



Agenda
Village of Glen Ellyn
Zoning Board of Appeals Meeting
Tuesday, November 19, 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. New Business**
 - 1) Approval of the October 8, 2024, Zoning Board of Appeals Meeting Minutes.
 - 2) Public Hearing - 654 Essex Road - Zoning Variation Requests to Allow Alterations and Additions to an Existing Principal Structure.
 - 3) Public Hearing - 616 N. Main Street - Zoning Variation Requests to Allow for an Addition to an Existing Principal Structure
- D. Other Business**
- E. Chairperson's Statement**
- F. Trustee Liaison's Report**
- G. Staff Report**
- H. 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, October 8, 2024 at 7:00 PM
Glen Ellyn Civic Center
Galligan Board Room
535 Duane Street

A. Call to Order and Roll Call

Chairperson Constantino called the meeting to order at 7:01 PM and explained the advisory nature of the Zoning Board of Appeals (ZBA) and its process for deliberation and recommendation. He described the Public Hearing protocols and announced that the meeting was being recorded.

Roll was called.

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

Also in attendance: Daniel Harper, Planning Manager, Anabel Pederson, Associate Planner 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 September 10, 2024 ZBA meeting; seconded by Member Jones, the motion passed by voice vote.

D. New Business

1. Public Hearing – 252 Merton Avenue

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

Staff Introduction

Sworn in, Anabel Pederson, Associate Planner for the Village of Glen Ellyn, introduced the request: A Construction Necessitated Zoning Variation from the Glen Ellyn Zoning Code as follows:

1. Section 10-5-5(B)4 #34 to allow a sport court to be 7.9% of the lot width from the property line in lieu of the required 10% as required in the R2 Residential Zoning District.

2. Any other zoning relief necessary to allow the home to remain as constructed and as depicted on the plans presented at the public hearing or at a public meeting of the Village Board.

Ms. Pederson introduced the property stating that the property is zoned R2 Single-Family Residential and also gave the following history of the property. She stated that Village had been made aware of the unpermitted sport court in May of 2024 through an anonymous call. A Village Inspector visited the site and saw the construction vehicle for the sport court contractor along with the finished sport court on the property on May 28, 2024.

Ms. Pederson stated that the property owners submitted for a building permit on June 5, 2024 for a sport court and patio fireplace. The permit application was rejected for building, and zoning requirements on June 24, 2024. The applicant was asked to submit revised plans with the necessary dimensions to construct the patio and the gas fireplace. It indicated that the sport court was too close to the west property line in violation of Village Code Table 10-5-5(B)4, which maintains that a sport court must be 10% of the lot width away from the property line. In this case, the sport court partially extended past this limit, 5'11" in lieu of the required 7'5". The applicant submitted for a second review which was rejected for zoning on July 15, 2024 due to the above-mentioned sport court setbacks being out of conformance. The applicant was notified in the review of the need for a Construction Necessitated Variation (CNZV) to maintain the sport court in the non-conforming location. The applicant submitted the application for a construction necessitated zoning variation on August 14, 2024.

Ms. Pederson stated that the property owners are requesting a variation due to the court being installed at an angle relative to the rear lot line, leaving part of the court within the 10% setback requirement and the rest of the court as close as 7.9%. Ms. Pederson reported that the property owner stated that their yard has unique conditions that create hardship, sloping harshly and containing a shallow power line on the other side of the yard which leaves the current location of the sport court the only feasible option. Their driveway contains a steep slope which would allow the basketballs to roll into the street if a hoop were installed there. Ms. Pederson also stated that the applicants report that moving the sport court from the current location would create a ledge that would be unsafe.

Petitioner Testimony

Sworn in, Ryan and Elizabeth Hogan, owners, and residents of 252 Merton Avenue. Glen Ellyn, IL addressed the Board Members. Mr. Hogan stated that he and his wife hired a company to construct the sport court in the backyard as playing in the front driveway presented safety concerns for their children. He gave permission to the contractor to proceed with construction without a permit, with the understanding that the sport court was constructed in compliance to Village Code. Mr. Hogan stated that they wanted to place the court on the south end of the property but the existence of the ComEd line and the sprinkler valve connection box and slope of the yard necessitated the placement of the court at its location. He stated that they planted new trees by the corner for privacy. He stated that they positioned the court at its current location away from the patio as they wanted to keep the court away from the patio for safety concerns.

Member McKnight asked the applicant to explain the dimensions of the court and if the applicant had considered constructing a small court.

Mr. Hogan responded that the court was 22 feet wide and was the recommended smallest size for the court and would be about the same width of a driveway.

Member Pavlich added that a regular college basketball court's dimensions are 94 feet long and 50 feet wide. The constructed width would be less than half of a standard basketball court width.

Chairperson Constantino asked the applicant why they chose to knowingly proceed with the project without a permit.

Mr. Hogan stated that he was told by his contractors that they do sometimes construct courts without a permit and that he was under time constraints and chose to follow the recommendation of the contractor, signing a waiver that he would pay any associated fees. His understanding was the court would be constructed per code by the contractor and that this would not be an issue.

Chairperson Constantino stated that the court is about a foot and half in violation of the setback in the northwest corner of the court and then gradually comes into compliance with the angle of the rear property line. He asked the applicant what it would take from a practical standpoint to remove the portion of the court that is in violation of the required setback and rearrange the direction of the court.

Mr. Hogan stated that the plastic sport court cover is moveable, but there are two issues of concern. The proximity of court to the sunken patio presents safety concerns for their children, and they did not want to cover existing drainage infrastructure on the site.

Chairman Constantino asked if the contractor had a survey of the property.

Mr. and Mrs. Hogan responded that they did not know what the contractor used.

Chairman Constantino responded that variations had to be considered based on the fact that the hardship was not created by the applicant.

Mr. Hogan responded that he believed he was hiring a professional contractor who would follow the Village's code.

Chairman Constantino noted that the lot is not a perfect rectangle, and that shape has caused the issue for setbacks as the court is a rectangle that does not exactly parallel the rear property line.

Member Jones asked the applicant if they were starting the project over, would they have applied for a variance for the same project? He also asked if it was denied, what would they have done differently?

Mr. Hogan responded that the site constraints really limited their options and that in the event of denial they probably would not have constructed the court.

Mrs. Hogan responded that the patio design would have probably been adjusted to accommodate the court.

Chairman Constantino asked what the effects would be of shrinking the court.

Mr. Hogan responded that the hoop would need to be moved as the court would not be symmetrical.

Chairman Constantino stated he was having a hard time coming to a positive recommendation for the request.

Mr. Hogan responded that if he removed the sport court top and the hoop than it would be patio and would be compliant with the code.

Member Jones asked Village Staff to confirm Mr. Hogan's statement.

Planner Pederson responded that a patio would be required to be 3% of the lot width setback from the rear property line. But the definition states that the patio must be directly adjacent to the principal structure.

Member Jones asked if the sport court surface and the existing patio would be considered one patio if the sport court top was removed.

Mr. Hogan responded that it could be possible to connect the surfaces.

Member Kelly asked the applicant what the material underneath the sport court surface was.

Mr. Hogan responded that it was poured concrete.

Member McKnight asked village staff if an engineering stormwater assessment had been performed as part of this application.

Ms. Pederson responded that village's consultants (HLR) had performed an initial review of the application, but the review was rejected due to non-compliance with zoning requirements. If the variation was approved, a new building permit application would need to be submitted and the stormwater review would be performed.

Mr. Hogan responded that he had worked with village development engineer Ray Fano and that Mr. Fano did not express concerns regarding stormwater impact.

Member Jones asked the applicant if they asked their contractor if they could remove the portion of the court in violation of the setback and add additional surface to the other side of the court.

Mr. Hogan responded yes but he would not want to interfere with the existing drainage infrastructure. He also stated that the sport court top was installed in 1'x 1' dimensions and could only be removed at those dimensions.

Member Kelly asked the applicant if the referenced drain tiles were between the sport court and the existing patio.

Mr. Hogan responded yes and that he would not want to cover that with impervious surface, and it goes the whole length of the patio.

Member Jones asked Village Staff if this was a different type of structure like a pool, would it need to be 10% off the lot line.

Ms. Pederson responded that a pool would be required to be 10% setback from the property line.

Chairperson Constantino asked if there were members of the public present who wished to comment on the application or if any correspondence had been received by Village staff.

Seeing none, Chairman Constantino asked for Member McKnight to present a findings of fact.

Member McKnight stated the following findings of fact:

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 based on the testimony of the applicant the property has unique topography challenges and the existing ComEd line restricts the proposed sport court to the existing location as the only feasible option.

Moving the court closer to the patio would be unsafe and as a result of the angle of the lot line a variation is required to allow for the court to remain where it was constructed as it is 5'-11" from the rear property line in lieu of the required 7'-5".

The plight of the applicant is due to the unique circumstances related to the property in question for the same reasons and that granting the request would not alter essential character of the locality of the property in question because the court is confined to the back yard of the property.

Member Jones made a motion to accept the findings of fact. Seconded by Pavlich. The motion was approved unanimously.

Member Pavlich expressed to the applicant that the primary concern was that the construction was performed without a permit. He expressed that the setback requirements for accessory uses in the backyard was not consistent throughout. But the impact of the setback violation was not significant and that he would be favor of recommending approval.

Member McKnight expressed that if the permitting process had been followed then this could have been avoided and the court would have been compliant. Because this was reported to the village anonymously, she interpreted that there is some opposition to the request. She is having trouble determining if the request would have met the standards of a regular zoning variation and she is not in favor of the request as presented.

Member Jones stated that he was not favor of the application as presented. This project could have been differently and to code and does not meet the requirements for a variation.

Member Kelly stated he believed that the contractor could have come to a design that was compliant.

Member Jones stated that if they had smaller lot or if the surface was a patio and not a sport court, then the proposal would be in compliance.

Chairman Constantino stated that he was hesitant to recommend approval the request as the applicant knowingly proceeded with the construction without a permit.

Member Jones asked staff if the board could make a recommendation of approval with the condition that the sport court be modified to be 6'-11" from the property in lieu of the requested 5'-11"?

Mr. Harper responded yes.

Member Kelly stated that this was a reasonable compromise and asked the applicant if they would agree to a revised condition.

Mr. Hogan: Inaudible.

Member Jones stated that the amended conditions would have a negligible impact on the surrounding neighbors and that he would support a revised condition to allow for a setback of 6'-11" in lieu of the required 7'-5". Making a violation of 7" to the lot line.

Member McKnight expressed support of the revised condition.

Member Kelly made a motion to close the Public Hearing for 252 Merton Avenue. Member McKnight seconded the motion and the motion passed by voice vote.

Board Recommendation

Member Jones moved for the following:

Having considered the application of Ryan and Elizabeth Hogan, owners of the property located at 252 Merton Avenue, Glen Ellyn, for a construction necessitated zoning variation to allow sport court to be 7.9% of the lot width setback from the rear property line in lieu of the required 10%.

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 October 8, 2024, as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends APPROVAL of the requested variation with the condition that the revised setback for the sport court be 6'-11" from the rear property line in lieu of the required 7'-5".

Member McKnight seconded the motion. The motion passed 5-1 on a roll call vote with five Members present voting “Yes” and Chairperson Constantino voting “No”.

2. Public Hearing – 417 Dawn Avenue

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

Staff Introduction

Sworn in, Daniel Harper, Planning Manager for the Village of Glen Ellyn, introduced the request: Variations from the Glen Ellyn Zoning Code as follows:

1. Section 10-8-6(B)(3) to allow for a Class II alteration to a non-conforming single-family dwelling on a lot with a width of at least 50 feet or greater in width.
2. Section 10-8-6(B)(3) to allow for a Class II addition to a non-conforming single-family dwelling on a lot with a width of at least 50 feet or greater in width.
3. Section 10-4-8(E) to allow a lot coverage of 23.5% in lieu of the maximum allowed lot coverage of 20%.
4. Section 10-4-8(D)(3) to allow for a four foot and one inch (4'-1") interior side yard setback in lieu of the required six and one-half foot (6'-6") interior side yard setback.
5. Section 10-4-8(F)(1) to allow for a maximum building ridge height of thirty-two feet and nine inches (32'-9") in lieu of the maximum allowed building ridge height of thirty-two feet (32'-0").
6. 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.

Mr. Harper stated that the home was originally constructed in 1957 and is a legally non-conforming structure that encroaches into the required side yard setback. Mr. Harper stated that the petitioners are requesting five (5) zoning variations cited below to allow for the construction of an approximately three hundred (300) square-foot addition within the south interior side yard of the existing single-story single-family home located at 417 Dawn Avenue. The proposed southern addition would take the place of an existing unenclosed carport and would consist of an enclosed one-car garage as part of the construction of a second story to the home.

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 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 the approval, approval with conditions, or denial of the request per Section 10-10-12 of the Glen Ellyn Zoning Code.

Mr. Harper opened the floor to questions from the Board.

Member Pavlich asked Mr. Harper how the maximum building height was determined.

Mr. Harper stated that the building height was determined by measuring the vertical distance measured from the average existing grade on a zoning lot to the highest point of a structure.

Member Jones asked if the proposed lot coverage of 23.5% included the accessory building and the deck shown on the plans.

Mr. Harper responded that the accessory building (shed) contributed to the overall lot coverage, but the deck is not considered in the overall lot coverage calculation as it is not a detached accessory building and is impermeable.

Member Jones asked if the applicant had considered reducing the size of the accessory building.

Mr. Harper responded that he had discussions with the architect and discussed various options for lot coverage bonuses available in the code.

Member Pavlich asked if any neighboring properties had been granted zoning relief.

Mr. Harper responded that there were no identified zoning variations for the surrounding properties of 409, 413 or 427 Dawn Avenue.

Mr. Harper stated that staff had received nine (9) pieces of correspondence in support of the request. Seven (7) were included in the packet. Mr. Harper read the two (2) other pieces of support into the record.

Chairman Constantino asked if the maximum eave height would be compliant if the property were flat.

Mr. Harper responded that he believed it would be.

Chairman Constantino asked if there was a history of stormwater drainage issues in the neighborhood.

Mr. Harper reported that there is a compliant history in the area of stormwater impacts in the area and this was partly due to the original construction and grading of the block.

Petitioner Testimony

Sworn in, Steve Poteracki, Studio1 Architects, 1105 Burlington Ave, Western Springs, IL, representing the owners of 417 Dawn Avenue. Glen Ellyn, IL who addressed the Board Members.

Mr. Poteracki stated that he and the property owners have been working together for two years as the property want to stay in their home for the long term. The major concept of the design was to avoid a detached garage as the rear yard is impacted by stormwater and the presented design

would be the best solution to meet the needs of the property owner with the least impact on the neighborhood.

Chairman Constantino asked if this would be the least amount of variation from the code to allow for a reasonable use by the owner and what was the slope change on the property.

Mr. Poteracki responded yes and that making the garage any smaller would be impractical. The slope change is about 8 feet from front to back.

Chairman Constantino asked if he had worked and asked for variations for projects in this area.

Mr. Poteracki responded that he designed a home on the corner of the street but none of the properties on the subject side of the street or in a similar design.

Member Jones if the basement would be a true walk out.

Mr. Poteracki responded yes.

Member Jones stated that if the proposed home was constructed as a ranch style home, the basement and slope of the property would cause the home to be two-story and the applicant would not be able to comply with lot coverage requirements.

Mr. Pavlich asked Mr. Harper if the carport was subject to the same zoning setbacks as a garage.

Mr. Harper responded yes.

Sworn in, Mr. Quinn and Brittany Cosgrove, the owners of 417 Dawn Avenue. Glen Ellyn, IL addressed the Board Members.

Mr. Cosgrove stated that the proposed height of the building would be in character to the neighborhood and that the existing stormwater impacts influenced the proposed design.

Mrs. Cosgrove emphasized wanting to avoid a teardown in their design plans.

Chairperson Constantino asked Mr. Harper to read into the record the two letters of support received by staff after the publishing of the agenda packet.

Mr. Harper read letters of support from Ellen and Dave Brannegan of 435 Dawn Avenue and from Lindsey Scott Goodman of 424 Dawn Avenue.

Member Jones asked the applicants if they had considered removing the existing shed and reducing the size to 100 square feet in order to take advantage of the lot coverage bonus.

Mr. Cosgrove responded that the shed was permitted by the village and that he would prefer to keep it but he would be willing to downsize for the current application.

Chairperson Constantino asked if any members of the audience would like to testify regarding this application.

Sworn in, Craig Cudzilo , 431 Dawn Avenue, Glen Ellyn IL, addressed the Board Members and expressed his support for the application.

Member Pavlich presented a finding of fact as follows:

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 the lot is existing non-conforming, the modification proposed is similar to those of the surrounding neighborhood.

The plight of the applicant is due to unique circumstances relating to the property in question because the slope of the lot and the existing building is existing non-conforming.

Granting the requested zoning variation will not alter the essential character of the locality of the property in question because the proposed addition would be similar to those of the surrounding neighborhood.

Member McKnight made a motion to accept the findings of fact. Seconded by Jones. The motion was approved unanimously.

Member Kelly expressed support of the application.

Member Jones stated that he would like the shed reduced in size to 100 square feet to take advantage of the lot coverage bonus but expressed support for the overall request.

Member McKnight expressed support of the application based on the evidence provided and the support of the neighbors.

Member Pavlich expressed support of the application based on the evidence provided and that it would be in character with the neighborhood.

Chairman Constantino expressed support of the application based on the physical property hardships demonstrated by the application and that the requests seemed to be minimal variations needed to be practical .

Member McKnight made a motion to close the Public Hearing for 417 Dawn Avenue. The motion passed by voice vote.

