



Agenda
Village of Glen Ellyn
Zoning Board of Appeals Meeting
Tuesday, September 10, 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 August 13, 2024, Zoning Board of Appeals Meeting

D. New Business

- 1) Public Hearing - 491 Ridgewood Avenue - The property owner is requesting approval of zoning variations from the Glen Ellyn Zoning Code as follows:
 1. Section 10-4-1(L) to allow the construction of an addition to the home on a property less than 50 feet in width and less than 6,534 square feet in area in the R2 Residential District.
 2. Section 10-8-6(B)(3) to allow the construction of an addition to the home on a property less than 50 feet in width and less than 6,534 square feet in area in the R2 Residential District.
 3. Section 10-4-8(D)(3) to allow for a three foot and four inch (3'-4") interior side yard setback in lieu of the required six and one-half foot (6'-6") interior side yard setback.
 4. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

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, August 13, 2024 at 7:00 PM
Glen Ellyn Civic Center
Galligan Board Room
535 Duane Street

A. Call to Order and Roll Call

Chairperson Craig Constantino called the meeting to order at 7:01 p.m. and explained the Zoning Board of Appeals' function and operating procedure as an advisory body. He described the public hearing protocol including for public comment and announced that comments would be recorded.

Roll was called.

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

Absent: Members Katie Crudele and Thomas Whalls

Also in attendance: Daniel Harper, Planning Manager and Anne Gould, Village Trustee

B. Public Comment (non-agenda items)

None.

C. Approval of Minutes

Member McKnight made a motion to approve the draft minutes of the June 11, 2024 ZBA meeting; seconded by Member Jones, the motion passed by voice vote.

D. New Business

1. Public Hearing – 263 Glenwood Avenue

Member Jones moved to open the Public Hearing. Member McKnight 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 zoning variation request from Section 10-4-8(D)2 to allow for a reduced rear yard setback from 40-feet to 26 feet, 6-inches to accommodate a proposed 945 square addition to the rear of the home located at 263 Glenwood Avenue.

Mr. Harper presented information as detailed in the Staff Report DOC ID: 2024-527, included in the agenda packet. Mr. Harpers presentation included: aerial images of the property and zoning ,R2 Zoning District, map images. Mr. Harper presented images of the Site Plan and Floor Plan that was included in the Petitioner's Application for Variation.

Mr. Harper also presented information stating that the purpose of the proposed addition is to create a semi-independent living space for the homeowner's child who will be living in the home on a permanent basis. The proposed addition includes a new bedroom, full bathroom, a living area, and a kitchenette. Mr. Harper stated that the applicant is petitioning for a variation because the unique shape of the corner lot with the narrow width and the existing site design of the originally building home on the site limits any further improvements to the property. Mr. Harper reported that the applicant also stated that the extension of the single-story floor area of the residence is required to accommodate the needs of their adult daughter and that the proposed location is the best design to meet their needs.

Member Questions of Staff

Member Pavlich asked Mr. Harper if the house could be modified at all considering that the existing home was in an existing non-conforming condition. Mr. Harper responded that the house could be modified within the allowable setback and bulking requirements of the zoning code so long as the existing non-conformities were not expanded or modified.

Member Jones asked Mr. Harper what the front yard setback for the property is. Mr. Harper responded that the front yard setback is thirty-feet (30'-00") in the R2 Residential Zoning district and the setback line is measured generally parallel from the front lot line. Member Jones asked that even if the existing home was located on the front setback line, the applicant would still be unable to achieve the rear yard setback that they are proposing. Mr. Harper affirmed this observation.

Chairperson Constantino asked that the permitted lot coverage for a single-story single-family structure is thirty-five percent (35%). Mr. Harper responded that that was correct, and the proposed lot coverage was thirty-one percent (31%). Chairperson Constantino observed that it would be difficult to add on to the existing building in a single-story format without violating the rear setback requirement. Mr. Harper explained that the applicants had originally submitted other types of proposed expansions, including converting the existing attached garage into a living unit but that Village staff had concerns regarding setbacks, lot coverage, parking requirements and the potential of the garage to be converted to an accessory dwelling unit in the future.

Chairperson Constantino asked Mr. Harper if the request could be considered the smallest deviation from the zoning code. Mr. Harper responded that he would not consider this the smallest deviation as there is available building area that would not violate the rear yard setback. However, in their application, the applicants responded that the limited space available would not be sufficient for their intended goals with the expansion.

Member Pavlich asked Mr. Harper to explain the existing non-conformalities of the subject lot. Mr. Harper responded that the property is seventy-one feet and eleven inches (71'-11") in width and a corner lot is required to be eighty feet (80'-00") in width in the R2 Zoning District. Member Pavlich asked if this would reduce the overall buildable area of the lot. Mr. Harper confirmed this observation.

Chairperson Constantino asked Mr. Harper to confirm that the requested expansion would be less than the existing rear yard setback encroachment created by the existing attached garage. Mr. Harper confirmed

this observation. Chairman Constantino asked Mr. Harper if the proposed expansion was anticipated to create any stormwater management issues. Mr. Harper responded that no stormwater management issues were identified during the review but that the applicant would be required to submit for an engineering review as part of the building permit and that stormwater mitigation plans could be required based on the findings.

Member Jones asked Mr. Harper if the setbacks of the R2 zoning district limit the potential buildable area of the property beyond what is allowed in the zoning code considering that the lot is smaller than the minimum lot size for a corner lot in the R2 zoning district. Mr. Harper responded that he did not perform this calculation and would not be able to answer his question at this time. Member Jones and Member Pavlich stated that they did not think it would be possible to utilize the maximum allowed lot coverage if the property were to be developed with the required minimum setbacks.

Public comment

The following individuals, sworn in, made respective comments:

The petitioners and owners of the property, Dan and Joleen Frick, 569 Fairview Avenue, stated that the proposed addition is being designed to accommodate the needs of their disabled daughter as she will be living in the home with them into the future while providing for the independence she would need as an adult.

Chairperson Constantino asked the applicants what unique physical features of the property would constitute a hardship necessitating the variation request.

The applicant's architect, Eric J. Luedtke, 4 W. Adams Street, Village Park IL was sworn in: Mr. Luedtke testified that the property does not have the required space allowed to allow for the development of the home to meet the needs of the residents.

Chairperson Constantino responded that it appears that the lot is a non-conforming corner lot that does not have an adequate building area to meet the needs of the petitioner due to the rear setback requirements and that the petitioner could not construct a second story due to the needs of the homeowner and that a second story addition would create an additional lot coverage non-conformity necessitating a different variance request.

Mr. Luedtke responded that the current condition of the home does not allow for the desired home design and that he would be unable to meet the requirements of the code and meet the needs of the applicant.

Member Jones stated that if the lot were more rectangular then the property would have more developable area.

Mr. Luedtke responded in the affirmative and that the existing design of the home limited their potential additional footprint.

Chairperson Constantino asked if any neighbors had been contacted regarding the request. Mr. Luedtke responded that he was unaware of any outreach outside of the public notices issued by the village. Mrs. Frick responded that she had spoken with almost all the neighbors on the block and that they expressed no concerns. Mr. Harper added that Village Staff had received no correspondence regarding the request.

Member Pavlich asked the homeowner if the rear yard hedge was to remain. Mr. Frick responded yes.

Chairperson Constantino asked if any members of the public would like to make a comment.

