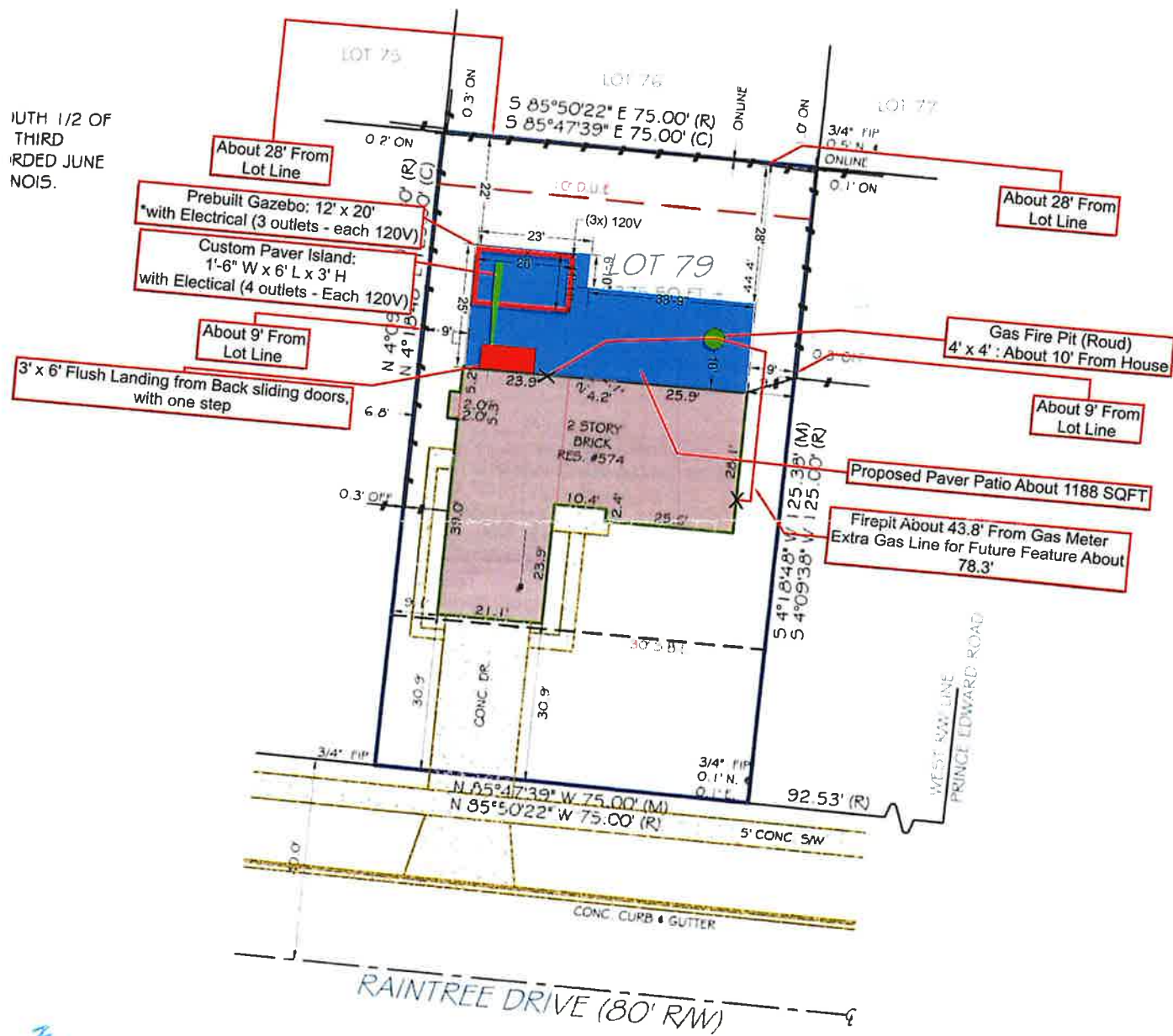
I (We) consent to accept and pay the cost to publish a notice of Public Hearing as submitted on an invoice from the publishing newspaper. I (we) understand that our request will not be scheduled for a Village Board agenda until and unless this invoice is paid.

4/29/2024 **Stephen Mahalick** 
Date Print Name Signature of Applicant

1/29/2024 Nina Mahalick Nina Mahalick
Date Print Name Signature of Applicant

Date Print Name Signature of Applicant

REVIEW #1
NOT APPROVED.



RECEIVED
MAR 22 2024
VILLAGE OF GLENVIEW

Use of this survey other than intended, without written verification, will be at users' sole risk and without liability to the surveyor.