Member Jones moved for the following:

Having considered the application of Quinn and Brittany Cosgrove, owners of the property located at 417 Dawn Avenue, Glen Ellyn, for the following zoning variations:

- 1. Section 10-8-6(B)(3) to allow for a Class II alteration to a non-conforming single-family dwelling on a lot with a width of at least 50 feet or greater in width.**
- 2. Section 10-8-6(B)(3) to allow for a Class II addition to a non-conforming single-family**

- dwelling on a lot with a width of at least 50 feet or greater in width.
3. Section 10-4-8(E) to allow a lot coverage of 23.5% in lieu of the maximum allowed lot coverage of 20%.
 4. Section 10-4-8(D)(3) to allow for a four foot and one inch (4'-1") interior side yard setback in lieu of the required six and one-half foot (6'-6") interior side yard setback.
 5. Section 10-4-8(F)(1) to allow for a maximum building ridge height of thirty-two feet and nine inches (32'9") in lieu of the maximum allowed building ridge height of thirty-two feet (32'0").
 6. 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 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 October 8, 2024, as well as the findings included in the deliberations of the Zoning Board of Appeals and recommends APPROVAL of the requested variations.

Member Kelly seconded the motion. The motion passed 6-0 on a roll call vote with six Members present voting "Yes".

E. Other Business

None.

F. Chairperson's Statement

None.

G. Village Board Trustee Report

Trustee Anne Gould stated the Village Board had had several budget meetings recently and that the Boards and Commissions recognition event will be held on October 16th at Reserve 22. The Village Board has also discussed de-annexation for some parcels bordering Wheaton on Pennsylvania Avenue and Anthony Street.

H. Staff Report

Mr. Harper stated that two new member of the ZBA will be appointed at the October 14th Village Board meeting. Training for ZBA members has been discussed for the winter. Mr. Harper gave a brief update on other Community Development projects. Member Pavlich asked questions about licensing for contractors.

I. Adjournment

Member Jones made a motion to adjourn the meeting. Member Kelly seconded the motion and the motion passed by voice vote at 9:09 PM.



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

Meeting 11/19/2024 7:00 PM
Department: Community Development
Department Head: Jennifer Henaghan
Category: Public Hearing
Prepared By: Daniel Harper

AGENDA ITEM (ID
2024-796)

DOC ID: 2024-796

Public Hearing - 654 Essex Road - Zoning Variation Requests to Allow Alterations and Additions to an Existing Principal Structure.

Statement of the Issue:

The petitioner, Steven K. Poteracki of Studio 1 Architects representing Robert and Trang Green, the owners of the property located at 654 Essex Road, has applied for the following variations from the Glen Ellyn Zoning Code to allow for alterations and additions to the existing principal structure located in the R2 Residential District:

1. Section 10-4-8(D)(1) to allow for a front yard setback of forty-eight feet and nine inches (48'9") in lieu of the required front yard setback of forty-nine feet and six inches (49'6"), which is the setback of the closest principal structure on the adjacent lot on the same block and same side of street.
2. Section 10-4-8(E)(1) to allow a lot coverage of 25% in lieu of the maximum allowed lot coverage of 20%.
3. Section 10-4-8(F)(1) to allow for a maximum eave height of twenty-four feet (24'0") in lieu of the maximum allowed eave height of twenty-two feet (22'0").
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:

ZONING/USE: The subject property and the properties to the north, east, west are all zoned R2 - Residential District and are all improved with single-family homes. Lake Ellyn Park is located south of the property and is zoned CR - Conservation Recreation.

PUBLIC NOTICE: Notice of the public hearing was published in the November 1, 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.

The applicant has submitted a petition which includes signatures of eight (8) surrounding residents expressing support of the application. This petition has been attached for review.

EXISTING CONDITIONS:

	R2 Lot Requirements [10-4-8(D)]	Subject Property Data
Lot Area	8,712 sft (0.20 acres)	10,137 sft (0.23 acres)
Lot Width	66' Interior Lots	63'-5"

Front Yard	30' to 50' for new construction; but no closer than the closest principal structure of the existing principal structures on adjacent lots on the same side of the street.	48.45' from the front lot line to principal structure
Interior Side Yard	6.5' or 10% of the total lot width, whichever is greater	6.6' from the east interior side lot line to principal structure.
Rear Yard	40'	47.6' from principal structure

ZONING HISTORY: A 7'-6" wood screen located in front of the front building line was approved by the Village Board of Trustees in 1972.

PERMIT HISTORY:

Year	Permit No.	Type
2022	2022880	Electric Generator
2015	20150860	Driveway and Patio Replacement
2013	20132253	Sewer Line Repair
2009	20091482	Roof

PROPOSED: The petitioners are requesting three (3) zoning variations cited below to allow for the construction of a second story and three additional areas to the existing home. Two additions are proposed on the rear of the home and would encompass approximately 531 sft of additional area. The existing one-car garage is proposed to be removed and replaced with a two-car, 441 sft, garage. The proposed upper story addition would be approximately 890 square feet and would have a master bedroom, bath, office space and laundry room.

ANALYSIS:

Variation 1: Section 10-4-8(D)(1) to allow for a front yard setback of forty-eight feet and nine inches (48'9") in lieu of the required front yard setback of forty-nine feet and six inches (49'6") which is the setback of the closest principal structure on the adjacent lot on the same block and same side of street.

The applicant is proposing to construct the attached garage addition in the front of the structure with the point of the proposed addition to be forty-eight feet and nine inches (48'9") from the front property line. The code requires a minimum front setback for principal structures to be no closer to the street than the closest principal structure on either adjacent lot on the same block and same side of the street.

The adjacent property that meets this criteria with the closest setback is located at 650 Essex Road to the northwest of the subject property. The principal structure located at 650 Essex Road has been identified by a professional land surveyor to be 49.5' from their front property line.

Variation 2: Section 10-4-8(E)(1) to allow a lot coverage of 25% in lieu of the maximum allowed lot

coverage of 20%.

The total lot coverage of the existing conditions on the subject property is approximately 1,899 square feet or 18.7 percent lot coverage.

The proposed additions are to add two separate additions to the rear of the structure and an attached two-car garage to the front of the structure along with a second story above, which expands the total coverage of the home to 2,524 square feet or 24.89% lot coverage.

Variation 3: Section 10-4-8(F)(1) to allow for a maximum eave height of twenty-four feet (24'0") in lieu of the maximum allowed eave height of twenty-two feet (22'0").

The proposed two-story addition would have a maximum eave height of 24'. Building height is measured as the vertical distance measured from the average existing grade on a zoned lot to the highest point of a structure. The average existing grade of the property is 711.8'. The lot slopes northeast to the rear of the lot and results in the average grade being 2.95' less than the existing grade elevation at the front of the property.

Budget Impact:

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 the approval, approval with conditions, or denial of the request per Section 10-10-12 of the Glen Ellyn Zoning Code.

Attachments:

1. Variation Application
2. Aerial Map
3. Zoning Map
4. 2' Contour Map
5. 654 Essex Road Plat of survey
6. Proposed Site and Elevation Plans
7. Petition from Neighbors



VILLAGE OF GLEN ELLYN

Zoning Variation Request Packet

*Community Development Department
535 Duane Street – Glen Ellyn, IL 60137 – Telephone 630.547.5250 – Fax 630.547.5370*

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

APPLICATION FOR VARIATION

For the property at _____ 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 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: _____

Address: _____

Home Phone No.: _____ Cell Phone No.: _____

Fax No.: _____

E-mail: _____

Ownership Interest in the Property in Question:

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: _____

Permanent tax index number: _____

Legal description:

Zoning classification: _____

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

****Lot is irregular: See plat of survey for boundary layout (62.0'x168.01'x48.78'x28.70'x142.33'

Present use:

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):

Estimated date to begin construction: _____

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

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:

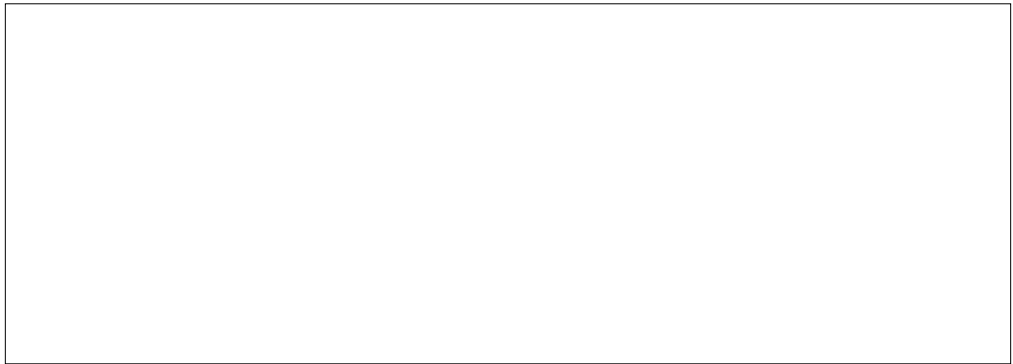
2.
 - a. Provide evidence that the property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code (i.e., without one or more variations):

OR

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

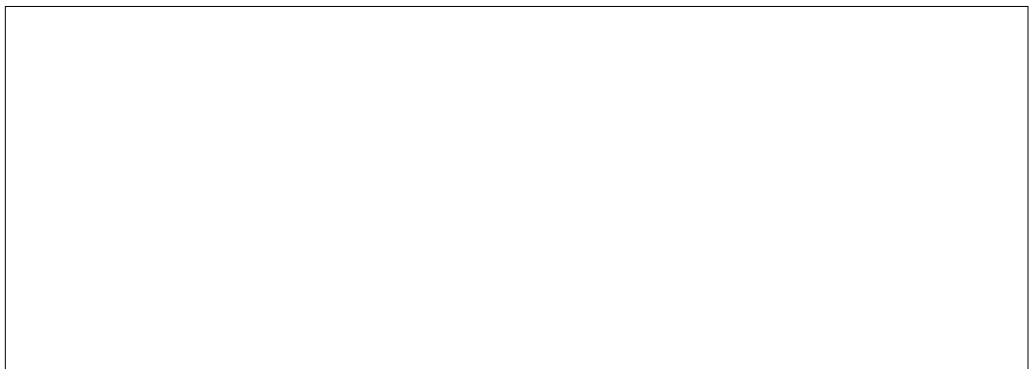
A large, empty rectangular box with a thin black border, intended for the applicant to provide evidence for item b.

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

A large, empty rectangular box with a thin black border, intended for the applicant to provide evidence for item 3.

- 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:

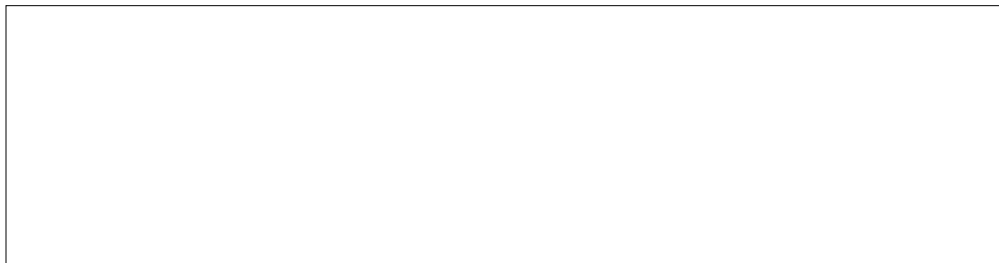
1. Provide evidence that the particular physical surroundings, shape or topographical condition of the property in question would bring particular hardship upon the applicant/owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out:

A large, empty rectangular box with a thin black border, intended for the applicant to provide evidence for item 1.

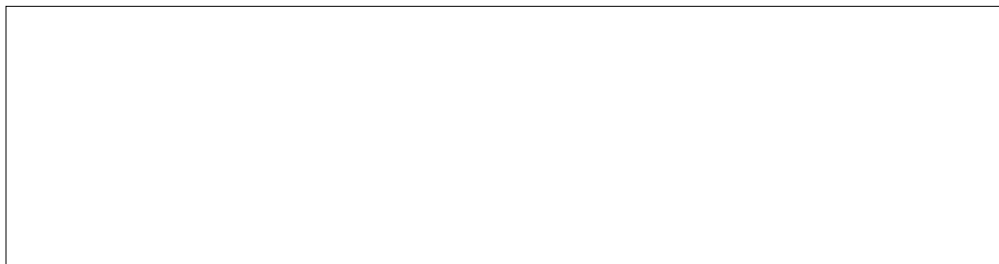
2. Provide evidence that the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district:

A large, empty rectangular box with a thin black border, intended for the applicant to provide evidence for item 2.

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:

A large, empty rectangular box with a thin black border, intended for the applicant to provide evidence for item 3.

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.

A large, empty rectangular box with a thin black border, intended for the applicant to provide evidence for item 4.

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.

A large, empty rectangular box with a thin black border, intended for the applicant to provide evidence for item 5.

6. Provide evidence that the proposed variation will not:

a. 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;

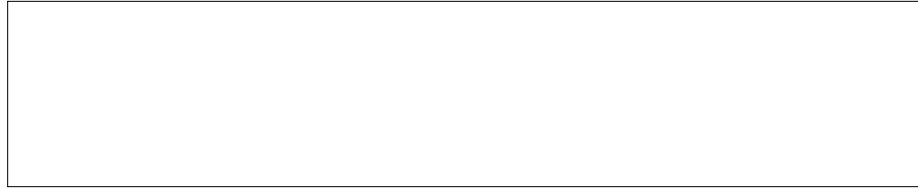
c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village;

d. Diminish or impair property values within the neighborhood;

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

f. Create a nuisance; or

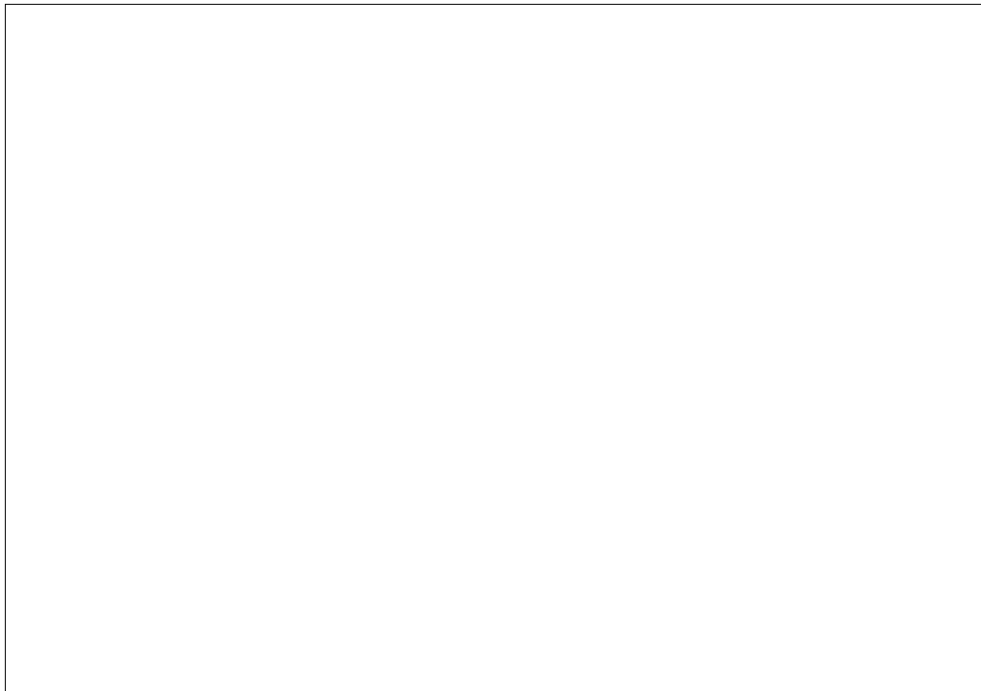
- g. Results in an increase in public expenditures.



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



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.

_____	_____	_____
Date	Print Name	Signature of Applicant
_____	_____	_____
Date	Print Name	Signature of Applicant
_____	_____	_____
Date	Print Name	Signature of Applicant

**Legend**

0 100 200
ft

Print Date: 11/14/2024

Notes

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



Legend

Zoning and Development

Zoning

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

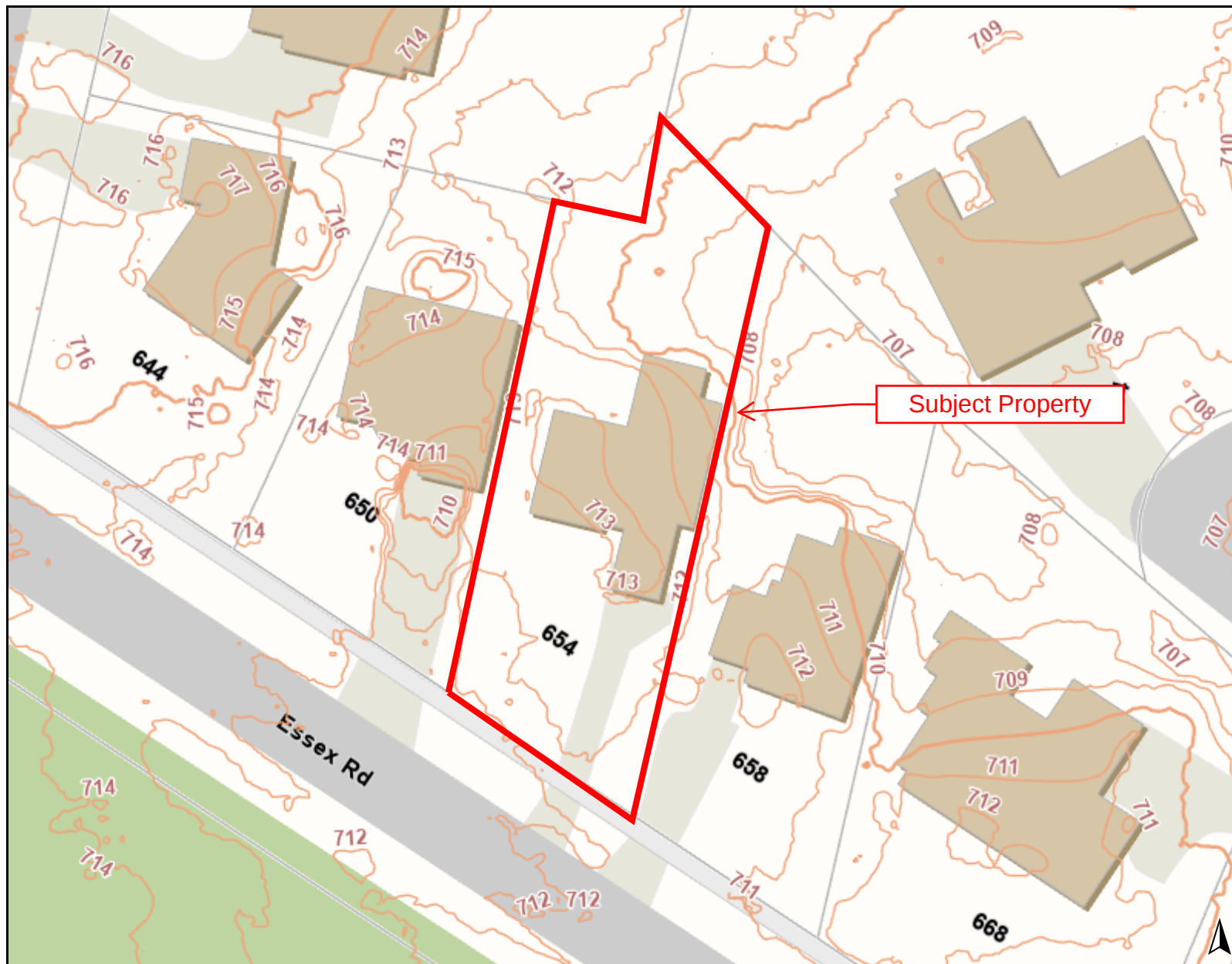
0 100 200
ft

Print Date: 11/14/2024

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.

