



Agenda
Village of Glen Ellyn
Zoning Board of Appeals Meeting
Tuesday, August 13, 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 June 11, 2024 Zoning Board of Appeals Meeting
- D. **New Buisness**
 - 1) Public Hearing - 263 Glenwood Avenue - A Variation from Section 10-4-8 (D) 2 to allow for a reduction of the required rear yard setback from 40-feet to 26-feet, 6-inches.
- 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, June 11, 2024 at 7:00 PM
Glen Ellyn Civic Center
Galligan Board Room
535 Duane Street

A. Call to Order and Roll Call

Member Jones called the meeting to order at 7:06 PM and stated that he was filling in for Chairperson Constantino this evening. He 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: Members Katie Crudele, Members Matthew Jones, Christiane McKnight and Craig Pavlich.

Absent: Chairperson Gregory Constantino, Reed Panther and Thomas Whalls.

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

Member McKnight made a motion to appoint Member Jones to Chairperson for tonight's meeting; seconded by Member Pavlich, the motion passed by voice vote

B. Public Comment (non-agenda items)

None

C. Approval of Minutes

Member McKnight made a motion to approve the draft minutes of the May 14, 2024 ZBA meeting; seconded by Member Pavlich, the motion passed by voice vote.

D. New Business

1. Public Hearing – 562 Hillside Avenue

Member Crudele 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 for a corner side yard setback of twenty feet (20') in lieu of the required minimum thirty-foot (30') corner side yard setback at 562 Hillside Avenue. Mr. Harper stated that the project is located on what is legally two lots commonly known as 562 Hillside Avenue. The property is located on the northeast corner of Hillside Avenue and Forest Avenue. The property is approximately 96' in length and 150' in width and will have a total lot area of approximately 14,369 square feet once the two properties are consolidated together as part of a proposed building permit application. The property is zoned R2 Single Family Residential which requires that single family buildings have a 30-foot side yard setback. In the case of this property, the side yard setback would face Forest Avenue. The variation requested for this property is a variation from Section 10-4-8(E) to allow for a reduced side yard setback of 20' in lieu of the required 30-foot side yard setback to accommodate the new construction of a proposed 3,647 square foot one-story home. Mr. Harper showed the site plan showing conformance with front yard, rear yard and interior side yard setbacks as well as lot coverage requirements. The drawing shows the proposed variation as a dotted redline showing the 20-foot setback. The blue area on the drawing would be the area of the building within the required 30-foot side yard setback. Approximately 950 square feet of the home, including a portion of the garage, a bedroom and a bathroom. The applicant has reported in their application that the need for this variation was to accommodate for topography of the property which includes approximately 8 feet of elevation change within the effected building area. Preserving existing trees on the property was also raised as a concern for this variation application. The applicant has submitted a signed petition from the property owner of 551 Hillside Ave in support of the application and Mr. Harper received a letter of support from 555 Hillside earlier today. Mr. Harper stated that 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 finding of fact and determine if practical difficulty or a particular hardship exists in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code.

Member Pavlich asked that with the consolidation, will it be filed in Glen Ellyn or DuPage County. Mr. Harper answered that if everything is up to code, the Village of Glen Ellyn would sign and approve and file it at DuPage County.

Sworn in, Raymond Whalen of Ray Whalen Builders, Inc., 177 Sunset Avenue, Glen Ellyn. Mr. Whalen thanked the Commission for allowing the presentation. He stated that he couldn't but the approach on Hillside due to the 4" grade change. He stated the home that is being proposed will keep the character of the neighborhood. He stated that they met with the neighbors and would like to keep their distance from them. They also want to keep the mature trees along the east lot line separating the two lots.

Member Pavlich asked how many properties are not conforming as far as setbacks. Mr. Harper answered that he couldn't give a definite answer as to how many. Member Pavlich then asked what other plans were considered to work within the Village Code. Mr. Whalen stated that they did create another plan but did not have the plans with them. He stated it was the same house, but after talking with the neighbors, they wanted to keep their distance between them. Mr. Whalen also stated the plans have an elevated because there are several steps from the garage to the house and it's very difficult to put a ranch house on a lot that fits the Code. Mr. Pavlich then asked if when

the house was built it was built to code. Mr. Harper answered that he doesn't know of any variances on this property. Member Pavlich asked if the current house is 20' off lot line on Forest. Mr. Whalen answered that it was 18.73' on one corner and 19.35 on the other. They want to push it back about a foot.

Sworn in, Jamie Martin 417 Forest Avenue, Glen Ellyn, stated that she lives next door to the property and that she is in attendance to support the project. She stated that the proposed home isn't going to look much different. Member Jones asked when the new home faces Forest if Ms. Martin thought it would be beneficial. Ms. Martin stated that they'd have more trick or treaters.

Sworn in, Lincoln Bole 566 Hillside Avenue, Glen Ellyn, thanked Ralph and Amy and welcomed them to the neighborhood and thanked them for talking to him and his wife regarding the proposed home. He stated that he supports the project.

Sworn in, Gail Bole 566 Hillside, Glen Ellyn, stated she was also in support of the project. She stated that her home is old so she understands the need for architecture and ambiance and believes this change will support that. She stated that the architectural design will complement the area.

Member Crudele made a motion to close the Public Hearing for 562 Hillside Avenue. Member Pavlich seconded the motion and the motion passed by voice vote.

Member Crudele 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 has topographical conditions 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 of 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 subsequently 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 highways 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 minimum impact on adjacent properties.

Member Pavlich made a motion to adopt the “(Draft) Findings of Fact to Support a motion to recommend approval of a zoning variations 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 setback in the R2 district for the property located at 562 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”, Crudele, Jones, McKnight and Pavlich.

Member McKnight stated she’s in favor because it seems like a unique challenge for the property and three neighbors are in support of the project.

Member Crudele stated that she agreed with Member McKnight.

Member Pavlich stated that he struggles with this one because there may be other options that were not explored that don’t involve changing the code.