RECEIVED
MAR 22 2024
OFF GLEN ELLYN



RECEIVED
APR 22 2024
GLEN ELYN

**(DRAFT) FINDINGS OF FACT TO SUPPORT A MOTION TO RECOMMEND
APPROVAL OF A ZONING VARIATION TO ALLOW A LOT COVERAGE RATIO OF
24.6 PERCENT IN LIEU OF THE REQUIRED 20 PERCENT MAXIMUM LOT
COVERAGE ALLOWED IN THE R2 DISTRICT, FOR THE PROPERTY LOCATED
AT 574 RAINTREE DRIVE, GLEN ELLYN, IL.**

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

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

1. Due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code, because the subject property was constructed with a lot coverage of twenty-two percent preventing the possibility of having an accessory structure of the desired size in the R2 Residential Zoning District.
2. The property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code, because the applicant will not be able to construct a free-standing accessory structure of the desired height and area.
3. The plight of the applicant/owner is due to unique circumstances relating to the property in question, because the subject property was constructed with a lot coverage of twenty-two percent preventing the possibility of having an accessory structure of the desired size in the R2 Residential Zoning District.
4. The requested variation, if granted, will not alter the essential character of the locality of the property in question, because the proposed accessory structure will not be visible from the street and will meet village and county stormwater requirements.
5. The particular physical surroundings, shape, or topographical condition of the property in question would bring particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out, because the subject property was constructed with a lot coverage of twenty-two percent preventing the possibility of having an accessory structure of the desired size in the R2 Residential Zoning District.
6. The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district, because the subject property was originally constructed with a lot coverage ratio of 22 percent.
7. The purpose of the variation is not based exclusively upon a desire to make more money out of the property in question, because the applicant does not intend to profit from the construction of the accessory structure.

8. The alleged difficulty or particular hardship has not been created by any person presently having an interest in the property in question or by the applicant, because the lot was not created by any person having an interest in the property.
9. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located and will not impair an adequate supply of light and air to adjacent property, because the proposed accessory structure will meet all other village setback and bulk requirements for gazebos in the R2 Residential Zoning District.
10. The proposed variation will not substantially increase the hazard from fire or other dangers to the property in question or adjacent property, because the proposed accessory building will meet all applicable Building and Fire Codes.
11. The proposed variation will not otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of the Village; diminish or impair property values within the neighborhood; or unduly increase traffic congestion in the public streets and highway because the proposed accessory structure is for the use of the current property owners.
12. The proposed variation will not create a nuisance or result in an increase in public expenditures because the proposed accessory structure is for the use of the current property owners and is not anticipated to negatively impact neighbors.
13. The variation is the minimum variation that will make possible the reasonable use of the land, building or structure because the subject property was constructed with a lot coverage of twenty-two percent preventing the possibility of having an accessory structure of the desired size in the R2 Residential Zoning District.

DRAFT "MOTION" TO RECOMMEND APPROVAL OF
ZONING VARIATIONS FOR 574 RAINTREE DRIVE

Having considered the application of Stephen and Nina Mahalick, owners of the property located at 574 Raintree Drive, Glen Ellyn, for a zoning variation from Section 10-4-8(E)1 to allow for a lot coverage ratio of 24.6 percent in lieu of the required 20 percent maximum lot coverage allowed., 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 June 11, 2024, as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends APPROVAL based upon the following hardship(s) or unique circumstance(s):

Subject to the following conditions:

1. The project shall be constructed in substantial conformance with the plans as submitted and the testimony presented at the June 11, 2024, public hearing of the Zoning Board of Appeals.
2. A Building Permit shall be obtained for the work.
3. Engineering approval as part of the Building Permit is required.
4. _____.

Motion by: _____ Seconded by: _____

**DRAFT "MOTION" TO RECOMMEND DENIAL OF
A ZONING VARIATION FOR 574 RAINTREE DRIVE**

Having considered the application of Timothy Stroh, owner of the property at 574 Raintree Drive, Glen Ellyn, for zoning variations from

Section 10-4-8(E)1 to allow for a lot coverage ratio of 24.6 percent in lieu of the required 20 percent maximum lot coverage allowed.

in the R2 Residential District, the Zoning Board of Appeals hereby adopts the findings of fact in the petitioners' application packet and presented by the petitioners at the Zoning Board of Appeals public hearing conducted on June 11, 2024 as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends DENIAL of the requested Zoning Variation from Section 10-5-4(A)2(a) of the Glen Ellyn Zoning Code based upon the following findings of fact:

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

(Choose one or more of the following):

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

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

_____;

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

_____;

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

_____;

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

F. That the variations will be detrimental to the public comfort, morals, and welfare or injurious to other property or improvements in the neighborhood in which the property is located since:

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

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

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

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

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

Motion by: _____ Seconded by: _____



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

Meeting 6/11/2024 7:00 PM
Department: Community Development
Department Head: Emily Rodman
Category: Public Hearing
Prepared By: Daniel Harper

AGENDA ITEM (ID
2024-361)

DOC ID: 2024-361

Public Hearing - 171 Brandon Avenue
Zoning Variation to allow for a freestanding accessory structure (detached garage) to occupy 33 percent (or 660 square feet) of the required rear yard area in lieu of the 30 percent maximum area allowed.

Statement of the Issue:

The petitioners are requesting a recommendation of approval of the following variation from the Glen Ellyn Zoning Code:

1. Section 10-5-4(A)2(a) to allow for a freestanding accessory structure (detached garage) to occupy 33-percent (or 660 square feet) of the required rear yard area in lieu of the 30-percent maximum area allowed.

Analysis:

PROPERTY: 171 Brandon Avenue, is an interior lot, located on the east side of Brandon Avenue.

PETITIONERS: The petitioner is Timothy Stroh, owner of the property located at 171 Brandon Avenue.

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

1. Section 10-5-4(A)2(a) to allow for a freestanding accessory structure (detached garage) to occupy 33-percent (or 660 square feet) of the required rear yard area in lieu of the 30-percent maximum area allowed.