GIS Consortium | 2' Contour Map - 654 Essex Road



Legend

DuPage County

DuPage County Contour 2022

— Contour Line, Intermediate

— Contour Line, Major

0 50 100
ft

Print Date: 11/14/2024

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.

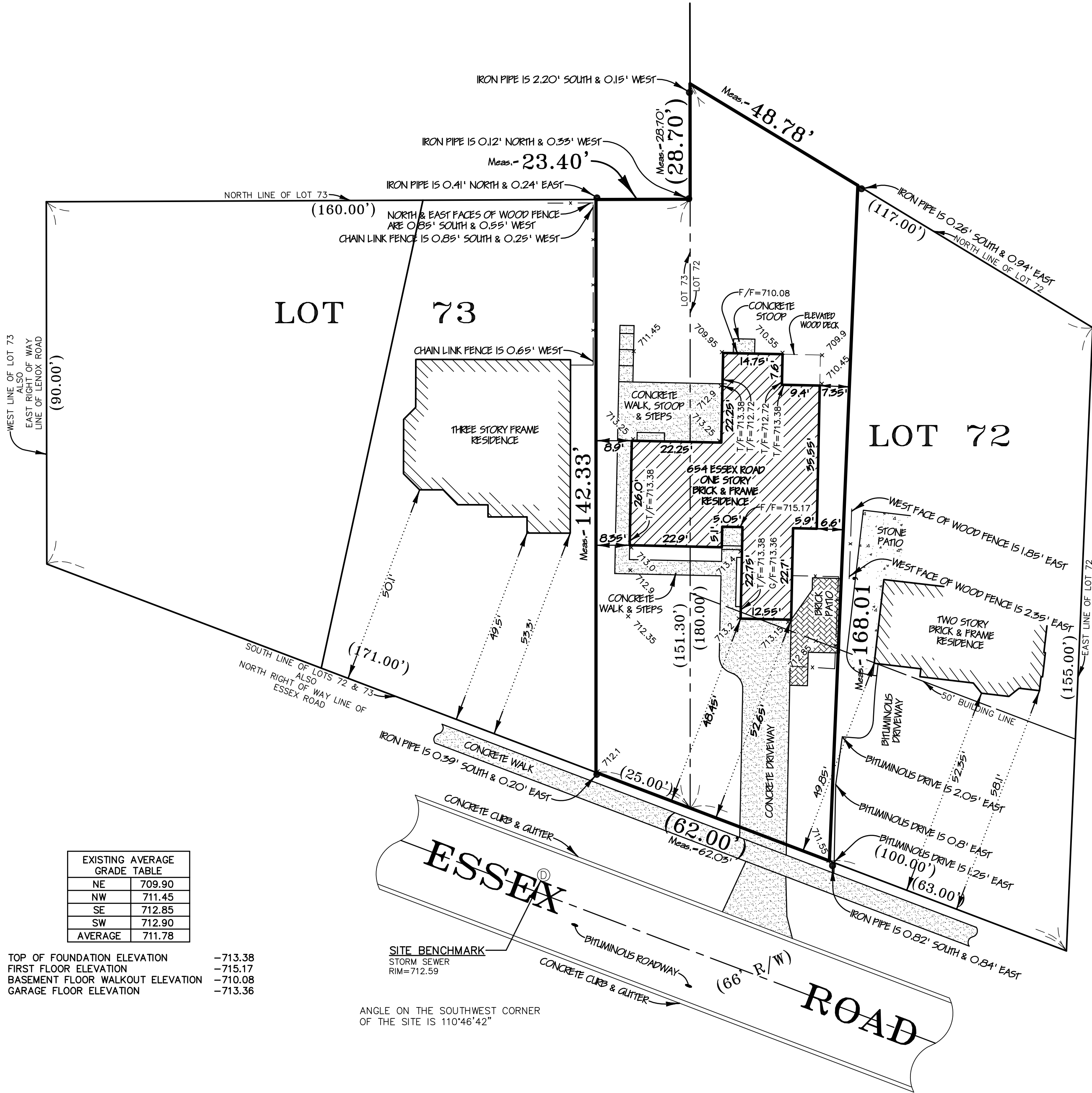
SURVEY LEGEND
○ Monumentation Found
○ Monumentation Set (IRLS 35-2551)
(50') Record Dimension
—X— Fence Line

PLAT OF SURVEY

LOT 72 (EXCEPT THE SOUTHEASTERLY 63 FEET THEREOF) (MEASURED PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 72) AND THAT PART OF LOT 73 DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT, 25 FEET WEST OF THE SOUTHEAST CORNER THEREOF; RUNNING THENCE NORTHERLY ON A LINE PARALLEL WITH THE EAST LINE OF SAID LOT TO THE NORTH LINE THEREOF; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT TO THE SOUTHEAST CORNER THEREOF; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT TO THE PLACE OF BEGINNING, IN COLLINS AND GAUNTLETT'S LAKE GLEN ELLYN, BEING A SUBDIVISION OF LOTS 22 TO 29, INCLUSIVE, AND LOTS 33 TO 68, INCLUSIVE, IN JOHN A. BROWN'S ADDITION TO GLEN ELLYN, IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 21, 1914 AS DOCUMENT NO. 118383, IN DUPAGE COUNTY, ILLINOIS.

AREA OF SITE = 10,137 SQ.FT.

CARRADUS



EXISTING AVERAGE GRADE TABLE	
NE	709.90
NW	711.45
SE	712.85
SW	712.90
AVERAGE	711.78

TOP OF FOUNDATION ELEVATION -713.38
FIRST FLOOR ELEVATION -715.17
BASEMENT FLOOR WALKOUT ELEVATION -710.08
GARAGE FLOOR ELEVATION -713.36

SITE BENCHMARK
STORM SEWER
RIM=712.59

ANGLE ON THE SOUTHWEST CORNER
OF THE SITE IS 110°46'42"

ANGLE ON THE SOUTHEAST CORNER
OF THE SITE IS 71°38'25"

SITE BENCHMARK ELEV.= 712.59 (NAVD 88)
RIM OF THE STORM MANHOLE APPROXIMATELY
7' SOUTH OF THE CONCRETE CURB ALONG THE
NORTH EDGE OF ESSEX ROAD APPROXIMATELY
13' WEST OF THE WEST PROPERTY LINE
EXTENDED SOUTH.



STATE OF ILLINOIS) ss
COUNTY OF DU PAGE)

THIS IS TO CERTIFY THAT I, ALLEN D. CARRADUS, A PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF ILLINOIS, HAVE SURVEYED THE PROPERTY AS DESCRIBED HEREON AND THAT THE ANNEXED PLAT IS A CORRECT AND TRUE REPRESENTATION THEREOF, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SIGNED AND SEALED AT CAROL STREAM, ILLINOIS THIS 7th DAY OF October, A.D. 2024.
BY Allen D. Carradus ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2551.
MY LICENSE EXPIRES NOVEMBER 30, 2024.

NOTES

- All distances shown hereon are in feet and decimal parts thereof corrected to 68° F. Distances shown along curved lines are Arc Measurements unless otherwise noted.
- Compare the Legal Description, Building Lines, and Easements as shown hereon with your Deed, Title Insurance Policy or Title Commitment.
- Consult local authorities for additional setbacks and restrictions not shown hereon.
- Compare all survey points and report any discrepancies immediately.
- Consult utility companies and municipalities prior to the start of any construction.
- Dimensions to and along buildings are exterior foundation measurements.
- Do Not Assume distances from scaled measurements made hereon.

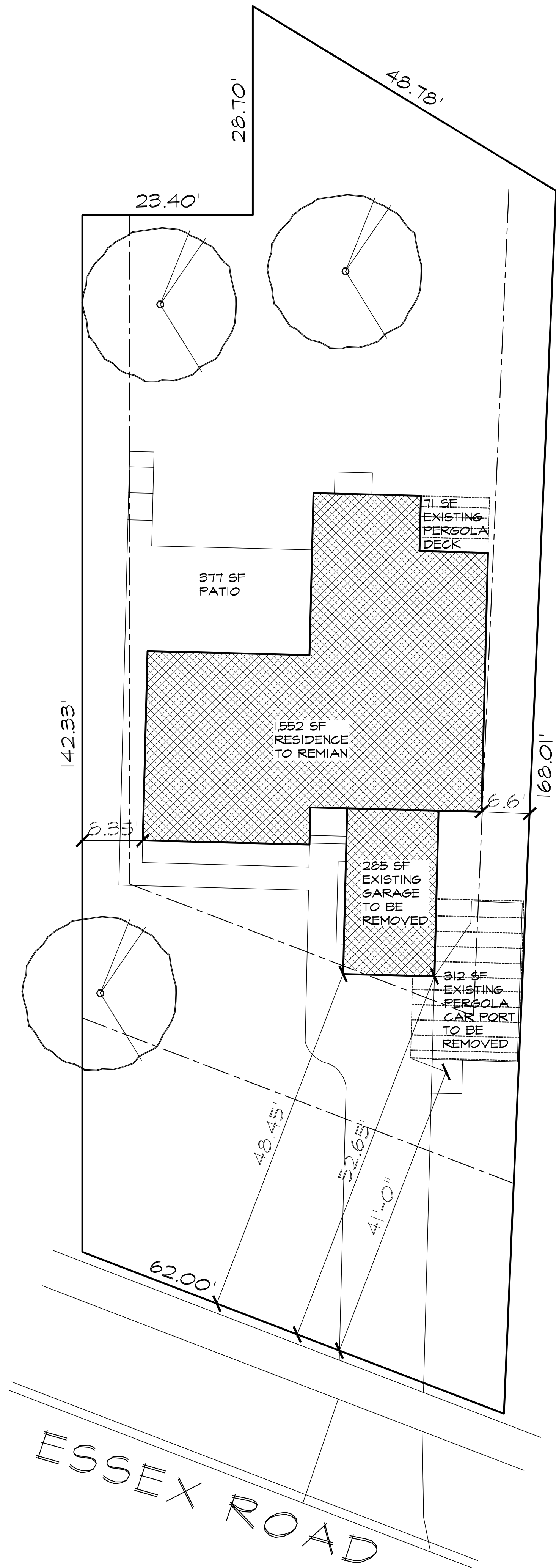
CARRADUS LAND SURVEY, INC.

Residential & Commercial Land Surveying Services
191 S. GARY AVE., SUITE 180, CAROL STREAM ILLINOIS, 60188
(630) 588-0416 (FAX) 653-7682 OFFICE@CARRADUSLANDSURVEY.COM

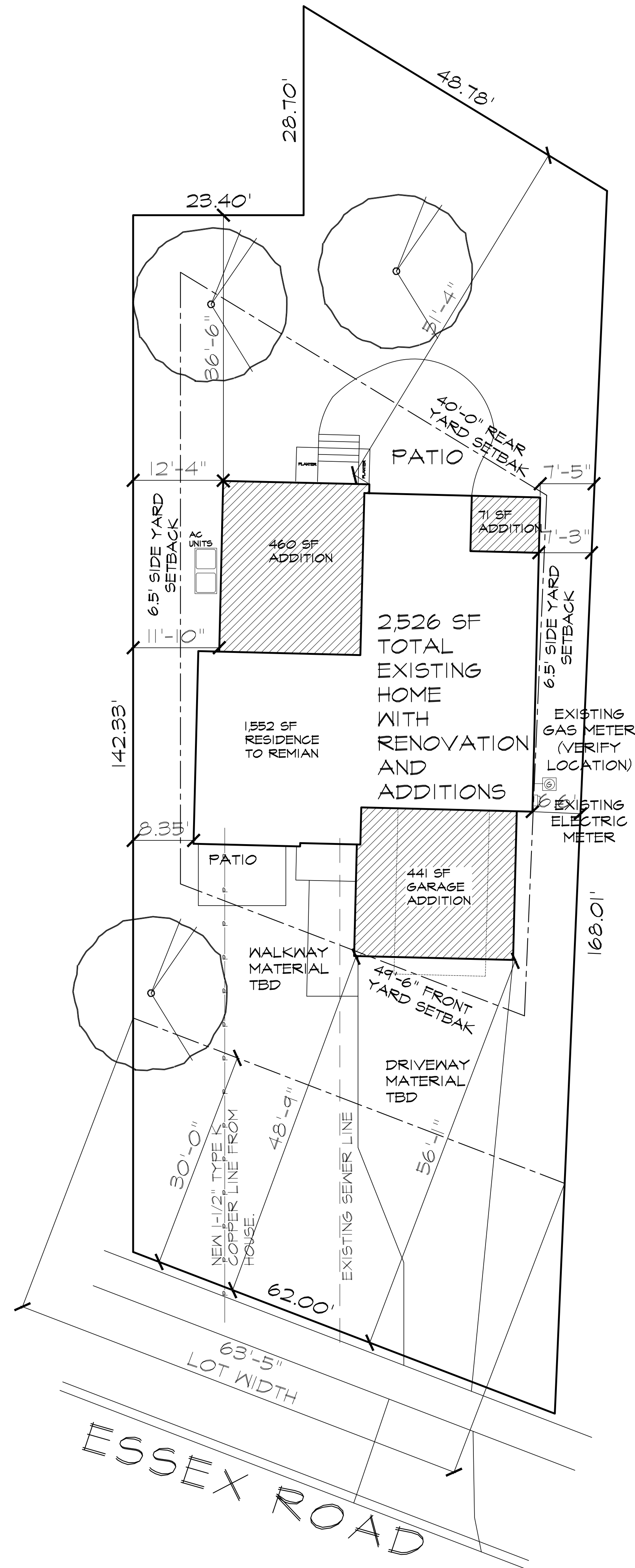
PREPARED FOR:

BOB GREEN

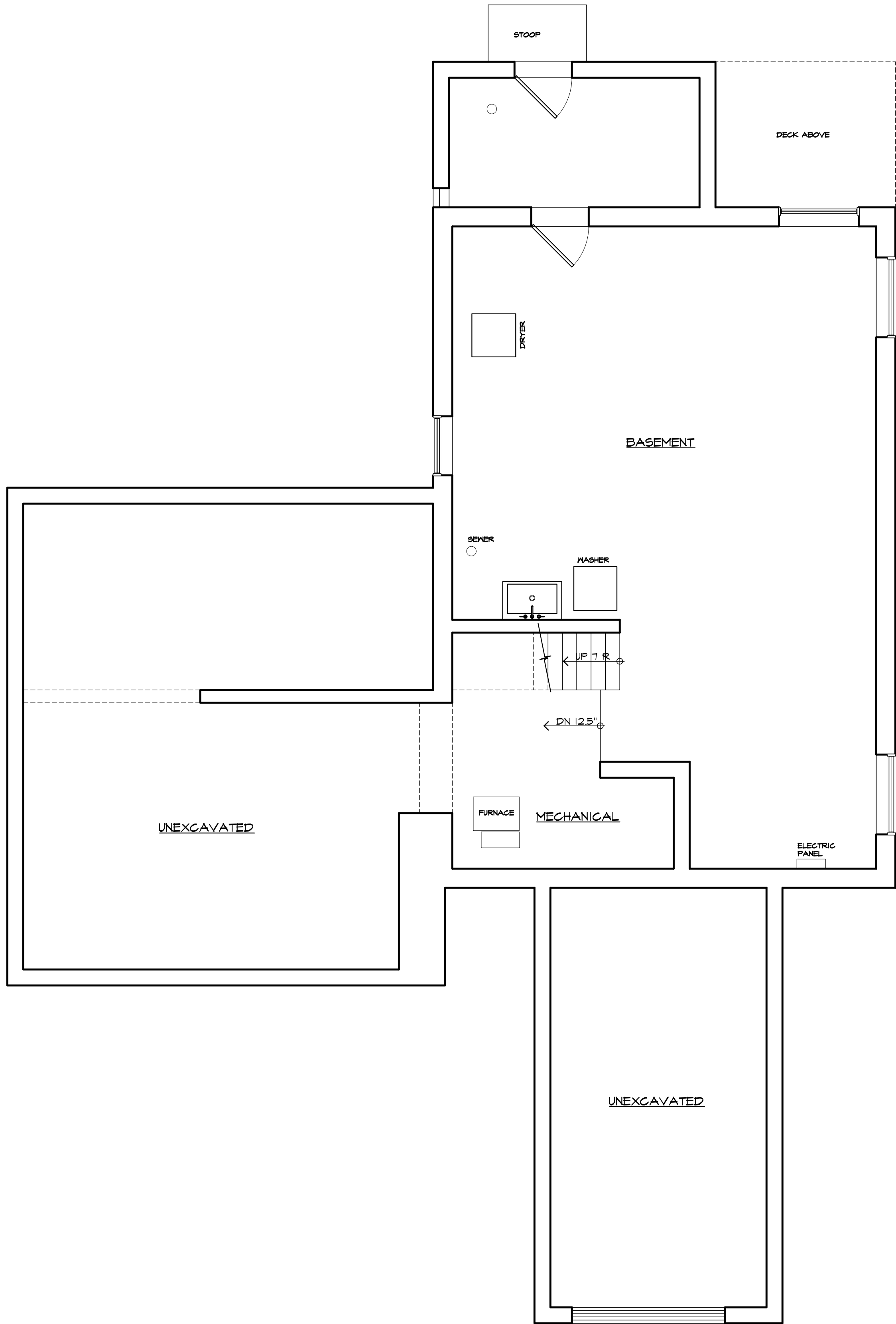
DRAWN BY: CMG DATE OF FIELD WORK: 10/07/24 SCALE: 1"=20' FLD.BK. - PAGE 457-05 PROJECT NO. 40861