Member Jones stated that if they were going to build two homes we’d be here with different variations. He stated he was in favor because they are replacing the existing structure with a few

changes. He stated this will be a great house for the next one hundred years. He stated that it would be nice to have everything fit, yes, but looking at the entire package, he's ok with it. Member Pavlich asked what was needed for the vote to pass. He stated his concern is giving a variance just because it looks nice. He's concerned about massaging the Code for others in the future. He also stated that in this case he'll vote in favor but don't take it for granted that the Board will keep granting for new construction.

Board Recommendation

Member McKnight moved for the following:

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 (20') in lieu of the required minimum of 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 hardships or unique circumstances:

The topographical conditions of the property are due to a significant slope. The homeowners prefer the ranch style of home, and the warrant footprint is under the lot coverage allotted. Member Pavlich noted visually there is more green space. Jamie Martin spoke during public comment that she is in favor of the construction. Lincoln and Gale Bole noted that neighbors are supportive, and they are appreciative the petitioners spoke with them first. The homeowners recognize the importance of keeping the character of the neighborhood.

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

2. Public Hearing – 574 Raintree Drive

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

Staff Introduction

Mr. Harper stated the applicant is requesting to allow for a variation in the Village's lot coverage requirement for construction of a 240 square foot gazebo in the backyard of 574 Raintree Dr. The property is located near the northwest corner of Raintree Drive and Prince Edward Road and has a total area of 9,375 square feet in area. The property is zoned R2 Single-family residential which requires a maximum lot coverage ratios for single-family dwellings with more than one story and accessory buildings of 20%. The applicant is proposing a variation to Section 10-4-8 (E)1 to allow for a lot coverage ratio of 24.6% in lieu of the required 20% maximum lot coverage allowed. The proposed gazebo would be 240 square feet with the dimensions of 12 x 20 feet and a height of 10.2 feet. The proposed gazebo would be in compliance with Glen Ellyn's gazebo requirements located in Section 10-5-4(B)4-16, however the property currently has an

existing lot coverage of 22% which was a product of its original construction. The home is approximately 2,066.65 square feet and 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 an accessory structure, except a detached garage, notwithstanding the existing lot coverage ratio provide that the total lot coverage ratio shall be no more than 25% 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. The applicants have submitted a petition of twelve neighbors supporting the application. Mr. Harper stated that the ZBA should make findings of fact and determine if practical difficulty or a particular hardship exists in accordance with Section 1-10-12 of the Glen Ellyn Zoning Code.

Sworn in, Stephen Mahalick, owner of 574 Raintree Drive, thanked the Commission for their time and for reviewing their application. Mr. Mahalick stated they are a young family of five and love living in Glen Ellyn. He stated the home was built with a lot ratio of 22% preventing them from adding a structure. Without a variance, he'd have to tear down a portion of his home.

Sworn in, Nina Mahalick, owner of 574 Raintree Drive, stated that with three small children they have family over a lot. There is minimal shade in the yard for elderly parents and young kids. She also stated she has twelve signatures from neighbors in favor of the gazebo. She stated that they are trying to do everything the right way and the character of the neighborhood will be maintained.

Member Jones asked if there were any trees in the backyard. Mr. Mahalick answered there was one tree in the way back of the yard. Member Jones stated that he noticed the Maple in the yard and believes it needs to be torn down. He asked if they had looked at any landscaping. Mr. Mahalick answered that they were open to the idea but hadn't looked into it.

Member Pavlich stated that there was no shade in the back and asked Mr. Mahalick how he knew he'd need a variance. Mr. Mahalick answered that he had gone back and read Board Minutes from 2006.

Member Crudele asked what the dimensions were. Mr. Mahalick answered 12x20. Member Crudele asked if they looked at a smaller footprint. Mr. Mahalick answered that with a growing family and having lots of family over a 10x10 isn't going to help.

Member Crudele 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 was constructed with a lot coverage of 22% 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 freestanding 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 topography.
4. The requested variation, if granted, will not alter the essential character of the locality of the property in question because the proposed structure will not be visible from the street and will meet village and county stormwater permits.
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 22% 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%.
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 subsequently 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 highways 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 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 subject property was constructed with a lot coverage of 22% preventing the possibility of having an accessory structure of the desired size in the R2 Residential Zoning District.

Member Pavlich made a motion to adopt the “(Draft) Findings of Fact to Support a motion to recommend approval of a zoning variations 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 Dr., Glen Ellyn, IL. Member McKnight seconded the

motion. The motion passed unanimously on a roll call vote with four Members present voting “Yes”, Crudele, Jones, McKnight and Pavlich.

Member Jones stated he was in favor of the variation. He stated during COVID the Commission approved two to four of these same projects and denied one because they built it without permission. He stated it’s a nicer approach to have a more permanent structure other than an umbrella.

Member Pavlich stated he is in favor due to the hardship based on the code change.

Member Crudele stated she was in favor also because of the code change.

Member McKnight stated she was also in favor because it will allow the owners the best use of their property.

Member Crudele made a motion to close the Public Hearing for 574 Raintree Dr. Member McKnight seconded the motion and the motion passed by voice vote.

Member McKnight moved for the following:

Having considered the application of Stephen and Nina Mahalick, owners of the property at 574 Raintree Drive, Glen Ellyn, for zoning a variation 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.

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

3. Public Hearing – 171 Brandon Avenue

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

Staff Introduction

Mr. Harper stated the applicant is requesting to allow for a zoning variation on Section 10-5-4(A)2(a) to allow for a freestanding accessory structure (detached garage) to occupy thirty-three percent (or 660 square feet) of the required area in lieu of the thirty percent maximum area allowed. The subject property and the adjacent properties are all zoned R2 Single-family residential and are improved with single family homes. The property is fifty feet in width and 204.5 feet in length with a total area of 10,454 square feet. The purpose of the garage will be for the storage of three vehicles and yard equipment per the application of the petitioner. The Village did receive two pieces of correspondence in support of the variance. 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.