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

PUBLIC NOTICE: Notice of the public hearing was published in the May 24, 2024, edition of the Daily Herald, mailed to property owners within 350 feet of the subject property, and a placard was placed on the property. Village staff did receive two (2) pieces of correspondence in support of the variance. The letters are attached for the Board's review.

ZONING HISTORY: Village records indicate no history of approved zoning variations for this property.

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

Date	Permit No.	Type
2016	20161573	Fence
2012	20121670	Roofing
2001	B-020641	Sewer Repair
1973	B-2842	Garage
1959	B-7191	Demo/New Family Residence

PROJECT SUMMARY: The subject property was recorded in 1931. The lot is rectangular, though the rear lot line tapers slightly to the west and is improved with a single-family home. The property is 50-feet in width and 204.50-feet in length with a total lot area of 10,454 square feet.

The petitioner applied for a Building Permit to construct a garage of 660 square feet. The purpose of the garage will be for the storage of three vehicles and yard equipment per the application of the petitioner. 660 square feet is the maximum size for a detached garage in the Village Code. However, the total square footage of accessory structures is not to exceed 30-percent of the required rear yard area. In this case, the required rear yard is 2,000 square feet (50 feet in width, and 40 feet in length).

The maximum square footage allowed in the code for all accessory structures for 171 Brandon would be limited to 600 square feet.

Currently, the garage on the property is 22.17-feet by 24.23-feet and maintains the required setback of 10-percent of lot width from side property lines of at least 5-feet. The existing garage is 5.14 feet at the closest point to the side property line to the south, and the proposed garage will be 5.15 feet from this south property line. The proposed garage would maintain the existing depth at 22.0-feet and would be widened to 30-feet.

Budget Impact:

Not applicable.

Contribution to Strategic Plan

Action Requested:

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

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

Attachments:

1. Aerial Map
2. Zoning Map
3. Application
4. Proposed Site Plan
5. Elevation Plans
6. Correspondence in support from 165 Brandon Ave
7. Correspondence in support from 175 Brandon
8. Draft Findings of Fact
9. Draft Motion to Approve
10. Draft Motion to Deny
11. Notification Map