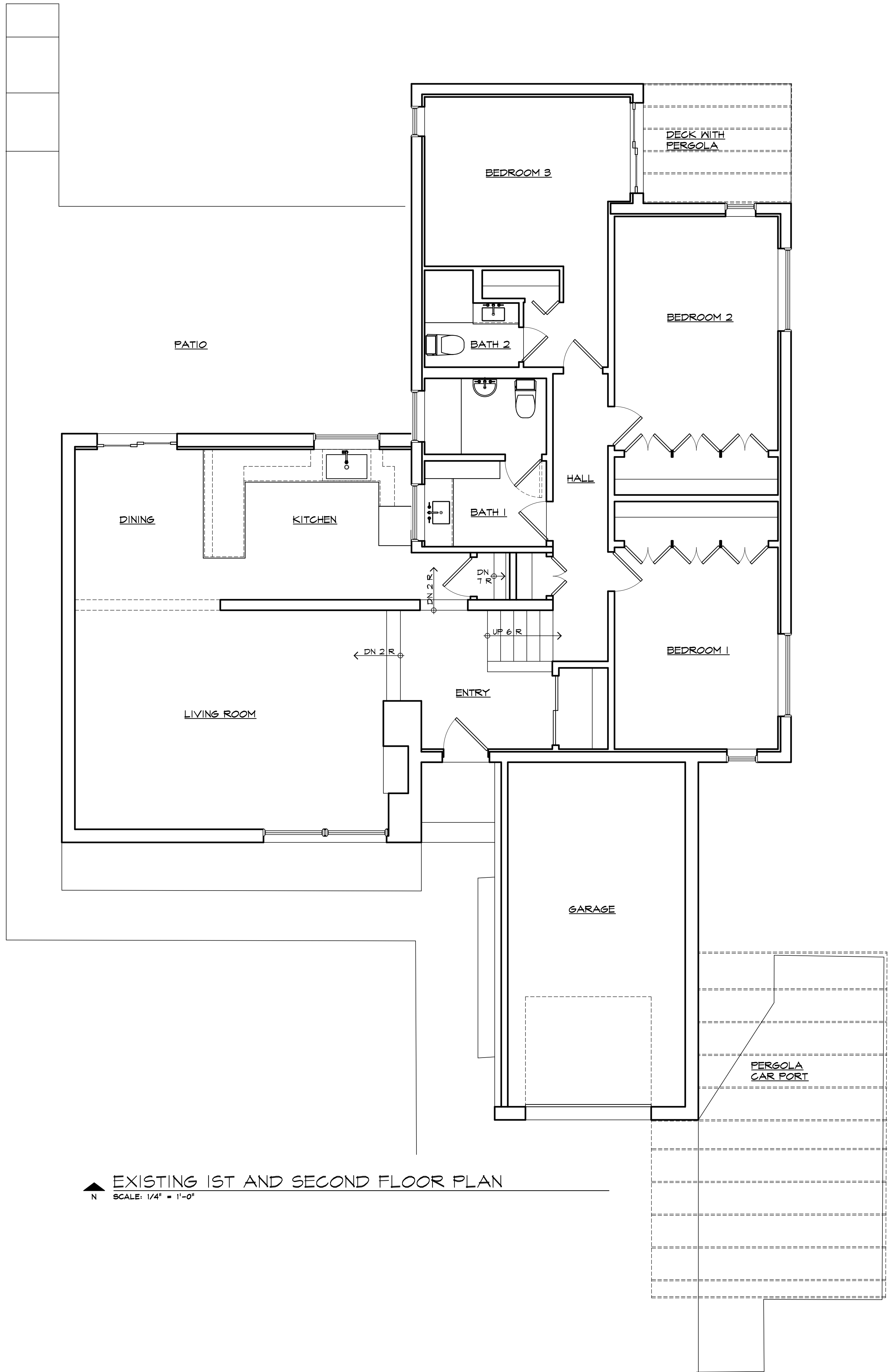
EXISTING SITE PLAN
SCALE: 1" = 10'-0"



SITE PLAN
SCALE: 1" = 10'-0"



▲ EXISTING FOUNDATION/BASEMENT PLAN
N SCALE: 1/4" = 1'-0"



▲ EXISTING 1ST AND SECOND FLOOR PLAN
N SCALE: 1/4" = 1'-0"

PASSIVE RADON
SYSTEM AT SUMPS

PROVIDE A QUANTITY OF (3) #5 REBAR AT CONNECTION OF NEW TO EXISTING STRUCTURE AT BASEMENT. AND A QUANTITY OF (4) AT CRAWL SPACES. (DRILL #5 BARS INTO EXISTING FOUNDATION A MINIMUM OF 6" EPOXY'D INTO HOLES AND THEN GROUTED. REMAINING 18" SHALL PROJECT INTO NEW FOUNDATION. PROVIDE MEMBRANE TO SEAL CONCRETE COLD JOINTS (TYPICAL).

WHERE VERTICALLY REINFORCED WALLS CONTAIN WINDOW OR DOOR OPENINGS THAT PREVENT THE INSTALLATION OF FULLY REGULARLY SPACED FULL HEIGHT BARS, PLACE HALF THE NUMBER OF DISPLACED BARS WITHIN 12 INCHES OF EACH JAMB.

A LADDER IS REQUIRED IF THE WINDOW WELL HAS A DEPTH GREATER THAN 44 INCHES BELOW THE ADJACENT GROUND LEVEL. ALL LADDERS SHALL HAVE AN INSIDE WIDTH IF 12" AND SHALL PROJECT AT LEAST 3" FROM THE WALL AND SHALL BE SPACED NOT MORE THAN 18" ON CENTER VERTICALLY FOR THE FULL HEIGHT OF THE WINDOW WELL.

ESCAPE WINDOW WELL SHALL HAVE A HORIZONTAL DIMENSION THAT ALLOWS THE DOOR OR WINDOW OF THE OPENING TO OPEN FULLY. THE HORIZONTAL DIMENSION OF THE WELL SHALL PROVIDE A MINIMUM NET CLEAR AREA OF 4 SQ. FEET. WITH A MINIMUM HORIZONTAL PROJECTION AND WIDTH OF 36" (TYPICAL).

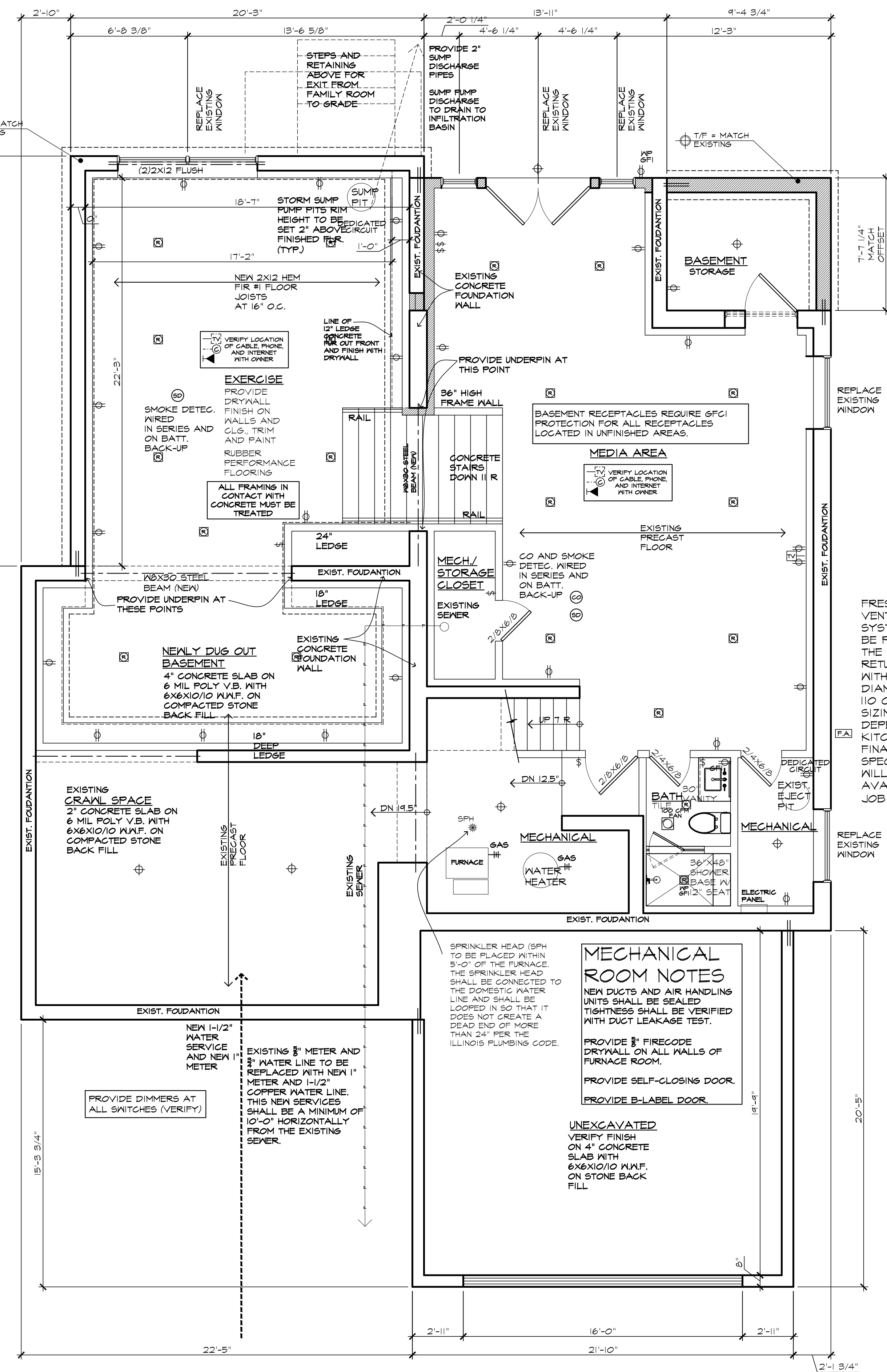
WINDOW WELLS THAT EXTEND MORE THAN 30" BELOW THE ADJACENT GRADE SHALL BE PROVIDED WITH BARS, GRILLES, COVERS, SCREENS OR SIMILAR DEVICES THAT ARE DESIGNED AND LISTED TO RESIST HUMAN IMPACT UNLESS OTHER GUARDS THAT COMPLY WITH SECTION R312 ARE PROVIDED. WINDOW WELL GUARDS ENCLOSING EMERGENCY ESCAPE AND RESCUE OPENINGS SHALL MEET THE MINIMUM OPENING AREA REQUIREMENT AND BE OPERABLE FROM THE INSIDE OF THE WELL WITHOUT THE USE OF KEYS, TOOLS, OR SPECIAL KNOWLEDGE OR EFFORT.

CLEAR WORKSPACE IS REQUIRED AT THE ELECTRICAL PANEL AND THE REQUIRED WORKSPACE SHALL NOT BE USED FOR STORAGE. THE CLEAR WORKSPACE MUST BE INDICATED AND SHALL HAVE A MINIMUM WIDTH OF 30", A MINIMUM DEPTH OF 36", AND A MINIMUM HEIGHT OF 6.5'.

PROVIDE COMBUSTION AIR FOR ALL FUEL GAS APPLIANCES FOR THE FURNACE AND WATER HEATER IN COMPLIANCE WITH SECTION 2004 IRC 6240.15. THE INSTALLATION OF A FULL-COVERED DOOR OR TWO AIR TRANSFER GRILLS (MINIMUM 100 SQ. IN. OF FREE AREA EACH AND LOCATED WITHIN 12" OF THE FLOOR AND CEILINGS) ARE CODE COMPLIANT.

THE STRUCTURE AND FOUNDATION OF THE BASEMENT HAVE BEEN REVIEWED AND ARE CAPABLE OF SUPPORTING THE NEW PROPOSED WORK.

ALL EXISTING PLUMBING THAT MAY POSE A HEALTH OR SAFETY HAZARD SHALL BE REVISED TO COMPLY WITH THE ILLINOIS PLUMBING CODE AND VILLAGE OF WESTERN SPRINGS ORDINANCES.



FRESH AIR (F.A.) VENTILATION SYSTEM. AIR WILL BE PULLED INTO THE FURNACE RETURN MAIN DUCT WITH A MINIMUM 6" DIAMETER DUCT. 110 CFM. FINAL SIZING WILL DEPEND ON KITCHEN RANGE FINAL SELECTION. SPECIFICATIONS WILL BE AVAILABLE AT JOB SITE).

MECHANICAL
ROOM NOTES

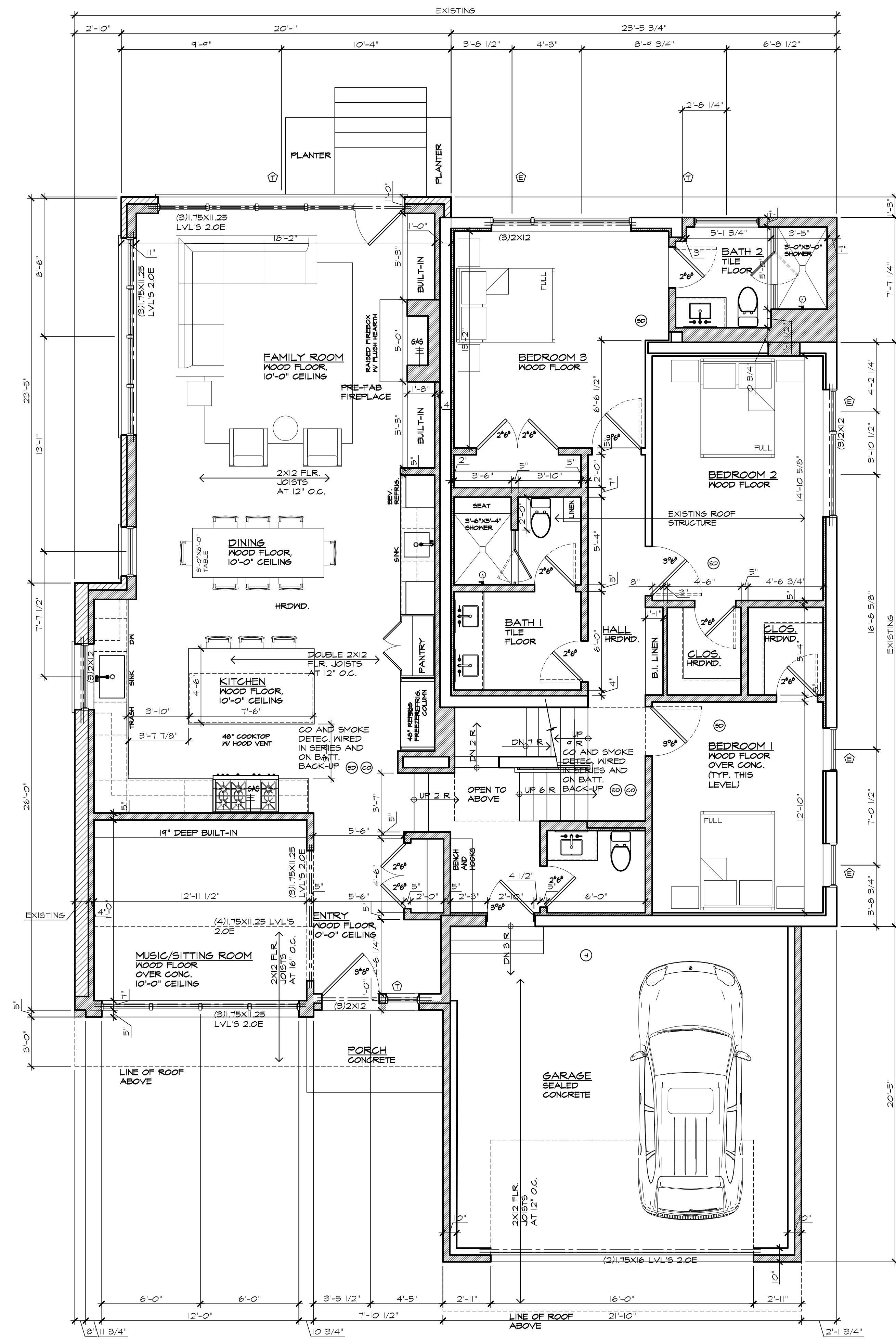
NEW DUCTS AND AIR HANDLING UNITS SHALL BE SEALED. TIGHTNESS SHALL BE VERIFIED WITH DUCT LEAKAGE TEST.

PROVIDE 3" FIRECODE DRYWALL ON ALL WALLS OF FURNACE ROOM.

PROVIDE SELF-CLOSING DOOR.

PROVIDE B-LABEL DOOR.

UNEXCAVATED VERIFY FINISH ON 4" CONCRETE SLAB WITH 6X6X10/10 MUF. ON STONE BACK FILL.