Member Pavlich stated that ZBA's job is to assist if there becomes a disagreement in the Village Code and there is nothing on the Village website to request a hearing. He stated that this happened to his variance and asked where you can find on the Village website required rear yard. He stated that currently required rear yards is interpreted as the minimum required area of the rear yard that is bound by the required rear setback line and the property lines. When the rear setback is used as a boundary only the rearmost forty feet of the rear yard is included in the coverage calculation. Required rear yard as found in the code is not a specifically defined term and should only be applied to corner lots and not for interior lots. 171 Brandon Avenue is not a corner lot. The required rear yard should be interpreted as yard, rear which is the open space extending the full width of the lot between the closest point of the principal building and rear lot line. He stated he'd like to have clarification, so the ZBA doesn't keep going through this if it is not necessary and doesn't know how to proceed.

Mr. Harper stated to submit a recommendation to him, and it can be placed on an agenda at a future ZBA meeting.

Member McKnight stated that it was a good idea to present this at another ZBA meeting and for now this case needs to be moved along.

Sworn in, Timothy Stroh, owner of 171 Brandon Avenue, thanked the Commission for their time and for reviewing their application. Mr. Stroh stated that he has lived in Glen Ellyn all his life except for when he was in the service. His mother ran the bookstore. He needs the new garage to store items because he has a smaller home that he does not plan on making bigger. His neighbors to the north and south do not have any issues with the garage. He stated that there are three adult drivers in the car and needs a three-car garage. He also stated that his wife passed away in the garage and it's a constant reminder and a new garage would alleviate that.

Sworn in, David Krecek, Blue Sky Builders, stated that he agreed with Member Pavlich regarding the code language. He stated that when the ordinance was drafted, he believes an error was made in the language. When building in the rear yard, Western Springs and Naperville have a different ordinance.

Sworn in, Ray Whalen, 177 Sunset Ave., stated that he built a home two doors down from Mr. Stroh and building and zoning officials met as a group and came to a resolution. He stated our zoning code is extremely difficult to interpret. He applauded Mr. Harper for his knowledge in the short amount of time he's been in Glen Ellyn. He stated he believes it should go to the Plan Commission.

Member McKnight 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 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.
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 permits.
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 subsequently 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 highways 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.

Member McKnight made a motion to adopt the “(Draft) Findings of Fact to Support a motion to recommend approval of a zoning variations to allow the construction of a free-

standing accessory structure to occupy thirty-three percent of the required rear yard in lieu of the thirty percent maximum allowed area in the R2 district for the property located at 171Bradon Avenue, Glen Ellyn, IL. Member Pavlich seconded the motion. The motion passed unanimously on a roll call vote with four Members present voting “Yes”, Crudele, Jones, McKnight and Pavlich.

Member McKnight stated she was in favor because it seems to be a modest ask and will meet the needs of the family.

Member Crudele stated she was in favor and supports the variation.

Member Pavlich stated he was in favor. He stated that he’s motivated that the code is fair to everyone. He stated he was in favor, but he doesn’t believe the petitioner needs the variance.

Member Jones stated he was also in favor, and it will be a great asset to the Village.

Member Crudele made a motion to close the Public Hearing for 171 Brandon Avenue. Member Pavlich seconded the motion and the motion passed by voice vote.

Member McKnight moved for the following:

Having considered the application of Timothy Stroh, owners of the property at 171 Brandon Avenue, Glen Ellyn, for zoning a variation from Section 10-5-4(A)2(a) to allow for a freestanding accessory structure to occupy thirty-three percent of the required rear yard area in lieu of the thirty 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.

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

E. Other Business

None.

F. Chairperson’s Statement

None.

G. Trustee Liaison’s Report

Trustee Gould stated that the hotel parcel east of the plaza will be demolished. She also stated the Village received notice that two grants have been requested.

H. Staff Report

Mr. Harper stated two cases are in the works for a future ZBA meeting. Member Jones stated that the ZBA has two vacancies. Member Crudele stated that she is also stepping down but will stay for a few more months. Mr. Harper stated that every member has to show up so there can be a meeting. He also stated the members could encourage other people to apply. Member Jones asked if there is any training. Trustee Gould stated that there is.

I. Adjournment

Member Pavlich made a motion to adjourn the meeting. Member McKnight seconded the motion and the motion passed by voice vote at 9:11 PM.

Respectfully submitted,

Julie Settles



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

Meeting 8/13/2024 7:00 PM
Department: Community Development
Department Head: Emily Rodman
Category: Public Hearing
Prepared By: Jordan Frahm

AGENDA ITEM (ID
2024-527)

DOC ID: 2024-527

Public Hearing - 263 Glenwood Avenue - A Variation from Section 10-4-8 (D) 2 to allow for a reduction of the required rear yard setback from 40-feet to 26-feet, 6-inches.

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(D)2 to allow for a reduction of the required rear yard setback from 40-feet to 26-feet, 6-inches.

Analysis:

PROPERTY: 263 Glenwood Avenue, is a corner lot, located on the east side of Glenwood Avenue and on the north side of Arbor Court.

PETITIONERS: The petitioners are Dan and Joleen Frick, owners of the property located at 263 Glenwood Avenue.

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

1. Section 10-4-8(D)2 to allow for a reduction of the required rear yard setback from 40-feet to 26-feet, 6-inches.

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

PUBLIC NOTICE: Notice of the public hearing was published in the July 26, 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.

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:

<u>Date</u>	<u>Permit No.</u>	<u>Type</u>
1998	B-18081	Addition
1996	B-16421	Deck
1979	B-5806	Fence

PROJECT SUMMARY:

Existing Conditions:

The subject property was recorded in 1910. The lot is rectangular, but not completely rectilinear, as the west front property line is arced towards the principal structure, the north property line tapers away from the principal structure and the east rear property line is angled away from the principal structure where the rear lot line meets the south corner side property line. The property is 73.0-feet in width in the front yard and a maximum of 149.2-feet in length with a total lot area of 11,137 square feet. The lot is an existing non-conforming lot as the width of 73.0-feet is less than the minimum required corner lot width of 80-feet. The lot is improved with a single-family home that was originally constructed in 1951. The current structure is legally nonconforming with existing encroachments into the required corner side yard and rear yard that were permitted as part of the original 1951 construction. The existing southern wall of the home is located approximately 13'-4" from the southern corner side yard property line and the attached garage is located approximately 9'-1" from the southern property line in lieu of the required 21.9-foot corner side yard setback. The existing attached garage also encroaches into the rear yard at the southeast of the principal structure and is setback 24-feet, 7-inches from the rear property line in lieu of the required 40-foot rear yard setback.