Heidi Anderson, 501 Tuner Avenue, was sworn in and made the respective comments: Ms. Anderson stated that she was in support of the application. Ms. Anderson stated that the block of Turner, Glenwood, Main and Arbor has very small and unique sized lots and might be the smallest lots in the village. Ms. Anderson stated that the neighborhood should be allowed some reasonable exceptions, and that the variation request is a reasonable request. Ms. Anderson stated that the location of the remodel is reasonable and would not adversely impact the character of the neighborhood and it conforms to the lot coverage requirements. Ms. Anderson stated that the Village should be reasonable and mindful to encourage people to work with what they have and to not encourage demolishing and rebuilds.

Chairperson Constantino asked if any other members of the public would like to make a statement and found no other members of the public wanting to make a statement.

Member Pavlich wanted to add to the findings of fact that the neighboring lot to the north, 273 Glenwood Avenue, has a non-conforming setback for the garage.

Chairperson Constantino encouraged Member Pavlich to proceed with a reading of the Findings of Fact.

Member Pavlich stated that the Lot was recorded in 1910 and that the home was built in 1951 which predates the existing zoning code. The proposed total area of 3,449 square feet and is 31% of the lot. The house already is in non-conformance with the rear yard setback and the request would not further encroach into the setback. That the buildable lot area is less than what would be allowed for a conforming corner lot in the R2 Zoning District. That the street and block design of the area creates lots of nonconforming size and unique shapes.

Chairperson Constantino added that the addition of a second story was not an option for the petitioner as a second story addition would violate the lot coverage requirements, that the lot is of an unusual size and that the existing footprint of the house would limit the options for possible additions without a variation.

Member McKnight made a motion to accept findings of fact. Seconded Member Jones. The motion passed by voice vote.

Commissioner Discussion

Member McKnight stated that she was in favor of the request. Member McKnight stated that the unique shape of the non-conforming lot and the existing design of the residence greatly limits their ability to expand. She also stated that one (1) neighbor testified in support of the applicant and that no objections by impacted neighbors were received should be considered.

Member Jones stated that if the lot was rectangular the allowable setback would be around ten feet more and they would be requesting a variation of 3 feet. Member Jones stated that the request is minimal considering they are meeting the lot coverage ratio.

Member Pavlich stated that he was in favor of the variance request. Member Pavlich stated that the lot and home being created before the current zoning code was adopted created the non-conforming conditions. The odd shape of the lot and the non-conforming lot dimensions as well as the unique shape of the existing home all contribute to the hardship of the property owner. Member Pavlich also stated that the proposed addition would not be visible from the street or neighbors and the neighbors would not be adversely affected.

Chairperson Constantino stated that he was also in favor of granting the request. He stated that the applicants are not increasing the current setback nonconformity and that the unique lot shape and size as well as the unique shape of the existing house creates difficulties in allowing for the expansion of the home. He stated that the applicant would not be able to construct a second story without other variations and would not serve the needs of the owner.

A motion was made by Member McKnight to close the Public Hearing; seconded by Member Pavlich, the motion passed by voice vote.

A motion was made by Member Jones to recommend approval of the application as presented based on the practical difficulties of the property identified in the findings of fact ; seconded by Member McKnight, the motion passed 4-0 on a roll call vote with Commission members Jones, McKnight, Pavlich and Chairperson Constantino voting, “Yes.”

E. Other Business

None.

F. Chairperson’s Statement

Chairperson Constantino asked Mr. Harper to provide his report.

G. Staff Report

Planning Manager Harper said that the three zoning variations that were given recommendations of approval at the June 11, 2024 regular ZBA meeting were approved by the Village Board of Trustees at the July 22, 2024 Regular Board of Trustees Meeting. Mr. Harper stated that two new potential applicants are predicted for future ZBA agendas. Mr. Harper also gave brief descriptions of items on the agendas of upcoming Plan Commission, Historical Preservation Commission and Architectural Appearance Commission meetings.

H. Trustee Liaison Report

Trustee Gould stated that the variations from the June 11, 2024 ZBA meeting were approved by a vote of 4-2 because some members of the Board of Trustees did not see a hardship when reviewing the applications. Trustee Gould updated the members of the ZBA of the Downtown Crescent Boulevard redesign project and the Crescent Glenwood Parking lot redesign project. Trustee Gould also provided an update that the Board of Trustees has started its Budget kickoff in a future workshop. Trustee Gould and Mr. Harper also provided an update that a ZBA training workshop is being planned for the future with the new village attorney, Paul Stephanides.

Member Pavlich asked Mr. Harper questions regarding the process for submitted an application related appeals of determinations made by an administrative official charged with the enforcement of the zoning code. Mr. Harper stated that appeals are provided for in the Village Code, but he was unaware of a formal process in place by the village. The ZBA and Mr. Harper discussed possible routes for Member Pavlich's question. Mr. Harper requested that Member Pavlich communicate with him through an email regarding how to proceed forward with his concerns.

I. Adjournment

Chairperson Constantino adjourned the meeting at 8:26 p.m., following passage by voice vote of a motion by Commissioner McKnight and seconded by Member Jones.



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

Meeting 9/10/2024 7:00 PM
Department: Community Development
Department Head: Jennifer Henaghan
Category: Public Hearing
Prepared By: Daniel Harper

AGENDA ITEM (ID
2024-592)

DOC ID: 2024-592

Public Hearing - 491 Ridgewood Avenue - The property owner is requesting approval of zoning variations from the Glen Ellyn Zoning Code as follows:

1. Section 10-4-1(L) to allow the construction of an addition to the home on a property less than 50 feet in width and less than 6,534 square feet in area in the R2 Residential District.
2. Section 10-8-6(B)(3) to allow the construction of an addition to the home on a property less than 50 feet in width and less than 6,534 square feet in area in the R2 Residential District.
3. Section 10-4-8(D)(3) to allow for a three foot and four inch (3'-4") interior side yard setback in lieu of the required six and one-half foot (6'-6") interior side yard setback.
4. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

Statement of the Issue:

The petitioner is requesting approval of zoning variations from the Glen Ellyn Zoning Code:

1. Section 10-4-1(L) to allow the construction of an addition to the home on a property less than 50 feet in width and less than 6,534 square feet in area in the R2 Residential District.
2. Section 10-8-6(B)(3) to allow the construction of an addition to the home on a property less than 50 feet in width and less than 6,534 square feet in area in the R2 Residential District.
3. Section 10-4-8(D)(3) to allow for a three foot and four inch (3'-4") interior side yard setback in lieu of the required six and one-half foot (6'-6") interior side yard setback.
4. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

Analysis:

PROPERTY: 491 Ridgewood Avenue is a thirty-eight foot (38'-0") wide interior lot located in the Prospect Park Addition on the south side of Ridgewood Avenue, west of N Main Street.

PETITIONERS: The petitioners are Cecil and Agatha Barbato, owners of the property located at 491 Ridgewood Avenue.

REQUEST: The petitioners request a recommendation of approval of the following variations from the Glen Ellyn Zoning Code:

1. Section 10-4-1(L) to allow the construction of an addition to the home on a property less than 50 feet in width and less than 6,534 square feet in area in the R2 Residential District.
2. Section 10-8-6(B)(3) to allow the construction of an addition to the home on a property less than 50 feet in width and less than 6,534 square feet in area in the R2 Residential District.

3. Section 10-4-8(D)(3) to allow for a three foot and four inch (3'-4") interior side yard setback in lieu of the required six and one-half foot (6'-6") interior side yard setback.
4. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

ZONING/USE: The subject property and the properties to the north, east, west, and south are all zoned R2 - Residential District and are all improved with single-family homes.

PUBLIC NOTICE: Notice of the public hearing was published in the August 26, 2024 edition of the Daily Herald, mailed to property owners within 250 feet of the subject property, and a placard was placed on the property.