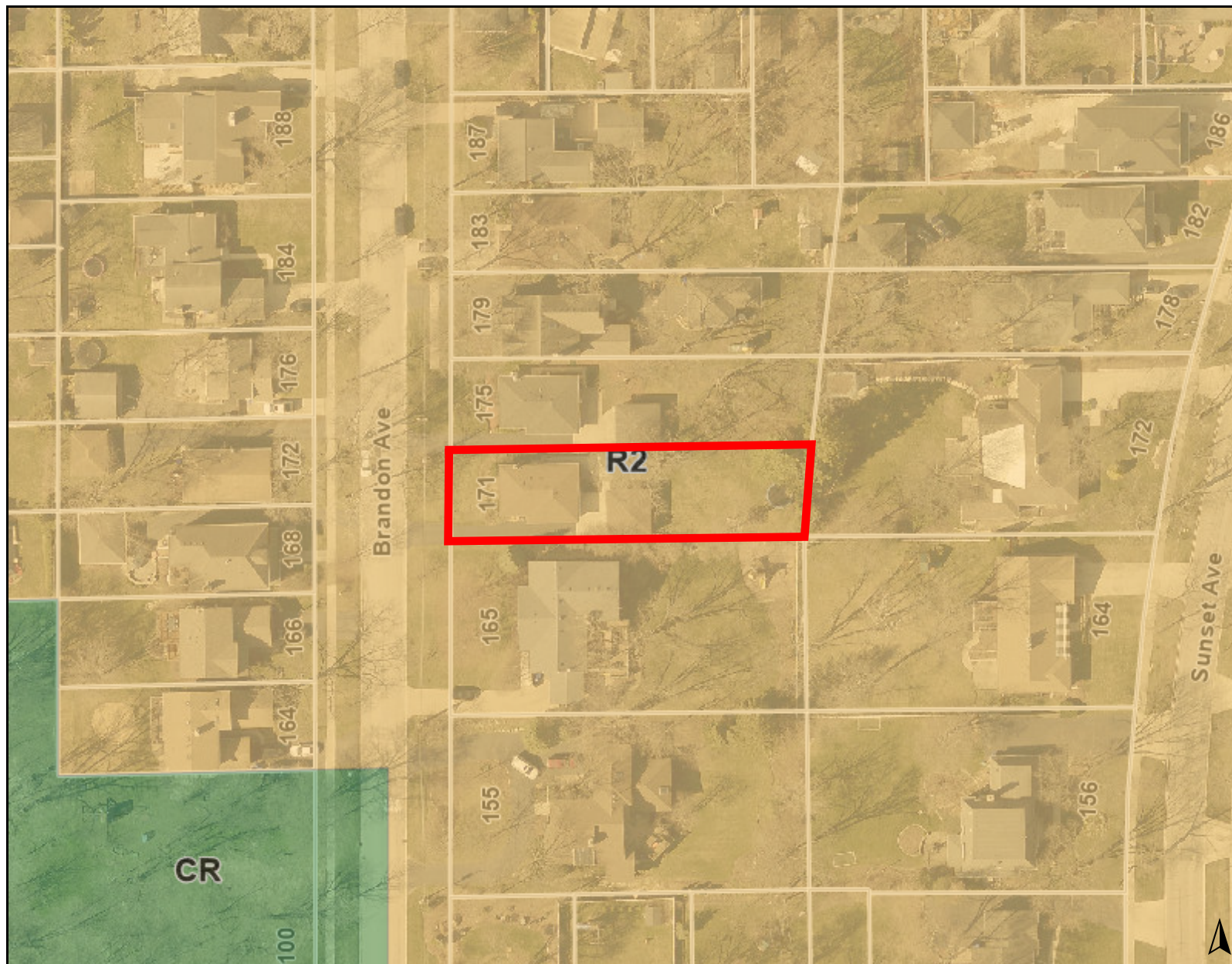
Legend

0 150 300
ft

Print Date: 6/3/2024

Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.



Legend

Zoning and Development

Zoning

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

0 150 300
ft

Print Date: 6/3/2024

Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

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

CLEAR PAGES

APPLICATION FOR VARIATION

For the property at 171 Brandon Ave. Glen Ellyn, IL 60137

Note to the Applicant: This application should be filed with, and any questions regarding it, should be directed to the Director of the Village Community Development Department.

You may attach separate sheets of paper if additional space is needed for the following answers.

The undersigned hereby petitions the Village of Glen Ellyn, Illinois, for one or more variations from the Glen Ellyn Zoning Code (Ordinance No. 3617-Z, as amended), as described in this application.

I. APPLICANT INFORMATION:

(Note: The applicant must comply with Section 10-10-10(B) of the Zoning Code).

Name: Timothy Stroh

Address: 171 Brandon Ave

Home Phone No.: 331-551-4702 Cell Phone No.: Same

Fax No.: _____

E-mail: timstroh6@yahoo.com

Ownership Interest in the Property in Question:

Owner

II. INFORMATION REQUIRED BY SECTION 10-10-10(B) OF THE ZONING CODE, IF APPLICABLE:

NOTE: All parties, whether petitioner, agent, attorney, representative and or organization et al. must be fully disclosed by true name and address in compliance with Section 10-10-10(B) of the Zoning Code. Disclosure forms are attached for your convenience.

Name and address of the legal owner of the property (if other than the applicant):

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

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

YES ☐

NO ☒

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

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

YES ☐

NO ☒

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

III. PROPERTY INFORMATION:

Common address: 171 Brandon Ave. Glen Ellyn, IL 60137

Permanent tax index number: 05-14-300-013

Legal description:

Lot 14 in Greenfield-Sunset Addition to Glen Ellyn, a Resubdivision of Block 1 and 2 in E.W.Zander's Country Homes Addition to Glen Ellyn, in Section 14, Township 39 North, Range 10, East of the Third Principal Meridian, According to the Plat of Said Resubdivision Recorded August 21, 1931 as Document 316415, in DuPage County, Illinois

Zoning classification: Residential

Lot size: 50 ft. x 200 ft.

Area: 10,000 sq. ft.

Present use:

Single family home

IV. INFORMATION REGARDING THE VARIATION(S) REQUESTED:

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

Municipal Code #10-5-4 A(2)a 30% maximum accessory structure size limit in rear yard build 30x22 detached garage for 3 vehicles and storage of yard equipment.

Estimated date to begin construction: July 2024

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

NA

V. EVIDENCE RELATING TO ZONING CODE STANDARDS FOR A VARIATION:

The following items are intended to elicit information to support conclusions by the ZBA or PC and the Village Board that the required findings/standards for a variation under the Zoning Code have been established and met. Therefore, please complete these items carefully.

A. Standards Applicable to All Variations Requested:

1. Provide evidence that due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code:

I would like to build a three car garage on our property. Our current garage is 22 feet deep. If the three car garage is only 20 feet deep, as is currently permitted, the garage loses all its ability for storage of anything other than the vehicles themselves. Further, even without the variation, the new garage would use the maximum allowable space for other buildings on the property. Thus, there would be no other alternatives for outdoor storage aside from the garage.

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

OR

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

Due to the size of the lot, my property is permitted only a 30 x 20 foot garage. A three car garage built to these specifications would have no room for storage. This would eliminate all possible outdoor storage on the property. Granting the variation requested would allow the garage to have an additional 60 sq. feet and provide for storage. The size of the requested variation would not substantially change the look of the property or make it seem out of character with the remainder of the neighborhood. The variation requested is not so large that it would do that.

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

The depth of the garage will not be noticeable from the front of the property, so the variation in garage size will not alter the neighborhood or community character. Further, a three car garage is not out of character in Glen Ellyn, as many properties have garages of comparable size and depth.

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

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

2. Provide evidence that the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district:

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

I do not wish to increase the size of my garage in this manner to make money or increase my home's value. There is no evidence that adding a three car garage will add enough value to the house offset the cost of the garage itself.

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

Not self-created.

5. Provide evidence that the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located.

This will not affect other properties.

6. Provide evidence that the proposed variation will not:

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

This will not affect light or air to adjacent property.

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

This will not increase hazards to adjacent property.

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

This will not affect health, safety, comfort, morals or general welfare.

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

This will not affect property values.

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

This will not affect traffic.

- f. Create a nuisance; or

This will not create a nuisance.

- g. Results in an increase in public expenditures.