Proposed Variation:

The petitioner has applied for a variation to the minimum rear yard setback requirement of 40-feet to construct a single story addition to the rear of the existing home that includes the addition of a bedroom, a remodeled central kitchen, and an additional bathroom and kitchenette. This proposed rear addition would add 945 square feet to the existing building area of 2,304 square feet for a total building area of 3,449 square feet including a proposed 200 square feet attached screened porch. The proposed rear addition is not located closer to the rear property than the existing non-conforming attached garage. Per the application, the petitioners intend for their adult handicapped daughter to take residence in this new portion of the home. The proposed building area meets lot coverage ratio requirements of 31.0-percent. A proposed 192 square foot screened porch is also included in the addition plans for this property. The proposed screened porch is not affected by the variation application.

The applicant originally inquired about the possibility of conditioning the existing attached garage in addition to expanding the existing footprint of the home and constructing a new detached garage. Based on the recommendation of the Village Staff, the applicant has revised the proposed plans to reduce the number of requested variations to one -- the variation to the required rear yard setback. According to the applicant, revising the plans further to reduce the proposed addition by approximately 309 square feet, to conform to the allowed rear-yard setback, would eliminate the usefulness of the proposed addition and would not adequately serve their needs in the proposed addition.

The applicant is requesting the variation because the non-rectilinear lot has a nonconforming width with angled rear and side property lines that present difficulties in satisfying setback requirements

for the proposed addition while being within lot coverage requirements. The applicant is requesting consideration of the narrowness of the lot, the unique lot shape, and the design and placement of the existing single-story residence with attached garage are unique to this lot and not generally applicable to other properties within the same zoning district.

A practical difficulty or particular hardship cannot be self-created. A zoning variation runs with the land indefinitely and should be considered only if the property is unique in its particular physical surroundings, shape or topographical conditions specific to the property involved and would bring a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

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. Frick Application 263 Glenwood Avenue
2. Aerial Map
3. Zoning Map
4. Notification Map
5. 263 Glenwood Avenue - Plat of Survey
6. 263 Glenwood Avenue - Plat with proposed work overlay
7. Floor Plan
8. Draft Motion to Approve
9. Draft Motion to Deny
10. Draft Findings of Fact

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

CLEAR PAGES

APPLICATION FOR VARIATION

For the property at 263 Glenwood 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: Dan and Joleen Frick

Address: 263 Glenwood Avenue, Glen Ellyn IL 60137

Home Phone No.: _____ Cell Phone No.: 630-408-3928

Fax No.: _____

E-mail: frick401k@aol.com joleenfrick@gmail.com

Ownership Interest in the Property in Question:

**Dan and Joleen Frick
263 Glenwood Avenue
Glen Ellyn IL 60137**

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: 263 Glenwood Avenue, Glen Ellyn IL 60137

Permanent tax index number: 05-14-122-007

Legal description:

That part of Lot 5, lying South of a line drawn from a point on the easterly line of said Lot 5, 38 feet Southerly (measured along the Easterly line) from the Northeasterly corner of said Lot, to a point on the Westerly line of said Lot 5, 42 feet Southerly (measured along the Westerly line of said Lot) from the Northwesterly corner thereof, in Block 1 in J. W. Turners Addition to Glen Ellyn, being a Subdivision in Section 14, Township 39 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded March 14, 1910 as Document 99833, in DuPage County, Illinois.

Zoning classification: R-2 Single Family Residential

Lot size: 71.11 ft. x 149.20 ft. Area: 11,137 sq. ft.

Present use:

Brick and frame, single story 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):

Applicant/Homeowner intends to remodel the existing single story residence via the following scope:

- single story addition (includes second bedroom) for their adult handicapped daughter*
- entry area connected to existing garage to remain*
- combined, central kitchen/dining area*
- third bedroom at previous kitchen location*
- screened porch*
- other misc items*

Due to the programmatic need to remain on a single story, the proposed addition for the Homeowner's daughter is encroaching in the rear yard setback.

10-4-8-D-2 stipulates that the rear yard setback is "forty feet in depth". Applicant/Homeowner is seeking a variation for a reduction to the rear yard setback from 40'-0" to 26'-6" to allow for the construction of the proposed single story addition.

Please note that the existing attached garage currently sits at 24'-7" off the rear property line.

Estimated date to begin construction: Sept. 2024

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

Eric J. Luedtke
SSL Architects
4 W. Adams Street
Villa Park IL 60181

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:

Existing lot has a unique (non-rectilinear) shape, with a frontage narrower than the minimum required for the zoning district. Existing single story house is sited slightly further back onto the lot. The planning process between the Applicant/Homeowner and their Contractor and Architect has the proposed single story addition being best developed in the area behind the existing house and 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:

Accommodations for the Applicant/Homeowner's adult handicapped daughter requires the development of the proposed addition to be an extension of the single story residence. Given the siting of the existing residence with its attached garage, the only adequate location on the lot is the northeast portion behind the existing house and garage.

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 requested variation is for the the proposed additon, which is located behind the existing residence; and its proposed roof line would be no higher than the existing roof. Also, as stated before, the existing attached garage currently sits at 24'-7" off the rear property line as well. The proposed addition would actually be no closer than 26'-6" - nearly 2'-0" further away. These design approaches will NOT alter the essential character of the locality of 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:

Applying the strict letter of the Zoning Code would not allow for the adequate interior spaces, which are primarily needed for the Applicant/Homeowner's adult handicapped daughter, as they will be caring for her in the home.

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 narrow lot, the lot shape, and the siting of the existing single story residence with attached garage are all unique to this lot and NOT generally applicable to other properties 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:

The purpose of the variation is to allow the construction of the proposed addition for the Applicant/Homeowner's adult handicapped daughter, who is under their direct care.