ZONING HISTORY: The Village Board approved zoning variations from Section 10-4-1(L), Section 10-8-6(B)(3) and Section 10-5-4(A)(2)(a) in December of 2020 to allow for the construction of a 600 square foot detached two-car garage on a property less than 50 feet in width and less than 6,534 square feet in area where a new detached garage would not be permitted and where the maximum permitted area for accessory structures in the required rear yard was 456 square feet.

PERMIT HISTORY:

Year	Permit No.	Type
1976	B4003	Electrical Permit
1998	B17485	Fence
2018	B20182391	Interior Remodel
2020	20200462	Fence
2020	20201727	New Garage

EXISTING CONDITIONS:

	R2 Lot Requirements [10-4-8(D)]	Subject Property Data
Lot Area	8,712 ft ² (0.20 acres)	5,700 ft ² (0.13 acres)
Lot Width	80', corner lots; 66', all other lots	38'
Front Yard	Between 30' and 50' for new construction, but no closer than the closest principal structure of existing principal structures on adjacent lots on the same side of the street.	28.5' from front lot line to principal structure.
Interior Side Yard	6.5' or 10% of the total lot width, whichever is greater.	3'-4" from east interior side lot line to principal structure, 14'-8" from west lot line to principal structure.
Rear Yard	40'	82'-9" from principal structure.

HISTORY:

Variation 1: To allow the construction of an addition to the home on a lot less than 50 feet in width and less than 6,534 square feet in area.

In 1989, the Village Board adopted comprehensive amendments to the Zoning Code. This included the adoption of Section 10-4-1 and Chapter 10-8 to create the minimum size of 'buildable lots' in the Village and regulations for nonconforming uses and structures. Section 10-4-1(L) states that any single-family home located on a zoning lot which lawfully existed on or before October 28, 1974, may be modified, repaired, or otherwise altered, given that the subject zoning lot is not less than 50 feet in width and less than 6,534 square feet in area. The property located at 491 Ridgewood has a lesser width and area than each of these minimums.

Variation 2: To allow the construction of an addition to the home on a property less than 50 feet in width and less than 6,534 square feet in area in the R2 Residential District.

In 1998, the Village Board adopted other miscellaneous amendments to the Zoning Code. This included the addition to the table within Section 10-8-6(B)(3), from which a second variation is required to allow the construction of an addition. The section requires that a single-family dwelling which is nonconforming due to zoning bulk control regulations (setback, lot coverage ratio, height, lot width, lot area) may be modified provided that all alterations and additions thereto conform to all regulations in the district in which it is located and that the lot meet both of those minimum dimensions. The subject property and the proposed addition do not meet this requirement, so a variation is required to allow for the addition as proposed.

Variation 3: To allow for a three foot and four inch (3'-4") interior side yard setback in lieu of the required six and one-half foot (6'-6") interior side yard setback.

Section 10-4-8 (D)(3) requires an interior side yard setback of at least six and one-half foot (6'-6") for principal structures. Even though the original home is a non-conforming structure, any addition is required to meet the required side yard setbacks. To meet this requirement, the applicants would be required to construct the proposed addition setback three feet and two inches (3'-2") from the existing wall of the home. This would remove approximately one-hundred and four (104) square feet of floor area from the addition.

During discussions with Village staff, the applicant expressed that the square footage could not be recovered west of the building as that would reduce the existing driveway width to approximately seven feet (7'-0") in width and that recovering the square footage further to the rear of the home would also impact the driveway entrance apron to the garage, making the approach and exit from the garage more difficult.

PROPOSED:

The petitioners are requesting three (3) zoning variations cited above to allow for the construction of an approximately six-hundred and seventy-four (674) square-foot two-story addition to the rear of the existing single-family home located at 491 Ridgewood Avenue. The petitioners are proposing to remove an approximately two-hundred square foot mudroom, bathroom and deck located in the rear

of the structure and construct the addition in the rear of the structure once occupied by these areas. The proposed eastern interior side yard setback for the addition is three feet and four inches (3'-4") and would be consistent with the interior side yard setback of the existing home.

The existing lot coverage, approximately 974 square feet, will increase to approximately 1,132 square feet, or 19.86 percent due to the 'bonus' 500 square feet for detached garages and 'bonus' 53 square feet for the existing front porch area that has a minimum depth of six feet and is open on at least two sides that do not count toward this total.

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 petitioners' application packet. The ZBA should make findings of fact and determine if practical difficulty or a particular hardship exists for the requested variation and if the essential character of the neighborhood is maintained.

The ZBA may choose to make a recommendation to the Village Board for approval, approval with conditions, or denial of the request per Section 10-10-12 of the Glen Ellyn Zoning Code.

Attachments:

1. Petitioner's Application Packet
2. Location and Zoning Map
3. Aerial Map
4. Site Plan - Before & After
5. Proposed Site Plan
6. Elevations
7. Floor Plans
8. 2' Contour Map
9. Neighbor Petitions Submitted by Applicant
10. Public Notice 491 Ridgewood

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

CLEAR PAGES

APPLICATION FOR VARIATION

For the property at 491 Ridgewood 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: Cecil & Agatha Barbato

Address: 491 Ridgewood Ave. Glen Ellyn, IL 60137

Home Phone No.: N/A Cell Phone No.: [REDACTED]

Fax No.:

E-mail: [REDACTED]

Ownership Interest in the Property in Question:

Homeowner and Occupant

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

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

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

N/A

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

N/A

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

YES ☐

NO ☒

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

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

YES ☐

NO ☒

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

III. PROPERTY INFORMATION:

Common address: 491 Ridgewood Ave. Glen Ellyn, IL 60137

Permanent tax index number: 05-14-111-002

Legal description:

The west 24 feet of lot 9 and the east 14 feet of lot 8 in block 3 of Prospect park addition, being C. A. Phillips' Subdivision of part of the northwest quarter of section fourteen (14), township thirty-nine (39) north, range ten (10) east of the third principal meridian, in DuPage County, Illinois.

Zoning classification: R2

Lot size: 38 ft. x 150 ft. Area: 5700 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):

VARIATION FROM: SECTION 10-4-8(D)(3) - TO ALLOW FOR A THREE FOOT 4 INCH SIDE-YARD SETBACK WHERE A SIDE-YARD SETBACK OF SIX AND ONE-HALF FEET OR TEN PERCENT OF THE LOT WIDTH, WHICHEVER IS GREATER IS REQUIRED.

Estimated date to begin construction: Fall 2024 / Spring 2025

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

Julia Smith, Julia Smith Architecture.

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 small lot itself (Legal Nonconforming) at the time of the application of the bulk code (1974) combined with the extremely narrow lot width (38 ft) make this lot unique.

The requirement of a side yard set back in the R2 district that is equal to the greater 6.5 feet or 10% of the lot width creates a significant hardship to a property that also requires side yard driveway access. Side yard set backs when applied to the letter of the code account for 34.2% of the lot width.

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):

N/A

OR

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

This lot is one of four identical 38 x 150 lots, which are occupied by small American Foursquare Residences built in 1909. Of those four, 491 Ridgewood is the only residence that occupies its original footprint. Residences at 499 & 495 Ridgewood all have additions and architectural elements that required relief from the setback requirements of the bulk code as late as 2016. 487 Ridgewood was granted the same type of zoning relief but the project was never completed.

The narrow width of the lots, combined with the need to enable access to detached garages makes these lots unique in that existing setback requirements create significant hardship.

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

All of the work when completed, will occupy the rear yard and remain within the existing lateral footprint of the principal structure as it currently exists. The alterations will not be visible from the front elevation of the principle structure. The project is in keeping with similar projects completed at 495 Ridgewood, 499 Ridgewood, 490 Hill, and zoning relief granted to 487 Ridgewood.

Additionally, the project would comply with Village of Glen Ellyn Historic Preservation Guidelines.

