

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

A. Call to Order and Roll Call

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

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

Absent: Board Member Thomas Whalls.

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

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

B. Public Comment (non-agenda items)

There were no public comments for non-agenda items.

C. Approval of Minutes

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

D. New Business

1.) Public Hearing — 423 Ridgewood Avenue

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

Staff Introduction

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

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

Petitioner Testimony

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

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

Public Testimony

There was no public testimony.

Board Member Deliberation

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

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

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

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

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

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

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

Board Recommendation

Member Crudele moved for the following:

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

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

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

the Zoning Board of Appeals hereby adopts the findings of fact in the petitioners' application packet and presented by the petitioners the Zoning Board of Appeals hereby adopts the findings of fact in the petitioners' application packet and presented by the petitioners at the Zoning Board of Appeals public hearing conducted on September 12, 2023, as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends APPROVAL based upon the following hardship(s) or unique circumstance(s): existing nonconforming; location of the home on the lot; no change to the footprint; modest request.

Subject to the following conditions:

1. The project shall be constructed in substantial conformance with the plans as submitted and the testimony presented at the September 12, 2023, public hearing of the Zoning Board of Appeals.

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

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

2.) Public Hearing — 660 N. Main Street

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

Staff Introduction

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

described the proposed addition in detail, including the floor plan, elevations, and perspective drawings. Mr. Viger described the ZBA Action.

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

Petitioner Testimony

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

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

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

Public Testimony

There was no public testimony.

Board Member Deliberation

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

- The public hearing is regarding 660 N. Main Street. The petitioner is Darryl Drake, of Drake Design Co., representing Darren and Glenda Coombes, owners of the property.
- The Petitioners are requesting three Variations from the Zoning Code:
 1. Section 10-4-8(D)2 to allow a rear yard setback of 17.9 feet where the required rear yard setback is 40 feet in the R2 Residential District;
 2. Section 10-4-8(D)3 to allow a side yard setback of 6.33 feet where the required side yard setback is 7.5 feet in the R2 Residential District;
 3. Section 10-4-8(E)1 to allow a lot coverage ratio of 23.69%, in lieu of the maximum lot coverage ratio of 20% in the R2 Residential District.
- The Board heard from Scott Viger, Planning Consultant, who indicated the Variance request for the rear yard setback extends an existing nonconformity from the chimney and that the proposal does not increase the footprint to the rear yard. He shared that the lot is trapezoidal, shaped with an unusually large front yard setback.
- The Board heard from Darryl Drake, of Drake Design Co., representing Darren and Glenda Coombes, owners of the property. He indicated that a detached garage would not work in a rear yard of the property for multiple reasons. He shared that the Lot Coverage percentage is not entirely clear based on differing interpretations of Code (21.9% vs. 23.6% as determined by Staff). He also noted that the addition would preserve the existing character of the home and minimize Variations; he said there would be no increase in impervious surfaces.
- The Board heard from Darren Coombes, homeowner, who described his family's need for a garage and more livable space.

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

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

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

Board Recommendation

Member Jones moved for the following:

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

- 1. Section 10-4-8(D)2 to allow a rear yard setback of 17.9 feet where the required rear yard setback is 40 feet in the R2 Residential District;**
- 2. Section 10-4-8(D)3 to allow a side yard setback of 6.33 feet where the required side yard setback is 7.5 feet in the R2 Residential District;**
- 3. Section 10-4-8(E)1 to allow a lot coverage ratio of 23.69%, in lieu of the maximum lot coverage ratio of 20% in the R2 Residential District.**

the Zoning Board of Appeals hereby adopts the findings of fact in the petitioners’ application packet and presented by the petitioners the Zoning Board of Appeals hereby adopts the findings of fact in the petitioners’ application packet and presented by the petitioners at the Zoning Board of Appeals public hearing conducted on September 12, 2023, as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends APPROVAL based upon the following hardship(s) or unique circumstance(s): lot coverage calculations regarding the front porch and the front yard setback; no effective change to the existing rear yard setback; a detached garage in the rear yard is not a viable option.

Subject to the following conditions:

- 1. The project shall be constructed in substantial conformance with the plans as submitted and the testimony presented at the September 12, 2023, public hearing of the Zoning Board of Appeals.**

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

E. Other Business

None

F. Village Board Trustee Report

Ms. Gould discussed the following:

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

G. Chairperson's Report

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

H. Staff Report

Mr. Viger discussed potential agenda items for upcoming meetings.

I. Adjournment

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

Respectfully submitted,

Audrey Savikas
Recording Secretary