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

The hardship was not created by the Applicant/Homeowner, as the principle structure already was in place. Applying the requirements of the Zoning Code does not adequately provide for enough space to develop the proposed addition.

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 existing single family residential structure/use is being maintained on this property, and will NOT not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located.

6. Provide evidence that the proposed variation will not:

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

The existing single family residential structure/use is being maintained with an addition that is no closer to adjacent property than the existing attached garage. It will NOT impair an adequate supply of light and air to adjacent property.

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

The existing single family residential structure/use is being maintained with an addition that is no closer to adjacent property than the existing attached garage. It will NOT substantially increase the hazard from fire or other dangers to the subject property or adjacent properties.

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

The existing single family residential structure/use is being maintained on this property, and will NOT impair the public health, safety, comfort, morals, or general welfare of the inhabitants of the Village.

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

The existing single family residential structure/use is being maintained on this property, and will NOT diminish or impair property values within the neighborhood.

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

The existing single family residential structure/use is being maintained on this property, and will NOT be increasing traffic congestion.

- f. Create a nuisance; or

The existing single family residential structure/use is being maintained on this property, and will NOT be creating a nuisance.

- g. Results in an increase in public expenditures.

The existing single family residential structure/use is being maintained on this property, and will NOT result in an increase in public expenditures.

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

Given the fact that the addition must be planned towards the rear of the existing single story residential structure/use, care has been taken to plan the required spaces as efficiently as possible. There is just not any excess of square footage which is extending the proposed addition any closer to the rear property. Any reduction to the relief being requested by the variation would essentially eliminate required spaces within the proposed addition.

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.

06-18-2024

Date

Dan Frick

Print Name



Signature of Applicant

06-18-2024

Date

Joleen Frick

Print Name



Signature of Applicant

Date

Print Name

Signature of Applicant

Affidavit Affirming No Conflict of Interest

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

1. My name is Eric J. Luedtke, and I hold the position of Architect for Dan and Joleen Frick ("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:  6.20.24

Title: President - SSL Architects

Owner's Name: Dan and Joleen Frick

Subscribed and sworn to me this

20 day of June, 2024.


Notary Public





Legend

Zoning and Development

Zoning

R2: Single Family Residential District

0 100 200 ft

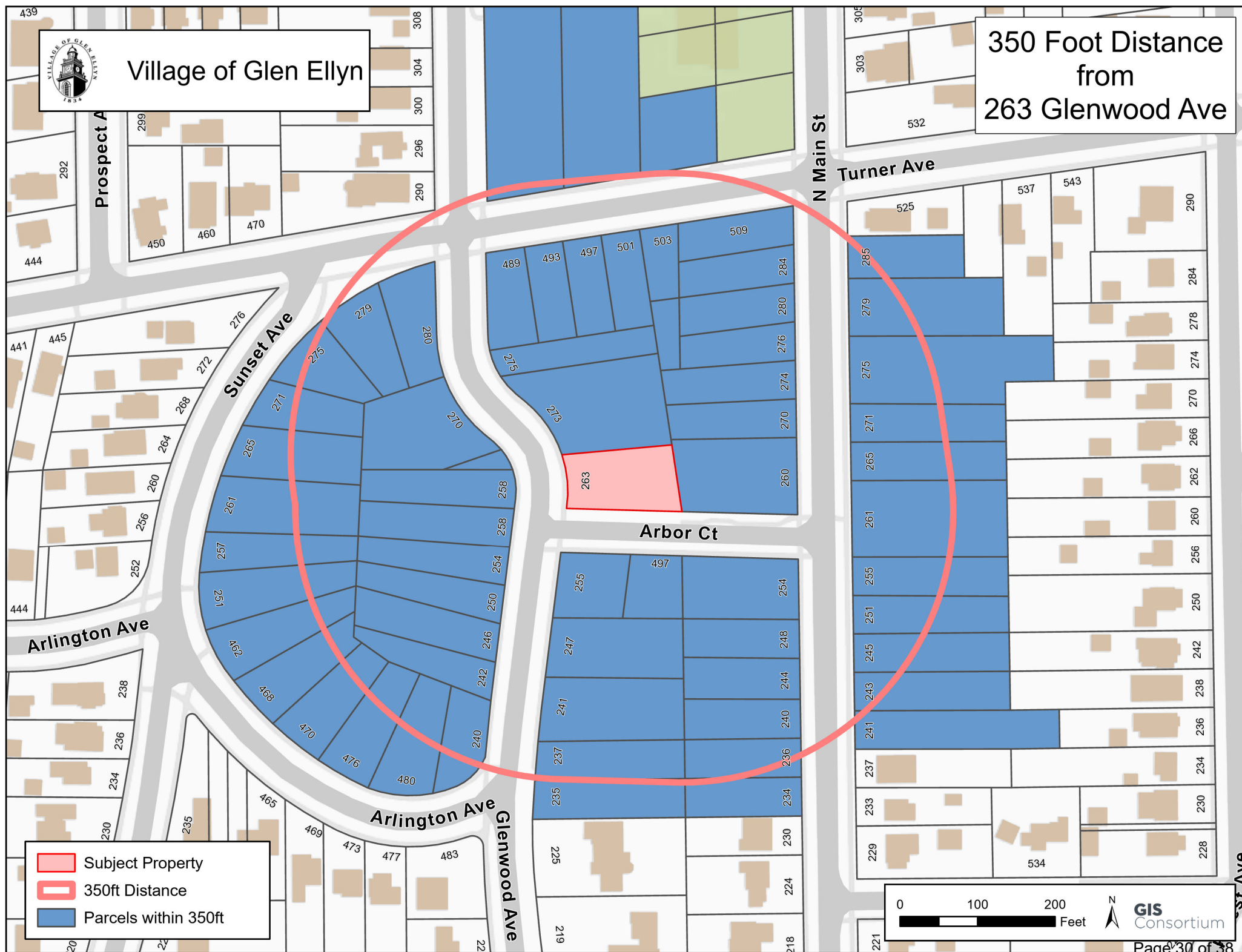
Print Date: 8/5/2024

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.