- 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:

491 Ridgewood was a platted lot when the bulk code was applied to the property. The extremely narrow width (38ft) makes this lot unique in that setback requirements when combined with access requirements significantly reduce the buildable area of the lot.

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:

Even by R2 standards, the subject property is extremely narrow. Most lots in the zoning district occupy a lot width of at least 50 feet.

Additionally, the other homes on Ridgewood that occupy these unique lots have all been granted zoning relief for the aforementioned reason.

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 principal structure at 491 Ridgewood was built in 1909 and though it occupies its original footprint, the property was thoughtfully restored in 2019 to include all mechanicals, a revised floor plan and significant performance improvements. In 2021 a detached garage was built to match the house. This property was sought out by the owners because of their affinity for American Foursquare homes. Simply put, the owners will be over-improving the property from a dollars perspective because they love this particular house.

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 created by the adoption of a building code that unnecessarily penalizes historic homes and those who enjoy them in an effort to stop the creation of giant "Fill-in" homes.

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 zoning relief requested will allow the owners to continue to improve on the property in the manner that other, similar properties have been improved on. Nothing about the relief sought will impact the public welfare or be injurious to other property or improvements.

This is the kind of project that when complete we would like to serve as an example for how to thoughtfully modify these historic homes that add so much character to our village.

6. Provide evidence that the proposed variation will not:

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

The lot line from which the setback variation is requested is immediately adjacent to the driveway at 495 Ridgewood. The addition will create no negative impacts to supply of light or air because it is not closer to that adjacent home than would be allowed by two new construction homes that were built on identical sideyard setbacks. Allowed 13' vs. 15.5'

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

All new eastern facing surfaces will be fire rated per VGE building code. Fire rating will serve as an additional fire protection barrier in addition to the greater amount of space between 491 Ridgewood and 495 Ridgewood than would be allowed by the VGE zoning code without additional fire protection surfaces.

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

The end result will yield a safer, more efficient version of what is a significant home in the village. To allow the modifications proposed can only improve the health and comfort of the occupants, the safety of the neighborhood, and deliver on the morals of a village that appreciates architecture, design and community.

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

A thoughtful renovation/remodel and expansion of an existing home of architectural significance can only serve to positively impact property values in the neighborhood.

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

No construction will take place in the right-of-way. A project to alleviate driveway vehicle storage and street congestion was already undertaken by the owner in the form of the construction of a modern detached garage.

- f. Create a nuisance; or

The mere existence of the proposed addition will not create a nuisance. Construction has been quoted between 4 and 6 months by multiple builders.

- g. Results in an increase in public expenditures.

The entirety of the project will be privately funded.

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 absolute minimum that will make possible the project we are seeking approval for. Narrow lot width, narrow principal structure, natural light, access requirements for vehicles and people in addition to regulations governing LCR have boxed us in to the point where the plan presented is the only feasible solution to bring this property up-to-date with a standard of living that is expected in the 21st century and is nearly the baseline in the village of Glen Ellyn.

We are working within the confines of the lateral boundaries of the principal structure as it currently exists, remaining within LCR, thoughtfully applying stormwater mitigation, and when examining the plan, adding required elements of the minimum possible functional size to enable adequate building access and exposure.

We're doing all of the aforementioned with the intent of maintaining the historical character of the home(s) and the neighborhood at large.

Humans have grown (occupy physical space) by more than 32% than in 1909. I am asking for a 29% increase in liveable space for a house that has remained unaltered over the same time period.

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

Please see appendix A & B.

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.

<u>07/10/2024</u> Date	<u>CECIL J. BARBATO</u> Print Name	<u></u> Signature of Applicant
<u>07/10/2024</u> Date	<u>Agatha Barbato</u> Print Name	<u></u> Signature of Applicant
<u> </u> Date	<u> </u> Print Name	<u> </u> Signature of Applicant

AFFIDAVIT OF AUTHORIZATION

I, CECIL S. BARBATO + AGATHA BARBATO owner of the property described as

491 RIDGEWOOD AVE. GLEN ELLYN, IL 60137

verify that JULIA SMITH

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.

 + Agatha Barbato
Owner Signature

Subscribed and sworn to before me this

_____ day of _____, 20_____

Notary Public

Affidavit Affirming No Conflict of Interest

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

1. My name is JULIA SMITH, and I hold the position of ARCHITECT for CECIL + AGATHA BARBATO ("**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: JULIA SMITH