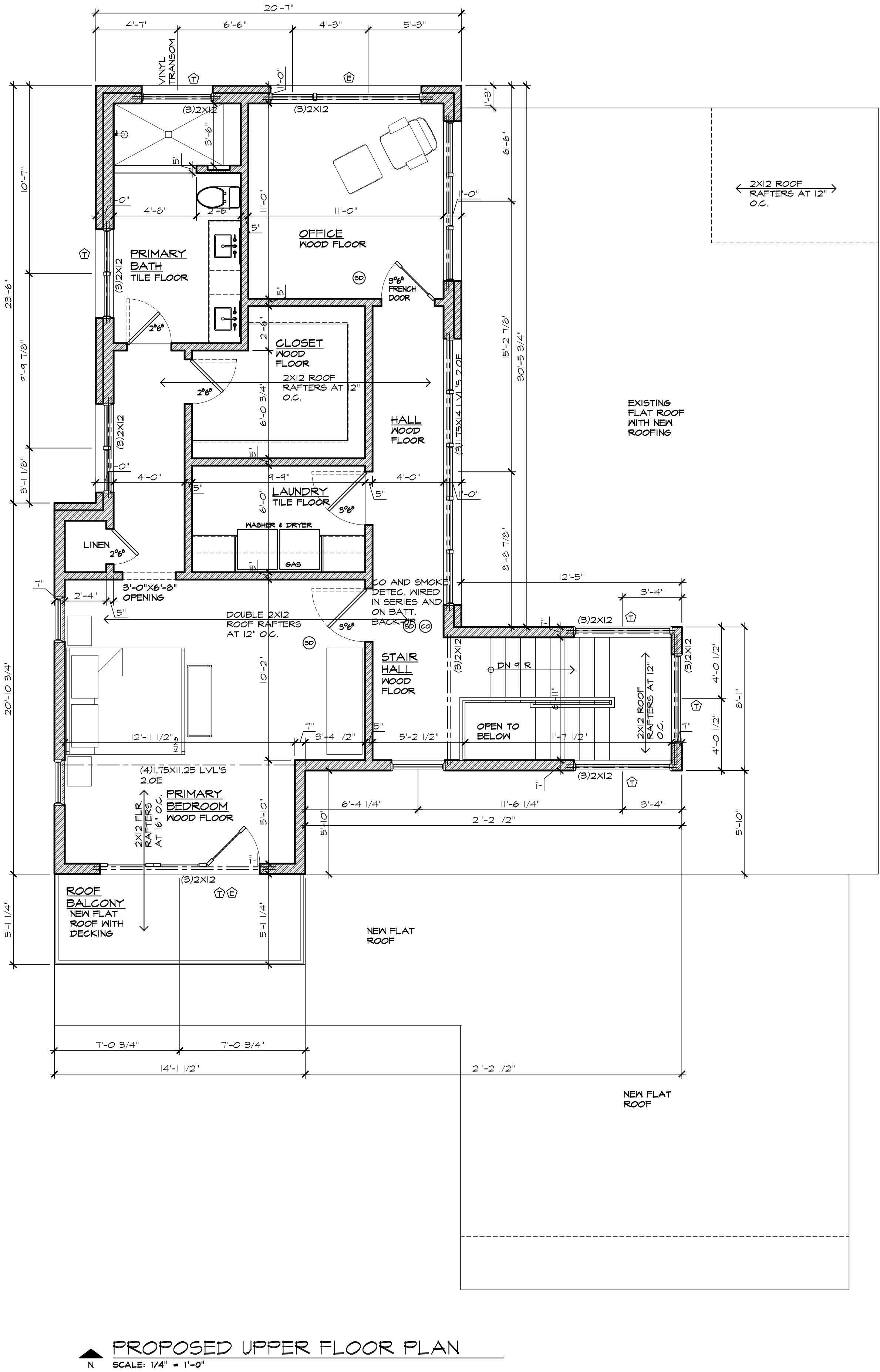
THE GREEN RESIDENCE
GLEN ELLYN, ILLINOIS

ILLINOIS LICENSE #: 001,018,711
EXPIRATION: 11-30-24
PROFESSIONAL DESIGN FIRM #: 18-004427
EXPIRATION: 04-30-25
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BE USED IN ANY WAY WITHOUT THE
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STUDIO 1 ARCHITECTS, LTD.

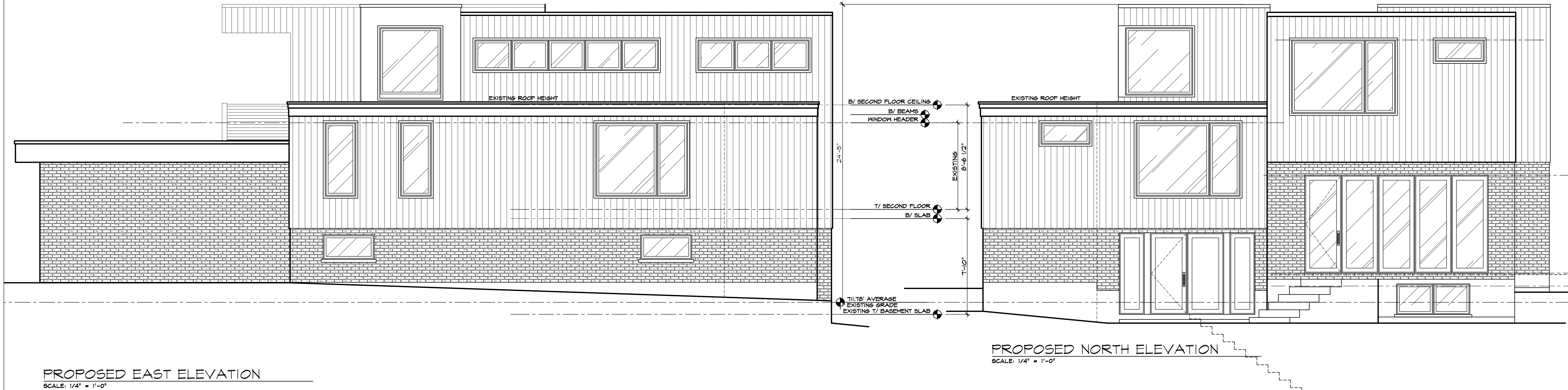
ISSUED FOR: VARIATION
DATE: OCTOBER 01, 2024
REVISIONS:

PROJECT NUMBER: 241658
SHEET NO.:

A1.4





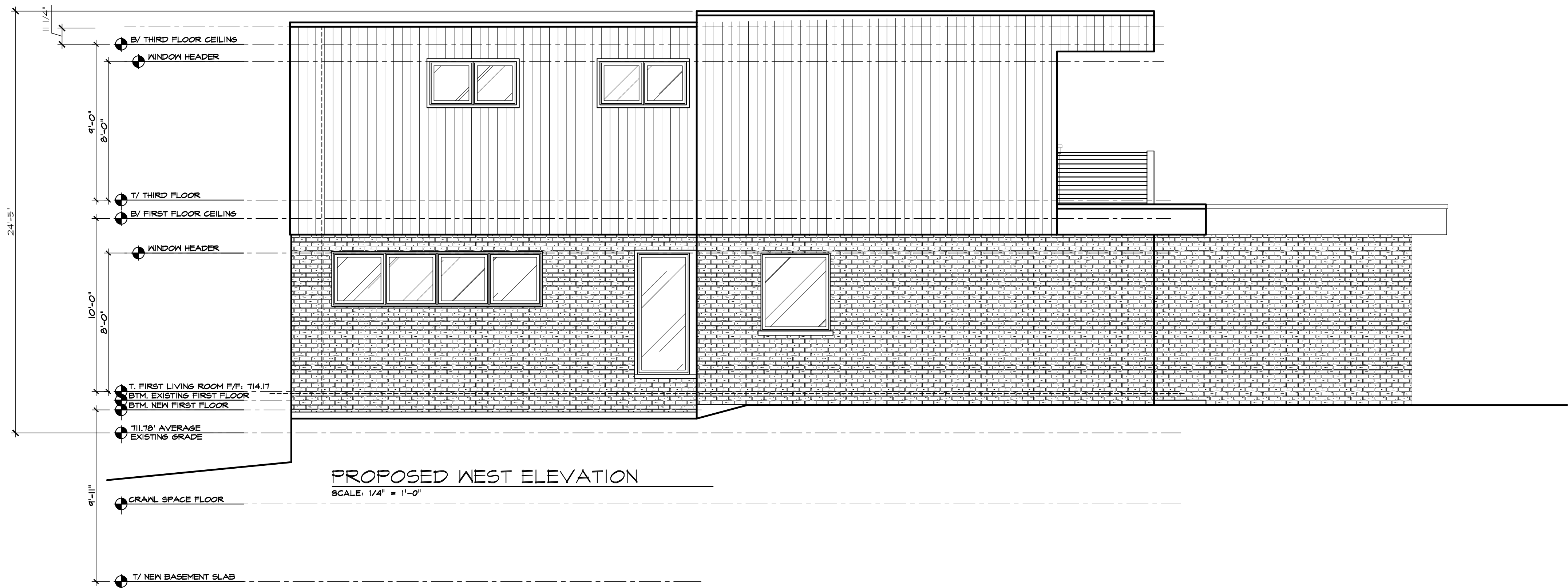


PROPOSED EAST ELEVATION

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

PROPOSED NORTH ELEVATION

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



PROPOSED WEST ELEVATION

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

654 Essex Road

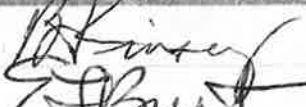
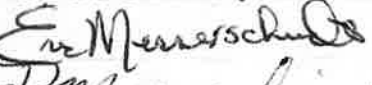
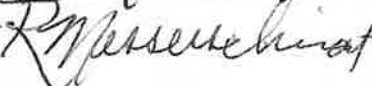
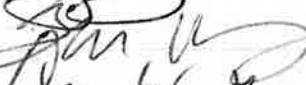
Support Letter for Requested Variances

I / we have reviewed the proposed plans submitted by Bob and Trang Green to the Village of Glen Ellyn on Friday, 10/10/24 regarding the following variance requests for 654 Essex Road.

We understand the following variances are being sought for approval:

- (1) Lot coverage ratio of 24.89% where 20.0% is allowed;
- (2) Max eave height of 24'0" where 22'0" is allowed; and
- (3) Front yard setback of 48'9" vs. 49'5"

Having reviewed the Plans and understanding the requested variances, I / we are in favor of requested variance approvals.

Name (print)	Signature	Address	Date
Brad Kinsey		668 Essex, G/E	10/12/24
Emily Burt		706 Lenox G/E	10/12/24
ERIC MESSERSCHMIDT		702 Lenox G/E	10/12/24
Rebecca Messerschmidt		702 Lenox G/E	10/12/24
GREG MORRISSEY		698 Lenox G/E	10/12/24
Ben Morrissey		650 Essex Rd	10/26/24
Coast Turner		658 Essex Rd	10/26/24
Harold Farrall Turner		658 Essex Rd	10-26-24



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

Meeting 11/19/2024 7:00 PM
Department: Community Development
Department Head: Jennifer Henaghan
Category: Public Hearing
Prepared By: Jordan Frahm

AGENDA ITEM (ID
2024-800)

DOC ID: 2024-800

Public Hearing - 616 N. Main Street - Zoning Variation Requests to Allow for an Addition to an Existing Principal Structure

Statement of the Issue:

The petitioners, Ian and Stefanie Hood, owners of the property located at 616 N. Main Street, have applied for the following variations to allow for alterations and additions to the existing principal structure located in the R2-Residential zoning district.

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 for the alteration and addition to a single-family dwelling lawfully existing on a lot with a width of 49-feet, 10-inches, in lieu of the required lot width of 50 feet.
2. Section 10-4-8(D)(3) to allow for a side-yard setback of 5-feet, 3-inches; in lieu of the 6-foot, 6-inch required side-yard setback.

Analysis:

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 November 4, 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: There is no zoning history for this property.

PERMIT HISTORY:

Year	Permit No.	Type
2015	20151419	Garage
2015	20150720	Fence
2014	20141597	Alterations/Remodel
1997	B17232	Electric Service
1937	B408	Garage

EXSISTING CONDITONS:

	R2 Lot Requirements [10-4-8(D)]	Subject Property Data Proposed
Lot Area	8,712 sq. ft. (0.20 acres)	12,632 sq. ft. (0.29 acres)
Lot Width	66' (Interior Lot)	49' 10"
Front Yard Setback	30' to 50' for new construction; but no closer than the closest principal structure of the existing principal structures on adjacent lots on the same side of the street	53' 5" from the front lot line to principal structure
Side Yard Setback	6.5' or 10% of the total lot width, whichever is greater	3'6" from north interior side lot line existing; 5' 3" proposed for addition from the north interior side lot line to principal structure; 17'4" from the south interior lot line to the principal structure and 4' 7" from the south interior lot line to the garage
Rear Yard	40' from the principal structure	147.5' from principal structure
Lot Coverage Ratio	≤ 20-percent	9.8-percent existing; 12.6-percent proposed

The home lies just north of the Main Street Historic District, with homes in the Prospect Park neighborhood dating back to the 19th century. The build year for 616 N. Main Street is 1911. The lot width is 49-feet, 10-inches. This is approximately 25-percent less than the required minimum lot width of 66-feet for interior lots in the R2 district, and below the 50-foot width required by Village Code to make alterations or additions to existing homes. The lot area is 12,632 square feet. This is greater than the required minimum lot area of 8,712 square feet for interior lots in the R2 district. The lot area is sufficient for an addition to the home within the parameters of the R2 bulk requirements. The total lot coverage of the existing conditions on the subject property is approximately 1,247-square feet or 9.8-percent lot coverage.

PROPOSED: The petitioners are requesting two (2) zoning variations cited below to allow for the construction of an approximately eight-hundred, seventy-six (876) square-foot addition within the north interior side yard setback of the existing two-story single-family home located at 616 Main Street. The proposed western addition replaces portions of the rear of the home while adding floor area both to the first and second floors of the property.

Analysis:

Variation 1: Section 10-4-1(L) to allow for the alteration and addition to a single-family dwelling lawfully existing on a lot with a width of 49-feet, 10-inches; in lieu of the required lot width of 50-feet.

Section 10-4-1(L) of the code states that “in the event that a single-family dwelling is located on a zoning lot which lawfully existed on October 28, 1974, or which was lawfully established thereafter, such previously improved zoning lot may continue to be used as a zoning lot for single-family dwelling purposes, and repairs, additions to, enlargements of, structural alterations to, extensions of and reconstruction or replacement of the dwelling shall be permitted” provided that two conditions are met. First, the lawfully existing zoning lot must have a width of not less than 50 feet and a lot area of not less than 6,534 square feet. Second, any new construction, additions, enlargements, extensions, replacements or reconstruction and accessory structures erected on the lawfully existing zoning lot shall conform to all bulk requirements of the zoning district in which it is located, with the exception of minimum lot width and minimum lot area requirements.

The subject property is less than 50-feet in width, measured 30-feet from the front property line. As the lot width of 49-feet, 10-inches does not satisfy the first condition, zoning relief is required.

Variation 2: Section 10-4-8(D)(3) to allow for a side-yard setback of 5-feet, 3-inches, in lieu of the 6-foot, 6-inch required side-yard setback.

The property owner’s proposed addition extends the north-facing wall westerly; however, the proposed addition would create an interior side yard setback of 5-feet, 3-inches. This 20-percent encroachment into the interior side yard requires zoning relief. The setback of the existing home is less than what is proposed for the addition, at 3-feet, 6 inches.

Budget Impact:**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 the approval, approval with conditions, or denial of the request per Section 10-10-12 of the Glen Ellyn Zoning Code.

Attachments:

1. 616 Zoning Variation Application
2. Site Plan and Elevations
3. 616 N Main Aerial

4. 616 N Main Zoning
5. 616 N Main Notification Map



VILLAGE OF GLEN ELLYN

Zoning Variation Request Packet

*Community Development Department
535 Duane Street – Glen Ellyn, IL 60137 – Telephone 630.547.5250 – Fax 630.547.5370*

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

ZONING VARIATION REQUEST PACKET

Contents

1. Information Sheet for Potential Zoning Variation Requests and Related Options
2. Sample Schedule for a Zoning Variation
3. Description of the Zoning Variation Request Process and Instructions
4. Zoning Code Variation Guidelines for Particular Hardship and Practical Difficulty Criteria
5. Application for Variation form
6. Affidavit of Authorization
7. Disclosure of Interest or Ownership forms
8. Affidavit Affirming No Conflict of Interest

VILLAGE OF GLEN ELLYN, ILLINOIS

INFORMATION SHEET FOR POTENTIAL ZONING VARIATION REQUESTS AND RELATED OPTIONS

Note: This Information Sheet should be provided to each person who has been advised by a staff member of the Village Community Development Department, acting in his or her official capacity, that the project proposed by such person requires the granting of one or more variations from the Glen Ellyn Zoning Code.

This Information Sheet lists options available to you now that you have been officially advised by the staff of the Community Development Department that your proposed project requires the granting of one or more variations from the Glen Ellyn Zoning Code (Ordinance No. 3617-Z, as amended). The options listed below are not intended to be exhaustive nor are they mutually exclusive. (For example, you could decide to proceed under options 1 and 2 below as alternatives). You may wish to contact an attorney to discuss the options listed or explore other options that may be available to you.