350 Foot Distance
from
263 Glenwood Ave



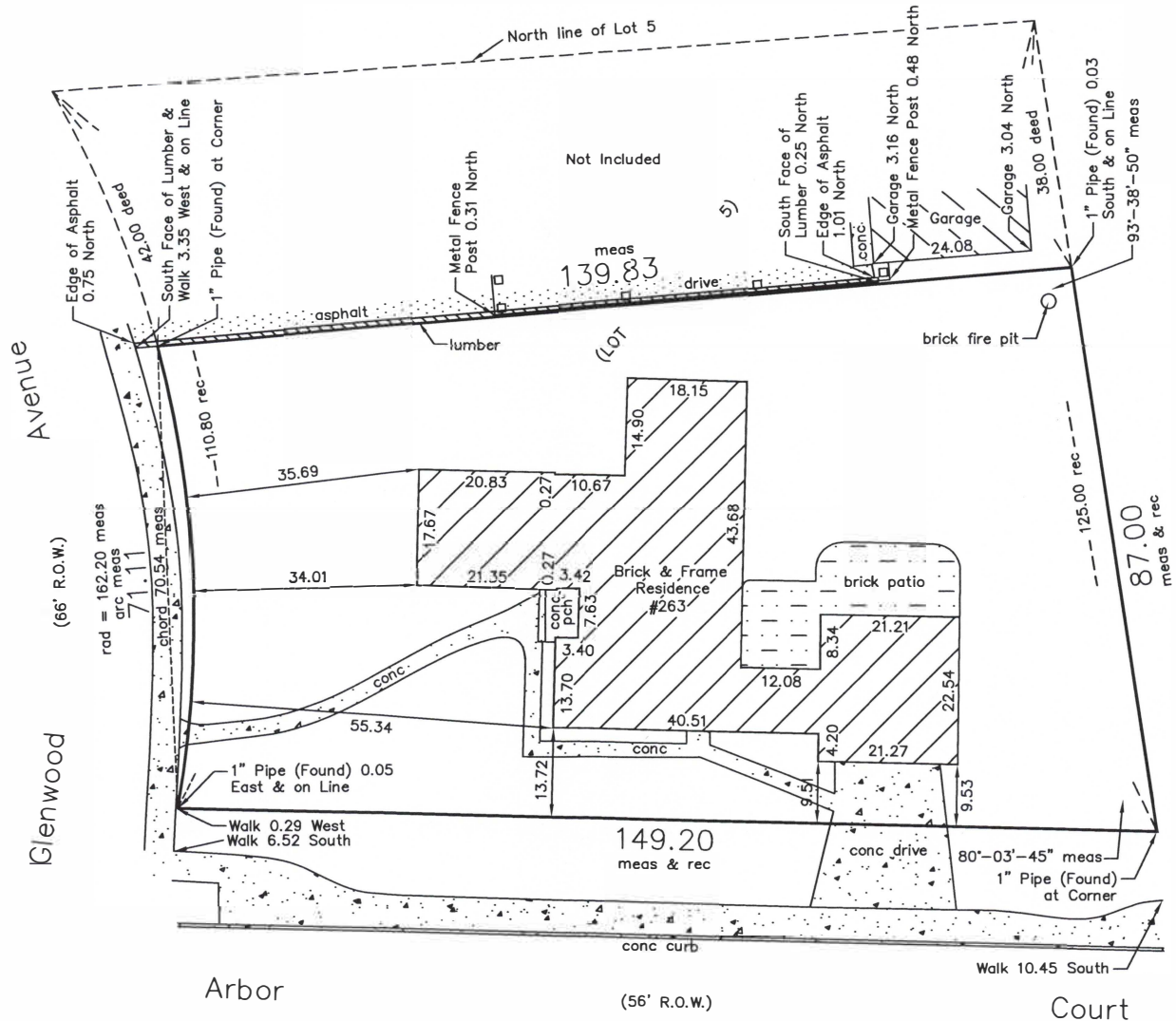


KABAL SURVEYING COMPANY
Land Surveying Services
Plat of Survey

10407 West Cermak Road
Westchester, Illinois 60154
(708) 562-2852
Fax (708) 562-7314
email: kabal-surveying@comcast.net
website: KabalSurveyingCompany.com
Registration No. 184-003061

That part of Lot 5, lying South of a line drawn from a point on the easterly line of said Lot 5, 38 feet Southerly (measured along the Easterly line) from the Northeastly corner of said Lot, to a point on the Westerly line of said Lot 5, 42 feet Southerly (measured along the Westerly line of said Lot) from the Northwestly corner thereof, in Block 1 in J. W. Turners Addition to Glen Ellyn, being a Subdivision in Section 14, Township 39 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded March 14, 1910 as Document 99833, in DuPage County, Illinois.

Address: 263 Glenwood Avenue, Glen Ellyn



LEGEND

R.O.W. = right-of-way, E = East
rec = record, N = North, W = West
meas = measured, S = South
pch = porch, rad = radius, conc = concrete

Area of property is approximately 11,137 square feet

Please check Legal Description with Deed and report any discrepancy immediately.

Surveyed March 13, 2024

Scale: 1 inch =	20	ft.
Order No.	240428	
Ordered By:	Hawbecker & Garver, LLC	



This professional service conforms to the current Illinois minimum standards for a boundary survey

STATE OF ILLINOIS }
COUNTY OF COOK }

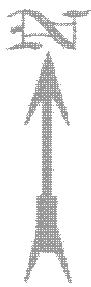
I, MITCHELL P. BALEK, an Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.

Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.