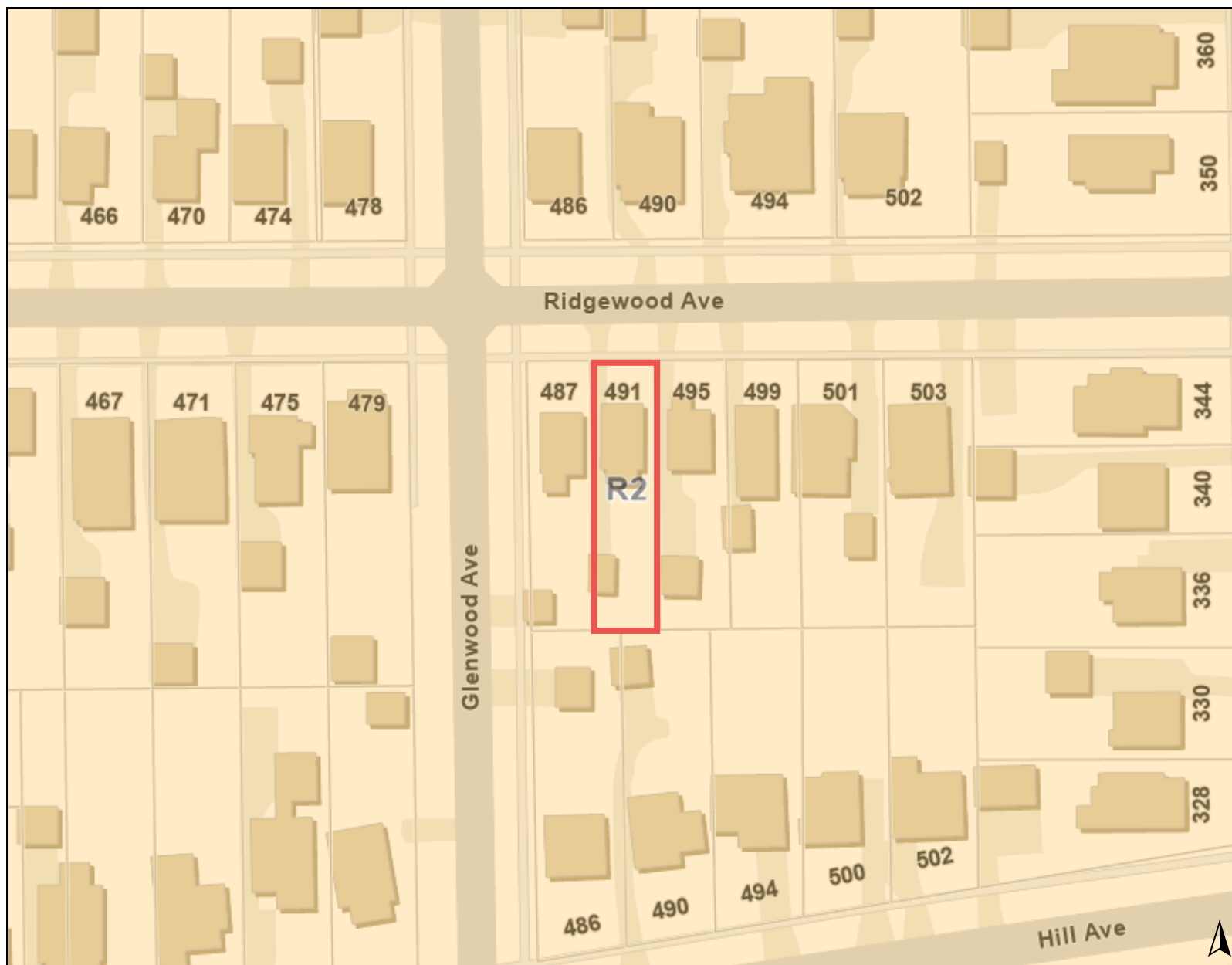
Title: ARCHITECT

Owner's Name: CECIL + AGATHA BARBATO

Subscribed and sworn to me this

_____ day of _____, 20_____.

Notary Public

**Legend**

Zoning and Development

Zoning

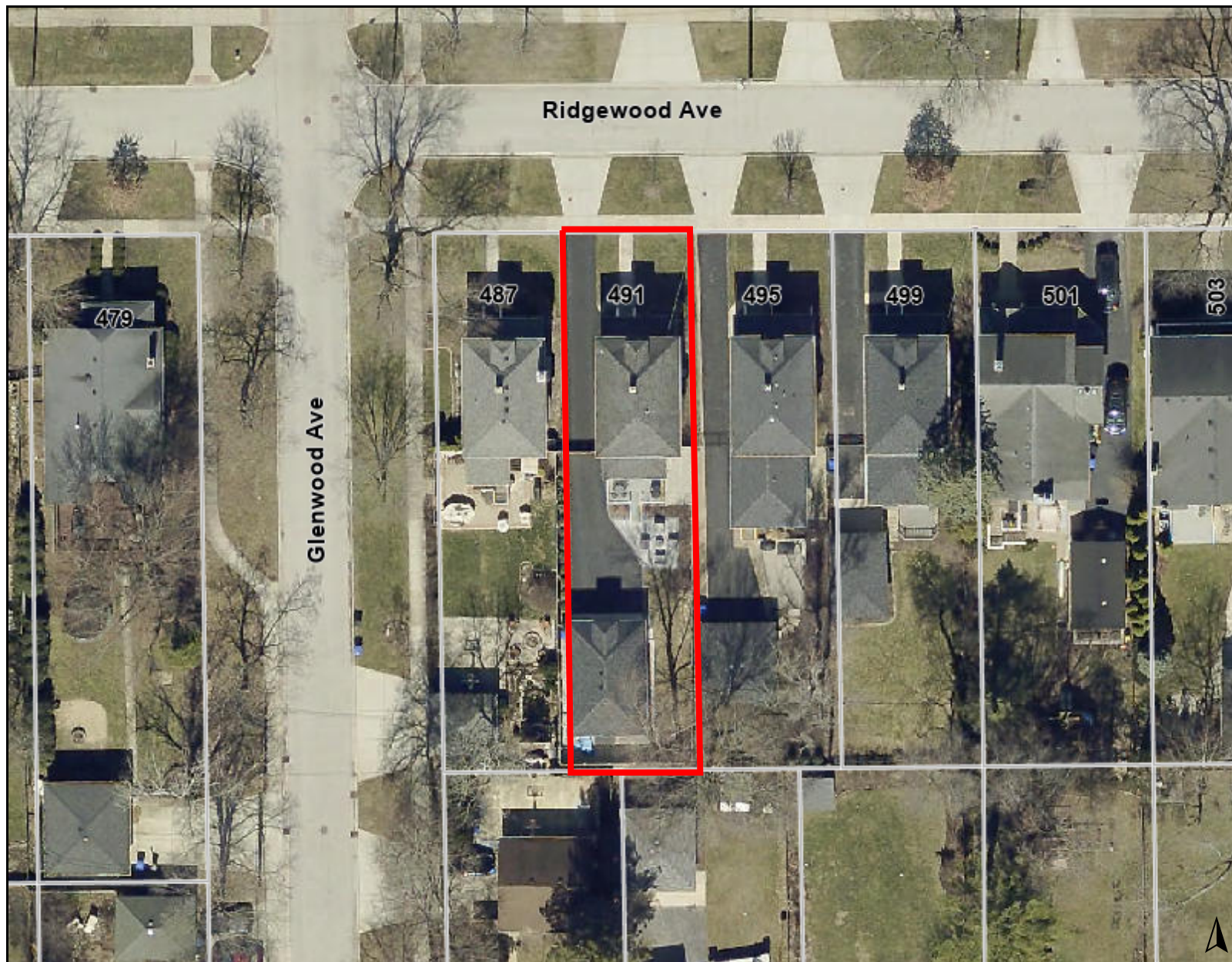
 R2: Single Family Residential District

0 150 300
ft

Print Date: 9/5/2024

Notes

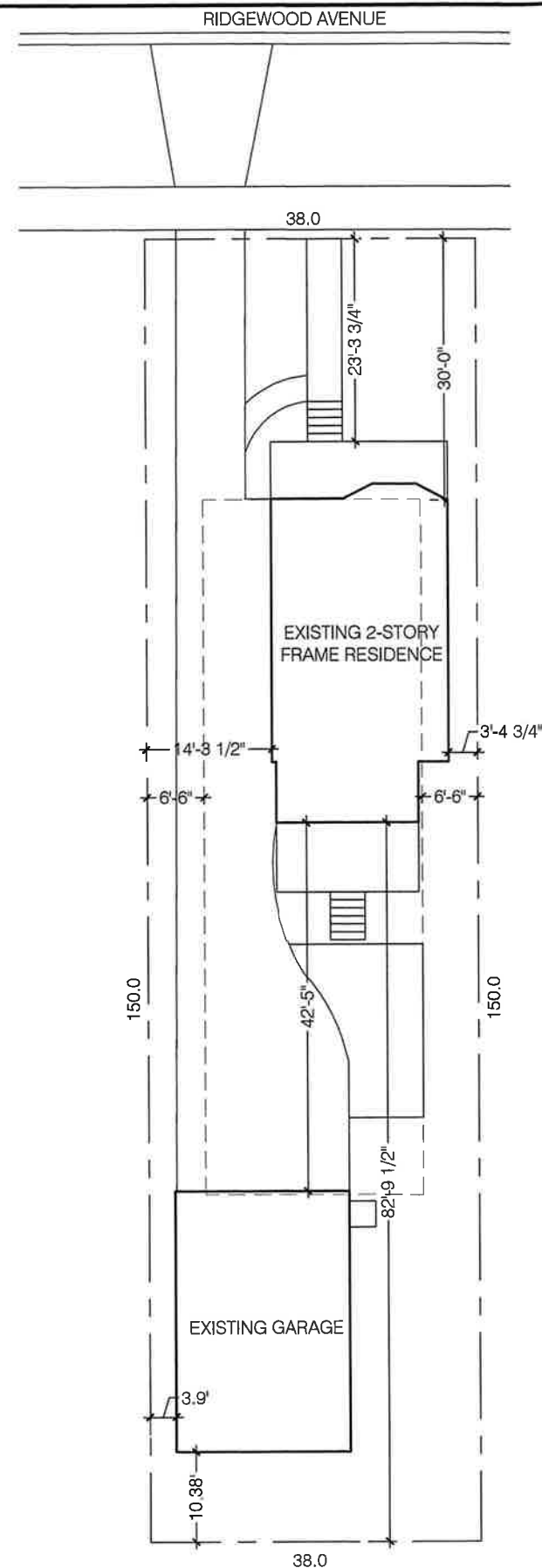
Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently 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.