This will not increase public expenditures.

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

Under the 30% rule and the need for three cars and storage, the 30x22 660 sq. ft. is the minimum usable size.

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

VI. CERTIFICATIONS, CONSENT AND SIGNATURE(S)

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

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

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

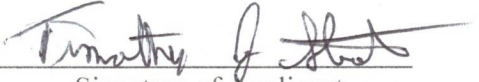
I (We) consent to accept and pay the cost to publish a notice of Public Hearing as submitted on an invoice from the publishing newspaper. I (we) understand that our request will not be scheduled for a Village Board agenda until and unless this invoice is paid.

5/7/2024

Date

Timothy Stroh

Print Name


Signature of Applicant

Date

Print Name

Signature of Applicant

Date

Print Name

Signature of Applicant

AFFIDAVIT OF AUTHORIZATION

I, Timothy Stroh owner of the property described as

Lot 14 in Greenfield-Sunset Addition to Glen Ellyn, a Resubdivision of Block 1 and 2 in E.W.Zander's Country Homes Addition to Glen Ellyn, in Section 14, Township 39 North, Range 10, East of the Third Principal Meridian, According to the Plat of Said Resubdivision Recorded August 21, 1931 as Document 316415, in DuPage County, Illinois

verify that Blue Sky Builders Inc.

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

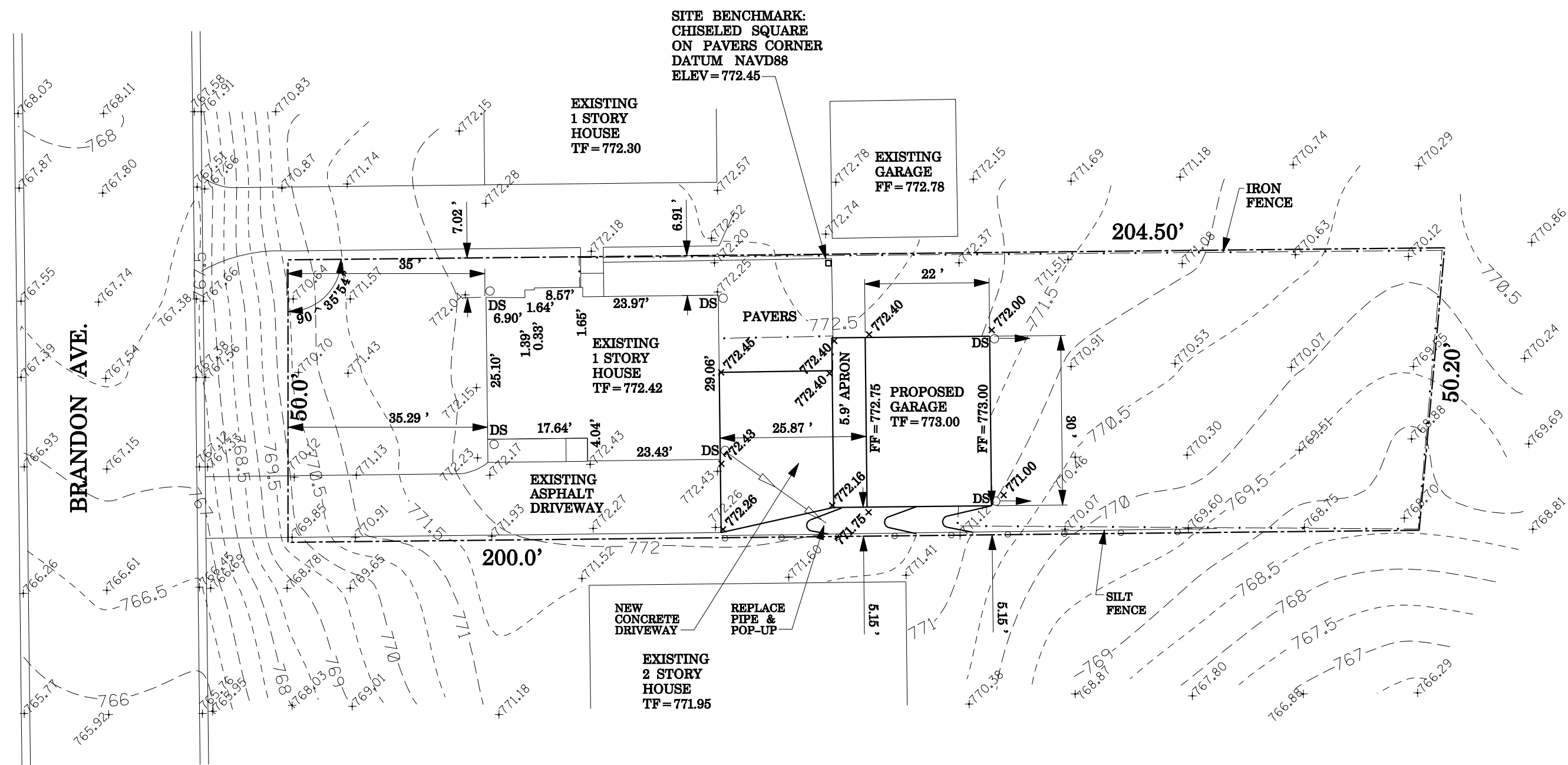
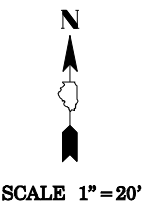
Timothy J Stroh
Owner Signature