- OPTION 1 - You could (1) decide not to revise your proposed project to reduce or eliminate the required zoning variation(s); and (2) apply for the required zoning variation(s). If this option is chosen, you will need to apply for approval of a zoning variation.
- OPTION 2 - You could (1) revise your proposed project to reduce the number and/or size of the required zoning variation(s) or (2) reduce the degree of your variation request; and (3) apply for the required zoning variation(s) for your revised proposal. If this option is chosen, you should proceed as described under Option 1 above.
- OPTION 3 - You could revise your proposed project to eliminate the need for the required zoning variation(s).
- OPTION 4 - You could decide not to revise or proceed with your proposed project. If this option is chosen, no zoning variation will be required.
- OPTION 5 - You could appeal the Village's staff interpretation of the zoning code to the Glen Ellyn Zoning Board of Appeals (ZBA) per Section 10-10-9, all appeals go to ZBA. If this option is chosen, you must file, within 45 days after the decision by Village staff that your proposed project requires one or more zoning variations, a notice of appeals specifying the grounds therefore and containing the information required by Section 10-10-9 of the Zoning Code

with the Director of the Village Community Development Department and the Zoning Board of Appeals.

Such an appeal would be governed by Section 10-10-9 of the Zoning Code and applicable State law. In general, the appeal process entails (1) a public hearing before the Zoning Board of Appeals following reasonable notice to interested parties and (2) a decision by the Zoning Board of Appeals, based on the evidence presented at the hearing, within a reasonable period of time after the conclusion of the hearing. Under the Zoning Code, the Zoning Board of Appeals has the authority to affirm or reverse, wholly or in part, or modify the decision of Village staff being appealed. Unlike the decision of the Zoning Board of Appeals on a variation application (which constitutes a recommendation to the Village Board), the decision of the Zoning Board of Appeals on such an appeal is the final Village action on the matter in question.

Regardless of the option you choose, members of the Village staff will be available to continue working with you in an effort to bring your proposed project to a conclusion.

Please note: All zoning code variation requests for single-family and two-family homes and accessory structures are reviewed by the ZBA with a recommendation to the Village Board. All other zoning code variation requests are reviewed by the Plan Commission (PC) with a recommendation to the Village Board.

VILLAGE OF GLEN ELLYN, ILLINOIS
SAMPLE SCHEDULE FOR A ZONING VARIATION

1. Application submitted and reviewed by staff
 - Consult with staff for the number of copies for Plan Commission (PC)
 - 2 copies for Zoning Board of Appeals (ZBA)
2. After the application is determined complete, it is placed on next available ZBA or PC Agenda
 - 15-30 days for public hearing notice in local newspaper
 - Usually about 6 weeks from the date of submittal to the public hearing
3. Hearing before ZBA or PC
4. Minutes/Transcripts from hearing prepared and forwarded to the Village Board
5. Variation considered by the Village Board

Steps 1 – 5: Approximately 90 to 120 days

Zoning variations that are reviewed by the Plan Commission in association with a requested Special Use Permit or proposed Subdivision may take longer to process than what is represented by the above sample schedule.

VILLAGE OF GLEN ELLYN, ILLINOIS

DESCRIPTION OF THE ZONING VARIATION REQUEST PROCESS AND INSTRUCTIONS

I. OVERVIEW:

A. Introduction:

In general, the zoning variation process involves the following three steps (each of which is described in more detail below):

STEP 1 - Application:

Zoning variation requests are initiated by filing a completed Application for Variation form, together with other supporting documents and materials, with the Director of the Village Community Development Department.

Prior to completing the Application for Variation form, applicants and their representatives, if any, are strongly encouraged to carefully review the Glen Ellyn Zoning Variation Request Package and to become familiar with the applicable provisions of the Zoning Code.

STEP 2 - Public Hearing before the ZBA or PC which both make Findings of Fact and Recommendation to the Village Board:

After notice has been published and mailed to the surrounding property owners, a public hearing on the requested zoning variation(s) will be held before the ZBA or PC. Based on the evidence presented at the hearing by or on behalf of the applicant or by others, the ZBA or PC is required to make specific findings of fact to support its recommendation to the Village Board regarding the requested zoning variation(s). See Section I. B. below for a brief description of the findings/standards for a variation under the Zoning Code.

STEP 3 - Village Board Action:

After the minutes or transcript of the public hearing containing the Commission's findings of fact and recommendation have been delivered to the Village Board, the Village Board will consider the requested zoning variation(s). Under the Zoning Code, the Village Board has the final authority to act on the requested zoning variation(s).

A sample schedule for a zoning variation is included in this Zoning Variation Request Package. The actual schedule for particular requested zoning variation(s) may differ from the representative schedule for a wide variety of reasons.

Questions regarding the zoning variation process should be directed to the Community Development Department at (630) 547-5250.

B. Required Findings of Fact/Standards for a Variation:

Set forth below is a short summary of the three principal findings of fact or standards which must be met in order for the ZBA or PC to recommend, and the Village Board to grant, a requested zoning variation from the Zoning Code. This summary is a simplified version of Section 10-10-12(C) of the Zoning Code, which the applicant is referred to for the governing legal language.

All three of the following findings of fact or standards must be established and met to support a requested zoning variation (since #2 below consists of two alternatives, only one of the two is required; however, the applicant may present evidence on both alternatives):

1. There would be practical difficulties or particular hardship for the applicant/owner resulting from the characteristics of the property in question if strict compliance with the Zoning Code were required (i.e., if no zoning variation were granted); and
2. Either:
 - A. The property in question cannot yield a reasonable return without a zoning variation, or
 - B. The plight of the applicant/owner is due to unique circumstances relating to the property in question; and
3. Granting the requested zoning variation will not alter the essential character of the locality of the property in question.

Applicants are also referred to Section 10-10-12(D) of the Zoning Code for a list of supplemental findings.

The primary purpose of both the Application for Variation form and the public hearing before the ZBA or PC is to elicit evidence relating to these findings of fact or standards upon which the ZBA or PC and the Village Board can base their actions on the requested zoning variation(s).

II. APPLICATION FOR VARIATION AND RELATED MATTERS:

A. Application for Variation:

The following items must be submitted to the Director of the Village Community Development Department to begin the process for a zoning variation:

1. A properly completed Application for Variation form, together with all supporting documents and materials.

Applicants should note that Section 10-10-10(B) of the Zoning Code contains a list of requirements that should be carefully reviewed and includes submitting disclosure of ownership interests and authorization letters depending on the type and capacity of the person or entity holding fee title to the property in question or acting as the applicant for the zoning variation (e.g., representatives, land trusts, corporations, partnerships, other business entities, etc.).

Disclosure of Interest and Affidavit of Authorization forms are attached with this packet.

Applicants should also note that they are obligated to notify the Village in writing of any change in the requirements relating to the applicant under Section 10-10-10(B) of the Zoning Code (e.g., new 5% or more stockholder in a corporate applicant or new partner in a partnership applicant) that occur at any time after the Application for Variation has been submitted and before final action by the Village Board on their requested zoning variation(s).

2. An application fee must be paid at the time the application is made. Staff will inform the Petitioner of the amount. Depending on the type of application, an escrow (amount to be determined by the Community Development Director) may also be required to pay out of pocket Village expenses related to public notice costs, recording costs and other items related to the project application.
3. A site plan (at a scale of no less than 1 inch = 100 feet) showing:
 - Site dimensions and area
 - Location of any existing buildings and/or structures on the lot
 - Lot location
 - Placement of proposed building(s)/structure(s) on the lot
 - Street width, sidewalks and curb cuts
 - Easements
 - Type of construction
 - Floor layout
 - Building elevations
 - Parking area and layout
 - Front, rear and side yard setbacks, and
 - Other data that may be necessary for the review of the application

4. Proof of ownership from the most recent title insurance policy, deed or commitment covering the property in question.
5. A plat of survey of the property in question, with a topographical map containing a statement made by a registered Illinois land surveyor that the property is or is not in a flood plain or other type of special management area.
6. Reimbursement of Fees Agreement (for Plan Commission cases).
7. Affidavit Affirming No Conflict of Interest

B. Village Review:

The Village staff will examine each Application for Variation and accompanying items within a reasonable time after filing. When the Application for Variation and accompanying items appear to be complete and in good order, the requested zoning variation(s) will be scheduled for consideration at a public hearing before the ZBA or PC.

C. Public Hearing Notices and Related Matters:

Village staff will produce a legal notice of the public hearing before the ZBA or PC to be published not more than 30 or less than 15 days before the beginning of the hearing in one or more newspapers generally circulated within the Village. Such legal notice will state the time, date and location of the hearing and the particular location of the property in question and briefly describe the applicant's requested zoning variation(s).

Not less than 10 days prior to the public hearing, the Village Community Development Department will cause notice of the public hearing to be mailed to all property owners within a 250-foot radius of the property in question.

The Village will place one or more placards on the property in question not less than 15 days prior to the date of the public hearing. The placard(s) must remain until completion of the public hearing, at which time it will be removed by the Village. The placard(s) will be provided by the Village and will contain such information as is directed by the Director of the Village Community Development Department. Jurisdiction of the ZBA or PC to hold a hearing will not be affected by the absence of the placard(s), if the absence is not the result of the applicant's act or omission.

The Community Development Department will submit the Application for Variation and all accompanying and related items to the ZBA or PC for the public hearing.

Applicants are advised that members of the ZBA or PC and Village Board may visit the property in question to inspect it for themselves prior to the hearing.

III. PUBLIC HEARING:

A. Time, Date and Location:

Regularly scheduled meetings of the ZBA are on the 2nd and 4th Tuesday of each month and the regularly scheduled meetings of the PC are on the 2nd and 4th Thursday of each month both at 7:00 p.m. on the third floor of the Civic Center at 535 Duane Street, Glen Ellyn, Illinois.

B. Public Hearing:

The public hearing for the ZBA or PC is typically divided into five separate stages (which are described in more detail below) – (1) Staff Presentation, (2) Petitioner's Presentation, (3) Public Participation, (4) Commission Deliberation, and (5) Findings of Fact & Recommendation by the Commission.

1. Staff Presentation:

The Village staff will present a general overview of the applicant's request based on applicant's submittals and/or adherence to the Village's Zoning Code, review guidelines, stormwater standards and other relevant data.

2. Petitioner's Presentation:

After the Village staff's presentation, the applicant is given the opportunity to present his or her case. Applicants should note that it is the responsibility of the applicant and/or his or her representatives to present evidence supporting the requested zoning variation(s) in a complete and logical manner and to have all supporting documentation available at the hearing.

3. Public Participation:

The purpose of the public participation portion of the hearing is to give the public an opportunity to testify and to present evidence related to the requested zoning variation(s). Pursuant to State law, all testimony by witnesses in the hearing must be given under oath.

4. Commission Deliberation/Finding of Fact:

The Commission then discuss whether the evidence presented at the hearing is sufficient to establish and meet the findings/standards required under the Zoning Code to support a requested zoning variation. (See Section I.B. above for a short summary of the requisite findings/standards for a variation under the Zoning Code). Following this discussion, the Commission makes its recommendation and findings of fact under the Zoning Code and State law, based on the evidence presented during the public participation portion of the

hearing to the Village Board concerning the requested zoning variation(s) by vote.

5. Vote:

An affirmative vote of the majority of the members present at the ZBA meeting and the PC meeting is necessary to recommend the granting of a requested zoning variation to the Village Board.

Under the Zoning Code, the Commission may recommend to the Village Board a lesser variation than the requested zoning variation. In addition, the ZBA or PC may recommend to the Village Board such conditions and restrictions upon the property in question as may, in the opinion of the Commission, be necessary (1) to comply with the standards for a variation set forth in Section 10-10-12 of the Zoning Code, (2) to reduce or minimize the injurious effect of the variation upon other property in the neighborhood, and/or (3) to implement the general purpose and intent of the Zoning Code.

IV. VILLAGE BOARD ACTION:

After a record of the public hearing containing the Commission's findings and recommendations has been delivered to the Village Board, the Village Board considers the requested zoning variation(s) against the findings/standards required under the Zoning Code for a variation. The Village Board may choose to consider the requested zoning variation(s) at a workshop meeting before a request is considered at the regular meeting of the Village Board. The Village Board has final authority to act on the requested zoning variation(s).

The Village Board holds its meetings on the second (2nd) and fourth (4th) Mondays of every month at 7:00 PM. On the third (3rd) Monday of the month, the Village Board holds a workshop, where it discusses various requests but does not act on any applications.

Without further public hearing, the Village Board may grant, deny or amend the recommendation for variation or refer the requested zoning variation back to the ZBA or PC for further consideration.

A zoning variation may only be granted by an ordinance which is duly passed and approved by the Village Board and President. Pursuant to state law, passage of an ordinance granting a zoning variation which failed to receive a recommendation for approval from the ZBA or PC requires the affirmative vote of two-thirds of all Trustees on the Village Board.

After final action by the Village Board, the Village Clerk will notify the applicant, the Director of the Village Community Development Department, the Village Building and Zoning Official and the Director of the Village Public Works Department of the decision of the Village Board.

Applicants should note that unless a building permit to begin construction is applied for within 24 months after the approval of an ordinance granting a zoning variation, the

ordinance granting the zoning variation becomes null and void (unless the 24-month time limit is expressly extended by the Village Board by ordinance).

Zoning Code Variation Guidelines for Particular Hardship and Practical Difficulty Criteria

Seeking a variation is a legal process that allows property owners to build structures or use land in a way that is contrary to the local zoning regulations. Variations are meant to be used sparingly. Granting a variation should be based on a practical difficulty or a particular hardship that is directly related to the property and related uses. The Glen Ellyn Zoning code reads:

“The Zoning Board of Appeals shall not recommend, and the Village Board shall not vary, the provisions of this Zoning Code, except in cases where there are practical difficulties or particular hardship in the way of carrying out the strict letter of any regulation of this Zoning Code relating to the use, construction or alteration of buildings or structures or the use of land.”

It is very important to consider what constitutes a practical difficulty or particular hardship. Unfortunately, there is more information about what is not a practical difficulty or particular hardship than there is to define one. This is probably because there are an infinite number of variation probabilities and scenarios.

The courts have ruled that a practical difficulty or particular hardship cannot be self created, cannot be just showing that the property would be worth more if a variation were granted, and it cannot be just a demonstration that a property is better suited for a use that is prohibited than a use that is permitted.

In trying to define the practical difficulty or particular hardship the person making the decision on whether or not to support the variance will need to evaluate if:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located; or
2. The plight of the owner is due to unique circumstances; and that the Variation, if granted, will not alter the essential character of the locality;

The first test above essentially applies to the variety of uses that could be developed on the land. The applicant or owner must show more than a loss. The applicant or owner must demonstrate that there would be a loss or lack of reasonable return from each and every permitted use on the property. The second test implies that the hardship conditions shall not be generally applicable to a similar situation in the same zoning district. If that were the case, then the zoning of the district would be materially changed. Uniqueness relates to hardship, which refers to the land and not to the personal circumstances of the applicant or owner.

Furthermore, the Zoning Board must also consider other standards prescribed in the Glen Ellyn Zoning Code when deciding on variations:

1. That the particular physical surroundings, shape or topographical condition of the specific

property involved would bring particular hard-ship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulation were to be carried out;

2. That the conditions upon which the petition for Variation is based would not be applicable generally to other property within the same zoning district;
3. That the purpose of the Variation is not based exclusively upon a desire to make more money out of the property;
4. That the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property or by the applicant;
5. 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 is located;
6. That the proposed Variation will not:
 - a. Impair an adequate supply of light and air to adjacent property;
 - b. Substantially increase the hazard from fire or other dangers to said property or adjacent property;
 - c. Otherwise 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;
 - e. Unduly increase traffic congestion in the public streets and highways;
 - f. Create a nuisance; or
 - g. Result in an increase in public expenditures;
7. That the Variation is the minimum Variation that will make possible the reasonable use of the land, building or structure.

A zoning variation runs with the land indefinitely. This reinforces that variations should not be granted based on personal circumstances; while the people eventually will go away, the variation does not. The New York Supreme Court defined a variance as:

“An authority to a property owner to use the property in a manner forbidden by the ordinance.”

The owners seeking variations are expected to bear a “higher burden of proof”. Where a request for a variation is not unique or changes the essential character of the area, the petitioner should seek an amendment to the zoning code that would then apply throughout the district, rather than a variation. Variations are meant to be used sparingly, which is intentional as suggested in a reference from the case of *Real Properties v. Board of Appeals of Boston* that reads:

“The power of variances is to be sparingly exercised and only in rare instances and under exceptional circumstances peculiar in their nature and with due regard to the main purpose of a zoning ordinance to preserve the property rights of others.”

Here are a couple of examples of variation requests that have hardships:

1. A platted lot that is uniquely shaped and when the zoning code is applied, interferes with the buildable area of the lot.
2. Unusual topography or natural conditions within a parcel.

These are a few variations requests that do not include hardships:

1. The cost of a project would be greater if it were constructed in an area that would be otherwise permissible.
2. Request to accommodate the size of one's family or personal health issues.
3. Request to expand beyond conditions created by a previous owner. For example, the previous owner may have elected to build the structure up to the setback line even though there was ample space to provide more distance from the property line.

In conclusion, a hardship is not just ordinary inconvenience or difficulty and the owner must be able to show that there is an inability to make reasonable use of the land. The hardship or difficulty must be unique and should not generally apply to other properties. Hardships cannot be self-created, which even applies to action taken by previous owners, including work performed without a permit. According to the courts, a hardship does not include a potential for economic loss or less than maximum return. Finally, the use or modification must not alter the essential character of the area. The ultimate question that must be asked is "Is the property owner deprived of rights or deprived of their desires?"

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

CLEAR PAGES

APPLICATION FOR VARIATION

For the property at 616 N Main 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: Ian Hood & Stefanie Hood

Address: 616 N. Main St. Glen Ellyn, IL 60137

Home Phone No.: _____ Cell Phone No.: 312-343-5544

Fax No.: _____

E-mail: ianmichaelhood@gmail.com; stefanie.linares@gmail.com

Ownership Interest in the Property in Question:

Owners

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: 616 N Main

Permanent tax index number: 05-11-123-017

Legal description:

*That part of Lot 2 in Block 2 in Glen Ellyn addition to Prospect Park described as follows:
Beginning at a point on the East line of said Lot 2, 50.4 feet (measured on said East line)
Southerly of the Northeast corner of said Lot 2; thence Northerly along said East line 50.4 feet to
the Northeast corner of said Lot 2; thence West along the North line of said Lot 2, 283.8 feet to
the Northwest corner of said Lot 2; thence Southerly along the Westerly line of said Lot 2, 43 feet;
thence Easterly to the place of beginning in the Northwest quarter of Section 11, Township 39
North, Range 10, East of the Third Principal Meridian, in Du Page County, Illinois.*

Zoning classification: R2

Lot size: 49.8 ft. x 276 avg ft. Area: 12, 636 sq. ft.