**Legend**

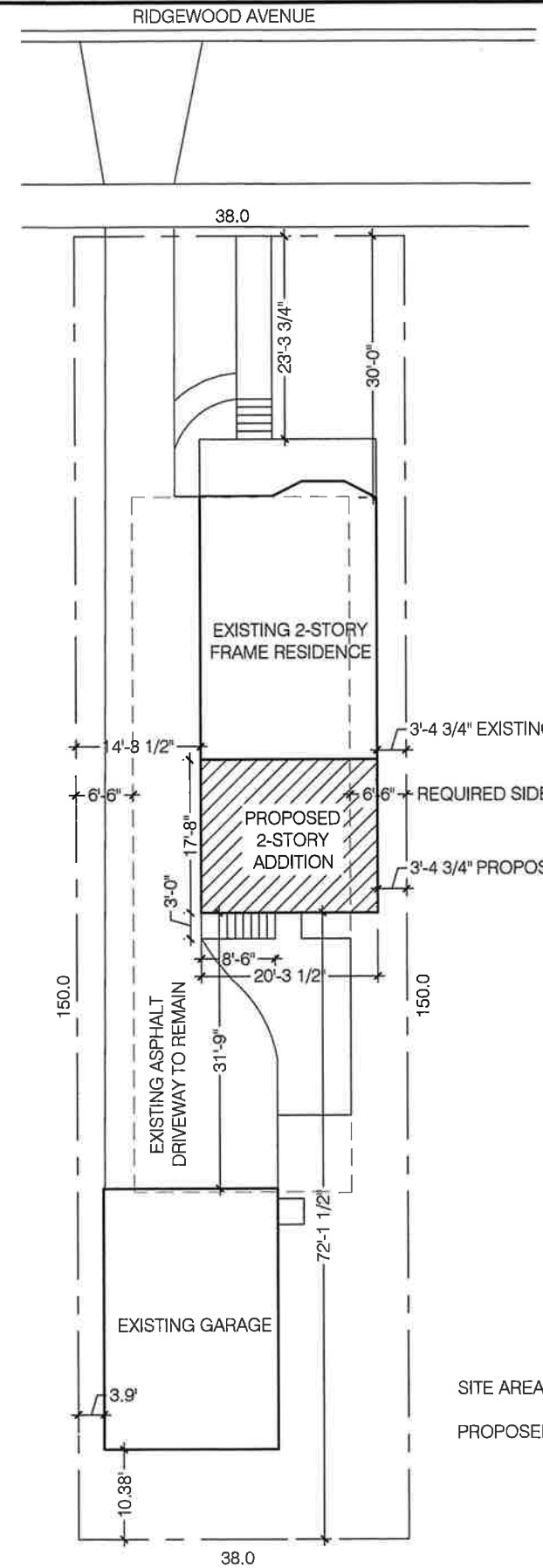
0 50 100
ft

Print Date: 9/5/2024**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.



1 EXISTING SITE PLAN
N.T.S.



2 PROPOSED SITE PLAN
N.T.S.

IMPERVIOUS AREA		
	EXISTING	PROPOSED
HOUSE & PORCH	863	1107
GARAGE	611.5	611.5
WALKS, PATIO, DRIVE	1,647	1,647
TOTAL	3,121.5	3,365.5