Subscribed and sworn to before me this

7th day of May, 20 24
Jennifer L Hagn

Notary Public





IMPERVIOUS AREAS (SF)

	PRE	POST
--	-----	------

HOME	1139	1139
STOOPS	32	32
DRIVEWAY	1445	1445
APRON	0	177
GARAGE	537	660
PATIO	523	523
PAD	57	57
TOTAL	3733	4033

NET GAIN=300 SF

NOTES:
-THE EROSION CONTROL MUST BE INSTALLED PRIOR TO COMMENCING THE WORK AND MUST REMAIN UNTIL ALL WORK IS COMPLETE.
-ANY SOIL, MUD OR DEBRIS THAT IS DEPOSITED ONTO THE STREET SHALL BE REMOVED BEFORE THE END OF EACH WORK DAY.
-IF A STOCKPILE IS TO REMAIN IN PLACE FOR MORE THAN 3 DAYS, EROSION CONTROL MEASURES SHALL BE PROVIDED FOR THE STOCKPILE

TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE CONSTRUCTION OF THIS PROJECT WILL NOT INCREASE THE AMOUNT OR RATE OF RUNOFF OR IF THAT SUCH RUNOFF INCREASES, REASONABLE PROVISIONS HAVE BEEN MADE FOR THE COLLECTION & DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS OR SUCH WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION.

