

MINUTES
Glen Ellyn Zoning Board of Appeals Meeting
Tuesday, December 10, 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 7:04 PM. Chairperson Constantino explained the advisory nature of the Zoning Board of Appeals (ZBA) and its process for deliberation and recommendation. He described the Public Hearing protocols and announced that the meeting was being recorded.

Roll was called.

Present: Chairperson Greg Constantino and Members Matthew Jones, Christiane McKnight, Peter Kelly, Todd Buckton, Noureen Lakhani and Craig Pavlich.

Absent: None

Also in attendance: Daniel Harper, Planning Manager; Donna Jean Simon, Acting Village President/Village Trustee and Julie Settles, Recording Secretary.

B. Public Comment (non-agenda items)

None

C. New Business

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

Member McKnight moved to open the Public Hearing. Member Buckton 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 requested zoning variations to allow for a front side yard setback of forty-eight feet and nine inches (48.9') in lieu of the required forty-nine and six inches (49.6') front yard setback which is the setback of the closest principal structure on the adjacent lot on the same block and same side of street, to allow a lot coverage of 25% in lieu of the maximum allowed lot coverage of 20%, to allow for a maximum eave height of twenty-four feet and five inches (24.5") in lieu of the maximum eave height of twenty-two feet (22'0) and 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 at 654 Essex Road.

Mr. Harper stated the variance requests were published in the Daily Herald on November 22, 2024 and neighbors were notified by mail. Mr. Harper stated that the petitioners are requesting the three zoning variances to allow for 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 square feet of additional area. The existing one-car garage is proposed to be removed and replaced with a two-car, 441 square feet garage. The proposed upper story addition would be approximately 890 square feet and would have a master bedroom, bath, office space and laundry room.

Mr. Harper stated the ZBA Action is to consider the testimony presented during the public hearing and review the written evidence presented. The ZBA should make findings of facts and determine if practical difficulty or a particular hardship exists and if the essential character of the neighborhood is maintained. The ZBA may choose to make a recommendation to the Village Board for the approval, approval with conditions or denial of the variation to allow the construction of the proposed addition in accordance with the Section 10-10-12 of the Glen Ellyn Zoning Code.

Member McKnight asked if the increase of the lot coverage would cause any flooding issues. Mr. Harper answered that detention will be necessary in the backyard. Chairperson Constantino asked if the ZBA had to address this. Mr. Harper answered no.

Member Jones asked if the variations are only 50 feet over the 20% maximum. Mr. Harper answered yes. Member Jones asked that with the garage it's 25%. Mr. Harper answered yes.

Chairperson Constantino asked that if the property was vacant and the owner wanted to build to what they are requesting they would not be able to. Mr. Harper answered that if it was undeveloped property it would be over the requirements and they wouldn't be able to build. Chairperson Constantino asked if there was any talk of the petitioner to do less of an addition. Mr. Harper answered that there are portions of the addition that could be reduced, but it would take away from what the petitioners want to do. Chairperson Constantino asked if the Village had any written comments from the neighbors. Mr. Harper answered they received two verbal comments in favor, but no written comments.

Sworn in, Robert Green, owner of 654 Essex Road, thanked the Commission for their time and stated they have raised four children in Glen Ellyn since 2000 and love the uniqueness and amenities of the house to accommodate their growing number of grandchildren. They have been looking at this house for a while. They intend to keep the architectural uniqueness of the home. He stated they have support from eight neighbors. If the variations are approved, it will enhance their home and neighborhood and they will maintain the distinguishing element of the modern home.

Member Pavlich asked when the home was built. Mr. Green answered 1954.

Sworn in, Steven Poteracki, Studio 1 Architects, stated that the impervious area should be comparable to what is existing. He stated he will work with the Village on water detention. He stated the lot slopes 5 feet from back to front. Mr. Poteracki stated he and the home owners looked to find ways to maintain the home without demolishing it. He stated the home needs a new kitchen. The existing kitchen is 10X10. He stated the addition in the back will be a dining room, kitchen and living room. The second floor will be a master suite. He stated they are not trying to build a box on top of a box. The one car garage is not functionable so the will be taken down and a two car fully attached garage will be constructed. He stated they really tried to keep it minimized and that's why they need the front yard setback.

Member Pavlich stated that this particular block is interestingly platted. He asked how the overall shape of the lot impacted design. Mr. Poteracki answered the back-lot property line is angled and that dictated how far they wanted to push the addition back. He stated the bigger addition is where the existing patio is. Member Pavlich asked if a split level is classified as a second story. Mr. Harper answered that it depends on the amount of grade change from each level. If there is not a walkout from the ground floor, it is not a second story. Member Pavlich asked if there is different coverage for second story versus split level. Mr. Harper answered if they didn't put the second story, it would be considered a one-story. He stated the addition on the first floor would be allowed and it's the second story addition that puts it in the 20% lot coverage requirement.