IMPERVIOUS AREA INCREASE: 244 SF
EXISTING DRYWELL DETENTION AREA: 125 CF

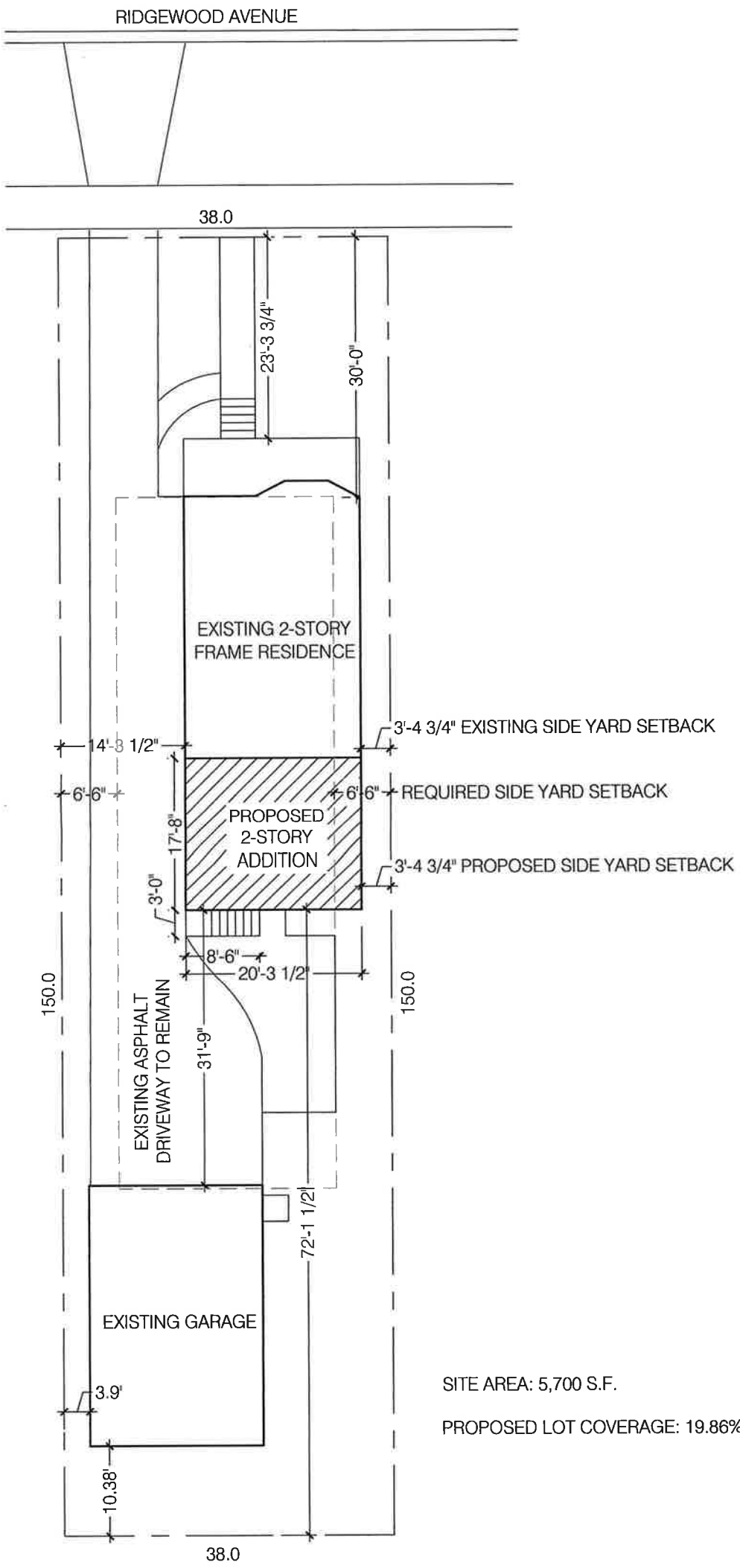
SITE AREA: 5,700 S.F.
PROPOSED LOT COVERAGE: 19.86%

S I T E P L A N S

THE BARBATO RESIDENCE
491 RIDGEWOOD AVENUE
GLEN ELLYN, IL 60137

JULIA SMITH
ARCHITECTURE · INTERIORS

08.22.2024

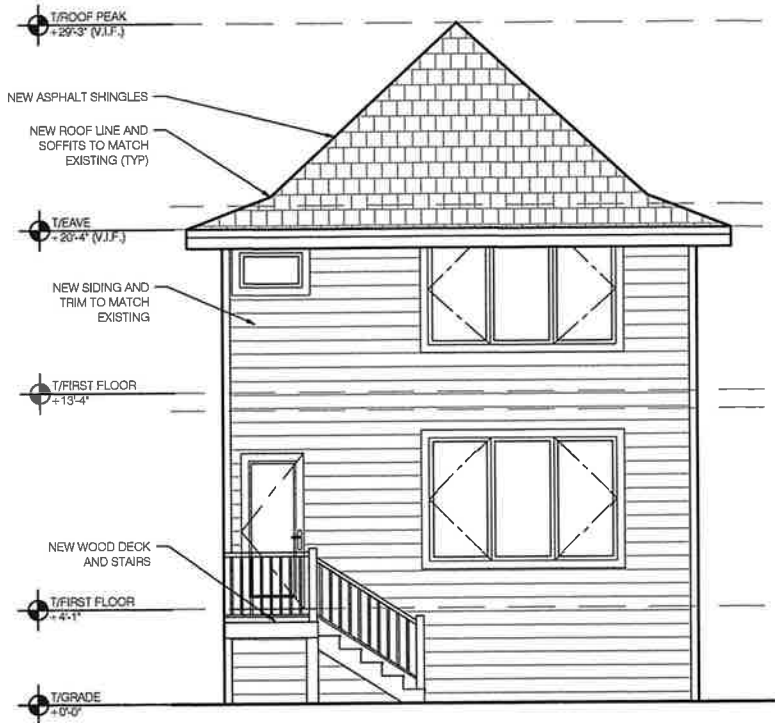


1 PROPOSED SITE PLAN
1/16" = 1'-0"

JULIA SMITH
ARCHITECTURE · INTERIORS

THE BARBATO RESIDENCE
491 RIDGEWOOD AVENUE
GLEN ELLYN, IL 60137

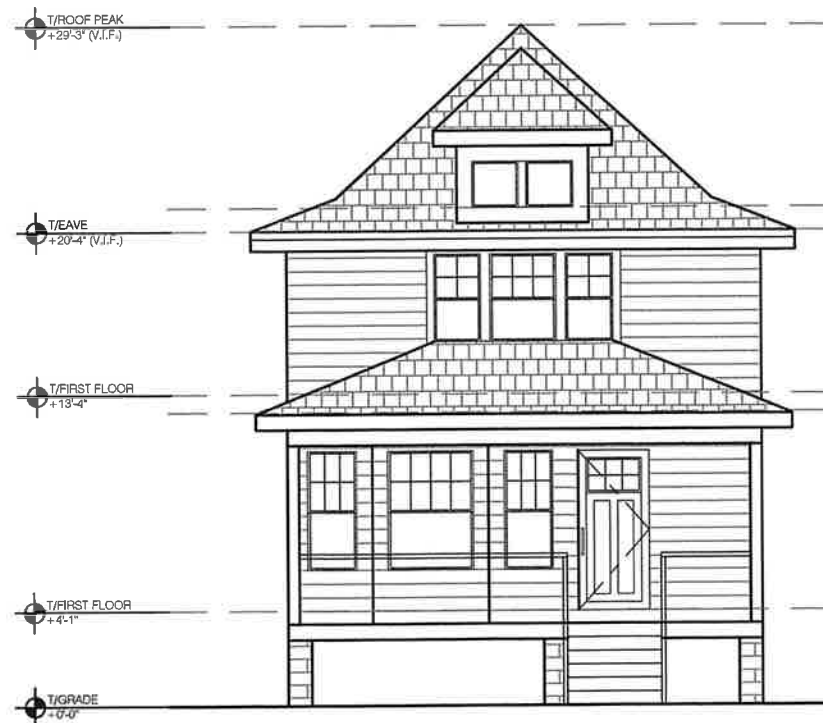
S I T E P L A N
08.22.2024



3 PROPOSED SOUTH ELEVATION
1/8" = 1'-0"



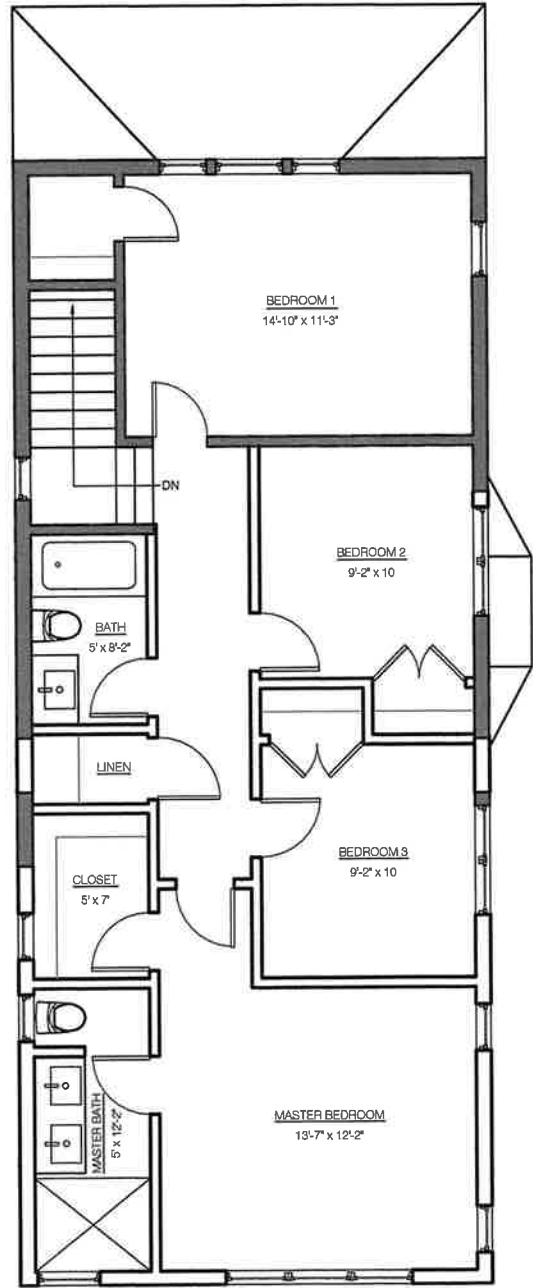
4 PROPOSED EAST ELEVATION
1/8" = 1'-0"



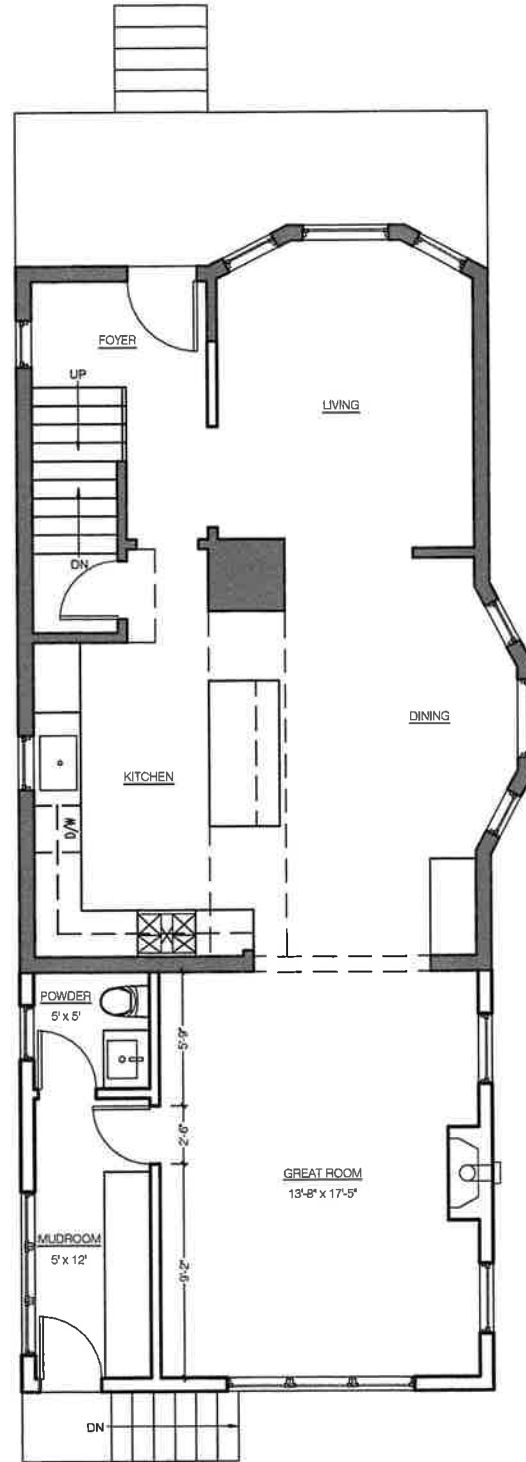
1 EXISTING NORTH ELEVATION
1/8" = 1'-0"