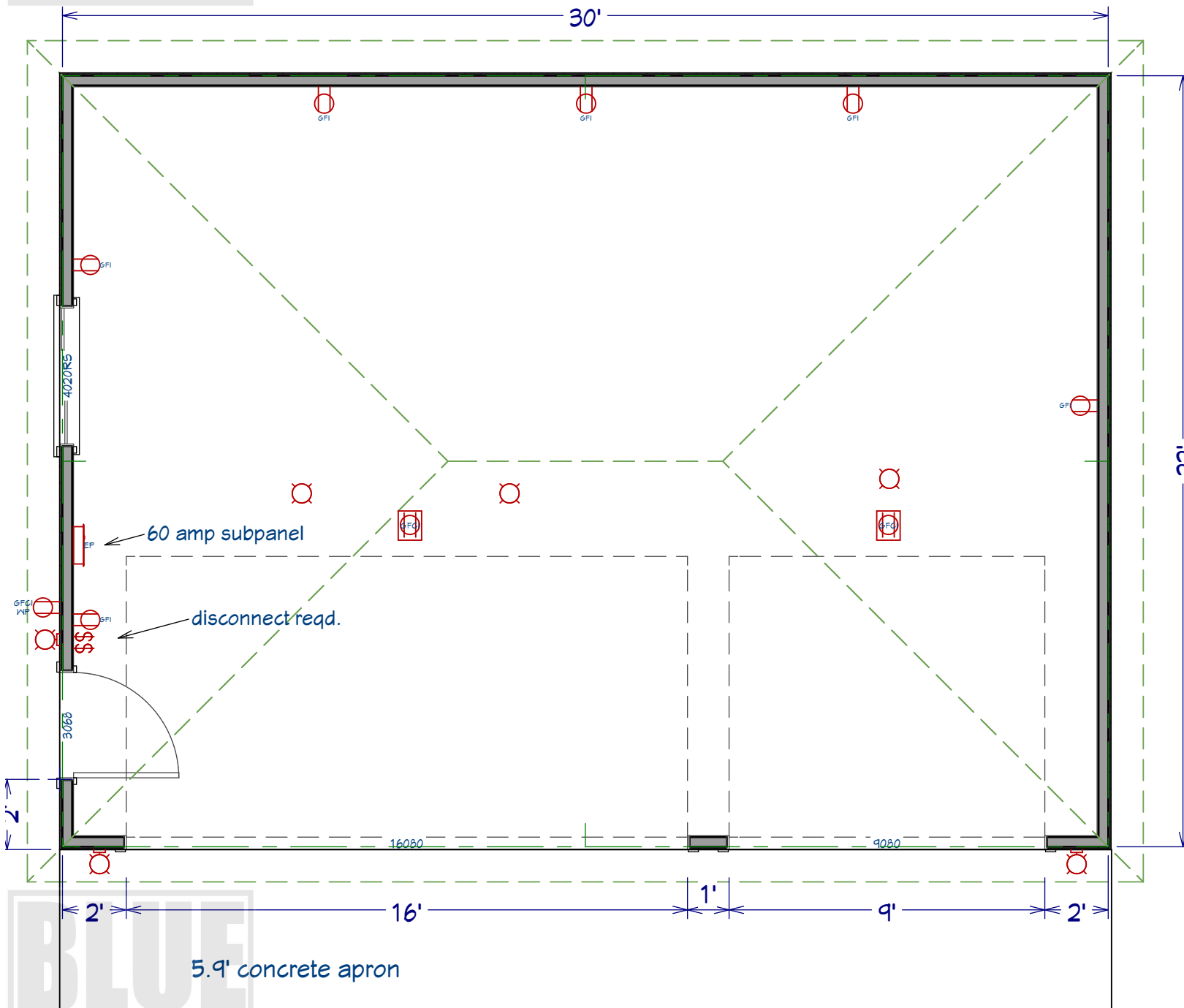


EXPIRES 11/30/25

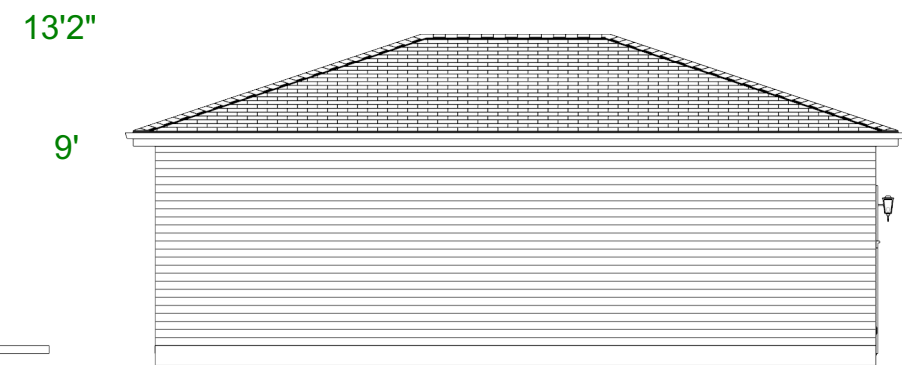
Victor Cardona

NO.		DATE
171 BRANDON AVE.		DATE
GLEN ELLYN, IL		3/15/24
VICTOR CARDONA, P.E.		
3529 OAKHILL LN.		
LONG GROVE, IL 60047		
847-323-2686 cel		
AVILAONE@HOTMAIL.COM		
PROPOSED CONDITIONS		

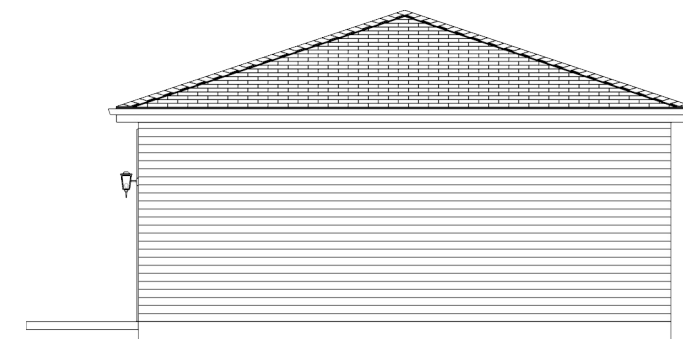




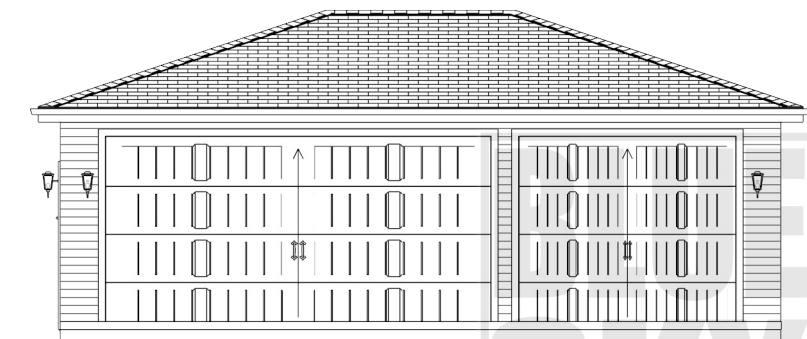
22' North Elevation Side



30' East Elevation Back



22' South Elevation Side



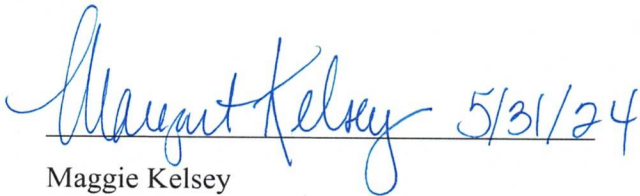
30' West Elevation Front

South wall, eave, and anything within 3' of lot line to be 1 hr fire rated w/ 5/8" gyp board

To the village board:

Our names are Maggie and Zack Kelsey and we live one house south of Tim Stroh at 165 Brandon Ave. We are aware that Mr. Stroh is requesting a variance for his garage, which if approved would have him building a 30x22 foot garage for a total of 660 square feet. We understand that this is 60 square feet larger than the village allowance of 600 square feet.

As Mr. Stroh's direct neighbors, we wanted to express that we have no issue with the village granting this 60 square foot variance and do not believe it will impact our property in any sort of negative way. Feel free to contact us at maggiekelsey2015@gmail.com if you have any questions or need any clarification. Thank you for your time.

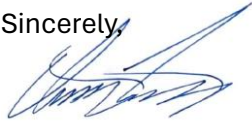
 5/31/24
Maggie Kelsey

 5/31/24
Zack Kelsey

To Whom It May Concern:

My name is Christopher Fanella, and I am the manager of the LLC who owns 175 Brandon Ave, the property on the north border of 171 Brandon Ave . It is my understanding that Tim Stroh, the owner of 171 Brandon, Glen Ellyn, has requested a variance to village code to permit adding an additional sixty square feet to his garage footprint beyond what the village currently allows. I am writing to let you know that as the representative for 175 Brandon, I am supportive of the village granting the variance requested by Mr. Stroh.