Present use:

Single-family residential

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):

*A variance is requested to allow a reduction of the required 6.5' north side yard setback
(per Village zoning ordinance 10-4-8 (D)3) to 5.25' for construction of a 2-story addition
to the existing residence.*

Estimated date to begin construction: March 2025

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

Marc S Kollias-Architect
25w767 Durfee Rd, Wheaton, IL 60189

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 existing residence is located 3'-6" from and is not parallel to the north property line. The property also continues to narrow to the rear.
Due to this lot configuration and placement of the existing residence the width of the proposed addition would be limited if the addition is required to maintain the required 6.5' side setback per the zoning code.***

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):

Due to the lot configuration and placement of the existing residence the proposed new living space would be limited if the addition is required to maintain the required 6.5' side setback per the zoning code.

OR

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

The hardship is due to the original placement of the residence on the property and its proximity to the north property line.

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 will not alter the character of the property and will maintain the character of the existing residence.

- 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:

Given the shape of the property and locaton of the original residence, adhering to the strict requirements of the zoning code would not allow for creation of the desired new living space.

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 request for variation is unique to this property due to its shape and the location of the existing residence.

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 variance is requested to allow construction of an addition that will provide better kitchen and living space for the family.

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 particular hardship is due to the original placement of the residence on the property and is not due to anyone with an interest in the property.

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

The variation will not be detrimental to public welfare nor will it be injurious to other nearby properties.

6. Provide evidence that the proposed variation will not:

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

The proposed variation / proposed addition will maintain the characteristics and height of the existing residence and will not impair light and / or air to adjacent properties.

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

The proposed variation / proposed addition will not increase fire hazard or other dangers to this property or adjacent properties.

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

The proposed variation / proposed addition will not affect the health, safety, welfare, etc of Village inhabitants.

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

The proposed variation / proposed addition will not diminish neighborhood property values.

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

Traffic will not be affected by the proposed variation.

- f. Create a nuisance; or

The proposed variation / proposed addition will not create a nuisance...

- g. Results in an increase in public expenditures.

nor will the variation affect public expenditures.

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

The requested variation is the minimum variation that will make possible the construction of the proposed addition which will provide better living space for the family.

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

VI. CERTIFICATIONS, CONSENT AND SIGNATURE(S)

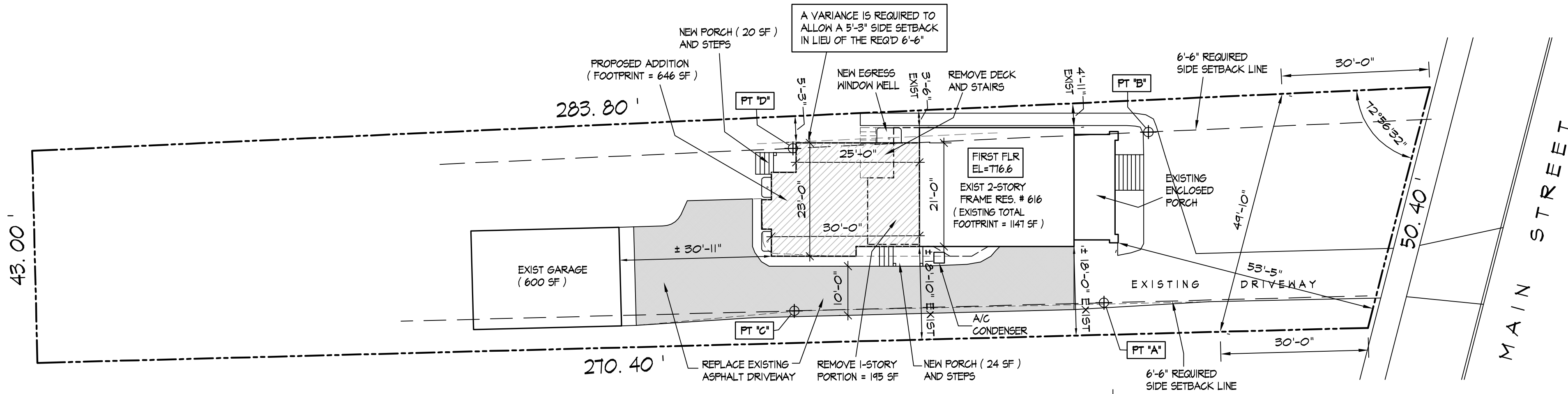
I (We) certify that all of the statements and documents submitted as part of this application are true and complete to the best of my (our) knowledge and belief.

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.

<u>10/11/2024</u>	<u>Stefanie Hood</u>	<u></u>
Date	Print Name	Signature of Applicant
<u> </u>	<u> </u>	<u> </u>
Date	Print Name	Signature of Applicant
<u> </u>	<u> </u>	<u> </u>
Date	Print Name	Signature of Applicant



PROPERTY IS NON-CONFORMING DUE TO :

- LOT WIDTH LESS THAN 66'
- NORTH SIDE SETBACK LESS THAN 6'-6"

PROJECT WOULD BE LIMITED TO CLASS 1 ADDITION AND CLASS 1 ALTERATION DUE TO 44'-10" LOT WIDTH

ZONING INFORMATION - R2 DISTRICT

AREA OF PROPERTY = 12,641 SF
ALLOW LOT COVERAGE = 20% x 12,641 = 2528 SF
(FOR MORE THAN 1-STORY RESIDENCE)

R2 DISTRICT SETBACK REQUIREMENTS:

FRONT = 30' MIN (MATCH EXIST SETBACK
CLOSEST OF EITHER SIDE ADJACENT HOMES)
SIDE = 6.5' MIN
REAR = 40' MIN
MAX RIDGE HEIGHT = 32'
(ABOVE AVERAGE OF EXIST. GRADES)
MAX EAVE HEIGHT = 22'
(ABOVE AVERAGE OF EXIST. GRADES)

EXISTING LOT COVERAGE =
EXISTING RESIDENCE = 1147 SF
(INCLUDES PORCH & CANTILEVER BAY)
EXIST GARAGE = 600 SF
(500 SF EXCLUDED = 500 SF)
EXIST LOT COVERAGE = 1247 SF = 9.8 %

PROPOSED LOT COVERAGE =
EXISTING COVERAGE = 1247 SF
REMOVE 1-STORY PORTION = (-195 SF)
PROPOSED ADDITION = 546 SF
(INCLUDES 2ND FLOOR CANTILEVER)

PROPOSED COVERAGE = 1548 SF / 12,641 = 12.6 %

ALTERATION CLASSIFICATION -

EXIST ROOF AREA = 1147 SF
EXIST WALL AREA = 5F
TOTAL EXIST SURFACE AREA = 5F
ROOF AREA ALTERED = 195 SF
WALL AREA ALTERED = 5F
TOTAL SURFACE ALTERED = 5F
2654 / 5452 = 48.7 %
(LESS THAN 50% = CLASS 1)

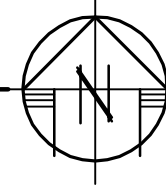
ADDITION CLASSIFICATION -

EXIST FIRST FLOOR AREA = 1147 SF
(INCLUDES PORCH AND CANTILEVER BAY)
EXIST 2ND FLOOR AREA = 753 SF
TOTAL EXISTING FLR AREA = 1900 SF

PROPOSED NEW FLOOR AREA :
FIRST FLR = 525 SF
2ND FLR = 546 SF
TOTAL NEW FLOOR AREA = 1071 SF
(1-STORY PORTION REMOVED = -195 SF)
NET NEW FLOOR AREA = 876 SF
876 / 1900 = 46.1 %
(CLASS 1 = 0 TO 75%)

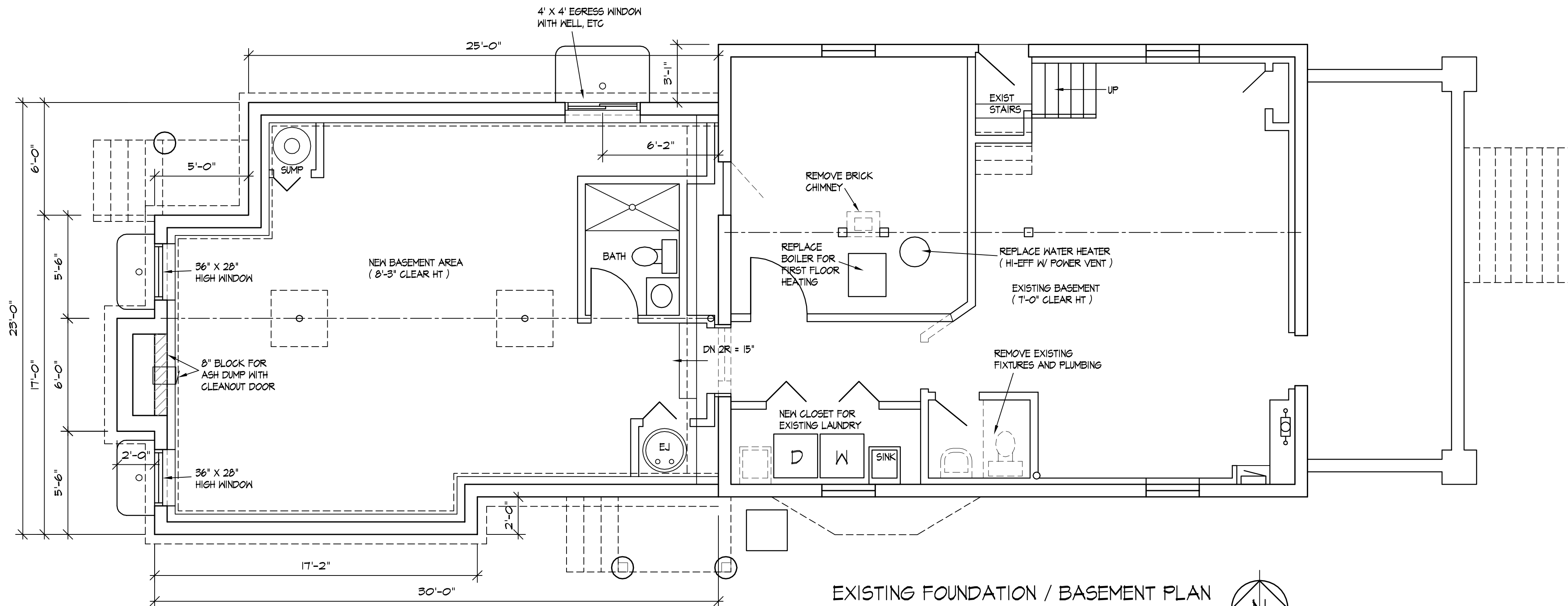
SITE PLAN

1" = 16' - 0"



AVERAGE EXISTING GRADE :

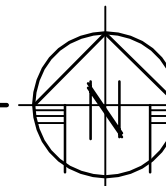
POINT 'A' = T12.5
POINT 'B' = T11.8
POINT 'C' = T15.0
POINT 'D' = T13.7
AVG = 3043 / 4 = T13.25



EXISTING FOUNDATION / BASEMENT PLAN

WITH PROPOSED ADDITION

1 / 4" = 1' - 0"



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NOTES:

- (1) ARCHITECT SHALL NOT BE LIABLE NOR RESPONSIBLE FOR THE QUALITY OF MATERIALS OR FOR THE QUALITY OF WORKMANSHIP USED ON THE JOB.
- (2) ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY SITE INSPECTIONS OF WORK QUALITY OR PROGRESS.
- (3) ALL WORK SHALL COMPLY WITH ALL CURRENT APPLICABLE CODES.
- (4) CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AND SHALL ASSUME FULL RESPONSIBILITY FOR SAME PRIOR TO EXECUTING ANY WORK.
- (5) FIGURED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE OF ALL DRAWINGS SEE NOTE 4.

THE FOLLOWING CODES SHALL APPLY TO ALL WORK FOR THIS PROJECT:

2018 INTERNATIONAL RESIDENTIAL CODE (IRC)
2017 NATIONAL ELECTRICAL CODE (NEC)
2014 STATE OF ILLINOIS PLUMBING CODE
2018 INTERNATIONAL MECHANICAL CODE
2018 INTERNATIONAL FUEL GAS CODE
2018 INTERNATIONAL ENERGY CONSERVATION CODE
2018 IECC (WITH STATE OF ILLINOIS AMENDMENTS)
VILLAGE OF GLEN ELLYN AMENDMENTS TO ALL APPLICABLE CODES

ENERGY CONSERVATION CODE COMPLIANCE -

THESE PLANS FOLLOW THE PRESCRIPTIVE GUIDELINES FOR ENERGY CONSERVATION AS REQUIRED BY THE 2018 IECC AND THEREFORE AN ENERGY COMPLIANCE CERTIFICATE AND COMPUTATION HAVE NOT BEEN PROVIDED.

PROPOSED ADDITION AND REMODELING FOR

IAN HOOD AND STEFANIE LINARES

GLEN ELLYN, I.L.

REVISIONS

MARC KOLLIAS
-ARCHITECT-

25W167 DUFFIE RD.
WHEATON, IL 60184
PH: (630) 690-8211

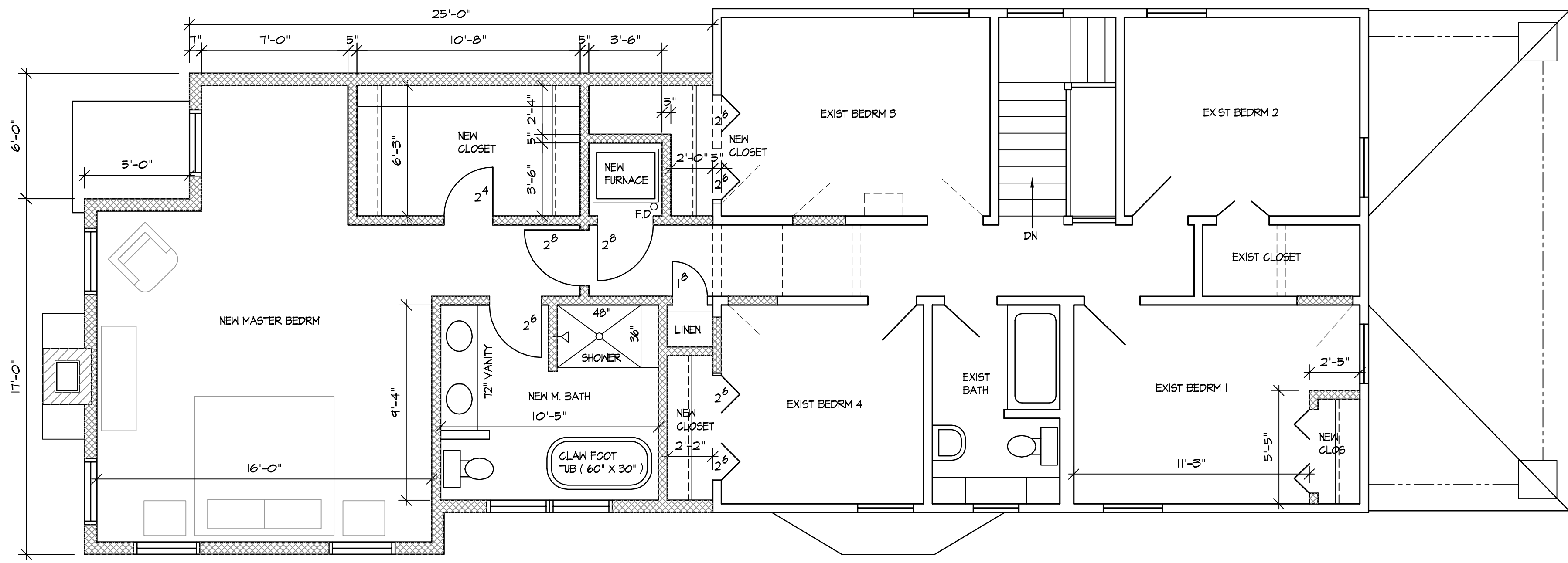
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DATE :