2 PROPOSED WEST ELEVATION
1/8" = 1'-0"



2 SECOND FLOOR PLAN
1/8" = 1'-0"



1 FIRST FLOOR PLAN
1/8" = 1'-0"

FLOOR PLANS
PROPOSED
08.22.2024

THE BARBATO RESIDENCE
491 RIDGEWOOD AVENUE
GLEN ELLYN, IL 60137

JULIA SMITH
ARCHITECTURE · INTERIORS

**Legend**

DuPage County

DuPage County Contour 2022

— Contour Line, Intermediate

— Contour Line, Major

0 100 200
ft

Print Date: 9/5/2024

Notes

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Village of Glen Ellyn Petition for Variation Approval

Barbato Residence, 491 Ridgewood Ave. Glen Ellyn, IL 60137

I, the undersigned, am aware of the Barbato Family's desire to build an Addition which will replace the existing 115sq/ft single-story addition with a 360 sq/ft two-story addition. This project will require the following zoning variation.

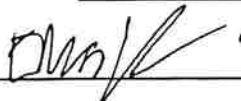
- 1 VARIATION FROM: SECTION 10-4-8(D)(3) - TO ALLOW FOR A THREE FOOT 4 INCH SIDE-YARD SETBACK WHERE A SIDE-YARD SETBACK OF SIX AND ONE-HALF FEET OR TEN PERCENT OF THE LOT WIDTH, WHICHEVER IS GREATER IS REQUIRED

It is our belief that the building of this addition will have no negative impact on the public welfare, nor will it be injurious to other property or improvements in the neighborhood in which it is located. The proposed plan will not impair an adequate supply of light and air to adjacent property. It will not substantially increase the hazard from fire or other dangers to the property in question or adjacent property. It will not diminish or impair property values within the neighborhood. The addition will not unduly increase traffic congestion in the public streets, create a nuisance or result in public expenditures to the best of my knowledge.

I am in support of the requested zoning variations to allow this new addition to be constructed on a non-conforming lot and with the zoning relief from the side-yard setback requirements the Barbato's have requested.

PRINTED NAME: Edward Knight

GLEN ELLYN ADDRESS: 486 Hill Ave

SIGNATURE: 

DATE: 7/9/24

Village of Glen Ellyn Petition for Variation Approval

Barbato Residence, 491 Ridgewood Ave. Glen Ellyn, IL 60137

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PRINTED NAME: Brian Wysocki

GLEN ELLYN ADDRESS: 490 Ridgewood Ave

SIGNATURE: Brian Wysocki

DATE: 7/8/24

Village of Glen Ellyn Petition for Variation Approval

Barbato Residence, 491 Ridgewood Ave. Glen Ellyn, IL 60137

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PRINTED NAME: Matt Joyaux + Dominique Joyaux

GLEN ELLYN ADDRESS: 495 Ridgewood Ave.

SIGNATURE: [Signature]

DATE: 7/8/24

Village of Glen Ellyn Petition for Variation Approval

Barbato Residence, 491 Ridgewood Ave. Glen Ellyn, IL 60137

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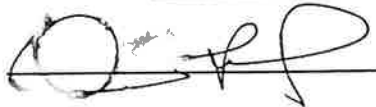
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I am in support of the requested zoning variations to allow this new addition to be constructed on a non-conforming lot and with the zoning relief from the side-yard setback requirements the Barbato's have requested.

PRINTED NAME: Tom Leonard

GLEN ELLYN ADDRESS: 491 Ridgewood, Glen Ellyn, IL

SIGNATURE: 

DATE: 7/9/2024

Village of Glen Ellyn Petition for Variation Approval

Barbato Residence, 491 Ridgewood Ave. Glen Ellyn, IL 60137

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PRINTED NAME:

Louise Madsen

GLEN ELLYN ADDRESS:

486 Ridgewood

SIGNATURE:

[Signature]

DATE:

7/9/24

Village of Glen Ellyn Petition for Variation Approval

Barbato Residence, 491 Ridgewood Ave. Glen Ellyn, IL 60137

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PRINTED NAME:

Mike O'Connell

GLEN ELLYN ADDRESS:

490 Hill Ave. Glen Ellyn IL 60137

SIGNATURE:

Michael

DATE:

7/22/24



NOTICE OF PUBLIC HEARING

Cecil and Agatha Barbato, owners of the property at 491 Ridgewood Avenue, is requesting a public hearing for zoning variations in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code to allow the construction of an addition to the rear of the home located on the property. Before the Glen Ellyn Village Board can consider this request, the Glen Ellyn Zoning Board of Appeals must conduct a public hearing. The Zoning Board of Appeals will conduct a public hearing on Tuesday, September 10, 2024, at 7:00 p.m. in the Galligan Board Room, Glen Ellyn Civic Center, 535 Duane Street, Glen Ellyn, Illinois. The public is welcome to attend.

The property owner is requesting approval of zoning variations from the Glen Ellyn Zoning Code as follows:

1. Section 10-4-1(L) to allow the construction of an addition to the home on a property less than 50 feet in width and less than 6,534 square feet in area in the R2 Residential District.
2. Section 10-8-6(B)(3) to allow the construction of an addition to the home on a property less than 50 feet in width and less than 6,534 square feet in area in the R2 Residential District.
3. Section 10-4-8(D)(3) to allow for a three foot and four inch (3'-4") interior side yard setback in lieu of the required six and one-half foot (6'-6") interior side yard setback.
4. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

The property is zoned R2 Residential District, and is legally described as follows:

THE WEST 24 FEET OF LOT 9 AND THE EAST 14 FEET OF LOT 8 IN BLOCK 3 OF PROSPECT PARK ADDITION, BEING C. A. PHILLIPS' SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

P.I.N: 05-14-111-002

Commonly known as 491 Ridgewood Avenue, Glen Ellyn, Illinois 60137

All persons in the Village of Glen Ellyn who are interested are invited to attend the public hearing to listen and be heard. To view plans related to the proposed project, please visit the Village website here: <https://www.glenellyn.org/246/Public-Notice-Portal>. Information related to the request is also available for public review in the Community Development Department at the Civic Center, 535 Duane Street, Glen Ellyn, Illinois. Questions related to the request should be directed to Daniel Harper, Planning Manager, at dharp@glenellyn.org. All public comments received by 4:30 pm on Tuesday, September 10, 2024, will be read into the record at the public hearing.

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 24 hours in advance of the meeting.

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



Village of Glen Elllyn

350 Foot Distance
from
491 Ridgewood Ave

350ft Distance

Parcels within 350ft

Subject Property

0

110

220

Feet

N

GIS Consortium