Sincerely,



Christopher Fanella
Manager
SAIJ 175 Brandon LLC

**(DRAFT) FINDINGS OF FACT TO SUPPORT A MOTION TO RECOMMEND
APPROVAL OF A ZONING VARIATION TO ALLOW THE CONSTRUCTION OF A
FREE-STANDING ACCESSORY STRUCTURE TO OCCUPY THIRTY-THREE (33)
PERCENT OF THE REQUIRED REAR YARD IN LIEU OF THE THIRTY (30)
PERCENT MAXIMUM ALLOWED AREA IN THE R2 DISTRICT, FOR THE
PROPERTY LOCATED AT 171 BRANDON AVENUE, GLEN ELLYN, IL.**

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

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

1. Due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code, because the subject property is narrow and limited in area, preventing the maximum allowable detached garage size of 660 square feet in the R2 Residential Zoning District.
2. The property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code, because the applicant will not be able to construct the maximum allowable size for a detached garage.
3. The plight of the applicant/owner is due to unique circumstances relating to the property in question, because the property is narrow and limited in area, preventing the maximum allowable detached garage size of 660 square feet in the R2 Residential Zoning District.
4. The requested variation, if granted, will not alter the essential character of the locality of the property in question, because the proposed garage will not be visible from the street and will meet village and county stormwater requirements.
5. The particular physical surroundings, shape, or topographical condition of the property in question would bring particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out, because the subject property is narrow and limited in area, preventing the maximum allowable detached garage size of 660 square feet in the R2 Residential Zoning District.
6. The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district, because the subject property is narrow and limited in area, preventing the maximum allowable detached garage size of 660 square feet in the R2 Residential Zoning District.
7. The purpose of the variation is not based exclusively upon a desire to make more money out of the property in question, because the applicant does not intend to profit from the construction of the detached garage.

8. The alleged difficulty or particular hardship has not been created by any person presently having an interest in the property in question or by the applicant, because the lot was not created by any person having an interest in the property.
9. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located and will not impair an adequate supply of light and air to adjacent property, because the proposed garage will meet all other village setback and bulk requirements for detached garages in the R2 Residential Zoning District.
10. The proposed variation will not substantially increase the hazard from fire or other dangers to the property in question or adjacent property, because the proposed building will meet all applicable Building and Fire Codes.
11. The proposed variation will not otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of the Village; diminish or impair property values within the neighborhood; or unduly increase traffic congestion in the public streets and highway because the proposed detached garage is for the use of the current property owners.
12. The proposed variation will not create a nuisance or result in an increase in public expenditures because the proposed detached garage is for the use of the current property owners and is not anticipated to negatively impact neighbors.
13. The variation is the minimum variation that will make possible the reasonable use of the land, building or structure because the subject property is narrow and limited in area, preventing the maximum allowable detached garage size of 660 square feet in the R2 Residential Zoning District.

DRAFT "MOTION" TO RECOMMEND APPROVAL OF
ZONING VARIATIONS FOR 171 BRANDON AVENUE

Having considered the application of Timothy Stroh, owner of the property located at 171 Brandon Avenue, Glen Ellyn, for a zoning variation from Section 10-5-4(A)2(a) to allow for a freestanding accessory structure (detached garage) to occupy 33-percent (or 660 square feet) of the required rear yard area in lieu of the 30-percent maximum area allowed, 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 June 11, 2024, as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends APPROVAL based upon the following hardship(s) or unique circumstance(s):

Subject to the following conditions:

1. The project shall be constructed in substantial conformance with the plans as submitted and the testimony presented at the June 11, 2024, public hearing of the Zoning Board of Appeals.
2. A Building Permit shall be obtained for the work.
3. Engineering approval as part of the Building Permit is required.
4. _____.

Motion by: _____ Seconded by: _____

DRAFT "MOTION" TO RECOMMEND DENIAL OF
A ZONING VARIATION FOR 171 BRANDON AVENUE

Having considered the application of Timothy Stroh, owner of the property at 171 Brandon Avenue, Glen Ellyn, for zoning variations from

Section 10-5-4(A)2(a) to allow for a freestanding accessory structure (detached garage) to occupy 33-percent (or 660 square feet) of the required rear yard area in lieu of the 30-percent maximum area allowed.

in the R2 Residential District, the Zoning Board of Appeals hereby adopts the findings of fact in the petitioners' application packet and presented by the petitioners at the Zoning Board of Appeals public hearing conducted on June 11, 2024 as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends DENIAL of the requested Zoning Variation from Section 10-5-4(A)2(a) of the Glen Ellyn Zoning Code based upon the following findings of fact:

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

(Choose one or more of the following):

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

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

_____;

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

_____;

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

_____;

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

- F. That the variations will be detrimental to the public comfort, morals, and welfare or injurious to other property or improvements in the neighborhood in which the property is located since:

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

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

- I. That the variations will unduly increase traffic congestion in the public streets

and highways since:

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

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

Motion by: _____ Seconded by: _____



Village of Glen Ellyn

350 Foot Distance
from
171 Brandon Ave

Greenfield Ave

Regent St

Sunset Ave

Hillcrest Ave

Cranston Ct

Fairview Ave

Brandon Ave

-  350ft Distance
-  Subject Property
-  Parcels within 350ft