Mitchell P. Balek

Illinois Professional Land Surveyor No. 035-003250
My license expires on November 30, 2024

ORIGINAL SEAL IN RED



KABAL SURVEYING COMPANY

Land Surveying Services

Plat of Survey

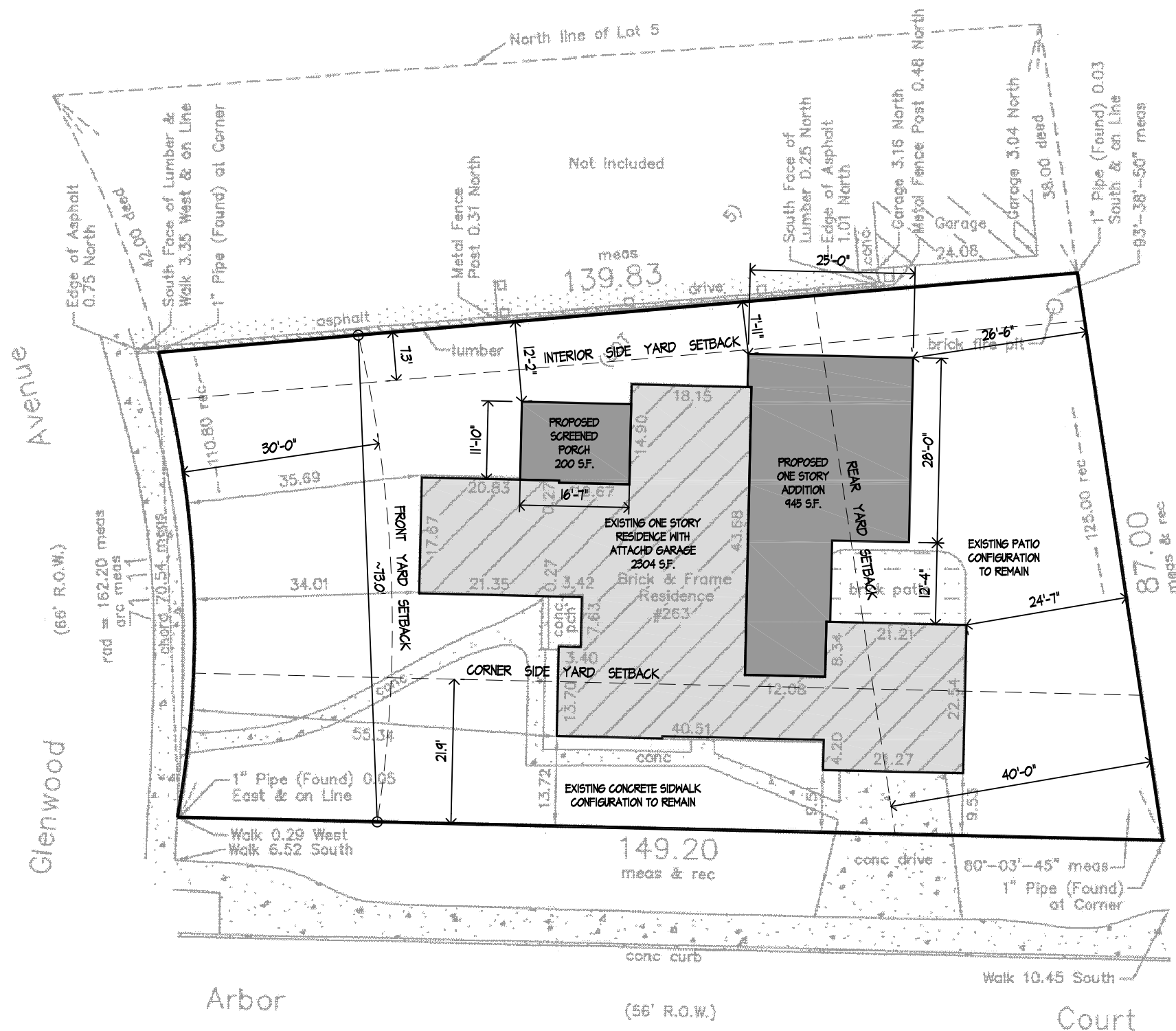
10407 West Cermak Road
Westchester, Illinois 60154
(708) 562-2652
Fax (708) 562-7914
email: kabal-surveying@comcast.net
website: KabaSurveyingCompany.com
Registration No. 184-003061

That part of Lot 5, lying South of a line drawn from a point on the easterly line of said Lot 5, 38 feet Southerly (measured along the Easterly line) from the Northeasterly corner of said Lot, to a point on the Westerly line of said Lot 5, 42 feet Southerly (measured along the Westerly line of said Lot) from the Northwestern corner thereof, in Block 1 in J. W. Turners Addition to Glen Ellyn, being a Subdivision in Section 14, Township 39 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded March 14, 1910 as Document 99833, in DuPage County, Illinois.

Address: 253 Glenwood Avenue, Glen Ellyn

PROPOSED LOT COVERAGE CALCS

TOTAL LOT AREA:	11,137 S.F.
EXISTING BUILDING AREA:	2,304 S.F.
PROPOSED ADDITIONS AREA:	1,145 S.F.
TOTAL PROPOSED BUILDING AREA:	3,449 S.F.
AS PERCENTAGE OF LOT:	~31.0 %



LEGEND

R.O.W. = right-of-way, E = East
rec = record, N = North, W = West
meas = measured, S = South
pch = porch, rad = radius, conc = concrete

Area of property is approximately 11,137 square feet

Please check Legal Description with Deed and report any discrepancy immediately.

Surveyed March 13, 2024

Scale: 1 inch =	20	ft.
Order No.	240428	
Ordered By:	Hawbecker & Garver, LLC	



This professional service conforms to the current Illinois minimum standards for a boundary survey

STATE OF ILLINOIS }
COUNTY OF COOK } s.s.

I, MITCHELL P. BALEK, an Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.