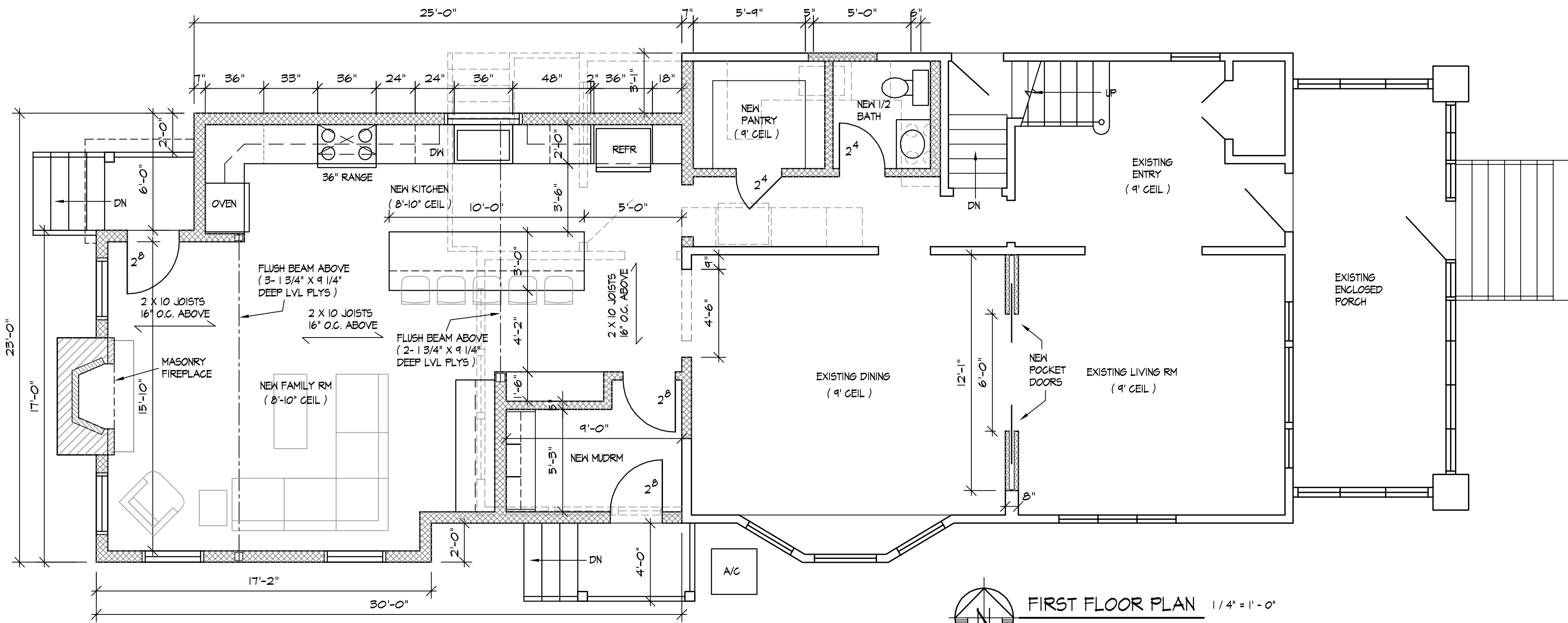
JOB #: 23-1001

A1

1 OF



2ND FLOOR PLAN
WITH PROPOSED ADDITION
1/4" = 1'-0"



FIRST FLOOR PLAN
WITH PROPOSED ADDITION
1/4" = 1'-0"

FLOOR PLANS

PROPOSED ADDITION AND REMODELING FOR
IAN HOOD AND STEFANIE LINARES
616 N MAIN
GLEN ELLYN, IL

REVISIONS

MARC KOLLIAS
-ARCHITECT-
25N161 DUFFEE RD.
WHEATON, IL 60184
PH: (630) 690-8211

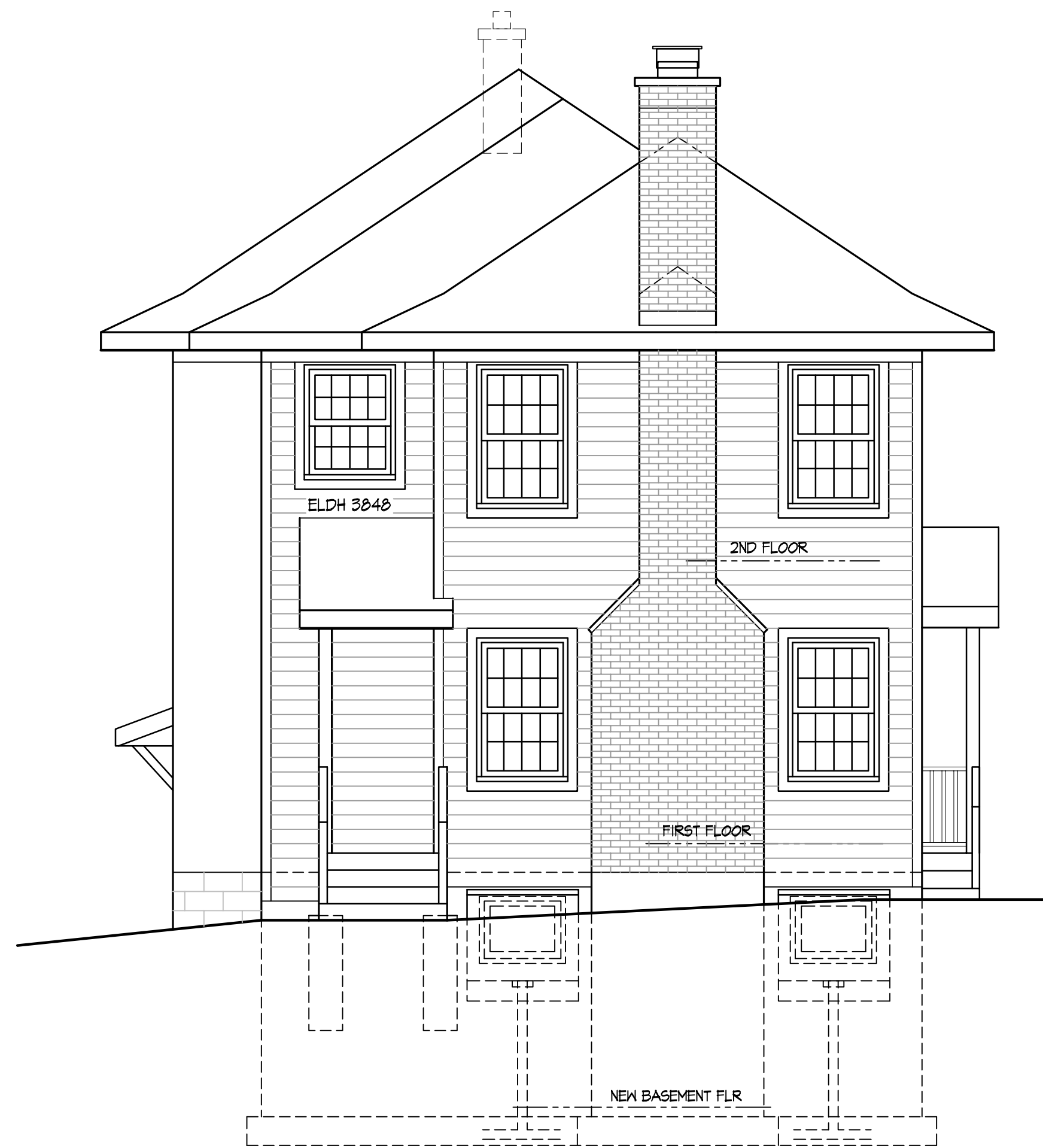
DRAWN: MK

DATE:

JOB #: 23-1001

A2
2 OF

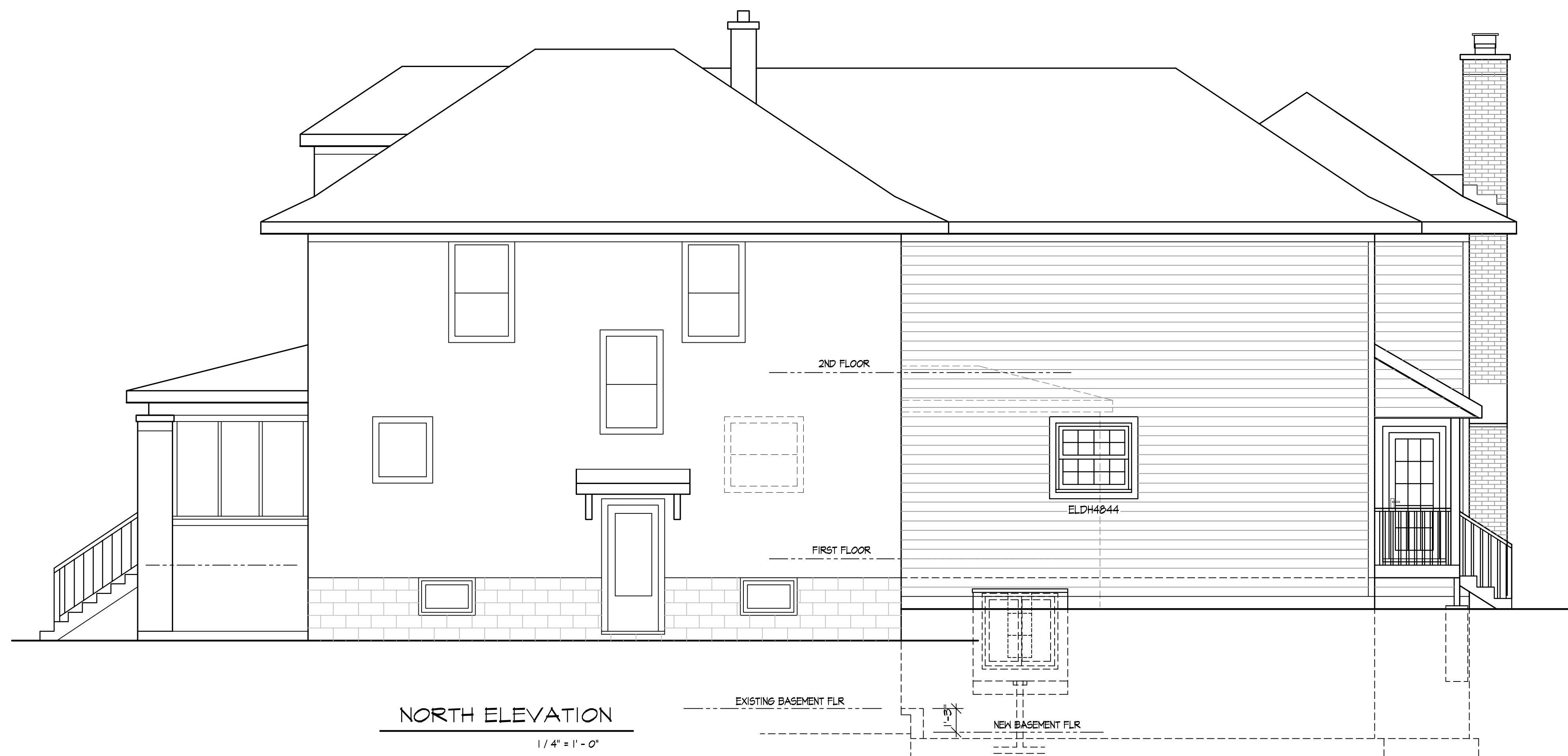
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WEST ELEVATION
1/4" = 1' - 0"



SOUTH ELEVATION
1/4" = 1' - 0"



NORTH ELEVATION
1/4" = 1' - 0"

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ELEVATIONS

PROPOSED ADDITION AND REMODELING FOR
IAN HOOD AND STEFANIE LINARES
616 N MAIN
GLEN ELLYN, IL

REVISIONS

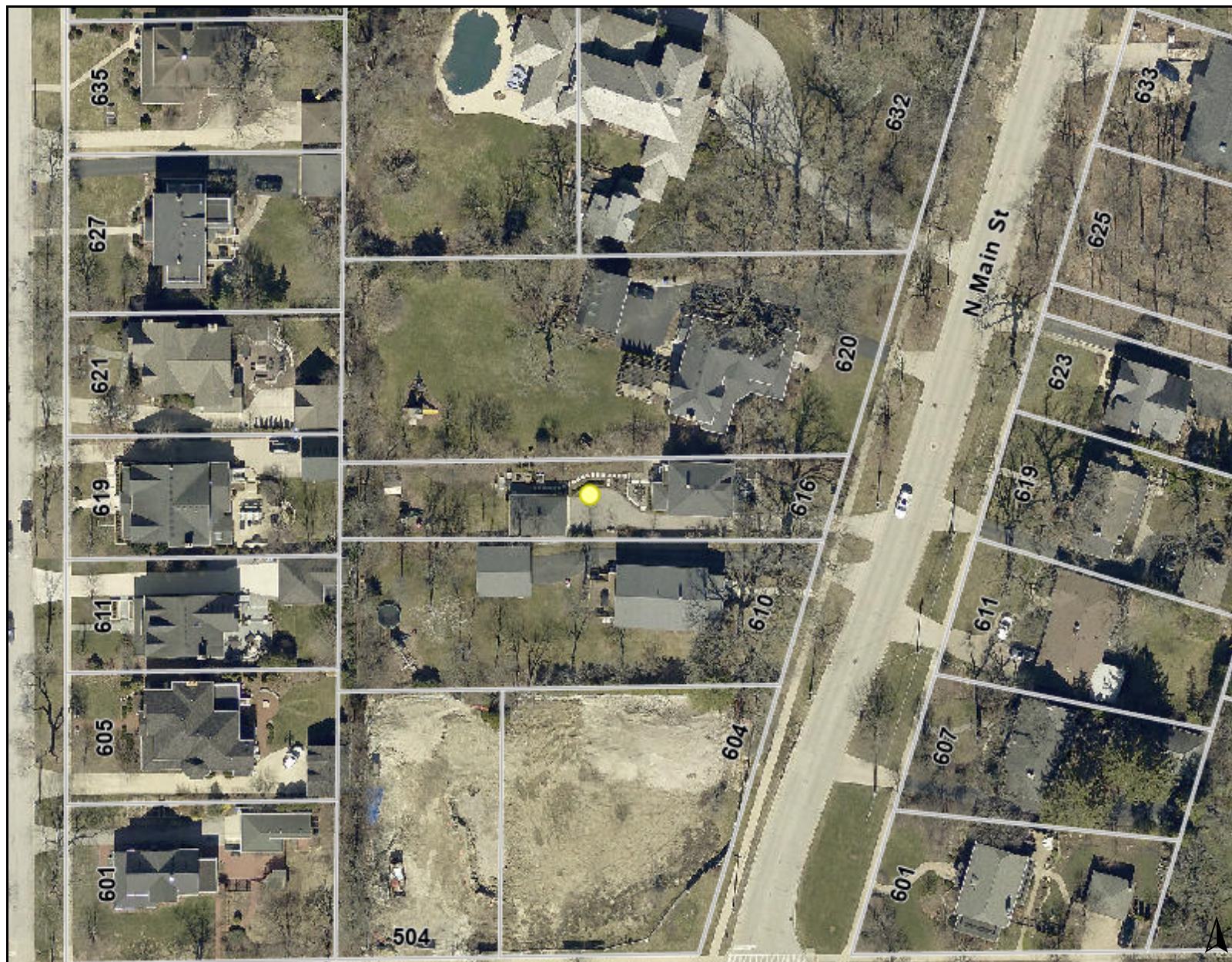
MARC KOLLIAS
-ARCHITECT-
25N161 DUFFEE RD.
WHEATON, IL 60184
PH: (630) 690-8211

DRAWN: MK

DATE:

JOB #: 23-1001

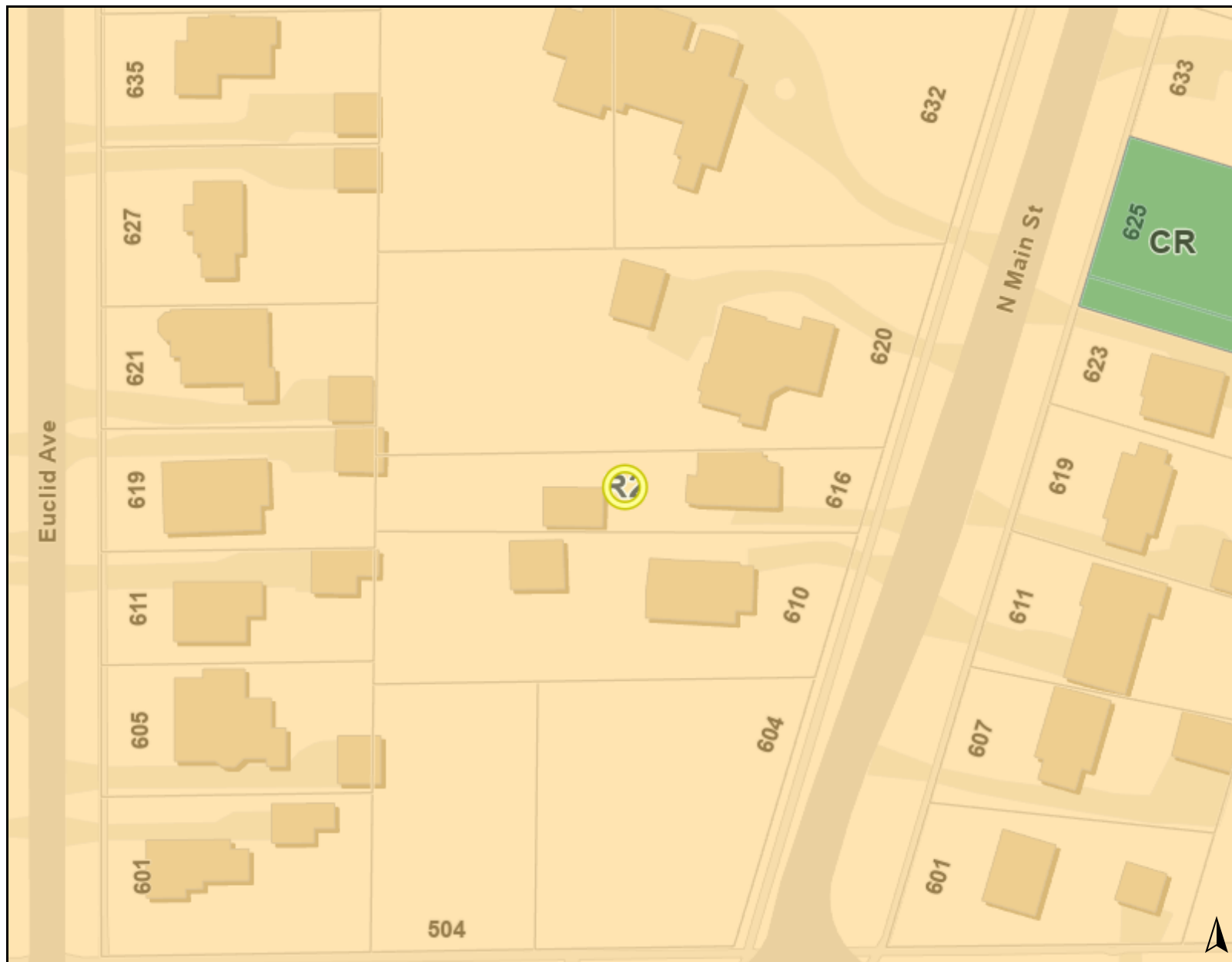
A3
3 OF



Legend

Notes

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Legend

Zoning and Development

Zoning

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

0 150 300
ft

Print Date: 11/14/2024

Notes

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