Chairperson Constantino asked that regarding the lot coverage and to maintain the integrity of the structure, the minimum variation is needed in order to make the proposed additions feasible. Mr. Harper answered yes. Chairperson Constantino stated that the hardship is due to the shape of the lot, the slope of the lot and all these issues addressed.

Member Jones asked how many mid-century modern homes are in Glen Ellyn. Mr. Poteracki answered possibly six but he wasn't sure. He stated they are very unique to Glen Ellyn.

Member Pavlich read the findings of fact:

1. Due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code, because the subject property is an irregular shaped lot.
2. The property in question has a front lot width of 63.5' versus the required 66'.
3. The home was built in 1954 and predates all zoning codes.
4. The requested variation, if granted, will not alter the essential character of the locality of the property in question because the proposed home is intended to match the character of the neighborhood and reduce the impact on the neighboring property to the east.

Member Buckton made a motion to approve the Finding of Facts. Member McKnight seconded the motion and the motion passed by voice vote.

Deliberation

Member Buckton stated he loves this property and house. He said the real problem is the 25% lot coverage and he thinks it's too much for the property. He stated he understands the owners didn't

know that when they purchased the property, but he's not sure that means granting a variation. He stated he is against granting the variation.

Member Lakhani stated that because it is a mid-century home she agrees there are limitations. She stated you need the height to maintain the home so there is not much the owner can do. A two-car garage is needed. She stated she is in favor of all three variances.

Member Jones stated that 25% lot coverage is high, but the challenge is the garage. Since they can't put the garage somewhere else, that gives leeway to give the 25%.

Member McKnight stated she is in favor of variance one and three. She stated the lot coverage is extreme and she's struggling to find a hardship. She stated she's inclined to vote against the variation.

Member Kelly stated that the slope and grading of the lot brings a challenge, and a one car garage is not functionable, so he'd be inclined to vote in favor.

Member Pavlich asked if the Commission could get lot coverage of other neighborhood properties, and some are larger than the zoning the petitioner is facing. He stated many have set back variations. He stated he is in favor.

Chairperson Constantino stated he'd like to grant the variations due to the size of the lot. He stated the proposal would be less encroachment than the existing. The rear yard slope affects the ability to build anything in the back. He stated he was concerned with the lot coverage but as the Commission has seen and heard, there are unique circumstances. He stated he would be in favor.

Member Jones made a motion to close the Public Hearing for 654 Essex Road. Member Lakhani seconded the motion and the motion passed by voice vote.

Member Jones made a motion to adopt the "(Draft) Motion to recommend approval of zoning variations for 654 Essex Road.

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 forty-nine and six inches (49.6') front yard setback 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 and five inches (24.5") in lieu of the maximum 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
The ZBA adopts the finding of fact in the petitioner's application packet and presented by the petitioners at the Zoning Board of Appeals public hearing conducted on December 10, 2024, as well as the findings included in the deliberations of the ZBA and recommends approval based on the following hardships

1. The shaped of the lot.

2. The slope and rear property line.
3. The unique circumstances of the preservation of a mid-century house.

Member Lakhani seconded the motion. The motion passed on a roll call vote with four Members present voting “Yes”, Constantino, Jones, Lakhani and Pavlich and two Members present voting “No”, McKnight and Buckton.

F. Trustee Liaison’s Report

Trustee Donna Jean Simon stated the Village Board is trying to reduce the number of meetings. She stated the Board approved the budget in November. The Board tried for a 0% increase but had to do a 1.7% increase in property taxes due to lead pipe issues.

G. Staff Report

Mr. Harper stated there are no applications upcoming for the ZBA. He stated the 252 Merton sport court was approved with conditions by the Village Board and has applied for the building permit.

Acting President Donna Jean Simon stated this will be inspected once a year for five years.

Mr. Harper stated that 417 Dawn was approved by the Village Board. He stated that 616 N Main that the ZBA reviewed in November will go to the Village Board in January. He stated tomorrow at the AAC meeting a proposed Starbucks on Roosevelt will be reviewed. He stated that 534 Duane is also on their agenda.

Chairperson Constantino stated that he submitted his letter of resignation from the Commission due to wintering in Florida. He stated that Matthew Jones will be the new Chairperson. He thanked everyone. Mr. Harper presented Chairperson Constantino with a plaque.

H. Adjournment

Member Kelly made a motion to adjourn the meeting. Member McKnight seconded the motion and the motion passed by voice vote at 8:12 PM.

Respectfully submitted,

Julie Settles