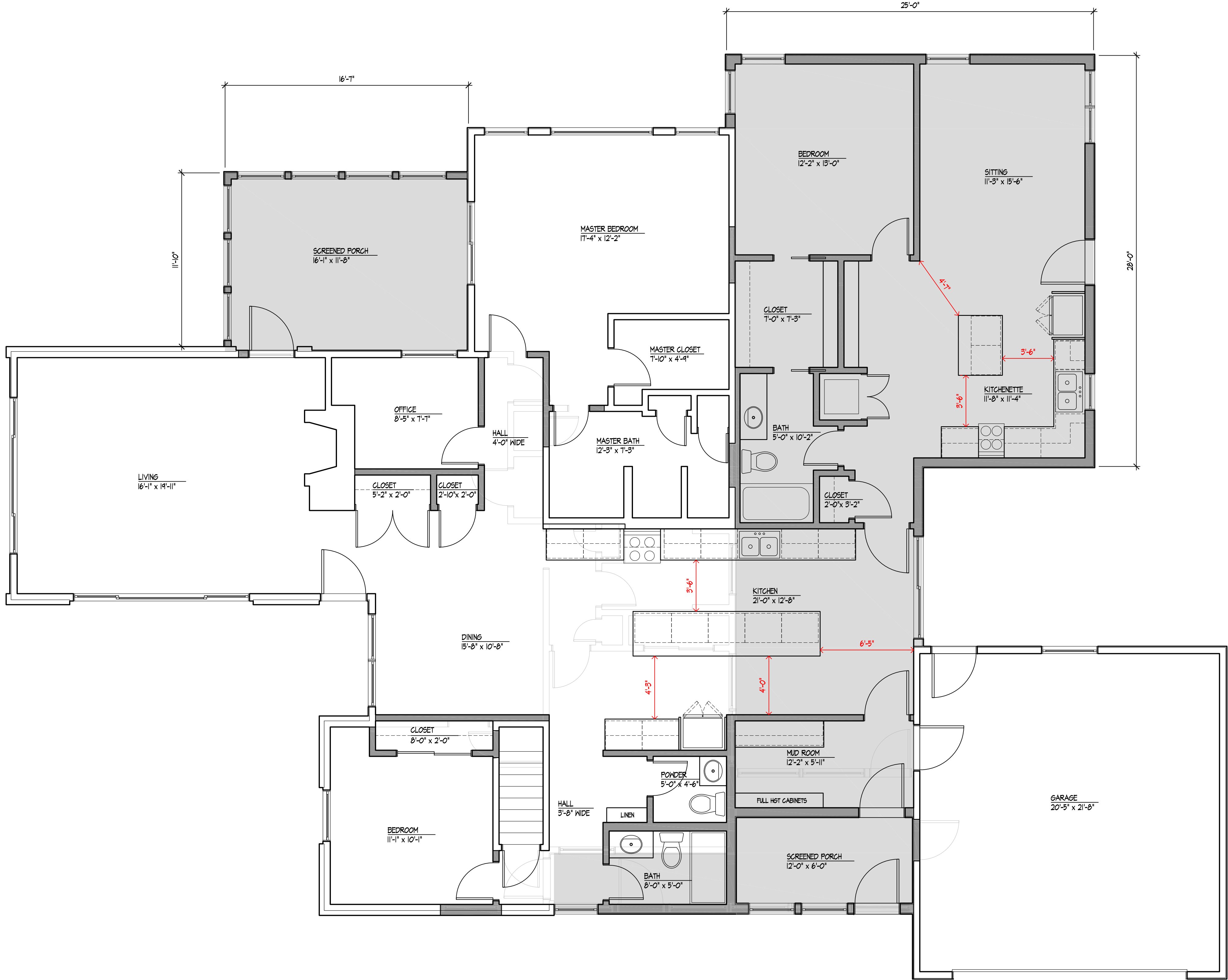
Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.

Mitchell P. Balek

Illinois Professional Land Surveyor No. 035-003250
My license expires on November 30, 2024

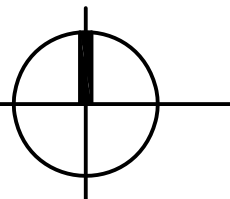
ORIGINAL SEAL IN RED

ADDITION AND REMODELING FOR
FRICK RESIDENCE
263 GELNWOOD AVENUE
GLEN ELLYN, ILLINOIS 60137



PRELIMINARY FIRST FLOOR PLAN - SCHEME 'A'

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



REV. JUN. 6, 2024



4 West Adams Street Villa Park, IL 60181 Phone : 630.247.5088
www.sslarchs.com

Job Name :
ADDITION AND REMODELING FOR
FRICK RESIDENCE
263 GLENWOOD AVENUE
GLEN ELLYN, ILLINOIS 60137

Job No. : 2414 Job Date : MAY 23, 2024

Sheet Number :

'A'

of - sheets

**DRAFT "MOTION" TO RECOMMEND APPROVAL OF
ZONING VARIATIONS FOR 263 GLENWOOD AVENUE**

Having considered the application of Dan and Joleen Frick, owners of the property located at 263 Glenwood Avenue, Glen Ellyn, for a zoning variation from Section 10-4-8(D)2 to allow for a rear yard setback of 26-feet, 6-inches in lieu of the required rear yard setback of 40-feet, 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 August 13, 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 August 13, 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 263 GLENWOOD AVENUE

Having considered the application of Dan and Joleen Frick, owner of the property at 263 Glenwood Avenue, Glen Ellyn, for zoning variations from

Section 10-4-8(D)2 to allow for a rear yard setback of 26-feet, 6-inches in lieu of the required rear yard setback of 40-feet.

in the R2 Residential District, the Zoning Board of Appeals hereby adopts the findings of fact in the petitioners' application packet and presented by the petitioners at the Zoning Board of Appeals public hearing conducted on August 13, 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: _____

**(DRAFT) FINDINGS OF FACT TO SUPPORT A MOTION TO RECOMMEND
APPROVAL OF A ZONING VARIATION TO ALLOW A REAR YARD SETBACK OF
26-FEET, 6-INCHES IN LIEU OF THE REQUIRED REAR YARD SETBACK OF 40-
FEET IN THE R2 DISTRICT, FOR THE PROPERTY LOCATED AT 263 GLENWOOD
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:

FINDINGS OF FACT: Per the application of the petitioner and the review and presentation of Village Staff the following are findings of fact regarding this zoning variation request

1. There would practical difficulties or particular hardship for the applicant resulting from the characteristics of the property in question if strict compliance with the Zoning Code were required because

2. The plight of the applicant is due to unique circumstances relating to the property in question because

3. Granting the requested zoning variation will not alter the essential character of the locality of the property in question because
